

CITY OF YPSILANTI  
NOTICE OF ADOPTED ORDINANCE

Ordinance No. 1261

An ordinance entitled, "SOLAR FARMS IN PARK DISTRICT"

An ordinance to AMEND the Zoning Ordinance of the City of Ypsilanti, Section 122-8, to Revise "Violations and Penalties."

**THE CITY OF YPSILANTI HEREBY ORDAINS:**

1. THE CITY OF YPSILANTI ORDAINS that Section 122-302 and Section 122-303 of the Ypsilanti City Code be amended as follows:

*Sec. 122-302. Permitted uses.*

The following uses are allowed in the park districts.

*P=Principal, A=Accessory, S=Special Land Use, -- = Not Permitted*

USES	P	NOTES
<b>RECREATION, EDUCATION &amp; PUBLIC ASSEMBLY USES</b>		
Park	P	
Outdoor and indoor education areas	P	
Outdoor recreation areas such as swimming pools, tennis courts, and performance venues	P	Privately owned.
Conservation areas, wildlife preserves, forests preserves, arboreta, botanical or zoological gardens, public tree or plant nurseries	P	
Privately owned or operated uses accessory to City parks	S	Includes but is not limited to permanently affixed concession stands, canoe or bicycle liveries.
<b>INFRASTRUCTURE</b>		
Essential Services	P	Section 122-637
<b>Solar Farms</b>	<b>S</b>	<b>Section 122-788</b>
Alternative Energy	A	Section 122-788
Stormwater Control	A	Section 122-789
<b>SERVICES</b>		
Cemetery	P	<b>All principal buildings and accessory buildings must be set back at least 75 feet from all property lines.</b>
Crematory	S	<b>All principal buildings and accessory buildings must be set back at least 75 feet from all property lines.</b>
<b>TEMPORARY USES</b>		
Food concession sales	P	Section 122-35 (7)
<b>URBAN AGRICULTURE</b>		
Community Gardens	P	Subject to 122-815

P=Principal, A=Accessory, S=Special Land Use, -- = Not Permitted

USES	P	NOTES
Passive solar structure (greenhouse, hoophouse, etc.)	P	

**Sec. 122-303. Area Regulations.**

All principal structures must comply with the following regulations in the special zoning districts:

REGULATIONS	P	NOTES
<b>Minimum Lot Width</b>		
Determined by the use and the required off-street parking, loading, screening, and yard setbacks.		
<b>Minimum Lot Size</b>		
Determined by the use and the required off-street parking, loading, screening, and yard setbacks.		
<b>Minimum Setbacks</b>		
<b>Front yard</b>		<b>Equal to that of adjacent zoning district or building type along the same street. If different setbacks abut, the largest setback is required.</b>
<b>Side yard</b>		
<b>Street Side yard</b>		
<b>Rear yard</b>		
<b>Front yard</b>	<b>25 feet</b>	<b>Minimum setbacks must increase by one foot for each foot a building or structure exceeds 30 feet in height.</b>
<b>Side yard</b>	<b>15 feet</b>	
<b>Street Side yard</b>	<b>25 feet</b>	
<b>Rear yard</b>	<b>20 feet</b>	
<b>Parking Setbacks</b>		
Front & side street yard	10 feet	
Side and rear yards	10 feet	
<b>Height</b>		
Maximum height	Equal to that of adjacent zoning district or building type along the property line. If different heights abut, the largest setback is required.	Chimneys, flagpoles, church spires, belfries, cupolas, domes, or other similar architectural embellishments; roof mounted communication antennas; water towers, observation towers, power transmission towers, radio towers, masts, smokestacks, ventilators, skylights, derricks, conveyors, cooling towers, and other similar and necessary mechanical appurtenance pertaining to the permitted uses; provided that they do not exceed the maximum height by more than ten feet.

**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 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, repealed.
- 4. Saving Clause.** The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as 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 of this ordinance.
- 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 by printing the same in the newspaper of record. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED, AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS 5th DAY OF April, 2016

\_\_\_\_\_  
FRANCES MCMULLAN, City Clerk

Attest

I do hereby confirm that the above Ordinance No. 1261 was published in the Washtenaw Legal News on the 22nd day of February, 2016.

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FRANCES MCMULLAN, 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 5th day of April, 2016.

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FRANCES MCMULLAN, City Clerk

Notice Published: February 22, 2016  
First Reading: March 15, 2016  
Second Reading: April 5, 2016  
Published: April 13, 2016  
Effective Date: May 5, 2016