

# **CHARTER TOWNSHIP OF YPSILANTI BOARD OF TRUSTEES**

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*Supervisor*

**BRENDA L. STUMBO**

*Clerk*

**HEATHER JARRELL ROE**

*Treasurer*

**STAN ELDRIDGE**

*Trustees*

**JOHN P. NEWMAN II**

**GLORIA PETERSON**

**DEBBIE SWANSON**

**JIMMIE WILSON, JR.**

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**February 15, 2022**

**Work Session – 5:00 pm**

**Regular Meeting – 7:00 p.m.**

**Ypsilanti Township Civic Center**

**7200 S. Huron River Drive**

**Ypsilanti, MI 48197**

# **DEPARTMENTAL REPORTS**

*Supervisor*

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*Charter Township of Ypsilanti*

**Assessor's Office**

7200 S. Huron River Drive

Ypsilanti, MI 48197

Phone: (734) 487-4927

Fax: (734) 484-5159

TO: Ypsilanti Township Board of Trustees

FROM: Linda Gosselin, Assessor  
Brian McCleery, Deputy Assessor

DATE: February 10, 2022

RE: January 2022 Department Update

- Values on all properties have been reviewed and completed.
- 2022 Real Property Assessment Notices were mailed to all properties in the community.
- Board of Review meets in March to hear assessment and poverty appeals.
- 2022 Personal Property Statements have been mailed out to all business in the community and will need to be received in our office by the State deadline of February 20.
- Staff fielding phone calls from residents regarding the valuation.

*Supervisor*  
**BRENDA L. STUMBO**  
*Clerk*  
**Heather Jarrell Roe**  
*Treasurer*  
**Stan Eldridge**  
*Trustees*  
**John P. Newman**  
**Gloria Peterson**  
**Debbie Swanson**  
**Jimmie Wilson JR.**



**Residential &  
Environmental Services**  
.....  
**Compost Operations**

2600 E. Clark Road  
Ypsilanti, MI 48198  
Phone: (734) 482-6681  
Fax: (734) 544-7643

*Charter Township of Ypsilanti*

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# MEMORANDUM

To: Lisa Stanfield  
From: Carl Rowsey  
Date: 2-10-2022  
Subject: January Compost Report

These are the activities for the month of January related to compost operations. Due to cold winter temps and a large snowfall, work has been focused to servicing the equipment in the shop here at the site. One of our large loader's has been down for 2 weeks and after an exhausting attempt to repair it, a call was made to Michigan Cat for further assistance. As of 2-8-22 the machine is back in service.

We have completed our first full month of our winter schedule. This has been Saturday's Only. The site has been very busy with recycling as well as trash and yard waste disposal.

As each day changes, we address whether working outdoors can be done safely. We still have material that needs to be processed and will do so, weather permitting. A lot of work still needs to be done and foresee it being a busy next couple of weeks.

*Supervisor*  
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*Clerk*  
**HEATHER JARRELL ROE**  
*Treasurer*  
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*Trustees*  
**JOHN P. NEWMAN II**  
**GLORIA PETERSON**  
**DEBBIE SWANSON**  
**JIMMIE WILSON JR.**



**Human Resource  
Department**

7200 S. Huron River Drive  
Ypsilanti, MI 48197  
Phone: (734) 484-0065  
Fax: (734) 484-5160  
[ytown.org](http://ytown.org)

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## MEMORANDUM

**TO:** Charter Township of Ypsilanti Board of Trustees

**FROM:** Karen Wallin, Human Resource Manager

**DATE:** February 9, 2022

**RE:** **Departmental Update for January 1, 2022 – February 11, 2022**

The following is a summary of the happenings within the Human Resource Department:

#1) Upon returning to work on January 4, 2022, the HR Department finished testing candidates for the open positions within the Treasurer's and Clerk's Departments. Interviews were completed on January 14<sup>th</sup> and job offers were made the following week. I am happy to announce that as of Monday, February 7, 2022, Christina Benitez joined the Clerk's Office and Amanda Smith joined the Treasurer's Office.

#2) Due to the increase need for mechanical inspections and the retirement of our previous contractual employee, Todd Barber, a full-time mechanical inspector position was posted on Friday, January 7, 2022. Applicants were reviewed and on Monday, January 24<sup>th</sup>, Mark Hanna was interviewed. Mark has all the necessary state certifications as a mechanical inspector and a job offer was made and accepted. Mark began work today, Wednesday, February 9<sup>th</sup>.

#3) The position of Assistant Director of Golf Operations was posted on January 9<sup>th</sup> with a closing date of February 8<sup>th</sup>. A total of 5 candidates applied and Kirk Sherwood and Mike Hoffmeister will be reviewing the applicants in preparation for interviews. The goal is to get someone in place by the beginning to middle of March.

#4) Two 14-B District Court positions were posted in late December 2021 with a closing date of Monday, January 10<sup>th</sup>. Applications were reviewed and testing took place on January 20<sup>th</sup> and 21<sup>st</sup>. Brian Wild, a bailiff for the court was awarded the 1<sup>st</sup> position with a starting date of Wednesday, February 9<sup>th</sup>. Interviews for the second position are scheduled for Friday, February 11<sup>th</sup>.

#5) On Wednesday, January 12<sup>th</sup>, I attended the Fire Department Officer's Meeting to present the new Incident/Accident Reporting form to report work related injuries, vehicle accidents and other incidents that occur on Township property or involve Township employees. This form was also presented at the managers meeting held on January 19<sup>th</sup>.

#6) On Tuesday, February 1<sup>st</sup>, the Fire Department welcomes a new employee, Mason Fecker. Mason is a Township resident and previously worked for Ann Arbor Township Fire Department as a paid on call Firefighter.

#7) Notice of 2022 Fire Marshal testing was forwarded on Monday, January 31<sup>st</sup>. Fire Department personnel have until Friday, February 18<sup>th</sup> to notify the HR Department of their intent to test. The written test is scheduled for Thursday, April 7<sup>th</sup>, with the oral boards to take place on Thursday, April 28<sup>th</sup>.

#8) The required OSHA Form 300A was prepared and posted at each of the Township buildings as required by January 31<sup>st</sup> each year.

#9) The Human Resource Department received two (2) grievances that are currently going through process. One from the TPOAM union and one from the Fire union.

#10) Seasonal employment is right around the corner. Advertisement for 2022 Seasonal Employment is being prepared and applications will start being accepted on Tuesday, February 15<sup>th</sup>.

#11) Negotiations with TPOAM union is scheduled to start on Wednesday, February 16<sup>th</sup>.

#12) Due to scheduling conflicts, HR received a request from AFSCME 14-B Representative, Carlos Cross to extend the 90-day contract extension for an additional 30 days. We anticipate negotiations with AFSCME 14-B to begin early March.

In addition to the items listed above, we have been busy with the daily HR duties as well. Should you have questions on any of these items, please feel free to contact me.

# CHARTER TOWNSHIP OF YPSILANTI

## OFFICE OF COMMUNITY STANDARDS

Building Safety • Planning & Zoning • Ordinance Enforcement • Police Services

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To: Board of Trustees

From: Jason Iacoangeli, Planning Director  
Dave Bellers, Chief Building Official  
Belinda Kingsley, Community Compliance Director  
Kristi Troy, Executive Coordinator

Re: **OFFICE OF COMMUNITY STANDARDS ACTIVITY REPORT  
JANUARY 2022**

Date: February 7, 2022

Enclosed are reports for the following areas of activity within the Office of Community Standards for the period January 1, 2022 thru January 31, 2022. During this time period staff members completed a total of **1241 field inspections**.

1. PLANNING & DEVELOPMENT DEPARTMENT PROJECTS
2. ACTIVE LAWSUITS & OTHER MISCELLANEOUS PROJECTS
3. BUILDING DEPARTMENT PERMITS ISSUED
4. BUILDING CERTIFICATES OF OCCUPANCY ISSUED
5. NEW RENTAL HOUSING CERTIFICATIONS
6. NEW VACANT STRUCTURE CERTIFICATIONS
7. NEW OTHER ORDINANCE CERTIFICATIONS
8. NEW CODE ENFORCEMENT CASES

# CHARTER TOWNSHIP OF YPSILANTI

## OFFICE OF COMMUNITY STANDARDS

Building Safety • Planning & Zoning • Ordinance Enforcement

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February 15, 2022

Re: Planning Division (OCS) January 2022 activity summary

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Please be advised of the following activities related to the Planning Department for January, 2022.

Zoning verification letters issued	4
Building and zoning permit applications reviewed	40
Business registration applications reviewed	3

**Zoning Board of Appeals**—January meeting cancelled due to lack of agenda

### Planning Commission

At the January 11, 2022 meeting, the Commission:

- a) Held a public hearing for Range USA, 660 James L Hart Parkway, to consider a request to amend the planned development stage II approval along with associated development agreement to provide for an indoor gun range (indoor recreation), classroom, and retail sales.

**MOTION:** Mr. Kreig MOVED to recommend approval of preliminary site plan and PD stage one to the Ypsilanti Township Board of Trustees for Range USA. An indoor gun range to be located at 660 James L Hart Pkwy, parcel K 1117 360 1021 with the following conditions:

1. The applicant needs to address the remaining review comments from consultants, agencies and departments.
2. Interior and exterior camera systems shall be held for 45 days and be made available to law enforcement on request
3. The development is to include a minimum of two EV parking spaces as part of the overall off street parking arrangement.
4. Range USA will agree to use eco-friendly landscaping and landscaping products for the development.
5. The applicant shall obtain all applicable outside agency permits.

The MOTION was SECONDED by Mr. Doe and PASSED by unanimous consent.



- b) Considered full site plan for construction of a 15,019 square foot building to provide for an indoor gun range (indoor recreation), classroom, and retail sales

MOTION: Mr. Kreig, MOVED to approve the request for a preliminary site plan for Range USA be located at 660 James L Hart Pkwy, parcel K 1117 360 1021 with the following conditions:

1. The applicant needs to address the remaining review comments from consultants, agencies and departments.
2. Interior and exterior camera systems shall be held for 45 days and be made available to law enforcement on request
3. The development is to include a minimum of two EV parking spaces as part of the overall off street parking arrangement.
4. Range USA will agree to use eco-friendly landscaping and landscaping products for the development.
5. The applicant shall obtain all applicable outside agency permits.

The MOTION was SECONDED by Mr. Doe and PASSED by unanimous consent.

- c) Considered and made an approval recommendation of the revised Zoning Ordinance and map
- d) Adopted the regular Commission meeting dates for 2022

**CHARTER TOWNSHIP OF YPSILANTI  
JANUARY 2022  
OFFICE OF COMMUNITY STANDARDS  
ACTIVE LAWSUITS**

Date: February 9, 2022

Staff and legal counsel are actively engaged in working to resolve the following authorized lawsuits in Washtenaw County Circuit Court:

0	Dir	Address	Defendant	Nature of Case	Status	Updated Notes	Date Last Reviewed	Next Court Date	Case No.:
1005		Emerick	GV, LLC (Robert Hull) Gault Village Shopping Center	Public Nuisance	AUTHORIZED AND FILED	Court hearing for costs and sanctions. YCUA shut off water to the site. Tax appeal hearing in January.	2/9/2022	3/25/2022 @ 9:00 Evid. Hrg.	16-437-CZ
2355		Wiard	D&G Auto Salvage & Randy Clark	Public Nuisance	AUTHORIZED AND FILED	On hold for WCHD septic approval. Denny rec email from County.	2/9/2022	4/21/2022 @ 10:00	17-96-CZ
924-940		Minion	Circular Investments LLC (Issa)	Zoning/Woodland Protection/Soil Erosion	AUTHORIZED AND FILED	Site plan rejected by Planning - does not combine parcels, only shows a parking lot. Mtg w/ PO and counsel 2/10/22.	2/9/2022	2/17/22 @ 1:30	17-809-CZ
1405		Ecorse	Elks Club	Public Nuisance	AUTHORIZED AND FILED	Violation of court order - parking lot repaved w/o permit, storm drains are bad. Waiting for entry of Order or Evid Hrg.	2/9/2022	3/14/22 @ 9:00 (Evidentiary Hrg)	18-1259-CZ

1503		E. Michigan	Malek& Jenias Mohammed-KH Hamami	Public Nuisance	AUTHORIZED AND FILED	Application and plan filed - to be reviewed by Planning. Holding for payment of fees.	2/9/2022	2/17/22 @ 9:00	
2545		Coolidge	Donna Cole	Public Nuisance	AUTHORIZED AND FILED	Pending demo completion. In COA.	2/9/2022		18- 1312- CZ
670		Onandaga	Greater Faith Church	Public Nuisance	Authorized, not filed	Fire suppression completed. Pending zoning & building code compliance.	2/9/2022		
1474		Ecorse	Ypsi Motown Properties - Township Plaza	Public Nuisance	AUTHORIZED AND FILED	Site plan reviewed and sent back for revisions. Need an engineer for parking lot.	2/9/2022	2/17/22 @ 9:00 a.m.	
2830	E	Michigan Avenue	Nanak Real Estate, LLC	Zoning	AUTHORIZED AND FILED	Trial adjourned. Potential associated dispatch center across the road.	2/9/2022	June 2, 2022 @ 1:30	
6214		Tuttle Hill	Estate of Willie C. Dunson, Jr. Deceased	Public Nuisance	AUTHORIZED AND ESTATE FILED	Lawsuit filed against estate of former owner. Property sold, repairs started.	2/9/2022	2/24/2022 @ 10:00	
3775		Golfside	Issa	Fire	AUTHORIZED AND FILED	18 months from order 7/28/2020 to get new C- of-O for rebuild, or demo the garage (1/28/22). Denny will contact their attorney.	2/9/2022		

399		Elder	Dabney	Public Nuisance	AUTHORIZED AND FILED	Latest clean up of property on 10/8/21. Need to file lien against the property for costs.	2/9/2022		
1395		Ecorse	Mcheik/Houjeij	Public Nuisance	AUTHORIZED AND FILED	Monitor weekly for violations. Tom will inspect for compliance.	2/9/2022		
6480		Rawsonville	Remus Sulea	tractor trailer storage/zoning	AUTHORIZED AND FILED	4/27/2021 pre-app meeting for site development. Dismiss lawsuit to allow them to work with engineer to complete site plan. Property for sale?	2/9/2022		
1433		Harry	Shauntel Garland	fire damaged house	AUTHORIZED AND FILED	House being repaired under permit. Dismiss case when exterior and garage are complete?	2/9/2022	2/16/22 @ 1:30	
568		Onandaga	Massey	Public Nuisance	AUTHORIZED AND FILED	Pending hearing; adjourned. Permit issued, six months to perform work (exp 2/20/22)	2/9/2022	2/17/22 @ 10:00	
		Paint Creek Plaza	Paint Creek South LLC	Public Nuisance	AUTHORIZED AND FILED	Meeting with PO, attorneys and township 2/22/22	2/9/2022	2/23/2022 @ 1:30	
281		Ohio	Estate of Michael Belcher	Public Nuisance	AUTHORIZED AND FILED ESTATE	Denny meeting with Andy Eggan 2/9/22. In foreclosure.	2/9/2022		

1448		Nash	Bruce Cooper Trust	Public Nuisance	AUTHORIZED AND FILED ESTATE	Denny meeting with Andy Eggan 2/9/22. In foreclosure.	2/9/2022		
885		Parkwood	Lee Roy Payne Estate	Public Nuisance	AUTHORIZED AND FILED ESTATE	Denny meeting with Andy Eggan 2/9/22. In foreclosure.	2/9/2022		
9607		Harbour Cove	Joseph Amador	Public Nuisance	AUTHORIZED AND FILED	PO in jail - Contempt service in jail. Request code inspection at hearing.	2/9/2022	2/17/22 at 9:00	
7941		Lakecrest	Joseph Amador	Public Nuisance	AUTHORIZED AND FILED	PO in jail - Contempt service in jail.	2/9/2022	2/17/22 @ 9:00	
1453	E	Michigan Avenue	Gambles	Commercial business - fence	AUTHORIZED AND FILED	Fence will be removed by owner by 2/28/22, or return to court.	2/9/2022		
1175		Nash	Jones / Bank of NY Melon	Fire	AUTHORIZED AND FILED	Foreclosure sale rescheduled for March.	2/9/2022	3/3/22 @ 10:00	
2835		Coolidge Ave	Jason Bombrisk	Junkyard Licensing	AUTHORIZED	No business to be conducted on-site. Meeting on 11/17/21 at 10:30 - cancelled. Denny will send letter regarding current use.	2/9/2022		

1093		Desoto	Mario/Virginia/Jami Williams & Liberty Mutual	Blight/Fire Repair	AUTHORIZED AND FILED	Sold to Habitat for Humanity 10/29/21. Vacant inspection 11/4/21, no change since sale.	2/9/2022		
835		George Pl	Kathleen Cerda	Property Maintenance - Rental	AUTHORIZED	New windows installed in front. Ongoing progress, slow. Parking lot and sidewalks in the spring.	2/9/2022		
8950/9070		Charlotte Ct	Oaks of Ypsilanti, LLC and Oaks of Golden Pond, LLC	Blight	AUTHORIZED AND FILED	Fink representing owner. Order entered - repair gates, move dumpsters in enclosure. Problems continue.	2/9/2022	2/17/22 @ 1:30 p.m.	
752		Oswego Ave	Robert Sherman	Public Nuisance Padlock	AUTHORIZED AND FILED	Fink represents landlord; seeking resolution. Post bond to dismiss?	2/9/2022	2/23/2022 @ 1:30	
276		Devonshire Rd	Jason Mortimer	Public Nuisance	AUTHORIZED AND FILED	Currently for sale. Cannot occupy.	2/9/2022	2/16/22 @ 1:30	
1106	E	Michigan Avenue	Tri-County Cremations / Burrell Vault / Oneil Swanson	Public Nuisance	AUTHORIZED AND FILED	Need a structural eng report and fire suppression plan. Twp engineer review pending.	2/9/2022	2/24/22 @ 10:00 a.m.	
109		Johnson	Estate of Keith Lynn	Public Nuisance	AUTHORIZED AND FILED	Bank owned - accelerated redemption.	2/9/2022	2/17/22 @ 10:00 a.m.	

8084		Creek Bend	Bobby Beach Jr.	Public Nuisance Padlock	AUTHORIZED AND FILED	Criminal charges dismissed. Order entered - no rentals permitted. Four times a year twp can inspect for unauthorized rental.	2/9/2022		
189		Outer Lane Dr	Robert & Lynn Landrum	Blight House/Demo	AUTHORIZED AND FILED	Clearing exterior blight w/ a dumpster on-site. Plan to sell the home to Michael Lee.	2/9/2022	2/23/22 @ 1:30	
2381		Parkwood	Dhillon Property Mgmt and Oliver and Co.	Woodland, SESC and Zoning	AUTHORIZED AND FILED	Defendants served. Added Defendant Exterior Mgmt Services. Tree estimate from CWA. SESC app submitted. Stantec inspection.	2/9/2022	2/16/22 @ 1:30	
7402		Red Bird	Patricia Ware	Public Nuisance	AUTHORIZED AND FILED	Vacant house - Lawsuit filed - served owners and mortgage company. No estate opened. New owners want to sell.	2/9/2022	3/10/2022 @ 9:00	
885		DeSoto	Della Ryan, Clarence Patterson, Bank of New York Mellon	Public Nuisance	AUTHORIZED AND FILED	Vacant house - Lawsuit filed. Bank served.	2/9/2022	2/16/ 22 @ 1:30 p.m.	
1221		Desoto	Larry Smith	Public Nuisance	AUTHORIZED AND FILED	Blighted house - needs demo. Lawsuit filed, Motion for Alternative Service. Tax foreclosure 2/18/22. Redemption until 3/31/22, per county.	2/9/2022	3/18/22 @ 9:00 A.M.	
276		Kansas	Cecil Meador	Public Nuisance	AUTHORIZED AND FILED	Filed and served; Order entered- remove blight by 3/4/22.	2/9/2022	3/11/22	

1635		Parkwood	Borenstein	Padlock	AUTHORIZED AND FILED	Filed and served. Awaiting lab results on drugs seized. Request one year padlock.	2/9/2022	2/17/22 @ 10:00	
626		Lynn	Matthew Smith	Padlock	AUTHORIZED AND FILED	Filed and out for service. Awaiting lab results on drugs seized.	2/9/2022	3/2/22 @ 1:30	



**BUILDING PERMITS ISSUES JANUARY 2022**

Permit Type	Category	Date Issued	Permit Number	Address Display String	Construction Value	Amount Paid Total
Building	Com Alter/Repair	01/05/2022	PB22-0003	6073 S IVANHOE AVE	\$5,260.00	\$155.00
Building	Res Alter/Repair	01/05/2022	PB21-1348	5767 BIG PINE DR	\$6,750.00	\$155.00
Building	Res Alter/Repair	01/05/2022	PB21-1343	464 FAIRFIELD ST	\$21,600.00	\$290.00
Building	Res Alter/Repair	01/06/2022	PB22-0013	8076 THORNHILL DR	\$9,423.00	\$185.00
Building	Com Alter/Repair	01/10/2022	PB22-0001	1338 ANNA J STEPP	\$1,200.00	\$125.00
Building	Building	01/11/2022	PB22-0011	5925 PINEVIEW DR	\$3,275.00	\$135.00
Building	Res Alter/Repair	01/13/2022	PB22-0024	7015 BUNTON RD	\$8,072.00	\$135.00
Building	Res Alter/Repair	01/14/2022	PB22-0028	1301 CLARITA ST	\$4,000.00	\$100.00
Building	Res Alter/Repair	01/18/2022	PB21-1345	5459 GRAYFIELD CIR	\$15,800.00	\$230.00
Building	Res Solar Panel	01/19/2022	PB22-0022	7870 BREEZEWOOD CT	\$10,000.00	\$185.00
Building	Res Alter/Repair	01/21/2022	PB21-1305	306 EDISON AVE	\$7,500.00	\$150.00
Building	Res Alter/Repair	01/25/2022	PB22-0052	1129 GAULT DR	\$12,200.00	\$200.00
Building	Building	01/26/2022	PB22-0060	8172 THORNHILL DR	\$17,960.00	\$275.00
Building	Building	01/26/2022	PB22-0061	5820 NEW MEADOW DR	\$19,438.00	\$295.00
Building	Building	01/26/2022	PB22-0062	6361 OAKBROOK CT	\$25,116.00	\$355.00
Building	Building	01/27/2022	PB22-0063	2476 CARRIAGE WAY	\$18,860.00	\$285.00
Building	Res Alter/Repair	01/27/2022	PB22-0075	2500 LAKESHORE BLVD 25	\$16,784.00	\$255.00
Building	Res Alter/Repair	01/31/2022	PB22-0019	230 HILLCREST BLVD	\$20,414.00	\$280.00
Deferred Rev - Crystal	Deferred Revenue	01/13/2022	PDR21-0040	10137 SWAN LAKE CIR	\$0.00	\$600.00
Deferred Rev - Crystal	Deferred Revenue	01/13/2022	PDR21-0039	10129 SWAN LAKE CIR	\$0.00	\$600.00
Deferred Rev - Crystal	Deferred Revenue	01/07/2022	PDR21-0055	10278 SWAN LAKE CIR	\$0.00	\$600.00
Deferred Rev - Crystal	Deferred Revenue	01/07/2022	PDR21-0046	10196 SWAN LAKE CIR	\$0.00	\$600.00
Electrical	Electrical	01/09/2022	PE22-0016	9733 WHITE TAIL DR	\$0.00	\$485.00
Electrical	Electrical	01/09/2022	PE22-0015	9732 WHITE TAIL DR	\$0.00	\$485.00
Electrical	Electrical	01/05/2022	PE22-0006	437 BROOKSIDE ST	\$0.00	\$80.00
Electrical	Electrical	01/05/2022	PE22-0014	7347 KNOLLWOOD DR	\$0.00	\$75.00
Electrical	Electrical	01/05/2022	PE22-0010	6865 POPLAR DR	\$0.00	\$90.00
Electrical	Electrical	01/05/2022	PE22-0013	2380 E MICHIGAN AVE	\$0.00	\$694.00
Electrical	Electrical	01/03/2022	PE22-0003	5340 INDIAN TRL	\$0.00	\$90.00

Electrical	Electrical	01/03/2022	PE22-0004	1063 NASH AVE	\$0.00	\$201.00
Electrical	Electrical	01/03/2022	PE22-0001	9715 WHITE TAIL DR	\$0.00	\$500.00
Electrical	Electrical	01/03/2022	PE22-0002	9714 WHITE TAIL DR	\$0.00	\$485.00
Electrical	Electrical	01/04/2022	PE22-0005	801 WILLOW RUN AIRPOF	\$0.00	\$75.00
Electrical	Electrical	01/04/2022	PE22-0009	2046 MERRILL ST	\$0.00	\$106.00
Electrical	Electrical	01/05/2022	PE22-0008	5853 MERRITT RD	\$0.00	\$100.00
Electrical	Electrical	01/05/2022	PE22-0007	6369 MUNGER RD	\$0.00	\$90.00
Electrical	Electrical	01/12/2022	PE22-0022	6721 MAPLELAWN DR	\$0.00	\$75.00
Electrical	Electrical	01/12/2022	PE22-0023	10281 SWAN LAKE CIR	\$0.00	\$75.00
Electrical	Electrical	01/11/2022	PE21-0561	3050 WASHTENAW RD	\$0.00	\$75.00
Electrical	Electrical	01/11/2022	PE22-0024	5420 HUBBARD AVE	\$0.00	\$90.00
Electrical	Electrical	01/12/2022	PE22-0021	7758 GREENE FARM DR	\$0.00	\$75.00
Electrical	Electrical	01/06/2022	PE22-0012	7299 RACHEL DR	\$0.00	\$119.00
Electrical	Electrical	01/10/2022	PE22-0019	24 EDISON AVE	\$0.00	\$90.00
Electrical	Electrical	01/10/2022	PE22-0020	7709 PAINT CREEK DR	\$0.00	\$90.00
Electrical	Electrical	01/18/2022	PE22-0028	2500 LAKESHORE BLVD 40	\$0.00	\$189.00
Electrical	Electrical	01/19/2022	PE22-0018	6710 TEXTILE RD	\$0.00	\$90.00
Electrical	Electrical	01/19/2022	PE22-0027	2121 GROVE RD	\$0.00	\$90.00
Electrical	Electrical	01/13/2022	PE22-0026	9284 COUNTRY VIEW DR	\$0.00	\$272.00
Electrical	Electrical	01/31/2022	PE22-0047	2777 STATE	\$0.00	\$90.00
Electrical	Electrical	01/28/2022	PE22-0045	9075 S HURON RIVER DR	\$0.00	\$152.00
Electrical	Electrical	01/27/2022	PE22-0046	2925 E MICHIGAN AVE	\$0.00	\$310.00
Electrical	Electrical	01/26/2022	PE22-0041	7127 HOMESTEAD RD	\$0.00	\$75.00
Electrical	Electrical	01/26/2022	PE22-0044	992 PARKWOOD AVE	\$0.00	\$125.00
Electrical	Electrical	01/26/2022	PE22-0043	189 OHIO ST	\$0.00	\$90.00
Electrical	Electrical	01/25/2022	PE22-0032	1129 GAULT DR	\$0.00	\$75.00
Electrical	Electrical	01/25/2022	PE22-0035	2297 COLONY WAY	\$0.00	\$75.00
Electrical	Electrical	01/21/2022	PE21-0681	306 EDISON AVE	\$0.00	\$75.00
Electrical	Electrical	01/25/2022	PE22-0036	9643 WHITE TAIL DR	\$0.00	\$75.00
Electrical	Electrical	01/25/2022	PE22-0038	9660 WHITE TAIL DR	\$0.00	\$75.00
Electrical	Electrical	01/25/2022	PE22-0037	6704 MAPLELAWN DR	\$0.00	\$75.00
Electrical	Electrical	01/25/2022	PE22-0039	6709 MAPLELAWN DR	\$0.00	\$75.00
Electrical	Electrical	01/25/2022	PE22-0040	2060 WHITTAKER BLDG F	\$0.00	\$282.00
Electrical	Electrical	01/19/2022	PE22-0017	7870 BREEZEWOOD CT	\$0.00	\$90.00

Electrical	Electrical	01/19/2022	PE22-0030	8164 LAKE CREST DR	\$0.00	\$75.00
Electrical	Electrical	01/20/2022	PE22-0033	6609 WING ST	\$0.00	\$112.00
Fire Alarm	Fire Detection System	01/19/2022	PFA21-0009	3075 CLARK	\$0.00	\$325.00
Fire Suppression	Fire Suppression	01/04/2022	PFS21-0014	775 JAMES L HART PKWY	\$0.00	\$641.00
Mechanical	Mechanical	01/04/2022	PM22-0010	630 EUGENE ST	\$0.00	\$75.00
Mechanical	Mechanical	01/03/2022	PM22-0005	1335 JEFF ST	\$0.00	\$75.00
Mechanical	Mechanical	01/03/2022	PM22-0003	1752 VICTOR ST	\$0.00	\$85.00
Mechanical	Mechanical	01/03/2022	PM22-0001	7610 DORAL DR	\$0.00	\$118.00
Mechanical	Mechanical	01/03/2022	PM21-1122	857 GROVE RD	\$0.00	\$125.00
Mechanical	Mechanical	01/03/2022	PM22-0002	949 MAPLEWOOD AVE	\$0.00	\$195.00
Mechanical	Mechanical	01/05/2022	PM22-0008	6369 MUNGER RD	\$0.00	\$85.00
Mechanical	Mechanical	01/05/2022	PM22-0007	5507 MERRITT RD	\$0.00	\$85.00
Mechanical	Mechanical	01/05/2022	PM22-0012	1555 ARTHUR ST	\$0.00	\$75.00
Mechanical	Mechanical	01/05/2022	PM22-0009	5853 MERRITT RD	\$0.00	\$120.00
Mechanical	Mechanical	01/03/2022	PM21-1118	5591 TEXTILE RD	\$0.00	\$75.00
Mechanical	Mechanical	01/05/2022	PM22-0011	7162 ROYAL TROON DR	\$0.00	\$75.00
Mechanical	Mechanical	01/05/2022	PM22-0013	6723 WING ST	\$0.00	\$75.00
Mechanical	Mechanical	01/05/2022	PM22-0014	6865 POPLAR DR	\$0.00	\$120.00
Mechanical	Mechanical	01/06/2022	PM22-0006	2462 COLONY WAY	\$0.00	\$85.00
Mechanical	Mechanical	01/06/2022	PM22-0015	5507 MERRITT RD	\$0.00	\$135.00
Mechanical	Mechanical	01/07/2022	PM22-0017	9437 MAPLELAWN CT	\$0.00	\$75.00
Mechanical	Mechanical	01/06/2022	PM22-0016	621 WOODLAWN AVE	\$0.00	\$120.00
Mechanical	Mechanical	01/18/2022	PM22-0027	6035 MAPLEVIEW LN	\$0.00	\$128.00
Mechanical	Mechanical	01/18/2022	PM22-0031	430 GREENLAWN ST	\$0.00	\$105.00
Mechanical	Mechanical	01/18/2022	PM22-0030	7377 MEADOW LN	\$0.00	\$75.00
Mechanical	Mechanical	01/19/2022	PM22-0039	7290 KNOLLWOOD DR	\$0.00	\$85.00
Mechanical	Mechanical	01/19/2022	PM22-0040	7198 ROYAL TROON DR	\$0.00	\$85.00
Mechanical	Mechanical	01/19/2022	PM22-0041	545 VILLA DR	\$0.00	\$125.00
Mechanical	Mechanical	01/19/2022	PM22-0037	9643 WHITE TAIL DR	\$0.00	\$258.00
Mechanical	Mechanical	01/19/2022	PM22-0036	6704 MAPLELAWN DR	\$0.00	\$258.00
Mechanical	Mechanical	01/19/2022	PM22-0035	6709 MAPLELAWN DR	\$0.00	\$258.00
Mechanical	Mechanical	01/14/2022	PM21-1119	2915 ROUNDTREE BLVD	\$0.00	\$75.00
Mechanical	Mechanical	01/14/2022	PM22-0029	1039 STUDEBAKER AVE	\$0.00	\$85.00
Mechanical	Mechanical	01/14/2022	PM22-0028	168 N PASADENA ST	\$0.00	\$130.00

Mechanical	Mechanical	01/13/2022	PM22-0026	860 TWIN TOWERS ST	\$0.00	\$100.00
Mechanical	Mechanical	01/13/2022	PM22-0025	1033 DESOTO AVE	\$0.00	\$75.00
Mechanical	Mechanical	01/13/2022	PM22-0023	9511 LAKESIDE DR	\$0.00	\$75.00
Mechanical	Mechanical	01/13/2022	PM22-0024	1071 JANET AVE	\$0.00	\$75.00
Mechanical	Mechanical	01/13/2022	PM22-0022	6988 MCKEAN RD # 201	\$0.00	\$115.00
Mechanical	Mechanical	01/10/2022	PM22-0020	3075 CLARK	\$0.00	\$235.00
Mechanical	Mechanical	01/12/2022	PM22-0019	7758 GREENE FARM DR	\$0.00	\$85.00
Mechanical	Mechanical	01/11/2022	PM22-0021	8164 LAKE CREST DR	\$0.00	\$75.00
Mechanical	Mechanical	01/11/2022	PM22-0018	2380 E MICHIGAN AVE	\$0.00	\$410.00
Mechanical	Mechanical	01/19/2022	PM22-0034	9661 WHITE TAIL DR	\$0.00	\$258.00
Mechanical	Mechanical	01/19/2022	PM22-0033	9696 WHITE TAIL DR	\$0.00	\$245.00
Mechanical	Mechanical	01/19/2022	PM22-0032	9660 WHITE TAIL DR	\$0.00	\$258.00
Mechanical	Mech/Refrigeration	01/25/2022	PM22-0043	10350 MARTZ RD	\$0.00	\$115.00
Mechanical	Mechanical	01/20/2022	PM22-0042	8886 MARTZ RD	\$0.00	\$105.00
Mechanical	Mechanical	01/26/2022	PM22-0060	5816 MEADOWVIEW ST	\$0.00	\$105.00
Mechanical	Mechanical	01/26/2022	PM22-0045	1003 HAWTHORNE AVE	\$0.00	\$75.00
Mechanical	Mechanical	01/26/2022	PM22-0047	175 RUSSELL CT LAUNDRY	\$0.00	\$75.00
Mechanical	Mechanical	01/26/2022	PM22-0048	1254 RUSSELL ST LAUNDRY	\$0.00	\$75.00
Mechanical	Mechanical	01/26/2022	PM22-0049	127 RUSSELL BLVD	\$0.00	\$75.00
Mechanical	Mechanical	01/26/2022	PM22-0050	1387 RUSSELL ST	\$0.00	\$75.00
Mechanical	Mechanical	01/26/2022	PM22-0051	78 RUSSELL CT	\$0.00	\$75.00
Mechanical	Mechanical	01/26/2022	PM22-0052	90 RUSSELL BLVD	\$0.00	\$75.00
Mechanical	Mechanical	01/26/2022	PM22-0053	1230 RUSSELL ST	\$0.00	\$75.00
Mechanical	Mechanical	01/26/2022	PM22-0054	1351 RUSSELL ST	\$0.00	\$75.00
Mechanical	Mechanical	01/26/2022	PM22-0055	144 RUSSELL BLVD	\$0.00	\$75.00
Mechanical	Mechanical	01/26/2022	PM22-0056	123 RUSSELL BLVD	\$0.00	\$75.00
Mechanical	Mechanical	01/26/2022	PM22-0057	182 RUSSELL CT	\$0.00	\$75.00
Mechanical	Mechanical	01/26/2022	PM22-0058	181 RUSSELL BLVD	\$0.00	\$75.00
Mechanical	Mechanical	01/26/2022	PM22-0046	7127 HOMESTEAD RD	\$0.00	\$85.00
Mechanical	Mechanical	01/27/2022	PM22-0062	1446 S SHARE AVE	\$0.00	\$75.00
Mechanical	Mechanical	01/27/2022	PM22-0061	1159 S HARRIS RD	\$0.00	\$75.00
Plumbing	Plumbing	01/27/2022	PP22-0050	1254 SWEET RD	\$0.00	\$75.00
Plumbing	Plumbing	01/27/2022	PP22-0045	2476 CARRIAGE WAY	\$0.00	\$75.00
Plumbing	Plumbing	01/27/2022	PP22-0046	1951 BURNS AVE	\$0.00	\$125.00

Plumbing	Plumbing	01/26/2022	PP22-0044	6361 OAKBROOK CT	\$0.00	\$75.00
Plumbing	Plumbing	01/25/2022	PP22-0035	1129 GAULT DR	\$0.00	\$75.00
Plumbing	Plumbing	01/26/2022	PP22-0043	5820 NEW MEADOW DR	\$0.00	\$75.00
Plumbing	Plumbing	01/26/2022	PP22-0042	8172 THORNHILL DR	\$0.00	\$75.00
Plumbing	Plumbing	01/21/2022	PP21-0525	306 EDISON AVE	\$0.00	\$119.00
Plumbing	Plumbing	01/24/2022	PP22-0047	1635 S HARRIS RD	\$0.00	\$75.00
Plumbing	Plumbing	01/24/2022	PP22-0041	1200 JOE HALL DR	\$0.00	\$75.00
Plumbing	Plumbing	01/24/2022	PP22-0048	8076 THORNHILL DR	\$0.00	\$95.00
Plumbing	Plumbing	01/19/2022	PP22-0039	9431 MAPLELAWN CT	\$0.00	\$112.00
Plumbing	Plumbing	01/19/2022	PP22-0038	9768 WHITE TAIL DR	\$0.00	\$112.00
Plumbing	Plumbing	01/19/2022	PP22-0037	9751 WHITE TAIL DR	\$0.00	\$112.00
Plumbing	Plumbing	01/19/2022	PP22-0036	9443 MAPLELAWN CT	\$0.00	\$162.00
Plumbing	Plumbing	01/19/2022	PP22-0034	9425 MAPLELAWN CT	\$0.00	\$112.00
Plumbing	Plumbing	01/19/2022	PP22-0040	976 HOLMES RD	\$0.00	\$75.00
Plumbing	Plumbing	01/11/2022	PP22-0004	5925 PINEVIEW DR	\$0.00	\$75.00
Plumbing	Plumbing	01/11/2022	PP22-0019	2087 HOLMES RD	\$0.00	\$75.00
Plumbing	Plumbing	01/11/2022	PP22-0018	506 N MIAMI AVE 7	\$0.00	\$75.00
Plumbing	Plumbing	01/12/2022	PP22-0027	10324 SWAN LAKE CIR	\$0.00	\$145.00
Plumbing	Plumbing	01/12/2022	PP22-0026	10318 SWAN LAKE CIR	\$0.00	\$145.00
Plumbing	Plumbing	01/12/2022	PP22-0025	10190 SWAN LAKE CIR	\$0.00	\$145.00
Plumbing	Plumbing	01/12/2022	PP22-0022	10126 SWAN LAKE CIR	\$0.00	\$145.00
Plumbing	Plumbing	01/12/2022	PP22-0023	10028 SWAN LAKE CIR	\$0.00	\$145.00
Plumbing	Plumbing	01/12/2022	PP22-0024	10034 SWAN LAKE CIR	\$0.00	\$145.00
Plumbing	Plumbing	01/12/2022	PP22-0021	10184 SWAN LAKE CIR	\$0.00	\$145.00
Plumbing	Plumbing	01/12/2022	PP22-0020	10157 SWAN LAKE CIR	\$0.00	\$145.00
Plumbing	Plumbing	01/12/2022	PP22-0017	10149 SWAN LAKE CIR	\$0.00	\$160.00
Plumbing	Plumbing	01/12/2022	PP22-0028	10118 SWAN LAKE CIR	\$0.00	\$145.00
Plumbing	Plumbing	01/11/2022	PP22-0029	9595 ENDICOTT LN	\$0.00	\$75.00
Plumbing	Plumbing	01/18/2022	PP22-0002	5459 GRAYFIELD CIR	\$0.00	\$75.00
Plumbing	Plumbing	01/18/2022	PP21-0549	6566 ROBINDALE DR	\$0.00	\$75.00
Plumbing	Plumbing	01/18/2022	PP22-0030	408 CAMPBELL AVE	\$0.00	\$219.00
Plumbing	Plumbing	01/18/2022	PP22-0031	1850 WHITTAKER RD BLD	\$0.00	\$132.00
Plumbing	Plumbing	01/07/2022	PP22-0006	5767 BIG PINE DR	\$0.00	\$75.00
Plumbing	Plumbing	01/10/2022	PP22-0016	8076 THORNHILL DR	\$0.00	\$75.00

Plumbing	Plumbing	01/07/2022	PP22-0009	9714 WHITE TAIL DR	\$0.00	\$112.00
Plumbing	Plumbing	01/07/2022	PP22-0010	9732 WHITE TAIL DR	\$0.00	\$112.00
Plumbing	Plumbing	01/07/2022	PP22-0011	9733 WHITE TAIL DR	\$0.00	\$112.00
Plumbing	Plumbing	01/07/2022	PP22-0012	9715 WHITE TAIL DR	\$0.00	\$112.00
Plumbing	Plumbing	01/07/2022	PP22-0013	10324 SWAN LAKE CIR	\$0.00	\$112.00
Plumbing	Plumbing	01/07/2022	PP22-0014	10318 SWAN LAKE CIR	\$0.00	\$112.00
Plumbing	Plumbing	01/06/2022	PP22-0008	9434 MAPLELAWN CT	\$0.00	\$112.00
Plumbing	Plumbing	01/05/2022	PP22-0007	7347 KNOLLWOOD DR	\$0.00	\$75.00
Plumbing	Plumbing	01/05/2022	PP21-0556	464 FAIRFIELD ST	\$0.00	\$75.00
Plumbing	Plumbing	01/03/2022	PP22-0001	7606 BAY TREE DR	\$0.00	\$75.00
Plumbing	Plumbing	01/03/2022	PP21-0568	359 OREGON ST	\$0.00	\$204.00
Plumbing	Plumbing	01/03/2022	PP22-0003	6073 S IVANHOE AVE	\$0.00	\$75.00
Plumbing	Plumbing	01/04/2022	PP21-0553	2277 S GROVE BLDG 500	\$0.00	\$919.00
Plumbing	Plumbing	01/04/2022	PP21-0567	7908 MALLARD WAY	\$0.00	\$75.00
Plumbing	Plumbing	01/04/2022	PP21-0566	254 S WALLACE BLVD	\$0.00	\$75.00
Plumbing-Water/sewer	Plumbing	01/07/2022	PP22-0015	1460 E CLARK RD	\$0.00	\$75.00
Res - Deck	Res Deck	01/19/2022	PB22-0045	4805 MUNGER RD	\$5,000.00	\$120.00
Res - Deck	Res Deck	01/25/2022	PB22-0067	5949 HUNTINGTON DR	\$3,850.00	\$80.00
Res - New Constructic	Res - New Constructic	01/25/2022	PB22-0048	9428 MAPLELAWN CT	\$336,018.00	\$3,769.50
Res - New Constructic	Res - New Constructic	01/13/2022	PB21-1179	10129 SWAN LAKE CIR	\$158,860.00	\$1,685.00
Res - New Constructic	Res - New Constructic	01/13/2022	PB21-1198	10137 SWAN LAKE CIR	\$174,902.00	\$1,845.00
Res - New Constructic	Res - New Constructic	01/07/2022	PB22-0004	9750 WHITE TAIL DR	\$265,792.00	\$2,988.50
Res - New Constructic	Res - New Constructic	01/07/2022	PB21-1342	10196 SWAN LAKE CIR	\$158,860.00	\$1,685.00
Res - New Constructic	Res - New Constructic	01/07/2022	PB22-0005	10278 SWAN LAKE CIR	\$158,860.00	\$1,685.00
Res - Roof	Res - Roof	01/06/2022	PB22-0017	1134 LEXINGTON PKWY	\$0.00	\$175.00
Res - Roof	Res - Roof	01/06/2022	PB22-0018	111 JEROME AVE	\$33,500.00	\$100.00
Res - Roof	Res - Roof	01/04/2022	PB22-0009	880 NASH AVE	\$0.00	\$175.00
Res - Roof	Res - Roof	01/03/2022	PB22-0002	2422 BURNS AVE	\$15,150.00	\$205.00
Res - Roof	Res - Roof	01/05/2022	PB22-0014	7007 WELLINGTON LN	\$0.00	\$375.00
Res - Roof	Res - Roof	01/12/2022	PB22-0035	730 LAMAY AVE	\$16,850.00	\$215.00
Res - Roof	Res - Roof	01/11/2022	PB22-0033	7209 WARWICK DR	\$7,710.00	\$125.00
Res - Roof	Res - Roof	01/12/2022	PB22-0027	2457 GROVE RD	\$18,660.00	\$235.00
Res - Roof	Res - Roof	01/12/2022	PB22-0029	1028 JUNEAU RD	\$8,212.00	\$52.50
Res - Roof	Res - Roof	01/12/2022	PB22-0030	250 S MANSFIELD ST	\$5,708.00	\$105.00

Res - Roof	Res - Roof	01/12/2022	PB22-0031	1 VALLEY DR	\$5,616.00	\$105.00
Res - Roof	Res - Roof	01/12/2022	PB22-0032	613 KANSAS AVE	\$2,834.00	\$75.00
Res - Roof	Res - Roof	01/10/2022	PB22-0026	910 DAVIS ST	\$10,872.00	\$155.00
Res - Roof	Res - Roof	01/10/2022	PB22-0025	1150 E CLARK RD	\$7,320.00	\$125.00
Res - Roof	Res - Roof	01/14/2022	PB22-0041	2499 CARRIAGE CT	\$12,190.00	\$175.00
Res - Roof	Res - Roof	01/14/2022	PB22-0040	2645 NORTHLAWN AVE	\$0.00	\$135.00
Res - Roof	Res - Roof	01/13/2022	PB22-0039	7393 ROXBURY DR	\$8,570.00	\$135.00
Res - Roof	Res - Roof	01/21/2022	PB22-0034	6397 OAKBROOK DR	\$15,000.00	\$195.00
Res - Roof	Res - Roof	01/20/2022	PB22-0046	790 FOX AVE	\$3,430.00	\$85.00
Res - Roof	Res - Roof	01/20/2022	PB22-0047	1188 HUNTER AVE	\$4,920.00	\$95.00
Res - Roof	Res - Roof	01/20/2022	PB22-0055	3050 ROUNDTREE BLVD	\$20,368.00	\$255.00
Res - Roof	Res - Roof	01/28/2022	PB22-0079	7890 NEWBURY DR	\$11,548.00	\$165.00
Res - Roof	Res - Roof	01/28/2022	PB22-0077	1180 E CROSS ST	\$31,098.00	\$365.00
Res - Windows	Res - Windows	01/24/2022	PB22-0065	6751 MAPLELAWN DR	\$5,100.00	\$105.00
Res - Windows	Res - Windows	01/24/2022	PB22-0064	7100 ST ANDREWS DR	\$11,000.00	\$155.00
Res - Windows	Res - Windows	01/13/2022	PB22-0037	1030 COMMONWEALTH /	\$4,241.00	\$95.00
Res - Windows	Res - Windows	01/13/2022	PB22-0038	5508 PINEVIEW DR	\$7,548.00	\$125.00
Res - Windows	Res - Windows	01/19/2022	PB22-0053	7180 ROXBURY DR	\$15,697.00	\$205.00
Res - Windows	Res - Windows	01/10/2022	PB22-0020	287 DAKOTA AVE	\$2,380.00	\$115.00
Res - Windows	Res - Windows	01/12/2022	PB22-0036	2563 HEARTHSIDE DR	\$500.00	\$75.00
Res - Windows	Res - Windows	01/05/2022	PB22-0007	7883 BRIARBROOK DR	\$8,258.00	\$135.00
Res - Windows	Res - Windows	01/05/2022	PB22-0006	7354 ROYAL TROON DR	\$8,862.00	\$135.00
Res - Windows	Res - Windows	01/05/2022	PB22-0010	876 MAPLEWOOD AVE	\$0.00	\$385.00
Res - Windows	Res - Windows	01/05/2022	PB21-1347	7558 BAY TREE DR	\$14,400.00	\$195.00
Res - Windows	Res - Windows	01/05/2022	PB22-0008	1720 CLIFFS 201 A LNDG	\$0.00	\$185.00
Res - Windows	Res - Windows	01/06/2022	PB22-0015	1096 GEORGINA DR	\$0.00	\$175.00
Sign	Com Sign	01/11/2022	PS21-0021	3050 WASHTENAW RD	\$0.00	\$125.00
Sign	Church Sign	01/19/2022	PS22-0004	6710 TEXTILE RD	\$0.00	\$175.00
Sign	Com Sign	01/19/2022	PS22-0003	2121 GROVE RD	\$0.00	\$225.00
Soil Erosion	Soil Erosion Residenti:	01/05/2022	PSE21-0011	8067 LAKE CREST DR	\$0.00	\$100.00
Zoning	Zoning - Fence	01/05/2022	PZP22-0004	7992 BRIARBROOK DR	\$0.00	\$50.00
Zoning	Zoning - Fence	01/05/2022	PZP22-0001	814 E CROSS ST	\$0.00	\$50.00
Zoning	Zoning - Fence	01/05/2022	PZP21-0160	6667 MAPLELAWN DR	\$0.00	\$50.00
Zoning	Zoning - Fence	01/24/2022	PZP22-0005	7270 MUIRFIELD DR	\$0.00	\$50.00

Zoning	Zoning - Fence	01/24/2022 PZP22-0003	7123 FIELDING ST	\$0.00	\$50.00
Zoning	Zoning - Driveway	01/19/2022 PZP21-0062	536 BAGLEY AVE	\$0.00	\$50.00
				<b>\$1,803,336.00</b>	<b>\$48,141.50</b>



## CERTIFICATE OF OCCUPANCY JANUARY 2022

<b>C O Number</b>	<b>Address Display String</b>	<b>Status</b>	<b>Date Temp Issued</b>
OT21-0031	9544 NATURE VIEW LN	ISSUED (TEMP)	01/12/2022
OT21-0036	6722 MAPLELAWN DR	ISSUED (TEMP)	01/07/2022
OT21-0039	10293 SWAN LAKE CIR	ISSUED (TEMP)	01/19/2022
OT22-0001	9571 WHITE TAIL DR	ISSUED (TEMP)	01/19/2022
OT22-0002	9534 WHITE TAIL DR	ISSUED (TEMP)	01/21/2022
OT22-0003	6030 HURON RIVER LN	ISSUED (TEMP)	01/31/2022
OT22-0004	1950 HOLMES RD	ISSUED (TEMP)	01/25/2022
OT22-0005	9516 WHITE TAIL DR	ISSUED (TEMP)	01/26/2022

**NEW RENTAL HOUSING CERTIFICATIONS**  
**2022 JANUARY**

<b>Cert Type</b>	<b>Cert Number</b>	<b>Date Issued</b>	<b>Address Display String</b>
Multi-Family Rental Inspection	CMFR-19-2943	01/07/2022	506 N MIAMI AVE 4
Rental 24	CSFR-21-0055	01/11/2022	2510 HOLMES RD
Rental 24	CSFR-19-1554	01/14/2022	1461 JEFF ST
Rental 24	CSFR-21-0815	01/21/2022	674 CAMPBELL AVE
Rental 24	CSFR-21-1130	01/21/2022	2025 MCKINLEY AVE
Rental 24	CSFR-22-0051	01/21/2022	221 KIRK ST
Rental 24	CSFR-22-0052	01/21/2022	510 DUPONT AVE
Rental 24	CSFR-20-0018	01/26/2022	9790 WOODLAND CT
Rental 24	CSFR-21-0464	01/26/2022	7114 MCKEAN RD
Rental 24	CSFR-21-0465	01/26/2022	10605 MARTZ RD
Rental 24	CSFR-20-0209	01/03/2022	875 DESOTO AVE
Rental 24	CSFR-21-0490	01/05/2022	2994 ROUNDTREE BLVD
Rental 24	CSFR-21-0608	01/05/2022	1239 RUE DEAUVILLE BLVD
Rental 24	CSFR-21-0402	01/06/2022	967 N TERRACE LN
Rental 24	CSFR-21-1173	01/07/2022	1360 CANDLEWOOD LN
Rental 24	CSFR-21-0612	01/07/2022	799 HOLMES RD #1

## NEW VACANT BLDG CERTIFICATES

2022 JANUARY

Cert Type	Cert Number	Date Applied	Address Display String
Vacant Residential	CVR-22-0001	01/06/2022	2436 BURNS AVE
Vacant Residential	CVR-22-0002	01/13/2022	9567 HARBOUR COVE CT
Vacant Residential	CVR-22-0003	01/14/2022	735 OSWEGO AVE
Vacant Residential	CVR-22-0004	01/19/2022	1143 LAUREL CT
Vacant Residential	CVR-22-0005	01/25/2022	715 N HEWITT RD
Vacant Residential	CVR-22-0006	01/27/2022	88 DEVONSHIRE RD

**OTHER ORDINANCE CERTIFICATIONS**

<b>C O Number</b>	<b>Address Display String</b>	<b>Status</b>	<b>Date Temp Issued</b>
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## NEW CODE ENFORCEMENT CASES FILED

2022 JANUARY

Enforcement #	Category	Date Filed	Subdivision	Enforcement Address
EN22-0001	Multiple	01/03/2022	APPLERIDGE AREA	2734 PEACHCREST ST
EN22-0002	Property Maintenance - N	01/03/2022	WEST WILLOW	900 NASH AVE
EN22-0003	Blight	01/03/2022	GAULT VILLAGE AREA	1049 GAULT DR
EN22-0004	Multiple	01/03/2022		1005 EMERICK - Gault Village
EN22-0005	Solid Waste	01/03/2022	OAKLAWN/HAWTHORNE AREA	891 AUBURNDALE AVE
EN22-0006	Property Maintenance - N	01/03/2022	LAKEVIEW AREA	2225 GEORGE AVE
EN22-0007	Blight	01/03/2022	GAULT VILLAGE AREA	1015 GAULT DR
EN22-0008	Solid Waste	01/03/2022	GAULT VILLAGE AREA	1226 LESTER AVE
EN22-0009	Solid Waste	01/03/2022	WEST WILLOW	875 DESOTO AVE
EN22-0010	Solid Waste	01/03/2022	WEST WILLOW	1806 CAROL ANN AVE
EN22-0011	Solid Waste	01/03/2022	GAULT VILLAGE AREA	1521 LEVONA ST
EN22-0012	Solid Waste	01/03/2022	WEST WILLOW	1810 CAROL ANN AVE
EN22-0013	Solid Waste	01/03/2022	WEST WILLOW	1957 CHEVROLET AVE
EN22-0014	Solid Waste	01/03/2022	GAULT VILLAGE AREA	1531 LEVONA ST
EN22-0015	Multiple	01/03/2022	WEST WILLOW	1802 CAROL ANN AVE
EN22-0016	Blight	01/03/2022	SOUTH DISTRICT	5555 GRAYFIELD CIR
EN22-0017	Blight	01/03/2022		8950 CHARLOTTE CT
EN22-0018	Blight	01/03/2022	SOUTH DISTRICT	7020 STONY CREEK RD
EN22-0019	Blight	01/03/2022	SOUTH DISTRICT	5558 GRAYFIELD CIR
EN22-0020	Multiple	01/03/2022	THURSTON AREA	291 DAKOTA AVE
EN22-0021	Blight	01/03/2022	STEVENS PARK AREA	399 ELDER ST
EN22-0022	Blight - Fire	01/03/2022		1722 MEADOW WOODS BLVD
EN22-0023	Property Maintenance	01/03/2022	THURSTON AREA	281 OHIO ST
EN22-0024	Blight	01/04/2022	WEST WILLOW	770 EUGENE ST
EN22-0025	Blight - Fire	01/04/2022		430 BEDFORD DR
EN22-0026	Blight	01/04/2022	OAKLAWN/HAWTHORNE AREA	927 PARKWOOD AVE
EN22-0027	Property Maintenance	01/04/2022	LAY GARDENS AREA	664 N IVANHOE AVE
EN22-0028	Solid Waste	01/04/2022	SUGARBROOK AREA	1374 ANDREA ST
EN22-0029	Solid Waste	01/04/2022	SUGARBROOK AREA	1722 FOLEY AVE

EN22-0030	Solid Waste	01/04/2022	SUGARBROOK AREA	1319 ANDREA ST
EN22-0031	Solid Waste	01/04/2022	SUGARBROOK AREA	1608 FOLEY AVE
EN22-0032	Solid Waste	01/04/2022	APPLERIDGE AREA	2778 APPLERIDGE ST
EN22-0033	Solid Waste	01/04/2022	SUGARBROOK AREA	1627 FOLEY AVE
EN22-0034	Solid Waste	01/04/2022	OAKLAWN/HAWTHORNE AREA	590 KANSAS AVE
EN22-0035	Solid Waste	01/04/2022	SOUTH DISTRICT	9681 LANDSDOWNE LN
EN22-0036	Solid Waste	01/04/2022	OAKLAWN/HAWTHORNE AREA	620 KANSAS AVE
EN22-0037	Solid Waste	01/04/2022	LAKEVIEW AREA	2219 SHELLY ST
EN22-0038	Blight	01/04/2022	WEST WILLOW	1461 JEFF ST
EN22-0039	Solid Waste	01/04/2022	WEST WILLOW	1156 WOODGLEN AVE
EN22-0040	Property Maintenance	01/05/2022	SOUTH DISTRICT	6038 S IVANHOE AVE
EN22-0041	Property Maintenance	01/05/2022		1215 S HARRIS RD 101
EN22-0042	Zoning	01/05/2022	OAKLAWN/HAWTHORNE AREA	815 TYLER RD
EN22-0043	Solid Waste	01/05/2022	WEST WILLOW	599 CALDER AVE
EN22-0044	Solid Waste	01/05/2022	LAY GARDENS AREA	190 EMERSON AVE
EN22-0045	Solid Waste	01/05/2022	WEST WILLOW	640 CALDER AVE
EN22-0046	Solid Waste	01/05/2022	WEST WILLOW	600 CALDER AVE
EN22-0047	Solid Waste	01/05/2022	WEST WILLOW	670 CALDER AVE
EN22-0048	Solid Waste	01/05/2022	LAKEVIEW AREA	2214 HARMON ST
EN22-0049	Solid Waste	01/05/2022	WEST WILLOW	669 CALDER AVE
EN22-0050	Solid Waste	01/05/2022	WESTLAWN AREA	2942 NORTHLAWN AVE
EN22-0051	Solid Waste	01/05/2022	LAKEVIEW AREA	1845 SMITH ST
EN22-0052	Solid Waste	01/05/2022	WEST WILLOW	1966 MARY CATHERINE ST
EN22-0053	Solid Waste	01/05/2022	WEST WILLOW	1958 MARY CATHERINE ST
EN22-0054	Solid Waste	01/05/2022	HEWITT ROAD AREA	1955 MCKINLEY AVE
EN22-0055	Solid Waste	01/05/2022	HEWITT ROAD AREA	1937 MIDVALE ST
EN22-0056	Solid Waste	01/05/2022	THURSTON AREA	222 OREGON ST
EN22-0057	Solid Waste	01/05/2022	HEWITT ROAD AREA	2444 MCKINLEY AVE
EN22-0058	Solid Waste	01/05/2022	HEWITT ROAD AREA	1837 BURNS AVE
EN22-0059	Solid Waste	01/05/2022	HEWITT ROAD AREA	80 EDISON AVE
EN22-0060	Solid Waste	01/05/2022	WEST WILLOW	1794 EILEEN AVE
EN22-0061	Pre-Permit Inspection	01/05/2022	APPLERIDGE AREA	2734 PEACHCREST ST
EN22-0062	Littering	01/05/2022		9051 TEXTILE RD
EN22-0063	Solid Waste	01/06/2022	SOUTH DISTRICT	6014 TUTTLE HILL RD

EN22-0064	Solid Waste	01/06/2022	HOLMES ROAD AREA	1270 WENDELL AVE
EN22-0065	Solid Waste	01/06/2022	HOLMES ROAD AREA	1318 FALL RIVER RD
EN22-0066	Parking	01/06/2022	HOLMES ROAD AREA	1371 WENDELL AVE
EN22-0067	Solid Waste	01/06/2022	SOUTH DISTRICT	5162 APPLEWOOD DR
EN22-0068	Solid Waste	01/06/2022	APPLERIDGE AREA	2660 PEACHCREST ST
EN22-0069	Solid Waste	01/06/2022	HOLMES ROAD AREA	1075 REDLEAF LN
EN22-0070	Solid Waste	01/06/2022	HOLMES ROAD AREA	1360 REDLEAF LN
EN22-0071	Solid Waste	01/06/2022	HEWITT ROAD AREA	42 HILLCREST BLVD
EN22-0072	Blight	01/06/2022	WEST WILLOW	529 CALDER AVE
EN22-0073	Zoning	01/06/2022	WEST WILLOW	1679 S PASADENA ST
EN22-0074	Property Maintenance - N	01/06/2022	OAKLAWN/HAWTHORNE AREA	807 TYLER RD
EN22-0075	Zoning	01/07/2022		2261 ELLSWORTH RD
EN22-0076	Solid Waste	01/07/2022	SOUTH DISTRICT	7186 INDIAN WELLS DR
EN22-0077	Solid Waste	01/07/2022	SUGARBROOK AREA	1444 GAIL CT
EN22-0078	Solid Waste	01/07/2022	SOUTH DISTRICT	7360 STREAMWOOD DR
EN22-0079	Solid Waste	01/07/2022	SUGARBROOK AREA	1452 GAIL CT
EN22-0080	Solid Waste	01/07/2022	HOLMES ROAD AREA	1242 LAUREL AVE
EN22-0081	Solid Waste	01/07/2022	SUGARBROOK AREA	1433 HARRY ST
EN22-0082	Blight	01/07/2022	OAKLAWN/HAWTHORNE AREA	439 HAYES ST
EN22-0083	Rental - Unregistered	01/07/2022	HOLMES ROAD AREA	1320 CANDLEWOOD LN
EN22-0084	Zoning	01/07/2022		1075 EMERICK ST
EN22-0085	Solid Waste	01/07/2022	WEST WILLOW	750 EUGENE ST
EN22-0086	Blight	01/10/2022	WEST WILLOW	890 NASH AVE
EN22-0087	Property Maintenance	01/10/2022		1535 ECORSE RD
EN22-0088	Zoning	08/19/2021		2381 PARKWOOD AVE
EN22-0089	Solid Waste	01/10/2022	SOUTH DISTRICT	5432 GRAYFIELD CIR
EN22-0090	Solid Waste	01/10/2022	SOUTH DISTRICT	5492 GRAYFIELD CIR
EN22-0091	Solid Waste	01/10/2022	WEST WILLOW	855 NASH AVE
EN22-0092	Solid Waste	01/10/2022		1005 EMERICK - Gault Village
EN22-0093	Basketball Hoop	01/10/2022	SOUTH DISTRICT	5849 BIG PINE DR
EN22-0094	Blight	01/10/2022	WEST WILLOW	625 FOX AVE
EN22-0095	Multiple	01/10/2022	WEST WILLOW	680 FOX AVE
EN22-0096	Parking	01/10/2022	SOUTH DISTRICT	6043 MAPLEVIEW LN
EN22-0097	Blight	01/11/2022	THURSTON AREA	298 OREGON ST

EN22-0098	Property Maintenance	01/11/2022		545 VILLA DR
EN22-0099	Solid Waste	01/11/2022	HOLMES ROAD AREA	1095 CENTENNIAL AVE
EN22-0100	Solid Waste	01/11/2022	OAKLAWN/HAWTHORNE AREA	608 HAYES ST
EN22-0101	Zoning	01/11/2022	LAKEVIEW AREA	2277 S GROVE 100-Comm Ent
EN22-0102	Property Maintenance	01/11/2022		545 VILLA DR
EN22-0103	Solid Waste	01/11/2022	WEST WILLOW	554 NASH AVE
EN22-0104	Solid Waste	01/11/2022	WEST WILLOW	1011 DESOTO AVE
EN22-0105	Solid Waste	01/11/2022	SUGARBROOK AREA	1452 FOLEY AVE
EN22-0106	Blight	01/11/2022	LAY GARDENS AREA	868 ALLEN RD
EN22-0107	Solid Waste	01/11/2022	OAKLAWN/HAWTHORNE AREA	568 GLENWOOD AVE
EN22-0108	Solid Waste	01/11/2022	OAKLAWN/HAWTHORNE AREA	632 GLENWOOD AVE
EN22-0109	Vacant Property/Building	01/12/2022	THURSTON AREA	88 DEVONSHIRE RD
EN22-0110	Blight	01/12/2022	THURSTON AREA	88 DEVONSHIRE RD
EN22-0111	Parking	01/12/2022	WEST WILLOW	1599 S PASADENA ST
EN22-0112	Parking	01/12/2022	WEST WILLOW	1609 S PASADENA ST
EN22-0113	Multiple	01/12/2022		2381 PARKWOOD AVE
EN22-0114	Parking	01/12/2022	WEST WILLOW	1616 S PASADENA ST
EN22-0115	Blight	01/12/2022	HEWITT ROAD AREA	193 N HEWITT RD
EN22-0116	Blight	01/12/2022	WESTLAWN AREA	2942 NORTHLAWN AVE
EN22-0117	Blight	01/12/2022	WESTLAWN AREA	458 DUPONT AVE
EN22-0118	Solid Waste	01/12/2022	OAKLAWN/HAWTHORNE AREA	159 GLENWOOD AVE
EN22-0119	Solid Waste	01/12/2022	WEST WILLOW	720 FOX AVE
EN22-0120	Solid Waste	01/12/2022	WEST WILLOW	890 DESOTO AVE
EN22-0121	Solid Waste	01/12/2022	WEST WILLOW	1009 BUICK AVE
EN22-0122	Solid Waste	01/12/2022	OAKLAWN/HAWTHORNE AREA	449 HAYES ST
EN22-0123	Property Maintenance	01/12/2022	APPLERIDGE AREA	2734 PEACHCREST ST
EN22-0124	Fire - Life Safety	01/07/2022		2515 ELLSWORTH RD
EN22-0125	Property Maintenance	01/13/2022	SOUTH DISTRICT	8753 SPINNAKER WAY BLDG 13
EN22-0126	Blight	01/13/2022	HOLMES ROAD AREA	1071 RAMBLING RD
EN22-0127	Blight	01/13/2022	HOLMES ROAD AREA	1075 SWEET RD
EN22-0128	Property Maintenance	01/13/2022	HEWITT ROAD AREA	24 EDISON AVE
EN22-0129	Property Maintenance - N	01/13/2022	THURSTON AREA	228 DEVONSHIRE RD
EN22-0130	Rental - Unregistered	01/14/2022	HOLMES ROAD AREA	1250 COMMONWEALTH AVE
EN22-0131	Rental - Unregistered	01/14/2022	GAULT VILLAGE AREA	1023 LEVONA ST



EN22-0132	Rental - Unregistered	01/14/2022	SOUTH DISTRICT	5383 TEXTILE RD
EN22-0133	Solid Waste	01/14/2022	SOUTH DISTRICT	7111 LOCHMOOR DR
EN22-0134	Solid Waste	01/14/2022	SOUTH DISTRICT	7780 HITCHINGHAM RD
EN22-0135	Solid Waste	01/14/2022	WESTLAWN AREA	457 DEXTER AVE
EN22-0136	Multiple	01/18/2022	SOUTH DISTRICT	7200 S HURON RIVER DR
EN22-0137	Blight	01/18/2022	WEST WILLOW	1125 DESOTO AVE
EN22-0138	Blight	01/18/2022	HOLMES ROAD AREA	1215 WENDELL AVE
EN22-0139	Property Maintenance - N	01/18/2022	OAKLAWN/HAWTHORNE AREA	540 KENNEDY AVE
EN22-0140	Property Maintenance	01/18/2022	HOLMES ROAD AREA	1240 REDLEAF LN
EN22-0141	Solid Waste	01/18/2022	WEST WILLOW	610 NASH AVE
EN22-0142	Solid Waste	01/18/2022	OAKLAWN/HAWTHORNE AREA	640 GLENWOOD AVE
EN22-0143	Parking	01/18/2022	OAKLAWN/HAWTHORNE AREA	540 KENNEDY AVE
EN22-0144	Blight	01/18/2022	OAKLAWN/HAWTHORNE AREA	520 KENNEDY AVE
EN22-0145	Blight	01/18/2022	SOUTH DISTRICT	7292 MAPLELAWN DR
EN22-0146	Property Maintenance	01/18/2022		1005 EMERICK - Gault Village
EN22-0147	Property Maintenance	01/19/2022	SOUTH DISTRICT	6214 TUTTLE HILL RD
EN22-0148	Solid Waste	01/19/2022	WEST WILLOW	683 EUGENE ST
EN22-0149	Blight - Fire	01/19/2022	THURSTON AREA	1540 RUSSELL ST
EN22-0150	Property Maintenance	01/19/2022		2500 HOLMES RD 622
EN22-0151	Blight	01/19/2022	HOLMES ROAD AREA	1218 FALL RIVER RD
EN22-0152	Blight	01/19/2022	HOLMES ROAD AREA	1228 FALL RIVER RD
EN22-0153	Blight	01/20/2022		2321 ELLSWORTH RD
EN22-0154	Property Maintenance	01/20/2022	SOUTH DISTRICT	8525 CRESCENT LN
EN22-0155	Solid Waste	01/20/2022	SOUTH DISTRICT	6250 CHERRYWOOD DR
EN22-0156	Solid Waste	01/20/2022	SOUTH DISTRICT	6266 CHERRYWOOD DR
EN22-0157	Solid Waste	01/20/2022	WEST WILLOW	2369 PINERIDGE CT
EN22-0158	Multiple	01/20/2022	WEST WILLOW	729 CAYUGA AVE
EN22-0159	Solid Waste	01/20/2022	LAY GARDENS AREA	1386 E FOREST AVE
EN22-0160	Solid Waste	01/20/2022	THURSTON AREA	1591 RUSSELL ST
EN22-0161	Solid Waste	01/20/2022	WEST WILLOW	2057 MARY CATHERINE ST
EN22-0162	Multiple	01/21/2022	LAY GARDENS AREA	201 DONS DR
EN22-0163	Solid Waste	01/21/2022	HEWITT ROAD AREA	1985 MIDVALE ST
EN22-0164	Vacant Property/Building	01/21/2022	WESTLAWN AREA	448 RICE AVE
EN22-0165	Solid Waste	01/21/2022	HEWITT ROAD AREA	2433 BURNS AVE

EN22-0166	Vacant Property/Building	01/21/2022	HOLMES ROAD AREA	1143 RUE WILLETTE BLVD
EN22-0167	Property Maintenance - N	01/21/2022	HOLMES ROAD AREA	1143 RUE WILLETTE BLVD
EN22-0168	Solid Waste	01/21/2022	SOUTH DISTRICT	6297 ASPEN WAY
EN22-0169	Property Maintenance	01/21/2022	STEVENS PARK AREA	221 KIRK ST
EN22-0170	Property Maintenance	01/21/2022	WESTLAWN AREA	510 DUPONT AVE
EN22-0171	Property Maintenance	01/21/2022	LAKEVIEW AREA	2118 HARMON ST
EN22-0172	Solid Waste	01/21/2022	WESTLAWN AREA	1870 STRATFORD RD
EN22-0173	Solid Waste	01/21/2022	LAY GARDENS AREA	380 N HARRIS RD
EN22-0174	Blight	01/21/2022	WEST WILLOW	1405 DESOTO AVE
EN22-0175	Solid Waste	01/21/2022	WESTLAWN AREA	458 DEXTER AVE
EN22-0176	Commercial Vehicles	01/21/2022	SOUTH DISTRICT	8034 LAKE CREST DR
EN22-0177	Property Maintenance	01/21/2022	WESTLAWN AREA	2520 PACKARD RD
EN22-0178	Solid Waste	01/24/2022	LAY GARDENS AREA	1705 E FOREST
EN22-0179	Solid Waste	01/24/2022	SUGARBROOK AREA	1677 FOLEY AVE
EN22-0180	Solid Waste	01/24/2022	LAKEVIEW AREA	1702 SMITH ST
EN22-0181	Solid Waste	01/24/2022	GAULT VILLAGE AREA	1081 HULL AVE
EN22-0182	Solid Waste	01/24/2022	WEST WILLOW	1231 DESOTO AVE
EN22-0183	Solid Waste	01/24/2022	WEST WILLOW	612 ONANDAGA AVE
EN22-0184	Solid Waste	01/24/2022	HEWITT ROAD AREA	2100 MCKINLEY AVE
EN22-0185	Blight	01/24/2022	SUGARBROOK AREA	1771 GROVE RD
EN22-0186	Solid Waste	01/25/2022	WEST WILLOW	1038 BUICK AVE
EN22-0187	Solid Waste	01/25/2022	WEST WILLOW	1370 NASH AVE
EN22-0188	Solid Waste	01/25/2022	SOUTH DISTRICT	8901 TRILLIUM DR
EN22-0189	Blight	01/25/2022	WEST WILLOW	535 HUDSON ST
EN22-0190	Blight	01/25/2022	WEST WILLOW	578 EUGENE ST
EN22-0191	Property Maintenance	01/26/2022		1111 S HARRIS RD 207
EN22-0192	Blight	01/26/2022	OAKLAWN/HAWTHORNE AREA	1530 ECORSE RD
EN22-0193	Blight	01/26/2022	OAKLAWN/HAWTHORNE AREA	637 GREENLAWN ST
EN22-0194	Solid Waste	01/26/2022	GAULT VILLAGE AREA	1329 BORGSTROM AVE
EN22-0195	Multiple	01/26/2022	THURSTON AREA	17 AVIS ST
EN22-0196	Solid Waste	01/26/2022	HEWITT ROAD AREA	1845 PEYTON DR
EN22-0197	Solid Waste	01/26/2022	GAULT VILLAGE AREA	1115 BORGSTROM AVE
EN22-0198	Solid Waste	01/26/2022	WEST WILLOW	750 EUGENE ST
EN22-0199	Parking	01/26/2022	OAKLAWN/HAWTHORNE AREA	560 GLENWOOD AVE

EN22-0200	Solid Waste	01/26/2022	GAULT VILLAGE AREA	1093 BORGSTROM AVE
EN22-0201	Solid Waste	01/26/2022	GAULT VILLAGE AREA	1010 BORGSTROM AVE
EN22-0202	Solid Waste	01/26/2022	WEST WILLOW	727 CAYUGA AVE
EN22-0203	Solid Waste	01/26/2022	WEST WILLOW	530 EUGENE ST
EN22-0204	Rental - Unregistered	01/27/2022	SOUTH DISTRICT	5558 GRAYFIELD CIR
EN22-0205	Parking	01/27/2022	SOUTH DISTRICT	7172 ESSEX DR
EN22-0206	Solid Waste	01/27/2022	HOLMES ROAD AREA	1339 FALL RIVER RD
EN22-0207	Property Maintenance - N	01/27/2022	SOUTH DISTRICT	7390 MEADOW LN
EN22-0208	Pre-Permit Inspection	01/28/2022		1722 MEADOW WOODS BLVD
EN22-0209	Vacant Property/Building	01/28/2022	WEST WILLOW	1448 NASH AVE
EN22-0210	Rental - Unregistered	01/28/2022	HARBOUR COVE CONDOS	9625 HARBOUR COVE CT
EN22-0211	Solid Waste	01/28/2022	SOUTH DISTRICT	5382 HIGH RIDGE DR
EN22-0212	Multiple	01/31/2022	SOUTH DISTRICT	7200 S HURON RIVER DR
EN22-0213	Solid Waste	01/31/2022	WEST WILLOW	610 EUGENE ST
EN22-0214	Solid Waste	01/31/2022	WEST WILLOW	2324 CEDARCLIFF AVE
EN22-0215	Solid Waste	01/31/2022	LAKEVIEW AREA	1715 SMITH ST
EN22-0216	Parking	01/31/2022	WEST WILLOW	569 EUGENE ST
EN22-0217	Property Maintenance	01/31/2022	SUGARBROOK AREA	1391 HARRY ST



# WASHTENAW COUNTY OFFICE OF THE SHERIFF



JERRY L. CLAYTON  
SHERIFF

2201 Hogback Road ♦ Ann Arbor, Michigan 48105-9732 ♦ OFFICE (734) 971-8400 ♦ FAX (734) 973-4624 ♦ EMAIL [sheriffinfo@ewashtenaw.org](mailto:sheriffinfo@ewashtenaw.org)

MARK A. PTASZEK  
UNDERSHERIFF

**To:** Brenda Stumbo, Ypsilanti Township Supervisor  
**From:** Shane Peltier, Police Services Lieutenant  
**Cc:** Ypsilanti Township Board  
Keith Flores, WCSO Police Services Commander  
Nancy Hansen, WCSO Police Services Captain  
**Date:** February 7, 2022  
**Re:** January 2022 Police Services Monthly Report

## SUMMARY:

During the month of January 2022, there were 3,645 calls for service in Ypsilanti Township, a 29% increase in calls for service as compared to January 2021.

## OPERATIONS

During January 2022, Patrol Operations responded to calls for service, conducted traffic enforcement, and completed criminal investigations in support of our citizen's quality of life.

The month of January showed a decrease in home invasions of 40% (6 compared to 10 in 2021). In many of these incidents a domestic relationship and unauthorized entry were common. The best prevention methods for a typical residential home invasion are to keep all windows and doors locked (including vehicles in the driveway), including deadbolts, while away from home. External lighting and visual deterrents such as "Beware of Dog" or alarm signage also discourages criminals.

In January 2022 we took 1 report of a breaking and entering (non-residential building). Compared to January 2021 there was no change (1 report taken in January 2021 as well). In the month of January 2022, we saw 7 robberies. In the month of January 2021, we saw a total of 3 robberies (133% increase). Many of these robberies involved a domestic relationship between the suspect and victim and were in addition to a domestic assault type crime.

In January 2022 there were 12 reported UDAA's. This is a 63% decrease from January 2021 where there were 32 reported UDAA's. Many of these vehicle thefts occurred by the suspect gaining entry to an unlocked vehicle. Citizens are reminded to lock all vehicle doors and keep ignition keys in separate and secure areas to prevent such thefts. Valuables, if left in a vehicle, should be placed in a concealed location. The following website provides further information regarding the reduction of potential for theft of your vehicle, common vehicles targeted, and further information.

<https://www.nhtsa.gov/road-safety/vehicle-theft-prevention>

## YOUTH INITIATIVE

The Sheriff's Office continues to partner with courts, probation, and social services to ensure that there is accountability beyond Sheriff's Office contact with the offenders that are consistently involved in crimes. From a year-to-year perspective, comparing 2022 to 2021, our juvenile offenses and complaints are down 42.8% (from 14 to 8) and our runaway complaints are up 50% (from 4 to 6).

*Public Safety – Quality Service – Strong Communities  
Serving Washtenaw County since 1823*



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MARK A. PTASZEK  
UNDERSHERIFF

## COMMUNITY ACTION TEAM

The purpose of the Community Action Team (CAT) is to respond to situations involving or with a nexus of drugs, guns, or violence. The team focuses on the timely assessment and response to tips they receive from our community and community problems identified through crime pattern analysis.

CAT collaboration with the Michigan Department of Corrections in reference to parole compliance contributes to effective monitoring and management of parolees who live in our community. Timely and efficient response to tips regarding parolee misconduct combined with regular unannounced home visits are expected by the parolees that reside in Ypsilanti Township and surrounding areas.

For any violent crime tips related to guns, gang activity or violence in general please call 734-661-9034.

## WASHTENAW ALERT (EVERBRIDGE)

As a reminder for residents they can sign up for “Up-to-the-minute updates” from the Washtenaw County Sheriff’s Office by email or cell phone at [www.washtenaw.org/alerts](http://www.washtenaw.org/alerts)

## HOUSE WATCH

If you plan on being gone for a period of time sign your house up for house checks. The house watch form can be found at: <https://www.washtenaw.org/1743/House-Watch>

## NEW FACES

The Sheriff’s Office is hiring! We continue to hire highly qualified, motivated, and diverse people that are committed to pursuing our mission: Creating public safety, providing quality service, and building strong and sustainable communities.

If you are interested in joining us in serving your community in Police Services, Corrections, Communications, Emergency Services or Community Corrections please check us out at: <https://www.washtenaw.org/1124/Sheriff>

We have rewarding career opportunities available for those seeking a profession with a greater purpose.

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# January 2022 Ypsilanti Township Call Report (WD)

City:Ypsilanti Twp-YPT



Search Criteria: (This report counts for offenses but excludes UCR status of 'Unfounded'.)

Month:	January
Year:	2022
City:	Ypsilanti Twp-YPT

# January 2022 Ypsilanti Township Call Report (WD)

## City:Ypsilanti Twp-YPT

CLASS	Description	Jan/2022	Jan/2021	% CHG	YTD 2022	YTD 2021	% CHG	ADULT		JUV		Total	
								Jan/2022	YTD	Jan/2021	YTD	Jan	YTD
10001	KIDNAPPING/ABDUCTION	1	2	-50%	1	2	-50%	0	0	0	0	0	0
11001	SEXUAL PENETRATION PENIS/VAGINA -CSC 1ST DEGREE	6	3	100%	6	3	100%	1	1	0	0	1	1
11003	SEXUAL PENETRATION ORAL/ANAL -CSC 1ST DEGREE	1	0	0%	1	0	0%	0	0	0	0	0	0
11007	SEXUAL CONTACT FORCIBLE -CSC 2ND DEGREE	4	0	0%	4	0	0%	0	0	0	0	0	0
11008	SEXUAL CONTACT FORCIBLE -CSC 4TH DEGREE	1	1	0%	1	1	0%	0	0	0	0	0	0
12000	ROBBERY	7	3	133.3%	7	3	133.3%	4	4	0	0	4	4
13001	NONAGGRAVATED ASSAULT	43	43	0%	43	43	0%	15	15	2	2	17	17
13002	AGGRAVATED/FELONIOUS ASSAULT	25	33	-24.2%	25	33	-24.2%	11	11	0	0	11	11
13003	INTIMIDATION/STALKING	11	3	266.6%	11	3	266.6%	3	3	0	0	3	3
20000	ARSON	1	0	0%	1	0	0%	0	0	0	0	0	0
22001	BURGLARY -FORCED ENTRY	5	10	-50%	5	10	-50%	1	1	0	0	1	1
22002	BURGLARY -ENTRY WITHOUT FORCE (Intent to Commit)	2	1	100%	2	1	100%	0	0	0	0	0	0
23003	LARCENY -THEFT FROM BUILDING	8	15	-46.6%	8	15	-46.6%	0	0	0	0	0	0
23004	LARCENY -THEFT FROM COIN-OPERATED MACHINE/DEVICE	1	0	0%	1	0	0%	0	0	0	0	0	0
23005	LARCENY -THEFT FROM MOTOR VEHICLE	24	18	33.33%	24	18	33.33%	0	0	0	0	0	0
23006	LARCENY -THEFT OF MOTOR VEHICLE PARTS/ACCESSORIES	1	2	-50%	1	2	-50%	0	0	0	0	0	0
23007	LARCENY -OTHER	8	5	60%	8	5	60%	0	0	0	0	0	0
24001	MOTOR VEHICLE THEFT	12	28	-57.1%	12	28	-57.1%	2	2	0	0	2	2
24002	MOTOR VEHICLE, AS STOLEN PROPERTY	3	4	-25%	3	4	-25%	1	1	2	2	3	3
25000	FORGERY/COUNTERFEITING	5	1	400%	5	1	400%	0	0	0	0	0	0
26001	FRAUD -FALSE PRETENSE/SWINDLE/CONFIDENCE GAME	7	8	-12.5%	7	8	-12.5%	0	0	0	0	0	0
26002	FRAUD -CREDIT CARD/AUTOMATIC TELLER MACHINE	3	5	-40%	3	5	-40%	1	1	0	0	1	1

# January 2022 Ypsilanti Township Call Report (WD)

## City:Ypsilanti Twp-YPT

CLASS	Description	Jan/2022	Jan/2021	% CHG	YTD 2022	YTD 2021	% CHG	ADULT		JUV		Total	
								Jan/2022	YTD	Jan/2021	YTD	Jan	YTD
26005	FRAUD -WIRE FRAUD	0	4	-100%	0	4	-100%	0	0	0	0	0	0
26007	FRAUD - IDENTITY THEFT	7	10	-30%	7	10	-30%	0	0	0	0	0	0
27000	EMBEZZLEMENT	3	0	0%	3	0	0%	0	0	0	0	0	0
28000	STOLEN PROPERTY	3	3	0%	3	3	0%	1	1	0	0	1	1
29000	DAMAGE TO PROPERTY	30	33	-9.09%	30	33	-9.09%	2	2	0	0	2	2
30002	RETAIL FRAUD -THEFT	9	12	-25%	9	12	-25%	0	0	0	0	0	0
30003	RETAIL FRAUD -REFUND/EXCHANGE	0	1	-100%	0	1	-100%	0	0	0	0	0	0
35001	VIOLATION OF CONTROLLED SUBSTANCE ACT	11	2	450%	11	2	450%	1	1	0	0	1	1
35002	NARCOTIC EQUIPMENT VIOLATIONS	1	2	-50%	1	2	-50%	0	0	0	0	0	0
37000	OBSCENITY	1	0	0%	1	0	0%	0	0	0	0	0	0
52001	WEAPONS OFFENSE- CONCEALED	6	4	50%	6	4	50%	3	3	0	0	3	3
52003	WEAPONS OFFENSE -OTHER	4	5	-20%	4	5	-20%	1	1	0	0	1	1
72000	ANIMAL CRUELTY	0	1	-100%	0	1	-100%	0	0	0	0	0	0
<b>Group A Totals</b>		<b>254</b>	<b>262</b>	<b>-3.05%</b>	<b>254</b>	<b>262</b>	<b>-3.05%</b>	<b>47</b>	<b>47</b>	<b>4</b>	<b>4</b>	<b>51</b>	<b>51</b>
22003	BURGLARY - UNLAWFUL ENTRY (NO INTENT)	1	0	0%	1	0	0%	0	0	0	0	0	0
26006	FRAUD -BAD CHECKS	2	0	0%	2	0	0%	0	0	0	0	0	0
36004	SEX OFFENSE -OTHER	1	0	0%	1	0	0%	0	0	0	0	0	0
38001	FAMILY -ABUSE/NEGLECT NONVIOLENT	3	2	50%	3	2	50%	0	0	0	0	0	0
41002	LIQUOR VIOLATIONS -OTHER	0	3	-100%	0	3	-100%	0	0	0	0	0	0
48000	OBSTRUCTING POLICE	13	15	-13.3%	13	15	-13.3%	3	3	0	0	3	3
50000	OBSTRUCTING JUSTICE	23	10	130%	23	10	130%	7	7	0	0	7	7
53001	DISORDERLY CONDUCT	0	2	-100%	0	2	-100%	0	0	0	0	0	0
54001	HIT and RUN MOTOR VEHICLE ACCIDENT	1	1	0%	1	1	0%	0	0	0	0	0	0
54002	OPERATING UNDER THE INFLUENCE OF LIQUOR OR DRUGS	16	12	33.33%	16	12	33.33%	12	12	0	0	12	12
55000	HEALTH AND SAFETY	1	1	0%	1	1	0%	0	0	0	0	0	0
57001	TRESPASS	0	2	-100%	0	2	-100%	0	0	0	0	0	0
58000	SMUGGLING	1	0	0%	1	0	0%	0	0	0	0	0	0



# January 2022 Ypsilanti Township Call Report (WD)

## City:Ypsilanti Twp-YPT

CLASS	Description	Jan/2022	Jan/2021	% CHG	YTD 2022	YTD 2021	% CHG	ADULT		JUV		Total	
								Jan/2022	YTD	Jan/2021	YTD	Jan	YTD
7000	JUVENILE RUNAWAY	6	4	50%	6	4	50%	0	0	0	0	0	0
7300	MISCELLANEOUS CRIMINAL OFFENSE	5	4	25%	5	4	25%	0	0	0	0	0	0
<b>Group B Totals</b>		<b>73</b>	<b>56</b>	<b>30.35%</b>	<b>73</b>	<b>56</b>	<b>30.35%</b>	<b>22</b>	<b>22</b>	<b>0</b>	<b>0</b>	<b>22</b>	<b>22</b>
2800	JUVENILE OFFENSES AND COMPLAINTS	8	14	-42.8%	8	14	-42.8%	0	0	0	0	0	0
2900	TRAFFIC OFFENSES	11	19	-42.1%	11	19	-42.1%	1	1	0	0	1	1
3000	WARRANTS	48	21	128.5%	48	21	128.5%	28	28	0	0	28	28
3100	TRAFFIC CRASHES	112	76	47.36%	112	76	47.36%	0	0	0	0	0	0
3200	SICK / INJURY COMPLAINT	203	189	7.407%	203	189	7.407%	0	0	0	0	0	0
3300	MISCELLANEOUS COMPLAINTS	652	740	-11.8%	652	740	-11.8%	0	0	0	0	0	0
3500	NON - CRIMINAL COMPLAINTS	842	887	-5.07%	842	887	-5.07%	0	0	0	0	0	0
3700	MISCELLANEOUS TRAFFIC COMPLAINTS	1263	413	205.8%	1263	413	205.8%	0	0	0	0	0	0
3800	ANIMAL COMPLAINTS	48	46	4.347%	48	46	4.347%	0	0	0	0	0	0
3900	ALARMS	144	86	67.44%	144	86	67.44%	0	0	0	0	0	0
<b>Group C Totals</b>		<b>3331</b>	<b>2491</b>	<b>33.72%</b>	<b>3331</b>	<b>2491</b>	<b>33.72%</b>	<b>29</b>	<b>29</b>	<b>0</b>	<b>0</b>	<b>29</b>	<b>29</b>
4000	HAZARDOUS TRAFFIC CITATIONS / WARNINGS	1	1	0%	1	1	0%	0	0	0	0	0	0
4200	PARKING CITATIONS	1	2	-50%	1	2	-50%	0	0	0	0	0	0
4300	LICENSE / TITLE / REGISTRATION CITATIONS	0	1	-100%	0	1	-100%	0	0	0	0	0	0
4500	MISCELLANEOUS A THROUGH UUUU	22	25	-12%	22	25	-12%	0	0	0	0	0	0
<b>Group D Totals</b>		<b>24</b>	<b>29</b>	<b>-17.2%</b>	<b>24</b>	<b>29</b>	<b>-17.2%</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
5000	FIRE CLASSIFICATIONS	0	1	-100%	0	1	-100%	0	0	0	0	0	0
<b>Group E Totals</b>		<b>0</b>	<b>1</b>	<b>-100%</b>	<b>0</b>	<b>1</b>	<b>-100%</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
6000	MISCELLANEOUS ACTIVITIES (6000)	34	35	-2.85%	34	35	-2.85%	0	0	0	0	0	0
6100	MISCELLANEOUS ACTIVITIES (6100)	79	110	-28.1%	79	110	-28.1%	0	0	0	0	0	0
6300	CANINE ACTIVITIES	4	7	-42.8%	4	7	-42.8%	0	0	0	0	0	0
6500	CRIME PREVENTION ACTIVITIES	4	3	33.33%	4	3	33.33%	0	0	0	0	0	0
6700	INVESTIGATIVE ACTIVITIES	45	38	18.42%	45	38	18.42%	0	0	0	0	0	0
<b>Group F Totals</b>		<b>166</b>	<b>193</b>	<b>-13.9%</b>	<b>166</b>	<b>193</b>	<b>-13.9%</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>City : Ypsilanti Twp Totals</b>		<b>3848</b>	<b>3032</b>	<b>26.91%</b>	<b>3848</b>	<b>3032</b>	<b>26.91%</b>	<b>98</b>	<b>98</b>	<b>4</b>	<b>4</b>	<b>102</b>	<b>102</b>



## YPSILANTI TOWNSHIP MONTHLY POLICE SERVICES DATA January 2022

JERRY L. CLAYTON  
SHERIFF

Incidents	Month 2022	Month 2021	% Change	YTD 2022	YTD 2021	% Change
Traffic Stops	1174	306	284%	1174	306	284%
Citations	526	186	183%	526	186	183%
Drunk Driving (OWI)	8	9	-11%	8	9	-11%
Drugged Driving (OUID)	7	3	133%	7	3	133%
Calls for Service Total	3645	2822	29%	3645	2822	29%
Calls for Service <i>(Traffic stops and non-response medicals removed)</i>	2016	2132	-5%	2016	2132	-5%
Robberies	7	3	133%	7	3	133%
Assaultive Crimes	78	77	1%	78	77	1%
Home Invasions	6	10	-40%	6	10	-40%
Breaking and Entering's	1	1	0%	1	1	0%
Larcenies	41	40	2%	41	40	2%
Vehicle Thefts	12	32	-63%	12	32	-63%
Traffic Crashes	98	51	92%	98	51	92%
Medical Assists	57	57	0%	57	57	0%
Animal Complaints <i>(ACO Response)</i>	14	19	-26%	14	19	-26%
<b>In/Out of Area Time</b>	<b>Month</b> <i>(minutes)</i>	<b>YTD</b> <i>(minutes)</i>	+ = Positive Change - = Negative Change			
Into Area Time	851	851				
Out of Area Time	3491	3491				
Investigative Ops (DB)	42835	42835				
Secondary Road Patrol	120	120				
County Wide	210	210				
	<b>Hours Accum.</b>	<b>Hours Used</b>	<b>Balance</b>			
Banked Hours	388	TBD	TBD			



# Out of Area Time

For: 01/01/2022 thru 01/31/2022



Patrol Area	Reporting Area	Username	Location	Activity Category	Incident Number	Comments	Start Time	Duration in Minutes	Start Date
YPSILANTI TWP	SUPERIOR TWP	WDCAMPAGIORNIM	E HURON RIVER DR/MCAULEY DR	BACKUP DISPATCHED CALLS	220000316	CHECKED FOR INJURIES ON PDC INJURIES, ALL SECURE, SGT. CRATSENBURG	16:25:00	20	1/2/2022
YPSILANTI TWP	YPSILANTI CITY	WDSOYRING	W MICHIGAN AVE/N HAMILTON ST	TRAFFIC STOP	220000558	RAN RED LIGHT	16:20:00	10	1/3/2022
YPSILANTI TWP	YPSILANTI CITY	WDSOYRING	UPON MICHIGAN AVE and AT/NEAR A	CITATIONS	220000558	DISOBEYED TRAFFIC SIGNAL	16:30:00	0	1/3/2022
YPSILANTI TWP	SUPERIOR TWP	WDCAMPAGIORNIM	SHERWOOD	BACKUP DISPATCHED CALLS	220000978	BACK UP SUP UNIT WITH CIVIL STANDBY, SGT. HOUK	09:25:00	40	1/5/2022
YPSILANTI TWP	YPSILANTI CITY	WDMACES	MILES ST/YOUNG ST	BACKUP DISPATCHED CALLS	220001355	ASSISTED YPD IN LOCATING UDAA, UDAA LOCATED AND TOT'D YPD, SGT HOUK	17:55:00	20	1/6/2022
YPSILANTI TWP	PITTSFIELD TOWNSHIP	WDSHANKLANDC	W MICHIGAN AVE	BACKUP DISPATCHED CALLS	220001977	PER SGT CRATSENBURG TO HELP OUT PITTSFIELD WITH A TRACK LOOKING FOR UDAA SUSPECTS	02:00:00	30	1/9/2022
YPSILANTI TWP	PITTSFIELD TOWNSHIP	WDVANBYNENJ	W MICHIGAN AVE	BACKUP DISPATCHED CALLS	220001977	PER SGT. CRATS, ASSIST WITH K9 PERIMETER	02:00:00	30	1/9/2022
YPSILANTI TWP	MACARTHUR BLVD CONTRACT	WDPHILLIPSA	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220002338	subjects disorderly with SUP units, cleared with 637, Sgt, Montgomery, DISORDERLY SUBJECTS, DEPUTY A, FARMER REQUESTED MORE UNITS FOR SCENE SECURITY	14:40:00	20	1/10/2022
YPSILANTI TWP	MACARTHUR BLVD CONTRACT	WDROYJ	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220002481	Per sgt pennington back on family trouble, canceled prior to arrival	06:00:00	20	1/11/2022
YPSILANTI TWP	YPSILANTI CITY	WDZEHELD	WASHTENAW AVE/ROOSEVELT BLVD	TRAFFIC STOP	220003242	DRIVING EASTBOUND ON WASHTENAW AVE WITH NO HEADLIGHTS ON	22:20:00	10	1/13/2022
YPSILANTI TWP	YORK TWP	WDROYJ	emerson	DISPATCHED CALLS	220003465	was told that the offense happend on cherrywood in ypsi township upon arrival found out happened in york Sgt Pennington advised to conduct follow up and advise	20:35:00	175	1/14/2022
YPSILANTI TWP	SUPERIOR TWP	WDERBESJ	NOTTINGHAM DR	BACKUP DISPATCHED CALLS	220003464	PER SGT PENNINGTON/ suicidal	21:45:00	65	1/14/2022
YPSILANTI TWP	SUPERIOR TWP	WDWARDB	NOTTINGHAM DR	BACKUP DISPATCHED CALLS	220003464	SUICIDAL PER SGT PENNINGTON AND SGT CRATSENBERG FOR CNT	21:45:00	25	1/14/2022
YPSILANTI TWP	SUPERIOR TWP	WDHALLR	NOTTINGHAM DR	BACKUP DISPATCHED CALLS	220003464	ASSIST SUPERIOR TWP PER SGT PENNINGTON WITH SUICIDAL SUBJECT	21:50:00	30	1/14/2022
YPSILANTI TWP	MACARTHUR BLVD CONTRACT	WDWOOLLAMJS	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220003529	ASSIST SUPERIOR TWP WITH RUNAWAY (SGT. PENNINGTON)	03:40:00	20	1/15/2022
YPSILANTI TWP	SUPERIOR TWP	WDHALLR	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220003529	ASSIST SUT WITH MISSING CHILD PER SGT PENNINGTON	03:40:00	25	1/15/2022
YPSILANTI TWP	SUPERIOR TWP	WDWARDB	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220003529	MISSING AUTISTIC PERSON PER SGT. PENNINGTON	03:40:00	20	1/15/2022
YPSILANTI TWP	SUPERIOR TWP	WDERBESJ	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220003529	per sgt pennington/ missing person	03:45:00	15	1/15/2022
YPSILANTI TWP	ANN ARBOR CITY	WDWARDB	MONROE ST	BACKUP DISPATCHED CALLS	220003534	BARRICADED SUICIDAL/ ASSIST FOR CNT PER SGT. CRATSENBERG	04:20:00	130	1/15/2022
YPSILANTI TWP	SUPERIOR TWP	WDHALLR	HIGHLAND DR	BACKUP DISPATCHED CALLS	220003532	ASSIST SUT WITH ALARM PER SGT, PENNINGTON	04:25:00	30	1/15/2022
YPSILANTI TWP	YPSILANTI CITY	WDVANDUSSENK	HARRIET ST/S HAMILTON ST	BACKUP DISPATCHED CALLS	220003644	ASSIST YPD FIGHTING WITH ONE / APPROVED PER SGT MONTGOMERY	15:55:00	5	1/15/2022
YPSILANTI TWP	YPSILANTI CITY	WDRAABT	HARRIET AND HAMILTON	BACKUP DISPATCHED CALLS		ASSIST YPD 214 WITH ONE FIGHTING OK PER SGT MONTGOMERY	16:00:00	10	1/15/2022
YPSILANTI TWP	SUPERIOR TWP	WDSILLERB	SHERWOOD/EVERGREEN LN	BACK-UP TRAFFIC STOP	220003740	DISP: ASSISTED SUPERIOR DEPUTIES WITH STOLEN VEHICLE / APPROVED BY SGT MONTGOMERY	22:00:00	20	1/15/2022
YPSILANTI TWP	SUPERIOR TWP	WDROYJ	SHERWOOD/EVERGREEN LN	BACKUP DISPATCHED CALLS	220003740	behind occupied udaa // in custody on arrival Sgt Montgommery	22:05:00	5	1/15/2022
YPSILANTI TWP	SUPERIOR TWP	WDWOOLLAMJS	SHERWOOD/EVERGREEN LN	BACKUP DISPATCHED CALLS	220003740	ASSIST SUT WITH RECOVERED UDAA (SGT. MONTGOMERY)	22:05:00	5	1/15/2022
YPSILANTI TWP	MACARTHUR BLVD CONTRACT	WDCAMPAGIORNIM	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220003852	ASSIST OIC WITH POSS DV, STC, MONGOMERY	11:50:00	10	1/16/2022
YPSILANTI TWP	MACARTHUR BLVD CONTRACT	WDGARLICKK	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220004180	Only one superior unit available for a call possibly involving firearms-Sgt Arts	17:39:00	9	1/17/2022
YPSILANTI TWP	MACARTHUR BLVD CONTRACT	WDMCQUEENC	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220004180	FAMILY TROUBLE PER 626 SGT ARTS	17:40:00	10	1/17/2022
YPSILANTI TWP	PITTSFIELD TOWNSHIP	WDROBERTSG	GLENCOE HILLS DR	BACKUP DISPATCHED CALLS		AST ON SHOTS FIRED CALL - APPROVED BY SGT. CRATSENBURG CFS 220004287	02:10:00	130	1/18/2022
YPSILANTI TWP	PITTSFIELD TOWNSHIP	WDSHANKLANDC	GLENCOE HILLS DR	BACKUP DISPATCHED CALLS	220004287	SHOTS FIRED AT GLENCOE HILLS ASSISTING PITTSFIELD WITH A PERIMETER PER 622 SGT CRATS	02:10:00	125	1/18/2022
YPSILANTI TWP	PITTSFIELD TOWNSHIP	WDVANDUSSENK	GLENCOE HILLS DR	BACKUP DISPATCHED CALLS	220004287	BACKED ON BARRICADED GUNMAN / APPROVED PER SGE CRATSENBURG	02:10:00	110	1/18/2022
YPSILANTI TWP	PITTSFIELD TOWNSHIP	WDHILBUKT	GLENCOE HILLS DR	BACKUP DISPATCHED CALLS	220004287	DISPATCHED TO AN ACTIVE SHOOTER PER SGT CRATSENBURG STOOD BY ON SCENE FOR SWAT CALLOUT PURPOSES	02:12:00	348	1/18/2022
YPSILANTI TWP	PITTSFIELD TOWNSHIP	WDZEHELD	GLENCOE HILLS DR	BACKUP DISPATCHED CALLS	220004287	ASSIST PITTSFIELD PD WITH SHOOTING / SGT CRATSENBURG ADVISED	02:15:00	115	1/18/2022



# Out of Area Time

For: 01/01/2022 thru 01/31/2022



YPSILANTI TWP	PITTSFIELD TOWNSHIP	WDVANBYNEUJ	GLENCOE HILLS DR	BACKUP DISPATCHED CALLS	220004287	PER SGT CRATS-ACTIVE SHOOTER, BARRICADED GUNMAN	02:40:00	95	1/18/2022
YPSILANTI TWP	MACARTHUR BLVD CONTRACT	WDBETTSI	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220004582	BU 767 W/ FAM TROUB - APPROVAL PER SGT MONTGOMERY	07:30:00	15	1/19/2022
YPSILANTI TWP	MACARTHUR BLVD CONTRACT	WDSIRJANNJU	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220004642	BACKUP DEP. BLAND WITH B/E / SUSPECT FLED FROM BLAND ON FOOT	12:30:00	45	1/19/2022
YPSILANTI TWP	MACARTHUR BLVD CONTRACT	WDSTEWARTA	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220004642	SGT MONTGOMERY APPROVED -EMERGENCY TRAFFIC- FLEEING SUSPECT	12:30:00	30	1/19/2022
YPSILANTI TWP	MACARTHUR BLVD CONTRACT	WDPHILLIPSA	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220004642	b&e in progress, bland had the s1 running from the scene, cleared with Sgt. Montgomery	12:35:00	30	1/19/2022
YPSILANTI TWP	YPSILANTI CITY	WDSILLERB	S HURON ST/CATHERINE ST	TRAFFIC STOP	220004761	DISP: DRIVER ALMOST STRUCK PATROL VEHICLE WHEN CHANGING LANES / DRIVER CLEAR AND VALID / VW ONLY	20:45:00	10	1/19/2022
YPSILANTI TWP	SUPERIOR TWP	WDBETTSI	RIDGE RD	BACKUP DISPATCHED CALLS	220004799	BU SUT UNIT W/ POSSIBLE FA - OK PER SGT PENNINGTON	00:30:00	15	1/20/2022
YPSILANTI TWP	SCIO TOWNSHIP	WDWARDB	CHESTNUT BLVD	BACKUP DISPATCHED CALLS	220004809	ARMED SUICIDAL CNT PER SGT. PENNINGTON	01:55:00	95	1/20/2022
YPSILANTI TWP	MACARTHUR BLVD CONTRACT	WDBETTSI	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220004812	POSS HOME INVASION S1 DEMARTA SOUTH FROM EARLIER HOME INV/ R/O - OK TO BACK PER SGT PENNINGTON	03:00:00	10	1/20/2022
YPSILANTI TWP	MACARTHUR BLVD CONTRACT	WDVANDUSSENK	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220004812	BACKED ON IN PROGRESS B & E / APPROVED PER SGT CRATSENBERG	03:00:00	15	1/20/2022
YPSILANTI TWP	MACARTHUR BLVD CONTRACT	WDRAABT	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220004812	B&E ASSIST SUT OK PER SGT PENNINGTON	03:05:00	10	1/20/2022
YPSILANTI TWP	SUPERIOR TWP	WDHOGANM	MACARTHUR BLVD	BACKUP DISPATCHED CALLS		ASSIST W/ SHOOTING ON THE BLVD APPROVED BY SGT MONTGOMERY/620	14:50:00	90	1/20/2022
YPSILANTI TWP	MACARTHUR BLVD CONTRACT	WDCAMPAGJORNJM	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220004932	ASSIST OIC WITH SCENE SECURITY FOR SHOOTING, ESCORT HVA RIG TO ST.JOE, SGT.MONTGOMERY	14:55:00	95	1/20/2022
YPSILANTI TWP	MACARTHUR BLVD CONTRACT	WDPEARSONA	MACARTHUR BLVD	DETAIL		ASSISTED SUT DEPS WITH SHOOTING, APPROVED BY SGT MONTGOMERY	14:55:00	50	1/20/2022
YPSILANTI TWP	MACARTHUR BLVD CONTRACT	WDPHILLIPSA	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220004932	shooting just occurred, ast on scene, cleared with sgt.montgomery	14:55:00	60	1/20/2022
YPSILANTI TWP	MACARTHUR BLVD CONTRACT	WDTRASKOSR	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220004932	ASSISTED SUPERIOR UNITS AT SHOOTING SCENE / APPROVED SGT. MONTGOMERY	14:55:00	55	1/20/2022
YPSILANTI TWP	MACARTHUR BLVD CONTRACT	WDSTEWARTA	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220004932	ETO-SUICIDE- SGT MONTGOMERY	15:00:00	25	1/20/2022
YPSILANTI TWP	MACARTHUR BLVD CONTRACT	WDCAMPAGJORNJM	ST.JOES	BACKUP DISPATCHED CALLS		ASSIST OIC WITH SECURITY FOR SHOOTING, SGT.MONTGOMERY	17:30:00	150	1/20/2022
YPSILANTI TWP	PITTSFIELD TOWNSHIP	WDTRASKOSR	WASHTENAW AVE/GLENCOE HILLS C	TRAFFIC STOP	220004979	RFS: DISOBEYED TRAFFIC SIGNAL / VERBAL WARNING	17:50:00	10	1/20/2022
YPSILANTI TWP	PITTSFIELD TOWNSHIP	WDGARLICKK	WASHTENAW AVE/GOLFSIDE RD	BACKUP DISPATCHED CALLS	220005799	Sgt Arts-Possible OWI, injured children, maintained scene security until Pittsfield arrived	16:39:00	31	1/23/2022
YPSILANTI TWP	SUPERIOR TWP	WDCAMPAGJORNJM	N HARRIS RD/BARRINGTON DR	BACKUP DISPATCHED CALLS	220006221	ASSIST OIC WITH FLEEING S1, SGT.MONTGOMERY	09:55:00	35	1/25/2022
YPSILANTI TWP	SUPERIOR TWP	WDTRASKOSR	N HARRIS RD/BARRINGTON DR	BACKUP DISPATCHED CALLS	220006221	Assisted Superior Twp with R&O call / approved by Sgt Montgomery	09:55:00	95	1/25/2022
YPSILANTI TWP	SUPERIOR TWP	WDYONOJ	Harris Rd / Geddes Rd	BACK-JP TRAFFIC STOP		blu dep simms on traffic stop, driver fled on foot per sgt montgomery	09:55:00	20	1/25/2022
YPSILANTI TWP	SUPERIOR TWP	WDMACES	N HARRIS RD/BARRINGTON DR	BACKUP DISPATCHED CALLS	220006221	BACKED-UP FOOT PURSUIT, PER 637, UNITS SECURE	10:00:00	15	1/25/2022
YPSILANTI TWP	SUPERIOR TWP	WDSTEWARTA	N HARRIS RD/BARRINGTON DR	BACKUP DISPATCHED CALLS	220006221	ETO /1-21 SUSPECT FLEEING - SGT MONTGOMERY	10:00:00	10	1/25/2022
YPSILANTI TWP	YPSILANTI CITY	WDRUSSELLT	S HURON ST/SPRING ST	DISPATCHED CALLS	220007036	SGT CRATS / YPD CALLED FOR ASSISTANCE AS I WAS DRIVING BY / I IN CUSTODY FOR CCW	22:10:00	15	1/27/2022
YPSILANTI TWP	YPSILANTI CITY	WDZEHELD	N WASHINGTON ST	BACKUP DISPATCHED CALLS	220007070	ASSIST YPD WITH B&E PERIMETER - SGT CRATS ADVISED	02:40:00	20	1/28/2022
YPSILANTI TWP	YPSILANTI CITY	WDERBESJ	N WASHINGTON ST	DISPATCHED CALLS	220007070	ASSIST PER SGT CRATSENBERG/ IN PROGRESS B&E	02:45:00	20	1/28/2022
YPSILANTI TWP	YPSILANTI CITY	WDROBERTSG	N WASHINGTON ST	BACKUP DISPATCHED CALLS	220007070	AST YPD ON B&E SGT. CRATSENBERG APPROVED	02:45:00	50	1/28/2022
YPSILANTI TWP	ANN ARBOR TWP	WDTRASKOSR	VILLAGE GREEN BLVD	BACKUP DISPATCHED CALLS	220007395	ASSISTED DEPUTY BLAND WITH POSSIBLE ARMED SUBJECT CALL - APPROVED SGT MONTGOMERY.	09:30:00	10	1/29/2022
YPSILANTI TWP	SUPERIOR TWP	WDRAABT	E CLARK RD/SWEET RD	BACK-JP TRAFFIC STOP	220007543	ASSIST 767 WITH FLEE/ ELUDE OK PER SGT PENNINGTON	21:00:00	45	1/29/2022
YPSILANTI TWP	SUPERIOR TWP	WDSILLERB	E CLARK RD/SWEET RD	BACK-JP TRAFFIC STOP	220007543	DISP: ASSISTED SUPERIOR DEPUTIES / FLEE AND ELUDE / FOOT BAL FROM CRASHED VEHICLE / APPROVED BY SGT PENNINGTON	21:05:00	45	1/29/2022
YPSILANTI TWP	AUGUSTA TWP	WDWEBBB	WHITTAKER RD/JUDD RD	BACK-JP TRAFFIC STOP	220007575	REQUESTED BY MSP FOR ASSISTANCE ON A PRUSUIT APPROVED BY SGT PENNINGTON/ CANCELLED BEFORE ARRIVAL	23:10:00	10	1/29/2022



# Out of Area Time

For: 01/01/2022 thru 01/31/2022



YPSILANTI TWP	YPSILANTI CITY	WDCAMPAGJORNIM	FIRST AVE	BACKUP DISPATCHED CALLS	220007690	ASSIST WITH NORTHER PERIMETER FOR YPC UNITS, SGT.MONTGOMERY, ARMED ROBBERY	15:15:00	150	1/30/2022
YPSILANTI TWP	YPSILANTI CITY	WDVANTUYLM	FIRST AVE	BACKUP DISPATCHED CALLS	220007690	DISP: DISPATCHED PER SGT. KRINGS TO 360 FIRST IN YPSI CITY IN REFERENCE TO A BARRICADED R/A SUSPECT.	15:51:00	9	1/30/2022
YPSILANTI TWP	EASTERN MICHIGAN UNIVERSITY	WDRAABT	HURON RIVER DR	BACKUP DISPATCHED CALLS	220007695	ASSIST EMU WITH EDP DUE TO OTHER UNITS TIED UP WITH BARRICADED SUBJ 22-7690 OK PER SGT MONTGOMERY	16:15:00	25	1/30/2022
YPSILANTI TWP	YPSILANTI CITY	WDSILLERB	FIRST AVE	DISPATCHED CALLS	220007690	DISP: ASSISTED IN SWAT CALL OUT / TRAFFIC CONTROL ON PERIMETER / APPROVED BY SGT MONTGOMERY	16:25:00	215	1/30/2022
YPSILANTI TWP	SUPERIOR TWP	WDSILLERB	GLENHILL DR/W AVONDALE CIR	DISPATCHED CALLS	220007762	DISP: ORIGINALLY REPORTED AS IN YPSI TOWNSHIP / UPON CONTACT LEARNED INCIDENT OCCURRED IN SUPERIOR TWP	21:55:00	20	1/30/2022
YPSILANTI TWP	YPSILANTI CITY	WDRIEBOLDTR	S HURON ST/SPRING ST	TRAFFIC STOP	220007806	DISP: DEFECTIVE BRAKE LIGHT / VW	01:00:00	10	1/31/2022
YPSILANTI TWP	YPSILANTI CITY	WDRIEBOLDTR	N HURON ST/PEARL ST	TRAFFIC STOP	220007808	DISP: NO LIGHTS / VW	01:10:00	5	1/31/2022
YPSILANTI TWP	AUGUSTA TWP	WDRICHARDSONJ	WILLIS RD	BACKUP DISPATCHED CALLS	220008013	ASSISTED MSP W/ INTOXICATED SUBJECT ARMED WITH A PISTOL - SGT CRATSENBURG	19:36:00	24	1/31/2022
YPSILANTI TWP	YPSILANTI CITY	WDSHANKLANDC	E MICHIGAN AVE/N PROSPECT ST	BACK-UP TRAFFIC STOP	220008040	717 OUT WITH ONE THAT HAD WARRANTS	21:40:00	15	1/31/2022
YPSILANTI TWP	SUPERIOR TWP	WDHILOBUKT	MACARTHUR BLVD	BACKUP DISPATCHED CALLS	220008099	BU HALL ON ARMED SUICIDAL SUBJ PER SGT CRATSENBURG	06:05:00	55	2/1/2022
							<b>Sum:</b>	<b>3,491</b>	



## Into Area Time

For: 01/01/2022 thru 01/31/2022



Patrol Area	Reporting Area	Username	Location	Activity Category	Incident Number	Comments	Start Time	Duration in Minutes	Start Date
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDGOMBOSJ	CONCORD DR	BACKUP DISPATCHED CALLS	210093092	BACK YPT UNITS ON DOMESTIC / HEAVY SHOTS FIRED IN AREA PER SGT PENNINGTON	00:02:00	13	1/1/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDGOMBOSJ	LAKE DR	BACKUP DISPATCHED CALLS	220000406	BACK YPT UNITS ON ASSAULT WITH LONG GUN PER SGT WALLACE	01:20:00	85	1/3/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDHOWARDS	DAVIS ST	DISPATCHED CALLS	220000407	EDP DESTROYING HOUSE / ALL YPT UNITS TIED UP ON FELONY ASSAULT / APPROVED BY SGT. RUSH / SOLO UNIT	02:20:00	40	1/3/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDTROWBRIDGEM	RUE WILLETTE BLVD	BACKUP DISPATCHED CALLS	220001190	BOL AREA FOR SUSPECT IN YPSI CITY ROBBERY	04:20:00	10	1/6/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDKNOPW	N PROSPECT ST/E CLARK RD	BACK-UP TRAFFIC STOP	220002434	backing up deputy on traffic stop, Sgt Pennington	22:05:00	5	1/10/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDDUONGJ	CHESTNUT DR	BACKUP DISPATCHED CALLS	220002658	ASSIST TOWNSHIP DV / NO TOWNSHIP UNITS AVAILABLE / PER SGT MONTGOMERY	18:55:00	35	1/11/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDSIRIANNIJ	CHESTNUT DR	BACKUP DISPATCHED CALLS	220002658	APPROVED TO HOLD DOWN FOR YPT UNITS BY SGT. MONTGOMERY	18:55:00	35	1/11/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDBETTSI	CHESTNUT DR	BACKUP DISPATCHED CALLS	220002658	DV IN PROG NO YPT UNITS AVAIL - OK SGT MONTGOMERY	19:00:00	25	1/11/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDFARMERA	CHESTNUT DR	BACKUP DISPATCHED CALLS	220002658	OK PER SGT MONTGOMERY, SUSPECT OBSERVED ON ARRIVAL AND TAKEN INTO CUSTODY / SCENE SECURED UNTIL YPT UNITS ARRIVED TO TAKE PRIMARY.	19:00:00	30	1/11/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDKNOPW	CHESTNUT DR	BACKUP DISPATCHED CALLS	220002658	DV, PER SGT MONTGOMERY NO YPSI UNITS AVAILABLE	19:00:00	30	1/11/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDSIRIANNIJ	INTERNATIONAL DR	BACKUP DISPATCHED CALLS	220002693	APPROVED TO ASSIST YPT UNITS BY SGT. MONTGOMERY / FAMILIAR WITH BOTH INVOLVED SUBJECTS	22:30:00	20	1/11/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDSIRIANNIJ	HOLMES RD/WENDELL AVE	BACK-UP TRAFFIC STOP	220002887	ASSIST 709 WITH STOP ON AN OCCUPIED UDAA / APPROVED BY SGT, HOUK	17:55:00	50	1/12/2022
SALEM TWP	YPSILANTI TWP	WDMCGRADYP	S HURON ST	BACKUP DISPATCHED CALLS	220003036	usrf response ref naked man on ice, Sgt Gebauer approved	08:52:00	108	1/13/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDSIMMST	LEXINGTON PKWY	BACKUP DISPATCHED CALLS	220003118	BU YPSI DEPUTIES/ EDP CHILD / SGT. HOUK	14:10:00	45	1/13/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDBETTSI	HOLMES RD	BACKUP DISPATCHED CALLS	220003449	UDAA - JUST OCCURED - IN AREA GETTING GAS - OK SGT PENNINGTON	19:30:00	10	1/14/2022
DEXTER-DEXTER TWP- WEBSTER TWP	YPSILANTI TWP	WDURBANS	ECORSE RD/HAYES ST	BACKUP DISPATCHED CALLS	220003592	K9 TRACK- SGT 636 APPROVED	11:45:00	105	1/15/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDSIRIANNIJ	ECORSE RD/HAYES ST	BACK-UP TRAFFIC STOP	220003591	ASSIST 7M1 WITH SUBJECT WHO FLED ON FOOT / APPROVED BY SGT. MONTGOMERY	11:50:00	80	1/15/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDBETTSI	LEFORGE RD/WOBURN DR	TRAFFIC STOP	220003690	UNAVOIDABLE - NO TAIL LIGHTS	18:05:00	5	1/15/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDFARMERA	ECORSE RD/GLENWOOD AVE	BACK-UP TRAFFIC STOP	220003856	CANCELLED, UNITS SECURE, OWI, SLOW ROLLING, SGT. MONTGOMERY, CANCELLED.	12:00:00	10	1/16/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDKNOPW	N PASADENA ST	BACKUP DISPATCHED CALLS	220005517	Per Sgt Arts, OD	17:25:00	20	1/22/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDSIMMST	ECORSE RD/PARKWOOD AVE	BACK-UP TRAFFIC STOP	220006248	BU DEPUTY YONOI/ RESISTING ARREST / SGT MONTGOMERY	11:45:00	5	1/25/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDBETTSI	RAWSONVILLE RD	BACKUP DISPATCHED CALLS	220006985	FIGHT IN PROG - CANCELED - OK PER SGT CRATSENBURG	18:54:00	0	1/27/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDDUONGJ	GOLFSIDE RD	BACKUP DISPATCHED CALLS	220006984	ASSIST YPSI TWP IN B&E / ONLY 1 TWP VEHICLE AVAILABLE / PER SGT CRATSENBURG	18:55:00	65	1/27/2022
ANN ARBOR-SUPERIOR TWP COLLABORATION	YPSILANTI TWP	WDFARMERA	APPLERIDGE ST	BACKUP DISPATCHED CALLS	220007385	OK PER SGT. MONTGOMERY, DEATH SCENE WITH FAMILY GETTING DISORDERLY	11:55:00	20	1/29/2022
							<b>Sum:</b>	<b>851</b>	

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



Recreation Department/  
Community Center  
  
2025 East Clark Road  
Ypsilanti, MI 48198  
Phone: (734)-544-3800  
Fax: (734)-544-3888  
50 & Beyond: (734)-544-3838  
[ytownrec.org](http://ytownrec.org)

## Charter Township of Ypsilanti

### Memorandum

To: Charter Township of Ypsilanti Board of Trustees  
From: John Hines, Recreation Services Manager  
Date: February 9, 2022  
RE: Recreation Department Board Report – 2/15/2022

Please use this memo as a report to the Charter Township of Ypsilanti Trustees for the February 15, 2022 regular meeting.

- The Township has partnered with the Michigan Department of Health and Human Service and the Washtenaw County Health Department to offer Covid-19 Testing at the Community Center on Wednesdays and Fridays during February. They are walk-up clinics with no appointment needed. The staff is also giving out masks and tests to those who need them. The time of the clinics on Wednesday is from 2:00pm – 7:00pm and Fridays from 10:00am-3:00pm.
- The Community Center is open to near-normal building operations that include the return of the 50 & Beyond program, day trips, facility rentals, youth enrichment and sports classes, as well as the youth basketball league which tips off February 12<sup>th</sup>.
- At the February 1<sup>st</sup> Board Meeting, the Board of Trustees approved the MOU with the YMCA to host their summer camp at the Community Center for 10 weeks in June to August.

John Hines  
Recreation Services Manager  
[jhines@ytown.org](mailto:jhines@ytown.org)  
734-544-3817

*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](http://ytown.org)

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## MEMORANDUM

To: Charter Township of Ypsilanti Board of Trustees

From: Mike Hoffmeister, Residential Services Director

Date: February 9, 2022

**RE: Residential Services Department Board Report – 2/15/2022**

Please use this memo as a report to the Charter Township of Ypsilanti Trustees for the February 15, 2022 regular meeting.

- Staff received five (5) applications for the Assistant Director of Golf position. Applications will be reviewed later this week in hopes of filling that position in the very near future.
- In 2020, a new sidewalk was constructed along Washtenaw Avenue to allow safe access to transportation and local businesses. As part of their easements that business owners signed, they agreed to maintain the sidewalk, including shoveling snow. It was brought to our attention that winter maintenance was not being done. With the help of Nathan Voght (Reimagine Washtenaw), Planning staff and Supervisor Stumbo, a letter was sent to those business owners to remind them of the expectation of winter maintenance and shoveling snow.
- The kick-off meeting took place on Friday, February 4 for Phase 1 of the 14B District Court and Civic Center security screening and safety project. Staff will meet with JFR Architects bi-weekly and progress towards the phase 1 deliverable.
- We have received an initial reimbursement from mDNR for the Loonfeather Point Park renovation project for \$166,200.93.
- Snow plowing staff did a fantastic job of clearing the snow after the February 2-3 snowstorm. The walks, parking lots and roads were in great shape when Township employees returned Friday, February 4.

Mike Hoffmeister  
Residential Services Director  
[mhoffmeister@ytown.org](mailto:mhoffmeister@ytown.org)  
734-544-3515





# 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, FEBRUARY 15, 2022

**5:00pm**

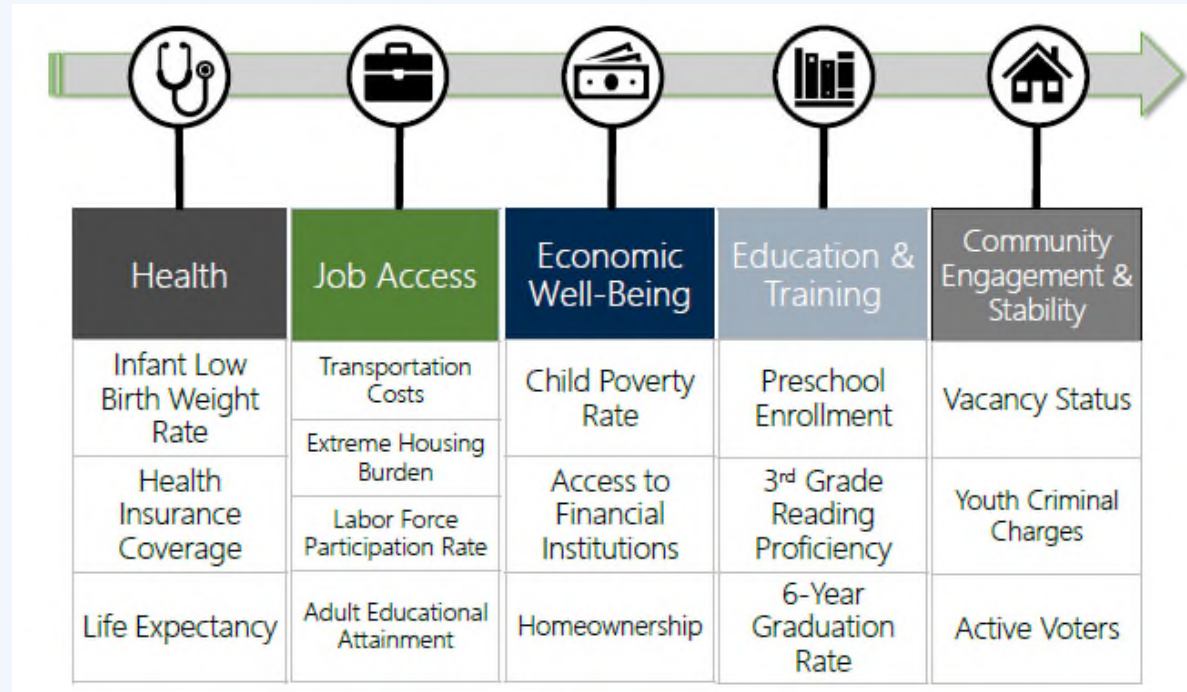
1. OPPORTUNITY INDEX PRESENTATION .....AMANDA NOTHAFT AND LUKE SHAEFER  
.....UNIVERSITY OF MICHIGAN
2. LEGISLATIVE UPDATE TO THE BOARD.....KIRK PROFIT
3. DISCUSSION ON JUNETEENTH FIREWORKS.....SUPERVISOR STUMBO
4. AGENDA REVIEW .....SUPERVISOR STUMBO
5. OTHER DISCUSSION ..... BOARD MEMBERS

# Washtenaw County's

# What is the Opportunity Index?

- Designed to identify disparities in access to:
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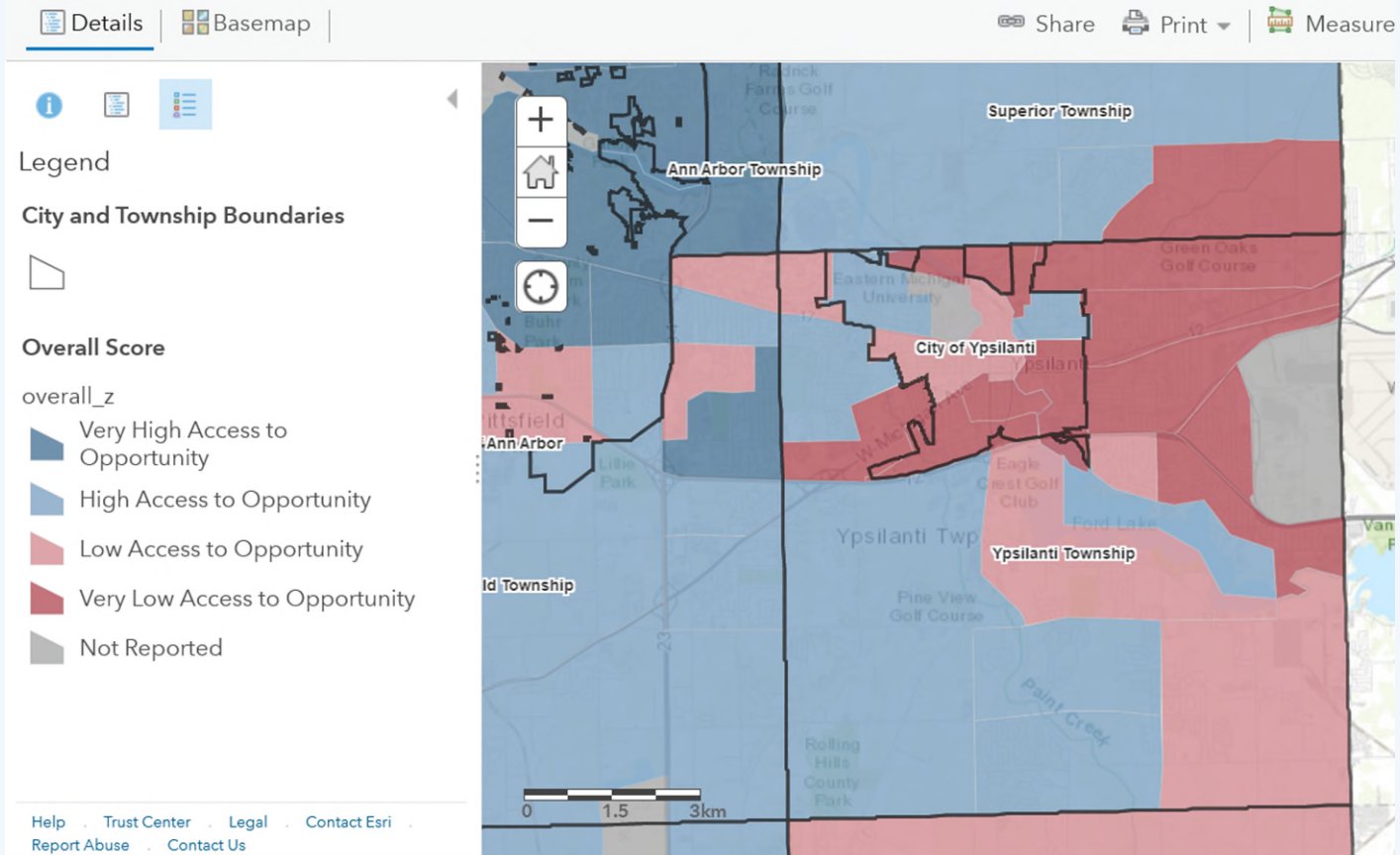
# How is the Index Constructed?

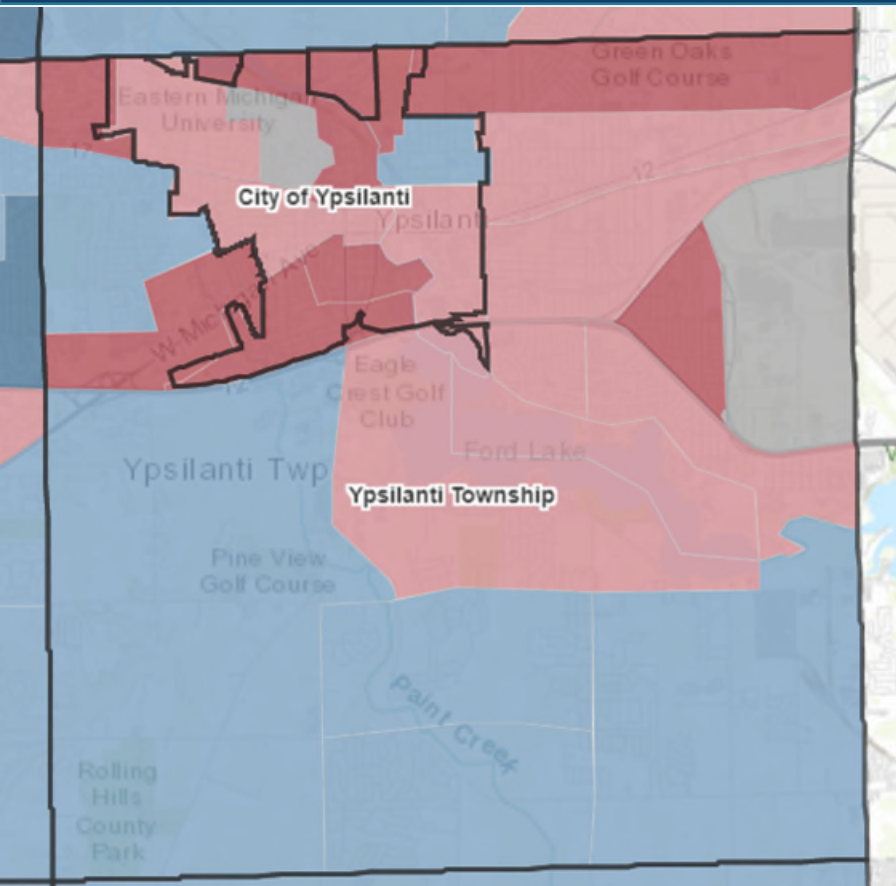


# Township?

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- While none of these areas come as a surprise to life long residents, it can help focus energy and
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-

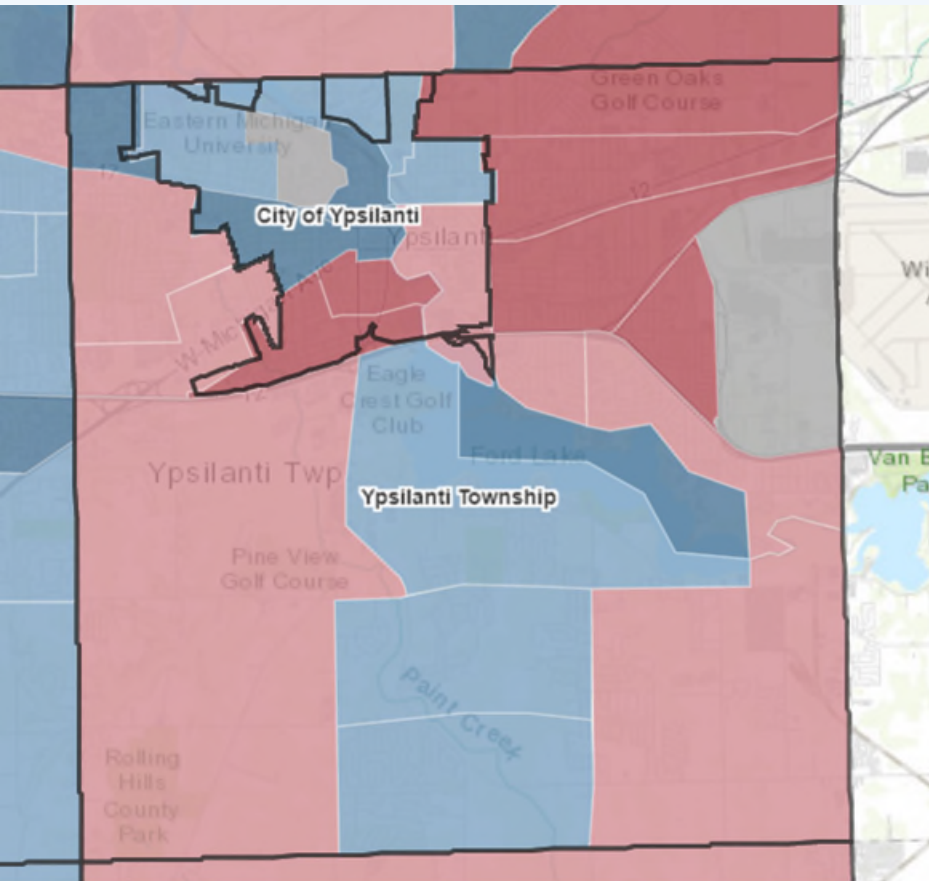
# Township: Overall





## Low Opportunity Tracts have:

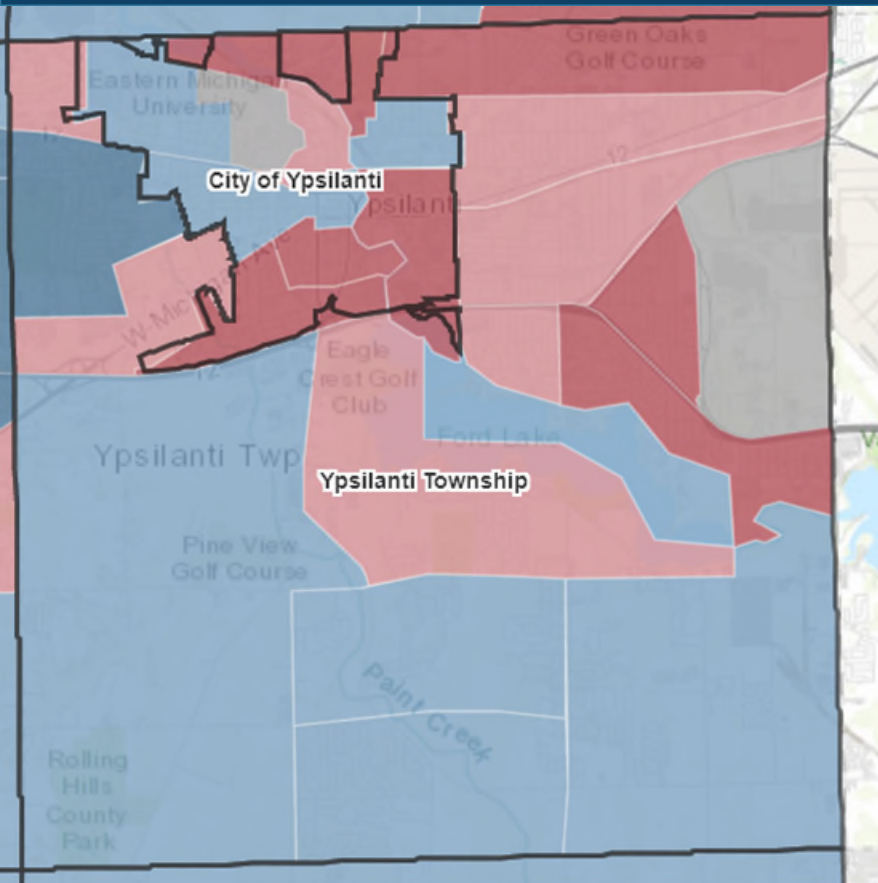
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- Lower life expectancy: Social



## Low Opportunity Tracts have:

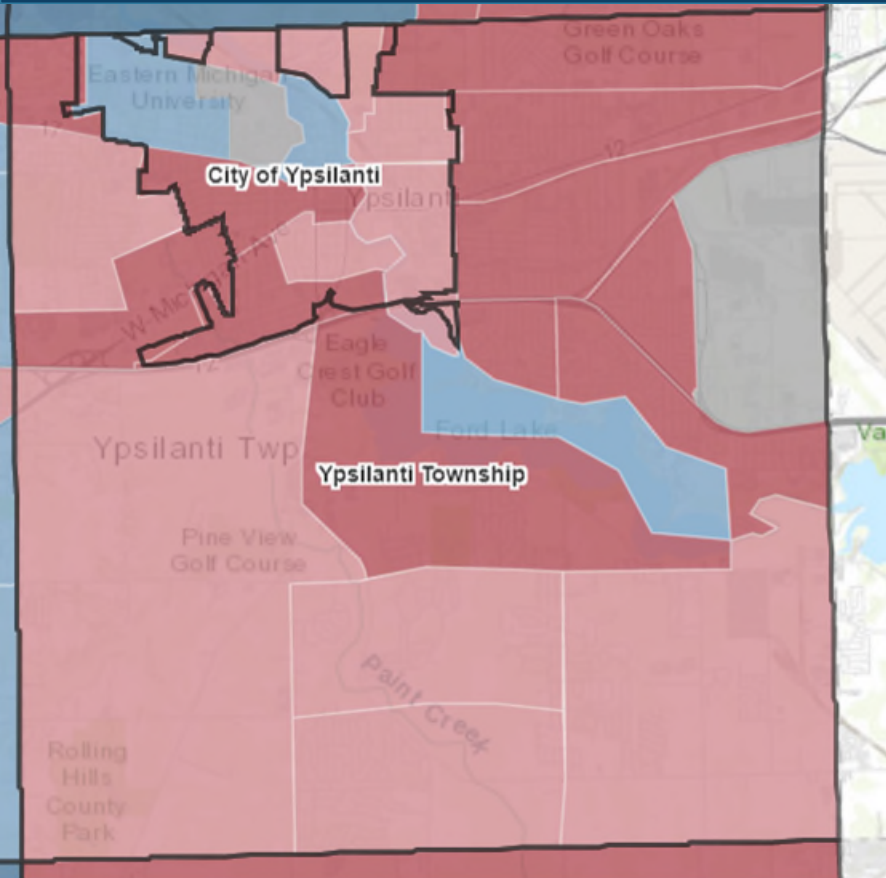
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- More people paying 50% or more on
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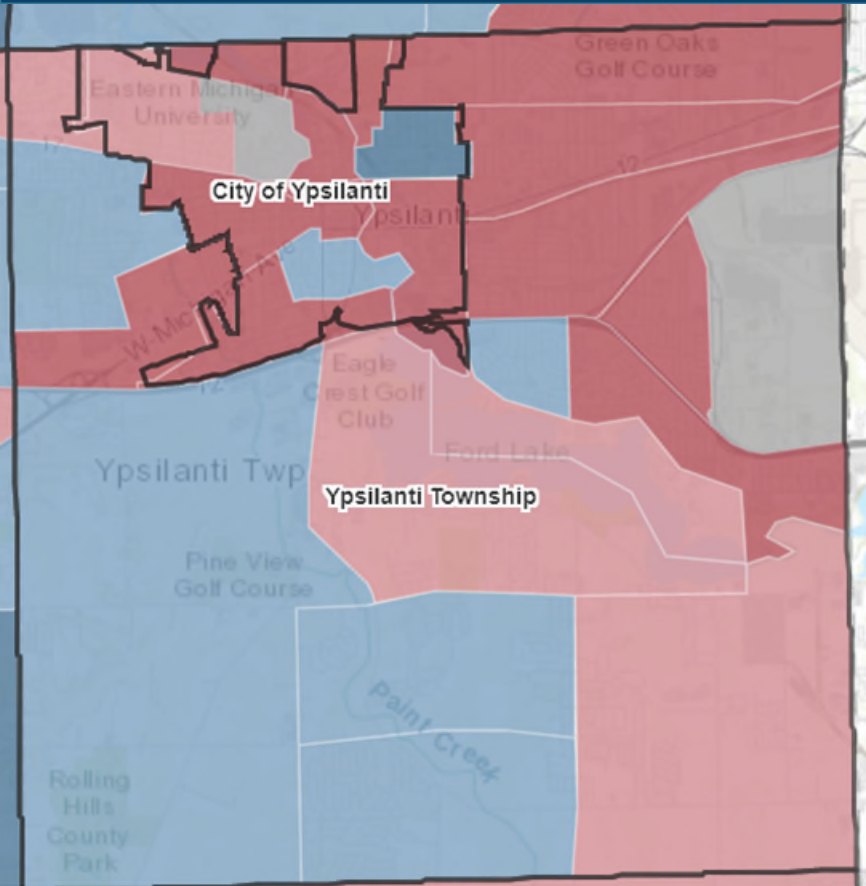
## Low Opportunity Tracts have:

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## Low Opportunity Tracts have:

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## Low Opportunity Tracts have:

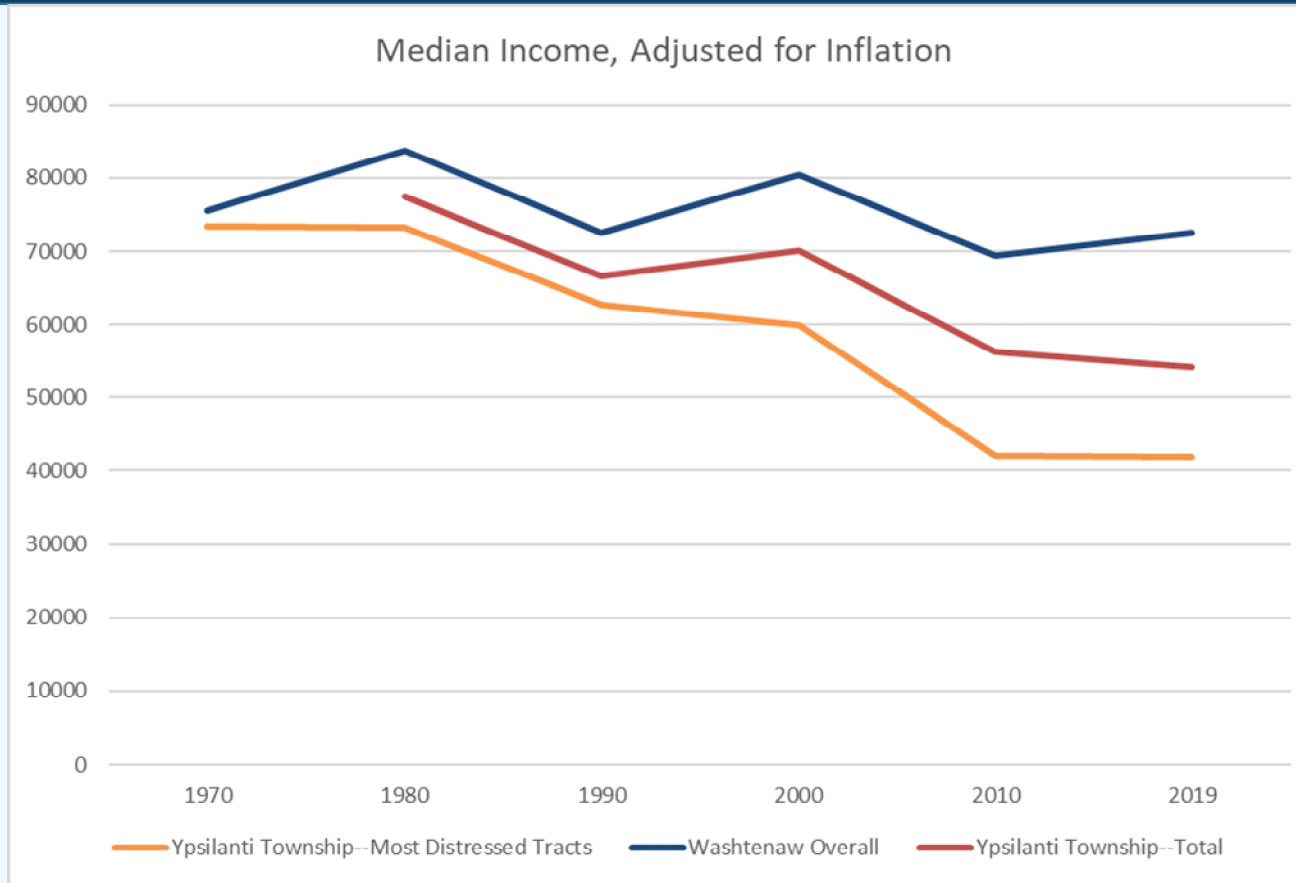
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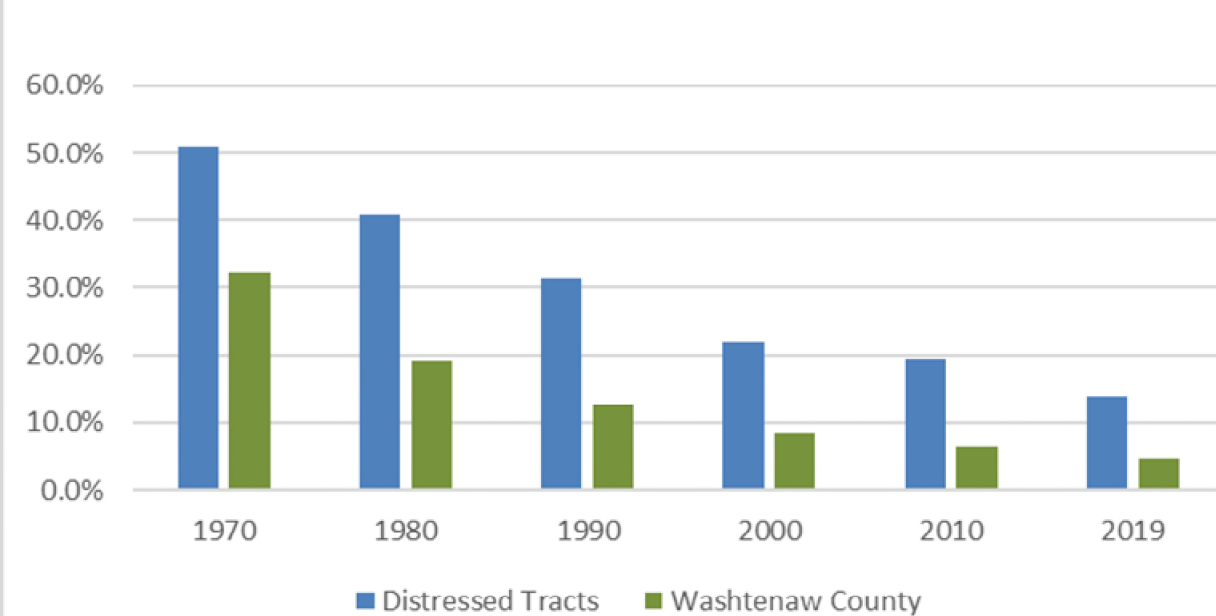
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# Changes in Income: 1970 to 2019

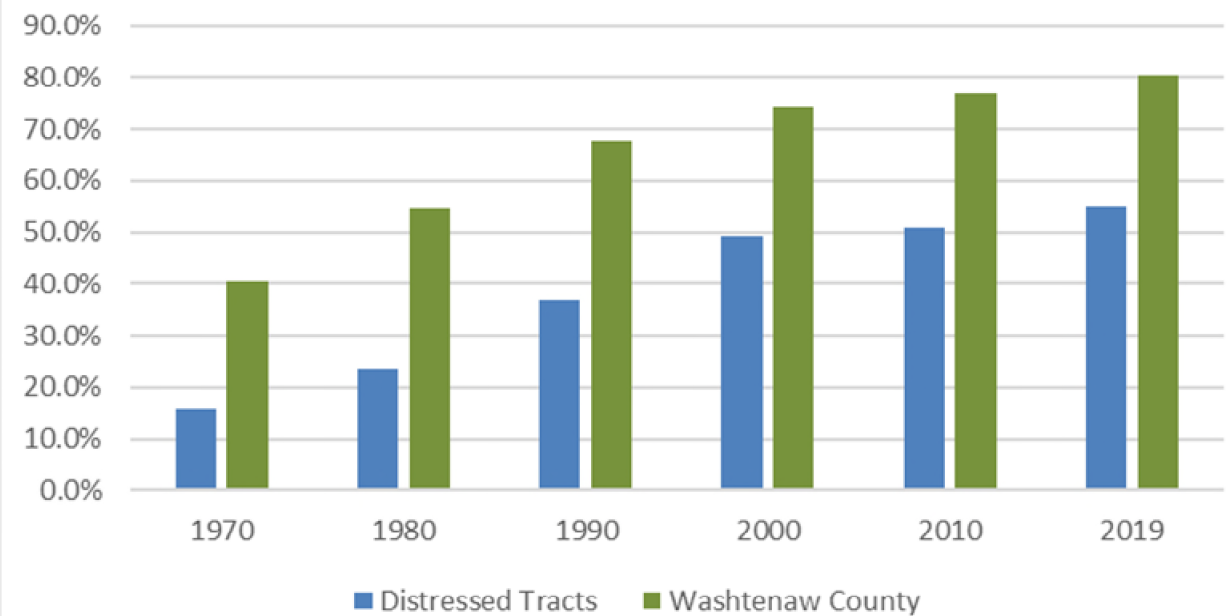


# Changes in Education: 1970 to 2019

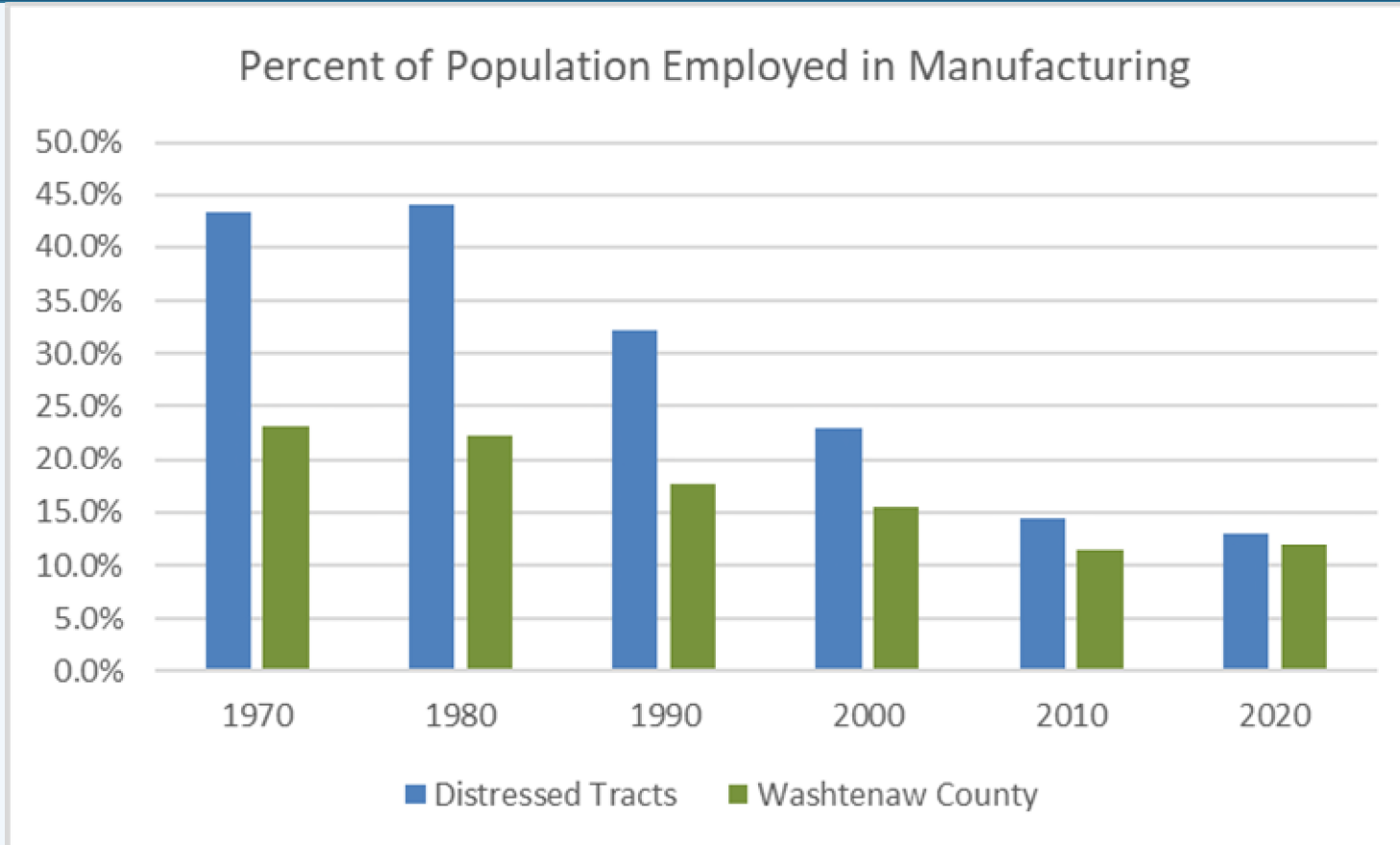
## Percent of Population without HS Diploma



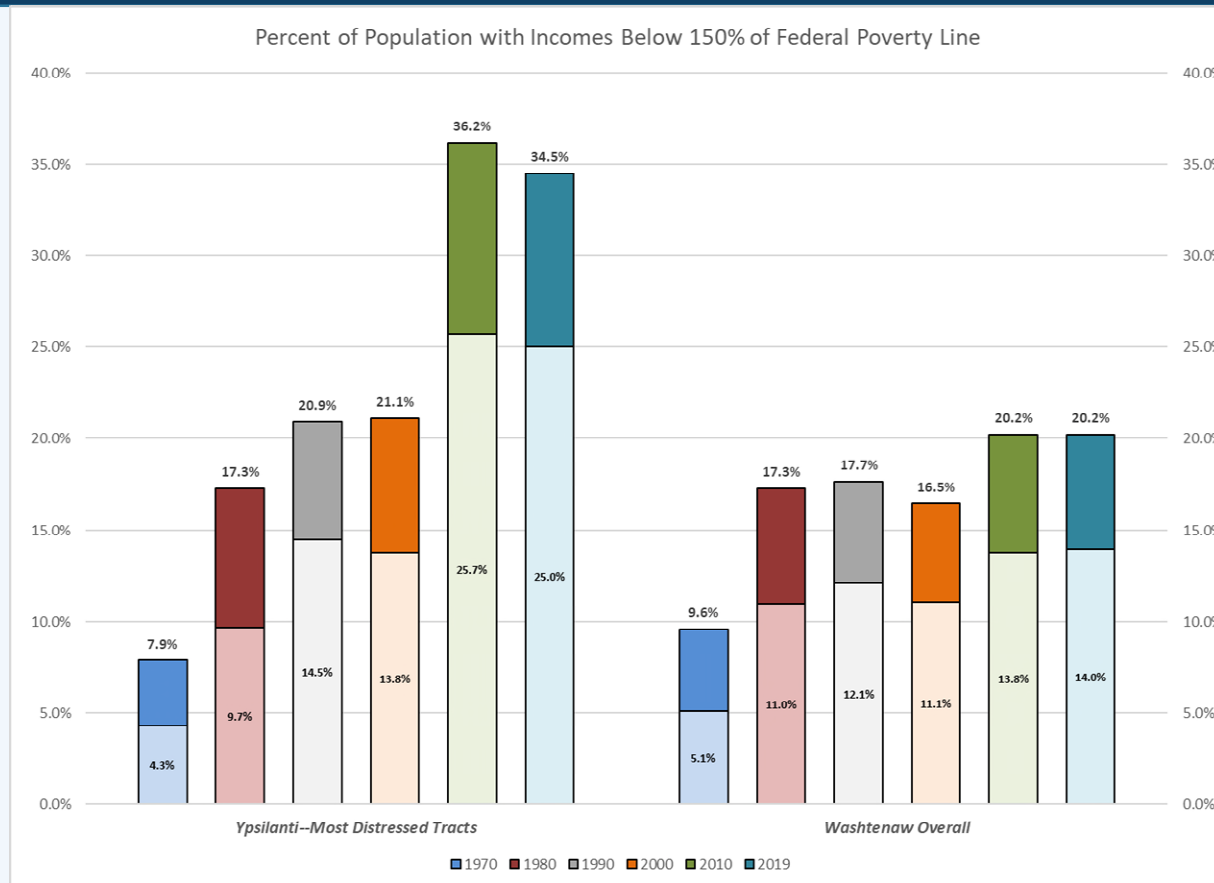
## Percent of Population With Some College



# Changes Employment Sector: 1970 to 2019

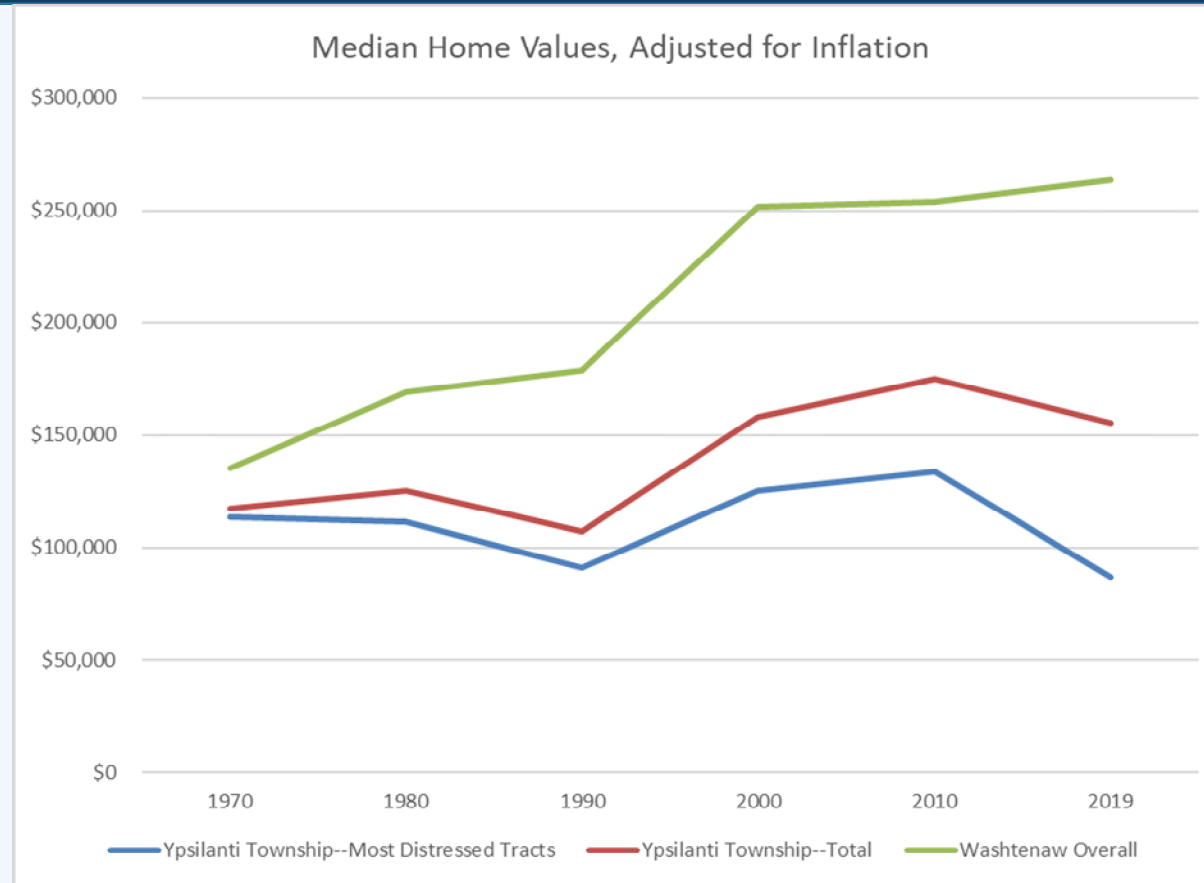


# Changes in Poverty Rates: 1970 to 2019

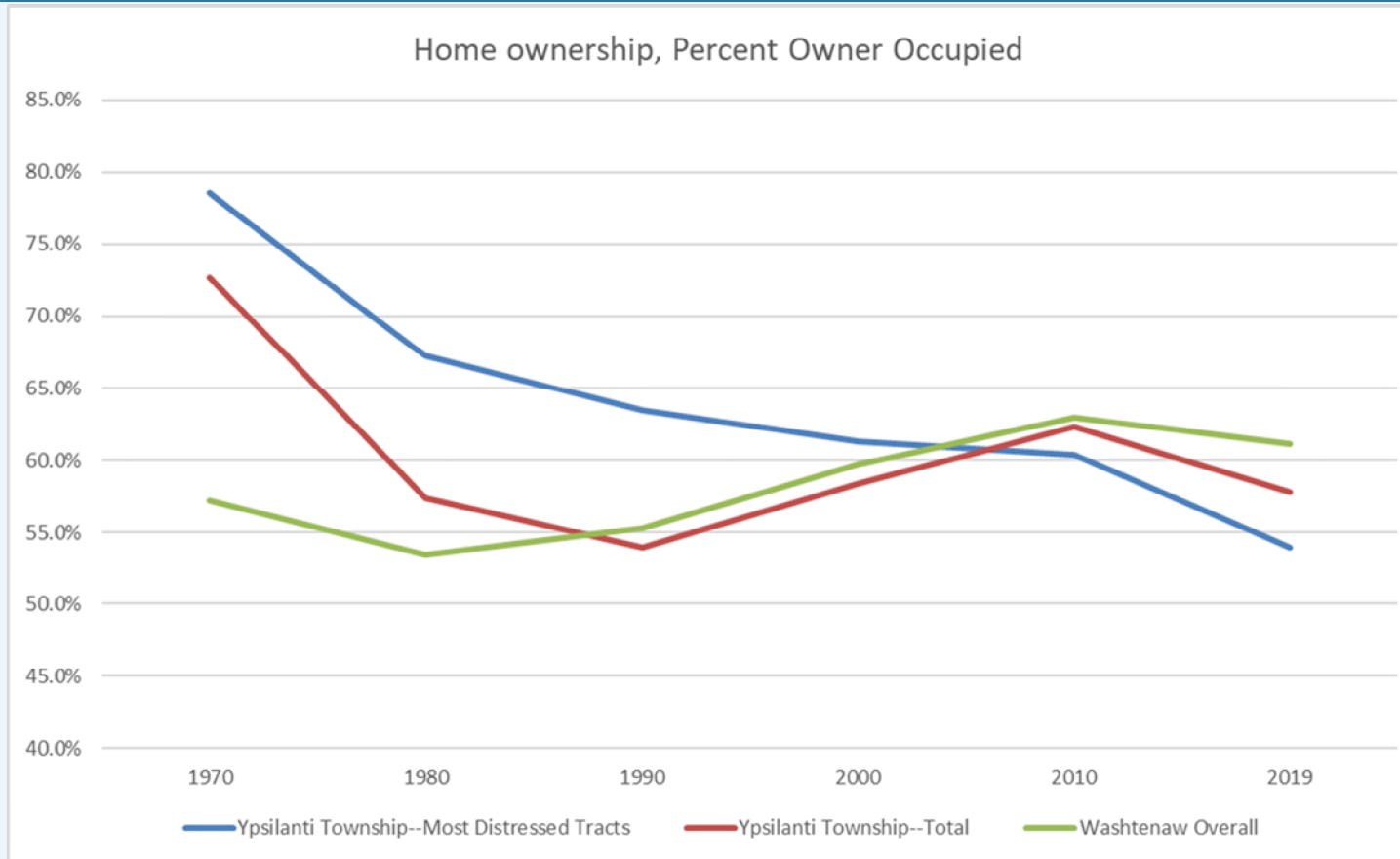




# Changes in House Values: 1970 to 2019



# Changes in Home Ownership: 1970 to 2019



- 
- 
- Education and training, infrastructure, health care



Contact:  
Amanda C. Nothhaft, PhD

- -



## **Legislative Update – Kirk Profit**

*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](http://ytown.org)

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## MEMORANDUM

To: Charter Township of Ypsilanti Board of Trustees

From: Brenda Stumbo, Supervisor

CC: Doug Winters, Township Attorney

Date: February 9, 2022

Request for work session discussion for February 15, 2022.

1. Discussion to amend Fireworks Ordinance to include Juneteenth celebrations.

Juneteenth (short for “June Nineteenth”) marks the day when federal troops arrived in Galveston, Texas in 1865 to take control of the state and ensure that all enslaved people are free. The troops’ arrival came a full two and a half years after the signing of the Emancipation Proclamation. Juneteenth is celebrated on June 19<sup>th</sup> every year and celebrates the end to slavery in the United States and considered the longest-running African American holiday. On June 17, 2021, it officially became a federal holiday.

In coordination with the Federal update last year we had our first annual Juneteenth event that included a flag raising ceremony at the Township Civic Center. Several other local municipalities and counties across our state recognized and celebrated Juneteenth as well.

Last year after the holiday, we had concerns raised by residents who were celebrating with fireworks and did not want to violate our local fireworks ordinance. Due to the significance of this holiday, we are asking that we consider amending our Ordinance to include Juneteenth (June 19) which is the only way to allow additional days for firework celebrations.

This is a great opportunity to continue providing education and celebrations around this historical African American Day in our history. If the board agrees, we will then request our attorney to prepare a formal Ordinance amendment.

# REVIEW AGENDA

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- A. SUPERVISOR STUMBO WILL REVIEW BOARD MEETING AGENDA

# OTHER DISCUSSION

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- 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, FEBRUARY 15, 2022** **7:00 P.M.**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE AND INVOCATION
3. 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
4. CONSENT AGENDA
  - A. MINUTES OF THE FEBRUARY 1, 2022 WORK SESSION AND REGULAR MEETING
  - B. STATEMENTS AND CHECKS
    1. STATEMENTS AND CHECKS FOR FEBRUARY 15, 2022, 2022 IN THE AMOUNT OF \$638,694.73
    2. CLARITY HEALTHCARE DEDUCTIBLE ACH FOR JANUARY 2022 IN THE AMOUNT OF \$33,757.46
    3. CLARITY HEALTHCARE ADMIN FEE FOR JANUARY 2022 IN THE AMOUNT OF \$1,295.03
  - C. TREASURER'S REPORT JANUARY 2022
5. ATTORNEY REPORT
  - A. GENERAL LEGAL UPDATE

### **OLD BUSINESS**

1. 2<sup>ND</sup> READING OF RESOLUTION 2022-03, PROPOSED ORDINANCE 2022-498 TO AMEND AND RE-ADOPT THE ENTIRE TOWNSHIP ZONING ORDINANCE AND MAP (FIRST READING HELD AT THE JANUARY 18, 2022 REGULAR MEETING)

### **NEW BUSINESS**

1. REQUEST TO APPROVE AN AMENDMENT TO THE YCUA ARTICLES OF INCORPORATION REGARDING COMPENSATION FOR YCUA BOARD OF COMMISSIONERS
2. REQUEST TO APPROVE A STIPEND AMOUNT FOR THE YCUA BOARD OF COMMISSIONERS
3. REQUEST TO APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN THE WASHTENAW COUNTY WATER RESOURCE COMMISSIONER AND YPSILANTI TOWNSHIP FOR COMMUNITY AREA CLEAN UP

### **OTHER BUSINESS**

### **BOARD MEMBER UPDATE**

# PUBLIC COMMENTS

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# **CONSENT AGENDA**

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**CHARTER TOWNSHIP OF YPSILANTI  
MINUTES OF THE FEBRUARY 1, 2022 WORK SESSION**

Clerk Jarrell Roe called the meeting to order at approximately 5:00pm in the Ypsilanti Township Civic Center Board Room, 7200 S. Huron River Drive, Ypsilanti Township.

**Members Present:** Supervisor Brenda Stumbo, Clerk Heather Jarrell Roe and Treasurer Stan Eldridge  
Trustees: John Newman II (arrived at 5:05pm), Gloria Peterson, Debbie Swanson and Jimmie Wilson, Jr.

**Members Absent:** None

**Legal Counsel:** Wm. Douglas Winters

**PUBLIC COMMENTS**

There were no public comments given.

**AGENDA**

- 1. **PROJECT-BASED TIF PRIMER.....STATE LAND BANK AUTHORITY**
- 2. **AGENDA REVIEW .....SUPERVISOR STUMBO**
- 3. **OTHER DISCUSSION ..... BOARD MEMBERS**

**PROJECT-BASED TIF PRIMER.....STATE LAND BANK AUTHORITY**

Jim Tischler stated he is the Development Director for the State Land Bank Authority and that he is joined by Adam Roeback who does a lot behind the scenes and has been preparing a solicitation for developers.

Mr. Tischler stated that a solicitation was put out last year for the Forbes Cleaners site and there were no responses received. He added that they believed they knew why and would be able to make changes to a future solicitation.

**CHARTER TOWNSHIP OF YPSILANTI**  
**MINUTES OF THE FEBRUARY 1, 2022 WORK SESSION**  
**PAGE 2**

Mr. Tischler reviewed a presentation (see attached) that included information on what a land bank is, the Brownfield Redevelopment Authority within Washtenaw County and possible redevelopment ideas for Forbes Cleaners.

Mr. Tischler described adding additional properties into the solicitation that are owned by Ypsilanti Township. He also detailed how developers have the opportunity to submit qualifications to become a part of the state land bank developer cohort. Mr. Tischler stated that only developers in the cohort are able to bid on the solicitations. He stated that this presentation is an invitation from the state land bank to the township to add any township owned properties to the solicitation for Forbes Cleaners.

Clerk Jarrell Roe explained that there are a lot of properties owned by the township within the corridor where Forbes Cleaners is located and that adding township owned property to the solicitation would be a good way to bring redevelopment to the corridor. She stated that by putting the properties together in a group would require the purchaser to redevelop all the properties. Clerk Jarrell Roe also added that if the township did not like any of the solicitations submitted for redevelopment the township would not have to move forward.

Trustee Swanson asked what would stop a developer from agreeing to develop these properties and then walk away or hold the property and not develop it. Mr. Tischler stated that the terms would be in the pre-development agreements. He added that he recommends performance standards in the pre-development agreements and that he could provide details for this. Trustee Swanson asked if there is someone who could coach the township through setting up these agreements. Mr. Tischler added that the land bank's presence at this meeting is indicative of the support the land bank would offer.

Trustee Swanson asked about pictures that were shown in the presentation and why they were done with county staff and not township staffing. Mr. Tischler added that township staff was involved in the solicitation from last year. He added that county staff was also used because the township is a member of the Brownfield Redevelopment Authority. Trustee Swanson asked for clarification on why township staff was not used in the proposed designs for Forbes Cleaners

**CHARTER TOWNSHIP OF YPSILANTI**  
**MINUTES OF THE FEBRUARY 1, 2022 WORK SESSION**  
**PAGE 3**

shown in the presentation. Mr. Tischler answered that township staff would be involved in any design that comes from a solicitation. He also added that township staff was involved in the conceptual designs for Forbes Cleaners that were shown in the presentation.

Trustee Newman asked about who would bear the responsibility for any clean up from chemicals at the Forbes Cleaners site. Mr. Tischler responded that the township would not be responsible for cleanup of contamination at any site unless the township was responsible for contaminating the site. He added that the Forbes site is under the jurisdiction of EGLE and a lot of money had been spent cleaning up contamination already. Trustee Newman added that as a developer you would want to find out beforehand if a property is contaminated. Mr. Tischler responded that would be part of due diligence on behalf of the developer.

Attorney Winters stated that current board members and former board members had went to the county to request the Forbes Cleaners site be removed from the county foreclosure list. He added that he did not think the township and EGLE had any idea of how much it would cost to clean up the contamination at the Forbes Cleaners site.

Attorney Winters discussed adding a reverter clause to any development agreements that if the project did not follow a certain timeline it would revert back to the former owner.

Supervisor Stumbo stated that the township appreciated the state land bank and that the land bank has important skills and staffing that the township does not have. She added that she is appreciate of their help in cleaning up the Forbes Cleaners site.

Clerk Jarrell Roe thanked Jim, Adam and Jeff for being great partners and their communication.

Mr. Tischler stated that Forbes Cleaners will be in the upcoming solicitation and said the land bank had identified several township owned properties they would recommend to include in the solicitation. He added that they hoped to have the

**CHARTER TOWNSHIP OF YPSILANTI  
MINUTES OF THE FEBRUARY 1, 2022 WORK SESSION  
PAGE 4**

first notice out in three weeks so that developers can see these properties may be available in the future.

Supervisor Stumbo stated that she believed we would require an appraisal of each of the properties. Mr. Tischler stated that an appraisal may not be necessary to start the process and could be done later once a developer has been determined for the sale of the properties.

Mr. Tischler stated that the land bank is looking for the opportunity to bring in one or more of the additional township owned sites for the next solicitation. Supervisor Stumbo asked for the timeline for the township to make a decision. Mr. Tischler responded three weeks.

Trustee Peterson asked what other sites are being looked at. Clerk Jarrell Roe stated that she asked the Assessing Dept. to identify township owned properties along the Ecorse and Michigan Ave. corridor. She stated that there is a location on Ford Blvd. and that the Liberty Square property was looked at. Supervisor Stumbo stated any decision would come back to the board.

**AGENDA REVIEW**

**NEW BUSINESS**

**REQUEST TO ADOPT THE 2022 BOARD OF REVIEW MEETING DATES**

Brian McCleery, Deputy Assessor stated this request is to have the board approve the meeting dates for the Board of Review, which is done each year.

Supervisor Stumbo stated her taxes had increased this year and that it needed to be communicated to the residents that a lot of the increase was due to housing sales in their neighborhoods. Mr. McCleery added that the inflation rate was higher this year also, at 3.3% and that typically the inflation rate is 1% or 2%.

Supervisor Stumbo added that the Assessing office works closely with residents in applying for the poverty exemption and that the staff does a great job with this.

**CHARTER TOWNSHIP OF YPSILANTI  
MINUTES OF THE FEBRUARY 1, 2022 WORK SESSION  
PAGE 5**

**REQUEST TO APPROVE THE AMENDMENT TO THE EXISTING AGREEMENT WITH M3 GROUP FOR ASSISTANCE WITH TOWNSHIP MISSION AND VISION STATEMENTS IN THE AMOUNT OF \$1,800.00 BUDGETED IN LINE ITEM #101-272-801-000**

Michael Hoffmeister, Residential Services Director stated that the board had previously approved a contract with the M3 Group work on branding for the township. He stated that work on the mission and vision statement were left out of the original agreement and this amendment would allow that work to be done.

**REQUEST APPROVAL OF CHANGE ORDER #2 WITH STANTEC FOR THE LOONFEATHER PARK RENOVATION IN THE AMOUNT OF \$12,500.00 BUDGETED IN LINE ITEM #213-901-975-587**

Michael Hoffmeister, Residential Services Director stated this change order is for Stantec to continue to oversee the renovation at Loonfeather Park due to some items that have not yet been completed by PGA, the contractor for the project.

Attorney Winters stated this is a very important project that requires the township's attention so that the park can be opened for the spring and summer season.

**REQUEST TO APPROVE THE AGREEMENT WITH OHM FOR CONSTRUCTION ENGINEERING SERVICES FOR PHASE 1 OF THE HURON STREET NON-MOTORIZED TRAIL IN THE AMOUNT OF \$68,800.00 BUDGETED IN LINE ITEM #213-901-986-009**

Michael Hoffmeister, Residential Services Director stated that OHM worked on this project during the design and engineering phase and this would cover costs through the construction of the trail.

**REQUEST TO APPROVE THE MEMORANDUM OF UNDERSTANDING WITH THE ANN ARBOR YMCA FOR 2022 SUMMER DAY CAMP PROGRAMS**



**CHARTER TOWNSHIP OF YPSILANTI  
MINUTES OF THE FEBRUARY 1, 2022 WORK SESSION  
PAGE 6**

John Hines, Recreation Services Manager, stated this is for YMCA summer camps to be located at the community center. He added that the YMCA has been doing this since 2020. Mr. Hines said that the MOU had been reviewed by Attorney Winters and all requested documents had been submitted.

Supervisor Stumbo asked how many children the camp hopes to service. Mr. Hines responded that their maximum number per week is thirty.

Supervisor Stumbo asked how this camp would be advertised. Mr. Hines responded that the YMCA will advertise for this camp since they will be taking the enrollments but that the recreation department will share on social media.

Trustee Peterson asked if there is a cost to attend the camps. Supervisor Stumbo stated that in the memo it stated the cost is \$150.00 per week, for 8 hours per day, 5 days per week but that is financial assistance available.

**REQUEST TO APPROVE AN AGREEMENT WITH THE WASHTENAW COUNTY WATER RESOURCE COMMISSIONER FOR VERMIN MANAGEMENT SERVICES IN A NOT TO EXCEED AMOUNT OF \$150,000.00 BUDGETED IN LINE ITEM #101-445-818-025**

Supervisor Stumbo stated this is a great partnership with the WCWRC. She added that this started out as a pilot program in West Willow and has now expanded to additional areas.

Supervisor Stumbo stated this partnership would not be possible without Evan Pratt and that she is very grateful to him and his staff for their work.

**BUDGET AMENDMENT #2**

Supervisor Stumbo reviewed the details of the budget amendment request. She stated that one of the items was to budget for BS&A charges that were left out of the original 2022 budget. She added this is for fees in relation to applying for permits on our website.

Arloa Kaiser, township resident, stated that she liked being able to apply for permits online and that it speeded up the process when she had her roof replaced.

**CHARTER TOWNSHIP OF YPSILANTI  
MINUTES OF THE FEBRUARY 1, 2022 WORK SESSION  
PAGE 7**

**AUTHORIZATIONS AND BIDS**

**REQUEST TO APPROVE THE CONTRACT AND AWARD PHASE 1 OF THE HURON STREET NON-MOTORIZED TRAIL CONSTRUCTION PROJECT TO ALL STAR POWER EXCAVATION, LLC IN THE AMOUNT OF \$580,000.00 BUDGETED IN LINE ITEM #213-901-986-009**

Michael Hoffmeister, Residential Services Director stated this is to award and contract with All Star Power Excavation for the Huron St. trail. He stated seven bids were received.

Trustee Peterson asked if this is for electrical work and if this had anything to do with trees that were cut down on this side of town. Mr. Hoffmeister replied that the trees in question are part of phase II. He added that it could also be DTE tree trimming for electrical work.

**BOARD MEMBER UPDATES**

Clerk Jarrell Roe stated that we recently found out that there will be a May election. She stated this is for a millage for the Ypsilanti Community Schools. She added that we will need election workers.

Clerk Jarrell Roe stated that the ARPA committee, which includes herself, Trustee Peterson and Trustee Swanson, met for the first time January 28, 2022 and went over guidelines and first steps for the committee. She added that an email was created specifically for the ARPA committee for residents to use for questions or comments. Clerk Jarrell Roe said the committee plans to meet on the last Friday of the month and more often, as needed.

Trustee Peterson stated that the committee had discussed inviting people from the resident's committee to share their ideas.

Trustee Swanson added that it was important how the committee communicates and looking at the opportunity index and sharing where they are getting their

**CHARTER TOWNSHIP OF YPSILANTI**  
**MINUTES OF THE FEBRUARY 1, 2022 WORK SESSION**  
**PAGE 8**

information. She also added that the first action of the board was to purchase masks and test kits for residents and had these had started to be distributed door to door. Trustee Swanson spoke about feedback they are receiving from the community such as questions about getting vaccinations and feedback on resident's thoughts on how to use the ARPA money. She spoke about the gratitude of the residents on receiving the masks and test kits.

Trustee Swanson spoke about her disappointment on the lack of collaboration and communication with other governmental entities and how other groups may get supplies that we do not have access to.

Supervisor Stumbo stated that she met with Pastor Crout in regard to thirty acres that are available to convert into a community center and housing.

Supervisor Stumbo stated that some ideas that have been shared for the use of the ARPA funds are a dog park, roads, parks, WIFI and curbs and sidewalks. She added that since the distribution of the masks has begun they have received calls talking about the ARPA funds and that residents are very appreciative of receiving the masks and test kits. Supervisor Stumbo stated that she thought at least twenty five thousand masks had been delivered to residents so far. She added that the test kits aren't able to be distributed at the same time as the masks because they can't be subject to the cold temperatures and that residents are able to call and can come in to pick up or we can deliver them.

Supervisor Stumbo stated that there will COVID testing at the community center on Wednesdays and Fridays.

Supervisor Stumbo stated that she is still attending meetings in regard to US12 with Clerk Jarrell Roe and Treasurer Eldridge. She added that there are punch list items that still need to be completed. She also stated that there is \$400,000.00 to \$500,000.00 left in the budget and that now items can be added back into the project that were originally cut such as coverings for the fences for West Willow, Parkwood exit ramp fence, extending the sidewalk due to a gap on the south side of Ecorse that would extend to Greenlawn, repaving the exit ramps for Ecorse Rd and work on the curbs and signs.

**CHARTER TOWNSHIP OF YPSILANTI**  
**MINUTES OF THE FEBRUARY 1, 2022 WORK SESSION**  
**PAGE 9**

Supervisor Stumbo stated that she and several board members had attended multiple neighborhood watch meetings and that there were some issues at the Sugarbrook meeting. She stated that the resident's ARPA committee attempted to speak at the neighborhood watch meeting and the township supports the decision to not have these kinds of discussions at neighborhood watch meetings, unless you host your own meeting, such as West Willow does. She added that West Willow hosts their own meetings and the township is invited as a guest. Supervisor Stumbo stated that Robin Castle-Hine has taken on the responsibility of the neighborhood watch meetings and is receiving extra compensation for that. Trustee Wilson stated that he thought what Sugarbrook's neighborhood watch was doing to separate was right for them. Supervisor Stumbo agreed that it is a solution. Trustee Swanson stated that when you are working with humans during a pandemic there is a lot of stress on everyone and that things can happen. She added that during this meeting people voiced concerns and that those concerns were heard and work was done to restore what people perceived as harm. Trustee Swanson stated that discussing this afterward could lead to more harm. She added that everyone should offer grace to each other and that each of them had worked to be elected but had to understand that it is not possible to please everyone. Trustee Swanson added that it must be very stressful for Robin Castle-Hine to run the Zoom neighborhood watch meetings and monitor who is coming into the meeting and out and that she admired the way the situation was handled.

Supervisor Stumbo stated she and Clerk Jarrell Roe had attended a joint labor management meeting with the fire department. She added that it was a great meeting and they are looking forward to trying some of their suggestions.

Supervisor Stumbo stated she had attended a neighborhood camera meeting to go over processes because there are more neighborhoods that would like to have them.

Supervisor Stumbo stated there was meeting held with the three full time officials, Attorney Winters and Michael Hoffmeister on the bids for Huron St. project. She added that there was some language in the paperwork that they had never seen before and they were able to call right then and get it taken care of. She said that

**CHARTER TOWNSHIP OF YPSILANTI**  
**MINUTES OF THE FEBRUARY 1, 2022 WORK SESSION**  
**PAGE 10**

the bidders were very close and All Star power had been researched and township staff and the engineers were very comfortable with choosing them.

Supervisor Stumbo said a meeting was held regarding license plate readers and that the sheriff deputies were requesting them. She added that the sheriff had written a policy about this and it would come back to the board.

Supervisor Stumbo stated that in regard to the LynxDx COVID testing site that they had contacted the township twice and spoke to Belinda Kingsley in July or August and Jason Iacoangeli in September or October. She said they were told they would need to apply and that this would have to go through the Zoning Board of Appeals, which Mr. Wilson sits on. Supervisor Stumbo stated items that are considered special use and something that is outside of the normal scope would have to get approval from the ZBA. Supervisor Stumbo said she could not understand why they not go through the township for approval but that Mr. Wilson might know more.

Supervisor Stumbo said that when she learned there was a testing site in Scio Township, she contacted Scio Township and learned that LynxDx went through their Planning Dept. to get authorization.

She said that on January 4<sup>th</sup> the township learned the test site was up and running from the newspaper. She said the building director and fire marshal went to the site that week and were denied access and that the fire marshal was very concerned about some fuel injected generators. Supervisor Stumbo stated the fire marshal went back later, was admitted to the site and was able to make the area safer. She added that she contacted the county health department and was told that the health department was not working with LynxDx to set up this site, but later found out that the county did have a contract with them to test county employees.

Supervisor Stumbo stated the most hurtful part of this situation is when the county health department said they are trying to help Ypsilanti and Ypsilanti Township, but they have already been in Scio Township for a year which shows that our area was thought about afterward. She said that it was being spun in the media that the township did not have concern for its residents.

**CHARTER TOWNSHIP OF YPSILANTI  
MINUTES OF THE FEBRUARY 1, 2022 WORK SESSION  
PAGE 11**

Supervisor Stumbo stated that Mr. Wilson has contacted her many times via phone, text and email to report concerns and that she was very hurt to learn that Mr. Wilson had been at the site before it opened and had not reported it to the township. She added that the residents did not have all the facts in the newspapers or details about what happened and that applicants apply weekly for a special use permit.

Supervisor Stumbo said that the LynxDx paperwork had been submitted this week and their request would go to the ZBA. She added that this has put the staff under undue pressure and that is a problem for her and other board members.

Arloa Kaiser asked what the Ypsilanti School Board election was about and if they are looking for money. Supervisor Stumbo replied that is what she thinks but we do not have the language yet. Clerk Jarrell Roe said that she had just received the ballot language during the meeting and that she could print it for Mrs. Kaiser. Mrs. Kaiser spoke about empty school buildings and why those couldn't be sold. Supervisor Stumbo discussed the large millage that is a burden to residents of the former Willow Run School District. Mrs. Kaiser said that as a resident she did not want to keep paying for this and that there are many older residents who no longer have children in the district.

**The Work Session meeting was adjourned at approximately 6:46pm.**

**Respectfully Submitted,**

**Heather Jarrell Roe, Clerk  
Charter Township of Ypsilanti**



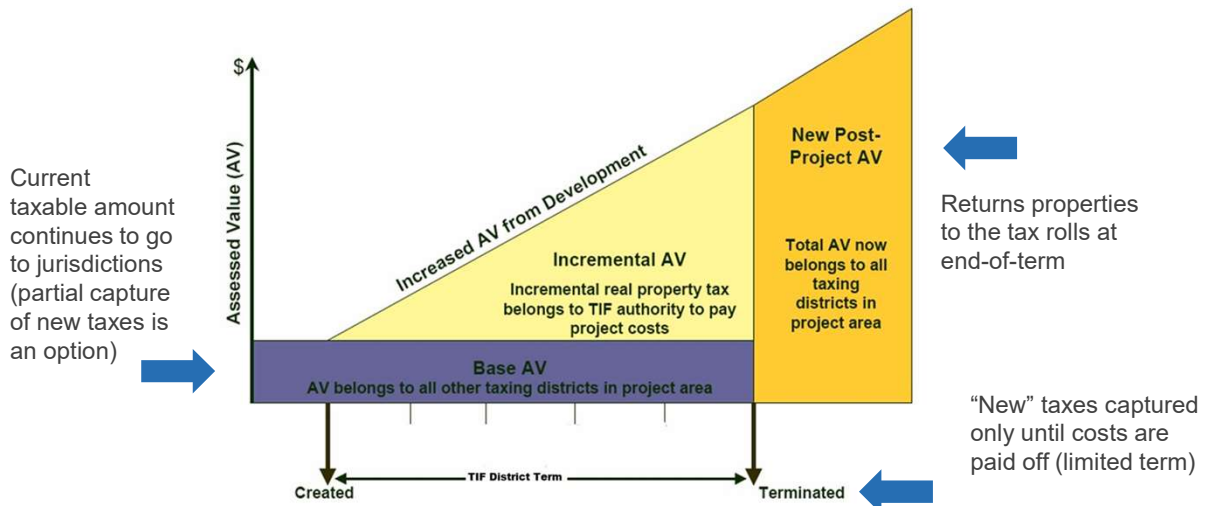
# Project-Based TIF Primer

James Tischler, FAICP, PCP

February 1, 2022

1

## How Does Tax Increment Financing Work?



2

## Statutes Collaborating for Redevelopment

### Land Bank Act (PA 258 – 2003)

- Authorizes counties to establish land banks
- Prescribes LB powers to operate, own, manage/maintain and improve

### Brownfield Act (PA 381 – 1996)

- Authorizes counties to establish brownfield authorities
- Prescribes BRA powers to operate, own and finance

Legislative history clearly demonstrates intent to link these statutory powers to broaden and promote economic development.

2017  
Ypsilanti Township  
Economic Development Strategy  
Key Findings

- *New approaches for economic development focuses on improving the local climate for investment and attracting talent.*
- *A successful economic development strategy will capitalize on emerging opportunities, improve the foundation for existing companies and attract entrepreneurs.*
- *An effective economic development strategy encourages creative collaborations between public, private, and institutional organizations and individuals.*

3

## Land Banks & TIF-Eligible Activities

- Land Bank properties may undertake **ALL** eligible Act 381 activities
- Land Bank properties are, by definition, Act 381-eligible properties

MCL 125.2652(o)(iii)(B)

Assistance to a land bank fast track authority in **clearing** or **quieting title** to, or **selling** or **otherwise conveying**, property owned by or under the control of a land bank fast track authority or the **acquisition** of property by the land bank fast track authority if the acquisition of the property is for economic development purposes.

4



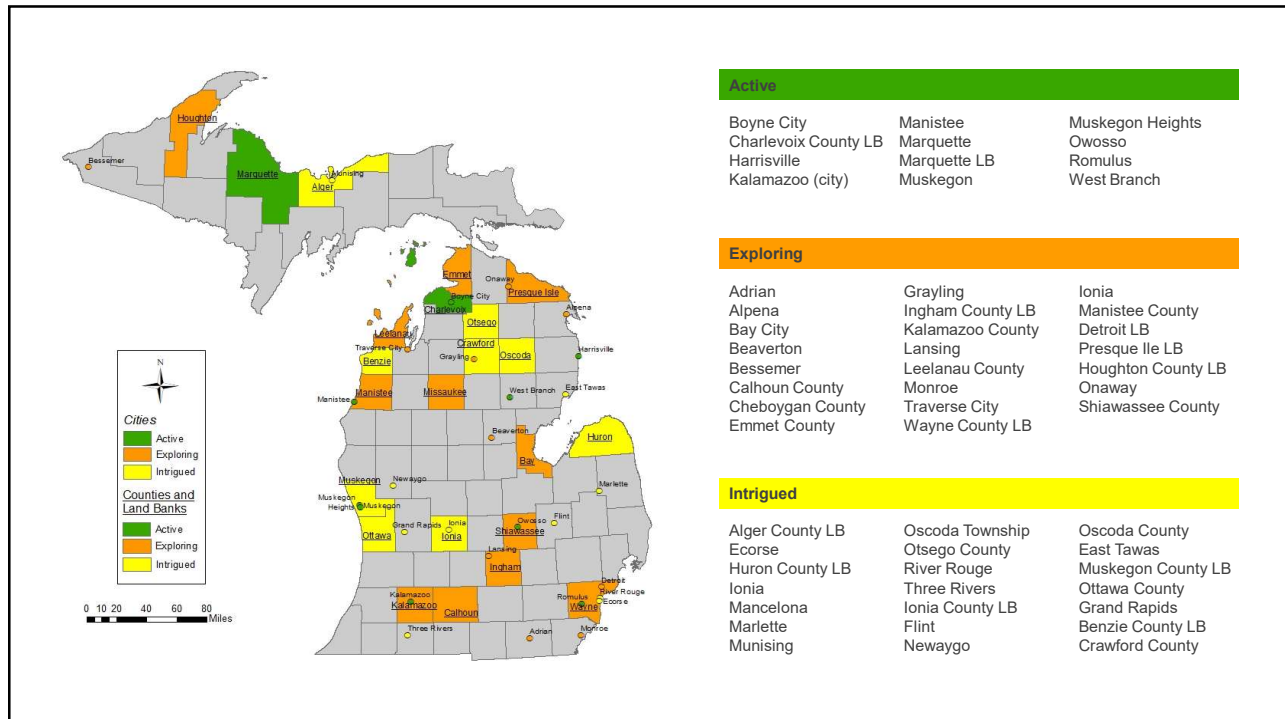
## Why is Act 381 TIF A Good Solution For Workforce Housing Development?

**Scalable:** While community land trusts and inclusionary zoning requirements offer some solution, they are unable to produce enough units to meet demand.

**Tangible public benefit:** Land Bank or Local Government should be a development partner to ensure the financial benefit goes to the low-to-moderate income households achieving decent, safe, housing at affordable prices

- **Homeownership:** allows for purchase prices at variable levels based on targeted audience
- **Rental:** allows for long-term equity ownership to ensure benefits like permanent affordable set-aside % of multi-family projects and permanent tax-paying without appeal

5



6



1

**City of Newaygo BRA**  
Newaygo County (no county land bank)  
City North River Hills LLC & Sable Homes

7

2

**Park Vista Place**  
City of Holland,  
Allegan County  
(no county land bank)



Lakeshore  
**Habitat**  
for Humanity  
[www.lakeshorehabitat.org](http://www.lakeshorehabitat.org)

State Land Bank Authority

8

# Additional Resources

- **Land Holder** (parcels via tax foreclosure or direct transfer into escrow)
- **Housing Pre-Development Investment Program**
  - Rolling out October 2021 as a pilot program

[Michigan.gov/LandBank](https://Michigan.gov/LandBank)

## Housing Development Loan Program

- Available to local units of government, land banks, other public organizations
- To develop residential property
- Short-term loan
- Paid lump sum at time of property sale
- 5% simple interest (3% if SLBA receives 5/50 payments)
- No Fees

9

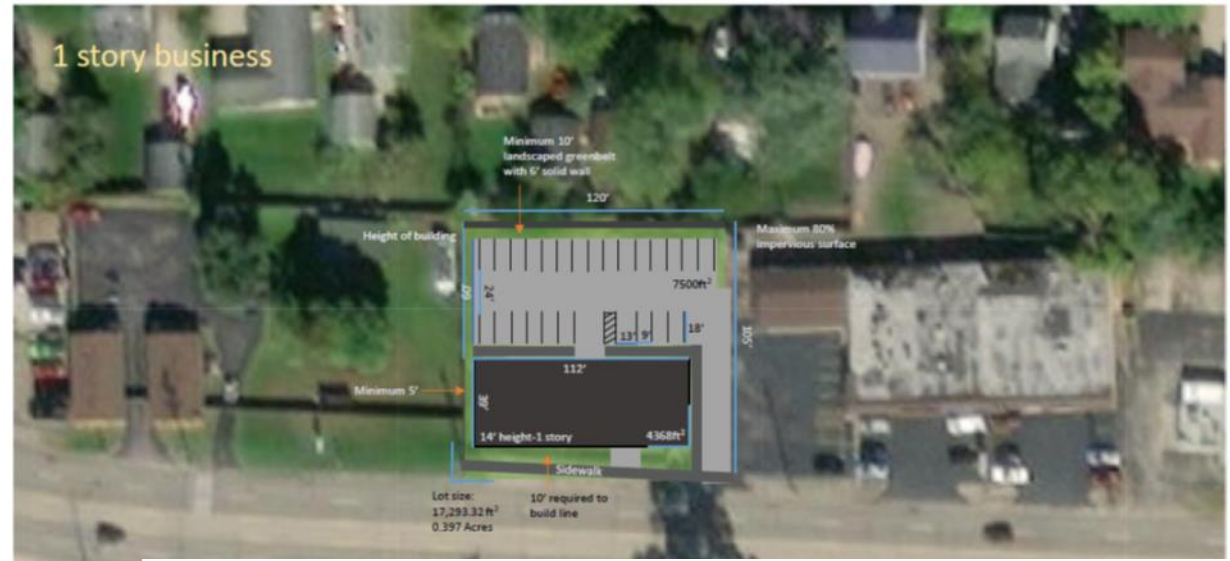


## Recycling Land to Productive Reuse

**Jim Tischler**  
**Development Director**  
[TischlerJ2@Michigan.gov](mailto:TischlerJ2@Michigan.gov)  
**517.242.4376**



10



# Former Forbes Dry Cleaners Ecorse Road

STATE LAND BANK AUTHORITY

**Notice of Intent to Solicit Development Proposals  
&  
Request for Qualifications**

The State Land Bank Authority (SLBA) hereby announces its intention, on behalf of itself and select local governmental units, to solicit development proposals for the following land parcels:

\*NOTE – Interested developer parties must be a prequalified member of the SLBA’s Developer Group. SLBA accepts submittals on an ongoing basis and a party may obtain information on how to submit qualifications here:

[https://www.michigan.gov/leo/0,5863,7-336-94422\\_96636\\_61702-565019--,00.html](https://www.michigan.gov/leo/0,5863,7-336-94422_96636_61702-565019--,00.html)

[https://www.michigan.gov/documents/leo/Real\\_Estate\\_Development\\_Partners\\_-\\_RFQ\\_2021-001\\_730548\\_7.pdf?utm\\_medium=email&utm\\_source=govdelivery](https://www.michigan.gov/documents/leo/Real_Estate_Development_Partners_-_RFQ_2021-001_730548_7.pdf?utm_medium=email&utm_source=govdelivery)

**Key Dates**

Notice Issue Date:	Late February
New Qualifications Submittal Due Date/Time:	Early March
Release of Site Development Solicitations:	Early April (Anticipated)
Proposal(s) Due Date/Time:	Early May
Anticipated Preferred Developer Notification(s):	Mid-June

**Preliminary details on parcels anticipated for solicitation follow this notice cover.**

**CHARTER TOWNSHIP OF YPSILANTI**  
**MINUTES OF THE FEBRUARY 1, 2022 REGULAR BOARD MEETING**

Supervisor Stumbo called the meeting to order at approximately 7:00PM 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 Brenda Stumbo, Clerk Heather Jarrell Roe, and Treasurer Stan Eldridge  
Trustees: Gloria Peterson, John Newman II, Debbie Swanson and Jimmie Wilson Jr.

**Members Absent:** None

**Legal Counsel:** Wm. Douglas Winters

**2. 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 Clerk Jarrell Roe and Trustees Peterson and Swanson for their work on outreach to the public in regard to the ARPA dollars. She also stated their resident group would be happy to help but they did not want to be a hindrance. Alisha Dyer stated that she feels there has been miscommunication and that she feels everyone can work together and that in the future she hopes things don't become adversarial.

Arloa Kaiser, township resident stated that if you aren't willing to state what the problems are then everyone doesn't know what you talking about. She also added that she would like to see one on one neighborhood watch meetings so that problems from other neighborhoods can be discussed.

A township resident who lives on Kennedy St. stated there are issues with 559 Kennedy. He stated there is a broken window on the front of the house and that he has heard that rooms are being rented out. Another resident from Kennedy St. stated that he has been offered illegal services from people in the house. Supervisor Stumbo stated that the township would follow up and asked the deputy in attendance to step outside with gentlemen to discuss.

**3. CONSENT AGENDA**

**A. MINUTES OF THE JANUARY 18 WORK SESSION AND REGULAR MEETING**

**B. STATEMENTS AND CHECKS FOR FEBRUARY 1, 2022 IN THE AMOUNT OF \$428,891.06**

A motion was made by Clerk Jarrell Roe and supported by Treasurer Eldridge to approve the consent agenda.

**CHARTER TOWNSHIP OF YPSILANTI  
MINUTES OF THE FEBRUARY 1, 2022 REGULAR BOARD MEETING  
PAGE 2**

The motion passed unanimously.

**ATTORNEY REPORT**

**A. GENERAL LEGAL UPDATE**

Attorney Winters stated there are still a tremendous amount of challenges ahead in regard to what the Board has faced in the first thirty one days of 2022. He stated in regard to LynxDx that documents such as the property lease between LynxDx and the owner of the former Walmart property needed to be submitted to be considered by the ZBA. Attorney Winters stated that LynxDx is paying the property owner \$20,000.00 per month and that he thought it would have been great if they could have looked at church's in our area to use so that money could have made its way to the congregation and residents. He also stated that he had to give a copy of the lease to the township assessing department. Attorney Winters stated that he did not receive the property lease until January 24 or 25, 2022 and that the lease is dated for January 12, 2022 and effective January 1, 2022. Attorney Winters said that in the property lease LynxDx is required to seek the approval of the local municipality and comply with all local laws.

Attorney Winters stated that he had forwarded to the Board an email from Dan Kimball, Township Fire Marshall about some of the problems with the location and that his opinion was that LynxDx was moving forward in good faith.

Attorney Winters stated that he had done some digging into LynxDx and found that when they had advertised their services to local hospitals and nursing homes that they had stressed the strength of their testing and how it meets all the regulatory approvals, reporting requirements and that they are on top of their game with billing and insurance. He added that he believes this to be the case and discussed the comparison to that and what the township had gone through to obtain information.

Attorney Winters stated that he believed the ZBA was looking to expedite the hearing for LynxDx. He also added that he did not want a long term lease with LynxDx to keep the Walmart property vacant.

Attorney Winters complimented the work of township employees and mentioned the great job Belinda Kingsley had done stepping into her new role in the OCS Department.

Clerk Jarrell Roe asked Attorney Winters for his opinion or thoughts on if there were trainings available to Zoning Board of Appeals members and for the township board. She stated she believed it is very important that if you are elected or appointed to boards that are making decisions for the betterment of the public that the members do not have bias, or show overt bias ahead of time toward an item coming before them. Clerk Jarrell Roe stated that it is very important to follow proper channels for communication between board members and that

**CHARTER TOWNSHIP OF YPSILANTI**  
**MINUTES OF THE FEBRUARY 1, 2022 REGULAR BOARD MEETING**  
**PAGE 3**

communication is expected at the county level and state level and should be expected from each other. She added that it is vital whether you are elected as class representative, union office or up to state representative that procedure and processes are followed to bring clarity to our residents who deserve the best and to be put first. Anything less would be unacceptable.

Attorney Winters stated that he mentioned at the last board meeting that he felt it would be important for all boards and commissions to be updated on all things important to the township. He also reminded the board that they had adopted an ethics policy which has been signed by all board members.

Trustee Debbie Swanson discussed her concern for bio waste being kept at the LynxDx COVID testing site and she hoped the Zoning Board of Appeals would be thinking about that. She also stated that there were great efforts being made to make it look like there weren't people caring for our community but there is a medical center located in from of the LynxDx site that has been serving the community since 2020. Trustee Swanson stated that this is a business that followed the proper procedures to open. She added that she does not mean we do not need another facility, but that procedures can be followed. She stated that we have known since the beginning of COVID where the hardest hit areas were and didn't understand why there couldn't have been testing sites placed there.

Trustee Swanson stated that it is very important to think about the strengths that our community brings and one of those is location because of the corridor we have with I94 and US23. She added that if you are a business you can probably afford to pay \$20,000.00 per month in rent and if LynxDx has contracts to test employees the easy access to the freeways is probably why the Walmart location was chosen.

Trustee Swanson stated another problem is the way the media portrays the township. She stated people have a right to say what they want but to say the building is shuttered is incorrect and gives a perception that does not recognize the township's strength. Trustee Swanson stated that every COVID article right now includes the picture of the LynxDx tent site. She stated that she took offense to the media portraying this as a shuttered area when there are several new businesses that have opened recently and are trying to succeed.

Supervisor Stumbo stated the township has collaborated with the county public health office and the equity office. She stated a tent was set up in the Civic Center parking lot for vaccinations and FEMA has also used our parking lot to help service our residents. She added that she does not know why the situation with LynxDx could not have been the same. Supervisor Stumbo also stated that decisions by the Zoning Board of Appeals do not come to the board and any appeals go to circuit court. She stated that LynxDx's real business is contracts with employers to test their employees. Supervisor Stumbo stated that she agreed with Attorney Winters that the location for LynxDx could have worked in one of our local church parking lots but that they did not have the opportunity to work with LynxDx in finding a location.



**CHARTER TOWNSHIP OF YPSILANTI  
MINUTES OF THE FEBRUARY 1, 2022 REGULAR BOARD MEETING  
PAGE 4**

Supervisor Stumbo stated she was very proud of the township Board and she is very proud of the township employees.

**NEW BUSINESS**

**1. REQUEST TO ADOPT THE 2022 BOARD OF REVIEW MEETING DATES**

A motion was made by Clerk Jarrell Roe and supported by Trustee Peterson to approve the request to adopt the 2022 Board of Review meeting dates.

Supervisor Stumbo stated she would like everyone to review their assessment and if they do not agree with it, to go to the Board of Review.

The motion passed unanimously.

**2. REQUEST TO APPROVE THE AMENDMENT TO THE EXISTING AGREEMENT WITH M3 GROUP FOR ASSISTANCE WITH TOWNSHIP MISSION AND VISION STATEMENTS IN THE AMOUNT OF \$1,800.00 BUDGETED IN LINE ITEM #101-272-801-000**

A motion was made by Clerk Jarrell Roe and supported by Treasurer Eldridge to approve the amendment to the existing agreement with M3 Group for assistance with the township mission and vision statements in the amount of \$1,800.00 budgeted in line item #101-272-801-000 (see attached).

There were no questions or comments.

The motion passed unanimously.

**3. REQUEST APPROVAL OF CHANGE ORDER #2 WITH STANTEC FOR THE LOONFEATHER PARK RENOVATION IN THE AMOUNT OF \$12,500.00 BUDGETED IN LINE ITEM #213-901-975-587**

A motion was made by Clerk Jarrell Roe and supported by Trustee Eldridge to approve change order #2 with Stantec for the Loonfeather Park Renovation in the amount of \$12,500.00 budgeted in line item #213-901-975-587 (see attached).

There were no questions or comments.

The motion passed unanimously.

**4. REQUEST TO APPROVE THE AGREEMENT WITH OHM FOR CONSTRUCTION ENGINEERING SERVICES FOR PHASE 1 OF THE HURON STREET NON-MOTORIZED TRAIL IN THE AMOUNT OF \$68,800.00 BUDGETED IN LINE ITEM #213-901-986-009**

A motion was made by Trustee Peterson and supported by Trustee Wilson to approve the agreement with OHM for construction engineering services for phase

**CHARTER TOWNSHIP OF YPSILANTI  
MINUTES OF THE FEBRUARY 1, 2022 REGULAR BOARD MEETING  
PAGE 5**

1 of the Huron Street Non-Motorized Trail in the amount of \$68,800.00 budgeted in line item #213-901-986-009 (see attached).

There were no questions or comments.

The motion passed unanimously.

**5. REQUEST TO APPROVE THE MEMORANDUM OF UNDERSTANDING WITH THE ANN ARBOR YMCA FOR 2022 SUMMER DAY CAMP PROGRAMS**

A motion was made by Clerk Jarrell Roe and supported by Trustee Wilson to approve the memorandum of understanding with the Ann Arbor YMCA for 2022 Summer Day Camp Programs (see attached).

Supervisor Stumbo stated these camps would take place at the Clark Rd. community center and would be for ages 5-16.

The motion passed unanimously.

**6. REQUEST TO APPROVE AN AGREEMENT WITH THE WASHTENAW COUNTY WATER RESOURCE COMMISSIONER FOR VERMIN MANAGEMENT SERVICES IN A NOT TO EXCEED AMOUNT OF \$150,000.00 BUDGETED IN LINE ITEM #101-445-818-025**

A motion was made by Trustee Wilson and supported by Treasurer Eldridge to approve an agreement with the Washtenaw County Water Resource Commissioner for vermin management services in a not to exceed amount of \$150,000.00 budgeted in line item #101-445-818-025 (see attached).

There were no questions or comments.

The motion passed unanimously.

**7. BUDGET AMENDMENT #2**

Clerk Jarrell Roe read the budget amendment into the record.

A motion was made by Clerk Jarrell Roe and supported by Treasurer Eldridge to approve budget amendment #2 (see attached).

There were no questions or comments.

The motion passed unanimously.

**AUTHORIZATIONS AND BIDS**

**1. REQUEST TO APPROVE THE CONTRACT AND AWARD PHASE 1 OF THE HURON STREET NON-MOTORIZED TRAIL CONSTRUCTION PROJECT TO ALL**

**CHARTER TOWNSHIP OF YPSILANTI  
MINUTES OF THE FEBRUARY 1, 2022 REGULAR BOARD MEETING  
PAGE 6**

**STAR POWER EXCAVATION, LLC IN THE AMOUNT OF \$580,000.00 BUDGETED  
IN LINE ITEM #213-901-986-009**

A motion was made Trustee Peterson and supported by Clerk Jarrell Roe to approve the contract and award phase 1 of the Huron St. Non-Motorized Trail Construction Project to All Star Power Excavation, LLC in the amount of \$580,000.00 budgeted in line item #213-901-986-009.

There were no questions or comments.

The motion passed unanimously.

**OTHER BUSINESS**

There was no other business discussed.

**BOARD MEMBER UPDATES**

There were no board member updates.

A motion was made by Trustee Wilson and supported by Treasurer Eldridge to Adjourn.

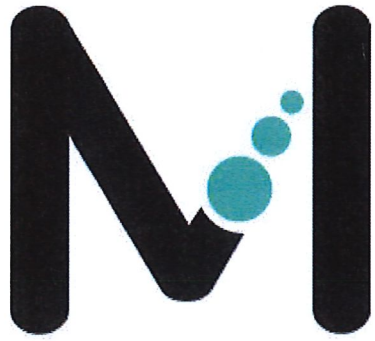
Motion carried unanimously.

The meeting was adjourned at approximately 7:49pm.

Respectfully Submitted,

**Brenda L. Stumbo, Supervisor  
Charter Township of Ypsilanti**

**Heather Jarrell Roe, Clerk  
Charter Township of Ypsilanti**



**M3 Group**

# Proposal for The Charter Township of Ypsilanti

Written by Melissa DeMott



**MAGNIFY  
MOTIVATE  
MOBILIZE**

The M3 Method™

## Hello there!

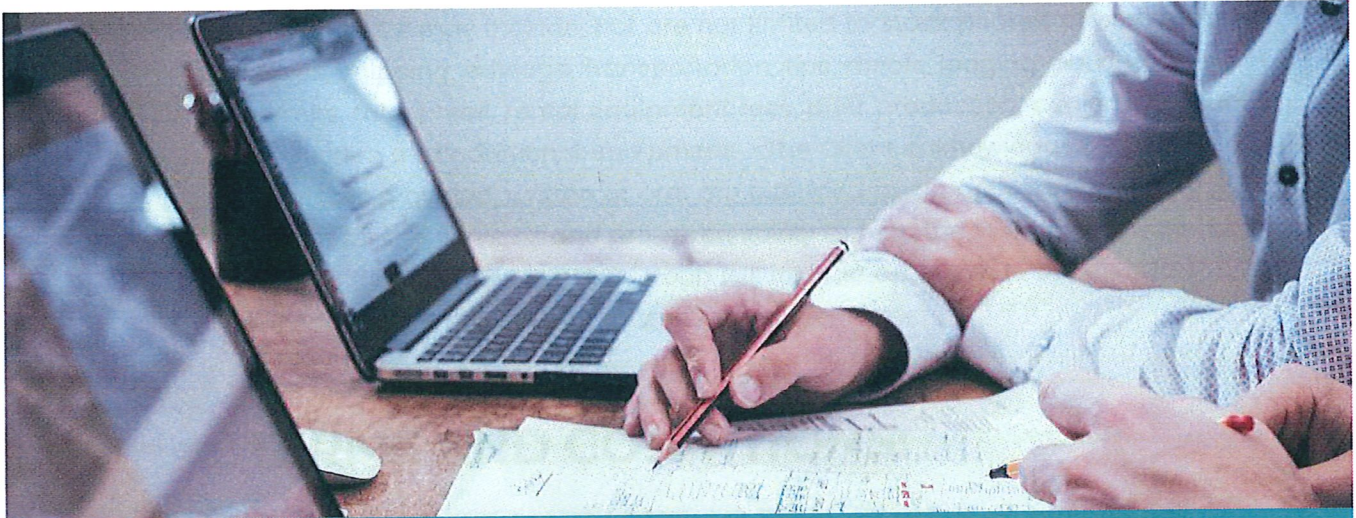
**At M3 Group, we help you achieve your goals through integrated strategies and objectives that create results for you.**

M3 Group was founded on the principle of movement. We vow to never stand still and we'll create consistent action to drive high-quality performing solutions. After all, you deserve a "wow" result. We won't stop pursuing the elusive ring.

Whether it's a sprint or a marathon, M3 Group's commitment to our clients is to never stop or surrender. We pivot. We maneuver. We strive to win because our strategic drive, passion for creativity, performance culture and dynamic results are what you deserve. We define it as motion reimagined.

We can help you cut through the noise, find your audience and deliver your brand story at its best. We are dedicated to authentic brand storytelling and diving into the data to give you the biggest, most effective reach and value for your budget and your audience.

**Read through this proposal and choose a strategy that brings the ROI you're looking for and we can get moving!**



# SOW Agreement

If you are ready to proceed, just read our terms and conditions below and sign the digital signature block.



Mission and Vision Statements \$1,800

\*This is an amendment to the Graphic Design Services RFP signed on 9/22/21



**One-off Total \$1,800**

## COMPENSATION INFORMATION:

Services described in the Investment Plan section of this agreement will be performed at the agreed rate in the contract. Any services not contracted will be charged an hourly rate of \$150 per project, unless otherwise specified,

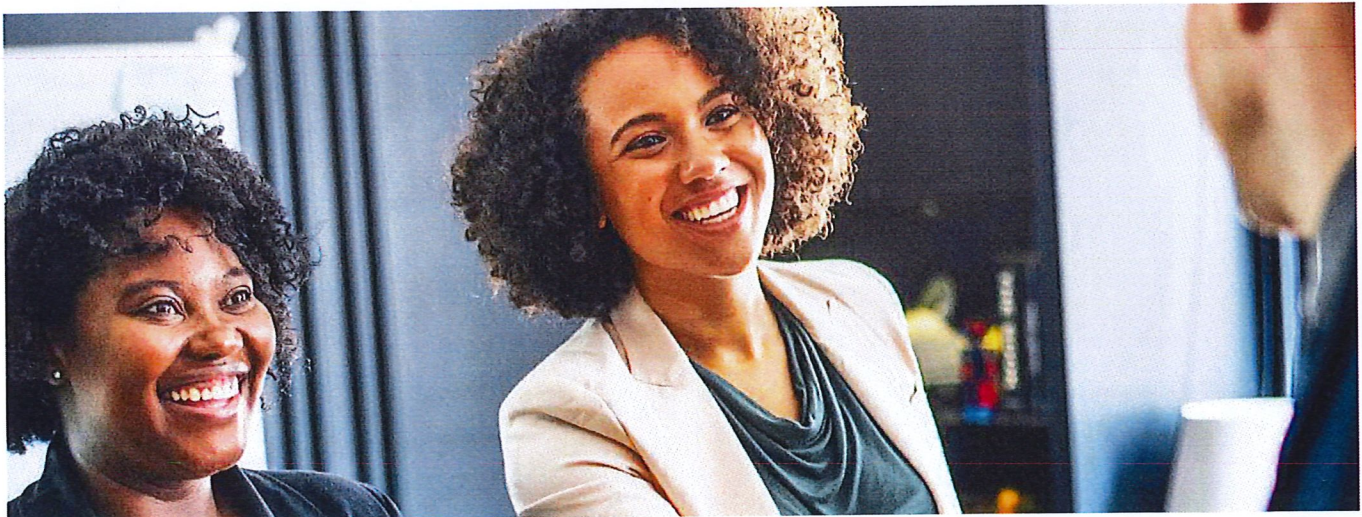
consent of the Client.

**6. CONFLICT OF INTEREST:** With regard to existing clients of M3 Group, M3 Group will make every effort to avoid any conflict of interest. If a conflict should arise, interested parties will be informed.

**7. ASSIGNMENT/TRANSFER/SUBCONTRACTING:** M3 Group reserves the right to assign, transfer, convey, subcontract, or otherwise dispose of any duties or rights under this Contract with the prior specific written consent of the Client. Any future successors of M3 Group will be bound by the provisions of this Contract unless the Client otherwise agrees in a specific written consent.

**8. TOTAL AGREEMENT:** This Contract contains the entire agreement between the parties superseding any prior or concurrent agreements as to the services being provided, and no oral or written terms or conditions which are not contained in this Contract shall be binding. This Contract may not be changed except by mutual agreement of the parties reduced to writing and signed.

**9. SIGNATORIES:** The signatories below warrant that they are empowered to enter into this agreement and that if it is determined that the person signing this Contract is not authorized to execute this Contract in a representative capacity on behalf of the Client, (s)he shall be personally liable.



## Payment Terms

**Project or Campaign: Up Front** M3 Group will invoice the client at the beginning of the project / campaign with payment due upon receipt.

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All accounts will incur 1.5% penalty per month (18% per annum) for any amount 30 days past due. Checks returned for non-sufficient funds will incur a \$25 charge. All invoices provided by M3 Group will include an explanation of the services provided during the billing period.

If M3 Group enters into a subcontract for services with another vendor as the agent for the Client, the Client agrees to be responsible for the amount due to the subcontractor – Like media organizations. In this case, M3 Group will submit unified invoices and receive all payments for it and any other approved vendors.

## Ready to sign?

Type your name below to sign our agreement – no paper, no fuss!  
Our team will then contact you get things started.



We are always interested in new challenges and collaborations, so please



feel free to reach out for a chat.

[info@m3group.biz](mailto:info@m3group.biz) | (517) 203 3333

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Brenda L. Stumbo  
Brenda Stumbo Feb. 2, 2022

Heather Jarrell-Roe  
Heather Jarrell-Roe Feb. 2, 2022



# PROFESSIONAL SERVICES AGREEMENT CHANGE ORDER

Change Order # 2 Date 07 January 2022

"Stantec" Stantec Consulting Michigan Inc.  
Stantec Project # 2075154400  
3754 Ranchero Drive  
Ann Arbor, MI 48103  
Ph: (734) 263-9031  
email: claire.martin@stantec.com

Client Charter Township of Ypsilanti  
Client Project # n/a  
7200 South Huron River Drive  
Ypsilanti, MI 48197  
Ph: (734) 544-3515  
email: mhoffmeister@ytown.org

Project Name and Location: Loonfeather Point Park Improvements, Ypsilanti, MI

In accordance with the original Professional Services Agreement dated 16 September 2020 and Change Orders thereto, the Agreement changes as detailed below are hereby authorized.

The Change Order 2 scope of work includes: 1. Additional site visits and construction administration to inspect paving operations and poor-quality pavement replacement, 2. Additional coordination for restroom electrical and security camera re-installation, 3. Additional weeks of construction inspection and administration beyond the December 1, 2021 contract deadline.

	Total fees this Change Order			\$	12,500.00
	Original agreement amount			\$	58,696.00
	Change Order Number	1		\$	3,850.00
	Change Order Number			\$	-
	Change Order Number			\$	-
	Change Order Number			\$	-
	<b>Total Agreement</b>			<b>\$</b>	<b>75,046.00</b>

Effect on Schedule: Contractor closeout anticipated April/May 2022.

Payments shall be made in accordance with the original agreement terms. All other items and conditions of the original Agreement shall remain in full force and effect.

### Stantec Consulting Michigan Inc.

Mark Pascoe, Principal  
Print Name and Title

Signature **Mark D.** Digitally signed by Mark D. Pascoe

Date Signed: **Pascoe** Date: 2022.01.24 11:06:25 -05'00'

### Charter Township of Ypsilanti

Brenda L. Stumbo Heather Jarrell Roz  
Print Name and Title

Signature *Brenda L. Stumbo* *Heather Jarrell Roz*

Date Signed: 2-2-2022 2-2-2022



December 3, 2021

Ms. Brenda Stumbo  
Township Supervisor  
Charter Township of Ypsilanti  
7200 S. Huron River Drive  
Ypsilanti, MI 48197

RE: Huron Street Pathway – from Joe Hall Drive to South Huron River Drive  
**Proposal for Construction Services**

Dear Ms. Stumbo:

OHM Advisors is pleased to submit this proposal for construction engineering services for the Huron Street Pathway project in the Charter Township of Ypsilanti. This project includes new 10-ft wide pathway from Joe Hall Drive to South Huron River Drive, connecting North Bay Park to the Huron Street corridor.

### **PROJECT UNDERSTANDING**

Through a joint effort between OHM and Ypsilanti Township, Connecting Communities grant money was awarded to the Township in the fall of 2019 in the amount of \$150,000.00. The proposed project consists of linking pathway along the west side of Huron Street from Joe Hall Drive to South Huron River Drive. This will help link residents to North Bay Park as well as the future pathway connection over I-94 being administered by MDOT.

A 10-ft asphalt pathway will be constructed at the southwest corner at Joe Hall Drive and Huron Street and continue north and terminate at the northwest corner of S Huron Drive and Huron Street. Additionally, an 8-ft asphalt pathway will be constructed along the east side of Huron Street from James Hart Parkway to the North Bay Park parking lot. The North Bay Park connection will include a rain garden and haven for the existing AATA Bus Stop as well. Throughout the Huron Street pathway, the project proposes a number of driveway crossings which will require approach replacement coupled with ADA ramp/level landing, approach, grading, and necessary drainage/stormwater improvements.

All pathway design will comply with the current guidelines for pathway construction including the American Association of State Highway Transportation Officials' (AASHTO) Guide for the Development of Bicycle Facilities (where applicable), applicable sections of the Americans with Disabilities Act (ADA), the National Asphalt Pavement Association (NAPA) Standards, and local Ordinances.

During the Connecting Communities application process, it was recognized that some pathway construction would ultimately exceed the Huron Street right-of-way and need to be constructed on the Bethesda Church property, located at 1800 Huron Street. OHM and the Township reached out to Bethesda Church and to the property owner of 225 Joe Hall Drive for a temporary grading easement in 2019, with both easements acquired in 2021. No other easements for the project are required as the remaining proposed work is located within the Huron Street right-of-way or is on Township owned property.

OHM Advisors has previously assisted with neighboring Border-to-Border pathway projects (Grove Road Segments) as well as with various application assistance efforts. We offer the following scope of services for the



completion of the construction of this project. The scope is based on the level of service that Ypsilanti township has requested in the past.

## **SCOPE**

### **Task 1 – Additional Design + Scope**

During the course of the design, additional project areas (i.e. Ford Heritage Park internal trail and Textile Rd pathway) were added outside of the Huron Street limits. These areas were identified as deficient pathways and with the proximity to the Huron Street project, were sufficient in location and construction type to be included with the bid package. Additional design for a rain garden area and retaining wall was provided by OHM to the amended North Bay Park trail design. The two extra efforts have been completed by OHM in good faith and were issued in the bid package.

### **Task 2 – Construction Layout**

OHM Advisors will provide construction survey layout services for the paving activities. Staking will be provided for ADA sidewalk ramps, curb elevations, drive approaches, and retaining wall. OHM will also witness existing surfaces to ensure new pavement surfaces will match existing conditions, as needed. This will include the initial placement of the stakes and, if removed by residents and/or the contractor, one (1) additional staking.

### **Task 3 – Construction Observation**

OHM Advisors will provide on-site construction observation services for all utility adjustments, grading and paving activities and part time inspection for restoration efforts. For this proposal, we anticipate three and a half (3.5) weeks that will require full-time inspection and an additional three (3) weeks of follow-up/part-time inspection. If the contractor requires more time than this for the major items of work, additional budget may be required. Coordinating material testing services will also be included under construction observation.

### **Task 4 – Construction Engineering**

OHM Advisors will provide construction engineering services for the paving portion of this project. Construction engineering services will include, but are not limited to:

- ▶ Attending one (1) preconstruction meeting.
- ▶ Consulting with and advising the Township during construction.
- ▶ Reviewing shop drawings and material certifications provided by the contractor.
- ▶ Answering Requests for Information (RFIs) from the contractor.
- ▶ Resolving construction conflicts (i.e. mismarked utilities, interpretation of the contract documents, etc.).
- ▶ Providing bulletin information to the contractor and/or subcontractors, as well as performing any potential value engineering services.
- ▶ Evaluating potential design changes.
- ▶ Coordinating and assisting with resident communication.

### **Task 5 – Contract Administration**

OHM Advisors will provide necessary contract administration services for the project. Contract administration services will include the following for the Township:

- ▶ Assisting the Township in reviewing and processing payment estimates for the contractor.
- ▶ Assisting with the preparation of change orders and a final balancing change order.
- ▶ Performing preliminary and final walkthroughs of the completed project, including preparing substantial completion certificates, punch lists, and confirming the resolution of punch list items.
- ▶ Supplying the Township with a project record, including construction daily reports, sketches and all other pertinent information after the completion of the project.
- ▶ Project close out by securing required documentation and correspondence per the contract.



**Task 6 – Materials Testing**

G2 consulting, Inc (G2) will provide material testing for the aggregate base, as well as the concrete and HMA placement. G2 will also review a mix design to the contractor ensuring the specifications are followed. G2’s scope includes time for concrete testing, aggregate base compaction testing, undercutting and proof roll testing, and HMA testing. This also includes the necessary equipment and lab testing fees. Material testing services include but are not limited to:

- ▶ Mix Design Review
- ▶ Proof-rolling observation for applicable subbase(s).
- ▶ Density testing for subbase and hot mix asphalt (HMA) pavement.
- ▶ Concrete testing.

**FEE**

OHM Advisors proposes to provide the above outlined professional construction services on an Hourly – Not to Exceed basis, in accordance with our 2021 Rate Schedule. Invoices will be sent monthly as work is performed.

<b>Task 1</b> – Additional Design + Scope	\$ 2,900.00
<b>Task 2</b> – Construction Layout	\$ 5,500.00
<b>Task 3</b> – Construction Observation	\$25,500.00
<b>Task 4</b> – Construction Engineering	\$20,700.00
<b>Task 5</b> – Contract Administration	\$ 5,000.00
<b>Task 6</b> – G2 Services (Materials Testing)	\$ 9,200.00
<b>TOTAL</b>	<b>\$68,800.00 (Hourly - Not to Exceed)</b>

**DELIVERABLES**

A new executed contract as well as a final pay estimate and final acceptance letter will be issued upon project completion as well as copies of the inspection reports (with sketches) for record information.

**ACCEPTANCE**

If this proposal is acceptable to you, a signature on the enclosed copy of this letter and initials on the contract terms and conditions will serve as our authorization to proceed.

Thank you for giving us the opportunity to present this constructions services proposal to you. We look forward to working with you throughout this project.

OHM ADVISORS  
CONSULTANT

Charter Township of Ypsilanti  
CLIENT

\_\_\_\_\_  
 Matthew D. Parks, P.E.

(Signature)  
 (Name)

\_\_\_\_\_  
 Ms. Brenda Stumbo

Principal in Charge

(Title)

Township Supervisor

\_\_\_\_\_

(Date)

\_\_\_\_\_



(Signature)	_____
(Name)	<u>Ms. Heather Jarrell Roe</u> _____
(Title)	<u>Township Clerk</u> _____
(Date)	_____



FOR YOUTH DEVELOPMENT  
FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY

### Memorandum of Understanding

This document constitutes a Memorandum of Understanding between the Ann Arbor YMCA (Tenant) and Ypsilanti Township Recreation Department (Landlord).

#### Goal:

Partnering to co-facilitate affordable, special-interest summer day camp programs that serve youth ages 5-16 in Eastern Washtenaw County. Both parties will strive to provide a range of complementary programs that cater to youth with interests in sports, arts, science and technology. As a pilot program, both Ypsilanti Township Recreation Department and the Ann Arbor YMCA will strive to make this experience positive, and financially sustainable for both parties.

#### Name of Program Covered by this MOU:

YMCA & Ypsilanti Township Recreation Department, Summer Day Camps

#### Brief Description of Program:

The Ann Arbor YMCA and Ypsilanti Township Recreation Department will provide 10 weeks of summer day camps beginning June 13, 2022. The program will end on August 18, 2022. The Ann Arbor YMCA will provide sports, arts (theater, dance, arts/crafts), girls empowerment camps.

#### Financial Compensation:

Each organization will assume responsibility for the operational needs of their respective programs, including, but not limited to registration/administrative support, staffing, insurance/general liability and marketing/communication.

The Ann Arbor YMCA will charge \$150/week (based on 8 hours/day, 5 days/week) for its programs and make financial assistance available to anyone that qualifies based on the HUD household income scale. *The Ann Arbor YMCA has agreed to pay Ypsilanti Township Recreation Department 10% of the net program fee revenue or \$300 per week, whichever is greater. Program fee revenue is defined as program fees collected, less any scholarship provided by the YMCA. This payment is to help offset any additional operating costs incurred (utilities, cleaning, basic facility staffing etc.) and the Ann Arbor YMCA will disburse payment for all weeks by September 18, 2022.*

Site(s) Where Program will be located: The program will operate from the Ypsilanti Township Recreation Department Community Center Building (2025 E. Clark Rd., Ypsilanti), and Community Center Park. YMCA programs will be located in rooms #101, 102 & 105, according to the agreed upon schedule (see attached). YMCA camps will operate between 8:15 a.m. and 4:45 p.m. daily Monday-Friday according to the agreed upon program dates. YMCA staff may need to access facilities as early as 7:30 a.m. and as late as 5:30 p.m.

#### Target Population to be Served (grade levels or subpopulation):

Students ages 5-16 living in Washtenaw County.

Objectives:

1. To provide enriching programs that connect youth in Eastern Washtenaw County with opportunities to engage with caring adults outside of the school and home life.
2. To provide a space for youth to experience a safe, welcoming and positive environment and provide social and educational experiences to help all youth learn, grow, and thrive.
3. To develop the groundwork for an ongoing collaboration between the YMCA and Ypsilanti Township Recreation Department that strengthens community through youth development, healthy living and social responsibility.

Specifics

*Ypsilanti Township Recreation Department agrees to:*

1. Provide a member of staff that acts as the Program Coordinator in the delivery of the program. Work collaboratively with the Program Coordinator from the YMCA to ensure a safe, high-quality experience for all participants and staff including but not limited to: safe transition of youth from Ypsilanti Township to YMCA camps (and vice versa), communication with Y staff about facility schedules, emergency situations, parent communication, camp schedules etc.
2. Program oversight of programmatic and administrative function of all YTRD camps; collecting revenue from program participants, managing the registration process, and collecting necessary participant waivers and health forms.
3. Cover the cost of expense for any staff positions for camps offered by Ypsilanti Township Recreation Department program staff and associated vendors.
4. Ensure that any staff working with the program are First Aid and CPR certified. Ann Arbor YMCA will provide this training at a reduced rate to all Ypsilanti Township Recreation Department program staff.
5. Meet as necessary with designees of the Ann Arbor YMCA to review project progress and address any issues that may arise
6. Invite Ann Arbor YMCA staff and volunteers to participate in relevant staff training, if applicable.
7. Publicly recognize the work of the Ann Arbor YMCA related to this program. This may be in the form of the Township Magazine, newsletters, website, board meetings, press releases, social media etc.
8. Participate in data collection relevant to the program and will meet with the partner organization in September 2022 to review goals and objectives of the collaboration.
9. Assist the Ann Arbor YMCA with any necessary grant compliance data.
10. Assist the YMCA in identifying qualified individuals to serve in program leadership roles. Provide space to host camp information events, staff hiring events etc.
11. Assume shared liability for the facility and equipment being used.
12. Provide general cleaning and janitorial services to any rooms/areas being used for YMCA programs, as well as common spaces and bathrooms.

*Ann Arbor YMCA agrees to:*

1. Provide a member of staff that acts as the Program Coordinator in the delivery of the program. Work collaboratively with the Program Coordinator from Ypsilanti Township Recreation Department to ensure a safe, high-quality experience for all participants and staff, including but not limited to: safe



- transition of youth from Ypsilanti Township to YMCA camps (and vice versa), communication with Y staff about facility schedules, emergency situations, parent communication, camp schedules etc.
2. Program oversight of programmatic and administrative function of all AA YMCA camps; collecting revenue from program participants, managing the registration process, and collecting necessary participant waivers and health forms.
  3. Cover the cost of expense for any staff positions for camps offered by Ann Arbor YMCA program staff and associated vendors.
  4. Provide First Aid and CPR training to all staff and volunteers working with YMCA camp programs. Staff will be required to gain the certification prior to beginning employment. Make First Aid and CPR training available, at a reduced rate to all Ypsilanti Township Recreation Department program staff.
  5. Meet as necessary with designees of the Ypsilanti Township Recreation Department to review project progress and address any issues that may arise
  6. Invite Ypsilanti Township Recreation Department staff and volunteers to participate in relevant staff training, if applicable.
  7. Publicly recognize the work of the Ypsilanti Township Recreation Department related to this program. This may be in the form of newsletters, website, board meetings, press releases, social media etc.
  8. Participate in data collection relevant to the program and will meet with the partner organization by September 2022 to review goals and objectives of the collaboration.
  9. Assist Ypsilanti Township Recreation Department with any necessary grant compliance data.
  10. Assume shared liability for the facility and equipment being used.

Liability, Insurance and Indemnification:

Tenant's Insurance

Coverages: Tenant shall purchase and maintain in force, at its own cost and expense, from the date Landlord first delivers possession of the Premises, throughout the term of this Lease, and at all times during Tenant's occupancy under this Lease: (i) a policy or policies of insurance with coverage at least as broad as ISO Special Form Coverage Insuring risks of physical loss or damage (commonly known as "all risk"), to the extent of one hundred percent (100%) of the insurable full replacement value thereof, all property and fixtures in the Premises owned by Tenant against fire and casualties, including extended coverage insurance, (ii) a policy or policies of commercial general liability insurance, covering bodily, personal injury, and property damage, written on an occurrence basis with respect to the Premises, and the business operated therein by Tenant, including insurance against assumed or contractual liability, with limits for liability of not less than One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) annual aggregate, (iii) workers compensation insurance in amounts required in accordance with applicable laws within the State where work is being performed, (iv) automobile liability insurance covering use of all owned, non-owned, leased and hired automobiles in a minimum amount of One Million Dollars (\$1,000,000) per claim and in the annual aggregate, and (v) other insurance coverages and in amounts required pursuant to Tenant's Licenses. A combination of Commercial General Liability and Umbrella/Excess Liability Insurance may be maintained to meet the required limits of liability.

Landlord's Insurance.

Coverages: Landlord shall purchase and maintain in force, at its own cost and expense, at all times during the term of this Lease: (i) a policy or policies of insurance with coverage at least as broad as ISO Special Form Coverage insuring risks of physical loss or damage (commonly known as "all risk") to the Building, to the extent of one hundred percent (100%) of the insurable full replacement value thereof, against fire and casualties, including extended coverage insurance, (ii) a policy or policies of commercial general liability insurance, covering bodily, personal injury, and property damage, written on an occurrence basis with respect to the Building (exclusive of the Premises) and Common Areas, including insurance against assumed or contractual liability, with limits for liability of not less than One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) annual aggregate, (iii) workers compensation insurance in amounts required in accordance with applicable laws within the State where work is being performed, (iv) automobile liability insurance covering use of all owned, non-owned, leased and hired automobiles in a minimum amount of One Million Dollars (\$1,000,000) per claim and in the annual aggregate.

#### Coverage Requirements.

The amounts of insurance required to be carried by each party under this Lease shall not be deemed or construed to so limit the liability of such party.

#### Indemnification.

1. Indemnification by Tenant. Tenant shall indemnify, defend, protect, and hold harmless Landlord and all of its ministries, entities, affiliates, employees, agents, directors, officers, successors and assigns, from and against any and all losses, liability, claims, suits, proceedings, damages, claims and allegations of any kind, brought by any third party, including, but not limited to, reasonable attorneys' fees, costs and expenses, arising out of Tenant's (including Tenant's affiliates, employees, servants, agents, directors, officers, successors and assigns) (i) failure to comply with the terms or conditions of this Lease, (ii) negligence or willful misconduct in performing under or in any way connected with this Lease, or (iii) use of the Premises, except those which shall result, in whole or in part, directly or indirectly, from the default or negligence of Landlord, its ministries, entities, agents, employees, successors or assigns.
2. Indemnification by Landlord. Landlord shall indemnify, defend, protect, and hold harmless Tenant and all of its affiliates, employees, agents, directors, officers, successors and assigns, from and against any and all losses, liability, claims, suits, proceedings, damages, claims and allegations of any kind, brought by any third party, including, but not limited to, reasonable attorneys' fees, costs and expenses, arising out of Landlord's (including Landlord's ministries, entities, affiliates, employees, servants, agents, directors, officers, successors and assigns) (i) failure to comply with the terms or conditions of this Lease, (ii) negligence or willful misconduct in performing under or in any way connected with this Lease, or (iii) use of the Building (exclusive of the Premises) and Common Areas, except those which shall result, in whole or in part, directly or indirectly, from the default or negligence of Tenant, its agents, employees, successors or assigns. Nothing herein shall be construed to waive, limit, or restrict any governmental immunity defense available to landlord (Ypsilanti Township).

3. Where Both Parties Have Responsibility. If both parties have an obligation to the other under the foregoing provisions, tort comparative fault principles shall be applied to allocate payment between the parties.
4. Notifications Regarding Indemnities. Both Landlord and Tenant agree to give the other party notice of any claim or liability which may give rise to indemnification under this section and do so within a commercially reasonable time following such party's receipt of notice of intent or notice of claim.
5. Survival. The terms of each of the insurance, waiver of subrogation, coverage requirements, and indemnification provisions of this Lease shall survive the termination of this agreement.

By signing this document, Ypsilanti Township Recreation Department and the Ann Arbor YMCA agree to abide by the terms and conditions contained in this Partnership Memorandum of Understanding. The Ann Arbor YMCA reserves the right to terminate a partnership at the discretion of appropriate personnel.

Brenda S. Stumbo  
Brenda Stumbo, Supervisor (sign)

2-9-2022  
Date

Heather Jarrell Roe  
Heather Jarrell Roe, Clerk (sign)

2-9-2022  
Date

Toni Kayumi  
Toni Kayumi, YMCA CEO (sign)

2-7-22  
Date

Kupai P/S  
Ann Arbor YMCA Representative (sign)

2/7/2022  
Date

Prepared January 7, 2022

AGREEMENT BETWEEN  
THE WASHTENAW COUNTY WATER RESOURCES COMMISSIONER  
AND  
THE CHARTER TOWNSHIP OF YPSILANTI  
FOR VERMIN MANAGEMENT SERVICES

This Agreement ("Agreement"), is made and entered into on the 1st of February, 2022, by and between the Washtenaw County Water Resources Commissioner's Office ("WCWRC"), and the Charter Township of Ypsilanti ("Township"), a Michigan municipal corporation, for the purpose of providing vermin management services ("Services").

The purpose of the Services are to assist in management of issues affecting the Public Health, Safety and Welfare of the Township and its residents.

Relevant details of the Program are set forth in Exhibits A and B, which are attached hereto and incorporated herein by reference. The services are broken into two different categories based on statutory authority of the WCWRC in providing Services.

Whereas, the Township has a long-standing history of successful collaboration with the WCWRC; and

Whereas, it will be beneficial to all parties to continue to collaborate on vermin management; and

Whereas, prior (amended) Agreements for these services have been completed; and

Whereas, vermin issues remain a priority for the Township, resulting in an increased level of service and work effort desired by the Township from the WCWRC; and

Whereas, WCWRC has statutory authority through PA 40 of 1956 (the Drain Code) to "purify" the flow of water in legally established County drains but requires Agreement by the Township to furnish Services not specifically included or otherwise allowed in the Drain Code; and

Whereas, past collaboration has determined that vermin management issues require a collaborative effort of Community Standards enforcement, public outreach to affected neighborhoods and residents, adequate refuse and debris management services and infrastructure, rodent baiting in storm drains and/or sewers, and land-based rodent baiting or burrow gassing in areas of public or private property; and

Whereas, Township and WCWRC officials have determined that a holistic program of vermin management requires a collaborative effort as noted in the paragraph above; and

Whereas, the WCWRC agrees to contract on behalf of the Township for rodent baiting services in storm drains under the authority of the Drain Code AND other areas as requested by the Township on an ongoing basis; and

Whereas, the Township has budgeted \$150,000 for 2022 for a more aggressive program due to the extent of issues found in 2021; and

Whereas, WCWRC will continue to provide an annual report along with regular updates and service area maps to Township staff and the Supervisor for rodent baiting and/or related program costs performed under authority of both the Drain Code as well as other areas specified herein; and

Whereas, Township and WCWRC officials have agreed that the Township will provide necessary Community Standards and outreach services (similar to past vermin control programs) as determined necessary by the Township; and

Whereas, WCWRC will coordinate as needed with Washtenaw County Department of Public Health (WCDPH) to provide electronic copies of any informational flyers for distribution to residents by the Township as needed to support collaborative efforts; and

Whereas, Exhibit B is provided to illustrate the need and focus areas for the Services provided and is not intended to limit areas for providing Services; and

Whereas, Exhibit B provides a depiction of both current reported vermin sightings and other areas of future investigation desired within the Township, Exhibit B is provided to illustrate the need and initial focus areas for the Services provided; and

Whereas, Township and WCWRC officials have agreed that regular updates will be provided to evaluate program effectiveness and incorporate adjustments to address new or changing program needs within the program budget and/or timeframe specified herein; and

Whereas, Township and WCWRC officials fully understand that this new Agreement is based on a year-long pilot program that was expected in prior amended Agreements, due to the nature of the problem and experiences in other municipalities; and

Whereas, given the persistence of vermin in other communities, Township and WCWRC officials anticipate and fully understand the program will in all likelihood result in a recommendation for a longer-term program and recommended program funding amounts continuing program experiences; and

Whereas, the primary program goals are to:

1. Reduce the frequency of vermin activity through an aggressive initial program in 2022
2. Determine a cost-effective "maintenance level" of longer-term baiting after initial aggressive baiting;

Therefore, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, the Township and the WCWRC agree:

1. The Washtenaw County Water Resources Commissioner's Office shall provide resources and expertise required to administer the Services in collaboration with the Township based on Exhibits A, B, and any mutually agreed upon adjustments during implementation of Services.
2. The Township shall make payments for work noted in Exhibit A, Section 1 based on annual December invoices in accordance with regular payment procedures for annual invoices of work performed on legally established County Drains.

3. The Township shall make payments for work noted in Exhibit A, Section 2 based on monthly invoices for Services provided in areas outside of legally established County Drains. The WCWRC will be providing Section 2 services based on the authority of this Agreement due to the efficiencies of bundling Section 2 and Section 1 services in a single vendor contract with a single point of contact.
4. Either party may terminate this agreement with 30-day notification with or without cause. If vendor contracts allow a shorter timeframe for vendor termination without cause, the WCWRC shall take this into consideration with any Township request to terminate some or all Services.
5. The WCWRC assumes no additional liability beyond that normally accorded for work on public drains. WCWRC staff will not enter private property or be on-site providing services. The contracted vendor providing the Services will be the only entity with staff entering the work areas shown in Exhibit B or as otherwise mutually determined.
6. Parties agree that this contract may be amended administratively as needed to extend the allowable timeframe and/or reduce the monthly expenditures.
7. Parties agree that any amendment to increase monthly charges at any time must be approved by the Township Board.

And Whereas, based on the terms and information provided above the Township Board may wish to authorize additional efforts;

Be It Therefore Resolved ,that the terms of this Agreement are hereby modified to allow continued vermin control services for a total amount not to exceed \$150,000.

Each of the persons signing this Agreement represents and warrants that he or she has authority to sign this Agreement on behalf of the Washtenaw County Water Resources Commissioner or the Charter Township of Ypsilanti, respectively.

CHARTER TOWNSHIP OF YPSILANTI

WCWRC

By: Brenda L. Stumbo  
 Brenda Stumbo (DATE)  
 Township Supervisor 2-2-2022

By: Evan Pratt 1/18/2022  
 Evan N. Pratt, P.E. (DATE)  
 Water Resources Commissioner

By: Heather Jarrell Roe  
 Heather Jarrell Roe (DATE)  
 Township Clerk 2-2-2022

## EXHIBIT A

For the duration of this agreement, the WCWRC will contract with a pest control vendor for services in areas agreed to by the Township and WCWRC on an ongoing basis, not to exceed billing totals of \$150,000. It is anticipated that this amount will be adequate for the duration of 2022 and baiting will be ramped up in the field over a 3-month period upon Township approval of this contract. The intent of this agreement is also to allow flexibility between Section 1 and Section 2 costs which must be tracked separately as described in the Agreement.

### **Section 1**

WCWRC will contract with a pest control vendor for services to bait within legally established County Drainage structures or other structures where the presence of vermin would also impact legally established County Drainage structures.

### **Section 2**

WCWRC will contract with a pest control vendor for services to bait in other areas as needed.

*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

*FEBRUARY 15, 2022 BOARD MEETING*

ACCOUNTS PAYABLE CHECKS -	\$	368,641.71
HAND CHECKS -	\$	262,739.55
CREDIT CARD PURCHASES-	\$	<u>7,313.47</u>
GRAND TOTAL -	\$	<b>638,694.73</b>

Clarity Health Care Deductible –

ACH EFT -	\$33,757.46 (JAN)
ADMIN FEE -	\$1,295.03 (JAN)



Check Date	Check	Vendor Name	Amount
<i>HAND CHECKS</i>			
Bank AP AP			
01/28/2022	189946	DELUX RENTAL	582.00
01/31/2022	189947	BLUE CROSS BLUE SHIELD OF MI	184,228.91
01/31/2022	189948	BLUE CROSS BLUE SHIELD OF MI	29,175.60
01/31/2022	189949	COMCAST CABLE	135.99
01/31/2022	189950	COMCAST CABLE	102.86
01/31/2022	189951	GUARDIAN ALARM	500.46
01/31/2022	189952	UNITED STATES POST OFFICE	265.00
01/31/2022	189953	WASTE MANAGEMENT	62.77
01/31/2022	189954	WASTE MANAGEMENT	145.51
01/31/2022	189955	WASTE MANAGEMENT	296.44
02/04/2022	189956	ALLEGRA PRINTING AND IMAGING	2,099.87 V
02/04/2022	189957	UNITED STATES POST OFFICE	2,099.87
02/07/2022	189958	BILL ERNAT CONSULTING	5,500.00
02/07/2022	189959	AT & T	40.42
02/07/2022	189960	AT & T	638.20
02/07/2022	189961	CENTRON DATA SERVICES	1,200.00
02/07/2022	189962	CLEAR RATE COMMUNICATIONS, INC	918.32
02/07/2022	189963	COMCAST BUSINESS	3,536.76
02/07/2022	189964	COMCAST CABLE	48.56
02/07/2022	189965	DELTA DENTAL PLAN OF MICHIGAN	12,529.69
02/07/2022	189966	GRANITE TELECOMMUNICATIONS	387.11
02/07/2022	189967	STANDARD INSURANCE COMPANY	2,821.90
02/07/2022	189968	VERIZON WIRELESS	440.38
02/07/2022	189969	WASTE MANAGEMENT	63.36
02/07/2022	189970	WASTE MANAGEMENT	146.88
02/07/2022	189971	YPSILANTI COMMUNITY	2,972.47
02/08/2022	189972	COMCAST CABLE	8,415.60
02/08/2022	189973	STANDARD INSURANCE COMPANY	4,166.70
02/08/2022	189974	WEX BANK	1,317.79

AP TOTALS:

Total of 29 Checks:	264,839.42
Less 1 Void Checks:	2,099.87
Total of 28 Disbursements:	262,739.55

*A/P Checks*

Check Date	Check	Vendor Name	Amount
Bank AP AP			
02/15/2022	189975	ABBAY DOOR	3,451.00
02/15/2022	189976	ACCUSHRED LLC	162.00
02/15/2022	189977	ALFRED BUHL	45.00
02/15/2022	189978	AMAZON CAPITAL SERVICES	47,999.27
02/15/2022	189979	ANN ARBOR CLEANING SUPPLY	205.14
02/15/2022	189980	ARBOR INSPECTION SERVICES	450.00
02/15/2022	189981	AUTO VALUE YPSILANTI	192.72
02/15/2022	189982	BARR ENGINEERING COMPANY	1,825.00
02/15/2022	189983	BELFOR USA GROUP INC	228.26
02/15/2022	189984	BIANCA ROWELL	55.00
02/15/2022	189985	BS & A SOFTWARE	564.00
02/15/2022	189986	BUDGET TOWING	900.00
02/15/2022	189987	CARLISLE/WORTMAN ASSOCIATES	80.00
02/15/2022	189988	CGS, INC.	1,550.00
02/15/2022	189989	CINTAS CORPORATION	660.76
02/15/2022	189990	COMERICA BANK	65.89
02/15/2022	189991	DANIEL KIMBALL	1,395.79
02/15/2022	189992	DANIEL KIMBALL	725.00
02/15/2022	189993	DETROIT LEGAL NEWS	280.00
02/15/2022	189994	DISPUTE RESOLUTION CENTER	1,875.00
02/15/2022	189995	DTE ENGERY	80.00
02/15/2022	189996	FAST SIGNS	464.50
02/15/2022	189997	GEI CONSULTANTS, INC.	2,161.25
02/15/2022	189998	GLOBAL INDUSTRIAL EQUIPMENT	46,270.41
02/15/2022	189999	GRAINGER	183.06
02/15/2022	190000	HOME DEPOT	777.76
02/15/2022	190001	INTEGRITY BUSINESS SOLUTIONS LLC	824.75
02/15/2022	190002	JOHNSON SIGN COMPANY	2,600.00
02/15/2022	190003	KCI	1,328.64
02/15/2022	190004	L & S ELECTRIC, INC	53,000.00
02/15/2022	190005	LOOKING GOOD LAWNS	300.00
02/15/2022	190006	MARK NELSON	290.00
02/15/2022	190007	MCLAIN AND WINTERS	136,696.95
02/15/2022	190008	MENARDS, INC.	202.10
02/15/2022	190009	MICHIGAN LINEN SERVICE, INC.	973.25
02/15/2022	190010	MOBILE COMMUNICATION SVC	400.00
02/15/2022	190011	MUNICIPAL CODE CORPORATION	950.00
02/15/2022	190012	OAKLAND COUNTY	2,036.00
02/15/2022	190013	OFFICE EXPRESS	122.25
02/15/2022	190014	ONSITE SUBSTANCE ABUSE TESTING	37.00
02/15/2022	190015	PARKWAY SERVICES, INC.	130.00
02/15/2022	190016	PETER POWER	1,240.00
02/15/2022	190017	PREMIER SAFETY & SERVICE	855.00
02/15/2022	190018	PRINTING SYSTEMS	180.60
02/15/2022	190019	PSYBUS	585.00
02/15/2022	190020	RHETT REYES	2,092.44
02/15/2022	190021	SAM'S CLUB DIRECT	130.32
02/15/2022	190022	SHI INTERNATIONAL CORP	2,971.20
02/15/2022	190023	SIEGLINDE LOZON	10.00
02/15/2022	190024	STANTEC	3,795.00
02/15/2022	190025	STAPLES* - ACCOUNT #1026071	74.83
02/15/2022	190026	STATE OF MICHIGAN	500.00
02/15/2022	190027	TEAM GOLF	196.46
02/15/2022	190028	TIMOTHY THOMPSON	2,850.00
02/15/2022	190029	UNIFIRST CORPORATION	164.47
02/15/2022	190030	UTILITIES INSTRUMENTATION SERV	3,988.00
02/15/2022	190031	VERIZON CONNECT NWF, INC.	679.98
02/15/2022	190032	W.J. O'NEIL COMPANY	19,729.59
02/15/2022	190033	WASHTENAW COUNTY LEGAL NEWS	125.00
02/15/2022	190034	WASHTENAW COUNTY ROAD COMMISSION	9,067.03
02/15/2022	190035	WASHTENAW COUNTY TREASURER#	6,196.79
02/15/2022	190036	WOLVERINE FREIGHTLINER	112.71
02/15/2022	190037	YPSILANTI ACE HARDWARE	85.53
02/15/2022	190038	YPSILANTI COMMUNITY	474.01

AP TOTALS:

Total of 64 Checks:	368,641.71
Less 0 Void Checks:	0.00
Total of 64 Disbursements:	<u>368,641.71</u>

02/10/2022 03:09 PM  
User: mharris  
DB: Ypsilanti-Twp

CHECK REGISTER FOR CHARTER TOWNSHIP OF YPSILANTI  
CHECK NUMBERS 76 - 76

Check Date	Check	Vendor Name	Description	Amount
Bank CARDS COMERICA COMMERCIAL CARD				

CREDIT CARD

02/15/2022	76(E)	COMERICA BANK	MICROBAN FOR COMMUNITY CENTER	44.94
			FIRE PREVENTION MANUALS FOR FM EXAMINATI	564.00
			SERVICEDESKPLUS RENEWAL	1,798.00
			PASSPORT POSTAGE WEEK OF 1-24-2022	125.60
			PASSPORT POSTAGE WEEK OF 1-18-2022	26.85
			PASSPORT POSTAGE WEEK OF 1-10-22	35.90
			PASSPORT POSTAGE WEEK OF 1-3-22	110.85
			PASSPORT POSTAGE	8.70
			PASSPORT POSTAGE 12-22-21	34.80
			HUVACO MEMBERSHIP FOR DANIEL KIMBALL	95.00
			US FLAG FOR CIVIC CENTER	74.99
			LODGING FOR MPARKS CONFERENCE	293.20
			US FLAGS FOR CIVIC CENTER	129.98
			DOCUMENT HOLDER FOR TRAILERS - P&G	65.89
			ANNUAL FUEL CLOUD FEE JANUARY 2022-DECEM	2,040.00
			MEMBERSHIP FOR PAUL TAMOSHUNAS AND SANDI	120.00
			MEMBERSHIPS FOR TOM AND MARIO	120.00
			MEMBERSHIP FOR MIKE GOODEN	60.00
			RISEVISION RENEWAL	419.13
			GOLFGREENOAKS.COM HOSTING	665.64
			XMISSION MAIL	480.00

7,313.47

CARDS TOTALS:

Total of 1 Checks:	7,313.47
Less 0 Void Checks:	0.00
Total of 1 Disbursements:	<u>7,313.47</u>

OFFICE OF THE TREASURER  
STAN ELDRIDGE



MONTHLY TREASURER'S REPORT  
JANUARY 1, 2022 THROUGH JANUARY 31, 2022

<u>Account Name</u>	<u>Beginning Balance</u>	<u>Cash Receipts</u>	<u>Cash Disbursements</u>	<u>Ending Balance</u>
101 - General Fund	6,313,172.67	2,091,603.35	2,925,909.04	5,478,866.98
101 - Payroll	118,078.29	690,737.74	661,644.96	147,171.07
101 - Willow Run Escrow	145,386.61	1.23	0.00	145,387.84
206 - Fire Department	1,078,282.35	71.22	310,406.71	767,946.86
208 - Parks Fund	16,693.77	0.14	462.42	16,231.49
213 - Roads/Bike Path/Rec/General Fund	723,040.39	1,297.87	0.00	724,338.26
216 - Fire Pension & OPEB Millage Fund	10,529.96	5.83	0.00	10,535.79
217 - Fire Special Millage Capital Fund	832,343.74	9.23	0.00	832,352.97
226 - Environmental Services	1,151,392.52	7,786.21	274,433.07	884,745.66
230 - Recreation	51,468.11	22,662.12	34,762.58	39,367.65
236 - 14-B District Court	18,394.53	243,969.29	112,481.52	149,882.30
244 - Economic Development	70,459.17	0.60	0.00	70,459.77
249 - Building Department Fund	1,554,702.21	54,672.11	54,489.19	1,554,885.13
250 - LDFA Tax	19,995.55	0.17	0.00	19,995.72
252 - Hydro Station Fund	849,987.17	67,862.68	13,961.51	903,888.34
266 - Law Enforcement Fund	6,449,476.86	3,526.21	1,017,909.75	5,435,093.32
282 - Cares Act Fund	4,719,707.93	40.25	0.00	4,719,748.18
287 - Nuisance Abatement Fund	51,275.62	1,342.45	275.00	52,343.07
398 - LDFA 2006 Bonds	2,087.74	0.02	0.00	2,087.76
584 - Green Oaks Golf Course	257,139.42	115.48	21,129.20	236,125.70
597 - Compost Site	855,754.25	12,029.50	25,724.05	842,059.70
661 - Motor Pool	419,213.85	45.15	1,214.66	418,044.34
702 - General Tax Collection	30,760.19	3,081.28	12,229.77	21,611.70
703 - Current Tax Collections	16,297,340.00	7,457,349.73	3,592,423.19	20,162,266.54
707 - Bonds & Escrow/GreenTop	1,459,383.53	84,411.98	4,682.81	1,539,112.70
708 - Fire Withholding Bonds	131,712.62	1.11	0.00	131,713.73
<b>GRAND TOTAL</b>	<b><u>38,065,197.42</u></b>	<b><u>10,742,622.95</u></b>	<b><u>9,064,139.43</u></b>	<b><u>45,306,262.57</u></b>

# ATTORNEY REPORT

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GENERAL LEGAL UPDATE

# **OLD BUSINESS**

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# Charter Township of Ypsilanti

## Resolution 2022-03

### RESOLUTION AMENDING AND READOPTING THE ENTIRE TOWNSHIP

#### ZONING ORDINANCE AND MAP

#### *In Reference to Ordinance 2022-498*

**WHEREAS**, The Township Zoning Ordinance must be updated from time to time to adapt to the changing needs of the community or to comply with newly adopted legislation;

**WHEREAS**, The Zoning Ordinance and map amendments implement the goals and objectives of the 2040 Ypsilanti Township Master Plan's future land use plan;

**WHEREAS**, The Charter Township of Ypsilanti Planning Commission has recommended amendments to the Charter Township of Ypsilanti Zoning Ordinance and map to update the entire Zoning Ordinance;

**WHEREAS**, The Charter Township of Ypsilanti Planning Commission held a public hearing pursuant to MCL 125.3306 on November 23, 2021;

**WHEREAS**, The Charter Township of Ypsilanti Planning Commission recommended adoption on January 11, 2022 to update the entire Zoning Ordinance and map via resolution of recommendation;

**WHEREAS**, The proposed amendments are consistent with the policies of the Township;

**WHEREAS**, The Charter Township of Ypsilanti Board of Trustees has decided to adopt the entire Township Zoning Ordinance and map;

**NOW, THEREFORE, BE IT RESOLVED** the Charter Township of Ypsilanti Board of Trustees hereby adopts the Zoning Ordinance and map, UPDATING THE ENTIRE ZONING ORDINANCE AND MAP.

Charter Township of Ypsilanti  
Proposed Ordinance 2022-498

An Ordinance Amending the Entire Township  
Zoning Ordinance and Maps

Article 1 – Short Title  
Revised Planning Commission Copy  
DATE: Dec. 23, 2021

APPENDIX A - ZONING

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 offstreet loading. Accessory offstreet parking is subject to the offstreet 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 or 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. -An arcade as a primary use falls under the definition of indoor recreation.

*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.

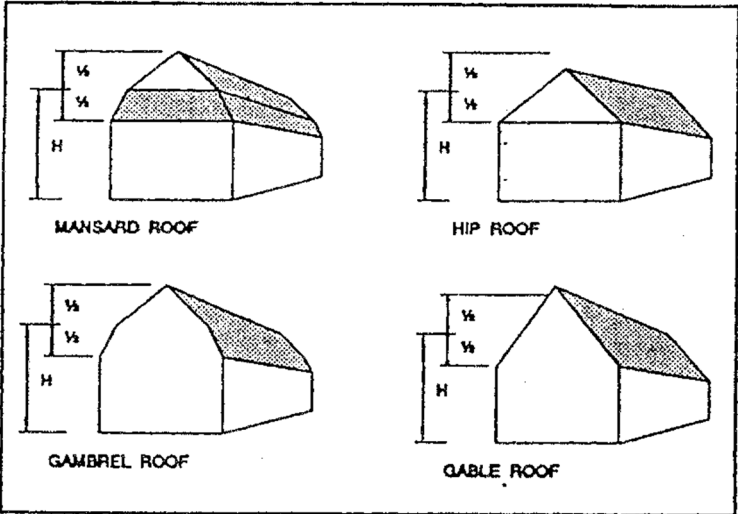
*Buffer: Landscaping (other than solely grass on flat terrain), or the use of landscaping along with berms, walls, or decorative fences, that at least partially and periodically obstruct the view from the street, in a continuous manner, of vehicular use areas; parking lots and their parked cars; detention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

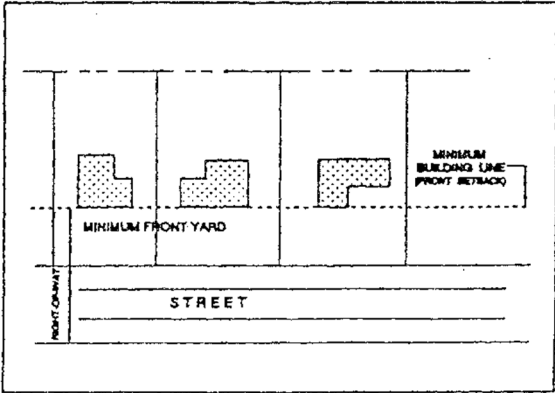




**Building, Main or Principal:** A building in which is conducted the principal use of the lot on which it is situated.

**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, including green burials; 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/or 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 or animal 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 (1) 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 **z**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 (3) 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 deer, 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 forty (40%) percent (40%). 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 forty percent (40%) 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 (1) to four (4) horizontal rails connecting to vertical posts spaced a minimum of six (6) feet apart. All spaces in such fences shall be open and unobstructed and such fences shall not block vision to an extent greater than forty 40-percent (40%).
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 Township or 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 results 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.

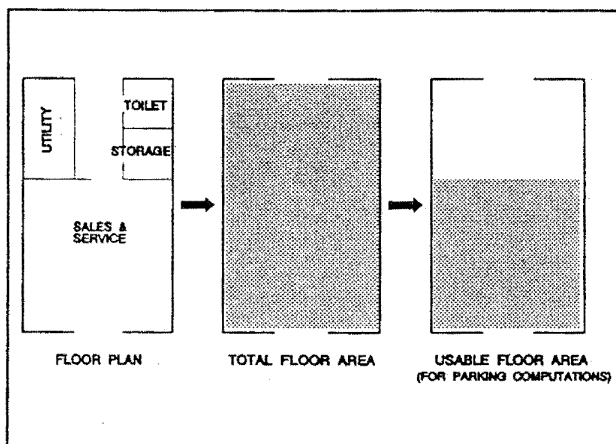
**Floodplain:** Any land area susceptible to be inundated by water from any source (see definition of base flood).

**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 motordriven 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.

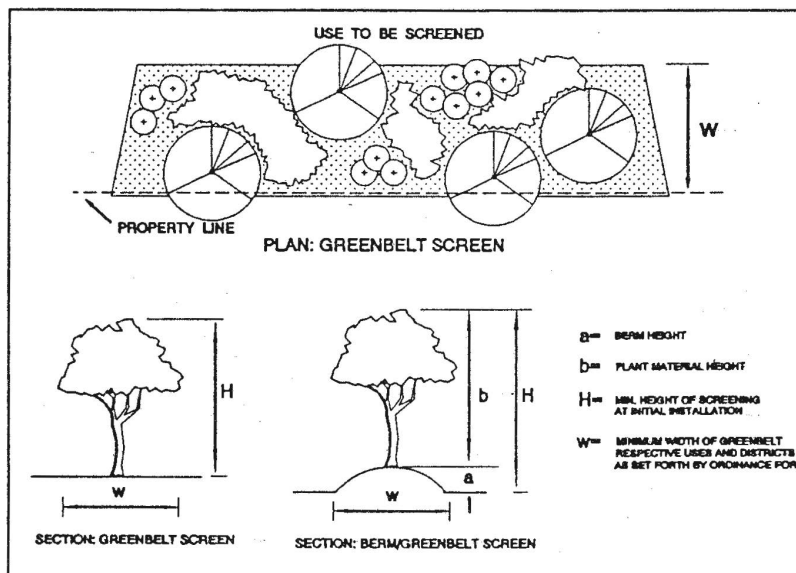
**Generally Accepted Agricultural And Management Practices:** Those practices as defined by the Michigan Commission of Agriculture pursuant to the Michigan Right to Farm Act (MCL 286.471 et seq.).

**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: arcades, 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.
- 1.2. 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.

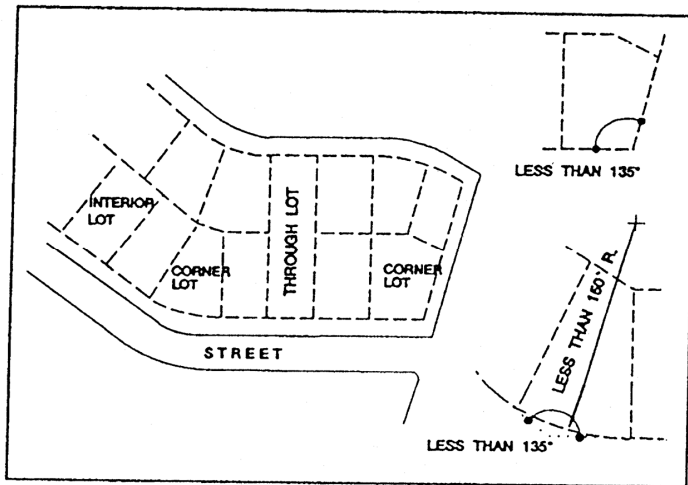
**13.17. Shielded Fixture** - Outdoor light fixtures shielded or constructed so that light rays emitted by the fixture are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted, i.e., "shoe-box type" fixtures. A luminaire mounted in a recessed 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**



**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:

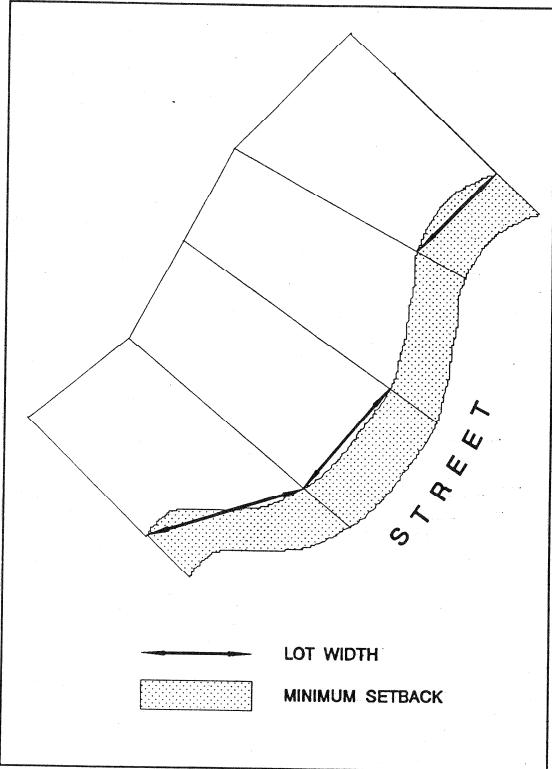
1. **Front Lot Line.** In the case of an interior lot, is that line separating said lot from the street. In the case of a through lot, is that line separating said lot from each street.
2. **Rear Lot Line.** That lot line opposite the front lot line. In the case of a lot pointed at the rear, the rear 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.

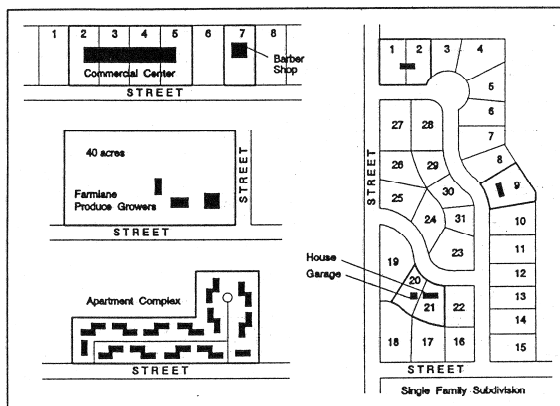
**LOT WIDTH**





**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.*~~

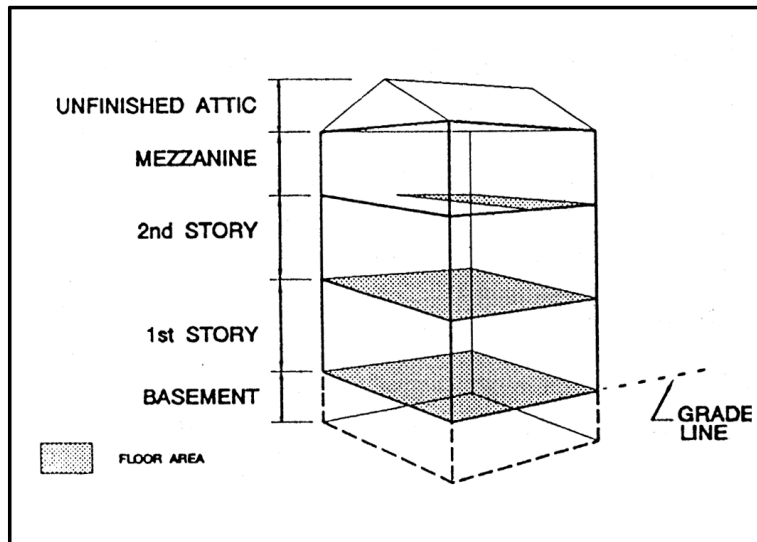
*Medical Marihuana Dispensary: Any structure used for dispensing marihuana by a primary caregiver or caregivers to one (1) or more qualifying patient(s). A medical marihuana dispensary does not include a qualifying patient's residence if the marihuana transferred is exclusively for the qualifying patient's 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) and 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 (3) 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. Electric vehicle charging stations may be located in a parking garage.

***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 marihuana and has a valid registry identification card issued ~~by~~ under the Michigan ~~Department of Community Health~~ Marihuana 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 ~~S~~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 Marihuana 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 ~~z~~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.

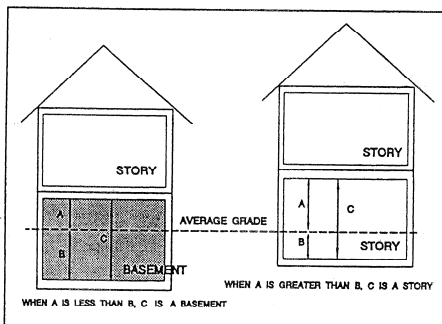
**Specified Sexual Activities:**

- 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 thoroughway 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 (1) 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.

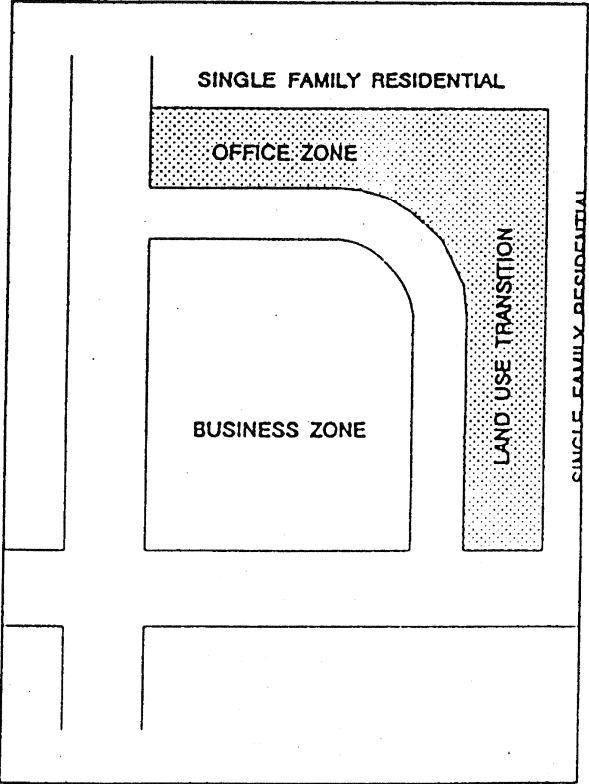
*Township Board:* The Board of Trustees of the Charter Township of Ypsilanti, also referred to as the Board of Trustees.

*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.

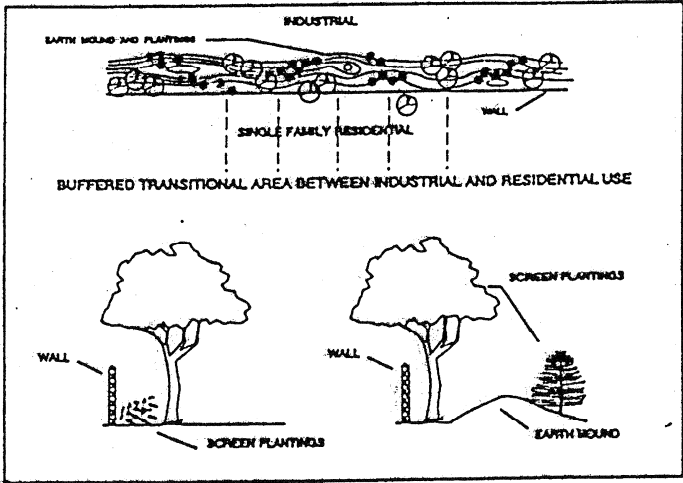
*Transition:* For the purposes of this Ordinance, the word "transition" or "transitional" shall mean one (1) or more of the following:

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.

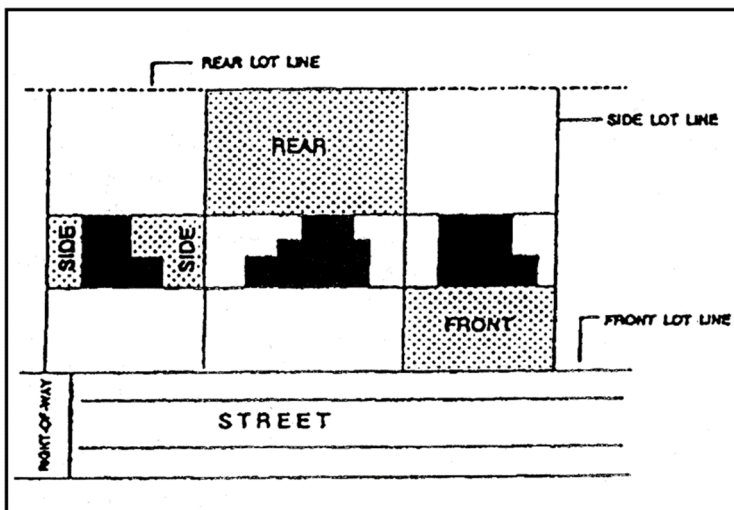
3. Collocation: Shall mean the location by two (2) or more wireless communication providers of wireless communication facilities on a common structure, tower, or building, with the view toward reducing the overall number of structures required to support wireless communications antennas within the community.

**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 marijuana to treat or alleviate the patient's debilitating medical condition or ~~symptoms associated~~ associated symptoms 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, § I, 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.
- 1.5. 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, and 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 3306, 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. The performance guarantee may be, in the form of a cash deposit, or certified check, or irrevocable letter of credit. The Zoning Administrator shall approve the type of performance guarantee on a case by case basis.
  - 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 an ~~surety bond or irrevocable~~ 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. EstablishmentMembership. 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 commission~~Township 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.

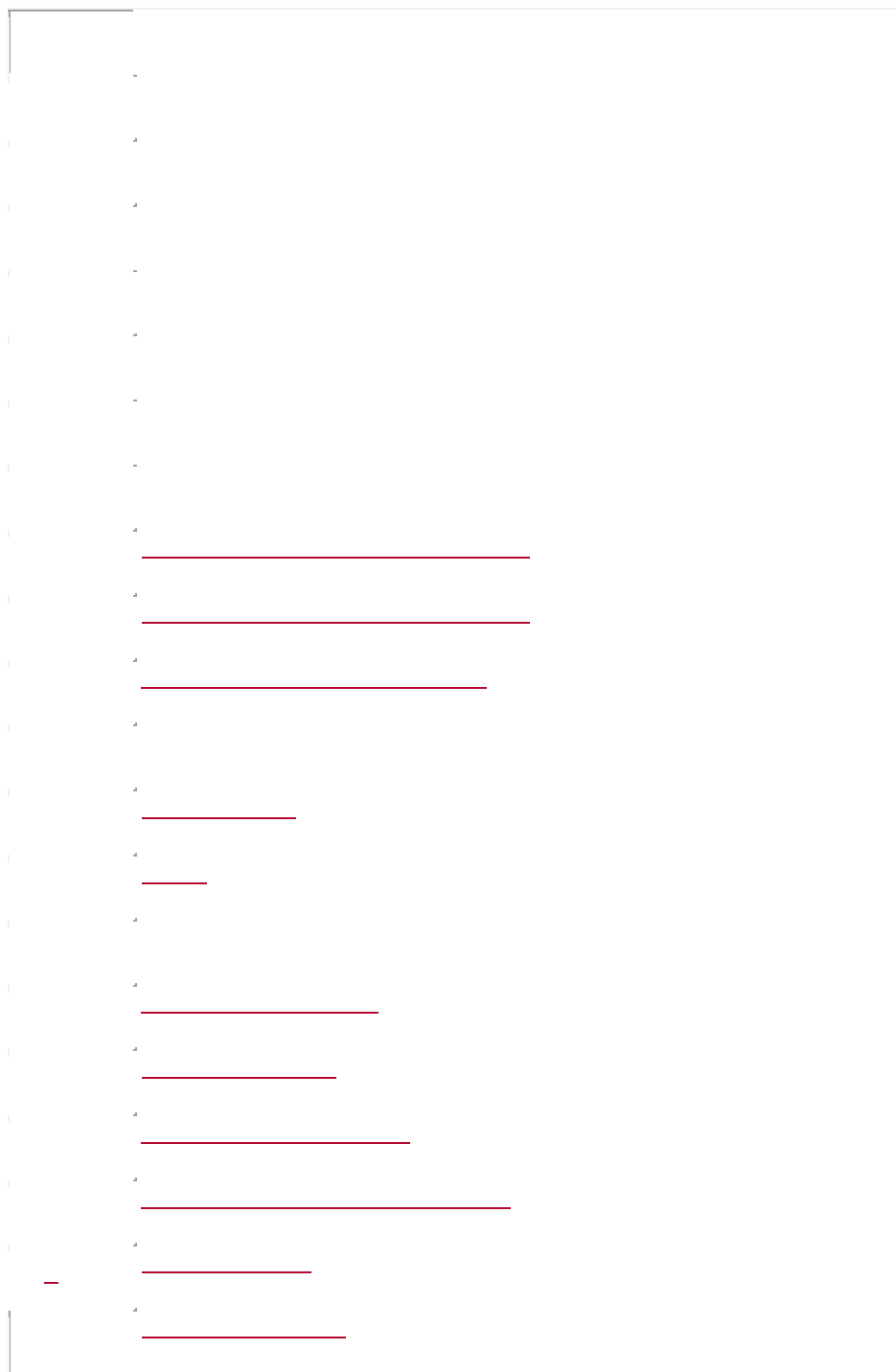
The Planning Commission shall review and make recommendation on a proposed plat before action thereon by the Township Board under the Land Division Act, Public Act 288 of 1967, MCL 560.101 et seq. The Planning Commission shall recommend approval, approval with conditions, or disapproval of a plat within 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

**Article 3 – Administration and Enforcement**

**Revised Planning Commission Copy**

**DATE: Dec. 23, 2021**

**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:

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

<b>I-3</b>	<b>Heavy industrial district</b>
<b>I-C</b>	<b>Industrial <u>and acommercial revitalization</u> nd commercial districts.</b>
<b>P-1AG</b>	<b>Vehicular parkingAgricultural overlay district</b>
<b>PD</b>	<b>Planned development district.</b>

(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. 3401. - 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. 3402. - 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. 4303. - 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. 3404. - 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. 3405. - 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

<u>R-3</u>	<u>14,000</u>	<u>80</u>							
<u>R-4</u>	<u>8,400</u>	<u>60</u>				<u>5</u>	<u>16</u>		<u>720</u>
<u>R-5</u>	<u>5,400</u>	<u>50</u>	<u>35%</u>			<u>20</u>			

**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.**

<u>Min. Lot Size in acres</u>	<u>Max. Lot Coverage (all buildings)</u>	<u>Max. Height in feet</u>	<u>Min. Yards &amp; Setbacks in feet</u>		
			<u>Front</u>	<u>Side</u>	<u>Rear</u>
<u>1</u>	<u>35 %</u>	<u>48</u>	<u>Equal to the height of the principal building</u>		

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

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

<u>Min. Lot Size</u>		<u>Max. Lot Coverage (all buildings)</u>	<u>Max. Height</u>		<u>Min. Yards &amp; 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 3<sup>1</sup></u>	<u>80</u>	<u>25%</u>	<u>3</u>	<u>35</u>	<u>30</u>	<u>30</u>	<u>60</u>	<u>30</u>

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

**4. Supplemental district standards:**

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

Efficiency	<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.
- 1.3. 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 &amp; 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 3<sup>1</sup></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>

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

**4. Supplemental district standards:**

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

Efficiency	<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.

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.

<u>Min. Lot Size</u>		<u>Max. Lot Coverage (all buildings)</u>	<u>Max. Height</u>		<u>Min. Yards &amp; 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 3<sup>1</sup></u>	<u>150</u>	<u>15%</u>	<u>8</u>	<u>85</u>	<u>50</u>	<u>50</u>	<u>100</u>	<u>50</u>

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

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

<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. 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.

<u>Minimum Lot Area</u>	<u>Total Lot area for Mobile Home Park</u>	<u>5,500 sq. ft.</u>
<u>Maximum Height</u>	<u>Feet</u>	<u>25</u>

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.

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**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.
- 1.3. **Dimensional requirements:** The following dimensional requirements shall apply to the NB districts.

<u>Min. Lot Size</u>		<u>Max. Lot Coverage (all buildings)</u>	<u>Max. Height</u>		<u>Min. Yards &amp; Setbacks in feet</u>		
<u>Sq. Ft.</u>	<u>Width in feet</u>		<u>Stories</u>	<u>Feet</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
<u>None</u>	<u>None</u>	<u>None</u>	<u>2</u>	<u>25</u>	<u>20</u>	<u>10 or 50<sup>1</sup></u>	<u>20 or 50<sup>1</sup></u>

<sup>1</sup> 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.

<u>Min. Lot Size</u>		<u>Max. Lot Coverage (all buildings)</u>	<u>Max. Height</u>		<u>Min. Yards &amp; Setbacks in feet</u>		
<u>Sq. Ft.</u>	<u>Width in feet</u>		<u>Stories</u>	<u>Feet</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
<u>None</u>	<u>None</u>	<u>None</u>	<u>2</u>	<u>25</u>	<u>20</u>	<u>10 or 50<sup>1</sup></u>	<u>20 or 50<sup>1</sup></u>

<sup>1</sup> 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 &amp; 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>40</u>	<u>20</u>	<u>20 or 50<sup>1</sup></u>	<u>40 or 70<sup>1</sup></u>	<u>20 or 50<sup>1</sup></u>

<sup>1</sup> 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 &amp; 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 50<sup>1</sup></u>	<u>80 or 90<sup>1</sup></u>	<u>50</u>

<sup>1</sup> 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.**

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**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.

**1.3. Dimensional requirements:** The following dimensional requirements shall apply to the I-C-I-C districts.

<u>Min. Lot Size</u>		<u>Max. Lot Coverage (all buildings)</u>	<u>Max. Height in feet</u>	<u>Min. Yards &amp; 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 50<sup>1</sup></u>	<u>80 or 90<sup>1</sup></u>	<u>50</u>

<sup>1</sup> 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 i, 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 i, 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.

1.6. 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>				
	<u>Internal Drive</u>	<u>Building Side to Building Side</u>	<u>Building Side to Building Front or Building Rear</u>	<u>Building Front to Building Front or Building Rear</u>
				<u>Building Rear to Building Rear</u>
<u>Buildings thirty-five (35) feet in height or under</u>	<u>20 feet</u>	<u>20 feet</u>	<u>30 feet</u>	<u>40 feet</u>
<u>Buildings thirty-six (36) feet in height and higher</u>	<u>20 feet</u>	<u>30 feet</u>	<u>36 feet</u>	<u>50 feet</u>

Sec. 342006. -- Schedule of uses Residential use table:

<del>1.</del>	<del>In all districts, no building or land shall be used, and no building shall be erected except for one</del>
	<del>(1) or more of the following specified uses, unless otherwise provided in this Article. The following</del>
	<del>land use schedules show the uses which are permitted, permitted as a special use, permitted as</del>
	<del>an accessory use, or prohibited in specific districts or zones in the Charter Township of Ypsilanti.</del>
	<del>The land use schedules are intended to serve as a guide for the convenience of the user of this</del>
	<del>zoning Ordinance. More detailed standards regarding uses are contained within the individual</del>
	<del>district standards within Article 11.</del>
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.	<del>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 pPlanning eCommission, subject to the compliance with all applicable requirements of this zoning oOrdinance, and subject further to such other reasonable conditions which in the opinion of the pPlanning eCommission are necessary to provide adequate protection to the neighborhood and to abutting properties and subject further to a public hearing in accord with sSection 2309 310, Public hearing requirements and further shall be reviewed as provided for in section 2119Article 10.</del>
C.	<del>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.</del>
<del>C.D.</del>	<del>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 zoning oOrdinance.</del>
<del>D.E.d</del>	<del>: Not permitted. Uses not permitted within the district.</del>
3.	Residential districts schedule of uses identifies the uses allowed in the following residential districts:
a.	<del>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.</del>
b.	<del>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.</del>
c.	<del>RM-3 and RM-4 multiple-family residential districts: The intent is to provide sites for high-density multiple-dwelling developments.</del>
d.	<del>RM-5 townhouse residential districts: The intent is to provide for moderate density infill housing.</del>

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-53	R-4 to R-5	RM-1 and RM-2 RM-LD to RM-MD	RM-3 and RM-4	RM-5 AG	MHP	Notes
<p>P = Permitted Use                      SL-PC = Special Conditional Use Planning Commission Approval    SL-TB = Special Use Township Board Approval                      A = Accessory Use    — = Not permitted</p>							
<b>Building Size</b>							
<b>Construction or re-use of any building over 100,000 square feet</b>	SL-TB	SL-TB	SL-TB	SL-TB	SL-TB	--	
<b>Residential Uses</b>							
Detached single-family residential	P	P	P	P	—	—	Subject to regulations in Section 1101
Open Space Communities	P	P	—	—	—	—	Subject to regulations in Section 702.
Single-Family Residential Plat or Site Condominium	SL-TB	P	—	—	—	—	
Two-family residential	—	—	P	P	—	—	Must have with individual entrances and garages for each dwelling unit
Townhouses	-	-	P	P	-	-	Subject to regulations in Section 1163. Subject to design regulations in underlying zoning district.
Multiple-family dwelling units	—	—	P	P	—	—	Subject to regulations in Section 1160.
Senior independent and assisted living	—	—	P	P	—	—	Subject to conditions in Section 1114.1816
Convalescent and nursing homes	—	—	SL-TB	SL-TB	—	—	Subject to conditions in Section 1162.
Mobile Home Parks/mobile homes	—	—	—	—	—	P	Subject to conditions in Section 1162.



Residential Districts Use Table	R-1 to R-53	R-4 to R-5	<u>RM-1 and RM-2 RM-ID to RM-MD</u>	<u>RM- HDS3 and RM-4</u>	<u>RM-5 AG</u>	MHP	Notes
P = Permitted Use <u>SL-PC = Special Conditional Use Planning Commission Approval</u> <u>SL-TB = Special Use Township Board Approval</u> A = Accessory Use    — = Not permitted							
<b>Accessory Uses</b>							
Accessory home occupations	A	A	A	A	A	A	Subject to conditions in Section 1802 1102.
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 11803
Garage and Yard Sales	A	A	—	—	—	—	Subject to conditions in Section 1158.
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	—
<del>State-licensed residential child and adult care facilities</del>	—	—	—	—	—	—	—
Adult/child family day care homes	P	P	P	P	—	—	Subject to the conditions in Section 1155.section 1861
Adult/child group day care homes	SL-PC	SL-PC	SL-PC	SL-PC	—	—	Subject to the conditions in Section 1155.section 1861
Adult/child day care center + preschools	SL-PC	SL-PC	SL-PC	SL-PC	—	—	Subject to the conditions in Section 1155. section 1861. Accessory to an allowed non-residential use in the R-1 to R-5 zoning districts

Residential Districts Use Table	R-1 to R-53	R-4 to R-5	RM-1 and RM-2 RM-ID to RM-MD	RM- HDS3 and RM-4	RM-5 AG	MHP	Notes
P = Permitted Use SL-PC = Special <del>Conditional</del> Use <u>Planning Commission Approval</u> SL-TB = Special Use <u>Township Board Approval</u> A = Accessory Use      — = Not permitted							
Adult and child foster care family home	P-	P	P	P	—	—	Subject to the conditions in Section 1155. section 1861
Adult foster care, small group home	SL-PC	SL-PC	SL-PC	SL-PC	—	—	Subject to the conditions in Section 1155. section 1861
Adult foster care, large group home	—	—	SL-PC	SL-PC	—	—	Subject to the conditions in Section 1155. section 1861
Adult foster care congregate facility	—	—	SL-PC	SL-PC	—	—	Subject to the conditions in section 1861 Section 1155.
Child foster care family group home	SL-PC	SL-PC	SL-PC	SL-PC	—	—	Subject to the conditions in Section 1155. section 1861
Senior Assisted and Independent Living	P	P	P	P	SL-PC	—	Subject to conditions in section 1160.
<b>Agricultural</b>	-	-	-	-	—	-	
Farm operation	P	—	—	—	P	—	Five-acre minimum lot size Subject to conditions in section 1804
Community supported agriculture	—	—	—	—	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

Residential Districts Use Table	R-1 to R-53	R-4 to R-5	RM-1 and RM-2 RM-ID to RM-MD	RM- HDS3 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							
Farms with agricultural commercial and tourism sales and entertainment facilities	—S	—	—	—	SL-TB—	—	Subject to conditions in Section 1149.855
Institutional farms	S	—	—	—	—	—	Subject to conditions in section 1814
Private stables	A	—	—	—	—A	—	Subject to conditions in section 1810Section 1109.
Public riding and/or boarding stables	—P	—	—	—	—P	—	Subject to conditions in Section 1108.section 1809
Commercial kennel/pet day care	-	-	-	-	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 1811Section 1140.
Artisan food and beverage production	-	-	-	-	SL-PC	-	Subject to conditions in Section 1159.
Tasting rooms for vineyards, distilleries, or micro-breweries on farm operations	—	—	—	—	SL-PC	—	Subject to conditions in Section XX.XXSection 1149.
Farmers markets	—	—	—	—	SL-PC	—	
Large solar generation facility on a farm operation	—	—	—	—	SL-PC	—	Subject to conditions in Section 807, Solar energy systems.
<b>Lodging</b>							

Residential Districts Use Table	<b>R-1 to R-53</b>	<b>R-4 to R-5</b>	<b>RM-1 and RM-2 RM-ID to RM-MD</b>	<b>RM- HDS3 and RM-4</b>	<b>RM-5 AG</b>	<b>MHP</b>	<b>Notes</b>
P = Permitted Use SL-PC = Special <del>Conditional</del> Use <u>Planning Commission Approval</u> SL-TB = <u>Special Use Township Board Approval</u> A = Accessory Use      — = Not permitted							
Bed and breakfasts operations	<u>SL-PC</u>	<u>SL-PC</u>	—	—	—	—	Subject to conditions in <u>section 1808</u> <u>Section 1107</u>
<b>Civic/Institutional</b>							
Publicly owned and operated libraries	<u>SL-PCP</u>	<u>SL-PC</u>	P	P	—	P	
<u>Cemeteries</u>	<u>SL-PC</u>	<u>SL-PC</u>	—	—	—	—	Subject to conditions <u>in Section 1111.</u>
Houses of worship	<u>SL-PC</u>	<u>SL-PC</u>	P	P	—	P	
Public, parochial and other private elementary schools offering courses in general education, and not operated for profit. <u>Primary schools</u>	<u>PSL-PC</u>	<u>SL-PC</u>	—	—	—	—	
Public, parochial and private intermediate and/or <u>s</u> Secondary schools offering courses in general education, not operated for profit.	<u>SL-PC</u>	<u>SL-PC</u>	P	P	—	—	<u>Access must</u> comply with regulations in section <u>2118</u>
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	<u>SL-PC</u>	<u>SL-PC</u>	<u>SL-PC</u>	<u>SL-PC</u>	<u>SL-PC</u>	<u>SL-PC</u>	

Residential Districts Use Table	R-1 to R-53	R-4 to R-5	RM-1 and RM-2 RM-ID to RM-MD	RM- HDS3 and RM-4	RM-5 AG	MHP	Notes
P = Permitted Use SL-PC = Special <del>Conditional</del> Use Planning Commission Approval    SL-TB = Special Use Township Board Approval A = Accessory Use    — = Not permitted							
the district in order to serve the immediate vicinity.							
<b>Recreation</b>							
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 Section 1105 section 1806 and footnote 4 in the schedule of regulations
Institutional or community recreation centers and nonprofit swimming pool clubs	<u>SL-PCP</u>	<u>SL-PC</u>	P	<u>P</u>	<u>P</u>	P	Subject to conditions in section 1805Section 1104
Community buildings for use by the tenants of the mobile home park as well as recreation areas and playgrounds	—	<u>—</u>	—	—	—	P	
Private or public recreation vehicle campgrounds	—	<u>P*</u>	—	—	—	—	*Principal use in R-4 only. Subject to conditions in section 1852 Subject to conditions in Section 1146.
<b>Other</b>							
<del>One office building to be used exclusively for conducting the</del>	—	<u>—</u>	—	—	—	P	

Residential Districts Use Table	R-1 to R-53	R-4 to R-5	RM-1 and RM-2 RM-ID to RM-MD	RM- HDS3 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							
business operation of the mobile home park							
Utility buildings for laundry facilities and auxiliary storage space for mobile home tenants	—	—	—	—	—	P	
Storage of recreation vehicles	—	—	—	—	—	P	Subject to conditions in Section 1147. section 1853
<u>Incidental Sales and Services</u>	=	=	A	A	=	=	Subject to conditions in Section 1132.
<u>Keeping of more than four (4) dogs in one-family residential districts</u>	P	P	—	—	P	—	Subject to conditions in Section 1113.
Wireless communication towers and antennas	See section 1850Section 1144.						

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.
  - 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 distri

<b>Office and Business Districts Use Table</b>	<b><u>NB</u></b>	<b><u>GB</u></b>	<b>Notes</b>
P = Permitted Use    SL-PC = Special Use Planning Commission Approval SL-TB = Special Use Township Board Approval    A = Accessory Use    — = Not permitted			
<b>Retail and Services</b>			
Retail	— P	— P	
<u>With drive-through or drive-in facilities</u>	<u>SL-PCP</u> —	<u>SL-PCP</u> —	Subject to conditions in Section <u>1118.823</u>
Antique businesses	P	P	Pawnbrokers, secondhand dealers and junk dealers are not included in this use
Secondhand apparel businesses	P	P	Pawnbrokers, secondhand dealers, and junk dealers are not included in this use
<u>Coin Laundry</u>		P	
<u>Commercial kennel/Pet Day Care</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
<u>Mortuary establishments/Mortuaries/Ffuneral Homes</u>	<u>SL-PC</u>	<u>SL-PC</u>	Subject to conditions in Section <u>1115.818</u>
Personal service establishments	P P	P P	Up to 15,000 square feet in size
Adult/child day care center + preschools	P	P	Subject to the conditions in Section <u>1155.861</u>
Smoking lounges	<u>-P</u>	<u>PSL-PC</u>	Subject to the conditions in Section <u>1131.836</u>
Veterinary clinics	<u>-P</u>	<u>SL-PCP</u>	Subject to conditions in Section <u>1116.820</u>
Veterinary hospitals	<u>-P</u>	<u>SL-PCP</u>	Subject to conditions in Section <u>1117.821</u>

<b>Office and Business Districts Use Table</b>	<b><u>NB</u></b>	<b><u>GB</u></b>	<b>Notes</b>
P = Permitted Use    SL-PC = Special Use Planning Commission Approval SL-TB = Special Use Township Board Approval    A = Accessory Use    — = Not permitted			
Temporary sidewalk, outdoor and tent sales for principal use	A	<u>A</u>	Subject to conditions in Section <b>1128.832</b>
Temporary sales unrelated to principal use	A	— A	Temporary use subject to approval by the Zoning Board of Appeals. See Section <b>2404.3.f Appeals per Section 1704.4.B</b>
Tattoo parlor		P	
<b>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.</b>	<u>—S</u>	<u>SL-PC S</u>	Subject to conditions in Section <b>1125.828</b>
<b>Open air business Outdoor storage or display of merchandise, goods or items associated with a permitted use</b>	<u>S</u> —	<u>SL-PC</u> —	Subject to conditions in Section <b>1119.1824</b>
Banks, credit unions, savings and loan establishments, and similar financial institutions	P	P	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 <b>1118.823</b>
	<u>P—SL-PC</u>	<u>PSL-PC</u>	With drivethrough, subject to conditions in Section <b>1118.823</b>
Medical offices	P	P	Medical offices up to 15,000 square feet in size
	<u>P—SL-PC</u>	<u>PSL-PC</u>	Medical offices over 15,000 square feet in size
Medical clinics	<u>—</u> <u>—</u>	<u>P</u>	



<b>Office and Business Districts Use Table</b>	<b><u>NB</u></b>	<b><u>GB</u></b>	<b>Notes</b>
P = Permitted Use    SL-PC = Special Use Planning Commission Approval SL-TB = Special Use Township Board Approval    A = Accessory Use    — = Not permitted			
<u>Massage therapy</u>		P	<u>Subject to conditions in Section 1140</u>
Urgent care facilities	--	P	
Office buildings and uses	<u>PSSL-PC</u>	<u>PSL-PCS</u>	<u>Offices up to 15,000 square feet in size</u>
	--	<u>PSL-PC</u>	<u>Offices over 15,000 square feet in size</u>
Restaurants	P	P	SCU is subject to conditions in section 1822
<u>Drive-through restaurants</u>	<u>P—SL-PC</u>	<u>PSL-PC</u>	Subject to conditions in Section <u>1118.823</u>
<u>Outdoor or sidewalk cafes</u>	— A	— A	Accessory use to existing restaurant, subject to conditions in Section <u>1120.825</u>
Hotels	--	<u>SL-PCSL-PC</u>	<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	—	<u>SL-PC-SL-PC</u>	Subject to conditions in Section <u>1122.827</u>
<b><u>Civic/Institutional</u></b>			
Houses of worship	<u>SL-PC</u>	<u>SL-PC</u>	
<u>Public/government buildings</u>	<u>SP</u>	<u>SP</u>	
<u>Public utility buildings, without storage yards; water and sewage</u>	—	—	Water and sewage pumping stations are excluded in the OS-1 and B-1 districts.

<del>Office and Business Districts Use Table</del>	<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			
Business schools and colleges or private schools operated for profit	--	<u>SL-PC</u>	
<b>Recreation</b>			
<u>Arcades and similar uses</u>			<u>Subject to conditions in section 1102.8</u>
<u>Theaters, public assembly halls, concert halls or similar places of public assembly</u>	<u>P</u>	<u>PP</u>	Conducted completely within enclosed buildings.
<u>Outdoor batting cages, archery ranges, and similar uses</u>	<u>S</u>	<u>SL-PCS</u>	<u>Subject to conditions in Section 1130.835</u>
<u>Outdoor children's amusement parks, miniature golf courses, golf driving ranges, and similar uses</u>	--	<u>SL-PC</u>	<u>Subject to conditions in Section 1130.834</u>
<u>Small group or one-on-one exercise studios</u>	P	P	
<u>Health clubs, fitness Fitness, gymnastics, and exercise centers, gyms and aerobic clubs, health and fitness centers</u>	<u>P</u>	<u>PSL-PC</u>	
<u>Indoor recreational facility, including bowling alley, archery range, tennis/racquet ball court, skating rink, athletic field, swimming pool, and other similar uses</u>	<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
<b>Automotive/Transportation</b>			
<u>Automobile carVehicle wash, automatic or self-service</u>	P	<u>SL-PC</u>	<u>Subject to conditions in Section 1129.833</u>
<u>Bus passenger stations</u>	<u>A</u>	A	
<u>Gasoline serviceVehicle fueling/multi-use station with or without minor repair and sale of incidental minor accessories or convenience items.</u>	<u>SL-PCP</u>	<u>SL-PCP</u>	<u>Subject to the conditions in Section 1126.829</u>

<b>Office and Business Districts Use Table</b>	<b><u>NB</u></b>	<b><u>GB</u></b>	<b>Notes</b>
P = Permitted Use <u>SL-PC</u> = Special Use Planning Commission Approval <u>SL-TB</u> = Special Use Township Board Approval    A = Accessory Use    — = Not permitted			
Minor automotive repair businesses	<u>SSL-PC</u>	<u>SSL-PC</u>	Subject to conditions in [section] <u>1127.830</u>
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] <u>1121826</u>
Off-street parking lots as primary use	A	A	Subject to conditions in section <u>1202.</u>
Railroad lines, rail spurs, and similar rail transport access facilities	<u>P</u>	<u>P</u>	Subject to conditions in Section <u>1145.851</u>
Towing services without an impound or storage yard, taxi terminals and dispatch facilities, limousine services, and bus depots	—	—	Subject to conditions in Section <u>1156.862</u>
<b>Accessory Uses</b>			
Accessory buildings and uses customarily incident to any permitted use in this table	A	A	
<u>Incidental Sales and Services</u>	—	A	Subject to conditions in Section <u>1132</u>
<b>Other</b>			
<u>Wireless communication towers and antennas</u>	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.
  - 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.

<b>Town Center Districts Use Table</b>	<b>TC-1</b>	<b>TC-2</b>	<b>TC-3</b>	<b>TC-4</b>	<b>TC-5</b>	<b>Notes</b>
<b>P = Permitted Use    S = Special Conditional Use    A = Accessory Use    — = Not permitted</b>						
<b><u>Residential Uses</u></b>						
<u>Detached single-family residential</u>		P	P	P		Subject to regulations in section 1801
<u>Two-family residential with individual entrances and garages</u>		P		P		
<u>Attached single-family residential/townhouses with individual entrances and garages</u>		P		P		
<u>Residential dwellings on upper floors within mixed-use buildings</u>		P	P			
<u>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</u>		P	P	S		
<u>Senior assisted living</u>		P	P	P		
<u>Nursing homes</u>		P	P	S	P	
<b><u>Accessory Uses</u></b>						

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	
<b>Retail and Services</b>						
Retail establishments within an enclosed building	P	P	P			Floor area 30,000 sq. ft. or less
	-	-	-			Floor area above 30,000 sq. ft.
	S	S	S			
	-	-	-	-		
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	-	-			
Personal service establishments such as barber/beauty shops dry cleaning	P	P	P			

<del>drop-off stations, shoe repair shops and tailoring</del>						
<b>Lodging and Restaurants</b>						
<del>Restaurants, taverns, bars, delicatessen, food carryout, and similar establishments serving food or beverages, including sidewalk cafes, but excluding drive- through</del>	P	P	P			Sidewalk cafes are subject to conditio ns in section 1825
<del>Drive-through restaurants</del>	S					
<del>Hotels</del>	P	P	P			
<del>Bed and breakfast inns</del>	P	P	P	S		
<del>Banquet halls</del>	S	S	S	S	S	
<b>Office and Financial</b>						
<del>Banks with up to three drive-through teller lanes</del>	P	S	S			
<del>Medical offices, clinics and hospitals</del>	P	P	P			
<del>Professional offices</del>	P	P	P			
<del>Real estate, insurance and investment brokers</del>	P	P	P			
<del>Research and development, including laboratories, prototype</del>	S					

<del>—development and testing facilities</del>						
Veterinary hospital, small animal	S	S	S			
<b>Recreation</b>						
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			
<del>Indoor recreation such as bowling alleys, racket ball courts, skating rinks and swimming pools</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>S</del>	<del>P</del>	
Parks, common greens, plazas, public gathering places and open space	P	P	P	P	P	
<b>Civic</b>						
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/county offices, public museums, libraries and community centers	P	P	P		P	

<b>Essential public services</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	
<b>Other</b>						
<b>Wireless communication towers and antennas</b>	<b>See section 1850</b>					

**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**

<b>Industrial Districts Use Table</b>	<b>I-T</b>	<b>L-M</b>	<b>ICR-C</b>	<b>Notes</b>
<b>P = Permitted Use    SL-PC = Special Use Planning Commission Approval</b>				
<b>SL-TB = Special Use Township Board Approval    A = Accessory Use    -- = Not permitted</b>				
<b>Industrial Uses</b>				
Blast furnace, steel furnace, blooming, or rolling mill		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
Central dry-cleaning plant, service to more than one facility	P	P		--
<u>Crematorium</u>			S	<u>Subject to conditions in Section 115</u>



Industrial Districts Use Table	I-T	L-M	<u>ICR-C</u>	Notes
<b>P = Permitted Use    SL-PC = Special Use Planning Commission Approval</b> <b>SL-TB = Special Use Township Board Approval    A = Accessory Use    — = Not permitted</b>				
Garbage, refuse, and rubbish transfer stations		P	P	Subject to conditions in Section <u>1152.1858</u>
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 <u>1842 1137</u> and Article V, <u>Junkyards and automobile dismantling, of Chapter 22 of the Charter Township of Ypsilanti Code of Ordinances Charter Township of Ypsilanti</u>
Lumber and <u>planin35laningg</u> mills	—	<u>SL-PC</u>	<u>SL-PC</u>	<u>—</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 <u>IROH</u> , must be in enclosed building
Manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas	<u>SL-PCP</u>	P		In <u>I-TRO</u> , must be in enclosed building

Industrial Districts Use Table	IT	L-M	ICR-C	Notes
<b>P = Permitted Use    SL-PC = Special Use Planning Commission Approval</b> <b>SL-TB = Special Use Township Board Approval    A = Accessory Use    — = Not permitted</b>				
Manufacture or assembly of electrical appliances, electronic instruments and devices, radios, and phonographs	<u>P SL-PC</u>	P		In <del>ITRO</del> , 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 <del>planin36lanningg</del> mills), and yarns.	<u>SL-PC</u>	P	— — —	In <del>ITRO</del> , 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	<u>SL-PC</u>	P	— —	In <del>ITRO</del> , must be in enclosed building
Metal plating, buffing, and polishing	<u>SL-PC</u>	<u>SL-PC</u>	— <u>SL-PC</u>	Subject to appropriate measures to control the type of process to prevent noxious results and/or nuisances
<u>Mini-warehousesSelf-Storage Facilities and storage buildings for lease to the public</u>	<u>SL-PC</u>	<u>SL-PC</u>		Subject to conditions in Section <del>1839</del> <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
Sand and gravel extraction		P		Subject to conditions in Section <u>1148.854</u>

Industrial Districts Use Table	I-T	I-M	<u>ICR-C</u>	Notes
<b>P = Permitted Use    SL-PC = Special Use Planning Commission Approval</b> <b>SL-TB = Special Use Township Board Approval    A = Accessory Use    — = Not permitted</b>				
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	
<u>Storage facilities for building materials, sand, gravel, stone, lumber, storage of contractor's equipment and suppliesOutdoor 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>	<u>PSL-PC</u>	<u>SL-PC</u>	Subject to condition is Section <u>1119</u> .
Warehouses and storage	P	P		
Uses which have an industrial character in terms of either their outdoor storage requirements or activities such as, but not	<u>SL-PC</u>	<u>SL-PC</u>	<u>SL-PC</u>	

Industrial Districts Use Table	I-T	L-M	ICR-C	Notes
<b>P = Permitted Use    SL-PC = Special Use Planning Commission Approval</b> <b>SL-TB = Special Use Township Board Approval    A = Accessory Use    — = Not permitted</b>				
limited to: lumberyard, building materials outlet, upholsterer, cabinetmaker, outdoor boat, house trailer, automobile garage, or agricultural implement sales				
Laboratories, experimental, film, or testing	<u>SL-PCP</u>	P		In <u>IF IRO</u> , 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 <u>ITRO</u> , must be in enclosed building
<b>Agricultural</b>				
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>	-	-	
<b>Office and Financial</b>				
Office buildings	P			
Data processing and computer centers, including service and maintenance of electronic data processing equipment	P		—	
<b>Retail and Services</b>				
<u>Adult entertainment facilities</u> <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>		—	
Commercial kennels/ <u>pet day care</u>	P	P	—	<u>Subject to conditions in Section 1161</u>

Industrial Districts Use Table	I-T	I-M	<u>ICR-C</u>	Notes
<b>P = Permitted Use    SL-PC = Special Use Planning Commission Approval</b>				
<b>SL-TB = Special Use Township Board Approval    A = Accessory Use    — = Not permitted</b>				
<u>Massage therapy establishment</u>			<u>SL-PC</u>	Subject to conditions in Section <u>1140.845</u>
<u>Medical marihuana dispensaries and medical marihuana nurseries</u>	<u>SL-PC</u>	<u>SL-PC</u>	—	Subject to conditions in Section <u>.841</u>
<u>Pawnbroker, secondhand dealer, and junk dealer facilities</u>			<u>SL-PC</u>	Subject to conditions in Section <u>1141.846</u>
<u>Incidental Sales and Services</u>	A	A	— A	Subject to conditions in Section <u>1132</u>
<u>Personal service establishments</u>	A		—	Permitted as accessory use only in <u>HIRO</u> , subject to conditions in section <u>1837</u>
<u>Retail</u>	<u>SL-PC</u>		—	Such uses shall comprise not more than 20 percent of the land area of an overall development., subject to conditions in section <u>1837</u>
<u>Tattoo facilities parlor</u>			<u>SL-PC</u>	Subject to conditions in section <u>1847</u>
<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	
<u>Secure Transporter</u>			P	

Industrial Districts Use Table	I-T	L-M	ICR-C	Notes
<b>P = Permitted Use    SL-PC = Special Use Planning Commission Approval</b>				
<b>SL-TB = Special Use Township Board Approval    A = Accessory Use    — = Not permitted</b>				
Provisioning Center			P	
Microbusiness			P	
Recreational Marihuana	—			
Class A Marijuana Grower (may grow up to one hundred (100) plants), Class B Marijuana Grower (may grow up to five hundred (500) plants), and Class C Marijuana Grower (may grow up to two thousand (2,000) plants)			P	
Processor		—	P	
Safety Compliance Facility			P	
Provisioning Center	—		P	
Secure Transporter			P	
Retailer	—		P	—
Microbusiness			P	
<b>Lodging and Restaurants</b>				
Hotels	P			Subject to condition in Section 1123.
Motels	P			Subject to conditions in Section 1122.837
Restaurants	SL-PC			Subject to conditions in Section 1822.b
<b>Civic/Institutional</b>				
Hospitals	P			
Trade or industrial schools	P	P		No outdoor storage

Industrial Districts Use Table	I-T	L-M	ICR-C	Notes
<b>P = Permitted Use    SL-PC = Special Use Planning Commission Approval</b> <b>SL-TB = Special Use Township Board Approval    A = Accessory Use    — = Not permitted</b>				
Parole or probation offices			<u>SL-PC</u>	Subject to conditions in Section <b>1143.849</b>
Public/government buildings	P			
Public utility buildings, excluding wastewater treatment plants	P	P		
Transfer and electricity and gas service buildings and yards	P	P		
Wastewater treatment plants		P	<u>SL-PC</u>	Subject to conditions in Section <b>1154.860</b>
<b>Recreation</b>				
Assembly halls, display halls, convention center, theater, or similar places of assembly	P			Conducted in completely enclosed building
Health clubs, fitness centers, gyms and aerobic clubs, health, and fitness centers	<u>SL-PC</u>	<u>SL-PC</u>		Permitted as accessory use only in <b>IRO I-T</b>
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 <b>I-TRO</b> . 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. <b>Subject to conditions in Section 1135.</b>
Lighted outdoor commercial sports centers, including baseball and other intense activities		P		Subject to conditions in Section <b>1153.859</b>
Outdoor spat ball, simulated war games, and similar activities		P		Subject to conditions in Section <b>1151.857</b>
Outdoor theaters		<u>SL-PC</u>	<u>SL-PC</u>	Subject to conditions in Section <b>1138.843</b>

<b>Industrial Districts Use Table</b>	<b>IT</b>	<b>L-M</b>	<b>ICR-C</b>	<b>Notes</b>
<b>P = Permitted Use    SL-PC = Special Use Planning Commission Approval</b>				
<b>SL-TB = Special Use Township Board Approval    A = Accessory Use    — = Not permitted</b>				
Racetracks (including midget auto and karting tracks) and dirt tracks		P		Subject to conditions in Section <b>1150.856</b>
<b>Automotive/Transportation</b>				
Airports	<u>SL-PC</u>	<u>SL-PC</u>		Subject to conditions in Section <b>1402.31133.</b>
Auto engine, and body repair, and undercoating shops	<u>SL-PC</u>			When conducted in enclosed building
Automobile mechanical component dismantling and recycling			<u>SL-PC</u>	Subject to conditions in Section <b>1142.848</b>
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 <b>1145.851</b>
<b>Accessory Uses</b>				
Accessory buildings and uses customarily incident to any permitted use in this table	A	A	A	
<b>Other</b>				
Wireless communication towers and antennas	See Section 1144.			

( Ord. No. 2018-476 , § 2, 2-20-18)



## ARTICLE 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 in 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 features 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.

**Locate the Site**

**Determine Corridor Type**

**Determine Site Type**

**Review permissible Building Forms  
and Use Groups for Site Type**

**Apply Building Form standard for applicable  
building form**

**Apply Design Standards**

**Submit site plan for  
approval**

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 Town Center 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:**

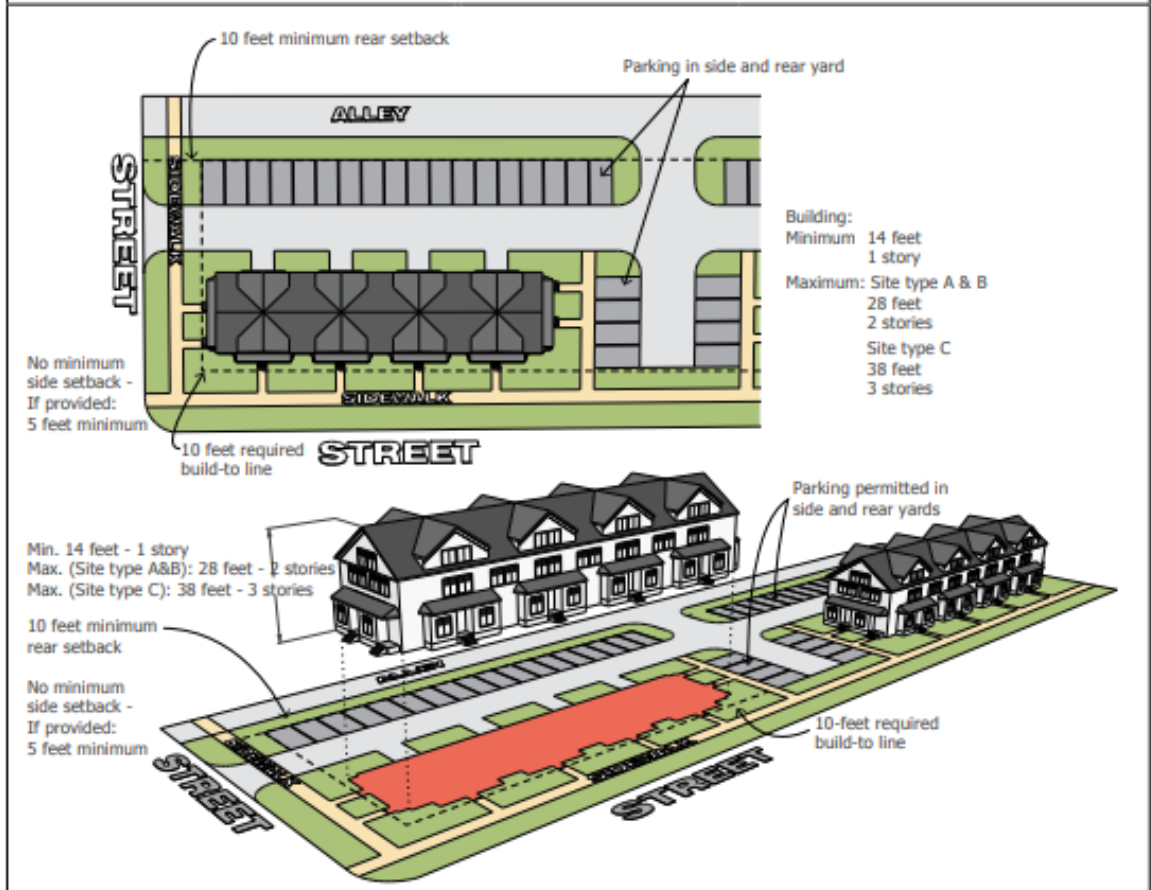
- (1) Permitted building forms:** These building forms are permitted as of right in the locations specified.
- (2) Prohibited building forms:** Building forms that are not identified as permitted in the locations specified are prohibited.

- (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 a 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

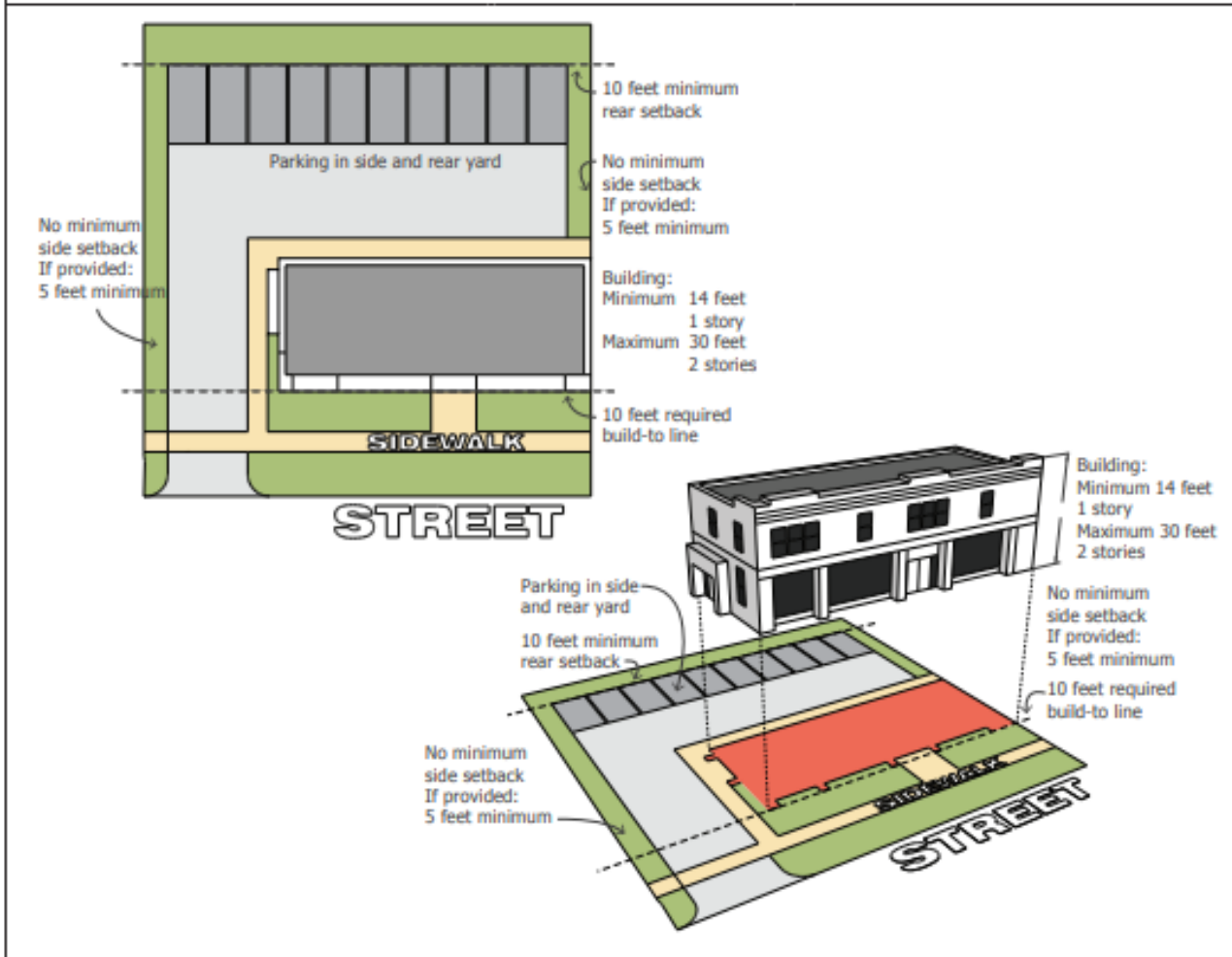
the building form. In the review of the deviation, the Planning Commission shall consider the standards set forth in Section 503.c.2.a.

<b>(2) Deviation Standards: Building Form A.1</b>	
Building Form A.1: Small, generally single-purpose buildings for residential. Typically situated on a smaller lot, adjacent to single-family residential.	
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.	
<p><sup>1</sup> The Planning Commission may adjust the required build-to line to a maximum of 50 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 space must be an integral part of the primary building and must incorporate a permanent wall or landscaping area along the required build-to line.</p>	

**4. Building Form Types:**



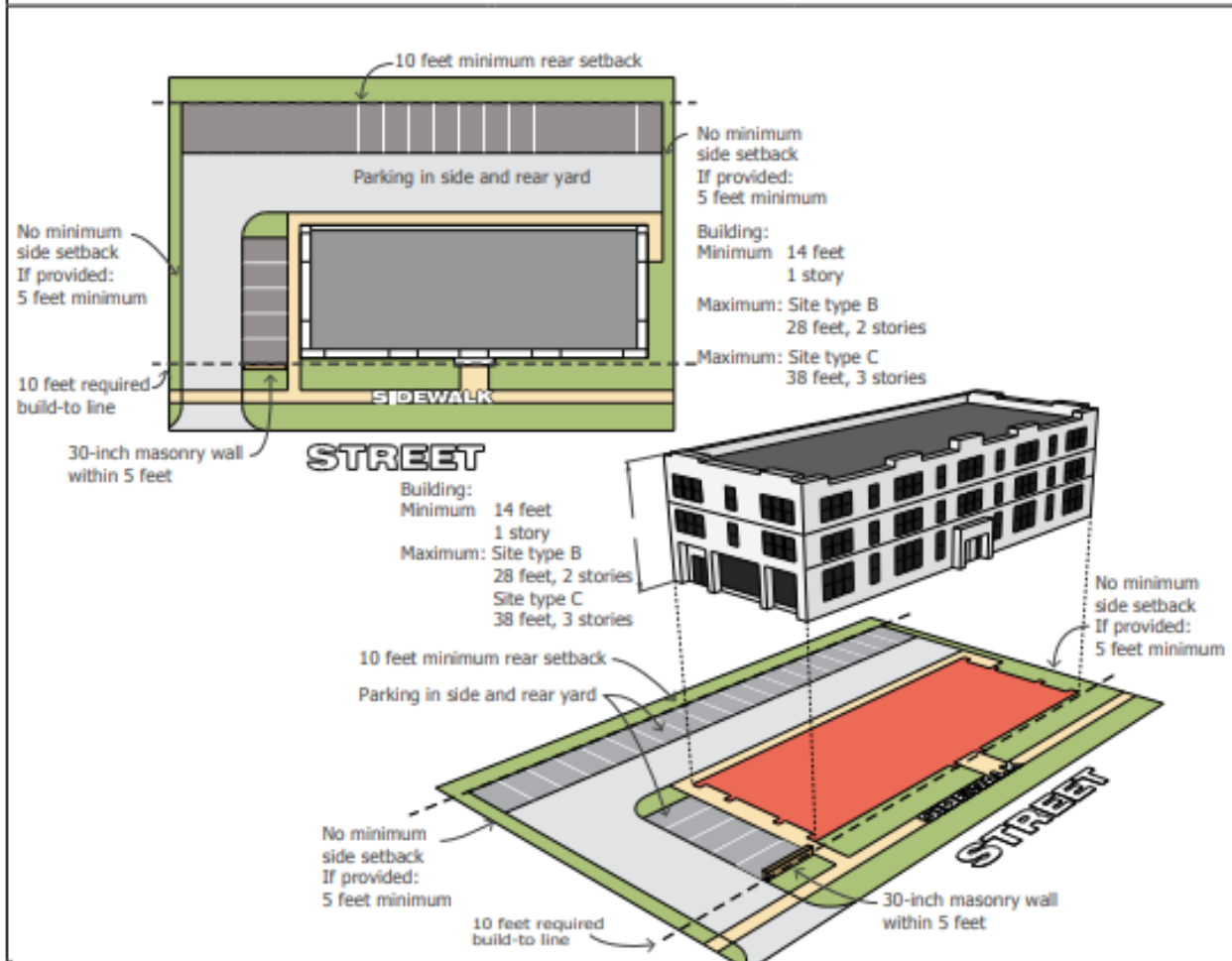
Building Form A.2		
Building Form A.2: Small, generally single-purpose buildings for retail, office, restaurant, or service uses. Typically situated on a smaller lot within the district. Adjacent to single-family residential.		
Building Height		
Minimum 1 story, 14-foot height, Maximum 2 stories, 30-foot height		
Building Placement		
<b>Front Yard:</b> 10-foot required build-to line <sup>1</sup> 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	<b>Side Yard:</b> No minimum side setback If provided, minimum 5 feet For corner lots, side street yard, minimum 5 feet.	<b>Rear Yard:</b> Minimum 10-foot rear setback
Lot		
<b>Impervious Surface:</b> Maximum 80% <b>Access and circulation:</b> Driveways may access the site from any side, pedestrian pathways must be provided from the right-of-way.	<b>Parking location:</b> 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.	
<sup>1</sup> 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.		



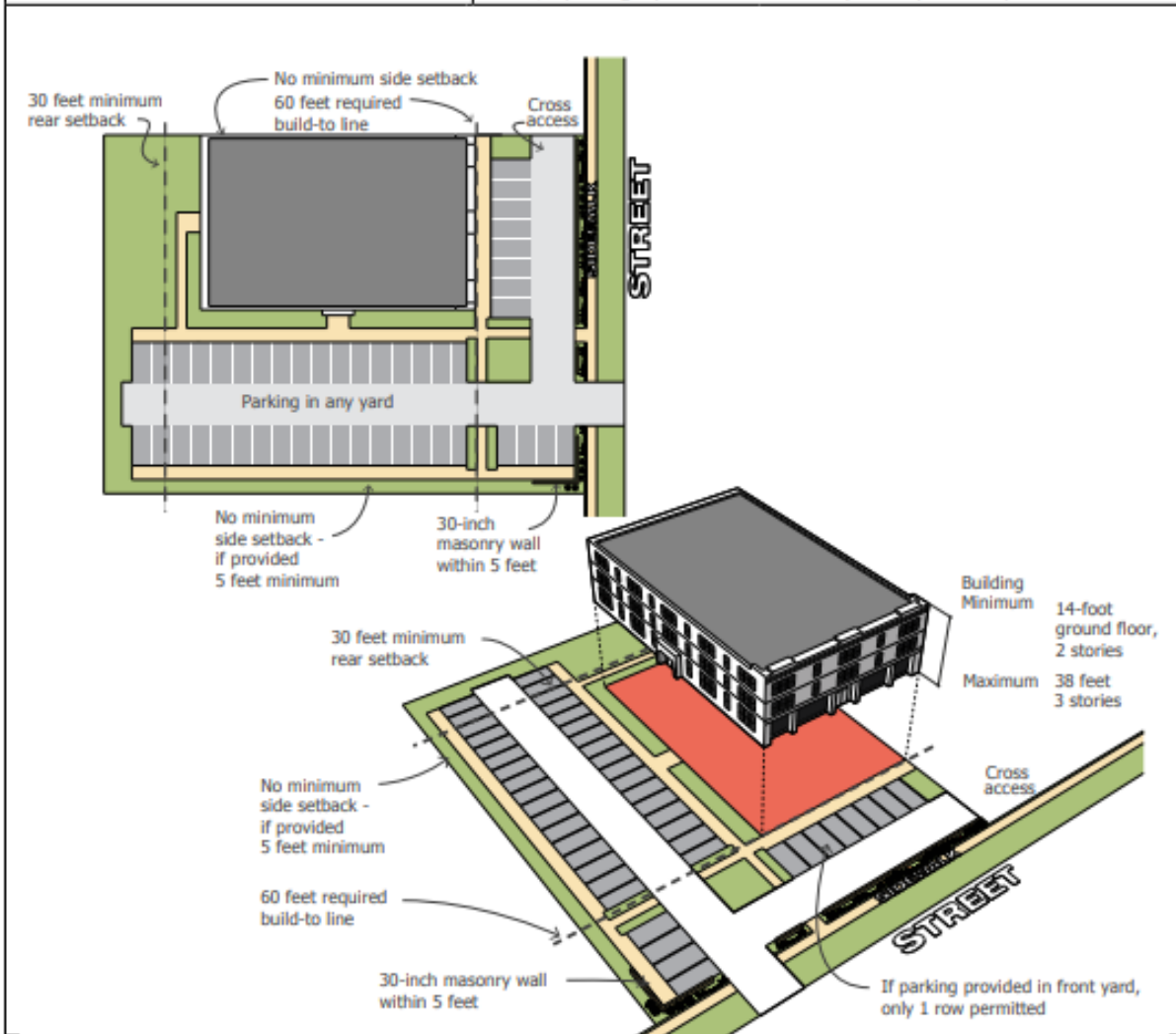


Building Form B		
Building Form B: Medium-sized, single- or multiple-purpose buildings for retail, office, restaurant, or service uses. Typically situated in an out lot of a larger classification building form, or on a smaller, more remote site location within the district.		
Building Height		
Minimum 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		
<b>Front Yard:</b> 10-foot required build-to line <sup>1</sup> 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	<b>Side Yard:</b> No minimum side setback If provided, minimum 5 feet	<b>Rear Yard:</b> Minimum 10-foot rear setback
Lot		
<b>Impervious Surface:</b> Maximum 80%	<b>Parking location:</b> 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.	
<b>Access and circulation:</b> Driveways may access the site from any side, pedestrian pathways must be provided from the right-of-way.		

<sup>1</sup> 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%	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	
Access and circulation: Driveways may access the site from any side, pedestrian pathways must be provided from the right-of-way.		

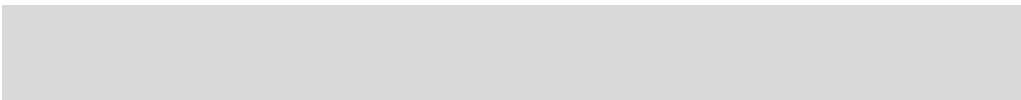
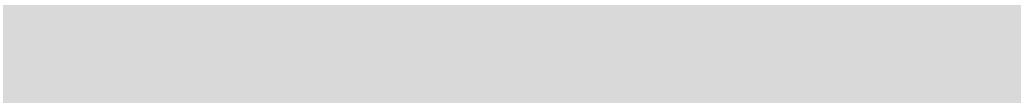


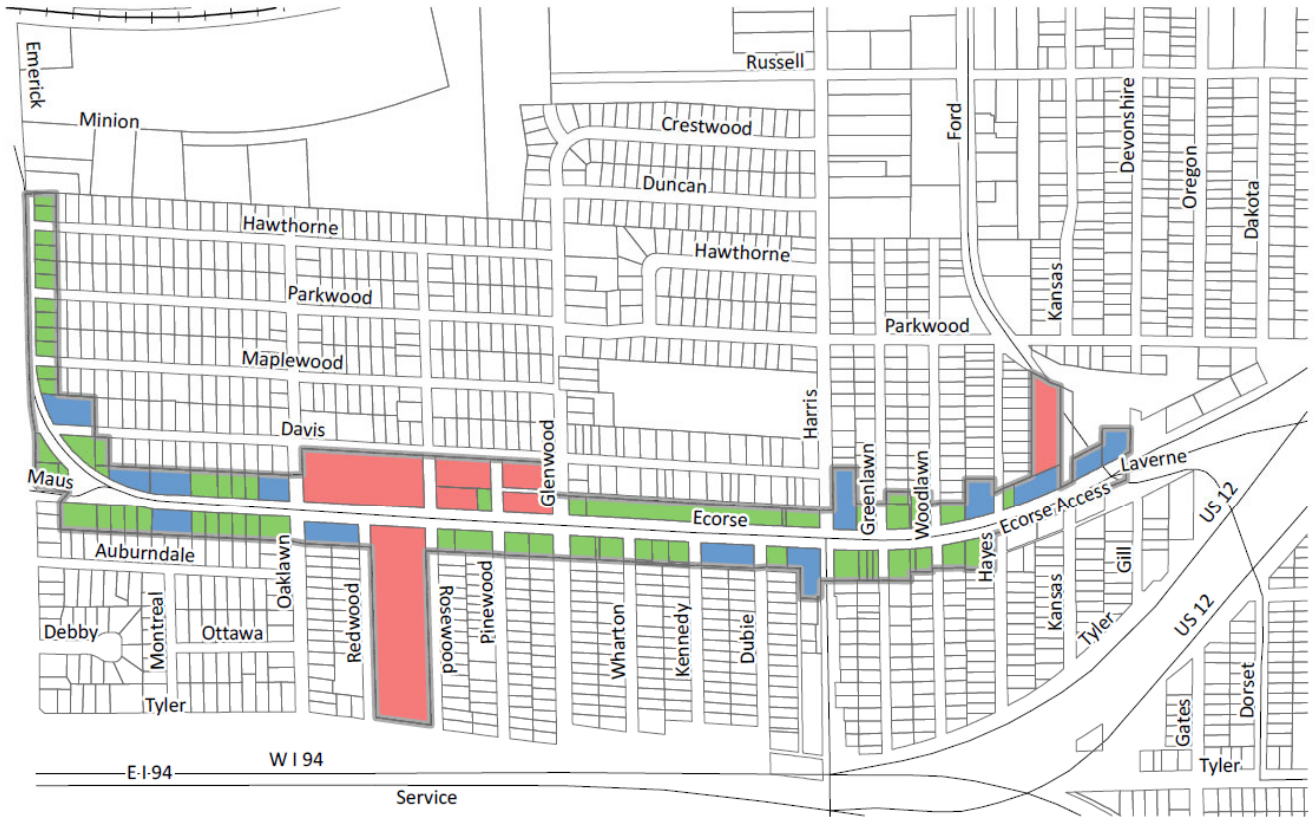
<b>Building Form D</b>		
<p>Building Form D: This category is primarily designed for attached residential, however, non-residential use may be included in the ground floor. Townhouses and urban-style residential developments that are compatible with the Master Plan identified higher-density and more urban character of this area.</p>		
<b>Building Height</b>		
<p><b>Minimum:</b> 2 stories, no minimum height, <b>Maximum:</b> 4 stories, 45-foot height, <b>Ground floor:</b> No minimum height</p>		
<b>Building Placement</b>		
<p><b>Front Yard:</b> 10-foot required build-to line<sup>1</sup> 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><b>Side Yard:</b> No minimum side setback <b>If provided,</b> minimum 5 feet.</p>	<p><b>Rear Yard:</b> Minimum 10-foot rear setback</p>
<b>Lot</b>		
<p><b>Impervious Surface:</b> Maximum 60%</p> <p><b>Access and circulation:</b> 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><b>Parking location:</b> 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><sup>1</sup> 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>		





<b>Building Form E</b>		
<p><b>Building Form E:</b> 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>		
<b>Building Height</b>		
<p><b>Rear Building:</b> Minimum 14-foot minimum ground floor; Maximum 38 feet, 3 stories</p> <p><b>Front Buildings:</b> Minimum 14-foot minimum ground floor; Maximum 30 feet, 2 stories</p>		
<b>Building Placement</b>		
<p><b>Front Yard:</b> 10-foot required build-to line<sup>1</sup></p>	<p><b>Side Yard:</b> No minimum side setback; if provided, minimum 5 feet</p>	<p><b>Rear Yard:</b> Minimum 10 feet rear setback</p>
<b>Lot</b>		
<p><b>Building Frontage:</b> Minimum 70% of lot frontage for 2-story buildings and 50% for 3-story buildings or more</p> <p><b>Impervious Surface:</b> Maximum 90%</p> <p><b>Access and circulation:</b> 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.</p> <p><b>Parking location:</b> 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>The diagrams illustrate the building placement and height requirements for Building Form E. The top diagram is a side elevation showing a rear building (left) and fronting buildings (right) along a street. Key features include: a 10-foot minimum rear setback for the rear building; a 10-foot required build-to line for the fronting buildings; a 30-inch masonry wall within 5 feet of the required build-to line; and parking in the side and rear yards. The bottom diagram is a 3D perspective view showing the same building layout from an elevated angle, highlighting the rear building height (minimum 14-foot ground floor, maximum 38 feet - 3 stories) and fronting building height (minimum 14-foot ground floor, maximum 30 feet - 2 stories). It also shows the 10-foot required build-to line, 10-foot minimum rear setback, and cross access.</p>		
<p><sup>1</sup> 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>		



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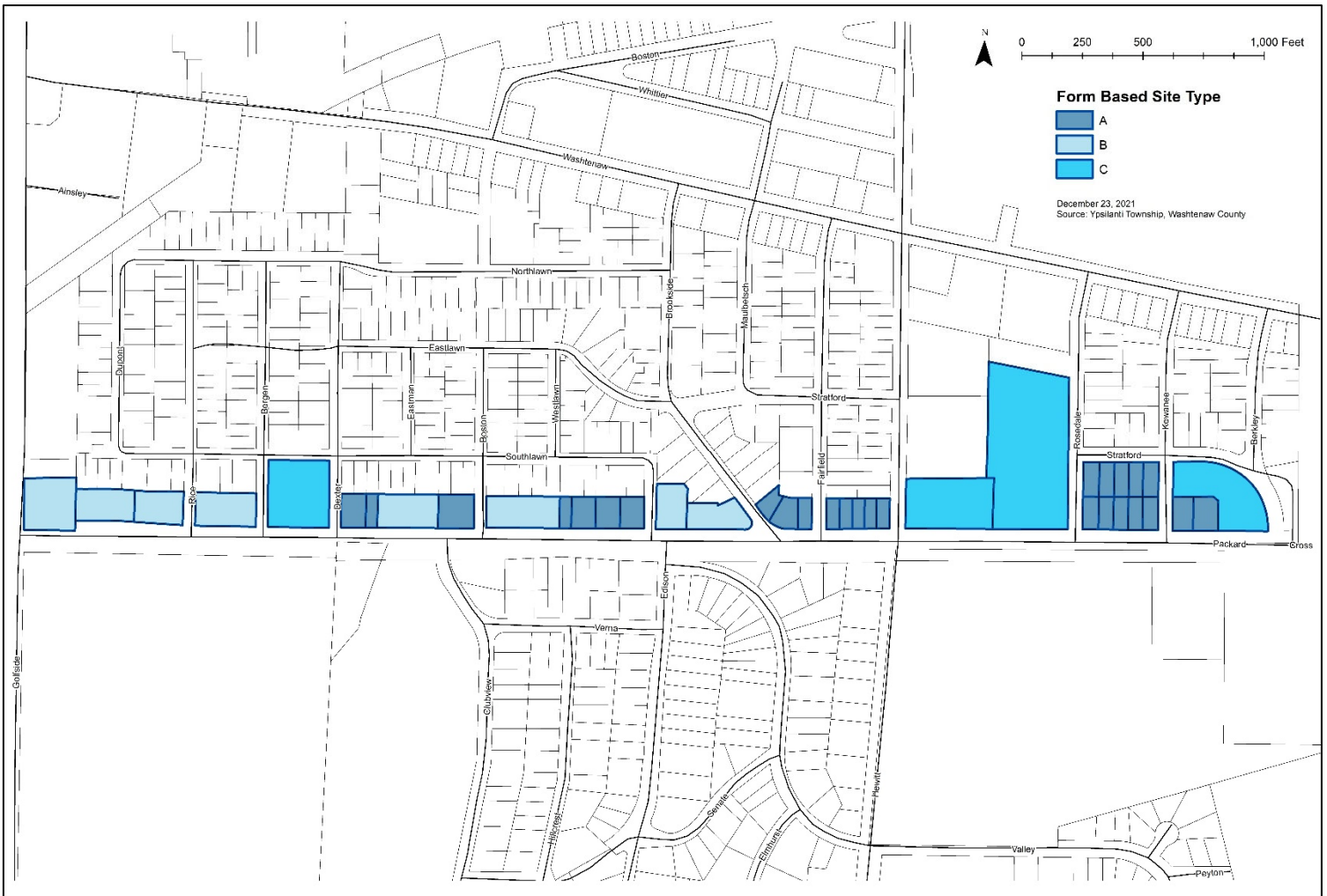




-  Ecorse Road Form-Based Boundary
-  Site type A
-  Site Type B
-  Site Type C



Article 5 – Form-Based Districts  
Revised Planning Commission Copy  
Date: Dec. 23, 2021





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Sec. 504. – Neighborhood corridors:

1. *Authorized use groups:*

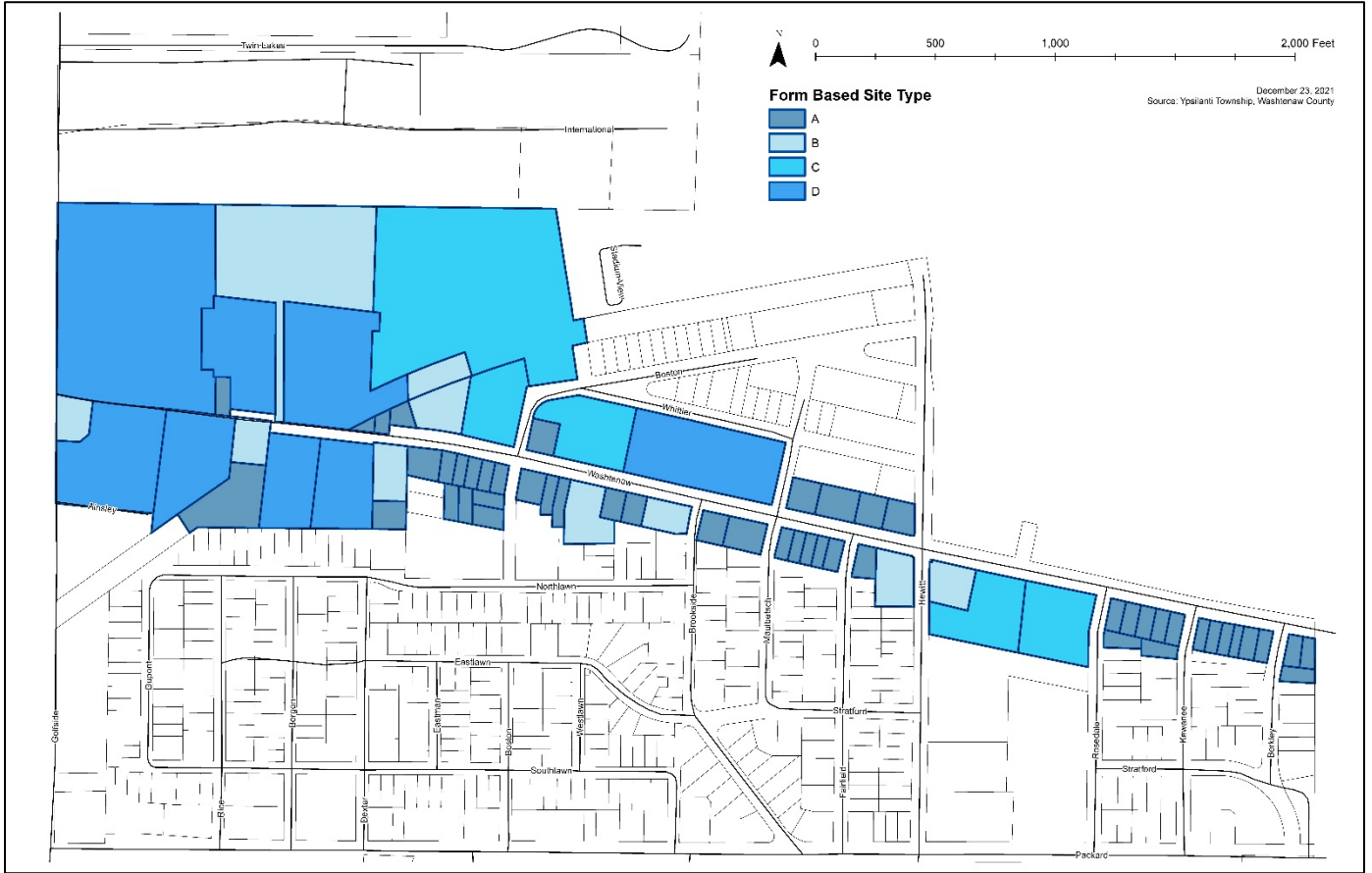
- A. Authorized uses are categorized by use groups. Use groups generally contain similar types of uses in terms of function, character, and intensity.
- B. Use groups are designated in locations within each district based on the regulating plan. Use groups are classified in the following manner:
  - (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:*

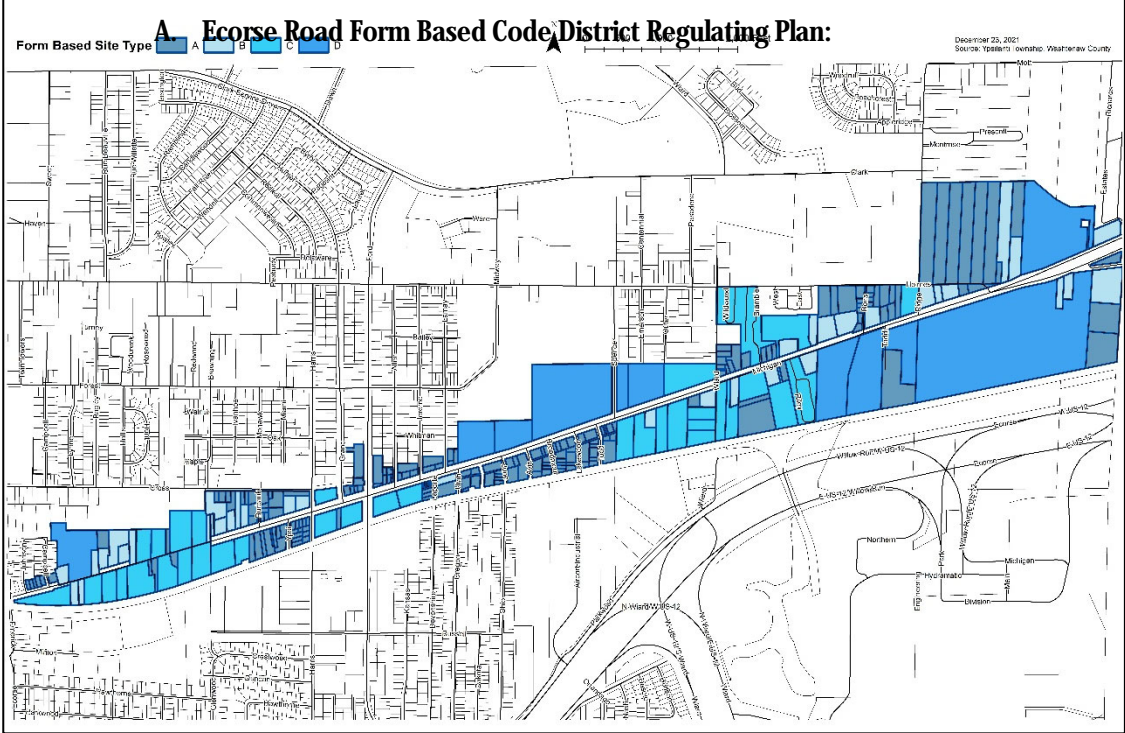
<b>Neighborhood Corridors</b>
<b>Use Group 1</b>
<b>Residential Uses:</b>
One-Family detached and attached dwellings, subject to regulations in Section 1101.
Two-Family dwellings.
<b>Use Group 2</b>
<b>Misc. Residential/Related Uses:</b>
Mixed-use. Any combination of uses located in group 1, 2, or 3, that is mixed vertically in a building or horizontal on one (1) parcel.
Multiple-Family dwellings.
Live/Work units.
Child care centers, subject to regulations in Section 1155.

Bed and breakfast operations, subject to regulations in Section 1107.
<b>Use Group 3</b>
<b>Office/Institutional:</b>
Civic buildings.
Place of worship.
Professional and medical office.
Publicly owned/operated office and service facilities.
<b>Use Group 4</b>
<b>Retail, Entertainment, and Service Uses:</b>
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.
<b>Use Group 5</b>
<b>Misc. Uses:</b>
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.
<b>Use Group 6</b>
<b>Automotive Uses:</b>
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:*



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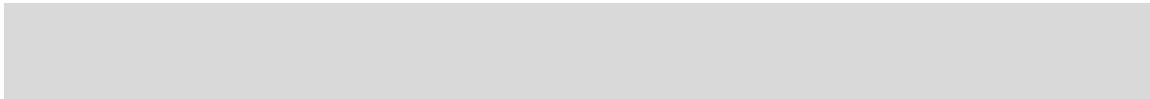
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**B. Ecorse Road Form Based Code District Regulating Plan Table:**

Site Type	Building Form		Use Group-Table	
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:**





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

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

**Sec. 505. Regional corridors:**

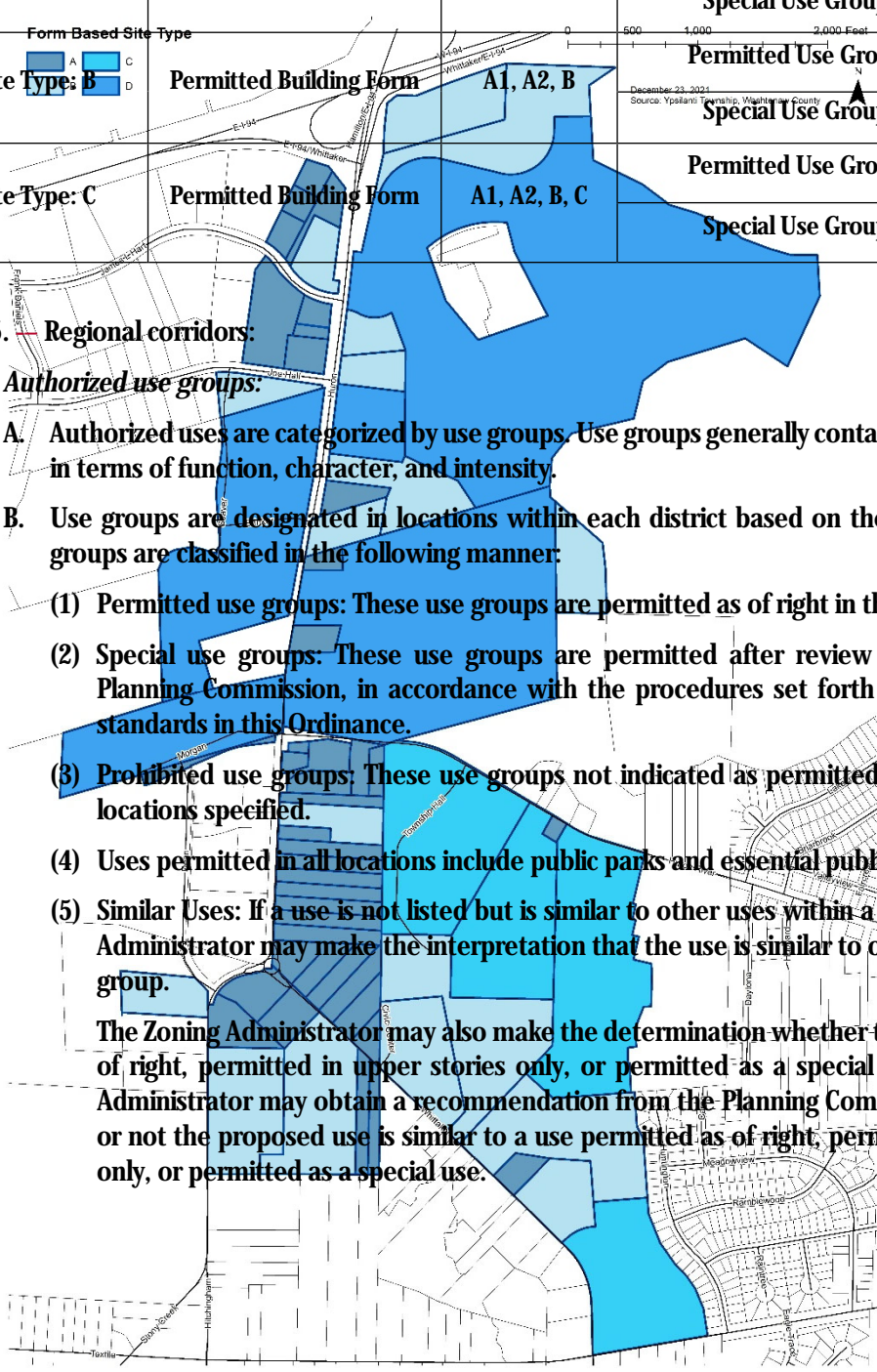
**1. Authorized use groups:**

**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:*

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



<b>Use Group 5</b> <b>Misc. Uses:</b>
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.
Outdoor commercial recreational facilities, subject to regulations in Section 1130.
<b>Use Group 6</b> <b>Automotive Uses:</b>
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.

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**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:

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

Site Type	Building Form		Use Group-Table	
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.**

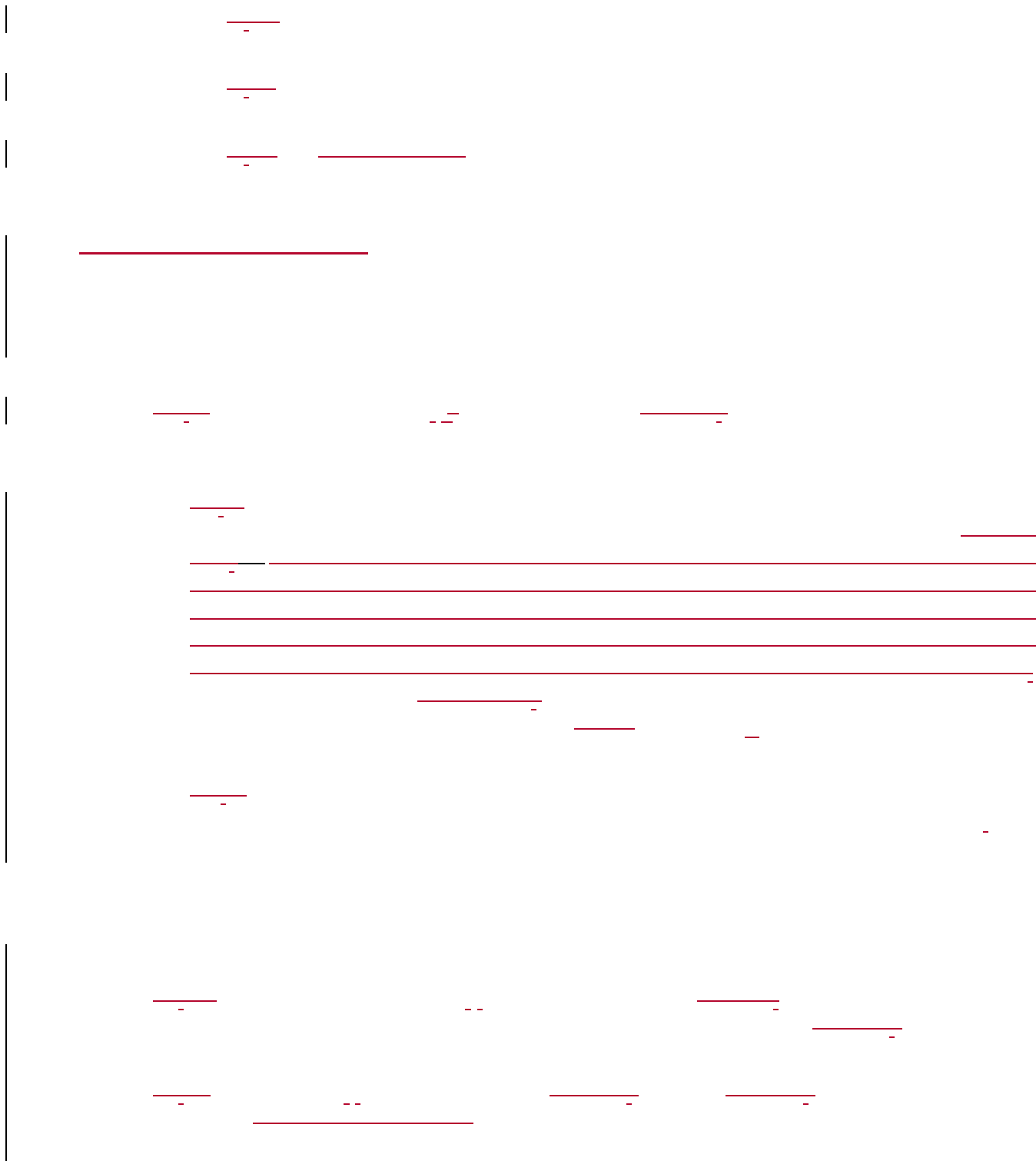
**B. Use groups are designated in locations within each district based on the regulating plan. Use groups are classified in the following manner:**

- (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:~~

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



<b>Use Group 5</b>
<b>Misc. Uses:</b>
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.
<b>Use Group 6</b>
<b>Automotive Uses:</b>
Drive-through use, subject to regulations in Section 1118.

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

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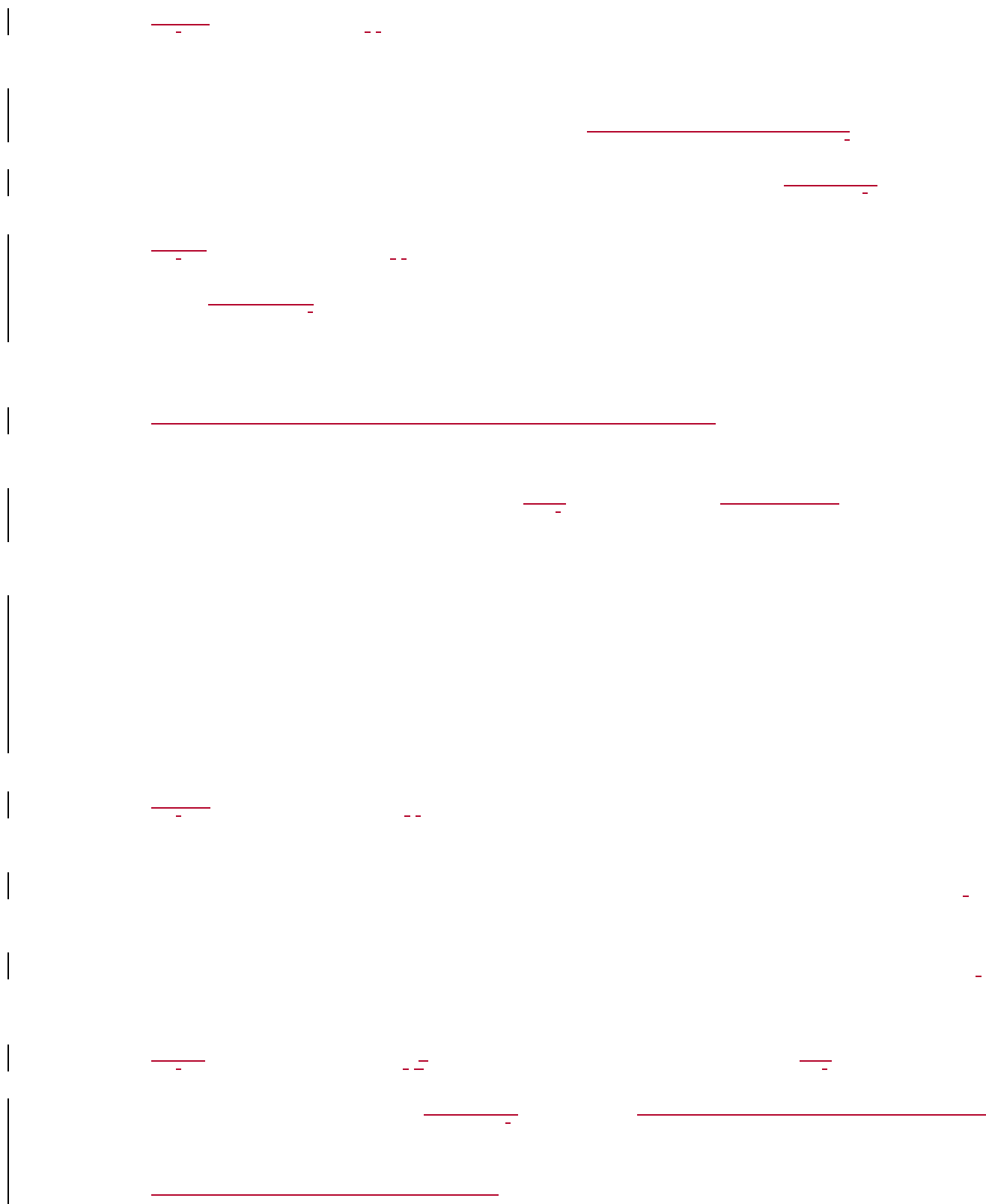
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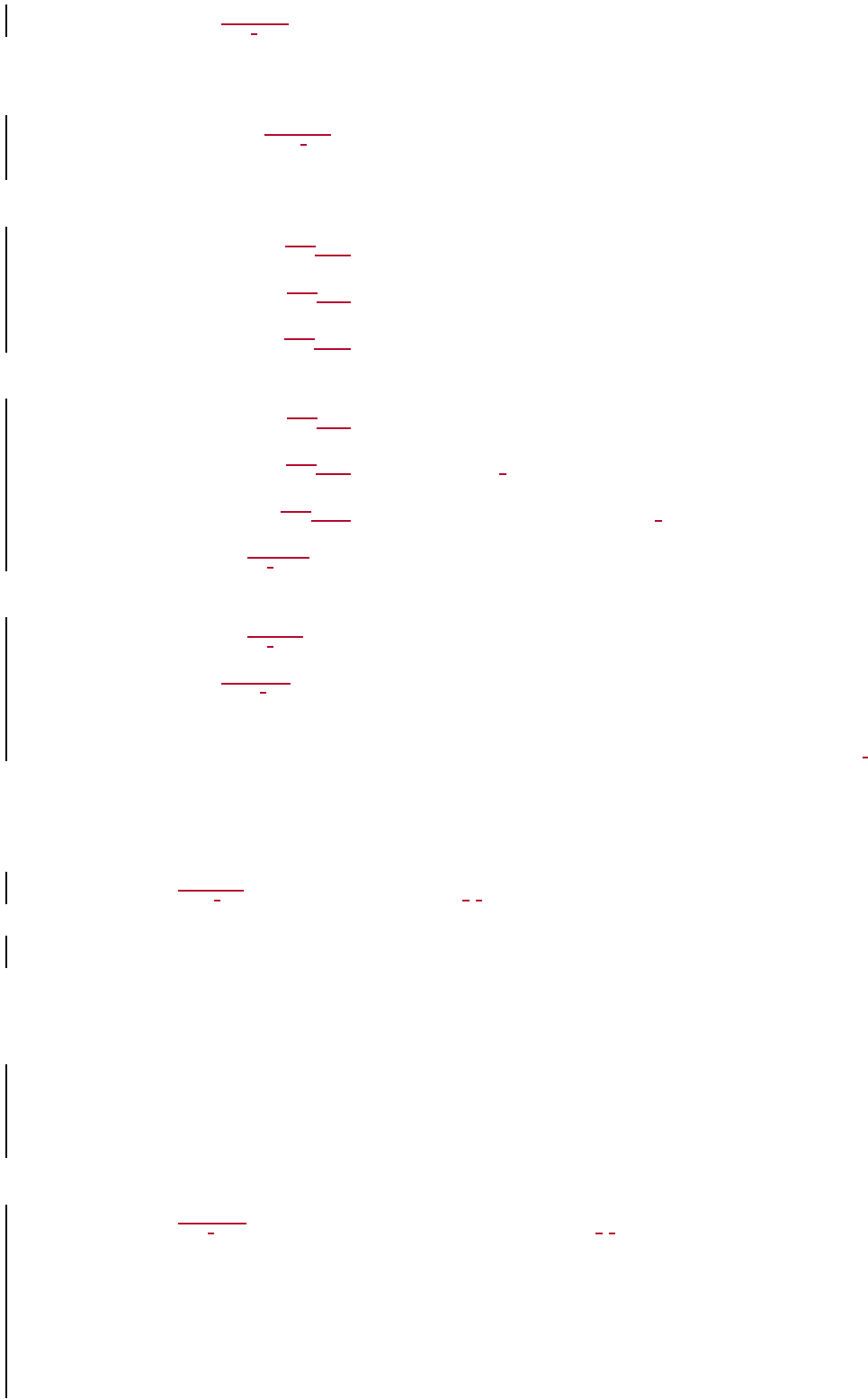
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3. *Town Center:*

A. **Town Center Form Based Code District Regulating Plan:**

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**B. Town Center 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	1, 2, 3, 4
			—
Site Type: B	Permitted Building Form	A1, A2, B	2, 3, 4
			—
Site Type: C	Permitted Building Form	A,2, B, C	2, 3, 4
			—
Site Type: D	Permitted Building Form	B, C, D, E, and A2 as outlet development	2, 3, 4
			5, 6

**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 through 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 ~~u~~Utilities. ~~S~~creening 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.

*(This section contains multiple horizontal lines for redaction or editing.)*

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**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 ~~article~~Article to offer an alternative to traditional development through the use of planned unit development legislation, as authorized by Section 16c 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) — Alloweing~~ innovation and greater flexibility in design;
  - C. ~~(3) Assureing~~ the permanent preservation of natural, social, cultural, and historic resources;
  - D. ~~(4) — Provideeing~~ 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~~;
  - 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 having 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 th 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 followingshall 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 nonregulated 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 sectionSection 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 townshipTownship 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 townshipTownship 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, plazasplazas, 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 ordinanceOrdinance, 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 townshipTownship 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 townshipTownship 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 sectionSection 2104 shall be provided and may, if deemed appropriate by the townshipTownship, require for planned developments more or less parking than that required by this ordinanceOrdinance.
- (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 townshipTownship may, if deemed appropriate, require for PDs more or less landscaping than that required by this ordinanceOrdinance.
- (11) ***Circulation.*** Vehicular and non-motorized (pedestrian) circulation, allowing safe, convenient, uncongesteduncongested, 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 ~~sixty60~~ 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 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~~ **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:~~ **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 c~~ **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 ~~the~~ 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.~~ **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 DistrictsXX, 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 dDetails 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 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 ~~and/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 townshipTownship may require the inclusion of open space restrictions that prohibit the following:

- ~~a.~~ a. Dumping or storing of any material or refuse;
- ~~b.~~ b. Activity that may cause risk of soil erosion or threaten any living plan material;
- ~~c.~~ c. Cutting or removal of live plant material except for removal of dying or diseased vegetation;
- ~~d.~~ d. Use of motorized off road vehicles;
- ~~e.~~ e. Cutting, filling, or removal of vegetation from wetland areas;
- ~~f.~~ 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 townshipTownship 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 townshipTownship after review of a site analysis plan, prepared by the applicant, that inventories these features. The PD shall comply with the townshipTownship w\_Woodlands ordinanceOrdinance, 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 high-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 pickup 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 sectionsections illustrating existing and proposed grades in relation to existing and proposed building heights. Perspective renderings from adjacent residential units are encouraged. The townshipTownship 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~~ Ordinance, ~~the township Township s~~ Subdivision r Regulations ordinance Ordinance, Appendix C of the Charter Township of Ypsilanti Code of Ordinances, and other applicable ~~township Township ordinance~~ Ordinances.

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)

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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 ordinanceOrdinances** of the **townshipTownship**. However, where warranted by overlapping or shared parking arrangements, the **townshipTownship** 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 **townshipTownship** 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 **townshipTownship** 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 **(1)** deciduous tree for every ten **(10)** parking spaces.

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

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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 townshipTownship.**
2. **(2) *Ornamental lighting:*** The **townshipTownship** may require a consistent type of pedestrian scale ornamental lighting along all streets, and sidewalks, and within any **off streetoffstreet** 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 I 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 I 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 townshipTownship 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 sectionSection 2115(6) of the zoning ordinanceOrdinance.~~
- ~~K. (k) Any additional graphics or written materials requested by the townshipTownship to assist the townshipTownship 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. (1)** 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 townshipTownship subdivision regulations ordinanceOrdinance, 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 townshipTownship officials, the townshipTownship 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 Administratorcommunity 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 I 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 commission~~**Planning Commission** shall conduct the required public hearing. The purpose of the public hearing is for the ~~planning commission~~**Planning Commission** and the applicant to receive public comment on the PD. The ~~planning commission~~**Planning 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 board~~**Township Board**.
  - (3) (c) Following the public hearing the applicant shall submit revised plans and a document which pointbypoint addresses each issue, as directed by the ~~planning commission~~**Planning Commission**.
- C. (4) *Planning commission recommendation*:- The ~~planning commission~~**Planning Commission** shall review the PD site plan in consideration of public hearing comments, technical reviews from ~~township~~**Township** staff and consultant's correspondence from applicable review agencies, and compliance with the standards of this ~~article~~**Article**, and other applicable standards of this ~~ordinance~~**Ordinance**. The ~~planning commission~~**Planning Commission** shall make a recommendation to the ~~township board~~**Township 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***Township Board** approval of PD stage I preliminary site plan and rezoning:- Following receipt of the ~~planning commission~~**Planning Commission**'s recommendation, the PD stage I 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 I 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 commissionPlanning Commission for reconsideration. The planning commissionPlanning Commission shall provide a recommendation within thirty (30) days.

- (3) (c) *Approval*:- Upon determination that a PD stage I preliminary site plan is in compliance with the standards and requirements of this ordinanceOrdinance and other applicable ordinanceOrdinances and laws, the township boardTownship Board shall approve the preliminary PD, stage I preliminary site plan and the rezoning by resolution. The PD rezoning shall be effective upon approval of the second reading of the resolution. The township boardTownship 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 I preliminary site plan that demonstrates compliance with the conditions for administrative approval by the townshipTownship Zoning Administrator, community and economic development department.
- (4) (d) *Denial*:- Upon determination that a PD stage I preliminary site plan does not comply with standards and regulations set forth in this ordinanceOrdinance, or requires extensive revision in order to comply with said standards and regulations, the township boardTownship Board shall deny the application. Resubmittal of an application which was denied shall be considered a new application.
- E. (6) *Stage I p Preliminary PD agreement*. The applicant shall submit an agreement stating the conditions upon which the PD is based, for review by the township attorneyTownship Attorney. The agreement, after review by the planning commissionPlanning Commission and approval by the township boardTownship Board, shall be entered into between the townshipTownship 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 ~~c~~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 approval~~ 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, 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 attorney**Township Attorney and approved by the **township board**Township Board.
  - B. (2) **Stage II f** Final PD agreement. As part of the application for PD **stage II** final site plan approval, the applicant shall submit an agreement stating the conditions upon which approval is based, for review by the **township attorney**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 boardTownship 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 boardTownship Board**.
- (5) (e) The PD **stage II** 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 II** final site plan approval:

- A. (1) Approval of the PD **stage II** 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 II** final site plan shall terminate and a new application for PD **stage II** final site plan must then be filed. The **one (1)** -year period for PD **stage II** final site plan approval may be extended for **one (1)** year, if applied for by the petitioner prior to the expiration and granted by the **township boardTownship Board**, based upon a recommendation by the **planning commissionPlanning 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 rightsinfee, 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 boardTownship Board**. Provisions satisfactory to the **township boardTownship 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 boardTownship 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** percent **(5%)**; or increased by **three five** percent **(5%)**, provided the overall density of units does not increase, the minimum square footage and parking requirements are ~~met~~**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** 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~~ **townshipTownship Zoning Administrator community and economic development department**.
- N. (p) Grade change of up to one **(1)** foot, reviewed by the ~~township~~**Township e** Engineer.



- 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 **ordinanceOrdinance**. 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. 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.
2. (3) *PD stage I preliminary planned developments*:. Projects that have received a recommendation by the **planning commissionPlanning Commission** to the **township boardTownship 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 **ordinanceOrdinance** for final approval, subject to the following:
  - A. (a) Where a density was established by the **townshipTownship** 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 boardTownship 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 **townshipTownship planning commissionPlanning 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 **ordinanceOrdinance**. Time extension, beyond the two **(2)** -year period, may be granted by the **township boardTownship 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)

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 recommended** 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 attorneyTownship Attorney, Township engineerTownship Engineer, and Township plannerTownship 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 **with** 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 engineer 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 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 Board, upon recommendation 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, upon recommendation by the Planning Commission, 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 make a recommendation to 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 CommissionTownship Board 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, 198n June 20201, 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 (OSDO):**

**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 (OSDO) 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 Township Board, upon recommendation by 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 nonmotorized 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) feet</u>
	<u>Side</u>	<u>Twenty (20) feet</u>
	<u>Rear</u>	<u>Thirty-fiveThirty-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: Eighty (80)
  - B. R2 and R3: Sixty (60)
  - C. R4 and R5: Fifty (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 acases 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 OSPDO must meet all requirements and standards in this Section and all other applicable provisions of this Ordinance.

E. The proposed OSPDO 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. UponAfter approval of a final site plan or final approval of a preliminary plat by the Planning CommissionTownship Boardor 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 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. UponAfter approval of a final site plan or final approval of preliminary plat by the Township Boardby 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 bodyTownship 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.**

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**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, eCivil 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.**

<b>ARTICLE VIII - GENERAL PROVISIONS</b>				
<b>Sec. 800. - Conflicting regulations:</b>				
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.				
<b>Sec. 801. - Scope:</b>				
<b>Sec. 801. - Number of buildings on a lot:</b>				
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.				
<b>Sec. 802<del>3</del>. - Accessory buildings and accessory uses:</b>				
Accessory buildings and uses, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:				
<b>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.</b>				
<b>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.</b>				
<b>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.</b>				
<b>4. Accessory buildings, structures, and uses shall not be located within a dedicated easement or right-of-way.</b>				
<b>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.</b>				
<b>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.</b>				
<b>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.</b>				
<b>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.</b>				

<p><del>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.</del></p>	
<p><del>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.</del></p>	
<p><del>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.</del></p>	
<p><del>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:</del></p>	
<p><del>A. 9. Setbacks from side or rear lot lines shall not be less than ten (10) feet.</del></p>	
<p><del>B. The height of such building shall not be more than twenty (20) feet.</del></p>	
<p><del>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.</del></p>	
<p><del>D. All building and construction codes of the Township shall be complied with.</del></p>	
<p><del>E. Any such lot shall not be located in a platted subdivision.</del></p>	
<p><del>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.</del></p>	
<p><del>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,</del></p>	

<p>(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; <u>Ord. No. 2018-476</u>, § 22, 2-20-18)</p>	-			
<p><u>Sec. 805. – Recreational vehicles:</u>          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. <u>Parking of recreational vehicles in residential zones shall be limited to the following:</u></p>				
<p><u>A. General provisions:</u></p>	-		5,6	
<p>(1) <u>No private recreational vehicle shall be stored on any public property.</u></p>				
<p>(2) <u>Parking of recreational vehicles of permitted in any enclosed structure when such structure conforms to the regulations of its zoning district.</u></p>				
<p>(3) <u>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.</u></p>				
<p>(4) <u>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.</u></p>				
<p><u>B. Outside storage of recreational vehicles:</u></p>			5	
<p>(1) <u>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.</u></p>				
<p>(2) <u>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.</u></p>				
<p>(3) <u>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.</u></p>				
<p>(4) <u>Only one (1) such vehicle and vehicle trailer per lot.</u></p>				

(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.



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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. ~~806~~212.** - 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 sSubsection 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.

<u>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.</u>					
<u>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.</u>					
<u>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.</u>					
<u>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:</u>					
<u>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.</u>					
<u>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.</u>					
<u>C. Ground-mounted solar energy collectors shall be located only as follows:</u>					
<u>(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.</u>					
<u>(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.</u>					
<u>(3) Ground-mounted solar energy collectors shall not exceed sixteen (16) feet in height, measured from the ground at the base of such equipment.</u>					
<u>(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.</u>					
<u>(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.</u>					
<u>(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.</u>					
<u>(7) The exterior surfaces of solar energy collectors shall be generally neutral in color and substantially non-reflective of light.</u>					
<u>(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.</u>					

(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.				

<b>D. All above-ground equipment shall comply with the setback requirements of the respective zoning district.</b>			—	—
<b>A.E. Equipment, piping, and all other devices shall not be located in any easement or right-of-way.</b>			—	—
<b>Sec. 809. - Wind energy systems:</b>				
On-site use wind energy system may be located within a rear yard when the following conditions are adhered to:			—	—
<b>1.—Height:</b> The highest point of any portion of a tower and/or generator shall not exceed <u>sixty-five (65) feet</u> in height above the average grade of the parcel.			—	—
<b>2.—Property setback:</b> 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.			—	—
<b>3.—Sound pressure level:</b> On-site wind energy systems shall not exceed <u>fifty-five (55) dB(A)</u> at the <u>property line</u> 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).			—	—
<b>4.—Construction codes, towers, and interconnection standards:</b> 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.			—	—
<b>2.5. Safety:</b> 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.			—	—
<b>Sec. 810. - Security cameras:</b>				
<b>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</b>			—	—

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<del>minimum resolution of 1080p and night vision with at least thirty (30) consecutive days 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 thirty (30) days 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.</del>			—	—
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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				

<b>community and economic development department.</b>				
5. <del>Site condominiums and planned developments:</del> Site plans for site condominiums and planned developments shall follow the procedure as provided in <del>sections 2116 and 1903</del> 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. <del>Multiple-family and condominiums:</del> 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. <del>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.</del>			-	-
-			-	-
1.2. Table of Eligible Uses and Required Review Process.			-	-

SITUATION/USE	REQUIRED REVIEW			
	Site Plan <sup>1</sup>	Sketch Plan PC Rev. <sup>1</sup>	Admin. Review <sup>2</sup>	Exempt <sup>3</sup>
<b>NEW DEVELOPMENT:</b>				
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 <del>multiplefamily</del> residential or nonresidential 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, IT, L-M, IC, B, FS, IRO, I or P district.	-✓			
Establishment of special land uses in all zoning districts, except where specifically noted elsewhere in this table.	✓			

SITUATION/USE	REQUIRED REVIEW			
	Site Plan <sup>1</sup>	Sketch Plan PC Rev. <sup>1</sup>	Admin. Review <sup>2</sup>	Exempt <sup>3</sup>
Construction of essential public service buildings and storage areas.	✓			
<del>Golf courses and P</del> public/private parks.		✓ <sup>4</sup>		
<del>Golf Courses.</del>	✓			
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 <sup>6</sup> .	✓	✓		
Co-location of new antennas on an existing approved tower <sup>6</sup> .			✓	
Installation of new antennas on an existing building <sup>6</sup> , light poles, or other structures.		✓		
<del>Installation of new antennas on light poles or other structures .</del>		✓		
<b>EXPANSIONS:</b>				
Expansion of one (1) <u>single-family dwelling</u> 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, <b>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.</b>		✓		
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.			✓ <sup>4</sup>	
An increase in parking or loading area over ten percent (10%) or six thousand (6,000) square feet of pavement area.		✓ <sup>4</sup>		
Construction of any multiple-family residential or non- <del>single-family</del> residential accessory building, . <b>provided the site will not require any significant changes to</b>		✓	✓	

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SITUATION/USE	REQUIRED REVIEW			
	Site Plan <sup>1</sup>	Sketch Plan PC Rev. <sup>1</sup>	Admin. Review <sup>2</sup>	Exempt <sup>3</sup>
the existing site improvements such as parking, landscaping, lighting, signs, or sidewalks.				
Changes to building height that do not add additional floor area nor exceed the maximum height requirements of the district.			✓	
<b>CHANGES IN USE:</b>				
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 the Township.	✓			
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 A change to an outdoor recreational uses and parks that are permitted uses.			✓	
Minor changes required by outside governmental agencies during construction as determined by the Zoning Administrator			✓	
A change from a nonconforming use, building or site, to a more conforming situation, .provided the site shall not require any significant changes in the existing site facilities such as parking, landscaping, lighting, signs, bike paths, or sidewalks. See Article 16 for regulations on nonconforming uses.		✓		
<b>OTHER TYPES OF PROJECTS:</b>				
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.				✓
Accessory buildings and structures greater than 100 square feet associated with a non-single-family residential use in any zoning district.			✓	
Accessory keeping of animals.				✓

**Article 9 – Site Plan Review**  
**Revised Planning Commission Copy**  
**DATE: Dec. 23, 2021**

SITUATION/USE	REQUIRED REVIEW			
	Site Plan <sup>1</sup>	Sketch Plan PC Rev. <sup>1</sup>	Admin. Review <sup>2</sup>	Exempt <sup>3</sup>
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.			✓ <sup>4</sup>	
Construction of an entrance feature associated with a nonsinglefamily residential use (walls, landscaping, etc.).		✓		
Fences associated with a non-single-family residential use, installed, or improved.			✓ <sup>4</sup>	
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.				✓ <sup>4,5</sup>
Grading, excavation, filling, soil removal, creation of ponds, or-clearing of trees other than that specified above.		✓ <sup>4,5</sup>		
Home occupations. (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 nonsingle-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.			✓ <sup>4</sup>	
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.			✓	
Temporary uses, sales and seasonal events.		✓		

SITUATION/USE	REQUIRED REVIEW			
	Site Plan <sup>1</sup>	Sketch Plan PC Rev. <sup>1</sup>	Admin. Review <sup>2</sup>	Exempt <sup>3</sup>
Utility system improvements.				✓ <sup>4,5</sup>
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 **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 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 21071144, 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 **Totownship community and economic development department** shall result in denial of the application. The **Ttownship 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 mayshall schedule a meeting with the 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 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 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 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 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, grant approval subject to revisions, or denial deny the preliminary site plan 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 dimensional variance is needed from the Zoning Board of Appeals, until such time as the interpretation and dimensional 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 tablingpostponement, 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 Bboard of Appeals.
4. ~~V~~Dimensional variance requests: When the applicant intends to seek a dimensional 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 **Township Board 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, 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 **Township Eengineer**.
  - 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,** 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**ownship **B**uilding **O**fficial 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**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.

Multiplefamily and condominiums: Final site plans for multiplefamily 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	Prelim. Site Plan	Final Site Plan
<b>A. (a) <u>Application Form:</u></b>				
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;	✓	✓	✓	✓
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. (b) <u>Site Plan Descriptive and Identification Data:</u></b>				
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) × by thirtysix (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 northpoint, 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;	-	-	✓	✓

SITE PLAN DATA	Required for:			
	Pre- concept	Sketch Plan	Prelim. Site Plan	Final Site Plan
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.	✓	✓	✓	✓
<b>C. (c) Site Analysis:</b>				
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 changes in topography, erodible soils, and floodplains. Sheet size of the aerial photograph shall be at least twenty-four (24) × by 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;	-	✓	✓	✓
<del>Location of existing drainage courses, floodplains, lakes and streams, and wetlands with elevations;</del>	-	✓	✓	✓
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	-	✓	✓	✓

SITE PLAN DATA	Required for:			
	Pre-concept	Sketch Plan	Prelim. Site Plan	Final Site Plan
Cultural resources and indication of human activities, such as paths.	-	-	✓	✓
<b>D. (d) Site Plan:</b>	-	-	-	-
Proposed lot lines, lot dimensions, property lines, and setback dimensions;	✓	✓	✓	✓
Structures, and other improvements;	✓	✓	✓	✓
Proposed easements;	-	✓	✓	✓
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.	-	✓	✓	✓
<b>E. (e) Access and Circulation:</b>				
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;	-✓	-✓	✓	✓
Location of proposed roads, driveways, parking lots, sidewalks, and non-motorized pathways;			✓	✓
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	-	✓	✓	✓

SITE PLAN DATA	Required for:			
	Pre-concept	Sketch Plan	Prelim. Site Plan	Final Site Plan
Location, height, and outside dimensions of all storage areas and facilities.	-	✓	✓	✓
<b>F. (f) Landscape Plans:</b>				
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 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;	-	-	✓	✓
Irrigation system plan for watering and draining landscape areas;				✓
Sections, elevations, plans, and details of landscape elements, such as berms, walls, ponds, retaining walls, and tree wells;				✓
Proposed means of protecting existing plant material during construction;				✓
Proposed dates of plant installation; and	-	-		✓
Landscape maintenance schedule.	-	-		✓
<b>G. (g) Building and Structure Details:</b>				
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;	-	✓	✓	✓



SITE PLAN DATA	Required for:			
	Pre-concept	Sketch Plan	Prelim. Site Plan	Final Site Plan
Building facade elevations for all sides, drawn at an appropriate scale; and	option	-	✓	✓
Description of exterior building materials and colors (samples may be required).	-	-	✓	✓
<b>H. (h) Drainage, Soil Erosion and Sedimentation Control:</b>				
Location and size of existing and proposed storm sewers;	-	✓	✓	✓
Size of existing and proposed storm sewers;		✓		✓
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.	-	✓	✓	✓
<b>I. (i) Information Concerning Utilities:</b>				
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.	-	-	✓	✓
<b>J. (j) Lighting Plan</b>				
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);	-	-		✓

SITE PLAN DATA	Required for:			
	Pre- concept	Sketch Plan	Prelim. Site Plan	Final Site Plan
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.	-	✓	✓	✓
<b>K. (k) Additional Information Required for Residential Development</b>				
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.	-	-	✓	✓
<b>L. Outside Agency Reviews</b>				
Preliminary Review; and	-	-	✓	-
Permits	-	-	-	✓
<b>L.M. Additional Study (as required by the Zoning Administrator)(l) Traffic Impact Study</b>				
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;	-	-	-	-
	As required by Zoning Administrator after review of the standards set forth in Section 911. Any proposal requesting a density bonus			

SITE PLAN DATA	Required for:			
	Pre-concept	Sketch Plan	Prelim. Site Plan	Final Site Plan
	shall be required to submit a traffic impact study.			
<u>Environmental assessment in compliance with Section 1403.3; Natural features impact statement;</u>	As required by Zoning Administrator after review of the standards set forth in Section 911.			
<u>Noise study showing compliance with Section 1400.6;</u>	As required by Zoning Administrator after review of the standards set forth in Section 911.			
<u>Additional study as required by Zoning Administrator</u>	As required by Zoning Administrator after review of the standards set forth in Section 911.			

**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.

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~~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:5.~~

~~The pPlanning eCommission, 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 pPlanning eCommission, 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 tTownship 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.

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ARTICLE XI - SPECIFIC USE PROVISIONS<sup>[7]</sup>

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 1~~ 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~~ toto 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.~~

(, § 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 12Section 1205, Parking Rrequirements. Parking spaces shall not be located in the required front yard.
- I. Commodities. No articleArticle 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 zoningthis ordinanceOrdinance.
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. 11045. - 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)~~ (0.5) 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, 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. 11056. - 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.—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.
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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 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. There will be no separate cooking facilities available to persons using any leasable sleeping room.

Sec. 11089. - 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. 1111~~2~~. - 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 on private internal roads or in parking areas in addition to any required parking. Assembly areas are not permitted on public roads or private roads not in sole control of the cemetery.
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~~ Agriculture/agriculture:**

**1. Application of ~~r~~Regulations:**

~~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 sectionSection 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- a 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.dawn to dusk.
  - 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 Mmarketing Sstrategies*:. 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.

(Ord. No. 2011-476 , § 20, 2-20-11)



**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. 11135. - 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 Ordinances 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 Area: 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 areas: 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 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.
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 H~~homes:

Mortuaries and Mortuary establishments~~funeral H~~homes 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 establishmentsin 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 ordinance1303, Exterior lighting.

- 5.—Private clubs are required to register with the Township.

(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-Ssite Sstacking. 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.
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- ~~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. **Noise Performance Standards.** Any speakers or noise amplification shall comply with the performance standards for noise in Section 1400.6.~~
- ~~D. **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.**~~
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~~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.~~

Use	Stacking Spaces per Service Lane*
<del>Banks, Pharmacy, Photo Service, and Dry Cleaning</del>	<del>4</del>
<del>Restaurants with Drive-Through</del>	<del>10</del>
<del>Vehicle Use Quick Oil Change</del>	<del>2</del>
<del>Auto Washes (Self-Service)</del>	
<del>Entry</del>	<del>2</del>
<del>Exit</del>	<del>1</del>
<del>Auto Washes (Automatic)</del>	
<del>Entry</del>	<del>8</del>
<del>Exit</del>	<del>2</del>
<del>*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.</del>	

**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 dDistrict, 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. 112**16**. - 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.~~ **B.** Access to the outdoor sales area shall be at least 60 feet from the intersection of any two streets.
  - ~~No major~~**Minor automobile** 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. 112**27**. - 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** 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 aAreas Ssite Aarrangement.: 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 sStructures.: 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 Pprotection.: 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 Lighting.: Canopy lighting shall be recessed so that the light source is not visible from off site.
9. Pedestrian and Vvehicular Ssafety.: 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 sServices.: 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 Vvehicle Wwash.: 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 requirementsallowed.
4. Vehicles shall not be allowed to be stored outside the building for more than forty-eight (48) hours overnight 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:

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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 sectionSection 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:

VehicleAutomobile 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 vehiclesears 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 section1205, 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 areasstacking spaces shall be hard-surfaced and dust free.
6. All automatic earvehicle 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-inch6) 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.—b. The use shall be fenced on all sides with a four-foot six-inch wall or fence.
  - b.—c. 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.
  - e.—d. 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 Bbarriers and Ssetbacks.: 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. The Planning Commission may extend allowed hours of operation until midnight as part of site plan or special use approval.

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 Celerk 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 Beverages: 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 Wholesale 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 Multi-family Developments, Elderly Housing, Hospitals, and Convalescent Centers: incidental 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 Business, Research, and/or Industrial Park: 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. 11~~3338~~. - Airports:

Airports subject to all state and federal regulations and subject to all Township codes and ~~ordinance~~**Ordinances** 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. 11~~3439~~. -- 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 XXSection 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:

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.

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.

Building shall be spaced not less than thirty (30) feet apart.

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.

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 marihuana dispensary or medical marihuana nursery including, but not limited to, growing shall be done indoors in a locked structure.
- c. Medical marihuana dispensary and medical marihuana nurseries shall be operated in compliance with the provisions of the Michigan Department of Community Health and the Medical Marihuana Act, MCL 333.26421 et seq.
- d. Smoking, inhalation, or consumption of medical marihuana shall not be allowed on the site of the medical marihuana dispensary or medical marihuana nursery.
- e. No qualifying patients under the age of 11 shall be permitted in the medical marihuana dispensary or medical marihuana 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 marihuana dispensary or medical marihuana nursery, except to qualifying patients or their primary caregivers.
- g. Each medical marihuana dispensary or medical marihuana 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 marihuana dispensary or medical marihuana nursery except in the presence of his/her parent or legal guardian;
  - (2) No consumption, inhalation or consumption of medical marihuana shall occur within the vicinity of the medical marihuana dispensary or medical marihuana 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 marihuana dispensary or medical marihuana nursery for the purpose of obtaining medical marihuana or other goods or products associated with its use.
- i. Medical marihuana nurseries can grow a maximum of 72 marihuana 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.~~
3. **Open b**Burning of materials or the **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 **ordinanceOrdinance**.

**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 engineerTownship 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 oOriented Bbusinesses:

1. Purpose and Ppreliminary Sstatements: 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 (10<sup>th</sup> 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 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 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 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 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 to condone or legitimize the distribution of obscene material.

2. Findings and 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, exists independent of any comparative analysis between sexually oriented and nonsexually 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 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 “floor space” 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 (5) persons for any form of consideration.
- D. CHARACTERIZED BY: Describing the essential character or quality of an item. As applied in this 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 MODELSTUDIO: 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, 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 subsection (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 subsection (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: Massage Ttherapy Rregulations:

1. Standards.: A message therapist must be licensed by the Department of Licensing and Regulatory Affairs, Bureau of Health Professions.
2. Authorized Locations.: Massage Therapy may only be performed in and in conjunction with a beauty salon, health club, athletic club, medical office, or physical therapy clinic.
3. Massage Ttherapy in a Bbeauty Ssalon, Sspa, Hhealth Cclub, or Aathletic Cclub.: Massage therapy performed in and in conjunction with a beauty salon, spa, health club, or athletic club is subject to the approval of a sSpecial use permit and the following conditions:
  - A. Massage therapists must meet the qualifications established in this sectionSection.
  - B. Floor area for massage 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. 11**4248**. - 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. 114450. - 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 2119Article 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 **sectionSection** is as follows:

**1. Wireless communication towers and antennas:**

A. **Purpose:** The purpose of this **sectionSection** is to establish general guidelines for the location of wireless communications towers and antennas. The objectives of this **sectionSection** 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, colocation 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**

<b>Situation/Use</b>	<b>Township Board</b>	<b>Planning Commission</b>	<b>Administrative Permits</b>	<b>Exempt</b>
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 <u>one and half (1.5)</u> 1.5 meters.				X
Installation of satellite dish antennas with a diameter of <u>one and half (1.5)</u> 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 attorneyTownship 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 attorneyTownship 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 Conditions: Applications for wireless communication facilities, which may be approved as conditionalspecial 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 sectionSection.

3. Collocation:

A. Feasibility of cCollocation. Collocation shall be deemed to be “feasible” for purposes of this sectionSection 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. 114551. - 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](#)[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 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 ~~onetwo- (2) storyies~~ or twenty-five (1425) feet.
  - B. Recreation vehicle campgrounds shall be permitted only on parcels of twenty-five (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) 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 ~~ffrom~~ surrounding property. 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 1.447(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.**



Sec. 11~~4753~~. – 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.~~





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 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 section 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 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 intersectionsections, 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, 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 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 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. 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 ordinanceOrdinances, 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 such 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 noxiousfree, 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, Commercial, and Tourism**

1. Uses permitted: The following Agricultural, Commercial, and Tourism Businesses 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, and 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. Gift 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) sSmall-scale entertainment (e.g., music concert, car show, art fair).;

(2) oOrganized meeting space (e.g., for use by weddings, birthday parties, and corporate events.);;

(3) dDesignated, 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 Ccommercial and /Ttourism Bbusiness 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 (1) 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)

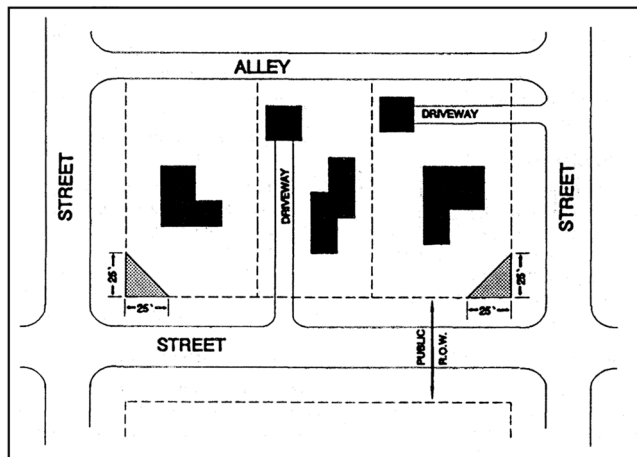
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**Sec. 115056. - Racetracks (including midget auto and karting tracks) and dirt tracks:**

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 I-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 I2 industrial districts subject to the following conditions:

- a. A minimum site size of not less than ten (10) 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 ~~sSection~~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 two hundred (200) feet of any residential dwelling or within two hundred (200) feet of any residential district.
- f. A setback of fifty (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 sixty-five (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 ~~tTownship~~ bBoard 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 I2 and I3 industrial~~the LM districts~~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 offstreet 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. 11539. - 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 I3 industrial district and the IC 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, definitions~~ Definitions, 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:



	<p><u>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.</u></p>
	<p><u>B. Adult foster care small group homes serving between seven (7) and twelve (12) persons.</u></p> <ol style="list-style-type: none"><li><u>(1) A site plan, prepared in accordance with Article 9 shall be required to be submitted.</u></li><li><u>(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.</u></li><li><u>(3) The property is maintained in a manner that is consistent with the character of the neighborhood.</u></li><li><u>(4) One (1) off-street parking space per employee and/or caregiver shall be provided.</u></li><li><u>(5) Appropriate licenses with the State of Michigan shall be maintained.</u></li></ol>
	<p><u>C. Adult foster care large group homes serving between thirteen (13) and twenty (20) persons.</u></p> <ol style="list-style-type: none"><li><u>(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.</u></li><li><u>(2) A site plan, prepared in accordance with Article 9 shall be required to be submitted.</u></li><li><u>(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.</u></li><li><u>(4) The property is maintained in a manner that is consistent with the character of the neighborhood.</u></li><li><u>(5) One (1) off-street parking space per employee and/or caregiver and one (1) visitor be provided.</u></li><li><u>(6) Appropriate licenses with the State of Michigan shall be maintained.</u></li></ol>
	<p><u>D. Adult foster care congregate facilities serving more than twenty (20) persons.</u></p> <ol style="list-style-type: none"><li><u>(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.</u></li><li><u>(2) A site plan, prepared in accordance with Article 9 shall be required.</u></li><li><u>(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.</u></li><li><u>(4) The property is maintained in a manner that is consistent with the character of the neighborhood.</u></li><li><u>(5) One (1) off-street parking space per employee and/or caregiver and one (1) visitor shall be provided.</u></li></ol>

(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 sectionSection. 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 subsectionsection.

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.

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**Sec. Section 1158. – Garage, yard and yArdestate Ssales:**

1. **Standards.:** The owner or occupant of any one-or two-family residences may conduct up to six (6) garage, rummage, or yard, or estate 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 Sales.:** 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 lIndependent Living:**

1. **Maximum Ddensity.:** 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 Ccoverage, and sSetbacks.:** 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. 4. Façade.: 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.
5. 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. 1. Application of Regulations.:
  - A. A. Special land use required.
    - (1) (1) Training classes shall be permitted only if specifically authorized in the Special Land Use Permit.
    - (2) (2) In districts other than AG, the kennel shall not be operated for breeding purposes, unless specifically authorized in the Special Use Permit.
  - B. B. The Special Land Use Permit shall establish a limit on the number of animals that may be boarded at one (1) time.
  - C. C. The special land use permit Special Use Permit may limit the specific species of animals that are permitted.
  - D. D. The special land use permit Special Use Permit may establish a limit on other measures of the intensity of use.
2. 2. Standards.:
  - A. A. Kennel shall be subject to the permit and operational requirements of State and County regulatory agencies.
  - B. 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. 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. D. Veterinary care shall be incidental to the kennel unless specifically authorized in the Special land use permit Special Use Permit.
  - E. 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 Home Parks:**

**1. Locational 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, Height and Bulk 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 Conditions:

- A. All mobile home park development shall further comply with Act No. 419 of Public Actsthe 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 homethe Manufacturing Housing eCommission 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 eCommission for their consideration in reviewing the proposed mobile home park plans.
- F. The Township engineerTownship 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 engineerTownship 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 cCommission 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 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 accessed 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. ~~21231203~~. -- 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~~

~~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 insure 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

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

(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. 12045. - 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 offstreet 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

<b>a. Residential</b>		
(1)	Residential, one-family, and two-family	Two (2) for each dwelling unit.
(2)	Residential, multiple-family	One (1) <u>space per each efficiency dwelling unit; and</u> Two (2) <u>spaces per each dwelling unit with one (1) or more bedrooms + one (1) for each ten (10) dwelling units.</u> Two for each dwelling unit.
(3)	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)	<del>Housing for the elderly</del> <del>Senior Assisted or independent living</del>	<del>One (1) for each two (2) units and one (1) for each employee.</del> 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.
<b>b. Institutional</b>		
(1)	<del>Churches and temples</del> <u>Places of worship</u>	One (1) for each <del>three</del> three (3) seats or six (6) feet of pews in the main unit of worship.
(2)	Hospitals	<del>One</del> Two for each one bed, <u>plus (1) space per each 200 square feet of office of outpatient area..per three hundred (300) square feet gross floor area (Max. Maximum one (1) per one hundred-fifty (150) 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

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Use	Number of minimum parking spaces per unit of measure	
	-	requirements of the auditorium or stadium, whichever seats more.
(5)	<u>Private clubs, or lodge halls</u>	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)	<u>Fraternity or sorority</u>	One (1) for each five (5) permitted active members, or one (1) for each two (2) beds, whichever is greater.
(7)	<u>Library, museum, or post office</u>	One (1) for each one hundred-fifty (150) square feet of usable floor area.
<b>c. Child and adult care facilities</b>		
(1)	<u>Family day care homes for up to six (6) adults</u>	Two (2) for each unit plus one (1) for each caregiver.
(2)	<u>Group day care home for up to twelve (12) adults</u>	One <del>(Two for each dwelling unit plus one for each caregiver.)</del> <u>space per six (6) clients; plus one (1) space per employee at time of peak shift.</u>
(3)	<del>Group day care home for children</del> <u>Childcare or day care centers and preschools</u>	One (1) <u>space per six (6) clients; plus, one (1) space per employee at time of peak shift.</u> <del>Two for each dwelling unit plus one for each caregiver.</del>
<b>d. Offices</b>		
(1)	<u>Financial institution 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 <u>four (4) stacking spaces per the requirements in Section 1118, Drive-in and drive-through facilities.</u> <u>for the first window, plus three (3) spaces for each additional window.</u>
(2)	<u>Business offices or professional offices except medical offices</u>	One <del>(One for each 250 square feet of usable floor space.)</del> <u>per three hundred (300) square feet gross floor area (Max. one (1) per one hundred-fifty (150) sq. ft).</u>
(3)	<u>Professional offices of doctors, dentists, or similar professions</u>	<u>One (1) for each two hundred-fifty (100250) 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.</u> <u>One for each 200 square feet of usable floor area.</u>
<b>e. Retail Uses</b>		

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Use	Number of minimum parking spaces per unit of measure	
(1)	Retail stores except as otherwise specified herein	One (One for each 250 square feet of usable floor space. 1) per three hundred twenty-five (325) square feet gross floor area.
(2)	<u>Convenience Store</u>	<u>One (1) for each one hundred twenty-five (125) square feet of usable floor space.</u>
(3)	Shopping centers with multiple tenants	One (1) for each two hundred-fifty ( <del>100</del> 250) square feet of usable retail floor area for the first 50,000 square feet. One (1) for each two hundred seventy-five ( <del>100</del> 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)	<u>Gasoline service stations (full service) Vehicle fueling/multi-use station</u>	<del>One (1) space for each one hundred twenty-five (125) square feet of usable floor area; plus two (2) parking spaces per fueling station</del> Two for each lubrication stall, rack or pit, and one for each service vehicle used by the service station, in addition to <del>space provided at each fuel pump dispenser.</del> 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)	<u>Major and minor Gasoline filling stations (self-service) vehicle repair station</u>	Two (2) 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 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.

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Use	Number of minimum parking spaces per unit of measure	
(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
<b>f. Restaurants/food and beverage</b>		
(1)	<del>Bars/lounges (majority of sales consist of alcoholic beverages)</del>	<del>One (1) per each seventy (70) square feet of useable floor area or one (1) per two (2) seats, whichever is greater</del>
(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 <u>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.</u>
(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 <del>R</del> estaurants such as, but not limited to: dairy bars and fruit, and vegetable stands	Ten (10) plus one (1) per employee.
(6)	Standard restaurants <del>without liquor license</del>	<u>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)</u> 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 sitdown 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.
<b>g. Service Uses</b>		
(1)	Automobile repair	Two for each service stall plus one for each employee.

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Use	Number of minimum parking spaces per unit of measure	
(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 <u>drive-through facilities.</u> 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
(3)	Vehicle wash (self-service or coin operated)	Two (2) stacking spaces for each washing stall in addition to the stall itself plus oOne (1) for each drying space. Stacking spaces shall meet the requirements in Section 1118, Drive-in and <u>drive-through facilities.</u>
(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 drycleaning machines.
(7)	Funeral home	One (1) for each fifty (50) square feet of usable floor area.
(8)	<u>Motel, hotel or other commercial lodging establishments</u> <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	<del>One (1) for each one (1) seat or viewing station plus one (1) for each employee.</del>

Use	Number of minimum parking spaces per unit of measure	
(4)	Cabaret	One (1) for each <del>seventy five (75) square feet of usable floor space.</del>
(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>i. Recreation Uses</i>		
(1)	<del>Athletic clubs, exercise establishments, health studios, sauna baths, martial art schools and other similar uses</del>	<del>One (1) space for each two hundred (200) square feet of usable floor area</del> One for each three persons allowed within the maximum occupancy load as established by local, county or 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.
(32)	Bowling alleys	Five (5) for each one (1) bowling lane plus spaces required for accessory uses such as a bar or restaurant.
(43)	Commercial indoor and outdoor recreation facilities (such as archery ranges, batting cages, etc.)	One (1) space for each one thousand (1,000) square feet of enclosed recreational space; plus, one (1) space for each employee on the largest typical shift two (2) spaces for each court (tennis, racquetball, etc.); four (4) spaces for each hole of golf, and two (2) for each batting cage, archery range, or similar activity.
(54)	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.
(65)	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.
(76)	Golf driving range	Two (2) for each driving tee plus three (3) spaces for employees.

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Use	Number of minimum parking spaces per unit of measure	
(87)	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.
(98)	Miniature or "par-three" golf courses	Two (2) for each one (1) hole plus one (1) for each one (1) employee.
(109)	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.
(1110)	Stadium, sports arena, or similar place of outdoor assembly	One (1) for each four (4) seats or eight (8) feet of benches.
(1211)	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.
(1312)	Theaters and auditoriums	One (1) for each three (3) seats plus one (1) for each two (2) employees.
<b>j. Industrial</b>		
(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)	<del>Telephone exchange buildings</del> <del>Call Center</del>	<del>One (1) for every one (1) employee on the largest working shift.</del>
(3)	<del>Warehouses and wholesale establishments and related accessory offices</del>	<del>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.</del>

**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.~~

### 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.

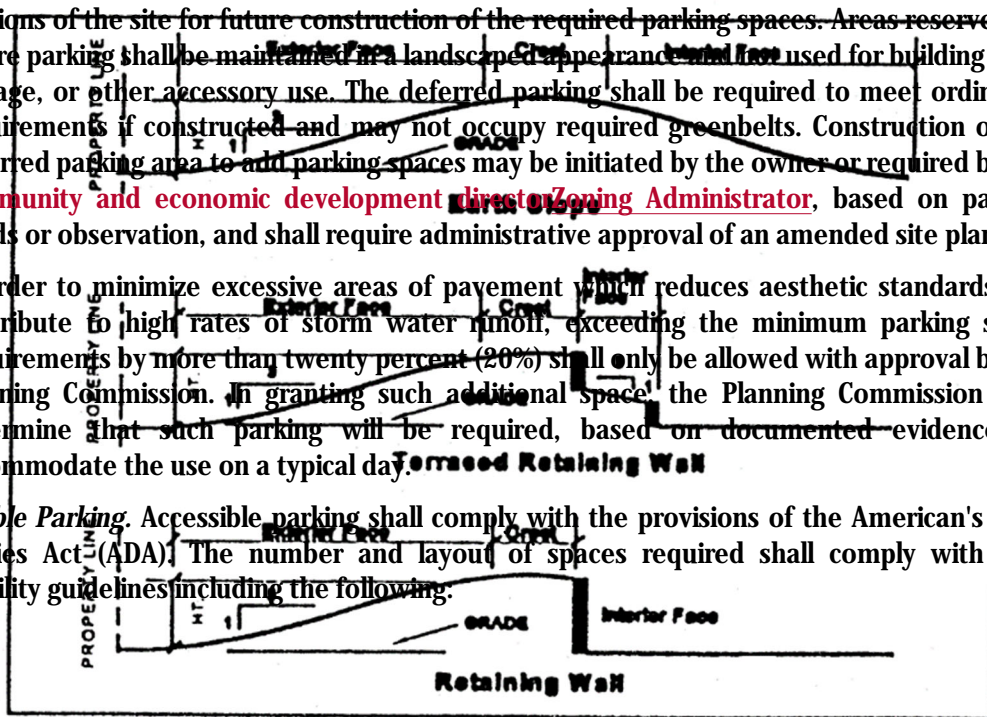
- ~~D.E. The Planning Commission may reduce the parking requirements based upon a finding that there will be a lower demand for parking due to one (1) or more of the following:~~
- ~~(1) Shared parking by multiple uses where there will be a high proportion of multipurpose visits or uses have peak parking 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~~



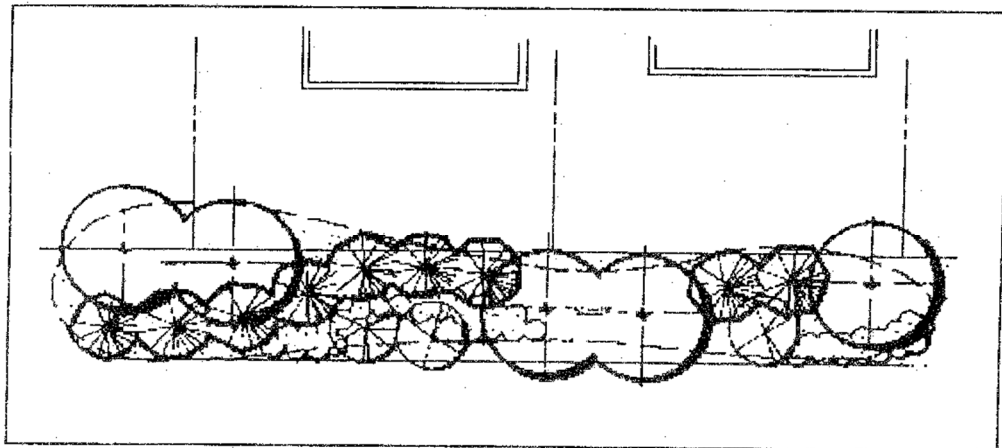
portions of the site for future construction of the required parking spaces. Areas reserved for future parking shall be maintained in a landscaped appearance used for building area, storage, or other accessory use. The deferred parking shall be required to meet ordinance requirements if constructed and 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.

**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:



Berm Illustrations



Landscaped earth berm.

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Accessible Parking Spaces* (Required Minimum)			Accessible Spaces
1	to	25	1
26	to	30	2
31	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	plus	20***

*Decorative wall with landscaping.*

*Landscaped earth berm.*

*Decorative wall with landscaping.*

\*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, CB, E, IM, LC)~~ 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.**
- 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 2103802, 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:

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.** 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.** 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.** 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 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.~~

- ~~4.—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.~~

- ~~5.—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.*

**6.—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 ~~2110~~1303, Exterior Lighting.

7.

**A.8.Maintenance and storage.**

(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.

~~7.(2)~~ The storage of merchandise, motor vehicles for sale, trucks, refuse, **and** 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.~~

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**Sec. ~~1221~~106. -- 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.
- 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.
- (c) (d) (e) (Ord. No. 97-166, 5-20-9



ARTICLE XIII – SITE DESIGN STANDARDS

Sec. ~~21081301~~. - 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.**

**1.2. *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 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.**

**(8) Michigan native and pollinator species are encouraged.**

~~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.

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 rightofway. 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 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 (5) 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 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

		<b>When Contiguous with These Land Uses</b>				
		<b>Single Family Residential</b>	<b>Multiple Family Residential</b>	<b>Office/ Retail/ Institutional</b>	<b>Industrial</b>	<b>Automotive</b>
<b>Subject Property</b>	<b>Single-Family Residential</b>					
	<b>Multiple Family Residential</b>	<u>Screen 1</u>				
	<b>Office/ Retail / Institutional / Service</b>	<u>Screen 2</u>	<u>Screen 2</u>			
	<b>Automotive</b>	<u>Screen 3</u>	<u>Screen 3</u>	<u>Screen 3</u>		
	<b>Industrial</b>	<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>	<u>One 1 tree per three (3) lineal feet</u>	<u>Narrow Evergreen</u>
<u>2</u>	<u>One 1 tree per ten (10) lineal feet</u>	<u>Large Evergreen</u>
<u>3</u>	<u>One 1 tree per ten (10) lineal feet; and</u>	<u>Large Evergreen</u>
<u>3</u>	<u>One 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 .~~

~~O. 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.I. 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. A minimum of one (1) evergreen tree per fifty (50) lineal feet or fraction thereof, plus~~

~~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.~~



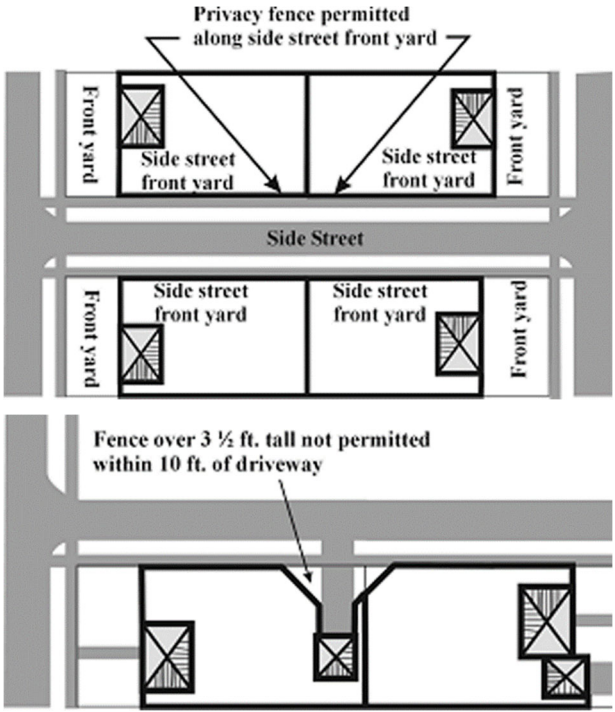
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**3. Materials standards and specifications.** Except as otherwise specified in the general requirements for each zoning district, all plant and non-plant material shall be installed in accordance with the following standards:

**(1) a. Maintenance-free non-plant material.** All non-plant site features shall be durable and as maintenance-free as reasonably possible.

**(1)(2) 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) 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:**

<b>Minimum Size and Space of Landscape Planting</b>												
	<b>MINIMUM SIZE ALLOWABLE</b>							<b>MAXIMUM ON-CENTER SPACING**</b>				
	<b>Height</b>				<b>Caliper/ Spread</b>			<b>Feet</b>				
	<b>6'-7'</b>	<b>5'-6'</b>	<b>3'-4'</b>	<b>2.5'-3'</b>	<b>2.5"</b>	<b>24-36"</b>	<b>2 gal.</b>	<b>25</b>	<b>10</b>	<b>6</b>	<b>3</b>	<b>1</b>
<b>Large Evergreen Trees</b>												
<b>Narrow Evergreen Trees</b>												
<b>Large Evergreen Shrubs</b>												
<b>Small Evergreen Shrubs</b>												
<b>Vines</b>												
<b>Large Deciduous Trees</b>												
<b>Small Deciduous Trees (Ornamental)</b>												
<b>Ground Cover</b>												
<b>Large Deciduous Shrubs</b>												
<b>Small Deciduous Shrubs</b>												

\*\* "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)five (5) 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 (1) 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.

**J. 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.

**K. 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:

<b>Table of {insert} Prohibited Species</b>	
<b>Trees</b>	
<b>Common Name</b>	<b>Scientific Name</b>
<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>
<p><b>* A native species but prohibited due to Emerald Ash Borer.</b>  <b>** A native species but tends to be invasive.</b>  <b>*** Except cultivars that are resistant to Dutch Elm Disease.</b></p>	
<b><u>Shrubs</u></b>	
<b><u>Common Name</u></b>	<b><u>Scientific Name</u></b>
<u>Porcelain Berry</u>	<u>Ampelopsis brevipedunculata</u>
<u>Japanese Barberry</u>	<u>Berberis thunbergii</u>
<u>Common Barberry</u>	<u>Berberis vulgaris</u>
<u>Oriental Bittersweet</u>	<u>Celastrus orbiculatus</u>
<u>Autumn Olive</u>	<u>Eleagnus umbellata</u>
<u>Russian Olive</u>	<u>Eleagnus angustifolia</u>
<u>Burning Bush</u>	<u>Euonymus alatus</u>
<u>Wintercreeper</u>	<u>Euonymus fortunei</u>
<u>English Ivy</u>	<u>Hedra helix</u>
<u>Eastern Red Cedar</u>	<u>Juniperus virginiana</u>
<u>Privet</u>	<u>Ligustrum vulgare</u>
<u>Honeysuckle (all)</u>	<u>Lonicera</u>
<u>Common Buckthorn</u>	<u>Rhamnus cathartica</u>
<u>Glossy Buckthorn</u>	<u>Rhamnus frangula</u>
<u>Multiflora Rose</u>	<u>Rosa multiflora</u>
<u>Guelder Rose</u>	<u>Viburnum opulus var. opulus</u>
<b><u>Grasses</u></b>	
<b><u>Common Name</u></b>	<b><u>Scientific Name</u></b>
<u>Chinese Silver Grass</u>	<u>Miscanthus sinensis</u>
<u>Giant Reed</u>	<u>Phragmites communis</u>
<u>Reed Canary Grass</u>	<u>Phalaris arundinacea</u>
<b><u>Flowers and Ground Cover</u></b>	
<b><u>Common Name</u></b>	<b><u>Scientific Name</u></b>
<u>Garlic Mustard</u>	<u>Alliaria officinalis</u>



<u>Spotted Knapweed</u>	<u>Centaurea maculosa</u>
<u>Crown Vetch</u>	<u>Coronilla varia</u>
<u>Queen Ann’s Lace</u>	<u>Daucus carota</u>
<u>Foxglove</u>	<u>Digitalis purpurea</u>
<u>Japanese Knotweed</u>	<u>Fallopia japonica</u>
<u>Dame’s Rocket</u>	<u>Hesperis matronalis</u>
<u>Purple Loosestrife</u>	<u>Lythrum salicaria</u>

**L. 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.
- (1)(3) Public art must be visible from the public right-of-way.g. *Suggested plant materials.*

**U.M. 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, § 22, 2-20-18)

**Sec. 21071302. - 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 Planning Commission when the Planning Commission reviews the site plan.
- B.I. Enclosures shall be secured or locked during non-business hours.

The trash and recycling receptacles are located in a rear yard or interior side yard and are clearly accessible to servicing vehicles.

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.

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( 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, § 3, adopted May 15, 2001

**Sec. 21101303. -- 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. 21141305. -- 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.*

**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.**

**E.**

**a.**

**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.

2.—(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.

3.4. Prohibited fences and walls. The following fences and walls are prohibited within the ~~T~~TownshipTownship:

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 **B**uilding **O**fficial or **Z**oning **A**ddministrator 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 **B**uilding **O**fficial may require to show full compliance with this and all other **Township Ordinances.**

*(1)*

**4.8. 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. 21251306. -- Building Design Requirements:**

**1. Industrial and business park eExterior 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**

**I** Schedule Regulating Exterior Building Wall Materials

Building <del>Material</del> <u>Material</u>	<u>Percentage</u> Industrial Districts		
	100	75	<u>25</u>
Masonry/Stone	•		
Face brick or ceramic	•		
Split face or ribbed block	•		
Stone	•		
Precast concrete	•		
Concrete formed in place		•	
Metal <sup>3.1</sup>		•	
<b>Glass</b>			
Tinted and reflective		•	
Glass block		•	
<u>Finishes</u> <sup>2</sup>		•	
<b>Wood (fire resistant only)</b>			

Wood siding (beveled, lap, TEG, batten) <sup>3</sup>			
Finishes <sup>4</sup>			

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 highintensity uses and lowintensity uses, shall be developed for multibuilding 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>Metal<sup>1</sup></u>		•	
<u>Tinted and reflective</u>		•	
<u>Concrete formed in place</u>			•
<u>Glass block</u>			•

<u>Finishes</u> <sup>2</sup>		• —
<u>Wood siding (beveled, lap, TEG, batten)</u> <sup>3</sup>		

- (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 to 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 1.559(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:

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**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 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.



**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.**
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**ARTICLE XV. - SIGNS**

**Sec. 211509. - 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~~ **Article** 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 zZoning 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 Mmultiple-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. *Nameplate Wall 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.
- c. *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. *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 211509.698.

**D. eSigns 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.aA.(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.

**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 3.B below.**

**A.**

<b>Maximum Height, Maximum Area and Minimum Setback Requirements for Ground Signs Table 3.B</b>			
<u>District</u>	<u>Minimum Setback (ft)</u>	<u>Maximum Area (sq. ft.) per side</u>	<u>Maximum Height (ft.)</u>
R-1 through R-5 (non-residential uses)	10'	32	4'
RM-LD, RM-MD, RM-HD and MHP (non-residential and special uses)	10'	32	4'
NB	10'	32	6'

<u>GB</u>	<u>10'</u>	<u>50</u>	<u>6'</u>
<u>I-T and LM</u>	<u>15'</u>	<u>32</u>	<u>6'</u>
<u>I-C Industrial and Commercial</u>	<u>15'</u>	<u>32</u>	<u>6'</u>
<u>TC, NC and RC</u>	<u>See Sec. 1509.6</u>		

**4. Building Wall 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 4.B below:

<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>	<u>1</u>	<u>120</u>
<u>RM-LD, RM-MD, RM-HD</u>	<u>2</u>	<u>1</u>	<u>120</u>
<u>NB</u>	<u>2</u>	<u>1</u>	<u>120</u>
<u>GB</u>	<u>3</u>	<u>1</u>	<u>180</u>
<u>IT and LM</u>	<u>3</u>	<u>1</u>	<u>240</u>
<u>I-C Industrial and Commercial</u>	<u>3</u>	<u>1</u>	<u>240</u>
<u>TC, NC and RC</u>	<u>See Sec. 1509.6</u>		

**c. Non-residential ground signs:**

<u>Maximum height (feet)</u>	<u>Minimum setback required (feet)</u>	<u>Maximum sign face area (sq. ft.) footnotes (2), (3)</u>	<u>Maximum number of signs</u>
<u>6.0</u>	<u>6.0</u>	<u>24.0</u>	<u>Footnote (1)</u>
<u>6.5</u>	<u>6.5</u>	<u>25.5</u>	

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 (1) 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 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) thirty (30) days prior to until three (3) 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 211509.5.A, maximum height and area requirements for temporary signs are set forth in the Table 5.B below:**

<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>8 square feet</u>	<u>4 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>32 square feet</u>	<u>20 square feet</u>	<u>6 feet</u>
	<u>Wall</u>	<u>32 square feet</u>	<u>20 square feet</u>	

<u>Sign Type/Purpose</u>	<u>Temporary Construction</u>	<u>Temporary Garage Sale</u>	<u>Temporary Special Event</u>	<u>Temporary Real Estate</u>	<u>Temporary Sale of Produce</u>	<u>Temporary Builder Directional</u>	<u>Temporary Political</u>
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	<del>2</del>	<del>2</del>	<del>2</del>	<del>2</del>	<del>2</del>	<del>2</del>	<del>2</del>
Maximum sign height	<del>6</del>	<del>—</del>	<del>—</del>	<del>6</del>	<del>6</del>	<del>3</del>	<del>—</del>
Setback from property line/right-of-way (feet)	<del>10</del>	<del>5</del>	<del>5</del>	<del>5</del>	<del>5</del>	<del>5</del>	<del>—</del>
Setback from structures (feet)	<del>50</del>	<del>—</del>	<del>—</del>	<del>—</del>	<del>—</del>	<del>25</del>	<del>—</del>
May be illuminated? (sec. 211510)	<del>No</del>	<del>No</del>	<del>No</del>	<del>No</del>	<del>No</del>	<del>No</del>	<del>No</del>
Maximum length of time for display (days)	<del>Footnote 3, 6</del>	<del>14 days/year Footnote 3, 6</del>	<del>30 days/year Footnote 3, 6</del>	<del>Footnote 3, 6</del>	<del>- 120 days/year Footnote 3, 6</del>	<del>Footnote 3, 6</del>	<del>—</del>

**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.

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**46. Permitted Signs in Form-Based Districts**

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A. Ground Requirements.

~~(1) Ground signs.~~

~~(a) Lot Requirements. Ground sign(s) are only permitted on lots that are at least fifty (50) feet in width and for lots where the building is setback a minimum of ten (10) feet from the public right-of-way.~~

~~(b) Number. One (1) ground sign shall be permitted for each lot.~~

~~(c) Area.~~

~~[1] Parcels less than one (1) acre: shall not exceed twenty (20) square feet in area.~~

~~[2] Parcel one (1) acre or greater: shall not exceed sixty (60) thirty-two (32) square feet in area.~~

~~(d) Height.~~

~~[1] Parcels less than one (1) acre: shall not exceed four (4) feet in height.~~

~~[2] Parcels one (1) acre or greater: shall not exceed six (6) feet in height.~~

~~(e) Setback. Two (2) feet from right-of-way and three (3) feet from sidewalk.~~

~~(f) Landscaping. One (1) square foot of landscaping adjacent to the sign per one (1) square foot of sign area. Landscaping shall include a decorative combination of ground cover and shrubs to provide seasonal interest.~~

(2) Wall Signs.

(a) Number. Each developed lot shall be permitted one(1) wall sign per frontage on right-of-way and parking lot. All occupants' businesses without ground floor frontage shall be permitted one (1) combined exterior wall sign, in addition to the number of signs allocated to the developed lot.

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

(3) Window Signs. Windows. Window signs must be located inside the window. There is no limit on number, but window signs cannot occupy more than twenty-five percent (25%) of the total window area.



- (4) Canopy and Awning Signs. A canopy and awning sign is permitted in lieu of a wall sign. The area of awning and canopy signs permitted for each business shall be determined as one (1) square foot of sign area for each one (1) linear foot of building frontage occupied by an occupant a business to a maximum area of one hundred (100) square feet.
- (5) Projecting.
  - (a) Number. Shall be limited to one (1) sign with no more than two (2) sign surfaces.
  - (b) Area. Shall not exceed eight (8) square feet in sign area.
  - (c) Height from Grade. The lowest part of the sign shall be a minimum of eight (8) feet above grade.
  - (d) Projection Distance. Sign may not project more than four (4) feet from the attached façade.

**B. Comprehensive Sign Plans.**

- (1) Intent. The intent of a sign package is to ensure that properties with multiple buildings, buildings with multiple occupants or tenants, and adjoining property owners are able to provide signage that is well designed and consistent throughout that building, property, or area, while providing some flexibility in the design of the signs that are approved through a sign package.
- (2) Process. A sign package may be submitted to the Planning Commission for its review and approval in accordance with this Section for (i) any property containing more than one (1) building; (ii) any multiple tenant building; and (iii) adjacent buildings on multiple parcels that wish to carry out sign consistency.
- (3) Contents of Sign Package. As part of the Site Plan Review process, an application for approval of a sign package shall include details regarding the design and location of all proposed signs for which a sign permit is required. The sign package shall clearly define the areas of the building or property for which approval of a sign package is requested. At a minimum, the following details shall be provided in the application submittal for approval of a sign package:
  - (a) Sign design, material(s), anchorage, and support(s).
  - (b) Sign location(s).
  - (c) Sign color(s).
  - (d) Sign dimensions.

(e) Method of illumination.

(4) Standards. No sign package shall be approved by the Planning Commission unless the Planning Commission finds that the sign package incorporates signage that is:

(a) Unified and consistent throughout the building or property;

(b) Of a higher quality than would be otherwise required under the applicable sign regulations; and

(c) Compatible with the design and materials of the building or buildings, and consistent with the area surrounding the building or property.

(5) Relief. The following relief may be granted by the Planning Commission provided that all standards as set forth in Section 15.09.6.C.(4) are found:

(a) To increase the sign area of a sign by no more than thirty-three and one-third percent (33 ⅓%).

(b) To increase the height of a sign by no more than thirty-three and one-third percent (33 ⅓%).

(c) To permit one (1) additional sign on any lot, provided that no relief shall be granted to permit an additional Ground Sign.

7. 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-T, I-M or 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, IT, L-M** 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 (4) nonconforming billboard faces.~~

**875.** *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. ~~d~~No auditory message or mechanical sounds may be emitted from the sign.
- F.G. **e**Electronic 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 211509.89.**

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.

**98. 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 21509.96.C.

<b>Table 9.B</b>	
<b>Table 12.09.6.b</b>	
<b>Sign Area Versus Measurement Distance Table</b>	
<u>Area of Sign</u> Sq. ft.	<u>Measurement Distance</u> (ft.)
<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>

<b>Table 9.B</b>	
<b>Table 12.09.6.b</b>	
<b>Sign Area Versus Measurement Distance Table</b>	
<u>Area of Sign</u> Sq. ft.	<u>Measurement Distance</u> (ft.)
<p>*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:                      Measurement Distance = <math>\sqrt{\text{Area of Sign Sq. Ft.} \times 100}</math></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-19.B Sign Area of a Sign versus Measurement Distance.**

**910.**

**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, sandwich boards pennant, 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, in accordance with the standards set forth in Section 13.03.6.G.
- D. Any sign unlawfully installed, erected, or maintained.
- E. Signs on trees, fences, 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.

**7101.**

**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 **Township** 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 211509.5.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.~~
  - (5) ~~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.~~
  - (8) ~~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.~~
  - (10) ~~Flags bearing the official design of a nation, state, municipality, educational institution, or organization as approved by the Building Official Township.~~
  - (11) ~~Barber poles when a minimum of seven feet above the pedestrian right-of-way.~~
  - (12) ~~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 15.09.1011.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 Township** 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.**

**911.12.** *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. 13.** *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 **211602.2** 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.

**2 14.** *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.

**3 15.** *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 Township** 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 Township** 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 Township**, 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 Township**, and if the response demonstrates in the discretion of the **Building Official Township** 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 Township** 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 Township** 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 Township** 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 Township** at the expense of the sign owner after said owner has been ordered in writing to remove said sign by the **Building Official Township** 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 Township** at the expense of the sign owner after said owner has been ordered in writing to remove said sign by the **Building Official Township** 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 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.

**4 16.** *Sign maintenance:* The **Building Official Township** 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 Township** at the expense of the sign owner after said owner has been ordered in writing to remove said sign by the **Building Official Township** 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.

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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).

**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.

(Ord. No. 2001-273, 8-21-01)

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 singlefamily residential dwellings:** Singlefamily 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.~~ A. The expansion of the dwelling or accessory structures shall conform with all applicable yard dimensions, setbacks, and other requirements for the **R-4most similar** single-family residential zoning district.
- ~~B.~~ 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-4most similar** single-family residential zoning district.
- ~~C.~~ 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.**

(Ord. No. 2001-273, 8-21-01)

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.**

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)

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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:
    - (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.
- 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.
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. ~~2401~~1701. - Meetings:

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. 24021702. - 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. 24031703. - 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



- 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**oard shall be paid to the **T**ownship **t**reasurer 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.
- 3.—*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

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:

- 4.—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.
- 5.—b. Permit the erection and use of a building or use of premises for public utility purposes, upon recommendation of the planning commission.
- 6.—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.
- 7.—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.

(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.

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. 2417078 - 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~~XXVIII - CHANGES AND AMENDMENTS<sup>(10)</sup>

Footnotes:

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**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, 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 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 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 areor 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 XXXI - ENFORCEMENT, PENALTIES AND OTHER REMEDIES**

**Sec. 31900. - Violations, civil infractions:**

Any person, firm or corporation violating any provision of this Ordinance shall be responsible for a civil infraction and shall be subject to a fine as follows:

- (1) The fine for any first violation shall be one hundred dollars (\$100.00);
- (2) The fine for any violation which the violator has, within the past two (2) years, been found in violation of once before, shall be two hundred fifty dollars (\$250.00);
- (3) The fine for any violation which the violator has, within the past two (2) years, been found in violation of twice before, shall be five hundred dollars (\$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 Ordinance 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 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)

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. 2022-498 by the Charter Township of Ypsilanti Board of Trustees assembled at a regular meeting held on January 18, 2022. The second reading is scheduled to be heard on February 15, 2022.



---

Heather Jarrell Roe, Clerk  
Charter Township of Ypsilanti



**Carlisle | Wortman**  
ASSOCIATES, INC.

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

**TO:** Jason Iacoangeli, AICP, Planning Director, Charter Township of Ypsilanti  
**FROM:** Megan Masson-Minock, AICP, Senior Associate  
**DATE:** January 10, 2022  
**RE:** Changes in Zoning Ordinance Draft from December 2021

Below is a table detailing the changes made to the draft Zoning Ordinance and Map in the updated draft to be presented to the Planning Commission on Tuesday, January 11, 2022.

Change	Source
<i>Changes to the Zoning Ordinance Text</i>	
Article 15 has been updated with a separate sub-section for signs in form based districts, Section 1506.6	Staff
All articles have been updated to correct Scribner errors such as misspellings, missing commas, etc.	CWA
<i>Changes to Form-Based Regulating Plans</i>	
On all Regulating Plans except for the Ecorse Road Regulating Plan, site types have been added to properties in the previous version proposed to be zoned NC, RC and TC, but a site type had on been assigned.	Staff
For the previous version, CWA had an outdated parcel layer. Site types in all of the Regulating Plans have been double checked and adjusted based on parcel size on the Packard Road Regulating Plan, Washtenaw Avenue Regulating Plan, Michigan Avenue Regulating Plans, and the Town Center Regulating Plan.	CWA
On the Michigan Avenue Regulating Plan, 86 Wiard and the Industrial Park form-based designation have been changed from Site Type A to Site Type C	E-mail from Ralieg Prater Owner of 86 Wiard
On the Town Center Regulating Plan, 1401, 1435, and 1445 S. Huron, owned by AGC Automotive Americas Co., from Site Type C to Site Type D	Letter from Eric Rogers Counsel for AGC

<b>Changes to Zoning Map</b>
<i>NONE</i>

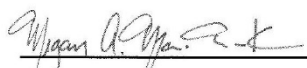
The following table has comments from the public hearing have not been addressed with our recommendations:

#	Proposed Change	Next Step	Recommendation
1	<p>Extension of Agricultural Overlay to 6216 Swallow Lane and 7707 Stony Creek</p> <p><i>Source: E-mail from Sarah Prince, 7447 Stony Creek Road</i></p>	<p>Staff works with the assessor to double check that all existing agricultural areas within the Agricultural Preservation and Open Space, Neighborhood Preservation &amp; Cluster Development Future Land Use categories are proposed for the Agricultural Overlay.</p>	<p>Revised Zoning Map available for the Township Board at their first reading.</p>
2	<p>Why are public parks not designated on the zoning map?</p> <p><i>Source: E-mail from Sarah Prince, 7447 Stony Creek Road</i></p>	<p>Public parks are proposed to remain a permitted use in the R-1 to R-5, RM-LD to RM-HD, Agricultural Overlay, and MHP zoning districts.</p>	<p>No recommended changes.</p>
3	<p>Understanding cannabis development</p> <p><i>Source: E-mail from Chris Breneman, EXIT Realty 1<sup>st</sup>, Jackson, MI</i></p>	<p>The full range of Medical Marihuana uses are proposed as permitted uses in the I-C zoning district.</p>	<p>No recommended changes</p>
4	<p>Make Section 1103 – Keeping of Chickens less restrictive</p> <p><i>Source: Planning Commission</i></p>	<p>We recommend community engagement and research into options before making changes to this Section.</p>	<p>Planning Commission recommend to the Township Board to undertake zoning amendments on this Section with a community engagement component after the overall Zoning Ordinance is adopted.</p>

#	Proposed Change	Next Step	Recommendation
5	Allow short-term rentals for owners who do not live on-site  <i>Source: Planning Commission</i>	We recommend community engagement and research into options before making changes. In addition, a stand-alone Ordinance may be more effective.	Planning Commission recommend to the Township Board to undertake community engagement on this subject and make subsequent ordinance changes, after the overall Zoning Ordinance is adopted.
6	Increase 15-day limit on campground stays to three months in Section 1146  <i>Source: Planning Commission</i>	This subject has been discussed at the Development Team level but not at the Township Board level.	Planning Commission, in its recommendation to the Township Board, recommend this change.
7	Add rain gardens and pollinator gardens are allowed in all yards to Section 1164.  <i>Source: Planning Commission</i>	This subject has not been discussed at Township Board level.	Planning Commission, in its recommendation to the Township Board, recommend this change.
8	Reduce or eliminate parking minimums  <i>Source: Planning Commission</i>	We recommend additional research into options and best practices before making changes to parking minimums.	Planning Commission recommend to the Township Board to undertake zoning amendments on this Section based on research and best practices after the overall Zoning Ordinance is adopted.

We are available if you have any questions or suggestions. Thanks for your leadership in completing this project.

Yours Truly,



\_\_\_\_\_  
**CARLISLE/WORTMAN ASSOC., INC.**  
 Megan Masson-Minock, AICP  
 Senior Associate



Charter Township of Ypsilanti  
Planning Commission

**RESOLUTION 2022-01**

**Recommendation of Adoption Ypsilanti Township Zoning Ordinance**

**Whereas**, the Township Code of Ordinances, Appendix A commonly known and cited as the Charter Township of Ypsilanti Zoning Ordinance (zoning ordinance), contains provisions to regulate land development, to establish district designations for building form, parcel size, and use, and to promote health, safety, and general welfare; and

**Whereas**, the Township completed a detailed review of the Township's zoning ordinance and zoning map and have recommended changes and updates to the zoning ordinance involving a series of amendments to the zoning ordinance language and map; and

**Whereas**, the proposed zoning ordinance and map amendments implement the goals and objectives of the 2040 Ypsilanti Township Master Plan's future land use plan; and

**Whereas**, at its regularly scheduled meeting held November 23, 2021, the Commission held a public hearing pursuant to the State of Michigan Zoning Enabling Act

**Now be it resolved**, that at the regularly scheduled meeting held January 11, 2022, the Ypsilanti Township Planning Commission recommended approval of the new Zoning Ordinance and Zoning Map to the Ypsilanti Township Board of Trustees.

ROLL CALL VOTE:

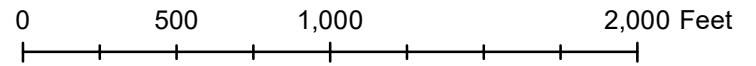
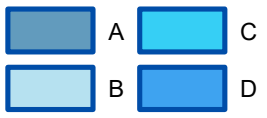
**AYES: Doe, Kreig, Peterson, Sinkule**

**NAYS: None**

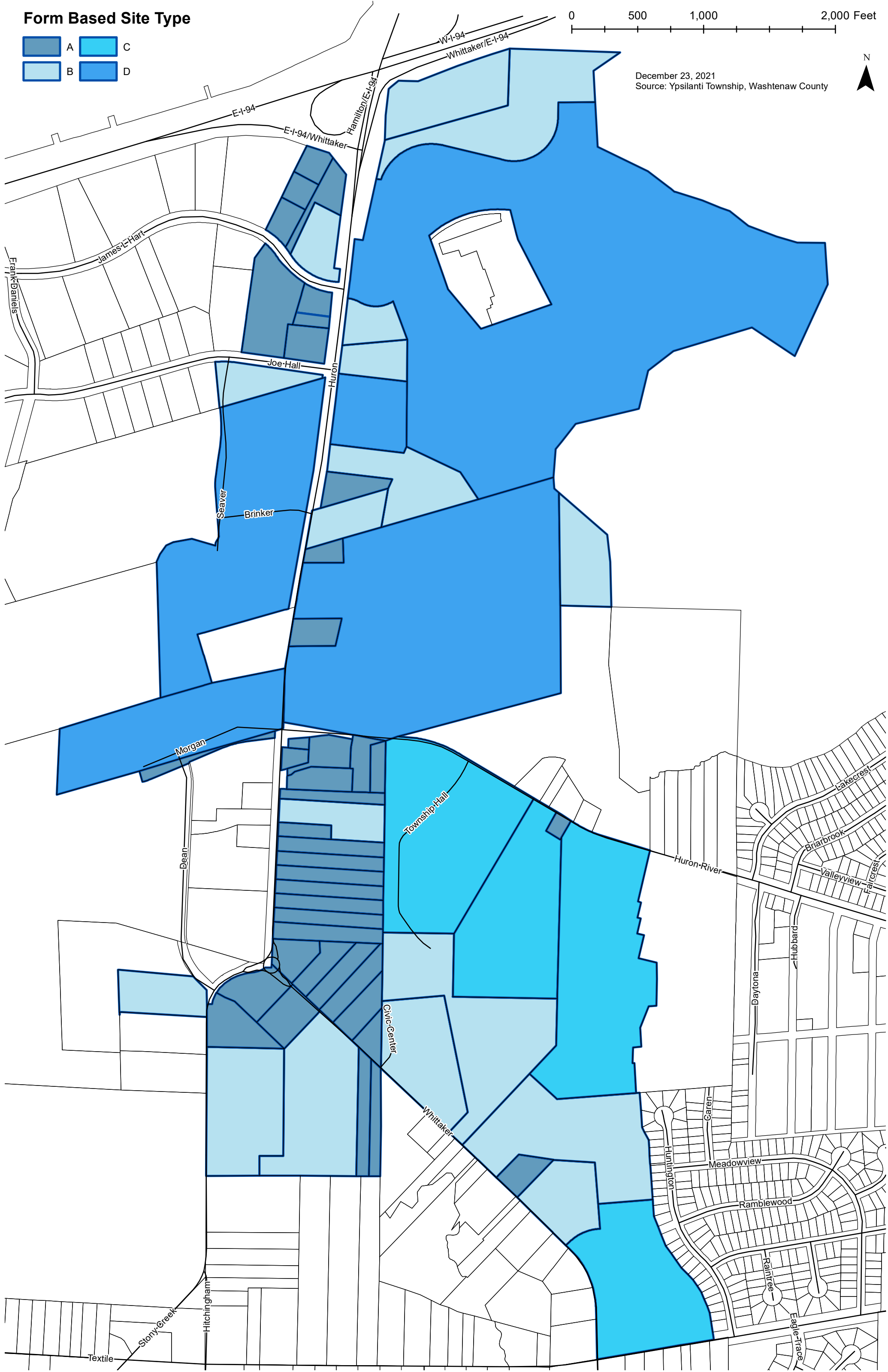
**ABSENT: Richie, Tuwakkul, El-Assadi**

**ADBSTAIN: None**

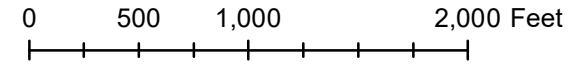
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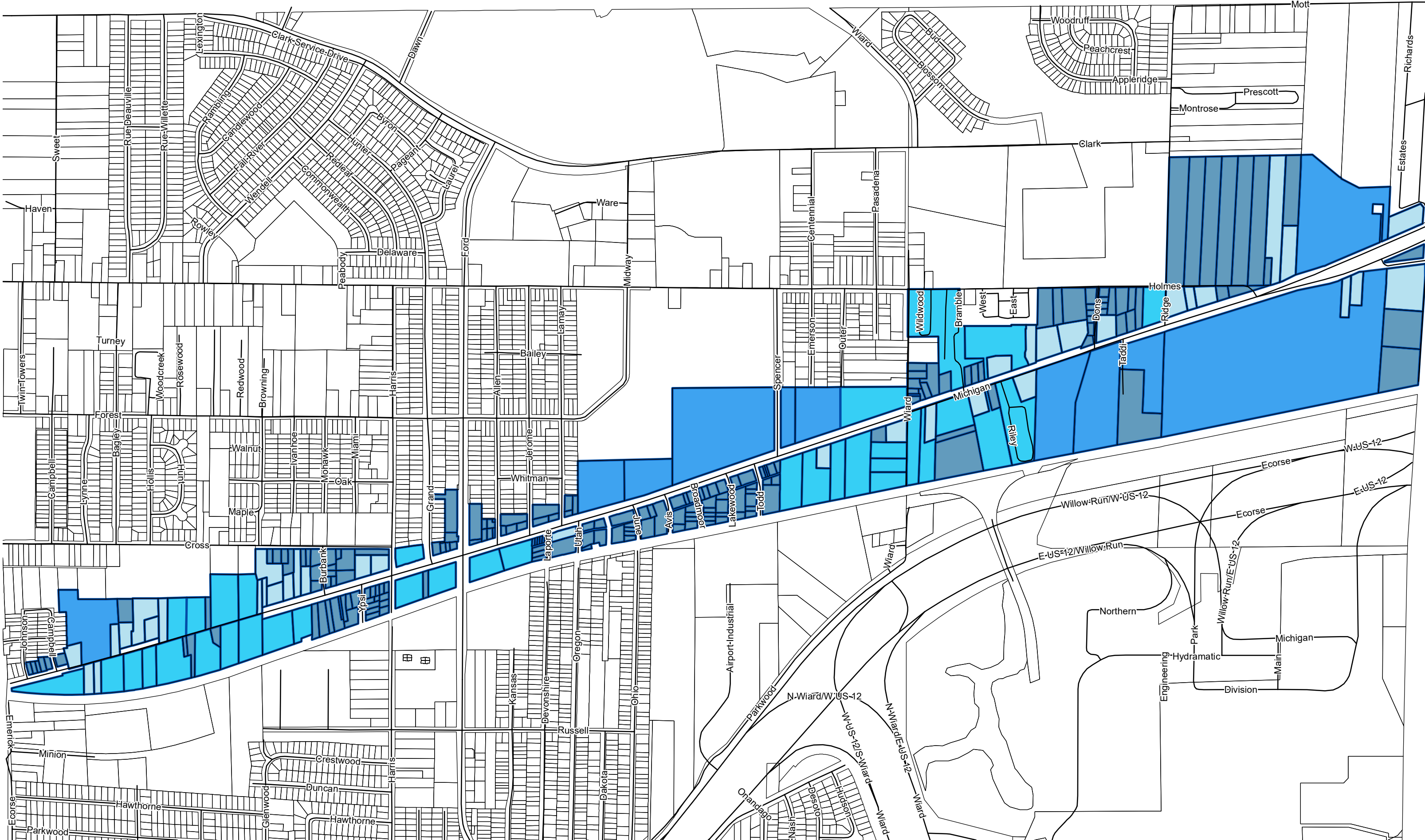
December 23, 2021  
Source: Ypsilanti Township, Washtenaw County

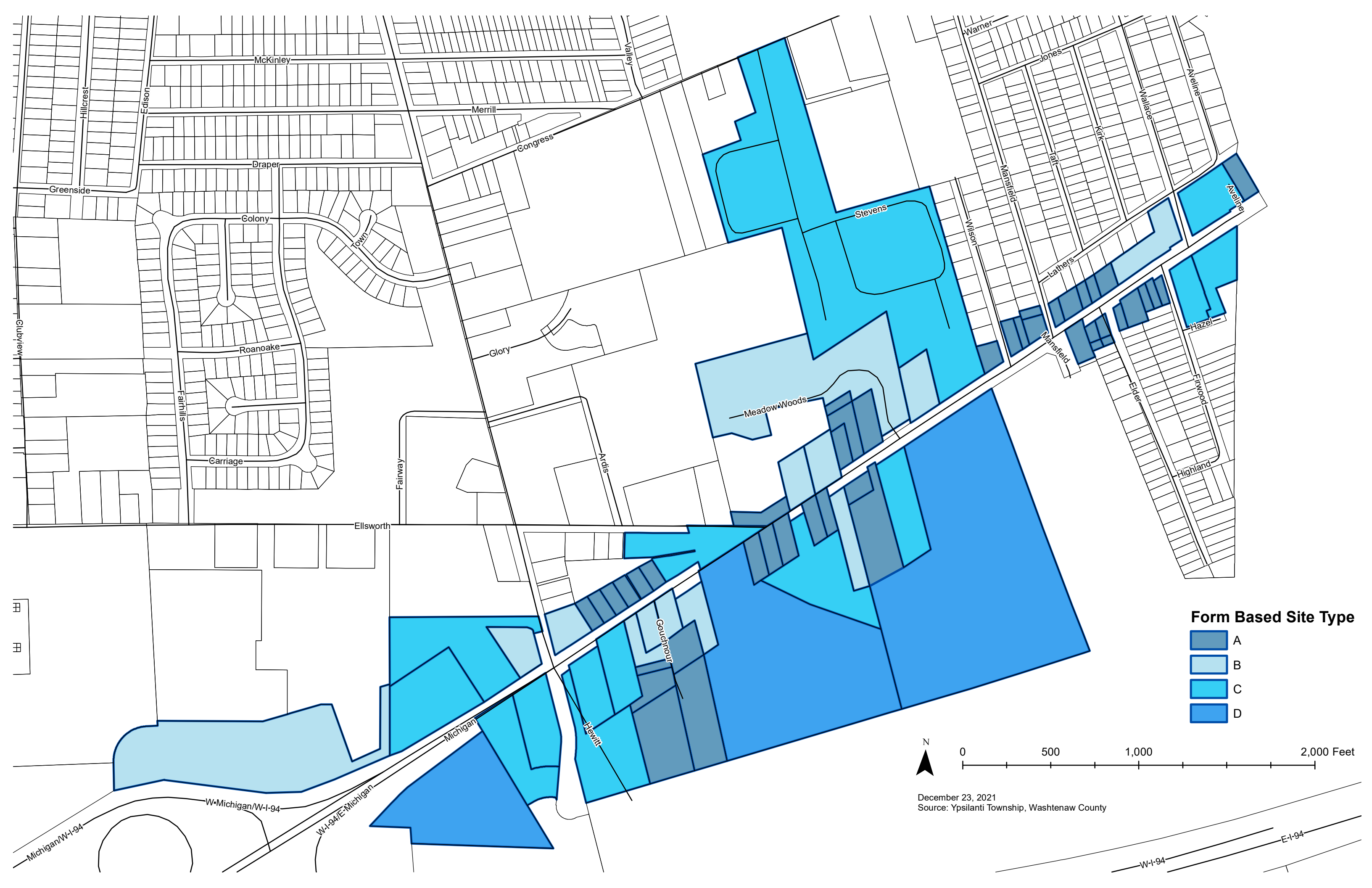


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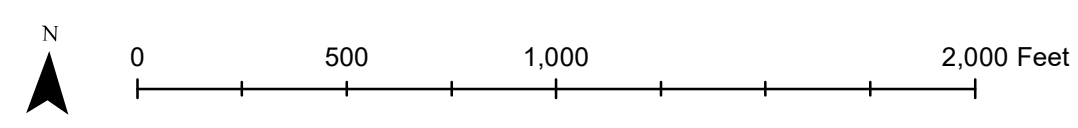
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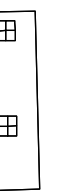


**Form Based Site Type**

- A
- B
- C
- D

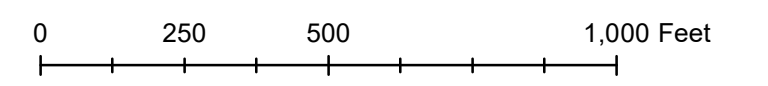


December 23, 2021  
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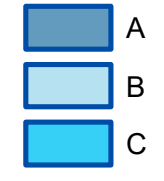


Michigan/W-1-94  
 W-Michigan/W-1-94  
 W-1-94/E-Michigan

W-1-94  
 E-1-94



### Form Based Site Type



December 23, 2021  
Source: Ypsilanti Township, Washtenaw County



Twin Lakes

International

Stadium View

Boston

Whittier

Washtenaw

Ainsley

Northlawn

Eastlawn

Southlawn

Stratford

Hewitt

Stratford

Golfside

Dupont

Bergen

Eastman

Boston

Westlawn

Brookside

Maulbetsch

Fairfield

Rosedale

Kewanee

Berkley

Packard



0

500

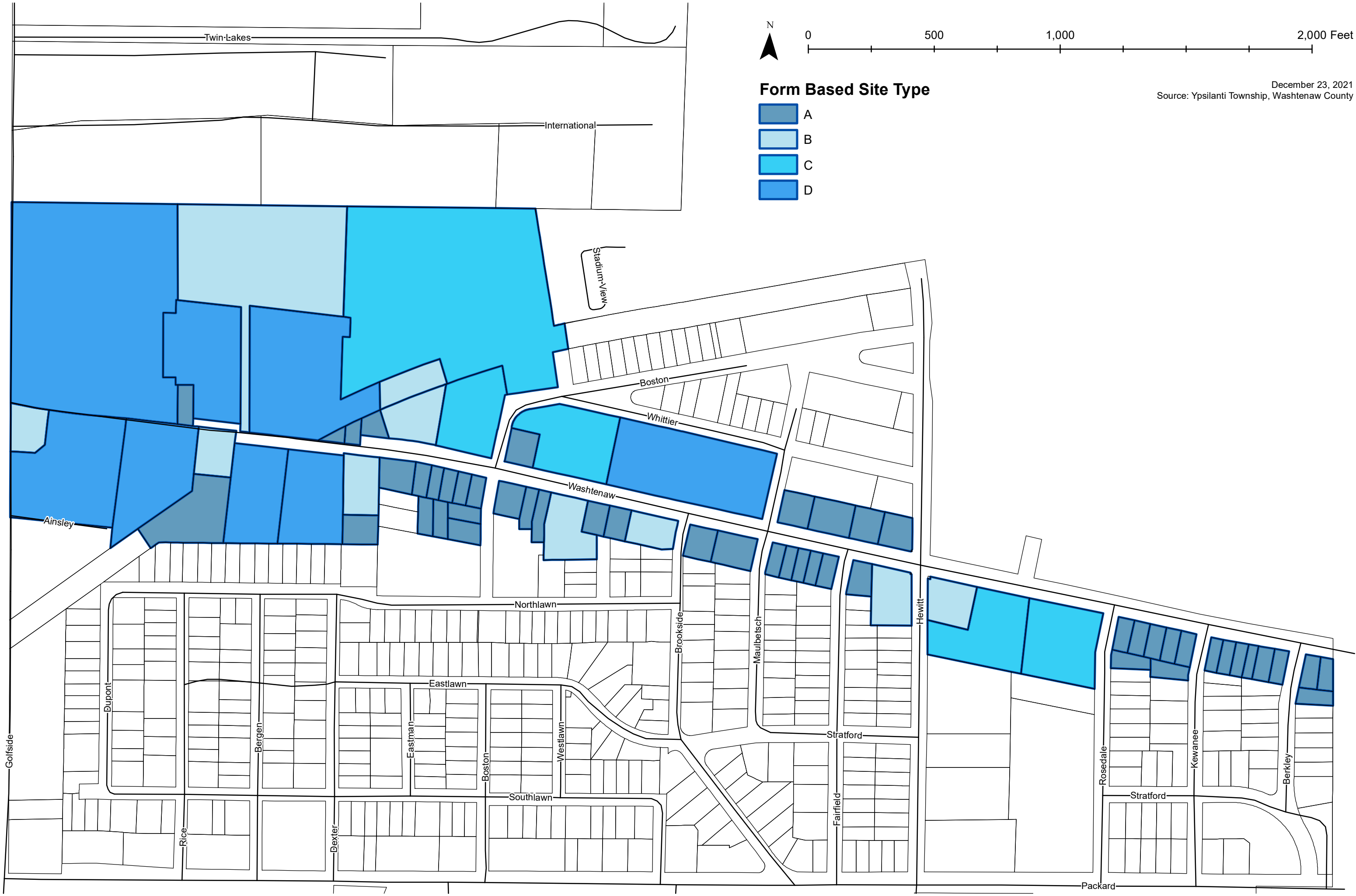
1,000

2,000 Feet

### Form Based Site Type

- A
- B
- C
- D

December 23, 2021  
Source: Ypsilanti Township, Washtenaw County



SUPERIOR TOWNSHIP

CITY OF YPSILANTI

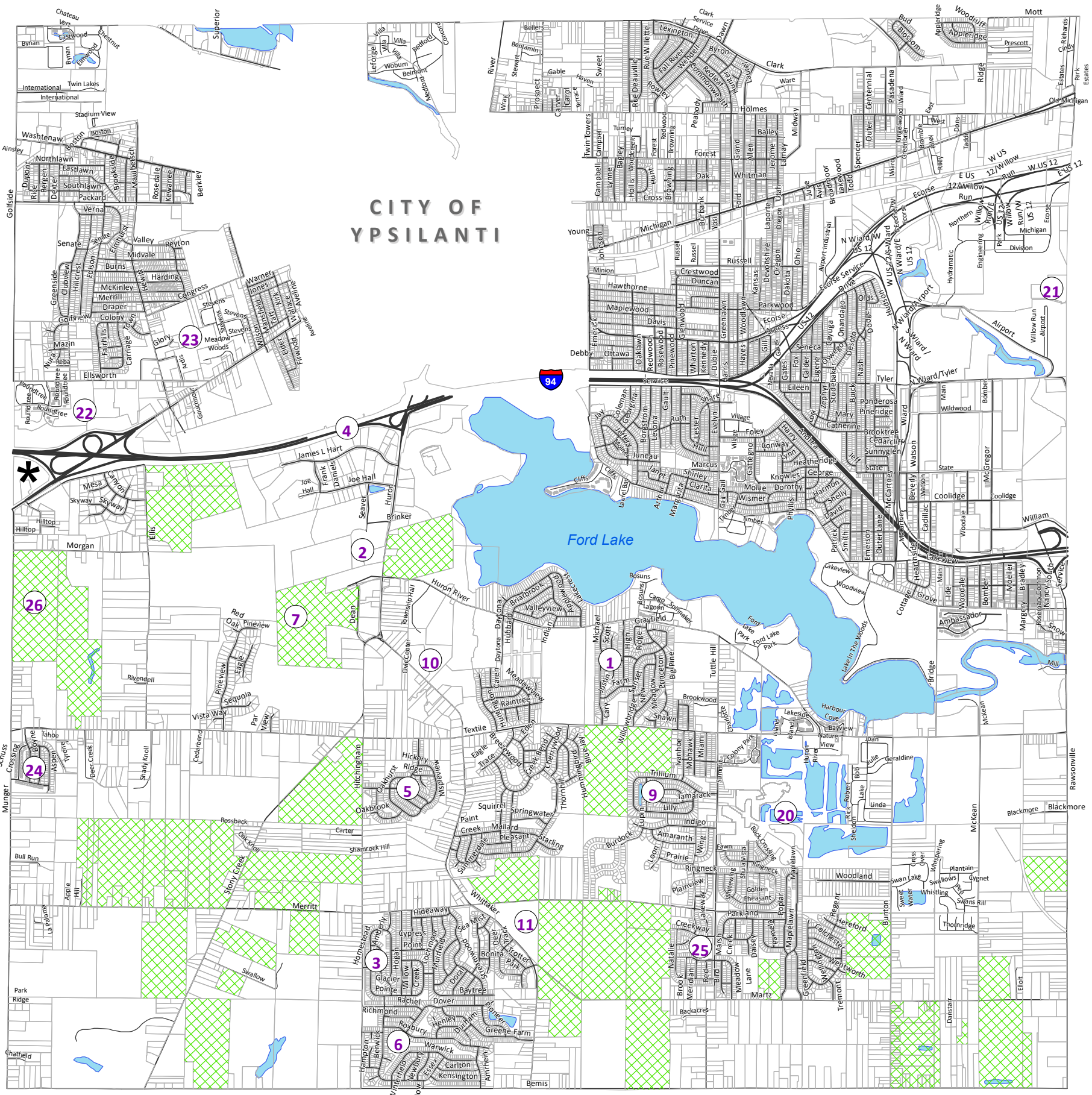
AUGUSTA TOWNSHIP



# DRAFT Zoning Map: Version 1 Charter Township of Ypsilanti

7200 South Huron River Drive  
Ypsilanti, Michigan 48197

PITTSFIELD TOWNSHIP

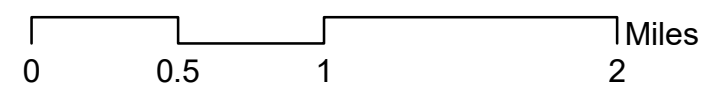
VAN BUREN TOWNSHIP



-  Agricultural Overlay District
-  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                  |                                  |



SUPERIOR TOWNSHIP

CITY OF YPSILANTI

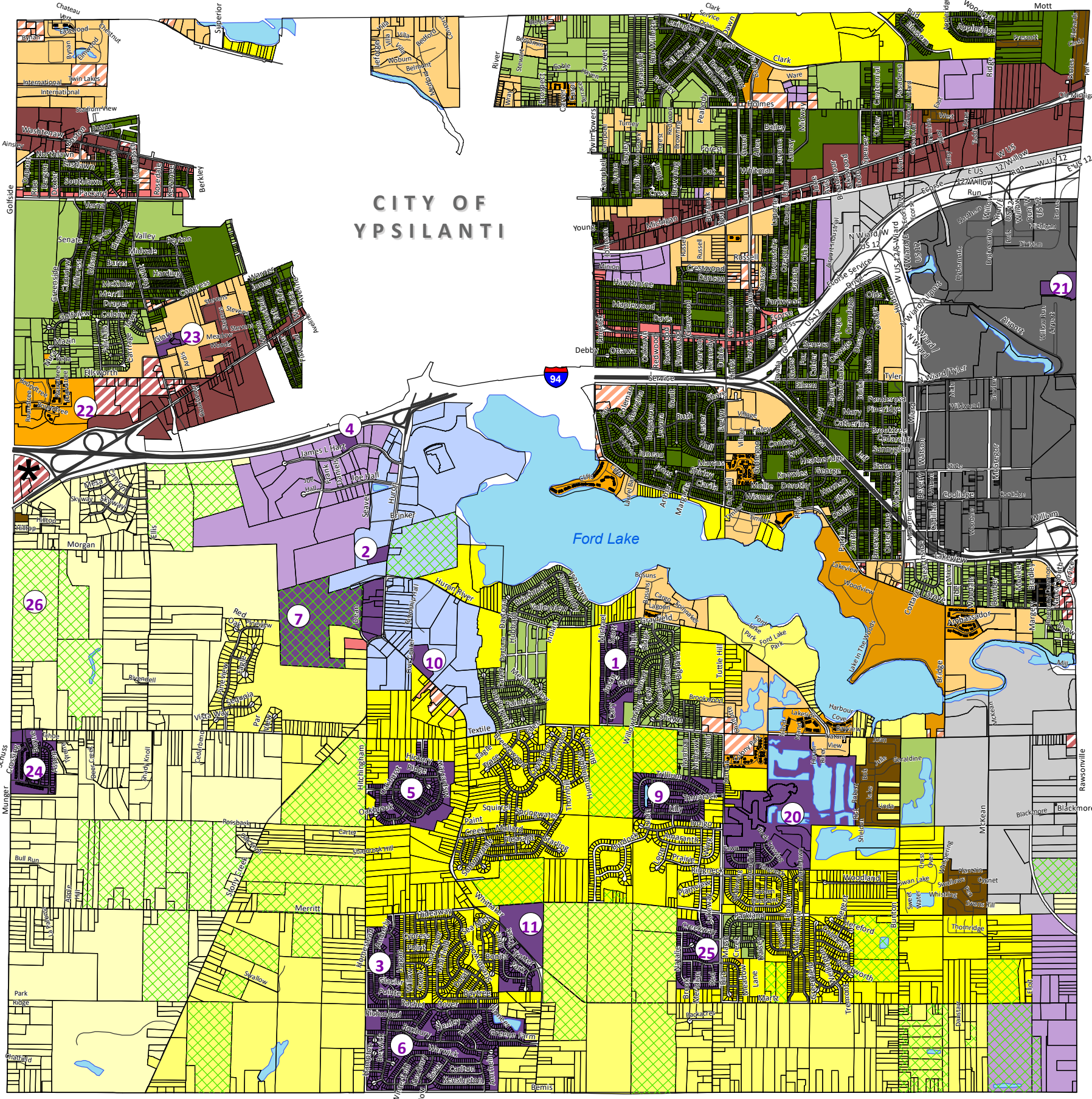
AUGUSTA TOWNSHIP

# DRAFT Zoning Map: Version 1 Charter Township of Ypsilanti

7200 South Huron River Drive  
Ypsilanti, Michigan 48197

PITTSFIELD TOWNSHIP

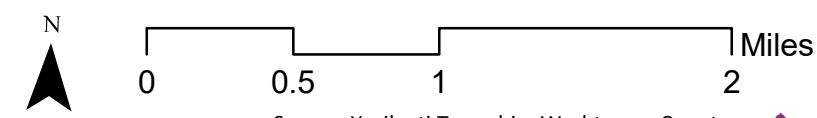
VAN BUREN TOWNSHIP



- 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
- NB Neighborhood Business
- GB General Business
- RC Regional Corridor
- NC Neighborhood 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                        |
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| 8 N/A                       | 25 Creekside South/Manors        |
| 9 Whispering Meadows        | 26 Forestview Estates            |
| 10 Library                  |                                  |





# **NEW BUSINESS**

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Dedicated to Providing Top Quality, Cost Effective, and  
Environmentally Safe Water and Wastewater Services to Our Customers

YPSILANTI COMMUNITY UTILITIES AUTHORITY

2777 STATE ROAD  
YPSILANTI, MICHIGAN 48198-9112  
TELEPHONE: 734-484-4600  
WEBSITE: [www.ycua.org](http://www.ycua.org)

February 2, 2022

**VIA EMAIL**

CITY OF YPSILANTI  
City Council  
One South Huron Street  
Ypsilanti, Michigan 48197-5400

CHARTER TOWNSHIP of YPSILANTI  
Board of Trustees  
7200 South Huron Street  
Ypsilanti, Michigan 48198

Re: **Amendment to the YCUA Articles of Incorporation**

Dear City Council Members and Township Trustees:

The Authority's Board of Commissioners has adopted a resolution to amend Article VII of YCUA's Articles of Incorporation regarding compensation. Article VII of the Articles of Incorporation, adopted in 1974, provides that each Commissioner shall be paid the sum of \$50 for each meeting he or she attends, not to exceed twelve (12) meetings per year. The attached proposed amendment to Article VII provides for the Commissioners to be compensated for their service in an amount approved by an affirmative vote of a majority of the Commissioners, provided that any such compensation is also approved by the City Council of the City of Ypsilanti and by the Township Board of the Township of Ypsilanti. Please find enclosed the resolution which was approved by the Authority's Board on January 26, 2022.

Under Article XIX of the Articles of Incorporation, the proposed amendment requires adoption by the legislative body of each constituent municipality of which the Authority is composed, that being the Township of Ypsilanti and the City of Ypsilanti. If the amendment is adopted, the fact of the adoption shall be endorsed by the signatures of the Township's Supervisor and Clerk, and the City's Mayor and Clerk, respectively. The signed/endorsed amendment will then need to be published at least once in the Washtenaw County Legal News, and one printed copy of the amendment certified as a true copy by the recording officer of the Authority, with the date and place of publication, shall be filed with the secretary of state and the clerk of Washtenaw County.

Please place this item on your next upcoming agendas for consideration and forward the supporting material attached for use in considering the amendment request. Please do not hesitate to contact me by phone with any questions or concerns at (734) 484-4600 ext. 116 or by email at [lblackburn@ycua.org](mailto:lblackburn@ycua.org).

Sincerely,

LUTHER BLACKBURN, Executive Director  
Ypsilanti Community Utilities Authority

LB/kks  
Enclosures  
cc w/encl.: YCUA Board of Commissioners

**YCUA RESOLUTION NO. 22-3 AMENDING ARTICLE VII OF THE  
ARTICLES OF INCORPORATION OF THE AUTHORITY**

Minutes of a meeting of the Board of Commissioners of the Ypsilanti Community Utilities Authority, County of Washtenaw, Michigan, held in the Authority, on the 26<sup>th</sup> day of January 2022 at 3:00 o'clock p.m., prevailing Eastern Time.

PRESENT: Commissioners Michael Bodary, Keith P. Jason, Jon R. Ichesco, Larry J. Doe,  
and Gloria C. Peterson.

ABSENT: Commissioners None.

The following preamble and resolution were offered by Commissioner Ichesco and supported by Commissioner Doe.

WHEREAS, following is a resolution of the Board of Commissioners (the "Board") of the Ypsilanti Community Utilities Authority (the "Authority") unanimously adopted and binding on the Authority pursuant to Article IX of the Authority's Articles of Incorporation; and

WHEREAS, the undersigned, constituting the entire Board of the Authority, find it to be in the best interest of the Authority to adopt the following resolution to amend Article VII of the Authority's Articles of Incorporation regarding compensation paid to Commissioners for attending meetings of the Authority.

NOW, THEREFORE, BE IT RESOLVED THAT the undersigned hereby approve the proposed Amendment to Article VII of the Authority's Articles of Incorporation, attached hereto as **Exhibit A** (the "Proposed Amendment") regarding compensation paid to Commissioners for attending meetings of the Authority, and authorize that the Proposed Amendment be presented to the legislative body of each constituent municipality of which the Authority is composed, that being the City of Ypsilanti ("City") and the Township of Ypsilanti ("Township"), for consideration. If the Proposed Amendment is adopted, the fact of the adoption shall be endorsed by the signatures of the Township's Supervisor and Clerk, and the City's Mayor and Clerk, respectively, and the signed/endorsed Amendment shall be published at

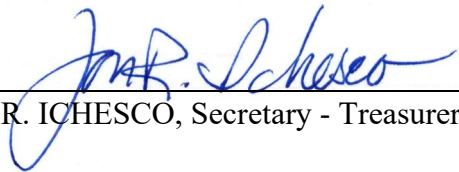
least once in the Washtenaw County Legal News, and one printed copy of the Amendment certified as a true copy by the recording officer of the Authority, with the date and place of publication, shall be filed with the secretary of the State of Michigan and the clerk of Washtenaw County.

AYES: Commissioners Michael Bodary, Jon R. Ichesco, Larry J. Doe,  
and Gloria C. Peterson.

NAYS: Commissioners Keith P. Jason.

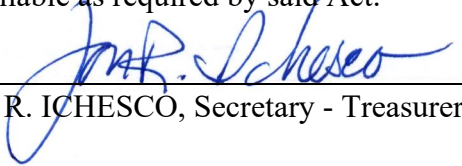
RESOLUTION DECLARED ADOPTED.



  
\_\_\_\_\_  
JON R. ICESCO, Secretary - Treasurer

I hereby certify that the attached is a true and complete copy of a resolution adopted by the Board of Commissioners of the Ypsilanti Community Utilities Authority, County of Washtenaw, State of Michigan, at a meeting held on the 26<sup>th</sup> day of January 2022 and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976 and that minutes of the meeting were kept and will be or have been made available as required by said Act.



  
\_\_\_\_\_  
JON R. ICHESCO, Secretary - Treasurer

**AMENDMENT TO ARTICLE VII OF THE ARTICLES OF INCORPORATION OF  
THE YPSILANTI COMMUNITY UTILITIES AUTHORITY**

WHEREAS, on September 3, 1974, the Articles of Incorporation of the Ypsilanti Community Utilities Authority (“Authority”) were adopted by the Township of Ypsilanti and the City of Ypsilanti, a true and correct copy of which is attached hereto as **Exhibit A**;

WHEREAS, the last paragraph of Article VII of the Articles of Incorporation (**Exhibit A**, pg. 4) provides that the Commissioners serving on the Authority’s Commission shall serve without compensation except that each Commissioner shall be paid the sum of Fifty (\$50.00) Dollars for each meeting which he may attend not in excess of twelve (12) meetings per year, and except that if any Commissioner shall serve as Secretary or Treasurer, or Secretary-Treasurer, he may receive for such services such reasonable compensation as may be fixed by the Commission, and further provided that each Commissioner shall be entitled to reimbursement for all expenditures made by him in carrying out his official duties, including a reasonable allowance for traveling expenses;

WHEREAS, pursuant to Article IX of the Articles of Incorporation, the Board of Commissioners of the Authority has approved, at a regular meeting of the Commission, a resolution to amend the foregoing provisions of Article VII of the Articles of Incorporation to change how Commissioners are to be paid for serving on the Commission so that the Commissioners may now be compensated in amounts approved by an affirmative vote of a majority of the Commissioners, provided that any such compensation also is approved by the Township Board of the Township of Ypsilanti and the City Council of the City of Ypsilanti;

WHEREAS, pursuant to Article XIX of the Articles of Incorporation, the above-mentioned amendment may be made to Article VII of the Articles of Incorporation if adopted by the legislative body of each constituent municipality of which the Authority is composed.

NOW, THEREFORE, it is hereby provided that the last paragraph of Article VII of the Authority’s Articles of Incorporation (**Exhibit A**, p.4), which states as follows, is deleted in its entirety:

The Commissioners shall serve without compensation except that each Commissioner shall be paid the sum of Fifty (\$50.00) Dollars for each meeting which he may attend not in excess of twelve (12) meetings per year, and except that if any Commissioner shall serve as Secretary or Treasurer, or Secretary-Treasurer, he may receive for such services such reasonable compensation as may be fixed by the Commission. Each Commissioner shall be entitled to reimbursement for all expenditures made by him in carrying out his official duties, including a reasonable allowance for traveling expenses.

and is replaced with the following:

The Commissioners may be compensated for their service on the Commission in amounts approved by an affirmative vote of a

majority of the Commissioners, provided that any such compensation is also approved by the City Council of the City of Ypsilanti and by the Township Board of the Township of Ypsilanti.

It is further provided that all other remaining provisions of Article VII of the Articles of Incorporation shall remain in full force and effect;

The foregoing Amendment to Article VII of the Authority’s Articles of Incorporation was adopted by the Township Board of the Township of Ypsilanti, Washtenaw County, Michigan, at a regular meeting duly held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

TOWNSHIP OF YPSILANTI

By: \_\_\_\_\_  
Supervisor

By: \_\_\_\_\_  
Township Clerk

The foregoing Amendment to Article VII of the Authority’s Articles of Incorporation was adopted by the City Council of the City of Ypsilanti, Washtenaw County, Michigan, at a regular meeting duly held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF YPSILANTI

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
City Clerk

OF

## YPSILANTI COMMUNITY UTILITIES AUTHORITY

These Articles of Incorporation are adopted by the incorporating municipal corporations for the purpose of creating an Authority under the provisions of Act 233, Public Acts of Michigan, 1955, as amended.

## ARTICLE I

The name of this Authority is "Ypsilanti Community Utilities Authority." The principal office of the Authority will be located at 7200 S. Huron River Drive, Ypsilanti, Michigan, 48197.

## ARTICLE II

The names of the municipal corporations creating this Authority are: The Township of Ypsilanti, and the City of Ypsilanti, which are located in the County of Washtenaw, Michigan, which are hereby designated as the constituent municipalities.

## ARTICLE III

The purpose of this Authority is to acquire, own, improve, enlarge, extend and operate a sewage disposal system and a water supply system in accordance with the authorization of Act 233, Public Acts of Michigan, 1955, as amended. Further, that it is the foremost purpose of this Authority to serve residents of the Township and City efficiently, economically, and to reduce costs where reasonably possible, with a good quality and uniform system for water and wastewater treatment that will adequately serve their needs.



ARTICLE IV

This Authority is a body corporate with power to sue or to be sued in any court of this State. It shall be comprised of all of the territory embraced within the corporate boundaries of its constituent municipalities. It shall possess all of the powers granted by statute and by these Articles, and those incident thereto. The enumeration of any powers herein shall not be construed as a limitation upon its general powers unless the context shall clearly indicate otherwise. It shall have a corporate seal.

ARTICLE V

This Authority shall continue in existence perpetually or until dissolved by act of the parties or by law: Provided, However, that such Authority shall not be dissolved if such dissolution could operate as an impairment of any of its contracts.

ARTICLE VI

The fiscal year of the Authority shall commence on the first day of September in each year and end on the 31st day of August of the following year.

ARTICLE VII

The governing body of the Authority shall be a Commission, which shall be made up of three representatives from the Township of Ypsilanti and two representatives from the City of

Ypsilanti. Each Commissioner after the first Commission shall be appointed to serve for a term of three years beginning with the first day of January next following his respective appointment. Each Commissioner shall qualify by taking the constitutional oath of office and filing it with his respective Township or City Clerk. The first Commission shall be appointed by the legislative bodies of the constituent municipalities within twenty days after the effective date of the incorporation of this Authority and the terms thereof shall be staggered as follows:

The first Ypsilanti Township representative and the first Ypsilanti City representative shall serve for initial terms of office expiring December 31, 1975; the second Ypsilanti Township representative and the second Ypsilanti City representative shall serve for initial terms of office expiring December 31, 1976; and the third Ypsilanti Township representative shall serve for initial terms of office expiring December 31, 1977. Successor Commissioners shall be appointed by the legislative bodies of the respective constituent municipalities on or before the 15th day of December of each year that a term of office expires. Within thirty days after the effective date of the incorporation of the Authority the members of the first Commission shall qualify by taking the constitutional oath of office and shall meet for the purpose of organization. At such organizational

meeting the Commission shall select a Chairman and Vice Chairman, who shall be members of the Commission, and a Secretary and a Treasurer, or a combined Secretary-Treasurer, who shall be members, or a member, of the Commission. Such officers shall serve until the organizational meeting of the following year, which shall be held annually on the first business day of February of each year, or until their respective successors shall be selected and qualify. No appointment to the Commission and no selection of an officer of the Commission shall be deemed to be invalid because it was not made within or at the time specified in these Articles. Any Commissioner may be removed at any time without cause and at the will of the legislative body of the municipality which such Commissioner represents.

The Commissioners shall serve without compensation except that each Commissioner shall be paid the sum of Fifty (\$50.00) Dollars for each meeting which he may attend not in excess of twelve (12) meetings per year, and except that if any Commissioner shall serve as Secretary or Treasurer, or Secretary-Treasurer, he may receive for such services such reasonable compensation as may be fixed by the Commission. Each Commissioner shall be entitled to reimbursement for all expenditures made by him in carrying out his official duties, including a reasonable allowance for traveling expenses.

ARTICLE VIII

In the event of a vacancy on the Commission the legislative body of the municipality selecting such representative shall fill the vacancy for the unexpired term. In event of a vacancy in any office of the Commission, such vacancy shall be filled by the Commission for the unexpired term. In case of the temporary absence or disability of any officer, the Commission may appoint some person temporarily to act in his stead except that in the event of the temporary absence or disability of the Chairman, the Vice Chairman shall so act.

ARTICLE IX

Meetings of the Commission shall be held at least monthly at such time and place as shall be prescribed by resolution of the Commission. Special meetings of the Commission may be called by the Chairman or any three Commissioners, by serving written notice of the time, place and purpose thereof, upon each Commissioner, personally, or by leaving it at his place of residence, at least twenty-four hours prior to the time of such meeting, or by depositing the same in a United States Post Office or mail box within the limits of the Authority, at least seventy-two hours prior to the time of such meeting, enclosed in a sealed envelope properly addressed to him at his home or office address, with postage fully prepaid. Special meetings of the Commission at which all members are present, or which all absent members receive

notice, shall be deemed to be valid even though no written notice thereof may be given as above specified. At least three members of the Commission shall be required for a quorum. The Commission shall act by motion, resolution or ordinance. For the passage of any resolution or ordinance providing for the issuance of bonds, or the execution of any contract wherein contractual payments are to be pledged as security for bonds, there shall be required a favorable vote of 3 Commissioners. For all other matters, a vote of a majority of the Commissioners present shall be sufficient for passage. The Commission shall have the right to adopt rules and by-laws governing its procedure which are not in conflict with the terms of any statute or of these Articles. The Commission shall keep a journal of its proceedings, which shall be signed by the Chairman. All votes shall be "yeas" and "nays", except that where the vote is unanimous it shall only be necessary to so state.

#### ARTICLE X

The Chairman of the Commission shall be the presiding officer thereof. Except as herein otherwise provided, he shall not have any executive or administrative functions other than as a member of said Commission. In the absence or disability of the Chairman, the Vice Chairman shall perform the duties of the Chairman. The Secretary-Treasurer shall be the recording officer of the Commission and shall

be custodian of the funds of the Authority and shall give to it a bond conditioned upon the faithful performance of the duties of his office. The cost of said bond shall be paid by the Authority. All monies shall be deposited in a bank or banks, to be designated by the Commission. The officers of the Commission shall have such other powers and duties as may be conferred upon them by the Commission.

The Commission shall prepare, adopt, and submit to the legislative bodies of the constituent municipalities ~~an annual budget~~ covering the proposed expenditures to be made for the organizing and operation of such Authority, and for the ~~necessary funds~~ required from each municipality for the next fiscal year beginning ~~September 1st~~, such budget to be submitted on or before ~~August 1st~~ of each calendar year.

#### ARTICLE XI

The Authority shall possess all the powers necessary to carry out the purposes thereof and those incident thereto. It may acquire private property by purchase, lease, gift, devise or condemnation, either within or without its corporate limits, and may hold, manage, control, sell, exchange or lease such property. For the purpose of condemnation it may proceed under the provisions of Act

149, Public Acts of Michigan, 1911, as now or hereafter amended, or any other appropriate statute.

#### ARTICLE XII

The Authority and its constituent municipalities may enter into a contract or contracts providing for the acquisition, purchase, construction, improvement, enlargement, extension, operation and financing of a sewage disposal system and/or a water supply system, as authorized and provided in Act 233, Public Acts of Michigan, 1955, as amended. The Authority may enter into contracts with any non-constituent municipality, as authorized and provided in said Act, for the furnishing of sewer or water service from any facilities owned or operated by the Authority, which contract shall provide for reasonable charges or rates for such service furnished. No contracts shall be for a period exceeding forty years.

#### ARTICLE XIII

For the purpose of obtaining funds for the acquisition, construction, improving, enlarging or extending of a sewage disposal system and/or a water supply system, the Authority may, upon ordinance or resolution duly adopted by it, issue its negotiable bonds, secured by the contractual full faith and credit pledges of each contracting municipality, in accordance with and subject to the provisions of Act 233, Public Acts of Michigan, 1955, as amended.

ARTICLE XIV

The Authority may issue self-liquidating revenue bonds in accordance with the provisions of Act 94, Public Acts of Michigan, 1933, as amended, being Sections 141.101 to 141.139, inclusive, of the Compiled Laws of 1948, or any other act providing for the issuance of revenue bonds, which bonds shall be payable solely from the revenues of the sewage disposal and/or water supply system. The charges specified in any contract or contracts securing said bonds shall be subject to increase by the Authority at any time if necessary in order to provide funds to meet its obligations. Any contract authorized herein shall be for a period of not exceeding forty years.

ARTICLE XV

The Authority may employ such personnel and employees as it may consider desirable, and may retain from time to time the services of attorneys and engineers, and fix the compensation therefor.

ARTICLE XVI

The Authority shall cause an annual audit to be made of its financial transactions by a certified public accountant and shall furnish at least three copies thereof to each constituent municipality.



ARTICLE XVII

These Articles shall be published once in The Ypsilanti Press, which newspaper has general circulation within the limits of the Authority. One printed copy of such Articles of Incorporation, certified as a true copy thereof, with the date and place of publication shall be filed with both the Secretary of State and the County Clerk of the County of Washtenaw within thirty days after the execution thereof has been completed.

The Township Clerk of the Township of Ypsilanti, Michigan, is hereby designated as the person to cause these Articles to be published, certified and filed as aforesaid. In the event he shall be unable to act or shall neglect to act, then the City Clerk of the City of Ypsilanti, Michigan, shall act in his stead.

ARTICLE XVIII

This Authority shall become effective upon the filing of certified copies of these Articles, as provided in the preceding Article.

ARTICLE XIX

These Articles of Incorporation may be amended at any time so as to permit any municipality, as defined in the Act, to become a member of this Authority, if such amendment to and the Articles of Incorporation are adopted by

the legislative body of such municipality proposing to become a member, and if such amendment is adopted by the legislative body of each constituent municipality of which the Authority is composed. Other amendments may be made to these Articles of Incorporation at any time if adopted by the legislative body of each constituent municipality of which the Authority is composed. Any such amendment shall be endorsed, published, and certified, and printed copies thereof filed in the same manner as the original Articles of Incorporation, except that the filed and printed copies shall be certified by the recording officer of the Authority.

These Articles have been adopted by the several incorporating municipalities, as hereinafter set forth in the following endorsements, and in witness whereof the Supervisor and Township Clerk of the Township of Ypsilanti and the Mayor and City Clerk of the City of Ypsilanti have endorsed thereon the statement of such adoption.

The foregoing Articles of Incorporation were adopted by the Township Board of the Township of Ypsilanti, Washtenaw County, Michigan at a regular meeting duly held on the 3rd day of September, 1974.

TOWNSHIP OF YPSILANTI

BY: *William P. [Signature]*  
Supervisor

BY: *Anna L. Stepp*  
Township Clerk

The foregoing Articles of Incorporation were adopted by the City Council of the City of Ypsilanti, Washtenaw County, Michigan, at a regular meeting duly held on the third day of September, 1974.

CITY OF YPSILANTI

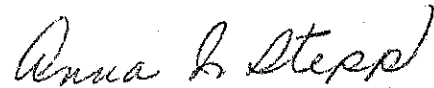
BY: George D. Goodman  
Mayor

BY: James E. Ashby  
City Clerk

BE IT HEREBY RESOLVED by the Township of Ypsilanti that the attached Articles of Incorporation of the Ypsilanti Community Utilities Authority be declared adopted.

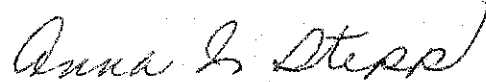
FURTHER BE IT RESOLVED, that the Supervisor and Clerk are hereby authorized to endorse hereon the statement of said adoption on behalf of the Township of Ypsilanti.

RESOLUTION DECLARED ADOPTED.



Anna J. Stepp  
Ypsilanti Township Clerk

I hereby certify that the foregoing resolution was duly adopted by the Ypsilanti Township Board at a Regular Meeting held on September 3, 1974, at 7200 South Huron River Drive, Ypsilanti, Michigan.



Anna J. Stepp  
Ypsilanti Township Clerk



Dedicated to Providing Top Quality, Cost Effective, and  
Environmentally Safe Water and Wastewater Services to Our Customers

YPSILANTI COMMUNITY UTILITIES AUTHORITY

2777 STATE ROAD  
YPSILANTI, MICHIGAN 48198-9112  
TELEPHONE: 734-484-4600  
WEBSITE: [www.ycua.org](http://www.ycua.org)

February 2, 2022

**VIA EMAIL**

CITY OF YPSILANTI  
City Council  
One South Huron Street  
Ypsilanti, Michigan 48197-5400

CHARTER TOWNSHIP of YPSILANTI  
Board of Trustees  
7200 South Huron Street  
Ypsilanti, Michigan 48198

**Re: Contingent Request to Approve – Stipend Amount for YCUA Board of Commissioners**

Dear City Council Members and Township Trustees:

The Authority's Board of Commissioners has adopted a resolution to amend Article VII of YCUA's Articles of Incorporation regarding compensation. Contingent upon an affirmative vote by your legislative bodies to amend Article VII of the Articles of Incorporation, the Authority is requesting to establish a stipend of \$75 per meeting to be paid to each Commissioner. Proposed language under Article VII no longer limits the number of paid meetings annually to twelve (12). Therefore, the proposed stipend would be paid to Commissioners for their attendance at monthly Board Meetings as well as Personnel and Finance Committee Meetings, and/or Water Bill Hearings. Additionally, revised language under Article VII no longer explicitly provides for the Board of Commissioners to set compensation for the Secretary-Treasurer and/or provide reimbursement of expenditures.

The YCUA Board approved the proposed stipend by motion at their regular scheduled meeting on January 26, 2022. Contingent upon an affirmative vote by your legislative bodies to amend Article VII of the Articles of Incorporation, the Authority is also requesting a vote by your legislative body on the proposed stipend.

Please place this item on your next upcoming agendas for consideration and forward the supporting material attached for use in considering this request. Please do not hesitate to contact me by phone with any questions or concerns at (734) 484-4600 ext. 116 or by email at [lblackburn@ycua.org](mailto:lblackburn@ycua.org).

Sincerely,

LUTHER BLACKBURN, Executive Director  
Ypsilanti Community Utilities Authority

LB/kks

cc: YCUA Board of Commissioners

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



*Charter Township of Ypsilanti*

**Clerk's Office**

7200 S. Huron River  
Drive  
Ypsilanti, MI 48197  
Phone: (734) 484-4700  
Fax: (734) 484-5156

# MEMORANDUM

To: Ypsilanti Township Board of Trustees

From: Heather Jarrell Roe, Clerk

Date: February 9, 2022

Subject: ***Request to Approve Memorandum of Understanding Between the Washtenaw County Water Resource Commissioner and Ypsilanti for a Community Area Cleanup***

This request is to approve a Memorandum of Understanding between the Washtenaw County Water Resource Commissioner and Ypsilanti Township for a community clean up event to be hosted at Fire Station #1, located at 222 S. Ford Blvd. Staffing and funding are being provided by WCWRC and location by Ypsilanti Township.

This will be our second year working with the WCWRC for this event. Last year's event collected 1.5 tons and they are hoping to increase this by 25% - 50% this year. Once a date has been selected, this event will be advertised by the WCWRC and township social media.

Should you have any questions, please contact my office.

Irs

**MEMORANDUM OF UNDERSTANDING FOR  
COMMUNITY AREA CLEANUP**

**BETWEEN**

**CHARTER TOWNSHIP OF YPSILANTI, 7200 S. HURON RIVER DRIVE, YPSILANTI, MI  
48197**

**AND**

**THE WASHTENAW COUNTY WATER RESOURCES COMMISSIONER'S OFFICE, 705 N.  
ZEEB ROAD, ANN ARBOR, MI 48103**

This document constitutes a Memorandum of Understanding (MOU) between the Charter Township of Ypsilanti and the Washtenaw County Water Resources Commissioner's Office - Washtenaw County Solid Waste Division starting Feb 15, 2022 and ending on December 31<sup>st</sup>, 2022.

Background:

In order to provide for community clean up, elimination of rodent habitat and to eliminate roadside dumping, Washtenaw County Water Resources Commissioner's Office Solid Waste Division is collaborating with the Charter Township of Ypsilanti to host a neighborhood Cleanup.

Specifics: To help clarify the expectations of the event and to help delineate the roles of each party, it is hereby agreed as follows:

***Ypsilanti Township agrees to:***

1. Allow for the use of parking lot space at the Fire Chief's discretion, located at the Ypsilanti Township Fire Department Headquarters located at 222 S. Ford Blvd, Ypsilanti MI, 48197.
2. Coordinate facilities for the operation of the program, including access to bathrooms for County Staff and, in the case of dangerous weather, temporary shelter for the Staff.
3. Designate a liaison or point of contact for communication, reservations, and logistics. A mutually agreed upon date shall be confirmed in writing through email.
4. The liaison will review logistics, presented by the Solid Waste Division, of the event and address any issues that may arise.
5. To the extent permitted by Michigan law, Ypsilanti Township shall indemnify and hold Washtenaw County and the Washtenaw County Water Resource Commissioner's Office Solid Waste Division harmless from and against all actions, liabilities, demands, costs and expenses, including court costs and attorney fees, which may arise due to Ypsilanti Township's gross negligence and/or intentional acts or omissions under this Agreement. The parties agree that this Indemnity shall not apply to any act or failure to act by any party other than Ypsilanti Township. Nothing herein shall be construed to waive, limit or restrict any governmental immunity defense available to Ypsilanti Township.

***Washtenaw County Water Resources Commissioner's Office: Solid Waste Division agrees to:***

1. Coordinate and hire contractors for collection of Bulky Waste. Contractors must have general liability insurance at a level meeting or exceeding County

Requirements.

2. Provide logistics of the event and address any issues that may arise.
3. Promote the event through social media, webpages, and other County outlets
4. On the day of the event, coordinate residents seeking to dispose of materials
5. Remove all items associated with the event from the parking lot including any incidental materials left at the site until midnight on the day of the event.
6. County staff will remain at the event location until all dumpsters have been removed from the site.
7. To the extent permitted by Michigan law, Washtenaw County shall indemnify and hold the Ypsilanti Township harmless from and against all actions, liabilities, demands, costs and expenses, including court costs and attorney fees, which may arise due to Washtenaw County's gross negligence and/or intentional acts or omissions under this Agreement. The parties agree that this Indemnity shall not apply to any act or failure to act by any party other than Washtenaw County. Nothing herein shall be construed to waive, limit or restrict any governmental immunity defense available to Washtenaw County and the Washtenaw County Water Resource Commissioner's Office – Solid Waste Division.

By signing this document, Washtenaw County and the Washtenaw County Water Resource Commissioner's Office and Ypsilanti Township agree to abide by the terms and conditions contained in this Memorandum of Understanding for the purpose of the Community Area Cleanup. Either party may cancel this MOU upon 30 days' written notice to the Washtenaw County Water Resource Commissioner's Office or to the Ypsilanti Township Clerk which Notice shall be delivered through first class mail, email or facsimile.

ATTESTED TO:

By: \_\_\_\_\_  
Lawrence Kestenbaum (DATE)  
County Clerk/Register

WASHTENAW COUNTY

By: \_\_\_\_\_  
Gregory Dill (DATE)  
County Administrator

APPROVED AS TO CONTENT:

Ypsilanti Township

By: \_\_\_\_\_  
Evan Pratt (DATE)  
Water Resources Commissioner

By: \_\_\_\_\_  
Brenda L. Stumbo (DATE)  
Ypsilanti Township Supervisor

APPROVED AS TO FORM BY

Ypsilanti Township

BY: \_\_\_\_\_  
Michelle Billard (DATE)  
Office of Corporation Counsel

BY: \_\_\_\_\_  
Heather Jarrell Roe (DATE)  
Ypsilanti Township Clerk



# OTHER BUSINESS

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# **BOARD MEMBER UPDATES**

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