



**CITY OF YPSILANTI
REGULAR CITY COUNCIL MEETING
Tuesday, September 15, 2026 @ 7:00 PM
Council Chambers
One South Huron, Ypsilanti, MI 48197
[Launch Meeting - Zoom](#)**

I. CALL TO ORDER

II. ROLL CALL

III. A MOMENT TO CENTER AND FOCUS

IV. AGENDA APPROVAL

V. PUBLIC COMMENT - 60 MINUTES TOTAL (3 MINUTES/EACH SPEAKER)

VI. PRESENTATIONS

- A. LEAP Presentation
- B. Presentation by City Planner regarding proposed Data Center Ordinance.

VII. ORDINANCES FIRST READING

- A. Ordinance No. 1473 - Entitled "Planned Unit Developments (PUD)" for the proposed zoning text amendment to Article VII, Division 1, Sections 122-700 through 122-719."
Public Hearing Resolution No. 2026-224, close the public hearing.
Resolution No. 2026-223, determination.
- B. Ordinance No. 1474 - Entitled "Cottages & Townhomes in the Historic Corridor" for the proposed zoning text amendment to Section 122-465(a) of the City of Ypsilanti Zoning Ordinance.
Public Hearing Resolution No. 2026-210, close the public hearing.
Resolution No. 2026-209, determination.

VIII. PUBLIC HEARING

- A. Resolution No. 2026-227 Approving the amendment to Chapter 4, Goal 3, of the Non-Motorized Transportation Plan.
Public Hearing Resolution No. 2026-228, close the public hearing.
Resolution No. 2026-227 determination.

IX. CONSENT AGENDA

- A. Resolution No. 2026-229 Approving all items on the Consent Agenda.

- B. Resolution No. 2026-230 Approving the minutes of the regular meeting of September 1, 2026.
- C. Resolution No. 231 Approving the request of the SafeHouse Center to tie purple ribbons throughout the city during the month of October to promote and support Domestic Violence Awareness Month.
- D. Resolution No. 2026-232 Appointing Max Rickard to the Human Relations Commission, with a term ending July 1, 2029.
- E. Resolution No. 2026-233 Appointing Carl Augustine, Code Enforcement Officer as an employee delegate to the Municipal Employees' Retirement System annual meeting October 8-9, 2026, in Grand Rapids, MI.
- F. Resolution No. 2026-234 Appointing Tracey Boudreau, City Clerk as an officer delegate to the Municipal Employees' Retirement System annual meeting October 8-9, 2026, in Grand Rapids, MI.
- G. Resolution No. 2026-235 Postponing the second and final reading of Ordinance No. 1468 and Ordinance No. 1469 Amending Chapter 18 until October 20, 2026.

X. RESOLUTIONS/MOTIONS/DISCUSSIONS

- A. Tabled Resolution No. 2026-208 either approving or denying the FOIA appeal of Alexander Munro, regarding 24 N. Huron St permit records.
- B. Resolution No. 2026-236 Awarding the 2026 Concrete Repair Project contract to Santos Cement in the amount of \$67,180.

XI. BOARD AND COMMISSION - LIAISON REPORTS

- A. Police Advisory Commission
- B. Human Relations Commission
- C. Parks and Arts Commission
- D. Sustainability Commission
- E. Historic District Commission
- F. Planning Commission
- G. Zoning Board of Appeals

XII. LIAISON REPORTS

- A. SEMCOG Update
- B. Washtenaw Area Transportation Study
- C. Urban County

D. Ypsilanti Downtown Development Authority

E. Friends of Rutherford Pool

XIII. COUNCIL PROPOSED BUSINESS

XIV. COMMUNICATIONS FROM THE MAYOR

XV. COMMUNICATIONS FROM THE CITY MANAGER

XVI. COMMUNICATIONS

XVII. PUBLIC COMMENT - CONTINUED (3 MINUTES/EACH SPEAKER)

XVIII. ADJOURNMENT

- A. Please click [here](#) to access the City Council Contact Form. This form can be used to submit any comments/concerns you might have about this agenda.



CITY OF YPSILANTI

Pride. Diversity. Heritage.

DATA CENTERS

09/15/2026

WHAT IS A DATA CENTER?

Data centers are specialized infrastructure facilities that house computer servers and related equipment used to store, process, manage, and transmit digital information.

They support many systems we use every day, including:

- Cloud storage and computing
- Websites and mobile applications
- Artificial intelligence
- Banking and financial transactions
- Healthcare systems
- Communications
- Manufacturing and logistics
- Transportation and public safety systems

However, data centers are not ordinary offices or warehouses.

They combine high energy and infrastructure demands with continuous cooling, backup power generation, mechanical noise, relatively low employment density, etc.

CURRENT CONDITIONS

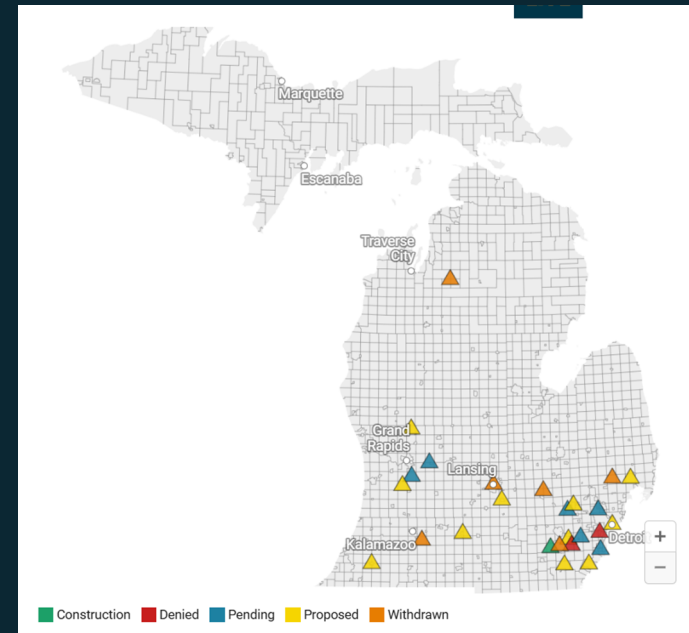
Ypsilanti's current zoning ordinance does not define data centers, meaning they may fall under an already established land use category in the ordinance (essential services or unclassified uses)

Establishing regulations gives the city a stronger hand and legal position rather than silence. The ordinance as proposed would allow the city to:

- Decide where data centers are permitted;
- Evaluate land use impacts and neighborhood compatibility;
- Establish measurable operational standards; and
- Advance guiding values within the Master Plan and coordinate reinvestment in vacant spaces.

WHY ARE WE ADDRESSING THIS NOW?

- Federal and state policy is demonstrating the need. Executive Orders and state legislation accelerate federal permitting and exempt qualifying projects from state sales and use tax.
- Within the last year and a half, approximately 26 locations across Michigan have seen data center proposals.
- The Michigan Zoning Enabling Act bars a zoning ordinance from totally prohibiting a lawful land use where there is demonstrated need.

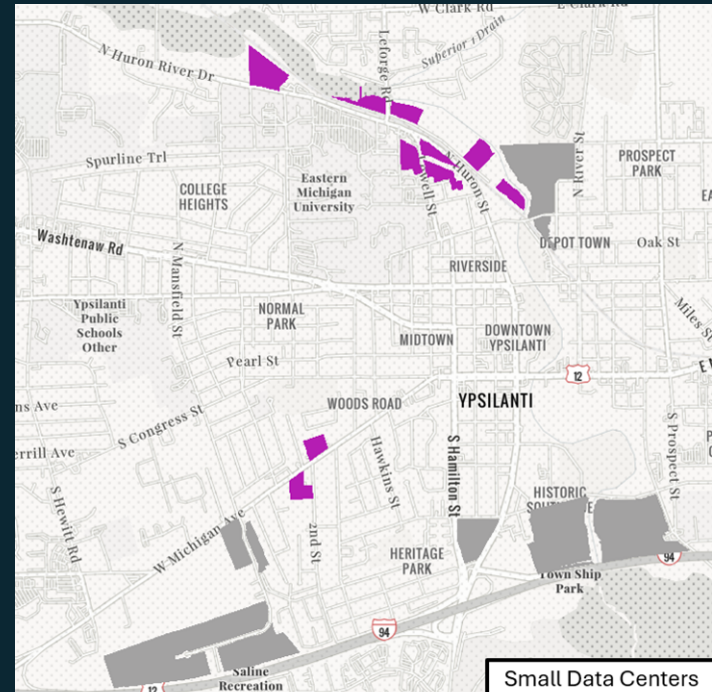


Location of All Proposed Data Center Projects in Michigan

Source: Mlive

WHAT ARE WE PROPOSING?

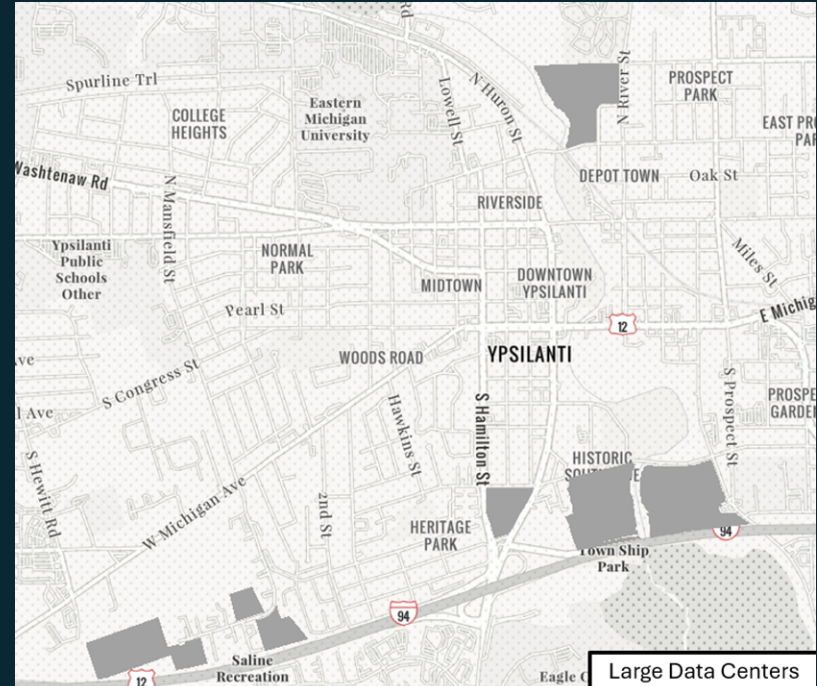
- It creates three categories instead of one: accessory data center, small data center, and large data center, each with different thresholds and different reviews.
- Small and large data centers are special land uses in PMD only. Small data centers are a would be allowed as a special land use in General Corridor. Every other district permits nothing beyond an accessory server room.
- Special land use means discretionary review by the Planning Commission with findings on the record, not administrative approval.
- Thresholds: a small data center is capped at 20,000 square feet, 5 MW, and 20,000 gallons per day of cooling water, on at least 2.5 acres. Anything above any of those is a large data center requiring at least 5 acres.



Parcels That Meet The Minimum Size Requirement for
Small Data Centers

WHAT ARE WE PROPOSING?

- Noise limits are written to address the actual problem. Fifty dBA and 65 dBC at the property line during normal operation, dropping to 40 dBA and 55 dBC overnight next to residential, to mimic our noise ordinance. The C-weighted limits and the 20 decibel C-A differential cap are there because data center noise is low-frequency hum, which A-weighted limits alone do not capture. That is a more sophisticated standard than most Michigan communities have adopted.
- Generator testing is confined to 8:00 a.m. to 6:00 p.m. except in emergencies, and backup power systems must sit at least 100 feet from any property line with vibration isolation.



Parcels That Meet The Minimum Size Requirement for
Large Data Centers

WHAT ARE WE PROPOSING?

- Setbacks of 75 feet on the sides and 100 feet at the rear, 60 percent maximum lot coverage, and 20 percent tree canopy at maturity
- Require real materials, 40 percent windows/doors on each elevation, and no blank wall over 50 feet. The goal is to prevent a windowless box facing a public street.
- Open-loop cooling is flatly prohibited. All water must come from YCUA. No groundwater, wetland, river or stream withdrawals. No discharge to any natural water system.
- Applicants must prove utility capacity exists before approval, not after, through documentation from the providers themselves.
- Efficiency standard of power usage effectiveness 1.3 or better, plus a requirement to develop or purchase enough new renewable generation to offset 100 percent of electricity consumed, with a showing that it is genuinely additional to the grid.
- Phase I environmental site assessment required on every application, with Phase II and EGLE involvement where recognized environmental conditions turn up.

WHAT ARE WE PROPOSING?

- The applicant funds the City's expert review through a consultant escrow. Acoustics, utility demand, water, hazardous materials, and fire safety are reviewed by people who do this for a living, at the applicant's cost.
- Financial assurance at 125 percent for construction and 125 percent for decommissioning, with the decommissioning estimate updated every five years for inflation.
- A development agreement that runs with the land, binds successors, and is recorded with the Register of Deeds.
- Annual reporting due March 31 on energy, power usage effectiveness, water, renewable compliance, noise complaints, generator hours, landscaping, and financial assurance. Failure to report is a violation, and the City may revoke the certificate of occupancy.
- Clear abandonment triggers: twelve months of ceased operation or twelve months below 25 percent of designed capacity, with decommissioning completed within 24 months and City authority to enter, do the work, and lien the parcel.



REQUEST FOR LEGISLATION
September 15, 2026

For: Mayor and City Council

From: Joshua Burns, City Planner

Subject: Ordinance No. 1473 - Entitled "Planned Unit Developments (PUD)" for the proposed zoning text amendment to Article VII, Division 1, Sections 122-700 through 122-719."

Public Hearing Resolution No. 2026-224, close the public hearing.

Resolution No. 2026-223, determination.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION: Approval

ATTACHMENTS:

1. 01 - RFL_Resolution - Planned Unit Developments
2. 02 - August 2026 PC Draft Minutes

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: September 15, 2026

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



To: Mayor and City Council

From: Joshua Burns, City Planner

Date: September 15th, 2026

Subject: First Reading: Planned Unit Developments Zoning Text Amendment (ZTA)

GENERAL INFORMATION

Staff's Requested Action

Proposed zoning text amendment to revise and improve the regulations and processes for Planned Unit Developments. The amendment includes the following sections of the Ordinance:

Article VII, Division 1: Planned Unit Development

- Sections 122-700 through 122-709 – Amended Sections
- Sections 122-710 through 122-712 – New Sections

Article VII, Division 2. Site Condominium Subdivisions – Renumbering Existing Sections

- Section 122-~~710~~ 712. Purpose and Scope
- Section 122-~~711~~ 713. Zoning Compliance
- Section 122-~~712~~ 714. Review and Approval Procedures
- Section 122-~~713~~ 715. Effect of Approval
- Section 122-~~714~~ 716. Site Plans
- Section 122-~~715~~ 717. Layout, Design, and Required Improvements
- Section 122-~~716~~ 718. Master Deed Contents
- Section 122-~~717~~ – 719. Reserved

SUMMARY

The City of Ypsilanti is committed to improving its zoning systems, and upholding its status as a Redevelopment Ready Community, by establishing a clearer, more efficient process for reviewing revisions to approved Planned Unit Developments (PUDs). The amendment introduces the following:

1. Clearly defining public benefits
2. Establish concise guidelines for development agreements
3. Require a mandatory preapplication meeting with City staff and a preliminary review by the Planning Commission to provide guidance to the applicant and enhance time-efficiency.
4. Clearly defining revisions by introducing a tiered review structure that distinguishes between major revisions, minor revisions requiring Planning Commission review, and minor administrative revisions that may be approved by the City Planner.
5. Lastly, establishing a separate review process for Adaptive Reuse Planned Unit Developments to ease regulatory burdens on applicants looking to revitalize an existing structure/space.

BACKGROUND

Following the installation of Solar EV Arc charging stations at 218 N. Adams, an adaptive reuse planned unit development, staff were concerned about the regulatory burden of requiring a site plan review from the Planning Commission, when a site, that is not a planned unit development, would've only required a sketch plan and administrative review. The city has largely been an advocate for alternative energy sources and encouraging the adaptive reuse of historic sites. These amendments are believed to alleviate the ordinance's current regulatory burden reflect the community's values.

STANDARDS FOR ZONING TEXT AMENDMENTS

§122-362(a)

(a) Text Amendment. For a change to the text of the Zoning Ordinance, the Planning Commission shall consider and the City Council may consider, whether the proposed amendment meets the following standards:

- (1) The proposed amendment is consistent with the guiding values of the Master Plan; and*
- (2) The rezoning is consistent with description and purpose of the proposed district; and (Staff Note: This is not a rezoning.)*
- (3) The proposed amendment is consistent with the intent of this Zoning Ordinance; and*
- (4) The proposed amendment will enhance the functionality, transportation network or character of the future development in the City; and*
- (5) The proposed amendment will preserve the historic nature of the surrounding area and of the City; and*
- (6) The proposed amendment will enhance the natural features and environmental sustainability of the City; and*
- (7) The proposed amendment will protect the health, safety, and general welfare of the public; or*
- (8) The proposed amendment is needed to correct an error or omission in the original text; or*
- (9) The proposed amendment will address a community need in physical or economic conditions or development practices; and*
- (10) The proposed amendment will not result in the creation of significant nonconformities in the City.*

RECOMMENDATION

Recommended Action: Adopt

Planning Commission Recommended Motion

Motion to recommend City Council approve the proposed text amendment to Article VII, Division 1, covering Sections 122-700 to 122-712, with the following findings:

Findings:

1. The proposed amendment is consistent with the guiding values of the Master Plan; and
2. The proposed amendment is consistent with the intent of this Zoning Ordinance; and
3. The proposed amendment will enhance the functionality, transportation network or character of the future development in the City; and
4. The proposed amendment will preserve the historic nature of the surrounding area and of the City; and
5. The proposed amendment will enhance the natural features and environmental sustainability of the City; and
6. The proposed amendment will protect the health, safety, and general welfare of the public; or
7. The proposed amendment will not result in the creation of significant nonconformities in the City.

--Moved by Davis Jr. Seconded by Hiwot. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve

Matt Dunwoodie, Vice-Chair – Approve

Mike Davis Jr. – Approve

Amanda Smith – Approve

Michelle Marin – Approve

Greg Woodring – Approve

Kidus Hiwot – Approve

EXISTING LANGUAGE

Article VII: Supplementary Regulations

Division 1: Planned Unit Development

Section 122-700. Description and Purpose

- (a) It is the purpose of this article to provide guidelines for development or redevelopment which is planned as a unit. Toward this end, it is the intent of these regulations to allow flexibility in the regulation of land development; encourage innovation in land use and variety in design, layout, and type of structures constructed; achieve economy and efficiency in the use of land, energy, public services, and utilities; encourage useful open space; provide better housing, employment, shopping opportunities, compatibility of design, and use between neighboring properties; facilitate the preservation and reuse of historic structures; and encourage development that is consistent with the City's master land use plan.
- (b) The approval of a planned unit development application requires an amendment to this chapter to revise the Zoning Map and designate the subject property as "PUD, planned unit development." An approval granted under this article, including all aspects of the final site development plan and conditions imposed on it, constitutes an inseparable part of this chapter.
- (c) The provisions of this article are not intended as a device for ignoring this chapter, the specific standards set forth in this chapter, or the planning upon which it has been based. Provisions of this article are intended to result in land development substantially consistent with the zoning standards generally applied to the proposed uses, allowing for modifications and departures from generally applicable standards in accordance with the guidelines of this article to insure appropriate, fair, and consistent decision-making.

Section 122-701. Permitted Uses

In a planned unit development, the principal uses which are permitted are based on the underlying zoning district. City Council may also consider, upon Planning Commission recommendation, the City of Ypsilanti Master Plan as a basis for principal uses permitted in a planned unit development.

Underlying Zoning District	Permitted Uses under Planned Unit Development
R1, CN-SF, P	Planned unit developments are not permitted in these districts, except as provided for under §122-703.
CN, CN-Mid, MD	Any combination of uses permitted in the CN, CN-Mid, and MD zoning districts. Limited commercial, service, and office uses may be permitted if in combination with and related to residential uses.
HHS, HC, NC, C	Any combination of uses permitted in the HHS, HC, NC, or C zoning districts.
GC	All uses permitted under GC, plus Unclassified Uses as defined in §122-431(c).

PMD	All industrial and office uses and any combination of such uses. Limited commercial and service uses may be permitted if in combination with industrial uses. Residential uses are not permitted.
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Section 122-702. Requirements for Planned Unit Developments

The following requirements must apply to all planned unit developments:

- (a) Unified control. The proposed development must be under single ownership or control such that there is a single person or entity having responsibility for completing the project in conformity with this chapter. The applicant must provide legal documentation of a single ownership or control in the form of agreements, contracts, covenants, and deed restrictions which indicate that the development can be completed as shown on the plans, and further, that all portions of the development that are not to be maintained or operated at public expense will continue to be operated and maintained by the developers or their successors.
- (b) Minimum size. The minimum size of a planned unit development in the Walkable Urban Districts is one half-acre of contiguous land. The minimum size of a planned unit development in the Use Based Districts is one acre of contiguous land.
- (c) Applicable base regulations. Unless waived or modified in accordance with the procedures and standards set forth in this article, the yard, bulk, parking, loading, landscaping, lighting, general provisions, and all other standards set forth in this chapter for the uses listed below must be applicable for uses proposed as part of a planned unit development:
 - (1) Multiple-family residential uses must comply with the regulations applicable in the MD multiple dwelling residential district.
 - (2) Commercial and office uses must comply with the regulations applicable in the C - Center district.
 - (3) Manufacturing uses must comply with the regulations applicable in the PMD - Production, Manufacturing, and Distribution district.
 - (4) Mixed uses must comply with the regulations applicable for each individual use, as outlined above, except that if conflicts exist between provisions, the regulations applicable to the most dominant use must apply.
 - (5) To encourage flexibility and creativity in development consistent with the planned development concept, departures from compliance with the base regulations may be granted by the City Council, upon recommendation of the Planning Commission, as a part of the approval of the planned development. For example, such departures may include modifications of lot dimensional standards, setback requirements, density standards, parking and landscaping requirements, and similar requirements. Such departures may be approved only on the condition that they will result in a higher quality of development than would be possible using conventional zoning standards.
- (d) Street access. Each lot, main building, and principal use within a planned development district must have vehicular access to a public street. Adequate provision must be made for dedications of land for streets and essential services.
- (e) Usable open space. The proposed development must contain at least as much open space as would otherwise be required by the existing underlying zoning.
- (f) Landscaping and maintenance of common areas. All required yards and common areas must be landscaped and adequately and permanently maintained by the property owner, tenant, or organization responsible for maintaining common areas. Through an irrevocable conveyance, such as deed restrictions or covenants that run with the land, the developer must assure that all

yards and common areas will be developed in accordance to the site plan and not changed to another use.

- (g) Additional considerations. During review of a proposed planned development, the Planning Commission must take into account the following considerations which may be relevant to a particular project: perimeter setbacks and screening; thoroughfares, drainage, as provided for in best management practices as appropriate, and utility design; underground installation of utilities; insulating pedestrian circulation from vehicular thoroughfares and ways; achievement of an integrated development with respect to signage, lighting, landscaping and building materials; and noise reduction mechanisms, particularly in cases where nonresidential uses adjoin off-site residentially-zoned property.

Section 122-703. Planned Adaptive Reuse Projects

A planned unit development that involves adaptive reuse of an existing structure that is located in a residential zoning district, but that was originally constructed for non-residential use, may be reviewed as a planned adaptive reuse project at the request of the applicant. The following requirements must apply to a planned adaptive reuse project in addition to the requirements applied to all planned unit developments:

- (a) Eligibility. The project must involve the reuse of an existing structure that is located in a residential zoning district, that was constructed for non-residential use.
- (b) Minimum size. Notwithstanding §122-702(b), no minimum size is required for a planned adaptive reuse project.
- (c) Permitted uses. Notwithstanding §122-701, a planned adaptive reuse project may include any uses determined by the City Council, upon Planning Commission recommendation, to be appropriate for the site and compatible with adjacent uses and zoning districts, with the master plan, and with any subarea plans.

Section 122-704. Application Requirements

An application for a planned unit development must contain the following:

- (a) Cover letter signed by the applicant and owner holding an equitable interest in the property.
- (b) Legal description showing the location and acreage of the property.
- (c) General description of proposed development, including a timetable of development and a list of departures from the regulations of this chapter which will be required.
- (d) Site plan at a scale of one inch equals 50 feet or larger, prepared in accordance with §122-309. Additional information on the site plan must include:
 - 1) A schedule of total land areas devoted to each type of use, useable floor areas, density calculations, number and types of units, and building ground coverage.
 - 2) Open space areas, indicating the proposed uses and improvements for such areas.
 - 3) Architectural sketches showing building heights, external wall finishes, location of building entry ways, lighting elements, and other architectural features.
 - 4) Copy of agreements, covenants, or deed restrictions which will assure that the development will be completed and maintained as shown on the plans by the developer and successive owners.
 - 5) Other information deemed pertinent to the proposed development by the Planning Commission or City Council.

(e) A fee for the processing of the planned development application, as established by the City Council.

Section 122-705. Review Procedures

The review and approval process for planned unit developments must be as follows:

(a) Preapplication conference.

- (1) In order to facilitate review of a planned unit development proposal in a timely manner, the applicant may request an informal preapplication conference with City staff. The purpose of such a conference is to exchange information and provide guidance to the applicant that will assist in preparation of application materials.
- (2) The applicant must present at such a conference, at a minimum, a concept plan of the proposed planned unit development (drawn to scale), a legal description of the property in question, the total land areas of the project, the approximate number of residential units to be constructed, the floor area of nonresidential uses, and areas to be designated as common areas or open space.
- (3) No formal action must be taken at a preapplication conference. There must be no fee for a preapplication conference. Statements made at the preapplication conference must not be legally binding commitments.

(b) Public hearing. After a formal application has been filed for a planned unit development, it must be reviewed by the City Planner and planning and development department for completeness and submitted to the Planning Commission. A public hearing on the proposed planned unit development must be scheduled. Notice of the public hearing must be published in a newspaper of general circulation in the City, and sent by mail or personal delivery to the owners of property for which approval is being considered, to all persons to whom real estate property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet. Such notice must be given not less than 15 days before the public hearing scheduled. Such notification must contain the following information:

- 1) Nature of the planned unit development project requested.
- 2) Boundaries of the property which is the subject of the request.
- 3) Date and time of the public hearing.
- 4) Location and times that written comments will be received concerning the request.

(b) Planning Commission recommendations. Within a reasonable time not to exceed 90 days following the public hearing, the Planning Commission must make its final consideration of the request, and must recommend to the City Council denial, approval, or approval with conditions, of the request. The Planning Commission must have prepared a report stating its conclusions, the basis for its recommendations, and any conditions relating to an affirmative recommendation.

(c) City council action.

- 1) The City Council must be provided with a copy of the Planning Commission's report, a summary of comments received at the public hearing, minutes of all proceedings, and all documents related to the planned unit development. Within a reasonable time, not to exceed 60 days, after the action of the Planning Commission, the City Council must deny, approve, or approve with conditions, the request.
- 2) The City Council may require that a performance guarantee be deposited with the City to insure faithful completion of improvements, in accordance with §122-317. Unapproved deviations or delays in construction may result in a loss of all or a portion of the performance guarantee.
- 3) The City Council may also impose other conditions to ensure that a planned unit development is constructed in an orderly manner, consistent with the spirit and intent of this chapter; and that the planned unit approach is not used as a means of circumventing restrictions on the location or quantity of certain types of land uses.

(d) Effect of approval.

- 1) Approval of a planned unit development proposal must constitute an amendment to this chapter. All improvements to and use of the site must be in conformity with the approved planned unit development site plan and any conditions imposed.
- 2) Within three business days of official approval of the application and site plan by the City Council, the City clerk must attest the planned unit development designation for the land in question on the Zoning Map.
- 3) Notice of the adoption of the planned unit development designation must be published in a newspaper of general circulation within the City within 15 days after approval in accordance with §122-361.

(e) Recorded with register of deeds. The applicant must record with the county register of deeds within ten days of approval of the application the following: a legal description of the project site, the approved site plan and an affidavit declaring that all future improvements will be made in accordance with the approved planned unit development.

Section 122-706. Standards for Approval

In considering any application for a planned unit development, the Planning Commission and City Council must make their determinations based on the standards for site plan approval in §122-311 and the following standards:

- (a) Conformance with the planned development concept. The overall design and all uses proposed in connection with a planned unit development must be consistent with and promote the intent of this article, as well as with specific project design standards set forth in this chapter.
- (b) Recognizable benefits. The planned development will result in recognizable and substantial benefits to the ultimate users of the project and to the community in general where such benefits would otherwise be unfeasible or unlikely to be achieved.
- (c) Compatibility with adjacent uses. The proposed planned unit development must be designed with due regard to its relationship with development on surrounding properties and uses thereon, including building heights, setbacks, density, parking, circulation, landscaping, views, and other layout features. In particular, consideration must be given to the following:
 - (1) The bulk, placement, architecture, and types of materials used in construction of proposed structures.
 - (2) The location and screening of vehicular circulation and parking areas in relation to surrounding development.
 - (3) The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.
 - (4) The hours of operation of the proposed uses.
 - (5) Landscaping, preservation of historic features, and other site amenities.
- (d) Impact of traffic. The planned development must be designed to minimize any adverse impact of traffic generated by the proposed development. Consideration must be given to the following:
 - (1) Estimated traffic to be generated by the proposed development.
 - (2) Access to major thoroughfares.
 - (3) Proximity and relation to intersections.
 - (4) Adequacy of driver sight distances.
 - (5) Location of and access to off-street parking.
 - (6) Required vehicular turning movements.
 - (7) Provisions for pedestrian traffic.
 - (8) Access to loading and unloading areas.
- (e) Public services. The proposed type and density of use must not result in a material increase in the need for public services, facilities, and utilities; including but not necessarily limited to water and sewer services, public roads, fire and police protection, and schools. The proposal must not place an undue burden upon the subject or surrounding land or property owners and occupants or the natural environment.
- (f) Compatibility with master plan and this chapter. The proposed development must be compatible with the adopted City master plan and with the spirit and intent of this chapter.
- (g) Economic impact. The proposed development must not result in an unreasonable negative economic impact upon surrounding properties.
- (h) Compliance with applicable regulations. The proposed development must be in compliance with all applicable federal, state, county, and local laws and regulations.
- (i) Phasing. Where a project is proposed for construction in phases, the project must be so designed that each phase, when completed, must be capable of standing on its own in terms of

the presence of services, facilities, and open space; and must contain the necessary components to ensure protection of natural resources and the health, safety, and welfare of the users of the planned unit development and the occupants of the surrounding area.

Section 122-707. Expiration of Approval

- (a) Approval of the planned unit development must expire and be of no effect unless construction must have commenced within one year of the date of the approval. An extension for a specified period may be granted by the City Council upon good cause shown, if such request is made to the City Council prior to the expiration period.
- (b) In the event an approved planned unit development has expired, the City Council may rezone the property in any reasonable manner following Planning Commission recommendation and a public hearing in accordance with Article III, Division 4 of this chapter. If, at the discretion of the City Council, the property remains classified as a planned unit development, a new application is required and will be reviewed in light of the prevailing conditions, applicable laws, and ordinance provisions

Section 122-708. Revision of Approved Plans

- (a) General revisions. Approved final plans for a planned unit development may be revised in accordance with the procedures set forth in §122-705. Major revisions would include, but must not be limited to, increases in scope or density of use, land area, or building size; the addition of uses not authorized by the original planned unit development approval; the rearrangement of lots or building tracts; changes in the character or function of drives; or changes in the concept of the development.
- (b) Minor changes. Notwithstanding subsection (a) of this section, minor changes may be permitted by the Planning Commission following normal site plan review procedures outlined in Article III of this chapter, subject to its finding of the following:
 - (1) Such changes will not adversely affect the initial basis for granting approval; and
 - (2) Such minor changes will comply with all applicable requirements of this chapter and other local, state, and federal laws; and will not adversely affect the overall planned unit development in light of the intent and purpose of such development as set forth in this article.

Section 122-709. Appeals and Variances

The Zoning Board of Appeals is without jurisdiction to accept appeals or grant variances with respect to an approved planned unit development.

PROPOSED LANGUAGE

Amendments can be referenced by ~~Red~~ text with a strikethrough being deleted; green text underlined is proposed to be added. Sections shall be renumbered accordingly.

Article VII: Supplementary Regulations

Division 1: Planned Unit Development

Section 122-700. Description and Purpose

- (c) It is the purpose of this article to provide guidelines for development or redevelopment which is planned as a unit. Toward this end, it is the intent of these regulations to allow flexibility in the regulation of land development; encourage innovation in land use and variety in design, layout, and type of structures constructed; achieve economy and efficiency in the use of land, energy, public services, and utilities; encourage useful open space; provide better housing, employment, shopping opportunities, compatibility of design, and use between neighboring properties; facilitate the preservation and reuse of historic structures; and encourage development that is consistent with the City's master land use plan.
- (d) Notwithstanding adaptive reuse planned unit developments, ~~the~~ approval of a planned unit development application requires an amendment to this chapter to revise the Zoning Map and designate the subject property as "PUD, planned unit development." An approval granted under this article, including all aspects of the final site development plan and conditions imposed on it, constitutes an inseparable part of this chapter.
- (d) The provisions of this article are not intended as a device for ignoring this chapter, the specific standards set forth in this chapter, or the planning upon which it has been based. Provisions of this article are intended to result in land development substantially consistent with the zoning standards generally applied to the proposed uses, allowing for modifications and departures from generally applicable standards in accordance with the guidelines of this article to insure appropriate, fair, and consistent decision-making.

Section 122-701. Permitted Uses

In a planned unit development, the principal uses which are permitted are based on the underlying zoning district. City Council may also consider, upon Planning Commission recommendation, the City of Ypsilanti Master Plan as a basis for principal uses permitted in a planned unit development.

Underlying Zoning District	Permitted Uses under Planned Unit Development
R1, CN-SF, P	Planned unit developments are not permitted in these districts, except as provided for under §122- 703 - <u>711</u> .
CN, CN-Mid, MD	Any combination of uses permitted in the CN, CN-Mid, and MD zoning districts. Limited commercial, service, and office uses may be permitted if in combination with and related to residential uses.
HHS, HC, NC, C	Any combination of uses permitted in the HHS, HC, NC, or C zoning districts.

GC	All uses permitted under GC, plus Unclassified Uses as defined in §122-431(c).
PMD	All industrial and office uses and any combination of such uses. Limited commercial and service uses may be permitted if in combination with industrial uses. Residential uses are not permitted.

Section 122-702. Requirements for Planned Unit Developments

The following requirements must apply to all planned unit developments:

- (h) Unified control. The proposed development must be under single ownership or control such that there is a single person or entity having responsibility for completing the project in conformity with this chapter. The applicant must provide legal documentation of a single ownership or control in the form of agreements, contracts, covenants, and deed restrictions which indicate that the development can be completed as shown on the plans, and further, that all portions of the development that are not to be maintained or operated at public expense will continue to be operated and maintained by the developers or their successors.
- (i) Minimum size. The minimum size of a planned unit development in the Walkable Urban Districts is one half-acre of contiguous land. The minimum size of a planned unit development in the Use Based Districts is one acre of contiguous land.
- (j) Applicable base regulations. Unless waived or modified in accordance with the procedures and standards set forth in this article, the yard, bulk, parking, loading, landscaping, lighting, general provisions, and all other standards set forth in this chapter for the uses listed below must be applicable for uses proposed as part of a planned unit development:
 - (1) Multiple-family residential uses must comply with the regulations applicable in the MD multiple dwelling residential district.
 - (2) Commercial and office uses must comply with the regulations applicable in the C - Center district.
 - (3) Manufacturing uses must comply with the regulations applicable in the PMD - Production, Manufacturing, and Distribution district.
 - (4) Mixed uses must comply with the regulations applicable for each individual use, as outlined above, except that if conflicts exist between provisions, the regulations applicable to the most dominant use must apply.
 - (5) To encourage flexibility and creativity in development consistent with the planned development concept, departures from compliance with the base regulations may be granted by the City Council, upon recommendation of the Planning Commission, as a part of the approval of the planned development. For example, such departures may include modifications of lot dimensional standards, setback requirements, density standards, parking and landscaping requirements, and similar requirements. Such departures may be approved only on the condition that they will result in a higher quality of development than would be possible using conventional zoning standards.
- (k) Street access. Each lot, main building, and principal use within a planned development district must have vehicular access to a public street. Adequate provision must be made for dedications of land for streets and essential services.
- (l) Usable open space. The proposed development must contain at least as much open space as would otherwise be required by the existing underlying zoning.
- (m) Landscaping and maintenance of common areas. All required yards and common areas must be landscaped and adequately and permanently maintained by the property owner, tenant, or

organization responsible for maintaining common areas. Through an irrevocable conveyance, such as deed restrictions or covenants that run with the land, the developer must assure that all yards and common areas will be developed in accordance to the site plan and not changed to another use.

- (n) Additional considerations. During review of a proposed planned development, the Planning Commission must take into account the following considerations which may be relevant to a particular project: perimeter setbacks and screening; thoroughfares, drainage, as provided for in best management practices as appropriate, and utility design; underground installation of utilities; insulating pedestrian circulation from vehicular thoroughfares and ways; achievement of an integrated development with respect to signage, lighting, landscaping and building materials; and noise reduction mechanisms, particularly in cases where nonresidential uses adjoin off-site residentially-zoned property.

Section 122-703. Planned Adaptive Reuse Projects

~~A planned unit development that involves adaptive reuse of an existing structure that is located in a residential zoning district, but that was originally constructed for non-residential use, may be reviewed as a planned adaptive reuse project at the request of the applicant. The following requirements must apply to a planned adaptive reuse project in addition to the requirements applied to all planned unit developments:~~

- ~~(d) Eligibility. The project must involve the reuse of an existing structure that is located in a residential zoning district, that was constructed for non-residential use.~~
- ~~(e) Minimum size. Notwithstanding §122-702(b), no minimum size is required for a planned adaptive reuse project.~~
- ~~(f) Permitted uses. Notwithstanding §122-701, a planned adaptive reuse project may include any uses determined by the City Council, upon Planning Commission recommendation, to be appropriate for the site and compatible with adjacent uses and zoning districts, with the master plan, and with any subarea plans.~~

Section 122-~~704~~ 703. Application Requirements

An application for a planned unit development must contain the following:

- (f) Cover letter signed by the applicant and owner holding an equitable interest in the property.
- (g) Legal description showing the location and acreage of the property.
- (h) General description of proposed development, including a timetable of development and a list of departures from the regulations of this chapter which will be required.
- (i) Site plan at a scale of one inch equals 50 feet or larger, prepared in accordance with §122-309. Additional information on the site plan must include:
- 1) A schedule of total land areas devoted to each type of use, useable floor areas, density calculations, number and types of units, and building ground coverage.
 - 2) Open space areas, indicating the proposed uses and improvements for such areas.
 - 3) Architectural sketches showing building heights, external wall finishes, location of building entry ways, lighting elements, and other architectural features.
 - 4) Copy of agreements, covenants, or deed restrictions which will assure that the development will be completed and maintained as shown on the plans by the developer and successive owners.

- 5) Other information deemed pertinent to the proposed development by the Planning Commission or City Council.
- (j) A fee for the processing of the planned development application, as established by the City Council.

Section 122-704. Public Benefit Requirement

- (a) A PUD shall provide identifiable public benefits beyond what would otherwise be required by this chapter.
- (b) Public benefits may include, but are not limited to:
1. Affordable housing;
 2. Historic preservation;
 3. Enhanced open space;
 4. Public plazas or civic spaces;
 5. Environmental restoration;
 6. Sustainable building practices;
 7. Superior architectural design;
 8. Public infrastructure improvements;
 9. Brownfield redevelopment;
 10. Improved pedestrian and bicycle facilities.
- (c) The Planning Commission shall make written findings identifying the public benefits provided.

Section 122-705. Development Agreement

- (a) Purpose. A development agreement shall be required for all Planned Unit Developments and may be required for Adaptive Reuse Planned Unit Developments when determined necessary by the Planning Commission.
- (b) Timing. The development agreement shall be approved by both the City Attorney and City Council concurrently or following approval of the Planned Unit Development.
- (c) Content. The development agreement shall, at a minimum, address:
1. The approved development proposal, including land uses, density, and building intensity;
 2. Public benefits and amenities to be provided;
 3. Infrastructure improvements and installation timing;
 4. Phasing and completion schedules;
 5. Maintenance obligations for common areas and shared facilities;
 6. Performance guarantees or financial assurances where required;
 7. Conditions of approval imposed by the Planning Commission or City Council;
 8. Procedures for amendments or administrative adjustments.
- (d) Binding Effect. The development agreement shall run with the land and be binding upon the applicant and all successors and assigns.
- (e) Recording. Following approval, the development agreement shall be recorded with the Washtenaw County Register of Deeds prior to issuance of permits.
- (f) Enforcement. Failure to comply with the development agreement shall constitute a violation of this chapter and may result in enforcement actions, withholding of permits, or revocation of approvals.

Section 122-706. Review Procedures

In order to facilitate review of a planned unit development in a time-efficient manner, the applicant shall undergo the preliminary development review procedures prior to the formal review and approval process for planned unit developments. ~~must be as follows:~~

(a) Preapplication Conference.

- 1) ~~In order to facilitate review of a planned unit development proposal in a timely manner, t~~The applicant ~~may~~ shall request an informal preapplication conference with City staff. The purpose of such a conference is to exchange information and provide guidance to the applicant that will assist in preparation of application materials.
- 2) The applicant must present at such a conference, at a minimum, a concept plan of the proposed planned unit development (drawn to scale), a legal description of the property in question, the total land areas of the project, the approximate number of residential units to be constructed, the floor area of nonresidential uses, and areas to be designated as common areas or open space.
- 3) No formal action must be taken at a preapplication conference. There must be no fee for a preapplication conference. Statements made at the preapplication conference must not be legally binding commitments.

(b) Planning Commission Preliminary Development Review

- 1) Following the pre-application conference with City staff, the applicant shall submit a formal planned unit development application in accordance with §122-703.
- 2) After a formal application has been filed for a planned unit development, it must be reviewed by the City Planner and/or Planning and Development Department for completeness and submitted to the Planning Commission within 60 days for preliminary review.
- 3) No formal action must be taken by the Planning Commission during its preliminary review; however, the Planning Commission may provide feedback. Statements made at the preliminary review meeting shall not be construed as legally binding commitments.

Following the Planning Commission's preliminary development review, the formal review and approval process must be as follows:

- (a) Public hearing. ~~After a formal application has been filed for a planned unit development, it must be reviewed by the City Planner and planning and development department for completeness and submitted to the Planning Commission.~~ A public hearing on the proposed planned unit development ~~must~~ shall be scheduled. Notice of the public hearing must be published in a newspaper of general circulation in the City, and sent by mail or personal delivery to the owners of property for which approval is being considered, to all persons to whom real estate property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet. Such notice must be given not less than 15 days before the public hearing scheduled. Such notification must contain the following information:
- 1) Nature of the planned unit development project requested.
 - 2) Boundaries of the property which is the subject of the request.
 - 3) Date and time of the public hearing.
 - 4) Location and times that written comments will be received concerning the request.
- (b) Planning Commission recommendations. Within a reasonable time not to exceed 90 days following the public hearing, the Planning Commission must make its final consideration of

the request, and must recommend to the City Council denial, approval, or approval with conditions, of the request. The Planning Commission must have prepared a report stating its conclusions, the basis for its recommendations, and any conditions relating to an affirmative recommendation.

(c) City council action.

- 1) The City Council must be provided with a copy of the Planning Commission's report, a summary of comments received at the public hearing, minutes of all proceedings, and all documents related to the planned unit development. Within a reasonable time, not to exceed 60 days, after the action of the Planning Commission, the City Council must deny, approve, or approve with conditions, the request.
- 2) The City Council may require that a performance guarantee be deposited with the City to insure faithful completion of improvements, in accordance with §122-317. Unapproved deviations or delays in construction may result in a loss of all or a portion of the performance guarantee.
- 3) The City Council may also impose other conditions to ensure that a planned unit development is constructed in an orderly manner, consistent with the spirit and intent of this chapter; and that the planned unit approach is not used as a means of circumventing restrictions on the location or quantity of certain types of land uses.

(d) Effect of approval.

- 1) Approval of a planned unit development proposal must constitute an amendment to this chapter. All improvements to and use of the site must be in conformity with the approved planned unit development site plan and any conditions imposed.
- 2) Within three business days of official approval of the application and site plan by the City Council, the City clerk must attest the planned unit development designation for the land in question on the Zoning Map.
- 3) Notice of the adoption of the planned unit development designation must be published in a newspaper of general circulation within the City within 15 days after approval in accordance with §122-361.

- (e) Recorded with register of deeds. The applicant must record the development agreement in compliance with §122-705. ~~with the county register of deeds within ten days of approval of the application the following: a legal description of the project site, the approved site plan and an affidavit declaring that all future improvements will be made in accordance with the approved planned unit development.~~

Section 122-707. Standards for Approval

In considering any application for a planned unit development, the Planning Commission and City Council must make their determinations based on the standards for site plan approval in §122-311 and the following standards:

- (j) Conformance with the planned development concept. The overall design and all uses proposed in connection with a planned unit development must be consistent with and promote the intent of this article, as well as with specific project design standards set forth in this chapter.
- (k) Recognizable benefits. The planned development will result in recognizable and substantial benefits to the ultimate users of the project and to the community in general where such benefits would otherwise be unfeasible or unlikely to be achieved.

- (l) Compatibility with adjacent uses. The proposed planned unit development must be designed with due regard to its relationship with development on surrounding properties and uses thereon, including building heights, setbacks, density, parking, circulation, landscaping, views, and other layout features. In particular, consideration must be given to the following:
 - (1) The bulk, placement, architecture, and types of materials used in construction of proposed structures.
 - (2) The location and screening of vehicular circulation and parking areas in relation to surrounding development.
 - (3) The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.
 - (4) The hours of operation of the proposed uses.
 - (5) Landscaping, preservation of historic features, and other site amenities.
- (m) Impact of traffic. The planned development must be designed to minimize any adverse impact of traffic generated by the proposed development. Consideration must be given to the following:
 - (1) Estimated traffic to be generated by the proposed development.
 - (2) Access to major thoroughfares.
 - (3) Proximity and relation to intersections.
 - (4) Adequacy of driver sight distances.
 - (5) Location of and access to off-street parking.
 - (6) Required vehicular turning movements.
 - (7) Provisions for pedestrian traffic.
 - (8) Access to loading and unloading areas.
- (n) Public services. The proposed type and density of use must not result in a material increase in the need for public services, facilities, and utilities; including but not necessarily limited to water and sewer services, public roads, fire and police protection, and schools. The proposal must not place an undue burden upon the subject or surrounding land or property owners and occupants or the natural environment.
- (o) Compatibility with master plan and this chapter. The proposed development must be compatible with the adopted City master plan and with the spirit and intent of this chapter.
- (p) Economic impact. The proposed development must not result in an unreasonable negative economic impact upon surrounding properties.
- (q) Compliance with applicable regulations. The proposed development must be in compliance with all applicable federal, state, county, and local laws and regulations.
- (r) Phasing. Where a project is proposed for construction in phases, the project must be so designed that each phase, when completed, must be capable of standing on its own in terms of the presence of services, facilities, and open space; and must contain the necessary components to ensure protection of natural resources and the health, safety, and welfare of the users of the planned unit development and the occupants of the surrounding area.

Section 122-708. Amendments

- (a) **Major Revisions.** Approved final plans for a planned unit development may be revised in accordance with the procedures set forth in §122-705. Major revisions shall require review and approval through the same procedures required for the original planned unit development approval. Major revisions include, but are not limited to:
 - (1) Increases in the scope, intensity, or density of development beyond that approved.
 - (2) Request for additional departures from the zoning ordinance.

- (3) Increases in building height, building footprint, or gross floor area exceeding ten (10) percent of that originally approved.
- (4) The addition of principal uses not authorized by the original planned unit development, unless otherwise noted, that materially changes the character, intensity, or impacts of the development.
- (5) Changes to the location of vehicular access points to a public street.
- (6) Changes that substantially alter the character, design, or concept of the development.
- (7) Major reductions in required landscaping, buffers, open space, or other required site improvements.
- (8) The addition of accessory structures greater than 1,000 sq ft.
- (b) **Minor Revisions for Planning Commission Review.** Notwithstanding subsection (a) of this section, minor revisions to an approved planned unit development plan may be approved by the Planning Commission through the normal site plan, and special land use - if applicable, review procedures outlined in Article III of this chapter, upon finding that:
 - (1) The proposed revision does not materially alter the approved development or its intended character.
 - (2) The revision will not adversely affect the basis upon which the original approval was granted.
 - (3) The revision complies with all applicable requirements of this chapter and other applicable local, state, and federal regulations.
 - (4) The development proposal conforms with all the provisions and requirements, as well as the spirit and intent of this chapter and the Master Plan. The proposed development will meet all the regulations of the zoning district in which it is located.

Minor Revisions may include, but are not limited to:

 - (5) Modest increases or decreases in building floor area or height not exceeding ten (10) percent.
 - (6) Minor adjustments to parking layout or internal circulation that comply with all applicable requirements of this chapter, and do not alter access to public streets.
 - (7) Minor reductions in required landscaping, buffers, open space, or other required site improvements that comply with all applicable requirements of this chapter.
 - (8) Minor adjustments to building placement that maintain required setbacks and buffers.
 - (9) Modifications required by the City, County, or State for engineering, safety, or regulatory compliance may be approved.
 - (10) The addition of uses consistent with the intent of the approved planned unit development, within an existing building that may primarily serve residents, tenants, or employees of the development and do not exceed ten (10) percent of the building floor area. The Planning Commission may authorize these changes if the proposed use is permitted as an accessory use, permitted by right, or permitted as a special land use in the underlying zoning district.
 - (11) The addition of accessory structures that do not exceed 1,000 sq ft.

The Planning Commission may defer approval of revisions to the City Planner or City Council, upon finding the proposed revisions meet the threshold for major revisions, or minor revisions for administrative review.

- (c) **Minor revisions for administrative review.** The City Planner, or their designee, may approve minor administrative revisions to an approved planned unit development when such revisions are consistent with the approved development and do not materially alter its character, intensity, or impacts. The City Planner shall notify the Planning Commission of approved administrative revisions, in writing, within thirty (30) days. If the City Planner's decision is rejected, via a

majority vote in an official capacity, by the Planning Commission, the PUD amendment shall be subject to review via the process laid out in subsection a and/or b. The City Planner may defer approval of any revisions to the Planning Commission and/or City Council. Administrative revisions may include, but are not limited to:

(1) Building Placement and Height.

- i. Buildings may be relocated up to five (5) feet, provided required setbacks and open space requirements are maintained.
- ii. Building height increase or reduction up to five (5) percent.

(2) Interior Layout

- i. Interior floor plans may be modified provided the changes remain consistent with the character and intensity of the approved use.

(3) Site Design and Circulation

- i. Minor improvements or relocation of sidewalks, bicycle facilities, curbing, pathways, lighting fixtures, utilities, or stormwater facilities due to engineering or construction requirements.

(4) Landscaping and Natural Features

- i. Substitution or minor relocation of landscaping materials that maintain or increase the quantity and screening effectiveness of required landscaping.
- ii. Trees shown as preserved that are lost during construction shall be replaced on a caliper-per-caliper basis.
- iii. Areas designated as woodlands or “not to be disturbed” may be expanded.

(5) Architecture and Materials

- i. Building materials may be changed to materials of equal or higher quality, and minor exterior color changes may be approved.

(6) Site Grading and Utilities

- i. Grade changes of up to one (1) foot, subject to review by the City Engineer, may be approved.

(7) Signs and Entrances

- i. Entry features and sign placement may be modified, and sign sizes may be reduced, provided the changes remain consistent with the approved plan.

(8) Accessory Structures

- i. Accessory buildings or structures may be relocated within the approved building envelope provided required setbacks and open space requirements are maintained.
- ii. Addition of accessory structures, no larger than 200 sq ft, given compliance with all applicable requirements of this chapter. The City Planner shall only authorize accessory structures intended to store tools and other necessary equipment for site and building maintenance.
- iii. Installation of renewable energy systems, including but not limited to, rooftop or accessory solar energy systems serving the development.

(9) Addition of Uses

- i. The addition of small-scale commercial, service uses, or other uses determined by the City Planner to be consistent with the intent of the approved planned unit development, within an existing building that shall primarily serve residents, tenants, or employees of the development, and do not exceed five (5) percent of the building floor area. The City Planner may only authorize these changes if the proposed use is permitted by right or as an accessory use in the underlying zoning district.

- (10) The City Planner may approve other similar revisions not specifically listed above that are determined to be minor in nature and consistent with the intent of the approved planned unit development.

Section 122-709. Expiration

- (c) Approval of the planned unit development must expire and be of no effect unless construction must have commenced within one year of the date of the approval. An extension for a specified period may be granted by the City Council upon good cause shown, if such request is made to the City Council prior to the expiration period.
- (d) In the event an approved planned unit development has expired, the City Council may rezone the property in any reasonable manner following Planning Commission recommendation and a public hearing in accordance with Article III, Division 4 of this chapter. If, at the discretion of the City Council, the property remains classified as a planned unit development, a new application is required and will be reviewed in light of the prevailing conditions, applicable laws, and ordinance provisions

Section 122-710. Appeals and Variances

The Zoning Board of Appeals is without jurisdiction to accept appeals or grant variances with respect to an approved planned unit development.

Section 122-711. Adaptive Reuse Planned Unit Development

- (a) Purpose. The Adaptive Reuse Planned Unit Development (ARPUD) is intended to facilitate the reuse of existing nonresidential buildings located within residential zoning districts where adaptive reuse supports neighborhood compatibility, historic preservation, economic revitalization, and the Ypsilanti Master Plan.
- (b) Applicability. ARPUD applies only to existing nonresidential buildings located in residential zoning districts.
- (c) Approval Process. Notwithstanding this article, an ARPUD shall be reviewed and approved as a Special Land Use under Article III, Division 2, Subdivision II, rather than as a rezoning.
- (d) Flexibility. As part of Special Land Use approval, the Planning Commission may approve modifications to dimensional, parking, landscaping, and design standards where necessary to accommodate adaptive reuse.
- (e) Approval Standards. In addition to Special Land Use standards, the Planning Commission shall find:
- (1) The reuse preserves an existing building of historic, architectural, or community significance, or avoids demolition of a viable structure;
 - (2) The proposed use is compatible with surrounding residential uses;
 - (3) Site impacts are appropriately mitigated;
 - (4) The project advances Master Plan goals.
- (f) Permitted Uses. The Planning Commission may approve any use determined compatible with the building, site, and surrounding neighborhood, notwithstanding the underlying district, subject to Special Land Use approval.
- (g) Site Improvements. The Planning Commission may require buffering, landscaping, lighting, parking, and operational limitations necessary to ensure compatibility.

Article VII, Division 2. Site Condominium Subdivisions – Renumbering Sections
Section 122- 710 -712. Purpose and Scope
Section 122- 711 -713. Zoning Compliance
Section 122- 712 -714. Review and Approval Procedures
Section 122- 713 -715. Effect of Approval
Section 122- 714 -716. Site Plans
Section 122- 715 -717. Layout, Design, and Required Improvements
Section 122- 716 -718. Master Deed Contents
Section 122- 717 — 719. Reserved

ATTACHMENTS

- Resolution
- Ordinance
- Planning Commission Minutes

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti has identified opportunities to improve the clarity, efficiency, and administration of its Planned Unit Development (PUD) process and regulations; and

WHEREAS, the proposed amendment revises Article VII, Division 1 of the Zoning Ordinance, Sections 122-700 through 122-712, to modernize the City’s PUD regulations and review procedures, and renumbering the existing sections of Article VII, Division 2 to make space for the proposed amendment; and

WHEREAS, the amendment establishes clearer public-benefit and development-agreement requirements, preliminary development review procedures, and a tiered process for reviewing major, minor, and administrative revisions to approved PUDs; and

WHEREAS, the amendment establishes a separate Adaptive Reuse Planned Unit Development (ARPUD) process, allowing qualifying adaptive reuse projects within residential zoning districts to be reviewed by the Planning Commission as Special Land Uses rather than as rezonings.

NOW, THEREFORE, BE IT RESOLVED, that the Ypsilanti City Council hereby approves upon first reading Ordinance No. 1473, entitled “Planned Unit Developments (PUD)” for the proposed zoning text amendment to Article VII, Division 1, Sections 122-700 through 122-719, as presented.

OFFERED BY: _____

SUPPORTED BY: _____

YES: 0 NO: 0 ABSENT: VOTE:

City of Ypsilanti
Notice of Adopted Ordinance
Ordinance No. 1473

An Ordinance Entitled “*Planned Unit Developments (PUD)*”

THE CITY OF YPSILANTI ORDAINS the provisions of the Planned Unit Developments (PUD) Zoning Text Amendment.

This zoning text amendment applies to the following section:

Article VII, Division 1: Planned Unit Development

- Sections 122-700 through 122-709 – Amended Sections
- Sections 122-710 through 122-712 – New Sections

Article VII, Division 2. Site Condominium Subdivisions – Renumbering Existing Sections

- Section 122-~~710~~ 712. Purpose and Scope
- Section 122-~~711~~ 713. Zoning Compliance
- Section 122-~~712~~ 714. Review and Approval Procedures
- Section 122-~~713~~ 715. Effect of Approval
- Section 122-~~714~~ 716. Site Plans
- Section 122-~~715~~ 717. Layout, Design, and Required Improvements
- Section 122-~~716~~ 718. Master Deed Contents
- Section 122-~~717~~ – 719. Reserved

The proposed revisions are as follows:

Article VII: Supplementary Regulations

Division 1: Planned Unit Development

Section 122-700. Description and Purpose

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 - (2) Commercial and office uses must comply with the regulations applicable in the C - Center district.
 - (3) Manufacturing uses must comply with the regulations applicable in the PMD - Production, Manufacturing, and Distribution district.
 - (4) Mixed uses must comply with the regulations applicable for each individual use, as outlined above, except that if conflicts exist between provisions, the regulations applicable to the most dominant use must apply.
 - (5) To encourage flexibility and creativity in development consistent with the planned development concept, departures from compliance with the base regulations may be granted by the City Council, upon recommendation of the Planning Commission, as a part of the approval of the planned development. For example, such departures may include modifications of lot dimensional standards, setback requirements, density standards, parking and landscaping requirements, and similar requirements. Such departures may be approved only on the condition that they will result in a higher quality of development than would be possible using conventional zoning standards.
- (r) Street access. Each lot, main building, and principal use within a planned development district must have vehicular access to a public street. Adequate provision must be made for dedications of land for streets and essential services.
 - (s) Usable open space. The proposed development must contain at least as much open space as would otherwise be required by the existing underlying zoning.
 - (t) Landscaping and maintenance of common areas. All required yards and common areas must be landscaped and adequately and permanently maintained by the property owner, tenant, or organization responsible for maintaining common areas. Through an irrevocable conveyance, such as deed restrictions or covenants that run with the land, the developer must assure that all yards and common areas will be developed in accordance to the site plan and not changed to another use.
 - (u) Additional considerations. During review of a proposed planned development, the Planning Commission must take into account the following considerations which may be relevant to a particular project: perimeter setbacks and screening; thoroughfares, drainage, as provided for in best management practices as appropriate, and utility design; underground installation of utilities; insulating pedestrian circulation from vehicular thoroughfares and ways; achievement of an integrated development with respect to signage, lighting, landscaping and building materials; and noise reduction mechanisms, particularly in cases where nonresidential uses adjoin off-site residentially-zoned property.

~~Section 122-703. Planned Adaptive Reuse Projects~~

~~A planned unit development that involves adaptive reuse of an existing structure that is located in a residential zoning district, but that was originally constructed for non-residential use, may be reviewed as a planned adaptive reuse project at the request of the applicant. The following requirements must apply to a planned adaptive reuse project in addition to the requirements applied to all planned unit developments:~~

- ~~(g) Eligibility. The project must involve the reuse of an existing structure that is located in a residential zoning district, that was constructed for non-residential use.~~

~~(h) Minimum size. Notwithstanding §122-702(b), no minimum size is required for a planned adaptive reuse project.~~

~~(i) Permitted uses. Notwithstanding §122-701, a planned adaptive reuse project may include any uses determined by the City Council, upon Planning Commission recommendation, to be appropriate for the site and compatible with adjacent uses and zoning districts, with the master plan, and with any subarea plans.~~

Section 122-~~704~~ 703. Application Requirements

An application for a planned unit development must contain the following:

- (k) Cover letter signed by the applicant and owner holding an equitable interest in the property.
- (l) Legal description showing the location and acreage of the property.
- (m) General description of proposed development, including a timetable of development and a list of departures from the regulations of this chapter which will be required.
- (n) Site plan at a scale of one inch equals 50 feet or larger, prepared in accordance with §122-309. Additional information on the site plan must include:
 - 1) A schedule of total land areas devoted to each type of use, useable floor areas, density calculations, number and types of units, and building ground coverage.
 - 2) Open space areas, indicating the proposed uses and improvements for such areas.
 - 3) Architectural sketches showing building heights, external wall finishes, location of building entry ways, lighting elements, and other architectural features.
 - 4) Copy of agreements, covenants, or deed restrictions which will assure that the development will be completed and maintained as shown on the plans by the developer and successive owners.
 - 5) Other information deemed pertinent to the proposed development by the Planning Commission or City Council.
- (o) A fee for the processing of the planned development application, as established by the City Council.

Section 122-704. Public Benefit Requirement

- (d) A PUD shall provide identifiable public benefits beyond what would otherwise be required by this chapter.
- (e) Public benefits may include, but are not limited to:
 - 11. Affordable housing;
 - 12. Historic preservation;
 - 13. Enhanced open space;
 - 14. Public plazas or civic spaces;
 - 15. Environmental restoration;
 - 16. Sustainable building practices;
 - 17. Superior architectural design;
 - 18. Public infrastructure improvements;
 - 19. Brownfield redevelopment;
 - 20. Improved pedestrian and bicycle facilities.
- (f) The Planning Commission shall make written findings identifying the public benefits provided.

Section 122-705. Development Agreement

- (d) Purpose. A development agreement shall be required for all Planned Unit Developments and may be required for Adaptive Reuse Planned Unit Developments when determined necessary by the Planning Commission.
- (e) Timing. The development agreement shall be approved by both the City Attorney and City Council concurrently or following approval of the Planned Unit Development.
- (f) Content. The development agreement shall, at a minimum, address:
 - 9. The approved development proposal, including land uses, density, and building intensity;
 - 10. Public benefits and amenities to be provided;
 - 11. Infrastructure improvements and installation timing;
 - 12. Phasing and completion schedules;
 - 13. Maintenance obligations for common areas and shared facilities;
 - 14. Performance guarantees or financial assurances where required;
 - 15. Conditions of approval imposed by the Planning Commission or City Council;
 - 16. Procedures for amendments or administrative adjustments.
- (g) Binding Effect. The development agreement shall run with the land and be binding upon the applicant and all successors and assigns.
- (h) Recording. Following approval, the development agreement shall be recorded with the Washtenaw County Register of Deeds prior to issuance of permits.
- (i) Enforcement. Failure to comply with the development agreement shall constitute a violation of this chapter and may result in enforcement actions, withholding of permits, or revocation of approvals.

Section 122-706. Review Procedures

In order to facilitate review of a planned unit development in a time-efficient manner, the applicant shall undergo the preliminary development review procedures prior to the formal review and approval process for planned unit developments. ~~must be as follows:~~

- (c) Preapplication Conference.
 - 1) ~~In order to facilitate review of a planned unit development proposal in a timely manner, the applicant may shall~~ request an informal preapplication conference with City staff. The purpose of such a conference is to exchange information and provide guidance to the applicant that will assist in preparation of application materials.
 - 2) The applicant must present at such a conference, at a minimum, a concept plan of the proposed planned unit development (drawn to scale), a legal description of the property in question, the total land areas of the project, the approximate number of residential units to be constructed, the floor area of nonresidential uses, and areas to be designated as common areas or open space.
 - 3) No formal action must be taken at a preapplication conference. There must be no fee for a preapplication conference. Statements made at the preapplication conference must not be legally binding commitments.
- (d) Planning Commission Preliminary Development Review
 - 1) Following the pre-application conference with City staff, the applicant shall submit a formal planned unit development application in accordance with §122-703.

- 2) After a formal application has been filed for a planned unit development, it must be reviewed by the City Planner and/or Planning and Development Department for completeness and submitted to the Planning Commission within 60 days for preliminary review.
- 3) No formal action must be taken by the Planning Commission during its preliminary review; however, the Planning Commission may provide feedback. Statements made at the preliminary review meeting shall not be construed as legally binding commitments.

Following the Planning Commission's preliminary development review, the formal review and approval process must be as follows:

- (f) Public hearing. ~~After a formal application has been filed for a planned unit development, it must be reviewed by the City Planner and planning and development department for completeness and submitted to the Planning Commission.~~ A public hearing on the proposed planned unit development ~~must~~ shall be scheduled. Notice of the public hearing must be published in a newspaper of general circulation in the City, and sent by mail or personal delivery to the owners of property for which approval is being considered, to all persons to whom real estate property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet. Such notice must be given not less than 15 days before the public hearing scheduled. Such notification must contain the following information:
 - 1) Nature of the planned unit development project requested.
 - 2) Boundaries of the property which is the subject of the request.
 - 3) Date and time of the public hearing.
 - 4) Location and times that written comments will be received concerning the request.
- (g) Planning Commission recommendations. Within a reasonable time not to exceed 90 days following the public hearing, the Planning Commission must make its final consideration of the request, and must recommend to the City Council denial, approval, or approval with conditions, of the request. The Planning Commission must have prepared a report stating its conclusions, the basis for its recommendations, and any conditions relating to an affirmative recommendation.
- (h) City council action.
 - 1) The City Council must be provided with a copy of the Planning Commission's report, a summary of comments received at the public hearing, minutes of all proceedings, and all documents related to the planned unit development. Within a reasonable time, not to exceed 60 days, after the action of the Planning Commission, the City Council must deny, approve, or approve with conditions, the request.
 - 2) The City Council may require that a performance guarantee be deposited with the City to insure faithful completion of improvements, in accordance with §122-317. Unapproved deviations or delays in construction may result in a loss of all or a portion of the performance guarantee.
 - 3) The City Council may also impose other conditions to ensure that a planned unit development is constructed in an orderly manner, consistent with the spirit and intent of this chapter; and that the planned unit approach is not used as a means of circumventing restrictions on the location or quantity of certain types of land uses.
- (i) Effect of approval.

- 1) Approval of a planned unit development proposal must constitute an amendment to this chapter. All improvements to and use of the site must be in conformity with the approved planned unit development site plan and any conditions imposed.
 - 2) Within three business days of official approval of the application and site plan by the City Council, the City clerk must attest the planned unit development designation for the land in question on the Zoning Map.
 - 3) Notice of the adoption of the planned unit development designation must be published in a newspaper of general circulation within the City within 15 days after approval in accordance with §122-361.
- (j) Recorded with register of deeds. The applicant must record the development agreement in compliance with §122-705. ~~with the county register of deeds within ten days of approval of the application the following: a legal description of the project site, the approved site plan and an affidavit declaring that all future improvements will be made in accordance with the approved planned unit development.~~

Section 122-707. Standards for Approval

In considering any application for a planned unit development, the Planning Commission and City Council must make their determinations based on the standards for site plan approval in §122-311 and the following standards:

- (s) Conformance with the planned development concept. The overall design and all uses proposed in connection with a planned unit development must be consistent with and promote the intent of this article, as well as with specific project design standards set forth in this chapter.
- (t) Recognizable benefits. The planned development will result in recognizable and substantial benefits to the ultimate users of the project and to the community in general where such benefits would otherwise be unfeasible or unlikely to be achieved.
- (u) Compatibility with adjacent uses. The proposed planned unit development must be designed with due regard to its relationship with development on surrounding properties and uses thereon, including building heights, setbacks, density, parking, circulation, landscaping, views, and other layout features. In particular, consideration must be given to the following:
 - (1) The bulk, placement, architecture, and types of materials used in construction of proposed structures.
 - (2) The location and screening of vehicular circulation and parking areas in relation to surrounding development.
 - (3) The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.
 - (4) The hours of operation of the proposed uses.
 - (5) Landscaping, preservation of historic features, and other site amenities.
- (v) Impact of traffic. The planned development must be designed to minimize any adverse impact of traffic generated by the proposed development. Consideration must be given to the following:
 - (1) Estimated traffic to be generated by the proposed development.
 - (2) Access to major thoroughfares.
 - (3) Proximity and relation to intersections.
 - (4) Adequacy of driver sight distances.
 - (5) Location of and access to off-street parking.

- (6) Required vehicular turning movements.
- (7) Provisions for pedestrian traffic.
- (8) Access to loading and unloading areas.
- (w) Public services. The proposed type and density of use must not result in a material increase in the need for public services, facilities, and utilities; including but not necessarily limited to water and sewer services, public roads, fire and police protection, and schools. The proposal must not place an undue burden upon the subject or surrounding land or property owners and occupants or the natural environment.
- (x) Compatibility with master plan and this chapter. The proposed development must be compatible with the adopted City master plan and with the spirit and intent of this chapter.
- (y) Economic impact. The proposed development must not result in an unreasonable negative economic impact upon surrounding properties.
- (z) Compliance with applicable regulations. The proposed development must be in compliance with all applicable federal, state, county, and local laws and regulations.
- (aa) Phasing. Where a project is proposed for construction in phases, the project must be so designed that each phase, when completed, must be capable of standing on its own in terms of the presence of services, facilities, and open space; and must contain the necessary components to ensure protection of natural resources and the health, safety, and welfare of the users of the planned unit development and the occupants of the surrounding area.

Section 122-708. Amendments

- (d) **Major Revisions.** Approved final plans for a planned unit development may be revised in accordance with the procedures set forth in §122-705. Major revisions shall require review and approval through the same procedures required for the original planned unit development approval. Major revisions include, but are not limited to:
 - (1) Increases in the scope, intensity, or density of development beyond that approved.
 - (2) Request for additional departures from the zoning ordinance.
 - (3) Increases in building height, building footprint, or gross floor area exceeding ten (10) percent of that originally approved.
 - (4) The addition of principal uses not authorized by the original planned unit development, unless otherwise noted, that materially changes the character, intensity, or impacts of the development.
 - (5) Changes to the location of vehicular access points to a public street.
 - (6) Changes that substantially alter the character, design, or concept of the development.
 - (7) Major reductions in required landscaping, buffers, open space, or other required site improvements.
 - (8) The addition of accessory structures greater than 1,000 sq ft.
- (e) **Minor Revisions for Planning Commission Review.** Notwithstanding subsection (a) of this section, minor revisions to an approved planned unit development plan may be approved by the Planning Commission through the normal site plan, and special land use - if applicable, review procedures outlined in Article III of this chapter, upon finding that:
 - (1) The proposed revision does not materially alter the approved development or its intended character.
 - (2) The revision will not adversely affect the basis upon which the original approval was granted.
 - (3) The revision complies with all applicable requirements of this chapter and other applicable local, state, and federal regulations.

- (4) The development proposal conforms with all the provisions and requirements, as well as the spirit and intent of this chapter and the Master Plan. The proposed development will meet all the regulations of the zoning district in which it is located.

Minor Revisions may include, but are not limited to:

- (5) Modest increases or decreases in building floor area or height not exceeding ten (10) percent.
- (6) Minor adjustments to parking layout or internal circulation that comply with all applicable requirements of this chapter, and do not alter access to public streets.
- (7) Minor reductions in required landscaping, buffers, open space, or other required site improvements that comply with all applicable requirements of this chapter.
- (8) Minor adjustments to building placement that maintain required setbacks and buffers.
- (9) Modifications required by the City, County, or State for engineering, safety, or regulatory compliance may be approved.
- (10) The addition of uses consistent with the intent of the approved planned unit development, within an existing building that may primarily serve residents, tenants, or employees of the development and do not exceed ten (10) percent of the building floor area. The Planning Commission may authorize these changes if the proposed use is permitted as an accessory use, permitted by right, or permitted as a special land use in the underlying zoning district.
- (11) The addition of accessory structures that do not exceed 1,000 sq ft.

The Planning Commission may defer approval of revisions to the City Planner or City Council, upon finding the proposed revisions meet the threshold for major revisions, or minor revisions for administrative review.

- (f) **Minor revisions for administrative review.** The City Planner, or their designee, may approve minor administrative revisions to an approved planned unit development when such revisions are consistent with the approved development and do not materially alter its character, intensity, or impacts. The City Planner shall notify the Planning Commission of approved administrative revisions, in writing, within thirty (30) days. If the City Planner's decision is rejected, via a majority vote in an official capacity, by the Planning Commission, the PUD amendment shall be subject to review via the process laid out in subsection a and/or b. The City Planner may defer approval of any revisions to the Planning Commission and/or City Council. Administrative revisions may include, but are not limited to:

- (1) Building Placement and Height.
- i. Buildings may be relocated up to five (5) feet, provided required setbacks and open space requirements are maintained.
- ii. Building height increase or reduction up to five (5) percent.
- (2) Interior Layout
- i. Interior floor plans may be modified provided the changes remain consistent with the character and intensity of the approved use.
- (3) Site Design and Circulation
- i. Minor improvements or relocation of sidewalks, bicycle facilities, curbing, pathways, lighting fixtures, utilities, or stormwater facilities due to engineering or construction requirements.
- (4) Landscaping and Natural Features
- i. Substitution or minor relocation of landscaping materials that maintain or increase the quantity and screening effectiveness of required landscaping.
- ii. Trees shown as preserved that are lost during construction shall be replaced on a caliper-per-caliper basis.

- iii. Areas designated as woodlands or “not to be disturbed” may be expanded.
- (5) Architecture and Materials
 - i. Building materials may be changed to materials of equal or higher quality, and minor exterior color changes may be approved.
- (6) Site Grading and Utilities
 - i. Grade changes of up to one (1) foot, subject to review by the City Engineer, may be approved.
- (7) Signs and Entrances
 - i. Entry features and sign placement may be modified, and sign sizes may be reduced, provided the changes remain consistent with the approved plan.
- (8) Accessory Structures
 - i. Accessory buildings or structures may be relocated within the approved building envelope provided required setbacks and open space requirements are maintained.
 - ii. Addition of accessory structures, no larger than 200 sq ft, given compliance with all applicable requirements of this chapter. The City Planner shall only authorize accessory structures intended to store tools and other necessary equipment for site and building maintenance.
 - iii. Installation of renewable energy systems, including but not limited to, rooftop or accessory solar energy systems serving the development.
- (9) Addition of Uses
 - i. The addition of small-scale commercial, service uses, or other uses determined by the City Planner to be consistent with the intent of the approved planned unit development, within an existing building that shall primarily serve residents, tenants, or employees of the development, and do not exceed five (5) percent of the building floor area. The City Planner may only authorize these changes if the proposed use is permitted by right or as an accessory use in the underlying zoning district.
- (10) The City Planner may approve other similar revisions not specifically listed above that are determined to be minor in nature and consistent with the intent of the approved planned unit development.

Section 122-709. Expiration

- (e) Approval of the planned unit development must expire and be of no effect unless construction must have commenced within one year of the date of the approval. An extension for a specified period may be granted by the City Council upon good cause shown, if such request is made to the City Council prior to the expiration period.
- (f) In the event an approved planned unit development has expired, the City Council may rezone the property in any reasonable manner following Planning Commission recommendation and a public hearing in accordance with Article III, Division 4 of this chapter. If, at the discretion of the City Council, the property remains classified as a planned unit development, a new application is required and will be reviewed in light of the prevailing conditions, applicable laws, and ordinance provisions

Section 122-710. Appeals and Variances

The Zoning Board of Appeals is without jurisdiction to accept appeals or grant variances with respect to an approved planned unit development.

Section 122-711. Adaptive Reuse Planned Unit Development

- (f) Purpose. The Adaptive Reuse Planned Unit Development (ARPUD) is intended to facilitate the reuse of existing nonresidential buildings located within residential zoning districts where adaptive reuse supports neighborhood compatibility, historic preservation, economic revitalization, and the Ypsilanti Master Plan.
- (g) Applicability. ARPUD applies only to existing nonresidential buildings located in residential zoning districts.
- (h) Approval Process. Notwithstanding this article, an ARPUD shall be reviewed and approved as a Special Land Use under Article III, Division 2, Subdivision II, rather than as a rezoning.
- (i) Flexibility. As part of Special Land Use approval, the Planning Commission may approve modifications to dimensional, parking, landscaping, and design standards where necessary to accommodate adaptive reuse.
- (j) Approval Standards. In addition to Special Land Use standards, the Planning Commission shall find:
 - (5) The reuse preserves an existing building of historic, architectural, or community significance, or avoids demolition of a viable structure;
 - (6) The proposed use is compatible with surrounding residential uses;
 - (7) Site impacts are appropriately mitigated;
 - (8) The project advances Master Plan goals.
- (h) Permitted Uses. The Planning Commission may approve any use determined compatible with the building, site, and surrounding neighborhood, notwithstanding the underlying district, subject to Special Land Use approval.
- (i) Site Improvements. The Planning Commission may require buffering, landscaping, lighting, parking, and operational limitations necessary to ensure compatibility.

Article VII, Division 2. Site Condominium Subdivisions – Renumbering Sections

Section 122-~~710~~-712. Purpose and Scope

Section 122-~~711~~-713. Zoning Compliance

Section 122-~~712~~-714. Review and Approval Procedures

Section 122-~~713~~-715. Effect of Approval

Section 122-~~714~~-716. Site Plans

Section 122-~~715~~-717. Layout, Design, and Required Improvements

Section 122-~~716~~-718. Master Deed Contents

Section 122-~~717~~– 719. Reserved

MADE, PASSED, AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS ____ DAY OF _____, _____.

Tracey Boudreau, City Clerk

Attest

I do hereby confirm that the above Ordinance No. _____ was published in the Washtenaw Legal News on the day of August 27th, 2026.

Tracey Boudreau, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the ____ day of _____, _____.

Tracey Boudreau, City Clerk

Notice Published: August 27th, 2026

First Reading: September 15th, 2026

Second Reading:

Published:

Effective Date:



Resolution No. 2026-224
September 15th, 2026

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for Ordinance No. 1473, entitled “Planned Unit Developments (PUD)” for the proposed zoning text amendment to Article VII, Division 1, Sections 122-700 through 122-719 be officially closed.

OFFERED BY: _____

SUPPORTED BY: _____

YES: 0 NO: 0 ABSENT: VOTE:



**CITY OF YPSILANTI
PLANNING COMMISSION MEETING
DRAFT MINUTES
Wednesday, August 19th, 2026 @ 7:00 PM
Council Chambers
One South Huron, Ypsilanti, MI 48197**

I. Call to Order | 7:04 PM

II. Roll Call

Brian Jones-Chance, Chair – Present
Matt Dunwoodie, Vice-Chair – Present
Mike Davis Jr. – Present
Amanda Smith – Present
Carl Schier – Absent
Michelle Marin – Present
Greg Woodring – Present
Kidus Hiwot - Present
Vacant

Motion to excuse the absence of Commissioner Schier.

--Moved by Dunwoodie. Seconded by Marin. Yays – 7, Nays – 0, motion carries

III. Agenda Approval

August 19th, 2026, Agenda | **Amended to add recently appointed Commissioner Hiwot under Roll Call.

Motion to approve, and amend, the agenda to add recently appointed Commissioner Hiwot under Roll Call.

--Moved by Woodring. Seconded by Davis Jr. Yays – 7, Nays - 0, motion carries

IV. Approval of Minutes

June 17th, 2026, Planning Commission Draft Minutes.

Motion to approve the June 17th, 2026, draft minutes as presented.

--Moved & Approved by Commissioner Jones-Chance; no objections, motion carries.

V. Public Comments

Motion to open public comments to the Planning Commission.

--Moved by Dunwwodie. Seconded by Davis Jr. Yays – 7, Nays – 0, motion carries

Amber Fellows, Ypsilanti Ward 3 Councilmember - Thanked the Planning Commission for its work and welcomed the new Planning Commissioner. Fellows then commented on the proposed data center zoning text amendment, noting that she had only recently learned of the proposal and encouraging additional public notice and further discussion before the amendment advances.

Fellows urged the Commission to consider regulatory approaches beyond establishing where and under what conditions data centers may be permitted, including whether certain large or hyperscale data centers should be prohibited. She also expressed concern that defining data center size primarily by building square footage could become outdated as technology changes and recommended considering additional measures such as electrical demand and water consumption.

Fellows further encouraged coordination with Ypsilanti Township, YCUA, and other partners already examining data center impacts and suggested that outside legal and technical experts review the proposed regulations. She requested that the amendment be returned to the Planning Commission for additional consideration before advancing, emphasizing the importance of developing a comprehensive regulatory approach rather than moving forward primarily because of perceived urgency.

Steve Wilcoxon, Ypsilanti Ward 2 Councilmember – Welcomed the new Planning Commissioner and mentioned that he will speak later on other agenda items.

Motion to close public comments to the Planning Commission.

--Moved by Smith. Seconded by Dunwoodie. Yays – 7, Nays – 0, motion carries

VI. Committee Reports

A. Non-Motorized Advisory Committee (NMAC) – Commissioner Davis Jr. -

The Commission received an update on the Non-Motorized Advisory Committee; discussion noted the Committee's ongoing difficulty recruiting and retaining members and raised the possibility of reevaluating the necessity and function of the Committee, including whether its activities should potentially be placed on hold if membership challenges continue.

The Committee is also seeking volunteers to attend Fall River Days to share information about its work and distribute bicycle and pedestrian safety materials provided by

SEMCOG. Staff also noted that the proposed Non-Motorized Transportation Plan amendment would be discussed later in the meeting.

VII. Presentations - None

VIII. Public Hearing Items

A. 413 S. Huron Street | Multi-Family Renovation: Duplex to Triplex Conversion | SP SLU

Staff presented a request for Special Land Use and Site Plan approval to formally convert the existing two-unit residential building at 413 S. Huron Street into a three-unit dwelling. Staff explained that the property had previously operated with an unpermitted third dwelling unit and that the applicant was seeking the necessary approvals to legalize the use. The proposed site improvements included an expansion of the existing parking area and installation of covered bicycle parking.

Discussion focused primarily on the site's existing and proposed parking conditions. Commissioners discussed the steep topography of the rear yard, existing nonconformities, required parking setbacks, maneuvering requirements, and the practical difficulty of constructing a fully compliant parking area without substantial grading and removal of existing vegetation. The Commission also discussed the broader appropriateness of the three-unit use given the property's location, surrounding residential density, proximity to downtown, transit and bicycle infrastructure, and the prevalence of similar multifamily conversions along Huron Street.

The Commission approved the Special Land Use application and also approved the Site Plan with conditions, including an amendment requiring the applicant to maintain the existing vehicular parking conditions rather than expand the nonconforming parking area as originally proposed.

Public Hearing

Motion to open public comments to the Planning Commission.

--Moved by Marin. Seconded by Smith. Yays – 7, Nays – 0, motion carries

Ray Champoux, Applicant and Owner of 413 S. Huron – Shared why he purchased the property, his proposed intentions, and his agreeance with staff 's report and recommendation.

Motion to close public comments to the Planning Commission.

--Moved by Marin. Seconded by Woodring. Yays – 7, Nays – 0, motion carries

Special Use Application Motion

Motion to approve the special land use application for 413 S. Huron St. with the following findings and conditions:

Findings:

1. The application meets all the standards established in Section 122-324.

Conditions:

1. Special use approval is conditioned upon site plan approval.

--Moved by Marin. Seconded by Davis Jr. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve

Matt Dunwoodie, Vice-Chair – Approve

Mike Davis Jr. – Approve

Amanda Smith – Approve

Michelle Marin – Approve

Greg Woodring – Approve

Kidus Hiwot - Approve

Site Plan Application Motion

Motion to approve with conditions the site plan for the multi-family renovation, increasing the number of dwelling units from 2 to 3, at 413 S. Huron Street, with the following findings and conditions:

Findings:

1. The application complies substantially with Sections 122-309 and 122-311.

Conditions:

1. The applicant shall ~~*(1)*install a compliant~~ maintain existing conditions for the vehicular parking area. ~~or maintain existing conditions.~~
2. The applicant shall either propose a compliant dumpster enclosure or confirm with DPW that 3 residential trash bins are sufficient.
3. The development is subject to the approval of the Building Department, and any work done within the right-of-way shall receive approval from the Department of Public Works.

--Moved by Marin. Seconded by Woodring. Yays – 5, Nays – 2, motion carries

****(1)*Proposed Friendly Amendment: Remove the requirement for the applicant to install a compliant parking area to instead require that they maintain existing conditions of the parking area.***

--Amendment proposed by Dunwoodie. Accepted by Marin. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve
Matt Dunwoodie, Vice-Chair – Approve
Mike Davis Jr. – Disapprove
Amanda Smith – Disapprove
Michelle Marin – Approve
Greg Woodring – Approve
Kidus Hiwot – Approve

B. 317 N. Washington Street | Mixed-Use Redevelopment: Gas Station, Convenience Store, & Multi-Family Residential | PUD

Staff presented the proposed redevelopment of 317 N. Washington Street and recommended postponing action to allow the applicant to further revise the proposal and obtain necessary Historic District Commission approval. Staff explained that the Historic District Commission's review of building materials, fenestration, massing, site layout, and other architectural elements could result in changes affecting compliance with the City's form-based zoning standards.

Discussion focused on outstanding information and inconsistencies within the submitted plans, including landscaping and photometric information, discrepancies between floor plans and elevations, potential changes to the building height and configuration, and the relationship between the proposed mixed-use development and applicable building code requirements. Commissioners also discussed the property's previous petroleum contamination, the respective roles of the City and EGLE, the proposed continuation of the automobile filling station use, and the relationship between the proposed development and the City's PUD standards.

Additional discussion focused on the property's approximately 0.22-acre lot size compared with the 0.5-acre minimum required for a PUD in the Walkable Urban zoning district. Commissioners questioned whether the minimum PUD lot area could appropriately be addressed through a departure or whether a variance or other zoning mechanism would be necessary.

Public Hearing

Motion to open public comments to the Planning Commission.

--Moved by Marin. Seconded by Smith. Yays – 7, Nays – 0, motion carries

No public comments occurred.

Motion to close public comments to the Planning Commission.

--Moved by Marin. Seconded by Woodring. Yays – 7, Nays – 0, motion carries

Planned Unit Development Motion

Motion to postpone action [on the Planned Unit Development for the mixed-use gas station at 317 N. Washington] and direct staff to return this item to the agenda when all outstanding zoning ordinance requirements have been addressed, with exception of items for which the Planning Commission has discretion.

--Moved by Marin. Seconded by Davis Jr. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve

Matt Dunwoodie, Vice-Chair – Approve

Mike Davis Jr. – Approve

Amanda Smith – Approve

Michelle Marin – Approve

Greg Woodring – Approve

Kidus Hiwot - Approve

C. Non-Motorized Plan Update – Resolution No. 2026-02

Staff presented a proposed amendment to the City's Non-Motorized Plan intended to improve the City's eligibility for future grant funding associated with bridge reconstruction and non-motorized improvements. The amendment establishes a policy preference for incorporating shared-use paths, generally targeting a ten-foot width to the greatest extent practical, and appropriate exterior lighting when certain bridges and transportation facilities are reconstructed.

Discussion focused primarily on language directing the City to "make every effort" to provide the improvements. Commissioners discussed the need to establish a sufficiently strong policy commitment for grant purposes while recognizing that funding, physical feasibility, railroad requirements, and other circumstances may prevent implementation in every instance.

Public Hearing

Motion to open public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Woodring. Yays – 7, Nays – 0, motion carries

No public comments occurred.

Motion to close public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Davis Jr. Yays – 7, Nays – 0, motion carries

Recommendation Resolution

RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF
YPSILANTI:

WHEREAS, the City of Ypsilanti adopted the Non-Motorized Transportation Plan to guide the development of a safe, accessible, and connected non-motorized transportation network; and

WHEREAS, the City recognizes that bridges are critical connections within the non motorized network, and desires to “bridge” the gap between neighborhoods, destinations, and neighboring communities; and

WHEREAS, the City seeks to ensure that future bridge reconstruction and replacement projects consider opportunities to improve pedestrian and bicycle connectivity; and

WHEREAS, the Ypsilanti Planning Commission hereby approves an amendment to Chapter 4: Vision & Goals, Shift to Non-Motorized Modes (Goal 3), Objectives, of the Non-Motorized Transportation Plan to add the following:

“Objective 5: All future reconstruction or replacement bridge work should make every effort to include lighted sidewalks or shared-use paths of 10 feet to the greatest extent practicable, to enable greater non-motorized connectivity throughout the City and between the City and its neighbors. Strategy: Potential reconstruction work on Prospect, Leforge, Cross, Factory, Forest, and Michigan Avenue bridges should explore all partnerships to ensure our bridges are a part of the complete accessible city non-motorized network.”

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommend that the City Council approve the amended language to be incorporated into the City of Ypsilanti Non-Motorized Transportation Plan.

--Moved by Dunwoodie. Seconded by Woodring. Yays – 7, Nays - 0, motion carries

Brian Jones-Chance, Chair – Approve
Matt Dunwoodie, Vice-Chair – Approve
Mike Davis Jr. – Approve
Amanda Smith – Approve
Michelle Marin – Approve
Greg Woodring – Approve
Kidus Hiwot – Approve

D. Zoning Text Amendment | Data Centers

Staff presented an updated version of the proposed data center zoning regulations and reviewed revisions made since the Commission's previous discussions.

Discussion focused on water consumption and water quality, wastewater discharge, energy use, renewable energy, noise and vibration, landscaping and screening, infrastructure capacity, operational reporting, and appropriate locations for data centers. Commissioners also discussed whether maximum size or electrical-demand limitations should be established for large data centers, whether prohibition could be legally defensible, and the relationship between the proposed regulations and the upcoming Master Plan update. Staff emphasized that establishing regulations would provide the City with greater control over future proposals than leaving data centers unaddressed by the Zoning Ordinance.

The Commission also discussed vibration standards and expressed interest in establishing a measurable vibration threshold rather than relying solely on general performance language.

****Due to the sensitive nature of the proposed ordinance, please note that the Data Center Zoning Text Amendment was first introduced to the Planning Commission during its February 18th, 2026, meeting. Since then, staff and the Planning Commission have reviewed numerous informational resources and ordinances and have discussed successive drafts of the proposed zoning text at each Planning Commission meeting; with the only exception of the July 15th, 2026, meeting, which could not be held due to a lack of quorum. Additional reviewers of the proposed language include the City's legal team, Washtenaw County's Resiliency Office, and Michigan State University's Extension Planning Program. The City is awaiting further evaluation and comments from the City's engineering team (OHM), who will also be coordinating with OHM's planning team.****

Public Hearing

****This additional information is provided due to the sensitive nature of the proposed ordinance and to clarify the public notice provided for the amendment. Please note that the proposed ordinance was publicly noticed in accordance with the Michigan Zoning Enabling Act, in addition to other public notification measures undertaken by the City.**

The official notice of the Planning Commission public hearing was published in the July 30th, 2026, edition of the *Washtenaw Legal News*. The notice was also physically posted in the vestibule of City Hall and published as a News Flash on the City's website on July 27th, 2026, where it remained posted through August 21st, 2026.

Those interested in receiving future public notices and other City updates directly by email are encouraged to sign up for the City's News Flash notifications at: [News Flash • Ypsilanti, MI](#) **

Motion to open public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Marin. Yays – 7, Nays – 0, motion carries

Steve Wilcoxon, Ypsilanti Ward 2 Councilmember – Expressed concerns regarding several aspects of the proposed data center zoning text amendment. Wilcoxon referenced previous discussions regarding potentially prohibiting data centers and expressed concern that the proposed ordinance did not include an additional size classification that he had previously discussed with Beth Gibbons. He also questioned including a vibration provision without establishing a measurable standard and suggested that staff develop a recommended vibration threshold before the amendment is considered by City Council.

Wilcoxon acknowledged the need to advance the ordinance given the limitations associated with repeatedly extending a temporary moratorium but stated that several issues remained worthy of consideration. He also discussed potential community benefit requirements, noting that such requirements may fall outside the Planning Commission's role under the current proposal and could require separate amendments to existing City regulations. Wilcoxon concluded that additional research and revisions could occur before or during City Council's consideration of the amendment.

Motion to close public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Marin. Yays – 7, Nays – 0, motion carries

Planning Commission Recommended Motion

Motion to recommend City Council approve the proposed text amendment to Sections 122-203(A, C, D, L, & P), 122-416, 122-421, 122-426, 122-431, 122-441, 122-446, 122-451, 122-461, the addition of Article V, Division 4, which includes Sections 122-580, 122-581, and 122-582, and 122-691 with the following findings

****(1)* and condition:***

Findings:

1. The proposed amendment is consistent with the guiding values of the Master Plan; and
2. The proposed amendment is consistent with the intent of this Zoning Ordinance; and
3. The proposed amendment will enhance the functionality, transportation network or character of the future development in the City; and
4. The proposed amendment will enhance the natural features and environmental sustainability of the City; and
5. The proposed amendment will protect the health, safety, and general welfare of the public; and
6. The proposed amendment will not result in the creation of significant nonconformities in the City.

****(1)*Condition:***

1. Add measurable standards and limits for vibrations from data centers prior to the proposed amendment being brought forth to the City Council.

--Moved by Dunwoodie. Seconded by Marin. Yays – 5, Nays – 2, motion carries

****(1)*Proposed Friendly Amendment:*** Addition of a condition that would add measurable standards and limits to vibration under the operational performance standards for data centers.

--Amendment proposed by Woodring. Accepted by Dunwoodie. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve

Matt Dunwoodie, Vice-Chair – Approve

Mike Davis Jr. – Approve

Amanda Smith – Disapprove

Michelle Marin – Approve

Greg Woodring – Approve

Kidus Hiwot – Disapprove

E. Zoning Text Amendment | Planned Unit Developments

Staff presented the proposed zoning text amendment revising the City's Planned Unit Development regulations. Staff indicated that no substantive changes had been made since the Commission's previous review but raised an additional consideration regarding the availability of PUDs within the R-1 zoning district.

Discussion focused on a recently explored affordable housing proposal involving vacant church-owned property in the R-1 district. Staff explained that the proposal was no longer moving forward due to financing, but highlighted that the existing Zoning Ordinance provides no practical pathway for a similar multifamily affordable housing development on such a site. Commissioners discussed whether PUDs or another mechanism should eventually be made available in R-1 to accommodate appropriate affordable and multifamily housing proposals.

The Commission agreed that the R-1 issue warranted additional consideration at a future meeting rather than incorporating the change into the amendment currently before it.

Public Hearing

Motion to open public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Marin. Yays – 7, Nays – 0, motion carries

No public comments occurred.

Motion to close public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Woodring. Yays – 7, Nays – 0, motion carries

Planning Commission Recommended Motion

Motion to recommend City Council approve the proposed text amendment to Article VII, Division 1, covering Sections 122-700 to 122-712, with the following findings:

Findings:

1. The proposed amendment is consistent with the guiding values of the Master Plan; and
2. The proposed amendment is consistent with the intent of this Zoning Ordinance; and
3. The proposed amendment will enhance the functionality, transportation network or character of the future development in the City; and
4. The proposed amendment will preserve the historic nature of the surrounding area and of the City; and
5. The proposed amendment will enhance the natural features and environmental sustainability of the City; and
6. The proposed amendment will protect the health, safety, and general welfare of the public; or
7. The proposed amendment will not result in the creation of significant nonconformities in the City.

--Moved by Davis Jr. Seconded by Hiwot. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve

Matt Dunwoodie, Vice-Chair – Approve

Mike Davis Jr. – Approve

Amanda Smith – Approve

Michelle Marin – Approve

Greg Woodring – Approve

Kidus Hiwot – Approve

F. Zoning Text Amendment | Cottages & Townhomes in the Historic Corridor

Staff presented a proposed amendment to permit the Cottage and Townhouse building types within the Historic Corridor zoning district. Staff explained that existing lot dimensions within the district can prevent otherwise permitted residential development without a variance and identified recent infill proposals illustrating the issue. Staff also noted that several existing properties within the Historic Corridor are already nonconforming under the current building-type standards.

Discussion focused on how allowing Cottage and Townhouse building types could accommodate development on smaller lots, reduce existing nonconformities, increase

opportunities for context-sensitive infill housing, and reinforce the established street pattern of the Historic Corridor. Staff and the Planning Commission specifically discussed the rationale for allowing Townhouses, in addition to Cottages, and noted that all proposed development within this district would remain subject to Historic District Commission review, as all properties zoned as Historic Corridor are located within the City's Local Historic District. The Commission also briefly discussed building and fire-code requirements applicable to attached Townhouse construction.

Public Hearing

Motion to open public comments to the Planning Commission.

--Moved by Marin. Seconded by Davis Jr. Yays – 7, Nays – 0, motion carries

No public comments occurred.

Motion to close public comments to the Planning Commission.

--Moved by Davis Jr. Seconded by Marin. Yays – 7, Nays – 0, motion carries

Planning Commission Recommended Motion

Motion to recommend City Council approve the proposed text amendment to Section 122-465(a), with the following findings:

1. The proposed amendment is consistent with the guiding values of the Master Plan; and
2. The proposed amendment is consistent with the intent of this Zoning Ordinance; and
3. The proposed amendment will enhance the functionality, transportation network or character of the future development in the City; and
4. The proposed amendment will preserve the historic nature of the surrounding area and of the City; and
5. The proposed amendment will enhance the natural features and environmental sustainability of the City; and
6. The proposed amendment will address a community need in physical or economic conditions or development practices; and
7. The proposed amendment will not result in the creation of significant nonconformities in the City.

--Moved by Woodring. Seconded by Marin. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve

Matt Dunwoodie, Vice-Chair – Approve

Mike Davis Jr. – Approve

Amanda Smith – Approve

Michelle Marin – Approve
Greg Woodring – Approve
Kidus Hiwot – Approve

IX. Old Business - *None*

X. New Business - *None*

XI. Public Comments

Motion to open public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Marin. Yays – 7, Nays – 0, motion carries

No public comments occurred.

Motion to close public comments to the Planning Commission.

--Moved by Smith. Seconded by Marin. Yays – 6, Nays – 0, motion carries

XII. Adjournment | 9:22 PM

Motion to adjourn.

--Moved by Hiwot. Seconded by Smith. Yays – 7, Nays - 0, motion carries



REQUEST FOR LEGISLATION
September 15, 2026

For: Mayor and City Council

From: Joshua Burns, City Planner

Subject: Ordinance No. 1474 - Entitled "Cottages & Townhomes in the Historic Corridor" for the proposed zoning text amendment to Section 122-465(a) of the City of Ypsilanti Zoning Ordinance.
Public Hearing Resolution No. 2026-210, close the public hearing.
Resolution No. 2026-209, determination.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION: Approval

ATTACHMENTS:

1. 01 - RFL_Resolution - Cottages & Townhomes in the Historic Corridor
2. 02 - August 2026 PC Draft Minutes

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: September 15, 2026

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



To: Mayor and City Council

From: Joshua Burns, City Planner

Date: September 15th, 2026

Subject: First Reading: Cottages & Townhomes in the Historic Corridor Zoning Text Amendment (ZTA)

GENERAL INFORMATION

Staff's Requested Action

The proposed zoning text amendment is intended to reduce regulatory barriers unintentionally established in the Zoning Ordinance to encourage infill, investment, and increased housing supply within the City. The amendment includes the following section of the Ordinance:

Building Types

- Section 122-465(a)

SUMMARY

The Historic Corridor is intended to preserve Ypsilanti's historic development pattern while accommodating context-sensitive reinvestment and housing opportunities. Because building type eligibility is tied to minimum lot size requirements, some lots cannot be developed or redeveloped despite the Master Plan recognizing that smaller homes are an established component of the corridor, creating a disconnect between the City's adopted planning policies and its zoning regulations.

BACKGROUND

Section 122-465(a) establishes the permitted building types for each form-based zoning district. In the Historic Corridor, the following building types are permitted:

- MA: Mansion (Limited)
- ES: Estate
- HS: House
- AH: Apartment House
- CA: Courtyard Apartments
- AB: Apartment Buildings (Limited)

- CS: Commercial/Mixed-Use Small
- CM: Commercial/Mixed-Use Medium
- SC: Single-Store Commercial (Limited)
- IT: Institutional (Limited)

The Master Plan identifies the Historic Corridors as, “Historic Corridors connect the centers of the City with each other and the surrounding neighborhoods. They are dominated by large, historic homes now used in a variety of ways – residences, office, retail. Houses of worship and other civic buildings also line these corridors, **interspersed with smaller homes**. The transportation plan sees restoration of two-way traffic to the one-way historic corridors of Huron, Hamilton and Cross. It also proposes the extension of River Street through the Water Street redevelopment area to Factory in the next twenty years. **Uses will remain flexible allowing the historic buildings to accommodate changing markets and traffic patterns.**” It’s clear that the Historic Corridor intends to preserve the City's historic development pattern but also aims to accommodate reinvestment and evolving modern land uses.

In addition to identifying the Historic Corridors, the Master Plan adopts a City Framework Map that is intended to preserve and reinforce Ypsilanti's historic development pattern. The Framework Map recognizes the City's traditional street network, historic lot configurations, and established building forms as defining characteristics of Ypsilanti's built environment. Collectively, the Historic Corridor policies and the City Framework Map establish a clear policy direction that future development should respect and reinforce the City's existing urban fabric while allowing for context-sensitive reinvestment and incremental growth.

The City's current zoning regulations for the Historic Corridor, however, create a disconnect between these adopted planning policies and the standards governing new development. Critically, Section 122-465(b)(2) of the Zoning Ordinance establishes that building type eligibility is determined by minimum lot size, stating “Lot Size determines Building Type. The size of the lot determines what type of building may be placed on a lot. For instance, a cottage or a house building type may be constructed on a 5,000 square foot lot, since all of those building types fit within the allowed lot size for those building types, but an estate building type is not allowed. **Maximum lot depth and width do not determine building types, but all building types must meet the minimum lot width, depth and size.**” Admittedly, Staff recognizes the contradiction established in this section; however, this standard and its contradiction has enhanced day-to-day zoning administration by effectively reducing regulatory barriers that encourages reinvestment into our community. Though it is stated that the maximum lot depth and width do not determine the building type, rather the minimum lot depth and width does, it presents challenges within the Historic Corridor, as nearly all parcels within this district were created and developed prior to the adoption of the City's form-based zoning code. As a result, many of the corridor's existing structures occupy lots that do not satisfy today's minimum lot size requirements for any permitted building type in this district, and therefore exist as legal nonconformities, despite complying with the minimum lot size requirements for the cottage or townhouse building types.

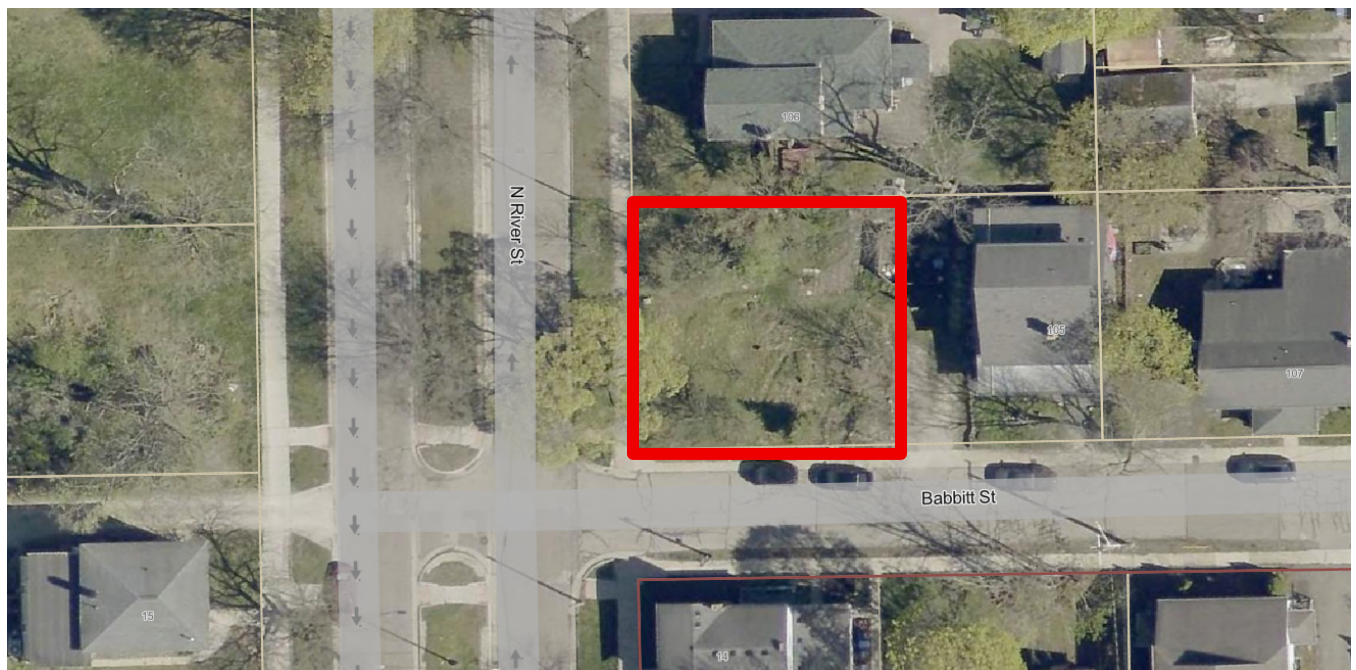
Ironically, although smaller homes/lots that would be identified as the cottage building type are specifically identified in the Master Plan as an established feature of the Historic Corridor, the current ordinance prohibits construction of comparable building types on similarly sized lots. Consequently, the development pattern the City seeks to preserve can remain only through existing nonconformities, while new development is required to conform to standards that differ from the historic development pattern of these corridors.

Furthermore, the Historic Corridor is largely built out, with few remaining vacant lots. If the City aims to encourage continual investment, infill, and densification, it must do so by expanding the possibilities of what can be developed.

These conflicts have recently become evident through recent development inquiries. The new owner of 12 N. River Street intends to construct a duplex on the vacant lot; however, staff was initially under the impression that the lot depth was 97 ft, meaning the parcel would not satisfy the minimum lot requirements for any permitted building type, effectively rendering the property undevelopable without obtaining a variance. Fortunately, staff was able to confirm that the lot depth was actually 100 ft, meaning the property barely met the minimum 100 ft lot depth requirement for the house building type.

Unlike 12 N. River, the owner of 105 Babbitt Street, Kyle Kipp, seeks to divide the property and construct a duplex fronting N. River Street and selling his existing home to a young family; however, splitting the lot would render the site undevelopable. It is within the City's best interest to permit the cottage building type in this zoning district as it would gently increase housing supply through incremental infill while maintaining a for-sale residential unit that is desperately needed in this City. If the current owner is able to split and develop part of the lot, the area outlined in red below would be the new site of a duplex.

Figure 1: 105 Babbitt (MapWashtenaw, 2026)



These examples suggest that the current building type regulations conflict with the City's adopted planning policies. The Master Plan expressly recognizes that Historic Corridors are characterized by a mixture of large historic homes and smaller residences, while the City Framework Map emphasizes preserving Ypsilanti's traditional development pattern. Allowing context-sensitive infill development on historically platted lots would more closely implement these policies by reinforcing the established urban fabric, expanding housing opportunities, encouraging reinvestment, and preserving the character that defines the Historic Corridor.

Figure 2: 315 N. Adams Facing West (Google Streetview, 2024)



315 N. Adams's parcel dimensions are roughly 43 ft by 70 ft, meaning the parcel complies with the cottage building type, yet remains nonconforming due to the lot dimensions failing to meet the minimum depth (100 ft) for the house building type and the impermissibility of the cottage building type in the Historic Corridor.

Figure 3: 211 Ferris, Facing South (Google Streetview, 2024)



211 Ferris's parcel dimensions are roughly 49 ft by 83 ft, meaning the parcel complies with the cottage building type, yet remains nonconforming due to the lot dimensions failing to meet the minimum depth (100 ft) for the house building type and the impermissibility of the cottage building type in the Historic Corridor.

Figure 4: 103 Washtenaw, Facing South (Google Streetview, 2024)



103 Washtenaw's parcel dimensions are roughly 50 ft by 88 ft, meaning the parcel complies with the cottage building type, yet remains nonconforming due to the lot dimensions failing to meet the minimum depth (100 ft) for the house building type and the impermissibility of the cottage building type in the Historic Corridor.

(a) Text Amendment. For a change to the text of the Zoning Ordinance, the Planning Commission shall consider and the City Council may consider, whether the proposed amendment meets the following standards:

- (1) The proposed amendment is consistent with the guiding values of the Master Plan; and*
- (2) The rezoning is consistent with description and purpose of the proposed district; and (Staff Note: This is not a rezoning.)*
- (3) The proposed amendment is consistent with the intent of this Zoning Ordinance; and*
- (4) The proposed amendment will enhance the functionality, transportation network or character of the future development in the City; and*
- (5) The proposed amendment will preserve the historic nature of the surrounding area and of the City; and*
- (6) The proposed amendment will enhance the natural features and environmental sustainability of the City; and*
- (7) The proposed amendment will protect the health, safety, and general welfare of the public; or*
- (8) The proposed amendment is needed to correct an error or omission in the original text; or*
- (9) The proposed amendment will address a community need in physical or economic conditions or development practices; and*
- (10) The proposed amendment will not result in the creation of significant nonconformities in the City.*

RECOMMENDATION

Recommended Action: Adopt

Planning Commission's Action Notification:

Motion to recommend City Council approve the proposed text amendment to Section 122-465(a), with the following findings:

1. The proposed amendment is consistent with the guiding values of the Master Plan; and
2. The proposed amendment is consistent with the intent of this Zoning Ordinance; and
3. The proposed amendment will enhance the functionality, transportation network or character of the future development in the City; and
4. The proposed amendment will preserve the historic nature of the surrounding area and of the City; and
5. The proposed amendment will enhance the natural features and environmental sustainability of the City; and
6. The proposed amendment will address a community need in physical or economic conditions or development practices; and
7. The proposed amendment will not result in the creation of significant nonconformities in the City.

--Moved by Woodring. Seconded by Marin. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve

Matt Dunwoodie, Vice-Chair – Approve

Mike Davis Jr. – Approve

Amanda Smith – Approve
 Michelle Marin – Approve
 Greg Woodring – Approve
 Kidus Hiwot – Approve

EXISTING LANGUAGE

Sec. 122-465. Building Types.

Building types are specific sets of height, bulk, and setback regulations, dictated by district and lot size and dimension. Building Types only apply in Walkable Urban Districts, and apply to any new construction or expansion in those districts. The building types are consistent with the size, scale and character desired within each zoning district.

- (a) **Building Types by Neighborhoods, Centers, Corridors and Health and Human Services District.** The following building types are allowed in Neighborhoods, Centers, Corridors and Health and Human Services districts as shown in the table below. “P” stands for permitted building types, “L” stands for building types allowed in special locations shown on the Zoning Map.

BUILDING TYPE		CN-SF	CN-MID	CN	C	H C	NC	GC	HHS
M A	Mansion	L	L	L	--	L	--	--	--
ES	Estate	P	P	P	--	P	P	--	--
HS	House	P	P	P	--	P	P	--	P
CO	Cottage	P	P	P	--	--	--	--	--
TH	Townhouse	--	P	P	L	--	P	--	P
AH	Apartment House	--	P	P	P	P	P	--	P
CA	Courtyard Apartment	--	--	P	L	P	P	P	--
AB	Apartment Building	--	--	P	L	L	P	P	--
CS	Commercial/Mixed-Use Small	--	--	L	P	P	P	P	--
C M	Commercial/Mixed Use Medium	--	--	--	P	P	P	P	--
CL	Commercial/Mixed Use Large	--	--	--	P	--	--	P	P
SC	Single Story Commercial Building	L	L	L	--	L	P	P	--
LS	Large Single Story Commercial Building	--	--	--	--	--	--	P	P
M B	Multiple Story	--	--	--	P	--	--	P	P
IT	Institutional	L	L	L	L	L	L	L	L

PROPOSED LANGUAGE

Amendments can be referenced by ~~Red~~ text with a strikethrough being deleted; green text underlined is proposed to be added. Sections shall be renumbered accordingly.

Sec. 122-465. Building Types.

Building types are specific sets of height, bulk, and setback regulations, dictated by district and lot size and dimension. Building Types only apply in Walkable Urban Districts, and apply to any new construction or expansion in those districts. The building types are consistent with the size, scale and character desired within each zoning district.

- 1) **Building Types by Neighborhoods, Centers, Corridors and Health and Human Services District.** The following building types are allowed in Neighborhoods, Centers, Corridors and Health and Human Services districts as shown in the table below. “P” stands for permitted building types, “L” stands for building types allowed in special locations shown on the Zoning Map.

BUILDING TYPE		CN-SF	CN-MID	CN	C	HC	NC	GC	HHS
MA	Mansion	L	L	L	--	L	--	--	--
ES	Estate	P	P	P	--	P	P	--	--
HS	House	P	P	P	--	P	P	--	P
CO	Cottage	P	P	P	--	-- <u>P</u>	--	--	--
TH	Townhouse	--	P	P	L	-- <u>P</u>	P	--	P
AH	Apartment House	--	P	P	P	P	P	--	P
CA	Courtyard Apartment	--	--	P	L	P	P	P	--
AB	Apartment Building	--	--	P	L	L	P	P	--
CS	Commercial/Mixed-Use Small	--	--	L	P	P	P	P	--
CM	Commercial/Mixed Use Medium	--	--	--	P	P	P	P	--
CL	Commercial/Mixed Use Large	--	--	--	P	--	--	P	P
SC	Single Story Commercial Building	L	L	L	--	L	P	P	--
LS	Large Single Story Commercial Building	--	--	--	--	--	--	P	P
MB	Multiple Story	--	--	--	P	--	--	P	P
IT	Institutional	L	L	L	L	L	L	L	L

ATTACHMENTS

- Resolution
- Ordinance
- Planning Commission Minutes

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti Zoning Ordinance establishes permitted building types within the Historic Corridor (HC) District; and

WHEREAS, the City has identified existing regulatory barriers that limit context-sensitive infill and redevelopment on historically platted lots within the Historic Corridor, despite smaller residential building forms already being an established component of the corridor's historic development pattern; and

WHEREAS, the proposed amendment to Section 122-465(a) would permit the Cottage (CO) and Townhouse (TH) building types within the Historic Corridor District, thereby expanding opportunities for infill housing and reinvestment consistent with the City's established urban fabric; and

WHEREAS, the proposed amendment has been found to be consistent with the applicable standards for zoning text amendments established by Section 122-362(a), including consistency with the Master Plan and the intent of the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the Ypsilanti City Council hereby approves upon first reading Ordinance No. 1474, Entitled "Cottages & Townhomes in the Historic Corridor" for the proposed zoning text amendment to Section 122-465(a) of the City of Ypsilanti Zoning Ordinance, as presented.

OFFERED BY: _____

SUPPORTED BY: _____

YES: 0 NO: 0 ABSENT: VOTE:

City of Ypsilanti
Notice of Adopted Ordinance
Ordinance No. 1474

An Ordinance Entitled “*Cottages & Townhomes in the Historic Corridor*”

THE CITY OF YPSILANTI ORDAINS the provisions of the Cottages & Townhomes in the Historic Corridor Zoning Text Amendment.

This zoning text amendment applies to the following section:

- Section 122-465(a) – Building Types

The proposed revisions are as follows:

Sec. 122-465. Building Types.

Building types are specific sets of height, bulk, and setback regulations, dictated by district and lot size and dimension. Building Types only apply in Walkable Urban Districts, and apply to any new construction or expansion in those districts. The building types are consistent with the size, scale and character desired within each zoning district.

- 1) **Building Types by Neighborhoods, Centers, Corridors and Health and Human Services District.** The following building types are allowed in Neighborhoods, Centers, Corridors and Health and Human Services districts as shown in the table below. “P” stands for permitted building types, “L” stands for building types allowed in special locations shown on the Zoning Map.

BUILDING TYPE		CN-SF	CN-MID	CN	C	H C	NC	GC	HHS
M A	Mansion	L	L	L	--	L	--	--	--
ES	Estate	P	P	P	--	P	P	--	--
HS	House	P	P	P	--	P	P	--	P
CO	Cottage	P	P	P	--	-- P	--	--	--
TH	Townhouse	--	P	P	L	-- P	P	--	P
AH	Apartment House	--	P	P	P	P	P	--	P
CA	Courtyard Apartment	--	--	P	L	P	P	P	--
AB	Apartment Building	--	--	P	L	L	P	P	--
CS	Commercial/Mixed-Use Small	--	--	L	P	P	P	P	--
C M	Commercial/Mixed Use Medium	--	--	--	P	P	P	P	--
CL	Commercial/Mixed Use Large	--	--	--	P	--	--	P	P
SC	Single Story Commercial Building	L	L	L	--	L	P	P	--
LS	Large Single Story Commercial Building	--	--	--	--	--	--	P	P
M B	Multiple Story	--	--	--	P	--	--	P	P
IT	Institutional	L	L	L	L	L	L	L	L

MADE, PASSED, AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS ____ DAY OF _____, _____.

Tracey Boudreau, City Clerk

Attest

I do hereby confirm that the above Ordinance No. _____ was published in the Washtenaw Legal News on the day of August 27th, 2026.

Tracey Boudreau, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the ____ day of _____, _____.

Tracey Boudreau, City Clerk

Notice Published: August 27th, 2026

First Reading: September 15th, 2026

Second Reading:

Published:

Effective Date:



Resolution No. 2026-226
September 15th, 2026

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for Ordinance No. 1474, Entitled “Cottages & Townhomes in the Historic Corridor” be officially closed.

OFFERED BY: _____

SUPPORTED BY: _____

YES: 0 NO: 0 ABSENT: VOTE:



**CITY OF YPSILANTI
PLANNING COMMISSION MEETING
DRAFT MINUTES**

**Wednesday, August 19th, 2026 @ 7:00 PM
Council Chambers
One South Huron, Ypsilanti, MI 48197**

I. Call to Order | 7:04 PM

II. Roll Call

Brian Jones-Chance, Chair – Present
Matt Dunwoodie, Vice-Chair – Present
Mike Davis Jr. – Present
Amanda Smith – Present
Carl Schier – Absent
Michelle Marin – Present
Greg Woodring – Present
Kidus Hiwot - Present
Vacant

Motion to excuse the absence of Commissioner Schier.

--Moved by Dunwoodie. Seconded by Marin. Yays – 7, Nays – 0, motion carries

III. Agenda Approval

August 19th, 2026, Agenda | **Amended to add recently appointed Commissioner Hiwot under Roll Call.

Motion to approve, and amend, the agenda to add recently appointed Commissioner Hiwot under Roll Call.

--Moved by Woodring. Seconded by Davis Jr. Yays – 7, Nays - 0, motion carries

IV. Approval of Minutes

June 17th, 2026, Planning Commission Draft Minutes.

Motion to approve the June 17th, 2026, draft minutes as presented.

--Moved & Approved by Commissioner Jones-Chance; no objections, motion carries.

V. Public Comments

Motion to open public comments to the Planning Commission.

--Moved by Dunwwodie. Seconded by Davis Jr. Yays – 7, Nays – 0, motion carries

Amber Fellows, Ypsilanti Ward 3 Councilmember - Thanked the Planning Commission for its work and welcomed the new Planning Commissioner. Fellows then commented on the proposed data center zoning text amendment, noting that she had only recently learned of the proposal and encouraging additional public notice and further discussion before the amendment advances.

Fellows urged the Commission to consider regulatory approaches beyond establishing where and under what conditions data centers may be permitted, including whether certain large or hyperscale data centers should be prohibited. She also expressed concern that defining data center size primarily by building square footage could become outdated as technology changes and recommended considering additional measures such as electrical demand and water consumption.

Fellows further encouraged coordination with Ypsilanti Township, YCUA, and other partners already examining data center impacts and suggested that outside legal and technical experts review the proposed regulations. She requested that the amendment be returned to the Planning Commission for additional consideration before advancing, emphasizing the importance of developing a comprehensive regulatory approach rather than moving forward primarily because of perceived urgency.

Steve Wilcoxon, Ypsilanti Ward 2 Councilmember – Welcomed the new Planning Commissioner and mentioned that he will speak later on other agenda items.

Motion to close public comments to the Planning Commission.

--Moved by Smith. Seconded by Dunwoodie. Yays – 7, Nays – 0, motion carries

VI. Committee Reports

A. Non-Motorized Advisory Committee (NMAC) – Commissioner Davis Jr. -

The Commission received an update on the Non-Motorized Advisory Committee; discussion noted the Committee's ongoing difficulty recruiting and retaining members and raised the possibility of reevaluating the necessity and function of the Committee, including whether its activities should potentially be placed on hold if membership challenges continue.

The Committee is also seeking volunteers to attend Fall River Days to share information about its work and distribute bicycle and pedestrian safety materials provided by

SEMCOG. Staff also noted that the proposed Non-Motorized Transportation Plan amendment would be discussed later in the meeting.

VII. Presentations - None

VIII. Public Hearing Items

A. 413 S. Huron Street | Multi-Family Renovation: Duplex to Triplex Conversion | SP SLU

Staff presented a request for Special Land Use and Site Plan approval to formally convert the existing two-unit residential building at 413 S. Huron Street into a three-unit dwelling. Staff explained that the property had previously operated with an unpermitted third dwelling unit and that the applicant was seeking the necessary approvals to legalize the use. The proposed site improvements included an expansion of the existing parking area and installation of covered bicycle parking.

Discussion focused primarily on the site's existing and proposed parking conditions. Commissioners discussed the steep topography of the rear yard, existing nonconformities, required parking setbacks, maneuvering requirements, and the practical difficulty of constructing a fully compliant parking area without substantial grading and removal of existing vegetation. The Commission also discussed the broader appropriateness of the three-unit use given the property's location, surrounding residential density, proximity to downtown, transit and bicycle infrastructure, and the prevalence of similar multifamily conversions along Huron Street.

The Commission approved the Special Land Use application and also approved the Site Plan with conditions, including an amendment requiring the applicant to maintain the existing vehicular parking conditions rather than expand the nonconforming parking area as originally proposed.

Public Hearing

Motion to open public comments to the Planning Commission.

--Moved by Marin. Seconded by Smith. Yays – 7, Nays – 0, motion carries

Ray Champoux, Applicant and Owner of 413 S. Huron – Shared why he purchased the property, his proposed intentions, and his agreeance with staff 's report and recommendation.

Motion to close public comments to the Planning Commission.

--Moved by Marin. Seconded by Woodring. Yays – 7, Nays – 0, motion carries

Special Use Application Motion

Motion to approve the special land use application for 413 S. Huron St. with the following findings and conditions:

Findings:

1. The application meets all the standards established in Section 122-324.

Conditions:

1. Special use approval is conditioned upon site plan approval.

--Moved by Marin. Seconded by Davis Jr. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve

Matt Dunwoodie, Vice-Chair – Approve

Mike Davis Jr. – Approve

Amanda Smith – Approve

Michelle Marin – Approve

Greg Woodring – Approve

Kidus Hiwot - Approve

Site Plan Application Motion

Motion to approve with conditions the site plan for the multi-family renovation, increasing the number of dwelling units from 2 to 3, at 413 S. Huron Street, with the following findings and conditions:

Findings:

1. The application complies substantially with Sections 122-309 and 122-311.

Conditions:

1. The applicant shall ~~*(1)*install a compliant~~ maintain existing conditions for the vehicular parking area. ~~or maintain existing conditions.~~
2. The applicant shall either propose a compliant dumpster enclosure or confirm with DPW that 3 residential trash bins are sufficient.
3. The development is subject to the approval of the Building Department, and any work done within the right-of-way shall receive approval from the Department of Public Works.

--Moved by Marin. Seconded by Woodring. Yays – 5, Nays – 2, motion carries

****(1)*Proposed Friendly Amendment: Remove the requirement for the applicant to install a compliant parking area to instead require that they maintain existing conditions of the parking area.***

--Amendment proposed by Dunwoodie. Accepted by Marin. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve
Matt Dunwoodie, Vice-Chair – Approve
Mike Davis Jr. – Disapprove
Amanda Smith – Disapprove
Michelle Marin – Approve
Greg Woodring – Approve
Kidus Hiwot – Approve

B. 317 N. Washington Street | Mixed-Use Redevelopment: Gas Station, Convenience Store, & Multi-Family Residential | PUD

Staff presented the proposed redevelopment of 317 N. Washington Street and recommended postponing action to allow the applicant to further revise the proposal and obtain necessary Historic District Commission approval. Staff explained that the Historic District Commission's review of building materials, fenestration, massing, site layout, and other architectural elements could result in changes affecting compliance with the City's form-based zoning standards.

Discussion focused on outstanding information and inconsistencies within the submitted plans, including landscaping and photometric information, discrepancies between floor plans and elevations, potential changes to the building height and configuration, and the relationship between the proposed mixed-use development and applicable building code requirements. Commissioners also discussed the property's previous petroleum contamination, the respective roles of the City and EGLE, the proposed continuation of the automobile filling station use, and the relationship between the proposed development and the City's PUD standards.

Additional discussion focused on the property's approximately 0.22-acre lot size compared with the 0.5-acre minimum required for a PUD in the Walkable Urban zoning district. Commissioners questioned whether the minimum PUD lot area could appropriately be addressed through a departure or whether a variance or other zoning mechanism would be necessary.

Public Hearing

Motion to open public comments to the Planning Commission.

--Moved by Marin. Seconded by Smith. Yays – 7, Nays – 0, motion carries

No public comments occurred.

Motion to close public comments to the Planning Commission.

--Moved by Marin. Seconded by Woodring. Yays – 7, Nays – 0, motion carries

Planned Unit Development Motion

Motion to postpone action [on the Planned Unit Development for the mixed-use gas station at 317 N. Washington] and direct staff to return this item to the agenda when all outstanding zoning ordinance requirements have been addressed, with exception of items for which the Planning Commission has discretion.

--Moved by Marin. Seconded by Davis Jr. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve

Matt Dunwoodie, Vice-Chair – Approve

Mike Davis Jr. – Approve

Amanda Smith – Approve

Michelle Marin – Approve

Greg Woodring – Approve

Kidus Hiwot - Approve

C. Non-Motorized Plan Update – Resolution No. 2026-02

Staff presented a proposed amendment to the City's Non-Motorized Plan intended to improve the City's eligibility for future grant funding associated with bridge reconstruction and non-motorized improvements. The amendment establishes a policy preference for incorporating shared-use paths, generally targeting a ten-foot width to the greatest extent practical, and appropriate exterior lighting when certain bridges and transportation facilities are reconstructed.

Discussion focused primarily on language directing the City to "make every effort" to provide the improvements. Commissioners discussed the need to establish a sufficiently strong policy commitment for grant purposes while recognizing that funding, physical feasibility, railroad requirements, and other circumstances may prevent implementation in every instance.

Public Hearing

Motion to open public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Woodring. Yays – 7, Nays – 0, motion carries

No public comments occurred.

Motion to close public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Davis Jr. Yays – 7, Nays – 0, motion carries

Recommendation Resolution

RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti adopted the Non-Motorized Transportation Plan to guide the development of a safe, accessible, and connected non-motorized transportation network; and

WHEREAS, the City recognizes that bridges are critical connections within the non motorized network, and desires to “bridge” the gap between neighborhoods, destinations, and neighboring communities; and

WHEREAS, the City seeks to ensure that future bridge reconstruction and replacement projects consider opportunities to improve pedestrian and bicycle connectivity; and

WHEREAS, the Ypsilanti Planning Commission hereby approves an amendment to Chapter 4: Vision & Goals, Shift to Non-Motorized Modes (Goal 3), Objectives, of the Non-Motorized Transportation Plan to add the following:

“Objective 5: All future reconstruction or replacement bridge work should make every effort to include lighted sidewalks or shared-use paths of 10 feet to the greatest extent practicable, to enable greater non-motorized connectivity throughout the City and between the City and its neighbors. Strategy: Potential reconstruction work on Prospect, Leforge, Cross, Factory, Forest, and Michigan Avenue bridges should explore all partnerships to ensure our bridges are a part of the complete accessible city non-motorized network.”

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommend that the City Council approve the amended language to be incorporated into the City of Ypsilanti Non-Motorized Transportation Plan.

--Moved by Dunwoodie. Seconded by Woodring. Yays – 7, Nays - 0, motion carries

Brian Jones-Chance, Chair – Approve
Matt Dunwoodie, Vice-Chair – Approve
Mike Davis Jr. – Approve
Amanda Smith – Approve
Michelle Marin – Approve
Greg Woodring – Approve
Kidus Hiwot – Approve

D. Zoning Text Amendment | Data Centers

Staff presented an updated version of the proposed data center zoning regulations and reviewed revisions made since the Commission's previous discussions.

Discussion focused on water consumption and water quality, wastewater discharge, energy use, renewable energy, noise and vibration, landscaping and screening, infrastructure capacity, operational reporting, and appropriate locations for data centers. Commissioners also discussed whether maximum size or electrical-demand limitations should be established for large data centers, whether prohibition could be legally defensible, and the relationship between the proposed regulations and the upcoming Master Plan update. Staff emphasized that establishing regulations would provide the City with greater control over future proposals than leaving data centers unaddressed by the Zoning Ordinance.

The Commission also discussed vibration standards and expressed interest in establishing a measurable vibration threshold rather than relying solely on general performance language.

****Due to the sensitive nature of the proposed ordinance, please note that the Data Center Zoning Text Amendment was first introduced to the Planning Commission during its February 18th, 2026, meeting. Since then, staff and the Planning Commission have reviewed numerous informational resources and ordinances and have discussed successive drafts of the proposed zoning text at each Planning Commission meeting; with the only exception of the July 15th, 2026, meeting, which could not be held due to a lack of quorum. Additional reviewers of the proposed language include the City's legal team, Washtenaw County's Resiliency Office, and Michigan State University's Extension Planning Program. The City is awaiting further evaluation and comments from the City's engineering team (OHM), who will also be coordinating with OHM's planning team.****

Public Hearing

****This additional information is provided due to the sensitive nature of the proposed ordinance and to clarify the public notice provided for the amendment. Please note that the proposed ordinance was publicly noticed in accordance with the Michigan Zoning Enabling Act, in addition to other public notification measures undertaken by the City.**

The official notice of the Planning Commission public hearing was published in the July 30th, 2026, edition of the *Washtenaw Legal News*. The notice was also physically posted in the vestibule of City Hall and published as a News Flash on the City's website on July 27th, 2026, where it remained posted through August 21st, 2026.

Those interested in receiving future public notices and other City updates directly by email are encouraged to sign up for the City's News Flash notifications at: [News Flash • Ypsilanti, MI](#) **

Motion to open public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Marin. Yays – 7, Nays – 0, motion carries

Steve Wilcoxon, Ypsilanti Ward 2 Councilmember – Expressed concerns regarding several aspects of the proposed data center zoning text amendment. Wilcoxon referenced previous discussions regarding potentially prohibiting data centers and expressed concern that the proposed ordinance did not include an additional size classification that he had previously discussed with Beth Gibbons. He also questioned including a vibration provision without establishing a measurable standard and suggested that staff develop a recommended vibration threshold before the amendment is considered by City Council.

Wilcoxon acknowledged the need to advance the ordinance given the limitations associated with repeatedly extending a temporary moratorium but stated that several issues remained worthy of consideration. He also discussed potential community benefit requirements, noting that such requirements may fall outside the Planning Commission's role under the current proposal and could require separate amendments to existing City regulations. Wilcoxon concluded that additional research and revisions could occur before or during City Council's consideration of the amendment.

Motion to close public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Marin. Yays – 7, Nays – 0, motion carries

Planning Commission Recommended Motion

Motion to recommend City Council approve the proposed text amendment to Sections 122-203(A, C, D, L, & P), 122-416, 122-421, 122-426, 122-431, 122-441, 122-446, 122-451, 122-461, the addition of Article V, Division 4, which includes Sections 122-580, 122-581, and 122-582, and 122-691 with the following findings

***(1)* and condition:**

Findings:

1. The proposed amendment is consistent with the guiding values of the Master Plan; and
2. The proposed amendment is consistent with the intent of this Zoning Ordinance; and
3. The proposed amendment will enhance the functionality, transportation network or character of the future development in the City; and
4. The proposed amendment will enhance the natural features and environmental sustainability of the City; and
5. The proposed amendment will protect the health, safety, and general welfare of the public; and
6. The proposed amendment will not result in the creation of significant nonconformities in the City.

***(1)*Condition:**

1. Add measurable standards and limits for vibrations from data centers prior to the proposed amendment being brought forth to the City Council.

--Moved by Dunwoodie. Seconded by Marin. Yays – 5, Nays – 2, motion carries

****(1)*Proposed Friendly Amendment:*** Addition of a condition that would add measurable standards and limits to vibration under the operational performance standards for data centers.

--Amendment proposed by Woodring. Accepted by Dunwoodie. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve

Matt Dunwoodie, Vice-Chair – Approve

Mike Davis Jr. – Approve

Amanda Smith – Disapprove

Michelle Marin – Approve

Greg Woodring – Approve

Kidus Hiwot – Disapprove

E. Zoning Text Amendment | Planned Unit Developments

Staff presented the proposed zoning text amendment revising the City's Planned Unit Development regulations. Staff indicated that no substantive changes had been made since the Commission's previous review but raised an additional consideration regarding the availability of PUDs within the R-1 zoning district.

Discussion focused on a recently explored affordable housing proposal involving vacant church-owned property in the R-1 district. Staff explained that the proposal was no longer moving forward due to financing, but highlighted that the existing Zoning Ordinance provides no practical pathway for a similar multifamily affordable housing development on such a site. Commissioners discussed whether PUDs or another mechanism should eventually be made available in R-1 to accommodate appropriate affordable and multifamily housing proposals.

The Commission agreed that the R-1 issue warranted additional consideration at a future meeting rather than incorporating the change into the amendment currently before it.

Public Hearing

Motion to open public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Marin. Yays – 7, Nays – 0, motion carries

No public comments occurred.

Motion to close public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Woodring. Yays – 7, Nays – 0, motion carries

Planning Commission Recommended Motion

Motion to recommend City Council approve the proposed text amendment to Article VII, Division 1, covering Sections 122-700 to 122-712, with the following findings:

Findings:

1. The proposed amendment is consistent with the guiding values of the Master Plan; and
2. The proposed amendment is consistent with the intent of this Zoning Ordinance; and
3. The proposed amendment will enhance the functionality, transportation network or character of the future development in the City; and
4. The proposed amendment will preserve the historic nature of the surrounding area and of the City; and
5. The proposed amendment will enhance the natural features and environmental sustainability of the City; and
6. The proposed amendment will protect the health, safety, and general welfare of the public; or
7. The proposed amendment will not result in the creation of significant nonconformities in the City.

--Moved by Davis Jr. Seconded by Hiwot. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve

Matt Dunwoodie, Vice-Chair – Approve

Mike Davis Jr. – Approve

Amanda Smith – Approve

Michelle Marin – Approve

Greg Woodring – Approve

Kidus Hiwot – Approve

F. Zoning Text Amendment | Cottages & Townhomes in the Historic Corridor

Staff presented a proposed amendment to permit the Cottage and Townhouse building types within the Historic Corridor zoning district. Staff explained that existing lot dimensions within the district can prevent otherwise permitted residential development without a variance and identified recent infill proposals illustrating the issue. Staff also noted that several existing properties within the Historic Corridor are already nonconforming under the current building-type standards.

Discussion focused on how allowing Cottage and Townhouse building types could accommodate development on smaller lots, reduce existing nonconformities, increase

opportunities for context-sensitive infill housing, and reinforce the established street pattern of the Historic Corridor. Staff and the Planning Commission specifically discussed the rationale for allowing Townhouses, in addition to Cottages, and noted that all proposed development within this district would remain subject to Historic District Commission review, as all properties zoned as Historic Corridor are located within the City's Local Historic District. The Commission also briefly discussed building and fire-code requirements applicable to attached Townhouse construction.

Public Hearing

Motion to open public comments to the Planning Commission.

--Moved by Marin. Seconded by Davis Jr. Yays – 7, Nays – 0, motion carries

No public comments occurred.

Motion to close public comments to the Planning Commission.

--Moved by Davis Jr. Seconded by Marin. Yays – 7, Nays – 0, motion carries

Planning Commission Recommended Motion

Motion to recommend City Council approve the proposed text amendment to Section 122-465(a), with the following findings:

1. The proposed amendment is consistent with the guiding values of the Master Plan; and
2. The proposed amendment is consistent with the intent of this Zoning Ordinance; and
3. The proposed amendment will enhance the functionality, transportation network or character of the future development in the City; and
4. The proposed amendment will preserve the historic nature of the surrounding area and of the City; and
5. The proposed amendment will enhance the natural features and environmental sustainability of the City; and
6. The proposed amendment will address a community need in physical or economic conditions or development practices; and
7. The proposed amendment will not result in the creation of significant nonconformities in the City.

--Moved by Woodring. Seconded by Marin. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve

Matt Dunwoodie, Vice-Chair – Approve

Mike Davis Jr. – Approve

Amanda Smith – Approve

Michelle Marin – Approve
Greg Woodring – Approve
Kidus Hiwot – Approve

IX. Old Business - *None*

X. New Business - *None*

XI. Public Comments

Motion to open public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Marin. Yays – 7, Nays – 0, motion carries

No public comments occurred.

Motion to close public comments to the Planning Commission.

--Moved by Smith. Seconded by Marin. Yays – 6, Nays – 0, motion carries

XII. Adjournment | 9:22 PM

Motion to adjourn.

--Moved by Hiwot. Seconded by Smith. Yays – 7, Nays - 0, motion carries



To: Mayor and City Council

From: Joshua Burns, City Planner

Date: September 15th, 2026

Subject: Non-Motorized Transportation Plan – Minor Update

GENERAL INFORMATION & BACKGROUND

Earlier this year, the Department of Public Works Director, Bonnie Wessler; and Mike Davis Jr, Ypsilanti Planning Commissioner, PC Liaison to the Non-Motorized Advisory Committee (NMAC), and a planner for MDOT; approached the Non-Motorized Advisory Committee about tweaking the Non-Motorized Transportation Plan.

This amendment would establish a new objective encouraging future bridge reconstruction and replacement projects to incorporate illuminated sidewalks and/or shared-use paths at least 10 feet in width, to the greatest extent practicable. It specifically identifies the Prospect, Leforge, Cross, Factory, Forest, and Michigan Avenue bridges as opportunities to explore partnerships and improve connections within the City's accessible non-motorized network and to neighboring communities.

The intention of adding this objective to the adopted plan is to strengthen the City's ability to pursue outside funding for these improvements by formally identifying shared-use paths and illumination as priorities when bridge replacement or reconstruction projects arise. Furthermore, the amendment supports the plan's broader goals of closing infrastructure gaps, strengthening critical non-motorized connections, and creating a complete transportation network.

RECOMMENDATION

Recommended Action: Adopt

Planning Commission's Action Notification – Resolution No. 2026-02:

RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti adopted the Non-Motorized Transportation Plan to guide the development of a safe, accessible, and connected non-motorized transportation network; and

WHEREAS, the City recognizes that bridges are critical connections within the non

motorized network, and desires to “bridge” the gap between neighborhoods, destinations, and neighboring communities; and

WHEREAS, the City seeks to ensure that future bridge reconstruction and replacement projects consider opportunities to improve pedestrian and bicycle connectivity; and

WHEREAS, the Ypsilanti Planning Commission hereby approves an amendment to Chapter 4: Vision & Goals, Shift to Non-Motorized Modes (Goal 3), Objectives, of the Non-Motorized Transportation Plan to add the following:

“Objective 5: All future reconstruction or replacement bridge work should make every effort to include lighted sidewalks or shared-use paths of 10 feet to the greatest extent practicable, to enable greater non-motorized connectivity throughout the City and between the City and its neighbors. Strategy: Potential reconstruction work on Prospect, Leforge, Cross, Factory, Forest, and Michigan Avenue bridges should explore all partnerships to ensure our bridges are a part of the complete accessible city non-motorized network.”

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommend that the City Council approve the amended language to be incorporated into the City of Ypsilanti Non-Motorized Transportation Plan.

--Moved by Dunwoodie. Seconded by Woodring. Yays – 7, Nays - 0, motion carries

Brian Jones-Chance, Chair – Approve
Matt Dunwoodie, Vice-Chair – Approve
Mike Davis Jr. – Approve
Amanda Smith – Approve
Michelle Marin – Approve
Greg Woodring – Approve
Kidus Hiwot – Approve

ATTACHMENTS

- Resolution
- **Non-Motorized Transportation Plan
- Planning Commission Minutes

**Please note that the attached revisions to the Non-Motorized Transportation Plan only include pages 46 and 47. The full plan is available at [Adopted-Non-Motorized-Plan-Update-2021-07-13 Website](#).

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE:

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti adopted the Non-Motorized Transportation Plan to guide the development of a safe, accessible, and connected non-motorized transportation network; and

WHEREAS, bridges are critical connections within the City's non-motorized network, providing connections between neighborhoods, destinations, and neighboring communities; and

WHEREAS, incorporating pedestrian and bicycle infrastructure into future bridge reconstruction and replacement projects will further the goals of the Non-Motorized Transportation Plan and may improve the City's eligibility for future transportation funding; and

WHEREAS, on August 19, 2026, the Ypsilanti Planning Commission unanimously recommended that City Council approve an amendment to Chapter 4, Goal 3, of the Non-Motorized Transportation Plan; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby approves the amendment to Chapter 4, Goal 3, of the City of Ypsilanti Non-Motorized Transportation Plan.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

RESOLUTION No. 2026 – 227 DECLARED ADOPTED ON SEPTEMBER 15th, 2026

Nicole Brown, Mayor

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Ypsilanti, County of Washtenaw, State of Michigan at a regular meeting held on September 15th, 2026, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be of have been made available as required by said Act.

Tracey Boudreau, City Clerk



Resolution No. 2026 - 228
September 15th, 2026

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for the amendment to the City of Ypsilanti Non-Motorized Transportation Plan be officially closed.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

SHIFT TO NON-MOTORIZED MODES (Goal 3)

Shifting transportation users towards non-motorized modes (walking and bicycling) and away from single-occupant vehicles (automobiles) is commonly referred to as mode-shift.

Mode-shift is a change between one mode (type) of transportation to another. In the context of this plan, mode-shift is a change from a motor vehicle mode to transit, walking, or bicycling mode. This plan asserts that the City of Ypsilanti will pursue and align transportation investments that provide complete networks for each mode based upon a complete streets framework. Furthermore, these networks will provide safe and convenient connections between modes and provide connections between the city, county, and state systems (City of Boulder, n.d.).

Why?

Creating a transportation network that allows people to shift between modes will benefit all Ypsilanti residents in a multitude of ways. Some examples include reductions in air pollution and carbon emissions, reduced traffic congestion, increased foot-traffic for local businesses, and increased positive health outcomes for local residents (C40 Knowledge Hub, n.d.).

Objectives:

1. Increase the proportion of residents who take public transit to work to 20% by 2025.
 - Benchmark: 8.6% public transportation in 2012-2016.²³

Strategies:

- Monitor the transportation system using partner transit ridership and mode-split data to assist in new capital project identification within the City or AAATA jurisdictions.
- Coordinate site plan review with the AAATA on sites that are adjacent to a major bus route.
- Engage with AAATA, local community organizations, and local businesses to improve the accessibility, usability, and attractiveness of bus stops.

- Work with current property owners and businesses, and prospective property owners and businesses to bridge gaps and complete the “last mile” of non-motorized network-building.
 - Support increased capacity for the Ypsilanti Transit Center.
2. Increase the proportion of residents who walk or bike to work to 20% and/or increase the proportion of residents who walk or bike for transportation to 40% by 2025.
- Benchmark: 11.9% walk and 1.2% bike in 2012-2016.²⁴
 - Benchmark: 27.2% reported walking or biking for transportation in the past week in 2015.²⁵

Strategies:

- Create a Neighborhood Connector system composed of low-stress streets and pathways that connect residents to jobs, entertainment opportunities, and our park system.
 - Work with Planning Commission to plan for land uses that support grocery stores and similar necessities along the Neighborhood Connector System, or at important nodes of said system.
 - Install additional permanent and seasonal bicycle parking in W Cross, Downtown and Depot Town.
 - Partner with Eastern Michigan University, Bike Ypsi, the Ypsi Bike Co-Op, Program to Educate All Cyclists (PEAC), and the Ypsilanti District Library to provide periodic non-motorized education sessions and public service bulletins.
 - Pursue, and maintain, national/regional/state certification such as the League of American Bicyclists’ “Bike Friendly
 - Community/Business/University” awards, America Walks “Walk Friendly Community” award, and the Road Runners Club of America “Runner Friendly Community” award.
 - Support signage and connection improvements along B2B Trail.
3. Prioritize maintenance projects that improve and maintain critical links between the non-motorized network in order to further mode-shift.

- Benchmark: Coordinate future micro-mobility infrastructure with the transit network/infrastructure.

4. Prioritize maintenance projects that bridge service or infrastructure gaps.

Strategies:

- Continue strong connection of Non-Motorized Advisory Committee (NMAC) and the Department of Public Services to ensure goals and objectives of this plan are implemented in consultation with community members.

5. All future reconstruction or replacement bridge work should make every effort to include lighted sidewalks or shared-use paths of 10' to the greatest extent practicable, to enable greater non-motorized connectivity throughout the City and between the City and its neighbors.

Strategies:

- Potential reconstruction work on Prospect, Leforge, Cross, Factory, Forest, and Michigan Avenue bridges should explore all partnerships to ensure our bridges are a part of the complete accessible city non-motorized network.



**CITY OF YPSILANTI
PLANNING COMMISSION MEETING
DRAFT MINUTES
Wednesday, August 19th, 2026 @ 7:00 PM
Council Chambers
One South Huron, Ypsilanti, MI 48197**

I. Call to Order | 7:04 PM

II. Roll Call

Brian Jones-Chance, Chair – Present
Matt Dunwoodie, Vice-Chair – Present
Mike Davis Jr. – Present
Amanda Smith – Present
Carl Schier – Absent
Michelle Marin – Present
Greg Woodring – Present
Kidus Hiwot - Present
Vacant

Motion to excuse the absence of Commissioner Schier.

--Moved by Dunwoodie. Seconded by Marin. Yays – 7, Nays – 0, motion carries

III. Agenda Approval

August 19th, 2026, Agenda | **Amended to add recently appointed Commissioner Hiwot under Roll Call.

Motion to approve, and amend, the agenda to add recently appointed Commissioner Hiwot under Roll Call.

--Moved by Woodring. Seconded by Davis Jr. Yays – 7, Nays - 0, motion carries

IV. Approval of Minutes

June 17th, 2026, Planning Commission Draft Minutes.

Motion to approve the June 17th, 2026, draft minutes as presented.

--Moved & Approved by Commissioner Jones-Chance; no objections, motion carries.

V. Public Comments

Motion to open public comments to the Planning Commission.

--Moved by Dunwwodie. Seconded by Davis Jr. Yays – 7, Nays – 0, motion carries

Amber Fellows, Ypsilanti Ward 3 Councilmember - Thanked the Planning Commission for its work and welcomed the new Planning Commissioner. Fellows then commented on the proposed data center zoning text amendment, noting that she had only recently learned of the proposal and encouraging additional public notice and further discussion before the amendment advances.

Fellows urged the Commission to consider regulatory approaches beyond establishing where and under what conditions data centers may be permitted, including whether certain large or hyperscale data centers should be prohibited. She also expressed concern that defining data center size primarily by building square footage could become outdated as technology changes and recommended considering additional measures such as electrical demand and water consumption.

Fellows further encouraged coordination with Ypsilanti Township, YCUA, and other partners already examining data center impacts and suggested that outside legal and technical experts review the proposed regulations. She requested that the amendment be returned to the Planning Commission for additional consideration before advancing, emphasizing the importance of developing a comprehensive regulatory approach rather than moving forward primarily because of perceived urgency.

Steve Wilcoxon, Ypsilanti Ward 2 Councilmember – Welcomed the new Planning Commissioner and mentioned that he will speak later on other agenda items.

Motion to close public comments to the Planning Commission.

--Moved by Smith. Seconded by Dunwoodie. Yays – 7, Nays – 0, motion carries

VI. Committee Reports

A. Non-Motorized Advisory Committee (NMAC) – Commissioner Davis Jr. -

The Commission received an update on the Non-Motorized Advisory Committee; discussion noted the Committee's ongoing difficulty recruiting and retaining members and raised the possibility of reevaluating the necessity and function of the Committee, including whether its activities should potentially be placed on hold if membership challenges continue.

The Committee is also seeking volunteers to attend Fall River Days to share information about its work and distribute bicycle and pedestrian safety materials provided by

SEMCOG. Staff also noted that the proposed Non-Motorized Transportation Plan amendment would be discussed later in the meeting.

VII. Presentations - None

VIII. Public Hearing Items

A. 413 S. Huron Street | Multi-Family Renovation: Duplex to Triplex Conversion | SP SLU

Staff presented a request for Special Land Use and Site Plan approval to formally convert the existing two-unit residential building at 413 S. Huron Street into a three-unit dwelling. Staff explained that the property had previously operated with an unpermitted third dwelling unit and that the applicant was seeking the necessary approvals to legalize the use. The proposed site improvements included an expansion of the existing parking area and installation of covered bicycle parking.

Discussion focused primarily on the site's existing and proposed parking conditions. Commissioners discussed the steep topography of the rear yard, existing nonconformities, required parking setbacks, maneuvering requirements, and the practical difficulty of constructing a fully compliant parking area without substantial grading and removal of existing vegetation. The Commission also discussed the broader appropriateness of the three-unit use given the property's location, surrounding residential density, proximity to downtown, transit and bicycle infrastructure, and the prevalence of similar multifamily conversions along Huron Street.

The Commission approved the Special Land Use application and also approved the Site Plan with conditions, including an amendment requiring the applicant to maintain the existing vehicular parking conditions rather than expand the nonconforming parking area as originally proposed.

Public Hearing

Motion to open public comments to the Planning Commission.

--Moved by Marin. Seconded by Smith. Yays – 7, Nays – 0, motion carries

Ray Champoux, Applicant and Owner of 413 S. Huron – Shared why he purchased the property, his proposed intentions, and his agreeance with staff 's report and recommendation.

Motion to close public comments to the Planning Commission.

--Moved by Marin. Seconded by Woodring. Yays – 7, Nays – 0, motion carries

Special Use Application Motion

Motion to approve the special land use application for 413 S. Huron St. with the following findings and conditions:

Findings:

1. The application meets all the standards established in Section 122-324.

Conditions:

1. Special use approval is conditioned upon site plan approval.

--Moved by Marin. Seconded by Davis Jr. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve

Matt Dunwoodie, Vice-Chair – Approve

Mike Davis Jr. – Approve

Amanda Smith – Approve

Michelle Marin – Approve

Greg Woodring – Approve

Kidus Hiwot - Approve

Site Plan Application Motion

Motion to approve with conditions the site plan for the multi-family renovation, increasing the number of dwelling units from 2 to 3, at 413 S. Huron Street, with the following findings and conditions:

Findings:

1. The application complies substantially with Sections 122-309 and 122-311.

Conditions:

1. The applicant shall ~~*(1)*install a compliant~~ maintain existing conditions for the vehicular parking area. ~~or maintain existing conditions.~~
2. The applicant shall either propose a compliant dumpster enclosure or confirm with DPW that 3 residential trash bins are sufficient.
3. The development is subject to the approval of the Building Department, and any work done within the right-of-way shall receive approval from the Department of Public Works.

--Moved by Marin. Seconded by Woodring. Yays – 5, Nays – 2, motion carries

****(1)*Proposed Friendly Amendment: Remove the requirement for the applicant to install a compliant parking area to instead require that they maintain existing conditions of the parking area.***

--Amendment proposed by Dunwoodie. Accepted by Marin. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve
Matt Dunwoodie, Vice-Chair – Approve
Mike Davis Jr. – Disapprove
Amanda Smith – Disapprove
Michelle Marin – Approve
Greg Woodring – Approve
Kidus Hiwot – Approve

B. 317 N. Washington Street | Mixed-Use Redevelopment: Gas Station, Convenience Store, & Multi-Family Residential | PUD

Staff presented the proposed redevelopment of 317 N. Washington Street and recommended postponing action to allow the applicant to further revise the proposal and obtain necessary Historic District Commission approval. Staff explained that the Historic District Commission's review of building materials, fenestration, massing, site layout, and other architectural elements could result in changes affecting compliance with the City's form-based zoning standards.

Discussion focused on outstanding information and inconsistencies within the submitted plans, including landscaping and photometric information, discrepancies between floor plans and elevations, potential changes to the building height and configuration, and the relationship between the proposed mixed-use development and applicable building code requirements. Commissioners also discussed the property's previous petroleum contamination, the respective roles of the City and EGLE, the proposed continuation of the automobile filling station use, and the relationship between the proposed development and the City's PUD standards.

Additional discussion focused on the property's approximately 0.22-acre lot size compared with the 0.5-acre minimum required for a PUD in the Walkable Urban zoning district. Commissioners questioned whether the minimum PUD lot area could appropriately be addressed through a departure or whether a variance or other zoning mechanism would be necessary.

Public Hearing

Motion to open public comments to the Planning Commission.

--Moved by Marin. Seconded by Smith. Yays – 7, Nays – 0, motion carries

No public comments occurred.

Motion to close public comments to the Planning Commission.

--Moved by Marin. Seconded by Woodring. Yays – 7, Nays – 0, motion carries

Planned Unit Development Motion

Motion to postpone action [on the Planned Unit Development for the mixed-use gas station at 317 N. Washington] and direct staff to return this item to the agenda when all outstanding zoning ordinance requirements have been addressed, with exception of items for which the Planning Commission has discretion.

--Moved by Marin. Seconded by Davis Jr. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve

Matt Dunwoodie, Vice-Chair – Approve

Mike Davis Jr. – Approve

Amanda Smith – Approve

Michelle Marin – Approve

Greg Woodring – Approve

Kidus Hiwot - Approve

C. Non-Motorized Plan Update – Resolution No. 2026-02

Staff presented a proposed amendment to the City's Non-Motorized Plan intended to improve the City's eligibility for future grant funding associated with bridge reconstruction and non-motorized improvements. The amendment establishes a policy preference for incorporating shared-use paths, generally targeting a ten-foot width to the greatest extent practical, and appropriate exterior lighting when certain bridges and transportation facilities are reconstructed.

Discussion focused primarily on language directing the City to "make every effort" to provide the improvements. Commissioners discussed the need to establish a sufficiently strong policy commitment for grant purposes while recognizing that funding, physical feasibility, railroad requirements, and other circumstances may prevent implementation in every instance.

Public Hearing

Motion to open public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Woodring. Yays – 7, Nays – 0, motion carries

No public comments occurred.

Motion to close public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Davis Jr. Yays – 7, Nays – 0, motion carries

Recommendation Resolution

RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF
YPSILANTI:

WHEREAS, the City of Ypsilanti adopted the Non-Motorized Transportation Plan to guide the development of a safe, accessible, and connected non-motorized transportation network; and

WHEREAS, the City recognizes that bridges are critical connections within the non motorized network, and desires to “bridge” the gap between neighborhoods, destinations, and neighboring communities; and

WHEREAS, the City seeks to ensure that future bridge reconstruction and replacement projects consider opportunities to improve pedestrian and bicycle connectivity; and

WHEREAS, the Ypsilanti Planning Commission hereby approves an amendment to Chapter 4: Vision & Goals, Shift to Non-Motorized Modes (Goal 3), Objectives, of the Non-Motorized Transportation Plan to add the following:

“Objective 5: All future reconstruction or replacement bridge work should make every effort to include lighted sidewalks or shared-use paths of 10 feet to the greatest extent practicable, to enable greater non-motorized connectivity throughout the City and between the City and its neighbors. Strategy: Potential reconstruction work on Prospect, Leforge, Cross, Factory, Forest, and Michigan Avenue bridges should explore all partnerships to ensure our bridges are a part of the complete accessible city non-motorized network.”

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommend that the City Council approve the amended language to be incorporated into the City of Ypsilanti Non-Motorized Transportation Plan.

--Moved by Dunwoodie. Seconded by Woodring. Yays – 7, Nays - 0, motion carries

Brian Jones-Chance, Chair – Approve
Matt Dunwoodie, Vice-Chair – Approve
Mike Davis Jr. – Approve
Amanda Smith – Approve
Michelle Marin – Approve
Greg Woodring – Approve
Kidus Hiwot – Approve

D. Zoning Text Amendment | Data Centers

Staff presented an updated version of the proposed data center zoning regulations and reviewed revisions made since the Commission's previous discussions.

Discussion focused on water consumption and water quality, wastewater discharge, energy use, renewable energy, noise and vibration, landscaping and screening, infrastructure capacity, operational reporting, and appropriate locations for data centers. Commissioners also discussed whether maximum size or electrical-demand limitations should be established for large data centers, whether prohibition could be legally defensible, and the relationship between the proposed regulations and the upcoming Master Plan update. Staff emphasized that establishing regulations would provide the City with greater control over future proposals than leaving data centers unaddressed by the Zoning Ordinance.

The Commission also discussed vibration standards and expressed interest in establishing a measurable vibration threshold rather than relying solely on general performance language.

****Due to the sensitive nature of the proposed ordinance, please note that the Data Center Zoning Text Amendment was first introduced to the Planning Commission during its February 18th, 2026, meeting. Since then, staff and the Planning Commission have reviewed numerous informational resources and ordinances and have discussed successive drafts of the proposed zoning text at each Planning Commission meeting; with the only exception of the July 15th, 2026, meeting, which could not be held due to a lack of quorum. Additional reviewers of the proposed language include the City's legal team, Washtenaw County's Resiliency Office, and Michigan State University's Extension Planning Program. The City is awaiting further evaluation and comments from the City's engineering team (OHM), who will also be coordinating with OHM's planning team.****

Public Hearing

****This additional information is provided due to the sensitive nature of the proposed ordinance and to clarify the public notice provided for the amendment. Please note that the proposed ordinance was publicly noticed in accordance with the Michigan Zoning Enabling Act, in addition to other public notification measures undertaken by the City.**

The official notice of the Planning Commission public hearing was published in the July 30th, 2026, edition of the *Washtenaw Legal News*. The notice was also physically posted in the vestibule of City Hall and published as a News Flash on the City's website on July 27th, 2026, where it remained posted through August 21st, 2026.

Those interested in receiving future public notices and other City updates directly by email are encouraged to sign up for the City's News Flash notifications at: [News Flash • Ypsilanti, MI](#) **

Motion to open public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Marin. Yays – 7, Nays – 0, motion carries

Steve Wilcoxon, Ypsilanti Ward 2 Councilmember – Expressed concerns regarding several aspects of the proposed data center zoning text amendment. Wilcoxon referenced previous discussions regarding potentially prohibiting data centers and expressed concern that the proposed ordinance did not include an additional size classification that he had previously discussed with Beth Gibbons. He also questioned including a vibration provision without establishing a measurable standard and suggested that staff develop a recommended vibration threshold before the amendment is considered by City Council.

Wilcoxon acknowledged the need to advance the ordinance given the limitations associated with repeatedly extending a temporary moratorium but stated that several issues remained worthy of consideration. He also discussed potential community benefit requirements, noting that such requirements may fall outside the Planning Commission's role under the current proposal and could require separate amendments to existing City regulations. Wilcoxon concluded that additional research and revisions could occur before or during City Council's consideration of the amendment.

Motion to close public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Marin. Yays – 7, Nays – 0, motion carries

Planning Commission Recommended Motion

Motion to recommend City Council approve the proposed text amendment to Sections 122-203(A, C, D, L, & P), 122-416, 122-421, 122-426, 122-431, 122-441, 122-446, 122-451, 122-461, the addition of Article V, Division 4, which includes Sections 122-580, 122-581, and 122-582, and 122-691 with the following findings

****(1)* and condition:***

Findings:

1. The proposed amendment is consistent with the guiding values of the Master Plan; and
2. The proposed amendment is consistent with the intent of this Zoning Ordinance; and
3. The proposed amendment will enhance the functionality, transportation network or character of the future development in the City; and
4. The proposed amendment will enhance the natural features and environmental sustainability of the City; and
5. The proposed amendment will protect the health, safety, and general welfare of the public; and
6. The proposed amendment will not result in the creation of significant nonconformities in the City.

****(1)*Condition:***

1. Add measurable standards and limits for vibrations from data centers prior to the proposed amendment being brought forth to the City Council.

--Moved by Dunwoodie. Seconded by Marin. Yays – 5, Nays – 2, motion carries

****(1)*Proposed Friendly Amendment:*** Addition of a condition that would add measurable standards and limits to vibration under the operational performance standards for data centers.

--Amendment proposed by Woodring. Accepted by Dunwoodie. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve

Matt Dunwoodie, Vice-Chair – Approve

Mike Davis Jr. – Approve

Amanda Smith – Disapprove

Michelle Marin – Approve

Greg Woodring – Approve

Kidus Hiwot – Disapprove

E. Zoning Text Amendment | Planned Unit Developments

Staff presented the proposed zoning text amendment revising the City's Planned Unit Development regulations. Staff indicated that no substantive changes had been made since the Commission's previous review but raised an additional consideration regarding the availability of PUDs within the R-1 zoning district.

Discussion focused on a recently explored affordable housing proposal involving vacant church-owned property in the R-1 district. Staff explained that the proposal was no longer moving forward due to financing, but highlighted that the existing Zoning Ordinance provides no practical pathway for a similar multifamily affordable housing development on such a site. Commissioners discussed whether PUDs or another mechanism should eventually be made available in R-1 to accommodate appropriate affordable and multifamily housing proposals.

The Commission agreed that the R-1 issue warranted additional consideration at a future meeting rather than incorporating the change into the amendment currently before it.

Public Hearing

Motion to open public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Marin. Yays – 7, Nays – 0, motion carries

No public comments occurred.

Motion to close public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Woodring. Yays – 7, Nays – 0, motion carries

Planning Commission Recommended Motion

Motion to recommend City Council approve the proposed text amendment to Article VII, Division 1, covering Sections 122-700 to 122-712, with the following findings:

Findings:

1. The proposed amendment is consistent with the guiding values of the Master Plan; and
2. The proposed amendment is consistent with the intent of this Zoning Ordinance; and
3. The proposed amendment will enhance the functionality, transportation network or character of the future development in the City; and
4. The proposed amendment will preserve the historic nature of the surrounding area and of the City; and
5. The proposed amendment will enhance the natural features and environmental sustainability of the City; and
6. The proposed amendment will protect the health, safety, and general welfare of the public; or
7. The proposed amendment will not result in the creation of significant nonconformities in the City.

--Moved by Davis Jr. Seconded by Hiwot. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve

Matt Dunwoodie, Vice-Chair – Approve

Mike Davis Jr. – Approve

Amanda Smith – Approve

Michelle Marin – Approve

Greg Woodring – Approve

Kidus Hiwot – Approve

F. Zoning Text Amendment | Cottages & Townhomes in the Historic Corridor

Staff presented a proposed amendment to permit the Cottage and Townhouse building types within the Historic Corridor zoning district. Staff explained that existing lot dimensions within the district can prevent otherwise permitted residential development without a variance and identified recent infill proposals illustrating the issue. Staff also noted that several existing properties within the Historic Corridor are already nonconforming under the current building-type standards.

Discussion focused on how allowing Cottage and Townhouse building types could accommodate development on smaller lots, reduce existing nonconformities, increase

opportunities for context-sensitive infill housing, and reinforce the established street pattern of the Historic Corridor. Staff and the Planning Commission specifically discussed the rationale for allowing Townhouses, in addition to Cottages, and noted that all proposed development within this district would remain subject to Historic District Commission review, as all properties zoned as Historic Corridor are located within the City's Local Historic District. The Commission also briefly discussed building and fire-code requirements applicable to attached Townhouse construction.

Public Hearing

Motion to open public comments to the Planning Commission.

--Moved by Marin. Seconded by Davis Jr. Yays – 7, Nays – 0, motion carries

No public comments occurred.

Motion to close public comments to the Planning Commission.

--Moved by Davis Jr. Seconded by Marin. Yays – 7, Nays – 0, motion carries

Planning Commission Recommended Motion

Motion to recommend City Council approve the proposed text amendment to Section 122-465(a), with the following findings:

1. The proposed amendment is consistent with the guiding values of the Master Plan; and
2. The proposed amendment is consistent with the intent of this Zoning Ordinance; and
3. The proposed amendment will enhance the functionality, transportation network or character of the future development in the City; and
4. The proposed amendment will preserve the historic nature of the surrounding area and of the City; and
5. The proposed amendment will enhance the natural features and environmental sustainability of the City; and
6. The proposed amendment will address a community need in physical or economic conditions or development practices; and
7. The proposed amendment will not result in the creation of significant nonconformities in the City.

--Moved by Woodring. Seconded by Marin. Yays – 7, Nays – 0, motion carries

Brian Jones-Chance, Chair – Approve

Matt Dunwoodie, Vice-Chair – Approve

Mike Davis Jr. – Approve

Amanda Smith – Approve

Michelle Marin – Approve
Greg Woodring – Approve
Kidus Hiwot – Approve

IX. Old Business - *None*

X. New Business - *None*

XI. Public Comments

Motion to open public comments to the Planning Commission.

--Moved by Dunwoodie. Seconded by Marin. Yays – 7, Nays – 0, motion carries

No public comments occurred.

Motion to close public comments to the Planning Commission.

--Moved by Smith. Seconded by Marin. Yays – 6, Nays – 0, motion carries

XII. Adjournment | 9:22 PM

Motion to adjourn.

--Moved by Hiwot. Seconded by Smith. Yays – 7, Nays - 0, motion carries



REQUEST FOR LEGISLATION
September 15, 2026

For: Mayor and City Council

From: Tracey Boudreau, City Clerk

Subject: Resolution No. 2026-229 Approving all items on the Consent Agenda.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION: Approval

ATTACHMENTS:

1. Resolution No 2026-229 Consent

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: September 15, 2026

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



Resolution No. 2026-229
CONSENT
September 15, 2026

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. Resolution No. 2026-230 Approving the minutes of the regular meeting of September 1, 2026.
2. Resolution No. 2026-231 Approving the request of the SafeHouse Center to tie purple ribbons throughout the city during the month of October to promote and support Domestic Violence Awareness Month.
3. Resolution No. 2026-232 Appointing Max Rickard to the Human Relations Commission, with a term ending July 1, 2029.
4. Resolution No. 2026-233 Appointing Carl Augustine, Code Enforcement Officer as an employee delegate to the Municipal Employees' Retirement System annual meeting October 8-9, 2026, in Grand Rapids, MI.
5. Resolution No. 2026-234 Appointing Tracey Boudreau, City Clerk as an officer delegate to the Municipal Employees' Retirement System annual meeting October 8-9, 2026, in Grand Rapids, MI.
6. Resolution No. 2026-235 Postponing the second and final reading of Ordinance No. 1468 and Ordinance No. 1469 Amending Chapter 18 until October 20, 2026.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



REQUEST FOR LEGISLATION
September 15, 2026

For: Mayor and City Council

From: Tracey Boudreau, City Clerk

Subject: Resolution No. 2026-230 Approving the minutes of the regular meeting of September 1, 2026.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION: Approval

ATTACHMENTS:

1. Resolution No 2026-230 Minutes
2. City Council Meeting Minutes - September 1, 2026

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: September 15, 2026

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



Resolution No. 2026-230
September 15, 2026

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of the regular meeting of September 1, 2026 of the Ypsilanti City Council be approved.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



MINUTES
REGULAR CITY COUNCIL MEETING
7:00 PM - Tuesday, September 1, 2026
Council Chambers
One South Huron, Ypsilanti, MI 48197

I. CALL TO ORDER

Mayor Brown called the meeting to order at 7p.m.

II. ROLL CALL

PRESENT at roll call were Mayor Brown, Mayor Pro-Tem Wilcoxon, Council Member McLean, Council Member Fellows, Council Member Simmons, Council Member King and Council Member Tooson. ABSENT: None

III. A MOMENT TO CENTER AND FOCUS

IV. AGENDA APPROVAL

Council Member Tooson moved to Approve the AGENDA. Mayor Pro-Tem Wilcoxon seconded the motion. A Consent Agenda for Resolutions 212, 213, and 217 was offered by Council Member Fellows and Mayor Pro Tem Wilcoxon.

Council Member Tooson moved to Amend the AGENDA by adding a Discussion regarding the happenings on Washington Street and the Ypsi Police Department's role in the City. Council Member McLean seconded the motion.

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows

No: 0 None

Absent: (0)

Council Member Tooson moved to Approve the AGENDA as amended. Mayor Pro-Tem Wilcoxon seconded the motion.

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows

No: 0 None

Absent: (0)

V. PUBLIC COMMENT - 60 MINUTES TOTAL (3 MINUTES/EACH SPEAKER)

23 Members of the public spoke.

VI. ORDINANCES FIRST READING

A. Ordinance No. 1472 - Entitled "An ordinance to impose an emergency moratorium on issuance of new zoning permits for data centers in the City of Ypsilanti for 60 days."

Public Hearing Resolution No. 2026-210, close the public hearing.

Resolution No. 2026-209, determination

Mayor Pro Tem Wilcoxon left the Chambers at 8:10p.m. and returned at 8:11p.m.

Council Member Fellows moved to Approve Ordinance No. 1472 - Entitled "An ordinance to impose an emergency moratorium on issuance of new zoning permits for data centers in the City of Ypsilanti for 60 days."
Council Member Tooson seconded the motion.

Public Hearing Resolution No. 2026-210, close the public hearing.

Resolution No. 2026-209, determination.

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows

No: 0 None

Absent: (0)

Council Member Simmons moved to Postpone the upcoming Zoning text amendment ordinance regarding Data Centers, to include a wider community process, including 1 in person meeting and 1 Zoom meeting. Council Member Fellows seconded the motion. A friendly amendment was offered by Mayor Pro Tem Wilcoxon that this

be brought forward first as discussion with Staff included, then as an Ordinance. The friendly amendment was accepted. The amended motion passed upon a roll call vote as follows:

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows
No: 0 None
Absent: (0)

VII. CONSENT AGENDA

A. Resolution No. 2026-211a Approving all items on the consent agenda.

Council Member Tooson moved to Approve Resolution No. 2026-211a Approving all items on the consent agenda. Council Member King seconded the motion.

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows
No: 0 None
Absent: (0)

B. Resolution No. 2026-212 Approving an ordinance to amend Chapter 106, Article V, Section 106-454(b) of the Code of Ordinances to adjust water service rates within the City of Ypsilanti, Ordinance No. 1470, upon second and final reading.

Approved under the Consent Agenda, Resolution No. 2026-211a.

C. Resolution No. 2026-213 Approving "An ordinance to amend Chapter 106, Article V, Section 106-455(a) of the Code of Ordinances to adjust sewage disposal service rates within the City of Ypsilanti", Ordinance No. 1471, upon second and final Reading.

Approved under the Consent Agenda, Resolution No. 2026-211a.

D. Resolution No. 2026-217 Recognizing Care Seats of Michigan, 706 Davis St., as a nonprofit organization operating in the City of Ypsilanti for the purpose of obtaining a charitable gaming license.

Approved under the Consent Agenda, Resolution No. 2026-211a.

VIII. RESOLUTIONS/MOTIONS/DISCUSSIONS

A. Resolution No. 2026-211 Approving the minutes of the regular meeting of August 18, 2026.

Mayor Pro-Tem Wilcoxon moved to Approve Resolution No. 2026-211 Approving the minutes of the regular meeting of August 18, 2026. Council Member Tooson seconded the motion.

Yes: (5) Michelle King, Roland Tooson, Desirae Simmons, Nicole Brown, Amber Fellows
No: 2 Steve Wilcoxon, Patrick McLean
Absent: (0)

B. Resolution No. 2026-214 Authorizing the City Manager to sign Change Order 4 from 21st Century Salvage, pending review by the City Attorney, to continue the PCB cleanup in the Water Street Redevelopment Area.

Council Member McLean left the Chambers at 8:56p.m and returned at 8:57p.m.

Council Member McLean moved to Approve Resolution No. 2026-214 Authorizing the City Manager to sign Change Order 4 from 21st Century Salvage, pending review by the City Attorney, to continue the PCB cleanup in the Water Street Redevelopment Area. Mayor Pro-Tem Wilcoxon seconded the motion.

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows
No: 0 None
Absent: (0)

C. Resolution No. 2026-215 Authorizing the City Manager to sign the proposal with AKT Peerless to continue the PCB cleanup in the Water Street Redevelopment Area and continued assessment and planning activities.

Council Member Simmons moved to Approve Resolution No. 2026-215 Authorizing the City Manager to sign the proposal with AKT Peerless to continue the PCB cleanup in the Water Street Redevelopment Area and continued assessment and planning activities. Council Member King seconded the motion.

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows

No: 0 None

Absent: (0)

D. Resolution No. 2026-216 Authorizing the City Manager to sign and to approve the estimates and necessary changes to continue the PCB cleanup in the Water Street Redevelopment Area.

Council Member King moved to Approve Resolution No. 2026-216 Authorizing the City Manager to sign and to approve the estimates and necessary changes to continue the PCB cleanup in the Water Street Redevelopment Area. Mayor Pro-Tem Wilcoxon seconded the motion.

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows

No: 0 None

Absent: (0)

E. Resolution No. 2026-208 either approving or denying the FOIA appeal of Alexander Munro, regarding 24 N. Huron St permit records.

Council Member McLean moved to Approve Resolution No. 2026-208 either approving or denying the FOIA appeal of Alexander Munro, regarding 24 N. Huron St permit records. Council Member Tooson seconded the motion.

Council Member Simmons moved to Table Resolution No. 2026-208 to the next meeting. Council Member King seconded the motion.

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows

No: 0 None

Absent: (0)

F. Resolution No. 2026-218 either approving or denying the FOIA appeal of Alexander Munro, regarding Solid Waste.

Council Member Tooson moved to Approve Resolution No. 2026-218 denying the FOIA appeal of Alexander Munro, regarding Solid Waste. Council Member Simmons seconded the motion.

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows

No: 0 None

Absent: (0)

G. Resolution No. 2026-219 either approving or denying the FOIA appeal of Alexander Munro, regarding FOIA 26-172 fees.

Council Member Fellows moved to Approve Resolution No. 2026-219 denying the FOIA appeal of Alexander Munro, regarding FOIA 26-172 fees. Council Member Tooson seconded the motion.

Yes: (5) Michelle King, Roland Tooson, Desirae Simmons, Nicole Brown, Amber Fellows

No: 2 Steve Wilcoxon, Patrick McLean

Absent: (0)

Council Member Fellows offered, supported by Mayor Pro Tem Wilcoxon, to extend the meeting until 10:30p.m. The motion passed upon a voice vote.

H. Resolution No. 2026-220 Removing Jane Munro and Ravyn Kalfayan from the Human Relations Commission.

Council Member King moved to Approve Resolution No. 2026-220 Removing Ravyn Kalfayan from the Human Relations Commission. Council Member Simmons seconded the motion.

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows

No: 0 None

Absent: (0)

I. Resolution No. 2026-221 Approving the agreement between Washtenaw County and the City of Ypsilanti for Subaward of Federal Financial Assistance for the installation of sidewalk and ADA ramps in Prospect Park; also authorizing the Mayor and Clerk to sign the agreement on the City's behalf, subject to review by the City Attorney.

Council Member McLean left the Council Chambers at 9:54p.m. and returned at 9:59p.m.

Council Member Simmons moved to Approve Resolution No. 2026-221 Approving the agreement between Washtenaw County and the City of Ypsilanti for Sub-award of Federal Financial Assistance for the installation of sidewalk and ADA ramps in Prospect Park; also authorizing the Mayor and Clerk to sign the agreement on the City's behalf, subject to review by the City Attorney. Mayor Pro-Tem Wilcoxon seconded the motion.

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows
No: 0 None
Absent: (0)

- J. Resolution No. 2026-222 Awarding the Prospect Park Sidewalk contract to GM & Sons in the amount of \$75,790 and authorizing the City Manager to sign the contract documents and any change orders, subject to approval by the City Attorney, to complete the award of this contract.**

Mayor Pro-Tem Wilcoxon moved to Approve Resolution No. 2026-222 Awarding the Prospect Park Sidewalk contract to GM & Sons in the amount of \$75,790 and authorizing the City Manager to sign the contract documents and any change orders, subject to approval by the City Attorney, to complete the award of this contract. Council Member Simmons seconded the motion.

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows
No: 0 None
Absent: (0)

- K. Discussion regarding the happenings on Washington Street and the Ypsi Police Department's role in the City.**

Council Member Fellows moved, supported by Council Member King, to extend the meeting until 10:45p.m. The motion passed upon a voice vote.

Mayor Pro Tem Wilcoxon left the Council Chambers at 10:24p.m. and returned at 10:26p.m.

IX. BOARD AND COMMISSION - LIAISON REPORTS

- A. Police Advisory Commission**

Council Member Tooson reported the next meeting is September 24th at 7pm in Council Chambers.

- B. Human Relations Commission**

Council Member King reported they have not met due to lack of quorum and that sadly a member has passed away.

- C. Parks and Arts Commission**

Council Member McLean reported that the next meeting is upcoming, but the Mayor updated and noted that the meeting for September has been canceled.

- D. Sustainability Commission**

Council Member Simmons reported that they have not been able to meet due to lack of quorum and September 14th is the next meeting.

- E. Historic District Commission**

No report.

- F. Planning Commission**

Mayor Pro Tem Wilcoxon reported that they have been working on the zoning text amendment for Data Centers.

- G. Zoning Board of Appeals**

No report.

X. LIAISON REPORTS

- A. SEMCOG Update**

No report.

- B. Washtenaw Area Transportation Study**

No report.

- C. Urban County**

No report.

- D. Ypsilanti Downtown Development Authority**

Mayor Brown reported that the next meeting is coming up.

- E. Friends of Rutherford Pool**

Mayor Pro Tem Wilcoxon reported that the season is winding down and the pool will be closing soon.

XI. COUNCIL PROPOSED BUSINESS

Council Member King -

- Peacenic started here in Ypsi and organizers want to bring it back.
- YCUA is interested in giving yearly updates to Council.
- Do we have information on why Ypsi used to have more Wards?
- Update on Towing Contract?

Council Member Tooson -

- Men & Women Working for Change hosting a 5K Walk on October 3rd to bring awareness to Domestic Violence.

Council Member Simmons -

- Noting and Discussing resident complaints.
- Interested in Harm Reduction Zoning amendments

Council Member Fellows -

- Thanked Clerk for the "Know Your Rights" draft & hopes this can move forward.
- Mentioned to DPW that Middle Drive really needs a speed hump, as well as other areas like the Dos Hermanos corner.
- Has concerns about YCUA and DTE and the sidewalk issues when they are working.

Council Member King moved, supported by Mayor Pro Tem Wilcoxon, to extend the meeting until 10:50. The motion passed upon a voice vote.

Council Member McLean -

- Hoping to see a community conversation regarding what a sidewalk repair program would look like.

Mayor Pro Tem Wilcoxon -

- Attending the wake for Mrs. Barr on Thursday\
- We have all been invited to the EMU football game to check out these fireworks.
- For Office Hours, we went out to the Bell/Kramer encampment and have been looking at solutions and an emergency sheltering ordinance.

XII. COMMUNICATIONS FROM THE MAYOR

Mayor Brown mentioned she has a Proclamation remembering Mrs. Barr.
The meeting adjourned at 10:50p.m.

XIII. COMMUNICATIONS FROM THE CITY MANAGER

XIV. COMMUNICATIONS

XV. PUBLIC COMMENT - CONTINUED (3 MINUTES/EACH SPEAKER)

XVI. ADJOURNMENT

- A. Please click [here](#) to access the City Council Contact Form. This form can be used to submit any comments/concerns you might have about this agenda.**



REQUEST FOR LEGISLATION
September 15, 2026

For: Mayor and City Council

From: Tracey Boudreau, City Clerk

Subject: Resolution No. 231 Approving the request of the SafeHouse Center to tie purple ribbons throughout the city during the month of October to promote and support Domestic Violence Awareness Month.

SUMMARY & BACKGROUND: This is an annual standing agenda item.

RECOMMENDED ACTION: Approval

ATTACHMENTS:

1. Res. No. 2026-231 DVAM Purple Ribbons
2. Safe House Request 09-08-26
3. DVAM _ SAAM Ribbon Campaign City of Ypsilanti Proposal

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: September 15, 2026

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



Resolution No. 2026-231
September 15, 2026

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, October is Domestic Violence Awareness Month (DVAM); and

WHEREAS, the mission of the SafeHouse Center is to serve and advocate for domestic violence survivors and against existing systems that allow domestic violence; and

WHEREAS, the SafeHouse Center proposes to do a ribbon campaign for DVAM by tying purple ribbons throughout the city, with informational placards attached; and

WHEREAS, the SafeHouse Center will cover all expenses incurred by this campaign and there will be no cost to the city.

THEREFORE BE IT RESOLVED THAT the Mayor and City Council support this campaign and approve of purple ribbons being tied throughout the city during the month of October 2026.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

Tracey Boudreau

From: Josie Beckelic <josieb@safehousecenter.org>
Sent: Tuesday, September 8, 2026 12:55 PM
To: Tracey Boudreau
Cc: Laura Hoehner; Jillian Eck
Subject: DVAM Ribboning Up the Town Campaign Proposal
Attachments: image_1 (3); image_2 (1); DVAM _ SAAM Ribbon Campaign City of Ypsilanti Proposal Templates (1).pdf

Attention: This email was sent to the City of Ypsilanti from an external source. Please be extra vigilant when opening attachments or clicking links.

Hi Tracey,

My name is Josie Beckelic, and I am an intern at SafeHouse Center. My supervisor, Laura Hoehner-Dane, has worked with you in the past on our Ribboning Up the Town campaigns. We are reaching out to see if you would let us set up ribbons in the city of Ypsilanti for Domestic Violence Awareness Month (DVAM) this October to help raise awareness in the community!

I will attach example photos of our past ribboning campaigns; they may look familiar to you, given that my records show that you've been contacted in previous years about this project. I will also attach a proposal that we are hoping to be approved at next week's city council meeting.

Please let me know if you are interested in participating in this DVAM Ribboning Up the Town campaign, and if you would need a representative of SafeHouse Center to be present at the city council meeting.

Thank you, and I look forward to hearing from you.

Best,

--

Josie Beckelic, Intern

she/her/hers

Volunteer and Community Engagement Bureau

josieb@safehousecenter.org

Google Voice: (734) 328-2887

In Office: Mondays, Tuesdays, Wednesdays 9 am - 5 pm

Would you like to volunteer for SafeHouse?

Do you want to volunteer for SafeHouse Center? Check out our [SafeHouse Volunteer](#)

Information page. We have many opportunities for community members to join our volunteer team!

This e-mail contains PRIVILEGED AND CONFIDENTIAL INFORMATION intended only for use of the Addressee(s). If you are not the intended recipient of this e-mail, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this e-mail is prohibited. If you have received this e-mail in error, please notify us by telephone and destroy/delete this e-mail. Electronic Mail is not secure, may not be read every day, and should not be used for urgent or sensitive issues.



SafeHouse Center Domestic Violence Awareness Month Ribbon Campaign

October is widely recognized as Domestic Violence Awareness Month (DVAM). In accordance with our mission to not only serve but also advocate for survivors and against existing systems that allow domestic violence, SafeHouse Center proposes to do a ribbon campaign in downtown Ypsilanti.

Description (see example photo of a past Domestic Violence Campaign below): Purple ribbons are gently wrapped around trees, displaying a small placard with information about DVAM, a fact related to DVAM, information about SafeHouse Center services, and how to contact us. Our team will place these ribbons in the first or second week of October and do the removal by November 1st. We will only place these ribbons on city trees in the road verges at the locations listed below. We will happily include any more information the city would like placed on the placards.

Locations:

5 trees on E. Cross St. between Rice St. and N. River St.

5 trees on W. Michigan Ave. between N. Hamilton St. and N. Huron St.





REQUEST FOR LEGISLATION
September 15, 2026

For: Mayor and City Council

From: Nicole Brown, Mayor, Desirae Simmons, Council Member

Subject: Resolution No. 2026-232 Appointing Max Rickard to the Human Relations Commission, with a term ending July 1, 2029.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION: Approval

ATTACHMENTS:

1. Resolution 2026-232 Appointment Rickard, Max
2. Rickard, Max HRC App_Redacted

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: September 15, 2026

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



Resolution No. 2026-232
September 15, 2026

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT, the following Resident be appointed to the Ypsilanti Boards and Commissions as indicated below:

<u>Name</u>	<u>Board</u>	<u>Expiration</u>
Max Rickard 415 Pearl St Ypsilanti, MI 48197	Human Relations Commission	07/01/2029

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE

Citizen Advisory Boards and Commissions Participation Resume - Submission #8292

Date Submitted: 9/2/2026

The people of Ypsilanti are involved in their city government and are an important part of the community's achievements. Individuals interested in receiving more information in regard to serving on an advisory board or commission are invited to contact the City Clerk at 734-483-1100. Alternatively, citizens who would like to participate can submit their information in the form below.

After submitting your resume application, nomination to a board or a commission under the City Charter is either by the Mayor or by two Council Members and is subject to the approval and confirmation by a majority vote of the City Council.

QUALIFICATIONS

Must be a verifiable resident/business owner in the city for at least two years. Or Council must determine your expertise is essential and not available in an applicant that meets the qualifications above. Must be eligible to vote in the state if not applying for youth membership.

Name*	Email Address*	
Max Rickard		
Address (legal residence)*		
415 Pearl St		
City*	State*	Zip Code*
Ypsilanti	MI	48197

Phone Number***Number of Years in the Community***

12

Are you registered to vote in the City of Ypsilanti?*

- ☒ Yes
☐ No

Which Ward do you live or reside in?*

- ☒ Ward 1
☐ Ward 2
☐ Ward 3
☐ NA

Education*

Bachelor's Degree

Occupation*

Configuration Specialist

Employer*

Camis Inc

I would like to be considered and could devote sufficient time to serve on the following board or commission:*

- | | | |
|--|---|--|
| ☐ Ann Arbor Area Transit Authority | ☐ Fire Civil Service Commission (party affiliation required) | ☐ Police Advisory Commission (YPAC) |
| ☐ Ann Arbor/Ypsilanti SmartZone (LDFA) | ☐ Historic District Commission (HDC) | ☐ Sustainability Commission |
| ☐ Dangerous Buildings Officer | ☒ Human Relations Commission (HRC) | ☐ YCUA |
| ☐ Economic Development Corporation/Brownfield Redevelopment Authority | ☐ Huron River Watershed Council | ☐ Ypsilanti Downtown Development Authority (YDDA) |
| ☐ Board of Ethics (party affiliation required) | ☐ Non-motorized Advisory Committee | ☐ Ypsilanti Housing Commission |
| ☐ Review and Tax Assessment Board | ☐ Parks and Arts Commission | ☐ Zoning Board of Appeals |
| ☐ Police and Fire Pension Board | ☐ Planning Commission | |

Party Affiliation

Democrat

Are you applying for youth membership?*

Boards and Commissions that allow Youth Membership are:
Human Relations Commission (HRC), Parks and Arts Commission, Police Advisory Commission (YPAC), Sustainability Commission

- ☐ Yes
☒ No

Why are you interested in serving on these boards/commissions?*

Throughout my time in Ypsilanti, I have discovered its greatness is truly because of the people that live here. I have been very lucky to meet countless individuals from such diverse backgrounds in my time in Ypsilanti, and I feel very motivated to serve my community. What makes Ypsi so special is it's diverse makeup. I am interested in serving on the Humans Relation Commission as a way to give back to my community and to also help try to support the diverse interests and needs of all residents. The Human Relations Commission plays a valuable role in the city to help bring attention to any issues of discrimination that may take place, and I believe I would be a worthy advocate in this position. With my education and experience, I have been able to gain a strong understanding of different ways that discrimination can appear within a community and I aim to help prevent it and fight back against it. Thank you for your consideration.

Work/volunteer experience related to the board or commission:

Community Organizer Experience

Mutual Aid Network of Ypsilanti: I used to volunteer my time with the MANY and have led various efforts of community outreach including setting up Free Sales (an event where donations are given away completely free to the community), food rescue, community advocacy, group organizing, planning, attending, and setting meetings

Beautiful Gate and Christian Love Fellowship Pantry Work: I used to help volunteer with Pantry efforts at the former Beautiful Gate church food pantry as well as the Christian Love Fellowship church food pantry. I would help organize and coordinate volunteers, plan delivery schedules, and volunteer my time to unload the truck as well as general operations.

Bachelor's Degree in Criminology and Criminal Justice from Eastern Michigan University: I graduated with my degree in 2017 and this helped me better understand the Criminal Legal System and how it impacts our society. During my time, I presented in the Undergraduate Symposium twice. My degree helped sharpen my research skills and my understanding for legal systems as well as societal issues at play.

I understand that appointment to a City of Ypsilanti board or commission requires regular attendance at board meetings.*

☒ Yes

I hereby certify that all of the information above is true.*

☒ Yes

Electronic Signature Agreement *

☒ Yes

By checking the "I agree" box above, you agree and acknowledge that 1) your application will not be signed in the sense of a traditional paper document, 2) by signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) you may still be required to provide a traditional signature at a later date.

Electronic Signature*

Max Rickard



REQUEST FOR LEGISLATION
September 15, 2026

For: Mayor and City Council

From: Racheyl Frye

Subject: Resolution No. 2026-233 Appointing Carl Augustine, Code Enforcement Officer as an employee delegate to the Municipal Employees' Retirement System annual meeting October 8-9, 2026, in Grand Rapids, MI.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION: Approval

ATTACHMENTS:

1. MERS Resolution Council Letter 2026 Employee Delegate

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: September 15, 2026

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



REQUEST FOR LEGISLATION
September 15, 2026

To: Mayor and City Council
From: Rachel Frye, HR Director
Date: September 15, 2026
Subject: MERS Retirement Conference

SUMMARY/BACKGROUND:

It is requested that the City Council agenda for September 15, 2026, include consideration of a resolution authorizing the attendance of one delegate to attend the Municipal Employees' Retirement System (MERS) Retirement Conference, scheduled for October 8-9, 2026, in Grand Rapids, MI.

MERS requires an election by secret ballot for the employee delegate. The election process was conducted, and one employee was nominated: Carl Augustine from the Building Department.

The registration fee is \$370.00 per person. Because the MERS Annual Meeting is being held in Grand Rapids, MI, and activities will be held at night, lodging will be necessary at a cost of \$269 a night, plus tax. A two-night stay is required. Therefore, the total amount of funds required to attend the meeting will be \$908 plus tax and mileage reimbursement.

RECOMMENDED ACTION:

It is recommended that the City Council approve the selection of Carl Augustine as Employee Delegate to attend the MERS Annual Meeting.

ATTACHMENTS: Proposed Resolution

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE:

CITY MANAGER COMMENTS:

FINANCE DIRECTOR APPROVAL: _____



Resolution No. 2026-233
September 15, 2026

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Municipal Employees' Retirement System of Michigan covers all full-time City employees excluding Fire and Police Pension system Members, and

WHEREAS, the Municipal Employees' Retirement System is holding its annual meeting October 8-9, 2026, in Grand Rapids, MI and

WHEREAS, the Municipal Employees' Retirement System allows one employee delegate to be appointed by a governing body to attend the conference, and

WHEREAS, this governing body has appointed Carl Augustine, Code Enforcement Officer as an employee delegate,

THEREFORE, BE IT RESOLVED, that this employee be appointed as an employee delegate.

OFFERED BY: _____

SUPPORTED BY: _____

YES: 0 NO: 0 ABSENT: VOTE:



REQUEST FOR LEGISLATION
September 15, 2026

For: Mayor and City Council

From: Rachel Frye

Subject: Resolution No. 2026-234 Appointing Tracey Boudreau, City Clerk as an officer delegate to the Municipal Employees' Retirement System annual meeting October 8-9, 2026, in Grand Rapids, MI.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION: Approval

ATTACHMENTS:

1. MERS Resolution Council Letter 2026 Officer Delegate

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: September 15, 2026

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



REQUEST FOR LEGISLATION
September 15, 2026

To: Mayor and City Council
From: Rachel Frye, HR Director
Date: September 15, 2026
Subject: MERS Retirement Conference

SUMMARY/BACKGROUND:

It is requested that the City Council agenda September 15, 2026, include consideration of a resolution authorizing the attendance of one officer delegate to attend the Municipal Employees' Retirement System (MERS) Conference, scheduled for October 8-9, 2026, in Grand Rapids, MI.

MERS requires a governing body to appoint one officer delegate to attend the conference.

The registration fee is \$370.00 per person. Because the MERS Annual Meeting is being held in Grand Rapids, MI, and activities will be held at night, lodging will be necessary at a cost of \$269 a night, plus tax. A two-night stay is required. Therefore, the total amount of funds required to attend the meeting will be \$908 plus tax and mileage reimbursement.

RECOMMENDED ACTION:

It is recommended that the City Council approve the appointment of Tracey Boudreau, City Clerk, as Officer Delegate, to attend the MERS Annual Meeting.

ATTACHMENTS: Proposed Resolution

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE

CITY MANAGER COMMENTS:

FINANCE DIRECTOR APPROVAL: _____



Resolution No. 2026-234
September 15, 2026

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Municipal Employees' Retirement System of Michigan covers all full-time City employees excluding Fire and Police Pension system Members, and

WHEREAS, the Municipal Employees' Retirement System is holding its annual meeting October 8-9, 2026, in Grand Rapids, MI and

WHEREAS, the Municipal Employees' Retirement System allows one officer delegate to be appointed by a governing body to attend the conference, and

WHEREAS, this governing body has appointed Tracey Boudreau, City Clerk, as an officer delegate,

THEREFORE, BE IT RERESOLVED that this employee be appointed as an officer delegate.

OFFERED BY: _____

SUPPORTED BY: _____

YES: 0 NO: 0 ABSENT: VOTE:



REQUEST FOR LEGISLATION
September 15, 2026

For: Mayor and City Council

From:

Subject: Resolution No. 2026-235 Postponing the second and final reading of Ordinance No. 1468 and Ordinance No. 1469 Amending Chapter 18 until October 20, 2026.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION:

ATTACHMENTS:

1. POSTPONE ORDs 1468 & 1469 Until 10-20-26
2. Building Ordinance Updates.2026
3. Mold Remediation IPMC

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: September 15, 2026

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



Resolution No. 2026-235
September 15, 2026

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT THE SECOND AND FINAL READING OF ORDINANCE NO. 1468, ENTITLED "AN ORDINANCE TO AMEND CHAPTER 18, ARTICLE VI "INSPECTION AND CONTROL OF CERTAIN BUILDINGS" OF THE YPSILANTI CITY CODE, BY AMENDING SECTIONS 18-111, 18-115, 18-146, 18-148, AND ADDING SECTION 18-167" **and** ORDINANCE NO. 1469, ENTITLED "AN ORDINANCE TO AMEND CHAPTER 18, ARTICLE V "PROPERTY MAINTENANCE CODE" OF THE YPSILANTI CITY CODE, BY AMENDING SECTION 18-92" both be **postponed until October 20, 2026.**

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

AN ORDINANCE TO AMEND CHAPTER 18, ARTICLE VI “INSPECTION AND CONTROL OF CERTAIN BUILDINGS” OF THE YPSILANTI CITY CODE, BY AMENDING SECTIONS 18-111, 18-115, 18-146, 18-148, AND ADDING SECTION 18-167

THE CITY OF YPSILANTI HEREBY ORDAINS:

1. Amendments, additions, and deletions to the Code of Ordinances, City of Ypsilanti, Michigan.

I. Chapter 18 of the Ypsilanti City Code, entitled “Buildings and Building Regulations,” is hereby amended by amending Article VI “Inspection and Control of Certain Buildings” to amend Section 18-111 “Definitions,” which Section shall read as follows:

18-111. – Definitions

The following words, terms and phrases when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Certificate of compliance means an official document titled "certificate of compliance" issued by the city Building Department for a multiple dwelling or one-or two-unit rental dwelling indicating that the covered unit(s) identified thereon are in compliance with all applicable provisions of this Code, particularly the property maintenance code and the fire prevention code.

Code official means an individual employed by or authorized by the City of Ypsilanti and charged with the administration and enforcement of the Ypsilanti City Code or any duly authorized representative of such person(s).

Dangerous buildings means a building or structure that has one or more of the following defects or is in one or more of the following conditions:

- (1) A door, aisle, passageway, stairway, or other means of exit does not conform to the approved fire code of the city.
- (2) A portion of the building or structure is damaged by fire, wind, flood, or other cause so that the structural strength or stability of the building or structure is appreciably less than it was before the catastrophe and does not meet the minimum requirements of the city building code for a new building or structure, purpose, or location.
- (3) A part or appurtenance of the building or structure is likely to fall, become detached or dislodged, or collapse and injure persons or damage property.
- (4) A portion of the building or structure has settled to such an extent that walls or other structural portions of the building or structure have materially less resistance to wind than is required in the case of new construction by the building code of the city.
- (5) The building or structure, or a part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, or the removal or movement of some portion of the ground necessary for the support, or for other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fall or give way.

(6) The building, structure, or part of the building or structure is manifestly unsafe for the purpose for which it is used.

(7) The building or structure is damaged by vandalism, fire, wind, or flood, or is dilapidated or deteriorated and becomes an attractive nuisance to children who might play in the building or structure to their danger, or becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful or immoral act.

(8) A building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, because of dilapidation, decay, damage, faulty construction or arrangement, or otherwise, is 1) unsanitary or unfit for human habitation, or 2) in a condition that the health officer of the city or county determines is likely to cause sickness or disease, ~~or~~ 3) likely to injure the health, safety, or general welfare of people living in or interacting with the building or dwelling, and/or 4) is determined by the Building Official to be a dangerous rental property.

(9) A building or structure is vacant, dilapidated, and open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.

(10) Any building or structure has been constructed, exists, is in a state of incomplete construction, or is maintained in violation of any specific requirements or prohibition applicable to the building or structure provided by the property maintenance, site plan approval, or other regulations of this City, applicable building code requirements, or of any law or ordinance of the city or the state relating to the condition, location, or structure of buildings

(11) A building or structure remains not "regularly occupied" for a period of 180 consecutive days or longer, and is not listed as being available for sale, lease, or rent with a real estate broker licensed under article 25 of the occupational code, Act No. 299 of the Public Acts of Michigan of 1980, being MCL 339.2501—339.2515. For purposes of this subdivision, "building or structure" includes, but is not limited to, a commercial building or structure. This subdivision does not apply to any of the following:

a. A building or structure as to which the owner or agent does both of the following:

1. Notifies the city building department in writing that the building or structure will remain not "regularly occupied" for a period of 180 consecutive days. The notice shall be given to the building department by the owner or agent not more than 30 days after the building or structure becomes not "regularly occupied."

2. Maintains the exterior of the building or structure and adjoining grounds in accordance with ~~the~~ this Code.

b. A secondary dwelling of the owner that is normally not "regularly occupied" for a period of 180 days or longer each year, if the owner notifies the city building department in writing that the dwelling will remain not "regularly occupied" for a period of 180 consecutive days or more each year. An owner who has given the notice prescribed by this subparagraph shall notify the building department in writing not more than 30 days after the dwelling no longer qualifies for this exception. As used in this subparagraph, "secondary dwelling" means a dwelling such as a vacation home, hunting cabin, or summer home, that is "regularly occupied" by the owner or a member of the owner's family during part of a year.

c. A new building or new structure under construction that meets all of the following conditions: 1) has a valid building permit and approved site plan for all work being performed, 2) demonstrates that significant and continuous progress is being made toward

completion, 3) secures the property and takes all other necessary safety precautions, and 4) otherwise complies with this division and all applicable laws, ordinances, and regulations.

Dangerous Rental Property means any dwelling unit, rental property, rental unit, sleeping unit, building, structure, or portion thereof within the City having any one or more of the following conditions or defects:

- a. Is a dangerous building as defined in this Chapter.
- b. Not constructed or maintained as required under the Ypsilanti City Code, or applicable local, state and/or federal ordinances, laws, codes, and/or regulations, or otherwise constructed or modified without required permits and inspections;
- c. Is unfit for human habitation or commercial, industrial, or business use or occupancy due to inadequate provisions for ventilation, illumination, air, sanitation, or open spaces.
- d. Poses imminent harm to life or other property resulting from fire, flood, hurricane, tornado, earthquake, storm or other casualty or catastrophe;
- e. Is vacant and used in the commission of drug, assaultive crimes, and/or for purposes of occupation without the knowledge or consent of the owner;
- f. The owner or owner/agent is aware (or reasonably should be aware) that it is occupied and used repeatedly for the commission of illegal activities, including facilitating organized crime, drug activity, assaultive activity, or other criminal undertakings;
- g. Is abandoned;
- h. Is subject to activities or land uses regularly occurring thereon that are in violation of applicable codes, laws and/or ordinances, including this Chapter, the zoning ordinance of this City, or laws governing landlord tenant relationships; or,
- i. Is unfit for human habitation in that it presents a substantial risk to life, health, or safety due to general conditions or location that may include, but are not limited to:
 1. Inadequate, defective, missing, nonconforming, unpermitted, uncertified, damaged, and/or non-functioning equipment and facilities related to heating, cooling, electrical, gas, water, sewer, sanitation, lighting, sanitation, ventilation, fire/carbon monoxide detection, fire/carbon monoxide alarm systems, fire barriers, and/or or fire suppression systems.
 2. Severe structural damage or roof leaks.
 3. Infestation of pests or vermin.
 4. Lacking a reasonably adequate number of appropriate receptacles for garbage and rubbish, in clean condition and good repair.
 5. The building, grounds, appurtenances and all other areas under control of the landlord are not kept in every part clean, sanitary, and free from all accumulations of debris, filth, rubbish, garbage, or junk.
 6. Presence of environmental hazards (such as lead, asbestos, mold or moisture, or carbon monoxide) that are not remediated in a manner consistent with the the Ypsilanti City Code, the Property Maintenance Code and/or published guidance from the U.S. Environmental Protection Agency, the U.S. Department of Housing and Urban Development, or other applicable, reasonable and professional industry standards.
 7. Obstructed or unsafe egress and ingress, including obstructed or inadequate emergency egress points and/or emergency lighting.

8. Inadequate, defective, damaged, missing or non-functioning building security measures.
9. Conditions which are dilapidated, decayed, unsafe, unsanitary, insecure, or that unreasonably expose occupants or the public to danger, illness, disease or physical injury.
10. Inadequate, defective, damaged, missing, or non-functioning floors and flooring systems, stairs, and railings.
11. Conditions that unreasonably expose occupants or the public to rain, moisture, or cold air due to ineffective waterproofing and insulation of the roof, exterior walls, windows, and doors.

Any property found to be a dangerous rental property is deemed untenable and a public nuisance that shall immediately be abated failing which it (i) shall be condemned and so designated by the Building Official as unfit for human habitation, ordered vacated, and placarded as such, and (ii) shall have the certificate of compliance associated with such rental property immediately suspended. No rental property or rental unit which has been deemed untenable, condemned or placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from and such placard is removed by the Building Official following their determination that the defect or defects upon which the condemnation and placarding action were based have been abated.

Dwelling unit means one or more rooms with principal kitchen facilities designed as a unit for occupancy by only one family for cooking, living and sleeping purposes, together with the common areas which support the unit, including the exterior of the structure as it relates to the unit.

Multiple dwellings means a building containing three or more dwelling units and/or sleeping units.

One- or two-unit rental dwelling means a building wherein:

- (1) Any payment for the use of one or more dwelling units or one or more sleeping units, including, but not limited to, payment of money or goods or the performance of services or labor or the payment of taxes or utilities, is made; or
- (2) Any one or more dwelling units or one or more sleeping units are occupied and the building is not owner occupied.

Occupant means any person living or sleeping in a building; or having possession of a space within a building.

Occupied means a building or portion thereof that has an occupant.

Owner means any person, agent, firm or corporation having a legal, beneficial, or equitable interest in the premises.

Owner/agent means an individual who is either an owner or agent who has been formally designated pursuant to [section 18-131\(e\)](#) as the "owner/agent" and, without limiting the foregoing, the term further includes any person, agent, operator, firm, partnership, or corporation (and the

managing members, managers, officers, and any other person(s) having a legal or equitable interest in the building, premises or structure, or is identified in the official records of the State of Michigan, County of Washtenaw, or the City as holding title to the building, premises or structure, or otherwise has the legal responsibility for the control and maintenance of the building, premises or structure, including a fiduciary or property manager acting on behalf of such owner or ordered to take possession of a building, premises, or structure by a court or the taxpayer of record; and the employees, designees, and/or agents of any such persons.

Regularly occupied means a building or portion of a building that is lawfully utilized or lawfully occupied for the purpose for which it is lawfully intended and designed and which if its intended purpose is residential normally has at least one person lawfully living or sleeping in it daily and which if its intended purpose is nonresidential normally has persons lawfully in it and utilizing it on a basis consistent with its lawful nonresidential purpose. Persons solely in the building for the purpose of maintenance, repair, or cleaning of the building do not make the building "regularly occupied."

Rental property means a building, structure, premises, rooming house, story, multiple dwelling, one-and two-unit rental dwelling, accessory building, or appurtenance (and any part thereof) containing one or more rental units, or a single-family residence used for rental purposes for any length or at the sufferance of the owner, but not exclusively occupied by the owner or an immediate family member, which:

- (1) Is or are let or occupied by persons, including a family member of the owner, pursuant to an oral or written rental contract, or lease, or other oral or written agreement or understanding for purposes of occupation, with or without monetary compensation; or
- (2) Is or otherwise may be offered by the owner or a person or entity acting on the owner's behalf for occupancy under an oral or written rental contract or lease, or other oral or written agreement or understanding for occupation, with or without monetary compensation to any person; or
- (3) Is contained within a building with one or more dwelling or sleeping units that are not occupied by the owner; or
- (4) Has been advertised to the public or previously registered with the City as rental property.

Rental unit means a dwelling unit or sleeping unit (as those terms are defined in this Section), and any portion thereof that is, or is part of, a rental property.

Sleeping unit means a room or any part thereof which is rented or leased primarily for sleeping purposes, not having kitchen and bath facilities within the unit, i.e., sleeping room, together with the common areas, including bath and kitchen facilities, which support the unit, including the exterior of the structure.

Temporary certificate means a certificate of compliance issued according to and as hereafter described in this Chapter for a multiple dwelling or one- or two-unit rental dwelling following inspection, which is found to be substantially in compliance.

Triggering event means any one or more of the following events that occur at a vacant building, the property on which it is located, or its adjacent right-of-way:

- (1) Law enforcement response.
- (2) Fire or emergency personnel response.
- (3) Ordinance enforcement and subsequent abatement, including, but not limited to: grass, weed, or brush violations; litter, trash, or cleanup violations; graffiti violations; vehicle or zoning vehicle violations; animal complaints; and unsecured or non-weather tight structure.
- (4) Remains a vacant building for 12 months or more.
- (5) Issuance of a citation or complaint to correct exterior violations, apparent or existing, of the Property Maintenance Code as adopted by the City of Ypsilanti.

Vacant building means a building or structure that meets one or more of the following:

- (1) Is not "regularly occupied" for a period greater than 30 days, excepting homestead property or rental property occupied in the manner of homestead property.
- (2) Is condemned.
- (3) Does not have a valid certificate of occupancy or certificate of compliance.

II. Chapter 18 of the Ypsilanti City Code, entitled "Buildings and Building Regulations," is hereby amended by amending Article VI "Inspection and Control of Certain Buildings" to amend Section 18-115 "Blight Violation," Section 18-131 "Required," Section 18-146 "Required," Section 18-148 "Notice of Intent to Inspect," Section 18-150 "Temporary Certificate," Section 18-151 "Expiration and Reinspection Procedures," and Section 18-152 "Transferability," which Sections shall read as follows:

Sec. 18-115. - Blight violation.

Except as otherwise set forth herein, aA person, including an owner and/or an owner/agent identified pursuant to Section 18-131, who violates any provision of this article is responsible for a blight violation, subject to payment of a civil fine as set forth in section 71-73. Except as otherwise set forth in the Ypsilanti City Code, rRepeat offenses under this article shall be subject to increased fines as set forth in section 71-73 or criminal penalties where otherwise specified in this Chapter. The imposition of a fine civil or criminal penalty and/or fine for any violation shall not excuse the violation nor permit the violation to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time (not to exceed thirty days) as determined by the Administrative Hearings Bureau hearing officer or a judge of a court of competent jurisdiction. Unless otherwise specified in this Chapter, each day that a violation continues shall constitute a separate offense and, upon a blight violation determination, the violator shall be subject to a separate civil or criminal penalty (as the case may be) for each violation.

Sec. 18-131. – Certificate of Registration Required.

(a) All persons owning a multiple dwelling, a one- or two-unit rental dwelling, rental property, rental unit, or a vacant building shall apply for a certificate of registration register with the Building Department using an application form provided by the department and providing the following information:

- (1) The location and use of the rental property;

- (2) The number and types of rental units in each structure;
- (3) The name, address, telephone number, and driver license number or state identification number, of the property owner applicant, if an individual, and the name and address of the resident agent, if a corporation, limited liability company, or other business entity;
- (4) Information listed in Subsection (a)(4) of this Section for each partner, joint venturer, corporate officer, member, manager, and any other person having any legal or equitable interest in the property or an entity owning such property or portion thereof, further describing the nature and consent of such interest;
- (5) The names and address of all known mortgage or lien holders and any bank, financial institution, or other party with a legal or equitable interest in the property, building or structure; and,
- (6) The name, address, telephone number, and Michigan real estate broker license of each person or firm other than the owner(s) who are responsible for property management and/or operation, property maintenance, or otherwise for the administration and care of the property, confirming therein that such person(s) are designated and authorized on behalf of the owner(s) to receive notices and service of process on behalf of such owner(s).
- (7) Vacant buildings (as defined in Section 18-111) must be registered separately as vacant buildings under Section 18-190 of this Article, even if already registered as a multiple dwelling or a one- or two-unit rental dwelling.

The application form shall be signed by both the Owner and the Owner/Agent, as applicable. The fee for each rental property registered and/or each rental unit contained therein shall be established by Council from time to time and paid at the time of submitting the application for registration. No post office boxes will be accepted as a legal address.

(b) It shall be unlawful for any person to provide false or misleading information or omissions on an application for a certificate of registration of a rental property required by this Section. Notwithstanding the provisions of Section 18-115 of the Ypsilanti City Code, a person who violates this provision shall have their certificate of registration and certificate(s) of compliance immediately revoked and shall further be guilty of a misdemeanor punishable by up to 90 days in jail or a fine of \$500.00, or both.

(c) Certificates of registration of a rental property shall be renewed annually on the date established by the Building Department, which shall maintain a registry of owners and rental property governed by this Chapter. The owner(s) and the owner/agent of the vacant building shall be individually and severally responsible for the registration fees.

(d) Where rental property required to be registered under this section is sold or otherwise transferred to a new owner, the certificate of registration issued the previous owner shall expire effective on the date of the sale or transfer and, within fourteen (14) calendar days after the sale or transfer of the rental property, the new owner shall apply for a certificate of registration in the manner prescribed in this Section.

~~(b) If the premises are managed or operated by an agent, the owner shall supply the agent's name, address and telephone number and indicate that such agent is authorized to receive notices and process under this article.~~

~~(c) If the owner is a corporation, the names, addresses and telephone numbers of its officers shall be listed. If such corporation has no substantial assets other than the dwelling in question and is controlled in whole or in part by another corporation or corporations, then the name and address of the corporations and the names, addresses and telephone numbers of the officers shall be listed.~~
~~(d) Any change in address of the owner or agent and any change in the number of units offered shall be noted in the registry by the owner or the agent.~~

(e) For all multiple dwellings, one- or two-unit rental dwellings, rental properties, rental units, and vacant buildings, at least one individual who is either an owner or an agent must be designated as the "owner/agent." At least one such designated owner/agent shall be a resident of Washtenaw County or any bordering county. For each "owner/agent," the following information shall be provided: name (including Jr., III, etc., and middle name if the individual's driver's license or state identification contains such information), address, ~~driver's license number or State of Michigan driver's license number or identification number~~, date of birth, race, sex, height, weight, hair color, and eye color. All changes to the "owner/agent" and to the information required by this subsection must be provided to the City of Ypsilanti building department in writing within 14 days of the change. The designation of an individual as the "owner/agent" shall be prima facie evidence and acknowledgement by the named individual and the Owner(s) that (i) the named individual is authorized to receive legal notices and service of process on behalf of the Owner(s); (ii) the named individual has or had sufficient control over the building to be named as a defendant in a civil, administrative, or criminal legal action to enforce compliance with the applicable provisions of the Ypsilanti City Code or other applicable law or regulation, and/or to pursue any other legal or equitable remedy available to the City with regard to the building or such owner/agent, and (iii) the Owner(s) expressly assume organizational and personal liability for any unlawful or tortuous acts or omissions of the named individual and their employees, agents, and contractors related to the subject property.

(f) Except for rental property that has a business office with posted regular office hours on-site, if the owner or designated owner/agent of a rental property does not reside in the building, the owner shall designate a responsible person or persons who reside in each building with a common entrance and eight (8) or more dwelling units, seven (7) or more sleeping rooms, or any combination thereof. The unit(s) occupied by the person(s) responsible shall be identified and the information posted in a visible place at the common entrance of the building.

Sec. 18-146. – Certificate of Compliance Required.

(a) A certificate of compliance is required to be obtained and renewed annually for all rental property in the City, whether occupied or vacant. No person, including but not limited to the owner, the owner/agent, and the owner's agent, or any designee or employee of any such person, shall rent, lease, renew any lease, offer for rent or lease, or otherwise allow occupancy of any portion of a dwelling unit or sleeping unit after September 1, 1986, in a multiple dwelling or after September 1, 1999, in a one- or two-unit rental dwelling rental property, rental unit, or any portion thereof, unless that owner, owner/agent, or owner's agent has first applied for, obtained and thereafter maintains a current and valid certificate of compliance from the city Building Department covering that unit rental property for the duration of the lease term.

(1) A person who violates this Section 18-146(a) shall on a first offense be responsible for a blight violation and ordered to pay fines and costs as set forth in Section 71-73 of the Ypsilanti City Code.

(2) A person who has previously been adjudicated responsible for violating or permitting a violation of Section 18-146(a) in a proceeding conducted under Section 71-31 of the Ypsilanti City Code, and who subsequently violates Section 18-146(a), shall be guilty of a misdemeanor punishable by up to 90 days in jail or a fine of \$500.00, or both. Each day a violation occurs constitutes a separate misdemeanor offense as set forth herein, regarding each rental unit within each rental property that is associated with the violation.

(3) Occupancy of any rental property or rental unit by a person other than the owner of record shall be presumed to require registration under Section 18-131 and a certificate of compliance under this Section.

(b) In addition to the information to be provided as required under applicable law, including Section 58-123 of the Ypsilanti City Code, at the time of leasing or renewing any lease covering a unit, or thereafter upon request of the tenant, the owner(s) or their agent(s) shall do all of the following

(1) certify by sworn affidavit to the tenant that, as of the first date of occupancy by the tenant, the rental unit is covered by a valid certificate of compliance issued by the Building Department and that their business practices are in compliance with the Ypsilanti City code and applicable federal, state, and local laws and regulations affecting the management of rental properties,

(2) provide each tenant with a copy of the current rental registration affecting the property.

(3) provide each tenant with a copy of the current certificate of compliance covering that rental unit and append a copy thereof to the lease and any addenda to such lease.

The owner(s) and the owner/agent shall have an affirmative and continuing obligation to notify each tenant in writing of any change in the status of the certificate of compliance within forty-eight hours of such change, regardless of any inquiry by the tenant. Such notice shall be effective only if posted at the unit or hand-delivered to the tenant.

(c) If a certificate of compliance is denied, suspended, becomes lapsed, or is revoked pending compliance and/or the rental property and/or rental unit is not registered, or the premises is not occupied for dwelling purposes, the premises shall not be occupied in whole or in part until a certificate of compliance is issued by the City affecting the entirety of the rental property and all rental units contained therein. Those premises which are occupied for dwelling purposes may be ordered vacated until reinspection and compliance is established by the owner/agent.

(d) It shall be unlawful for any owner/agent or any agent of the owner(s) of any rental unit to do, cause, or allow any of the following:

(1) Fail to truthfully disclose to a tenant or prospective tenant whether a valid certificate of compliance covers the unit that is the subject of the lease, proposed lease, or any renewal thereof.

(2) Enter into, solicit, modify, or renew any lease agreement affecting a rental property, rental unit, or any portion thereof during a period in which a rental property of which such rental unit

is part lacks a valid certificate of compliance issued by the City, and/or is not registered as required by Section 18-131.

(3) Alter any portion of a certificate of compliance and present it to any person for the purpose of inducing such person to enter or renew a lease agreement.

(4) Collect or attempt to collect rent, security deposits, or other compensation from any tenant or third-party payor – or retain or disburse such funds – during a period in which a rental property of which such rental unit is part lacks a valid certificate of compliance issued by the City, and/or is not registered as required by Section 18-131.

(5) Construct or maintain any portion of such unit in a manner inconsistent with applicable federal, state, or local laws or codes

(6) Induce issuance or renewal of a certificate of compliance through false representation, concealment, or omissions of material facts to a code official.

(e) It shall be unlawful for a structure identified in Section 18-146(a), on which the original construction was completed prior to January 1, 1978, and which is required to be registered pursuant to Section 18-131, to be leased, relet, or otherwise occupied without a lead-clearance report being obtained and provided to the Building Department in accordance with the provisions of Section 18-167 of this Article; provided, however, that the owner/agent shall be required to obtain a lead clearance for a rental property with a valid certificate of compliance and each rental unit thereof within ninety (90) days following the effective date of this Section or the next prescribed certificate of compliance renewal inspection date for the owner regarding the rental property occurring after the effective date of this Section, whichever occurs first.

(f) Notwithstanding the provisions of Section 18-115, and except as set forth in Section 18-146(a)(1), a person who violates any provision of this Section is guilty of a misdemeanor punishable by up to 90 days in jail or a fine of \$500, or both. Each day a violation occurs constitutes a separate misdemeanor offense as set forth herein, regarding each individual rental unit within a rental property that is associated with the violation.

(g) Failure to obtain and maintain a valid registration and certificate of compliance for a rental property shall, upon the determination of City Council following a hearing, constitute grounds for the revocation or cancellation of all outstanding certificates of compliance issued for any other rental property associated with the owner or owner/agent.

(h) A certificate of compliance shall not be issued or renewed by the Building Department where the Owner or owner/agent has an interest in or manages (either directly or indirectly) one or more rental properties within the City that:

(1) Individually or in the aggregate, has been cited for five or more health and safety violations of the Ypsilanti City Code or applicable federal, state, or local laws or regulations within the preceding twelve months, and/or,

(2) Has, in the preceding twenty-four months, been condemned, designated a dangerous building, determined to be a dangerous rental property, or otherwise had a certificate of compliance suspended or revoked.

(i) If a certificate of compliance is denied under Section 18-146(h), or is suspended pursuant to Section 18-149, within sixty (60) days of such action (but in no event before any proceeding to be conducted under Chapter 74 of the Ypsilanti City Code regarding the underlying violations occurs) the Owner and owner/agent shall appear before the City Council for a hearing in which Owner and owner/agent bears the burden of establishing by clear and convincing evidence that the affected property or properties and the business practices of the Owner(s) and owner/agent are in strict compliance with the Ypsilanti City Code and all other applicable federal, state, and local laws and regulations. By resolution, the City Council may from time to time establish procedural rules for conducting the hearing and reasonable fees to be imposed upon the Owner(s) for administering the hearing. Upon a finding by at least five members of the City Council that the Owner and owner/agent have met their burden, the City Council may, in its discretion, based on the facts and circumstances before it, take any one or more of the following actions:

(1) Direct the building official to issue or renew a certificate of compliance subject to conditions deemed reasonably necessary by the City Council for such issuance. Such conditions may include, without limitation:

- a. Requiring the Owner and owner/agent to post cash or surety bond for the City's benefit (on terms that City Council deems reasonable under the circumstances) to ensure strict compliance with the provisions of the Ypsilanti City Code and any other applicable law or regulation. Forfeiture of any cash or surety bond shall not relieve to Owner of any repair, maintenance, or other legal obligation under the Ypsilanti City Code or other applicable law or regulation.
- b. Notwithstanding the provisions of Section 18-151 of the Ypsilanti City Code, establish the expiration date of the certificate of compliance for a period of less than one year from commencement of the certificate period.
- c. Require compliance inspections to occur more frequently than annually.

(2) Issue an initial or renewal certificate of compliance without conditions.

If the requisite number of City Council members fail to direct issuance or re-issuance of a certificate of compliance (with or without conditions), the certificate of compliance shall be deemed revoked for a period of not less than one year, as City Council may determine. The owner may appeal the final decision of City Council to the Circuit Court in the manner prescribed by the Michigan Court Rules within twenty one (21) days of its decision, the effect of which shall not be stayed pending appeal except by order of the Circuit Court.

(j) Notwithstanding the provisions of Section 18-146(i) and 18-151(f), if after a hearing conducted pursuant to Chapter 74 of the Ypsilanti City Code the hearing officer determines that the owner is not responsible or liable for the cited blight violation(s) precipitating denial or suspension of a certificate of compliance, the certificate of compliance shall be issued within five business days of such determination, unless the decision is appealed by the City to the Circuit Court and not stayed by the hearing officer pending appeal.

Sec. 18-148. - Notice of intent to inspect.

If the owner or the owner's agent of a building or structure required to be registered pursuant to Section 18-131(a) shall ~~not fail or neglect to register or apply for an initial or renewal~~ certificate of compliance, the Building Department will send notices to the designated owner/agent of its intent to inspect the building or structure as a ~~multiple dwelling or a one or two unit rental dwelling~~ rental property to the owner or agent. Owners or Owner/Agents having residence and/or business addresses within the county shall have fourteen (14) days from the date of mailing to submit the completed application, fees, and request for appointment. ~~Out of county owners or agents, provided no owner or agent has a business address in the Washtenaw County, shall have 21 days from the date of mailing to submit the completed application form, the fees, and a written request for appointment.~~ A certificate of registration and/or certificate of compliance shall not be issued, or otherwise shall immediately be revoked, upon the owner or owner/agent's failure or refusal to permit required inspections or pay the required inspection and reinspection fees at the time of scheduling the appointment.

Sec. 18-149. – Issuance, Suspension, and Revocation.

(a) Except as otherwise provided in this Chapter, a certificate of compliance shall be issued for a multiple dwelling or one or two unit rental dwelling rental property upon the Building Department determining that:

(1) As of the date of its issuance, the entirety of the rental property, its rental units, accessory structures and the remainder of the premises, including the exterior and surrounding areas, is fit for human habitation and otherwise complies in all respects with the standards and requirements of the Ypsilanti City Code.

(2) The rental property is registered as required by Section 18-131.

(b) The code official shall suspend a certificate of compliance if a rental unit is not maintained in compliance with the requirements and standards set forth in the Ypsilanti City Code or any other applicable law or regulation. Prior to suspending the certificate of compliance, the code official shall serve upon the owner/agent correction notices that inform the owner of the items requiring repair and time in which such repairs shall be completed. If the owner does not comply with the notice to repair or refuses reinspection, in addition to issuing any applicable citations or taking other action necessary to enforce the Ypsilanti City Code, or if the provisions of Section 71-43 of the Ypsilanti City Code apply, the code official shall suspend the certificate of compliance.

(c) The City Manager shall suspend a certificate of compliance if there is probable cause that an owner and/or owner/agent of a rental property is or has been engaged in practices that violate the provisions of Chapter 58 of the Ypsilanti City Code, or any other applicable federal, state, or local law proscribing acts of discrimination, unfair or deceptive business practices, or other unlawful conduct affecting the present, past, or prospective occupants of the property.

(d) Upon suspending a certificate of compliance, the suspending official shall send (by first class mail to the address of the owner/agent provided on the current registration certificate) a notice of suspended certification containing the following information:

(1) That the certificate of compliance has been suspended and the date of suspension;

(2) The reason for the suspension;

- (3) That it is unlawful for any rental unit to continue to be occupied after the date of suspension of the certificate of compliance;
- (4) That any rental unit which is vacant at the time of the suspension or which becomes vacant during the period of suspension shall not be rented or reoccupied until a certificate of compliance is reinstated or a new certificate of compliance is issued;
- (5) The affected areas of the rental property may be ordered vacated until brought into compliance.
- (6) That tenants may be entitled to escrow rent monies as provided under state law.

(e) In addition to the suspension notice to be sent to the owner/agent, the building and each rental unit affected by the suspension shall be placarded with a similar notice, which must not be removed until a new certificate of compliance is issued, and only then at the direction of the suspending official. A person unlawfully removing or causing the removal or partial removal, alteration, or defacement of a placard is guilty of a misdemeanor punishable by up to 90 days in jail and/or a fine of up to \$500 per occurrence.

(f) Within sixty (60) days of suspension of a certificate of compliance, the owner and owner/agent shall appear before the City Council for a hearing to be held according to the provisions of Section 18-146(i) of the Ypsilanti City Code.

~~and for which all current registration information has been provided. that the premises remain in safe, healthful and fit condition for occupancy. The owner of the property, the address of the complying multiple dwelling or one- or two-unit rental dwelling and the expiration date shall be shown thereon. If upon reinspection, the building official determines that violations exist or the certificate has expired, the certificate shall be immediately suspended, the affected areas may be ordered vacated until the multiple dwelling or one- or two-unit rental dwelling is brought into compliance, and a temporary certificate may be issued pursuant to section 18-150 covering units not ordered vacated.~~

Sec. 18-150. - Temporary certificate of compliance.

(a) ~~A temporary certificate of compliance may be issued for a multiple dwelling or one- or two-unit rental dwelling rental property following inspection, if such rental property is found by a code official to be substantially in compliance with the provisions of the Ypsilanti City Code and all other applicable federal, state, and local laws and regulations, and provided there are no imminent life, health or safety-threatening violations or other untenable conditions observed with the rental property or any portion thereof, and provided that all current registration information has been provided.~~

(b) ~~The temporary certificate shall state on its face any remaining violations to be corrected and state that it will automatically expire if such violations are not corrected within the time specified by the building official or reasonable extensions thereof which shall be noted on the certificate. Failure by the owner or the owner's agent to correct the violations within the time specified by the building official shall constitute a violation of this Code and the rental property multiple dwelling or one- or two-unit rental dwelling shall be ordered vacated.~~

(c) A temporary certificate of compliance regarding rental property shall not be issued for a period exceeding sixty (60) calendar days and may not be extended or renewed. The City may reasonably require posting of a performance bond in favor of the City and on such terms the City may reasonably determine, to ensure timely correction of the remaining violations, failing which the bond shall be forfeited to the City. Forfeiture of any bond shall not relieve the Owner of any repair or maintenance obligation under the Ypsilanti City Code or other applicable law or regulation.

(d) During the effective period of a temporary certificate of compliance:

(1) The owner and owner/agent shall be prohibited from demanding, retaining, or collecting rent, security deposits, or any other compensation from tenants or third-party payors, and shall instead direct affected tenants to deposit their rental obligations (when they would otherwise be due to the owner) into an escrow account established by the City Treasurer for such purposes as and when such obligations would otherwise be due to the owner.

(2) Within ten business days of issuance of a full certificate of occupancy affecting the rental property, the amounts escrowed with the City by the tenants shall be remitted to the owner/agent.

(3) Upon expiration of a temporary certificate of occupancy for noncompliance with its terms, all amounts escrowed with the City shall be refunded to the affected tenants within ten business days of such expiration.

(e) A rental property shall be ineligible for issuance of a temporary certificate of compliance if it has (i) been cited for one or more health and safety violations of the Ypsilanti City Code or applicable federal, state, or local laws or regulations within the twelve months preceding the first inspection following application for issuance of an initial or renewal certificate of compliance, and/or (ii) has been condemned or otherwise designated by the City as a dangerous building or dangerous rental property within the 24 months preceding the first inspection following application for issuance of an initial or renewal certificate of compliance.

Sec. 18-151. - Expiration and reinspection procedures.

(a) Certificates of compliance shall expire ~~two years~~ one year after the commencement date of the certificate period. The date of issuance, date of expiration and certificate period shall be indicated on the certificate. For purposes of this Chapter, the “certificate period” Certificate periods shall begin on the beginning first day of the month of in which the first full inspection occurs following the Owner’s application for issuance of an initial or renewal certificate of compliance, or in which a Certificate of Compliance was suspended or revoked, and regardless of the date of issuance.

(b) Nothing in this Chapter shall be construed to restrict the lawful authority of a code official to inspect any rental property, rental units, or vacant property more frequently than such periodic inspection as outlined in the previous sections, such as when a complaint is filed or when the code official or other public officer otherwise has reasonable cause to believe a property or any portion thereof is in violation of the Ypsilanti City Code or other applicable law.

(c) A certificate of compliance shall not be issued or renewed by the Building Department unless the applicant meets the following requirements:

- (1) An application form is submitted pursuant to the provisions of Sections 18-131 and 18-146.
- (2) An annual inspection is performed on the rental property and each rental unit regarding which certification is required. All violations disclosed by this inspection shall demonstrably be corrected within 48 hours of the inspection.
- (3) All application inspection, renewal (with late fee if applicable), lock-out, and cancelled inspection fees are paid.
- (4) All required permits and inspections were obtained regarding all work performed on a rental property or rental unit.
- (5) All of the following fees and debts to the City have been paid in full, including without limitation the following:
 - i. All previously billed property taxes;
 - ii. All current or past due special assessments;
 - iii. Water or sewer bills outstanding;
 - iv. All charges against the property for mowing, cleanup, weed or debris removal, repairs or remediation work, or any similar charges for work performed by the City;
 - v. Any fees, fines, penalties, or debts of any sort associated with the Rental Property that are imposed by an administrative hearing officer under Chapter 71 of the Ypsilanti City Code, or by a court of competent jurisdiction, or otherwise arising from provisions of the property maintenance code, including any blight violations; and
 - vi. All permit and inspection fees.

~~A three-year certificate of compliance can be issued for a rental property if all of the following requirements are met:~~

~~(1)There are no apparent health and safety violations.(2)There are less than five non-health and safety violations in the unit and have been corrected within the first re-inspection.(3)There are no outstanding fees or fines owed on the property.(4)The property owner has obtained all required permits for work within the building.(5)The owner or owner's agent has requested a recertification inspection at least 60 days prior to expiration of the current certificate.~~

(d) Not less than ninety (90) days prior to expiration date of a certificate of compliance, the Owner(s) or owner/agent shall schedule inspection of a rental property for purposes of determining eligibility for renewing the certificate of compliance and shall ensure that all initial and follow up inspections are scheduled and completed, and all required repairs and maintenance completed, prior to expiration of the existing certificate of compliance. The provisions of Section 18-146 shall apply in the event a certificate of compliance becomes lapsed pending compliance. At least three months before the current, valid certificate of compliance expires, it is the duty of the owner of the property to shall arrange for the inspection necessary for the issuance of a new certificate prior to the expiration of the previous certificate. If the owner does not schedule the inspection timely, the building inspection department will schedule the inspection and send out a notice to the owner or the owner/agentowner's agent. The building inspection department will schedule all necessary subsequent inspections following the initial scheduled inspection, whether the inspection was performed, and send out notices to the owners or the owners' agents for those re-inspections.

Sec. 18-152. – Transferability of Certificates of Compliance.

(a) Certificates of compliance covering rental property are not transferable and are deemed to have expired upon closing of a transaction effectuating a transfer of the rental property, as that term is defined by the General Property Tax Act, MCL 211.27a(6). All such transfers are conditioned upon reinspection of the rental property and issuance of a transfer clearance by the Building Department prior to the closing of such transfer.

(b) Upon application for a transfer clearance, the Building Department shall determine the following as of the date of the application:

(1) Whether a certificate of compliance is effective regarding the property, the status thereof, and the dates of issuance and expiration thereof.

(2) Whether the rental property, upon reinspection, is in full compliance with the Ypsilanti City Code and any other applicable laws and regulations.

(3) Whether the rental property is then the subject of active enforcement action by the Building Department, and the general nature of that action.

(4) Whether the rental property is the subject of unpaid fines, costs, liens, or other charges related to improvements and/or enforcement action.

(5) Whether lead clearance certificate has been issued regarding the rental property as required by Section 18-167 of this Chapter.

(c) Application for transfer clearance shall be made to the Building Department at least sixty (60) days prior to the closing of a transaction involving the sale or transfer of interest in the rental property.

(d) A rental property issued a certificate of compliance not more than sixty (60) days prior to the closing of the sale and delivery of possession of a rental property to the purchaser shall not require reinspection unless the rental property is subject to outstanding judgments in favor of the City, has violations that have not been corrected to the satisfaction of the Building Department, and/or if outstanding assessments or liabilities affecting the property remain unpaid to the City.

(e) All violations identified shall be corrected to achieve full compliance with the Ypsilanti City Code, and all outstanding assessments, fines, fees, and costs due to the City shall be satisfied in full prior to or incident to the closing of the sale or transfer of interests in rental property.

(f) Application fees, inspection fees, and applicable late charges may be established from time to time by resolution of the City Council.

~~certificates of compliance shall be transferable when the ownership of a building changes, provided that the building has a valid certificate of compliance or valid temporary certificate of compliance in effect covering the rental property and each dwelling unit or sleeping rental unit therein which the new owner intends to rent, lease, or allow occupancy of in the multiple dwelling or one- or two-unit rental dwelling, the new owner must sign a statement that the new owner will not rent, lease, or allow occupancy of a dwelling unit or sleeping unit rental property not covered by a valid certificate (each unit not covered by the certificate must be individually listed in the statement). It shall be the duty of the new owner to register with the Building Department,~~

~~consistent with Section 18-131. The certificate of compliance shall not be transferred until the registration requirement is satisfied.~~

III. Chapter 18 of the Ypsilanti City Code, entitled “Buildings and Building Regulations,” is hereby amended by amending Article VI “Inspection and Control of Certain Buildings” to add Section 18-167 “Inspection and Lead Clearance Risk Assessment for Lead-Based Paint Hazards; When Required,” which Section shall read as follows:

Sec. 18-167. - Inspection and Lead Clearance Risk Assessment for Lead-Based Paint Hazards; When Required.

The purpose and intent of this Section is to protect the health and welfare of children who occupy rental units that contain lead-based paint hazards since exposure to lead can cause serious problems for children, including learning problems, behavioral problems, developmental delays, and speech and language problems.

SUBDIVISION A. – General Provisions.

(a) Where interim controls were used to reduce lead-based paint hazards related to a building or structure required to be registered pursuant to Section 18-131(a), or where a lead inspection reveals the presence of lead paint on such structure, the owner shall have an annual lead inspection/risk assessment performed on the structure, and obtain an annual lead-clearance report in accordance with this Section.

(b) If abatement was used to remove all identified lead hazards, as prescribed herein, the owner shall have a lead inspection/risk assessment performed on the structure every three (3) years, and the lead-clearance report shall be valid for three (3) years.

(c) Where all lead-based paint was fully abated in a structure in accordance with the Michigan Lead Abatement Act, being MCL 333.5451 et seq., and as certified by a certified lead inspector or risk assessor, or where a certified lead inspector certifies that no lead paint exists on the rental property, no further risk assessment or lead clearance shall be required in order to obtain a Certificate of Compliance for structure.

(d) For purposes of this Section and any Subdivision thereof, the terms “abatement” or “abated” means a measure or set of measures designed to permanently eliminate lead-based paint hazards and includes:

1. The removal of lead-based paint hazards and dust lead hazards, the permanent enclosure or encapsulation of lead-based paint, the replacement of lead-painted surfaces or fixtures, the removal or covering of soil lead hazards, and all preparation, cleanup, disposal, and post-abatement clearance testing activities associated with such measures, which shall be performed by a state certified lead abatement firm;

2. A project for which there is a written contract or other documentation which provides that a person will be conducting activities in or to a residential dwelling or child-occupied facility that will result in the permanent elimination of lead hazards or that are designed to permanently eliminate lead hazards;

3. A project resulting in the permanent elimination of lead-based paint hazards, conducted by a person certified pursuant to the Michigan Lead Abatement Act, being MCL 333.5451 et seq., except a project that is otherwise exempt under the Act;

4. A project resulting in the permanent elimination of lead hazards that is conducted in response to a state or City abatement order, but does not include: (a) renovation, remodeling, landscaping, or other activity, where the activity is not designed to permanently eliminate lead hazards, but is instead designed to repair, restore, or remodel a dwelling even though the activity may incidentally result in a reduction or elimination of a lead hazard, (b) an interim control, operation, maintenance activity, or other measure or activity designed to temporarily, but not permanently, reduce a lead hazard, (c) any lead-based paint activity performed by the owner of an owner occupied residential dwelling or an owner-occupied multi-family dwelling containing four (4) or fewer units where the activity is performed only in that owner-occupied unit of the multi-family dwelling, and (d) the scraping or removal of paint, painting over paint, or other similar activity that may incidentally result in a reduction or elimination of a lead hazard.

(e) An owner/agent of rental property, or any person acting on their behalf, shall not:

1. Terminate, or cause to be terminated, the tenancy of any person for the purpose of avoiding compliance with any section of this division; or
2. Take any unlawful retaliatory action toward a tenant who reports a suspected lead-based paint hazard or other health hazard to the owner/agent or to the City.
3. Action by the rental property owner to achieve compliance with this subdivision shall not be deemed a basis for the modification or termination of a tenancy for the property.

SUBDIVISION B. – Lead Clearance.

(a) For purposes of this Subdivision, all paint on the interior and exterior of any building or structure or unit required to be registered under Section 18-131(a) on which the original construction was completed prior to January 1, 1978, is presumed to be lead-based and that all windows and doors on such structures constructed prior to January 1, 1978, are lead-based paint hazards unless they are replacement items that were manufactured after 1978 or unless a lead-based paint inspection is performed by a certified lead inspector who verifies they do not contain lead-based paint.

(b) Owners of a building or structure required to be registered pursuant to Section 18-131(a) shall have a lead inspection/risk assessment performed by a certified lead inspector/certified risk assessor to inspect for the presence of lead-based paint and lead-based paint hazards and where lead-based paint hazards are present, the owner must correctly reduce and control hazards prior to families occupying the rental property.

(c) The interior and exterior of any building or structure required to be registered pursuant to Section 18-131(a), on which the original construction was completed prior to January 1, 1978, shall be maintained in a condition that the paint does not become deteriorated paint. For purposes of this provision, the term “deteriorated paint” means paint or other surface coating that is cracking, flaking, chipping, peeling, or otherwise damaged or separating from the substrate of a building component, unless the deteriorated paint surfaces total no more than (1) twenty (20) square feet on exterior surfaces, (2) two (2) square feet in any one interior room or space, or (3) ten (10) percent of the total surface area on an interior or exterior type of component with a small surface area.

(d) The owner of rental property shall obtain a lead inspection and risk assessment, as defined in this Section, from a certified lead inspector and/or risk assessor in order to obtain a lead clearance as required by this Section. The lead inspection report shall contain the following information:

1. The date of the lead inspection,
 2. The address of the rental property, including apartment or dwelling unit number, where applicable,
 3. The Date the rental property was built,
 4. The name, address and telephone number of the owner(s) and agent(s),
 5. The name, signature and certification number of each individual conducting testing on the rental property,
 6. The name, address and telephone number of the company employing the individual(s) conducting the testing, where applicable,
 7. Each testing method, device and sampling procedure used for paint analysis, and where used, the serial number of any x-ray fluorescence lead testing device
 8. The specific locations of each painted component tested for the presence of lead-based paint, and,
 9. The result of the inspection in units of measure that match the type of sampling method used.
- (e) The risk assessment report shall contain the following information:
1. The date of the risk assessment,
 2. The address of the rental property, including apartment or dwelling unit number, where applicable,
 3. The date the rental property was built,
 4. The name, address and telephone number of the owner(s) and agent(s),
 5. The name, signature and certification number of risk assessor conducting the assessment,
 6. The name, address and telephone number of the company employing the risk assessor conducting the assessment, where applicable,
 7. The name, address, and telephone number of each laboratory conducting analyses of collected samples,
 8. The results of the visual inspection,
 9. The testing method and sampling procedure used for paint analysis,
 10. The specific locations of each painted component tested for lead,
 11. The results from on-site testing and, where used, the serial number of any x-ray fluorescence lead testing device,
 12. All results from the laboratory analysis of collected paint and dust samples,
 13. Any other sampling results,
 14. Any background information regarding the physical characteristics of the property and use patterns of the residents that may cause lead paint exposure to young children,
 15. To the extent that they are used as part of the risk assessment, the results of any previous inspections or analyses for lead paint or hazards,
 16. A description of the location, type, and severity or identified lead paint hazards and any other potential lead hazards, and,
 17. A description of temporary and/or permanent options to fix each lead paint hazard found, and a priority for fixing each hazard from the most serious to the least and, where the use of an encapsulant paint or physical barrier (siding or paneling) is recommended, the report should recommend a maintenance and monitoring schedule for these solutions.
- (f) An individual who is certified as both a lead inspector and a risk assessor may combine the information required in reports required under subsections (d) and (e) of this Section.

(g) Where the risk assessment indicates a lead-based paint hazard or hazards exists at the rental property, the condition(s) may be corrected through (a) abatement by a certified abatement worker, pursuant to the rules promulgated under the Michigan Lead Abatement Act, being MCL 333.5451 et seq., or (b) interim controls performed only by a person who has received a certificate that the person has undergone Lead Safety for Renovation, Repair and Painting Training pursuant to 40 CFR 745(e) and who has become a certified renovator.

(h) After lead abatement or interim controls are performed, the owner of rental property shall have a clearance examination on the property and obtain a post-remedy clearance report, as defined in section 9-1-3 of the 1984 Detroit City Code

(i) To obtain lead clearance for the rental property, the owner shall provide the post-remedy clearance report to the buildings and safety engineering department.

(j) Any lead inspection, risk assessment or lead clearance shall be performed by persons or entities independent of persons performing abatement or interim controls.

(k) To minimize the harm to persons occupying rental property where there are interim controls or lead abatement, which may disturb lead paint and potentially cause further harm or hazards to persons occupying the premises, the following shall be required in addition to any requirements imposed by Michigan or federal laws and/or regulations:

1. Occupants of rental property shall not be permitted to enter the dwelling until after abatement or interim controls have been completed and clearance has been achieved;

2. Occupants of rental property shall be temporarily relocated by the owner for the safety of occupants during interim controls or abatement until certification by a certified clearance technician, for interim controls only, or certified lead inspector/risk assessor, for abatement or interim controls, is received; and occupants who relocated to a dwelling unit not owned by the landlord shall not be liable to the landlord for rent accruing during this time period, provided, that relocation of occupants shall not be necessary where:

i. Abatement or interim controls will not disturb

lead-based paint;

ii. Only the exterior of the dwelling unit is treated, and windows, doors, ventilation intakes and other openings in or near the area being treated are sealed during abatement or interim controls and cleaned afterward, and an entry free of lead-based paint hazards and debris is provided; and

iii. Abatement or interim controls of the interior will be completed within one (1) period of eight (8) daytime hours, the area treated is contained so as to prevent the release of leaded dust and debris into other areas, and treatment does not create other safety, health or environmental hazards.

3. The dwelling unit and the area treated shall be secured against unauthorized entry, and the occupants' belongings protected from contamination by lead dust and debris during or interim controls or abatement;

4. Occupants' belongings in the containment area shall be relocated to a safe and secure area outside the containment area, or covered with an impermeable covering with all seams and edges taped or otherwise sealed;

5. The area treated shall be prepared, including the placement of containment barriers, to prevent the release of leaded dust, and shall contain lead-based paint chips and other debris from hazard reduction activities within the area treated until they can be safely removed;

6. Practices that minimize the spread of leaded dust, paint chips, and debris shall be used; and

7. A warning sign shall be posted at each entry to a room where abatement or interim controls are conducted when occupants are present; or at each main and secondary entryway to a building from which occupants have been relocated. Each warning sign shall be provided in the occupants' primary language.

(l) Performance of abatement or interim controls on an exterior painted surface as required under this subdivision may be delayed for a reasonable period if weather conditions render the completion of activities impossible.

IV. Chapter 18 of the Ypsilanti City Code, entitled "Buildings and Building Regulations," is hereby amended by amending Article VI "Inspection and Control of Certain Buildings" by amending Section 18-190 "Inspection," which Section shall read as follows:

Sec. 18-190. - Requirement to register vacant buildings and structures; enforcement authority; inspections; establishment of annual registration and inspection fees.

(a) Within 30 days of a building or structure becoming vacant or after receiving notice from the City that the building or structure is vacant, the owner of the vacant building or structure shall register the property with the Building Department and obtain a Certificate of Registration of Vacant Property from the Department and schedule an inspection with the Building Department. Application for a Certificate of Registration of Vacant Property shall be made on a form available at the Department by providing following information:

1. A description of the building or structure, including the address, square footage, number of stories, approximate year of construction, and the most recent use of the building or structure;
2. The owner and owner/agent information required to be provided under Section 18-131(a)(3)-(6) and 18-131(e); and,
3. A detailed plan and a timetable, acceptable to the Building Official, for:
 - i. Returning the property to active use; or
 - ii. Demolition where the building or structure has major structural defects and the owner has determined that the defects would not allow for rehabilitation, or the building or structure has been ordered demolished by the City Council.

(b) A Certificate of Registration for Vacant Property shall be renewed annually on or before the date of the original registration. Where a vacant building or structure has been returned to active use, or demolished, the registration is not required to be renewed. An annual fee for registrations and inspections of vacant buildings or structures shall be established by City Council and shall be collected by the Building Department. The owner(s) and the owner/agent of the vacant building shall be individually and severally responsible for the registration and inspection fees.

(c) A notice that is sheltered from the weather, which indicates the name and telephone number of a local person to be contacted in the event of an emergency or other concern at the property, shall be visually posted at each entry point of the vacant building or structure.

(d) All vacant buildings and structures shall be subject to an annual inspection and obtain a Certificate of Compliance, provided that where, upon inspection, all criteria of this article are met, the annual fee for the registration of a vacant building or structure shall be waived.

(e) Where the building or structure is sold or transferred to a party other than the owner(s) listed on the Certificate of Registration of Vacant Property and the property remains vacant, the

new owner(s) shall obtain a new Certificate of Registration of Vacant Property within 30 days of taking title to the property.

(f) After registration, a vacant building or structure shall always be secured from trespass and the building or structure and surrounding property maintained as provided for herein. An owner or owner/agent may receive and shall comply with any emergency order, correction notice, or blight violation issued under this Article concerning a vacant building or structure, until the property is secured and maintained as determined by the Building Official, or his or her authorized local official or designee.

(g) As permitted in the Ypsilanti City Code, the City may undertake demolition, maintenance, or securing of any vacant building or structure that presents an imminent danger, is in an emergency condition, or is not in compliance with a notice or blight violation under this article.

(h) In addition to other remedies available under this Article or at law, the costs incurred by the City shall be recorded as liens against the real property upon which the vacant building or structure is located, and enforced in the manner prescribed in state law, the Charter, and this Code for the enforcement of special assessment liens or tax liens.

(i) In accordance with this Code, the City may undertake emergency measures, including the boarding, closing, emergency repairs, and securing of a vacant building or structure, to protect the public health and safety from an imminent danger or to remedy the failure of an owner to comply with a notice or an order issued under this Article. Pursuant to this Article, any costs incurred by the City in undertaking emergency measures may be recovered by the City from the owner. The City Attorney may take appropriate legal action against the owner of the vacant building or structure for the recovery of the costs of the emergency measures. A lien upon the real property may be placed on the subject property in accordance with state law, the Charter, and the Ypsilanti City Code.

V. Chapter 18 of the Ypsilanti City Code, entitled “Buildings and Building Regulations,” is hereby amended by amending Article VI “Inspection and Control of Certain Buildings” by amending Section 18-227 “Emergency Situations,” which Section shall read as follows:

Sec. 18-227. - Emergency situations.

(a) Where it reasonably appears to the City building department, fire department, police, or fire marshal that there is immediate danger to the public safety or health unless a dangerous building as defined in Section 18-111 (or any portion of or conditions associated with such dangerous building or dangerous rental property) is immediately demolished or otherwise made safe, or whenever any building or structure becomes open at door(s) or window(s), or damaged from vandalism, fire, or other cause, including lawful entry by police enforcement, leaving the interior of the building or structure exposed to the elements, or accessible to entrance by trespassers; and the owner(s), owner/agent(s) or other responsible party is unable to be immediately contacted or cannot adequately secure the building or structure within one hour; and where it is determined that it is inappropriate to delay making such building or structure secure; such facts shall be reported to the building official or fire marshal who shall cause the immediate repair, demolition, or boarding up of such dangerous building or structure. The costs of such immediate repair, demolition, or boarding up shall be the responsibility of the owner or party in interest which costs shall be paid within two weeks. The city may choose to deduct such costs from any escrow

established pursuant to Section 18-194 for such building and/or the city may collect such costs as set forth in Section 18-223.

(b) When, in the opinion of the Building Official, there is actual and immediate danger of failure or collapse of a building or structure, or any part thereof, or the presence of any other health hazard that could endanger life, or when any structure or part of a structure has fallen or is of such condition that life can be endangered by the occupation of the building or structure, the Building Official is hereby authorized to order and require the occupants to vacate the same forthwith and/or otherwise prohibit persons from entry into the building. The Building Official shall post, or cause to be posted, at each entrance to such building a notice to read as follows:

NOTICE

UNSAFE BUILDING (OR STRUCTURE) **ENTRY PROHIBITED — STAY OUT**

"This building (or structure) is unsafe and, therefore, its use or occupancy is prohibited by the Building Official and is under police protection.

All persons are hereby ordered to vacate and stay out of this building (or structure).

It is unlawful under Section 18-227 of the Ypsilanti City Code for any person to enter this building (or structure) without express written authorization of the Building Official, or to destroy, mutilate, deface or remove this Notice.

Any person who enters this building (or structure) without express written authorization of the Building Official, or who destroys, mutilates, defaces or removes this Notice is subject, under Section 18-227 of the Ypsilanti City Code, to conviction of a misdemeanor, which will result in a fine of up to \$500.00, a sentence of up to 90 days in jail, or both, in the discretion of the court."

(c) When necessary to ensure public safety, safety and welfare, the Building Official may temporarily close, in conjunction with the Department of Public Services, the Police Department and/or the Fire Department, any sidewalk, street, building, structure, or place that is adjacent to such unsafe building or structure, and prohibit the same from being used, entered, or occupied.

(d) Any person who enters a building or structure contrary to a notice posted pursuant to Section 18-227(b) without express written authorization of the Building Official, or who destroys, mutilates, defaces or removes such notice, or who causes or directs such destruction, mutilation, defacing, or removal of such notice, is guilty of a misdemeanor punishable by up to 90 days in jail or a fine of \$500.00, or both.

(e) For the purposes of this division, the Building Official shall employ necessary labor and materials to perform the required emergency work as expeditiously as possible to protect the public health, safety, and welfare.

1. Where any cost incurred by the City in the performance of emergency work is paid by the City upon approval of the Building Official, the City shall institute appropriate legal action against all owners of the building or structure for the recovery of such cost.
2. Where any cost for emergency work at a building or structure that is incurred by the City as a result of the emergency is not paid to the City by the owner or owners:
 - i. The amount of the cost shall be forwarded by the Building Department for assessment on the subject property and recorded as a lien against real property in accordance with state law, the Charter, and this Code; and
 - ii. Liens assessed pursuant to this section shall be enforced in the manner prescribed in state law, the Charter, and this Code for the enforcement of special assessment liens or tax liens.

2. Severability. If any clause, sentence, section, paragraph, or part of this ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporations, legal entities, or circumstances by such judgment shall be confined in its operation to the clause, sentence, section, paragraph, or part of this Ordinance thereof directly involved in the case or controversy in which such judgment shall have been rendered and to the person, firm, corporation, legal entity, or circumstances then and there involved. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this Ordinance.

3. Repeal. All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed.

4. Savings Clause. The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as herein or previously amended, shall remain in full force and effect. The repeal provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

5. Copies to be available. Copies of the Ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours.

6. Publication and Effective Date. The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published according to Section 11.13 of the City Charter. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

AN ORDINANCE TO AMEND CHAPTER 18, ARTICLE V “PROPERTY MAINTENANCE CODE” OF THE YPSILANTI CITY CODE, BY AMENDING SECTION 18-92

THE CITY OF YPSILANTI HEREBY ORDAINS:

Amendments, additions, and deletions to the Code of Ordinances, City of Ypsilanti, Michigan.

I. Chapter 18 of the Ypsilanti City Code, entitled “Buildings and Building Regulations,” is hereby amended by amending Article V “Property Maintenance Code” to amend Section 18-92 “Additions, insertions and changes,” to add the following provisions:

Sec. 18-92. - Additions, insertions and changes.

The International Property Maintenance Code adopted in section 18-91 is amended and revised in the following respects:

Sec. 202.1. Additional Definitions. Amended to add:

Accredited mold analysis laboratory shall mean an industry accredited laboratory that performs a mold or mold-related analysis on a sample collected to determine the presence, identity, or amount of indoor mold in the sample and that specializes in environmental mycology.

Indoor mold contamination shall mean mold contamination that was not purposely grown or brought into a building and that has the potential to affect the air quality of the building.

Industry certification shall mean certification by either the American Council for Accredited Certification (ACAC), the Institute of Inspection Cleaning and Restoration (IICRC), or the National Association of Mold Professionals (NAMP).

Mold shall mean any living or dead fungi or related parts including spores, hyphae, and mycotoxins.

Mold analysis shall mean the examination by an accredited mold analysis laboratory of a sample collected during a mold assessment for the purpose of any of the following:

- a) Determining the presence of, the amount of, or the identification of the genus or species of any living or dead mold or related part including spores, hyphae, and mycotoxins present in the sample.
- b) Growing or attempting to grow fungi for any of the purposes listed in subparagraph (a) above.
- c) Determining the presence of or amount of any fungal product including, but not limited to, mycotoxins and fungal volatile organic compounds present in the sample.

Mold assessment shall mean inspection, investigation, or survey of a dwelling or other structure to provide information regarding the presence, identification, or evaluation of mold, or the collection or analysis of a mold sample.

Mold remediation shall mean the treatment of indoor mold contamination at a specified location by demolition, removal, cleaning, sanitizing, or other treatment, and includes preventive measures taken on a remediated area such as applying biocides or anti-microbial compounds.

Mold remediation work plan shall mean a document prepared by a licensed environmental engineer possessing one or more industry certifications, that provides the scope of work and methods to treat and remediate the indoor mold contamination at a specified location, preventive measures for reducing the risk of future indoor mold contamination at a specified location, identification and eradication of the cause(s) and source(s) of the indoor mold contamination, and other such measures such that the location is brought into compliance with the Ypsilanti City Code.

Visible shall mean exposed to view; capable of being seen or otherwise detected.

Section 305.7. Remediation of Mold in Indoor Environments. Added to read:

305.7.1. Indoor mold contamination. In the event there is indoor mold contamination in a building, it shall be remediated and the underlying moisture problem shall be discovered and corrected to prevent reoccurring mold growth.

305.7.2. Indoor mold areas greater than five (5) square feet in the aggregate.

- a) Occupational License. If the total visible or observable contiguous area of the indoor mold area exceeds five (5) square feet, the indoor mold contamination shall be remediated by a contractor licensed by the State of Michigan to perform the type of work specified in the mold remediation plan such as a Residential Builder, a Residential Maintenance and Alteration Contractor or a General Contractor licensed by the State of Michigan, or if required by State law or the applicable code, by a licensed plumbing, electrical, or mechanical contractor.
- b) Permits required. If source eradication and/or remediation requires demolition or building alterations of the structure or parts of the structure, a demolition and/or building permit is required prior to engaging in the remediation of the indoor mold contamination. Prior to issuance of a demolition and/or building permit, a mold assessment report from an industry certified consultant shall be submitted and a written mold remediation work plan shall be provided.
- c) Containment. If the remediation area affects a total surface area of twenty-five (25) square feet or more for the project, containment measures shall be specified in the mold remediation work plan. The containment specified in the remediation work plan must prevent the spread of mold to areas of the building outside the containment area. If walk-in containment is used, supply and return air vents must be blocked and air pressure within

the walk-in containment must be lower than the pressure in building areas adjacent to the containment.

- d) Disinfectants, biocides, and antimicrobial coatings. Only those disinfectants, biocides, or antimicrobial coatings that are registered by the United States Environmental Protection Agency (EPA) for the specified use shall be used as part of the indoor mold contamination remediation and only used in conformity with the manufacturer's labeling instructions. A mold remediation work plan shall specify the specific product or brand and all applicable personal protective equipment required of personnel performing the work.
- e) Notice signs. Signs advising that a mold remediation project is in progress shall be displayed at all accessible entrances to remediation areas. The signs shall be at least eight inches (8") by ten inches (10") in size and shall bear the words "NOTICE: Mold remediation project in progress" in black on a yellow background. The text of the signs must be legible from a distance of ten feet (10').

305.7.3. Mold remediation work plan. The mold remediation work plan shall be specific to each remediation project and shall specify:

- a) The rooms or areas where the work will be performed;
- b) The estimated quantities of materials to be cleaned or removed, manner of removal, and protocols for disposal; and
- c) The methods to be used for each type of remediation in each area.

305.7.4. Environmental sampling. Environmental sampling may be required by the Building Official under any of the following circumstances:

- a) To confirm the presence and type of visually identified indoor mold contamination; or
- b) Where the source of perceived indoor mold contamination cannot be visually identified.
- c) Where unpermitted work or other cosmetic work was performed to purportedly remediate or otherwise conceal indoor mold contamination

305.7.5. Environmental sampling and data collection. If samples for laboratory analysis are collected:

- a) Environmental sampling shall be conducted by an individual with industry certification as defined herein;
- b) Preservation methods shall be implemented for all samples where necessary;
- c) Proper sample documentation including the sampling method, the sample identification code, each location and material sampled, the date collected, the name of the person who collected the samples, and the project name or number must be recorded for each sample;
- d) Proper chain of custody procedures shall be used;
- e) Samples must be analyzed by a laboratory accredited through the American Industrial Hygiene Association (AIHA) Environmental Microbiology Laboratory Accredited Program (EMLAP), or an accredited mold analysis laboratory as defined herein.

305.7.6. Certification of remediation; Certificates of Occupancy and/or Compliance. After completion of a remediation but before a certificate of occupancy and/or certificate of compliance may be issued, written documentation shall be submitted to the Building Department certifying that any water leaks were properly repaired, the cause and presence of any excessive moisture conditions were identified and corrected, the indoor mold contamination remediated, and preventive measures taken to prevent future mold contamination of a remediated area. The documentation shall include a certification from an industry certified consultant that the indoor mold contamination has been remediated according to the mold remediation work plan for the specific remediation project.

2. Severability. If any clause, sentence, section, paragraph, or part of this ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporations, legal entities, or circumstances by such judgment shall be confined in its operation to the clause, sentence, section, paragraph, or part of this Ordinance thereof directly involved in the case or controversy in which such judgment shall have been rendered and to the person, firm, corporation, legal entity, or circumstances then and there involved. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this Ordinance.

3. Repeal. All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed.

4. Savings Clause. The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as herein or previously amended, shall remain in full force and effect. The repeal provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

5. Copies to be available. Copies of the Ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours.

6. Publication and Effective Date. The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published according to Section 11.13 of the City Charter. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.



REQUEST FOR LEGISLATION
September 15, 2026

For: Mayor and City Council

From: Tracey Boudreau, City Clerk

Subject: Tabled Resolution No. 2026-208 either approving or denying the FOIA appeal of Alexander Munro, regarding 24 N. Huron St permit records.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION:

ATTACHMENTS:

1. Munro deny FOIA appeal Resolution No. 2026-208
2. Munro Appeal - 24 N Huron Back Up2
3. Munro Appeal-24-N-Huron-Permits 08-12-2026_Redacted
4. Munro Appeal - 24 N Huron Back Up1

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: September 15, 2026

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



Resolution No. 2026-208
August 18, 2026
~~September 1, 2026~~
TABLED
September 15, 2026

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

After hearing the presentations and considering the FOIA request and the denial notice and considering the FOIA act and the facts and circumstances of the matter, it is hereby resolved that:

The FOIA appeal of Alexander Munro, regarding 24 N. Huron St. permit records, is denied.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



Alexander Munro [REDACTED]

Re: FOIA Request: Second (east) gate

1 message

Carrie Malas <cmalas@cityofypsilanti.com>

Mon, May 11, 2026 at 4:15 PM

To: "awmunro@gmail.com" <awmunro@gmail.com>, Jennifer Merritt <jenniferm@cmplaw.com>, Joe Meyers <JMeyers@cityofypsilanti.com>

Hi Alex,

That was referring to my own site visit combined with photo records and a discussion with the owner.

Please advise that my supervisor, Joe Meyers, has requested that future communication and questions be directed to him.

Thank you,



Carrie Malas
Preservation Planner
 1 S Huron St, Ypsilanti, MI 48197
 734-482-9709
www.cityofypsilanti.com

From: Alexander Munro [REDACTED]

Sent: Monday, May 11, 2026 9:02 AM

To: Carrie Malas <cmalas@cityofypsilanti.com>; Jennifer Merritt <jenniferm@cmplaw.com>

Cc: Cathy Hall <CHall@cityofypsilanti.com>; sandy@alexandermunro.com <sandy@alexandermunro.com>

Subject: FOIA Request: Second (east) gate

Attention: This email was sent to the City of Ypsilanti from an external source. Please be extra vigilant when opening attachments or clicking links.

Carrie,

Thank you for getting back to me.

"The second (east) gate has always been there since its installation."

Could you cite the specific permit record or details of the installation you're referring to above?

And Jennifer, I'd ask you to assist Carrie here in collecting the responsive records for my question above -- you can consider this a new FOIA request under MCL15.235 et seq.

Thanks,

On Mon, May 11, 2026 at 8:57 AM Alexander Munro <awmunro@gmail.com> wrote:

Hello Carrie,

I added Jennifer from the FOIA Dept.

Andrew, did you plan to visit the training topic regarding FOIA requests I asked about last week?

Thank you,

On Mon, May 11, 2026 at 8:56 AM Carrie Malas <cmalas@cityofypsilanti.com> wrote:

Good morning, Alex,

I've heard back from our attorneys and they request that you submit a FOIA request through [our portal](#) because your request involves multiple departments.

I do not see a fence post in that photo, but the owners let me know it was taken out which is why they approached me to reinstall it. The second (east) gate has always been there since its installation.

Best,



Carrie Malas
Preservation Planner
1 S Huron St, Ypsilanti, MI 48197
734-482-9709
www.cityofypsilanti.com

From: Alexander Munro [REDACTED]

Sent: Monday, May 11, 2026 7:52 AM

To: Carrie Malas <cmalas@cityofypsilanti.com>

Cc: Hellenga, Andrew <ahellenga@cityofypsilanti.com>; Miles Redman <MRedman@cityofypsilanti.com>; Cathy Hall <CHall@cityofypsilanti.com>; Jerry Dunham <JDunham@cityofypsilanti.com>

Subject: Fence Post

Attention: This email was sent to the City of Ypsilanti from an external source. Please be extra vigilant when opening attachments or clicking links.

Good morning Carrie,

This photo is from a Google Photo album dated Aug 20, 2024 -- it shows a garbage truck attempting to navigate the alleyway corner behind the buildings along N. Huron St.

Do you see a fence post here, where the terminal is today cast in concrete?



Please review the image above and confirm for me.

Additionally, update me on what is going on with my report as soon as you are able.

Thank you,

--

Alexander Munro

August 12, 2026

City of Ypsilanti — Freedom of Information Act Appeal
To the Head of the Public Body, c/o the City Clerk / FOIA Coordinator
One South Huron Street, Ypsilanti, MI 48197

Re: APPEAL under the Freedom of Information Act (MCL 15.240) — denial of my request for 24 N. Huron Street permit records

To the Head of the Public Body, City of Ypsilanti:

I am submitting this written **appeal** regarding the City's denial of my Freedom of Information Act request described below. I am asking the City to reverse that denial.

The request. In May 2026 I asked the City in writing, on more than one occasion, for its permit and approval records for 24 N. Huron Street. On May 4, 2026, I asked the City's Preservation Planner to "release the City's records (permit application, any survey or plans) for any permits or approvals from 2016," together with any correspondence the City had with the property owner. On May 28, 2026, I renewed that request in writing — "Where are the 2016 permit records Carrie referenced — any easement, zoning or permitting application, sketch plan, or survey?" — over my full name, address, and telephone number. I had also stated, on May 11, 2026, that a related request could be treated as "a new FOIA request under MCL 15.235 et seq.," and I renewed the request again on June 9, 2026 for all permit records for the property from 2005 to the present.

The denial I am appealing. On May 28, 2026, the City's Director of Community Services, Joe Meyers, wrote to me: **"These are being handled by our FOIA coordinator. Please wait until you receive word from them."** No word from the FOIA coordinator ever followed — no records, no fee itemization, and no certificate. City staff had also directed me to resubmit the request through the City's online portal "because [the] request involves multiple departments." **Both the City Attorney's office (whose FOIA Coordinator received my request directly) and the City Manager's office (which reviewed and responded to the correspondence) have been aware of this outstanding request throughout; it nonetheless remains unanswered.** My understanding is that the City's failure to respond within the time required by MCL 15.235 amounts to a denial of my request, which I am appealing.

Why I believe the denial should be reversed.

- My request met the requirements of MCL 15.233(1): it was in writing, it described the records sought (permit applications, plans, surveys, and approvals for a specific property), and it was made over my name, address, and contact information. The City's own Director of Community Services confirmed that the request was "being handled by [the City's] FOIA coordinator."
- A written request may be submitted by email, and any City employee who receives one must promptly forward it to the FOIA coordinator (MCL 15.233(1); the City's FOIA Procedures and Guidelines, Section 2). A direction to resubmit through the portal "because [the] request

involves multiple departments” is not a basis under FOIA for declining to answer a written request.

Relief requested. I respectfully ask that the City reverse the denial and produce the responsive records. If any responsive record does not exist, I ask for a certificate to that effect under **MCL 15.235(5)(b)**. If the City believes a fee applies, I ask for a completed Detailed Cost Itemization form under MCL 15.234(8) before any billable work.

For continuity of the record, this appeal concerns my written requests of May 4, May 11, May 28, and June 9, 2026; I am attaching the relevant emails.

Thank you for your consideration.

Alexander Munro
34 N. Huron St OFC
Ypsilanti, MI 48197





Alexander Munro [REDACTED]

RE: 24 N Huron Unpermitted Fence

1 message

Joe Meyers <[REDACTED]>
To: Alexander [REDACTED] Tracey Boudreau <TBoudreau@cityofypsilanti.com>
Cc: Lisa Britton <LBritton@cityofypsilanti.com>, "Hellenga, Andrew" <ahellenga@cityofypsilanti.com>

Mr. Munro,

These are being handled by our FOIA coordinator. Please wait until you receive word from them.

Joe

Joe Meyers

Director of Community Services

City of Ypsilanti

He/Him/His

734.482.9882

cityofypsilanti.com

From: Alexander Munro [REDACTED]
Sent: Thursday, May 28, 2026 12:07 PM
To: Tracey Boudreau <TBoudreau@cityofypsilanti.com>; Joe Meyers <JMeyers@cityofypsilanti.com>
Cc: Lisa Britton <LBritton@cityofypsilanti.com>; Hellenga, Andrew <ahellenga@cityofypsilanti.com>
Subject: Re: 24 N Huron Unpermitted Fence

Attention: This email was sent to the City of Ypsilanti from an external source. Please be extra vigilant when opening attachments or clicking links.

Thank you Tracey!

Adding Mr Myers in case he'd like to weigh in with an update for us.

On Thu, May 28, 2026 at 9:39 AM Tracey Boudreau <TBoudreau@cityofypsilanti.com> wrote:

Mr. Munro – it looks like this is an ongoing discussion that is not within my scope. I suggest you wait until Tuesday, when the City Manager will be back in the office.



Tracey L. Boudreau

Tracey L. Boudreau

City Clerk

City of Ypsilanti1 S Huron St. 48197

From: Alexander Munro [REDACTED]
Sent: Thursday, May 28, 2026 8:15 AM

To: Tracey Boudreau <TBoudreau@cityofypsilanti.com>
 Cc: Lisa Britton <LBritton@cityofypsilanti.com>
 Subject: Fwd: 24 N Huron Unpermitted Fence

Attention: This email was sent to the City of Ypsilanti from an external source. Please be extra vigilant when opening attachments or clicking links.

Hi Tracey,

Forwarding you this below since I understand Andrew is out of the office.

Thank you!

----- Forwarded message -----
 From: **Alexander Munro** [REDACTED]
 Date: Thu, May 28, 2026
 Subject: Re: 24 N Huron Unpermitted Fence
 To: Hellenga, Andrew <ahellenga@cityofypsilanti.com>

Good morning Andrew,

Thank you for getting back to me, but I don't think our questions have been answered yet. A few I'd like to ask:

- Where are the 2016 permit records Carrie referenced — any easement, zoning or permitting application, sketch plan, or survey? I attached the City's fence zoning application for ref
- At 46 N. Huron last year, the City Planner came on-site to evaluate and found, by reference to adjacent features, that the deck we had built did not obstruct the alleyway. Did anyone right-of-way? If so, what did they find?
- Are the stacked railroad ties (plus various other items like rocks, pots & planters, pads/blocks, tape and string, xmas tree, etc) being treated as nuisance or blight, and what is the cu
- Re muni trash bins, I think all downtown parcel taxes include sanitation millage? Shouldn't we all get bins for pickup service?

A short phone call works if it's easier.

Thank you,

Alexander Munro
 34 N. Huron Street, OFFICE
 Ypsilanti, MI 48197

On Wed, May 27, 2026 at 10:50 AM Hellenga, Andrew <ahellenga@cityofypsilanti.com> wrote:

Mr. Munro,

I reviewed your email stream; it appears that your questions have been answered. This is a private issue between two property owners, unfortunately the city is un



Andrew Hellenga
 City Manager
 1 S Huron St, Ypsilanti, MI 48197
 734-483-1100 Ext. 31556
 www.cityofypsilanti.com

From: Alexander Munro [REDACTED]
 Sent: Wednesday, May 27, 2026 10:29 AM
 To: Hellenga, Andrew <ahellenga@cityofypsilanti.com>
 Cc: Wessler, Bonnie <wesslerb@cityofypsilanti.com>; Joe Meyers <JMeyers@cityofypsilanti.com>
 Subject: Fwd: 24 N Huron Unpermitted Fence

Attention: This email was sent to the City of Ypsilanti from an external source. Please be extra vigilant when opening attachments or clicking links.

Mr Hellenga,

Could you please look into this and get back to me?

I had reported the unpermitted fencing/blight to bldg/code enforcement as well as the HDC, it looks like Carrie and Josh have passed this along to Joe Myers but Joe has not gotten back

Additionally, DPW does not seem to be responsive to maintenance requests or requests for trash bins for muni solid waste pickup. Is Bonnie still handling DPW? I never heard back from

Thank you!

----- Forwarded message -----
 From: **Alexander Munro** [REDACTED]
 Date: Tue, May 12, 2026 at 3:02 PM
 Subject: Re: 24 N Huron Unpermitted Fence
 To: Jerry Dunham <JDunham@cityofypsilanti.com>, Joshua Burns <jburns@cityofypsilanti.com>, Alexander Munro <sandy@alexandermunro.com>

Hi Josh,

I never heard back from you on this complaint. Can you confirm receipt, please?

And could we walk that alleyway together sometime this or next week? I would like to discuss it with you as well as a possible future project.

And please note, this email address is being deprecated. I'm using it to email you now, but for future correspondence I'll be using my new inbox - [REDACTED]

Thank you,

On Tue, May 5, 2026 at 10:31 AM Alexander Munro [REDACTED] wrote:

Hi Josh,

If you could see below regarding the cattle gate, it's blocking trash pick-up for several buildings down the alleyway.

Thank you,

On Tue, May 5, 2026 at 10:30 AM Jerry Dunham <JDunham@cityofypsilanti.com> wrote:

Good morning, Alex

The fence in picture shown below doesn't require a building permit under Michigan Building Code section 105.2. Only fences 7ft. or taller require a building permit/planning permit, but that would be a question for the city planner Josh Burns.

Thank you

Jerry Dunham II

Building Official/Building Department Manager

City of Ypsilanti

JDunham@cityofypsilanti.com

734-482-1025

www.cityofypsilanti.com



From: Alexander Munro [REDACTED]

Sent: Tuesday, May 5, 2026 10:08 AM

To: Carrie Malas <cmalas@cityofypsilanti.com>; Joe Meyers <JMeyers@cityofypsilanti.com>; Jerry Dunham <JDunham@cityofypsilanti.com>; Jennifer Merritt <jennifm@cityofypsilanti.com>

Subject: Re: 24 N Huron Unpermitted Fence

Attention: This email was sent to the City of Ypsilanti from an external source. Please be extra vigilant when opening attachments or clicking links.

Good morning Joe and Jerry,

I added you two to weigh in on the below; a fence was built w new concrete last October- I reported it back then and also yesterday. IIRC, Eddie Schmidt was there also about a day ago.

Jerry, doesn't commercial work like that normally require a seal + survey like you required from me?

Carrie, thank you for getting back to me— so triple stacked (or stacked on rocks) railroad ties are HDC friendly? What about the steel cattle-style fence gate- did HDC approve or deny?

I added Jennifer too just for awareness.

If I'm leaving anyone out (planning or dpw) feel free to add them.

Thank you!

On Tue, May 5, 2026 at 9:53 AM Carrie Malas <cmalas@cityofypsilanti.com> wrote:

Alex,

The railroad ties would not likely be something the HDC approves, though when I talked to code enforcement yesterday, they mentioned that they took care of Schmidt or Officer Augustine for information on the status.

Once the request is submitted, I would be able to see the deadline. Until then, I am unsure what the timeline is. I do believe they are typically fulfilled within a

Best,



Carrie Malas
Preservation Planner
 1 S Huron St, Ypsilanti, MI 48197
 734-482-9709
www.cityofypsilanti.com

From: Alexander Munro [REDACTED]
Sent: Tuesday, May 5, 2026 9:39 AM
To: Carrie Malas <cmalas@cityofypsilanti.com>
Subject: Re: 24 N Huron Unpermitted Fence

Attention: This email was sent to the City of Ypsilanti from an external source. Please be extra vigilant when opening attachments or clicking links.

GMorning Carrie,

Just following up on this and wanted to ask; do the characteristics of that fence and the stacked railroad ties look like something the HDC would normally approve?

If you could let me know when I'll hear back on the requests below that would be appreciated.

Thanks,

On Mon, May 4, 2026 at 4:19 PM Alexander Munro <awmunro@gmail.com> wrote:

Hi Carrie,

Can you release the City's records (permit application, any survey or plans) for any permits or approvals from 2016?

I would also like to be able to review any correspondence the City had with the property owner (Maria Pappas) representing that as having been approved from Aug of 2025.

I don't remember a fence ever having been approved there, and I've owned my property on that alley since 2016.

Thank you,

On Mon, May 4, 2026 at 3:51 PM Carrie Malas <cmalas@cityofypsilanti.com> wrote:

Hello,

I am looking for correspondence about this but not seeing it in my inbox or on SeeClickFix. Do you know who you reached out to?

The property owners did reach out to me last summer about installing half of their fence that was missing. It was previously approved by the city in 2016 2025 that they could reinstall the missing gate without pulling a new permit.

If you are having issues with access to trash pickup access, I recommend reaching out to the city's Department of Public Works. It does appear that the

Let me know if you have questions.

Best,



Carrie Malas
Preservation Planner
1 S Huron St, Ypsilanti, MI 48197
734-482-9709
www.cityofypsilanti.com

From: Alexander Munro [REDACTED]
Sent: Monday, May 4, 2026 3:25 PM
To: Carrie Malas <cmalas@cityofypsilanti.com>
Subject: 24 N Huron Unpermitted Fence

Attention: This email was sent to the City of Ypsilanti from an external source. Please be extra vigilant when opening attachments or clicking links.

Hi Carrie,

I reported this back in October -- it's a fence terminal which is blocking other buildings' trash pick-up access. I believe it was built without permits or HDC approval (please c
Were any steps taken in terms of HDC or code enforcement about my report?

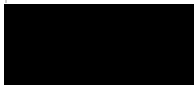
Here's the construction I reported:





Thank you,

Alexander Munro





REQUEST FOR LEGISLATION
September 15, 2026

For: Mayor and City Council

From: Bonnie Wessler, DPS Director

Subject: Resolution No. 2026-236 Awarding the 2026 Concrete Repair Project contract to Santos Cement in the amount of \$67,180.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION: Approval

ATTACHMENTS:

1. RFL and Resolution Santos Cement
2. Bid Tab 0094-25-0083 2026 Concrete Repairs
3. Division A_Division B from Appendix

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: September 15, 2026

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



REQUEST FOR LEGISLATION
September 15 2026

From: Bonnie Wessler, DPW Director

Subject: Concrete repairs award

SUMMARY & BACKGROUND:

The City went to bid for a slate of miscellaneous concrete repairs, including curb repairs on trunklines and sidewalk repairs due to street trees &/or their removals. Bids were received on July 31st, and Santos Cement was determined to be the lowest qualified bidder for a total of \$67,180. The DDA will be participating for the Michigan Ave curb work (\$20,200); the remainder will be drawn from 202 (major roads) and 203 (local roads).

RECOMMENDED ACTION: Approval

ATTACHMENTS:

Bid tab

Description/location of work

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2026-236
September 15, 2026

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City has determined that concrete work in the right of way is in need of repair or replacement; and

WHEREAS, the DDA has offered to assist with the costs of such concrete work as benefits the Downtown TIF district; and

WHEREAS, bids were solicited and duly received; and

WHEREAS, Santos Cement was determined to be the lowest qualified bidder with a total bid of \$67,180;

NOW THEREFORE BE IT RESOLVED THAT the 2026 Concrete Repair Project be awarded to Santos Cement in the total amount of \$67,180.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

Tabulation for Bids Received on July 31, 2026 at 10 a.m.
2026 Concrete Repairs
City of Ypsilanti
County of Washtenaw, State of Michigan
OHM Job Number: 0094-25-0083

Santos Cement 1 Inc
860 SouthField Rd
Lincoln Park, Mi 48146

GM & Sons, Inc
46900 West Rd
Novi, Mi 48377

Item	Description	Estimated Quantity	Unit Price	Amount	Unit Price	Amount
Division A	Various Concrete Repairs					
1	Mobilization, Max 10%	1 LSUM	\$3,950.00	\$3,950.00	\$7,500.00	\$7,500.00
2	Traffic Maintenance and Control_Division A	1 LSUM	\$3,500.00	\$3,500.00	\$12,500.00	\$12,500.00
3	Curb and Gutter, Rem	60 Ft	\$20.00	\$1,200.00	\$30.00	\$1,800.00
4	Pavt, Rem, Modified	20 Syd	\$30.00	\$600.00	\$40.00	\$800.00
5	Sidewalk, Rem, Modified	210 Syd	\$18.00	\$3,780.00	\$36.00	\$7,560.00
6	Erosion Control, Inlet Protection, Fabric Drop	6 Ea	\$125.00	\$750.00	\$150.00	\$900.00
7	Aggregate Base, 21AA Limestone, 6 inch	180 Syd	\$25.00	\$4,500.00	\$37.00	\$6,660.00
8	Driveway, Nonreinf Conc, 6 inch, Modified	20 Syd	\$140.00	\$2,800.00	\$100.00	\$2,000.00
9	Curb and Gutter, Modified	100 Ft	\$60.00	\$6,000.00	\$50.00	\$5,000.00
10	Detectable Warning Surface	10 Ft	\$60.00	\$600.00	\$90.00	\$900.00
11	Sidewalk, Conc, 4 inch	1,600 Sft	\$7.00	\$11,200.00	\$9.00	\$14,400.00
12	Sidewalk, Conc, 6 inch	100 Sft	\$8.00	\$800.00	\$10.50	\$1,050.00
13	Sidewalk, Clay Brick Pavers	50 Sft	\$30.00	\$1,500.00	\$40.00	\$2,000.00
14	Curb Ramp, Conc, 6 inch	100 Sft	\$12.00	\$1,200.00	\$16.00	\$1,600.00
15	Curb Ramp Opening, Conc.	20 Ft	\$50.00	\$1,000.00	\$50.00	\$1,000.00
16	Surface Restoration, Modified	300 Syd	\$12.00	\$3,600.00	\$33.00	\$9,900.00
Total Division A (ITEMS 1-16 incl.):				\$46,980.00		\$75,570.00
Division B	Michigan Avenue Concrete Curb Replacement					
17	Mobilization, Max 10%	1 LSUM	\$1,700.00	\$1,700.00	\$2,500.00	\$2,500.00
18	Traffic Control and Maintenance_Michigan Avenue	1 LSUM	\$1,500.00	\$1,500.00	\$10,500.00	\$10,500.00
19	Aggregate Base, 21AA Limestone, 6 inch	60 Syd	\$25.00	\$1,500.00	\$37.00	\$2,220.00
20	Hand Patching	5 Ton	\$500.00	\$2,500.00	\$650.00	\$3,250.00
21	Erosion Control, Inlet Protection, Fabric Drop	10 Ea	\$125.00	\$1,250.00	\$150.00	\$1,500.00
22	Curb and Gutter, Rem	150 Ft	\$20.00	\$3,000.00	\$30.00	\$4,500.00
23	Sidewalk, Clay Brick Pavers	50 Sft	\$25.00	\$1,250.00	\$40.00	\$2,000.00
24	Curb and Gutter, Modified	150 Ft	\$50.00	\$7,500.00	\$50.00	\$7,500.00
Total Division B (ITEMS 17-24 incl.):				\$20,200.00		\$33,970.00
Total Bid Amount (ITEMS 1-24 incl.):				\$67,180.00		\$109,540.00

Appendix A:

Plans

DIVISION A - 106 Mansfield - Pearl St



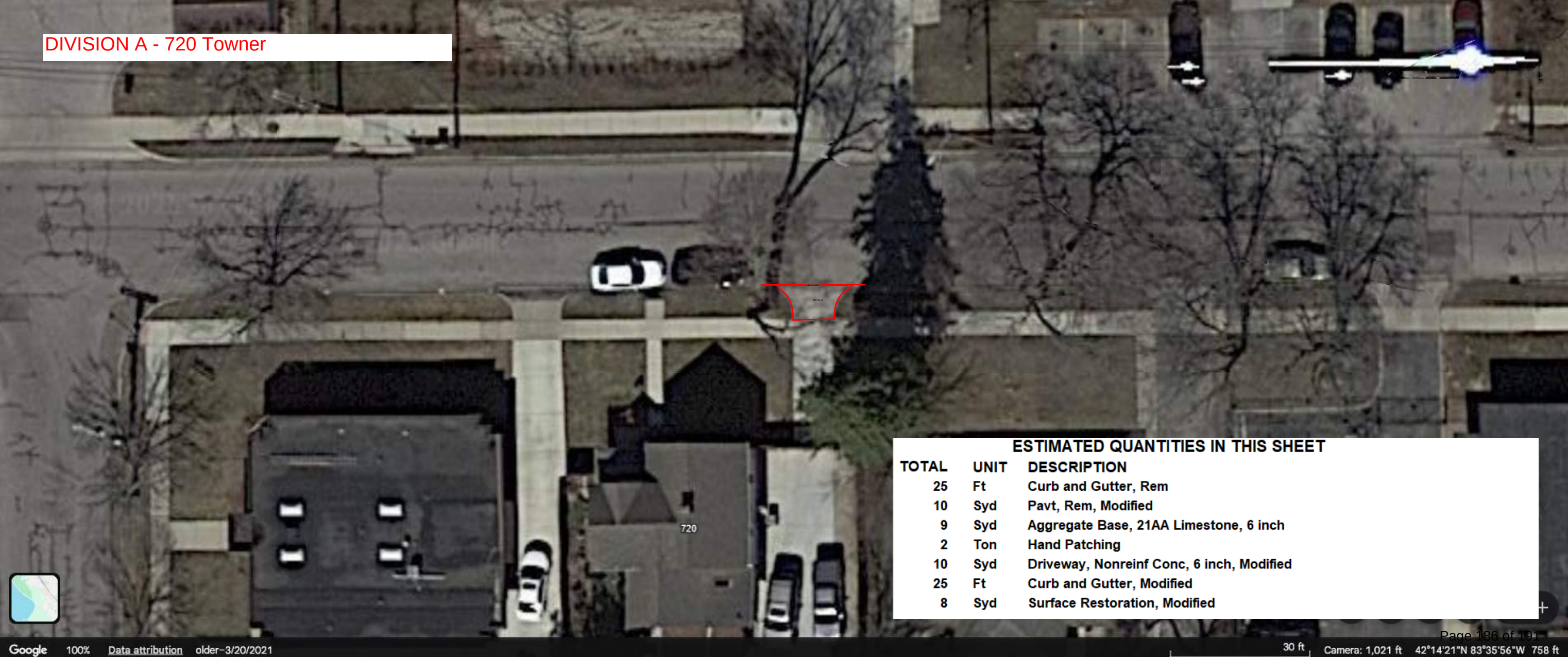
ESTIMATED QUANTITIES IN THIS SHEET		
TOTAL	UNIT	DESCRIPTION
11	Syd	Sidewalk, Rem, Modified
91	Sft	Sidewalk, Conc, 4 inch
10	Syd	Surface Restoration, Modified

DIVISION A - 300 Block Arnet



ESTIMATED QUANTITIES IN THIS SHEET

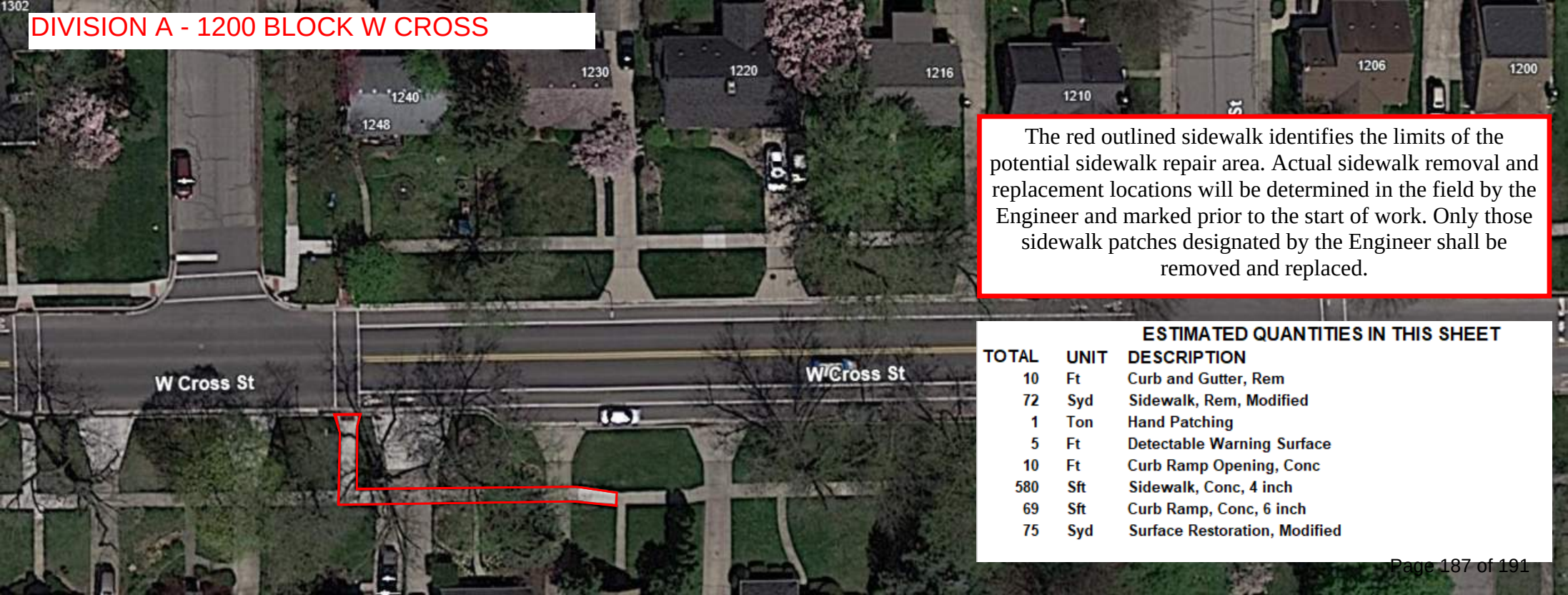
TOTAL	UNIT	DESCRIPTION
10	Syd	Sidewalk, Rem, Modified
88	Sft	Sidewalk, Conc, 4 inch
6	Syd	Surface Restoration, Modified



ESTIMATED QUANTITIES IN THIS SHEET		
TOTAL	UNIT	DESCRIPTION
25	Ft	Curb and Gutter, Rem
10	Syd	Pavt, Rem, Modified
9	Syd	Aggregate Base, 21AA Limestone, 6 inch
2	Ton	Hand Patching
10	Syd	Driveway, Nonreinf Conc, 6 inch, Modified
25	Ft	Curb and Gutter, Modified
8	Syd	Surface Restoration, Modified



DIVISION A - 1200 BLOCK W CROSS



The red outlined sidewalk identifies the limits of the potential sidewalk repair area. Actual sidewalk removal and replacement locations will be determined in the field by the Engineer and marked prior to the start of work. Only those sidewalk patches designated by the Engineer shall be removed and replaced.

ESTIMATED QUANTITIES IN THIS SHEET		
TOTAL	UNIT	DESCRIPTION
10	Ft	Curb and Gutter, Rem
72	Syd	Sidewalk, Rem, Modified
1	Ton	Hand Patching
5	Ft	Detectable Warning Surface
10	Ft	Curb Ramp Opening, Conc
580	Sft	Sidewalk, Conc, 4 inch
69	Sft	Curb Ramp, Conc, 6 inch
75	Syd	Surface Restoration, Modified

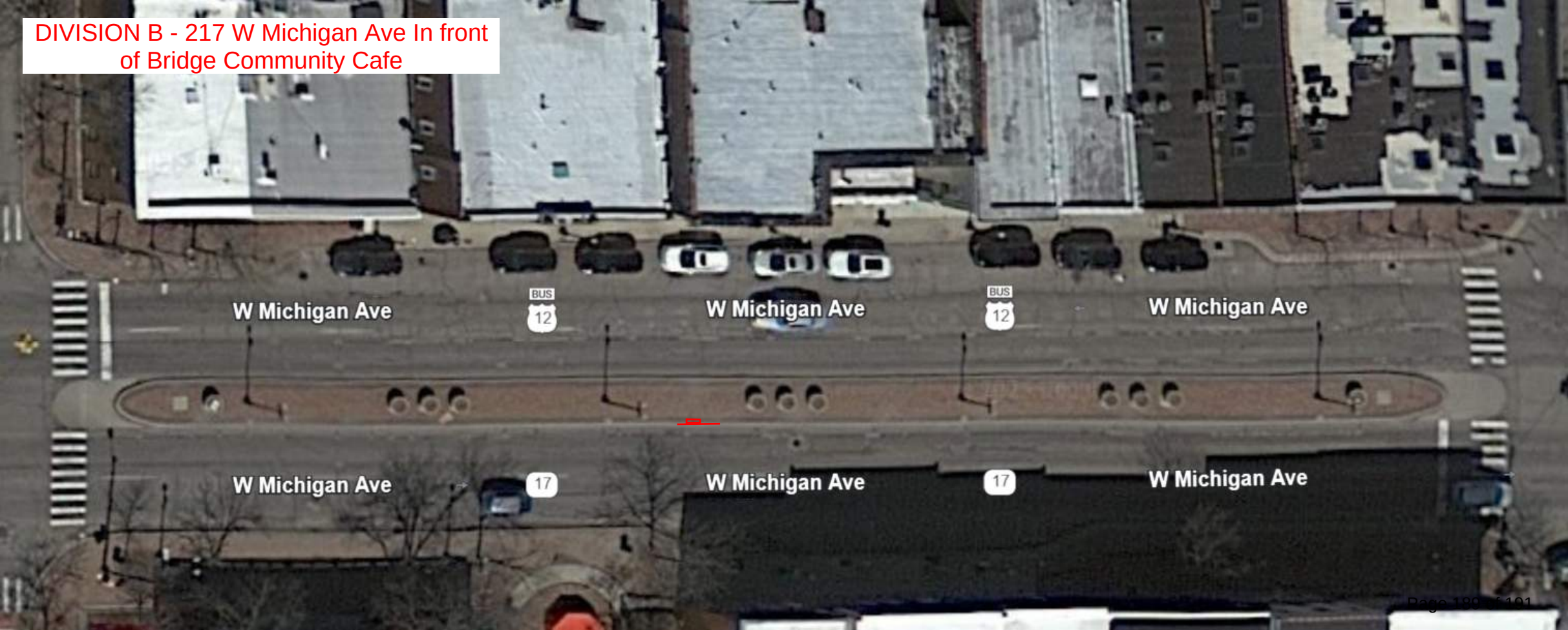
DIVISION A - W Cross & Washtenaw Ave



ESTIMATED QUANTITIES IN THIS SHEET

TOTAL	UNIT	DESCRIPTION
25	Ft	Curb and Gutter, Rem
25	Ft	Curb and Gutter, Modified
9	Sft	Sidewalk, Clay Brick Pavers

DIVISION B - 217 W Michigan Ave In front
of Bridge Community Cafe



DIVISION B - 14 W Michigan Adjacent to
Bank of Ann Arbor



Michigan Avenue

Median Curb Repair

LEGEND

CURB AREA

CURB REMOVAL AND
REPLACEMENT DEPENDANT
ON ENGINEER APPROVAL

Ballard St

Hamilton St

N Adams St

N Washington St

N Huron St

The red outlined curb identifies the limits of the potential curb repair area. Actual curb removal and replacement locations will be determined in the field by the Engineer and marked prior to the start of work. Only those curb sections designated by the Engineer shall be removed and replaced.

