Zoning Ordinance Assessment

CITY OF ECORSE, MI



November 2026

giffels webster

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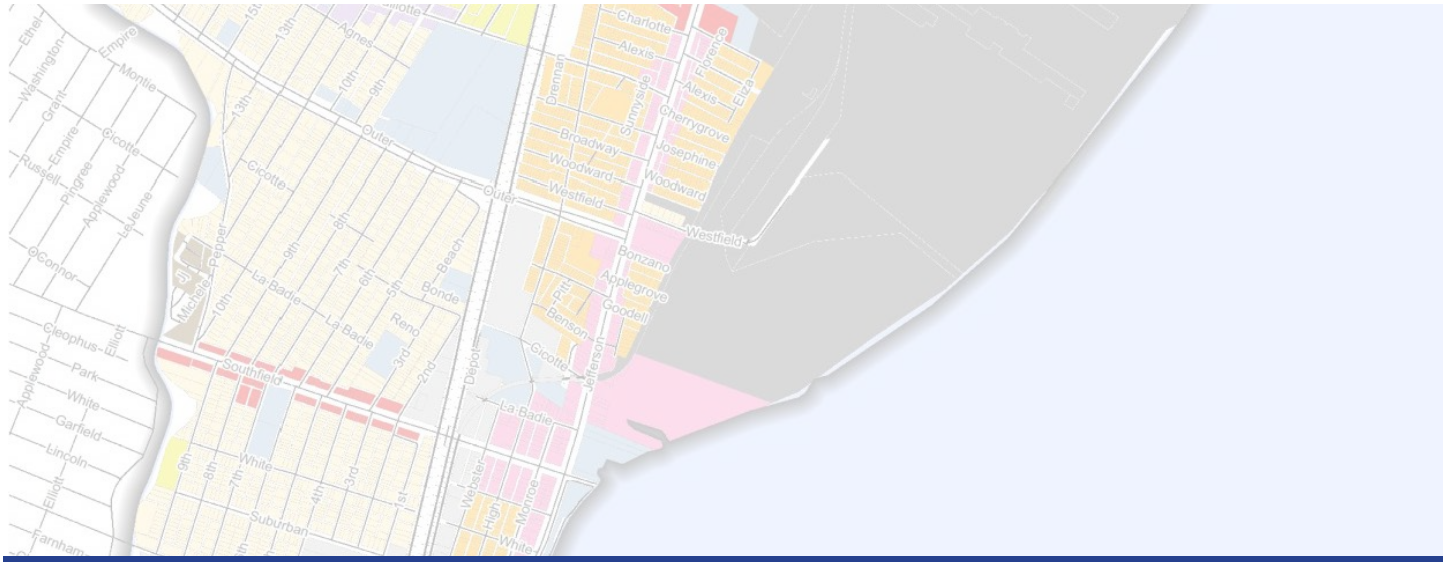
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Assessment Summary

A zoning ordinance assessment is a comprehensive review of a community's zoning ordinance to identify outdated language, conflicting provisions, unclear text, and opportunities for improvement. It also ensures compliance with state and federal laws, as well as relevant case law. The assessment is conducted in two steps:

- **Categorization**. Zoning ordinance standards are grouped into six categories for clarity and accessibility.
- **Evaluation**. Each category is assessed against six review criteria to measure the ordinance's effectiveness and identify areas for improvement. Not all categories are rated against every criterion, only when applicable. Refer to the following page for category and criteria descriptions and the full report for context.

As the city moves toward a comprehensive zoning ordinance update, this assessment serves as a general guide to highlight key areas of focus.

Major revisions to consider Moderate revisions to consider Minor revisions to consider	REVIEW CRITERIA						OVERALL
	Organization & Structure	Language & Clarity	Visual Aids	Legal Alignment	RRC Best Practices	Master Plan Alignment	
CATEGORIES	1	2	3	4	5	6	
Definitions (page 12)						-	
Districts & Uses (page 16)							
Use Standards (page 21)							
Site Standards (page 26)							
Development Procedures (page 32)							
Administration & Enforcement (page 36)							
OVERALL							

OVERALL: Moderate revisions to consider

How is the Ordinance Assessed?

Categories

Definitions	A glossary clarifying terms used within the zoning ordinance to ensure consistent interpretation.
Districts & Uses	The classification of land into zoning districts with permitted, special and other uses.
Use Standards	Specific regulations governing how land uses operate within designated zoning districts.
Site Standards	Requirements for site development, including setbacks, height limits, landscaping, and parking.
Development Procedures	The step-by-step process for obtaining zoning approvals, permits, and variances.
Administration & Enforcement	The roles, responsibilities, and enforcement mechanisms for implementing and maintaining zoning regulations.

Review Criteria

1. **Organization & Structure**	Is the ordinance easy to navigate and properly structured? “Unbury” hidden provisions.
2. **Language & Clarity**	Is the ordinance written in clear, concise language, free of jargon or technical terms that may be difficult for the average person to understand? Are there typos, drafting issues, internal inconsistencies, or cross-reference problems that make the ordinance unclear?
3. **Visual Aids**	Does the ordinance incorporate maps, diagrams, and illustrations to clarify complex concepts and spatial relationships?
4. **Legal Alignment**	Does the ordinance align with applicable state and federal laws to ensure regulatory compliance?
5. **RRC Best Practices**	How well does the ordinance conform to Redevelopment Ready Communities (RRC) Best Practices, specifically Best Practice 2: Zoning and Best Practice 3: Development Review?
6. **Master Plan Alignment**	Does the ordinance support the land use goals and objectives outlined in the 2023 Master Plan?

How is the Ordinance Assessed?

The following text elaborates on three elements of the review criteria (Organization & Structure, RRC Best Practices, and Master Plan Alignment) more generally, while providing Ecorse's context as relevant. More detailed information will be provided as it relates to each assessment category in the respective category sections.

Organization & Structure

When accessing a zoning ordinance, users are typically looking for the answer to one of two questions: 'Where can I locate my house/business/organization?' or 'how can I develop my property?' Finding these answers should be straightforward, but too often, zoning ordinances are complex and difficult to navigate.

As a zoning ordinance ages, it is amended and reshaped repeatedly in response to changing conditions. As amendments accumulate, it is common for an ordinance to become harder to navigate and understand. Generally, we recommend consolidating and streamlining standards so that they create a nested structure that is easy to navigate. The assessment will provide specific organization strategies in each section that are intended to help simplify the zoning ordinance, ensuring consistent interpretation and application over time.

Hosting

The zoning ordinance should be in a simple, easy-to-use format that supports search and hyperlink functions online as well as maintains the integrity of the ordinance when printed or downloaded. The city's zoning ordinance is currently hosted on Municode, a digital code service that hosts municipal codes and ordinances. While the Municode format integrates the zoning ordinance with the city's Code of Ordinances and provides linking capabilities, the downloaded/printed version is less intuitive and more difficult to navigate. A dated 2020 PDF version of the ordinance can be found on the internet and on Municode, and that format is easier to view on paper as a hard copy and navigate between standards, however, we do not recommend the maintenance of two different versions of an ordinance as that may lead to additional confusion and errors.

The current ordinance is organized into 14 articles:

- Article 1: Title and Purpose
- Article 2: Zoning Districts and Map
- Article 3: Regulated Uses and Dimensions
- Article 4: Overlay Districts
- Article 5: General Provisions
- Article 6: Site Development Standards
- Article 7: Supplemental Use Standards
- Article 8: Site Plan Review
- Article 9: Special Land Uses
- Article 10: Land Development Options
- Article 11: Zoning Board of Appeals
- Article 12: Administration, Enforcement, and Violations
- Article 13: Amendments and Severability
- Article 14: Definitions

How is the Ordinance Assessed?

RRC Best Practices

Redevelopment Ready Communities® (RRC) certification is a voluntary initiative offered through the Michigan Economic Development Corporation (MEDC) for communities who commit to improving development readiness and working locally to integrate the Best Practices. RRC offers two levels: "Essentials" and "Certified." A community is "Certified" when all the Best Practices are integrated into their local processes to provide a predictable development experience. The six RRC Best Practices include:

1. Plans and public engagement
2. **ZONING**
3. **DEVELOPMENT REVIEW**
4. Boards and commissions
5. Economic development strategy
6. Redevelopment Ready

Best Practice 2 and Best Practice 3 guide a community's zoning ordinance. This assessment focuses on these two Best Practices as they apply to a community's zoning ordinance.

Ecorse is currently designated with the "RRC Engaged" status, indicating that the community is in the initial phase of committing to the process before achieving RRC certification. We have conducted this assessment using the "Certified" level, but the city may determine that the "Essentials" level is appropriate for the community's needs. Some Best Practices for the two levels are identical, but in many criteria, the RRC Certified level includes additional expectations.

In conjunction with a recently adopted master plan in 2023, a zoning ordinance rewrite is intended to both implement the master plan and help the city towards achieving RRC certifications. The ordinance does not currently fulfill the RRC's Certified Expectations for Best Practice 2 or Best Practice 3 entirely. The assessment identifies areas of improvement to meet the Certified Expectations throughout the document. The city's 2023 Master Plan implementation recommendations are consistent with the Best Practice expectations.

Best Practice 2. Zoning: Certified Criteria

2.1 Alignment with Master Plan. Under Michigan law, zoning ordinances must be based on an adopted master plan. Ensuring such coordination reduces uncertainty and risk for development.

2.2 Accessibility and User-friendliness. Adding user-friendly components to the zoning ordinance can make it easier to understand, thus removing an initial barrier that disproportionately impacts local, small-scale, and first-time applicants.

BEST PRACTICE 2 evaluates a community's zoning ordinance and how it meets community goals, enables the form and type of development the community is seeking and includes modern approaches to zoning. Zoning is a key tool for plan implementation. Obsolete zoning regulations can discourage development and investment. Outdated regulations can force applicants to pursue rezoning or variance requests thus extending project timelines, increasing costs, and creating uncertainty. Communities should look to streamline requirements and regulate for the kind of development that is truly desired. Zoning should be used to shape inviting, walkable, vibrant communities, rather than inhibit them.



How is the Ordinance Assessed?

2.3 Concentrated Development. Allowing for areas of context-sensitive concentrated development provides myriad benefits including enabling pedestrian mobility, providing a sense of place, generating fiscal stability for communities, and leveraging existing infrastructure.

2.4 Housing Diversity. Having an ordinance which clearly allows for diverse housing types creates unique neighborhoods, provides lifestyle options for residents of all ages and income levels, helps attract talent, and provides flexibility for meeting market demand.

2.5 Parking Flexibility. The cost and space consumed by parking can make or break a project financially. Providing flexible options for parking allows for creative and context-sensitive solutions in communities of all sizes and reduces the negative impacts excessive parking can have on a community's sense of place.

2.6 Green Infrastructure. Integrating green infrastructure can reduce infrastructure and maintenance costs, provide opportunities for recreation and physical activity, reduce exposure to harmful substances, advance placemaking goals, improve safety, promote community identity and a sense of well-being, and provide economic benefits.

Best Practice 3. Development Review: Certified Criteria

3.1 Defined Processes. Clearly defined development review processes provide predictability for investments big and small.

3.2 Point of Contact. Having a clearly identified point of contact helps communities offer positive and personalized service which builds a foundation for a predictable development review experience.

3.3 Conceptual Review. Conceptual review meetings offer a chance for early, informal review of proposed projects. This helps avoid costly mistakes or delays later in the process.

3.4 Internal Review Process. Clearly documenting the internal review process provides predictability and consistency in the development review process. It also ensures that processes can continue in the event of staff turnover.

3.5 Approval Authority. Approving permitted uses at the planning commission or staff level allows faster approval and respects the administrative nature of development review.

More information and the complete Best Practices Handbook can be found at: https://www.miplace.org/programs/redevelopment-ready-communities/rrc-library/

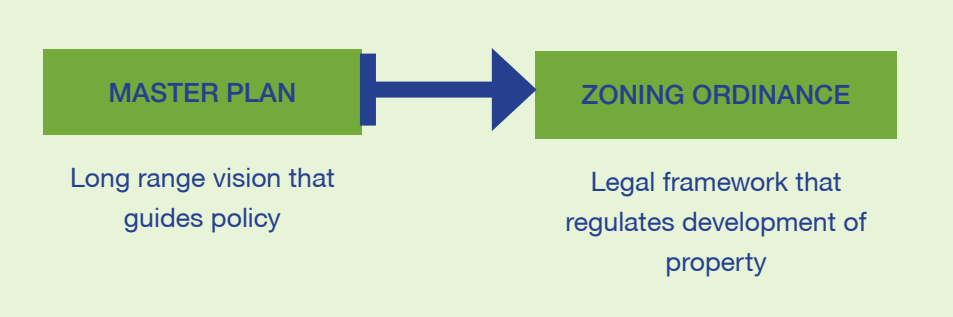
BEST PRACTICE 3 evaluates the community's development review policies and procedures to ensure they integrate predictability throughout. Unnecessary steps or unclear instructions increase time and expenses associated with development. Community leaders should look to simplify and clarify policies and increase efficiency to create an inviting development climate vital to attracting investment. To do this, sound internal procedures need to be in place and followed. Making information on the development review process and resources readily available assists applicants of all experience levels in understanding what they will need to know as they invest in the community.

How is the Ordinance Assessed?

Master Plan Alignment

Relationship between the master plan and the zoning ordinance

Community master plans illustrate the vision for the future and contain guiding principles that help a community create land development policies and make land use decisions. In Michigan, the value of the master plan as an important community document is recognized, which is why the state of Michigan requires the master plan be reviewed every five years. This review allows communities to check in on their progress and ensure the vision and guiding principles are still relevant.



How does a zoning ordinance implement a master plan?

A zoning ordinance regulates the use of land. Adopting regulations that support the goals of the master plan helps ensure that future development will be in line with the community's goals and vision. It is also helpful to develop an itemized implementation guide for a master plan.

The zoning ordinance is one of the primary tools for implementing a master plan; there should be a clear connection between master plan goals and the zoning ordinance. Many of the land use recommendations, goals and objectives found in the 2023 Master Plan can be aided by Flexible Developments amendments to the city's zoning ordinance. Amendments can range from minor changes to text all the way to the addition of new uses and creation of new districts.

RRC BEST PRACTICE 2.1

Alignment with Master Plan

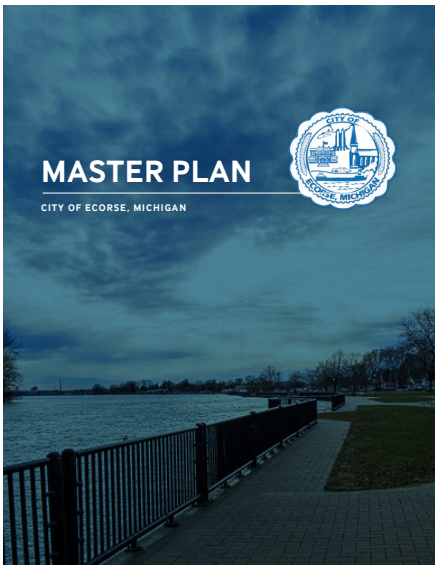
Under Michigan law, zoning ordinances must be based on an adopted master plan. Ensuring such coordination reduces uncertainty and risk for development.

How is the Ordinance Assessed?

The 2023 Master Plan

The city's master plan was adopted in 2023, setting the stage for future development in the city. The following five goals were identified in the plan and are the foundation for the zoning and policy recommendations therein:

1. Foster the creation of a downtown corridor with enhanced waterfront access along Jefferson Avenue.
2. Support businesses, job creation, and redevelopment of blighted and vacant property in Ecorse.
3. Promote resident pride in Ecorse through community development and investments in the appearance of neighborhoods & businesses.
4. Create new housing opportunities for people of all ages and income levels in Ecorse while strengthening neighborhoods and diversifying the housing stock.
5. Improve roads and connections in Ecorse for walking, biking, transit, and cars.

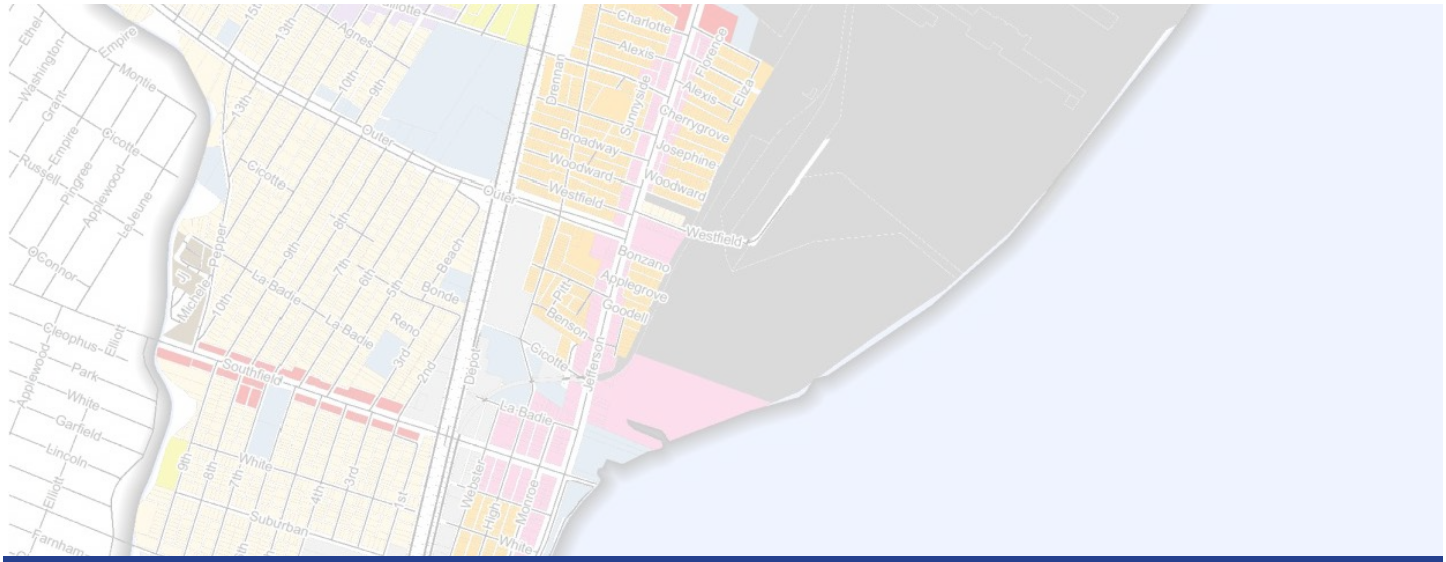


Building off these goals, the plan includes specific zoning recommendations to explore as a part of a zoning ordinance update. These recommendations are further discussed in the context of "Districts and Uses" in this assessment.

Future Land Use Plan. The future land use plan is the city's guide to future zoning changes, development decisions, and long-term growth. It serves as a framework for maintaining compatibility between adjacent land uses, while ensuring new developments align the city's long-term vision and goals. To guide implementation, the 2023 Master Plan includes a zoning plan that compares future land use classifications with the current zoning designations at the time of being written. In addition to the future land use recommendations, the master plan identified several priorities to consider as a part of the zoning ordinance rewrite, which are summarized in the sidebar and further discussed when relevant in this assessment.

Master Plan Priority Recommendations

- Modifications to minimum lot widths
- Review and consideration of lower minimum floor area requirements
- Modifications to the nonconformities chapter of the zoning ordinance
- Modifications to the permitted uses along Visger Road to better match the uses permitted by River Rouge, on the opposite side of the road



Definitions

Every zoning ordinance must include specific and comprehensive definitions to provide legal clarity and reduce ambiguities. This ensures that all stakeholders, from local government officials to property owners and developers, have a shared understanding of the rules and regulations established in the ordinance. This clarity not only enhances compliance, but also reduces the likelihood of costly disputes and legal challenges. In addition, clear definitions help to preserve the integrity of the ordinance by making it easier to manage consistent application of the rules.

Generally, terms that are commonly understood do not need to be defined in the ordinance. However, terms that have a direct connection to regulations should be included. Simple, clear graphics help illustrate the text.

The recommended updates to definitions outlined below will provide greater clarity throughout the development process.

1. Organization & Structure	Minor
2. Language & Clarity	Minor
3. Visual Aids	Major
4. Legal Alignment	Minor
5. RRC Best Practices	Minor
6. Master Plan Alignment	N/A
OVERALL	Minor

Major revisions to consider
Moderate revisions to consider
Minor revisions to consider

1. Organization & Structure

Standards should be consolidated and associated with the uses or site elements to which they apply. The city's zoning ordinance generally has standards removed from the definitions, and minimal review is necessary.

The definition for "sign" directs the user to "See article 6 for definitions of individual sign types." A reference to Section 6.5 Signs would be more helpful.

As a rule of thumb, we recommend that all definitions should be consolidated into one section for consistency and convenience as terms may have applications outside of that specific section. This ordinance consolidates definitions in Article 14 with the exception of specific definitions related to signs. However, the sign ordinance is self-contained within the ordinance and may not need to follow this recommendation.



Definitions

2. Language and Clarity

Definitions should be updated to include current terminology. Recommended definition updates include:

- **Curb cut**. This definition uses "thoroughfare" as a generic term for a road, when it is in fact a road classification with a specific meaning. It should refer to a "right-of-way."
- **Detention basin**. This definition uses "thoroughfare" as a generic term for a road, when it is in fact a road classification with a specific meaning. It should refer to a "right-of-way."
- **Family**. The second clause in the term family includes the ability for a "collective number of individuals living together in one dwelling unit, under a relationship that is continuing, non-transient, and whose relationship is of a continuing, non-transient domestic character, who cook and live as a single, nonprofit housekeeping unit" to live together, which is in line with fair housing action. However, the first clause of people related by blood, marriage, or adoption, does not include a provision for roomers. Many zoning ordinances in Michigan include accommodations for roomers, often setting the maximum at two.
- **Kennels and veterinary services**. Section 7.15 contains language that constitutes a definition and slightly differs from the "Kennel" definition provided in Article 14; this definition should be consolidated in Article 14. In addition, the "Veterinary services" definition includes a provision that use as a kennel shall be limited to short-time boarding and shall be only incidental to such hospital use; this should be moved to the use standards and clarified.
- **Manufacturing (light and heavy)**. Greater distinction between the light and heavy manufacturing definitions can allow for more clarity to what is permitted in the industrial districts.
- **Solar and wind**. Reviewing and clarifying definitions related to renewable energy could be helpful. We recommend replacing "personal" and "commercial" terms so that projects are regulated more clearly by accessory and principal use and defined more strictly by the function rather than who owns the property.

There are also opportunities to clarify language and correct typos and grammatical errors. Several typos or grammatical errors have been identified, including:

- **Adult day care home**. "receiving fewer than six (6) adults or more adults" should omit "or more"
- **Building height**. "defines in section 3.3" should be "defined in section 3.3"
- **Child care center**. "incudes a facility" should be "includes a facility"



Definitions

- **Enforcement official**. The building official is accidentally listed twice in a list
- **Floor area, usable**. Two different spelling in the definition: “usable” and “useable”
- **Frontage**. “comer lot” should be “corner lot”
- **Grade**. “the height of a buildings” should be “the height of a building”
- **Planning commission**. “Public Act 33 or 2008” should be “Public Act 33 of 2008”
- **Protected root zone**. “where to grading, cutting, storing or materials, or moving of machinery may occur” should be “where no grading, cutting, storing or materials, or moving of machinery may occur”
- **Sexually oriented business**. The numbering restarts in the middle of the list instead of being continued.
- **Wireless telecommunications**. “subject to state and federal Jaw or regulations” should be “subject to state and federal law or regulations”
- In addition, subparagraphs L, M, and N should be subparts nested under subparagraph K in Section 14.1.

Several issues with cross references have also been identified. It is likely that these errors were not updated as definitions were amended previously in the ordinance. These cross references may be helpful to link in Municode, so that it is clear when a word is a defined term and it is easier to recognize errors as definitions are amended. Terms which include cross references that should be revised include “building height,” “mosque,” and “lounge.”

Many terms in the ordinance are organized using a etymological grouping or clustering method. That is, a comma is often used to organize related terms together by a root word to demonstrate that words are related (e.g., “Apartment” and “Apartment, studio.” However, some terms are not sorted in this way, and such deviations may benefit from revision (e.g., “Small distillery” instead of “Distillery, small.” In other cases, there are some terms which cross reference to the equivalent term, or vice versa, but this is not done consistently.

3. Visual Aids

Illustrations are provided for only a few terms, so there are opportunities to add visual aids to provide clarity.

Definitions

4. Legal Alignment

Definitions should also be consistent with state and federal laws, as well as case law. One example of a set of definitions that could be updated are the child care facilities definitions. In 2023, Public Act 116 was amended to allow established, high-performing home-based child care providers to apply for an increase in capacity (family child care homes from six to seven children; group child care homes from 12 to 14 children) if home-based providers meet certain criteria. These definitions for these facilities can be updated in the zoning ordinance or the definitions can simply refer to the state's definitions.

5. RRC Best Practices

The city's zoning ordinance is accessible online, but the zoning map should be updated and provided in a more user-friendly way (See "Districts & Uses" - 3. Visual Aids). Further, in order to meet Certified Expectations, the potential improvements discussed previously in this section to clarify the definitions and include visual aids will be important.

RRC BEST PRACTICE 2.2

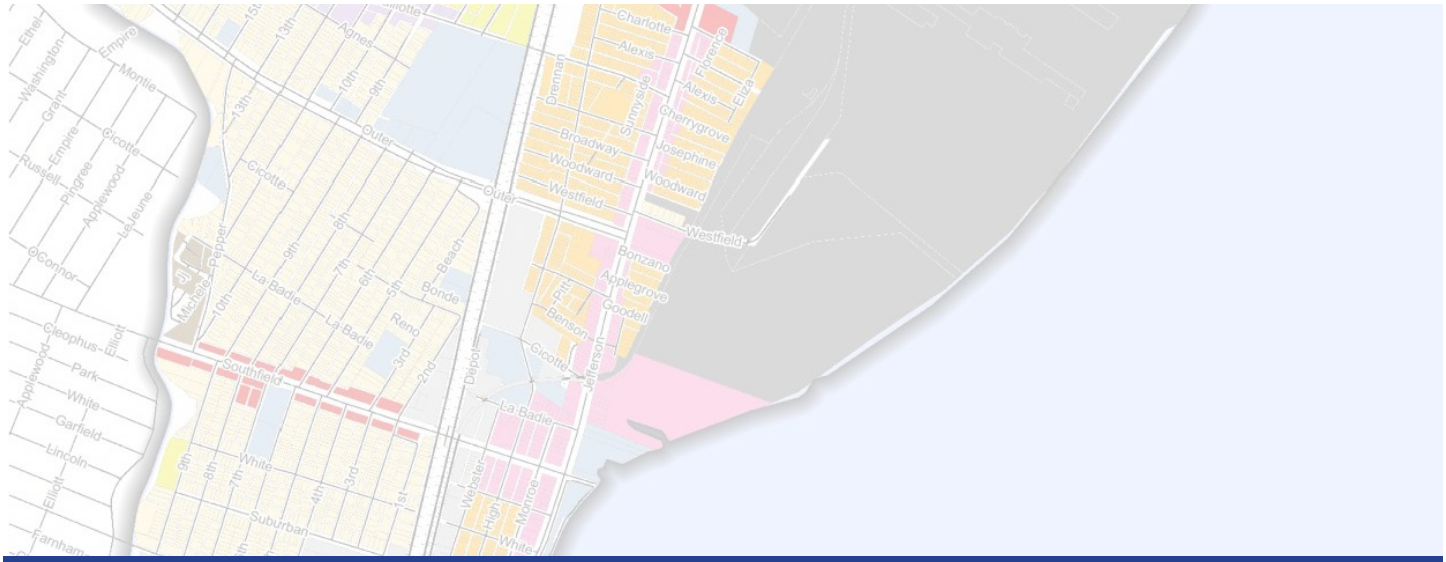
Accessibility and User-friendliness

Certified Expectations

- The ordinance and zoning map are accessible online.
- The ordinance portrays clear definitions and requirements.
- The ordinance includes graphics, tables or charts.

6. Master Plan Alignment

N/A



Districts & Uses

Existing zoning districts and their permissible uses should be updated to align with the vision established in the 2023 Master Plan and Future Land Use Map. This section reviews the degree to which current zoning and future land uses are aligned, while highlighting some important considerations for uses, intent, and dimensional requirements.

The City of Ecorse includes the following zoning districts:

SFR: Single-Family Residential District

MFR: Multiple Family Residential District

FR: Flexible Residential District

MH: Manufactured Housing District

NMU: Neighborhood Mixed Use District

C: Commercial District

CC: Corridor Core District

LI: Light Industrial District

GI: General Industrial District

PSP: Public/Semi-Public District

1. Organization & Structure	Moderate
2. Language & Clarity	Major
3. Visual Aids	Major
4. Legal Alignment	Minor
5. RRC Best Practices	Moderate
6. Master Plan Alignment	Major
OVERALL	Major

Major revisions to consider
Moderate revisions to consider
Minor revisions to consider

1. Organization & Structure

While the current structure covers all necessary legal ground, it forces users to jump back and forth between multiple articles to answer basic questions (e.g., checking a district's intent in Article 2, finding permitted uses in Article 3, reviewing parking/landscaping in Article 6, checking use standards in Article 7, and looking up definitions in Article 14). Consideration of restructuring the ordinance so that district regulations are more consolidated to bring together intent, permitted uses, dimensional standards, and any specific design standards may be helpful.

Districts & Uses

2. Language and Clarity

If the Regulated Uses Table is maintained in its current format, it may be helpful to evaluate the list of uses and streamline to table to reduce redundancies. For example, critical, essential, and supporting public uses are all permitted by right in every district. Each type is defined, but without any different in applicability by district or associated use standards, they may be better consolidated as a single line in the table.

Further, a review and reevaluation of the uses permitted by right and by special land use in each district is needed. Modern zoning generally favors allowing uses by right when objective standards can adequately address their impacts, and some of the uses currently permitted by special land use may not require the additional approvals or discretionary reviews. This could also mean considering if any uses can be split into higher- and lower-intensities to require additional review for more intensive uses as appropriate, such as Class A and Class B home occupations.

Zoning ordinances can unintentionally prohibit investment because of dimensional standards that do not work for the types of development permitted in a zoning district. Based on the current ordinance, we recommend considering the dimensional standards in the context of the city's actual urban form and its nonconforming lots and evaluating how the standards accommodate both residential and commercial redevelopment and infill housing.

There are also opportunities to clarify language and correct typos and grammatical errors. The ordinance alternates between different usage and hyphenation of multiple-family and multi-family (as well as single-family) which would be helpful to apply consistently. One consistent convention of marijuana/marihuana would also be helpful except where referencing state statutes. Consistency of capitalization, hyphenation, and district names could also help with clarity (e.g., "Single-Family Residential District" and "Multiple Family Residential District."

3. Visual Aids

The official Zoning Map that is available to the public and included in the zoning ordinance does not include the West Jefferson Overlay District 1. However, Article 4 includes an image of a proposed zoning ordinance map amendment which includes the overlay. The official Zoning Map should be amended to include the West Jefferson Overlay District 1.

Large tables, such as the Regulated Uses Table in Article 3, span multiple pages and can be difficult to follow. Formatting these tables with header rows across pages would generally be recommended, but Municode likely cannot accommodate such a function at this time. If the permitted uses are not grouped

RRC BEST PRACTICE 2.2

Accessibility and User-friendliness

Certified Expectations

- The ordinance and zoning map are accessible online.
- The ordinance portrays clear definitions and requirements.
- The ordinance includes graphics, tables or charts.

Districts & Uses

into the district regulations, it may be beneficial to at least divide the larger table into separate tables for each use type (i.e., residential, public and semi-public, commercial, etc.). The table should also be revised so that it follows the order of districts established for additional clarity (i.e., C before CC).

Graphics illustrating district dimensional standards could be a beneficial addition to the zoning ordinance.

4. Legal Alignment

No immediate legal issues have been discovered in our review pertaining to the zoning districts other than ensuring the zoning map is up-to-date. We will consider any refinements that are needed as we proceed with the rewrite.

5. RRC Best Practices

Accessibility and User-Friendliness

RRC Best Practice 2.2 affirms the need to make the ordinance requirements clear by utlizing graphics and tables where applicable.

Housing Diversity

The city's zoning ordinance allows for a variety of housing options, satisfying both Essential Expectations and Certified Expectations of RRC for housing diversity (Best Practice 2.4), with duplexes, triplexes, quadplexes, rowhouses, and stacked flats listed as permitted uses with varying units in the SFR district, MFR district, FR district, NMU district and CC district as well as allowing for residential above commercial in the commercial districts and neighborhood mixed use district. Accessory dwelling units (ADUs) are permitted with standards (P*) in single family residential and flexible residential districts.

With that, some of the Missing Middle uses recommended for consideration by RRC are not presently recognized. Tiny homes, microunits, first-floor residential with commercial, and 6-plexes are not currently addressed within the zoning ordinance. Tiny homes and microunits are listed as a text amendment consideration within the master plan, referencing that these housing options are becoming more popular and that current floor area minimums should be reconsidered. Implementing the additional recommendations outlined in this assessment will help achieve greater alignment with MEDC standards and support broader housing goals.

RRC BEST PRACTICE 2.4
Housing Diversity

Certified Expectations

The ordinance allows for THREE or more of the following housing types by-right:

- Accessory Dwelling Units (ADUs)
- Townhouses/row houses
- Triplexes
- Quadplexes
- 6-plexes
- Stacked flats
- First-floor residential with commercial
- Residential above commercial
- Microunits
- Cottage housing/bungalow courts
- Tiny houses

Districts & Uses

6. Master Plan Alignment

The master plan recommendations outlined in the Zoning Plan for districts and uses have yet to all be realized, but this update to the ordinance will be a catalyst towards implementation. The RRC Certified Expectations for Alignment with Master Plan (Best Practice 2.1) recognizes the need for Certified communities to evaluate master plan recommendations to determine if zoning changes are needed and make corresponding updates to the zoning ordinance. This effort to rewrite the zoning ordinance will bring the city into alignment with this Best Practice, additional analysis of master plan alignment is discussed within each subsection of this report.

Future Land Use and Zoning Plan changes. The current zoning ordinance has been updated since the adoption of the 2023 Master Plan and follows the Zoning Plan's future land use designations. However, the Future Land Use Map provided new designations for some parcels that are not reflected in the current Zoning Map. The new designations include the following changes to the map and districts:

- Select single-family residential parcels north of Westfield to Corridor Core.
- Select single-family residential parcels west of 2nd Street, west of the railroad tracks, and east of 1st Street to Industrial.
- Introduce two new flexible land use categories: Residential-Commercial Flex and Commercial-Recreational Flex.
- The Jefferson Avenue/Outer Drive corner parcel from Corridor Core to Public/Quasi-Public.
- Parcels south of Salliotte Avenue from Single-Family Residential to Neighborhood Mixed Use to preserve the continuity of the mixed-use corridor.
- Two large parcels along 11th and 12th Streets from Public/Quasi-Public to Flexible Residential.
- Parcels along River Drive and Mill Road from Single-Family Residential to Public/Quasi-Public.

A zoning map assessment to compare the current official zoning map against the 2023 Future Land Use Map to determine where consistency gaps exist and whether any rezonings may be appropriate to bring parcels into alignment with long-term community goals.

The Zoning Plan suggests new zoning districts could be created based on updates to the plan's future land use designations. Potential new districts could correspond to the Flexible Residential, Neighborhood Mixed Use, and Corridor Core designations.

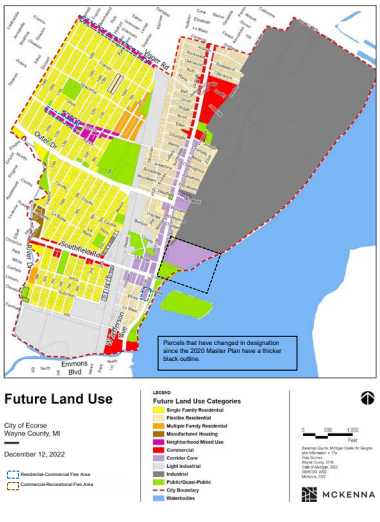
The Zoning Plan also called for:

- Modifications to minimum lot widths, to ensure as many residential lots are

RRC BEST PRACTICE 2.1
Alignment with Master Plan

Certified Expectations

- The community has evaluated the master plan's recommendations to determine if changes to the zoning map or ordinance are needed.
- The community has made updates to the zoning ordinance to align with the goals and zoning recommendations from the master plan.





Districts & Uses

conforming as possible. Currently, many lots do not meet the 45-foot width required by the zoning ordinance.

- Review and consideration of lower minimum floor area requirements. As tiny homes and other alternative housing types become more popular, the current floor area minimums may no longer be suitable for all building types.
- Modifications to the permitted uses along Visger Road to better match the uses permitted by River Rouge, on the opposite side of the road.

Add a makers space use and permit in industrial districts. Consider adding a "makers space" use to the zoning ordinance and permit it within industrial zoning districts. Makers spaces provide opportunities for small-scale manufacturing, fabrication, repair, artisan production, and business incubation, supporting local entrepreneurship and job creation. This amendment would further the master plan's objective of fostering new employment opportunities and encouraging the reuse of vacant and underutilized industrial properties.

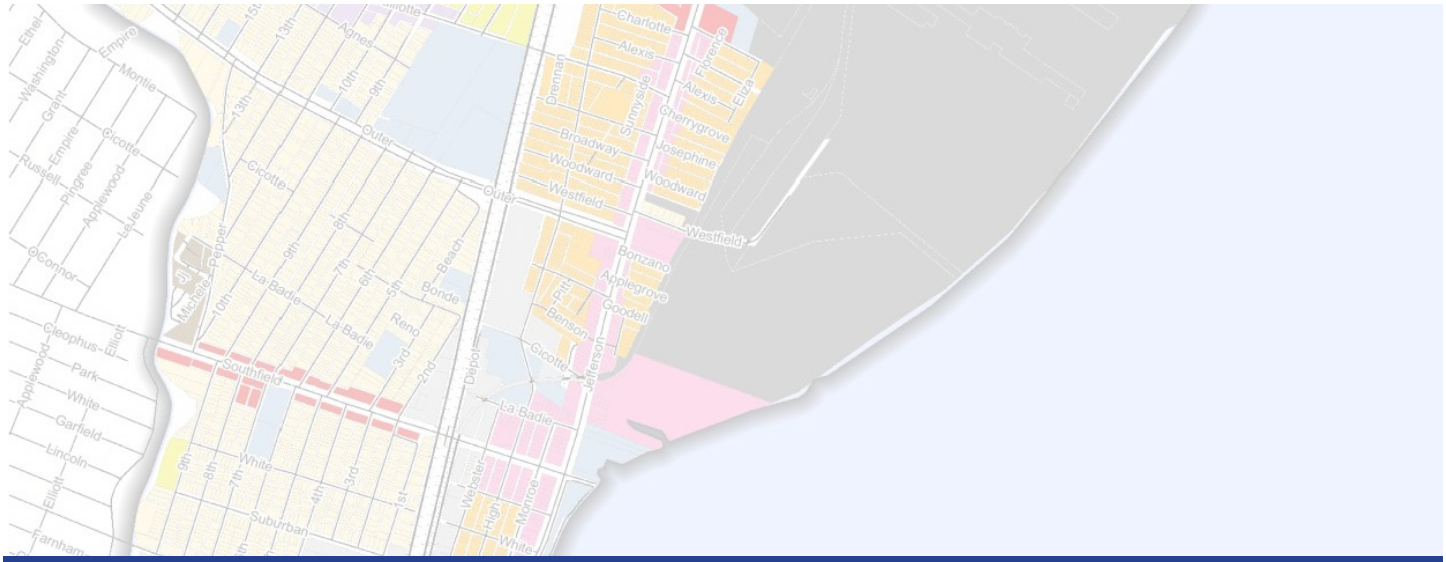
Align uses in the MFR district with master plan. The master plan calls for the multiple family residential district to allow for dwellings of two or more units and townhouse, apartment, and duplex-style residential uses and customary accessory uses. The current zoning ordinance only permits five or more family units of duplexes, triplexes, quadplexes, rowhouses, and stacked flats. This should be updated to allow for down to two-family units.

Add standards for garages in the SFR district. The master plan provides standards for garages in the single-family residential district but are not currently provided in the zoning ordinance. These standards include:

- Attached garages should be recessed at least 5 feet from the front facade.
- The front door and the garage door should not occupy more then 50% of the building width at the property line.
- In the case of small lots, this may require a one car garage, a tandem two car garage, or access to a garage from a rear alley.
- Garages located on lots within the city's residential areas should be setback a minimum of ten (10) feet from the road, and side loaded if possible.

Align district descriptions and intent statements. The Future Land Use & Zoning Plan provides design principles for each district. Consider updating the district intent statements in the zoning ordinance to better reflect what is described in the 2023 Master Plan.

Consider additional overlay zoning districts. The master plan suggests that it may be appropriate to create overlay zoning districts in addition to the West Jefferson Overlay District to correspond with other nodes in the 2020 W Jefferson Overlay Plan.



Use Standards

Providing specific use standards for by-right and special land uses is helpful for property and business owners, reviewing bodies, and the general public. When impacts are anticipated, standards can be used to mitigate them and provide for enforcement.

1. Organization & Structure

All use standards are consolidated in Article 7 of the ordinance. The Regulated Uses Table in Article 3 uses an asterisk symbol [*] to note if a land use has supplemental use regulations. We recommend using cross-references linking the uses to their respective use standards so they are easier to access.

2. Language & Clarity

Land use trends evolve, and ordinances are often poorly equipped to support hybrid uses, such as live-work units, and small-scale artisan manufacturing. Home businesses should be evaluated to ensure that entrepreneurship is supported without disrupting neighborhood life.

As a review and reevaluation of the uses permitted by right and by special land use in each district occurs during in the zoning rewrite process, it may also be helpful to review if use standards sufficiently address concerns of uses permitted by special land use and consider if they can be permitted by right. Additionally, it could be beneficial to include language in the relevant use standards clarifying applicability.

Discretionary waivers should always be accompanied by clear standards of review to ensure consistent, fair, and defensible decision-making. Without defined criteria, discretionary approvals may lead to uncertainty or inconsistent application. Several provisions in the ordinance currently allow discretion without supporting review standards. For example, several sections require a use shall be “consistent” or “compatible” with the development of the surrounding area. A better approach may be to link compatibility to more objective elements like setbacks, landscaping, traffic, screening, etc. to offer applicants more clarity in how to demonstrate such compatibility.

1. Organization & Structure	Minor
2. Language & Clarity	Major
3. Visual Aids	Minor
4. Legal Alignment	Minor
5. RRC Best Practices	Moderate
6. Master Plan Alignment	Moderate
OVERALL	Moderate

Major revisions to consider
Moderate revisions to consider
Minor revisions to consider

Use Standards

There are also opportunities to clarify language and correct typos and grammatical errors, which include:

- **Cross references**. Sections related to wireless facilities contain incorrect cross references to other sections.
- **Consistency**. The ordinance alternates between different usage and hyphenation of multiple-family and multi-family (as well as single-family) which would be helpful to apply consistently. One consistent convention of marijuana/marihuana may also be helpful except where referencing state statutes. Consistency of capitalization, hyphenation, and other spelling/ grammar conventions could also help with clarity.
- **Section 7.2 Accessory dwelling units**. "principle use" should be "principal use" and other language like "minimum size living" and "maximize size shall not exceed" should be edited.
- **Drive-ins/Drive-throughs**. The stacking requirement in Section 7.10.C is also vague and could be edited with a minimum number of spaces, dimensions, or other details.
- **Section 7.24 Wind energy conversion system approval standards**. "WESC" should be "WECS" and the number of feet specified in 7.24.3.A.2 for ground-mounted commercial SECS should be changed to the correct number (currently "fifty (200) feet from any residential zoning district or use").

3. Visual Aids

Typically, use standards should not require visual aids. When appropriate, an update to the zoning ordinance will incorporate graphics to offer additional clarity as needed.

4. Legal Alignment

Consistency with statutory requirements. The zoning ordinance is generally well-aligned/consistent with current Michigan and federal law, such as:

- The Small Wireless Communications Facilities Deployment Act (2018 PA 365), which limits local regulation of small wireless facilities, establishes review procedures, fee restrictions, and approval standards for small-cell infrastructure.
- The Religious Land Uses and Institutionalized Persons Act (RLUIPA), a federal law that protects religious institutions and individuals from discriminatory practices by local governments, suggesting that places of worship must be treated equally with other gathering places, such as theaters or banquet halls.
- The Michigan Regulation and Taxation of Marihuana Act (MRTMA).
- The Fair Housing Act. Fair housing is the right to choose housing free from unlawful discrimination. The Federal Fair Housing Act (FFHA) and Michigan

Use Standards

laws protect people from discrimination in housing based on the following protected classes: race, color, religion, sex (including sexual orientation and gender identity), national origin, familial status, disability, marital status, and age. The FFHA prohibits municipalities and other local government entities from making zoning or land use decisions or implementing land use policies that exclude or otherwise discriminate against individuals protected by fair housing law, whether intentionally or by discriminatory effect. Our review of the zoning ordinance did not recognize any of the district or use standards as potentially discriminatory under the FFHA.

Use standards should generally be consistent with statutory requirements. When statute allows municipalities to provide requirements that are more restrictive, excessive regulations can create unnecessary barriers to important land uses and development opportunities beyond what is needed for health and safety.

For example, in Ecorse, the size of the outdoor play area for childcare centers is determined by the number of pupils, but this may result in a larger outdoor play area than the state mandates. Stricter requirements may limit the number of feasible locations for these facilities, increasing costs and reducing access for families in need. In addition, inconsistencies across jurisdictions make compliance more difficult. Aligning local standards with state requirements, or simply referring to statute, ensures clarity, fairness, and a balance between public health and safety needs and regulatory efficiency.

Public Act 233 of 2023, signed by Governor Whitmer on November 28, 2023, updates the permitting process for utility-scale renewable energy projects in Michigan. Starting November 29, 2024, developers can choose to seek approval from either the local government or the Michigan Public Service Commission (MPSC). The law applies to the following utility-scale systems (projects below these thresholds remain under local control):

- Large Solar Energy Systems: 50 MW or more (~400–500 acres)
- Wind Energy Systems: 100 MW or more (~650 acres)
- Energy Storage Systems: 50 MW or more, with 200 MW discharge capacity (~5 acres)

While large-scale wind energy projects may not be viable in Ecorse, it is worth assessing which permitting option best fits local conditions as solar and energy storage systems projects may be more viable—though current interest is uncertain. The city could also potentially find itself hosting a portion of a multijurisdictional project. The law is still new, and some areas remain unclear or under review. Legal alignment of renewable energy systems could come in conjunction with adding clarity regarding the current renewable energy systems permitted in the city and requirements for siting, noise, lighting, etc.

Public Act 233 of 2023, Utility-Scale Renewable Energy Permitting

Communities now have four permitting options:

- Voluntary MPSC Certification: The local ordinance can direct all projects to the MPSC, where 21 minimum review standards apply.
- Compatible Renewable Energy Ordinance (CREO): The community adopts an ordinance aligned with PA 233. Projects are reviewed locally, but can appeal to MPSC if denied.
- Workable Incompatible Ordinance: More restrictive zoning is allowed, and developers may choose to comply locally if it's feasible.
- Incompatible Ordinance: If local zoning (in any community that is part of a project, whether the project is single- or multi-jurisdictional) is too strict or unworkable, developers can bypass local review and go directly to the MPSC.

Use Standards

Alignment with building code. The zoning ordinance may exceed what is required by the building code. However, in certain circumstances, flexibility may be desired. For example, the Michigan State Building Code waives the requirement for fences when an automatic pool cover is proposed. The current zoning ordinance requires a fence (Section 7.21). The planning commission may wish to consider whether the enclosure requirements should be updated to align with Building Code.

As we make updates to the ordinance, we will refine any regulations to ensure they meet state and federal laws. We consider those potential changes to be minor in nature at this time.

5. RRC Best Practices

Best Practice 2.3 Concentrated Development

Allowing for areas of context-sensitive concentrated development provides myriad benefits including enabling pedestrian mobility, providing a sense of place, generating fiscal stability for communities, and leveraging existing infrastructure. Best Practice 2.3 recognizes the benefit of provisions that encourage interactive, walkable uses, particularly near urban centers. This Best Practice includes a variety of recommendations for site design, often specific to restaurants and retail.

In Ecorse, mixed-use development is permitted by right in the mixed-use district, commercial district, and corridor core district. While Section 7.19 Outdoor dining includes a set of standards for outdoor dining for restaurants, additional direction for these and similar outdoor accessory uses will help encourage their presence—offering opportunities for social connection. To streamline review, it may be desired to allow for administrative approval of outdoor seating located within the public right-of-way.

The Regulated Uses Table notes that outdoor dining is permitted in PSP districts, but not restaurants; clarity regarding the regulations that apply for outdoor dining or seating in PSP districts would be helpful. In addition, standards for open store fronts (or open air businesses) may accommodate more pedestrian, rather than vehicular, traffic.

RRC BEST PRACTICE 2.3
Concentrated Development

Certified Expectations

- The ordinance allows mixed-use buildings by-right in designated areas of concentrated development.

The ordinance requires TWO or more of the following elements in areas of concentrated development:

- Build-to-lines
- Open store fronts
- Outdoor dining
- Minimum ground floor transparency
- Front-facing doorways
- Parking located in the rear of the building
- Walk-up windows
- Public art program
- Temporary or permanent parklets

6. Master Plan Alignment

Incentive-based development standards in key areas

Several master plan objectives encourage reinvestment, increased housing density, mixed-use development, redevelopment of vacant properties, and private investment in key areas including the Dingell Park Area and neighborhoods east and west of Jefferson Avenue. The zoning ordinance could be amended to provide incentive-based development standards that encourage projects consistent with these objectives. Incentives could include height bonuses, density bonuses, parking

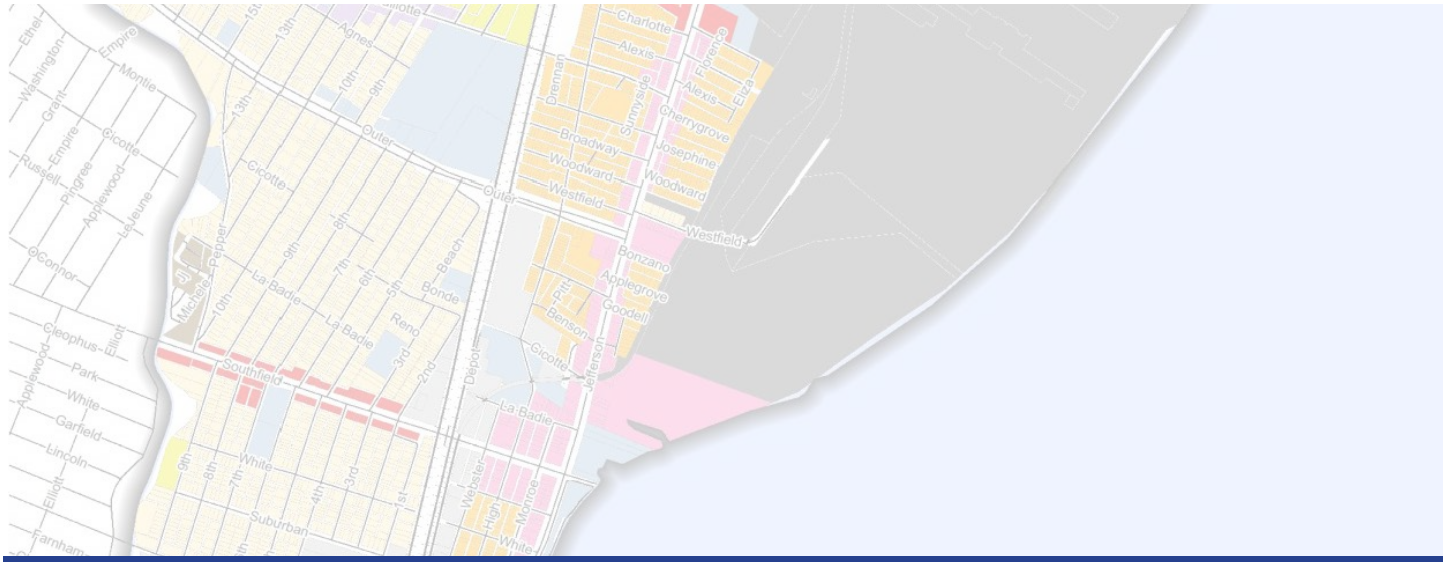


Use Standards

reductions, and dimensional flexibility for projects that provide public benefits such as public open space, enhanced pedestrian connections, green infrastructure, affordable housing, waterfront access improvements, or adaptive reuse of existing buildings.

For example, the Corridor Core (CC) District currently permits a mix of residential and commercial uses and allows buildings up to four stories in height. The city could consider allowing increased height, such as up to six stories or 76 feet, for developments that provide identified public benefits, similar to incentives currently available within the West Jefferson Overlay District.

This recommendation would support objectives related to private investment in the Dingell Park Area, increasing housing density along the Jefferson Avenue corridor, encouraging redevelopment of vacant properties, expanding housing opportunities, and strengthening mixed-use development patterns.



Site Standards

Site standards are regulations in the zoning ordinance that address site improvements and elements required in the development of a parcel of land.

1. Organization & Structure

The consolidation of site standards, such as landscaping and parking requirements, into one article helps with ordinance navigation and ensures consistency in the application of standards. Overall, site standards exist in Articles 5 and 6 of this ordinance and require minimal reorganization.

2. Language & Clarity

While Articles 5 and 6 benefit from a clear structure, sections contain some drafting inconsistencies, conflicting standards, discretionary provisions, and typographical/ grammar issues that could be made more clear.

- **Section 5.9 Accessory buildings**. Section 5.9.4 contains duplicate provisions. Section 5.9.5 states that accessory buildings shall be prohibited in the NMU and CC Districts, and yet Section 6.7.3 Corridor Core District Dimensional Standards includes a set of dimensional standards for accessory buildings.
- **Section 6.3 Parking standards**. The Maximum Number of Parking Spaces table includes a blank cell for the Spaces/Measurement column for Business Services under Commercial Uses, creating uncertainty. If a maximum applies, it should be added.
- **Section 6.4 Exterior lighting**. Today's lighting, particularly LED lighting is much more efficient than older types of lamps, but too high of a lighting temperature and the associated blue light can impact circadian rhythm, cause glare, and contribute more to light pollution. The ordinance currently requires exterior lighting to be 3,500K or warmer, but the American Medical Association recommends lighting temperature of 3000K or less in their study *Human and Environmental Impacts of LED Community Lighting*: "energy

1. Organization & Structure	Minor
2. Language & Clarity	Moderate
3. Visual Aids	Moderate
4. Legal Alignment	Minor
5. RRC Best Practices	Major
6. Master Plan Alignment	Moderate
OVERALL	Moderate

Major revisions to consider
Moderate revisions to consider
Minor revisions to consider



Site Standards

efficiency of 3000K lighting is only 3% less than 4000K, but the light is more pleasing to humans and has less of an impact on wildlife."

- **Section 6.5 Signs**. Section 6.5.12 references a Downtown Commercial (DC) District which does not exist and should likely be the Corridor Core (CC) District. The Permitted Signs and Standards table appears to have the wall sign portion of the table split off as part of Section 6.5.15 instead of in Section 6.5.16 where it belongs. As a table spanning multiple pages, it may also be beneficial to divide the larger table into separate tables by each sign type. The Electronic Message portion of the table also appears to be mislabeled as the CC District is listed twice—the freestanding sign should likely apply to the C District.
- **Waste management**. The zoning ordinance does not address site plan requirements for waste management. Zoning ordinances should include waste management requirements to ensure that waste is appropriately planned for. Standards related to outdoor storage of refuse or waste are buried in Article 7 Supplemental Use Standards (Section 7.20), and could offer more clarity on when screening is required, how much design discretion the reviewing official has, etc. In general, these standards should require applicants detail their plans for managing waste. Applicants should show where curb carts or dumpsters will be stored, and ensure that they do not interfere with pedestrian circulation or parking spaces. If dumpsters are provided, a concrete pad below the dumpster should be required to prevent surface damage and ground contamination. Applicants should be able to demonstrate that a garbage vehicle can easily access the dumpster. In addition, in many communities, enclosures are required to prevent litter, rodents, and other nuisances associated with waste.
- **Driveway width**. Consideration of driveway width standards could be helpful to ensure safe access accommodation of various vehicle sizes as needed.
- **Discretionary standards**. Some provisions may allow for more discretion than needed. Updates may be desired if the planning commission has had any difficulty making such determinations. The site plan review and planned unit development procedures require findings of fact for determinations, but it may be helpful to more concretely apply such language in other areas of the ordinance as necessary.
- **Planning commission vs. administrative review**. Several sections permit administrative review while others require review by the planning commission for what may be considered similar determinations. A review of these sections with the context of Articles 8 through 10 will be helpful to ensure approvals are assigned consistently. Discussion of this recommendation is continued in the "Development Procedures" section.

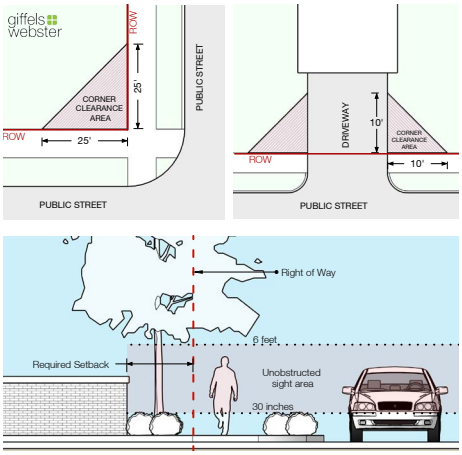
Site Standards

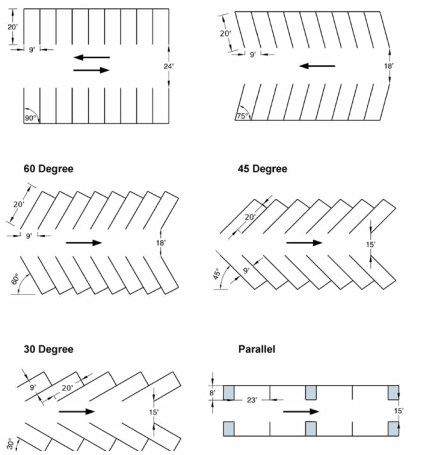
- **Building inspector terminology**. The building inspector (defined) is referred to in several ways in this ordinance (e.g., official, department, director)—one standardized title would offer more consistency.
- **Typos**. These sections contain some typos that should be corrected in the rewrite (e.g., “principle structure,” “prohibited with the city limits,” “twenty (25) percent, etc.).

3. Visual Aids

Site standards significantly influence site planning and layout, making visual aids an important tool for understanding and applying the ordinance. Currently, the ordinance could use additional illustrations to help guide users, including images for landscaping standards, dimensional standards for parking spaces, and others, to improve clarity and ease of interpretation.

Summarizing standards in tables can help users gain a clear, comprehensive understanding of all applicable requirements. It can also reduce the risk of missing key standards and makes the ordinance easier to navigate. The use of tables in these sections is generally effective.





Examples of graphics (left: corner clearance; right: parking dimensional layouts)

4. Legal Alignment

No obvious legal alignment issues stand out in this area of the ordinance.

The sign regulations are content-neutral and comply with *Reed v. Town of Gilbert*, 576 U.S. 155 (2015), the Supreme Court case preventing the content-based regulation of signage.

A review of administrative clarity, standards subject to planning commission discretion or modification without clear criteria, accessibility/barrier-free considerations, and nonconformity provisions may all be reviewed in greater depth during the rewrite process to improve legal defensibility and administrative consistency.

Site Standards

5. RRC Best Practices

Best Practice 2.3 Concentrated Development

As discussed in the "Use Standards" section of this assessment and recommended in the master plan, additional design standards in the ordinance will help to enhance walkability and encourage compatibility between buildings.

In particular, the Corridor Code (CC) standards (Section 6.7) include design concepts like transparency, frontage, and site design standards, creating a solid foundation for encouraging interaction between the public and private realm and a more consistent streetscape. Design standards should be written to allow for flexibility, creativity, and innovation, while requiring a minimum set of standards for quality, durability, and impact on the public realm. Considering elements like a public art program or making small improvements like defining transparency can strengthen the design standards.

RRC BEST PRACTICE 2.3
Concentrated Development

Certified Expectations

- The ordinance allows mixed-use buildings by-right in designated areas of concentrated development.

The ordinance requires TWO or more of the following elements in areas of concentrated development:

- Build-to-lines
- Open store fronts
- Outdoor dining
- Minimum ground floor transparency
- Front-facing doorways
- Parking located in the rear of the building
- Walk-up windows
- Public art program
- Temporary or permanent parklets

Site Standards

Best Practice 2.5 Parking Flexibility

The off-street parking section of the ordinance is fairly progressive and flexible compared to traditional zoning ordinances. Cross-access management required between adjacent lots, maximum parking allowances, the elimination of parking minimums, and some parking waivers for access and loading requirements are present in the section. Additional review may result in strategies to provide greater flexibility and discourage unnecessary pavement.

- Electric vehicle (EV) charging stations. We recommend adding minimum requirements for EV parking or charging stations. These spaces encourage the use of greener transportation options and can help reduce emissions and improve air quality. As a first step, require conduit for future EV chargers in new developments, especially multi-family housing.
- Bicycle parking. The zoning ordinance does not contain bicycle parking requirements. Consider establishing bicycle parking standards for commercial, mixed-use, institutional, recreational, and multifamily residential developments. Requirements should address the quantity, location, and design of bicycle parking facilities and require bicycle parking to be shown during site plan review. These standards would help implement the master plan's objective of improving bicycle access to key destinations throughout the city. Additionally, provisions requiring developments to accommodate bicycle travel, connect to adjacent bike routes/paths, or provide bike lanes/extra bike parking as an incentive or standard requirement could further encourage bicycle transportation.
- Payment in lieu of parking. This tool allows developers to pay a fee instead of providing required on-site parking spaces. This fee is typically used to fund public parking facilities or mobility improvements in the area.
- Reduction of required parking for complementary mixed uses. Since there are no parking minimums, reductions are unnecessary; however, a shared-use methodology could be further considered.
- Banked/deferred parking. Some communities allow parking flexibility by including options for banked or deferred parking; banked or deferred parking spaces are planned spaces on vacant land reserved for future parking and are often permitted in lieu of constructing all required parking. When an ordinance allows banked or deferred parking, more flexibility in the amount of surface parking is provided, without risk of land uses creating excess parking demand. This tool could be used in conjunction with or instead of the current construction of additional spaces exceeding the parking maximum of

RRC BEST PRACTICE 2.5
Parking Flexibility

Certified Expectations

The ordinance includes regulations for THREE or more of the following tools approved either administratively or by the planning commission:

- Reduction or elimination of required parking when on-street or public parking is available
- Connections between parking lots
- Shared parking agreements
- Parking maximums
- Elimination of parking minimums
- Parking waivers
- Electric vehicle charging stations
- Bicycle parking
- Payment in lieu of parking
- Reduction of required parking for complementary mixed uses
- Banked/deferred parking



Site Standards

pervious pavement, pavers, or similar pervious material. The city could permit developers to reserve physical space on-site for potential future parking while delaying construction until a deficit is proven later.

Best Practice 2.6 Green Infrastructure

Ecorse's ordinance addresses and has standards for low-impact development, stormwater management, tree replacement, street tree plantings, parking lot standards, parking lot landscaping, and renewable energy systems.

Update landscaping and screening standards. The master plan identifies that more buffering from industrial uses is desired, especially from residential. The ordinance contains buffering and screening standards; however, the current buffer matrix groups multiple districts together and may not fully distinguish between the varying levels of protection needed for different adjacent land uses. Review and revise buffering and screening standards for industrial uses adjacent to non-industrial districts, particularly residential areas. Consider reorganizing the buffer matrix to distinguish between protected uses based on sensitivity and establishing enhanced screening requirements where industrial uses abut residential properties. Additional standards may include wider landscape buffer yards, berms, opaque screening, enhanced front-yard landscaping where residential uses are located across the street, and increased setbacks for outdoor storage and loading areas

The master plan also recognizes that Ecorse is generally lacking in natural space and that less required parking would increase the land available for landscaping when new buildings are constructed and directly translate into more green space along commercial corridors, further enhancing the community's character.

6. Master Plan Alignment

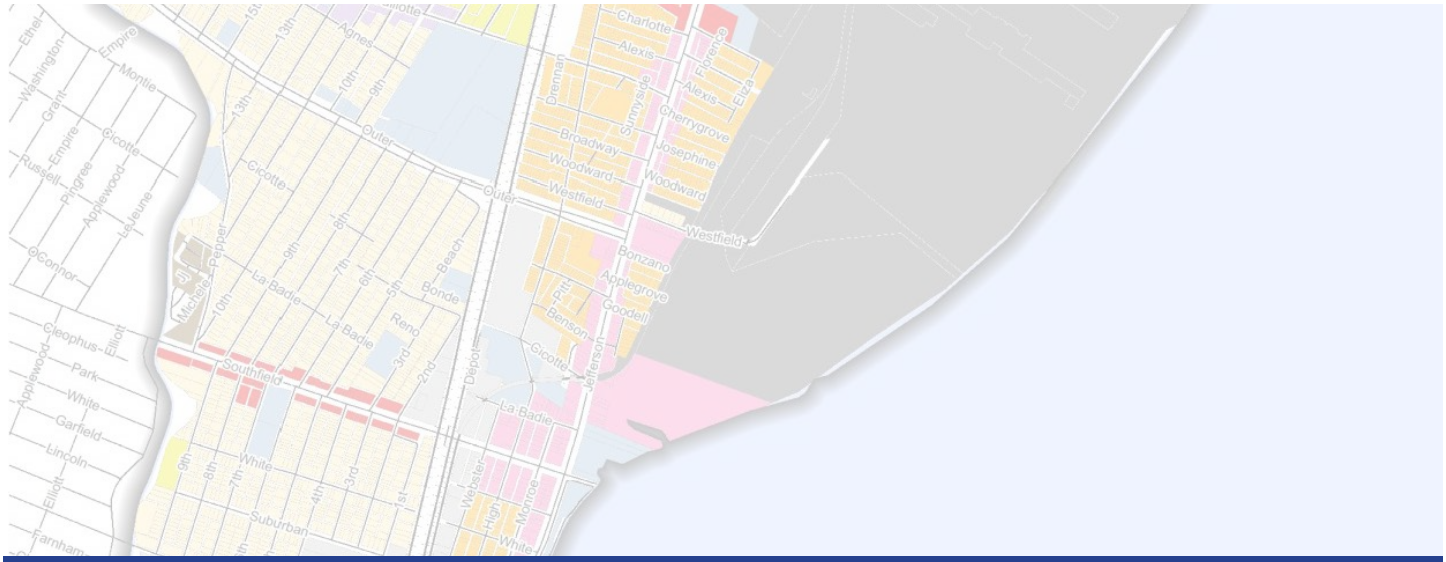
The zoning ordinance is largely already moving in the direction envisioned by the 2023 Master Plan, especially related to redevelopment, corridor revitalization, and mixed-use and pedestrian-oriented development. The strategies discussed in the RRC Best Practices section are relevant in this continued effort.

RRC BEST PRACTICE 2.6
Green Infrastructure

Certified Expectations

The ordinance includes regulations for THREE or more of the following:

- Low impact development techniques (such as rain gardens and bioswales)
- Rainwater collection (blue roofs, cisterns, water harvesting, stormwater vaults, etc.)
- Green roofs
- Permeable pavement
- Steep-slope protections
- Street-tree planting standards
- Tree preservation or replacement standards
- Parking lot internal landscaping standards
- Open space preservation developments (like cluster housing)
- Required native or low-maintenance plantings
- Renewable energy
- Buffering standards around water bodies or other natural resources
- Off-site stormwater regulations that allow developers to participate in district-scale stormwater management plans



Development Procedures

This part of the ordinance outlines the steps required for obtaining approvals for new construction, renovations, or land use changes. These typically include application requirements, review processes by administrative staff and public bodies, public hearing procedures, and criteria for approval. Clear development procedures simplify an often complex process, making it easier for applicants, staff, and public bodies to understand.

Updates to development procedures should not only enhance clarity, but also consider the impact on processes and timelines. A streamlined review process may help with costs and improve scheduling for applicants, but may also result in less intensive scrutiny during the review process. Every community must determine and design processes that are consistent with their goals for development and tolerance for risk.

Development procedures will include the procedures for site plans, special land uses, and planned unit developments.

1. Organization & Structure	Minor
2. Language & Clarity	Major
3. Visual Aids	Moderate
4. Legal Alignment	Minor
5. RRC Best Practices	Major
6. Master Plan Alignment	Moderate
OVERALL	Moderate

Major revisions to consider
Moderate revisions to consider
Minor revisions to consider

1. Organization & Structure

The articles related to development procedures are consolidated in Articles 8 through 10 (Site Plan Review, Special Land Uses, Land Development Options) and provide a solid framework for procedures.

2. Language & Clarity

Overall, several sections in the preceding parts of the zoning ordinance permit administrative review while others require review by the planning commission for what may be considered similar determinations. These development procedures sections add other authorities into the procedures, with city council, the building inspector, planner, city engineer referenced. Where possible, clear distinction to establish the decision-making authorities are recommended.

Development Procedures

A thorough review of Articles 8 through 10 and how they correspond to use and site standards will be helpful to ensure approvals are assigned consistently and efficiently. We also expect to hear more nuanced feedback on how procedures are working in the city as we move forward through the rewrite process.

Site plan review

To improve clarity and transparency, we recommend that the city consider updating the site plan review section to better define:

1. The process and terminology used
2. The roles of reviewers (e.g., staff, planning commission)
3. The ordinance standards applied at each stage
4. The submittal requirements at each level of review
5. The city may also wish to reference Redevelopment Ready Communities (RRC) Best Practice recommendations for guidance in structuring an efficient and transparent review process.

An approved site plan review is valid for a period of one year from the date of approval and the applicant may request a one-year extension of the permit by submitting a written request for consideration to the planning commission before the expiration date. The city may wish to consider extending the duration of approval to 18 months and/or giving an administrative extension of 12 months.

Ecorse establishes a process for amendments to approved site plans in which the building inspector may authorize insignificant deviations while the planning commission may permit minor amendments to an approved site plan if the resulting use will still meet all applicable standards and requirements of this ordinance, and any conditions imposed unless otherwise requested to be modified, and do not substantially affect the character or intensity of the use, vehicular or pedestrian circulation, drainage patterns, demand for public services, or vulnerability to hazards. As the zoning administrator is tasked with determining modifications are minor amendments (modifications with no substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development, but exceed the extent to which can be approved as an insignificant deviation), the city may streamline the process by allowing the zoning administrator to permit such minor amendments.

Additionally, Section 8.1 Intent and Purpose applies broadly to special land uses and planned unit developments, despite their regulation in Articles 9 and 10, instead of only site plan review.

Development Procedures

Special land uses

There are a couple of instances where the zoning ordinance uses varied terminology to refer to special land uses, including “special approval land use” and “special exception.” A single term should be used throughout the ordinance. We recommend mirroring the statutory terminology of the Zoning Enabling Act, which uses the term “special land use.” Additional clarity in Section 9.5 Special land use standards and Section 9.6 Approval, conditions and denial to reduce subjectivity and uncertainty would be a valuable procedural update (i.e., providing clarity or guidance on addressing each approval criterion or developing conditions).

Condominium developments

The condominium section focuses heavily on the procedures, but contains very little guidance regarding the design and quality of the development. Possible standards to consider include open space or common area design, block design, street design, and connectivity.

3. Visual Aids

Additional checklists matching the one found in Section 8.3 could be a helpful visual aid, but may not be required as the city has an application packet for applicants to use. Continued updates to the application packet as amendments occur to ensure that it clearly illustrates submission procedures are essential. Additional flow charts of the procedures and improved visibility of the graphic in Section 10.3.4 illustrating PUD application submission procedures could also be helpful.

4. Legal Alignment

No provisions are obviously unlawful, but there are areas that can be refined to address any legal defensibility concerns that may conflict with the Michigan Zoning Enabling Act and case law principles regarding administrative discretion and objective decision-making.

5. RRC Best Practices

Best Practice 3.1 focuses on development review, encouraging processes that are streamlined, easy to understand, and promote a common set of expectations between municipalities and applicants. There is room for improvement in more clearly laying out and defining processes and standards to make them easier to administer and enforce and ultimately better meet RRC Best Practices.

Best Practice 3.3 covers conceptual review meetings. While the Ecorse Zoning Ordinance addresses conceptual review meetings, it does not appear that these meetings are advertised online or include a checklist of what is reviewed. Clarifying requirements to make a checklist easy to produce or essentially adding a checklist to the ordinance could help meet this requirement.

RRC BEST PRACTICE 3.1 Defined Processes

Clearly defined development review processes provide predictability for investments big and small.

Certified Expectations

- Processes for site plan review, special land use, rezoning, variances, and text amendments are clearly laid out in the zoning ordinance.
- Development review standards are clearly defined.

RRC BEST PRACTICE 3.3 Conceptual Review

Conceptual review meetings offer a chance for early, informal review of proposed projects. This helps avoid costly mistakes or delays later in the process.

Certified Expectations

- The community advertises online that conceptual site plan review meetings are available.
- The community has clearly defined expectations posted online and a checklist to be reviewed at conceptual meetings.

Development Procedures

Ecorse has standards for administrative review but may want to consider broadening these standards to allow for more reviews to be completed administratively. This will eliminate unnecessary meetings with public bodies and allow for the review process to be more development-friendly, while also offering the appropriate scrutiny.

6. Master Plan Alignment

Consider adopting redevelopment-focused zoning tools for vacant, abandoned, and underutilized industrial properties

Potential strategies include expanded Planned Development provisions, adaptive reuse standards, mixed-use redevelopment opportunities, riverfront overlay regulations, and incentive-based development standards. These tools would support reinvestment in obsolete industrial sites while promoting river access, economic development, and redevelopment consistent with the master plan.

Add truck traffic impacts to standards

Review the zoning ordinance to ensure industrial and freight-intensive developments are designed to minimize truck traffic impacts on residential neighborhoods. Consider requiring primary truck access from arterial or collector roadways, limiting truck access from local residential streets, orienting loading and service areas away from residential areas, and requiring traffic impact studies and truck routing plans for freight-intensive uses. In addition, it may be helpful to include different classifications of roads to help consider their purposes in terms of traffic volume and access. These standards would help implement the master plan's objective of limiting industrial traffic on residential streets while supporting continued industrial investment and employment opportunities.

Pre-application conferences

The master plan suggests pre-application conferences are an important ongoing planning and implementation item. Reviewing the pre-application conference procedures to ensure that they provide an opportunity to align expectations with applicants and clarify requirements can help streamline development procedures.

Review planned unit development procedures

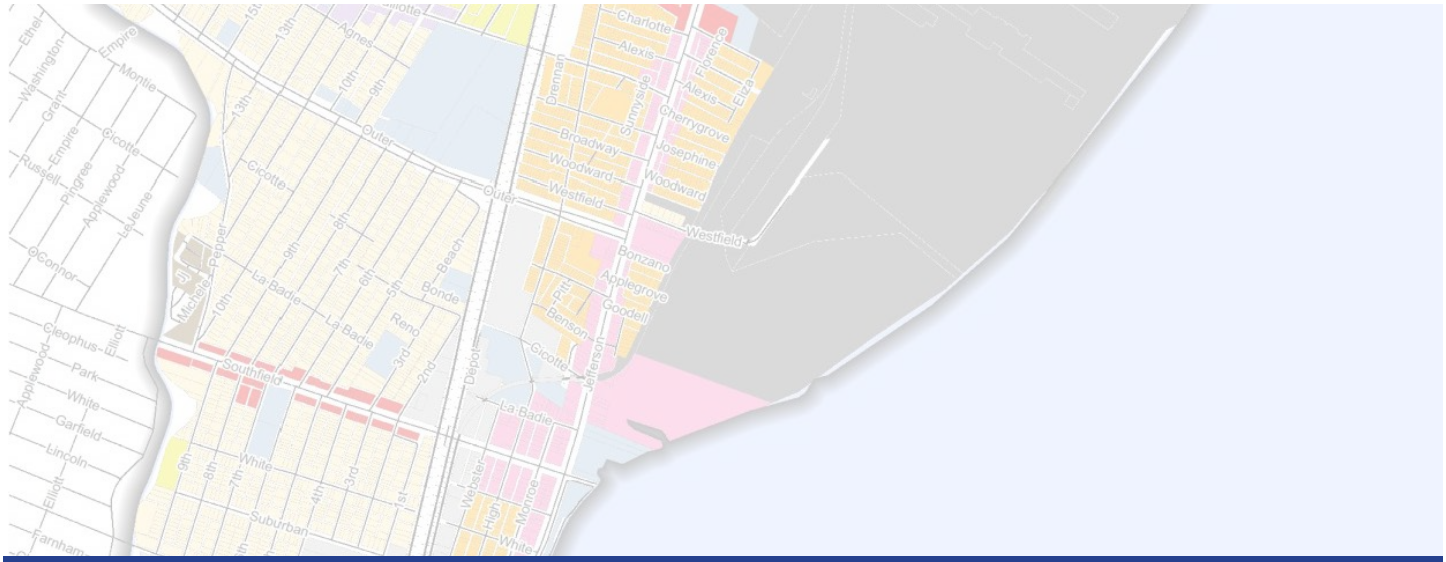
The master plan includes an implementation objective toward re-using or redeveloping industrial land with potential for mixed use or planned development. The planned unit development procedures can be updated to incentivize such development. The master plan includes an implementation objective toward re-using or redeveloping industrial land with potential for mixed use or planned development. The planned unit development procedures can be updated to incentivize such development.

RRC BEST PRACTICE 3.5 Approval Authority

Approving permitted uses at the planning commission or staff level allows faster approval and respects the administrative nature of development review.

Certified Expectations

- Site plans for permitted uses are approved administratively or by the planning commission.
- Permitted uses do not require a formal public hearing (but allow for public comment and other engagement as deemed necessary).



Administration & Enforcement

The administration and enforcement section of the ordinance includes standards relevant to the implementation, interpretation, and oversight of zoning regulations. This section includes the roles and responsibilities of staff and public bodies, the procedures for permits, certificates of occupancy, and performance guarantees, and the processes for handling violations, appeals, and amendments. In addition, this section includes the provisions for nonconforming uses, lots, and structures, that were once permissible but no longer comply.

It is important for the administration and enforcement section to provide clear and consistent guidance on how the ordinance is applied, ensuring fairness between applicants and transparency in decision-making. In addition, it is important to provide a clear legal framework to enforce the ordinance and address nonconformities in a way that balances property rights with planning objectives.

1. Organization & Structure	Moderate
2. Language & Clarity	Major
3. Visual Aids	Minor
4. Legal Alignment	Minor
5. RRC Best Practices	Major
6. Master Plan Alignment	Moderate
OVERALL	Moderate

Major revisions to consider
Moderate revisions to consider
Minor revisions to consider

1. Organization & Structure

Administrative and enforcement standards are generally located toward the end of the ordinance, with the exception of the nonconformities regulations, which are located under Article 5 General Provisions; for ease of use, we would recommend pulling these regulations out of that article and into Article 12. Administration, Enforcement and Violations. Administration and enforcement standards in a zoning ordinance outline the procedures and responsibilities related to compliance with the ordinance and includes information on how violations are typically addresses, making it a more appropriate context for discussing nonconformities.

2. Language & Clarity

Nonconformities

Nonconforming uses and buildings are land uses or buildings that were legally established prior to current zoning laws, and are no longer compliant. This nonconforming status often restricts expansions of the use or building, but ordinances generally allow for continued use as initially permitted.

Administration and Enforcement

Section 5.23.3 permits the replacement of one nonconforming use with another, subject to review and approval by the Zoning Board of Appeals and provided that the new use is determined to be more consistent with the spirit of “this ordinance, the neighborhood, and the master plan than the nonconforming use which is being replaced “. This is an unusual provision that appears to conflict with the intent of the Zoning Enabling Act, which states that, “the elimination of nonconforming uses and structures in a zoning district is declared for a public purpose and for a public use.”

Variances

When a variance is sought in conjunction with site plan review, it is essential to establish a clear and coordinated review procedure. This is particularly important because a variance runs with the land and may have long-term implications. The city should consider allowing administrative extensions of the validity period for variances in cases where delays are beyond the applicant’s control. Such extensions should be subject to appropriate checks and balances to prevent abuse and ensure fairness.

Duties

Article 12 should be expanded to clearly outline the responsibilities of the planning commission, city council, and zoning administrator.

In addition to granting variances, making interpretations, and hearing appeals, the Zoning Board of Appeals is authorized to determine if the keeping of animals constitute a nuisance. As a part of the rewrite, the planning commission may consider whether these may be more appropriately reviewed under the zoning administrator or an enforcement officer.

Reapplication

The ordinance currently prohibits reapplication for a denied site plan, special land use, or condominium development application for a one-year period from the date of such denial, except on the ground of newly discovered evidence or proof of changed conditions. The city may wish to clarify whether reapplication is permitted for other procedures and establishing criteria or thresholds for a modified request may be considered within a timeframe to provide flexibility while maintaining the integrity of the process.

3. Visual Aids

Typically, administration and enforcement standards should not require visual aids. When appropriate, an update to the zoning ordinance will incorporate graphics and tables to offer additional clarity as needed.



Administration and Enforcement

4. Legal Alignment

Nonconformities

Section 5.23.2.F states that when a nonconforming use has ceased for a period of six or more successive calendar months, the nonconforming status is lost. This language could be improved to include specific criteria for what constitutes the cessation of a use. In *Livonia Hotel LLC v. City of Livonia* (2003), the court reviewed a case regarding the revocation of nonconforming use status, and issued a ruling that nonuse alone was not substantial enough for the city to revoke nonconforming use status. Instead, the court ruled that the city must provide proof that the property owner intended to relinquish or abandon its vested nonconforming use rights. This precedent was further established in the subsequent case of *Soechtig v. Greenbush Township*. To ensure consistency with the courts' rulings, the city may update this language to reflect that intent to abandon must be demonstrated. In addition, actions that would constitute intent to abandon could be listed in the ordinance (i.e., equipment necessary for the use has been removed, etc.).

Conditional rezonings

Conditional rezoning in Michigan is a process first authorized in 2004 and included in the Michigan Zoning Enabling Act (MZEA) that allows a property owner to voluntarily propose conditions as part of a rezoning request, rather than the municipality imposing them, which is not allowed, to offer flexibility to property owners through a compromise with the community.

In *Jostock v. Mayfield Township* (2024), the trial court concluded that a conditional rezoning of the Lapeer International Dragway (a legal nonconforming use in a residential agriculture district for decades) to the C-2 General Commercial district where dragways were not stated as a permitted use was invalid. The Michigan Supreme Court looked at the issue of whether a conditional rezoning can be used to permit a use not otherwise permitted and found that a conditional rezoning is invalid if the proposed use is not a permitted use—by right or after special approval—within the proposed zoning district. The case was remanded back to the trial court to determine if a dragway is allowed in C-2, noting that under Euclidian zoning, certain uses are allowed in some districts but not others; if a use is not allowed, it is prohibited.

A community may explicitly prohibit conditional rezoning, but because it is a provision of the Michigan Zoning Enabling Act, if a zoning ordinance is silent, it may be effectively allowing it. A community can decide if it wants to allow property owners to propose conditions when hearing a rezoning request—a process for conditional rezonings is important if the community wishes to allow the tool.

Administration and Enforcement

5. RRC Best Practices

As stated in “Development Procedures” there are opportunities to evaluate the procedures and administration and enforcement processes that are laid out in the zoning ordinance. Making procedures easier for applicants to follow and for the city to administer and enforce should be a priority. While the zoning ordinance features a solid framework for these procedures, properly assigning duties and roles is important to be able to enforce an ordinance with strength. One consideration is to allow for more administrative decisions so there are fewer barriers for development and redevelopment in the city, while also maintaining the appropriate amount of scrutiny.

6. Master Plan Alignment

The Zoning Plan in the 2023 Master Plan called out modifications to the nonconformities chapter of the zoning ordinance to ensure that existing buildings can be redeveloped and rehabilitated where appropriate.

RRC BEST PRACTICE 3.1 Defined Processes

Clearly defined development review processes provide predictability for investments big and small.

Certified Expectations

Processes for site plan review, special land use, rezoning, variances, and text amendments are clearly laid out in the zoning ordinance.

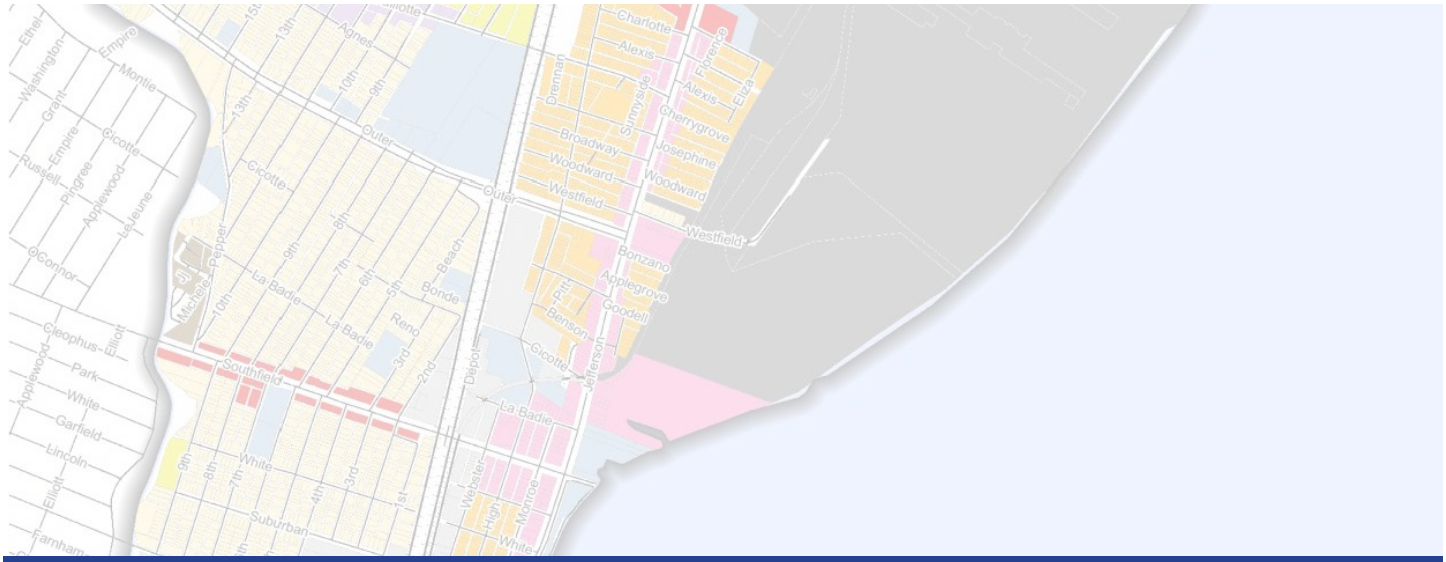
Development review standards are clearly defined.

RRC BEST PRACTICE 3.5 Approval Authority

Approving permitted uses at the planning commission or staff level allows faster approval and respects the administrative nature of development review.

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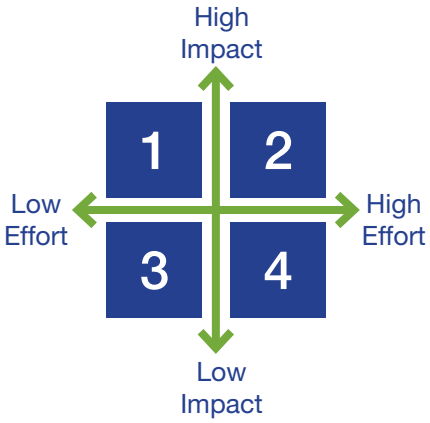
Checklist

Based on the findings of this audit, below is a cumulative checklist of potential amendments that may be pursued during a comprehensive zoning ordinance update. This checklist will serve as the foundation for the rewrite process.

It may be useful for the planning commission to rate the recommendations in this document by priority to consider general consensus. We recommend a scale with 1 being highest priority, to 4 being the lowest priority to address in an update to the zoning ordinance. Priority can be determined based on discussions with the planning commission and input from legal counsel and staff, but for initial individual consideration, we would recommend standardizing the process using the action priority matrix provided to the side.

An Action Priority Matrix (APM) like the one shown below could assist in deciding on a priority rating based on impact and effort.

The effort would be determined based on amount of research, discussion, and estimated time it would take to draft the language.



Definitions

Consideration	Category	Priority
Consolidate all definitions in one article	1, 5	
Update definitions to current terminology and to be consistent with state, federal, and case law	2, 4, 5	
Clarify language and correct typos/grammatical errors	2, 5	
Correct and add cross references to other definitions as appropriate	2, 5	
Group related terms by root word (in alphabetic order)	2, 5	
Add illustrations to clarify definitions	3, 5	

1. Organization & Structure
2. Language & Clarity
3. Visual Aids
4. Legal Alignment
5. RRC Best Practices
6. Master Plan Alignment

Checklist

Districts & Uses

Consideration	Category	Priority
Consolidate district regulations	1	
Format the Regulated Uses Table to not span multiple pages. Consider adding header rows if possible or create separate tables for each use type (i.e., residential, public and semi-public, commercial, etc.).	2, 3, 5	
Review uses permitted by right and by special land use in each zoning district	2	
Review dimensional standards in each zoning district	2	
Clarify language and correct typos/grammatical errors	2	
Review the zoning map	3, 5, 6	
Add illustrations to support district dimensional standards	3, 5	
Review and consider RRC Best Practice for housing diversity	5, 6	
Consider if any new zoning districts or overlay districts need to be created	2, 6	
Modify minimum lot widths to ensure as many residential lots are conforming as possible	5, 6	
Review and consider lower minimum floor requirements	5, 6	
Modify permitted uses along Visger Road to better match the uses permitted by River Rouge	5, 6	
Add a makers space use and permit in industrial districts	5, 6	
Align uses in the MFR district with the master plan	5, 6	
Add standards for garages in the SFR district	5, 6	
Align district descriptions and intent statements	5, 6	

Use Standards

Consideration	Category	Priority
Add cross references to use standards to the Regulated Uses Table	2, 3, 5	
Review if use standards sufficiently address concerns of uses permitted by special land use and consider if they can be permitted by right		
Review waivers and discretionary determinations	2, 5	

1. Organization & Structure
2. Language & Clarity
3. Visual Aids
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Checklist

Consideration	Category	Priority
Clarify language and correct typos/grammatical errors	2	
Review use standards for consistency with statutory requirements	2, 4, 5	
Consider updates to renewable energy standards	2, 4, 5	
Consider alignment with building code	2, 4, 5	
Review and consider RRC Best Practices for Concentrated Development (2.3) pertaining to specific land uses	5, 6	
Consider incentive-based development standards in key areas for projects that provide certain benefits	6	

Site Standards

Consideration	Category	Priority
Consolidate and reorganize site development standards	1,2	
Review waivers and discretionary determinations	2, 5	
Clarify language and correct typos/grammatical errors	2	
Add illustrations to clarify regulations (e.g., buffering requirements, parking layouts)	3, 5	
Review site standards for consistency with statutory requirements	2, 4, 5	
Review and consider RRC Best Practices for Concentrated Development (2.3) pertaining to specific land uses	5, 6	
Review and consider RRC Best Practices for Parking Flexibility (2.5)	5, 6	
Review and consider RRC Best Practices for Green Infrastructure (2.5)	5, 6	

Development Procedures

Consideration	Category	Priority
Review decision-making authorities for development procedures	2, 5	
Review waivers and discretionary determinations	2, 5	

1. Organization & Structure
2. Language & Clarity
3. Visual Aids
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5. RRC Best Practices
6. Master Plan Alignment

Checklist

Consideration	Category	Priority
Clarify language and correct typos/grammatical errors	2	
Review information required for site plans	2, 5	
Consider updates to the amendment process for site plans	2, 5	
Consider updates to condominium development section to provide more guidance on design	2, 5	
Add illustrations and tables to clarify procedures (e.g., checklists, flowcharts, etc.)	2, 3, 5	
Review development procedures for consistency with statutory requirements	2, 4, 5	
Review and consider RRC Best Practices for Defined Processes (3.1)	5, 6	
Review and consider RRC Best Practices for Approval Authority (3.5)	5, 6	
Consider adopting redevelopment-focused zoning tools for vacant, abandoned, and underutilized industrial properties	5, 6	
Consider adding standards/procedures for truck traffic impacts or traffic study assessments	5, 6	

Administration & Enforcement

Consideration	Category	Priority
Relocate nonconformity regulations	1, 2	
Review and update nonconformity regulations	2, 5, 6	
Review and update variance regulations	2, 5	
Review decision-making authorities/roles and duties	2, 5	
Review and consider RRC Best Practices for Approval Authority (3.5)	5, 6	

1. Organization & Structure
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