



AGENDA

Planning Commission Meeting

7:00 PM - Tuesday, June 9, 2026
City Hall

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1. CALL TO ORDER	
2. PLEDGE OF ALLEGIANCE	
3. ROLL CALL / ESTABLISHMENT OF A QUORUM	
4. APPROVAL OF AGENDA	
4.1. Motion to approve the June 9, 2026, planning commission agenda.	
5. APPROVAL OF MEETING MINUTES	
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Planning Commission - 12 May 2026 - Minutes - Pdf	
6. PUBLIC COMMENT RE: ITEMS ON THE AGENDA	
7. OLD BUSINESS	
7.1. Text amendment or elimination of ADUs Section 98-191 Attached accessory structures and 98-192 Detached accessory structures, 98-163, D-2, and 98-164 D-3	14 - 25
ARF-26-183 ADU's attached and detached Sec 98-191, 98-192, 98-163 and 98-164 - Pdf	
7.2. Request for text amendment change to zoning ordinance	26 - 45
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9. PUBLIC COMMENT RE: ITEMS NOT ON THE AGENDA	
10. REPORTS	
10.1. Chairperson	
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11. NEXT MEETING: JULY 14, 2026	
12. ADJOURNMENT	

DRAFT MINUTES

Planning Commission Meeting



7:00 PM - Tuesday, May 12, 2026
City Hall

The Planning Commission met on Tuesday, May 12, 2026 at 7:00 PM in the City Hall.

PRESENT: Secretary Barbara Hammond, Chairperson Bob Fox, Vice Chair Rick Ruhl, Commissioner Sherri Tuckey, Commissioner Tammy Drouillard, Commissioner Gina Nowak, and Commissioner Jeremy Finn

LATE:

ABSENT: Commissioner Charles See and Commissioner Peter White

STAFF PRESENT: Interim Developmental Services Director Brad Raymond, City Manager Brett Coker, Development Services Coordinator Sonya Grubb

1. CALL TO ORDER

Meeting called to order at 7:00 pm

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL / ESTABLISHMENT OF A QUORUM

3.1 Excuse Commissioners See and White

Moved by Sherri Tuckey
Seconded by Jeremy Finn

Motion to excuse White and See

MOTION CARRIED

4. APPROVAL OF AGENDA

4.1 Approval of the May 12, 2026 planning commission agenda

Moved by Rick Ruhl
Seconded by Barbara Hammond

Motion to approve the May 12, 2026 planning commission agenda.

MOTION CARRIED

5. APPROVAL OF MEETING MINUTES

5.1 Approval of the April 14, 2026, planning commission meeting minutes

Moved by Sherri Tuckey
Seconded by Barbara Hammond

Motion to approve the April 14, 2026 planning commission meeting minutes

MOTION CARRIED

6. PUBLIC HEARING - TEXT AMENDMENTS

6.1 PUBLIC HEARING - text amendments

Public hearing opened at 7:02 pm
No public comment
Public hearing closed at 7:03 pm

7. PUBLIC COMMENT RE: ITEMS ON THE AGENDA

7.1

Resident of 306 W Logan - hand outs attached

- asking for a change to the ordinance for the right of way
- wants to allow planting of gardens in the right of way and not just turf grass
- addressed individual letters from city staff (attached)

Resident of 606 W Pottawatamie

- was cited for front yard landscaping
- gave her credentials, stated some statistics regarding insects and birds in North America
- asking commission to work with them on changing the ordinance

Resident of 205 N Oneida

- does not have plants in right of way
- focus on city governance and community relationships and building community
- find a middle ground to work with community and non-profits

Resident of - 215 E Logan

- algal blooms are caused by fertilizer runoff - runs from Raisin River into Lake Erie
- if we can do something to minimize fertilizer runoff, benefits not only our city but other communities
- Resident of 1017 River Acres - plants native plants in her yard and although she doesn't have a sidewalk she is not opposed to others planting in the right of way.

[menyhart handout](#)

8. NEW BUSINESS

8.1 Text amendment RA-2 district

Gave an overview of how text amendment changes come to the commission

Square footages for apartments was extremely large (800 sq ft). City staff is recommending changing the ordinance so that the square footages of apartments meets RM-1 standards and will vary based on the type of apartment it is.

Interim Director Raymond stated that this is typical for RM-1 standards. You will typically have a graduated scale of square footages based on the types of apartments.

Moved by Rick Ruhl

Seconded by Barbara Hammond

Motion to recommend to City Council, the text amendment for clarification of apartment square footages in the RA-2 district changing Sections 98-72 and 98-74.

Yes: Commissioner Barbara Hammond, Commissioner Rick Ruhl, Commissioner Sherri Tuckey, Commissioner Tammy Drouillard, Gina Nowak, and Board Member Jeremy Finn

Abstained: Chairman Bob Fox

MOTION CARRIED 6-0 on a recorded vote

8.2 Text amendment Sections 98-70, 98-80, 98-81 and 98-82

Made a brief statement noting that we just adopted the ordinance last summer and wanted to address concerns about why we are already making changes. Stated it is typical and ordinances should be reviewed and updated and ongoing.

Staff noticed that Adult Regulated Businesses are a permitted use and were previously listed as a special land use. In the use standards there were inconsistencies in the process and district standards.

Recommending changing the name to Adult Regulated Business (was referenced as business and use) to provide clarity and show it is all the same thing and changing the tables to make it a special land use and update district summaries and make the process uniform with what was adopted where planning commission rather than council has the final decision on special land uses.

Interim Director Raymond gave some history on how this type of business came about.

Moved by Tammy Drouillard

Seconded by Rick Ruhl

Motion to recommend the text amendment for Adult Regulated Businesses as a Special Land Use rather than a permitted use changing the verbiage in Sections 98-70,98-80, 98-81 and 98-82.

Yes: Commissioner Barbara Hammond, Commissioner Rick Ruhl, Commissioner Sherri Tuckey, Commissioner Tammy Drouillard, Gina Nowak, and Board Member Jeremy Finn

Abstained: Chairman Bob Fox

MOTION CARRIED 6-0 on a recorded vote

8.3 Text amendment or elimination of ADUs Section 98-191 Attached accessory structures and 98-192 Detached accessory structures, 98-163, D-2, and 98-164 D-3

Lauren explained staff was getting requests for ADU's. Currently regulated in the Accessory Structure section under attached and detached.

Tried to keep them under the same use standards for attached and detached. Should we allow detached? Should we allow them at all?

- same ownership
- cannot split off the ADU from a parcel
- setbacks for attached have to match the setbacks for the principal structure
- setbacks for detached would change - cannot be closer than 10 feet to the property line
- height cannot be higher when attached and maximum of 16'-24' but can never be taller than the principal structure
- downtown has standards for Carriage houses - additional standards
- floor area for attached cannot exceed more than 50% of the floor area of the principal structure
- areas for garage and storage will not be included in the square footage
- design standards to ensure that they match the house - has to use the same materials as the principal structure- and prohibits metal siding
- stairs on side or in rear
- utilities have to be connected to an approved water/sewer system and cannot be metered separately
- no additional off street parking required
- requires a Certificate of Occupancy
- recommend adding a definition to the ordinance for Accessory Dwelling Units

What does planning commission want to do?

Benefits - ties into county goals on housing, city's master plan on housing, aging flats, expand housing without expanding infrastructure.

Cons - parking, privacy, turning into a rental, tax increase on property, matching character of neighborhood

Drouillard -need housing

Fox - changes zoning creating multi-family

Raymond - parents getting older and not wanting to put them in an assisted facility; downside is cannot control who lives there, may look like tiny homes and may not

finish to standards unless we have a strong set of standards. Set a strong set of standards.
Lauren clarified that the zoning district would not change. Reevaluate more specific standards then be specific as to what you want.
Building standards and materials.
Commissioner Ruhl - deal with only attached.
Chair Fox -some detached won't meet setbacks.
Lauren come back with detached and attached standards for comparison.
Interim Director Raymond suggested a well defined set of standards for ADUs
City Manager Coker said he has spoke with other municipalities that allow them and they have not seen a huge influx of them. They are expensive to build.

Moved by Sherri Tuckey
Seconded by Tammy Drouillard

Motion to table item until next meeting - would like more information.

Yes: Commissioner Barbara Hammond, Commissioner Rick Ruhl, Commissioner Sherri Tuckey, Commissioner Tammy Drouillard, Gina Nowak, and Board Member Jeremy Finn

Abstained: Chairman Bob Fox

MOTION CARRIED 6-0 on a recorded vote

8.4 Request for text amendment change to zoning ordinance

Interim Director Raymond - looking to see if planning commission would like to entertain the idea of planting being allowed in the right of way and if so, we will work with McKenna to see about standards. You have letters from the department heads and their concerns with this. From his standpoint, enforcement, it is going to cause a bigger workload and issue with what we have already been dealing with - obstructed views. It is going to require more monitoring and more enforcement. He understands they are looking for beautification and other things. Personally does not understand why it needs to be in the right of way when houses have yards. There are utilities and fiber optics planted in the right of way.

Commissioner Ruhl sees both sides.

Commissioner Tuckey asked if it could be looked into.

Interim Director Raymond - you can direct city staff and the city planner to look into and see what other communities are doing just to see how they are handling.

Commissioner Drouillard - need more information; owe it to the residents that showed up.

Commissioner Fox - just let commission know that right of way repair is messy

Commissioner Drouillard - need to look at both sides to be fair

Moved by Rick Ruhl

Seconded by Tammy Drouillard

Motion to approve consideration of right of way verbiage with further review from McKenna

Yes: Commissioner Barbara Hammond, Commissioner Rick Ruhl, Commissioner Sherri Tuckey, Commissioner Tammy Drouillard, Gina Nowak, and Board Member Jeremy Finn

Abstained: Chairman Bob Fox

MOTION CARRIED 6-0 on a recorded vote

8.5 Election of Officers

Commissioner Tuckey - suggest Bob Fox for Chair, Rick Ruhl for Vice Chair and Barb Hammond for Secretary.

Moved by Sherri Tuckey
Seconded by Gina Nowak

Motion to elect Bob Fox for Chairperson, Rick Ruhl for Vice Chairperson and Barb Hammond for Secretary for the Planning Commission for a 1-year term starting June 1, 2026.

Yes: Commissioner Barbara Hammond, Commissioner Rick Ruhl, Commissioner Sherri Tuckey, Commissioner Tammy Drouillard, Gina Nowak, and Board Member Jeremy Finn

Abstained: Chairman Bob Fox

MOTION CARRIED 6-0 on a recorded vote

9. PUBLIC COMMENT RE: ITEMS NOT ON THE AGENDA

Thank you for consideration of right of way verbiage.

10. REPORTS

10.1 Chairperson - there were none.

10.2 Director - there were none.

11. NEXT MEETING: JUNE 9TH, 2026

12. ADJOURNMENT

Moved by Rick Ruhl
Seconded by Barbara Hammond

Motion to adjourn 8:02 PM

MOTION CARRIED

Tecumseh Mission Statement

The Mission and Vision of the City of Tecumseh is to provide excellent services and **embrace change that enhances the quality of life**, encourages a strong economy, and **promotes a world class place to live, work and play.**

Timeless, Innovative, Inviting

Agenda Item #5.1.

As part of their [Pollinator Habitat Management Program](#), MDOT utilizes these native species to create sustainable, low-maintenance corridors that support pollinators, improve water quality, and reduce erosion. []

Key Initiatives and Practices:

- Pollinator Habitats: MDOT transforms unused land along highways and in medians into native wildflower and grass areas to support bees, butterflies, and birds. [1]
- Reduced Mowing: MDOT uses reduced mowing policies to protect established native plants and reduce costs. []
- Native Seeding Projects: Native species—including sunflowers, purple coneflowers, and native grasses—are planted at rest areas, welcome centers, and in "living snow fences". [1]
- Sustainable Infrastructure: Native plants are specifically used on steep slopes and difficult-to-mow areas for better stabilization compared to traditional turf grass. [1]

Benefits of Native Vegetation in MDOT Right-of-Way:

- Erosion Control: Deep-rooted native grasses prevent soil erosion and improve stormwater infiltration.
- Reduced Maintenance: Native plantings require less mowing, watering, and fertilizer.
- Pollinator Support: These areas serve as safe migratory corridors for threatened pollinators. [1, 2, 3]

Note: MDOT adheres to strict "clear zone" guidelines for safety, meaning that while native, shorter vegetation is encouraged near the road, woody vegetation is managed to ensure driver visibility. [1]

Agenda Item #5.1.



306 W. Logan, Tecumseh



Agenda Item #5.1.



606 W. Pottawatomie, Tecumseh



Ordinance Change Objections and Replies

A quick summary of the requested changes

1. Plants other than turf grass can be planted in the ROW.
2. Plants can grow to an average height of 36". Bushes are not allowed.

Summarized Objections and Replies

Keep in mind when reading the objections that there are impediments in the ROW. I have two telephone poles, guide wires, and I am **required** to put Steven's dumpsters in the ROW. Many have trees.

Objection: Monroe and Jackson are turf only.

Reply: Do we want to be a "Cool City" like Jackson, or do we want to be a **"world class place to live, work and play."** Ann Arbor and Saline both allow ROW gardens.

Objection: The fire hydrant will be hidden,

Reply: Do not allow plantings within six feet of a hydrant,

Objection: DPW and Utility operations in the ROW will be impeded

Reply: Keep the current language that the city will not be responsible for damage to the ROW. Anything in the way can be dug up, plant roots are not dense enough to deter utility digging.

Objection: Flowers will get in the way of firemen.

Reply: Please trample my tulips if there is an emergency, Impediments to ladders are not in the ROW but in bushes around the house. Sparks will not spread in a garden.

Objection: The gardens may look rough in the off season.

Reply: Beauty is subjective, I see sterile turf and people spraying to kill insects as not pretty,

Objection: Roots may invade the water lines

Reply: Tree roots are the worry, Flowers have deeper roots than turf, but much less than

Objection: M50 residents require state approval,

Reply: M50 is 2 miles. Tecumseh has 90 miles of roads.

Objection: Sightlines may be impeded,

Reply: At 36" maximum, sightlines will still be clear, If deemed necessary, corners could be lower,



Agenda Review Form

Planning Commission - June 09, 2026

- Informational
- Action / Follow Up
- Not Approved

Prepared For Planning Commission	Staff Contact Sonya Grubb, Development Services Coordinator
Date Submitted June 3, 2026	Department Building Services

Subject
Text amendment or elimination of ADUs Section 98-191 Attached accessory structures and 98-192 Detached accessory structures, 98-163, D-2, and 98-164 D-3

Summary

To amend the text in Section 98-191 regarding attached accessory structures that are to be dwelling units to meet the standards and requirements provided in table (a) and Section 98-192 regarding detached accessory structures to meet the standards and requirements provided in table (b)

Currently, the ordinance does not distinguish between non-dwelling accessory units and accessory dwelling units and contains conflicts in the standards for ADUs (such as dimensional and enforceability standards).

In Section 98-191, attached accessory structures would include the addition of a table for easy reference.

In Section 98-192, Detached accessory structures, would remove item (c)(1) and include the addition of a table for easy reference.

In addition, Sections 98-163, D-2 Edge, and 98-164, D-3 Downtown Residential, would refer to the new standards in 98-192.

A public hearing was held at the May 12, 2026, Planning Commission meeting regarding Accessory Dwelling Units. There were no comments from the public. However, commissioners were seeking clarification on what the guidelines would be for each type of dwelling unit - attached and detached. The item has been brought back to the planning commission for a formal decision.

Budgeted
No

Recommendation
The city has no recommendation on Accessory Dwelling Units.

Attachments

Agenda Item #7.1.

[Tecumseh ADU ZO Text Amendment Memo 4-7-2026](#)
[Tecumseh ADU Memo June 1, 2026](#)

Brett Coker, City Manager
Sonya Grubb

Approved - 03 Jun 2026
Approved - 03 Jun 2026



MCKENNA

Memorandum

TO: City of Tecumseh Planning Commission
FROM: Lauren Sayre, AICP
Emily Huhman, AICP
SUBJECT: Revisions to Zoning Ordinance - Section 98-191 and 98-192 Accessory Structures and Accessory Dwelling Units
DATE: April 7, 2026

BACKGROUND

Purpose of the Proposed Amendments

The proposed revisions to Sec. 98-191 (Attached Accessory Structures) and Sec. 98-192 (Detached Accessory Structures) are intended to:

- Clearly distinguish non-dwelling accessory structures from Accessory Dwelling Units (ADUs)
- Consolidate and clarify standards that currently regulate ADUs indirectly
- Reduce conflicts between housing uses and dimensional standards designed for sheds or garages
- Establish predictable, enforceable standards for ADUs in residential and downtown districts

The proposed amendments represent a significant improvement in clarity, enforceability, and alignment with modern zoning practice.

The remaining questions before the Planning Commission are policy choices. Direction from the Commission on the discussion items noted above will allow staff to finalize a clear, defensible ADU framework.

PROPOSED CHANGES

We propose replacing the existing Section 98-191 and Section 98-192 with the following. Please note that **blue** text indicates added language. **Red** text indicates removed language.

Sec. 98-191. - Attached accessory structures.

(a). Accessory Structures (Non-Dwelling).

(1) *Lot coverage and setback.* Where the accessory structure is attached to a main building, it shall be considered a part of the main building and shall be subject to the area, lot coverage and setback regulations of this Ordinance applicable to main buildings.

(2) *Determination of attachment.* For the purpose of determining lot coverage and setback, an accessory structure located within ten feet of a main building shall be considered "attached."

(3) *Height.* The maximum height for attached accessory structures shall be the maximum height permitted in the zoning district or the height of the principal structure, whichever is less.

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(a) *Accessory Dwelling Units (ADUs). The following table provides the requirements for attached accessory dwelling units (ADUs).*

Standard	Requirement
<i>ADUs Permitted.</i>	<ul style="list-style-type: none"> Attached Accessory Dwelling Units shall only apply within the RA-1, RA-2 zoning districts. One (1) Accessory Dwelling Unit is permitted per parcel
<i>Ownership and occupancy.</i>	Ownership of the ADU shall remain with the owner of the property. In no case may the owner of the property divide ownership rights between the principal and accessory dwelling units through a land division, condominium, or other means.
<i>Location and setbacks.</i>	Attached ADUs must meet the lot dimensions and setbacks of the corresponding zoning district for the principal structure.
<i>Height.</i>	ADUs attached to the principal structure shall comply with the height standards for the zoning district.
<i>Minimum Floor Area</i>	All ADUs must conform to Michigan Building Code requirements for minimum floor area for dwelling units.
<i>Maximum Floor Area</i>	<ul style="list-style-type: none"> Attached ADUs shall not exceed 50% of the gross floor area of the principal structure. In no cases shall attached ADUs exceed 800 square feet in size. Space dedicated primarily to storage, or the parking of vehicles, within the same building as an ADU, shall not count towards the maximum dwelling unit size of an ADU.
<i>Entry and Design.</i>	<ul style="list-style-type: none"> The primary entry, and any associated external staircases, for an attached unit shall be placed at the side or rear of the principal structure. An attached ADU shall be designed to maintain the appearance of the principal structure. ADUs shall be designed of high-quality, natural materials. Metal siding shall not be permitted as a primary building material.
<i>Utilities.</i>	An ADU shall be connected to an approved water and sewer system. However, utilities for the ADU shall not be metered separately from the principal structure.
<i>Parking.</i>	Additional off-street parking is not required for ADUs.
<i>Requirements for Occupancy.</i>	The following shall be required prior to occupancy of an ADU: <ul style="list-style-type: none"> Building Permit Certificate of Occupancy

Sec. 98-192. - Detached accessory structures.

(a) *Accessory Structures (Non-Dwelling)*

(1). *Location and setbacks.* A structure accessory to any building shall only be erected in a side or rear yard.

a. *Side yard structures.* If the accessory building or structure is erected in a side yard, it must conform to the all yard regulations of this chapter applicable to main buildings.

b. *Rear yard structures.* A detached structure accessory to a residential building located in the rear yard shall not be located closer than ten (10) feet to any principal building nor shall it be located closer than six (6) feet to any side or rear yard. However, if the detached building accessory to a residential building is two hundred (200) square feet or less it may be located one foot from any lot line. In those instances where the rear lot line is conterminous with an alley right-of-way, the accessory building shall be no closer than one (1) foot to such rear lot line.



(2). *Accessory structure lot coverage in residential districts.*

- a. The combined lot coverage of all detached structures shall not exceed **fifty percent (50%)** of a rear yard area or the ground floor living area of the principal building, whichever is less.
- b. Each property may have one shed not to exceed eighty (80) square feet that is exempt from the accessory structure lot coverage calculations.
- c. On a corner lot, all of the land to the rear of the house, including the side yard abutting the street, may be used in the computation of percent of lot coverage for accessory structures.
- d. In no case shall an accessory structure be located in the front yard.

(3) *Height.* In residential districts buildings may be constructed to equal the permitted maximum height of structures in such districts, subject to board of appeals review and approval, when such structures exceed two (2) stories in height. In nonresidential districts, buildings or structures accessory to residences shall not exceed the height limits for accessory buildings or structures required in residential districts.

~~a. Residential accessory structures. No detached building or structure accessory to a residential dwelling unit or group of dwelling units may exceed one story or fourteen (14) feet in height provided that a detached accessory building may be constructed not to exceed one and one-half (1½) stories or sixteen (16) feet in height on those properties occupied with two-story dwellings and where fifty percent (50%) of all properties within two hundred (200) feet of such property are occupied with two-story dwellings. In those instances, where an accessory building or structure exceeds fourteen (14) feet in height, side and rear setbacks shall be increased one (1) foot for each two (2) feet or height in excess of fourteen (14) feet of height.~~

(b). Accessory Dwelling Units (ADUs). The following table provides the requirements for detached accessory dwelling units (ADUs).

Standard	Requirement
<i>ADUs Permitted.</i>	<ul style="list-style-type: none"> • Detached ADUs shall only apply within the RA-1, RA-2, D-2, and D-3 zoning districts. • One (1) ADU is permitted per parcel. • Mobile homes, recreational vehicles, and travel trailers shall not be used as ADUs.
<i>Ownership and occupancy.</i>	Ownership of the ADU shall remain with the owner of the property. In no case may the owner of the property divide ownership rights between the principal and accessory dwelling units through a land division, condominium, or other means.
<i>Location and setbacks.</i>	<ul style="list-style-type: none"> • ADUs shall not be located in the front yard of any parcel. • ADUs shall be located no closer than ten (10) feet from the property line in side and rear yards.
<i>Height, RA-1, RA-2.</i>	<ul style="list-style-type: none"> • A single-story accessory structure featuring an ADU shall not exceed a height of sixteen (16) feet. • An accessory structure featuring an ADU on the second floor shall not exceed a height of twenty-four (24) feet from grade. • In no case shall the height of a detached ADU exceed the height of the principal structure.
<i>Height, D-2, D-3.</i>	<ul style="list-style-type: none"> • An accessory structure featuring an ADU on the second floor shall not exceed a height of twenty-four (24) feet . • In no case shall the height of a detached ADU exceed the height of the principal building.



Standard	Requirement
<i>Minimum Floor Area</i>	All ADUs must conform to Michigan Building Code requirements for minimum floor area for dwelling units.
<i>Maximum Floor Area</i>	<ul style="list-style-type: none"> • Detached ADUs shall not exceed 50% of the gross floor area of the principal structure. • In no cases shall attached ADUs exceed 800 square feet in size. • Space dedicated primarily to storage, or the parking of vehicles, within the same building as an ADU, shall not count towards the maximum dwelling unit size of an ADU.
<i>Entry and Design.</i>	<ul style="list-style-type: none"> • The primary entry for a detached ADU shall be oriented towards the front or interior of the lot. This standard does not apply to side street lot lines or rear lot lines with alley access. • No rooftop or second-story decks are permitted on a detached ADU unless oriented towards the interior of the lot and designed to limit visibility from properties sharing a common side or rear lot line. This standard does not apply to side street lot lines or rear lot lines with alley access. • Detached ADUs in all Zoning Districts shall be designed to maintain the appearance of the principal structure. • Detached ADU in D-2 and D-3 Downtown Districts must comply with design standards and requirements of Section 98-166. • ADUs shall be designed of high-quality, natural materials. Metal siding shall not be permitted as a primary building material.
<i>Utilities.</i>	An ADU shall be connected to an approved water and sewer system. However, utilities for the ADU shall not be metered separately from the principal structure.
<i>Parking.</i>	Additional off-street parking is not required for ADUs.
<i>Requirements for Occupancy.</i>	The following shall be required prior to occupancy of an ADU: <ul style="list-style-type: none"> • Building Permit • Certificate of Occupancy

Sec. 98-292. – Definitions, A, B

We recommend adding the following definition to Section 98-292.

- (b) **Accessory dwelling unit.** Additional living quarters on an existing single-family lot that are independent of the primary dwelling unit and are equipped with separate kitchen and bathroom facilities. Accessory dwelling units can be attached or detached from the primary dwelling unit.

ADDITIONAL REFERENCES

We also recommend adding a cross-reference in Sections 98-163. - D-2 Downtown Edge & 98-164. - D-3 Downtown Residential to refer to the new standards in 98-192. – Detached Accessory Structures.



MCKENNA

Memorandum

TO: Sonya Grubb, Brad Raymond
FROM: Lauren Sayre
 Emily Huhman
SUBJECT: Background Information for Discussion on Accessory Dwelling Units
DATE: June 1, 2026

The purpose of this memorandum is to provide information on accessory dwelling units (ADUs) and potential benefits and drawbacks to permitting them in your zoning ordinance. It also offers information on regulatory frameworks in place in other communities throughout the State that may help address potential drawbacks for allowing ADUs. These regulatory considerations frame the draft zoning ordinance text amendment language provided in the separate memorandum for your consideration.

WHAT ARE ACCESSORY DWELLING UNITS?

ADUs are smaller, secondary dwelling units that can be attached to or detached from the principal home. Attached and detached ADUs can take several forms, as shown the graphic and photo examples below:



ADUs can take several forms - both attached and detached.



Example of an attached ADU.



Example of a detached ADU.

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Often referred to as “granny flats” or “mother-in-law suites”, these types of housing units have grown in popularity as an option for aging relatives who would like to live close to family, young adults staying with their parents, and other multi-generational living arrangements. Some homeowners have also rented an ADU on their property to add extra income, improving the affordability of their own housing.

DETACHED ADU CONSIDERATIONS

Category	PROs: Why a city may allow them	CONs: Why a city may restrict them
Housing Supply	Adds gentle density without large-scale redevelopment; helps address housing shortages	Incremental growth can strain housing planning if not tracked or capped
Affordability	Creates smaller, more affordable housing options; supports workforce housing	May still rent at market rates, limiting true affordability benefits
Neighborhood Character	Maintains single-family appearance more than duplexes or apartments	Can alter low-density character if widely adopted (more buildings per lot)
Property Tax Revenue	Increases taxable value of properties without major infrastructure investment	Requires administrative oversight (permitting, inspections)
Infrastructure Demand	Less intensive than large developments; uses existing roads/utilities	Cumulative impacts (parking, sewer, water) can strain systems over time
Flexibility for Residents	Supports aging in place, multigenerational living, and local workforce housing	Harder to regulate long-term vs short-term rentals if not addressed in code (if that sort of regulation is desired)
Economic Development	Supports small-scale investment by homeowners; local construction activity	Limited direct economic impact compared to larger developments
Land Use Efficiency	Makes better use of underutilized residential lots	Reduces open space/backyard area, potentially impacting stormwater or green space goals
Public Perception	Often more acceptable than apartments (“hidden density”)	Potential neighborhood opposition/privacy concerns

BUILDING MATERIALS

While we believe that the current draft provisions, which require an ADU to match the principal residence in appearance, would address any concerns over visual inconsistencies. Additional material specifications could include any of the following:

- Only allowing neutral tones (whites, grey, beige, etc) or earth tones (red, brown, tan, etc)
- Only allowing materials such as vinyl siding, wood, fiber cement, brick, stone.

PROPOSED CHANGES

We propose replacing the existing Section 98-191 and Section 98-192 with the following. Please note that blue text indicates added language. Red text indicates removed language.



Sec. 98-191. - Attached accessory structures.

(a). Accessory Structures (Non-Dwelling).

(1) *Lot coverage and setback.* Where the accessory structure is attached to a main building, it shall be considered a part of the main building and shall be subject to the area, lot coverage and setback regulations of this Ordinance applicable to main buildings.

(2) *Determination of attachment.* For the purpose of determining lot coverage and setback, an accessory structure located within ten feet of a main building shall be considered "attached."

(3) *Height.* The maximum height for attached accessory structures shall be the maximum height permitted in the zoning district or the height of the principal structure, whichever is less.

(a) Accessory Dwelling Units (ADUs). The following table provides the requirements for attached accessory dwelling units (ADUs).

Standard	Requirement
<i>ADUs Permitted.</i>	<ul style="list-style-type: none"> Attached Accessory Dwelling Units shall only apply within the RA-1, RA-2 zoning districts. One (1) Accessory Dwelling Unit is permitted per parcel
<i>Ownership and occupancy.</i>	Ownership of the ADU shall remain with the owner of the property. In no case may the owner of the property divide ownership rights between the principal and accessory dwelling units through a land division, condominium, or other means.
<i>Location and setbacks.</i>	Attached ADUs must meet the lot dimensions and setbacks of the corresponding zoning district for the principal structure.
<i>Height.</i>	ADUs attached to the principal structure shall comply with the height standards for the zoning district.
<i>Minimum Floor Area</i>	All ADUs must conform to Michigan Building Code requirements for minimum floor area for dwelling units.
<i>Maximum Floor Area</i>	<ul style="list-style-type: none"> Attached ADUs shall not exceed 50% of the gross floor area of the principal structure. In no cases shall attached ADUs exceed 800 square feet in size. Space dedicated primarily to storage, or the parking of vehicles, within the same building as an ADU, shall not count towards the maximum dwelling unit size of an ADU.
<i>Entry and Design.</i>	<ul style="list-style-type: none"> The primary entry, and any associated external staircases, for an attached unit shall be placed at the side or rear of the principal structure. An attached ADU shall be designed to maintain the appearance of the principal structure. ADUs shall be designed of high-quality, natural materials. Metal siding shall not be permitted as a primary building material.
<i>Utilities.</i>	An ADU shall be connected to an approved water and sewer system. However, utilities for the ADU shall not be metered separately from the principal structure.
<i>Parking.</i>	Additional off-street parking is not required for ADUs.
<i>Requirements for Occupancy.</i>	The following shall be required prior to occupancy of an ADU: <ul style="list-style-type: none"> Building Permit Certificate of Occupancy



Sec. 98-192. - Detached accessory structures.

(a). Accessory Structures (Non-Dwelling)

(1). *Location and setbacks.* A structure accessory to any building shall only be erected in a side or rear yard.

a. *Side yard structures.* If the accessory building or structure is erected in a side yard, it must conform to the all yard regulations of this chapter applicable to main buildings.

b. *Rear yard structures.* A detached structure accessory to a residential building located in the rear yard shall not be located closer than ten (10) feet to any principal building nor shall it be located closer than six (6) feet to any side or rear yard. However, if the detached building accessory to a residential building is two hundred (200) square feet or less it may be located one foot from any lot line. In those instances where the rear lot line is conterminous with an alley right-of-way, the accessory building shall be no closer than one (1) foot to such rear lot line.

(2). *Accessory structure lot coverage in residential districts.*

a. The combined lot coverage of all detached structures shall not exceed **fifty percent (50%)** of a rear yard area or the ground floor living area of the principal building, whichever is less.

b. Each property may have one shed not to exceed eighty (80) square feet that is exempt from the accessory structure lot coverage calculations.

c. On a corner lot, all of the land to the rear of the house, including the side yard abutting the street, may be used in the computation of percent of lot coverage for accessory structures.

d. In no case shall an accessory structure be located in the front yard.

(3) *Height.* In residential districts buildings may be constructed to equal the permitted maximum height of structures in such districts, subject to board of appeals review and approval, when such structures exceed two (2) stories in height. In nonresidential districts, buildings or structures accessory to residences shall not exceed the height limits for accessory buildings or structures required in residential districts.

a. **Accessory structures in residential districts.** No detached building or structure accessory to a residential dwelling unit or group of dwelling units may exceed one story or fourteen (14) feet in height provided that a detached accessory building may be constructed not to exceed one and one-half (1½) stories or sixteen (16) feet in height on those properties occupied with two-story dwellings and where fifty percent (50%) of all properties within two hundred (200) feet of such property are occupied with two-story dwellings. In those instances, where an accessory building or structure exceeds fourteen (14) feet in height, side and rear setbacks shall be increased one (1) foot for each two (2) feet or height in excess of fourteen (14) feet of height. **This subsection does not apply to accessory dwelling units (ADUs).**

(b). Accessory Dwelling Units (ADUs). *The following table provides the requirements for detached accessory dwelling units (ADUs).*



Standard	Requirement
<i>ADUs Permitted.</i>	<ul style="list-style-type: none"> • Detached ADUs shall only apply within the RA-1, RA-2, D-2, and D-3 zoning districts. • One (1) ADU is permitted per parcel. • Mobile homes, recreational vehicles, and travel trailers shall not be used as ADUs.
<i>Ownership and occupancy.</i>	Ownership of the ADU shall remain with the owner of the property. In no case may the owner of the property divide ownership rights between the principal and accessory dwelling units through a land division, condominium, or other means.
<i>Location and setbacks.</i>	<ul style="list-style-type: none"> • ADUs shall not be located in the front yard of any parcel. • ADUs shall be located no closer than ten (10) feet from the property line in side and rear yards.
<i>Height, RA-1, RA-2.</i>	<ul style="list-style-type: none"> • A single-story accessory structure featuring an ADU shall not exceed a height of sixteen (16) feet. • An accessory structure featuring an ADU on the second floor shall not exceed a height of twenty-four (24) feet from grade. • In no case shall the height of a detached ADU exceed the height of the principal structure.
<i>Height, D-2, D-3.</i>	<ul style="list-style-type: none"> • An accessory structure featuring an ADU on the second floor shall not exceed a height of twenty-four (24) feet . • In no case shall the height of a detached ADU exceed the height of the principal building.
<i>Minimum Floor Area</i>	All ADUs must conform to Michigan Building Code requirements for minimum floor area for dwelling units.
<i>Maximum Floor Area</i>	<ul style="list-style-type: none"> • Detached ADUs shall not exceed 50% of the gross floor area of the principal structure. • In no cases shall attached ADUs exceed 800 square feet in size. • Space dedicated primarily to storage, or the parking of vehicles, within the same building as an ADU, shall not count towards the maximum dwelling unit size of an ADU.
<i>Entry and Design.</i>	<ul style="list-style-type: none"> • The primary entry for a detached ADU shall be oriented towards the front or interior of the lot. This standard does not apply to side street lot lines or rear lot lines with alley access. • No rooftop or second-story decks are permitted on a detached ADU unless oriented towards the interior of the lot and designed to limit visibility from properties sharing a common side or rear lot line. This standard does not apply to side street lot lines or rear lot lines with alley access. • Detached ADUs in all Zoning Districts shall be designed to maintain the appearance of the principal structure. • Detached ADU in D-2 and D-3 Downtown Districts must comply with design standards and requirements of Section 98-166. • ADUs shall be designed of high-quality, natural materials. Metal siding shall not be permitted as a primary building material.
<i>Utilities.</i>	An ADU shall be connected to an approved water and sewer system. However, utilities for the ADU shall not be metered separately from the principal structure.
<i>Parking.</i>	Additional off-street parking is not required for ADUs.
<i>Requirements for Occupancy.</i>	<p>The following shall be required prior to occupancy of an ADU:</p> <ul style="list-style-type: none"> • Building Permit • Certificate of Occupancy



Sec. 98-292. – Definitions, A, B

We recommend adding the following definition to Section 98-292.

- (b) **Accessory dwelling unit.** Additional living quarters on an existing single-family lot that are independent of the primary dwelling unit and are equipped with separate kitchen and bathroom facilities. Accessory dwelling units can be attached or detached from the primary dwelling unit.

ADDITIONAL REFERENCES

We also recommend adding a cross-reference in Sections 98-163. - D-2 Downtown Edge & 98-164. - D-3 Downtown Residential to refer to the new standards in 98-192. – Detached Accessory Structures.



Agenda Review Form

Planning Commission - June 09, 2026

- Informational
- Action / Follow Up
- Not Approved

Prepared For Planning Commission	Staff Contact Sonya Grubb, Development Services Coordinator
Date Submitted June 3, 2026	Department Building Services

Subject
Request for text amendment change to zoning ordinance

Summary

Two residents, Tony Menyhart and Lee Walsh, submitted an application to have Zoning ordinance Section 98-260, Right of Way Landscaping, changed to allow items other than lawn grasses to be planted in the right of way.

At the May 12, 2026, Planning Commission meeting, this item was tabled until the June 9, 2026, meeting to obtain further information on how plantings other than grass in the right of way might be addressed.

Attachments for city department heads are attached and a letter from the city building department.

Budgeted
No

Recommendation
To disapprove as the city has no viable way of enforcing this.

Attachments

- [Menyhart right of way letter](#)
- [dpw letter row](#)
- [Plantings in the Right of Way - treasurer](#)
- [City ROW letter - police](#)
- [Letter RE ROW Planting](#)
- [ROW Plantings - FIRE](#)
- [row utilities](#)
- [Building Department Review - row plantings](#)
- [ROW Plantings - McKenna review](#)

Agenda Item #7.2.

Brett Coker, City Manager
Sonya Grubb

Approved - 03 Jun 2026
Approved - 03 Jun 2026

Agenda Item #7.2.

To: Ed Engle

Re: Request to amend City ordinances concerning gardening in the street right-of-way

From: Tony Menyhart, Lee Walsh

Date: April 6, 2026

Introduction

This is an appeal to change the City ordinances that pertain to Right of Way (ROW) use. Unlike the usual appeals to the Planning Commission for relief for an individual property, however, these changes are being proposed to benefit the entire community. Our intention is to match existing ordinances more closely to the City Master Plan and to implement data from the Great Lakes Restoration Initiative grant recently received by the City for stormwater improvement.

The recommended changes are presented by Lee Walsh, Advanced Master Gardener and Master Rain Gardener, and Tony Menyhart. Both are city residents and members of ReTree Tecumseh, a group of volunteers who have planted more than 300 trees to improve the environment of our city.

Goal 1

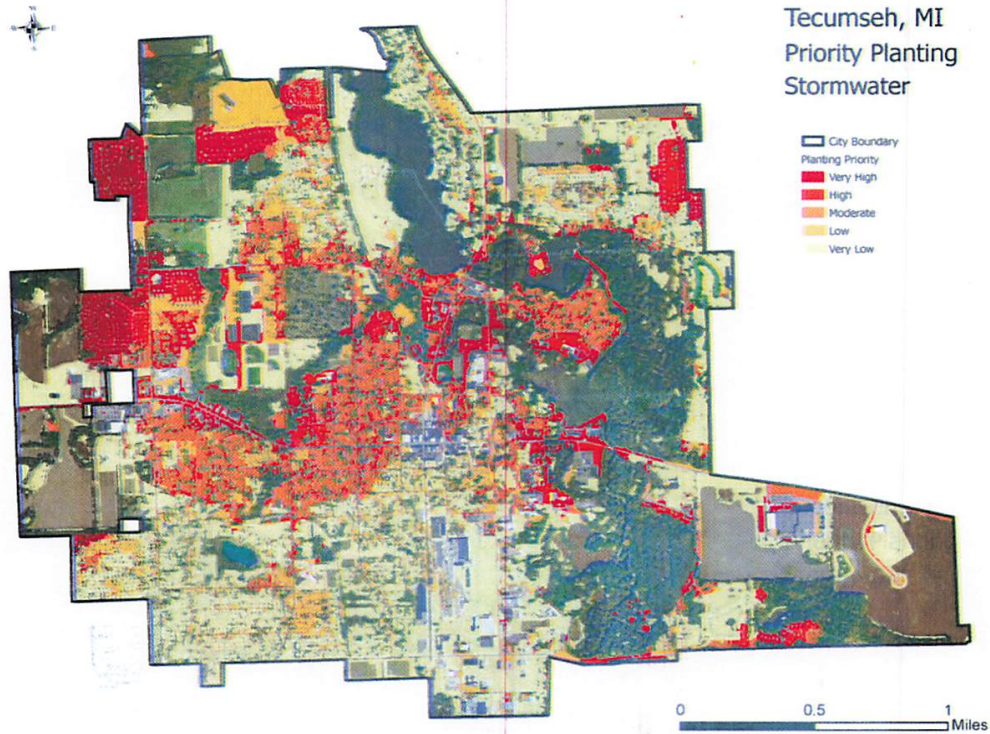
The City of Tecumseh Master Plan of 1990 states that the main way to keep up the appearance and value of properties is when owners take pride in their properties. Flower gardens and vegetable gardens are displays that homeowners like to work on, and which visitors also enjoy.

"Private action to achieve adequate maintenance and improvement of existing properties can best be accomplished through individual and neighborhood pride, and through pressures of public opinion. . . . Through its action, the City should continue to demonstrate an awareness of the need to improve neighborhoods." —City of Tecumseh Master Plan, Vilican-Leman & Associates, Inc., 1990.

Goal 2

To improve stormwater management city-wide by allowing and encouraging residents to create rain gardens in the ROW. Although any type of garden cultivation in the ROW would assist in this goal, rain gardens specifically are a proven means of capturing and retaining storm water to alleviate flooding, filter out pollution, and allow gradual absorption.

In the below image, high-priority areas for stormwater remediation are shown in red and orange. The River Raisin Watershed Council plans to implement a program promoting rain gardens in high-priority neighborhoods in spring 2026. It would be appropriate to allow those gardens to be sited in the ROW.



Source: <https://riverraisincanopy.weebly.com/city-of-tecumseh.html>

Relevant Ordinances

<https://library.municode.com/mi/tecumseh/>

These appear to be the relevant ordinances related to gardening in the ROW:

Sec. 86-33 (d): Lawn extension & city street right-of-way. The owner of every parcel of land is responsible for grading, planting, mowing, and raking the extension or city street right-of-way (ROW) so that it is covered with turf grass or suitable vegetation with an average height not in excess of six inches. The city shall not be liable for damage to any vegetation planted, or to any property or fixtures placed, in or upon the lawn extension or the city right-of-way that results from work performed by the city in the lawn extension or right-of-way.

Sec. 98-260 (d): Groundcover plantings within street rights-of-way. Street rights-of-way shall be irrigated and sodded with lawn grasses.

Sec. 98-262 (c)(2): Alternative lawn landscaping shall not be permitted in any road rights-of-way without the written permission of the Development Services Director.

Rationale

Gardening on the ROW is well-established in many cities larger than Tecumseh, including Ann Arbor, where city officials and residents have worked together to craft ordinances that maintain high standards of appearance while also allowing personal expression.

In Tecumseh's code, asking the homeowner to apply for an exception, then have an administrator rule on it, is a burden on both parties. Considering that residents are required by law to maintain the ROW, we believe the City should adopt updated policies that allow residents to plant suitable species of their own choosing that adhere to specific guidelines and maintain clear sight lines at intersections.

Here are some guidelines for ROW gardens taken from Ann Arbor city code:

- **Height Restrictions:** Turf grass must be under 12 inches; other ground cover vegetation (seasonal flowers, native plants, perennials) should average under 36 inches.
- **Visibility Standards:** Plants cannot create a hazard or block views for drivers, especially at intersections (sight triangles).
- **Materials:** Allowed materials include grass, biodegradable mulch, and native/ornamental plants.
- **Prohibited Items:** Stone, aggregate, or permanent irrigation systems are not allowed.
- **Utility Access:** Plantings must allow full access to fire hydrants and utility systems.
- **Damage Risk:** The city is not liable for damage to private, unauthorized plantings in the right-of-way caused by city maintenance work.

Please work with us or use the above Ann Arbor code to create similar ordinances that allow gardening in the ROW in Tecumseh, for the improvement of all our neighborhoods. Thank you for your consideration.

Sincerely,

Tony Menyhart
Lee Walsh

Agenda Item #7.2.

I am writing to formally recommend the prohibition of plantings within the public right-of-way (ROW).

Plantings in the ROW creates a number of operational, safety, and liability concerns for the Department of Public Works.

- Plantings in the ROW can obstruct critical infrastructure maintenance. DPW crews require unobstructed access to sidewalks, curbs, and roadways for routine maintenance and emergency repairs.
- From an operational standpoint, ROW plantings complicate routine services such as mowing, leaf collection, and snow removal. Crews must either work around these obstructions or risk damaging private plantings, which often leads to resident complaints and disputes.

For these reasons, I would not recommend any changes to the city's current ordinance regulating ROW vegetation.

TROY R. HRBACH (5-5-2026)



To: Sonya Grubb, Building Department
From: Rachel Peters, Treasurer
Date: May 5, 2026
Regarding: Plantings in the Right of Way

In regards to the ordinance Section 86-33:

Lawn extension and city street right-of-way. The owner of every parcel of land is responsible for grading, planting, mowing and raking the extension or city street right-of-way so that it is covered with turf grass or suitable vegetation with an average height not in excess of six inches. The city shall not be liable for damage to any vegetation planted, or to any property or fixtures placed, in or upon the lawn extension or the city right-of-way that results from work performed by the city in the lawn extension or right-of-way.

From my perspective in dealings between myself (and front office staff) with City residents, I believe the above ordinance to be fair. This is for the following reasons:

- When sidewalks are repaired and other infrastructure activities take place, we have at least a few complaints that something the resident placed in the right-of-way was damaged or disturbed. The above ordinance not only limits the landscaping done in the right-of-way, it also adds the disclaimer of the City's liability.
- Unfortunately, while some maintain their plantings, others do not. This results in unsightly weeds and over-growth. We receive complaints in the front office from **both** those that want to plant more in the right-of-way, **and** neighbors of those that don't properly maintain what they have. As a result, the ordinance must limit right-of-way plantings for everyone to avoid the overgrowth aspect.
- Finally, as a resident of the City, I find it very important that we have a good site-line while driving. Unsuitably tall plantings in the right-of-way make it difficult to see when backing out of driveways, turning onto adjoining streets, etc.

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TECUMSEH POLICE DEPARTMENT

Jeff Wright, Chief of Police

To: Sonya Grubb
From: Jeff Wright / Chief of Police
Ref: Gardening in the City ROW

Sonya,

As the Chief of Police, my duties are to maintain safe effect roadways. Gardening in the City Right of Way has the great potential to limit the line of sight for motorists, therefore, potentially causing a safety concern for those motorists. I am not opposed to this; however, I believe the height restrictions should be limited to 12 inches for ALL vegetation, regardless of the type planted.

I know that we have had safety concerns in the past with the Re-Tree program, planting trees in the city ROW and the leaves/branches causing line of sight problems for motorists at intersections. I personally have asked the DPW to trim branches on a few of the new trees that were planted in the city ROW for this same issue of safety. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Wright".

Jeff Wright
Chief of Police



May 5, 2026

RE: ROW Planting

While not a resident of the City, I have researched the subject of ROW plantings in other communities, and I have had conversations with MDOT regarding the ROW.

Research Findings: There are some communities that allow planting of garden/flowering plants in the ROW, and some that do not.

- Some of those communities allow only trees (Adrian).
- Some communities like Ann Arbor and Saline have ordinances that are very specific in how tall something can grow and even what type of plant can be planted, and both require permits. With specific types of plants, it seems like you would almost need a botanist on staff to monitor and affirm what is being planted/grown. Additionally, ordinance enforcement would be necessary, which is already highly criticized by residents. As someone who gardens, plants need to be maintained after bloom, whether that's pulling stalks, cutting back, or deadheading. If these are not done, you're left with the appearance of an unkempt area that just looks like dead weeds. Not everyone is going to be this diligent in appearance. As a front office staff person, we receive endless comments on how beautiful our community is. It would be nice to keep it that way.
- Some communities, like Jackson County, forbid planting in the ROW noting that the ROW is strictly for public safety and infrastructure.
- MDOT prefers ROWs be kept clear of "clutter." I know this firsthand as the individual that spoke with MDOT when the issue regarding sports signs was

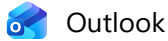
Agenda Item #7.2.

addressed. While that conversation was related to signage, the overall message was that the state has taken measures over the last several years to clean up and maintain ROWs on state highways. So how do you offer planting to some residents, but not those on the Boulevard?

Personally, I garden at my residence in Blissfield, and I enjoy my gardens and flower beds without them being planted in the ROW.

Professionally, based on the complaints we receive in the front office and my research, I would prefer to see the City maintain that ROW planting is limited to trees only planted by the City.

Tonya A Miller, City Clerk



ROW Plantings

From Scot Long <slong@tecumsehmi.gov>
Date Tue 5/5/2026 11:09 AM
To Sonya Grubb <sgrubb@tecumsehmi.gov>

Sonya,

I have a few concerns regarding planting in the 'right of way'.

1. If allowed on corner lost would this cause a sight path obstruction and possibly cause an increase in motor vehicle crashes? I would definitely need more information in regards to this.
2. What provisions in said ordinance shall be enforced to be sure that none of the approximately 475 fire hydrants throughout the city in the 'right of way' are not obstructed?
3. I did a drive by of 306 W. Logan St. which I think would look similar to what is being proposed. To say this would make firefighting operations difficult would be an understatement. Stretching hose through obstructions, attempting to set up ladders, and simply walking with urgency is cause for concern from our perspective.
4. Lastly and most importantly, we regularly roll patient cots across the right of way due to obstructions, multiple vehicles in the driveway, or simply because it is the quickest way from point A to point B as the ambulance regularly parks in the road. Moving a cot across a ROW that would look similar to 306 W. Logan is beyond difficult, it would be an utter impossibility. For this reason alone I would not be a proponent of this change as we run over 1000 medical related calls per year.

Chief Scot Long

Fire Chief

Email: Slong@tecumsehmi.gov

Phone: 517-423-2107 ext. 301



City of Tecumseh

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May 5, 2026

UTILITIES DEPARTMENT ROW (Right Of Way) Stance

The Utilities Department is opposed to changing the city ordinance regarding ROW for the following reasons:

- Several ROW in town contains: city water mains, valve boxes, curb boxes, and hydrants.
- Several ROW in town contain city sewer mains. Planting near or above sewer mains runs the risk of root systems infiltrating the mains which could cause blockage and backups.
- All city water services and shut offs (curb and valve boxes) are located within the city ROW. Quite often city crews have to dig up water services for repair, any obstruction could potentially delay or hinder these services.
- Obstructions could also be a safety issue, creating blind spots at corners and obscure fire hydrants from emergency responders.
- If the city does entertain the idea of changing the ordinance, we request adding language that the city will not be responsible for replacement/reconstruction of landscaping.

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Agenda Item #7.2.

Building Department Review

- Photos supplied by McKenna do not show plants in Right-of-Ways
- In the city, 25% of a front yard and 50% of the rear and side yards of residential homes are allowed to be planted
- Right of way plantings would require a permit
- Maintenance would require removal of all dead, diseased and dying plants
- Must be able to contain growth and spread of items planted to encroach over sidewalks, curbs or other residents' yards
- Rain barrels and compost bins must be located in side or rear yards
- Historic District would be subject to HPC approval
- Enforcement would be left to the development services director and the enforcement officer of which neither have the background for addressing native plants
- The City of Tecumseh is not the City of Ann Arbor or Ypsilanti – our ordinances are not the same
- Clear vision at a height that does not interfere with children, handicap individuals in wheel chairs, individuals with strollers, etc. should always be attainable
- The city would have to potentially hire an individual to enforce these plantings
- Planning commission would have to develop very detailed and decisive language

The city staff letters are again attached. And the city does not see a viable solution for **enforcing** plantings in the right of way. After much discussion amongst staff, we do not have the funds, capability or expertise to monitor right-of-way plantings.



MCKENNA

Memorandum

TO: City of Tecumseh Planning Commission
FROM: Lauren Sayre, AICP – City Planner
 Paige Smith, NCI – Assistant Planner
SUBJECT: **Right-of-Way Landscaping Ordinance Amendment for Discussion**
DATE: June 1, 2026

We have prepared this memorandum to provide research on alternative lawn landscaping within the Right-of-Way. The Planning Commission should consider whether they would like Planning Staff to return with proposed ordinance language or, after reviewing the materials provided by Planning Staff, City Department Heads, and residents petitioning for an amendment, determine whether to proceed with exploring a potential ordinance amendment.

If the Commission wishes to move forward, we would request direction regarding what specific elements should be included in the proposed amendment.



Rain Garden, Ann Arbor, MI



Pollinator Garden, MI



Garden Beds, Plymouth, MI



Non-grass landscaping

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TECUMSEH'S CURRENT ZONING ORDINANCE

ROW Landscaping

<p>Regulatory Code</p>	<p>Section 86-33(d). Lawn extension and city street right-of-way. The owner of every parcel of land is responsible for grading, planting, mowing and raking the extension or city street right-of-way so that it is covered with turf grass or suitable vegetation with an average height not in excess of six inches. The city shall not be liable for damage to any vegetation planted, or to any property or fixtures placed, in or upon the lawn extension or the city right-of-way that results from work performed by the city in the lawn extension or right-of-way.</p>
<p>Zoning Ordinance</p>	<p>Section 98-260(d) Groundcover plantings within street rights-of-way. Street rights-of-way shall be irrigated and sodded with lawn grasses.</p> <p>Section 98-260(e) Maintenance of right-of-way landscaping. Right-of-way landscaping shall be maintained by the owner of the abutting lot(s), including any irrigation of the right-of-way.</p> <p>Section 98-260(f). Corner clearance. Right-of-way landscaping shall comply with the corner clearance requirements of Sec. 98-205.</p> <p>Section 98-262(c)(2). Alternative lawn landscaping shall not be permitted in any road rights-of-way without the written permission of the Development Services Director.</p>

Alternative Lawn Landscaping Standards

Sec. 98-262 provides the standards for alternative landscaping for yards. These standards are summarized in the table below.

Standard	Summary
Permitted Plant Materials	<ul style="list-style-type: none"> • Vegetable or edible gardens • Native plantings • Pollinator gardens • Rain gardens • Ground covers such as clover, sedum, or mulch beds • Meadow-style plantings with native grasses and wildflowers
Front Yard Area	25% of front yard
Side and Rear Yard Area	50% of total rear and side yard
Right-of-Way	Not permitted without Development Services Director approval
Clearance	Cannot obstruct clear vision zones, sidewalks, or driveways
Maintenance	<ul style="list-style-type: none"> • Maintained in a neat and intentional manner • Weeds and invasive species must be controlled • Planting beds must have a clearly defined border • All dead, diseased, or dying plants must be promptly removed or replaced



Standard	Summary
Raised Bed, Edging, and Decorative Fencing	<ul style="list-style-type: none"> • Cannot exceed eighteen (18) inches in height in front yards • Constructed of durable, non-reflective materials.
Compost Bins, Rain Barrels, and Other Support Structures	<ul style="list-style-type: none"> • Must be located in side or rear yards unless screened from view.
Exceptions	<ul style="list-style-type: none"> • Properties listed on the National Register of Historic Places or located within a designated Historic District may be subject to additional review or design standards.
Enforcement	<ul style="list-style-type: none"> • The development services director or code enforcement officer shall have the authority to determine compliance. • Violations shall be addressed through a written notice, allowing at least thirty (30) days for correction or appeal before fines are issued.

KEY CONSIDERATIONS

We have outlined the key considerations around alternative ROW landscaping, as well as potential regulations to address each potential concerns with examples from peer communities as relevant.

BENEFITS OF ALTERNATIVE LANDSCAPING

Environmental Benefits

Alternative landscaping with native plants supports pollinators and wildlife such as bees, butterflies, and birds while enhancing overall biodiversity through the use of regionally adapted species. These landscapes are also more resource-efficient, typically requiring less water, fertilizer, and pesticide use than traditional turf grass.

Stormwater Management

Native plantings contribute to improved stormwater management due to their deep root systems, which help absorb and filter runoff. This reduces localized flooding and enhances water quality by slowing and naturally treating stormwater before it enters drainage systems.

Lower Long-Term Maintenance

Although they may require initial establishment, native landscapes generally need less ongoing maintenance than turf grass. Over time, they reduce the need for mowing, irrigation, and chemical inputs, lowering both municipal and homeowner maintenance costs.

Sustainability Goals

Incorporating alternative landscaping helps cities advance broader sustainability objectives, including climate resilience and green infrastructure initiatives. These plantings align with long-term environmental planning goals and support more sustainable land management practices.

Community Character & Aesthetics

Alternative landscaping can enhance the visual character of a community by introducing seasonal variation, color, and texture. When thoughtfully designed, it can also foster a distinct local identity that reflects the region’s natural ecology.



POTENTIAL CONCERNS OF ALTERNATIVE LANDSCAPING

Safety and Visibility

ROWs are part of the transportation system, so safety standards are stricter than private yards. Vegetation can obstruct driver sightlines at intersections and driveways and pedestrian visibility (especially children, bikes).

Potential Regulation	Example
Require clear vision zone be maintained (driveway and intersections).	NA – current ordinance specifies landscaping cannot be in clear vision area, but is intended for landscaping on property, not ROW
Require a height limit for vegetation	Ann Arbor: Sec. 5.20.12. “The owner of every parcel of land is responsible for grading, planting, mowing and raking the extension or City Street right-of-way so that it is covered with turf grass with an average height <u>not in excess of 12 inches or other ground cover vegetation with an average height not in excess of 36 inches above the adjacent road surface unless it presents a view hazard based on the criteria in the AASHTO (American Association of State Highway Transportation Officials) Policy on Geometric Design of Highways and Streets, 5th Edition (2004), or as subsequently amended.</u> ”
AASHTO Visibility required (American Association of State Highway Transportation Officials)	
Limit above grade landscape treatments such as decorative fences or planting beds	Ferdale: Section 6.03(G). “...The property owner is responsible for soil erosion protection prior to the installation and for maintaining the approved grade before and after lawn installation...”
Maintain pedestrian areas (like sidewalks) are clear	Adrian: Sec. 4.9.4(E). “Ground covers other than grass shall be planted in required areas to provide complete coverage within two (2) growing seasons. Vines shall not be used adjacent to pedestrian areas.”

Maintenance and Enforcement

Maintenance and enforcement are more challenging with alternative landscaping because compliance is less objective than traditional turf standards. Unlike simple grass height limits, alternative plantings require staff to evaluate appearance, plant types, maintenance, and potential encroachment, which introduces subjectivity, increases complaints, and requires more time and expertise to administer consistently.

Potential Regulation	Example
Add clear enforcement language to assist code enforcement in identifying violations easily	This would need to be researched further.



Municipal Liability

Cities want to avoid responsibility for damage to plantings during snow plowing, utility work, road repairs, and other ROW work.

Potential Regulation	Example
Add provision that City is not liable for ROW plantings or damages caused in maintaining ROW	Ann Arbor: Sec. 5.20.12. "...The City shall not be liable for damage to any vegetation planted, or to any property or fixtures placed, in or upon the or the City right-of-way that results from work performed by the City in the lawn extension or right-of-way."

Neighborhood Aesthetics

Concerns from residents often include "unkempt" or inconsistent appearances and property value perceptions.

Potential Regulation	Example
Requiring a clearly defined border for non-lawn landscaping.	NA – Current ordinance for alternative lawns specifies planting areas must have a clearly defined border.
Requiring plantings to be kept in a "neat and intentional" condition (e.g., removal of dead plants, weed control)	NA – Current ordinance for alternative lawns includes provisions for maintenance.
Specify what plantings are allowed	Would likely require further conversations with experts in SE Michigan to specify species list for planting. Ferndale: Section 6.03(G). "Lawn Area and Groundcover. Where present, lawns must be planted with species of grass normally grown as permanent lawns in southeast Michigan..."
Specify if alternative non-living landscaping is permitted (mulch, gravel, etc)	NA – we recommend requiring living landscaping in the ROW

Ecological Management

Native plantings can unintentionally harbor invasive species and spread weeds into adjacent properties.

Potential Regulation	Example
Specify species of weeds that would not be allowed.	Would likely require further conversations with experts in SE Michigan to specify species list for planting.
Require non-lawn plantings to be setback or have a border from neighboring properties to reduce likeness of weeds spreading.	NA – Current ordinance for alternative lawns specifies planting areas must have a clearly defined border.



NEXT STEPS

We would like feed back on the following. Please review these considerations and be ready to discuss at the June meeting.

1. Does the Commission support allowing alternative landscaping within the public right-of-way? Or is the current alternative landscaping for yards acceptable?

If Planning Commission would like Staff to explore more specific ordinance language, please provide guidance on the following:

Allowance Approach

- Should alternative landscaping be:
 - Prohibited (status quo)?
 - Allowed by-right with standards?
 - Allowed only with administrative approval (permit or Director approval)?

Safety and Visibility Standards

- Should a maximum height be established (e.g., 24–36 inches)?
- Should AASHTO-based sight visibility standards be incorporated?
- Are additional restrictions needed near intersections and driveways?

Permitted Plant Types

- Should the ordinance:
 - Allow broad categories (native plants, pollinator gardens, etc.)?
 - Include or reference a recommended/approved plant list?
 - Require living landscaping or allow non-living landscaping such as mulch and gravel or hardscapes?
- Should the ordinance specify which plant types be prohibited (e.g., edible gardens in ROW)?

Aesthetic and Design Standards

- What level of design control is desired (e.g., defined borders, orderly appearance)?
- Should requirements for “neat and intentional” maintenance be strengthened?

Maintenance and Enforcement

- What level of enforcement clarity is desired?
- Are additional objective standards needed to assist code enforcement?
- Should a different enforcement timeline or process apply?



Encroachment and Infrastructure Protection

- Should additional standards be included to prevent encroachment onto sidewalks, streets, and utilities?
- Are limits on structures (edging, raised beds, fencing) desired?

Ecological and Weed Control

- Should the City establish or reference a list of prohibited invasive or noxious species?
- Are additional measures needed to prevent spread to adjacent properties?

Municipal Liability

- Should the ordinance explicitly state that the City is not liable for damage to plantings within the ROW?

Administrative Considerations

- Should staff approval be required, and if so, under what criteria?
- What level of flexibility vs. standardization does the Commission prefer?