

1. Agenda

Documents: [01- PLANNING COMMISSION AGENDA 07-25-2012 .PDF](#)

2. Packet

Documents: [PC MEETING 7-25-12 .PDF](#)

**Agenda
Planning Commission
Council Chambers
Wednesday, July 25, 2012 - 7:00 P.M.**

I. Call to Order

II. Roll Call

Roderick Johnson, Chair	P	A
Mark Bullard	P	A
Gary Clark	P	A
Phil Hollifield	P	A
Daniel Lautenbach	P	A
Brett Lenart	P	A
Richard Murphy	P	A
Kelly Weger	P	A
Cheryl Zuellig	P	A

III. Approval of Minutes

- June 20, 2012

IV. Audience Participation

Open for general public comment to Planning Commission on items for which a public hearing is not scheduled

V. Public Hearing Items & Presentations

- Special Use Expansion: Green Vitality Remedies Expansion, 576 S Mansfield (BW)
Presentation & Public Hearing
- Zoning Text Amendment: Food production, processing, and sales (TG)
Presentation & Public Hearing

VI. Old Business

- Climate Action Plan update (attached)
- Water Street Recreation Center update (TG)
- Master Plan RFP (attached)

VII. New Business

- Study Item: Potential road diet on Hamilton, Huron, and Washtenaw trunklines (BW)

VIII. Committee Reports

- Master plan update committee [Johnson, Lenart, Murphy]
- Ordinance committee [Bullard, Lautenbach, Weger]

IX. Future Business Discussion / Updates

X. Adjournment

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**PLANNING COMMISSION
MEETING MINUTES
June 20, 2012
CITY COUNCIL CHAMBER
7:00 P.M.**

I. CALL TO ORDER

The meeting was called to order at 7:02 p.m.

II. ROLL CALL

Present: R. Johnson, R. Murphy, C. Zuellig, G. Clark, D. Lautenbach, M. Bullard,
P. Hollifield

Absent: B. Lenart (excused) K. Weger (excused)

Staff: Teresa Gillotti, City Planner
Nan Schuette, Executive Secretary

III. APPROVAL OF MINUTES – May 16, 2012

Commissioner Clark moved to approve the minutes of May 16, 2012 as read (Support: C. Zuellig) and the motion carried unanimously.

IV. AUDIENCE PARTICIPATION

None

V. OLD BUSINESS

1. Climate Action Plan Presentation

Commissioner Murphy recused himself from this issue since he is an employee of Michigan Suburbs Alliance and has been involved with the team in preparing the plan.

A slide presentation was made by Valerie Beiberich, Michigan Suburbs Alliance, who was accompanied by Melanie Piana. This project kicked-off in September 2010 and the hope is to have an achievable goal of 25% by 2020. This completed report outlines a plan to guide

Ypsilanti into a more sustainable future by coordinating municipal and community efforts to reduce greenhouse gas emissions and address climate change. Ypsilanti has already established itself as a leader in energy conservation and related issues, with the community taking a lead on sustainability. The Climate Action Plan is a way to aggregate many of these efforts, support them through the City in the form of a more formalized process and collectively move forward toward City and community goals related to climate change.

After the plan was reviewed, the Planning Commission had the opportunity to provide their comments or suggestions, i.e. tree maintenance and efficient city vehicles. Chairman Johnson recommended that recycling bins be located at the Recycling Center for the convenience of residents who are unable to coordinate times to drop off their recycling that is not picked up by the City.

Commissioner Lautenbach moved that the Planning Commission recommend the Climate Action Plan to City Council incorporating changes recommended by the Planning Commission (Support: P. Hollifield) and the motion carried unanimously.

2. Study Item – Proposed Parkridge Center Expansion

Ms. Gillotti gave an outline of this project stating that staff had received an application for a Master Plan amendment and rezoning of the south side of the 700 block of Harriet Street in order to accommodate a 10,000 to 12,000 s.f. proposed expansion of Parkridge Center. Currently, the block is anchored by Parkridge Center to the west and Perry School to the east, with Parkridge Park to the south.

This request is being presented as a study item in order that the Planning Commission will have time to review existing documentation and have adequate time for dialogue before the application is presented for a decision, hopefully at the July meeting.

Parkridge is proposing to purchase two properties on Harriet Street, directly east of the existing center for an addition to the center. The addition would feature a museum of African-American Art, and offices and classroom/training space to be utilized by WorkSkills Corporation for workforce development training. These partners are requesting that the City of Ypsilanti demolish existing structures and do some basic site preparation for the addition. They are also requesting either transfer of ownership or a long-term lease of the existing facility. The two requests have been separated into phases, representing the partners' interest in prioritizing the expansion – Phase I Parkridge addition and Phase II Parkridge transfer of control.

Rod Jones, WorkSkills – stated that their corporation was founded to provide rehabilitation services to people with disabilities. They have since broadened their mission to include a full range of employment and training programs and services to anyone who can benefit and optimize human potential. He gave some history on the company as well as past accomplishments and future endeavors.

Tommy Frye, Director of Parkridge Community Center – gave an update on the center, how it operates and where the funding comes from. He added that the current facilities are inadequate and no longer meet the needs of the community or the City. The Parkridge Cultural

and Job Training Center will be formed as a joint venture between Work Skills Corporation and the Parkridge Community Center.

While Board members are very supportive of the project, there is concern that all bases be covered and everything is totally vetted, prior to any zoning changes since there are many questions to be asked and answered.

VI. AUDIENCE PARTICIPATION (Climate Action)

None

VII. OLD BUSINESS

1. Water Street recreation Center Update

Ms. Gillotti informed the members that guided tours of local recreation facilities are scheduled for June 26th beginning at 9:00 a.m. She will forward this information to all board members to determine if they would be able to participate.

VIII. NEW BUSINESS

1. Study Item: Potential Master Plan revisions/rezoning – Superior Road

Ms. Gillotti stated that in this year's annual report, the Planning Commission stated their desire to assist City Council achieve their goal of property disposition by looking into a policy, and potential master plan amendment and rezoning, for existing City-owned property available for sale. Superior Road Property is one of two properties, which staff wished to present.

This property is approximately 5.34 acres, has Huron River access and is currently zoned R1, the designation of which may be due to a previous deed restriction limiting development to single-family; however, the City Attorney has challenged this and there is a ruling that the restriction no longer applies. The riverfront is considered a protected land per the city's ordinance and staff recommends establishment of an access easement along the frontage. Staff recommends potential consideration of R3 or RO.

Much discussion was held with various opinions because of R1 zoning across the street. Subdividing into single family lots would be cost prohibitive and in this current climate, it is doubtful that there is a great push for building single family homes. In terms of flexibility, the board agreed on R3 or RO, however, in the meantime, Ms. Gillotti would do further research and get back to the board on other possibilities or recommendations.

2. Study Item: Boys and Girls Club property - 220 N. Park

Ms. Gillotti stated that this property had previously been engaged in a long term lease with the Boys and Girls club, but the lease was broken in Dec. of 2010 is back in City control. The property is currently R4. Staff would like to consider what the potential is for this property. It is approximately 3.8 acres and is located on Park Street along Railroad right-of-way, adjacent to CI, Commercial Industrial, and R1, Single family residential zoning districts. The property still

has a dugout, and large building with full-sized gym, youth-sized locker rooms, classroom and other space, as well as a breezeway connecting to a small office/garage space. The structure is built into a hill and the site has significant grade changes. Staff is recommending WS, Workshop Studio or CI, Commercial Industrial or the parcel could be divided into smaller parcels. Chairman Johnson stated it is an extremely difficult property because of the various boundaries, commercial, historic district, residential. Washtenaw County is interested in using it as a kitchen incubator and food training center; other parties are interested in using it on a smaller scale, i.e. programs after school or day care center, similar to what its previous use was for the Boys/Girls Club. Staff is looking for direction.

It is the opinion of Commissioner Zuellig that this is a single family neighborhood and if we rezone either side of those streets other than single family, that area will deteriorate quickly. She will not be supportive of CI on any piece of that property. She suggested the potential of R1 with the possibility of considering something different for the area along the railroad. Both Commissioner Clark and Chairman Johnson concurred. Chairman Johnson added that it is an oddly shaped lot and that having the ability to split it may be advantageous to the city but if it is going to be used as is, he suggested that we try to limit the parking and access to Park Street. Commissioner Murphy stated that the current use does not encroach into the current residential.

Ms. Gillotti stated that the reason for considering WS Workshop Studio was because it is less intensive. After further discussion with various opinions, Ms. Gillotti stated that she will do more research and get back to the board.

3. Master Plan and Rezoning Rewrite – Draft RFP

Ms. Gillotti stated that the city had received \$180,000 grant to pay for staffing and bring on a consultant to redo the Master Plan. The draft includes various items, which we have discussed in the past and staff hopes to get out in July. Some discussion was held with input from board members on their concerns and what our specifications should be. Commissioner Zuellig added that we would like some creative solutions and staff knows better than anyone what our expectations should be, what would be the best way to assess our requirements and what we would like besides baseline.

Commissioner Zuellig stated that we already have a lot of information and encourages staff to provide specifics as to what staff's role would be so that consultants know they don't need to add prices for what staff would be responsible. This would be practical for the consultant up front. There have been many plans done already and they should not be re-inventing anything that we have already done, i.e. non-motorized, etc.

Ms. Gillotti added that she would like to take the contract for the grant to council in July and give them whatever draft she would have at that time. She will try to get the draft to the board prior to that council meeting. The process will go through the sub-committee.

VIII. COMMITTEE REPORTS

- Master Plan Update Committee – Murphy, Lenart – no update

- Ordinance committee (Bullard, Lautenbach, Weger) – no update
- Non-motorized transportation committee (Johnson, Murphy) Minutes of meetings held in May and June were included in packets.
- Capital improvements plan committee (yet to meet)

IX FUTURE BUSINESS DISCUSSION/UPDATES

Special Use for the growth facility on N. Mansfield may be on the July agenda along with the Master Plan.

VI. ADJOURNMENT

Since there was no further business, Commissioner Murphy moved to adjourn the meeting (Support: D. Lautenbach) and the motion carried unanimously. The meeting adjourned at 9:37 p.m.



City of Ypsilanti
Planning and Development Department

11 July 2012

**Staff Review of Site Plan & Special Use Expansion Application
Green Vitality Remedies Expansion
576 S Mansfield**

GENERAL INFORMATION

Applicant: Mark Hamama
Green Vitality Remedies
576 S Mansfield
Ypsilanti, MI 48197

Project Name: Green Vitality Remedies Expansion

Application Date: 20 April 2012

Location: West side of S Mansfield, east of Paint Creek, north of I-94, and south of Michigan Ave

Zoning: M1, Light Manufacturing

Action Requested: Special use permit expansion into existing building, associated site plan approval.

Staff Recommendation: Approval

PROJECT AND SITE DESCRIPTION

The applicant is requesting an expansion of the special use, a medical marijuana growing facility, as well as associated site plan approval. The initial special use permit and site plan approval were granted in August of 2011; the applicant is not proposing an expansion of the building, merely occupation of Suite B in addition to the already-occupied Suite A. This expansion would add approximately 3600 square feet to the business for a total of 7200 square feet. The applicant currently holds a City-issued Medical Marijuana Grow Facility License, as required, which was recently renewed. The expansion is to accommodate another caregiver, who will operate under Mr Hamama's existing license.

Figure 1: Subject Site Location & 2010 Aerial

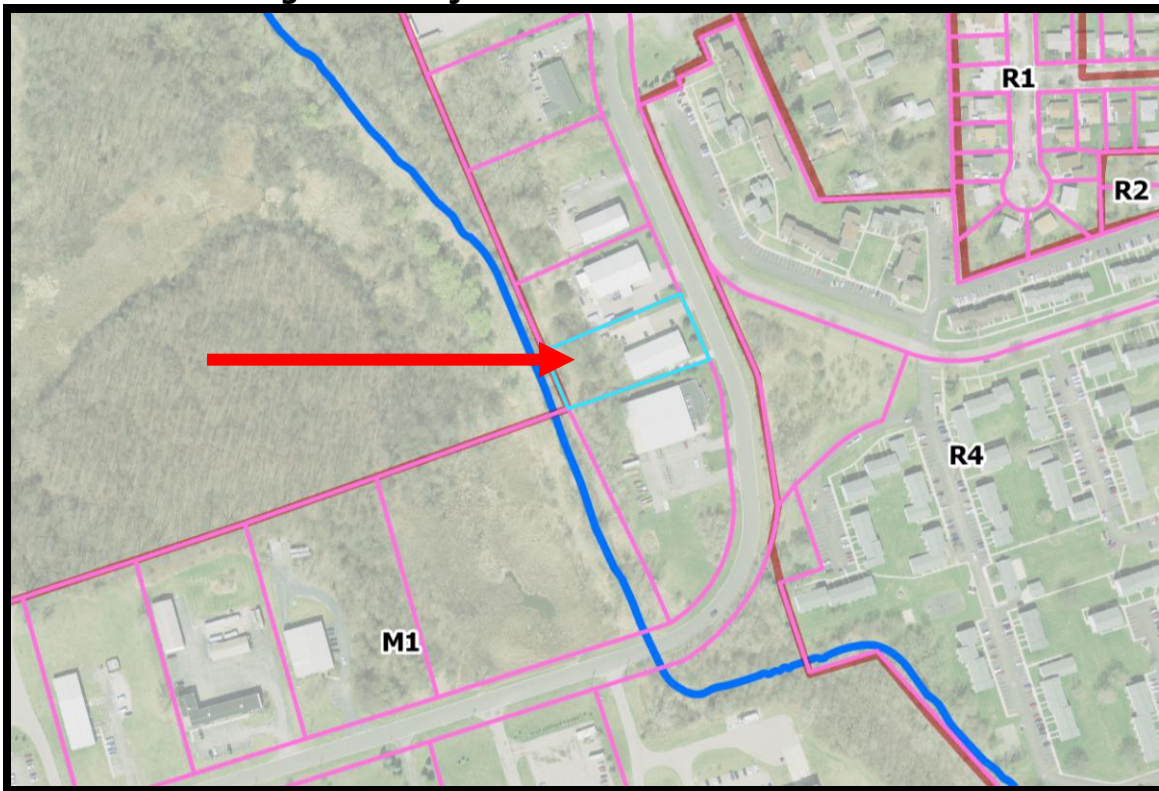


Figure 2: Land Use and Zoning of Surrounding Area

	LAND USE	ZONING
NORTH	light manufacturing (Detroit Balancing)	M1
EAST	S Mansfield, Forrest Knoll (vacant lot)	R4
SOUTH	Light industrial	M1
WEST	Vacant, Paint Creek	I-1, light industrial (Ypsilanti Township)

SPECIAL USE: CRITERIA AND REVIEW

§122-165(b)

- (1) *The location, scale and intensity of the proposed use shall be compatible with adjacent uses and the zoning of the land.*

COMMENTS: As a small-scale industrial growing and processing facility, the intensity and scale are appropriate and compatible with the zoning and adjacent uses.

- (2) *The proposed use shall promote the use of land in a socially and economically desirable manner and shall not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property or public welfare.*

COMMENTS: Medical marijuana has been recognized, through the recent State Act, zoning text amendment, and licensing process, as a potentially economically and socially desirable use of land. This facility has operated here since earlier this year, and is seeking to expand.

- (3) *The proposed special land use shall be designed, constructed, operated and maintained to assure long-term compatibility with surrounding land uses. Consideration shall be given to the placement, bulk, and*

height of structures; materials used in construction; location and screening of parking areas, driveways, outdoor storage areas, outdoor activity areas, and mechanical equipment; nature of landscaping and fencing; and hours of operation.

COMMENTS: The physical design and construction of the use is covered separately below, in the site plan review.

- (4) *The proposed special land use shall not present unreasonable adverse impacts on traffic circulation. Consideration shall be given to the estimated traffic generated by such use, proximity to major thoroughfares, proximity to intersections, required vehicular turning movements, and provisions for pedestrian traffic.*

COMMENTS: The use is not anticipated to cause a significant change to existing traffic patterns. South Mansfield is a cul-de-sac with ample turnaround space.

- (5) *The proposed use shall not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*

COMMENTS: No additional requirements for public services are anticipated at this time.

- (6) *The location of the proposed use shall not result in a small residential area being substantially surrounded by nonresidential development, nor a small nonresidential area being substantially surrounded by incompatible uses.*

COMMENTS: The proposed land use will not result in isolated or incompatible uses.

Items to be addressed: None.

SITE PLAN: CRITERIA AND REVIEW

§122-127

I. STANDING

§122-127(1)

The applicant is legally eligible to apply for site plan review.

II. REQUIREMENTS

§122-127(2)

Figure 3: Requirements of the M1 zoning district

ORDINANCE REFERENCE		REQUIRED	EXISTING CONDITIONS	PROPOSED
§122-454(1)	LOT AREA & WIDTH	Determined by the use and the required off-street parking, loading, screening, and yard setbacks	0.88 acres, 120' wide	unchanged
§122-454(2)	front yard	not less than 25'	27'	unchanged
§122-454(3)	side	0' if fire-retardant; ≥ 3' if not.	12.95'(narrowest dimension)	unchanged
§122-454(5)	rear	20' min	144.42'	unchanged
§122-455	HEIGHT	Lesser of 2 stories or 30'; exceptions in §122-640	1 story, 22.5'	unchanged
§122-456	DEVELOPMENT STANDARDS	1- No deleterious operations 2- All industrial or business activity shall take place in an enclosed building.	Conditions noted on site plan.	met

ORDINANCE REFERENCE		REQUIRED	EXISTING CONDITIONS	PROPOSED
§122-707	LANDSCAPING	10%	approx 60%	unchanged
§122-836	PARKING	5 + 1 for every 1.5 employees on the largest shift, OR 1 space per each 1000 sq ft of gross floor area, whichever is greater 5 employees: $(5 + (5/1.5)) = 8$ 7200 sq ft: $(7200/1000) = 7$ <i>8 spaces required</i>	8 spaces provided, 1 of which barrier free. 5 bicycle parking spaces provided.	unchanged.
§122-861 et seq	SIGNAGE	- Master Sign Plan required - Building Mounted: max of 3 sq ft per ft of frontage (~180 sq ft) - Ground: max of 100 sq ft, 35' tall; must be ≥3' from front property line; ≥10' from side or rear.	existing building-mounted sign from previous business.	unchanged. no sign information included in site plan sign permit shall be applied for separately.

Items to be Addressed:

1. No sign information included with application. A sign permit shall be obtained separately for any changes in signage.

III. BUILDING LOCATION AND SITE ARRANGEMENT**§122-127(3)**

There is currently one building on the south portion of the site. Parking is located north of the building. There is one access drive at the east end of the parking area, and one dumpster on the west end of the parking area. To the west of the building is a small stormwater retention area, existing, and Paint Creek slightly further west. The applicant proposes no changes to the building location or arrangement.

Items to be Addressed: None.

IV. SITE ACCESS, TRAFFIC, AND PARKING**§122-127(4)**

The site is accessed from South Mansfield. There are two vehicular access points: one to the south of the building, leading to a truck well for deliveries; and one to the north of the building, for parking and pedestrians. The new sidewalk along the South Mansfield frontage does not link to the building, but uses the driveway for access. There is one bicycle parking rack adjacent to the building, with a capacity of up to five bikes. There is a sidewalk along the building to the entrance from the parking lot.

Items to be Addressed: None.

V. ENGINEERING & STORMWATER**§122-127(5), §122-127(6)**

There is no proposed modification to the existing building, nor any addition of impervious surface. No additional utility hookups are proposed. There is a stormwater retention basin on-site.

Items to be Addressed: Engineering not required.

VI. SUPPLEMENTAL DISTRICT REGULATIONS**§122-127(7)****Figure 4: Screening**

ORDINANCE REFERENCE	REQUIRED	EXISTING CONDITIONS	PROPOSED
§122-641 Lighting	• down-directed and shielded • not >0.5 fc @ lot line • not >16'in height • not < 0.3 fc	existing building-mounted lights to remain	existing to remain
§122-647 Sidewalks	Sidewalk must be constructed unless: • part of a shared-use path network, in which case shared-use path may be built. • ROW work is part of 5-year capital improvements plan, in which case a fee in lieu may be paid to the City	New sidewalk in place	unchanged
§122-703 Screening Between Land Uses	none required	none	n/a
§122-704 Off-Street Parking Landscaping	(b)(1): 1 tree per 8 spaces <i>8 spaces req'd / 8 spaces = 1 tree; trees required varies dependent upon ultimate number of parking spaces provided.</i> For 8 spaces, 1 tree would be required.	1 new tree to be planted to NW of parking area per site plan approval- not yet planted	plant tree shown on approved site plan when weather conditions permit.
	(b)(1): landscape island per 16 continuous spaces	n/a	n/a
	(b)(2): ends of all aisles and corners protected	met	met
	(b)(3): minimum distance of 3' from curb backside to landscaping	met	met
	(c)(1): must be screened per 122-703 if conflicting land use	n/a	n/a

ORDINANCE REFERENCE	REQUIRED	EXISTING CONDITIONS	PROPOSED
	(c)(2): must be screened from public ROW by a landscaped berm at least 3' in height	Public ROW to east; one tree between parking area and street	Unchanged, waiver requested due to small area to be screened (<20')
	(d): prevent vehicular encroachment into landscaping, structures	curbs and wheel stops in place.	unchanged.
§122-706 Foundation Landscaping	screen buildings from parking areas/ ROWs 1 ornamental tree and 6 shrubs per 30' • <i>side parking: 120'</i> ○ <i>24 shrubs</i> ○ <i>4 trees</i> • <i>front ROW: 60'</i> ○ <i>12 shrubs</i> ○ <i>2 trees</i>	• waiver granted by PC on 8/16/2012 for northern (side) foundation landscaping due to existing hardscape • 12 shrubs and 2 ornamental trees in place on east (ROW) frontage	Unchanged; renewal of waiver for northern foundation landscaping requested.
§122-650, §122-709 Refuse Containers	masonry enclosure 1' taller than dumpster (no less than 6'), in rear yard, 80% opaque swing door, on a concrete pad	Masonry dumpster enclosure at north-west corner of building	unchanged
§122-710 Exterior Electrical	when visible from ROW screen	transformer at south side of building; screened by new shrubbery	Unchanged.
§122-712 Maintenance	install underground sprinkler system	waiver granted 8/16/2012	Unchanged, renewal of waiver requested.

Items to be Addressed:

1. *Install one tree at north-west corner of parking lot per 8/2011 site plan approval.*
2. *Waivers requested:*
 - a. *off-street parking landscaping, due to limited area to be screened.*
 - b. *foundation landscaping, due to existing hardscaping.*
 - c. *in-ground irrigation, to use manual watering instead.*

USE-SPECIFIC STANDARDS §122-815

Many of the requirements in §122-815 are also covered under the City's licensing requirements; as such, this review will only address those requirements not covered under the license.

- (9) If the growing/manufacturing facility ceases operation for a length of time of 60 days or greater, the permit shall expire.
The applicant has noted this on the site plan.
- (10) Growing/manufacturing facility drive-through facilities shall be prohibited.
No drive-through facilities are proposed.

- (13) That portion of the structure where the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Ypsilanti Fire Department to insure compliance with the Michigan Fire Protection Code.

The applicant shall acknowledge and accept this as a condition of the medical marijuana license.

- (17) There shall be no other accessory uses permitted within the same building.

There are no uses accessory to the medical marijuana growing facility use at this location.

Items to be Addressed: *None.*

STAFF RECOMMENDATIONS: SPECIAL USE

Staff recommends the Planning Commission **approve** the Special Use Permit expansion for Green Vitality Remedies at 576 S Mansfield with the following findings and conditions:

Findings: The application is substantially in compliance with §122-165(b).

Conditions: Special use approval shall be subject to approval of site plan.

STAFF RECOMMENDATIONS: SITE PLAN

Staff recommends the Planning Commission **approve** the Site Plan for Green Vitality Remedies at 328 E Michigan with the following findings, waivers, and conditions:

Findings

1. The application substantially complies with §122-127.

Waivers

1. From §122-704(c)(2), Off-street parking Landscaping, under §122-713, due to limited area to be screened.
2. From §122-706, Foundation Landscaping, under §122-713, to omit foundation landscaping along the northern frontage due to existing hardscaping.
3. From §122-712(e) under §122-713, to omit in-ground irrigation for manual watering.

Conditions

1. Install one tree at north-west corner of parking area per 8/2011 site plan approval.

Bonnie Wessler
Planner I, Planning & Development Dept.

CC File
 Applicant
 Site designer



City of Ypsilanti

Planning and Development Department

Memo

To: Planning Commission
From: Planning Staff
Date: July 25, 2012

Subject: Food production, processing and sales ordinance change recommendations

Earlier this year, the ordinance committee invited several other local experts, practitioners along with staff to discuss potential changes to existing ordinances to proactively consider some of the following opportunities"

1. Food production in residential lots
2. Hoop houses/greenhouses – accessory use in residential zones – greenhouses
3. Food processing – opportunities in other districts
4. Food carts/trucks – options and ideas

The committee consists of the following members:

Dan Lautenbach, Planning Commission
Mark Bullard, Planning Commission
Kelly Weger, Planning Commission
Amanda Edmonds, Growing Hope
Stefanie Stauffer, Nightshade Industries (food entrepreneur)
Liz Dahl MacGregor, Growing Hope, attorney

Staff:

Bonnie Wessler
Leah DuMouchel
Teresa Gillotti

The committee has met twice to review staff recommendations for these areas. In each section below, the goals of each item, potential changes and discussion have been included along with final recommendations. A combination of text amendments follows, and will be what is discussed as part of the public hearing.

1. Food Production

Goal: To allow for interim or long term low-intensity food production uses of vacant land, with minimal impacts to residential character, and minimal increase in traffic in and around related parcels.

Background:

There has been continued interest in gardening vacant lots in the City of Ypsilanti. Currently, gardening is not allowed as a principle use, and is not defined as a permitted accessory use either. To prevent issues similar to what happened in Oak Park in the summer of 2011 (raised bed garden was considered a code violation), the committee is suggesting the Planning Commission recommend changes to the existing zoning ordinance to allowing gardening as an accessory use on residentially zoned lots where structures exist.

The state legislature considered similar action. In August of 2011, Representative Paul Opsommer (R-DeWitt) introduced HB 4887 and requested that it be referred to as the "Freedom to Garden Act," which contains the following language:

(2) IF A RESIDENCE IS A LAWFUL USE UNDER A ZONING ORDINANCE, THE PLANTING AND HARVESTING OF FRUITS AND VEGETABLES AT THE RESIDENCE FOR PERSONAL CONSUMPTION OR TRANSFER IS A LAWFUL USE AND IS NOT SUBJECT TO A SPECIAL USE OR CONDITIONAL USE PERMIT OR PROCEDURE. AS USED IN THIS SUBSECTION, "TRANSFER" INCLUDES THE TRADING OR FREE SHARING OF RESIDENTIALLY GROWN FRUITS AND VEGETABLES FOR PERSONAL CONSUMPTION, OR FOODSTAND OR SIMILAR SALES OF A DE MINIMIS VALUE. THIS SUBSECTION DOES NOT PROHIBIT SALES OF FRUITS AND VEGETABLES ABOVE A DE MINIMIS VALUE WHERE OTHERWISE AUTHORIZED BY LAW. THIS SUBSECTION SHALL BE KNOWN AND MAY BE CITED AS THE "FREEDOM TO GARDEN ACT".

Additionally, there has been interest in gardening of a vacant lot as previously discussed with the draft disposition policy. In some cases, individuals would like to lease/use lots, in other cases, lots have been purchased for such a use. The committee is recommending allowing gardening as a to consider allowing gardening s a principal use to allow for community or personal gardens on vacant (no structure) lots in residential neighborhoods.

Best Practices:

Seattle, WA: Parks/open space and community gardens listed as a principal use by right in residential zones. A separate "urban farm" category allows up to 4000 feet of planting area as an accessory use to any permitted principal use; over 4000 feet requires a conditional use permit.

<http://clerk.seattle.gov/public/toc/23-44.htm>

Baltimore, MD: Permitted uses in districts R1 through R4 include "agricultural uses, including nurseries and truck gardens, but only if (i) no retail sales are made on the premises; and (ii) no offensive odor or dust is created." Agricultural uses are exempt from setback requirements. For districts R5 (six or fewer attached dwellings) and denser, agricultural uses are no longer permitted.

<http://www.baltimorecity.gov/Government/CityCharterCodes.aspx>

Milwaukee, WI: "Plant nursery or greenhouse" and "raising of crops or livestock" are permitted uses in all residential districts. <http://www.mkedcd.org/czo/>

Safety Harbor, FL: This municipality is cited in the APA's Food Systems Planning Report. Community gardens are a use by right in residential districts, subject to regulations laid out in the "Community

Gardens” section of the ordinance (pasted below). In brief, they concern hours, power equipment, fertilizer, maintenance, food sales, and screening.

<http://www.cityofsafetyharbor.com/DocumentView.aspx?DID=1436>

San Francisco, CA: Two classifications of agriculture are based on size: “neighborhood agriculture” is for gardens < 1 acre, and “large scale agriculture” refers to gardens > 1 acre. Neighborhood agriculture is permitted as a principal or accessory use in all districts and large-scale agriculture is a conditional use in all districts. Use regulations are pasted below and include a compost setback, fencing standards, farm equipment enclosure, food sale hours, “value-added” food restrictions, and water conservation. For gardens that are the principal use of a site, a change-of-use permit is required.

http://www.sfuaa.org/uploads/4/8/9/3/4893022/overview_of_sf_urban_ag_zoning_changes_final.pdf

or

[http://www.amlegal.com/nxt/gateway.dll/California/planning/planningcode?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:sanfrancisco_ca\\$sync=1](http://www.amlegal.com/nxt/gateway.dll/California/planning/planningcode?f=templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca$sync=1)

Discussion points:

The committee is recommending allowing garden/community gardens as a principal use in the R1 and R2 districts as they have the largest number of vacant parcels and are less dense. Staff is recommending that the new uses meet existing setback requirements to minimize any impact on adjacent residential users. Staff felt that the new garden/community garden did not need to be defined outside of the Webster’s definition: “a plot of ground where herbs, fruits, flowers, or vegetables are cultivated”.

The committee spent a great deal of time trying to discern whether or not a garden for commercial uses would require a separate standard than a garden for residential uses as some of the best practices illustrated. Rather than trying to determine a point where a garden/community garden could potentially be considered commercial, discussion turned to potential impacts of the garden. It was noted that the uses should not create increased motorized traffic, nor allow for any sales/farm stands. The zoning ordinance provides for outdoor sales as a special use in B4, General Business district, and CI, Commercial Industrial district. Additionally existing farmers’ markets service as opportunity for sales as would delivery. No sales should occur on-site. Additionally, it’s thought that the noise ordinance would limit the time/extent of any motorized or other equipment being used.

Where garden/community garden is a principal uses, it is expected that accessory structures such as hoop houses and sheds (see below) would be allowed per existing accessory structure and use standards.

Proposed action: allow gardening as a principal use in R1 and R2 and an accessory use in all residential districts subject to setback requirements. Also allow community gardens in PL – Public Lands to formalize and existing use.

Recommended text changes:

ZONING DISTRICTS: COMMUNITY GARDENS/GARDENS

PL- Public Land

122-492 permitted use:

(7): Community gardens.

R1 - Single-family residential

122-252 permitted use:

(4): Gardens/community gardens, subject to the setback and lot coverage provisions in section 122-255.

122-258 Development standards

(a) Site plan review. In R1 single family resident districts site plan review and approval required for all uses except detached single-family residential uses and garden/community garden uses in accordance with article IV of this chapter.

R2 - One- and Two-Family residential

122-272 permitted use:

(5): Gardens/community gardens, subject to the setback and lot coverage provisions in section 122-275.

122-278 Development standards

(a) Site plan review. Site plan review and approval is required for all uses in the R2 one- and two-family residential district except detached single- and two- family residential uses and garden/community garden uses in accordance with article IV of this chapter.

R3 – Multiple-Family medium density residential district

122-293 Permitted Accessory uses

(8) gardens

R4 – Multiple family high density residential district

122-313 permitted accessory uses

(9) gardens

RO – Residential Office District

455-333 Permitted accessory uses

(9) gardens

2. Hoop houses/greenhouses

Goal: To accommodate greenhouses as accessory structures subject to existing accessory structure standards in residential and business districts and to expand the ability to locate larger commercial greenhouses, and outdoor plant sales in commercial districts.

Background on Hoop houses as accessory structures (starting with 122-666)

Existing accessory structure standards in :

- Maximum height of 15 feet – generally hoop houses should be accommodated by this height.
- Accessory structures are limited to not more than 30% of rear yard
- Setbacks - 7 feet from principal structure (include neighbors), rear/side lot lines - minimum 3 feet
- Location limited to side and rear yards

State of Michigan Building code standards

There is still discussion as to whether or not hoop houses are subject to the State of Michigan building code standards. Attached is a newsletter from the State of Michigan Bureau of Construction Codes indicating that any structures ancillary to agricultural uses are exempt from State of Michigan Construction Codes. The City of Flint pursued this in modifying their zoning ordinance, and is exempting hoop houses from building code requirements. Other communities are still working through this potential exemption, and whether or not it is an exemption from local zoning.

Staff has a phone call scheduled for Tuesday to get further clarification on this point prior to the Planning Commission meeting.

Current State of Michigan Building Code requirements for accessory structures

- Residential uses - structures greater than 200 sf require building plan submission and permit approval per Michigan State building code
- Commercial use (includes sites with 3 or more residential units) - structures greater than 120 sf require building plan submission and permit approval per Michigan State building code

A cursory review of hoop house plans readily available showed sizes of structures ranging from 10x10, 11 x 15, 12 x 24 on up to larger sizes used to extend seasons for farmers throughout the country. For comparison, the Growing Hope hoop house is 30 x 90.

Discussion

Committee conversation focused around the building code issue, as the committee was interested in allowing for hoop house structures both as accessory structures for home owners and renters, as well as for local businesses who may want to grow their own local produce for use. In tandem with the proposed garden principal use it was thought that a hoop house would be considered an accessory structure on vacant properties as to a garden as a principal use. There was concern that many potential users would want larger hoop houses, but that hiring an engineer/architect for construction drawings and would be prohibitive, and that hoop houses may be considered a temporary structure.

The City's building official said he would consider the agricultural exemption, but needs more information. He also noted that there have been fires in hoop houses/greenhouses in his jurisdictions, as well as issues with wind loads.

If the Planning Commission wants to pursue the agricultural exemption from hoop houses as accessory structures, then staff would recommend defining garden/community garden as an agricultural uses. Staff will provide an update on the exemption and attorney review at the Planning Commission meeting.

Currently the zoning ordinance allows greenhouses as a permitted use in M1, light manufacturing, M2 - general manufacturing and CI, Commercial Industrial. Staff is recommending expansion to WS, Workshop studio, and also the addition of greenhouses to B4, General Business and B2, Community Business as a special use. Additionally, staff felt that greenhouse/hoop house should be defined, and outdoor sales of vegetables, produce be expanded B2, Community Business

Existing greenhouse uses in business, industrial districts

GREENHOUSE PRIMARY USE (grow and sell plants) proposed

greenhouse primary use						
	M1	M2	CI	WS	B4	B2
permitted	x	x	x	X		
special					X	X

Recommended Text Changes

122-25 Definitions

Building means any temporary or permanent structure, having a roof or other covering, used or built for the support, enclosure, shelter, or protection of persons, animals, chattel or property of any kind, including but not limited to tents, awning, carports, greenhouses; and also semi-trailers, vehicles, mobile homes, or premanufactured or precut structures, erected on-site, above or below ground, designed primarily for shelter rather than as a means of conveyance. A building shall not include such structures as signs, fences or smokestacks, but shall include structures such as storage tanks, grain elevators, coal bunkers or similar structures.

Greenhouse means any building in which the temperature is maintained within a desired range, used for cultivating tender plants or growing plants out of season. Such buildings may also be known as hoop houses, glasshouses, or indoor plant nurseries.

122-667 General Standards for detached accessory structures

(6) *Single-family-lot.* On any one single-family residential lot, no more than one private garage, ~~and~~ one storage shed, and one greenhouse shall be erected.

B2 Community Business district

122-373 (special uses)

(19) greenhouses

WS Workshop Studio

122-433 (special uses)

(4) greenhouses

B4 General Business District

122-413 (special use)

(11) Outdoor retail sales of plant materials ~~not grown on the site~~, lawn furniture, playground equipment, and home garden supplies, subject to the specific provisions in section 122-800.

CI Commercial-Industrial

122-518 (special use)

(20): Outdoor retail sales of plant materials ~~not grown on the site~~, lawn furniture,

playground equipment, and home garden supplies, subject to the specific provisions in section 122-800.

122-800: Outdoor retail sales of plant materials, lawn furniture, playground equipment, garden supplies, etc.

Outdoor retail sales of plant materials ~~not grown on the site~~, lawn furniture and decorations, playground equipment, and home and garden supplies shall be permitted subject to the conditions hereinafter imposed:

- (1) Plant storage and display areas shall comply with all minimum setback requirements for the zoning district.
- (2) The storage of soil, fertilizer, and similar loosely packaged materials shall be contained and covered to prevent it from blowing onto adjacent properties.

ZONING DISTRICTS: accessory uses.

R1 - Single-family residential permitted accessory use: 122-253 (8): Greenhouses.

R2 - One- and Two-Family residential permitted accessory use: 122-273(8): Greenhouses.

R3 - Multiple-family medium density residential district: 122-293(10): Greenhouses.

R4 – Multiple-family high density residential district: 122-313(10): Greenhouses.

RO – Residential Office District: 122-333: In RO residential-office districts, uses or structures accessory to and customarily incidental to any permitted uses in section 122-332 shall be permitted, subject to the restrictions of the district regarding lot coverage, height and setbacks, and the restrictions in article XI, division 2 of this chapter regarding accessory structures and uses, including but not necessarily limited to: *(etc)*

WS Workshop Studio permitted uses: 122-422(17): Accessory uses customarily incidental and clearly ancillary to the above permitted uses when in accordance with article XI, division 2 of this chapter.

3. Food Processing:

Goal: To clarify and streamline the ordinance to allow for appropriate food production in business and industrial districts.

Background: Currently zoning for food production is limited to manufacturing districts, while catering is allowed in several districts and a change to catering could make more commercial space available to small scale food/beverage producers.

Recommendation: The committee was interested in clarifying language and providing food production in additional districts including the business park.

	B1	B2	B3	B4	WS	CI	M1	M2
Catering services <u>and the manufacture of food products including brewing and distilling where more than fifty (50) percent of the food produced on the premises is consumed off the premise</u>	SU	SU	—	<u>P—</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
(13) Retail businesses which supply commodities on the premises for persons residing ... such as: (a) Food stores, grocery stores, food cooperatives, meats, dairy products, baked goods, ice cream, and similar food products. <u>Retail sale of poultry, fish and game (provided no slaughtering is allowed).</u> excluding the sale of alcohol. The manufacture of food products, such as baked goods or ice cream is permitted provided that a minimum of fifty (50) percent of the products are sold at retail from the same building, and that all activities and storage occur within a completely enclosed building. <u>The sale of alcoholic of beverages for consumption on the premises is prohibited.</u>	P	P	P	P				
Manufacture of handicraft products, statuary and art goods, pottery and ceramic products, cosmetics and toiletries, baked goods, confections, ice cream and nonalcoholic beverages in bulk , jewelry, clothing and garments, perfumes, electrical appliances and fixtures, draperies, novelty articles, advertising display notions, smoking tobacco products, gauges, jigs, optical goods, luggage and leather products, toys and household supplies, personal accessories, paper, wood, plastic, or rubber molded products.					P	P	P	P
(12) Manufacture, compounding, processing, washing and cleaning, packaging, or treatment of such products as, but not limited to: bakery						P	<u>P</u>	<u>P</u>

goods, candy, beverages, coffee, tea, spices, and other food products; cosmetics, powders, toiletries, and pharmaceutical products; household chemicals and cleaning products; and hardware and cutlery								
(11)Machine shops; metal galvanizing, buffing, plating and polishing shops; metal and plastic molding and extrusion shops; carpentry and woodworking shops; millwork and planing mills; tool and die shops; painting and sheet metal shops; undercoating and rustproofing shops; welding shops; enameling, painting and lacquering; japanning; brewing and distilling; spinning and weaving, and powder production and cooperage.						P	<u>P</u>	P
Manufacture and processing of food products not elsewhere classified but not including slaughtering, sugar refining, and similar processes regulated under subsection 122-473(11).								P
*Slaughtering, sugar refining and other similar processes.							<u>SU</u>	SU

* **The Animal section of the city code has limitation on some animal slaughter:**

Sec. 14-6. - Slaughterhouses and slaughtering.

(a) *Generally.* No person, partnership or corporation shall keep, maintain or use or permit to be kept, maintained or used, any slaughterhouse within the limits of the city. No person, partnership or corporation **shall slaughter any sheep, swine or cattle within the limits of the city.**

(b) *Keeping slaughterhouses for purpose of slaughtering, declared nuisance.* It is hereby declared that the keeping, maintaining or use of a slaughterhouse for the purpose of slaughtering **sheep, swine or cattle within the limits of the city is a nuisance.**

Attorney Christ recommends cleaning up both the animal section and the special use language related to animal slaughtering. However, he notes that arguably the language in the animals section would allow a slaughtering (with special land use approval in M2 for poultry or any other animal not expressly deemed a nuisance in 14-6(b)).



CODE WORKS!

WWW.MICHIGAN.GOV/BCC

WINTER 2010

ATTENTION READERS!

In an attempt to reach more organizations and individuals involved in code inspections, we're asking for your help in getting the word out! If you know of an organization or individual that would benefit from the information posted in BCC's newsletter, please direct them to our website at www.michigan.gov/bcc. Then, click on the "Publications/Bulletins/Interpretations/Advisories" link for more information on how to subscribe to and receive an electronic notification of when each quarterly newsletter is posted.

CODE CHANGES

Please visit BCC's website to monitor updates on code review processes.

BCC OFFICES CLOSED:
FEBRUARY 15

WORDS FROM DEPUTY DIRECTOR BETH ABEN

As most of you know, the bureau recently requested a fee increase for 1986 PA 54 instructors and programs. While we understand this proposal was met with opposition, the fee increase is necessary to support program activities. After careful deliberation, the Construction Code Commission approved the fees after the conclusion of a public hearing held on January 6, 2010. The new fees become effective April 1, 2010. The bureau did make one change to the fee proposal relative to instructor renewals before submission to the Commission. While the instructor fee will increase to \$100 effective April 1, 2010, if approved, the instructor will receive a lifetime approval, rather than being required to renew every 3-year cycle. Submissions received and receipted by March 31, 2010, will be processed under the current fee structure; therefore you still have the opportunity to take advantage of the current fee. All instructors who are active in the current registration cycle (2009-2012) will receive a letter prior to the end of the cycle to confirm their lifetime approval status.

Program approvals are increased to \$150 effective April 1, 2010. Therefore, in order to benefit from the current fee schedule, I encourage you to submit any new programs for the cycle by the end of March. The fee and program application must be receipted by March 31, 2010. The bureau is committed to working with instructors and organizations to minimize costs where possible; therefore, we are reviewing our current processes and procedures to determine if efficiencies may be achieved. If you have suggestions you believe beneficial, please forward to the bureau's email address at bccinfo@michigan.gov.

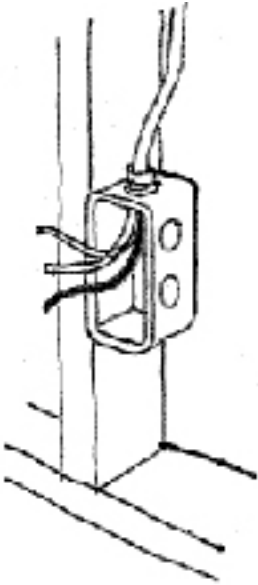
Thank you for your continued support of education and training programs for code officials, inspectors and plan reviewers. You will find the necessary forms for instructor and program applications on the bureau's website. A link to all forms is found on the left side of the bureau's home page.

PROVIDING FOR
MICHIGAN'S SAFETY
IN THE BUILT ENVIRONMENT

PLAN REVIEW DIVISION

ELECTRICAL CONDUCTOR LENGTH (FOR SPLICE OR TERMINATION)

By Todd Cordill, NCARB, Chief
Plan Review Division



In 2009, several different local enforcing agencies cited inadequate conductor length of electrical wiring at an electrical box as a common violation with premanufactured units. In most cases, it has involved the ground conductor. The 2005 Michigan Electrical Code (MEC), Article 300.14 states:

“At least 150 mm (6 in.) of free conductor, measured from the point in the box where it emerges from its raceway or cable sheath, shall be left at each outlet, junction and switch point for splices or the connection of luminaries (fixtures) or devices. Where

the opening to an outlet, junction, or switch point is less than 200 mm (8 in.) in any dimension, each conductor shall be long enough to extend at least 75 mm (3 in.) outside the opening.

Exception: Conductors that are not spliced or terminated at the outlet, junction, or switch point shall not be required to comply with 300.14.”

This requirement is the same under the 2008 MEC, Article 300.14 that took effect December 2, 2009. This

requirement is also in Section E3306.10.3 of the 2006 Michigan Residential Code. If this requirement is not met during the manufacturing process for premanufactured units, it is expensive to correct a violation in the field. The remedy can range from opening walls and ceilings and re-wiring entire runs of cable to simply pulling new wires through the conduit and boxes in place.

An enforcing agency can cite violations of the code that were not caught during the manufacturing process, and report them to the Plan Review Division, per Rule 1142 (4) of the Part 11 Rules concerning the disposition of noncomplying units. Staff of the Plan Review Division will contact a manufacturer and in-factory inspection agency about the code violations a local enforcing agency has discovered. The manufacturer and inspection agency have the opportunity to state the reason for the item of noncompliance and how it may be corrected in the field. Local enforcing agencies shall report such items of noncompliance using the form found on the bureau’s website, “Notice of Premanufactured Violation”.

The requirements listed above for premanufactured units differ from the Code of Federal Regulations 24 (Part 1700 to end) Housing Urban Development standard for wiring methods and materials.

Please contact the Plan Review Division at (517) 241-9328 with any questions.

ELEVATOR SAFETY DIVISION

ELEVATOR RULES CHANGES

By Cal Rogler, Chief
Elevator Safety Division

The Elevator Safety Division is in the process of updating the elevator rules to the most current safety standards. The code committee has reviewed the standards the Elevator Safety Division uses to regulate elevating devices in Michigan and the Michigan Elevator Rules.

It is anticipated the new rules will take effect by the middle of the 2010 calendar year.

The new Michigan Elevator Rule set adopts the following standards:

- American Society of Mechanical Engineers, Safety Code for Elevators and Escalators, ASME A17.1-2007.

- American Society of Mechanical Engineers, Safety Standards for Platform Lifts and Stairway Chairlifts ASME A18.1-2008.
- American Society of Mechanical Engineers, Safety Standard for Belt Manlifts, ASME A90.1-2003.
- American National Standard, Safety Requirements for Personnel Hoists and Employee Elevators for Construction and Demolition Operations, ANSI A10.4-2007.

These editions of the standards are currently available from the American Society of Mechanical Engineers, at (800) 843-2763 or Global Engineering at (877) 413-5184. Be sure to specify the correct edition you are requesting.

If you have any questions regarding the new code, please contact the Elevator Safety Division at (517) 241-9337.

BOILER DIVISION

ASME CODE CSD-1, PARAGRAPH CG-610 AND MORE

Robert Aben, Chief Boiler Division

Licensed boiler installers must remember it is their obligation to assure equipment installed by them is in compliance with the requirements of ASME Code CSD-1. This is the licensee's obligation under their State of Michigan license regardless of who purchased the boiler or equipment.

Paragraph CG-610 of ASME Code CSD-1, states two requirements: 1) Safety controls required by CSD-1 to lockout shall not be reset remotely from the equipment. Someone must inspect the boiler to determine the reason for lockout before resetting the control; and 2) Safety controls shall not be electronically or automatically reset.

Having used the term "automatically", let me explain. Several places in CSD-1 you will see the phrase "automatic or manual reset type" in reference to safety controls. That phrase is always in close proximity to an EXCEPTION note which states, "Lockout is not required for boiler units installed in residences..." CSD-1 applies to boilers ranging from 0 to 12,500,000 btu/hr input and to all installation locations. Also note several allowances (in the CF tables) for a one time automatic recycle with specific time element requirements.

Over the years, I have heard licensees refer to a boiler as "residential". The heating industry may use this term to refer to small boilers, but remember when talking code requirements, there is no such term. The proper reference is "a boiler in a residence". Therefore, unless the boiler is installed in a residence where the boiler law has no jurisdiction, the boiler and its controls must be in compliance with ASME Code CSD-1.

Since the rule change effective November 6, 2006, adopting the 2005 ASME Code CSD-1, most of the electronic probe type low water cutoffs found on boilers do not meet CSD requirements. It has been observed that many of these cutoffs when locked out due to a low water issue, will reset by switching the control power off and back on. Only a few models meet the new requirements. Be aware of this when purchasing low water probe type cutoffs or any other controls for use on a boiler within the jurisdiction of the boiler law.

As a reminder, effective July 27, 2009, the 2006 edition of CSD-1 was adopted.

Questions may be directed to the Boiler Division at (517) 241-9334.

BOARD AND COMMISSION MEETINGS

<u>Meeting</u>	<u>Date</u>	<u>Time</u>	<u>Location</u>
Barrier Free Design Board	March 12	9:30 am	Okemos – Conf Room 3
	May 14	9:30 am	Okemos – Conf Room 3
Board of Boiler Rules	March 17	9:30 am	Okemos – Conf Room 3
Construction Code Commission	April 7	9:30 am	Okemos – Conf Room 3
Electrical Administrative Board	February 18	9:30 am	Okemos – Conf Room 3
	May 20	9:30 am	Okemos – Conf Room 3
Elevator Safety Board	March 26	9:30 am	Okemos – Conf Room 3
Manufactured Housing Commission	April 21	10:00 am	Okemos – Conf Room 3
Board of Mechanical Rules	May 19	9:00 am	Okemos – Conf Room 3
State Boundary Commission	March 18	1:30 pm	Okemos – Conf Room 3
	April 15	1:30 pm	Okemos – Conf Room 3
	May 13	1:30 pm	Okemos – Conf Room 3
State Plumbing Board	March 2	10:00 am	Okemos – Conf Room 3

Dates and times are subject to change. Visit the [BCC website](#) for updates.

OFFICE OF LAND SURVEY AND REMONUMENTATION

REMONUMENTATION PROGRAM UPDATE

By Chris Beland, Professional Surveyor
Office of Land Survey & Remonumentation

In July 2008, the Department of Energy, Labor & Economic Growth (DELEG), representing the Bureau of Construction Codes, Office of Land Survey and Remonumentation (OLSR), requested guidance from the Office of the Attorney General (OAG) regarding the proper administration of the State Survey and Remonumentation Act, 1990 PA 345, MCL 54.261-279. The advice was sought to clarify OLSR responsibilities as they pertain to corner positions not originally monumented by the General Land Office (GLO). Specifically, positions reported to lie within naturally occurring bodies of water, e.g., stream, river, lake, pond, etc., at the time the lands were physically surveyed and the lines run by the federal surveyors. In September of this year, OLSR received a copy of the legal advice rendered by the OAG.

In their advice, the OAG concludes that the Act's purpose was to allow for the "...restoration, rehabilitation or remonumentation..." of original corners "...established and monumented by the United States..." public land survey. The OAG advises that in the proper administration of the Act, DELEG, as represented by OLSR, "...may properly refuse to allow a county to include in the survey and remonumentation program public land survey corners" or "property controlling corners" the position of which were not previously established and monumented by the United States and or its contractors..."

The OAG performed a vast amount of research in the compiling of its advice. Quoted in their response is the Senate Fiscal Agency's (SFA) analysis of Senate Bill 380 (1990 PA 345 before adoption). The OAG discusses language from both the "Rationale" section and the first "Supporting Argument" of the SFA analysis as it lends directly to understanding the founding principles of the Act.

The SFA analysis clearly states the bill is intended to perpetuate "...approximately 165,200 section and quarter-section 'corners' set at half-mile intervals across the State", and that "...\$500 per corner is the average cost if a marker is missing and must be replaced..." Based on the SFA analysis in 1990, it was estimated the complete monumentation and

remonumentation of the state would take approximately 20 years and cost the Michigan public \$83 million.

In the 9th Biennial Report to the Legislature, the current status of the program is recapped. The report states through the 2008 grant year approximately 122,000 corners have been monumented or remonumented with nearly \$101 million being distributed. At the close of the 2008 grant year, the program completed its 15th year. An evaluation of these numbers would indicate the program is on track to be completed as planned; 122,000 corners equates to approximately 74 percent of the originally estimated 165,200, and 15 years is 75 percent of the program's 20-year life cycle.

However, many counties have included in their programs corner positions that were not originally "established and monumented" by the United States public land survey. And correspondence with the counties indicates though a few counties are close to completion, the average completion rate for most counties is less than 50 percent, leaving approximately a 25 percent discrepancy between where the program should be and where the program actually is.

Given the advice provided by the OAG and supported by the current status of the program, the bureau has determined the original intent of the program must be upheld in order to complete the program in an expeditious manner and properly administer the public funds dedicated to this monumental task.

To accomplish the original goals of the State Survey and Remonumentation Act, OLSR issued Information Memorandum 15 on November 6, 2009. Memorandum 15 addressed the OAG advice stressing the original intent of the program, clarifying the definition of program corners, and limiting the use of program funds. Information Memorandum 15 sets in place, starting with the 2010 grant year, only those corners originally "established and monumented" by the United States public land survey are eligible for reimbursement through the State Survey and Remonumentation Program.

Questions can be directed to OLSR at (517) 241-6321, or email bccolsr@michigan.gov.

OFFICE OF LOCAL GOVERNMENT AND CONSUMER SERVICES

CONSTRUCTION BOARD OF APPEALS

By Michael Somers, Analyst

Office of Local Government and Consumer Services

Each week our office takes calls from contractors and homeowners who have received a code violation notice as a result of a failed inspection. Many of the callers disagree with the inspector's code interpretation and wish to dispute the violation.

In order to address such disputes, a process is authorized by Section 14 of the Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230.

MCL 125.1514 of PA 230 requires each local unit of government that elects to administer and enforce the code establish and maintain a Construction Board of Appeals. Requesting a formal appeal hearing is the proper course of

action when a permit holder or any interested party disputes a code interpretation made by a code official.

MCL 125.1514 (1) states in part:

“The board of appeals shall hear the appeal and render and file its decision with a statement of reasons for the decision with the enforcing agency from whom the appeal was taken not more than 30 days after the submission of the appeal.”

A formal hearing before a Construction Board of Appeals provides a legitimate and timely recourse to resolve code disputes in the appropriate manner.

Questions may be directed to the Office of Local Government and Consumer Services at (517) 241-9347.

YOUR PARTNER FOR SERVICES AND ASSISTANCE

By Michael Somers, Analyst

Office of Local Government and Consumer Services

The beginning of a new year presents opportunities for us to move forward onto new challenges with the benefit of knowledge gained through our past experiences. As our economy recovers and begins to build a solid foundation for our future, the public we serve still deserves the highest quality services. Unfortunately, with few resources available, local units of government are challenged financially to provide much needed services.

The Bureau of Construction Codes can provide code administration and enforcement services, plan review and inspection assistance, code program evaluation services, contractor licensing investigations and actions, manufactured

housing community audits, technical code assistance, guidance on joint code enforcement, and many other vital construction code services to local units of government throughout the state.

The Bureau of Construction Codes is committed to partnering with local communities by offering construction code services and assistance to provide for the health, safety, and welfare of the public in the built environment.

For additional information on services and assistance, please contact the Office of Local Government and Consumer Services at (517) 241-9347.

NEW ANALYST JOINS DIVISION

By Kevin DeGroat, Regulation Specialist

Office of Local Government and Consumer Services

On October 19, 2009, the bureau appointed Tracie Pack as an analyst in its Office of Local Government and Consumer Services. Ms. Pack, previously with the bureau's Office of Administrative Services, joins three other analysts to handle consumer complaints, manufactured housing community inspection audits, municipal performance evaluations and other assigned duties. An employee of the Department of Energy, Labor & Economic Growth for approximately 10 years, Tracie has considerable administrative experience working with the bureau's manufactured housing and construction trade regulatory programs.



ELECTRICAL DIVISION

INSTALLATION OF WIND AND SOLAR RENEWABLE ENERGY SYSTEMS

By **Dan O'Donnell, Chief**
Electrical Division

With uncertainty in the oil markets and the cost of electricity continuing to rise, there is a renewed interest in renewable sources of energy. Wind turbines and photovoltaic systems are two of the prominent types of renewable energy systems being marketed to consumers today. Industrial, commercial, and residential customers are seeking alternative solutions to their energy needs. Conserving resources, reducing consumption, and lowering utility bills provide a strong catalyst for consumers to look at renewable energy sources as a part of an overall energy plan.

The safe and proper installation of any electrical system is critically important. Renewable energy systems are no exception. Wind turbines and photovoltaic systems must be installed to meet the requirements set forth by any codes, standards, listing and labeling, or manufacturer's requirements

available for the particular system. All equipment must be approved for its intended use. Utility interactive inverters used for the interconnection of systems must be listed and identified for such use.

The installation of wind turbine and photovoltaic systems in Michigan require an electrical contractor's license as stipulated in MCL 338.887 (1) and (2) of the Electrical Administrative Act, PA 217 of 1956. MCL 338.885 (1), also requires all persons performing electrical installations must be licensed. Properly licensed and trained personnel can help assure a safe and code compliant installation. Understanding the potential dangers and recognizing electrical hazards are both part of any safe electrical installation.

Questions can be directed to the Electrical Division at (517) 241-9320.

ELECTRICAL LICENSE RENEWALS

By **Dan O'Donnell, Chief**
Electrical Division

Just a reminder that all master and journey electricians must complete an approved 2008 code update course in order to renew their 2011 electrical license. A list of approved 2008 code update courses can be found on the [bureau's website](#).

Questions related to electrical licensing or the 2008 code update requirements can be directed to the Electrical Division at (517) 241-9320.

BCC CONTACT INFORMATION

Telephone Numbers:

Administration (517) 241-9302
Office of Administrative Services (517) 335-2972
Office of Management Services (517) 241-9313
Boiler Division (517) 241-9334
Building Division (517) 241-9317
Electrical Division (517) 241-9320
Elevator Safety Division (517) 241-9337
Mechanical Division (517) 241-9325
Office of Local Government & Consumer Services (517) 241-9347
Office of Land Survey & Remonumentation (517) 241-6321
(includes State Boundary Commission)
Plan Review Division (517) 241-9328
Plumbing Division (517) 241-9330

Facsimile Numbers:

Administration & Office of Administrative Services (517) 241-9570
Office of Management Services & Plumbing Div. (517) 373-8547
Building, Electrical, Mechanical, Plan Review Div., OLGCS
(517) 241-9308
Office of Land Survey & Remonumentation, Boiler & Elevator
Safety Divisions (517) 241-6301

Mailing Addresses:

P.O. Box 30254 (Codes: general correspondence)
P.O. Box 30255 (Codes: permits, licenses, and other documents
containing payment)
P.O. Box 30704 (Office of Land Survey & Remonumentation)
Lansing, Michigan 48909

PLUMBING DIVISION

PLUMBING LICENSE REPORTING AND THE PLUMBING CODE STATUS

By Robert Konyndyk, Chief

Plumbing Division

The Plumbing Division has several items of interest which will benefit licensees in this edition of Code Works!

Affidavit holders, contractors, masters, journey, and apprentices are reminded to keep their licenses and registrations active and accurate to avoid the loss of licenses and delay in the renewal process. Keeping licenses and registrations current depends a great deal upon notifying the Plumbing Division of a change of address. The State Plumbing Act, 2002 PA 733, Section 31 (1) requires every holder of a license or registration to promptly notify the division of a change of their residence or place of business (address change). The change is to be made on the proper form available on the [bureau's website](#) or mailed upon request.

Failure to notify the division will result in a renewal form not reaching the licensee or registrant. Journey and masters not renewing their license within a three-year timeframe will lose their license and be required to retest. All address changes must be received by the division by the first week in February in order for firms and individuals to receive their renewal applications.

Another consideration which is extremely important to individuals is to provide complete, correct information on forms which are submitted to the division. Over the past several months, 50 to 65 percent of examination applications have not completed the required information fields (e.g., the examination applications were unsigned by the applicant). Incomplete applications require the division to correspond in writing with the applicant and wait for returned corrections in order to schedule the individual for the test. Incomplete applications appear to be from the applicant not taking the time to read the forms or not placing significant importance on providing required information. Also, the license renewal forms previously discussed are another area of concern. Applicants should review the current printed information and make necessary corrections when appropriate. Having updated telephone numbers in order to reach individuals is of great benefit to licensees and registrants and are of great value when inspection agencies attempt to contact licensees.

Questions on these matters may be directed to Robert Konyndyk, Plumbing Division, (517) 241-9330.

PLUMBING CODE UPDATES AND PRODUCT APPROVALS

By Robert Konyndyk, Chief

Plumbing Division

The code process continues for the adoption of the 2009 Michigan Plumbing Code. Licensees will be informed of continuing education requirements and code update classes after implementation of the new code which will be the third code update cycle requirement. I recently participated as a committee member charged with developing the 2012 Plumbing Code edition for the International Code Council. The bulk of the Plumbing Code should be finalized by fall 2010.

As a reminder, we all know the plumbing profession is ever changing with new materials and methods of construction; therefore, please refer to the [bureau's website](#) for new Certificates of Acceptance (product approvals) to stay abreast of these changes.

Questions on these matters may be directed to Robert Konyndyk, Plumbing Division, (517) 241-9330.

INVOICES FOR BUILDING, ELECTRICAL, MECHANICAL & PLUMBING PERMITS CAN NOW BE PAID ONLINE THROUGH BCC'S ONLINE PERMIT MANAGER

BCC can now accept payments online for outstanding invoices for building, electrical, mechanical and plumbing permits. Payment must be made by a credit card and includes an additional processing fee of \$5.00 plus 10% of the total invoice balance. A link to [Online Permitting](#) is provided on the [bureau's website](#) under Quick Links. Step-by-step instructions are provided to guide users through the payment process.

BUILDING DIVISION

AGRICULTURAL BUILDINGS

**By Larry Lehman, Chief
Building Division**

Concerns have been raised with the Building Division recently because some local enforcing agencies have been applying provisions of the Michigan Building Code (MBC) by requiring building permits for buildings or structures that are exempt from the requirements for obtaining building permits as specified by the Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230.

While the MBC has a definition of an agricultural building, the determination of when a building permit is required shall be made exclusively upon reviewing the applicable language in the Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230.

1. Is the building or structure used for an agricultural purpose? The definition from the Act states:

“Means of, or pertaining to, or connected with, or engaged in agriculture or tillage which is characterized by the act or business of cultivating or using land and soil for the production of crops for the use of animals or humans, and includes, but is not limited to, purposes related to agriculture, farming, dairying, pasturage, horticulture, floriculture, viticulture, and animal and poultry husbandry.”

2. Is the building or structure incidental to the use for agricultural purposes of the land on which the building is located? The definition of “building” from the Act states:

“Means a combination of materials, whether portable or fixed, forming a structure affording a facility or shelter for use or occupancy by persons, animals, or property. Building does not include a building, whether temporary or permanent, incidental to the use for agricultural

purposes of the land on which the building is located if it is not used in the business of retail trade. Building includes the meaning “or part or parts of the building and all equipment in the building” unless the context clearly requires a different meaning.”

3. Is the building or structure used in retail trade? The definition of “building” is again provided for clarity:

“Means a combination of materials, whether portable or fixed, forming a structure affording a facility or shelter for use or occupancy by persons, animals, or property. Building does not include a building, whether temporary or permanent, incidental to the use for agricultural purposes of the land on which the building is located if it is not used in the business of retail trade. Building includes the meaning “or part or parts of the building and all equipment in the building” unless the context clearly requires a different meaning.”

When a building or structure is defined as an agricultural purpose, incidental to and located on land that is an agricultural use, and not used in the business of retail trade, the building or structure is exempt from building, electrical, mechanical and plumbing permit requirements in the State of Michigan based upon the definitions previously provided in this article, the definition of a structure in the Act, and Section 10 (8) of the Act.

“Notwithstanding this section, a building permit is not required for a building incidental to the use for agricultural purposes of the land on which the building is located if it is not used in the business of retail trade.”

Questions regarding this article may be directed to the Building Division at (517) 241-9317.

ELEVATOR SAFETY DIVISION

FULL SIZE ELEVATOR INSTALLED IN A PRIVATE RESIDENCE

**By Cal Rogler, Chief
Elevator Safety Division**

The Elevator Safety Division has been asked to provide the following information regarding the requirements for installing a full size elevator in a private residence. The American Society of Mechanical Engineers (ASME) A17.1 Safety Code for Elevators and Escalators has an elevating device which is designed and approved for installation within a private residence. The device is covered in Section 5.3 and is called a Private Residence Elevator. This device has specific requirements and limitations and must be installed within the stated requirements.

On occasion, a homeowner may desire an elevator which is larger or perhaps the needed rise is more than what the A17.1 Standard will allow for a private residence elevator. The ASME A17.1 Standard will allow a regular passenger elevator to be installed within a private residence. However, the installation

must comply completely with the requirements for a regular passenger elevator. None of the private residence elevator requirements may be used when installing a regular passenger elevator in a private residence. There are many areas of A17.1 which differ between a private residence elevator and a regular passenger elevator. Some of the areas which differ are the pit and overhead clearances as well as the hoistway door and car door requirements. Private residence elevators have rather minimal requirements for an elevator machine room. However, regular passenger elevators require a separate machine room which is properly secured and dedicated to elevator equipment only. When a regular passenger elevator is installed in a private residence, the machine room must comply completely with the requirements.

If you have any questions or concerns with regards to an elevator, please contact the Elevator Safety Division at (517) 241-9337.

MECHANICAL DIVISION

INSTALLING BOILERS IN RESIDENCES WITH LESS THAN 6 FAMILIES

**By Tennison Barry, Chief
Mechanical Division**

Effective June 11, 2008, a change to the Boiler Act of 1965, 1965 PA 290, MCL 408.757(e) directly affected mechanical contractors by being amended to exempt:

“[Steam and] hot water boilers operated at a pressure not exceeding 160 p.s.i.g. or a temperature not exceeding 250 degrees Fahrenheit that are located in a private residence or in an apartment building with a capacity of less than 6 families.”

With the addition of this exemption to PA 290, it became the responsibility of mechanical contractors licensed in hydronic heating and process piping to now install that equipment.

Furthermore, Board of Boiler Rules General Rules, Rule 408.4047(b) and (h) exempt:

(b) “A swimming pool heater, open car wash heater, and similar types of equipment which do not have intervening

valves on the return or discharge piping, which do not have a reduction in pipe size in the return or discharge piping, and which do not generate more than normal circulating pump pressure.”

(h) “A water tube or coil type hot water heating boiler requiring forced circulation not exceeding any 1 of the following:

- (i) Maximum water temperature of 200 degrees Fahrenheit.
- (ii) Relief valve set pressure of 30 psi.
- (iii) Heat input of 200,000 BTU/hr.”

Again, with the addition of the PA 290 exemption, it is now the responsibility of mechanical contractors licensed in hydronic heating and process piping to install this equipment as well.

If you have any questions, please direct them to Tennison Barry, Mechanical Division, (517) 241-9325.

LICENSE EXAMINATION DATES

BCC ONLINE SERVICES

[Manufactured Home Affidavit of Affixture](#)
[Online Lookup](#)
[Online License Search](#)
[Disciplinary Action Report](#)
[Easy Access to Permit & License Verification](#)
[Statewide Search for Subdivision Plats](#)
[Statewide Search for Remonumentation Data](#)
[County Remonumentation Data Entry](#)
[Building System Approval Reports](#)
[Online Code Training Series](#)

BCC QUICK LINKS

[Online Permitting](#)
[Online License Renewals](#)
[Codes & Standards Order Form](#)
[Statewide Jurisdiction List](#)
[Local School Construction Enforcement List](#)
[Product Approvals](#)

CIVIL SERVICE WEBSITE

[State Job Postings](#)

Code Works! is a quarterly publication of the Bureau of Construction Codes within the Department of Energy, Labor & Economic Growth.

Editor in Chief

Beth Hunter Aben

Editors

Deborah Young

Tracie Pack/Margie Hebden

Created under the authority of
1972 PA 230.

<u>Examination</u>	<u>Date</u>	<u>Location</u>	<u>Deadline</u>
Boiler Installer and Repairer	March 3, 4	Okemos	Feb 5
	June 2, 3	Okemos	May 7
Boiler National Board	Mar 3, 4	Lansing	Feb 5
	June 2, 3	Lansing	May 7
Electrical/Fire Alarm/Sign Contractor	March 23	Okemos	Feb 24
	May 19	Okemos	April 21
Fire Alarm Spec. Tech./Sign Spec.	March 24	Okemos	Feb 24
Electrician - Journeyman	Feb 25	Lansing	Jan 27
	May 13	Lansing	April 15
Electrician - Master	Feb 25	Lansing	Jan 27
	May 13	Lansing	April 15
Elevator Journeyman	March 30	Okemos	March 9
	May 25	Okemos	May 4
Elevator Contractor/Cert. of Comp.	March 26	Okemos	Feb 26
	June 11	Okemos	May 14
Mechanical Contractor	March 23	Lansing	Feb 23
Plumbing - Contractor	March 24	East Lansing	
Plumbing - Master and Journey	March 3	East Lansing	

Dates and times are subject to change. Visit the [BCC website](#) for updates.



DELEG is an equal opportunity employer/program. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

City of Ypsilanti
2014 MASTER PLAN
REQUEST FOR PROPOSALS

Date Released (approx: July 27, 2012)

Funds available: \$135,000 - \$150,000

INTRODUCTION

The City of Ypsilanti is a small, dense urbanized community comprising 4.5 square miles within 15 miles of Detroit Metro airport and about 10 miles from Ann Arbor. It is the second city to incorporate in the State of Michigan, and has the 5th largest historic district in the state. The historic character is a wonderful complement for a youthful population – more than 35% of which is aged 18-24 due to the presence of Eastern Michigan University, as well as the proximity to the University of Michigan. Ypsilanti's population density is one of the highest in Washtenaw County, at roughly 6.4 people per acre. The land area is completely built out, and opportunities for growth are primarily in the form of redevelopment. Approximately 40% of the land area is in use by non-profits with Eastern Michigan University the largest owner of land in the City.

Ypsilanti has two downtowns, Historic Downtown Ypsilanti, located at the end of the old plank portion of the Chicago Road connecting Detroit to Chicago. Depot Town grew up around the regional and inter-urban railroads in the region. Ypsilanti has a strong automotive history which is still on display at the Automotive Heritage Museum, Ypsilanti Fire Museum and the Ypsilanti Historical Society. The Hudson and Tucker were both developed and produced in Ypsilanti.

The decline of the automotive industry and manufacturing has had a great impact on the City. Since 2001 Ypsilanti lost close to 1,600 manufacturing jobs; considering the City's population at that time was 22,362 that represent 7% of the total population. The challenges of this include a loss in property value, and personal property and large vacancies, or underutilized industrial space. Currently, the largest taxpayers in Ypsilanti are rental property owners. Remaking the economy in Ypsilanti has focused on small business development. Ypsilanti maintains low barriers of entry for new businesses, and is used to entrepreneurs starting up businesses and opening storefronts. However, new construction is still stymied in general and more so in Michigan.

Economic development efforts in Ypsilanti have been focused on placemaking. Walkability, public transit, and work toward securing commuter train service on the Ann Arbor to Detroit Line have all been transportation goals. Current efforts toward a regional transit authority may replace the City's existing service contracts with the AATA. The City's recreational programming ended in 2004, so local "friends" groups have been supporting such facilities as the Rutherford Pool, Senior Center, Parkridge Park, and are working towards completing renovation and opening the Historic Freighthouse in Depot Town. Summer events continue to provide a draw in the region, and more recent efforts such as the Shadow Art Fair, Krampus Festival and Mittenfest connect with the growing arts and music communities. A growing reputation among foodies also has helped Ypsilanti secure its place as both an everyday and destination restaurant and entertainment area in the region.

The positive changes in the community – rehabilitation in Downtown, Depot Town and along West Cross at the front door of EMU belie the financial challenges of the community. Ongoing efforts to battle the existing blight, maintain code enforcement levels as well as policing continue to be a challenge. Additionally, the diversity of the population doesn't reflect equity, as the minority populations suffer from higher unemployment and poverty rates as well as less educational attainment. Ypsilanti and

Ypsilanti Township receive the majority of human services support from Washtenaw County and provide the vast majority of affordable housing the county.

Ypsilanti has also been a leader in civil rights, as the first City in Michigan to pass a living wage ordinance and adopt an ordinance banning discrimination in housing, employment and public accommodation based on sexual orientation, gender identity/transgender status or body weight. The U.S. Census analysis of 2010 population data ranked Ypsilanti as one of the top 5 Michigan Cities for gay couples.

With all these challenges and opportunities, the City of Ypsilanti intends to begin a multi-year process to develop a new City's Master Plan and zoning ordinance with an emphasis on policy goals, flexibility and meeting local and regional goals and building on the existing character, energy and dedication of the community at large.

PROJECT DESCRIPTION

The City is hoping to engage a firm to coordinate and develop a new Master Plan, followed by a revised zoning ordinance over the course of 30 months (see attached workplan). The City received funding through Washtenaw County's successful HUD Sustainability Grant. The aforementioned workplan includes HUD approved milestones for the project, and should be considered in your proposed schedule.

The City of Ypsilanti's previous master plan from 1998 was a status quo plan that made assumptions common in many Master Plans, in this case, that industrial users would be maintained. A later Cross Street Neighborhood Improvement plan encouraged downzoning in near campus neighborhoods with sizable housing stock, made the conversion into fewer units and/or single family financially infeasible since the housing crisis. While regional and global economic factors cannot be predicted or managed in the master planning process, the City is looking for a different approach to this master plan, one that focuses on long-standing core values and characteristics to guide long-term decisions related to land use, housing, transportation, equity, and overall community sustainability including quality of life and opportunity for all of Ypsilanti's current and future residents.

After reviewing many recent local plans, the City is requesting that potential consultants set aside their existing templates, and consider new approaches to a hybrid policy/land-use plan for the City of Ypsilanti. It is important to the Planning Commission that this document be grounded in real opportunity and not suffer from boosterism or glossing over real issues to be addressed in the community. To assist in communicating some of the ideas for this, the Planning Commission's Master Plan Update Committee has put together a reading list for reference:

- [1974 Policy Plan for the City of Cleveland](#)
- [1972 – Ypsilanti 1 – alternative futures](#)

In addition to meeting the requirements of the Michigan's Planning Enabling Act, PA 33 of 2008, the Planning Commission intends for this document to include the following analysis and recommendations:

- Development of overarching "values" section that reflect community goal and character that can be used to guide decision making in the future which may include:
 - Accessibility, conservation and celebration of natural resources, commitment to transportation options, Availability of quality housing of various types and located in various areas of the City; further encouraging a diverse and tolerant community
- Integrate TOD planning principals into area plans for Depot Town, a former train Depot and future location of the Ann Arbor to Detroit Commuter Rail stop as well as Washtenaw Avenue Corridor TOD efforts around improved transit service and accessibility to transportation options

Comment [AU1]: Include Grand Rapids? Other cities outside of Michigan?

- Development of a housing typology study in the master plan to further integrate affordable housing throughout the community as well as plan for a variety of housing options. The typology will include both descriptive characteristics of areas of the city, as well as a market study to identify which areas can support new or expanded housing types. This typology will inform zoning revisions
- Specific recommendation for Huron River frontages – allowing, when appropriate, public access, public views, slope stabilization and other relevant recommendations
- Area plans for the following segments (with likely related zoning revisions):
 - Lefurge, Huron River Drive, Railroad Street
 - Forest, Rice, Depot Town, Lincoln Street, Park, Grove, Prospect (to Michigan Ave) -0 including Depot Town TOD
 - Spring/Factory/Harriet street and environs, including Water Works park, Chidester area.
 - Downtown and Water Street
 - East Michigan and Ecorse

The Planning Commission had not expected to have the funding to undertake a full re-write of the Master Plan originally, so had been working on incremental changes over the past few years. These efforts/ideas/community engagement need to be incorporated into the process and plan. AS well, much of the data collection and community engagement must be utilized in this process. These recent efforts include:

- [DDA Blueprint for Downtown](#) (2008)
- [Non-Motorized transportation plan](#) 2010
- [South of Michigan Community Needs Assessment](#) 2011
- [Climate Action plan](#) (draft) 2012
- [Parks and Recreation Master Plan](#) (in progress 2012)
- 1998 Master plan review matrix
- 1998 demographics update (2011-2012)
- [ATA draft 5 year plan](#) (2012)gyi
- [Washtenaw County Affordable Housing Needs Assessment](#) (2007)
- [2035 Long Range Transportation Plan for Washtenaw County](#)
- [Relmagine Washtenaw Avenue](#)
- [Washtenaw County Comprehensive Plan](#) (2004)
- Eastern Michigan University Capital Improvements Plan
- DDA downtown development plan (include drawings for increased density downtown)
- [Cross Street Neighborhood Improvement Plan](#)

Engagement approach to the hybrid plan

The Planning Commission has a small master plan update committee currently. It is expected that a Steering Committee will be formed while the RFP is out to the public. The Commission is interested in potential firms proposing a structure for creating the plan that generally follows this process:

- 1- Development of Steering committee who works on draft for values/overarching policy
- 2- Development of outreach/participation strategy
- 3- Convene work and stakeholder groups for focus areas to develop area/topic strategies and content per outreach and engagement strategy (Planning Commissioners serving leadership roles)

The Master Plan must ultimately provide a set of implementation strategies that focus on the general policies and specific tasks the Township must undertake to realize the visions and goals recognized

through the master planning process. The development of the Master Plan will be accomplished through meaningful and thorough research, a comprehensive public participation process, and the utilization of various pools of talent including professional consultants, Township staff, volunteers from the community, the support of the professionals in neighboring communities, and various outside agencies.

CONSULTANT(S)' ROLE

At the point of selection, an Executive Steering Committee will be established to oversee and guide the entire planning process. The consultant will work closely with the Executive Steering Committee to define the details of the process and a specific timeline for all aspects of the master planning process. Throughout the process the consultant will work closely with the Planning Department to: conduct background research, plan and facilitate various elements of the public participation process, provide updates on the process for the community using a variety of techniques social media and other web-based and cell phone based media, and draft all components of the Master Plan document including various maps, charts, tables, and other graphics. The consultant will be responsible for reporting to the Planning Commission and ultimately preparing the final draft of the Master Plan document to be presented to the Ypsilanti City Council for and the Planning Commission. It is expected that the consultant will continue to support the resulting Master Plan and the City in the future as needs may arise.

CITY STAFF ROLE:

City staff will help assist consultants on the steering committee, with communications, and with development of sections of the plan. Those elements will need to be incorporated into the drafts. This is based on recent past work and familiarity with current and complementary plans.

These sections will include:

- Community Profile
 - Housing typology data scrubbing, initial analysis over 10 years including
 - Age of housing
 - Rental units/sizes
 - Tenure (rental vs. owner-occupied)
- This will not include market analysis for potential housing products/types/and supporting geographies
- Existing Land use Inventory
 - Existing zoning use analysis
 - Washtenaw Area Plan, with TOD considerations of nodes/links per the Reimagine Washtenaw Project
 - Transportation section incorporating City's existing non-motorized plan, AATA long range and 5 year plan, WATS long range planning.

PROCESS COMPONENTS

- Background research will, at a minimum, consist of the documents listed above and will include analysis of housing data for the housing typology analysis (some featured in the South of Michigan Community Needs Assessment) as available in the City Assessor's database (10+ years of parcel data) and will be managed by City Staff
- Public Participation – the outreach strategy (to be proposed by the consultant) should include a variety of means for garnering participation through meetings, online, and in-person. Special attention should be paid to individuals and groups that are not typically represented in planning

processes. In the case of the City, this includes seniors, youth, EMU students, low-income individuals, those with accessibility concerns as well as representing racial and ethnic diversity. The committee desires a strategy that includes formats including online, and other social media strategies in addition to more traditional participation. Strategies should be creative and reflect the diversity of the city's population.

- Presentations - In accordance with PA 33, of 2008, the Planning Commission and the City Council are required to take action at various points in the Master Planning process. Presentations will be made to each body prior to each action. The stage in the process and progress will determine the scope of these presentations. The planning staff will provide regular reports to the Planning Commission.

Comment [AU2]: confirm this with HUD timeline

PLAN COMPONENTS

The following are the minimum components that must be included in the Master Plan.

Community Profile

Prepare a comprehensive profile of the City including history, location, demographics, and general physical characteristics of the City

Inventory

Create an inventory of existing land uses; existing policies including the current and future land use plans; community assets; elements of the built environment; natural resources; and an analysis of the implementation of past plans.

Values/Policy

This component of the plan reflect the character and values of the community, and provide the overarching approach to land use, housing, transportation, community and economic development, natural resources (Huron River in particular) long-term sustainability, and other relevant choices for this community for the next 20 years which will be dynamic in more new ways. These are the guiding principles and should be the default considerations when there are future decisions including any request for modification from the plan, etc.

Land Use

Existing Land Use - This component of the plan should include an inventory of existing land use and a detailed analysis of how and why the existing land use has come to be, including historic development patterns, past policies, and regulations such as Comprehensive Plans and the Zoning Ordinance.

Future Land Use - Previous FLU maps have not aged well, the committee is looking for means to provide an idea of future land use. However, this map/plan should reflect proposed transportation networks, housing, economic development strategies, and the relationship between various land uses. The future land use component of the plan should focus on innovative ways to encourage infill, provide for mixed-use developments, encourage adaptive reuse, provide for alternative modes of transportation, protect existing character, support the vision for the future character, and protect natural features.

Focused development areas

- Leforge/HRD – Railroad./ - Motorwheel – Depot Town/Lincoln – to Marsh Plating - Sunshine Marina to (Boys and Girls Club) (split it in two with the River (Depot Town))
- Depot TOD
- Spring/Factory/WW/Harriet/Armstrong (Parkridge Center...)includes Bell Kramer

- Downtown/Water Street
- E. Michigan /Ecorse
- River adjacent properties – special provisions?

Transportation Plan

The Transportation Plan must recognize commuter patterns, existing and proposed land uses and the relationship to Eastern Michigan University, as well as other communities. Particular attention as to how land use and transportation alternatives and options related to EMU must be included. The recently completed (2010) Non-Motorized Transportation plan will provide the majority of information on transportation alternatives and should be updated and included.

Preparing this portion of the plan must include collaboration and coordination with WATS, neighboring communities, AATA, MDOT, and regional planning agencies such as the Southeastern Michigan Council of Governments and Washtenaw County Planning.

Housing

As alluded to above, the City has a variety of neighborhoods and housing typologies while also providing a large percentage of the county's affordable housing. The plan should include an existing housing typology plan and recommend opportunities for diversifying housing products, increasing density, when appropriate, maintaining historic building stock, providing new mixed use opportunities that include housing, and reintegrating neighborhoods based on the availability of housing options. Consideration should also be given to alternative energy technologies and sustainable development practices for existing and future housing developments and the potential need for expanded amenities in existing neighborhoods. Identification of neighborhood areas (not necessarily by neighborhood associations) into market areas is desired, with recommendations by market, for infill, conversion or expansion opportunity by housing product type.

Areas of particular interest in this study include:

- Near Campus neighborhoods (Midtown/Riverside), other expected mid-market areas (East Prospect park/Miles/Garland)
- Semi-isolated neighborhoods (Maus/Davis/Towner)
- Potential infill and stabilization of weaker-market areas (near south side, south of Harriet)

(Reference points:

- <http://www.baltimorecity.gov/Portals/0/agencies/planning/public%20downloads/Typology2011%20Final%20lettersize.pdf>
- <http://typology.fakeisthenewreal.org/types/>

Economic Development

This section must identify existing characteristics of the City which support economic development that can be enhanced and promoted. It should also identify characteristics that must be developed in order to attract and retain businesses and the high quality workforce necessary to support them. The Committee is interested in exploring potential clusters to attract including a potential small-scale production incubator space (reuse of existing structure) and small business attraction and expansion space. Niches such as "green" businesses should also be pursued if appropriate. Lastly, potential for creating employee-owned or cooperative business where potentially low-skilled labor can earn higher incomes through progressing through ownership should be explored to help provide opportunity to existing residents.

Implementation and zoning ordinance revision

The creation of a well developed set of implementation strategies designed to provide guidance and direction to be used by decision makers is a critical component of the plan. It must be pragmatic and detailed, so that the City can achieve goals identified for each section of the plan. These strategies shall include specific recommendations for prioritizing projects, developing infrastructure, funding strategies, public education, creating necessary ordinances, and direction for rewriting the existing Zoning Ordinance. A Zoning Plan shall also be provided in accordance with PA 33 of 2008.

Additionally, the consultant or sub-contractor will continue work with the steering committee and City staff on a zoning ordinance revision. Form based codes or a hybrid method will be utilized in the revision. Key elements to the zoning ordinance rewrites will include:

- Reconsideration of business zoning appropriate to traffic counts, location on corridors and in dense downtown areas, including consideration of “activity” corridors where first floor uses must be active potentially along Michigan Avenue and Cross street (both downtown and in the West Cross district)
- Flexibility within business districts for variety of non-nuisance uses
- Consideration of Accessory dwelling units in Historic District and near-campus neighborhoods in particular
- Further consideration of live/work areas
- Creative consideration and location for small-scale production and large scale production in older industrial areas
- Adaptive reuse of existing building stock, with special consideration of historic district areas.

Proposals will be weighed based on the following criteria:

1. Demonstrated understanding of the project
2. Project approach including:
 - Technical strength
 - Comprehensiveness
3. Overall work plan and schedule
4. Outreach Plan
5. Experience of the consulting team max.
6. Cost considerations

SUBMITTAL REQUIREMENTS

The following information shall be provided for any primary consultant submitting a proposal as well as any collaborating consultant or contractor who will be executing any tasks outlined in this RFP:

1. Provide a company profile
2. Provide a profile/resume for all primary employees or subcontractors who will be carrying out any part of your proposal. Please indicate past projects the team has worked on together or how they operate together whether at the same firm, or with potential subcontractors, including sample projects worked on by the proposal team.
3. Provide descriptions of your firm’s experience working in environments you feel are similar to the City of Ypsilanti. Please do not include work you have done that is more than 10 years old.
4. Provide a least three (3) samples of work your firm has completed for communities you consider to face similar challenges and opportunities as the City of Ypsilanti or examples of innovative planning documents your firm has created regardless of the community.

5. Provide a list of client references you have contracted with for similar projects. Include the project title, date, name, address, phone number, email address, and a contact person, as well as a brief description of the scope of work.
6. Provide a description of your typical public participation process and any innovative techniques that your firm has found to be effective in meeting the goals of the public participation process as described in this request. Indicate how you think this may need to be adapted for work in the City.
7. Describe your understanding of this project and any challenges you foresee.
8. Describe any resources, or significant skills or talents that your firm can bring to the process that distinguishes your firm from other similar consultants.
9. Using the HUD Work plan supplied, provide a more detailed work plan and schedule as well as a proposal for structuring the process
10. Include a schedule of fees outlined by task, in addition to an overall not-to-exceed lump sum cost.

Applicants must submit five (5) paper copies and (1) digital copy in a sealed envelope.

Submittals must be made to the City Clerk's Office no later than **3:00 pm on Aug 24, 2012.**

City of Ypsilanti Clerk's Office

Attention: Master Plan

1 S. Huron St

Ypsilanti, MI 48197

All bids will be opened at **3:30 p.m. on Aug. 24, 2012** in City Hall Chambers, 1 S. Huron, Ypsilanti, MI.

The City reserves the right to accept or reject all or any part of any and all proposals. The City will award the contract based on the total quality of the proposal.

Please direct all questions to Teresa Gillotti, Planner II by email: tgillotti@cityofypsilanti.com by **Aug. 15, 2012**. All responses will be posted on the city's website at www.cityofypsilanti.com/masterplan



INITIAL CONCEPT FOR WASHTENAW/HURON/HAMILTON ROAD DIET

Ypsilanti City Council – Tuesday July 17, 2012

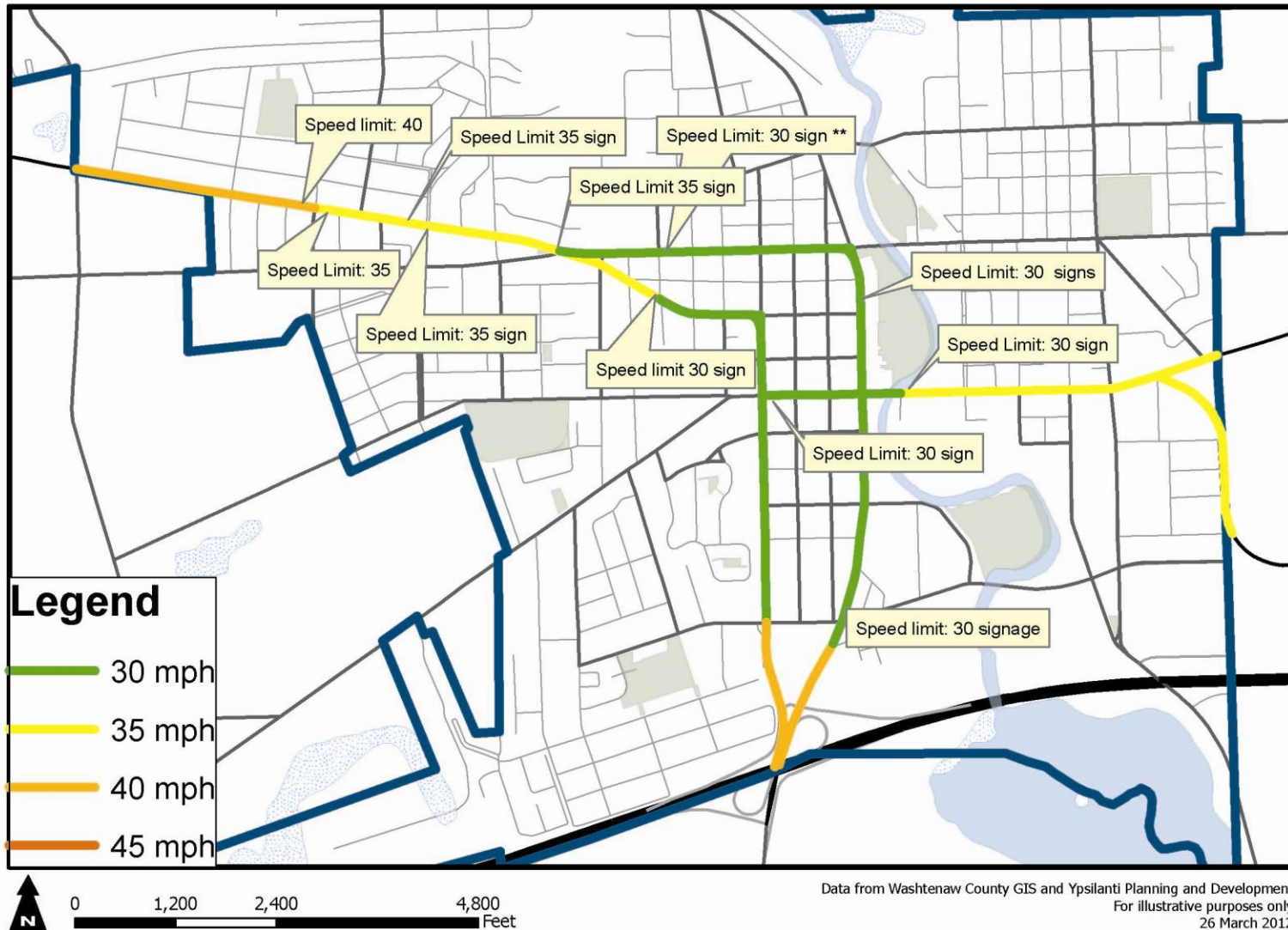


Tonight's Presentation

- Speed Limit Changes per State Police review
- Potential for a road diet to reduce speeds and increase safety
- What type of road diet should Ypsilanti consider?
- Proposals by Section
- Related benefits and costs
- Next Steps

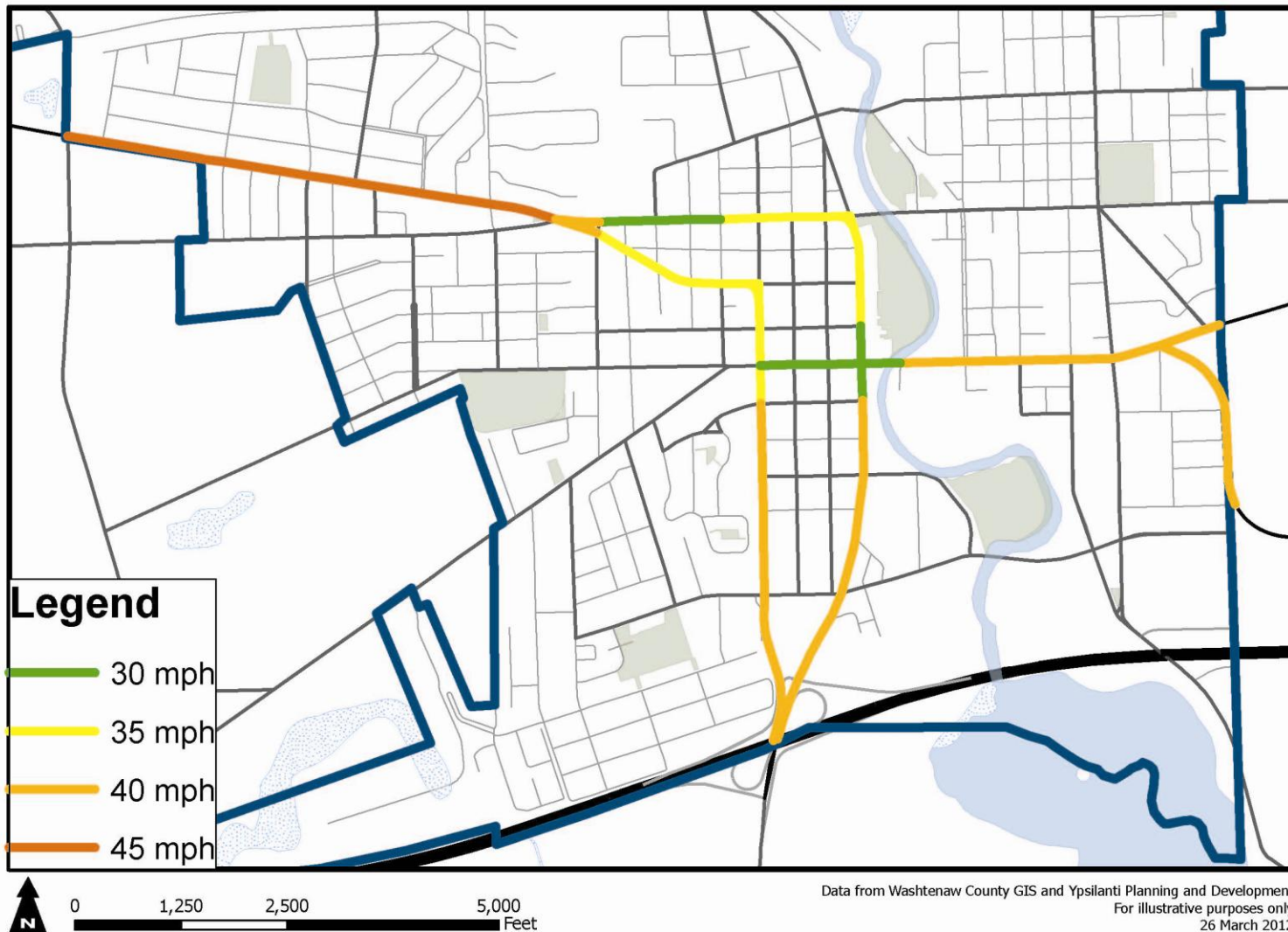
Existing speed limits on trunklines

MDOT Trunkline Speed Limits- Current



Increased speed limits expected on trunklines

MDOT Trunkline Speed Limits- Summer 2012 (future)



Why a road diet? What can be achieved?

Staff pursued options for how to reduce speed limits, felt that change in road design was most viable option

Consulted with MDOT/WATS for procedure as to how to review whether or not trunklines in the city would qualify (WATS modeled 2025 traffic counts based on current Level of Service standards per MDOT requirements).

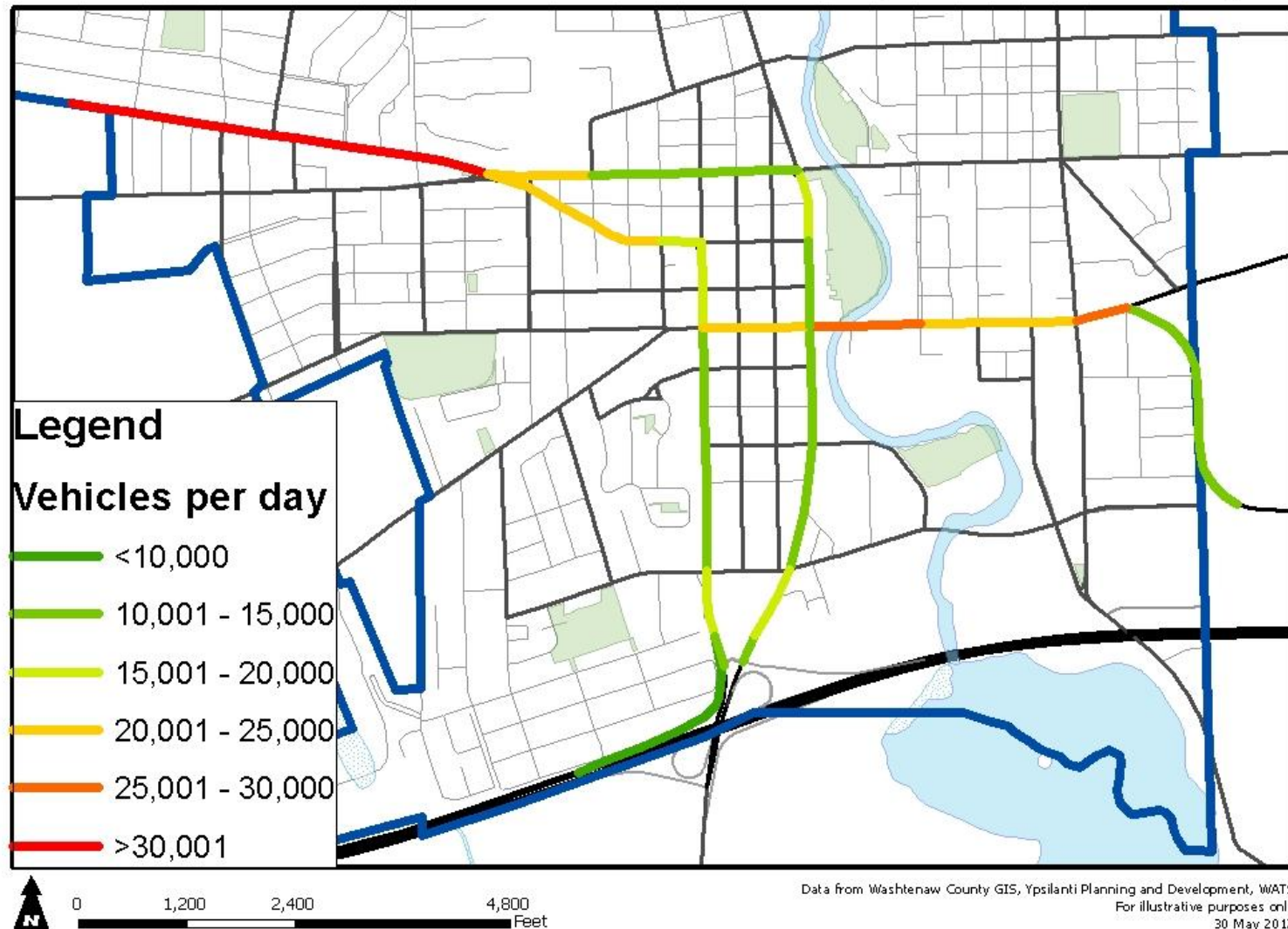
Reviewed existing plans for previous recommendations for road diets based on striping changes (3 to 2 conversions that include bike lanes and/or on-street parking)

Reviewed best practices to use above treatments to achieve the goal of reduced speeds (goal of 30 mph) and provide related benefits including:

- additional links for on-street bike lane networks
- On-street parking for residential (Washtenaw), downtown metered (Huron/Hamilton) and free parking (include near some local churches

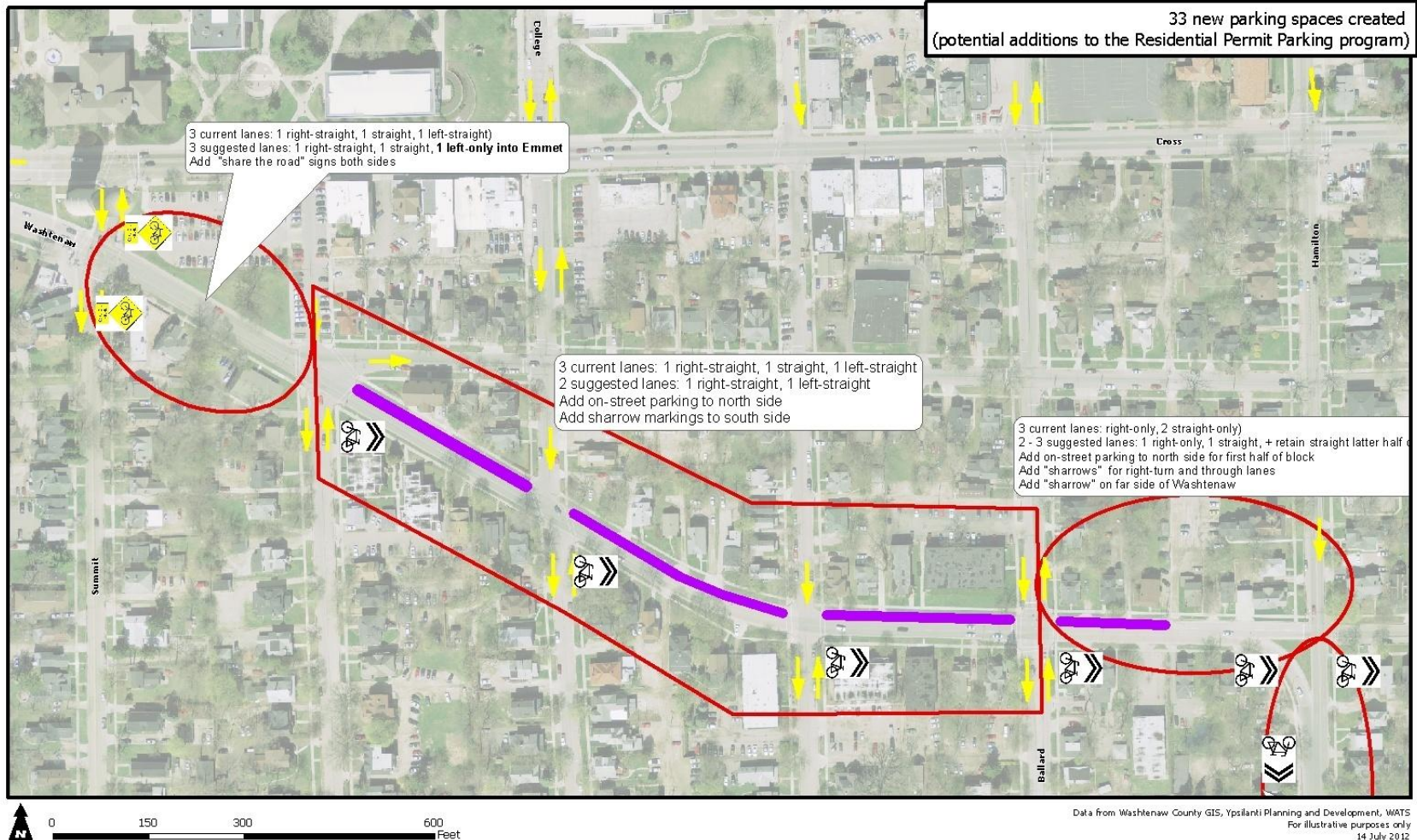
Traffic projectins and opportunity for Road Diets

MDOT Trunkline Projected Traffic Counts 2025 (sum both directions)

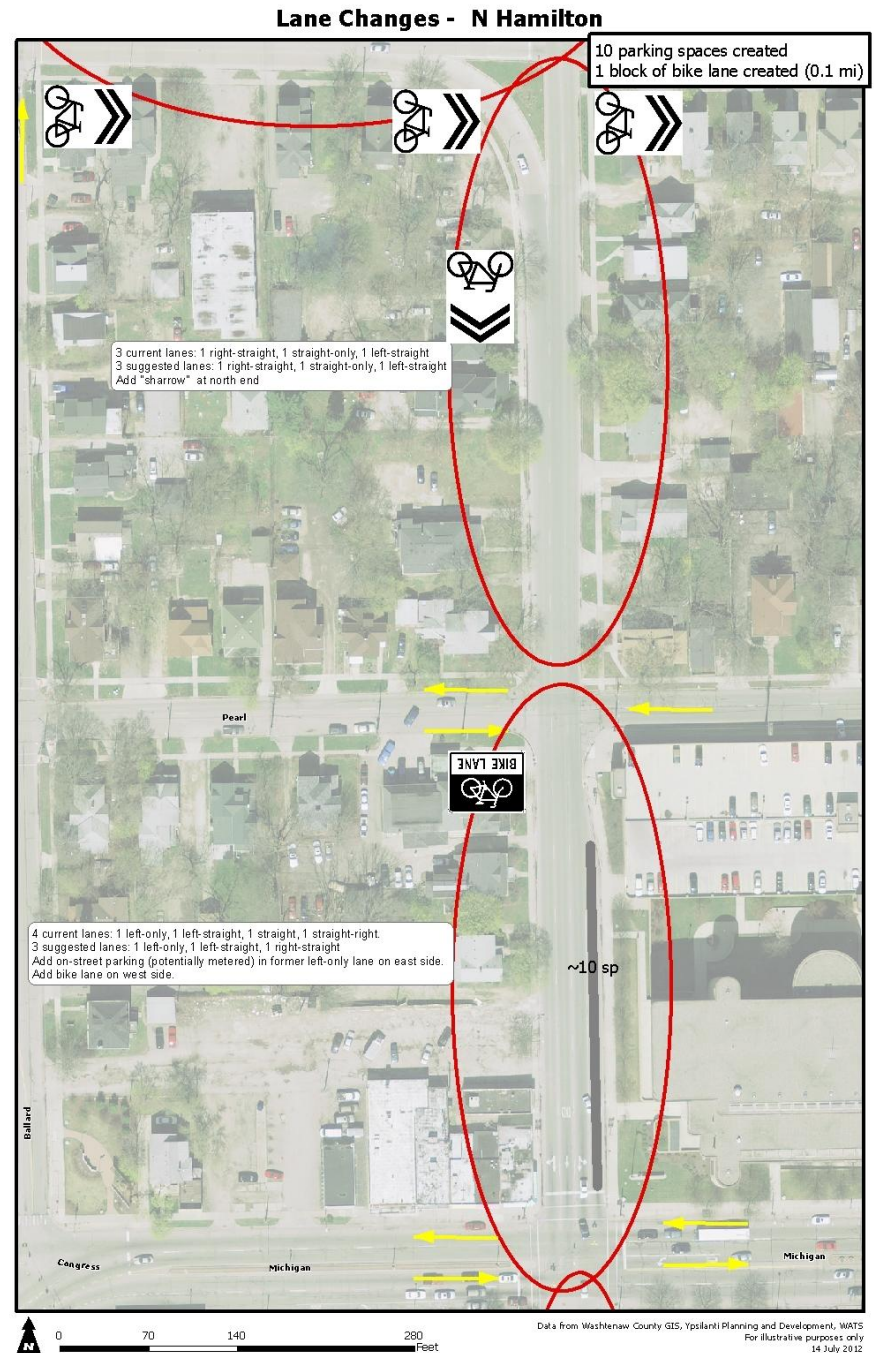


What will it look like – by Section (Washtenaw)

Lane Changes - Washtenaw

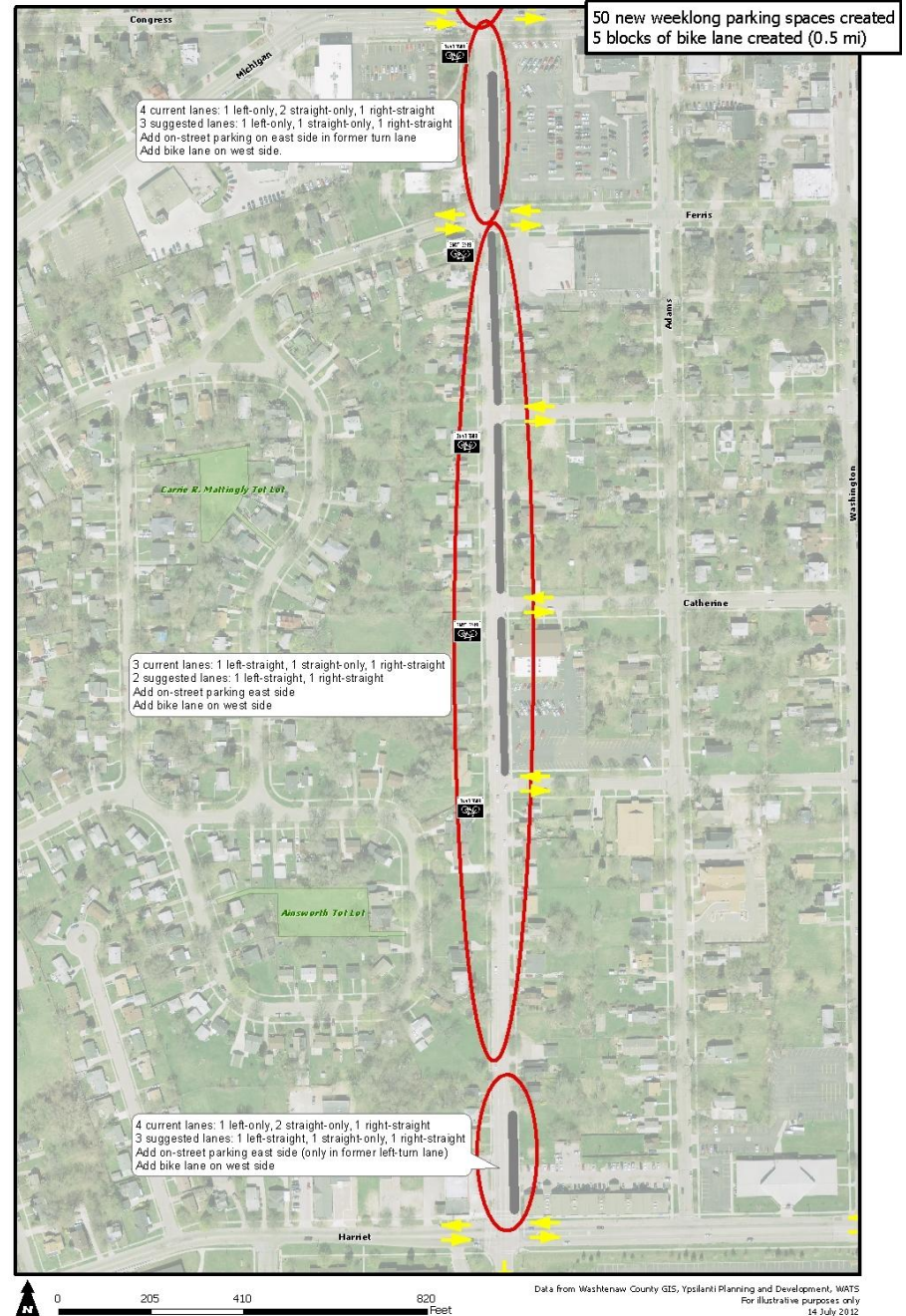


What will it look like (N. Hamilton)

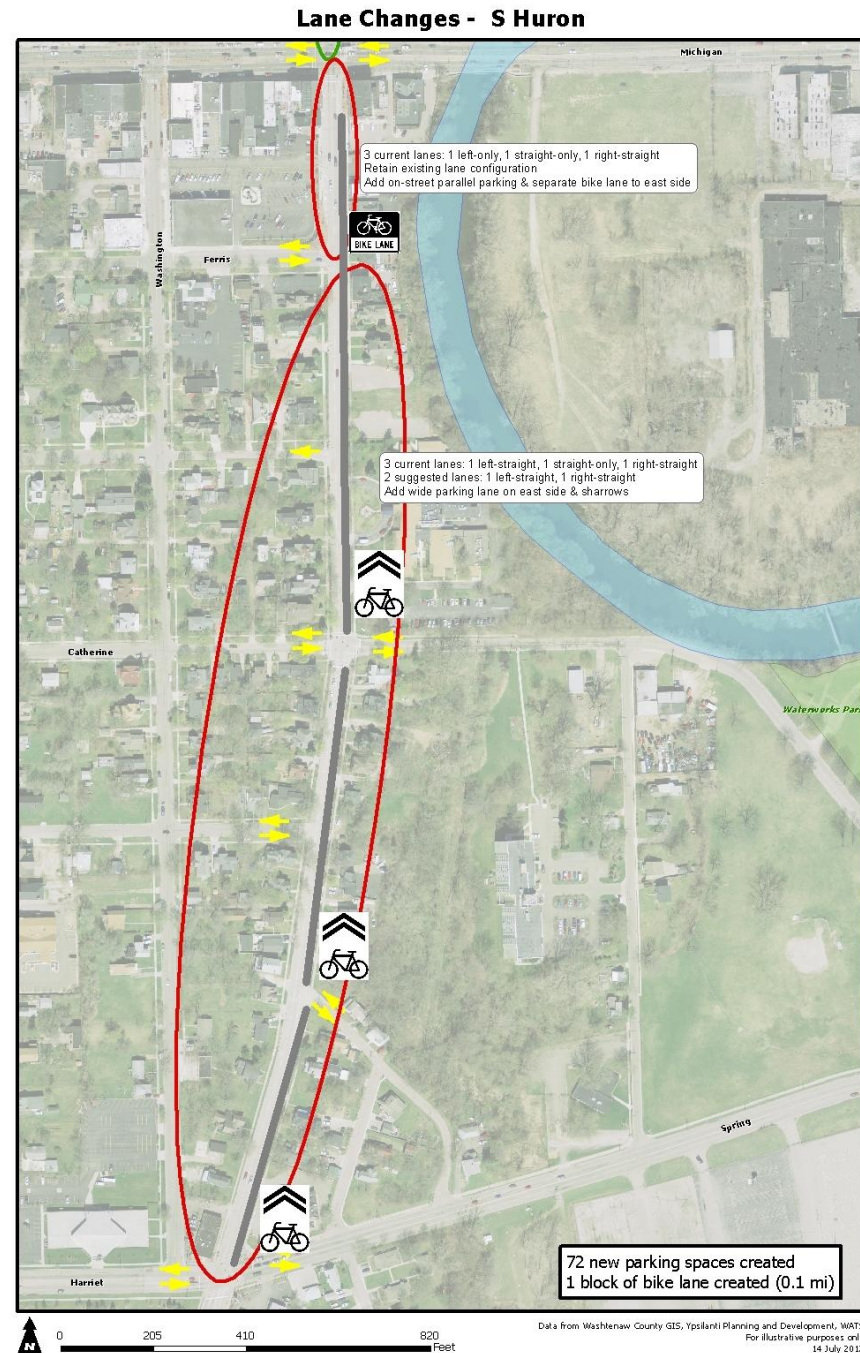


What will it look like – (S. Hamilton)

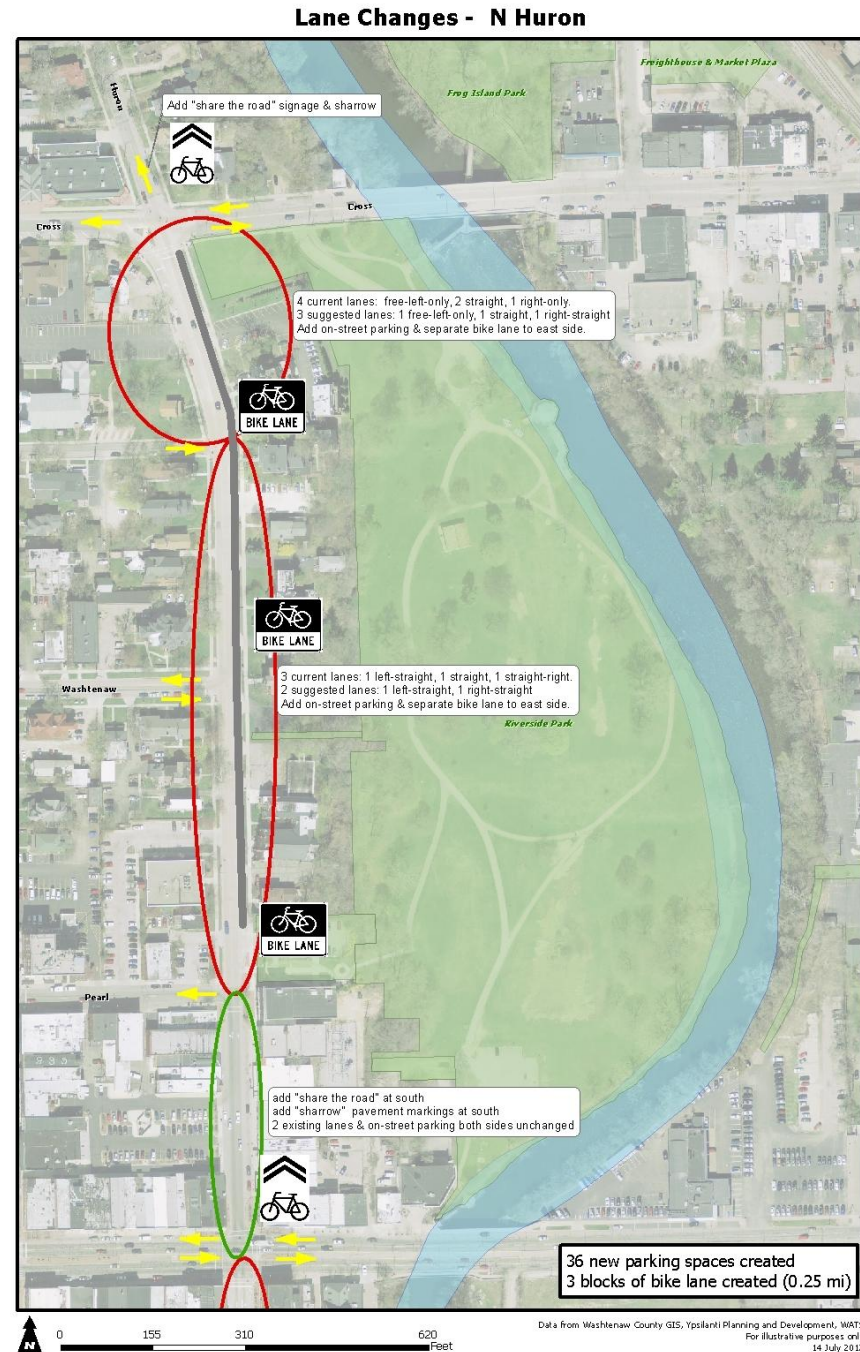
Lane Changes - S Hamilton



What will it look like – (S. Huron)



What will it look like – (N. Huron)



Benefits - Costs

Potential new on-street parking spaces: 200

Bike lanes miles: approx 1 additional mile

First cut at cost estimate: approx \$60,000 to \$70,000

Relationship with Act 51 funds

- 1% requirement for non-motorized improvements (bicycle lanes/sharrows)

- tentatively changes shouldn't impact funding. Seeking confirmation

Speed limit reduction goal – 30 mph (in most areas)

Next Steps

- Further conversation with MDOT
- Non-motorized Transportation committee meeting Aug. 2
- DDA design/economic restructuring committee (TBD)
- Striping/signage cost estimate finalized
- Consideration of funding partners (MDOT, City, DDA, others)
- If it seems viable – put in formal request to MDOT, and proceed with capital improvements review

**PLANNING COMMISSION
Master Plan Update Committee
MEETING MINUTES**

July 11, 2012

4th Floor Conference Room

4:30 P.M.

I. CALL TO ORDER

The meeting was called to order at 4:35 p.m.

II. ROLL CALL

Present: R. Johnson, T. Gillotti, R. Murphy

IV. DISCUSSION

The committee reviewed the draft RFP provided in the last Planning Commission Packet providing answers to areas marked with comments including, sections for area plans, where reconsideration of past topics should be brought back (accessory dwelling units) etc. Gillotti noted changes and promised to provide the updated draft to both City Council for their review of the Master Plan contract with Washtenaw County on July 17 as well as the Planning commission at their July meeting.

V. NEXT MEETING

TBD