

**CHARTER TOWNSHIP OF YPSILANTI  
PLANNING COMMISSION  
ZONING BOARD OF APPEALS  
Tuesday, October 12<sup>th</sup>, 2021  
6:30pm**

**COMMISSIONERS PRESENT**

Sally Richie- Chair  
Gloria Peterson- Board Liaison  
Muddasar Tawakkul  
Elizabeth El-Assadi  
Larry Doe

**COMMISSIONERS ABSENT**

Bill Sinkule (Vice Chair)  
Larry Kreig (Secretary)

**MANAGEMENT PRESENT**

Jason Iacoangeli, Planning Director  
Megan Masson, Minock, Carlisle Wortman  
Dennis McLain, Township Attorney

**I. CALL TO ORDER/ESTABLISH QUORUM**

**MOTION:** Ms. Richie called the meeting to order at 6:30 pm.

**II. APPROVAL OF AGENDA**

**MOTION:** Ms. Peterson **MOVED** to approve the agenda as presented. The **MOTION** was **SECONDED** by Mr. Doe and **PASSED** by unanimous consent.

**III. APPROVAL OF SEPTEMBER 28th MEETING MINUTES**

**MOTION:** Mr. Doe **MOVED** to approve the previous Board Meeting Minutes as presented. The **MOTION** was **SECONDED** by Ms. El-Assadi and **PASSED** by unanimous consent.

**IV. NEW BUSINESS**

DRAFT YPSILANTI TOWNSHIP ZONING ORDINANCE –REVIEW –CARLISLE WORTMAN & ASSOCIATES –DRAFT ZONING ORDINANCE TO BE INTRODUCED TO THE PLANNING COMMISSION. NO PUBLIC HEARING IS SCHEDULED

Mr. Iacoangeli, the township planning director stated that is the second of the two workshop style meetings for the new Ypsilanti Township Zoning ordinance. He also presented the agenda for the session as follows:

- Review of questions on the proposed zoning map changes.
- Questions on the proposed zoning text changes.
- Articles one through 7(Introduced in the last meeting).
- Review proposed major zoning text changes and article.
- Articles 8 through 19 to be introduced in this session

Mr. Iacoangeli reminded the board that there wouldn't be a public hearing and no required action to be taken in this session. He also informed the board, that the township would be receiving notices with regards to the change in the adoption of the new zoning ordinance and also informing them with office hours available for them to come in and speak to the planner with regards to the change. He presented the schedule for the upcoming meetings (tentative dates)

- Meeting with the Township Board – 19<sup>th</sup> October 2021.
- 2<sup>nd</sup> meeting with the Township Board – 2<sup>nd</sup> November 2021.
- Public hearing at the board – 9<sup>th</sup> November 2021.
- 1<sup>st</sup> reading at the Township Board –7<sup>th</sup> December 2021.
- Public hearing – (9<sup>th</sup> December – 23<sup>rd</sup>December) (Dates can vary)
- 2<sup>nd</sup> reading at the Township Board – January 2022.

Ms. Richie requested for clarification on the following definitions:

- Cemetery (Burial ground for earth interment) would this include green burials – Ms. Minock clarified that it would be included.
- Promulgation (Page 8) could be changed to a user-friendly word like sports - Ms. Minock agreed to change.
- Family/descendants/ bonds (Page 12)- Ms. Minock would need to refer to council, because this is something that's litigated.

If you are unrelated, the limit to 6 or fewer, explanation needed- Mr. Iacoangeli clarified by saying that the building code starts to change, once 6 people starts to occupy a building, which would then require different fire ratings/different type of health safety.

In small group homes, once the threshold exceeds 6 people, this would allow the building department to step in and address suppression fire ratings/ratings/number of doors for entrance and exit.

- Farm product (Page 13) to change the word in black to deer - Ms. Minock agreed to change.
- Parking garage (Page 26) would this also include charging stations - Ms. Minock agreed to change.

Ms. Minock gave an overview of Articles 2 through 7:

- Article 3 (Admin and Enforcement) includes development agreements. It would also include the names of the current staff, the economic development director, zoning administrator and building officials. It would also include job descriptions and titles.
- Article 4 includes District Regulations that sets the zoning districts. It has all the regulations, and the individual section for each zoning district, so if any information is needed for R1 through R5 single family, referring to Article 4 would help.
- Article 5 includes the form-based districts. The current district has a recourse that is regulated by the type of street and building in the building form. This is specifically used for site plan review.
- Article 6 is the planned unit development; the intent is to allow P.U.D to be used in the township and to help single family residential. These changes would help in being flexible and creative in solving sticky situations. These development agreements are used for both residential and commercial development. Commercial developments are required to have development agreements, so that it is codified for the use. Ms. Minock shared some examples, hotels are been requested trough the development agreement to install cameras, fertilizer products that are pet friendly and E charging stations.
- Article 7 is development options and site condominiums, in order to split the land. There is also an option for open space development, as per state law. The open space development is permitted in the R1 and R2 districts. The best option is to ask the developer for a list of things to begin with, rather than working along the way. This would help in planning and budgeting the project.

Ms. Minock requested the board if they wanted to have the map broken into sections, so that it would be drilled down to each neighborhood specifically. If the members are in agreement, this can be forwarded for public hearing. Ms. Richie agreed to go ahead.

- Article 8 is the zoning rules that apply to all properties in the township. Major changes are the sections that moved to other places in the zoning ordinance, and they apply only to site plan review, such as landscaping/parking/loading and access have been moved to a different article. The general provision is in Article 21 and Munich codes, where you find site plan review, landscaping/parking. These articles would for specific users. Included in these articles are additional regulations for recreational vehicles, entranceways, essential services and utilities. It also includes new sections for temporary structures, solar energy systems and security cameras. This master plan would help in having more sustainability in the township and opens a policy door that encourages people to follow it.
- Article 9 is the site plan. This lays out the rules and process for site plan review. The big change is that, preliminary site plan is proposed not to require approvals from outside agencies. It won't involve much engineering, the reason being that the preliminary site in other municipalities is basically just the general layout of a site showing the relationship of the building with everything surrounding it, include things like the parking, where landscape areas might be, and typically what the Planning Commission is approving is just the general concept. Basically, the planning commission would review the plan, and when it meets the intent of the ordinance, approvals would be needed as part of the final plan and for the detailed engineering. This would then give the go signal to the developer in spending the money to get all the engineering and the construction drawings put together and the final

site plan put together because he has the confidence that the planning Commission has already given the preliminary approval and as long as things don't change drastically. So, this just rewrites things, to allow us to be able to get the plans and the thing about it is too is, we're still going to vet, all these preliminary site plans through these agencies, we're just not going to require the full-blown permit at the time of preliminary. Mr. Iacoangeli also mentions that they would still require Scott Westover comments from Yucca and Gary Streitz review from the road Commission. This would help if any issues do arise, and decisions can be made before the final permits are approved.

Ms. Minock, also added that in some instances where the township board would still be the approving body of the preliminary site plan, such as any multiple family development or any single-family development. The final site plan approval is an administrative function, unless the approving body, whether its Planning Commission or Township board requests at their final approval. She also mentioned that, they have updated some standards and new sections on completion guarantee, certificate of occupancy reclamation, abandonment and development agreements. Because these are the things that the township administration consultants' legal team has the most challenges in terms of enforcing the quality that the Township would like to see in every development.

- Article 10 is special injuries review that lays out the rules and process for special land use. There are some special land uses, that needs Planning Commission approval and special land uses that the Township board can approve. Ms. Minock also mentions that, these are belt and suspenders, procedures, conditions, approval, effectiveness, amendments, expansions, changes in use, expected inspection and revocation because the special land uses have been violated, where legal has gone to court, and that's the reason for getting these procedures laid out.
- Article 11 is, Media Star Article specific use standards, they provide rules for specific uses. They could be accessory/permitted in whatever instance that they come to the Township for, whether for a zoning permit to a temporary event or whether it would be a special land use that goes to the Township board in the form of a junkyard. The major changes are li the arcades that have regulations in the current zoning ordinance. Some special regulations were removed, and some sections for certain uses were added or amended for best practices. The sections on sexually oriented businesses and extraction of natural resources have been updated to cite case law, and for best defense ability, this is to help the legal team and to have a defensible ordinance in order to put in the regulations that are proposed and make sure that those happen for those specific uses. There are competing bills in the State House and Senate about the extraction of natural resources, any changes in state law would be reflected on the ordinance with an update.

Ms. Richie had couple of comments on Article 11:

- Section 1101- the dwelling units shall be provided with exterior finished materials similar to the dwelling units on adjacent properties or in the surrounding residential areas- Can people get variance on that - Mr. Iacoangeli, clarified by mentioning that there has to be some justification as to why they need to deviate and be inconsistent with the neighbors. A variance can be pursued from the ordinance. Any section of the

zoning ordinance can be brought before the zoning board of appeals based on some denial; in case the criteria are not met. The ordinance has a provision that states, that if the architecture of a new single family doesn't fit the context of the neighborhood, it would have to go to a public hearing before the planning commission to decide on the architectural change allowance. But Article 1101 talks about the building material to be used for multifamily developments.

- Section 1002-2B the word name plate needs to be replaced with wall plate, and this to be changed in Article 15. On page 4 (2nd paragraph)Ms. Minock, clarified that home occupation mentions not more than 20% of total floor area of any 1 Story residential structure within the structure or up to 200 square feet of a detached structure. If the structure was only 200 square feet, you can have the whole thing of the detailed structure.
- Page 6- Golf courses- would this include disc golf and clarification whether the golf course would have a swimming pool – Ms. Minock, clarified that if the golf course was going to propose a swimming pool, there would be regulations and general provisions to comply with. Mr. Iacoangeli, clarified that disc golf is classified under outdoor recreation, due to the fact that disc golf is normally located in public parks and not private.
- Article 11 1107 -Does Bed and Breakfast include Airbnb's - Ms. Minock, clarified that the person has to reside at their house to be able to have an Airbnb and it can't be independent. Ms. Minock added that short term rentals are extremely controversial. Mr. Iacoangeli, added to say that letters were written to Lansing, with regards to Airbnb, and it looks like they are shoving this stuff through local government and make Airbnb's exempt from local zoning, and there are some people at the state level that, think that Airbnb should be allowed carte blanche and that municipalities shouldn't be able to govern them at all through policy or law. He also mentions that, the short-term rentals were not addressed in this ordinance is due to the fact that it can derail the passage of the ordinance. He, also suggests that in order to allow short term rentals, policies are to be put in place for safety.

Ms. Minock suggests to the board that it would be worthwhile to have these discussions with the community and come to an agreement as to what everybody wants, and set the rules, in order to adopt the ordinance, either in the zoning ordinance or in a separate one. She also mentions that, this issue can be brought to the township board's attention, where this discussion can be continued or schedule for another date.

- Cemeteries No 2 – The use shall be arranged that adequate assembly areas provided for off street parking for vehicles to be used in a funeral procession - Mr. Iacoangeli, clarified by mentioning that off street parking meant not on public street. Ms. Minock, suggests to change the wordings to “This assembly area may be provided on internal or not on public streets”.
- Community Supported Agriculture 2 E- Hours of operation is 7 – 7 pm - This was modified to from dawn to dusk during summers, and it would regulate with the change in the season.

- Dogs are to be kept in a fenced enclosure; keeping of dogs is an accessory for a single-family home. There is no required permit from the township to own a dog. But for kennels or doggy care, they would need to register their business, and usually have a site plan review.
- Page 15 – Drive in and drive through-Provision for volume of speakers or a decibel - Ms. Minock, modified the change.
- Section 1120 - Sidewalk and outdoor cafes- All business selling food or beverages to be consumed in public side walk area or outdoor area adjacent to the business, shall enclose the area - Mr. Iacoangeli clarified that the sidewalk eating area can occur if it conforms to the townships building code and plans. The 8A compliance mentions about the 6feet of clear access, and the isle between the seating that would occur in front of the business plus access to the parking lot. This circulation around, would permit the outdoor seating to accommodate wheel chair access.

Ms. Minock will address this issue with the zoning ordinance requesting for specific plans for pedestrian access, in the sidewalk and outdoor cafes.

- Section 1130 – Recreational Space for Children – Mini golf- Change in hours of operation from 8 AM – 10PM to 8AM – Midnight.

Ms. Minock will address this issue with the zoning ordinance requesting the change mentioning that the operations will be from 8AM – 10PM, but the planning commission may extend hours as part of site planner.

- Page 44- Cell Phone Towers- If the planning commission fails to timely approve or deny the application, the application shall be considered approved- Mr. Iacoangeli, clarified that it's a state law, implemented 5 years ago. This was due to the extended time that communities had taken to approve or deny with the studies taken. The telecom companies approached the legislature and got this approved where the planning commission has 90 days to review the site plan, and have the necessary hearings, if this is failed, the application automatically gets approved. He also mentions that in the board packet, the coverage map is available showing the locations of the cell towers.
- Page 53 – Private/Public Recreational Campground- Restriction at the campground not more than 15 consecutive days in a calendar year- Ms. Minock, mentioned that it was suggested to the planning commission and development team, that this is no longer in line with what typically happens at a campground, usually where people come for more than 15 days. The development team has decided to keep this provision as it is written. Ms. Minock will address this issue with the Township Board.
- Page 75/76 - Commercial Sports Centre – Facilities for the sale and consumption of food, beverages and refreshments shall comply with the standards of the township and other affected government agencies- Does it need to be specific, that the standards should comply with the Washington County health department- Mr. Iacoangeli, clarified that governmental agencies include state and county. Selling of fresh food at the sport Centre, would need a permit from the health department.
- Page 80 – Garage and Yard Sales- Does this include estate sales and auctions- Ms. Minock, modified the change to garage yard estate sales.

- Page 86-1164 –Common Household Gardening- Ms. Minock, clarified that the front yard cannot be used for common vegetable gardening in the front yards. Ms. Minock, will address this issue with the Township Board.
- Section 1301-Site Design Standards- Michigan native plants and pollinators encouraged. Ms. Minock modified the change.
- Page 4- Site Design Standards-The planting material should be able to provide screening of homes for major thoroughfare- Needs to be replaced from 2 years to 5 years. Ms. Minock modified the change.
- Article 13-1303- Exterior Lighting- Would DTE be exempt from this- Mr. Iacoangeli, mentions that DTE, relies on high and best standard lighting practices, and when it comes to a development, the township has to abide with the standards. Ms. Minock also mentions that this would be clarified under the design and engineering standards.
- Article 14-Page 29-Ground Story Activation- The sign ordinance is 25%.
- Article 15-Page 3 - Police Power Values- Ms. Minock, clarified that it's the legal language saying that the locality has certain powers called police powers to protect health safety welfare. These are valid for sign ordinance to regulate.
- Article 16-Nonconformity-is the rules for things that are non-conforming. The definitions are moved to Article 2, and the standards for determining abandonment were removed.
- Article 17- Zoning Board of appeals- the planning commission should become the deciding body for variance from the private road ordinance presently it's the townships Board. If a proposal needs a variance, it would go to C.B.A planning commission.
- Article 18- Changes in amendment, it codified current practices on conditional rezoning, and also lays out the process.
- Article 19 – Enforcement- There were no changes, except for some changes in the language.

Ms. Minock ended the session by reminding the board on the workshop sessions with the township board on October 19<sup>th</sup> and November 2<sup>nd</sup>. The Planning Commission public hearing is on November 9<sup>th</sup>, 2021. She also recommends that if there are any changes to be made or any modifications, it should be addressed before it goes to the township board.

**V. OPEN DISCUSSION OR ISSUES NOT ON AGENDA**

None

**VI. TOWNSHIP BOARD REPRESENTATIVE REPORT**

None

**VII. ZONING BOARD OF APPEALS REPRESENTATIVE REPORT**

None

**VIII. TOWNSHIP ATTORNEY**

DRAFT

None

**IX. PLANNING DEPARTMENT REPORT**

None

**X. OTHER BUSINESS**

None

**XI. ADJOURNMENT**

**MOTION:** Ms. Peterson **MOVED** to adjourn at 8:21pm. The **MOTION** was **SECONDED** by Ms. El-Assadi and **PASSED** by unanimous consent.

---

Respectfully submitted by Minutes Services