



**CITY OF YPSILANTI
PLANNING COMMISSION MEETING
Wednesday, January 17, 2024 @ 7:00 PM
Council Chambers
One South Huron, Ypsilanti, MI 48197
[Launch Meeting - Zoom](#)**

I. CALL TO ORDER

II. ROLL CALL

A.	Amanda Smith	Eric Bettis
	Mike Davis Jr.	Brian Jones-Chance
	Carl Scheir	Phil Hollifield
	Matt Dunwoodie (C)	Michael Simmons
	Jessica Donnelly	

III. AGENDA APPROVAL

IV. APPROVAL OF MINUTES

A. 12-20-23 Planning Commission Minutes

V. PUBLIC COMMENT (3 MINUTES)

VI. COMMITTEE REPORTS

VII. PRESENTATIONS AND PUBLIC HEARING ITEMS

VIII. OLD BUSINESS

- A. **RV and Trailers Zoning Discussion**
- B. **EMB Signs Zoning Discussion**
- C. **Marijuana Retailers and Microbusiness Zoning Discussion**

IX. NEW BUSINESS

- A. **Zoning Prioritization Memo**
- B. **Planning Commission Annual Report**

X. FUTURE BUSINESS DISCUSSIONS/UPDATES

XI. PUBLIC COMMENT (3 MINUTES)

XII. ADJOURNMENT



DRAFT MINUTES
Planning Commission
Wednesday, December 20 2023 @ 7:00 PM
City Council Chambers, 1 S. Huron St. Ypsilanti, MI 48197

I. Call to Order

II. Roll Call

Present: Smith, Bettis, Davis Jr. (7:09), Jones-Chance, Scheir, Hollifield

Absent: Dunwoodie, Simmons, Donnelly

Motion to nominate Brian Jones-Chance to chair the meeting. Nomination accepted.

Offered By: Smith ; Seconded By: Hollifield; Approved: Yes – 5; No – 0; Absent – 4 (Donnelly, Dunwoodie, Simmons, Davis Jr.)

III. AGENDA APPROVAL

Motion to approve the agenda.

Offered By: Smith ; Seconded By: Hollifield; Approved: Yes – 5; No – 0; Absent – 4 (Donnelly, Dunwoodie, Simmons, Davis Jr.)

IV. Approval of Minutes

Motion to approve the October 2023 Minutes.

Offered By: Smith ; Seconded By: Bettis; Approved: Yes – 5; No – 0; Absent – 4 (Donnelly, Dunwoodie, Simmons, Davis Jr.)

V. AUDIENCE PARTICIPATION

Two members of the public spoke and one letter was read into the record about recreation vehicles in opposition to enforcement..

One letter was read into the record regarding EMB signs.

A letter from the City of Ann Arbor regarding their master plan was read into the record.

VI. COMMITTEE REPORTS

A. Non-Motorized Committee Report (if applicable)

Mike Davis Jr. provided a committee update. The committee is seeing EMU student participation.

They are also interested in seeking out grant opportunities.

VII. PRESENTATIONS AND PUBLIC HEARING ITEMS

A. 216 N Hamilton - Special Use and Limited Site Plan Review (Public Hearing)

Senior Planner Andy Aamodt presented the staff report.

Applicant: Bob Barnes noted that adding wheel stops is not an issue, ADA accessibility on the historic building is near impossible, there is adequate lighting, the space is an easy addition of a studio apartment at 330 sq feet, he is willing to plant trees/shrubbery, he is not wanting to add and ADA parking spot unless there is a need required by a tenant. They have a dumpster. It is

not on this property but it is on the neighboring property he owns and he is open to adding a sidewalk.

Brian Jones-Chance stated that the City should be making it easier to add units, especially to historic buildings. We have an obligation to housing affordability. It's a win for property owner, it's a win for the City. He believes the commission should waive the requirement for the impervious surface, as it can cause more issue with drainage given the condition of the City alleyway it is adjoined to.

Phil Hollifield agreed to no impervious surface.

Motion that the Planning Commission approve the Special Use Permit for 216 Hamilton Renovation with the following findings and conditions:

Findings:

- 1. The application shows sufficient information to inform the Planning Commission's decision.*
- 2. The application substantially complies with the Special Use review standards of §122-324(b).*

Conditions:

- 1. Special use approval shall be subject to approval of the limited site plan and building code review for accessibility.*
- 2. The applicant shall submit all required sketch plan details, including a lighting, refuse, and landscaping plan. The applicant shall also provide the locations of two bicycle parking spaces, wheel stops for parking spaces, existing fence, parking lot planting hedge, and one additional street tree for administrative review.*

Offered By: Davis Jr.; Seconded By: Hollifield; Approved: Yes – 6; No – 0; Absent – 3 (Donnelly, Dunwoodie, Simmons)

Motion that the Planning Commission approve the Site Plan for 216 N. Hamilton Renovation with the following findings and conditions:

Findings:

- 1. The application substantially complies with §122-311.*

Conditions

- 1. Applicant to provide a landscaping plan for administrative review and approval. This shall include provision of at least one additional street tree, one additional parking lot tree, and a planting hedge that screens vehicle lights from the parking area from the residences.*
- 2. Applicant to provide a lighting plan for administrative review and approval.*
- 3. Applicant to provide an updated limited site plan.*
- 4. Applicant to provide two bicycle parking spaces. Bike parking shall be connected to sidewalk or front walk with a paved path.*
- 5. Applicant to provide wheel stops at all parking spaces.*
- 6. If building official determines ADA accessibility is required, then the parking lot shall provide an ADAcompliant barrier-free parking space, appropriate internal sidewalk widths, and a ramp to the unit.*
- 7. Any new parking area surfacing changes shall require detailed engineering review.*

8. The applicant shall provide an additional minimum five foot sidewalk from the parking area to the renovated porch.

Offered By: Davis Jr.; Seconded By: Hollifield; Approved: Yes – 6; No – 0; Absent – 3 (Donnelly, Dunwoodie, Simmons)

VIII. OLD BUSINESS - none.

IX. NEW BUSINESS

A. 2024 Meeting Schedule

Staff pointed out that a third Wednesday falls on June 19th. Offices will be closed for Juneteenth.

Motion to approve calendar, but to move the June 19th meeting to June 27th.

Offered By: Smith; Seconded By: Hollifield; Approved: Yes – 6; No – 0; Absent – 3 (Donnelly, Dunwoodie, Simmons)

B. EMB Signs Discussion

Staff presentation on EMB sign discussion.

Mike Davis Jr. pointed out that EMB signs had been denied at HDC since the 2014 zoning update. He recommended look at townships sign ordinance.

Amanda Smith said we should move in the direction that aligns with the master plan. If these signs are unsafe and health and safety are in purview of guiding documents, we shouldn't consider it.

Brian Jones-Chance questioned if the real reason is safety. Highway digital billboards exist.

Julia Upfal reminded the commission that impact on neighboring properties was taken into consideration in the ordinance, not just safety. Highway billboards are not directly in residential neighborhoods.

Mike Davis Jr suggested that if the sign ordinance opens it should be a top to bottom review. To be considered by zoning district.

Phil Hollified suggested that the ordinance needs to change to make it more inviting to businesses.

C. Recreational Vehicles and Trailers Discussion

Staff presentation on Recreation Vehicles and Trailers discussion by Senior Planner Julia Upfal.

The commission asked staff to bring back recommendations and ordinance examples to the next meeting.

There is an economic concern of off site storage, and an economic concern with fines and deadlines residents are facing.

D. Marijuana Discussion

Staff asking for the commissions current thoughts on the marijuana ordinance.

The commission reviewed the ordinance history.

The industry is struggling, and not all sites in Ypsilanti have been developed.

Brian Jones-Chance asked about enforcements when marijuana retailers do not complete their site plans.

Staff is following up with applicants with unfinished sites.

Mike Davis Jr. asked if the planning commission use the zoning code for caps?

Staff stated that caps should be through licensing.

Mike Davis Jr. stated that the Planning Commission has made it clear we want fewer dispensaries by whatever approach ensures that outcome.

Staff will bring back examples, scenarios, and maps with comparisons of zoning caps, including maps that will create nonconformities.

X. FUTURE BUSINESS DISCUSSIONS/UPDATES

Planning Commission would like to bring back single family housing and the lighting ordinance to review.

XI. ADJOURNMENT

The meeting adjourned at 9:07pm

memorandum

DATE: January 11, 2024
TO: Ypsilanti Planning Commission
FROM: Julia Upfal, AICP and Andy Aamodt, Giffels Webster
SUBJECT: Recreational Vehicles and Trailers Preliminary Discussion

Introduction

City staff has fielded numerous comments in the recent months about recreational vehicle storage on residential property. For the purpose of discussion, recreational vehicles are defined in the zoning ordinance as “a boat, snowmobile, off-road vehicle, camper travel trailer, motor home, pick-up camper, trailer which is designed for private recreational or recreational travel use. Any trailer which is principally used for transporting any of the above shall also be considered a recreational vehicle.”

Currently, the ordinance prohibits recreational vehicles from being located in an R1, CN-SF, CN-MID, CN, MD, or HHS district unless parked within an enclosed building, or within a rear or side yard other than a required setback area. Some residents have expressed concern with this requirement and voiced their desire to store the recreational vehicles on their driveway, which is often located in a front yard or side yard. On small lots, driveways are often located in a *required* front or side yard.

The second part of this discussion is regarding the topic of commercial and recreational vehicles. Trailers are referenced in the definitions of both commercial vehicle and recreational vehicle. Code enforcement has mentioned the fact that sometimes the two definitions overlap and the line can be blurred when trying to distinguish what is a commercial vehicle versus a recreational vehicle. In addition, recent trends have popularized the conversion of school buses into recreational uses. Additional language may be desired to allow for appropriate and consistent enforcement of these vehicles.



Recreational Vehicle Regulations

Current Ordinance

Sec. 122-560 General Prohibition.
Except as otherwise provided in this chapter, no vehicles may be parked or stored on any residentially-zoned lot except for operable passenger automobiles, pickup trucks, vans, or motorcycles which are personally owned by the persons residing on the premises, or their guests.
Sec. 122-562 Recreational Vehicles.
A. The parking or storage of recreational vehicles, whether or not the recreational vehicle is mounted upon or hitched to another vehicle, including vacant mobile homes, antique or racing automobiles, or any other vehicles of a similar nature and related equipment, is prohibited on any lot in an R1, CN-SF, CN-Mid, CN, MD or HHS zoning district unless parked within a completely enclosed building or within a rear or side yard other than within a required yard setback area. Such vehicles stored in a side yard must be screened from view from the street and the adjacent property by an acceptable fence or landscaped screen, in accordance with §122-634 of this chapter. Notwithstanding the above, no recreational vehicle may be parked or stored on any indoor or outdoor parking space which is required to meet the minimum parking space requirement in an CN, MD or HHS district. B. No more than two recreational vehicles per dwelling unit may be stored outdoors at one time. The size of recreational vehicles kept or stored outdoors may not exceed eight feet in width, ten feet in height, or 32 feet in length. C. Trailer coaches, motor homes, and other vehicles or equipment designed or adaptable for sleeping purposes must remain unoccupied and must not be connected to sanitary sewer facilities, or to electricity, water, or gas.

Considerations

There are many considerations that the Planning Commission may wish to review when contemplating Recreational Vehicle storage. While complainants have requested additional leniency and flexibility in the ordinance, a comprehensive review of these standards will help identify a regulatory approach that is in line with the community’s long-term vision and result in the greatest outcomes for public health, welfare, and safety.

The review considerations on the following pages are specific to Recreational Vehicles stored in R1, CN-SF, CN-Mid, CN, MD, or HHS zoning districts.

	Current Requirement	Considerations	Alternatives
General Prohibition Applicability (122-560)	Except as otherwise provided, no vehicles may be parked on any residentially zoned lot except for operable personal vehicles	The term “residentially-zoned” may be confusing, as the Ordinance allows for some additional uses in Core Neighborhood Districts.	- Define “residentially-zoned” - Add “any lot occupied by a residential use.”
Ownership (122-560)	Vehicle must belong to individuals residing on the premises or their guests	It may be difficult for enforcement to prove whether or not a recreational vehicle belongs to a guest of the property.	- Vehicle must belong to individuals residing on the premises only. - No vehicle ownership requirements.
Location	Within a completely enclosed building or in a non-required side or rear yard (outside of setback area)	- As a largely built out community with lots of small or non-conforming parcels, many lots do not have adequate room to accommodate a recreational vehicle in the non-required side or rear setback. - Most driveways, where vehicles are intended to park, are already constructed in a required side setback area. Therefore, only allowing them in non-required setbacks may result in additional impervious surface. - Recreational vehicles located in a required side or rear setback area may visually obstruct neighboring views. (Especially if the neighboring lot has non-conforming setbacks). - Although the occupancy of recreational vehicles is not permitted, there are greater chances of nuisance-related issues when located in a required side setback area. - When permitted in a front yard, recreational vehicles may contribute to visual clutter, hamper views, create a sense of enclosure, and limit access to sunlight. - Limits on placement and lot coverage make it difficult to construct an accessory structure large enough to contain most recreational vehicles.	- Allow RV's in side and rear yard, even when located in a required setback area. - No placement requirements for RV's.

	Current Requirement	Considerations	Alternatives
Location	May not be parked in any space required to meet the parking minimum (when located in CN, MD, or HHS District).	• An RV is not usually a replacement for a personal vehicle. Therefore, both parking spaces are generally needed. • Of the districts included in this subsection, CN, MD, and HHS are the only districts where multiple family dwellings with more than 4 units are permitted. • The off-street parking requirement for single- and two-family homes consists of a parking strip, apron, driveway, garage, carport or combination thereof.	• Limit RV parking to any space required to meet the parking minimum in <i>all districts</i>, specifying that space for a vehicle shall be provided on-site for single- and two-family homes, in addition to space for a recreational vehicle.
Screening	When located in a side yard, must be screened from view from the street/adjacent property with a fence or landscaping.	• Screening reduces visual impact on neighboring properties. • Under current regulations, RVs must comply with a setback which also reduces the impact on neighboring properties. • Most recreational vehicles are taller than the fence height requirement for residential.	• No screening requirement. • Screening requirement when located in side or rear yard (not limited to side only). • Screening requirement only if located in required setback (if requirement is changed).
Number	Two recreational vehicles per dwelling unit (unless stored inside building).	• A limited number of RV's reduces clutter.	• Increase limit to only one RV per lot. • Increase permissiveness to allow three (or more) RV's per lot.

Size	Maximum size: eight feet in width, ten feet in height, 32 feet in length	- Fifth wheels, trailer hitches, and Class A RVs may be as large as 40-45' long. - In combination with setback requirements that restrict RV's from exceeding the front building line, RV length may not have a substantial impact on neighboring properties. - RV Heights vary, but Class A RVs are generally 12'-14'. - RV's of height greater than what is allowed may be difficult to screen. - RV's of height greater than what is allowed may have a visual impact on neighboring properties, effecting access to sunlight and/or creating a sense of enclosure. - See chart below for more information on average sizes for RVs.	- Increase height to 12' to accommodate more options for RV parking. - No height limit. - Reduce height limit (this would result in a prohibition on most motorhomes/trailers). - Reduce height limit when in a required yard. - Increase length to accommodate more options for RV parking. - No length restriction. - Reduce maximum length (this would result in a prohibition of many motorhomes/ trailers).
	Current Requirement	Considerations	Alternatives
Occupancy	Vehicles designed for sleeping purposes must remain unoccupied and may not be connected utilities.	No changes recommended.	NA
Time of Year	No requirement	- Recreational vehicles are not generally in use during winter months. - If limited to seasonal use only, RV owners must locate parking for vehicles during off-seasons.	- Add a requirement limiting RV's from being parked between October and March. - Continue to allow RV's year-round.

RV Type	Average Height Range	Average Length Range
Class A Motorhome	12' to 14'	26' to 45'
Class B Motorhome (Camper Van)	7' to 10'	17' to 23'
Class C Motorhome (Midsized)	10' to 12'	20' to 30'
Travel Trailer	10' to 12'	10' to 40'
Fifth Wheel	10' to 12'	22' to 40'

Distinguishing Between Commercial and Recreational

In addition to the regulations and standards relevant to recreational vehicles, code enforcement has requested additional clarity in the distinction between commercial and recreational vehicles.

Section 122-203 Definitions

Vehicle, Commercial means a truck or motor vehicle with cab and chassis and with a stake, rack, body, dump body, wrecker body, tanker body or any other body, the mounted height of which exceeds the height of the cab roof more than eight inches. Any truck or motor vehicle which has a commercial license plate and is designed to accommodate a body length in excess of nine feet. Commercial vehicles shall not include motor homes or recreational vehicles, but shall include construction equipment such as backhoes, power shovels, bulldozers, earth moving equipment, semi trucks, tractors, and trailers.
Vehicle, Recreational means a boat, snowmobile, off-road vehicle, camper travel trailer, motor home, pick-up camper, trailer which is designed for private recreational or recreational travel use. Any trailer which is principally used for transporting any of the above shall also be considered a recreational vehicle.
Sec. 122-561. Commercial Vehicles in Residential Areas.
The parking or storage of a commercial vehicle over a two ton capacity is prohibited on any residential lot. However, this section does not apply to commercial vehicles temporarily parked less than eight hours in a residential area in conjunction with maintenance or service to a residential property.

As written, the definitions draw some important distinctions between commercial and recreational vehicles:

1. Commercial vehicles have a commercial license plate and are designed to accommodate a body length in excess of nine feet.
2. Commercial vehicles do not include motor homes or recreational vehicles, but construction equipment, such as trailers, are included.
3. Recreational vehicles are used for private recreational or recreation travel purposes.
4. Trailers that qualify as recreational vehicles are intended for transporting recreational vehicles.

Although these distinctions provide a helpful road map for enforcement, there have been several instances where individuals have received a Recreational Vehicle license for a vehicle that is not intended for private recreational or recreation travel purposes. Other times, recreational vehicle licenses are issued to vehicles that are adapted for recreational use, but traditionally used for commercial purposes. While school buses are a common example, others include trailer hitches parked on private property and used as general storage. By aligning local regulations with state licensing provisions, the ordinance will ensure clear and consistent application and enforcement. The Planning Commission may wish to consider additional complementary regulations to balance clear enforcement distinctions with regulations that align with the city's intent and public health, welfare, and safety considerations.

Considerations:

- As locally defined, recreational vehicles only include vehicles intended for private recreational or recreational travel use. However, the State of Michigan issues recreational vehicle licenses to all trailers that are non-commercial. This means that there is no distinction from the state between recreational vehicles used for travel and those used as private storage. The City may consider modifying the Zoning Ordinance to qualify any vehicle with a recreational license as a recreational vehicle to maintain consistency with the State’s definition. This would complement the definition of commercial vehicle, which are defined in alignment with state commercial vehicle licensing.
- Code enforcement has expressed concern regarding trailers that have a recreational license, but are independent of any type of wheeled conveyance. Planning Commission may consider conditions stating that any trailers used for recreational purposes may not be permanently affixed to the ground and must include a chassis or other wheeled conveyance.



Next steps:

1. Present draft language for discussion.
2. Schedule public hearing.
3. Provide recommendation to City Council.

memorandum

DATE: January 12, 2024
TO: Ypsilanti Planning Commission
FROM: Julia Upfal, AICP and Andy Aamodt, Giffels Webster
SUBJECT: Electronic Message Sign Follow-Up Discussion

Introduction

The Zoning Board of Appeals reviewed a variance request for an electronic message sign (aka “electronic message board sign” or “EMB sign”) at their December 6, 2023 meeting. This EMB sign variance was applied for by Second Baptist Church of Ypsilanti and was intended to be placed near the northwest corner of the building, facing the corner of South Hamilton and Catherine streets. The ZBA did not find that the variance met the standards for practical difficulty, and thus denied the request.

Separate from the finding of practical difficulty and the technical denial of the variance, the ZBA was, in summary, interested by the arguments made by the applicant in terms of meeting a community need. The ZBA was also cognizant that, if approved, many conditions would likely be placed on the sign to prevent a nuisance. A ZBA member stated, in summary, “I do not believe it is in the purview of this board to start rewriting code, and any parameters that we put on this sign is essentially what we would be doing.” This sentiment was seemingly accepted by all three members of the Board present. Then, the ZBA recommended by motion, that the Planning Commission review the EMB sign prohibition in the zoning ordinance. The motion passed unanimously. **This motion does not compel the Planning Commission to craft any amendments; its purpose is to place this topic on your radar for review.**

At the December 20, 2023 meeting, staff introduced this item to Planning Commission. We summarize the history and current ordinance standards as well as potential regulations below.

History and Current Ordinance

The current zoning ordinance provision prohibiting electronic message signs is found in Section 122-664:

Section 122-664: The following signs are prohibited in all zoning districts:

- A. Unsafe signs. When any sign or sign structure becomes insecure, in danger of falling, or otherwise unsafe, or if any sign or sign structure shall be unlawfully installed, erected, or maintained in violation of any of the provisions of this chapter, or prohibited signs, it shall be considered a nuisance per se. The owner or lessee shall, upon receipt of written notice of the building official, immediately in the case of an unsafe sign make such sign conform to the provisions of this article or shall remove it. If, after ten days, the notice is not complied with, the building official may remove such sign at the expense of the owner or lessee after having

obtained an order from the administrative hearings bureau. The cost, including actual attorney fees, shall be assessed against the property as provided in Article VIII of the City Charter.

B. Prohibited signs.

1. Animated signs.
2. Portable signs, not including sidewalk signs.
3. Signs mounted upon a roof.
4. Signs containing obscene material. Signs containing symbols that area or purports to be an imitation of or resembles, or which may be mistaken for a traffic control device or that attempts to direct the movement of traffic.
5. Mechanical Signs.
6. **Sign, electronic message, excepting digital billboards.**
7. Signs not specifically permitted under the sections of this chapter.
8. Signs with less than six feet horizontal clearance or 12 feet vertical clearance from overhead electrical conductors which are energized in excess of 250 volts.

This prohibition was adopted in 2014 as part of the major zoning ordinance overhaul at that time.

Prior to the 2014 amendment, EMB signs were permitted, but animated signs have been a prohibited sign type since at least 1998.

Potential Regulations

EMB signs are regulated in various ways throughout the state. Some communities like Ypsilanti prohibit EMBs altogether, but the following pages show ordinances from Jackson, Farmington Hills, and Rochester Hills, which all permit EMB signs.

City of Jackson

Permits EMBs as a portion of monument signs only, and permits them in a variety of zoning districts ranging from higher-intensity residential to commercial to industrial. See below:

(d)	<i>Electronic and Other Changeable Message Board.</i> Permitted in the R-4, R-6, C-1, C-2, C-3, C-4, I-1 and I-2 Districts, subject to a sign permit. Electronic Message Boards are only allowed on lots with at least one hundred (100) feet of continuous street frontage.	<i>Number.</i> One (1) per lot. <i>Total Sign Area.</i> The electronic or other changeable message board sign shall not exceed twenty-five percent (25%) of the total monument sign area proposed.	Only permitted as part of a permitted monument sign, cannot stand alone. An electronic or other changeable message board located on street frontage shall only have a static message or image that changes if the rate of change between two (2) static messages or images does not exceed more than one (1) change per five (5) minutes, each change is complete in one (1) second or less, and the maximum daylight sign luminance level does not exceed sixty-two thousand (62,000) candelas per meter squared at forty thousand (40,000) lux illumination beginning one-half (½) hour after sunrise and continuing until one-half (½) hour before sunset and does not exceed three hundred seventy-five (375) candelas per meter squared at four (4) lux illumination at all other times. In addition, any sign permitted to have this changeable copy, must configure to default to a static display in the event of mechanical failure.
-----	---	---	--

City of Farmington Hills

ix. Electronic display areas shall be permitted as follows:

- a. Electronic display areas shall not be permitted in any RA or RC district, except for non-residential uses that are located on major and secondary thoroughfares, as defined in the City of Farmington Hills Thoroughfare Plan.
- b. Electronic display areas shall automatically dim. The brightness of such display areas shall be limited to 0.3 footcandles above ambient light conditions, as measured from the distances in the following table:

34-5.5.3.A.ix Brightness of Electronic Display Areas	
Size of display area	Measuring distance
16 square feet or less	40 feet
Between 16 and 32 square feet	48 feet
32 square feet or greater	55 feet

- c. Signs shall be programmed to go dark in the event of a malfunction.
- d. The content of the electronic display area shall not feature motion or animation. Any and all portions of the message shall remain static for a minimum of thirty (30) seconds. The change from message to message shall be instantaneous.
- e. The background of the electronic display shall not be white.
- f. Electronic displays shall not mimic traffic controls.
- g. See Section 34-5.5.2.F regarding illumination.

City of Rochester Hills

- f. When permitted, electronic message signs shall comply with the following standards:
1. Multi-colored messages may be used where the words, letters or pictures are not in motion.
 2. Electronic display areas shall automatically dim. The brightness of such display areas shall be limited to 0.3 footcandles above ambient light conditions, as measured from the distances in the following table:

Size of display area	Measuring distance
15 square feet or less	40 feet
Greater than 15 and up to 30 square feet	48 feet
Greater than 30 and up to 60 square feet	66 feet
Greater than 60 and up to 90 square feet	86 feet
Greater than 90 and up to 120 square feet	102 feet
Greater than 120 and up to 150 square feet	116 feet
Greater than 150 and up to 180 square feet	128 feet
Greater than 180 square feet	140 feet

Illuminance shall be measured with the sign turned off and again with the electronic sign illumination displaying a white image for a full color capable electronic sign and a solid message for a single-color illuminated electronic sign. All measurements shall be taken perpendicular to the face of the sign at the distance determined by the total square footage of the illuminated sign as set forth in the above table.

3. Signs shall be programmed to go dark in the event of a malfunction.
4. The content of the electronic display area shall not feature motion or animation. Any and all portions of the message shall remain static for a minimum of 30 seconds. The change from message to message shall be instantaneous.
5. Electronic displays shall not mimic traffic controls.
6. Only freestanding signs may include electronic message components.

Summary of Regulations

Broadly, we see that the following themes are repetitive throughout numerous ordinances and could be strategies to consider in drafting an ordinance amendment that provides parameters for EMB signs.

We would like to remind you that in light of Reed v. Gilbert, the 2015 Supreme Court case that established that government regulations regarding signage shall be content neutral, we recommend the Planning Commission do not discuss any aspects of signage content during this discussion. Signage placement (location/setbacks), signage manner (size, illumination, etc.), and signage time (time of day, duration of temporary signage, message changing timeframes, etc.) are all subjects in which the government has authority to regulate.

- **Location.** Consider whether EMB signs should be limited to specific districts. In addition consider if there are certain locations where EMB signs should be limited (setbacks, proximity to residential, etc). The ordinance currently prohibits illuminated wall signs within 200 feet of residential uses (122-665.b), but there is not an equivalent requirement for freestanding signs.
- **Sign structures.** Consider whether to allow EMBs on monument/freestanding signs, wall signs, or both.
- **Restrictions on message change timeframes.** Change of message should not occur more than once per one minute, with consideration towards even longer intervals such as five minutes.
- **Consistent lighting.** Lights should never blink or flash. Message change sequence should not involve flashing or other animations, but should be an instantaneous change.
- **Maximum lighting measures.** The Planning Commission may wish to consider implementing a maximum lighting standard. The Farmington Hills and Rochester Hills ordinances specify a maximum 0.3 footcandles at a particular distance from the sign, based on the sign's total area. Also, the message board should be equipped with a fully operational light sensor that automatically adjusts the intensity of the electronic message board according to the amount of ambient light.
- **Color of illumination/lighting.** Monochrome text and a non-white background color can be helpful in helping the message board blend better with the surroundings and mitigate light nuisance.
- **Maximum area.** Minimizing the sign area to an appropriate size can be helpful to combat nuisance concerns.
- **Time.** Message board should be illuminated only during certain hours of the day, perhaps from 6 am to 10 pm maximum.
- **Malfunction mitigation.** Message board should be hardwired to go dark in the event of malfunction.

Next Steps

- Discuss the Planning Commission's vision and goals for electronic message signs in the community; establish general consensus among members.
- Present draft language

memorandum

DATE: January 12, 2024
TO: Ypsilanti Planning Commission
FROM: Julia Upfal, AICP and Andy Aamodt, Giffels Webster
SUBJECT: Marijuana Retail-Related Facilities

Regulation Strategies

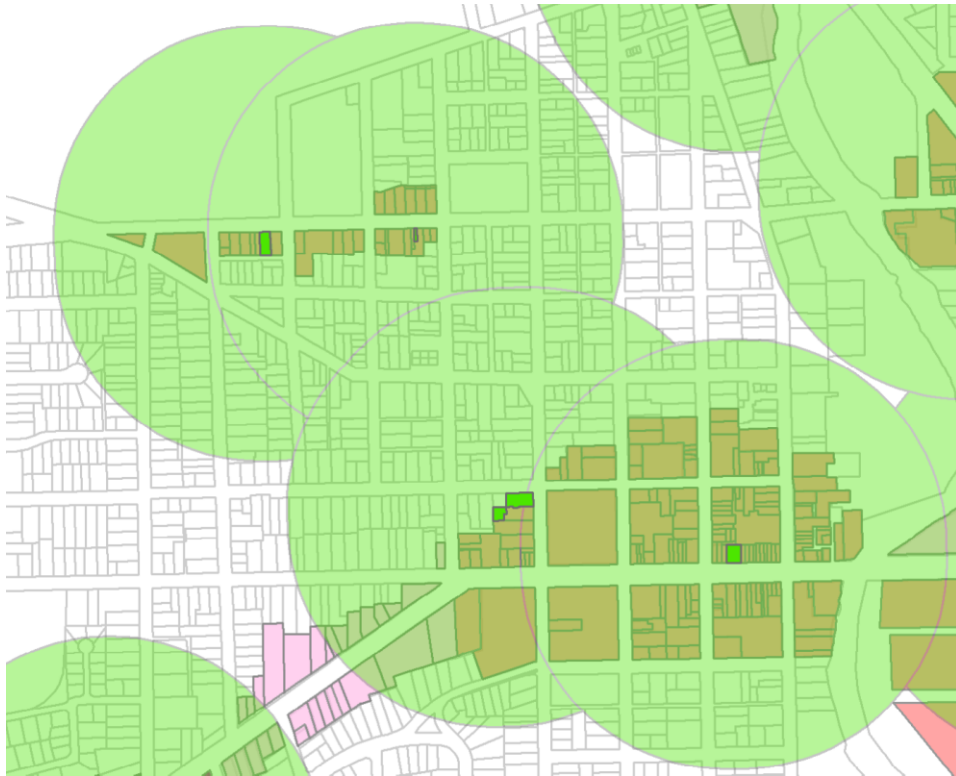
We briefly discussed the following regulation strategies at the December 20, 2023 meeting:

1. Implement caps, potentially with a rollback, to lock in the maximum number of facilities.
 - a. Keep the existing buffer language and/or allowable districts and special land use ratings
 - b. Revise the buffer language and/or allowable districts and special land use ratings.
2. No caps
 - a. Keep existing buffer language and/or allowable districts and special land use ratings. Potentially four or five new locations would be possible, depending on site locations (see map below). This situation would represent where the City left off with marijuana policy in fall of 2022.
 - b. Overlay districts. However, overlay districts in specified geographic areas would likely create many nonconforming uses.

Planning Commission encouraged staff to re-map the marijuana retailer and microbusiness facilities to see how many facilities would become nonconforming if the buffer was increased to 1,000 feet in all instances, regardless of zoning district. That strategy would result in the creation of four nonconforming uses, all four being in downtown and W Cross (see the map excerpt below). This strategy would still result in up to four eligible new retailer locations throughout the City.*

*When we say “eligible locations” throughout this memo we consider parcels in their existing format; we do not consider any future parcel splits, which could be possible in a few areas.

Map Excerpt: 1,000 Foot Buffers Intersecting Facilities



Staff Recommendation

After studying the maps, staff wishes to initiate the following new strategy as a potential zoning text amendment. In summary, proposed marijuana retailers in the Center (C) zoning district would require a 690' buffer from existing retail-related facilities (retailers/provisioning centers and microbusinesses) located in the same Center (C) zoning district and a 1,000' buffer from existing retail-related facilities located in the Neighborhood Corridor (NC) and General Corridor (GC) zoning districts. Proposed marijuana retailers in the NC and GC zoning districts would require a 1,000' buffer from all retail-related facilities regardless of the existing facilities' districts.

Because marijuana microbusinesses have a retail format, we would also recommend that microbusinesses shall require a 1,000' buffer from a lawfully established retail-related facility.

These strategies would result four new eligible retailer locations, or three new retailers plus one new GC-zoned-microbusiness. This is not counting potential microbusinesses in the PMD zoning district, such as the South Mansfield industrial park.

See the attached map and zoomed map at the end of this memo for your reference.

Potential Text Amendments – Marijuana Retailers/Provisioning Centers

Existing Ordinance Text

122-538(b)(4) The marihuana retailer and/or provisioning center shall not be located within one-thousand (1,000) feet of a lawfully existing marihuana retailer and/or provisioning center in the General Corridor (GC) zoning district, nor within six-hundred-twenty-five (625) feet of a lawfully existing marihuana retailer and/or provisioning center in the Neighborhood Corridor (NC) and Center (C) zoning districts. Distances are measured from the outermost boundaries of the lot or parcel on which the proposed marihuana retailer and/or provisioning center is located to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana retailer and/or provisioning center is located.

Proposed Ordinance Text

(b)(4) A marihuana retailer and/or provisioning center in the Center (C) zoning district shall not be located within the following areas.

- i. Within six-hundred-ninety (690) feet of a lawfully established marihuana retailer, provisioning center, or marihuana microbusiness located in the Center (C) zoning district, as measured from the outermost boundaries of the lot or parcel on which the proposed marihuana retailer and/or provisioning center is located to the outermost boundaries of the lot or parcel on which the lawfully established facility is located.
- ii. Within one-thousand (1,000) feet of a lawfully established marihuana retailer, provisioning center, or marihuana microbusiness located in the General Corridor (GC) or Neighborhood Corridor (NC) zoning districts, as measured from the outermost boundaries of the lot or parcel on which the proposed marihuana retailer and/or provisioning center is located to the outermost boundaries of the lot or parcel on which the lawfully established facility is located.
- iii. Within one-thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the marihuana retailer and/or provisioning center is located to the outermost boundaries of the lot or parcel on which the school is located.

(b)(5) A marihuana retailer and/or provisioning center in the Neighborhood Corridor (NC) or General Corridor (GC) zoning district shall not be located within the following areas.

- i. Within one-thousand (1,000) feet of any lawfully established marihuana retailer, provisioning center, or marihuana microbusiness, as measured from the outermost boundaries of the lot or parcel on which the proposed marihuana retailer and/or provisioning center is located to the outermost boundaries of the lot or parcel on which the lawfully established facility is located.
- ii. Within one-thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the marihuana retailer and/or provisioning center is located to the outermost boundaries of the lot or parcel on which the school is located.

Potential Text Amendments – Marijuana Microbusinesses

Existing Ordinance Text

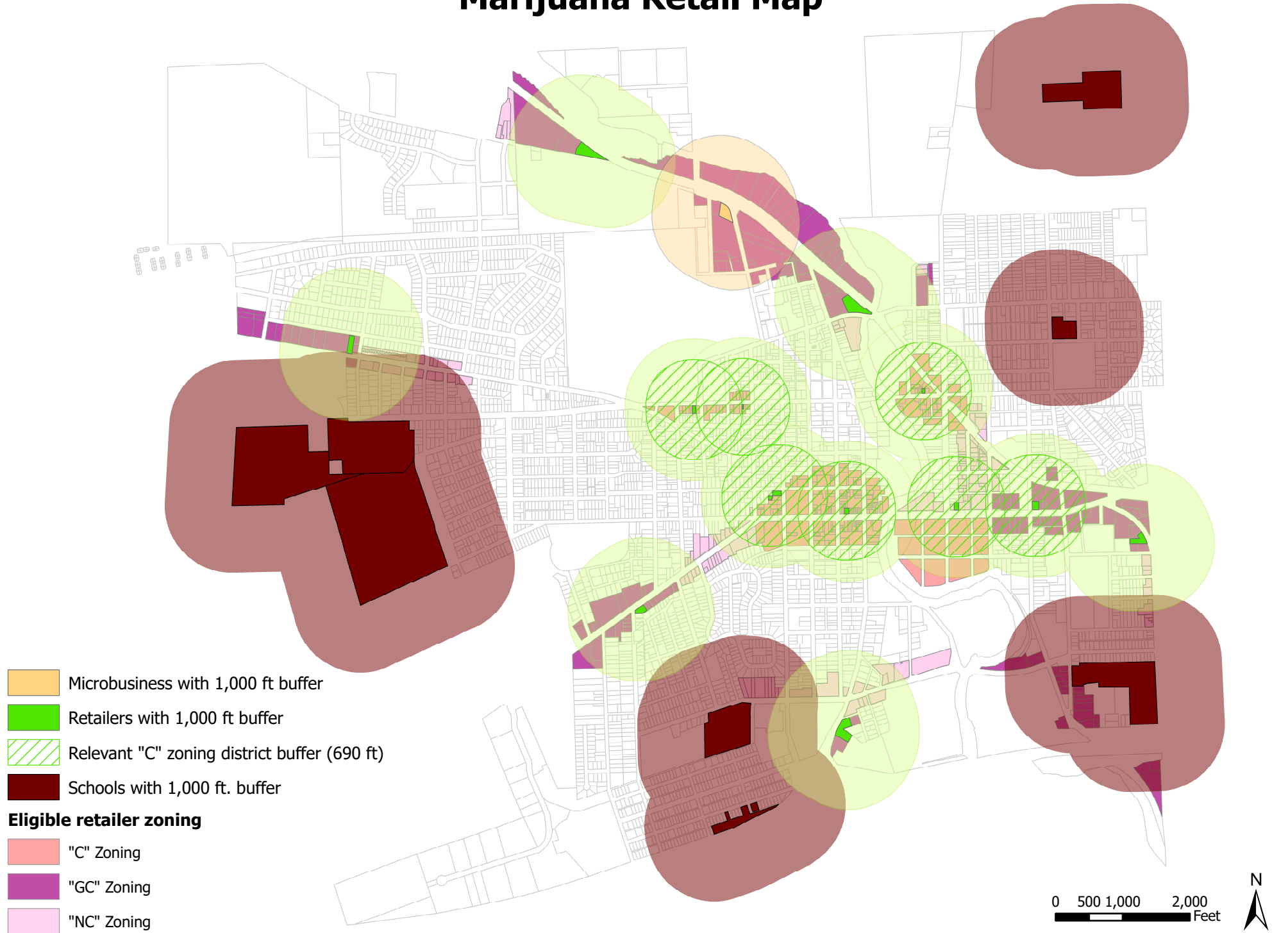
122-537(b)(3) The marihuana microbusiness facility site shall not be located within one thousand (500) feet of a lawfully existing marihuana microbusiness, as measured from the outermost boundaries of the lot or parcel on which the proposed marihuana microbusiness is located to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana microbusiness is located;

Proposed Ordinance Text

(b)(3) A marihuana microbusiness shall not be located within the following areas:

- i. Within one-thousand (1,000) feet of any lawfully established marihuana retailer, provisioning center, or marihuana microbusiness, as measured from the outermost boundaries of the lot or parcel on which the proposed marihuana microbusiness is located to the outermost boundaries of the lot or parcel on which the lawfully established facility is located.
- ii. Within six-hundred (600) feet of any lawfully established marihuana growing and/or processing facilities, as measured from the outermost boundaries of the lot or parcel on which the proposed marihuana microbusiness is located to the outermost boundaries of the lot or parcel on which the lawfully established facility is located.
- iii. Within one-thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the marihuana microbusiness is located to the outermost boundaries of the lot or parcel on which the school is located.

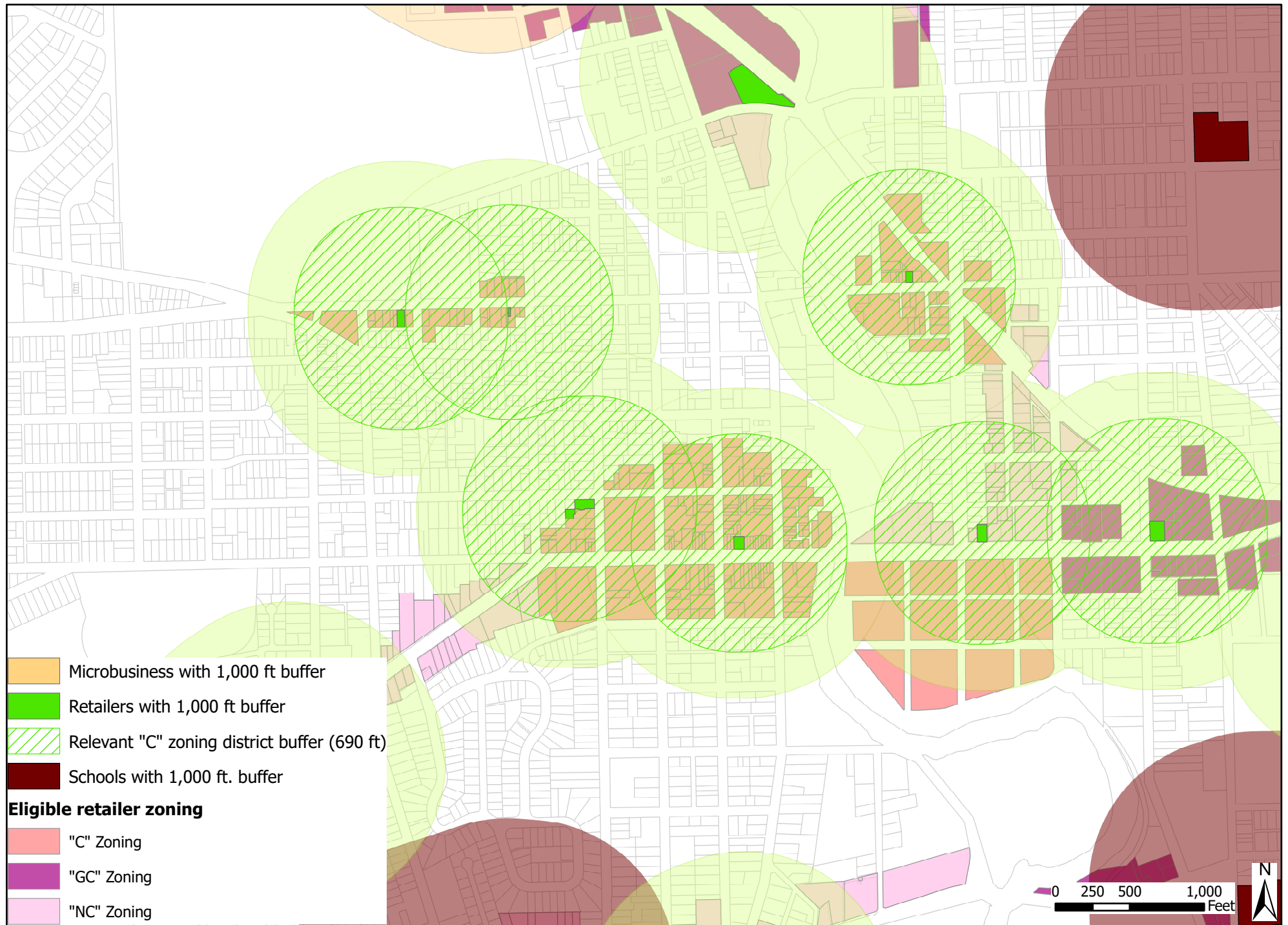
Marijuana Retail Map



For discussion purposes only.
Map should not be used to conduct parcel to parcel measurements.

Proposed Update - 1/11/2024

Marijuana Retail Map



For discussion purposes only.
Map should not be used to conduct parcel to parcel measurements.

Proposed Update - 1/11/2024

Data from Washtenaw County GIS
January 11, 2024
Page 25 of 34

Marijuana Buffers and Available Parcels Map | City of Ypsilanti 2023

Potential Eligible Parcels

Legend

-  Eligible Parcels
-  City Parcels
-  Schools Combined Buffer

Eligible Districts

-  Center
-  General Corridor
-  Neighborhood Corridor

Existing with Buffers

-  Center (C) Existing Retail with 600' Buffer
-  Neighborhood Corridor (NC) Existing Retail with 625' Buffer
-  General Corridor (GC) Existing Retail with 1300' Buffer

Coordinate System: NAD 1983 StatePlane Michigan South FIPS 2113 Feet Intl
Projection: Lambert Conformal Conic
Datum: North American 1983
False Easting: 13,123,359.5801
False Northing: 0.0000
Central Meridian: -84.3667
Standard Parallel 1: 42.1000
Standard Parallel 2: 43.6667
Latitude Of Origin: 41.5000
Units: Foot



memorandum

DATE: January 11, 2024
TO: Ypsilanti Planning Commission
FROM: Julia Upfal, AICP and Andy Aamodt, Giffels Webster
SUBJECT: Zoning Ordinance Prioritization

Introduction

The Planning Commission, residents of Ypsilanti, City Staff, and Giffels Webster have identified a variety of topics in the Zoning Ordinance that may warrant additional review and consideration. With the start of a new calendar year, this discussion is intended to prioritize and schedule discussions related to the ordinance, ensuring that areas of highest concern are addressed first.

Included in this memorandum is an overview of potential discussion topics. In addition, we have outlined a strategy to help guide prioritization and scheduling of discussions.

Topics for Review

Items raised by the Planning Commission

- **Signs.** Reduce clutter and improve overall enforcement, especially for temporary signs.
- **Lighting.** Review standards to ensure clarity and ease of enforcement. Provide application requirements. Review for Dark Skies compliance.
- **Single-Family Residential Zoning Districts.** Consider strategies to increase housing opportunities in single-family districts by permitting additional housing types.

Items raised by Members of the Public

- **EMB Signs.** Review and potentially reconsider the City's prohibition of EMB signs. If permitted, consider appropriate regulations.
- **Recreational Vehicles and Trailers.** Consider additional flexibility for the storage of recreational vehicles and small recreation trailers in residential districts. Provide language that ensures a clear distinction between the definitions of commercial trailer and recreation trailer.

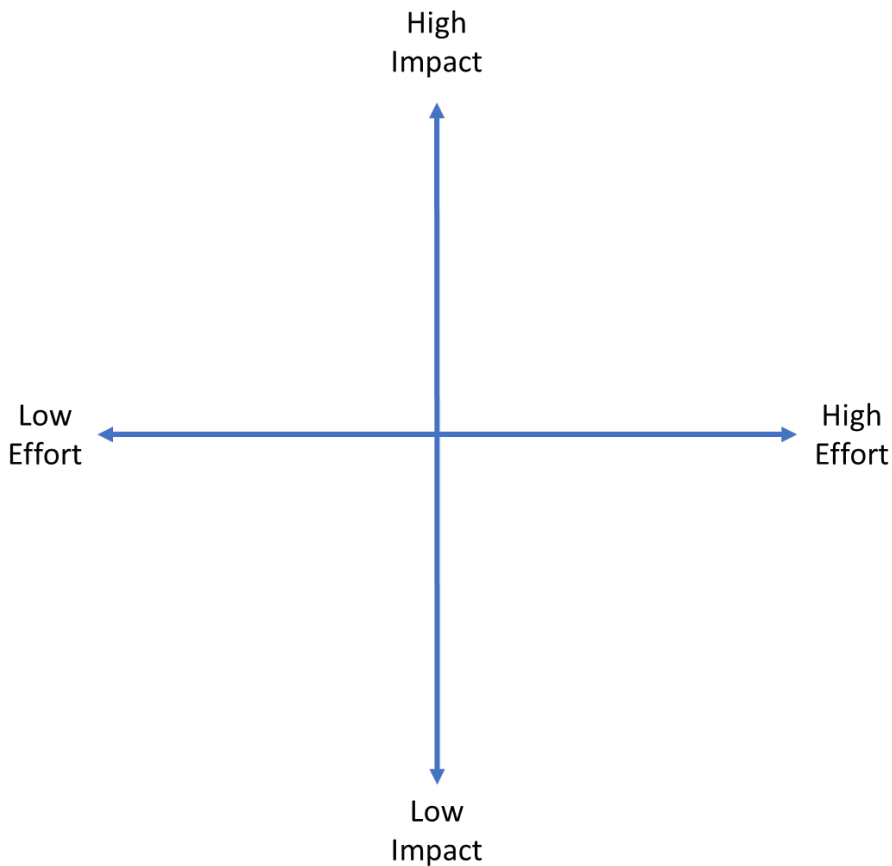
Items raised by Staff/ Consultants

- **Marijuana Retailers.** Consider buffer distances. Review Chapter 7- Marijuana Facility Licensing (General Code) amendment for capping facilities.

- **Building Types.** Review standards for clarity and consistent application.
- **Parking Types and Quantities.** Consider eliminating parking minimums and other strategies to reduce impervious surface and encourage the redevelopment of vacant lots.
- **Tree Preservation.** Consider requirements for tree preservation that are in line with the ruling made in FP Development Vs. Canton Twp.
- **Building Materials/ Design Standards.** Consider adding requirements for building materials or other design standards, particularly in Walkable Urban Districts.
- **Ordinance Format and Organization.** Reformat the Zoning Ordinance to make it easier to navigate and understand, reduce staff administrative burden, and ensure consistent interpretation for application and enforcement.

Prioritization Action Matrix

In order to schedule and prioritize these items, we recommend using the Prioritization Action Matrix outlined below to evaluate the effort and impact of each amendment. With this framework, the Planning Commission can establish a strategic pathway to schedule and complete ordinance updates. Amendments requiring low- effort that are also of high-impact may be the first ones to tackle.





January 2024

2023 Annual Report Ypsilanti Planning Commission

INTRODUCTION

The Planning Commission of the City of Ypsilanti is governed by the Michigan Planning Enabling Act, State of Michigan Public Act 33 of 2008, and by the City of Ypsilanti's Zoning Ordinance.

In 2023, the Planning Commission's membership was as follows:

Matt Dunwoodie, Chairperson
Brian Jones-Chance
Michael Davis Jr.
Phil Hollifield
Amanda Smith

Michael Simmons, Vice Chair
Eric Bettis
Jessica Donnelly
Carl Schier

Under the Planning Enabling Act, the Commission must provide an annual report to City Council, as the legislative body of the City. This report discusses,

1. The operations of the Commission during the past year
2. The status of any on-going planning activities
3. Recommendations to the legislative body related to planning and development

PLANNING COMMISSION OPERATIONS

The Planning Commission held 9 total meetings during 2023 and acted on 11 agenda items.

Applications

The Commission reviewed five site plan review-related applications- one as a full site plan review, three as limited site plan reviews, and one as a sketch plan. The Commission reviewed four special use permit applications. All applications were approved.

There was one zoning ordinance text amendment, a city staff-led amendment to the supportive housing requirements to ensure compliance with the Fair Housing Act and modify language that could be interpreted as discriminatory. This amendment was adopted by the City Council following a second reading. In addition, the Planning Commission reviewed an amendment to the marijuana ordinance (general code) and provided a recommendation to City Council for adoption, but ultimately, the City Council issued a moratorium on new marijuana permits

pending further study. The moratorium has since been lifted, but no changes to the ordinance have been adopted.

One alley vacation was proposed. City Council ultimately denied the alley vacation.

Master Plan and Special Planning Topics

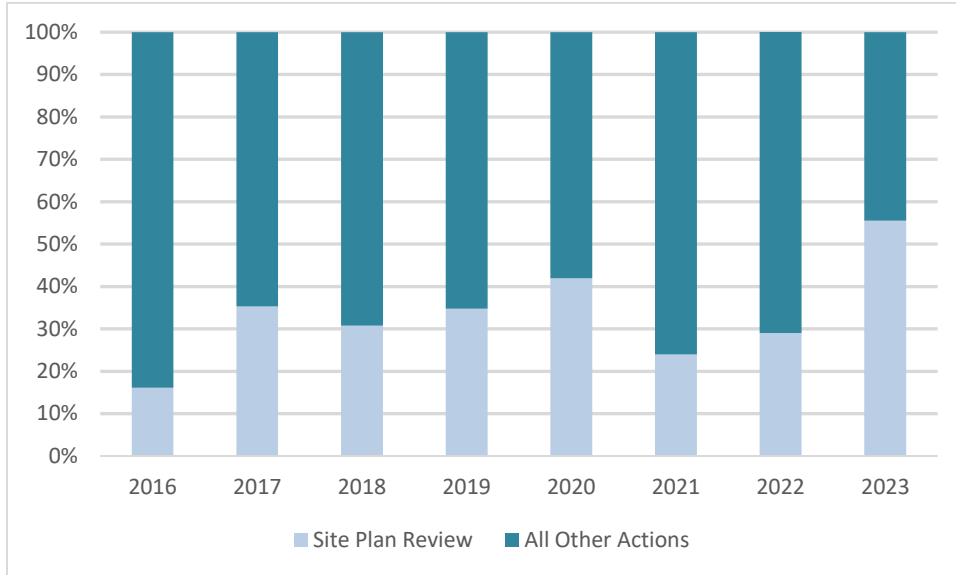
The Planning Commission did not make any changes to the Master Plan in 2023. The Non-Motorized Advisory Committee, a Master Plan subcommittee, continued to meet throughout the duration of the year.

Bylaws

No changes to the bylaws were made in 2023. However, a minor amendment to the Non-Motorized Advisory Committee Bylaws was approved by the Planning Commission in 2023.

Figure 1: Planning Commission Applications by Type (past five years)

	2019	2020	2021	2022	2023
Site Plan Review	8	13	6	9	5
Site Plan Amendment	1	--	3	1	--
Special Use Permit	5	12	8	7	4
Zoning Map Amendment	--	--	--	1	--
Zoning Text Amendment	4	3	3	5	1
Master plan Update/ Amendment	--	1	1	--	--
Planned Unit Development	--	--	--	3	--
Amend Approved PUD	--	--	--	1	--
Alley/Street closure/Vacation	--	--	1	--	1
Change in non-conforming use	--	--	--	--	--
Capital Improvements Reviews	4	--	1	1	--
Special topic planning (begins 2010)	--	2	2	1	--
Study Item (begins 2010)	--	--	--	--	--
Conditional Rezoning	1	--	--	3	--
Total Applications/Deliberations	23	31	25	32	11

Figure 2: Planning Commission Actions by Year | Percent**Figure 3: Planning Decision Stats**

Item	Decision/Motion	Action	Key
206-210 N Washington	Approved	SPR	
20 Emerick	Approved	LSP	
216 N Hamilton	Approved	LSP	
599 Mansfield	Approved	LSP	
Troy St ROW Vacation	Denied	ROW	
1733 Washtenaw	Approved	Sketch	
206-210 N Washington	Approved	SLU	
599 Mansfield	Approved	SLU	
20 Emerick	Approved	SLU	
216 N Hamilton	Approved	SLU	
Supportive Housing	Approved (Council Adoption 2/21/23)	ZTA	

	Action	Number of Decisions	
SPR	Site Plan Review	1	
Sketch	Sketch Plan Review	1	
LSP	Limited Site Plan	3	
ROW	Right of Way Vacation	1	
ZTA	Zoning Text Amendment	1	
SLU	Special Land Use	4	

MASTER PLAN IMPLEMENTATION

These goals and subtitles are taken directly from the Master Plan updates adopted May 2021.

- Yellow highlighting indicates that progress has been made and is ongoing.
- Red highlighting indicates that an item has been completed.

Center

Figure 18: Centers Implementation Matrix

Action	Timeframe	Location	Safety	Diversity	Equity	Environmental Sustainability	Economy
Continue and expand the number, type, and location of festivals and events	Ongoing	All centers		x			x
Continue efforts to fill upper stories	Ongoing	All centers		x	x	x	x
Maintain and expand transportation options	Ongoing	Downtown	x		x	x	x
Draft a business attraction plan for Downtown, Depot Town and Cross Street	1-5 years	All centers		x			x
Encourage business and event activity during the day and evening	1-5 years	All centers	x	x	x		x
Marketing campaign for the City of Ypsilanti	1-5 years	All centers					x
Curbless "festival" street on Washington	1-5 years	Downtown	x		x		x
Use vacant storefronts for temporary retail uses	1-5 years	Downtown	x		x		x
☒ Permanent year-round home for Downtown Farmer's Market	1-5 years	Downtown	x	x	x	x	x
Permanent year-round home for Depot Town Farmer's Market	1-5 years	Depot Town	x	x	x	x	x
Increase walkability (2-way streets & raised intersections)	1-10 years	Downtown	x		x		x
Curbless "festival" street on River and Cross Streets	1-10 years	Depot Town	x		x		x
Create a public space at new train station	1-10 years	Depot Town	x		x		x
Separate Cross and Washtenaw	1-10 years	Cross Street	x			x	x
Create a "front door" for EMU with reconfiguration of Cross and Washtenaw	1-10 years	Cross Street	x	x			x

Neighborhoods

Figure 19: Neighborhoods Implementation Matrix

Action	Timeframe	Location	Safety	Diversity	Equity	Environmental Sustainability	Economy
Continue and increase rental inspections and enforcement	Ongoing	All neighborhoods	x		x	x	x
Assist continuation and expansion of EMU Live Ypsi program	Ongoing	All neighborhoods		x			x
Regulate the form of buildings to preserve the character of neighborhoods	Ongoing	All neighborhoods		x	x		x
Create "Eco-Districts" in neighborhood parks	1-10 years	All neighborhoods		x		x	
Re-survey of the Historic District	1-10 years	All neighborhoods			x	x	
☒ Consider new opportunities for accessory dwelling units	1-5 years	All neighborhoods		x	x	x	x
Relax dwelling size, lot area, and lot dimensions requirements	1-10 years	All neighborhoods			x	x	x
Allow for density increases in residential zoning districts for the purpose of housing affordability	1-10 years	All neighborhoods			x	x	x
Revisit home occupation requirements and consider live-works	1-10 years	All neighborhoods		x	x	x	x
☒ Revise family/occupancy caps	1-5 years	All neighborhoods	x	x	x		
Create visitability requirements	1-5 years	All neighborhoods	x	x	x		
Preserve Bell-Kramer residential land uses	Ongoing	Central neighborhoods	x		x	x	

Corridors

Figure 20: Corridors Implementation Matrix

Action	Timeframe	Location	Safety	Diversity	Equity	Environmental Sustainability	Economy
☒ Designate the appropriate building form for each corridor based on existing patterns and vision for that corridor	Form-based code	All corridors	x	x	x		x
Retain the mix of uses within each corridor but allow them throughout the area	Form-based code	All corridors		x	x		x
Reinforce preservation of historic buildings	Form-based code	Historic corridors		x			x
Maintain River Street as a historic boulevard	Form-based code	Historic corridors	x	x			x
Require a pedestrian friendly building form while allowing a mix of uses for both students and residents along Huron River Drive, Leforge & Railroad corridors	Form-based code	General corridors	x	x	x		x
Coordinate regulations for Washtenaw Avenue with the Washtenaw County Re-Imagine Washtenaw Plan	1-10 years	General corridors	x	x	x		x
Restore Harriet Street as the Main Street of adjacent neighborhoods	1-10 years	General corridors	x	x	x		x
Restore two-way function to Cross, Huron, and Hamilton Streets	1-10 years	Historic corridors	x		x	x	x

Districts

Districts Implementation Matrix							
Action	Timeframe	Location	Safety	Diversity	Equity	Environmental Sustainability	Economy
Update regulations to create walkable areas at the border of the City and Campus	Form-based code	EMU	x	x	x		x
Create regulations that support the existing building form but assure access by all modes of transportation	Form-based code	Health & Human Services	x	x	x	x	
Allow renewable energy facilities, such as solar panels, on industrial land	Form-based code	Job Districts				x	x
Reduce minimum lot size and width in the industrial park to create more opportunity	Form-based code	Job Districts		x			x
Align economic development incentives and programs to encourage emerging sectors that align with the Guiding Values and the employment potential of residents	1-5 years	All Districts					
Create "Welcome to Ypsilanti" packages for new EMU students, including web version	1-5 years	EMU		x	x		x
Encourage use or redevelopment of unused parking lots	1-5 years	Health & Human Services & Job Districts		x		x	x
Create a "front door" for EMU in the area created by the reconfiguration of Cross Street and Washtenaw Ave.	1-10 years	EMU	x	x		x	x

LOOKING FORWARD

At the end of 2023, these planning projects remain in progress:

- Review of zoning ordinance amendments, including marijuana facilities, signs, RVs and other items as determined by the Planning Commission
- Redevelopment of Water Street, 220 N. Park
- New construction of multi-family/senior housing at 845 Clark
- The Planning Commission will continue to provide review of the annual Capital Improvements Plan prior to adoption by City Council, per State Act