

**NOTICE OF PUBLICATION BY POSTING
YORK CHARTER TOWNSHIP**

At a regular meeting of the Charter Township of York Board of Trustees held March 11, 2014, an Ordinance to amend the York Charter Township Zoning Ordinance was introduced and first reading approved. Consideration for second reading and adoption of this Ordinance as amended by the Board will be a part of the agenda at the April 8, 2014 Regular meeting of the York Charter Township Board of Trustees.

The purpose and nature of the proposed Ordinance to Amend the Zoning Ordinance is to make amendments to the existing York Charter Township Zoning Ordinance which include the following: Article 2, Definitions, Article 3, Sect. 3.28; Article 43, Planned Unit Development and Article 57, Section 57.10.

Notice is hereby given that publication of the proposed Ordinance to Amend the Zoning Ordinance has been made by posting a copy of the Ordinance in the form in which it was introduced in the office of the York Charter Township Clerk, 11560 Stony Creek Rd., Milan, Michigan 48160 and on the Township's website at www.twp-york.org pursuant to Section 8 of the Charter Township Act, being MCL 42.8(3)(b). The proposed Ordinance is available for inspection at the Clerk's office or on the Township's website.

Helen Neill, Clerk, Charter Township of York

Published: April 3, 2014

**CHARTER TOWNSHIP OF YORK
WASHTENAW COUNTY, MICHIGAN
ORDINANCE NO. _____
EFFECTIVE DATE: _____**

[AN ORDINANCE ADOPTED PURSUANT TO AUTHORITY GRANTED BY PUBLIC ACT 110 OF 2006, BEING MCL 125.3101 ET. SEQ., AS AMENDED, FOR THE PURPOSE OF AMENDING ARTICLES 2.0, 3.0, and 43.0 OF THE CHARTER TOWNSHIP OF YORK ZONING ORDINANCE TO MAKE UPDATES FOR PRIVATE ROADS, AND TO AMEND SECTION 57.10(C) OF THE ZONING ORDINANCE TO REMOVE THE REQUIREMENT THAT A PROPERTY OWNER POST PUBLIC NOTICE SIGNAGE WHEN A ZONING AMENDMENT IS INITIATED BY THE TOWNSHIP.]

THE CHARTER TOWNSHIP OF YORK, WASHTENAW COUNTY, MICHIGAN, HEREBY ORDAINS:

SECTION 1 – AMENDMENTS, ADDITIONS AND DELETIONS

A. ARTICLE 2, DEFINITIONS, IS AMENDED BY DELETING AND REPLACING THE DEFINITION OF “ROAD” TO INCLUDE A NEW DEFINITION FOR “PRIVATE ROAD” AS A NEW SECTION 2.03(202)(b) AS FOLLOWS:

Section 2.03 Definitions.

Whenever used in this Ordinance, the following words and phrases shall have the meaning ascribed to them in this Section:

202. Road

- a. Marginal Access Road.** A service roadway parallel to a feeder road, which provides access to abutting properties and protection from through traffic.

- b. Private Road.** A route or access right of way that provides vehicular access to a lot or lots, and which has not been dedicated to public use.

B. ARTICLE 3, GENERAL PROVISIONS, SECTION 3.28 “PRIVATE ROAD STANDARDS” IS HEREBY DELETED AND REPLACED WITH THE FOLLOWING:

Section 3.28 Private Road Standards.

A private road shall be subject to the standards and requirements of the Charter Township of York Private Road Ordinance. Where access to streets under Section 30.207 of this Ordinance requires private road access, no preliminary Zoning Compliance Certificate shall be issued for any lot until a permit is granted under terms of the Township Private Road Ordinance, and no final Certificates of Zoning Compliance shall be issued for any lot requiring access from a private road unless the road has been approved and a certificate of completion delivered to the Township Clerk in accordance with the Private Road Ordinance, or until the guarantee and security for completion of the road as provided for in the Private Road Ordinance has been deposited.

C. ARTICLE 43, PLANNED UNIT DEVELOPMENT DISTRICT (PUD), SUBSECTION 43.03(H) “CIRCULATION AND ACCESS” IS HEREBY DELETED AND REPLACED WITH THE FOLLOWING:

Section 43.03 District Regulations

H. Circulation and access

1. Each lot or principal building in a PUD district shall have vehicular access from a public street or from a private street approved by the Township Board, upon recommendation from the Planning Commission, as part of an area plan in accordance with the Charter Township of York Private Road Ordinance.
2. Each lot or principal building in a PUD shall have pedestrian access by a public or private sidewalk, and bicycle access by a bicycle path, where determined by the Township Board to be necessary for public safety and convenience, upon recommendation of the Township Planning Commission.
3. Standards of design and construction for public and private streets within the PUD may be modified as deemed appropriate to adequately provide the anticipated service required. Right-of-way standards may also be modified, especially where the area plan provides for the separation of pedestrian and vehicular patterns and adequate off-street parking facilities. Any modification of a proposed public street must meet the requirements of the Washtenaw County Road Commission, and any modification of a proposed private road must meet the requirements of and be approved as a variance under the Charter Township of York Private Road Ordinance.
4. Public and private streets shall be designed and constructed according to established standards of the Washtenaw County Road Commission and the Charter Township of York Private Road Ordinance, respectively, except where the applicable approving authority allows a modification of its standards as provided in Sub-Section (3), preceding. If, in the future, private streets in a PUD are to be dedicated to a public agency, the owners shall first fully agree to bear the full expense of reconstruction or any other action required to make streets suitable for public acceptance.
5. An individual dwelling unit in any single-family, two-family townhouse, mobile home, or similar residential structure shall not have direct access to a collector or arterial street.

D. ARTICLE 57, ADMINISTRATION AND ENFORCEMENT, SECTION 57.10(C), “POSTING OF SPECIAL USE OR REZONING NOTICE SIGNAGE”, IS DELETED AND REPLACED WITH THE FOLLOWING:

Section 57.10 Public Hearing Procedures.**C. Posting of Special Use or Rezoning Notice Signage**

For any proposed special use application per Article 53.0 (Special Uses), or any rezoning application submitted by a property owner or persons acting on behalf of a property owner of York Township per Article 58.0 (Amendments), the applicant(s) or owner(s) of the property subject to the application shall post public notice signage in accordance with the following:

1. The applicant(s) or owner(s) shall place a four (4) by eight (8) foot sign on each side of the property that abuts a street. The sign shall not be erected in the road right-of-way or in a manner to obstruct vision of motorists or pedestrians.
2. If the subject property does not abut a street, the sign shall be placed on each side of any contiguous land owned by the applicant(s) or owner(s) of such parcel that does abut a street.
3. If no such contiguous property abutting a street is owned by the applicant(s) or owner(s) of the subject property, the sign(s) shall be placed in such location(s) on the property that the Zoning Inspector deems will best inform the public of the application. If the Zoning Inspector determines that there is no location where a sign could be placed that would be visible to the public, the Zoning Inspector may waive the requirement of posting.
4. Each sign shall be erected at least 21 days, but not more than 30 days, before the Planning Commission's public hearing date.
5. Each sign shall be removed from the property no later than three (3) business days following the public hearing or the adjourned or continued date thereof, whichever is later.
6. Each sign shall have lettering easily readable from the abutting street. Each sign shall State "PROPERTY PROPOSED FOR (A SPECIAL USE) (REZONING)," give the street address or tax code parcel number(s), acreage and diagram of the subject property, state the zoning of the property, state the proposed special use or zoning district that is being requested, and the date, time, and place of the initial public hearing on the application.
7. The applicant shall post a bond in an amount not to exceed one hundred dollars (\$100.00) per sign to ensure the removal of the sign as provided in Paragraph C (5) preceding.
8. The Zoning Inspector shall inspect the subject property to see that it complies with the requirements of this Subsection, and shall submit an affidavit of such determination to the Planning Commission not less than seven (7) days prior to the public hearing on the application.
9. Signs erected under this Section are exempt from other provisions of this Ordinance regulating signs.
10. Failure to comply with any provision of this Subsection shall not constitute grounds for invalidating or setting aside the granting of an application, but shall require adjourning and rescheduling the public hearing. Further, the additional number of days required for holding the rescheduled public hearing shall be added to the period within which the Planning Commission must otherwise hold the public hearing under this Section.

11. The posting of a public notice sign is not required if the application is a zoning amendment initiated by the Charter Township of York Board of Trustees or Planning Commission.

SECTION II – SEVERABILITY

If any section, subsection, subparagraph, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof, or of any other provisions in the Charter Township of York Zoning Ordinance.

SECTION III - REPEAL

All ordinances or parts of ordinances in conflict with this are hereby repealed.

SECTION IV - SAVINGS CLAUSE

The balance of the York Charter Township Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The repeal and amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation or prosecution of any right established, occurring prior to the effective date hereof.

SECTION V - PUBLICATION AND EFFECTIVE DATE

The Township Clerk shall cause this Ordinance to be published in the manner required by law. This Ordinance shall be effective on the 8th day after final publication of the Ordinance.

This Ordinance was duly adopted by the York Charter Township Board at its regular meeting called and held on the __th day of _____, 2014, and was ordered given publication in the manner required by law.

Helen Neill
Charter Township of York Clerk
Dated: _____, 2014

John W. Stanowski
Charter Township of York Supervisor

First Reading: March 11, 2014
First Publication by Posting: April 3, 2014
Adoption:
Final Publication by Posting:
Effective Date: