








Ecorse Zoning Ordinance Kick-Off

November 18, 2026





Agenda

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1. Zoning 101
2. Survey Results
3. Zoning Ordinance Audit Findings
4. Next Steps

Zoning 101

History of Zoning Codes, Legal Context, and Zoning Basics

Overview

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- How did we get here? Property rights and history of zoning
- Components of zoning
- Zoning and development review
- How is zoning changing?

How did we get where we are today?

Property Interests: A bundle of entitlements defining an owner's rights; privileges and limitations in the use and enjoyment of property

Private Property Rights: An individuals' right to choose how property will be used, any benefits derived from their property, and to exchange property between two parties

Property Tension in America

Value of land is in how it can benefit the individual.



Value of land is in how it responds to society's needs.

Public regulation of land use has grappled with this tension since the country was founded.

Constitutional Limitations to Governmental Powers

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- Fifth and Fourteenth Amendment Guarantees:
  - Due process
    - Procedural
    - Substantive
  - Equal protection
  - Just compensation (“Takings”)

Procedural Due Process

How does this impact zoning?

- Proper **notice** that a decision affecting your property interests will be made
- A **hearing** that provides you an opportunity to present your position and evidence in support.
- A **record** of the proceedings that reflects the government's reasons for its decision

Procedural Due Process

How does this impact zoning?

- **Legislative decisions** presumed valid unless found to be “arbitrary and capricious”
- **Quasi-judicial and administrative decisions** must be based on specific facts and “competent material evidence.” Written decision must reflect facts and reasoning.

Procedural Due Process

How does this impact zoning?

- **Regulations must…**
  - Advance a legitimate governmental interest (public health, safety, and welfare)
  - Be reasonable as applied

Takings

How does this impact zoning?

- “Private property shall not be taken for public use without just compensation.”
    - Amendment V, US Constitution
- “Private property shall not be taken for public use without just compensation therefore being first made or secured in a manner prescribed by law.”
    - Article X, Section 2, Michigan Constitution

Equal Protection

How does this impact zoning?

The right of all persons under like circumstances to enjoy equal protection and security in their life, their liberty, and their property interests, and to bear no greater burdens than are imposed on others under like circumstances.

Equal Protection

How does this impact zoning?

- Zoning rules must treat similar properties fairly under the U.S. and Michigan Constitutions—unequal treatment needs a solid reason.
    - **Unfair Exemptions**. An ordinance can be challenged if it lets one specific project skip rules everyone else must follow, like setbacks or reviews, without a clear benefit to public health or safety.
    - **Favoring One Business**. Giving special perks to a single company or owner—such as easier approvals not offered to others—breaks equal protection rules, especially if sites and impacts are truly alike.
    - **Targeting a Group Too Narrowly**. Banning or overly restricting one type of use or user (e.g., apartments in certain areas) without tying it to broader community needs or planning goals invites lawsuits.

First Amendment: Free Speech

How does this impact zoning?

- Free speech is at the heart of many types of land use cases:
  - Adult Entertainment
  - Demonstrations on Private Property
  - Signs and Billboards

First Amendment: Freedom of Religion

How does this impact zoning?

- Establishment Clause
  - “Congress shall make no law respecting an establishment of religion…”
  - Giving some houses of worship (churches) preferential treatment vis-a -vis others (mosques) constitutes “impermissible advancement” of a particular religion

First Amendment: Freedom of Religion

How does this impact zoning?

- Free Exercise clause
  - "…or prohibiting the free exercise thereof…."
  - Regulation cannot burden a particular religious practice
  - Religious Land Use and Institutionalized Persons Act (RLUIPA)
  - Restricting houses of worship but not other "assemblies" in a similar way may be subject to challenge

Property Interests

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- Private property rights in the US legal system have never been **absolute**
- The “bundle of rights” has never included the **absolute right** to do anything at any time with the land
  - The "bundle of rights" includes the rights to possess, use, enjoy, exclude others from, and sell or transfer it.
  - Zoning can limit some sticks in that bundle but must not take too much without justification.

How do these concepts lead into zoning regulation?

Zoning History

Prior to the 20th Century, most land use regulation relied upon common law theory of nuisance. You could do what you want unless it was so harmful it was deemed a nuisance.

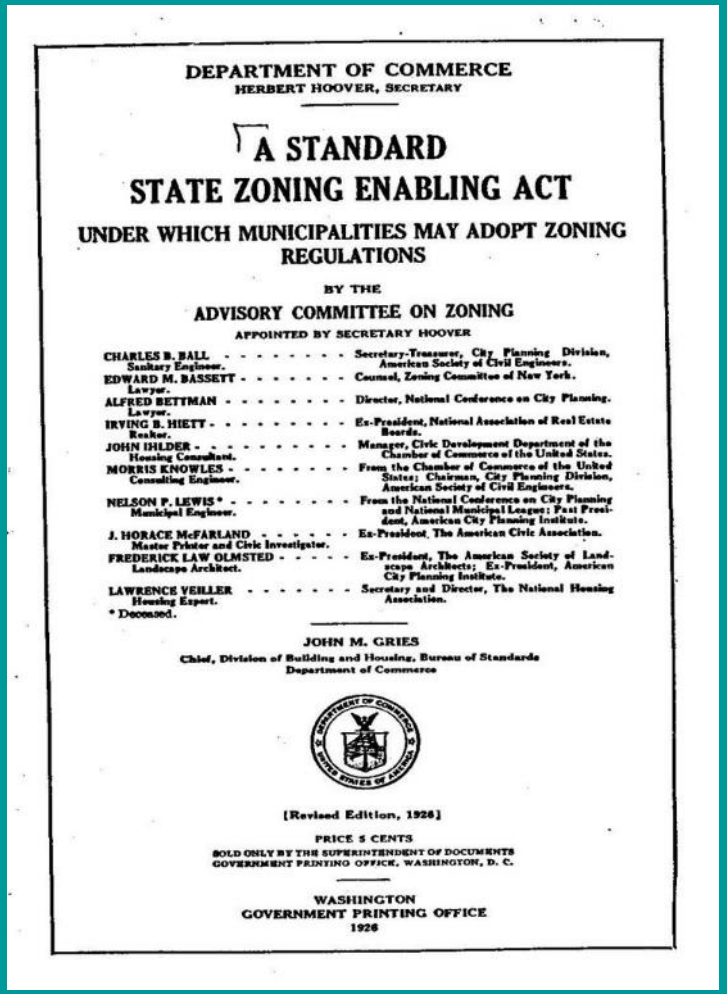


City Beautiful Movement emerged after the 1893 Chicago World's Fair. It was time for a dramatic change in urban areas.



Zoning History

1916	New York City adopts first zoning ordinance
1921	Michigan adopts the 1921 Zoning Enabling Act for Michigan
1920s	U.S. Department of Commerce developed the standard State Zoning Enabling Act (SSZEA)
1926	Euclid vs. Ambler realty case established that zoning was valid



DEPARTMENT OF COMMERCE
HERBERT HOOVER, SECRETARY

A STANDARD
STATE ZONING ENABLING ACT

UNDER WHICH MUNICIPALITIES MAY ADOPT ZONING REGULATIONS

BY THE
ADVISORY COMMITTEE ON ZONING
APPOINTED BY SECRETARY HOOVER

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Chief, Division of Building and Housing, Bureau of Standards
Department of Commerce

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1926

Modern Reverberations

The world is a much different place in 2026 than it was in 1926.

Overcrowding of cities was a serious public health issue.

Sprawl was not an issue then.





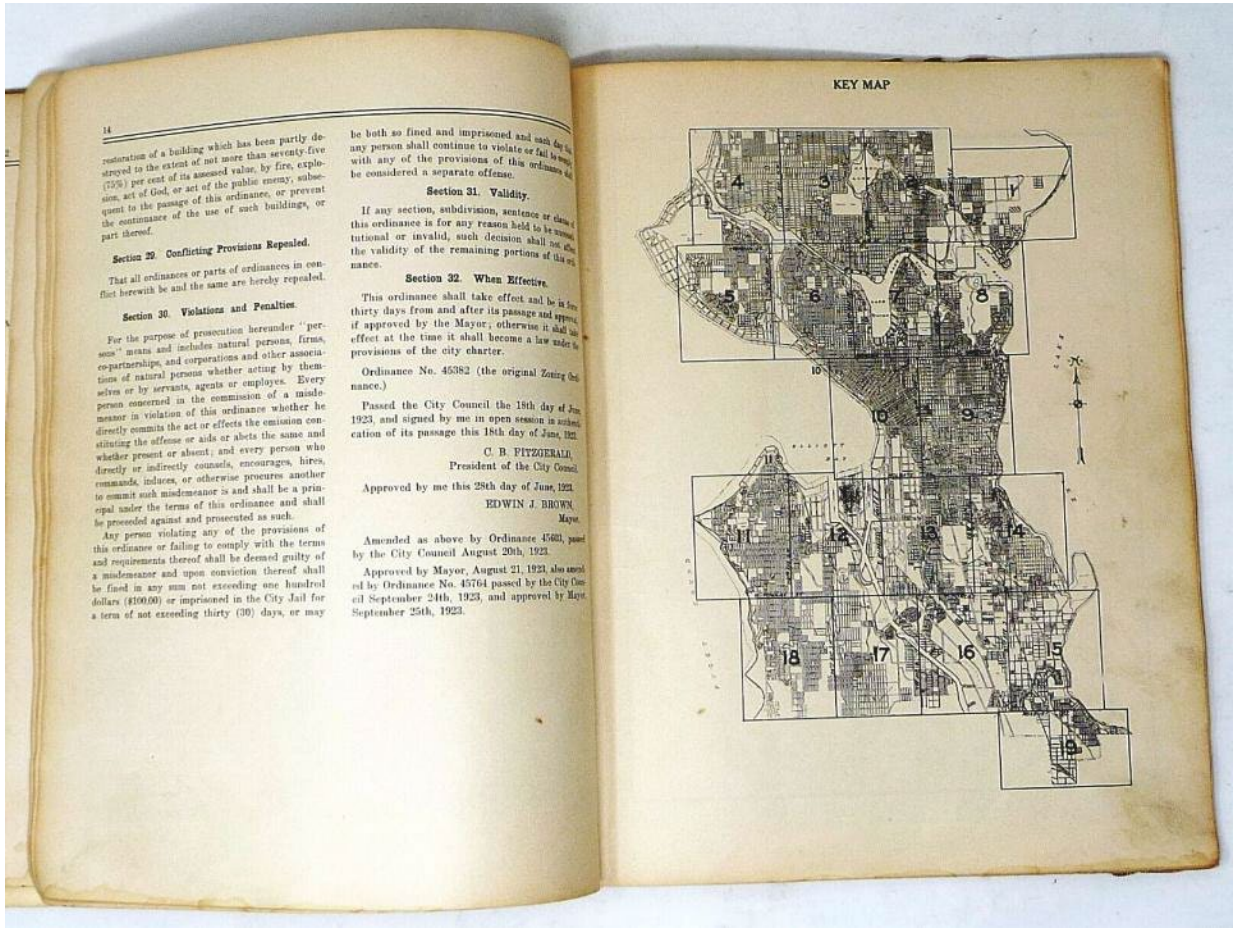
Components of Zoning

Conventional Zoning

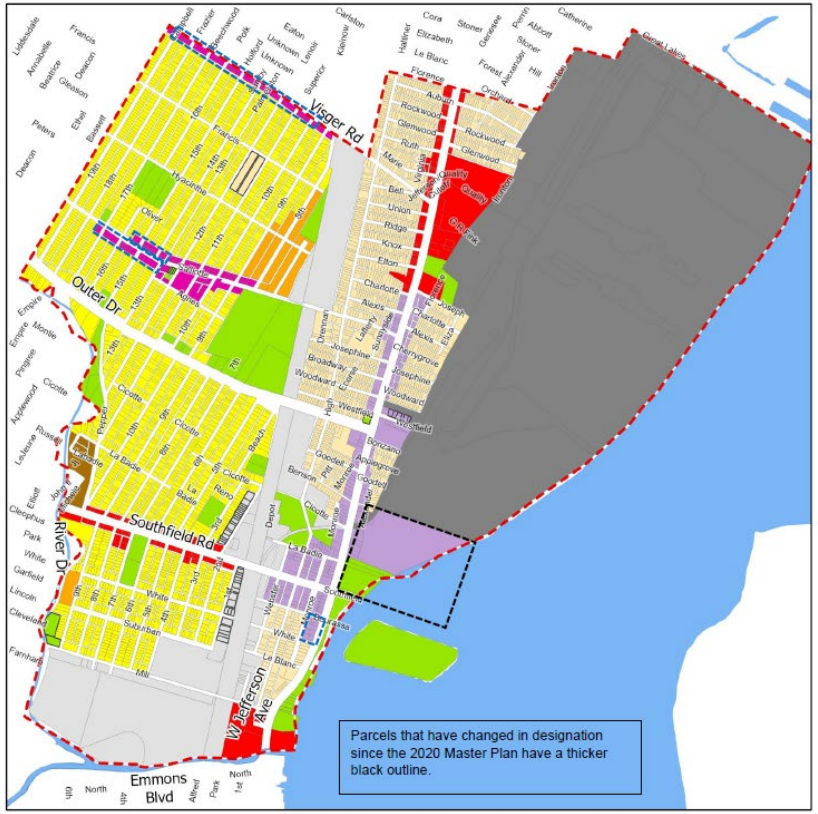
- Conventional zoning, also called “Euclidian Zoning,” is based on separating uses from one another
- Over time, regulations tend to get more complex
- Often includes many design standards

Zoning Text

- Regulates development
  - Describes districts
  - Site standards
  - Use standards
- Establishes processes for development review
- Defines terminology



Zoning Map



Future Land Use

City of Ecorse
Wayne County, MI

December 12, 2022

Residential-Commercial Flex Area
Commercial-Recreational Flex Area

LEGEND

Future Land Use Categories

- Single Family Residential
- Flexible Residential
- Multiple Family Residential
- Manufactured Housing
- Neighborhood Mixed Use
- Commercial
- Corridor Core
- Light Industrial
- Industrial
- Public/Quasi-Public
- City Boundary
- Waterbodies

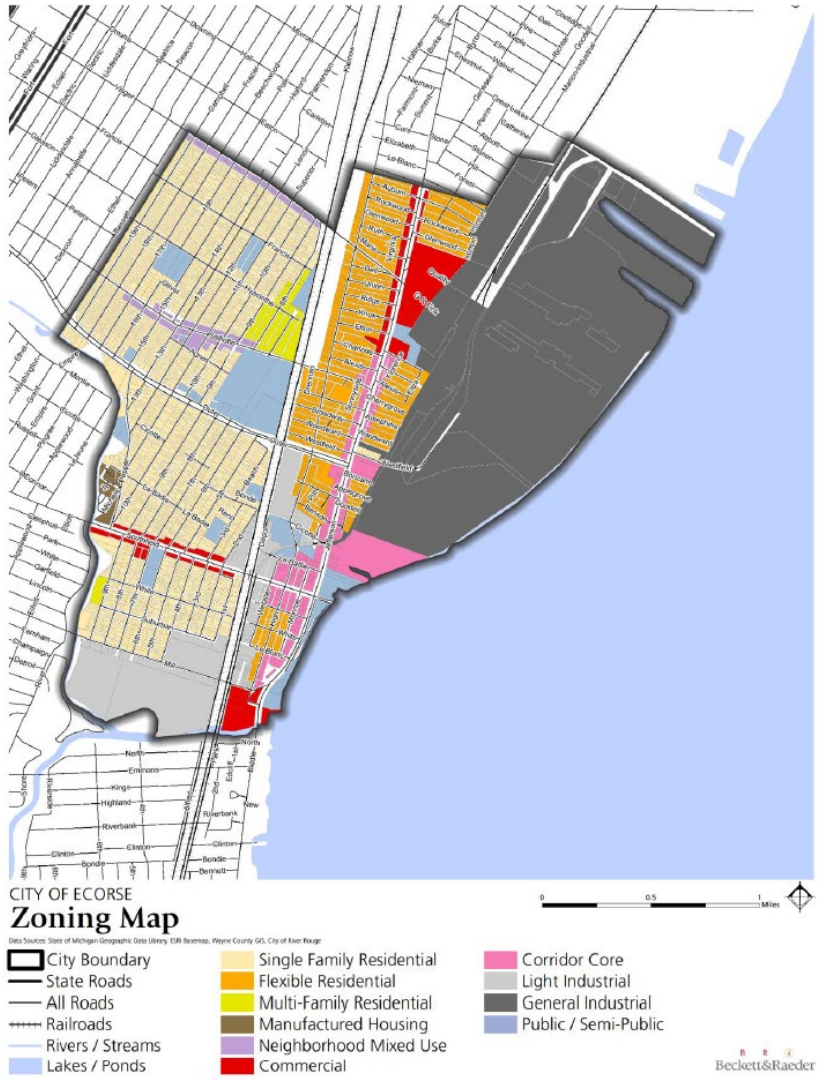
0 500 1,000 Feet

Basemap Source: Michigan Center for Geographic Information, v. 17a.
Data Sources:
Wayne County, 2018.
State of Michigan, 2020.
SEMCOG, 2022.
McKenna, 2022.

MCKENNA

Based on the future land use map in the Master Plan

Shows where the districts in the text are located



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Development Review

Rezoning Review

- Rezoning is changing the zoning classification of property on the official Zoning Map (i.e., a Zoning Map amendment)
- Results in new regulations for how the site can be used and designed
- Can be initiated by the community or the property owner/applicant
- Public hearing required

Site Plan Review

- Site plan review is the process by which a community reviews specific development proposals to ensure that they comply with Zoning Ordinance standards
- Site plan review is initiated by application

Special Land Use Review

- Special land uses are those uses which may be compatible with permitted uses in the district, but which possess characteristics or qualities which require individual review
- Due to their unique or possible negative characteristics, special land uses are reviewed in more detail to ensure compatibility with adjacent properties, and to minimize negative impacts on the community

Planned Unit Development Review

- The legislative body may establish PUD requirements in the Zoning Ordinance
- PUDs permit flexibility in regulation of land development, encourage innovation
- PUDs may preserve open space/natural features, may propose mixed use development, etc.
- A PUD must be accompanied by a site plan
- Public hearing is required
- PUDs may be approved by the Planning Commission, legislative body, or an authorized official (or require zoning amendment via approval by legislative body if required)

How is Zoning Changing?

Trends in Zoning

- Form-Based Zoning
- Mixed Use
- Housing: ADU's, "missing middle"
- Environmental/sustainability
- Mobility and transportation shifts (e.g., EV's walkability, parking reform)
- Data centers
- Style and format

Trends in Zoning

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- Communities grow, shift, and redevelop—so zoning must keep pace.
- New technologies, markets, and living patterns constantly challenge existing rules.
- Good zoning codes are periodically updated, refined, and recalibrated.
- Trends help guide where and how those changes happen.

Mixed Use

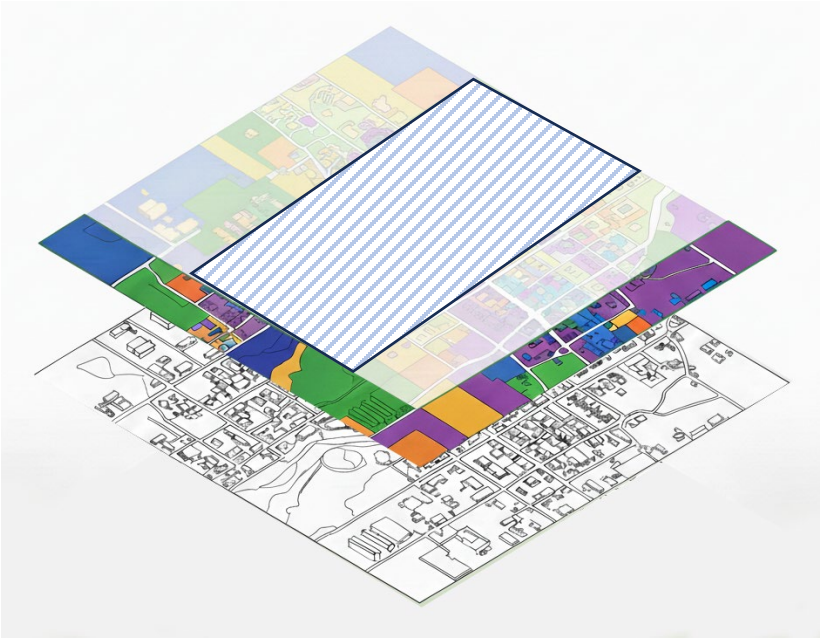
- Mixed-use zoning permits residential, commercial, and sometimes light industrial uses within the same district or building, contrasting it with traditional single-use Euclidean zoning;
  - Vertical (e.g., shops below apartments)
  - Horizontal (adjacent parcels)





Mixed Use

- Zoning tools:
  - Overlay districts
  - Density bonuses
  - Flexible design standards (e.g., zero side yards for compactness, pedestrian-oriented entrances), and balanced use requirements to ensure cohesive development.



Housing

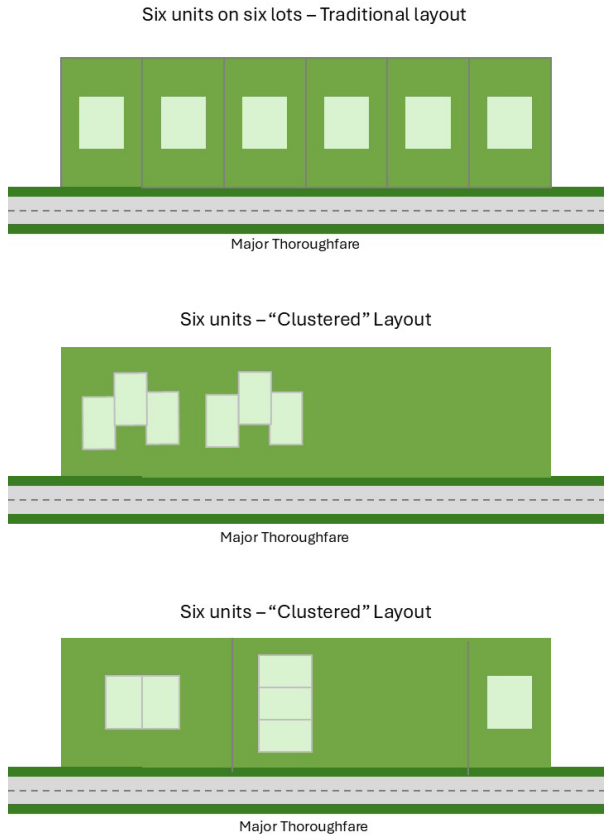
- Many communities are exploring zoning standards to ensure sufficient, safe, compatible neighborhoods while addressing community needs for affordability and growth.
- Zoning tools include expanding allowable housing types, like ADU's, etc., inclusive design, and mixing housing types.





Environment/Sustainability

- Lot coverage/impervious surfaces
- Natural features protections (e.g., steep slopes, woodlands, wetlands, riparian buffers)
- Cluster developments and incentives for preserving open spaces and natural features



Mobility and Transportation

- Electric vehicles – charging stations, parking standards
- Non-motorized transportation: Sidewalks, pathways, parking standards for bicycles
- Parking reform



Alternative Energy and Data Centers

- Many communities are studying their zoning ordinance to balance economic benefits of alternative energy (wind, solar, etc.) as well as data centers with local impacts, like energy and water usage.
- Approaches include updating performance standards and the review process.



Style/Format

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- Ordinances are never done
- Text should change with the times
- Organization can be improved
- Usability should be emphasized

Zoning Survey Results

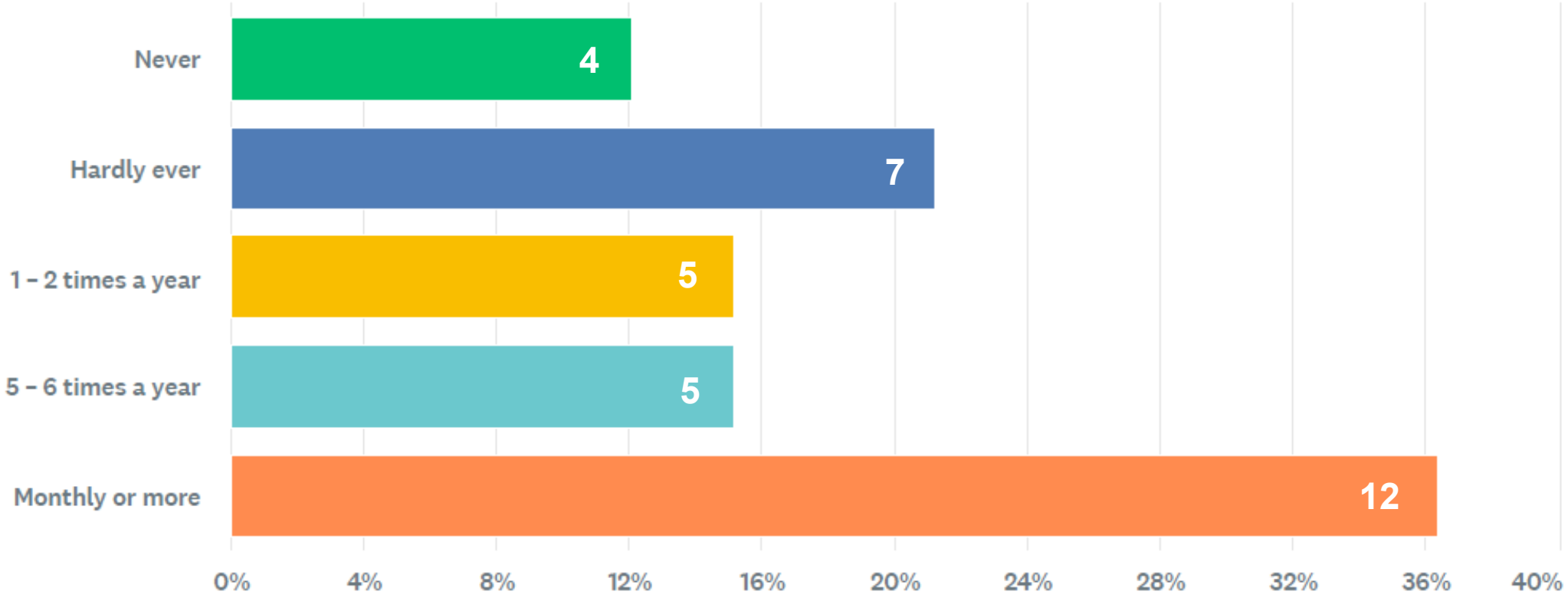
City of Ecorse Zoning Ordinance Survey

Goal – to understand how people use the ordinance, understand the things they like, and the things they'd like to see improved.

33 respondents

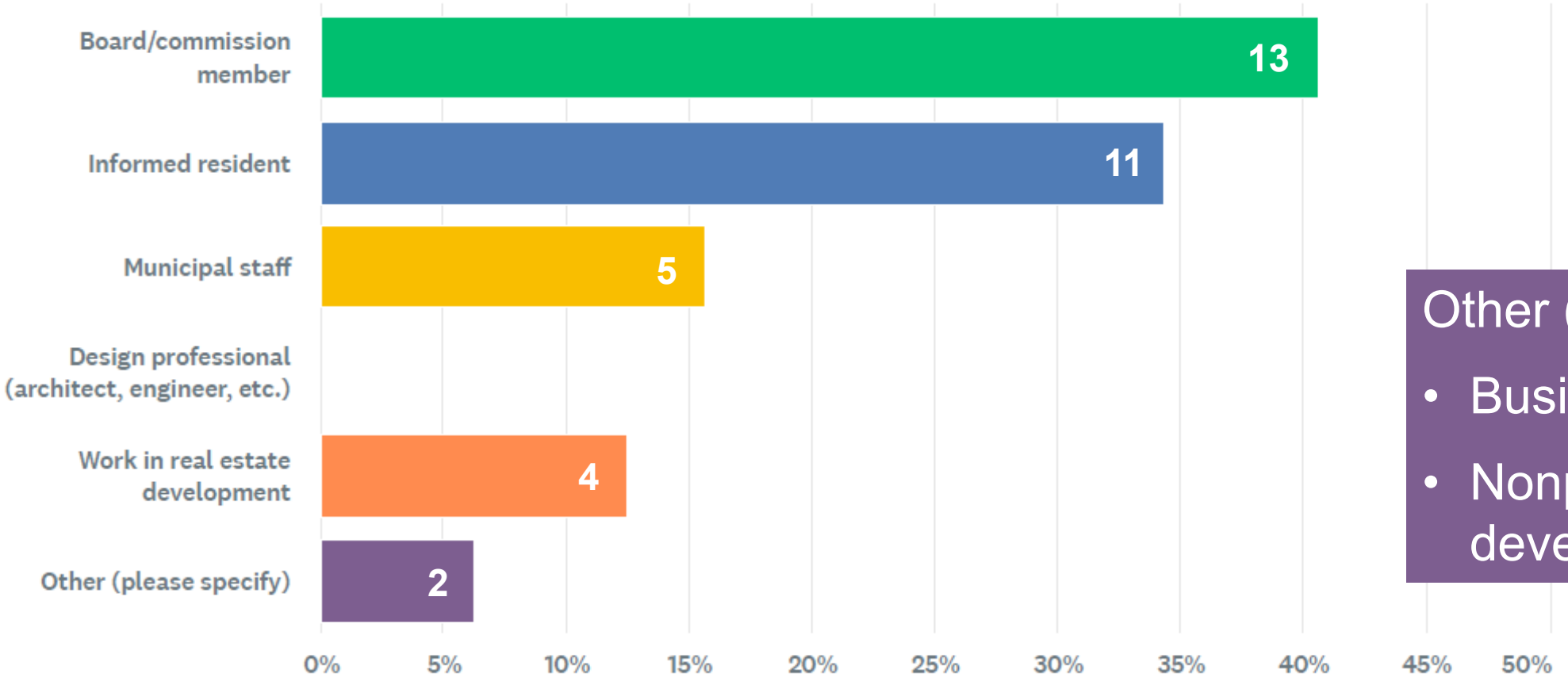
Zoning survey

How often do you use the zoning ordinance?



Zoning survey

In what role do you use the zoning ordinance?

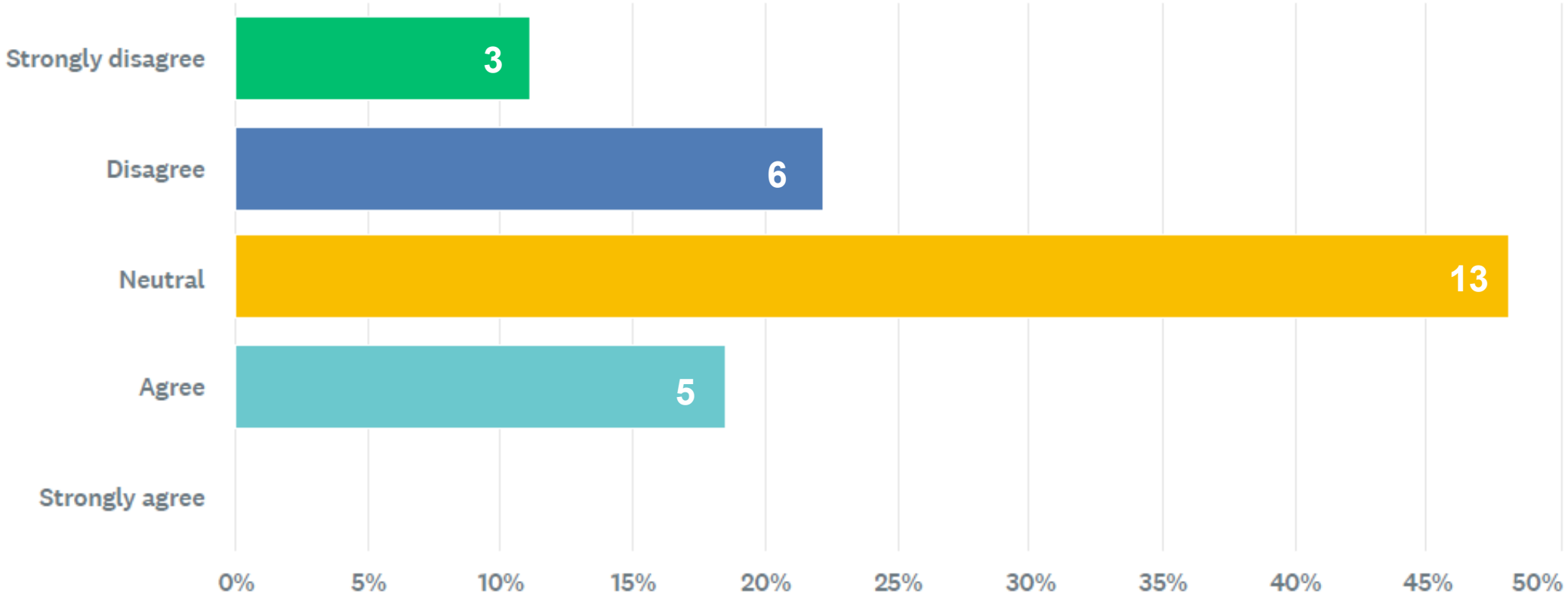


Other (2 responses):

- Business owner
- Nonprofit developer

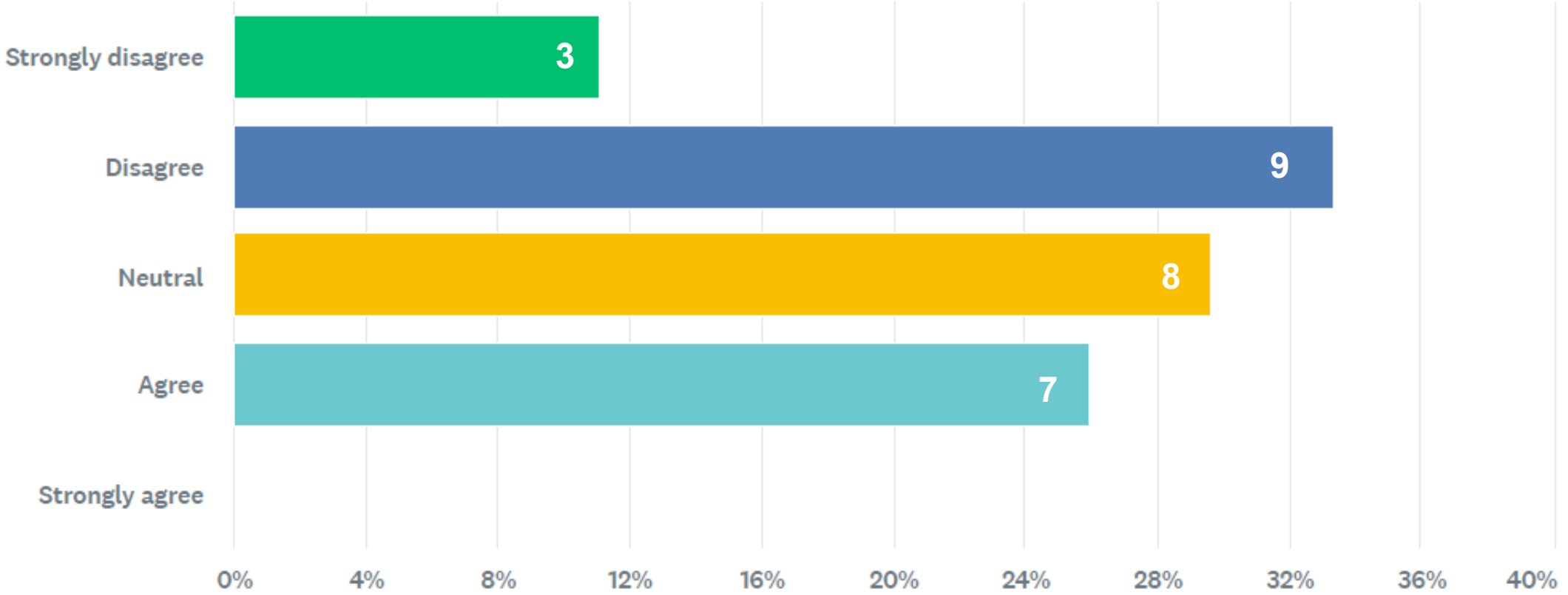
Zoning survey

Please rate your agreement with the statement: “**The zoning ordinance is easy to use**.”



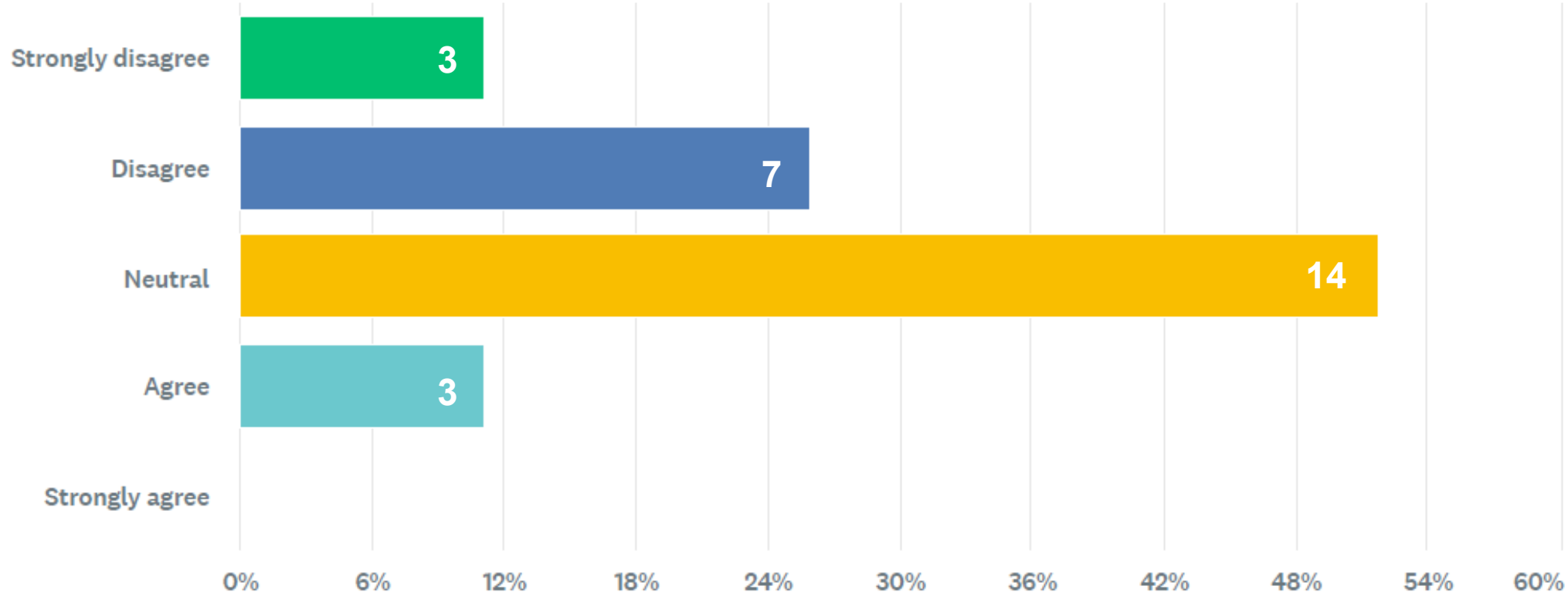
Zoning survey

Please rate your agreement with the statement: “**The zoning classifications are easy to understand**."



Zoning survey

Please rate your agreement with the statement: “**The uses that are allowed in each zoning district are easy to understand**."



Zoning survey

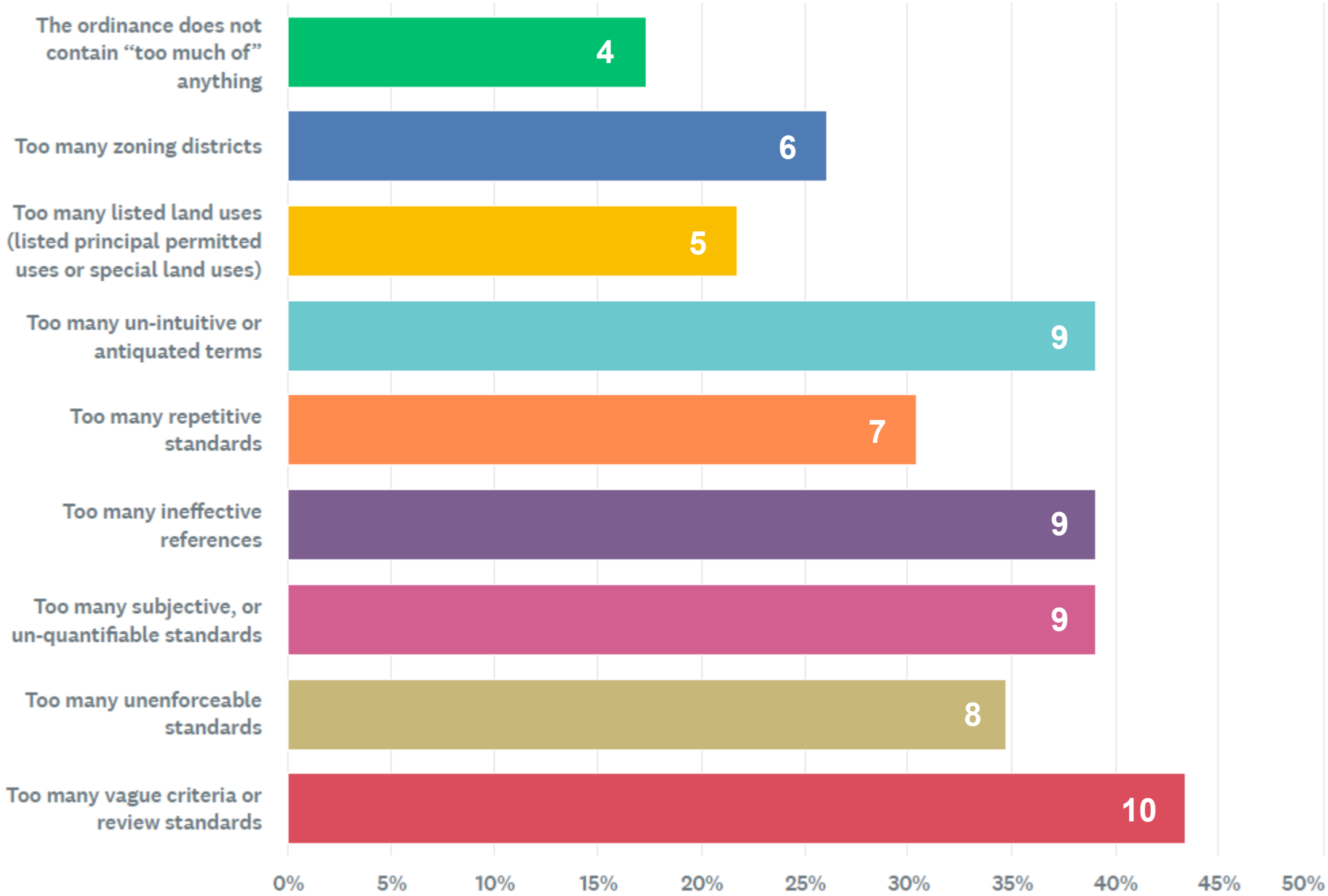
What sections do you access most frequently? What do you use the zoning ordinance for?

Land use (permitted uses/SLUs, development and dimensional standards

Fence permits

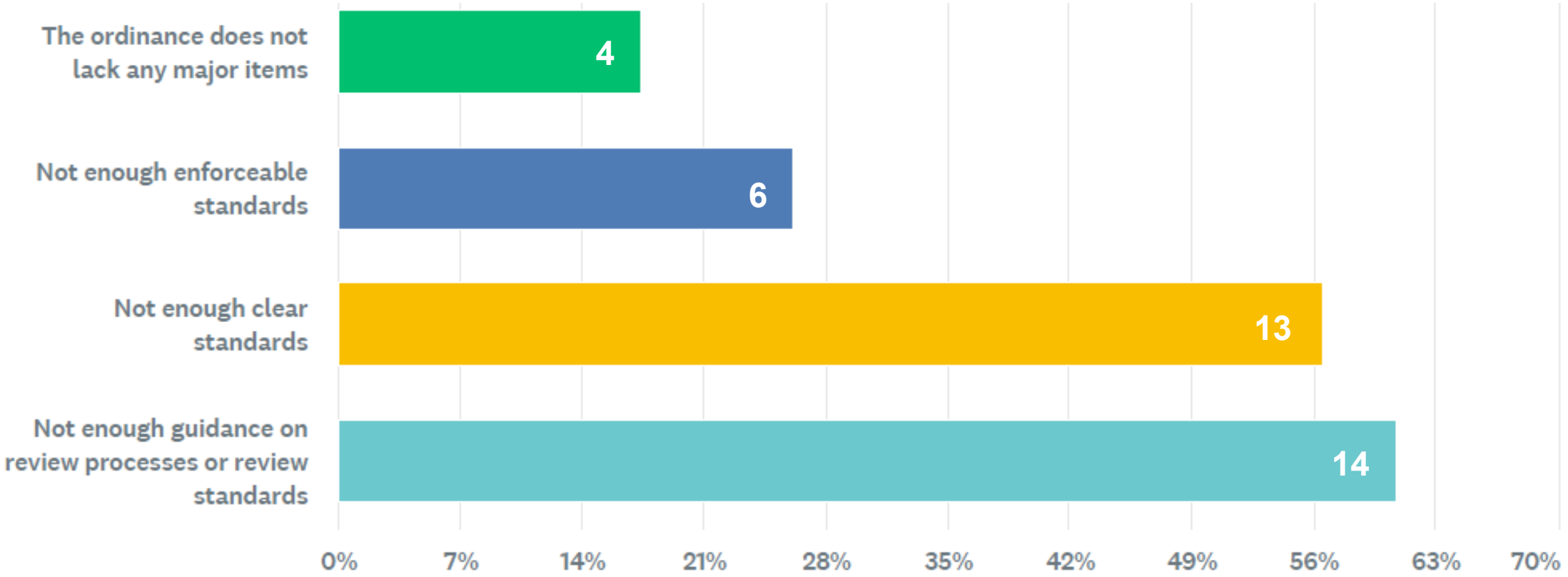
Accessory structures (garages, driveways, pavement, building permits)

Check all boxes that you believe the zoning ordinance currently "**has too much of**":



Zoning survey

Check all the boxes that you believe the zoning ordinance currently lacks:



Zoning survey

Are there any parts of the zoning ordinance you find **confusing**? If so, please explain.

Answer Choices	Responses	
No	43.48%	10
Yes (please specify)	56.52%	13
	Answered	**23**
	Skipped	**11**

Yes (please specify):

Vague Standards

- Permitted uses
  - Clarify uses and expand to include more
  - Clarify approval requirements and the approval process
- More separation between commercial and residential

Zoning survey

Are there any parts of the zoning ordinance you find **conflicting**? If so, please explain.

Answer Choices	Responses	
No	68.18%	15
Yes (please specify)	31.82%	7
	Answered	**22**
	Skipped	**12**

Yes (please specify):

- Violations for commercial vs residential
- Height restrictions and exceptions if setbacks are met
- State laws vs the ordinance for personal storage on property

Zoning survey

Are there any parts of the zoning ordinance you would **remove**? If so, please explain.

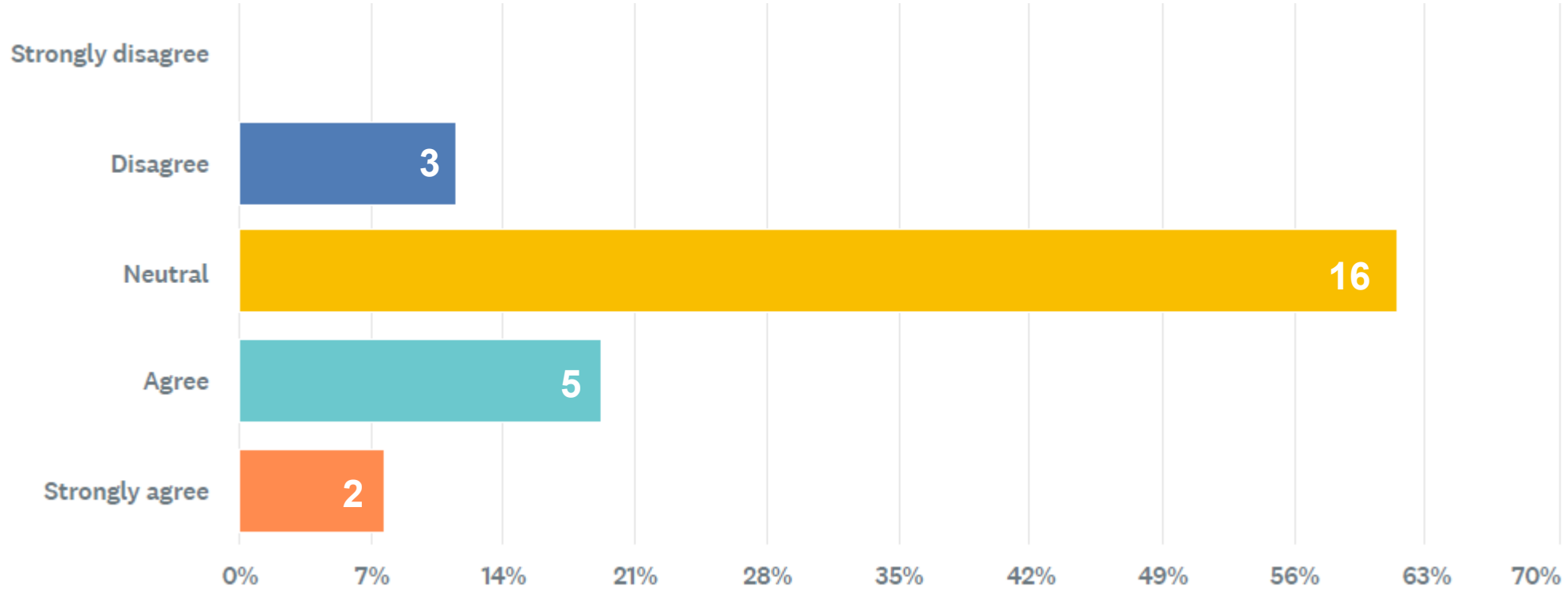
Answer Choices	Responses	
No	73.91%	17
Yes (please specify)	26.09%	6
	Answered	**23**
	Skipped	**11**

Yes (please specify):

- Commercial building restrictions
- CC Corridor Core district (doesn't fit Ecorse's needs)
- Simplify and reduce number of districts
- Confusing & outdated terminology and repetitive language

Zoning survey

Please rate your agreement with the statement: “The setbacks and other dimensional requirements for **residential development** fit the needs of Ecorse.”



Zoning survey



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Comments regarding **residential** setbacks and dimensional requirements.

Not consistent

Difficult to understand; Clear diagrams and plain language would be helpful

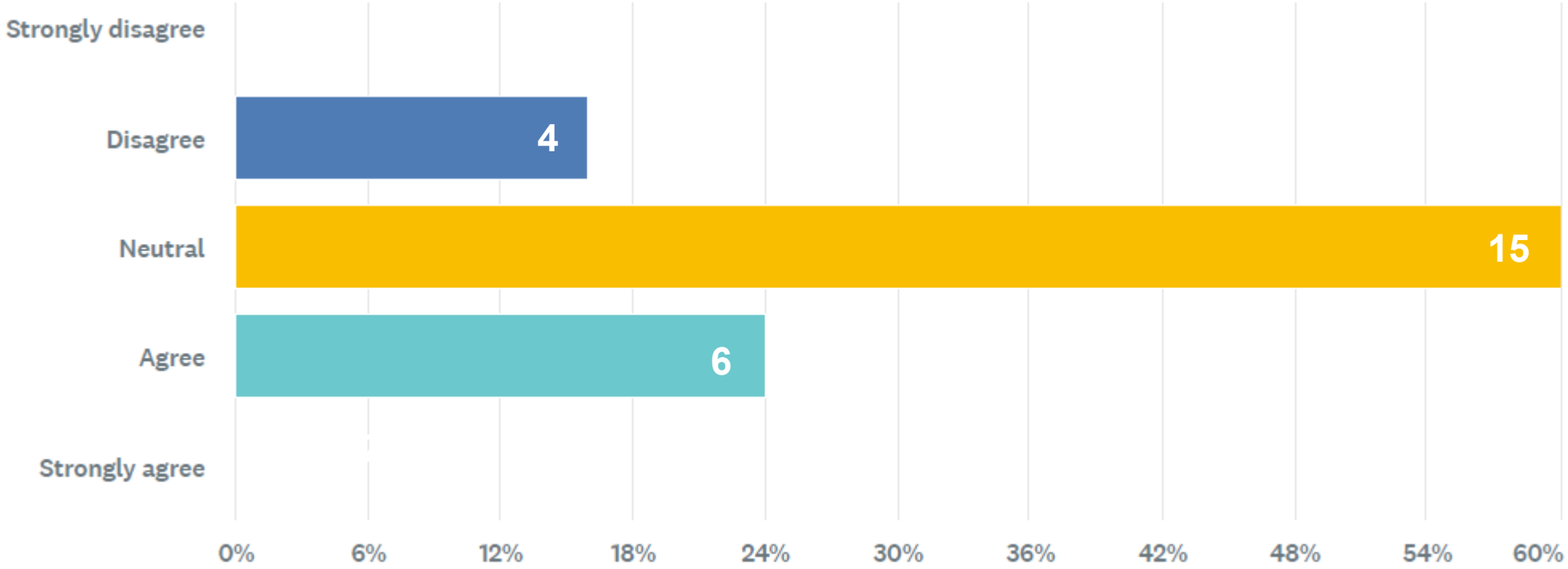
Setbacks are not obeyed

Too restrictive

Some lots are too small/narrow for the designated setbacks

Zoning survey

Please rate your agreement with the statement: “The setbacks and other dimensional requirements for **commercial and industrial development** fit the needs of Ecorse.



Zoning survey



Comments regarding **commercial and industrial** setbacks and dimensional requirements.

Difficult to understand; Clear diagrams and plain language would be helpful

Setbacks are not obeyed

Too restrictive

More supportive requirements for the reuse of existing properties

Zoning survey

Is there anything you would **add** to the zoning ordinance? If so, please explain.

Things to make information more accessible

Clear distinction of uses permitted by right and those requiring special approval

Diagrams illustrating dimensional requirements

Step by step guide to the review process

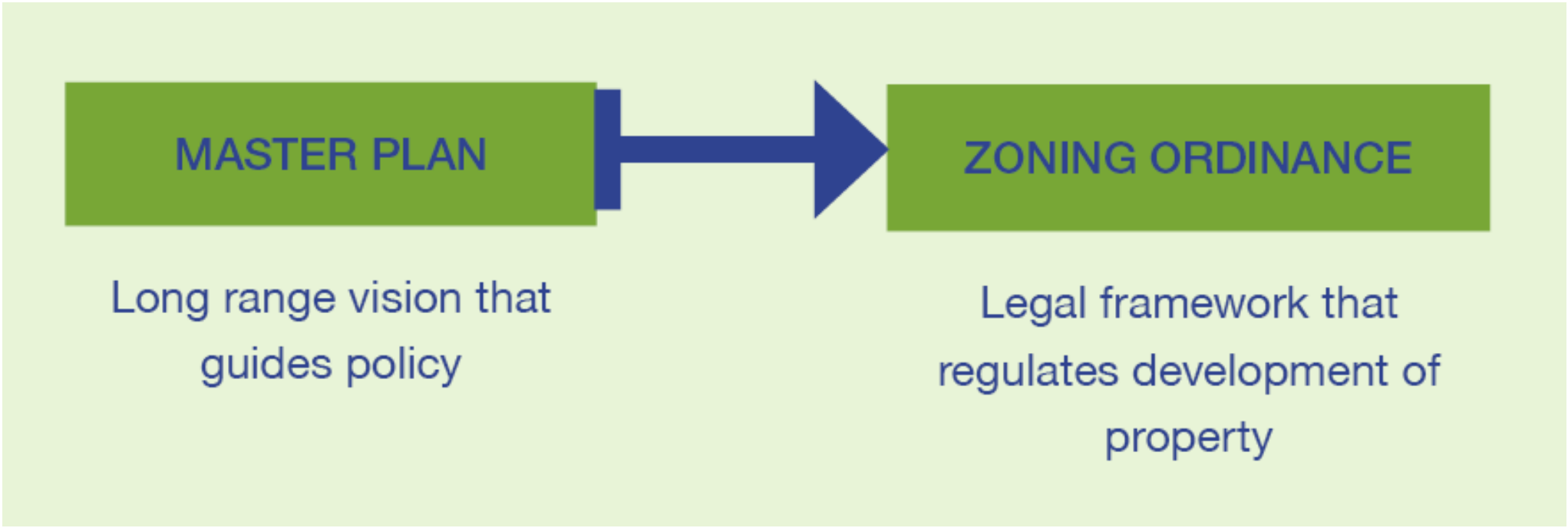
Plain language definitions

Examples of multiple business types within each permitted use category

Zoning Ordinance Audit Findings

Master Plan vs. Zoning Ordinance

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2023 Master Plan Goals

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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.

Redevelopment Ready Certification

RRC – Communities who commit to improving development readiness and working locally to integrate the best practices.

- 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

Ecorse is identified as "RRC engaged", indicating that the community is in the initial phase of committing to the process before achieving RRC certification.

Purpose of Assessment

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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?

Overview of Findings

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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

Key

 → Major revisions for consideration

 → Moderate revisions for consideration

 → Minor revisions for consideration

Definitions



Organization & Structure

- Consolidate and associate with the uses or site elements to which they apply

Language & Clarity

- Update to include current terminology
- Clarify language, correct typos and grammatical errors, update cross references
- Be consistent with the etymological grouping of words and references

Visual Aids

- Opportunities to add more visual aids

Legal Alignment

- Update to be consistent with state and federal laws as well as case law

RRC Best Practices

- Update the zoning map

Districts & Uses



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Organization & Structure

- Intent, uses, dimensional standards, and specific design standards should be located in a single section of the ordinance

Language & Clarity

- Make the Regulated Uses Table easier to read in its current table format or consider an alternative.
- Clarify language and correct typos and grammatical errors

Visual Aids

- Amend Zoning Map to include the West Jefferson Overlay District 1
- Add graphics illustrating district dimensional standards

Districts & Uses



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Legal Alignment

- Ensure the Zoning Map is up-to-date

RRC Best Practices

- 2.1 Master plan alignment
- 2.4 Housing diversity

Master Plan Alignment

- FLU Map changes – zoning map assessment
- Zoning plan recommendations
- Add a makers space use and permit in industrial districts
- Align uses in the MFR district with the master plan
- Add standards for garages in the SFR district
- Align district descriptions and intent statements
- Consider additional overlay zoning districts

Use Standards

Organization & Structure

- Utilize cross referencing to link uses to their respective use standards

Language & Clarity

- Evaluate home business standards
- Provide clear standards for review of discretionary waivers
- Clarify language and correct typos and grammatical errors

Visual Aids

- Limited visual aids

Legal Alignment

- Consistency with statutory requirements – outdoor play area for childcare centers
- Solar and energy storage systems
- Consider alignment with building code

RRC Best Practices

- 2.3 Concentrated development

Master Plan Alignment

- Incentive-based development standards in key areas

Site Standards



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Organization & Structure

- Consolidate site standards

Language & Clarity

- Update conflicting standards, discretionary provisions, and typographical/grammar issues that could be made more clear

Visual Aids

- Support site standards with visual aids (e.g., landscaping and parking)
- Summarize standards in tables

Legal Alignment

- Further review for the clarity of processes, review criteria, and nonconformity provisions is needed

Site Standards



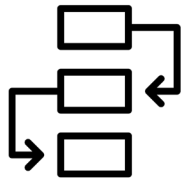
RRC Best Practices

- 2.3 Concentrated development
- 2.5 Parking flexibility
- 2.6 Green infrastructure
- Update landscaping and screening standards

Master Plan Alignment

- Parking standards
- Landscaping
- Sign code update
- Architectural and design standards for CBD

Development Procedures



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Organization & Structure

- Good!

Language & Clarity

- Decision-making authorities
- Site plan review
- Special land uses
- Condominium developments

Visual Aids

- Provide checklists and flowcharts where applicable

Legal Alignment

- Possible refinement to address any legal defensibility concerns

RRC Best Practices

- 3.1 Defined processes
- 3.3 Conceptual review
- Broaden standards to allow for more administrative approvals

Master Plan Alignment

- Consider adopting redevelopment-focused zoning tools
- Add truck traffic impacts to standards
- Pre-application conferences
- Review planned unit development procedures

Administration & Enforcement

Organization & Structure

- Relocate nonconformity regulations to Article 12

Language & Clarity

- Nonconformities
- Variances
- Duties
- Reapplication

Visual Aids

- Limited visual aids

Legal Alignment

- Add what counts as a cessation of a use for nonconformities

RRC Best Practices

- 3.1 Defined processes
- 3.5 Approval authority

Master Plan Alignment

- Modify nonconformities chapter for redevelopment and rehabilitation

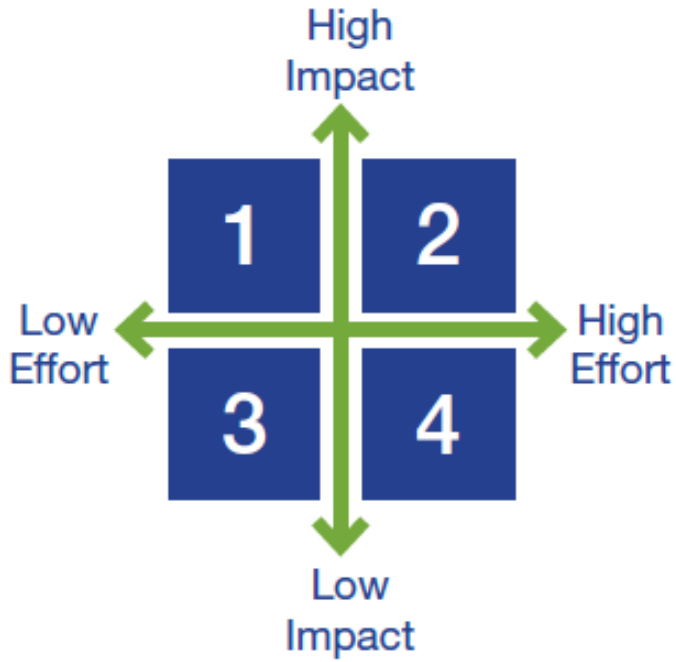
Prioritization

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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	

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



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Next Steps

Tentative Timeline

1. **Kick-off-** *Zoning 101, Audit, and Survey Presentation*
2. **Zoning Text Updates**
    - December-March
        - Four Planning Commission workshops covering the audit categories.
    - April-May
        - One or two meetings to review the full draft.
    - June
        - Pre-public hearing open house
3. **Public Hearing and Adoption – July**