

APPENDIX A - ZONING<sup>1</sup>

An ordinance enacted under Act No. 110 of the Public Acts of Michigan of 2006 (MCL 125.3101 et seq.), as amended, governing the unincorporated portions of the Charter Township of Ypsilanti, Washtenaw County, Michigan, to regulate and restrict the location and use of buildings, structures and land for trade, industry, residence and for public and semipublic or other specified uses; and to regulate and limit the height and bulk of buildings, and other structures; to regulate and to determine the size of yards, courts, and open spaces; to regulate and limit the density of population; and for said purposes to divide the Township into districts and establish the boundaries thereof; to provide for changes in the regulations, restrictions and boundaries of such districts; to define certain terms used herein; to provide for enforcement; to establish a board of appeals and to impose penalties for the violation of this ordinance.

ARTICLE I. - SHORT TITLE

Sec. 100. - Short title:

This Ordinance shall be known and may be cited as the Charter Township of Ypsilanti zoning ordinance.

Sec. 101. - Preamble:

1. The Michigan Zoning Enabling Act (Public Act 110 of 2006, as amended, M.C.L. 125.3101 et seq.) establishes the right to adopt comprehensive zoning regulations and empowers the Township to enact a zoning ordinance and provides for its administration, enforcement, and amendment.
2. The Township deems it necessary to enact said regulations for the purpose of promoting and protecting the health, safety, comfort, convenience, and general welfare of its residents.
3. The Township has prepared and adopted a Master Plan designed to guide growth in a logical and orderly fashion; to lessen congestion on the public streets; to minimize the burden on public services and utilities; to protect and preserve energy and natural resources, and to ensure a well-balanced community considering its present and potential physical, economic, cultural, and environmental assets.
4. The Township has identified districts and prepared regulations pertaining to such districts in accordance with the Master Plan and in consideration of the character of the districts and their unique suitability for particular uses, with a view towards conserving property values and encouraging the most appropriate use of land throughout the Township.

Sec. 102. - Purpose:

The purpose of this ordinance is to promote and safeguard the public health, safety, and welfare, implement the Master Plan, and achieve the following purposes:

1. Promote and regulate growth of the Township to obtain orderly and beneficial development with a balanced mix of uses that will support economic vitality and sustainability.

2. Protect the character and stability of residential neighborhoods.
3. Regulate the intensity and form of land development to ensure compatibility among land uses and, where applicable, provide transitions between land uses to reduce potential negative impacts.
4. Promote the wise use and conservation of energy and vital natural resources.
5. Improve the appearance and design quality of development.
6. Prevent an unreasonable burden on public facilities and services.
7. Lessen and avoid congestion on highways and streets and provide safe and convenient access for property.
8. Conserve the taxable value of land, buildings, and structures of the Township.

Sec. 103. - Validity And Severability:

1. If any court of competent jurisdiction shall declare any part of this Ordinance to be invalid, such ruling shall not affect any other provisions of this Ordinance not specifically included in said ruling.
2. If any court of competent jurisdiction shall declare invalid the application of any provision of this Ordinance to a particular parcel, lot, use, building, or structure, such ruling shall not affect the application of said provision to any other parcel, lot, use, building, or structure not specifically included in said ruling.

Sec. 104. - Scope And Construction Of Regulations:

1. This Ordinance shall be liberally construed in such manner as to best effectuate its purpose. In the interpretation and application of this Ordinance, these provisions are the minimum requirements adopted for the promotion of public health, safety, convenience, comfort, prosperity, and general welfare. Wherever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions, or limitations than are imposed or required by any other law, rule, regulation, or permit, then the provisions of this Ordinance shall control. Whenever any provision of this Ordinance imposes less stringent requirements, regulations, restrictions, or limitations than are imposed or required by any other law, rule, regulation, or permit, then the provisions of the other law, rule, regulation, or permit shall control.
2. No building or structure, or part thereof, shall be erected, constructed, reconstructed, or altered and maintained, and no new use or change shall be made or maintained of any building, structure or land, or part thereof, except as permitted by and in conformity with the provisions of this Ordinance.

Sec. 105. - Conflict With Other Laws:

1. Except as otherwise provided under the Michigan Zoning Enabling Act (PA 110 of 2006, as amended, M.C.L. 125.3101 et seq.), this Ordinance shall be controlling in the case of any inconsistencies between this Ordinance and an ordinance adopted under any other law.

2. This Ordinance is not intended to prevent compliance with any Federal, State, or local law, ordinance, or regulation, provided that where this Ordinance is more restrictive or imposes a higher standard, the provisions of this Ordinance shall prevail.
3. This Ordinance is not intended to abrogate or annul any easement, covenant, or other private agreement. However, where any provision of this Ordinance is more restrictive or imposes a higher standard or requirement than such easement, covenant or other private agreement, the provision of this Ordinance shall govern.
4. Nothing within this Ordinance shall be construed to prevent compliance with an order by the appropriate authority to correct, improve, strengthen, or restore to a safe or health condition, any part of a building or premises declared unsafe or unhealthy.

Sec. 106. - Repeal Of Ordinance:

The Charter Township of Ypsilanti Zoning Ordinance, and all amendments thereto, and all prior zoning ordinances of the Township, are hereby repealed effective coincident with the effective date of this Ordinance.