

CITY OF YPSILANTI
Non-Motorized Transportation
Master Plan

Appendix I
Recommended Ordinance Language



5.1: COMPLETE STREETS

EXISTING LANGUAGE	SAMPLE LANGUAGE
<p>None existing.</p> <p>Planning Department review of Capital Improvement plans is mandated by the Michigan Planning Enabling Act (Act 33 of 2008).</p>	<p>Walkable-bikeable complete streets.</p> <p>(a) “complete streets” is defined as a design principle to promote a safe network of access for pedestrians, bicyclists, motorists, and transit riders of all ages and abilities.</p> <p>(b) it is the policy of the city to complete streets, and in furtherance of that policy:</p> <p>(1) there shall be a non-motorized network plan approved by the planning and development department, in consultation with the department of public services.</p> <p>(2) the non-motorized network plan shall include, at a minimum, accommodations for accessibility, sidewalks, curb ramps and cuts, trails and pathways, signage, and bike lanes, and shall incorporate principles of complete streets and maximize walkable and bikeable streets within the city.</p> <p>(3) to the extent financially feasible, future construction or re-construction of city rights-of-way or any parts thereof shall be in conformity with the non-motorized network plan.</p> <p>(4) it shall be a goal of the city to fund adequately the implementation of the non-motorized network plan, which shall include targeting at least five percent of state act 51 funds received by the city annually in furtherance of the plan’s implementation.</p> <p>(5) the non-motorized network plan shall be updated as part of the Master Plan update.</p>

5.3: UNSIGNALIZED CROSSINGS

EXISTING LANGUAGE	SUGGESTED LANGUAGE
<p>None existing.</p>	<p>Pedestrian crossings.</p> <p>(a) No pedestrian shall cross a street at a location other than at a marked crosswalk, unless such crossing may be done safely and without interfering with motor vehicle and bicycle traffic on that street.</p> <p>(b) No operator of a motor vehicle or bicycle shall interfere with pedestrian or bicycle traffic in a crosswalk into which vehicle traffic is then restricted by a traffic control device.</p> <p>(c) When traffic-control signals are not in place or are not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk.</p> <p>(d) The provisions of this section shall not relieve a pedestrian from the duty of using due care for his or her safety. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard. No pedestrian shall unnecessarily stop or delay traffic while in a marked or unmarked crosswalk.</p> <p>(e) The provisions of subdivision (d) shall not relieve a driver of a vehicle from the duty of exercising due care for the safety of any pedestrian within any marked crosswalk or within any unmarked crosswalk at an intersection.</p>

5.4: BICYCLE REGISTRATION

ORIGINAL LANGUAGE	SUGGESTED LANGUAGE
<p><i>Sec. R 29.1603c Rule 603c. Licensing and registration of bicycles.</i></p> <p>(1) <i>Required; serial numbers.</i> It shall be unlawful for any person to own, ride or operate any bicycle in the city unless such bicycle has been duly licensed and registered by the police department. No bicycle shall be licensed unless it shall have cut, impressed or embossed on some portion thereof the manufacturer's serial number. Any person who has in his possession a bicycle from which the serial number has been removed or altered shall present such bicycle to the chief of police who, after investigation, shall assign a serial number before a license plate shall be issued.</p> <p>(2) <i>Information to be registered with police.</i> Any person owning a bicycle which shall be operated, ridden or propelled upon any public street, alley or sidewalk in the city shall list and register with the police department his name and address, the name of the manufacturer of his bicycle, its number, style and general description and any other information necessary to identify or establish title to such bicycle.</p> <p>(3) <i>Registration book; license plates.</i> The chief of police shall keep at his office in the police station a suitable book and record for the purpose of registering bicycles and shall provide suitable metallic license plates, upon each of which shall be stamped a distinguishing number and for each bicycle registered shall furnish to the owner thereof one of such metallic license plates. The owner shall affix and keep affixed to the bicycle for which the same is issued such metallic license plate.</p> <p>(4) <i>Removing, altering, etc., serial number or license plate; stamping new serial number on frame.</i> It shall be unlawful for any person to wilfully or maliciously remove, destroy, mutilate or alter the number on any bicycle frame or the license plate issued therefor; provided, however, that nothing in this chapter shall prohibit the chief of police from stamping or causing to be stamped numbers on the frame of a</p>	<p><i>Sec. R 29.1603c Rule 603c. Licensing and registration of bicycles.</i></p> <p>(1) <i>Required serial numbers.</i> No bicycle shall be licensed unless it shall have cut, impressed or embossed on some portion thereof the manufacturer's serial number. Any person who has in his possession a bicycle from which the serial number has been removed or altered shall present such bicycle to the chief of police who, after investigation, shall assign a serial number before a license plate shall be issued.</p> <p>(2) <i>Information to be registered with police.</i> Any person owning a bicycle which shall be operated, ridden or propelled upon any public street, alley or sidewalk in the city may list and register with the police department his name and address, the name of the manufacturer of his bicycle, its number, style and general description and any other information necessary to identify or establish title to such bicycle.</p> <p>(3) <i>Registration book; license plates.</i> The chief of police shall keep at his office in the police station a suitable book and record for the purpose of registering bicycles and shall provide suitable metallic license plates, upon each of which shall be stamped a distinguishing number and for each bicycle registered shall furnish to the owner thereof one of such metallic license plates. The owner shall affix and keep affixed to the bicycle for which the same is issued such metallic license plate.</p> <p>(4) <i>Removing, altering, etc., serial number or license plate; stamping new serial number on frame.</i> It shall be unlawful for any person to wilfully or maliciously remove, destroy, mutilate or alter the number on any bicycle frame or the license plate issued therefor; provided, however, that nothing in this chapter shall prohibit the chief of police from stamping or causing to be stamped numbers on the frame of a</p>

bicycle if such numbers cannot be found or are illegible or for any other reason unidentifiable after rightful ownership is established.

- (5) *Fee; term; certificate.* The fee for such registration and license plate shall be as set by resolution of the city council, which shall be paid to the chief of police at the time of the issuance thereof. Only one license and registration shall be required so long as a bicycle continues to belong to the same owner. The issuance of the license herein provided for and the recording thereof shall be the only evidence of the license and registration of the bicycle, and no written license certificate shall be issued.
- (6) *Transfer.* Upon change of ownership, the license plate shall be transferred to and issued in the name of the new owner upon payment by him of a fee as set by resolution of the city council. License plates shall not be transferred from one bicycle to another, and no person shall attach to any bicycle a license plate not issued for use thereon.
- (7) *Loss of license plate.* Upon loss of any license plate and upon application and satisfactory evidence of such loss, a duplicate license plate shall be issued by the chief of police upon the payment of a fee as set by resolution of the city council.

other reason unidentifiable after rightful ownership is established.

- (5) *Fee; term; certificate.* The fee for such registration and license plate shall be as set by resolution of the city council, which shall be paid to the chief of police at the time of the issuance thereof. Only one license and registration shall be required so long as a bicycle continues to belong to the same owner. The issuance of the license herein provided for and the recording thereof shall be the only evidence of the license and registration of the bicycle, and no written license certificate shall be issued.
- (6) *Transfer.* Upon change of ownership, the license plate shall be transferred to and issued in the name of the new owner upon payment by him of a fee as set by resolution of the city council. License plates shall not be transferred from one bicycle to another, and no person shall attach to any bicycle a license plate not issued for use thereon.
- (7) *Loss of license plate.* Upon loss of any license plate and upon application and satisfactory evidence of such loss, a duplicate license plate shall be issued by the chief of police upon the payment of a fee as set by resolution of the city council.

5.5i: DISTINGUISH BICYCLE PARKING FROM MOTOR VEHICLE PARKING	
EXISTING LANGUAGE	SUGGESTED LANGUAGE
<p style="text-align: center;">ARTICLE XIII. OFF-STREET PARKING AND LOADING REQUIREMENTS*</p> <p>Sec. 122-833. General requirements.</p> <p>Any person, organization, or establishment who has any ownership interest in or the control of any real estate within the city is required to provide and maintain, permanently and continuously in a usable condition off-street parking spaces as follows:</p> <p>(1) <i>Off-street parking for one- and two-family dwellings.</i> Off-street parking facilities required for one- and two-family dwellings shall consist of a parking strip, apron, driveway, garage, carport, or combination thereof and shall be located on the premises they are intended to serve subject to the provisions of section 122-667. Further, parking areas serving one- and two-family dwellings shall be subject to the following:</p> <p>a. <i>Driveways.</i> On lots used for one-family or two-family residential purposes, maneuvering or backing of vehicles into a street or alley is permitted. Driveways may cross the required front yard, or the required street side yard on a corner lot, provided that the total area of the driveway do not exceed 30 percent of the area of such required yard.</p> <p>b. <i>Ingress and egress.</i> No individual curb cut for a single driveway shall exceed 20 feet in width. The total width of all curb cuts shall not exceed 35 feet on all property lines. On lots with a lot width of 60 feet or less, no more than one curb cut is permitted.</p> <p>c. <i>Surfacing.</i> Parking areas and driveways shall be surfaced with crushed limestone or similar gravel material, or shall be hard surfaced with asphalt, concrete, or similar bonded material; however, parking areas which are designed for five or more spaces must meet the requirements of subsection 122-835(5). That portion of the driveway between the lot line and the public way, shall be paved with concrete a minimum of six</p>	<p style="text-align: center;">ARTICLE XIII. OFF-STREET PARKING AND LOADING REQUIREMENTS*</p> <p>Sec. 122-833. General requirements.</p> <p>Any person, organization, or establishment who has any ownership interest in or the control of any real estate within the city is required to provide and maintain, permanently and continuously in a usable condition off-street motor vehicle and bicycle parking spaces as follows:</p> <p>(1) <i>Off-street parking for one- and two-family dwellings.</i> Off-street parking facilities required for one- and two-family dwellings shall consist of a parking strip, apron, driveway, garage, carport, or combination thereof and shall be located on the premises they are intended to serve subject to the provisions of section 122-667. Further, parking areas serving one- and two-family dwellings shall be subject to the following:</p> <p>a. <i>Driveways.</i> On lots used for one-family or two-family residential purposes, maneuvering or backing of vehicles into a street or alley is permitted. Driveways may cross the required front yard, or the required street side yard on a corner lot, provided that the total area of the driveway do not exceed 30 percent of the area of such required yard.</p> <p>b. <i>Ingress and egress.</i> No individual curb cut for a single driveway shall exceed 20 feet in width. The total width of all curb cuts shall not exceed 35 feet on all property lines. On lots with a lot width of 60 feet or less, No more than one curb cut is permitted, unless it serves a pedestrian crosswalk.</p> <p>c. <i>Surfacing.</i> Parking areas and driveways shall be surfaced with crushed limestone or similar gravel material, or shall be hard surfaced with asphalt, concrete, or similar bonded material;</p>

5.5i: DISTINGUISH BICYCLE PARKING FROM MOTOR VEHICLE PARKING

EXISTING LANGUAGE	SUGGESTED LANGUAGE
<p>inches thick for residential occupancies and eight inches thick for commercial occupancies. Curb cuts along state trunk lines shall comply with the requirements of the state department of transportation. All other curb cuts shall comply with adopted standards of the department of public works.</p> <p>d. <i>Parking in yards.</i> No automobile parking shall be permitted in the required front yard, or in the required street side yard on a corner lot, except on a driveway which leads to a parking area that is beyond the front line of the structure and the space is in compliance with section 122-834.</p> <p>(2) <i>Off-street parking for multiple-family and nonresidential uses.</i> Off-street parking facilities required for multiple-family and nonresidential uses shall be located on the same lot or parcel as the building or use they are intended to serve, or within 300 feet of such building or use, measured from the nearest point of the building to the nearest point of the off-street parking lot. Ownership of a use easement, duly recorded with the county register of deeds, shall be shown for all land areas intended for use as parking by the applicant.</p> <p>(3) <i>Setback from street.</i> Unless a greater setback is required elsewhere in this chapter, no part of any public or private off-street parking area, regardless of number of spaces provided, shall be located closer than ten feet to any street right-of-way line. In addition, in all residential districts (R1, R2, R3, R4, and RO), no automobile parking shall be permitted within any required minimum front yard area or any required street side yard on a corner lot, unless on a driveway which leads to an approved parking space.</p> <p>(4) <i>Designated parking areas.</i> Any area once designated as required off-street parking shall never be changed to any other use, unless or until equal facilities are provided elsewhere. It shall be unlawful for any person to discontinue, dispense with or render unusable or to cause or to permit anyone to discontinue, dispense with or render unusable any vehicle</p>	<p>however, parking areas which are designed for five or more spaces must meet the requirements of subsection 122-835(5). That portion of the driveway between the lot line and the public way, shall be paved with concrete a minimum of six inches thick for residential occupancies and eight inches thick for commercial occupancies. Curb cuts along state trunk lines shall comply with the requirements of the state department of transportation. All other curb cuts shall comply with adopted standards of the department of public works.</p> <p>d. <i>Parking in yards.</i> No automobile parking shall be permitted in the required front yard, or in the required street side yard on a corner lot, except on a driveway which leads to a parking area that is beyond the front line of the structure and the space is in compliance with section 122-834.</p> <p>(2) <i>Off-street parking for multiple-family and nonresidential uses.</i> Off-street parking facilities required for multiple-family and nonresidential uses shall be located on the same lot or parcel as the building or use they are intended to serve, or within 300 feet of such building or use, measured from the nearest point of the building to the nearest point of the off-street parking lot. Ownership of a use easement, duly recorded with the county register of deeds, shall be shown for all land areas intended for use as parking by the applicant.</p> <p>(3) <i>Setback from street.</i> Unless a greater setback is required elsewhere in this chapter, no part of any public or private off-street parking area, regardless of number of spaces provided, shall be located closer than ten feet to any street right-of-way line. In addition, in all residential districts (R1, R2, R3, R4, and RO), no automobile parking shall be permitted within any required minimum front yard area or any required street side yard on a corner lot, unless on a driveway which leads to an approved parking space.</p>

5.5i: DISTINGUISH BICYCLE PARKING FROM MOTOR VEHICLE PARKING

EXISTING LANGUAGE	SUGGESTED LANGUAGE
<p>parking space required by this article. Any real estate which has all or part of the parking spaces required by this article upon its effective date or any subsequent time must be maintained and kept in compliance with current parking requirements.</p> <p>(5) <i>Collective off-street parking.</i> Two or more buildings or uses, or mixed uses in the same building, may collectively provide the required off-street parking; in which case, the required number of parking spaces shall not be less than the sum of the requirements for the individual uses computed separately.</p> <p>(6) <i>Nonoverlapping operating hours.</i> In the instance of land uses requiring off-street parking spaces where operating hours of the uses do not overlap, the zoning board of appeals may grant exception to the individual parking requirements of section 122-836.</p> <p>(7) <i>Use of parking lots for storage.</i></p> <p>a. Except as provided under subsection (7)b of this section, a parking lot may not be used for the storage or parking of trailers, mobile homes, travel trailers, boats, boat trailers, or junked or wrecked vehicles of any type; for the storage of merchandise or industrial equipment or materials; or as a dump for refuse of any description.</p> <p>b. The parking out-of-doors of motor vehicles which are used as part of a permitted commercial or industrial use, including automobiles, trucks, or trailers, are permitted on off-street parking lots outside normal business hours of such commercial or industrial use; provided no more than a total of five automobiles and three commercial trucks or trailers each weighing less than 10,000 pounds shall be permitted. The outdoor storage of more than five automobiles and three trucks or trailers shall be permitted only after special use approval by the planning commission in accordance to the provisions of article V of this chapter.</p> <p>(8) <i>Repair prohibited.</i> No repairs or service to vehicles shall be permitted on areas designated as required off-street parking. An exception to this</p>	<p>(4) <i>Designated parking areas.</i> Any area once designated as required off-street parking shall never be changed to any other use, unless or until equal facilities are provided elsewhere. It shall be unlawful for any person to discontinue, dispense with or render unusable or to cause or to permit anyone to discontinue, dispense with or render unusable any vehicle parking space required by this article. Any real estate which has all or part of the parking spaces required by this article upon its effective date or any subsequent time must be maintained and kept in compliance with current parking requirements.</p> <p>(5) <i>Collective off-street parking.</i> Two or more buildings or uses, or mixed uses in the same building, may collectively provide the required off-street parking; in which case, the required number of parking spaces shall not be less than the sum of the requirements for the individual uses computed separately.</p> <p>(6) <i>Nonoverlapping operating hours.</i> In the instance of land uses requiring off-street parking spaces where operating hours of the uses do not overlap, the zoning board of appeals may grant exception to the individual parking requirements of section 122-836.</p> <p>(7) <i>Use of parking lots for storage.</i></p> <p>a. Except as provided under subsection (7)b of this section, a parking lot may not be used for the storage or parking of trailers, mobile homes, travel trailers, boats, boat trailers, or junked or wrecked vehicles of any type; for the storage of merchandise or industrial equipment or materials; or as a dump for refuse of any description.</p> <p>b. The parking out-of-doors of motor vehicles which are used as part of a permitted commercial or industrial use, including automobiles, trucks, or trailers, are permitted on off-street parking</p>

5.5i: DISTINGUISH BICYCLE PARKING FROM MOTOR VEHICLE PARKING

EXISTING LANGUAGE	SUGGESTED LANGUAGE
<p>regulation would be the replacement of a windshield.</p> <p>(9) <i>Display of vehicles for sale.</i> The parking of motor vehicles, recreational vehicles, and trailers which are possessed expressly and solely for sale by persons or businesses licensed by the state for such sales is permitted only when in accordance with the requirements of each respective zoning district and the specific provisions of section 122-798 regarding the outdoor sales of vehicles. Otherwise, the display of vehicles for sale in designated off-street parking areas is prohibited.</p> <p>(10) <i>Use of loading space.</i> Loading spaces, as required under section 122-839, shall not be counted or used for required parking.</p> <p>(11) <i>Usable floor area and gross floor area.</i> For the purpose of computing the number of parking spaces required, the definitions for "usable floor area" and "gross floor area" in section 122-2 shall apply.</p> <p>(12) <i>Fractional requirements.</i> When units or measurements determining number of required parking spaces result in requirement of a fractional space, any fraction up to one-half shall be disregarded and fractions including and over one-half shall require one parking space.</p> <p>(13) <i>Uses not specified.</i> For those uses not specifically mentioned under section 122-836, the requirements for off-street parking facilities shall be in accord with a use which the planning commission considers similar in type.</p>	<p>lots outside normal business hours of such commercial or industrial use; provided no more than a total of five automobiles and three commercial trucks or trailers each weighing less than 10,000 pounds shall be permitted. The outdoor storage of more than five automobiles and three trucks or trailers shall be permitted only after special use approval by the planning commission in accordance to the provisions of article V of this chapter.</p> <p>(8) <i>Repair prohibited.</i> No repairs or service to vehicles shall be permitted on areas designated as required off-street parking. An exception to this regulation would be the replacement of a windshield.</p> <p>(9) <i>Display of vehicles for sale.</i> The parking of motor vehicles, recreational vehicles, and trailers which are possessed expressly and solely for sale by persons or businesses licensed by the state for such sales is permitted only when in accordance with the requirements of each respective zoning district and the specific provisions of section 122-798 regarding the outdoor sales of vehicles. Otherwise, the display of vehicles for sale in designated off-street parking areas is prohibited.</p> <p>(10) <i>Use of loading space.</i> Loading spaces, as required under section 122-839, shall not be counted or used for required parking.</p> <p>(11) <i>Usable floor area and gross floor area.</i> For the purpose of computing the number of parking spaces required, the definitions for "usable floor area" and "gross floor area" in section 122-2 shall apply.</p> <p>(12) <i>Fractional requirements.</i> When units or measurements determining number of required parking spaces result in requirement of a fractional space, any fraction up to one-half shall be disregarded and fractions including and over one-half shall require one parking space.</p>

5.5i: DISTINGUISH BICYCLE PARKING FROM MOTOR VEHICLE PARKING	
EXISTING LANGUAGE	SUGGESTED LANGUAGE
	(13) <i>Uses not specified.</i> For those uses not specifically mentioned under section 122-836, the requirements for off-street parking facilities shall be in accord with a use which the planning commission considers similar in type.

5.5ii: BICYCLE PARKING FACILITIES

EXISTING LANGUAGE	SUGGESTED LANGUAGE (modeled on City of Ann Arbor bicycle parking definitions)
None existing.	<p>Design of bicycle parking facilities.</p> <p>No person shall construct or establish a bicycle parking space except pursuant to a building permit issued upon the submission of plans showing compliance with the following standards:</p> <p>(1) <i>Facility standards.</i> When bicycle spaces are required by this chapter, the total number of spaces shall be provided by 1 or a combination of the following 3 classifications of bicycle facilities in accordance with Section 122-836.</p> <p>(a) Class A (medium to long-term parking) - Enclosed bicycle storage - enclosed bicycle storage shall be in the form of individual enclosed storage lockers, an enclosed bicycle parking shed, a room within a building which contains individual storage lockers or rack spaces, or individual private garages. All types of enclosed bicycle storage shall be easily accessible, secure, well lighted and weather resistant. If racks within a room are used, 1 standard bicycle parking space shall consist of a space not less than 2 feet wide by 6 feet long with a minimum clear access aisle width of 3 feet. Credit can be extended for creative designs that use the available space more efficiently and store the equivalent number of bicycles in a smaller area. Asphalt, concrete, porous pavement, pavers or brick shall connect the enclosed bicycle storage area to a sidewalk or driveway. Enclosed bicycle storage constructed exterior to a building shall comply with the zoning regulations for accessory structures.</p> <p>(b) Class B (short to medium-term parking) - Covered bicycle racks - covered bicycle racks, such as hoop style racks or another type of rack that meets these standards, shall be securely anchored in pavement and designed so that both wheels and the frame of a bicycle may be securely locked with either a chain, cable or padlock. One standard bicycle parking space shall consist of a space not less</p>

	<p>than 2 feet wide by 6 feet long with a minimum clear access aisle width of 3 feet. Credit can be extended for creative designs that use the available space more efficiently and store the equivalent number of bicycles in a smaller area. Pavement shall meet city public services department standards. The racks shall be covered by a building overhang or a self-standing cover with a minimum clearance of 7 feet above grade. Asphalt, concrete, porous pavement, pavers or brick shall connect the covered bicycle racks to a sidewalk or driveway. All covered bicycle racks shall comply with zoning regulations for accessory structures.</p> <p>(c) Class C (short-term parking) - Fixed bicycle racks - fixed bicycle racks, such as hoop style racks or another type of rack that meets these standards, shall be securely anchored in pavement and designed so that both wheels and the frame of a bicycle may be securely locked with a chain, cable or padlock. One bicycle parking space shall consist of a space not less than 2 feet wide by 6 feet long with a minimum clear access aisle width of 3 feet. Pavement shall meet city public services department standards. Asphalt, concrete, porous pavement, pavers or brick shall connect the fixed bicycle racks to a sidewalk or driveway.</p> <p>(2) <i>Location criteria.</i> Exterior bicycle parking facilities shall be placed in close proximity to main building entrances and in a location that is visible and easily accessible. A physical barrier, designed to prevent motor vehicles from driving into bicycle parking areas, shall be provided between bicycle and motor vehicle parking when bicycle parking areas are located within a parking structure or lot. Bicycle parking in parking structures shall be located on the street level and near an entrance and public sidewalk.</p> <p>(3) <i>Lighting.</i> Bicycle parking spaces shall be illuminated in accordance with Section 122-641.</p>
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5.6i: PARKING AREA LANDSCAPING

EXISTING LANGUAGE	SUGGESTED LANGUAGE
<p>Sec. 122-704. Off-street parking area landscaping.</p> <p>(a) <i>Intent.</i> Separate landscape areas shall be provided within parking lots so as to break up the broad expanse of pavement and guide the circulation of motor vehicle and pedestrian traffic.</p> <p>(b) <i>Required.</i> Separate landscape areas shall be provided within off-street parking areas in accordance with the following requirements:</p> <ol style="list-style-type: none"> (1) There shall be a minimum of one tree for every eight parking spaces, provided that a landscape island shall be provided for no more than 16 continuous spaces. (2) The ends of all parking isles and corners shall be protected with a landscaped island. The planning commission may require that the islands be raised and curbed. (3) A minimum distance of three feet from the backside of the curb and the proposed landscape plantings shall be provided. Where vehicles overhang a landscape island or strip, a minimum distance of five feet from the backside of the curb and the proposed landscape plantings shall be provided. (4) Shrubs and/or ground covers which will not impede motor vehicle visibility in accordance with this chapter may also be included in the landscape plan. <p>(c) <i>Required landscaping at the perimeter of off-street parking areas.</i> Separate landscape areas shall be provided at the perimeter of off-street parking areas in accordance with the following requirements:</p> <ol style="list-style-type: none"> (1) Off-street parking areas which are considered to be a conflicting land use as defined by this Section shall meet the screening requirements set forth in section 122-703. Solid wood 	<p>Sec. 122-704. Off-street parking area landscaping.</p> <p>(a) <i>Intent.</i> Separate landscape areas shall be provided within parking lots so as to break up the broad expanse of pavement, protect pedestrian traffic from vehicular traffic, and guide the circulation of motor vehicle and pedestrian traffic.</p> <p>(b) <i>Required.</i> Separate landscape areas shall be provided within off-street parking areas in accordance with the following requirements:</p> <ol style="list-style-type: none"> (1) There shall be a minimum of one tree for every eight parking spaces, provided that a landscape island shall be provided for no more than 16 continuous spaces. (2) The ends of all parking isles and corners shall be protected with a landscaped island. The planning commission may require that the islands be raised and curbed. (3) A minimum clear distance of three five feet from the backside of the curb and the proposed landscape plantings shall be provided for pedestrian travel. Where vehicles overhang a landscape island or strip, a minimum distance of five feet from the backside of the curb and the proposed landscape plantings shall be provided. This measurement is exclusive of vehicle overhang. (4) Shrubs and/or ground covers which will not impede motor vehicle visibility in accordance with this chapter may also be included in the landscape plan. <p>(c) <i>Required landscaping at the perimeter of off-street parking areas.</i> Separate landscape areas shall be provided at the perimeter of off-street parking areas in accordance with the following</p>

<p>fences may be permitted where necessary to cross easements or to protect existing vegetation. Landscaped berms may also be used in lieu of the buffer wall if approved by the planning commission.</p> <p>(2) All off-street parking areas shall be screened from view with a landscaped berm at least three feet in height along the perimeter of those sides which are visible from a public road. The planning commission, at their discretion, may approve alternative landscape plantings or a solid wall in lieu of a landscape berm.</p> <p>(d) <i>Wheel stops or curbs.</i> Landscaped areas, walls, structures, and walks shall be properly protected from motor vehicle encroachment or overhang through appropriate wheel stops or curbs.</p>	<p>requirements:</p> <p>(1) Off-street parking areas which are considered to be a conflicting land use as defined by this Section shall meet the screening requirements set forth in section 122-703. Solid wood fences may be permitted where necessary to cross easements or to protect existing vegetation. Landscaped berms may also be used in lieu of the buffer wall if approved by the planning commission. No screening which shall interfere with visibility of pedestrians shall be permitted, unless provisions for installation and maintenance of visibility aids, such as mirrors, be provided.</p> <p>(2) All off-street parking areas shall be screened from view with a fence or planting, not to exceed 50% opacity, with a landscaped berm at least three feet in height along the perimeter of those sides which are visible from a public road. The planning commission, at their discretion, may approve alternative landscape plantings or fencing materials or a solid wall in lieu of a landscape berm.</p> <p>(d) <i>Wheel stops or curbs.</i> Landscaped areas, walls, structures, and walks shall be properly protected from motor vehicle encroachment or overhang through appropriate wheel stops or curbs.</p>
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5.6ii: FRONT GREENBELTS	
EXISTING LANGUAGE	SUGGESTED LANGUAGE
<p>Sec. 122-705. Front greenbelts.</p> <p>A greenbelt, the equivalent of the front yard setback, where required, shall be provided within the front yard setback, where required, and landscaped in accordance with the following requirements:</p> <ol style="list-style-type: none"> (1) The greenbelt shall be landscaped with a minimum of one tree for every 30 lineal feet of frontage abutting a public road right-of-way. (2) If ornamental deciduous trees are substituted for either non-ornamental deciduous trees or evergreen trees, they shall be provided at a minimum of one tree for every 20 lineal feet of frontage abutting a public road right-of-way. (3) In addition to the required trees within the greenbelt, the remainder of the greenbelt shall be landscaped in grass, ground cover, shrubs and other natural landscape materials. (shrubs -> visibility issues) (4) Access drives from public rights-of-way through required greenbelts shall be permitted, but such drives shall not be subtracted from the lineal dimension used to determine the minimum number of trees required. 	<p>Sec. 122-705. Front greenbelts.</p> <p>A greenbelt, the equivalent of the front yard setback, where required, shall be provided within the front yard setback, where required, and landscaped in accordance with the following requirements:</p> <ol style="list-style-type: none"> (1) The greenbelt shall be landscaped with a minimum of one tree for every 30 lineal feet of frontage abutting a public road right-of-way. (2) If ornamental deciduous trees are substituted for either non-ornamental deciduous trees or evergreen trees, they shall be provided at a minimum of one tree for every 20 lineal feet of frontage abutting a public road right-of-way. (3) Vegetation, other than trees, shall not exceed 36" in height, nor exceed 50% opacity during the growing season, if placed within a ten (10) feet of a private or public vehicle travel lane or public pedestrian travel lane, such as a sidewalk, to preserve visibility, unless provisions for installation and maintenance of visibility aids, such as mirrors, be provided. (4) Access drives from public rights-of-way through required greenbelts shall be permitted, but such drives shall not be subtracted from the lineal dimension used to determine the minimum number of trees required.

5.6iii: FRONT FENCING

EXISTING LANGUAGE	SUGGESTED LANGUAGE
<p>Sec. 122-714. Fences, hedges, walls, berms, and screening.</p> <p>Except as otherwise required by this chapter, the following regulations shall apply:</p> <ol style="list-style-type: none"> (1) In a residential district, fences shall not exceed six feet in height. However, fences in the required front yard shall not exceed four feet in height and 50 percent opacity. Opacity is the degree to which a fence is impervious to rays of light. This condition shall be measured by the observation of any two square yard area of fence between one foot above the ground level and the top of the fence. The observation shall be from a direction perpendicular to the place of the fence. (2) In a commercial, industrial, or office district, no fence, wall, or other screening structure shall exceed ten feet in height, and shall be constructed in the side or rear yard. Fences a maximum of six feet in height may be permitted in the front yard, in accordance with corner visibility standards, when required by this chapter to screen residential used or zoned property. In such cases, the required front setback for the fence shall be the same as for the structure or use which it is intended to buffer. (3) The use of barbed wire, spikes, nails, or any other sharp point or instrument of any kind on top or on the sides of any fence is prohibited. Barbed wire cradles may be placed on top of fences enclosing public utility buildings or wherever deemed necessary in the interests of public safety. (4) No fence shall be constructed or maintained which is charged or connected with an electrical current. (5) Retaining walls shall be designed and constructed in accordance with applicable building code requirements. (6) Temporary construction fences and fences required for protection around excavations shall comply with the building code. Such fences 	<p>Sec. 122-714. Fences, hedges, walls, berms, and screening.</p> <p>Except as otherwise required by this chapter, the following regulations shall apply:</p> <ol style="list-style-type: none"> (1) In a residential district, fences shall not exceed six feet in height. However, fences in the required front yard shall not exceed four thirty-six inches (three feet) in height and 50 percent opacity. Opacity is the degree to which a fence is impervious to rays of light. This condition shall be measured by the observation of any two square yard area of fence between one foot above the ground level and the top of the fence. The observation shall be from a direction perpendicular to the place of the fence. (2) In a commercial, industrial, or office district, no fence, wall, or other screening structure shall exceed ten feet in height, and shall be constructed in the side or rear yard. Fences a maximum of six feet in height may be permitted in the front yard, not to exceed 50 percent opacity, in accordance with corner visibility standards, when required by this chapter to screen residential used or zoned property. In such cases, the required front setback for the fence shall be the same as for the structure or use which it is intended to buffer. (3) The use of barbed wire, spikes, nails, or any other sharp point or instrument of any kind on top or on the sides of any fence is prohibited. Barbed wire cradles may be placed on top of fences enclosing public utility buildings or wherever deemed necessary in the interests of public safety. (4) No fence shall be constructed or maintained which is charged or connected with an electrical current. (5) Retaining walls shall be designed, and constructed, and maintained in accordance with applicable building code

<p>shall not remain in place for a period greater than a year.</p>	<p>requirements.</p> <p>(6) Temporary construction fences and fences required for protection around excavations shall comply with the building code. Such fences shall not remain in place for a period greater than a year.</p>
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5.6iv: PARKING LOT SCREENING

EXISTING LANGUAGE	SUGGESTED LANGUAGE
<p>Sec. 122-835. Parking layout and construction.</p> <p>(11) <i>Screening fences or greenbelts, and landscaping.</i></p> <p>a. Except when accessory to one- or two-family dwellings, each off-street parking area containing five or more spaces which directly abuts any R1, R2, R3, R4 or RO zoning district, shall be provided with a continuous and obscuring fence, wall, or greenbelt in accordance with the requirements of section 122-703.</p> <p>b. Where a parking lot containing five or more spaces is located within a front yard or a street side yard, a 30-inch high obscuring fence, wall, or hedge shall be provided.</p> <p>c. All land between a parking lot and any street right-of-way shall be kept free from refuse and debris and shall be landscaped. The ground area shall be planted in lawn or other live ground covering. All such landscaping and plantings shall be maintained in a healthy, growing condition, neat and orderly in appearance.</p>	<p>Sec. 122-835. Parking layout and construction.</p> <p>(11) <i>Screening fences or greenbelts, and landscaping.</i></p> <p>a. Except when accessory to one- or two-family dwellings, Each off-street parking area containing five or more spaces which that directly abuts any R1, R2, R3, R4 or RO zoning district, shall be provided with a continuous and obscuring fence, wall, or greenbelt in accordance with the requirements of section 122-703.</p> <p>b. Where a parking lot containing five or more spaces is located within a front yard or a street side yard, a 30-inch high obscuring fence, wall, or hedge shall be provided fence, a wall, or vegetation no higher than 36" and not exceeding 50% opacity shall be installed.</p> <p>c. All land between a parking lot and any street right-of-way shall be kept free from refuse and debris and shall be landscaped. The ground area shall be planted in lawn or other live ground covering. All such landscaping and plantings shall be maintained in a healthy, growing condition, neat and orderly in appearance. The use of native plants and the construction of vegetated stormwater facilities, such as rain gardens, is recommended.</p>

5.9: DONATIONS TO THE CITY TO BE PLACED IN THE RIGHT-OF-WAY	
CURRENT LANGUAGE	SUGGESTED LANGUAGE (modeled on City of Ann Arbor ordinance)
None existing.	<p>Donations to the City.</p> <p>The City Manager may accept the donation of, and maintain in the street, any object which provides a public benefit including, but not limited to, bicycle racks, planter boxes, ornamental paving and benches. Such acceptance will be in accordance with the following rules:</p> <ol style="list-style-type: none"> (1) It may be conditioned on the agreement of the adjacent property owner or occupant to maintain it. (2) If the Manager determines that the installation or maintenance of said object could result in injury to the public, insurance, as specified in [INSERT APPROPRIATE REFERENCE HERE], must be supplied by the adjacent property owner or occupant. (3) No object shall be maintained in a street which unreasonably interferes with pedestrian or vehicle traffic or which unreasonably interferes with the access to businesses adjacent to such a street. (4) Acceptance of such an object may be revoked by notice to the adjacent property owner to remove the object from the street. If such revocation of acceptance is necessitated by the failure of the adjacent property owner or occupant to maintain it, any cost to the City in removing the object may be assessed to the adjacent property in accordance with [INSERT APPROPRIATE REFERENCE HERE]. (5) Donation and acceptance of objects to be maintained in the street shall be on forms supplied by the Manager.

5.10: SIDEWALK & RIGHT-OF-WAY OCCUPATION	
CURRENT LANGUAGE	RECOMMENDED CHANGES
<p>Chapter 122, Article XII, Sec. 122-799.</p>	<ul style="list-style-type: none"> • Move sidewalk/right-of-way occupation to CHAPTER 94, Articles II and III • Institute a dual-permit process: annual and daily permits available • Ensure permits are revocable for non-compliance • Permit-seekers who will not be adjacent to an established business (ex: vendor carts) must obtain permission of those businesses with which it may be in direct competition within 75 feet • Ensure that an accessible sidewalk corridor of at least 3' in width is kept free for pedestrian travel, with 6' wide passage being desired and necessary every 50'. • Reconcile redundancy with State Barrier-Free code and City building code. • Change "...shall not be located within 50 feet of any properties used or zoned for residential purposes (R1, R2, R3, R4, or RO)." to "...shall not be located adjacent to any properties zoned for low-density residential purposes (R1, R2)."
<p>Chapter 94, ARTICLE VII. SIDEWALKS, DIVISION 1. Sec. 94-191. Merchandise on sidewalks.</p> <p>No person shall keep, maintain or sell on any public sidewalk, any goods, wares or merchandise, vegetables or fruits, except under license granted by the state liquor control commission, or by permit under article V of chapter 22 of this Code, or by special permit from the city manager.</p>	<ul style="list-style-type: none"> • Review permitting process with YDDA and other stakeholders.
<p>Chapter 22, ARTICLE V. PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS*</p>	<ul style="list-style-type: none"> • Review permitting process with YDDA, neighborhood associations, law enforcement officials, and other stakeholders.

5.11: OPENINGS AND FIXTURES IN SIDEWALKS

CURRENT LANGUAGE	SUGGESTED LANGUAGE (modeled on City of Ann Arbor ordinances)
CHAPTER 94, ARTICLE II AND CHAPTER 94, ARTICLE III	<p>Sidewalk vaults.</p> <p>Openings through the sidewalk for the delivery of goods when lawfully in existence, shall not be greater than 36 inches in width and 60 inches in length, and shall be effectually closed when not in actual use by a durable cover set flush within the surface of the sidewalk, level with the sidewalk, and securely locked in place. All openings in the sidewalk for the admission of light and air shall be closed and protected either by substantial iron grating or illuminating pavement of a design and so placed as to be satisfactory to the Director of Public Services.</p>
	<p>Maintenance of installations in street.</p> <p>Every owner of, and every person in control of, any estate hereafter maintaining a sidewalk vault, coal hole, manhole, or any other excavation, or any post, pole, sign, awning, wire, pipe, conduit or other structure in, under, over or upon, any street which is adjacent to or a part of his estate, shall do so only on condition that such maintenance shall be considered as an agreement on his part with the City to keep the same and the covers thereof, and any gas and electric boxes and tubes thereon, in good repair and condition at all times during his ownership or control thereof, and to indemnify and save harmless the City against all damages or actions at law that may arise or be brought by reason of such excavation or structure being under, over, in or upon the street, or being unfastened, out of repair or defective during such ownership or control.</p>

5.16: B4 ZONING DESCRIPTION

CURRENT LANGUAGE	SUGGESTED LANGUAGE
<p>Chapter 122, Article VII. , Division 10. B4 General Business District Sec. 122-411. Description and purpose.</p> <p>(a) The B4 general business district is designed to provide for a variety of commercial uses, including more intensive commercial uses not permitted in the B1, B2, and B3 districts and which can be incompatible with pedestrian movement. The B4 general business district is intended to permit commercial establishments that cater to the convenience and comparison shopping needs of the entire city and a substantial area of surrounding region beyond the municipal limits and, therefore, are located so as to serve passing traffic.</p> <p>(b) Because of the variety of business types permitted in the B4 general business district, special attention must be focused on site layout, building design, vehicular circulation, and coordination of site features between adjoining sites. General commercial facilities should be compatible in design with adjacent commercial development.</p>	<p>Chapter 122, Article VII. , Division 10. B4 General Business District Sec. 122-411. Description and purpose.</p> <p>(a) The B4 general business district is designed to provide for a variety of commercial uses, including more intensive commercial uses not permitted in the B1, B2, and B3 districts and which can be incompatible with pedestrian movement. The B4 general business district is intended to permit commercial establishments that cater to the convenience and comparison shopping needs of the entire city and a substantial area of surrounding region beyond the municipal limits and, therefore, are located so as to serve passing traffic.</p> <p>(b) Because of the variety of business types permitted in the B4 general business district, special attention must be focused on site layout, building design, vehicular circulation, and coordination of site features between adjoining sites. General commercial facilities should be compatible in design with adjacent commercial development.</p>