

**YORK CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

**Growth Management Plan Amendments
for Community Water/Wastewater Systems**

**[As adopted by the Planning Commission on April 9, 2007;
and approved by the Township Board on May 15, 2007]**

[Revision Date – July 26, 2006]

Text amendments are hereby adopted for the following sections of the York Township Growth Management Plan:

SECTION I.

The DEFINITIONS section is amended to add the following definitions:

DEFINITIONS

Community Wastewater System (PWS): A Sanitary Sewer System that is owned by a non-governmental entity and which is proposed to serve more than one dwelling unit or structure. The PWS shall be deemed to include any individual septic tanks, pumps, lines and appurtenances serving each dwelling unit or structure, in addition to the central treatment facility, drainfield, reserve field, any approved lift stations, lines, sewers and appurtenances that serve more than one dwelling unit.

Community Well: A Water System that is owned by a non-governmental entity and which is proposed to serve more than one dwelling unit or structure. The Community Well shall be deemed to include any individual wells, treatment/purification facilities, pumps, lines and appurtenances serving each dwelling unit or structure.

Public Sanitary Sewer System: A Sanitary Sewer System owned and operated by one or more governmental entities.

Public Water System: A Water System owned and operated by one or more governmental entities.

Sanitary Sewer System: A facility for transportation, collection, processing, or treatment of sanitary sewage. A Sanitary Sewer System may be either a Public Sanitary Sewer System or Community Wastewater System, as defined in this Section.

Water System: A facility for collection, transportation, processing, or distribution of sanitary drinking water. A Water System may be either a Public Water System or Community Well, as defined in this Section.

SECTION II.

PART 2 is amended to delete and replace the text of Section 2.11 with the following:

**PART 2
MAJOR ISSUES TO BE DEALT WITH IN THE GROWTH
MANAGEMENT PLAN UPDATE**

2.11. Sanitary Sewer and Water Services

The Township presently has limited public water and public sanitary sewer service from the community of Milan and the Ypsilanti Community Utilities Authority (YCUA). Future extension of public water and public sanitary sewer systems will be directed only to the Urban Service Districts for two main reasons:

- The physical need of existing development and
- The need for additional public water and public sanitary sewer service to be directed only to Urban Service Districts that are anticipated to experience urban types of planned growth.

SECTION III.

PART 3 is amended to delete and replace the text of Section 3.12 with the following:

**PART 3
GENERAL TOWNSHIP OBJECTIVES**

3.12 Growth Must be Managed

York Township is growing. It is not difficult to envision a time when the Township will add new types of urban and rural development. Furthermore, extension of public sanitary sewer and public water systems will be promoted in specified areas of the Township. Growth management involves policies that will make growth orderly, that will adapt growth to existing development patterns and character. The challenge is to minimize the adverse effects of growth on neighboring properties and the community at large.

SECTION IV.

PART 4 is amended to delete and replace the text of Sections 4.03, 4.04, and 4.09 with the following:

**PART 4
BASIC CONCEPTS OF THE GROWTH MANAGEMENT PLAN**

4.03 The plan establishes Urban Service District boundaries.

The limits of public sanitary sewer and public water services have been established and planned to take place within four designated Urban Service Districts. No publicly owned sewer or water lines will be allowed to extend beyond any established Urban Service District. It is expected that all lands within the Urban Service Districts will eventually be connected to a public sanitary sewer system. No services will be provided outside of these designated boundaries in order to reduce sprawling development patterns into the Township's designated rural areas

4.04 Three categories of residential uses are proposed.

- A. The rural residential area is a low density residential area in which limited agricultural operations will be permitted. The area is intended to protect existing residences on large lots and agricultural activities from intrusion of higher density uses. The maximum density for this area is one dwelling unit per acre. Clustering concepts shall be encouraged to maximize open space.
- B. The second major category of residential use is suburban residential. This type of residential use is located in designated portions of the Township that are within an Urban Service District and served by public sanitary sewer and public water systems. The maximum density for this type of housing is 1 to 4 units per acre. Agricultural activities are not considered to be compatible with this density of housing.
- C. The third major category is urban residential. Urban residences range in density from 4 to 8 dwelling units per acre and in types of housing from single-family detached units to apartment type units. All urban residential units will be located in an Urban Service District and served by public sanitary sewer and public water systems.

4.09 Sanitary sewer and water services will be extended throughout the delineated Urban Service Districts.

Provision and extension of publicly-owned sanitary sewer and water lines will be allowed only within the Urban Service Districts, as designated in the Growth Management Plan. Specific sizing of infrastructure has been undertaken and development criteria established to ensure that these services only take place within the Urban Service Districts. This ensures that lands outside the Urban Service Districts will not be impacted and be well screened to retain their current character. Necessary public infrastructure for public sanitary sewer and public water systems will be financed by property owners.

SECTION V.

PART 11 is amended to delete and replace the text of Section 11.01 and 11.02 with the following:

**PART 11
PUBLIC UTILITIES**

11.01 Introduction

Currently, the community of Mooreville is served by the only public sanitary sewer system within the Township. This system, which collects sewage within the community and transports it to the City of Milan, resulted from the need to correct the failure of existing septic systems. The adjoining communities of Milan and the City of Saline have municipal systems. Although extensions of publicly-owned sanitary sewer and water lines have served State of Michigan facilities in the Township, they were designed only to serve these facilities on a specific contract. Additional public sanitary sewer and public water systems will be needed to service the Urban Service Districts located adjacent to the US-23/Willis Road interchange and the US-23/Carpenter Road interchange to service anticipated urban development.

The Township's involvement and/or management of any future public sanitary sewer system will be to serve the public health, safety, and welfare of the Township and residents and to protect the Township's environment. Extension of public sanitary sewer and public water systems will only be allowed within the designated Urban Service Districts.

11.02 GOAL, OBJECTIVES, AND POLICIES

GOAL - Utilities that serve the public health, safety, and welfare and that serve to protect the Township's environment.

To accomplish this goal the following objectives are set forth.

A. PUBLIC SANITARY SEWER

Management of any public sanitary sewer system will direct development away from areas designated for agricultural and rural residential land uses.

1. POLICIES

a. Sanitary Sewer Service Area

- 1) Publicly-owned sanitary sewer lines and facilities shall be limited to only designated Urban Service**

Districts of York Township. Extension to any other area shall require prior amendment to the Growth Management Plan.

- 2) Extension of publicly owned sanitary sewer lines into designated agricultural zones shall be prohibited.

b. Phasing of Sanitary Sewer Expansion

A cost-efficient strategy should be adopted to expand public sanitary sewer systems (within the service boundary) only in predetermined phases.

c. Financing System Extensions

Extensions of the public sanitary sewer system will be constructed with developer financing, user fees, or through a special assessment district, but shall not be constructed with ad valorem taxes.

d. Financial Impact

Extension of any public sanitary sewer system shall be permitted only if such extension will not adversely affect the financial and functional integrity of the Township and any established sewer service district.

e. Lift Stations

Prohibiting construction of lift stations when gravity alternatives are available shall minimize long-term maintenance costs. However, alternatives will be considered by the Township on a case-by-case basis.

f. Community Wastewater Systems

Community wastewater systems may be acceptable under limited circumstances in areas of the Township planned for Rural Residential uses outside of designated Urban Service Districts. Community wastewater systems shall only be permitted where the following conditions are met:

- 1) **Approval Required.** The Michigan Department of Environmental Quality (MDEQ), Township Board, and Washtenaw County Environmental Health Division approval is required for the system.

- 2) **Discharge.** To minimize downstream impacts on the Saline River/River Raisin watershed, discharge of treated wastewater from community wastewater systems into the surface waters of the Township/State of Michigan will be strictly limited and carefully considered before approval.
 - a) A discharge permit will be required from the appropriate agencies.
 - b) Subsurface discharge will be limited only to locations where soil and other site conditions are conducive to such discharge without impacting groundwater resources.
- 3) **Compatibility of Development(s).** The development(s) to be served by the system will be consistent with the adopted Growth Management Plan in terms of use and density.
- 4) **Liability and Removal.** The Township will be indemnified from any costs or liability for the design, construction, operation, maintenance, repair and/or replacement of a community wastewater system, and will retain the right to require abandonment and removal of a community wastewater system upon extension of publicly owned sanitary sewer lines to the development.
- 5) **Expansion.** Any expansion or alteration of a community wastewater system will be subject to review and approval from the Township and appropriate agencies.
- 6) **PUD.** Development shall be in accordance with Planned Unit Development (PUD) procedures, and will consist of a single land use type, as categorized by the Washtenaw County Environmental Health Department.
- 7) **Open Space Preservation.** Development will include significant preservation of important wetlands, natural features, open spaces or agricultural lands in the Township. “Significant preservation” should include, at a minimum, the

permanent conservation of fifty percent (50%) of the land proposed for development.

- 8) **Adequate Reserve.** Adequate replacement reserve will be provided should the community wastewater system fail or improperly function. This should include a financial contingency sufficient to provide for future operation and maintenance, reservation of additional land area(s) for replacement facilities, and provision of adequate reserve capacity.
- 9) **Buffering.** Extensive buffering will be provided from all abutting properties to minimize noise, light, and odor impacts from system operation.
 - a) Buffering shall include both adequate separation distance and provision of fencing and extensive landscaping using plant materials with year-round screening characteristics.
 - b) A PWS will be separated from drinking water wells and groundwater recharge areas to prevent contamination or degradation of groundwater.
 - c) A PWS will satisfy all isolation distances required by the Washtenaw County Environmental Health Division, MDEQ, and other applicable agencies.

g. Temporary Private Septic Systems in Urban Areas

- 1) All new development in the designated Urban Service Districts shall be required to connect to public sanitary sewer systems if available. However, a private, on-site septic systems may be permitted as an interim facility to serve an individual lot when publicly owned sanitary sewer lines will not be available for a significant period of time.
- 2) Any property permitted to develop with a private, on-site septic system in the designated Urban Service Districts shall be required to connect with publicly owned sanitary sewer lines when these become available.

SECTION VI.

PART 13 is amended to add a new subsection “F” to Section 13.02, and to delete and replace subsection “B” and add a new subsection “D” to Section 13.04 as follows:

**PART 13
IMPLEMENTATION POLICIES**

13.02 Zoning Regulations

- F. Community Wastewater Systems** – The Zoning Ordinance should be amended to allow limited use of community wastewater systems only as part of a Planned Unit Development (PUD) in areas planned for future Rural Residential uses for the purpose of facilitating open space preservation.

13.04 Infrastructure

- B. Publicly-Owned and Operated Sewer and Water Systems** - System maintenance is financed by user fees. Developers should be required to extend, at their expense, publicly-owned sanitary sewer and public water lines and appurtenances needed to serve their properties. The Township’s policy is that general fund money will not be used to support extension of the public water and public sanitary sewer systems.

- D. Privately-Owned Community Wastewater Systems and Community Wells** - Those areas outside the designated Urban Service Districts are intended by the Township to be served primarily by individual, on-site septic systems and private wells. However, to facilitate clustering of development and preservation of significant agricultural areas or open space areas within the Township, limited use of community wastewater systems and/or community wells may be appropriate in areas planned for Rural Residential uses outside of the designated Urban Service Districts.

SECTION VII.

PART 15 is amended to delete and replace the text of subsection “D” of Section 15.03, and subsection “K” of Section 15.04 as follows:

**PART 15
URBAN SERVICE DISTRICTS**

15.03 Future Land Use

- D. Complete development within the Urban Service Districts shall eventually require the availability of public sanitary sewer and public water systems. It is understood that extension of any future publicly-owned sanitary sewer and/or water lines shall be with developer financing, through user fees, or through a special assessment district.

15.04 Urban Service District Design Cohesiveness

K. Public Utilities

All new development within each designated Urban Service District shall be required to connect to a public sanitary sewage system if available. Based upon environmental factors and the density of potential land uses within each designated Urban Service District, extension of publicly owned sanitary sewer and water lines will be necessary concurrent with development at an intensity or density sufficient to require such service. The Township's involvement and/or management of any future public sanitary sewer and public water systems will be to serve the public health, safety, and welfare of the Township and residents and to protect the Township's environment.

Use of a private, on-site septic system and/or private well may be permitted as an interim facility for an individual lot where publicly-owned sanitary sewer or public water lines will not be available for a significant period of time. Any lot within an Urban Service District permitted to develop with a private, on-site septic system or private well shall be required to connect with the publicly owned sanitary sewer lines when these become available. Use of community wastewater systems and community wells within an Urban Service District shall be prohibited.