



Memorandum

TO: Ms. Terri Beaumont, Community Development Manager
City Council
City of Ecorse, 3869 West Jefferson, Ecorse, MI 48229

FROM: Nani Wolf

SUBJECT: Proposed Zoning Ordinance Amendments (Various)

DATE: May 13, 2022

Dear City Staff, City Council, and Planning Commission Members,

As charged with the maintenance and upkeep of the City Zoning Ordinance, the Planning and Zoning Department has suggested several amendments to the ordinance for the consideration of the Planning Commission and City Council. The amendments suggested below are all minor amendments that are aimed at resolving inconsistencies or gaps in coverage in the existing Zoning Ordinance. These amendments include corrections to typos, new parking regulations on land uses were not in existence at the time the ordinance was adopted, and new provisions that help cover items that were previously not addressed by the ordinance. The Planning Commission recommended approval of the following amendments at the May 10 Planning Commission meeting.

SUMMARY OF CHANGES

- **Article 3:** Correction of an inconsistency in setbacks for residences abutting alleys.
- **Article 5:** Addition of language to direct readers to the floodplain regulations in the City Code (Chapter 11); establishment of a height maximum for fences; addition of language on fence setback requirements, as taken from the existing City Code Chapter 9 on Fences.
- **Article 6:** Establishment of parking maximums for commercial marijuana facilities; granting of parking adjustment and access adjustment powers to the Zoning Administrator in cases of administrative review; completion of a previously unfinished sentence in the billboard section.
- **Article 7:** correction of a typo regarding wall height for parking screening.
- **Article 8:** Correction regarding which body holds the power to make special land use decisions.

Respectfully submitted,

McKENNA ASSOCIATES

Nani Wolf

AN ORDINANCE TO AMEND THE ECORSE CITY CODE APPENDIX A;

ARTICLE 3; SECTION 3.3.2

Section 3.3.2 Table of Dimensional Standards

C. Rear Setbacks for Accessory Structures: The rear setbacks for accessory structures in any district shall be governed by Section 5.9 of this Ordinance.

ARTICLE 5; SECTIONS 5.8, 5.19

Section 5.8 Floodplains

Any structure constructed in a floodplain shall obtain a Part 31 permit from the Michigan Department of Environment, Great Lakes, and Energy prior to being issued a land use permit and shall adhere to all other floodplain regulations contained in the Ecorse City Code Chapter 11 – Flood Damage Prevention.

Section 5.19 Fences

No person shall erect or cause to be erected a fence of any nature, type or description within the city without a duly issued permit from the office of the building inspector. A written application shall be filed setting forth the type of fence to be erected, along with a diagram showing the location, and legal description of the premises on which the proposed fence is to be erected. This section shall not apply to or regulate the construction of fences on public property.

All fences shall:

- A. Be no taller than six (6) feet, measured at the top point of the fence post/panel, in the side or rear yards in residential districts and be no taller than eight (8) feet, measured at the top point of the fence post/panel, in the side or rear yards in commercial or mixed-use districts.
- B. Be no taller than four (4) feet on the side yard for a corner lot in residential districts.
- C. Be no closer than one (1) foot from the inside line of the sidewalk for corner lots. No permit shall be granted for such erection or construction of any fence or wall which could cause an obstruction of view for any driver of a vehicle entering the intersection of an abutting street as determined by the City Engineer. A fence or wall located on a side yard abutting a street right-of-way shall be located no closer to front lot line than the mid-point of the principal structure to provide adequate sight clearance for vehicular traffic.
- D. Be prohibited in front yards. No fence or wall in residential areas shall extend toward the street beyond the established building line, nor shall any fence be erected in any residential area on or parallel to the front lot line, except that it shall be located on or behind the established building line.
- E. Be wholly on the property they are intended to serve.
- F. Be no closer than three (3) feet to an abutting alley.
- G. Have the finished side of the fence facing outward away from the property.
- H. Be maintained in good repair.
- I. Not be made of or include chain link fence material, barbed wire, razor wire, electrified materials, or any other dangerous material in the residential, commercial, or mixed-use districts. Such material may be allowed in the industrial districts upon approval by the City Engineer.

- J. Leave uninterrupted open space of a minimum of three (3) inches and a maximum of five (5) inches between the ground and the bottom of the fence panels to allow for the maintenance of weeds.

ARTICLE 6; SECTION 6.3.2, 6.3.3, 6.4.5, 6.5.15

Section 6.3.2 Parking Requirements

- A. **Maximum Parking:** To minimize excessive areas of pavement which detracts from the aesthetics of the City and contributes to high rates of stormwater runoff, this Ordinance establishes a maximum number of parking spaces for each use. There are no minimum parking requirements except where specifically required in this Ordinance. The Planning Commission, or Zoning Administrator in cases of administrative review, may grant an increase of up to twenty-five (25) percent of the maximum number of parking spaces if:
 1. The applicant can demonstrate to the Planning Commission’s satisfaction, or Zoning Administrator’s satisfaction in cases of administrative review, the additional parking is necessary based on documented evidence of actual use or anticipated demand.
 2. The increase in parking will have no undue burden on neighboring property owners and/or natural features.
 3. In granting a request to exceed the maximum number of parking spaces, the additional spaces shall be constructed of pervious pavement, pavers, or similar pervious material acceptable to the Planning Commission, or Zoning Administrator in cases of administrative review.

New category(s):

MAXIMUM NUMBER OF PARKING SPACES		
Land Use	Spaces / Measurement	
COMMERCIAL USES		
Marijuana Facilities	Adult Use Retail	150% of the maximum parking requirement for the “Retail” category. All spaces in excess of the “Retail” maximum shall adhere to section 6.3.2(A)(3) regarding permeable pavers.
	Provisioning Center	150% of the maximum parking requirement for the “Retail” category. All spaces in excess of the “Retail” maximum shall adhere to section 6.3.2(A)(3) regarding permeable pavers.

Section 6.3.3 Access

- A. All off-street parking, loading and stacking areas shall be arranged for convenient access and safety of pedestrians, bicyclists, and vehicles.
- B. Adequate ingress and egress shall be provided by clearly defined driveways. Backing into public street rights-of-way shall be prohibited.
- C. Where a parking area abuts an improved alley, access shall be obtained from the alley. The Planning Commission, or Zoning Administrator in cases of administrative review, may waive this

requirement if a practical difficulty has been presented that prevents the requirement from being satisfied.

- D. Where a parking area has no access to an alley, or the alley has not been maintained or improved for access, but has access two or more streets, access shall be from the street with the lower traffic volume. The Planning Commission, or Zoning Administrator in cases of administrative review, may waive this requirement if a practical difficulty has been presented that prevents the requirement from being satisfied.

Section 6.5.15 Billboards

- B. Findings: The City has made the following determinations related to billboards:
 - 1. The placement of signs on lots or structures in the City that exceed the maximum permitted standards of this Section for free-standing signs would result in visual pollution and obstructions of light and air for adjoining lots and uses.
 - 2. Billboard signs are not appropriate in areas zoned for residential uses because the intense nature of the display activity would be harmful to residential property values and incompatible with residential neighborhood quality of life.
 - 3. Billboard signs are not appropriate in the City's commercial districts because such signs would be out-of-scale with the structures and limited commercial character of the districts, incompatible with abutting residential uses, and harmful to the promotion of commerce in the districts.
 - 4. Unrestricted display of billboard signs along the arterial streets and thoroughfares in the City would create visual clutter, compete for the visual space of the right-of-way, and negatively impact commercial corridors.

ARTICLE 7; SECTION 7.22

Section 7.22 Public or Private Parking Facilities

- A. Ingress and Egress: Exits from points of ingress and egress shall not face residential zoning districts or uses.
- B. Surface Parking Lots: All public or private surface parking lots shall be completely screened on all sides with a landscape hedge, masonry wall or opaque fence that shall have a minimum height of four feet six inches (4' 6").

ARTICLE 8; SECTIONS 8.1

Section 8.1 Intent and Purpose

It is the purpose of this Article to provide standards and requirements for site plan submissions for land uses and structures within the City and establish procedures for the submission and review of site plans. This Article governs the processes and standards for all uses and structures for which site plan approval is required under other provisions of this ordinance. The Planning Commission shall have the sole power to approve or disapprove all special land uses, except for the Planned Unit Development option. The City Council shall make all final decisions regarding Planned Unit Developments.