**COUNCIL MEMBERS**

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33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2250
citycouncil@livonia.gov

# OFFICE OF THE COUNCIL

# ELECTRONIC AGENDA PACKET FOR THE REGULAR MEETING OF MONDAY, APRIL 18, 2022 7:00 P.M.

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**(734) 466-2250**

**The official documents are on file in the City Clerk's office.**

**1943rd Regular Meeting of the Council of the City of Livonia**
**Monday, April 18, 2022**

7:00 p.m. – City Hall Auditorium
33000 Civic Center Drive
Livonia, Michigan

## CALL TO ORDER

## INVOCATION/PLEDGE OF ALLEGIANCE

## ROLL CALL

**PRESENTATION OF MINUTES** - Minutes of the 1942nd Regular Meeting of April 4, 2022

## AUDIENCE COMMUNICATION

## REPORTS FROM THE MAYOR AND OTHER CITY OFFICIALS

a. Communication from the Department of Finance, dated March 23, 2022, re: forwarding various financial statements of the City of Livonia for the month ending December 31, 2021.

b. Communication from the Department of Finance, dated March 29, 2022; re: forwarding various financial statements of the City of Livonia for the month ending January 31, 2022.

## CONSENT AGENDA

1. REQUEST TO APPROVE INCREASE IN COMPENSATION FOR THE DEPUTY TREASURER AND DEPUTY CLERK: City Treasurer and City Clerk, re: to increase compensation to be more comparable with positions in neighboring communities.

2. REQUEST TO WAIVE THE FORMAL BIDDING PROCESS AND APPROVE THE CONTRACT WITH WEBSTER & GARNER, INC.: Department of Public Works, re: to supply propane to the City of Livonia, from budgeted funds.

3. REQUEST TO AMEND AGREEMENT WITH HYDROCORP FOR CROSS-CONNECTION PROGRAM; Department of Public Works, re: to modify their program to include repair and any additional required testing for City of Livonia facilities, from budgeted funds. (CR 150-21)

4. REQUEST FOR COUNCIL TO SET A DATE FOR THE PURPOSE OF ADOPTING A RESOLUTION PLACING SPECIAL ASSESSMENTS UPON REFERENCED PROPERTIES WHOSE OWNERS HAVE NOT PAID CHARGES CONNECTED WITH THE 2021 SIDEWALK PROGRAM, Contract 21-G, SINGLE LOT ASSESSMENTS: Engineering Division, re: same. (CR 84-21).

**UNFINISHED BUSINESS**

5. ROLL CALL: Proposed Amendment to Livonia Vision 21 Zoning Ordinance, as amended: Department of Law, re: Petition 2022-01-06-01 submitted by the City of Livonia Planning Commission as amended, to consider multiple revisions to the LIVONIA VISION 21 Zoning Ordinance in order to correct certain defects, add and delete provisions, and provide clarification to others.

   First Reading given by Councilmember Brandon McCullough on Monday, April 4, 2022.

6. ADMINISTRATIVE RESPONSE TO CR 37-20: Office of Government Affairs, re: local government response to climate change.

7. REQUEST TO APPROVE AMENDMENT TO AGREEMENT WITH SIMPLE RECYCLING: Department of Public Works, re: to modify their program collection from a regular, weekly curbside collection to a scheduled porch pickup.

   **NEW DATA** - Collection data from December 2019 through March 2022

**NEW BUSINESS**

8. REQUEST TO SCHEDULE A CLOSED COMMITTEE OF THE WHOLE MEETING: Department of Law, re: for the purpose of discussing pending litigation and attorney/client privileged communications with respect to The Parz Group, Inc., et. al. v City of Livonia.

**AUDIENCE COMMUNICATION**

SUSAN M. NASH, CITY CLERK

**NOTICE(S)**

In accordance with Title II of the American with Disabilities Act as it pertains to access to Public Meetings, the City Clerk's Office of the City of Livonia, upon adequate notice, will make reasonable accommodations for persons with special needs. Please call (734) 466-2236 or email clerk@livonia.gov if you need assistance. Council agendas are available on the City's website – www.livonia.gov - under Government, City Council, Agendas.

# LETTER TO THE LIVONIA CITY COUNCIL

## Finance
## March 23, 2022

| MEETING DATE | PREPARED BY |
|---|---|
| Regular Meeting of 04/18/2022 | DeAnne Bates, Program Supervisor, |

## AGENDA ITEM

a. Communication from the Department of Finance, dated March 23, 2022, re: forwarding various financial statements of the City of Livonia for the month ending December 31, 2021.

## BACKGROUND

Attached hereto are the various financial statements of the City of Livonia for the month ending December 31, 2021. These statements are summarized so that you may make a quick financial overview of the various funds. Detailed statements, in support of the summarized statements, have been forwarded electronically to the Council Office.

## RECOMMENDATION

We respectfully request that City Council receive and file this report.

## FISCAL CONSIDERATION

N/A

## ATTACHMENTS

1. BUDGET TO ACTUAL - COUNCIL SUMMARY - December 2021

## APPROVED BY

Michael T Slater

Michael Slater, Finance Director — Date: March 23, 2022

Maureen Miller Brosnan

Maureen Miller Brosnan, Mayor — Date: March 25, 2022

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **101 - GENERAL FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 65,093,660.00 | .00 | 65,093,660.00 | 42,190,331.84 | .00 | 42,190,331.84 | 22,903,328.16 | 65 | 37,346,019.99 |
| REVENUE TOTALS | $65,093,660.00 | $0.00 | $65,093,660.00 | $42,190,331.84 | $0.00 | $42,190,331.84 | $22,903,328.16 | 65% | $37,346,019.99 |
| EXPENSE | | | | | | | | | |
| Department **101 - CITY COUNCIL** | 313,976.00 | .00 | 313,976.00 | 14,264.52 | .00 | 14,264.52 | 299,711.48 | 5 | 14,392.29 |
| Department **173 - MAYOR'S OFFICE** | 491,847.00 | .00 | 491,847.00 | 39,766.63 | .00 | 39,766.63 | 452,080.37 | 8 | 38,177.20 |
| Department **174 - COMMUNICATIONS** | 402,568.00 | .00 | 402,568.00 | 25,924.98 | 750.00 | 25,924.98 | 375,893.02 | 7 | 20,895.75 |
| Department **175 - GOVERNMENT AFFAIRS** | 167,692.00 | .00 | 167,692.00 | 3,625.00 | .00 | 3,625.00 | 164,067.00 | 2 | .00 |
| Department **191 - ACCOUNTING** | 247,017.00 | .00 | 247,017.00 | (16,630.26) | .00 | (16,630.26) | 263,647.26 | -7 | (39,693.52) |
| Department **192 - FINANCE DEPARTMENT** | 432,429.00 | .00 | 432,429.00 | 26,678.87 | .00 | 26,678.87 | 405,750.13 | 6 | 27,512.52 |
| Department **215 - CITY CLERK** | 676,915.00 | .00 | 676,915.00 | 33,475.08 | .00 | 33,475.08 | 643,439.92 | 5 | 37,962.06 |
| Department **223 - INDEPENDENT AUDIT** | 32,955.00 | .00 | 32,955.00 | (1,170.00) | .00 | (1,170.00) | 34,125.00 | -4 | (1,220.00) |
| Department **228 - INFORMATION SYSTEMS** | 1,231,600.00 | .00 | 1,231,600.00 | 185,621.85 | 7,350.12 | 185,621.85 | 1,038,628.03 | 16 | 181,709.00 |
| Department **236 - ETHICS BOARD** | 400.00 | .00 | 400.00 | .00 | .00 | .00 | 400.00 | 0 | .00 |
| Department **238 - NON DEPARTMENTAL** | 4,000.00 | .00 | 4,000.00 | .00 | .00 | .00 | 4,000.00 | 0 | .00 |
| Department **247 - BOARD OF REVIEW** | 3,545.00 | .00 | 3,545.00 | 344.48 | .00 | 344.48 | 3,200.52 | 10 | .00 |
| Department **253 - TREASURER** | 570,852.00 | .00 | 570,852.00 | 44,733.97 | .00 | 44,733.97 | 526,118.03 | 8 | 40,200.32 |
| Department **256 - TERMINATION PAY** | 1,280,000.00 | .00 | 1,280,000.00 | .00 | .00 | .00 | 1,280,000.00 | 0 | 6,992.89 |
| Department **257 - ASSESSING** | 653,273.00 | .00 | 653,273.00 | 50,007.14 | .00 | 50,007.14 | 603,265.86 | 8 | 36,535.75 |
| Department **261 - UTILITIES AND SUPPLIES** | 556,966.00 | .00 | 556,966.00 | 20,634.64 | .00 | 20,634.64 | 536,331.36 | 4 | 22,025.51 |
| Department **262 - ELECTION COMMISSION** | 357,187.00 | .00 | 357,187.00 | 6,867.11 | .00 | 6,867.11 | 350,319.89 | 2 | 6,422.34 |
| Department **263 - INSURANCE-GENERAL** | 77,158.00 | .00 | 77,158.00 | 210,229.30 | .00 | 210,229.30 | (133,071.30) | 272 | 198,785.77 |
| Department **264 - INSURANCE-WORKERS COMP** | 345,340.00 | .00 | 345,340.00 | 177,223.55 | .00 | 177,223.55 | 168,116.45 | 51 | 162,879.50 |
| Department **266 - LAW DEPARTMENT** | 881,135.00 | .00 | 881,135.00 | 46,287.38 | .00 | 46,287.38 | 834,847.62 | 5 | 49,685.78 |
| Department **267 - EMPLOYEE BENEFITS CONTROL** | 42,000.00 | .00 | 42,000.00 | (332,671.67) | .00 | (332,671.67) | 374,671.67 | -792 | (1,096,527.90) |
| Department **268 - NON-DEPT CAPITAL PROJECTS** | 5,000.00 | .00 | 5,000.00 | .00 | .00 | .00 | 5,000.00 | 0 | 525,000.00 |
| Department **269 - CIVIL SERVICE** | 810,396.00 | .00 | 810,396.00 | 18,347.82 | .00 | 18,347.82 | 792,048.18 | 2 | 24,402.39 |
| Department **271 - LABOR RELATIONS** | 96,500.00 | .00 | 96,500.00 | 5,625.00 | .00 | 5,625.00 | 90,875.00 | 6 | .00 |
| Department **272 - DUES AND SUBSCRIPTIONS** | 56,000.00 | .00 | 56,000.00 | .00 | .00 | .00 | 56,000.00 | 0 | .00 |
| Department **286 - 16TH DISTRICT COURT** | 3,380,439.00 | .00 | 3,380,439.00 | 232,534.62 | .00 | 232,534.62 | 3,147,904.38 | 7 | 285,911.39 |
| Department **302 - TRAFFIC BUREAU** | 1,256,623.00 | .00 | 1,256,623.00 | 64,231.81 | .00 | 64,231.81 | 1,192,391.19 | 5 | 44,168.15 |
| Department **304 - POLICE ADMINISTRATION** | 3,018,863.00 | .00 | 3,018,863.00 | 138,077.11 | 14,857.60 | 138,077.11 | 2,865,928.29 | 5 | 99,699.05 |
| Department **306 - POLICE DATA PROCESSING** | 895,330.00 | .00 | 895,330.00 | 45,146.55 | 7,576.20 | 45,146.55 | 842,607.25 | 6 | 30,632.31 |
| Department **307 - DETECTIVE BUREAU** | 3,465,058.00 | .00 | 3,465,058.00 | 199,029.06 | .00 | 199,029.06 | 3,266,028.94 | 6 | 201,850.71 |
| Department **309 - AUTOMOTIVE SERVICE** | 556,150.00 | .00 | 556,150.00 | 30,627.96 | .00 | 30,627.96 | 525,522.04 | 6 | 13,636.86 |
| Department **310 - POLICE COMMUNICATIONS** | 945,239.00 | .00 | 945,239.00 | 44,350.78 | .00 | 44,350.78 | 900,888.22 | 5 | 45,276.53 |
| Department **313 - CROSSING GUARDS** | 70,723.00 | .00 | 70,723.00 | 3,397.40 | .00 | 3,397.40 | 67,325.60 | 5 | .00 |
| Department **316 - SCHOOL LIAISON** | 427,781.00 | .00 | 427,781.00 | 18,472.51 | .00 | 18,472.51 | 409,308.49 | 4 | 25,778.02 |
| Department **318 - OFFICE OF EMERG PREP** | 159,583.00 | .00 | 159,583.00 | 10,692.99 | .00 | 10,692.99 | 148,890.01 | 7 | 8,297.25 |
| Department **319 - RESERVE POL/SPECIAL EVENT** | 329,530.00 | .00 | 329,530.00 | 16,374.93 | .00 | 16,374.93 | 313,155.07 | 5 | 14,020.75 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **101 - GENERAL FUND** | | | | | | | | | |
| EXPENSE | | | | | | | | | |
| Department **325 - POLICE PATROL BUREAU** | 13,912,581.00 | .00 | 13,912,581.00 | 670,004.83 | .00 | 670,004.83 | 13,242,576.17 | 5 | 678,783.29 |
| Department **329 - INTELLIGENCE BUREAU** | 2,231,708.00 | .00 | 2,231,708.00 | 95,410.45 | .00 | 95,410.45 | 2,136,297.55 | 4 | 92,736.41 |
| Department **336 - FIRE ADMINISTRATION** | 1,293,271.00 | .00 | 1,293,271.00 | 69,468.23 | .00 | 69,468.23 | 1,223,802.77 | 5 | 56,700.89 |
| Department **338 - FIRE FIGHTING** | 13,998,535.00 | .00 | 13,998,535.00 | 722,570.01 | 11,925.26 | 722,570.01 | 13,264,039.73 | 5 | 732,337.37 |
| Department **341 - FIRE PREVENTION** | 807,362.00 | .00 | 807,362.00 | 49,738.20 | .00 | 49,738.20 | 757,623.80 | 6 | 48,022.52 |
| Department **371 - INSPECTION** | 1,803,814.00 | .00 | 1,803,814.00 | 73,645.97 | .00 | 73,645.97 | 1,730,168.03 | 4 | 79,873.36 |
| Department **381 - BLDG CODE BD OF APPEALS** | 1,861.00 | .00 | 1,861.00 | .00 | .00 | .00 | 1,861.00 | 0 | .00 |
| Department **435 - TRAFFIC COMMISSION** | 2,353.00 | .00 | 2,353.00 | 263.78 | .00 | 263.78 | 2,089.22 | 11 | 118.41 |
| Department **441 - PUBLIC SERV ADMIN** | 122,196.00 | .00 | 122,196.00 | (43,792.06) | .00 | (43,792.06) | 165,988.06 | -36 | (44,288.78) |
| Department **443 - PUBLIC SERV-EQUIP MAINT** | 123,957.00 | .00 | 123,957.00 | (43,927.77) | .00 | (43,927.77) | 167,884.77 | -35 | (54,142.89) |
| Department **447 - ENGINEERING** | 1,040.00 | .00 | 1,040.00 | (46,902.33) | .00 | (46,902.33) | 47,942.33 | -4510 | (40,432.54) |
| Department **448 - STREET LIGHTING** | 238,912.00 | .00 | 238,912.00 | 21,529.76 | .00 | 21,529.76 | 217,382.24 | 9 | 18,647.71 |
| Department **463 - MAINTENANCE-STREET** | 468,327.00 | .00 | 468,327.00 | (81,270.68) | 6,380.23 | (81,270.68) | 543,217.45 | -16 | (71,968.95) |
| Department **523 - PUBLIC SERV-BLDG MAINT** | 1,655,680.00 | .00 | 1,655,680.00 | 25,334.17 | 8,629.99 | 25,334.17 | 1,621,715.84 | 2 | 47,938.94 |
| Department **524 - PARKS** | 1,269,223.00 | .00 | 1,269,223.00 | 14,432.26 | 8,271.00 | 14,432.26 | 1,246,519.74 | 2 | 14,874.81 |
| Department **701 - PLANNING** | 724,787.00 | .00 | 724,787.00 | 31,236.50 | .00 | 31,236.50 | 693,550.50 | 4 | 15,539.79 |
| Department **702 - ZONING BOARD OF APPEALS** | 54,103.00 | .00 | 54,103.00 | 8,639.07 | .00 | 8,639.07 | 45,463.93 | 16 | 7,736.35 |
| Department **752 - RECREATION ADMINISTRATION** | 160,264.00 | .00 | 160,264.00 | (4,049.73) | .00 | (4,049.73) | 164,313.73 | -3 | 3,856.44 |
| Department **758 - RECREATION FACILITIES** | 182,966.00 | .00 | 182,966.00 | 107.66 | .00 | 107.66 | 182,858.34 | 0 | 111.70 |
| Department **759 - RECREATION ATHLETICS** | 98,535.00 | .00 | 98,535.00 | 75.00 | .00 | 75.00 | 98,460.00 | 0 | 70.00 |
| Department **820 - PARKS & REC - SENIOR SERVICES** | 590,456.00 | .00 | 590,456.00 | 35,006.46 | .00 | 35,006.46 | 555,449.54 | 6 | 35,354.88 |
| Department **821 - P&R - GREENMEAD AND CULTURAL** | 1,096,237.00 | .00 | 1,096,237.00 | 60,197.43 | 3,141.21 | 60,197.43 | 1,032,898.36 | 6 | 48,822.02 |
| EXPENSE TOTALS | $65,080,238.00 | $0.00 | $65,080,238.00 | $3,019,838.32 | $68,881.61 | $3,019,838.32 | $61,991,518.07 | 5% | $2,696,100.40 |
| Fund **101 - GENERAL FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 65,093,660.00 | .00 | 65,093,660.00 | 42,190,331.84 | .00 | 42,190,331.84 | 22,903,328.16 | 65% | 37,346,019.99 |
| EXPENSE TOTALS | 65,080,238.00 | .00 | 65,080,238.00 | 3,019,838.32 | 68,881.61 | 3,019,838.32 | 61,991,518.07 | 5% | 2,696,100.40 |
| Fund **101 - GENERAL FUND** Totals | $13,422.00 | $0.00 | $13,422.00 | $39,170,493.52 | ($68,881.61) | $39,170,493.52 | ($39,088,189.91) | | $34,649,919.59 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **202 - MAJOR STREET FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 8,758,880.00 | .00 | 8,758,880.00 | (1,084.25) | .00 | (1,084.25) | 8,759,964.25 | 0 | 642.49 |
| REVENUE TOTALS | $8,758,880.00 | $0.00 | $8,758,880.00 | ($1,084.25) | $0.00 | ($1,084.25) | $8,759,964.25 | 0% | $642.49 |
| EXPENSE | | | | | | | | | |
| Department **448 - STREET LIGHTING** | 605,415.00 | .00 | 605,415.00 | 39,416.67 | .00 | 39,416.67 | 565,998.33 | 7 | 39,000.00 |
| Department **451 - CONST-STREET AND BRIDGES** | 60,000.00 | .00 | 60,000.00 | .00 | .00 | .00 | 60,000.00 | 0 | .00 |
| Department **463 - MAINTENANCE-STREET** | 1,274,714.00 | 262,854.00 | 1,537,568.00 | 29,598.18 | .00 | 29,598.18 | 1,507,969.82 | 2 | 38,156.47 |
| Department **475 - MAINTENANCE-TRAFFIC SERV** | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | .00 |
| Department **478 - MAINT-FREEWAY LIGHTING** | 25,000.00 | .00 | 25,000.00 | 1,349.00 | .00 | 1,349.00 | 23,651.00 | 5 | 1,344.17 |
| Department **479 - SNOW AND ICE REMOVAL** | 324,000.00 | 396,497.00 | 720,497.00 | 26,999.17 | .00 | 26,999.17 | 693,497.83 | 4 | 27,398.00 |
| Department **483 - ADMIN, ENGIN RECORD KEEPI** | 148,786.00 | .00 | 148,786.00 | 12,397.00 | .00 | 12,397.00 | 136,389.00 | 8 | 15,261.00 |
| Department **484 - FUND TRANSFERS** | 7,650,000.00 | .00 | 7,650,000.00 | 637,500.00 | .00 | 637,500.00 | 7,012,500.00 | 8 | 600,000.00 |
| EXPENSE TOTALS | $10,087,915.00 | $659,351.00 | $10,747,266.00 | $747,260.02 | $0.00 | $747,260.02 | $10,000,005.98 | 7% | $721,159.64 |
| Fund **202 - MAJOR STREET FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 8,758,880.00 | .00 | 8,758,880.00 | (1,084.25) | .00 | (1,084.25) | 8,759,964.25 | 0% | 642.49 |
| EXPENSE TOTALS | 10,087,915.00 | 659,351.00 | 10,747,266.00 | 747,260.02 | .00 | 747,260.02 | 10,000,005.98 | 7% | 721,159.64 |
| Fund **202 - MAJOR STREET FUND** Totals | ($1,329,035.00) | ($659,351.00) | ($1,988,386.00) | ($748,344.27) | $0.00 | ($748,344.27) | ($1,240,041.73) | | ($720,517.15) |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **203 - LOCAL STREET FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 10,968,534.00 | .00 | 10,968,534.00 | 637,170.00 | .00 | 637,170.00 | 10,331,364.00 | 6 | 600,229.22 |
| REVENUE TOTALS | $10,968,534.00 | $0.00 | $10,968,534.00 | $637,170.00 | $0.00 | $637,170.00 | $10,331,364.00 | 6% | $600,229.22 |
| EXPENSE | | | | | | | | | |
| Department **448 - STREET LIGHTING** | 125,000.00 | .00 | 125,000.00 | 10,416.67 | .00 | 10,416.67 | 114,583.33 | 8 | 9,833.00 |
| Department **451 - CONST-STREET AND BRIDGES** | 125,000.00 | .00 | 125,000.00 | .00 | .00 | .00 | 125,000.00 | 0 | .00 |
| Department **463 - MAINTENANCE-STREET** | 1,764,559.00 | .00 | 1,764,559.00 | 131,422.09 | .00 | 131,422.09 | 1,633,136.91 | 7 | 120,596.00 |
| Department **475 - MAINTENANCE-TRAFFIC SERV** | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | .00 |
| Department **479 - SNOW AND ICE REMOVAL** | 419,231.00 | .00 | 419,231.00 | 34,933.92 | .00 | 34,933.92 | 384,297.08 | 8 | 35,117.00 |
| Department **483 - ADMIN, ENGIN RECORD KEEPI** | 679,782.00 | .00 | 679,782.00 | 56,646.00 | .00 | 56,646.00 | 623,136.00 | 8 | 54,562.00 |
| Department **484 - FUND TRANSFERS** | 7,950,000.00 | .00 | 7,950,000.00 | 662,500.00 | .00 | 662,500.00 | 7,287,500.00 | 8 | 658,333.00 |
| EXPENSE TOTALS | $11,063,572.00 | $0.00 | $11,063,572.00 | $895,918.68 | $0.00 | $895,918.68 | $10,167,653.32 | 8% | $878,441.00 |
| Fund **203 - LOCAL STREET FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 10,968,534.00 | .00 | 10,968,534.00 | 637,170.00 | .00 | 637,170.00 | 10,331,364.00 | 6% | 600,229.22 |
| EXPENSE TOTALS | 11,063,572.00 | .00 | 11,063,572.00 | 895,918.68 | .00 | 895,918.68 | 10,167,653.32 | 8% | 878,441.00 |
| Fund **203 - LOCAL STREET FUND** Totals | ($95,038.00) | $0.00 | ($95,038.00) | ($258,748.68) | $0.00 | ($258,748.68) | $163,710.68 | | ($278,211.78) |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **204 - ROAD - SIDEWALK & TREE** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 12,346,302.00 | .00 | 12,346,302.00 | 4,815,298.70 | .00 | 4,815,298.70 | 7,531,003.30 | 39 | 4,728,940.87 |
| REVENUE TOTALS | $12,346,302.00 | $0.00 | $12,346,302.00 | $4,815,298.70 | $0.00 | $4,815,298.70 | $7,531,003.30 | 39% | $4,728,940.87 |
| EXPENSE | | | | | | | | | |
| Department **441 - PUBLIC SERV ADMIN** | 50,968.00 | .00 | 50,968.00 | 4,246.00 | .00 | 4,246.00 | 46,722.00 | 8 | 2,816.00 |
| Department **447 - ENGINEERING** | 2,293,382.00 | 177,440.00 | 2,470,822.00 | 11,948.00 | .00 | 11,948.00 | 2,458,874.00 | 0 | 11,416.00 |
| Department **463 - MAINTENANCE-STREET** | 10,490,000.00 | 2,195,100.00 | 12,685,100.00 | .00 | .00 | .00 | 12,685,100.00 | 0 | .00 |
| Department **530 - FORESTRY** | 125,000.00 | .00 | 125,000.00 | .00 | .00 | .00 | 125,000.00 | 0 | .00 |
| EXPENSE TOTALS | $12,959,350.00 | $2,372,540.00 | $15,331,890.00 | $16,194.00 | $0.00 | $16,194.00 | $15,315,696.00 | 0% | $14,232.00 |
| Fund **204 - ROAD - SIDEWALK & TREE** Totals | | | | | | | | | |
| REVENUE TOTALS | 12,346,302.00 | .00 | 12,346,302.00 | 4,815,298.70 | .00 | 4,815,298.70 | 7,531,003.30 | 39% | 4,728,940.87 |
| EXPENSE TOTALS | 12,959,350.00 | 2,372,540.00 | 15,331,890.00 | 16,194.00 | .00 | 16,194.00 | 15,315,696.00 | 0% | 14,232.00 |
| Fund **204 - ROAD - SIDEWALK & TREE** Totals | ($613,048.00) | ($2,372,540.00) | ($2,985,588.00) | $4,799,104.70 | $0.00 | $4,799,104.70 | ($7,784,692.70) | | $4,714,708.87 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **208 - COMMUNITY RECREATION** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 7,708,917.00 | .00 | 7,708,917.00 | 4,210,712.25 | .00 | 4,210,712.25 | 3,498,204.75 | 55 | 3,760,612.92 |
| REVENUE TOTALS | $7,708,917.00 | $0.00 | $7,708,917.00 | $4,210,712.25 | $0.00 | $4,210,712.25 | $3,498,204.75 | 55% | $3,760,612.92 |
| EXPENSE | | | | | | | | | |
| Department **755 - RECREATION CENTER** | 6,914,862.00 | 168,384.00 | 7,083,246.00 | 331,947.88 | 46,700.00 | 331,947.88 | 6,704,598.12 | 5 | 261,856.18 |
| Department **756 - OTHER RECREATION** | 632,854.00 | 174,517.00 | 807,371.00 | 6,637.69 | .00 | 6,637.69 | 800,733.31 | 1 | .00 |
| Department **757 - ICE RINK** | 388,561.00 | .00 | 388,561.00 | .00 | .00 | .00 | 388,561.00 | 0 | .00 |
| Department **776 - SPECIAL EVENTS** | 107,069.00 | .00 | 107,069.00 | 1,908.63 | .00 | 1,908.63 | 105,160.37 | 2 | 792.26 |
| Department **795 - SWIMMING POOL - BOTSFORD** | 303,819.00 | 17,179.00 | 320,998.00 | 272.89 | 340.00 | 272.89 | 320,385.11 | 0 | 252.63 |
| Department **796 - SWIMMING POOL - CLEMENT C** | 127,378.00 | 60,000.00 | 187,378.00 | 308.37 | 680.00 | 308.37 | 186,389.63 | 1 | 302.92 |
| Department **797 - SWIMMING POOL - SHELDON** | 92,870.00 | 62,410.00 | 155,280.00 | 245.39 | 340.00 | 245.39 | 154,694.61 | 0 | 141.65 |
| EXPENSE TOTALS | $8,567,413.00 | $482,490.00 | $9,049,903.00 | $341,320.85 | $48,060.00 | $341,320.85 | $8,660,522.15 | 4% | $263,345.64 |
| Fund **208 - COMMUNITY RECREATION** Totals | | | | | | | | | |
| REVENUE TOTALS | 7,708,917.00 | .00 | 7,708,917.00 | 4,210,712.25 | .00 | 4,210,712.25 | 3,498,204.75 | 55% | 3,760,612.92 |
| EXPENSE TOTALS | 8,567,413.00 | 482,490.00 | 9,049,903.00 | 341,320.85 | 48,060.00 | 341,320.85 | 8,660,522.15 | 4% | 263,345.64 |
| Fund **208 - COMMUNITY RECREATION** Totals | ($858,496.00) | ($482,490.00) | ($1,340,986.00) | $3,869,391.40 | ($48,060.00) | $3,869,391.40 | ($5,162,317.40) | | $3,497,267.28 |

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Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **211 - DESIGNATED PURPOSE** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 120,000.00 | .00 | 120,000.00 | 8,442.72 | .00 | 8,442.72 | 111,557.28 | 7 | 666.00 |
| REVENUE TOTALS | $120,000.00 | $0.00 | $120,000.00 | $8,442.72 | $0.00 | $8,442.72 | $111,557.28 | 7% | $666.00 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 180,000.00 | 10,140.00 | 190,140.00 | 4,002.36 | .00 | 4,002.36 | 186,137.64 | 2 | 358.74 |
| EXPENSE TOTALS | $180,000.00 | $10,140.00 | $190,140.00 | $4,002.36 | $0.00 | $4,002.36 | $186,137.64 | 2% | $358.74 |
| Fund **211 - DESIGNATED PURPOSE** Totals | | | | | | | | | |
| REVENUE TOTALS | 120,000.00 | .00 | 120,000.00 | 8,442.72 | .00 | 8,442.72 | 111,557.28 | 7% | 666.00 |
| EXPENSE TOTALS | 180,000.00 | 10,140.00 | 190,140.00 | 4,002.36 | .00 | 4,002.36 | 186,137.64 | 2% | 358.74 |
| Fund **211 - DESIGNATED PURPOSE** Totals | ($60,000.00) | ($10,140.00) | ($70,140.00) | $4,440.36 | $0.00 | $4,440.36 | ($74,580.36) | | $307.26 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **219 - SP ASSESS-LIGHTING** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | .00 | .00 | .00 | (216.27) | .00 | (216.27) | 216.27 | +++ | 299.39 |
| Department **457 - STREETLIGHTING** | 1,173,810.00 | .00 | 1,173,810.00 | 1,222,592.00 | .00 | 1,222,592.00 | (48,782.00) | 104 | 1,280,882.83 |
| REVENUE TOTALS | $1,173,810.00 | $0.00 | $1,173,810.00 | $1,222,375.73 | $0.00 | $1,222,375.73 | ($48,565.73) | 104% | $1,281,182.22 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | .00 |
| Department **457 - STREETLIGHTING** | 1,222,592.00 | .00 | 1,222,592.00 | 107,833.30 | .00 | 107,833.30 | 1,114,758.70 | 9 | 107,490.46 |
| EXPENSE TOTALS | $1,222,592.00 | $0.00 | $1,222,592.00 | $107,833.30 | $0.00 | $107,833.30 | $1,114,758.70 | 9% | $107,490.46 |
| Fund **219 - SP ASSESS-LIGHTING** Totals | | | | | | | | | |
| REVENUE TOTALS | 1,173,810.00 | .00 | 1,173,810.00 | 1,222,375.73 | .00 | 1,222,375.73 | (48,565.73) | 104% | 1,281,182.22 |
| EXPENSE TOTALS | 1,222,592.00 | .00 | 1,222,592.00 | 107,833.30 | .00 | 107,833.30 | 1,114,758.70 | 9% | 107,490.46 |
| Fund **219 - SP ASSESS-LIGHTING** Totals | ($48,782.00) | $0.00 | ($48,782.00) | $1,114,542.43 | $0.00 | $1,114,542.43 | ($1,163,324.43) | | $1,173,691.76 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **226 - MUNICIPAL REFUSE FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 12,114,675.00 | .00 | 12,114,675.00 | 11,294,494.80 | .00 | 11,294,494.80 | 820,180.20 | 93 | 11,078,075.21 |
| REVENUE TOTALS | $12,114,675.00 | $0.00 | $12,114,675.00 | $11,294,494.80 | $0.00 | $11,294,494.80 | $820,180.20 | 93% | $11,078,075.21 |
| EXPENSE | | | | | | | | | |
| Department **521 - SANITATION** | 1,376,313.00 | 56,000.00 | 1,432,313.00 | 102,597.91 | .00 | 102,597.91 | 1,329,715.09 | 7 | 105,544.11 |
| Department **528 - PUBLIC SERVICE** | 11,225,680.00 | 385,006.00 | 11,610,686.00 | 395,764.51 | 11,669.99 | 395,764.51 | 11,203,251.50 | 4 | 324,430.50 |
| Department **529 - ANIMAL CONTROL** | 379,251.00 | .00 | 379,251.00 | 8,858.07 | .00 | 8,858.07 | 370,392.93 | 2 | 13,441.85 |
| EXPENSE TOTALS | $12,981,244.00 | $441,006.00 | $13,422,250.00 | $507,220.49 | $11,669.99 | $507,220.49 | $12,903,359.52 | 4% | $443,416.46 |
| Fund **226 - MUNICIPAL REFUSE FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 12,114,675.00 | .00 | 12,114,675.00 | 11,294,494.80 | .00 | 11,294,494.80 | 820,180.20 | 93% | 11,078,075.21 |
| EXPENSE TOTALS | 12,981,244.00 | 441,006.00 | 13,422,250.00 | 507,220.49 | 11,669.99 | 507,220.49 | 12,903,359.52 | 4% | 443,416.46 |
| Fund **226 - MUNICIPAL REFUSE FUND** Totals | ($866,569.00) | ($441,006.00) | ($1,307,575.00) | $10,787,274.31 | ($11,669.99) | $10,787,274.31 | ($12,083,179.32) | | $10,634,658.75 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **242 - LIVONIA BROWNFIELD - LSRRF** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 101,500.00 | .00 | 101,500.00 | (130.82) | .00 | (130.82) | 101,630.82 | 0 | 35,605.75 |
| REVENUE TOTALS | $101,500.00 | $0.00 | $101,500.00 | ($130.82) | $0.00 | ($130.82) | $101,630.82 | 0% | $35,605.75 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 36,384.00 | .00 | 36,384.00 | 2,613.00 | .00 | 2,613.00 | 33,771.00 | 7 | 2,552.18 |
| EXPENSE TOTALS | $36,384.00 | $0.00 | $36,384.00 | $2,613.00 | $0.00 | $2,613.00 | $33,771.00 | 7% | $2,552.18 |
| Fund **242 - LIVONIA BROWNFIELD - LSRRF** Totals | | | | | | | | | |
| REVENUE TOTALS | 101,500.00 | .00 | 101,500.00 | (130.82) | .00 | (130.82) | 101,630.82 | 0% | 35,605.75 |
| EXPENSE TOTALS | 36,384.00 | .00 | 36,384.00 | 2,613.00 | .00 | 2,613.00 | 33,771.00 | 7% | 2,552.18 |
| Fund **242 - LIVONIA BROWNFIELD - LSRRF** Totals | $65,116.00 | $0.00 | $65,116.00 | ($2,743.82) | $0.00 | ($2,743.82) | $67,859.82 | | $33,053.57 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **243 - LIVONIA BROWNFIELD REDEV AUTH** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 520,000.00 | .00 | 520,000.00 | .00 | .00 | .00 | 520,000.00 | 0 | 169,055.39 |
| REVENUE TOTALS | $520,000.00 | $0.00 | $520,000.00 | $0.00 | $0.00 | $0.00 | $520,000.00 | 0% | $169,055.39 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 520,000.00 | .00 | 520,000.00 | .00 | .00 | .00 | 520,000.00 | 0 | .00 |
| EXPENSE TOTALS | $520,000.00 | $0.00 | $520,000.00 | $0.00 | $0.00 | $0.00 | $520,000.00 | 0% | $0.00 |
| Fund **243 - LIVONIA BROWNFIELD REDEV AUTH** Totals | | | | | | | | | |
| REVENUE TOTALS | 520,000.00 | .00 | 520,000.00 | .00 | .00 | .00 | 520,000.00 | 0% | 169,055.39 |
| EXPENSE TOTALS | 520,000.00 | .00 | 520,000.00 | .00 | .00 | .00 | 520,000.00 | 0% | .00 |
| Fund **243 - LIVONIA BROWNFIELD REDEV AUTH** Totals | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | | $169,055.39 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

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Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **244 - ECONOMIC DEVEL CORP** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 100.00 | .00 | 100.00 | (10.54) | .00 | (10.54) | 110.54 | -11 | 4.96 |
| REVENUE TOTALS | $100.00 | $0.00 | $100.00 | ($10.54) | $0.00 | ($10.54) | $110.54 | -11% | $4.96 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 107.00 | .00 | 107.00 | .00 | .00 | .00 | 107.00 | 0 | .00 |
| EXPENSE TOTALS | $107.00 | $0.00 | $107.00 | $0.00 | $0.00 | $0.00 | $107.00 | 0% | $0.00 |
| Fund **244 - ECONOMIC DEVEL CORP** Totals | | | | | | | | | |
| REVENUE TOTALS | 100.00 | .00 | 100.00 | (10.54) | .00 | (10.54) | 110.54 | -11% | 4.96 |
| EXPENSE TOTALS | 107.00 | .00 | 107.00 | .00 | .00 | .00 | 107.00 | 0% | .00 |
| Fund **244 - ECONOMIC DEVEL CORP** Totals | ($7.00) | $0.00 | ($7.00) | ($10.54) | $0.00 | ($10.54) | $3.54 | | $4.96 |

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Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **248 - PLYMOUTH RD DEV AUTHORITY** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 741,518.00 | .00 | 741,518.00 | 210.07 | .00 | 210.07 | 741,307.93 | 0 | 77.23 |
| REVENUE TOTALS | $741,518.00 | $0.00 | $741,518.00 | $210.07 | $0.00 | $210.07 | $741,307.93 | 0% | $77.23 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 816,272.00 | 115,170.00 | 931,442.00 | 13.00 | .00 | 13.00 | 931,429.00 | 0 | 46,358.00 |
| EXPENSE TOTALS | $816,272.00 | $115,170.00 | $931,442.00 | $13.00 | $0.00 | $13.00 | $931,429.00 | 0% | $46,358.00 |
| Fund **248 - PLYMOUTH RD DEV AUTHORITY** Totals | | | | | | | | | |
| REVENUE TOTALS | 741,518.00 | .00 | 741,518.00 | 210.07 | .00 | 210.07 | 741,307.93 | 0% | 77.23 |
| EXPENSE TOTALS | 816,272.00 | 115,170.00 | 931,442.00 | 13.00 | .00 | 13.00 | 931,429.00 | 0% | 46,358.00 |
| Fund **248 - PLYMOUTH RD DEV AUTHORITY** Totals | ($74,754.00) | ($115,170.00) | ($189,924.00) | $197.07 | $0.00 | $197.07 | ($190,121.07) | | ($46,280.77) |

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|---|---|---|---|---|---|---|---|---|---|
| Fund **260 - MIDC GRANT** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 592,374.00 | .00 | 592,374.00 | 447,145.45 | .00 | 447,145.45 | 145,228.55 | 75 | 362,994.64 |
| REVENUE TOTALS | $592,374.00 | $0.00 | $592,374.00 | $447,145.45 | $0.00 | $447,145.45 | $145,228.55 | 75% | $362,994.64 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 592,374.00 | .00 | 592,374.00 | 13,956.20 | .00 | 13,956.20 | 578,417.80 | 2 | 14,773.02 |
| EXPENSE TOTALS | $592,374.00 | $0.00 | $592,374.00 | $13,956.20 | $0.00 | $13,956.20 | $578,417.80 | 2% | $14,773.02 |
| Fund **260 - MIDC GRANT** Totals | | | | | | | | | |
| REVENUE TOTALS | 592,374.00 | .00 | 592,374.00 | 447,145.45 | .00 | 447,145.45 | 145,228.55 | 75% | 362,994.64 |
| EXPENSE TOTALS | 592,374.00 | .00 | 592,374.00 | 13,956.20 | .00 | 13,956.20 | 578,417.80 | 2% | 14,773.02 |
| Fund **260 - MIDC GRANT** Totals | $0.00 | $0.00 | $0.00 | $433,189.25 | $0.00 | $433,189.25 | ($433,189.25) | | $348,221.62 |

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Through 12/31/21

Prior Fiscal Year Activity Included

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|---|---|---|---|---|---|---|---|---|---|
| Fund **261 - PUB. SAFETY COMMUNICATION** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 515,000.00 | .00 | 515,000.00 | 411,466.85 | .00 | 411,466.85 | 103,533.15 | 80 | 224,646.09 |
| REVENUE TOTALS | $515,000.00 | $0.00 | $515,000.00 | $411,466.85 | $0.00 | $411,466.85 | $103,533.15 | 80% | $224,646.09 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 1,241,500.00 | 133,420.00 | 1,374,920.00 | .00 | 2,344.55 | .00 | 1,372,575.45 | 0 | 84,496.30 |
| EXPENSE TOTALS | $1,241,500.00 | $133,420.00 | $1,374,920.00 | $0.00 | $2,344.55 | $0.00 | $1,372,575.45 | 0% | $84,496.30 |
| Fund **261 - PUB. SAFETY COMMUNICATION** Totals | | | | | | | | | |
| REVENUE TOTALS | 515,000.00 | .00 | 515,000.00 | 411,466.85 | .00 | 411,466.85 | 103,533.15 | 80% | 224,646.09 |
| EXPENSE TOTALS | 1,241,500.00 | 133,420.00 | 1,374,920.00 | .00 | 2,344.55 | .00 | 1,372,575.45 | 0% | 84,496.30 |
| Fund **261 - PUB. SAFETY COMMUNICATION** Totals | ($726,500.00) | ($133,420.00) | ($859,920.00) | $411,466.85 | ($2,344.55) | $411,466.85 | ($1,269,042.30) | | $140,149.79 |

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|---|---|---|---|---|---|---|---|---|---|
| Fund **262 - ADJUDICATED FORFEITURES** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 225,000.00 | .00 | 225,000.00 | (538.43) | .00 | (538.43) | 225,538.43 | 0 | 11,644.66 |
| REVENUE TOTALS | $225,000.00 | $0.00 | $225,000.00 | ($538.43) | $0.00 | ($538.43) | $225,538.43 | 0% | $11,644.66 |
| EXPENSE | | | | | | | | | |
| Department **333 - STATE/LOCAL FORFEITURE EX** | 600,900.00 | .00 | 600,900.00 | 4,033.95 | .00 | 4,033.95 | 596,866.05 | 1 | 9,306.15 |
| Department **334 - FEDERAL FORFEITURE EXP** | 226,000.00 | .00 | 226,000.00 | 4,144.33 | .00 | 4,144.33 | 221,855.67 | 2 | 1,180.21 |
| Department **335 - CONTINUING CRIMINAL ENTERPRISE** | 145,000.00 | .00 | 145,000.00 | 1,083.75 | .00 | 1,083.75 | 143,916.25 | 1 | .00 |
| EXPENSE TOTALS | $971,900.00 | $0.00 | $971,900.00 | $9,262.03 | $0.00 | $9,262.03 | $962,637.97 | 1% | $10,486.36 |
| Fund **262 - ADJUDICATED FORFEITURES** Totals | | | | | | | | | |
| REVENUE TOTALS | 225,000.00 | .00 | 225,000.00 | (538.43) | .00 | (538.43) | 225,538.43 | 0% | 11,644.66 |
| EXPENSE TOTALS | 971,900.00 | .00 | 971,900.00 | 9,262.03 | .00 | 9,262.03 | 962,637.97 | 1% | 10,486.36 |
| Fund **262 - ADJUDICATED FORFEITURES** Totals | ($746,900.00) | $0.00 | ($746,900.00) | ($9,800.46) | $0.00 | ($9,800.46) | ($737,099.54) | | $1,158.30 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **270 - HISTORICAL COMMISSION** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 114,200.00 | .00 | 114,200.00 | 8,507.23 | .00 | 8,507.23 | 105,692.77 | 7 | 18,971.52 |
| REVENUE TOTALS | $114,200.00 | $0.00 | $114,200.00 | $8,507.23 | $0.00 | $8,507.23 | $105,692.77 | 7% | $18,971.52 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 83,900.00 | .00 | 83,900.00 | 440.47 | .00 | 440.47 | 83,459.53 | 1 | 596.82 |
| EXPENSE TOTALS | $83,900.00 | $0.00 | $83,900.00 | $440.47 | $0.00 | $440.47 | $83,459.53 | 1% | $596.82 |
| Fund **270 - HISTORICAL COMMISSION** Totals | | | | | | | | | |
| REVENUE TOTALS | 114,200.00 | .00 | 114,200.00 | 8,507.23 | .00 | 8,507.23 | 105,692.77 | 7% | 18,971.52 |
| EXPENSE TOTALS | 83,900.00 | .00 | 83,900.00 | 440.47 | .00 | 440.47 | 83,459.53 | 1% | 596.82 |
| Fund **270 - HISTORICAL COMMISSION** Totals | $30,300.00 | $0.00 | $30,300.00 | $8,066.76 | $0.00 | $8,066.76 | $22,233.24 | | $18,374.70 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **271 - LIBRARY FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 4,192,780.00 | .00 | 4,192,780.00 | 3,815,807.71 | .00 | 3,815,807.71 | 376,972.29 | 91 | 3,703,991.23 |
| REVENUE TOTALS | $4,192,780.00 | $0.00 | $4,192,780.00 | $3,815,807.71 | $0.00 | $3,815,807.71 | $376,972.29 | 91% | $3,703,991.23 |
| EXPENSE | | | | | | | | | |
| Department **778 - CIVIC CENTER LIBRARY** | 3,407,992.00 | 234,220.00 | 3,642,212.00 | 158,336.24 | .00 | 158,336.24 | 3,483,875.76 | 4 | 159,794.20 |
| Department **779 - NOBLE LIBRARY** | 20,000.00 | .00 | 20,000.00 | 597.31 | .00 | 597.31 | 19,402.69 | 3 | .00 |
| Department **780 - SANDBURG LIBRARY** | 770,976.00 | .00 | 770,976.00 | 48,262.87 | .00 | 48,262.87 | 722,713.13 | 6 | 39,680.82 |
| EXPENSE TOTALS | $4,198,968.00 | $234,220.00 | $4,433,188.00 | $207,196.42 | $0.00 | $207,196.42 | $4,225,991.58 | 5% | $199,475.02 |
| Fund **271 - LIBRARY FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 4,192,780.00 | .00 | 4,192,780.00 | 3,815,807.71 | .00 | 3,815,807.71 | 376,972.29 | 91% | 3,703,991.23 |
| EXPENSE TOTALS | 4,198,968.00 | 234,220.00 | 4,433,188.00 | 207,196.42 | .00 | 207,196.42 | 4,225,991.58 | 5% | 199,475.02 |
| Fund **271 - LIBRARY FUND** Totals | ($6,188.00) | ($234,220.00) | ($240,408.00) | $3,608,611.29 | $0.00 | $3,608,611.29 | ($3,849,019.29) | | $3,504,516.21 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **272 - ARTS COMMISSION FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 9,000.00 | .00 | 9,000.00 | 271.62 | .00 | 271.62 | 8,728.38 | 3 | 17.05 |
| REVENUE TOTALS | $9,000.00 | $0.00 | $9,000.00 | $271.62 | $0.00 | $271.62 | $8,728.38 | 3% | $17.05 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 13,000.00 | .00 | 13,000.00 | 557.03 | .00 | 557.03 | 12,442.97 | 4 | .00 |
| EXPENSE TOTALS | $13,000.00 | $0.00 | $13,000.00 | $557.03 | $0.00 | $557.03 | $12,442.97 | 4% | $0.00 |
| Fund **272 - ARTS COMMISSION FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 9,000.00 | .00 | 9,000.00 | 271.62 | .00 | 271.62 | 8,728.38 | 3% | 17.05 |
| EXPENSE TOTALS | 13,000.00 | .00 | 13,000.00 | 557.03 | .00 | 557.03 | 12,442.97 | 4% | .00 |
| Fund **272 - ARTS COMMISSION FUND** Totals | ($4,000.00) | $0.00 | ($4,000.00) | ($285.41) | $0.00 | ($285.41) | ($3,714.59) | | $17.05 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **286 - TRANSIT & CAPITAL IMPR** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 2,465,846.00 | .00 | 2,465,846.00 | 2,335,977.10 | .00 | 2,335,977.10 | 129,868.90 | 95 | 2,287,948.64 |
| REVENUE TOTALS | $2,465,846.00 | $0.00 | $2,465,846.00 | $2,335,977.10 | $0.00 | $2,335,977.10 | $129,868.90 | 95% | $2,287,948.64 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 2,465,846.00 | .00 | 2,465,846.00 | 2,465,846.00 | .00 | 2,465,846.00 | .00 | 100 | 2,407,245.00 |
| EXPENSE TOTALS | $2,465,846.00 | $0.00 | $2,465,846.00 | $2,465,846.00 | $0.00 | $2,465,846.00 | $0.00 | 100% | $2,407,245.00 |
| Fund **286 - TRANSIT & CAPITAL IMPR** Totals | | | | | | | | | |
| REVENUE TOTALS | 2,465,846.00 | .00 | 2,465,846.00 | 2,335,977.10 | .00 | 2,335,977.10 | 129,868.90 | 95% | 2,287,948.64 |
| EXPENSE TOTALS | 2,465,846.00 | .00 | 2,465,846.00 | 2,465,846.00 | .00 | 2,465,846.00 | .00 | 100% | 2,407,245.00 |
| Fund **286 - TRANSIT & CAPITAL IMPR** Totals | $0.00 | $0.00 | $0.00 | ($129,868.90) | $0.00 | ($129,868.90) | $129,868.90 | | ($119,296.36) |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **288 - COMMUNITY TRANSIT PROGRAM** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 719,445.00 | .00 | 719,445.00 | 669,088.73 | .00 | 669,088.73 | 50,356.27 | 93 | 935,617.94 |
| REVENUE TOTALS | $719,445.00 | $0.00 | $719,445.00 | $669,088.73 | $0.00 | $669,088.73 | $50,356.27 | 93% | $935,617.94 |
| EXPENSE | | | | | | | | | |
| Department **606 - COMM TRANSIT DISPATCHERS** | 104,081.00 | .00 | 104,081.00 | 4,547.51 | .00 | 4,547.51 | 99,533.49 | 4 | 4,637.81 |
| Department **607 - COMMUNITY TRANSIT ADMIN** | 159,222.00 | .00 | 159,222.00 | 7,281.59 | .00 | 7,281.59 | 151,940.41 | 5 | 7,558.49 |
| Department **608 - COMMUNITY TRANSIT** | 1,040,913.00 | .00 | 1,040,913.00 | 189,674.02 | .00 | 189,674.02 | 851,238.98 | 18 | 170,200.06 |
| EXPENSE TOTALS | $1,304,216.00 | $0.00 | $1,304,216.00 | $201,503.12 | $0.00 | $201,503.12 | $1,102,712.88 | 15% | $182,396.36 |
| Fund **288 - COMMUNITY TRANSIT PROGRAM** Totals | | | | | | | | | |
| REVENUE TOTALS | 719,445.00 | .00 | 719,445.00 | 669,088.73 | .00 | 669,088.73 | 50,356.27 | 93% | 935,617.94 |
| EXPENSE TOTALS | 1,304,216.00 | .00 | 1,304,216.00 | 201,503.12 | .00 | 201,503.12 | 1,102,712.88 | 15% | 182,396.36 |
| Fund **288 - COMMUNITY TRANSIT PROGRAM** Totals | ($584,771.00) | $0.00 | ($584,771.00) | $467,585.61 | $0.00 | $467,585.61 | ($1,052,356.61) | | $753,221.58 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **297 - CABLE TELEVISION FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 413,100.00 | .00 | 413,100.00 | (352.36) | .00 | (352.36) | 413,452.36 | 0 | 184.81 |
| REVENUE TOTALS | $413,100.00 | $0.00 | $413,100.00 | ($352.36) | $0.00 | ($352.36) | $413,452.36 | 0% | $184.81 |
| EXPENSE | | | | | | | | | |
| Department **806 - CABLE TELEVISION** | 554,196.00 | .00 | 554,196.00 | 23,876.62 | 796.97 | 23,876.62 | 529,522.41 | 4 | 21,641.68 |
| EXPENSE TOTALS | $554,196.00 | $0.00 | $554,196.00 | $23,876.62 | $796.97 | $23,876.62 | $529,522.41 | 4% | $21,641.68 |
| Fund **297 - CABLE TELEVISION FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 413,100.00 | .00 | 413,100.00 | (352.36) | .00 | (352.36) | 413,452.36 | 0% | 184.81 |
| EXPENSE TOTALS | 554,196.00 | .00 | 554,196.00 | 23,876.62 | 796.97 | 23,876.62 | 529,522.41 | 4% | 21,641.68 |
| Fund **297 - CABLE TELEVISION FUND** Totals | ($141,096.00) | $0.00 | ($141,096.00) | ($24,228.98) | ($796.97) | ($24,228.98) | ($116,070.05) | | ($21,456.87) |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **372 - D/S 2015 MBA REFUNDING** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 180,382.00 | .00 | 180,382.00 | .00 | .00 | .00 | 180,382.00 | 0 | .00 |
| REVENUE TOTALS | $180,382.00 | $0.00 | $180,382.00 | $0.00 | $0.00 | $0.00 | $180,382.00 | 0% | $0.00 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 180,382.00 | .00 | 180,382.00 | .00 | .00 | .00 | 180,382.00 | 0 | .00 |
| EXPENSE TOTALS | $180,382.00 | $0.00 | $180,382.00 | $0.00 | $0.00 | $0.00 | $180,382.00 | 0% | $0.00 |
| Fund **372 - D/S 2015 MBA REFUNDING** Totals | | | | | | | | | |
| REVENUE TOTALS | 180,382.00 | .00 | 180,382.00 | .00 | .00 | .00 | 180,382.00 | 0% | .00 |
| EXPENSE TOTALS | 180,382.00 | .00 | 180,382.00 | .00 | .00 | .00 | 180,382.00 | 0% | .00 |
| Fund **372 - D/S 2015 MBA REFUNDING** Totals | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | | $0.00 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **373 - D/S 2016 MBA REFUNDING** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 547,400.00 | .00 | 547,400.00 | .00 | .00 | .00 | 547,400.00 | 0 | .00 |
| REVENUE TOTALS | $547,400.00 | $0.00 | $547,400.00 | $0.00 | $0.00 | $0.00 | $547,400.00 | 0% | $0.00 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 547,400.00 | .00 | 547,400.00 | .00 | .00 | .00 | 547,400.00 | 0 | .00 |
| EXPENSE TOTALS | $547,400.00 | $0.00 | $547,400.00 | $0.00 | $0.00 | $0.00 | $547,400.00 | 0% | $0.00 |
| Fund **373 - D/S 2016 MBA REFUNDING** Totals | | | | | | | | | |
| REVENUE TOTALS | 547,400.00 | .00 | 547,400.00 | .00 | .00 | .00 | 547,400.00 | 0% | .00 |
| EXPENSE TOTALS | 547,400.00 | .00 | 547,400.00 | .00 | .00 | .00 | 547,400.00 | 0% | .00 |
| Fund **373 - D/S 2016 MBA REFUNDING** Totals | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | | $0.00 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **374 - D/S 2017 MBA REFUNDING** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 1,992,150.00 | .00 | 1,992,150.00 | .00 | .00 | .00 | 1,992,150.00 | 0 | .00 |
| REVENUE TOTALS | $1,992,150.00 | $0.00 | $1,992,150.00 | $0.00 | $0.00 | $0.00 | $1,992,150.00 | 0% | $0.00 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 1,992,150.00 | .00 | 1,992,150.00 | .00 | .00 | .00 | 1,992,150.00 | 0 | .00 |
| EXPENSE TOTALS | $1,992,150.00 | $0.00 | $1,992,150.00 | $0.00 | $0.00 | $0.00 | $1,992,150.00 | 0% | $0.00 |
| Fund **374 - D/S 2017 MBA REFUNDING** Totals | | | | | | | | | |
| REVENUE TOTALS | 1,992,150.00 | .00 | 1,992,150.00 | .00 | .00 | .00 | 1,992,150.00 | 0% | .00 |
| EXPENSE TOTALS | 1,992,150.00 | .00 | 1,992,150.00 | .00 | .00 | .00 | 1,992,150.00 | 0% | .00 |
| Fund **374 - D/S 2017 MBA REFUNDING** Totals | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | | $0.00 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **401 - CAPITAL PROJECTS** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 1,915,846.00 | .00 | 1,915,846.00 | 1,911,425.86 | .00 | 1,911,425.86 | 4,420.14 | 100 | 2,134,357.60 |
| REVENUE TOTALS | $1,915,846.00 | $0.00 | $1,915,846.00 | $1,911,425.86 | $0.00 | $1,911,425.86 | $4,420.14 | 100% | $2,134,357.60 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 3,794,896.00 | 5,890,455.00 | 9,685,351.00 | 66,246.44 | 468,775.69 | 66,246.44 | 9,150,328.87 | 6 | 130,806.17 |
| EXPENSE TOTALS | $3,794,896.00 | $5,890,455.00 | $9,685,351.00 | $66,246.44 | $468,775.69 | $66,246.44 | $9,150,328.87 | 6% | $130,806.17 |
| Fund **401 - CAPITAL PROJECTS** Totals | | | | | | | | | |
| REVENUE TOTALS | 1,915,846.00 | .00 | 1,915,846.00 | 1,911,425.86 | .00 | 1,911,425.86 | 4,420.14 | 100% | 2,134,357.60 |
| EXPENSE TOTALS | 3,794,896.00 | 5,890,455.00 | 9,685,351.00 | 66,246.44 | 468,775.69 | 66,246.44 | 9,150,328.87 | 6% | 130,806.17 |
| Fund **401 - CAPITAL PROJECTS** Totals | ($1,879,050.00) | ($5,890,455.00) | ($7,769,505.00) | $1,845,179.42 | ($468,775.69) | $1,845,179.42 | ($9,145,908.73) | | $2,003,551.43 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **418 - BUILDING IMPROVEMENT FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 5,000.00 | .00 | 5,000.00 | (1,957.65) | .00 | (1,957.65) | 6,957.65 | -39 | 668.67 |
| REVENUE TOTALS | $5,000.00 | $0.00 | $5,000.00 | ($1,957.65) | $0.00 | ($1,957.65) | $6,957.65 | -39% | $668.67 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 300,000.00 | .00 | 300,000.00 | .00 | .00 | .00 | 300,000.00 | 0 | .00 |
| EXPENSE TOTALS | $300,000.00 | $0.00 | $300,000.00 | $0.00 | $0.00 | $0.00 | $300,000.00 | 0% | $0.00 |
| Fund **418 - BUILDING IMPROVEMENT FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 5,000.00 | .00 | 5,000.00 | (1,957.65) | .00 | (1,957.65) | 6,957.65 | -39% | 668.67 |
| EXPENSE TOTALS | 300,000.00 | .00 | 300,000.00 | .00 | .00 | .00 | 300,000.00 | 0% | .00 |
| Fund **418 - BUILDING IMPROVEMENT FUND** Totals | ($295,000.00) | $0.00 | ($295,000.00) | ($1,957.65) | $0.00 | ($1,957.65) | ($293,042.35) | | $668.67 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **536 - NEWBURGH VILLAGE** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 842,000.00 | .00 | 842,000.00 | 68,469.34 | .00 | 68,469.34 | 773,530.66 | 8 | 69,728.33 |
| REVENUE TOTALS | $842,000.00 | $0.00 | $842,000.00 | $68,469.34 | $0.00 | $68,469.34 | $773,530.66 | 8% | $69,728.33 |
| EXPENSE | | | | | | | | | |
| Department **677 - NEWBURGH VILLAGE** | 709,027.00 | 750,000.00 | 1,459,027.00 | 56,224.00 | 24,102.00 | 56,224.00 | 1,378,701.00 | 6 | 39,462.47 |
| EXPENSE TOTALS | $709,027.00 | $750,000.00 | $1,459,027.00 | $56,224.00 | $24,102.00 | $56,224.00 | $1,378,701.00 | 6% | $39,462.47 |
| Fund **536 - NEWBURGH VILLAGE** Totals | | | | | | | | | |
| REVENUE TOTALS | 842,000.00 | .00 | 842,000.00 | 68,469.34 | .00 | 68,469.34 | 773,530.66 | 8% | 69,728.33 |
| EXPENSE TOTALS | 709,027.00 | 750,000.00 | 1,459,027.00 | 56,224.00 | 24,102.00 | 56,224.00 | 1,378,701.00 | 6% | 39,462.47 |
| Fund **536 - NEWBURGH VILLAGE** Totals | $132,973.00 | ($750,000.00) | ($617,027.00) | $12,245.34 | ($24,102.00) | $12,245.34 | ($605,170.34) | | $30,265.86 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **538 - SILVER VILLAGE FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 688,620.00 | .00 | 688,620.00 | 54,043.38 | .00 | 54,043.38 | 634,576.62 | 8 | 55,262.35 |
| REVENUE TOTALS | $688,620.00 | $0.00 | $688,620.00 | $54,043.38 | $0.00 | $54,043.38 | $634,576.62 | 8% | $55,262.35 |
| EXPENSE | | | | | | | | | |
| Department **676 - SILVER VILLAGE** | 673,679.00 | 700,000.00 | 1,373,679.00 | 36,102.83 | .00 | 36,102.83 | 1,337,576.17 | 3 | 28,967.92 |
| EXPENSE TOTALS | $673,679.00 | $700,000.00 | $1,373,679.00 | $36,102.83 | $0.00 | $36,102.83 | $1,337,576.17 | 3% | $28,967.92 |
| Fund **538 - SILVER VILLAGE FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 688,620.00 | .00 | 688,620.00 | 54,043.38 | .00 | 54,043.38 | 634,576.62 | 8% | 55,262.35 |
| EXPENSE TOTALS | 673,679.00 | 700,000.00 | 1,373,679.00 | 36,102.83 | .00 | 36,102.83 | 1,337,576.17 | 3% | 28,967.92 |
| Fund **538 - SILVER VILLAGE FUND** Totals | $14,941.00 | ($700,000.00) | ($685,059.00) | $17,940.55 | $0.00 | $17,940.55 | ($702,999.55) | | $26,294.43 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **584 - GOLF COURSE FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 1,981,521.00 | .00 | 1,981,521.00 | 12,164.84 | .00 | 12,164.84 | 1,969,356.16 | 1 | 34,439.94 |
| REVENUE TOTALS | $1,981,521.00 | $0.00 | $1,981,521.00 | $12,164.84 | $0.00 | $12,164.84 | $1,969,356.16 | 1% | $34,439.94 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 250,000.00 | 90,000.00 | 340,000.00 | .00 | .00 | .00 | 340,000.00 | 0 | .00 |
| Department **773 - WHISPERING WILLOWS** | 727,231.00 | .00 | 727,231.00 | 33,723.28 | 1,573.33 | 33,723.28 | 691,934.39 | 5 | 10,894.23 |
| Department **774 - IDYL WYLD** | 544,731.00 | .00 | 544,731.00 | 24,298.10 | 1,573.33 | 24,298.10 | 518,859.57 | 5 | 11,254.41 |
| Department **775 - FOX CREEK** | 781,388.00 | .00 | 781,388.00 | 27,550.89 | 1,573.34 | 27,550.89 | 752,263.77 | 4 | 18,793.50 |
| EXPENSE TOTALS | $2,303,350.00 | $90,000.00 | $2,393,350.00 | $85,572.27 | $4,720.00 | $85,572.27 | $2,303,057.73 | 4% | $40,942.14 |
| Fund **584 - GOLF COURSE FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 1,981,521.00 | .00 | 1,981,521.00 | 12,164.84 | .00 | 12,164.84 | 1,969,356.16 | 1% | 34,439.94 |
| EXPENSE TOTALS | 2,303,350.00 | 90,000.00 | 2,393,350.00 | 85,572.27 | 4,720.00 | 85,572.27 | 2,303,057.73 | 4% | 40,942.14 |
| Fund **584 - GOLF COURSE FUND** Totals | ($321,829.00) | ($90,000.00) | ($411,829.00) | ($73,407.43) | ($4,720.00) | ($73,407.43) | ($333,701.57) | | ($6,502.20) |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 12/31/2021

Through 12/31/21

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **592 - WATER AND SEWER FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 43,315,647.00 | .00 | 43,315,647.00 | 2,814,383.64 | .00 | 2,814,383.64 | 40,501,263.36 | 6 | 2,871,279.66 |
| REVENUE TOTALS | $43,315,647.00 | $0.00 | $43,315,647.00 | $2,814,383.64 | $0.00 | $2,814,383.64 | $40,501,263.36 | 6% | $2,871,279.66 |
| EXPENSE | | | | | | | | | |
| Department **558 - W & S FINANCIAL ADMIN** | 34,316,085.00 | .00 | 34,316,085.00 | 2,865,060.63 | .00 | 2,865,060.63 | 31,451,024.37 | 8 | 2,853,755.13 |
| Department **559 - W & S FIELD OPERATIONS** | 7,602,751.00 | 224,191.00 | 7,826,942.00 | 346,504.46 | 3,980.00 | 346,504.46 | 7,476,457.54 | 4 | 347,394.82 |
| EXPENSE TOTALS | $41,918,836.00 | $224,191.00 | $42,143,027.00 | $3,211,565.09 | $3,980.00 | $3,211,565.09 | $38,927,481.91 | 8% | $3,201,149.95 |
| Fund **592 - WATER AND SEWER FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 43,315,647.00 | .00 | 43,315,647.00 | 2,814,383.64 | .00 | 2,814,383.64 | 40,501,263.36 | 6% | 2,871,279.66 |
| EXPENSE TOTALS | 41,918,836.00 | 224,191.00 | 42,143,027.00 | 3,211,565.09 | 3,980.00 | 3,211,565.09 | 38,927,481.91 | 8% | 3,201,149.95 |
| Fund **592 - WATER AND SEWER FUND** Totals | $1,396,811.00 | ($224,191.00) | $1,172,620.00 | ($397,181.45) | ($3,980.00) | ($397,181.45) | $1,573,781.45 | | ($329,870.29) |
| Grand Totals | | | | | | | | | |
| REVENUE TOTALS | 180,363,207.00 | .00 | 180,363,207.00 | 76,923,713.81 | .00 | 76,923,713.81 | 103,439,493.19 | 43% | 71,712,865.38 |
| EXPENSE TOTALS | 187,360,707.00 | 12,102,983.00 | 199,463,690.00 | 12,020,562.54 | 633,330.81 | 12,020,562.54 | 186,809,796.65 | 6% | 11,535,893.73 |
| Grand Totals | ($6,997,500.00) | ($12,102,983.00) | ($19,100,483.00) | $64,903,151.27 | ($633,330.81) | $64,903,151.27 | ($83,370,303.46) | | $60,176,971.65 |

# LETTER TO THE LIVONIA CITY COUNCIL

## Finance
## March 29, 2022

| MEETING DATE | PREPARED BY |
|---|---|
| Regular Meeting of 04/18/22 | DeAnne Bates, Program Supervisor, |

## AGENDA ITEM

b. Communication from the Department of Finance, dated March 29, 2022; re: forwarding various financial statements of the City of Livonia for the month ending January 31, 2022.

## BACKGROUND

Attached hereto are the various financial statements of the City of Livonia for the month ending January 31, 2022. These statements are summarized so that you may make a quick financial overview of the various funds. Detailed statements, in support of the summarized statements, have been forwarded electronically to the Council Office.

## RECOMMENDATION

We respectfully request that City Council receive and file this report.

## FISCAL CONSIDERATION

N/A

## ATTACHMENTS

1. BUDGET TO ACTUAL - COUNCIL SUMMARY January 2022

## APPROVED BY

Michael T Slater

Michael Slater, Finance Director — Date: March 29, 2022

Maureen Miller Brosnan

Maureen Miller Brosnan, Mayor — Date: March 31, 2022

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 1/31/2022

Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|---|
| Fund | **101 - GENERAL FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | | |
| Department | **000 - ACCOUNT BALANCES** | 65,093,660.00 | .00 | 65,093,660.00 | 1,026,952.99 | .00 | 43,217,284.83 | 21,876,375.17 | 66 | 38,128,145.86 |
| | REVENUE TOTALS | $65,093,660.00 | $0.00 | $65,093,660.00 | $1,026,952.99 | $0.00 | $43,217,284.83 | $21,876,375.17 | 66% | $38,128,145.86 |
| EXPENSE | | | | | | | | | | |
| Department | **101 - CITY COUNCIL** | 313,976.00 | .00 | 313,976.00 | 21,841.43 | 8,864.24 | 36,105.95 | 269,005.81 | 14 | 36,093.52 |
| Department | **173 - MAYOR'S OFFICE** | 491,847.00 | .00 | 491,847.00 | 38,311.24 | .00 | 78,077.87 | 413,769.13 | 16 | 83,915.89 |
| Department | **174 - COMMUNICATIONS** | 402,568.00 | .00 | 402,568.00 | 33,960.77 | 750.00 | 59,885.75 | 341,932.25 | 15 | 48,687.57 |
| Department | **175 - GOVERNMENT AFFAIRS** | 167,692.00 | .00 | 167,692.00 | 10,429.12 | .00 | 14,054.12 | 153,637.88 | 8 | .00 |
| Department | **191 - ACCOUNTING** | 247,017.00 | .00 | 247,017.00 | 29,703.82 | .00 | 13,073.56 | 233,943.44 | 5 | (10,401.60) |
| Department | **192 - FINANCE DEPARTMENT** | 432,429.00 | .00 | 432,429.00 | 33,802.96 | .00 | 60,481.83 | 371,947.17 | 14 | 59,780.73 |
| Department | **215 - CITY CLERK** | 676,915.00 | .00 | 676,915.00 | 46,521.98 | .00 | 79,997.06 | 596,917.94 | 12 | 93,248.51 |
| Department | **223 - INDEPENDENT AUDIT** | 32,955.00 | .00 | 32,955.00 | 10,640.92 | .00 | 9,470.92 | 23,484.08 | 29 | (2,440.00) |
| Department | **228 - INFORMATION SYSTEMS** | 1,231,600.00 | .00 | 1,231,600.00 | 150,235.19 | 16,360.21 | 335,857.04 | 879,382.75 | 29 | 247,322.76 |
| Department | **236 - ETHICS BOARD** | 400.00 | .00 | 400.00 | .00 | .00 | .00 | 400.00 | 0 | .00 |
| Department | **238 - NON DEPARTMENTAL** | 4,000.00 | .00 | 4,000.00 | .00 | .00 | .00 | 4,000.00 | 0 | .00 |
| Department | **247 - BOARD OF REVIEW** | 3,545.00 | .00 | 3,545.00 | .00 | .00 | 344.48 | 3,200.52 | 10 | 344.48 |
| Department | **253 - TREASURER** | 570,852.00 | .00 | 570,852.00 | 36,199.14 | .00 | 80,933.11 | 489,918.89 | 14 | 77,185.63 |
| Department | **256 - TERMINATION PAY** | 1,280,000.00 | .00 | 1,280,000.00 | 215,711.20 | .00 | 215,711.20 | 1,064,288.80 | 17 | 65,726.02 |
| Department | **257 - ASSESSING** | 653,273.00 | .00 | 653,273.00 | 45,273.00 | 3,119.43 | 95,280.14 | 554,873.43 | 15 | 67,715.66 |
| Department | **261 - UTILITIES AND SUPPLIES** | 556,966.00 | .00 | 556,966.00 | 27,335.86 | .00 | 47,970.50 | 508,995.50 | 9 | 55,241.23 |
| Department | **262 - ELECTION COMMISSION** | 357,187.00 | .00 | 357,187.00 | 7,924.14 | .00 | 14,791.25 | 342,395.75 | 4 | 15,499.83 |
| Department | **263 - INSURANCE-GENERAL** | 77,158.00 | .00 | 77,158.00 | (4,819.00) | .00 | 205,410.30 | (128,252.30) | 266 | 195,178.77 |
| Department | **264 - INSURANCE-WORKERS COMP** | 345,340.00 | .00 | 345,340.00 | 37,509.32 | .00 | 214,732.87 | 130,607.13 | 62 | 217,118.33 |
| Department | **266 - LAW DEPARTMENT** | 881,135.00 | .00 | 881,135.00 | 68,164.72 | 10,382.65 | 114,452.10 | 756,300.25 | 14 | 113,363.42 |
| Department | **267 - EMPLOYEE BENEFITS CONTROL** | 42,000.00 | .00 | 42,000.00 | (15,400.04) | .00 | (348,071.71) | 390,071.71 | -829 | (1,183,196.55) |
| Department | **268 - NON-DEPT CAPITAL PROJECTS** | 5,000.00 | .00 | 5,000.00 | .00 | .00 | .00 | 5,000.00 | 0 | 525,000.00 |
| Department | **269 - CIVIL SERVICE** | 810,396.00 | .00 | 810,396.00 | 67,080.36 | .00 | 85,428.18 | 724,967.82 | 11 | 87,105.20 |
| Department | **271 - LABOR RELATIONS** | 96,500.00 | .00 | 96,500.00 | 1,435.00 | .00 | 7,060.00 | 89,440.00 | 7 | 6,402.50 |
| Department | **272 - DUES AND SUBSCRIPTIONS** | 56,000.00 | .00 | 56,000.00 | .00 | .00 | .00 | 56,000.00 | 0 | .00 |
| Department | **286 - 16TH DISTRICT COURT** | 3,380,439.00 | .00 | 3,380,439.00 | 227,465.62 | .00 | 460,000.24 | 2,920,438.76 | 14 | 509,880.99 |
| Department | **302 - TRAFFIC BUREAU** | 1,256,623.00 | .00 | 1,256,623.00 | 68,316.35 | .00 | 132,548.16 | 1,124,074.84 | 11 | 91,784.48 |
| Department | **304 - POLICE ADMINISTRATION** | 3,018,863.00 | .00 | 3,018,863.00 | 176,405.23 | 16,310.98 | 314,482.34 | 2,688,069.68 | 11 | 258,006.73 |
| Department | **306 - POLICE DATA PROCESSING** | 895,330.00 | .00 | 895,330.00 | 85,433.54 | 3,882.18 | 130,580.09 | 760,867.73 | 15 | 94,434.74 |
| Department | **307 - DETECTIVE BUREAU** | 3,465,058.00 | .00 | 3,465,058.00 | 228,862.87 | 5,995.00 | 427,891.93 | 3,031,171.07 | 13 | 432,348.63 |
| Department | **309 - AUTOMOTIVE SERVICE** | 556,150.00 | .00 | 556,150.00 | 33,505.41 | .00 | 64,133.37 | 492,016.63 | 12 | 35,278.59 |
| Department | **310 - POLICE COMMUNICATIONS** | 945,239.00 | .00 | 945,239.00 | 61,599.89 | .00 | 105,950.67 | 839,288.33 | 11 | 102,655.83 |
| Department | **313 - CROSSING GUARDS** | 70,723.00 | .00 | 70,723.00 | 2,802.66 | .00 | 6,200.06 | 64,522.94 | 9 | 1,246.94 |
| Department | **316 - SCHOOL LIAISON** | 427,781.00 | .00 | 427,781.00 | 25,257.80 | .00 | 43,730.31 | 384,050.69 | 10 | 52,735.20 |
| Department | **318 - OFFICE OF EMERG PREP** | 159,583.00 | .00 | 159,583.00 | 25,725.46 | .00 | 36,418.45 | 123,164.55 | 23 | 17,073.08 |
| Department | **319 - RESERVE POL/SPECIAL EVENT** | 329,530.00 | .00 | 329,530.00 | 19,305.49 | .00 | 35,680.42 | 293,849.58 | 11 | 30,263.35 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 1/31/2022

Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **101 - GENERAL FUND** | | | | | | | | | |
| EXPENSE | | | | | | | | | |
| Department **325 - POLICE PATROL BUREAU** | 13,912,581.00 | .00 | 13,912,581.00 | 849,146.07 | .00 | 1,519,150.90 | 12,393,430.10 | 11 | 1,455,639.95 |
| Department **329 - INTELLIGENCE BUREAU** | 2,231,708.00 | .00 | 2,231,708.00 | 115,699.26 | .00 | 211,109.71 | 2,020,598.29 | 9 | 203,204.07 |
| Department **336 - FIRE ADMINISTRATION** | 1,293,271.00 | .00 | 1,293,271.00 | 93,644.22 | .00 | 163,112.45 | 1,130,158.55 | 13 | 131,033.47 |
| Department **338 - FIRE FIGHTING** | 13,998,535.00 | .00 | 13,998,535.00 | 1,006,179.17 | 2,199.63 | 1,728,749.18 | 12,267,586.19 | 12 | 1,719,439.76 |
| Department **341 - FIRE PREVENTION** | 807,362.00 | .00 | 807,362.00 | 60,284.34 | .00 | 110,022.54 | 697,339.46 | 14 | 109,159.40 |
| Department **371 - INSPECTION** | 1,803,814.00 | .00 | 1,803,814.00 | 111,857.89 | .00 | 185,503.86 | 1,618,310.14 | 10 | 184,855.50 |
| Department **381 - BLDG CODE BD OF APPEALS** | 1,861.00 | .00 | 1,861.00 | .00 | .00 | .00 | 1,861.00 | 0 | .00 |
| Department **435 - TRAFFIC COMMISSION** | 2,353.00 | .00 | 2,353.00 | 145.32 | .00 | 409.10 | 1,943.90 | 17 | 263.73 |
| Department **441 - PUBLIC SERV ADMIN** | 122,196.00 | .00 | 122,196.00 | (20,290.65) | .00 | (64,082.71) | 186,278.71 | -52 | (60,905.26) |
| Department **443 - PUBLIC SERV-EQUIP MAINT** | 123,957.00 | .00 | 123,957.00 | (610.43) | .00 | (44,538.20) | 168,495.20 | -36 | (64,593.54) |
| Department **447 - ENGINEERING** | 1,040.00 | .00 | 1,040.00 | (22,158.12) | .00 | (69,060.45) | 70,100.45 | -6640 | (58,190.66) |
| Department **448 - STREET LIGHTING** | 238,912.00 | .00 | 238,912.00 | 18,037.64 | .00 | 39,567.40 | 199,344.60 | 17 | 37,285.76 |
| Department **463 - MAINTENANCE-STREET** | 468,327.00 | .00 | 468,327.00 | 13,811.67 | 6,251.57 | (67,459.01) | 529,534.44 | -13 | (91,804.61) |
| Department **523 - PUBLIC SERV-BLDG MAINT** | 1,655,680.00 | .00 | 1,655,680.00 | 84,869.84 | 25,751.59 | 110,204.01 | 1,519,724.40 | 8 | 162,720.25 |
| Department **524 - PARKS** | 1,269,223.00 | .00 | 1,269,223.00 | 55,501.14 | 12,651.00 | 69,933.40 | 1,186,638.60 | 7 | 67,583.50 |
| Department **701 - PLANNING** | 724,787.00 | .00 | 724,787.00 | 45,333.08 | .00 | 76,569.58 | 648,217.42 | 11 | 63,753.89 |
| Department **702 - ZONING BOARD OF APPEALS** | 54,103.00 | .00 | 54,103.00 | 2,683.02 | .00 | 11,322.09 | 42,780.91 | 21 | 10,872.00 |
| Department **752 - RECREATION ADMINISTRATION** | 160,264.00 | .00 | 160,264.00 | 5,905.29 | .00 | 1,855.56 | 158,408.44 | 1 | 9,911.57 |
| Department **758 - RECREATION FACILITIES** | 182,966.00 | .00 | 182,966.00 | 1,308.51 | .00 | 1,416.17 | 181,549.83 | 1 | 173.70 |
| Department **759 - RECREATION ATHLETICS** | 98,535.00 | .00 | 98,535.00 | 111.90 | .00 | 186.90 | 98,348.10 | 0 | 858.84 |
| Department **820 - PARKS & REC - SENIOR SERVICES** | 590,456.00 | .00 | 590,456.00 | 45,135.69 | .00 | 80,142.15 | 510,313.85 | 14 | 79,967.20 |
| Department **821 - P&R - GREENMEAD AND CULTURAL** | 1,096,237.00 | .00 | 1,096,237.00 | 57,261.70 | 23,100.00 | 117,459.13 | 955,677.87 | 13 | 105,842.48 |
| EXPENSE TOTALS | $65,080,238.00 | $0.00 | $65,080,238.00 | $4,340,398.00 | $135,618.48 | $7,360,236.32 | $57,584,383.20 | 12% | $6,491,671.46 |
| Fund **101 - GENERAL FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 65,093,660.00 | .00 | 65,093,660.00 | 1,026,952.99 | .00 | 43,217,284.83 | 21,876,375.17 | 66% | 38,128,145.86 |
| EXPENSE TOTALS | 65,080,238.00 | .00 | 65,080,238.00 | 4,340,398.00 | 135,618.48 | 7,360,236.32 | 57,584,383.20 | 12% | 6,491,671.46 |
| Fund **101 - GENERAL FUND** Totals | $13,422.00 | $0.00 | $13,422.00 | ($3,313,445.01) | ($135,618.48) | $35,857,048.51 | ($35,708,008.03) | | $31,636,474.40 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 1/31/2022

Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **202 - MAJOR STREET FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 8,758,880.00 | .00 | 8,758,880.00 | (3,711.77) | .00 | (4,796.02) | 8,763,676.02 | 0 | 698.42 |
| REVENUE TOTALS | $8,758,880.00 | $0.00 | $8,758,880.00 | ($3,711.77) | $0.00 | ($4,796.02) | $8,763,676.02 | 0% | $698.42 |
| EXPENSE | | | | | | | | | |
| Department **448 - STREET LIGHTING** | 605,415.00 | .00 | 605,415.00 | 39,416.67 | .00 | 78,833.34 | 526,581.66 | 13 | 78,000.00 |
| Department **451 - CONST-STREET AND BRIDGES** | 60,000.00 | .00 | 60,000.00 | .00 | .00 | .00 | 60,000.00 | 0 | .00 |
| Department **463 - MAINTENANCE-STREET** | 1,274,714.00 | 262,854.00 | 1,537,568.00 | 46,466.32 | .00 | 76,064.50 | 1,461,503.50 | 5 | 115,232.55 |
| Department **475 - MAINTENANCE-TRAFFIC SERV** | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | .00 |
| Department **478 - MAINT-FREEWAY LIGHTING** | 25,000.00 | .00 | 25,000.00 | 1,349.96 | .00 | 2,698.96 | 22,301.04 | 11 | 2,686.26 |
| Department **479 - SNOW AND ICE REMOVAL** | 324,000.00 | 396,497.00 | 720,497.00 | 26,999.17 | .00 | 53,998.34 | 666,498.66 | 7 | 54,796.00 |
| Department **483 - ADMIN, ENGIN RECORD KEEPI** | 148,786.00 | .00 | 148,786.00 | 12,397.00 | .00 | 24,794.00 | 123,992.00 | 17 | 30,522.00 |
| Department **484 - FUND TRANSFERS** | 7,650,000.00 | .00 | 7,650,000.00 | 637,500.00 | .00 | 1,275,000.00 | 6,375,000.00 | 17 | 1,200,000.00 |
| EXPENSE TOTALS | $10,087,915.00 | $659,351.00 | $10,747,266.00 | $764,129.12 | $0.00 | $1,511,389.14 | $9,235,876.86 | 14% | $1,481,236.81 |
| Fund **202 - MAJOR STREET FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 8,758,880.00 | .00 | 8,758,880.00 | (3,711.77) | .00 | (4,796.02) | 8,763,676.02 | 0% | 698.42 |
| EXPENSE TOTALS | 10,087,915.00 | 659,351.00 | 10,747,266.00 | 764,129.12 | .00 | 1,511,389.14 | 9,235,876.86 | 14% | 1,481,236.81 |
| Fund **202 - MAJOR STREET FUND** Totals | ($1,329,035.00) | ($659,351.00) | ($1,988,386.00) | ($767,840.89) | $0.00 | ($1,516,185.16) | ($472,200.84) | | ($1,480,538.39) |

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| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **203 - LOCAL STREET FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 10,968,534.00 | .00 | 10,968,534.00 | 636,340.36 | .00 | 1,273,510.36 | 9,695,023.64 | 12 | 1,200,249.15 |
| REVENUE TOTALS | $10,968,534.00 | $0.00 | $10,968,534.00 | $636,340.36 | $0.00 | $1,273,510.36 | $9,695,023.64 | 12% | $1,200,249.15 |
| EXPENSE | | | | | | | | | |
| Department **448 - STREET LIGHTING** | 125,000.00 | .00 | 125,000.00 | 10,416.67 | .00 | 20,833.34 | 104,166.66 | 17 | 19,666.00 |
| Department **451 - CONST-STREET AND BRIDGES** | 125,000.00 | .00 | 125,000.00 | .00 | .00 | .00 | 125,000.00 | 0 | .00 |
| Department **463 - MAINTENANCE-STREET** | 1,764,559.00 | .00 | 1,764,559.00 | 131,422.09 | .00 | 262,844.18 | 1,501,714.82 | 15 | 241,192.00 |
| Department **475 - MAINTENANCE-TRAFFIC SERV** | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | .00 |
| Department **479 - SNOW AND ICE REMOVAL** | 419,231.00 | .00 | 419,231.00 | 34,933.92 | .00 | 69,867.84 | 349,363.16 | 17 | 70,234.00 |
| Department **483 - ADMIN, ENGIN RECORD KEEPI** | 679,782.00 | .00 | 679,782.00 | 56,646.00 | .00 | 113,292.00 | 566,490.00 | 17 | 109,124.00 |
| Department **484 - FUND TRANSFERS** | 7,950,000.00 | .00 | 7,950,000.00 | 662,500.00 | .00 | 1,325,000.00 | 6,625,000.00 | 17 | 1,316,666.00 |
| EXPENSE TOTALS | $11,063,572.00 | $0.00 | $11,063,572.00 | $895,918.68 | $0.00 | $1,791,837.36 | $9,271,734.64 | 16% | $1,756,882.00 |
| Fund **203 - LOCAL STREET FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 10,968,534.00 | .00 | 10,968,534.00 | 636,340.36 | .00 | 1,273,510.36 | 9,695,023.64 | 12% | 1,200,249.15 |
| EXPENSE TOTALS | 11,063,572.00 | .00 | 11,063,572.00 | 895,918.68 | .00 | 1,791,837.36 | 9,271,734.64 | 16% | 1,756,882.00 |
| Fund **203 - LOCAL STREET FUND** Totals | ($95,038.00) | $0.00 | ($95,038.00) | ($259,578.32) | $0.00 | ($518,327.00) | $423,289.00 | | ($556,632.85) |

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| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **204 - ROAD - SIDEWALK & TREE** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 12,346,302.00 | .00 | 12,346,302.00 | 651,817.99 | .00 | 5,467,116.69 | 6,879,185.31 | 44 | 5,388,329.58 |
| REVENUE TOTALS | $12,346,302.00 | $0.00 | $12,346,302.00 | $651,817.99 | $0.00 | $5,467,116.69 | $6,879,185.31 | 44% | $5,388,329.58 |
| EXPENSE | | | | | | | | | |
| Department **441 - PUBLIC SERV ADMIN** | 50,968.00 | .00 | 50,968.00 | 4,246.00 | .00 | 8,492.00 | 42,476.00 | 17 | 5,632.00 |
| Department **447 - ENGINEERING** | 2,293,382.00 | 177,440.00 | 2,470,822.00 | 137,225.72 | .00 | 149,173.72 | 2,321,648.28 | 6 | 184,434.77 |
| Department **463 - MAINTENANCE-STREET** | 10,490,000.00 | 2,195,100.00 | 12,685,100.00 | .00 | .00 | .00 | 12,685,100.00 | 0 | .00 |
| Department **530 - FORESTRY** | 125,000.00 | .00 | 125,000.00 | .00 | .00 | .00 | 125,000.00 | 0 | .00 |
| EXPENSE TOTALS | $12,959,350.00 | $2,372,540.00 | $15,331,890.00 | $141,471.72 | $0.00 | $157,665.72 | $15,174,224.28 | 1% | $190,066.77 |
| Fund **204 - ROAD - SIDEWALK & TREE** Totals | | | | | | | | | |
| REVENUE TOTALS | 12,346,302.00 | .00 | 12,346,302.00 | 651,817.99 | .00 | 5,467,116.69 | 6,879,185.31 | 44% | 5,388,329.58 |
| EXPENSE TOTALS | 12,959,350.00 | 2,372,540.00 | 15,331,890.00 | 141,471.72 | .00 | 157,665.72 | 15,174,224.28 | 1% | 190,066.77 |
| Fund **204 - ROAD - SIDEWALK & TREE** Totals | ($613,048.00) | ($2,372,540.00) | ($2,985,588.00) | $510,346.27 | $0.00 | $5,309,450.97 | ($8,295,038.97) | | $5,198,262.81 |

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Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **208 - COMMUNITY RECREATION** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 7,708,917.00 | .00 | 7,708,917.00 | 228,757.31 | .00 | 4,439,469.56 | 3,269,447.44 | 58 | 3,939,529.46 |
| REVENUE TOTALS | $7,708,917.00 | $0.00 | $7,708,917.00 | $228,757.31 | $0.00 | $4,439,469.56 | $3,269,447.44 | 58% | $3,939,529.46 |
| EXPENSE | | | | | | | | | |
| Department **755 - RECREATION CENTER** | 6,914,862.00 | 168,384.00 | 7,083,246.00 | 350,822.19 | 47,171.00 | 682,770.07 | 6,353,304.93 | 10 | 551,899.13 |
| Department **756 - OTHER RECREATION** | 632,854.00 | 174,517.00 | 807,371.00 | 9,534.00 | .00 | 16,171.69 | 791,199.31 | 2 | 5,622.00 |
| Department **757 - ICE RINK** | 388,561.00 | .00 | 388,561.00 | .00 | .00 | .00 | 388,561.00 | 0 | .00 |
| Department **776 - SPECIAL EVENTS** | 107,069.00 | .00 | 107,069.00 | 3,174.79 | .00 | 5,083.42 | 101,985.58 | 5 | 11,318.01 |
| Department **795 - SWIMMING POOL - BOTSFORD** | 303,819.00 | 17,179.00 | 320,998.00 | 258.27 | 4,750.00 | 531.16 | 315,716.84 | 2 | 614.31 |
| Department **796 - SWIMMING POOL - CLEMENT C** | 127,378.00 | 60,000.00 | 187,378.00 | 472.96 | 5,090.00 | 781.33 | 181,506.67 | 3 | 653.21 |
| Department **797 - SWIMMING POOL - SHELDON** | 92,870.00 | 62,410.00 | 155,280.00 | 125.24 | 3,490.00 | 370.63 | 151,419.37 | 2 | 443.48 |
| EXPENSE TOTALS | $8,567,413.00 | $482,490.00 | $9,049,903.00 | $364,387.45 | $60,501.00 | $705,708.30 | $8,283,693.70 | 8% | $570,550.14 |
| Fund **208 - COMMUNITY RECREATION** Totals | | | | | | | | | |
| REVENUE TOTALS | 7,708,917.00 | .00 | 7,708,917.00 | 228,757.31 | .00 | 4,439,469.56 | 3,269,447.44 | 58% | 3,939,529.46 |
| EXPENSE TOTALS | 8,567,413.00 | 482,490.00 | 9,049,903.00 | 364,387.45 | 60,501.00 | 705,708.30 | 8,283,693.70 | 8% | 570,550.14 |
| Fund **208 - COMMUNITY RECREATION** Totals | ($858,496.00) | ($482,490.00) | ($1,340,986.00) | ($135,630.14) | ($60,501.00) | $3,733,761.26 | ($5,014,246.26) | | $3,368,979.32 |

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Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **211 - DESIGNATED PURPOSE** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 120,000.00 | .00 | 120,000.00 | 5,636.50 | .00 | 14,079.22 | 105,920.78 | 12 | 866.00 |
| REVENUE TOTALS | $120,000.00 | $0.00 | $120,000.00 | $5,636.50 | $0.00 | $14,079.22 | $105,920.78 | 12% | $866.00 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 180,000.00 | 10,140.00 | 190,140.00 | 2,697.82 | .00 | 6,700.18 | 183,439.82 | 4 | 666.00 |
| EXPENSE TOTALS | $180,000.00 | $10,140.00 | $190,140.00 | $2,697.82 | $0.00 | $6,700.18 | $183,439.82 | 4% | $666.00 |
| Fund **211 - DESIGNATED PURPOSE** Totals | | | | | | | | | |
| REVENUE TOTALS | 120,000.00 | .00 | 120,000.00 | 5,636.50 | .00 | 14,079.22 | 105,920.78 | 12% | 866.00 |
| EXPENSE TOTALS | 180,000.00 | 10,140.00 | 190,140.00 | 2,697.82 | .00 | 6,700.18 | 183,439.82 | 4% | 666.00 |
| Fund **211 - DESIGNATED PURPOSE** Totals | ($60,000.00) | ($10,140.00) | ($70,140.00) | $2,938.68 | $0.00 | $7,379.04 | ($77,519.04) | | $200.00 |

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Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **219 - SP ASSESS-LIGHTING** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | .00 | .00 | .00 | (756.09) | .00 | (972.36) | 972.36 | +++ | 394.90 |
| Department **457 - STREETLIGHTING** | 1,173,810.00 | .00 | 1,173,810.00 | .00 | .00 | 1,222,592.00 | (48,782.00) | 104 | 1,280,882.83 |
| REVENUE TOTALS | $1,173,810.00 | $0.00 | $1,173,810.00 | ($756.09) | $0.00 | $1,221,619.64 | ($47,809.64) | 104% | $1,281,277.73 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | .00 |
| Department **457 - STREETLIGHTING** | 1,222,592.00 | .00 | 1,222,592.00 | 98,255.12 | .00 | 206,088.42 | 1,016,503.58 | 17 | 205,034.52 |
| EXPENSE TOTALS | $1,222,592.00 | $0.00 | $1,222,592.00 | $98,255.12 | $0.00 | $206,088.42 | $1,016,503.58 | 17% | $205,034.52 |
| Fund **219 - SP ASSESS-LIGHTING** Totals | | | | | | | | | |
| REVENUE TOTALS | 1,173,810.00 | .00 | 1,173,810.00 | (756.09) | .00 | 1,221,619.64 | (47,809.64) | 104% | 1,281,277.73 |
| EXPENSE TOTALS | 1,222,592.00 | .00 | 1,222,592.00 | 98,255.12 | .00 | 206,088.42 | 1,016,503.58 | 17% | 205,034.52 |
| Fund **219 - SP ASSESS-LIGHTING** Totals | ($48,782.00) | $0.00 | ($48,782.00) | ($99,011.21) | $0.00 | $1,015,531.22 | ($1,064,313.22) | | $1,076,243.21 |

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| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **226 - MUNICIPAL REFUSE FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 12,114,675.00 | .00 | 12,114,675.00 | (17,432.06) | .00 | 11,277,062.74 | 837,612.26 | 93 | 11,085,544.82 |
| REVENUE TOTALS | $12,114,675.00 | $0.00 | $12,114,675.00 | ($17,432.06) | $0.00 | $11,277,062.74 | $837,612.26 | 93% | $11,085,544.82 |
| EXPENSE | | | | | | | | | |
| Department **521 - SANITATION** | 1,376,313.00 | 56,000.00 | 1,432,313.00 | 72,520.26 | .00 | 175,118.17 | 1,257,194.83 | 12 | 183,202.45 |
| Department **528 - PUBLIC SERVICE** | 11,225,680.00 | 385,006.00 | 11,610,686.00 | 1,215,433.48 | 1,470.00 | 1,611,197.99 | 9,998,018.01 | 14 | 1,178,549.18 |
| Department **529 - ANIMAL CONTROL** | 379,251.00 | .00 | 379,251.00 | 18,276.01 | 244.76 | 27,134.08 | 351,872.16 | 7 | 30,979.18 |
| EXPENSE TOTALS | $12,981,244.00 | $441,006.00 | $13,422,250.00 | $1,306,229.75 | $1,714.76 | $1,813,450.24 | $11,607,085.00 | 14% | $1,392,730.81 |
| Fund **226 - MUNICIPAL REFUSE FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 12,114,675.00 | .00 | 12,114,675.00 | (17,432.06) | .00 | 11,277,062.74 | 837,612.26 | 93% | 11,085,544.82 |
| EXPENSE TOTALS | 12,981,244.00 | 441,006.00 | 13,422,250.00 | 1,306,229.75 | 1,714.76 | 1,813,450.24 | 11,607,085.00 | 14% | 1,392,730.81 |
| Fund **226 - MUNICIPAL REFUSE FUND** Totals | ($866,569.00) | ($441,006.00) | ($1,307,575.00) | ($1,323,661.81) | ($1,714.76) | $9,463,612.50 | ($10,769,472.74) | | $9,692,814.01 |

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|---|---|---|---|---|---|---|---|---|---|
| Fund **242 - LIVONIA BROWNFIELD - LSRRF** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 101,500.00 | .00 | 101,500.00 | (471.20) | .00 | (602.02) | 102,102.02 | -1 | 35,610.71 |
| REVENUE TOTALS | $101,500.00 | $0.00 | $101,500.00 | ($471.20) | $0.00 | ($602.02) | $102,102.02 | -1% | $35,610.71 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 36,384.00 | .00 | 36,384.00 | 2,613.00 | .00 | 5,226.00 | 31,158.00 | 14 | 5,104.44 |
| EXPENSE TOTALS | $36,384.00 | $0.00 | $36,384.00 | $2,613.00 | $0.00 | $5,226.00 | $31,158.00 | 14% | $5,104.44 |
| Fund **242 - LIVONIA BROWNFIELD - LSRRF** Totals | | | | | | | | | |
| REVENUE TOTALS | 101,500.00 | .00 | 101,500.00 | (471.20) | .00 | (602.02) | 102,102.02 | -1% | 35,610.71 |
| EXPENSE TOTALS | 36,384.00 | .00 | 36,384.00 | 2,613.00 | .00 | 5,226.00 | 31,158.00 | 14% | 5,104.44 |
| Fund **242 - LIVONIA BROWNFIELD - LSRRF** Totals | $65,116.00 | $0.00 | $65,116.00 | ($3,084.20) | $0.00 | ($5,828.02) | $70,944.02 | | $30,506.27 |

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|---|---|---|---|---|---|---|---|---|---|
| Fund **243 - LIVONIA BROWNFIELD REDEV AUTH** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 520,000.00 | .00 | 520,000.00 | .00 | .00 | .00 | 520,000.00 | 0 | 169,055.39 |
| REVENUE TOTALS | $520,000.00 | $0.00 | $520,000.00 | $0.00 | $0.00 | $0.00 | $520,000.00 | 0% | $169,055.39 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 520,000.00 | .00 | 520,000.00 | .00 | .00 | .00 | 520,000.00 | 0 | .00 |
| EXPENSE TOTALS | $520,000.00 | $0.00 | $520,000.00 | $0.00 | $0.00 | $0.00 | $520,000.00 | 0% | $0.00 |
| Fund **243 - LIVONIA BROWNFIELD REDEV AUTH** Totals | | | | | | | | | |
| REVENUE TOTALS | 520,000.00 | .00 | 520,000.00 | .00 | .00 | .00 | 520,000.00 | 0% | 169,055.39 |
| EXPENSE TOTALS | 520,000.00 | .00 | 520,000.00 | .00 | .00 | .00 | 520,000.00 | 0% | .00 |
| Fund **243 - LIVONIA BROWNFIELD REDEV AUTH** Totals | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | | $169,055.39 |

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|---|---|---|---|---|---|---|---|---|---|
| Fund **244 - ECONOMIC DEVEL CORP** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 100.00 | .00 | 100.00 | (38.13) | .00 | (48.67) | 148.67 | -49 | 5.58 |
| REVENUE TOTALS | $100.00 | $0.00 | $100.00 | ($38.13) | $0.00 | ($48.67) | $148.67 | -49% | $5.58 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 107.00 | .00 | 107.00 | .00 | .00 | .00 | 107.00 | 0 | .00 |
| EXPENSE TOTALS | $107.00 | $0.00 | $107.00 | $0.00 | $0.00 | $0.00 | $107.00 | 0% | $0.00 |
| Fund **244 - ECONOMIC DEVEL CORP** Totals | | | | | | | | | |
| REVENUE TOTALS | 100.00 | .00 | 100.00 | (38.13) | .00 | (48.67) | 148.67 | -49% | 5.58 |
| EXPENSE TOTALS | 107.00 | .00 | 107.00 | .00 | .00 | .00 | 107.00 | 0% | .00 |
| Fund **244 - ECONOMIC DEVEL CORP** Totals | ($7.00) | $0.00 | ($7.00) | ($38.13) | $0.00 | ($48.67) | $41.67 | | $5.58 |

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|---|---|---|---|---|---|---|---|---|---|
| Fund **248 - PLYMOUTH RD DEV AUTHORITY** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 741,518.00 | .00 | 741,518.00 | 16.19 | .00 | 226.26 | 741,291.74 | 0 | 86.57 |
| REVENUE TOTALS | $741,518.00 | $0.00 | $741,518.00 | $16.19 | $0.00 | $226.26 | $741,291.74 | 0% | $86.57 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 816,272.00 | 115,170.00 | 931,442.00 | 19,842.47 | .00 | 19,855.47 | 911,586.53 | 2 | 60,176.92 |
| EXPENSE TOTALS | $816,272.00 | $115,170.00 | $931,442.00 | $19,842.47 | $0.00 | $19,855.47 | $911,586.53 | 2% | $60,176.92 |
| Fund **248 - PLYMOUTH RD DEV AUTHORITY** Totals | | | | | | | | | |
| REVENUE TOTALS | 741,518.00 | .00 | 741,518.00 | 16.19 | .00 | 226.26 | 741,291.74 | 0% | 86.57 |
| EXPENSE TOTALS | 816,272.00 | 115,170.00 | 931,442.00 | 19,842.47 | .00 | 19,855.47 | 911,586.53 | 2% | 60,176.92 |
| Fund **248 - PLYMOUTH RD DEV AUTHORITY** Totals | ($74,754.00) | ($115,170.00) | ($189,924.00) | ($19,826.28) | $0.00 | ($19,629.21) | ($170,294.79) | | ($60,090.35) |

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Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **260 - MIDC GRANT** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 592,374.00 | .00 | 592,374.00 | 31,963.06 | .00 | 479,108.51 | 113,265.49 | 81 | 362,994.64 |
| REVENUE TOTALS | $592,374.00 | $0.00 | $592,374.00 | $31,963.06 | $0.00 | $479,108.51 | $113,265.49 | 81% | $362,994.64 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 592,374.00 | .00 | 592,374.00 | 14,625.00 | .00 | 28,581.20 | 563,792.80 | 5 | 34,616.79 |
| EXPENSE TOTALS | $592,374.00 | $0.00 | $592,374.00 | $14,625.00 | $0.00 | $28,581.20 | $563,792.80 | 5% | $34,616.79 |
| Fund **260 - MIDC GRANT** Totals | | | | | | | | | |
| REVENUE TOTALS | 592,374.00 | .00 | 592,374.00 | 31,963.06 | .00 | 479,108.51 | 113,265.49 | 81% | 362,994.64 |
| EXPENSE TOTALS | 592,374.00 | .00 | 592,374.00 | 14,625.00 | .00 | 28,581.20 | 563,792.80 | 5% | 34,616.79 |
| Fund **260 - MIDC GRANT** Totals | $0.00 | $0.00 | $0.00 | $17,338.06 | $0.00 | $450,527.31 | ($450,527.31) | | $328,377.85 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 1/31/2022

Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **261 - PUB. SAFETY COMMUNICATION** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 515,000.00 | .00 | 515,000.00 | (5,928.66) | .00 | 405,538.19 | 109,461.81 | 79 | 224,723.53 |
| REVENUE TOTALS | $515,000.00 | $0.00 | $515,000.00 | ($5,928.66) | $0.00 | $405,538.19 | $109,461.81 | 79% | $224,723.53 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 1,241,500.00 | 133,420.00 | 1,374,920.00 | 6,207.65 | 1,768.50 | 6,207.65 | 1,366,943.85 | 1 | 99,102.92 |
| EXPENSE TOTALS | $1,241,500.00 | $133,420.00 | $1,374,920.00 | $6,207.65 | $1,768.50 | $6,207.65 | $1,366,943.85 | 1% | $99,102.92 |
| Fund **261 - PUB. SAFETY COMMUNICATION** Totals | | | | | | | | | |
| REVENUE TOTALS | 515,000.00 | .00 | 515,000.00 | (5,928.66) | .00 | 405,538.19 | 109,461.81 | 79% | 224,723.53 |
| EXPENSE TOTALS | 1,241,500.00 | 133,420.00 | 1,374,920.00 | 6,207.65 | 1,768.50 | 6,207.65 | 1,366,943.85 | 1% | 99,102.92 |
| Fund **261 - PUB. SAFETY COMMUNICATION** Totals | ($726,500.00) | ($133,420.00) | ($859,920.00) | ($12,136.31) | ($1,768.50) | $399,330.54 | ($1,257,482.04) | | $125,620.61 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 1/31/2022

Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **262 - ADJUDICATED FORFEITURES** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 225,000.00 | .00 | 225,000.00 | (3,318.60) | .00 | (3,857.03) | 228,857.03 | -2 | 31,775.72 |
| REVENUE TOTALS | $225,000.00 | $0.00 | $225,000.00 | ($3,318.60) | $0.00 | ($3,857.03) | $228,857.03 | -2% | $31,775.72 |
| EXPENSE | | | | | | | | | |
| Department **333 - STATE/LOCAL FORFEITURE EX** | 600,900.00 | .00 | 600,900.00 | 514.82 | .00 | 4,548.77 | 596,351.23 | 1 | 19,701.33 |
| Department **334 - FEDERAL FORFEITURE EXP** | 226,000.00 | .00 | 226,000.00 | 4,422.33 | .00 | 8,566.66 | 217,433.34 | 4 | 9,744.11 |
| Department **335 - CONTINUING CRIMINAL ENTERPRISE** | 145,000.00 | .00 | 145,000.00 | .00 | .00 | 1,083.75 | 143,916.25 | 1 | 982.30 |
| EXPENSE TOTALS | $971,900.00 | $0.00 | $971,900.00 | $4,937.15 | $0.00 | $14,199.18 | $957,700.82 | 1% | $30,427.74 |
| Fund **262 - ADJUDICATED FORFEITURES** Totals | | | | | | | | | |
| REVENUE TOTALS | 225,000.00 | .00 | 225,000.00 | (3,318.60) | .00 | (3,857.03) | 228,857.03 | -2% | 31,775.72 |
| EXPENSE TOTALS | 971,900.00 | .00 | 971,900.00 | 4,937.15 | .00 | 14,199.18 | 957,700.82 | 1% | 30,427.74 |
| Fund **262 - ADJUDICATED FORFEITURES** Totals | ($746,900.00) | $0.00 | ($746,900.00) | ($8,255.75) | $0.00 | ($18,056.21) | ($728,843.79) | | $1,347.98 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 1/31/2022

Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **270 - HISTORICAL COMMISSION** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 114,200.00 | .00 | 114,200.00 | 5,943.36 | .00 | 14,450.59 | 99,749.41 | 13 | 20,938.51 |
| REVENUE TOTALS | $114,200.00 | $0.00 | $114,200.00 | $5,943.36 | $0.00 | $14,450.59 | $99,749.41 | 13% | $20,938.51 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 83,900.00 | .00 | 83,900.00 | 4,000.00 | .00 | 4,440.47 | 79,459.53 | 5 | 817.07 |
| EXPENSE TOTALS | $83,900.00 | $0.00 | $83,900.00 | $4,000.00 | $0.00 | $4,440.47 | $79,459.53 | 5% | $817.07 |
| Fund **270 - HISTORICAL COMMISSION** Totals | | | | | | | | | |
| REVENUE TOTALS | 114,200.00 | .00 | 114,200.00 | 5,943.36 | .00 | 14,450.59 | 99,749.41 | 13% | 20,938.51 |
| EXPENSE TOTALS | 83,900.00 | .00 | 83,900.00 | 4,000.00 | .00 | 4,440.47 | 79,459.53 | 5% | 817.07 |
| Fund **270 - HISTORICAL COMMISSION** Totals | $30,300.00 | $0.00 | $30,300.00 | $1,943.36 | $0.00 | $10,010.12 | $20,289.88 | | $20,121.44 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 1/31/2022

Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **271 - LIBRARY FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 4,192,780.00 | .00 | 4,192,780.00 | (7,141.86) | .00 | 3,808,665.85 | 384,114.15 | 91 | 3,707,777.90 |
| REVENUE TOTALS | $4,192,780.00 | $0.00 | $4,192,780.00 | ($7,141.86) | $0.00 | $3,808,665.85 | $384,114.15 | 91% | $3,707,777.90 |
| EXPENSE | | | | | | | | | |
| Department **778 - CIVIC CENTER LIBRARY** | 3,407,992.00 | 234,220.00 | 3,642,212.00 | 282,294.78 | 892.99 | 440,631.02 | 3,200,687.99 | 12 | 385,410.79 |
| Department **779 - NOBLE LIBRARY** | 20,000.00 | .00 | 20,000.00 | 434.65 | .00 | 1,031.96 | 18,968.04 | 5 | 7,387.50 |
| Department **780 - SANDBURG LIBRARY** | 770,976.00 | .00 | 770,976.00 | 71,009.97 | 480.83 | 119,272.84 | 651,222.33 | 16 | 89,866.35 |
| EXPENSE TOTALS | $4,198,968.00 | $234,220.00 | $4,433,188.00 | $353,739.40 | $1,373.82 | $560,935.82 | $3,870,878.36 | 13% | $482,664.64 |
| Fund **271 - LIBRARY FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 4,192,780.00 | .00 | 4,192,780.00 | (7,141.86) | .00 | 3,808,665.85 | 384,114.15 | 91% | 3,707,777.90 |
| EXPENSE TOTALS | 4,198,968.00 | 234,220.00 | 4,433,188.00 | 353,739.40 | 1,373.82 | 560,935.82 | 3,870,878.36 | 13% | 482,664.64 |
| Fund **271 - LIBRARY FUND** Totals | ($6,188.00) | ($234,220.00) | ($240,408.00) | ($360,881.26) | ($1,373.82) | $3,247,730.03 | ($3,486,764.21) | | $3,225,113.26 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 1/31/2022

Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **272 - ARTS COMMISSION FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 9,000.00 | .00 | 9,000.00 | (28.07) | .00 | 243.55 | 8,756.45 | 3 | 78.60 |
| REVENUE TOTALS | $9,000.00 | $0.00 | $9,000.00 | ($28.07) | $0.00 | $243.55 | $8,756.45 | 3% | $78.60 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 13,000.00 | .00 | 13,000.00 | .00 | .00 | 557.03 | 12,442.97 | 4 | .00 |
| EXPENSE TOTALS | $13,000.00 | $0.00 | $13,000.00 | $0.00 | $0.00 | $557.03 | $12,442.97 | 4% | $0.00 |
| Fund **272 - ARTS COMMISSION FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 9,000.00 | .00 | 9,000.00 | (28.07) | .00 | 243.55 | 8,756.45 | 3% | 78.60 |
| EXPENSE TOTALS | 13,000.00 | .00 | 13,000.00 | .00 | .00 | 557.03 | 12,442.97 | 4% | .00 |
| Fund **272 - ARTS COMMISSION FUND** Totals | ($4,000.00) | $0.00 | ($4,000.00) | ($28.07) | $0.00 | ($313.48) | ($3,686.52) | | $78.60 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 1/31/2022

Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **286 - TRANSIT & CAPITAL IMPR** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 2,465,846.00 | .00 | 2,465,846.00 | .00 | .00 | 2,335,977.10 | 129,868.90 | 95 | 2,288,477.63 |
| REVENUE TOTALS | $2,465,846.00 | $0.00 | $2,465,846.00 | $0.00 | $0.00 | $2,335,977.10 | $129,868.90 | 95% | $2,288,477.63 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 2,465,846.00 | .00 | 2,465,846.00 | .00 | .00 | 2,465,846.00 | .00 | 100 | 2,407,245.00 |
| EXPENSE TOTALS | $2,465,846.00 | $0.00 | $2,465,846.00 | $0.00 | $0.00 | $2,465,846.00 | $0.00 | 100% | $2,407,245.00 |
| Fund **286 - TRANSIT & CAPITAL IMPR** Totals | | | | | | | | | |
| REVENUE TOTALS | 2,465,846.00 | .00 | 2,465,846.00 | .00 | .00 | 2,335,977.10 | 129,868.90 | 95% | 2,288,477.63 |
| EXPENSE TOTALS | 2,465,846.00 | .00 | 2,465,846.00 | .00 | .00 | 2,465,846.00 | .00 | 100% | 2,407,245.00 |
| Fund **286 - TRANSIT & CAPITAL IMPR** Totals | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | ($129,868.90) | $129,868.90 | | ($118,767.37) |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 1/31/2022

Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **288 - COMMUNITY TRANSIT PROGRAM** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 719,445.00 | .00 | 719,445.00 | 233.60 | .00 | 669,322.33 | 50,122.67 | 93 | 937,561.31 |
| REVENUE TOTALS | $719,445.00 | $0.00 | $719,445.00 | $233.60 | $0.00 | $669,322.33 | $50,122.67 | 93% | $937,561.31 |
| EXPENSE | | | | | | | | | |
| Department **606 - COMM TRANSIT DISPATCHERS** | 104,081.00 | .00 | 104,081.00 | 7,016.19 | .00 | 11,563.70 | 92,517.30 | 11 | 10,628.26 |
| Department **607 - COMMUNITY TRANSIT ADMIN** | 159,222.00 | .00 | 159,222.00 | 10,165.09 | .00 | 17,446.68 | 141,775.32 | 11 | 17,531.93 |
| Department **608 - COMMUNITY TRANSIT** | 1,040,913.00 | .00 | 1,040,913.00 | 24,600.37 | 2,581.40 | 214,274.39 | 824,057.21 | 21 | 196,938.78 |
| EXPENSE TOTALS | $1,304,216.00 | $0.00 | $1,304,216.00 | $41,781.65 | $2,581.40 | $243,284.77 | $1,058,349.83 | 19% | $225,098.97 |
| Fund **288 - COMMUNITY TRANSIT PROGRAM** Totals | | | | | | | | | |
| REVENUE TOTALS | 719,445.00 | .00 | 719,445.00 | 233.60 | .00 | 669,322.33 | 50,122.67 | 93% | 937,561.31 |
| EXPENSE TOTALS | 1,304,216.00 | .00 | 1,304,216.00 | 41,781.65 | 2,581.40 | 243,284.77 | 1,058,349.83 | 19% | 225,098.97 |
| Fund **288 - COMMUNITY TRANSIT PROGRAM** Totals | ($584,771.00) | $0.00 | ($584,771.00) | ($41,548.05) | ($2,581.40) | $426,037.56 | ($1,008,227.16) | | $712,462.34 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 1/31/2022

Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **297 - CABLE TELEVISION FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 413,100.00 | .00 | 413,100.00 | 20,413.79 | .00 | 20,061.43 | 393,038.57 | 5 | 25,540.10 |
| REVENUE TOTALS | $413,100.00 | $0.00 | $413,100.00 | $20,413.79 | $0.00 | $20,061.43 | $393,038.57 | 5% | $25,540.10 |
| EXPENSE | | | | | | | | | |
| Department **806 - CABLE TELEVISION** | 554,196.00 | .00 | 554,196.00 | 33,011.86 | 312.00 | 56,888.48 | 496,995.52 | 10 | 51,987.21 |
| EXPENSE TOTALS | $554,196.00 | $0.00 | $554,196.00 | $33,011.86 | $312.00 | $56,888.48 | $496,995.52 | 10% | $51,987.21 |
| Fund **297 - CABLE TELEVISION FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 413,100.00 | .00 | 413,100.00 | 20,413.79 | .00 | 20,061.43 | 393,038.57 | 5% | 25,540.10 |
| EXPENSE TOTALS | 554,196.00 | .00 | 554,196.00 | 33,011.86 | 312.00 | 56,888.48 | 496,995.52 | 10% | 51,987.21 |
| Fund **297 - CABLE TELEVISION FUND** Totals | ($141,096.00) | $0.00 | ($141,096.00) | ($12,598.07) | ($312.00) | ($36,827.05) | ($103,956.95) | | ($26,447.11) |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 1/31/2022

Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **372 - D/S 2015 MBA REFUNDING** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 180,382.00 | .00 | 180,382.00 | .00 | .00 | .00 | 180,382.00 | 0 | .00 |
| REVENUE TOTALS | $180,382.00 | $0.00 | $180,382.00 | $0.00 | $0.00 | $0.00 | $180,382.00 | 0% | $0.00 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 180,382.00 | .00 | 180,382.00 | .00 | .00 | .00 | 180,382.00 | 0 | .00 |
| EXPENSE TOTALS | $180,382.00 | $0.00 | $180,382.00 | $0.00 | $0.00 | $0.00 | $180,382.00 | 0% | $0.00 |
| Fund **372 - D/S 2015 MBA REFUNDING** Totals | | | | | | | | | |
| REVENUE TOTALS | 180,382.00 | .00 | 180,382.00 | .00 | .00 | .00 | 180,382.00 | 0% | .00 |
| EXPENSE TOTALS | 180,382.00 | .00 | 180,382.00 | .00 | .00 | .00 | 180,382.00 | 0% | .00 |
| Fund **372 - D/S 2015 MBA REFUNDING** Totals | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | | $0.00 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 1/31/2022

Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **373 - D/S 2016 MBA REFUNDING** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 547,400.00 | .00 | 547,400.00 | .00 | .00 | .00 | 547,400.00 | 0 | .00 |
| REVENUE TOTALS | $547,400.00 | $0.00 | $547,400.00 | $0.00 | $0.00 | $0.00 | $547,400.00 | 0% | $0.00 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 547,400.00 | .00 | 547,400.00 | .00 | .00 | .00 | 547,400.00 | 0 | .00 |
| EXPENSE TOTALS | $547,400.00 | $0.00 | $547,400.00 | $0.00 | $0.00 | $0.00 | $547,400.00 | 0% | $0.00 |
| Fund **373 - D/S 2016 MBA REFUNDING** Totals | | | | | | | | | |
| REVENUE TOTALS | 547,400.00 | .00 | 547,400.00 | .00 | .00 | .00 | 547,400.00 | 0% | .00 |
| EXPENSE TOTALS | 547,400.00 | .00 | 547,400.00 | .00 | .00 | .00 | 547,400.00 | 0% | .00 |
| Fund **373 - D/S 2016 MBA REFUNDING** Totals | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | | $0.00 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 1/31/2022

Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **374 - D/S 2017 MBA REFUNDING** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 1,992,150.00 | .00 | 1,992,150.00 | .00 | .00 | .00 | 1,992,150.00 | 0 | .00 |
| REVENUE TOTALS | $1,992,150.00 | $0.00 | $1,992,150.00 | $0.00 | $0.00 | $0.00 | $1,992,150.00 | 0% | $0.00 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 1,992,150.00 | .00 | 1,992,150.00 | .00 | .00 | .00 | 1,992,150.00 | 0 | .00 |
| EXPENSE TOTALS | $1,992,150.00 | $0.00 | $1,992,150.00 | $0.00 | $0.00 | $0.00 | $1,992,150.00 | 0% | $0.00 |
| Fund **374 - D/S 2017 MBA REFUNDING** Totals | | | | | | | | | |
| REVENUE TOTALS | 1,992,150.00 | .00 | 1,992,150.00 | .00 | .00 | .00 | 1,992,150.00 | 0% | .00 |
| EXPENSE TOTALS | 1,992,150.00 | .00 | 1,992,150.00 | .00 | .00 | .00 | 1,992,150.00 | 0% | .00 |
| Fund **374 - D/S 2017 MBA REFUNDING** Totals | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | | $0.00 |

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Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **401 - CAPITAL PROJECTS** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 1,915,846.00 | .00 | 1,915,846.00 | (15,786.03) | .00 | 1,895,639.83 | 20,206.17 | 99 | 2,134,550.26 |
| REVENUE TOTALS | $1,915,846.00 | $0.00 | $1,915,846.00 | ($15,786.03) | $0.00 | $1,895,639.83 | $20,206.17 | 99% | $2,134,550.26 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 3,794,896.00 | 5,890,455.00 | 9,685,351.00 | 358,822.48 | 517,696.17 | 425,068.92 | 8,742,585.91 | 10 | 203,137.78 |
| EXPENSE TOTALS | $3,794,896.00 | $5,890,455.00 | $9,685,351.00 | $358,822.48 | $517,696.17 | $425,068.92 | $8,742,585.91 | 10% | $203,137.78 |
| Fund **401 - CAPITAL PROJECTS** Totals | | | | | | | | | |
| REVENUE TOTALS | 1,915,846.00 | .00 | 1,915,846.00 | (15,786.03) | .00 | 1,895,639.83 | 20,206.17 | 99% | 2,134,550.26 |
| EXPENSE TOTALS | 3,794,896.00 | 5,890,455.00 | 9,685,351.00 | 358,822.48 | 517,696.17 | 425,068.92 | 8,742,585.91 | 10% | 203,137.78 |
| Fund **401 - CAPITAL PROJECTS** Totals | ($1,879,050.00) | ($5,890,455.00) | ($7,769,505.00) | ($374,608.51) | ($517,696.17) | $1,470,570.91 | ($8,722,379.74) | | $1,931,412.48 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 1/31/2022

Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **418 - BUILDING IMPROVEMENT FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 5,000.00 | .00 | 5,000.00 | (7,111.71) | .00 | (9,069.36) | 14,069.36 | -181 | 730.67 |
| REVENUE TOTALS | $5,000.00 | $0.00 | $5,000.00 | ($7,111.71) | $0.00 | ($9,069.36) | $14,069.36 | -181% | $730.67 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 300,000.00 | .00 | 300,000.00 | .00 | .00 | .00 | 300,000.00 | 0 | .00 |
| EXPENSE TOTALS | $300,000.00 | $0.00 | $300,000.00 | $0.00 | $0.00 | $0.00 | $300,000.00 | 0% | $0.00 |
| Fund **418 - BUILDING IMPROVEMENT FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 5,000.00 | .00 | 5,000.00 | (7,111.71) | .00 | (9,069.36) | 14,069.36 | -181% | 730.67 |
| EXPENSE TOTALS | 300,000.00 | .00 | 300,000.00 | .00 | .00 | .00 | 300,000.00 | 0% | .00 |
| Fund **418 - BUILDING IMPROVEMENT FUND** Totals | ($295,000.00) | $0.00 | ($295,000.00) | ($7,111.71) | $0.00 | ($9,069.36) | ($285,930.64) | | $730.67 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 1/31/2022

Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **536 - NEWBURGH VILLAGE** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 842,000.00 | .00 | 842,000.00 | 67,604.71 | .00 | 136,074.05 | 705,925.95 | 16 | 135,745.25 |
| REVENUE TOTALS | $842,000.00 | $0.00 | $842,000.00 | $67,604.71 | $0.00 | $136,074.05 | $705,925.95 | 16% | $135,745.25 |
| EXPENSE | | | | | | | | | |
| Department **677 - NEWBURGH VILLAGE** | 709,027.00 | 750,000.00 | 1,459,027.00 | 43,460.28 | 21,036.75 | 99,684.28 | 1,338,305.97 | 8 | 97,508.17 |
| EXPENSE TOTALS | $709,027.00 | $750,000.00 | $1,459,027.00 | $43,460.28 | $21,036.75 | $99,684.28 | $1,338,305.97 | 8% | $97,508.17 |
| Fund **536 - NEWBURGH VILLAGE** Totals | | | | | | | | | |
| REVENUE TOTALS | 842,000.00 | .00 | 842,000.00 | 67,604.71 | .00 | 136,074.05 | 705,925.95 | 16% | 135,745.25 |
| EXPENSE TOTALS | 709,027.00 | 750,000.00 | 1,459,027.00 | 43,460.28 | 21,036.75 | 99,684.28 | 1,338,305.97 | 8% | 97,508.17 |
| Fund **536 - NEWBURGH VILLAGE** Totals | $132,973.00 | ($750,000.00) | ($617,027.00) | $24,144.43 | ($21,036.75) | $36,389.77 | ($632,380.02) | | $38,237.08 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 1/31/2022

Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **538 - SILVER VILLAGE FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 688,620.00 | .00 | 688,620.00 | 51,076.77 | .00 | 105,120.15 | 583,499.85 | 15 | 103,967.93 |
| REVENUE TOTALS | $688,620.00 | $0.00 | $688,620.00 | $51,076.77 | $0.00 | $105,120.15 | $583,499.85 | 15% | $103,967.93 |
| EXPENSE | | | | | | | | | |
| Department **676 - SILVER VILLAGE** | 673,679.00 | 700,000.00 | 1,373,679.00 | 34,600.84 | .00 | 70,703.67 | 1,302,975.33 | 5 | 67,881.50 |
| EXPENSE TOTALS | $673,679.00 | $700,000.00 | $1,373,679.00 | $34,600.84 | $0.00 | $70,703.67 | $1,302,975.33 | 5% | $67,881.50 |
| Fund **538 - SILVER VILLAGE FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 688,620.00 | .00 | 688,620.00 | 51,076.77 | .00 | 105,120.15 | 583,499.85 | 15% | 103,967.93 |
| EXPENSE TOTALS | 673,679.00 | 700,000.00 | 1,373,679.00 | 34,600.84 | .00 | 70,703.67 | 1,302,975.33 | 5% | 67,881.50 |
| Fund **538 - SILVER VILLAGE FUND** Totals | $14,941.00 | ($700,000.00) | ($685,059.00) | $16,475.93 | $0.00 | $34,416.48 | ($719,475.48) | | $36,086.43 |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 1/31/2022

Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **584 - GOLF COURSE FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 1,981,521.00 | .00 | 1,981,521.00 | 7,774.61 | .00 | 19,939.45 | 1,961,581.55 | 1 | 46,027.56 |
| REVENUE TOTALS | $1,981,521.00 | $0.00 | $1,981,521.00 | $7,774.61 | $0.00 | $19,939.45 | $1,961,581.55 | 1% | $46,027.56 |
| EXPENSE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 250,000.00 | (160,000.00) | 90,000.00 | .00 | .00 | .00 | 90,000.00 | 0 | .00 |
| Department **773 - WHISPERING WILLOWS** | 727,231.00 | .00 | 727,231.00 | 46,450.96 | 1,573.33 | 80,174.24 | 645,483.43 | 11 | 71,793.52 |
| Department **774 - IDYL WYLD** | 544,731.00 | .00 | 544,731.00 | 45,148.14 | 1,573.33 | 69,446.24 | 473,711.43 | 13 | 48,873.11 |
| Department **775 - FOX CREEK** | 781,388.00 | .00 | 781,388.00 | 42,929.28 | 1,573.34 | 70,480.17 | 709,334.49 | 9 | 61,411.52 |
| EXPENSE TOTALS | $2,303,350.00 | ($160,000.00) | $2,143,350.00 | $134,528.38 | $4,720.00 | $220,100.65 | $1,918,529.35 | 10% | $182,078.15 |
| Fund **584 - GOLF COURSE FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 1,981,521.00 | .00 | 1,981,521.00 | 7,774.61 | .00 | 19,939.45 | 1,961,581.55 | 1% | 46,027.56 |
| EXPENSE TOTALS | 2,303,350.00 | (160,000.00) | 2,143,350.00 | 134,528.38 | 4,720.00 | 220,100.65 | 1,918,529.35 | 10% | 182,078.15 |
| Fund **584 - GOLF COURSE FUND** Totals | ($321,829.00) | $160,000.00 | ($161,829.00) | ($126,753.77) | ($4,720.00) | ($200,161.20) | $43,052.20 | | ($136,050.59) |

# BUDGET TO ACTUAL - COUNCIL SUMMARY - 1/31/2022

Through 01/31/22

Prior Fiscal Year Activity Included

| Organization | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD Transactions | % Used/ Rec'd | Prior Year YTD |
|---|---|---|---|---|---|---|---|---|---|
| Fund **592 - WATER AND SEWER FUND** | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Department **000 - ACCOUNT BALANCES** | 43,315,647.00 | .00 | 43,315,647.00 | 2,820,453.86 | .00 | 5,634,837.50 | 37,680,809.50 | 13 | 5,680,431.89 |
| REVENUE TOTALS | $43,315,647.00 | $0.00 | $43,315,647.00 | $2,820,453.86 | $0.00 | $5,634,837.50 | $37,680,809.50 | 13% | $5,680,431.89 |
| EXPENSE | | | | | | | | | |
| Department **558 - W & S FINANCIAL ADMIN** | 34,316,085.00 | .00 | 34,316,085.00 | 2,708,024.47 | .00 | 5,573,085.10 | 28,742,999.90 | 16 | 5,567,155.89 |
| Department **559 - W & S FIELD OPERATIONS** | 7,602,751.00 | 224,191.00 | 7,826,942.00 | 535,241.93 | 8,005.00 | 881,746.39 | 6,937,190.61 | 11 | 998,418.92 |
| EXPENSE TOTALS | $41,918,836.00 | $224,191.00 | $42,143,027.00 | $3,243,266.40 | $8,005.00 | $6,454,831.49 | $35,680,190.51 | 15% | $6,565,574.81 |
| Fund **592 - WATER AND SEWER FUND** Totals | | | | | | | | | |
| REVENUE TOTALS | 43,315,647.00 | .00 | 43,315,647.00 | 2,820,453.86 | .00 | 5,634,837.50 | 37,680,809.50 | 13% | 5,680,431.89 |
| EXPENSE TOTALS | 41,918,836.00 | 224,191.00 | 42,143,027.00 | 3,243,266.40 | 8,005.00 | 6,454,831.49 | 35,680,190.51 | 15% | 6,565,574.81 |
| Fund **592 - WATER AND SEWER FUND** Totals | $1,396,811.00 | ($224,191.00) | $1,172,620.00 | ($422,812.54) | ($8,005.00) | ($819,993.99) | $2,000,618.99 | | ($885,142.92) |
| Grand Totals | | | | | | | | | |
| REVENUE TOTALS | 180,363,207.00 | .00 | 180,363,207.00 | 5,493,260.92 | .00 | 82,416,974.73 | 97,946,232.27 | 46% | 76,930,720.77 |
| EXPENSE TOTALS | 187,360,707.00 | 11,852,983.00 | 199,213,690.00 | 12,208,924.22 | 755,327.88 | 24,229,486.76 | 174,228,875.36 | 13% | 22,602,260.62 |
| Grand Totals | ($6,997,500.00) | ($11,852,983.00) | ($18,850,483.00) | ($6,715,663.30) | ($755,327.88) | $58,187,487.97 | ($76,282,643.09) | | $54,328,460.15 |

# CITY OF LIVONIA – CITY COUNCIL
# MINUTES OF STUDY MEETING HELD APRIL 4, 2022

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Meeting was called to order at 8:06 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, and Kathleen McIntyre. Absent: None

Elected and appointed officials present: City Clerk, Susan Nash, City Treasurer, Lynda Scheel, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier; City Attorney, and Jacob Rushlow, Assistant Director of Public Works.

1. REQUEST TO APPROVE INCREASE IN COMPENSATION FOR THE DEPUTY TREASURER AND DEPUTY CLERK: City Treasurer and City Clerk, re: to increase compensation to be more comparable with positions in neighboring communities.

   Lynda Scheel, City Treasurer, presented the request to Council.

   Councilmember Scott Bahr thanked Lynda Scheel, City Treasurer, and Susan Nash, City Clerk, for the very complete and thorough information. He asked why the information is now coming to them and why not previously. Treasurer Scheel stated that the Deputy salaries have only been adjusted with the union salaries and wanted to bring them in line with comparable salaries in neighboring communities. Councilmember Bahr stated that this request made sense and offered an approving resolution for the Consent agenda.

   Councilmember Kathleen McIntyre agreed with the previous statements and commented that the comparable salaries presented were directly comparable, where as a number of the adjustments that have been brought to them have not been. There is an established market for these skills and a need to keep the salaries comparable to fill the positions with the top tier people that we have.

   Council Vice President Toy asked where the money for the requested salaries would be coming from. Treasurer Scheel stated that this would come from budgeted funds and would plan accordingly to have enough in the budget for other budgeted items. Vice President Toy stated it is concerning that there has been a lot of one-time money given. She acknowledged the skill set needed for the positions. She noted that she would like a comprehensive plan for the salaries in the city to see a larger picture, since different departments that have approached Council regarding salary increases.

   City Clerk, Susan Nash, stated that this request is very well-deserving and wants to make sure the Deputy positions are taken care of, as the positions take a lot of work.

   DIRECTION: APPROVING CONSENT

**CITY OF LIVONIA**
**DEPUTY CLERK AND TREASURER**
**ALTERNATE WAGE RATE SCHEDULE**

| CLASSIFICATION | | 1.020 2% 2019-2020 HOURLY | 2019-2020 ANNUAL | 1.025 2.5% 2020-2021 HOURLY | 2020-2021 ANNUAL | 1.050 5% 2021-2022 HOURLY | 2021-2022 ANNUAL | 1.030 3% 2022-2023 HOURLY | 2022-2023 ANNUAL |
|---|---|---|---|---|---|---|---|---|---|
| **DEPUTY TREASURER** | STEP 1 | 28.45 | 59,176.00 | 29.16 | 60,652.80 | 30.03 | 62,462.40 | | |
| *PER COUNCIL RESOLUTION* | STEP 1.5 | 29.02 | 60,361.60 | 29.75 | 61,880.00 | 30.64 | 63,731.20 | | |
| *#171-09 EFF. 2/1/2009* | STEP 2 | 29.61 | 61,588.80 | 30.35 | 63,128.00 | 31.26 | 65,020.80 | | |
| *Current* | STEP 3 | 30.77 | 64,001.60 | 31.54 | 65,603.20 | 32.49 | 67,579.20 | | |
| | STEP 4 | 32.02 | 66,601.60 | 32.82 | 68,265.60 | 33.80 | 70,304.00 | | |
| | STEP 5 | 33.33 | 69,326.40 | 34.16 | 71,052.80 | 35.18 | 73,174.40 | | |
| **DEPUTY TREASURER** | STEP 1 | | | | | 30.62 | 63,689.60 | 31.54 | 65,603.20 |
| *Proposed (5% inc. in 2021-22 and 3% inc. in 2022-23 to Match LOCC)* | STEP 1.5 | | | | | 31.24 | 64,979.20 | 32.18 | 66,934.40 |
| | STEP 2 | | | | | 31.87 | 66,289.60 | 32.83 | 68,286.40 |
| | STEP 3 | | | | | 33.12 | 68,889.60 | 34.11 | 70,948.80 |
| | STEP 4 | | | | | 34.46 | 71,676.80 | 35.49 | 73,819.20 |
| | STEP 5 | | | | | 35.87 | 74,609.60 | 36.95 | 76,856.00 |
| **DEPUTY CLERK** | STEP 1 | 28.45 | 59,176.00 | 29.16 | 60,652.80 | 30.03 | 62,462.40 | | |
| *PER COUNCIL RESOLUTION* | STEP 1.5 | 29.02 | 60,361.60 | 29.75 | 61,880.00 | 30.64 | 63,731.20 | | |
| *#279-11 EFF. 8/24/2011* | STEP 2 | 29.61 | 61,588.80 | 30.35 | 63,128.00 | 31.26 | 65,020.80 | | |
| *Current* | STEP 3 | 30.77 | 64,001.60 | 31.54 | 65,603.20 | 32.49 | 67,579.20 | | |
| | STEP 4 | 32.02 | 66,601.60 | 32.82 | 68,265.60 | 33.80 | 70,304.00 | | |
| | STEP 5 | 33.33 | 69,326.40 | 34.16 | 71,052.80 | 35.18 | 73,174.40 | | |
| **DEPUTY CLERK** | STEP 1 | | | | | 30.62 | 63,689.60 | 31.54 | 65,603.20 |
| *Proposed (5% inc. in 2021-22 and 3% inc. in 2022-23 to Match LOCC)* | STEP 1.5 | | | | | 31.24 | 64,979.20 | 32.18 | 66,934.40 |
| | STEP 2 | | | | | 31.87 | 66,289.60 | 32.83 | 68,286.40 |
| | STEP 3 | | | | | 33.12 | 68,889.60 | 34.11 | 70,948.80 |
| | STEP 4 | | | | | 34.46 | 71,676.80 | 35.49 | 73,819.20 |
| | STEP 5 | | | | | 35.87 | 74,609.60 | 36.95 | 76,856.00 |

| Year | | Clerk | Deputy Clerk | | Treasurer | Deputy Treasurer | | |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | |
| | 2015 | $75,000.00 | | | $75,000.00 | | | |
| | 2016 | $76,500.00 | $63,440.00 | | $76,500.00 | $63,440.00 | | |
| | 2017 | $78,030.16 | $64,708.00 | | $78,030.16 | $64,708.00 | | |
| | 2018 | $81,932.00 | $65,998.40 | | $81,932.00 | $65,998.40 | | |
| | 2019 | $86,029.00 | $67,974.00 | | $86,029.00 | $67,974.00 | | |
| | 2020 | $87,749.00 | $69,326.40 | | $87,749.00 | $69,326.40 | | |
| | | | | | | | | |
| Livonia | 2021 | $89,944.00 | $71,053.00 | | $89,944.00 | $71,053.00 | | |
| | | | | | | | | |
| Ann Arbor | 2021 | $122,706.00 | $90,168.00 | | $132,498.00 | n/a | | |
| Dearborn | 2021 | $97,910.00 | $78,199.00 | | $116,748.00 | $97,067.00 | | |
| Farmington Hills | 2021 | $119,232.00 | $80,223.00 | | $120,335.00 | $85,366.00 | | |
| Troy | 2021 | $120,914.00 | $83,859.00 | | $109,922.00 | $83,859.00 | | |
| Westland | 2021 | $118,101.00 | $106,291.00 | | n/a | n/a | | |
| | | | | | | | | |
| Livonia | 2022 | $94,441.00 | $73,175.00 | | $94,441.00 | $73,175.00 | | |
| Livonia | 2023 | $97,274.00 | | | $97,274.00 | | | |
| | | | | | | | | |
| | | | | | | | | |
| History of pay for Clerk, Deputy Clerk, Treasurer and Deputy Treasurer | | | | | | | | |
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RECEIVED
FEB 07 2022
LIVONIA CITY CLERK

# Deputy Clerk

| Community | Population | Taxable Value | Minimum | Maximum | Current | Effective Date | Expiration Date | # Pos | Legend |
|---|---|---|---|---|---|---|---|---|---|
| Allen Park | 28,638 | 838,874,158 | | | $25.14 | 7/1/2021 | | | T |
| Ann Arbor | 123,851 | 6,684,030,058 | $69,360 | $90,168 | $69,360 | 6/20/2021 | | | |
| Auburn Hills | 24,360 | 1,804,250,236 | $51,146 | $62,840 | $54,410 | 1/1/2021 | 12/31/2021 | | |
| Belleville | 4,008 | 107,333,920 | | | | | | | |
| Birmingham | 21,813 | 2,763,363,580 | $50,573 | $64,742 | $50,999 | 7/1/2020 | | | |
| Dearborn | 109,976 | 3,597,280,819 | $61,730 | $78,199 | $61,730 | 7/1/2018 | | | |
| Dearborn Heights | 63,292 | 1,408,273,865 | $62,000 | $62,000 | $62,000 | 7/1/2021 | 6/30/2022 | | |
| Farmington Hills | 83,986 | 3,730,230,260 | $80,223 | $80,223 | $80,223 | 7/1/2021 | 6/30/2022 | | |
| Flat Rock | 10,541 | 333,033,588 | $41,163 | $43,930 | $43,930 | 7/1/2020 | 6/30/2021 | | U |
| Fraser | 14,726 | 490,629,662 | | | | | | | |
| Garden City | 27,380 | 582,200,362 | $57,400 | $80,000 | $60,000 | 7/1/2021 | | | |
| Inkster | 26,088 | 219,380,978 | | $35,318 | $35,318 | 5/26/2021 | 6/30/2022 | | |
| Lincoln Park | 40,245 | 601,356,152 | $36,837 | $50,842 | $49,273 | 7/1/2021 | 6/30/2022 | | |
| Livonia | 95,535 | 4,499,560,227 | $60,653 | $71,053 | $71,053 | 12/1/2020 | 11/30/2021 | | |
| Melvindale | 12,851 | 257,693,217 | | | | | | | |
| Northville | 6,119 | 450,797,480 | | | | | | | |
| Novi | 66,243 | 4,252,926,919 | $53,482 | $72,201 | $61,929 | | | | |
| Plymouth | 9,370 | 636,043,215 | | | $22.82 | 7/1/2019 | | | |
| Riverview | 12,490 | 338,636,973 | | | | | | | |
| Romulus | 25,178 | 1,109,034,098 | | | $60,920 | 9/14/2020 | | | |
| Roseville | 47,710 | 1,002,892,213 | | | $75,839 | 7/1/2021 | 6/30/2022 | | |
| Southgate | 30,014 | 746,344,530 | | | $62,483 | 7/1/2021 | 6/30/2022 | | |
| Taylor | 63,409 | 1,413,430,461 | | | $59,925 | 1/1/2020 | 12/31/2021 | | |
| Trenton | 18,544 | 648,881,887 | $42,673 | $49,921 | $48,000 | 7/1/2021 | 6/30/2022 | | |
| Troy | 87,294 | 5,378,572,670 | $62,118 | $83,859 | $65,092 | 1/9/2021 | | | |
| Wayne | 17,713 | 371,388,900 | $23.79 | $31.21 | $24.65 | 1/1/2020 | | | T |
| Westland | 85,420 | 1,892,893,907 | $90,347 | $106,291 | $106,291 | 7/1/2021 | 12/31/2021 | | |
| Wixom | 17,193 | 814,362,280 | $42,791 | $56,206 | $54,466 | 7/1/2018 | 6/30/2021 | | |
| Woodhaven | 12,941 | 506,017,609 | | | $57,401 | 7/1/2021 | | | |
| Wyandotte | 25,058 | 594,674,148 | | | $42,203 | 1/1/2021 | | | |
| Brownstown Twp | 33,194 | 1,120,389,034 | | | $81,200 | 7/6/2020 | 11/20/2024 | | |
| Canton Twp | 98,659 | 4,499,227,842 | $72,167 | $93,817 | $74,303 | 1/1/2021 | | | A |
| Clinton Twp | 100,513 | 3,169,938,104 | $83,826 | $94,224 | $94,224 | 4/1/2021 | 3/31/2022 | | |
| Commerce Twp | 38,514 | 2,322,767,560 | | | $70,753 | 1/1/2021 | | | |
| Huron Twp | 16,944 | 581,092,177 | | | $38,000 | 11/20/2020 | 11/20/2024 | | |
| Macomb Twp | 91,663 | 4,034,761,897 | | | $86,429 | 3/10/2021 | | | |
| Northville Twp | 31,758 | 2,406,447,471 | $74,305 | $74,305 | $74,305 | 1/1/2021 | | | |
| Orion Township | 35,330 | 1,983,739,610 | $3,500 | $3,500 | $3,500 | 1/1/2021 | 12/31/2021 | | |
| Pittsfield Twp | 39,147 | 2,212,951,587 | $63,399 | $82,422 | $81,127 | 1/1/2021 | | | A |
| Redford Twp | 49,504 | 917,127,059 | | $69,222 | $69,222 | 12/1/2020 | 11/30/2024 | | |
| Van Buren Twp | 30,375 | 1,165,488,936 | $82,000 | $82,000 | $82,000 | 1/1/2021 | 1/1/2023 | | |
| Waterford Twp | 70,565 | 2,460,250,560 | $61,770 | $71,040 | $71,040 | 1/1/2020 | | | |
| Ypsilanti Twp | 55,670 | 1,509,216,773 | | | $62,487 | 1/1/2021 | 12/31/2021 | | |

**Legend:**

A Uses alternate title
B Shared position, see salary survey
C Contracted services
D Dept shared with other municipality
F Full and part time positions
H Base + Hourly
LEV Assessor's level
N Under negotiation
P Public Safety Dept
POC Paid on Call
T Part time position
U Union
V Vacant

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# Deputy Treasurer

| Community | Population | Taxable Value | Minimum | Maximum | Current | Effective Date | Expiration Date | # Pos | Legend |
|---|---|---|---|---|---|---|---|---|---|
| Allen Park | 28,638 | 838,874,158 | | | | | | | |
| Ann Arbor | 123,851 | 6,684,030,058 | | | | | | | |
| Auburn Hills | 24,360 | 1,804,250,236 | $68,403 | $87,285 | $76,106 | 1/1/2021 | 12/31/2021 | | B |
| Belleville | 4,008 | 107,333,920 | | | | | | | |
| Birmingham | 21,813 | 2,763,363,580 | $54,445 | $69,696 | $60,696 | 7/1/2020 | | | |
| Dearborn | 109,976 | 3,597,280,819 | $76,626 | $97,067 | $86,244 | 7/1/2018 | | | |
| Dearborn Heights | 63,292 | 1,408,273,865 | $65,000 | $65,000 | $65,000 | 7/1/2021 | 6/30/2022 | | |
| Farmington Hills | 83,986 | 3,730,230,260 | $85,366 | $85,366 | $85,366 | 7/1/2021 | 6/30/2022 | | |
| Flat Rock | 10,541 | 333,033,588 | $41,850 | $44,640 | $44,640 | 7/1/2020 | 6/30/2021 | | U |
| Fraser | 14,726 | 490,629,662 | | | | | | | |
| Garden City | 27,380 | 582,200,362 | | | | | | | |
| Inkster | 26,088 | 219,380,978 | | | | | | | |
| Lincoln Park | 40,245 | 601,356,152 | $36,837 | $50,842 | $49,273 | 7/1/2021 | 6/30/2022 | | A |
| Livonia | 95,535 | 4,499,560,227 | $60,653 | $71,053 | $71,053 | 12/1/2020 | 11/30/2021 | | |
| Melvindale | 12,851 | 257,693,217 | | | | | | | |
| Northville | 6,119 | 450,797,480 | | | | | | | |
| Novi | 66,243 | 4,252,926,919 | $73,805 | $103,327 | $80,702 | | | | |
| Plymouth | 9,370 | 636,043,215 | | | | | | | BV |
| Riverview | 12,490 | 338,636,973 | | | | | | | |
| Romulus | 25,178 | 1,109,034,098 | | | $62,421 | 7/1/2020 | | | |
| Roseville | 47,710 | 1,002,892,213 | | | $80,579 | 7/1/2021 | 6/30/2022 | | |
| Southgate | 30,014 | 746,344,530 | | | $62,483 | 7/1/2021 | 6/30/2022 | | |
| Taylor | 63,409 | 1,413,430,461 | | | $60,050 | 1/1/2020 | 12/31/2021 | | |
| Trenton | 18,544 | 648,881,887 | | | | | | | |
| Troy | 87,294 | 5,378,572,670 | $62,118 | $83,859 | $65,000 | 6/7/2021 | | | |
| Wayne | 17,713 | 371,388,900 | | | | | | | |
| Westland | 85,420 | 1,892,893,907 | | | | | | | |
| Wixom | 17,193 | 814,362,280 | $53,159 | $69,813 | $63,596 | 7/1/2018 | 6/30/2021 | | |
| Woodhaven | 12,941 | 506,017,609 | | | | | | | |
| Wyandotte | 25,058 | 594,674,148 | | | $84,427 | 1/1/2021 | | | B |
| Brownstown Twp | 33,194 | 1,120,389,034 | | | $81,200 | 7/6/2020 | 11/20/2024 | | |
| Canton Twp | 98,659 | 4,499,227,842 | $92,149 | $119,797 | $119,797 | 1/1/2021 | | | A |
| Clinton Twp | 100,513 | 3,169,938,104 | $83,826 | $94,224 | $94,224 | 4/1/2021 | 3/31/2022 | | |
| Commerce Twp | 38,514 | 2,322,767,560 | | | $70,753 | 1/1/2021 | | | |
| Huron Twp | 16,944 | 581,092,177 | | | $38,000 | 11/20/2020 | 11/20/2024 | | |
| Macomb Twp | 91,663 | 4,034,761,897 | | | $86,429 | 3/10/2021 | | | |
| Northville Twp | 31,758 | 2,406,447,471 | | | | | | | |
| Orion Township | 35,330 | 1,983,739,610 | $3,500 | $3,500 | $3,500 | 1/1/2021 | 12/31/2021 | | |
| Pittsfield Twp | 39,147 | 2,212,951,587 | $63,399 | $82,422 | $75,375 | 1/1/2021 | | | |
| Redford Twp | 49,504 | 917,127,059 | | $57,998 | $67,998 | 12/1/2020 | 11/30/2024 | | |
| Van Buren Twp | 30,375 | 1,165,488,936 | $87,000 | $87,000 | $87,000 | 1/1/2021 | 1/1/2023 | | |
| Waterford Twp | 70,565 | 2,460,250,560 | $61,770 | $71,040 | $71,040 | 1/1/2020 | | | |
| Ypsilanti Twp | 55,670 | 1,509,216,773 | | | $62,487 | 1/1/2021 | 12/31/2021 | | |

**Legend:**

A Uses alternate title
B Shared position, see salary survey
C Contracted services
D Dept shared with other municipality
F Full and part time positions
H Base + Hourly
LEV Assessor's level
N Under negotiation
P Public Safety Dept
POC Paid on Call
T Part time position
U Union
V Vacant

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| Community | Population | Taxable Value | Minimum | Maximum | Current | Effective Date | Expiration Date | # Pos | Legend |
|---|---|---|---|---|---|---|---|---|---|
| Allen Park | 28,638 | 838,874,158 | | | $65,447 | 11/1/2020 | | | |
| Ann Arbor | 123,851 | 6,684,030,058 | $94,389 | $122,706 | $106,724 | 7/1/2019 | | | |
| Auburn Hills | 24,360 | 1,804,250,236 | $68,403 | $87,285 | $79,464 | 1/1/2021 | 12/31/2021 | | |
| Belleville | 4,008 | 107,333,920 | $52,000 | $52,000 | $52,000 | 9/11/2020 | | | B |
| Birmingham | 21,813 | 2,763,363,580 | $78,802 | $100,891 | $80,733 | 7/1/2020 | | | |
| Dearborn | 109,976 | 3,597,280,819 | | | $97,910 | 1/1/2021 | | | |
| Dearborn Heights | 63,292 | 1,408,273,865 | $76,513 | $76,513 | $76,513 | 1/1/2019 | | | |
| Farmington Hills | 83,986 | 3,730,230,260 | $119,232 | $119,232 | $119,232 | 7/1/2021 | 6/30/2022 | | |
| Flat Rock | 10,541 | 333,033,588 | $61,812 | $61,812 | $61,812 | 1/1/2020 | 12/31/2021 | | |
| Fraser | 14,726 | 490,629,662 | $75,010 | $75,010 | $75,010 | 6/7/2021 | | | |
| Garden City | 27,380 | 582,200,362 | $79,900 | $110,000 | $93,127 | 7/1/2021 | | | |
| Inkster | 26,088 | 219,380,978 | $61,000 | $61,500 | $61,000 | 7/5/2021 | 6/30/2022 | | |
| Lincoln Park | 40,245 | 601,356,152 | | | $52,000 | | | | |
| Livonia | 95,535 | 4,499,560,227 | | | $89,944 | 1/1/2021 | 12/31/2021 | | |
| Melvindale | 12,851 | 257,693,217 | | | $12,000 | | 11/20/2019 | | |
| Northville | 6,119 | 450,797,480 | | | $71,198 | 1/17/2021 | | | |
| Novi | 66,243 | 4,252,926,919 | | $93,179 | $93,179 | | | | |
| Plymouth | 9,370 | 636,043,215 | | | $41.07 | 7/1/2019 | | | |
| Riverview | 12,490 | 338,636,973 | $61,330 | $61,330 | $61,330 | 7/1/2020 | | | |
| Romulus | 25,178 | 1,109,034,098 | | | $80,653 | 1/1/2021 | | | |
| Roseville | 47,710 | 1,002,892,213 | | | $94,799 | 7/1/2021 | 6/30/2022 | | |
| Southgate | 30,014 | 746,344,530 | | | $6,250 | 7/1/2021 | 6/30/2022 | | |
| Taylor | 63,409 | 1,413,430,461 | | | $75,600 | 1/1/2020 | 12/31/2021 | | |
| Trenton | 18,544 | 648,881,887 | $54,000 | $72,000 | $72,000 | 11/1/2019 | 10/31/2023 | | |
| Troy | 87,294 | 5,378,572,670 | $89,566 | $120,914 | $117,312 | 1/9/2021 | | | |
| Wayne | 17,713 | 371,388,900 | $70,000 | $70,000 | $70,000 | 3/18/2019 | 6/30/2022 | | |
| Westland | 85,420 | 1,892,893,907 | | $118,101 | $118,101 | 7/1/2021 | 12/31/2021 | | |
| Wixom | 17,193 | 814,362,280 | $61,432 | $80,678 | $78,202 | 7/1/2018 | 6/30/2021 | | |
| Woodhaven | 12,941 | 506,017,609 | | | $74,282 | 7/1/2021 | | | |
| Wyandotte | 25,058 | 594,674,148 | | | $45,000 | 5/10/2021 | | | |
| Brownstown Twp | 33,194 | 1,120,389,034 | | | $30,500 | 11/20/2020 | 11/20/2024 | | |
| Canton Twp | 98,659 | 4,499,227,842 | $102,076 | $102,076 | $102,076 | 1/1/2021 | | | |
| Clinton Twp | 100,513 | 3,169,938,104 | | | $81,024 | 4/1/2021 | 3/31/2022 | | |
| Commerce Twp | 38,514 | 2,322,767,560 | | | $93,000 | 1/1/2021 | | | |
| Huron Twp | 16,944 | 581,092,177 | | | $54,758 | 11/20/2020 | 11/20/2024 | | |
| Macomb Twp | 91,663 | 4,034,761,897 | | | $93,500 | 11/20/2020 | | | |
| Northville Twp | 31,758 | 2,406,447,471 | $85,000 | $85,000 | $85,000 | 11/12/2020 | | | |
| Orion Township | 35,330 | 1,983,739,610 | $81,600 | $81,600 | $81,600 | 1/1/2021 | 12/31/2021 | | |
| Pittsfield Twp | 39,147 | 2,212,951,587 | $88,615 | $88,615 | $88,615 | 11/1/2020 | | | |
| Redford Twp | 49,504 | 917,127,059 | | $79,441 | $79,441 | 12/1/2020 | 11/30/2024 | | |
| Van Buren Twp | 30,375 | 1,165,488,936 | $94,347 | $94,347 | $94,347 | 1/1/2021 | 1/1/2023 | | |
| Waterford Twp | 70,565 | 2,460,250,560 | | | $90,496 | 1/1/2021 | | | |
| Ypsilanti Twp | 55,670 | 1,509,216,773 | | | $86,341 | 1/1/2021 | 12/31/2021 | | |

**Legend:**

A Uses alternate title
B Shared position, see salary survey
C Contracted services
D Dept shared with other municipality
F Full and part time positions
H Base + Hourly
LEV Assessor's level
N Under negotiation
P Public Safety Dept
POC Paid on Call
T Part time position
U Union
V Vacant

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# Treasurer

| Community | Population | Taxable Value | Minimum | Maximum | Current | Effective Date | Expiration Date | # Pos | Legend |
|---|---|---|---|---|---|---|---|---|---|
| Allen Park | 28,638 | 838,874,158 | | | $51,724 | 11/1/2020 | | | |
| Ann Arbor | 123,851 | 6,684,030,058 | $101,921 | $132,498 | $108,000 | 8/19/2019 | | | |
| Auburn Hills | 24,360 | 1,804,250,236 | $100,904 | $125,968 | $104,307 | 1/1/2021 | 12/31/2021 | | B |
| Belleville | 4,008 | 107,333,920 | | | | | | | B |
| Birmingham | 21,813 | 2,763,363,580 | $93,665 | $119,814 | $119,813 | 7/1/2020 | | | B |
| Dearborn | 109,976 | 3,597,280,819 | | | $116,748 | 7/1/2020 | | | B |
| Dearborn Heights | 63,292 | 1,408,273,865 | $76,513 | $76,513 | $76,513 | 1/1/2019 | | | |
| Farmington Hills | 83,986 | 3,730,230,260 | $120,335 | $120,335 | $120,335 | 7/1/2021 | 6/30/2022 | | B |
| Flat Rock | 10,541 | 333,033,588 | $65,000 | $65,000 | $65,000 | 1/1/2020 | 12/31/2021 | | |
| Fraser | 14,726 | 490,629,662 | | | | | | | |
| Garden City | 27,380 | 582,200,362 | $79,900 | $110,000 | $97,207 | 7/1/2021 | | | |
| Inkster | 26,088 | 219,380,978 | $86,000 | $86,000 | $86,000 | 6/7/2021 | 6/30/2022 | | |
| Lincoln Park | 40,245 | 601,356,152 | | | $15,000 | | | | |
| Livonia | 95,535 | 4,499,560,227 | | | $89,944 | 1/1/2021 | 12/31/2021 | | |
| Melvindale | 12,851 | 257,693,217 | | | $3,000 | | 11/20/2019 | | |
| Northville | 6,119 | 450,797,480 | | | $105,622 | 1/17/2021 | | | B |
| Novi | 66,243 | 4,252,926,919 | | | | | | | |
| Plymouth | 9,370 | 636,043,215 | | | $46.18 | 5/1/2021 | | | B |
| Riverview | 12,490 | 338,636,973 | $115,000 | $115,000 | $115,000 | 1/1/2021 | | | B |
| Romulus | 25,178 | 1,109,034,098 | | | $80,653 | 1/1/2021 | | | |
| Roseville | 47,710 | 1,002,892,213 | | | $94,799 | 7/1/2021 | 6/30/2022 | | |
| Southgate | 30,014 | 746,344,530 | | | $5,250 | 7/1/2021 | 6/30/2022 | | |
| Taylor | 63,409 | 1,413,430,461 | | | $32,900 | 1/1/2020 | 12/31/2021 | | |
| Trenton | 18,544 | 648,881,887 | $13,000 | $13,000 | $13,000 | 11/1/2019 | 10/31/2023 | | |
| Troy | 87,294 | 5,378,572,670 | $81,424 | $109,922 | $85,850 | 7/1/2021 | | | |
| Wayne | 17,713 | 371,388,900 | | | | | | | |
| Westland | 85,420 | 1,892,893,907 | | | | | | | |
| Wixom | 17,193 | 814,362,280 | $76,317 | $100,226 | $98,285 | 7/1/2018 | 6/30/2021 | | |
| Woodhaven | 12,941 | 506,017,609 | | | $91,166 | 7/1/2021 | | | |
| Wyandotte | 25,058 | 594,674,148 | | | $4,800 | 5/10/2021 | | | |
| Brownstown Twp | 33,194 | 1,120,389,034 | | | $30,500 | 11/20/2020 | 11/20/2024 | | |
| Canton Twp | 98,659 | 4,499,227,842 | $102,076 | $102,076 | $102,076 | 1/1/2021 | | | |
| Clinton Twp | 100,513 | 3,169,938,104 | | | $81,024 | 4/1/2021 | 3/31/2022 | | |
| Commerce Twp | 38,514 | 2,322,767,560 | | | $93,000 | 1/1/2021 | | | |
| Huron Twp | 16,944 | 581,092,177 | | | $54,758 | 11/20/2020 | 11/20/2024 | | |
| Macomb Twp | 91,663 | 4,034,761,897 | | | $93,500 | 11/20/2020 | | | |
| Northville Twp | 31,758 | 2,406,447,471 | $25,000 | $25,000 | $25,000 | 11/12/2020 | | | |
| Orion Township | 35,330 | 1,983,739,610 | $81,600 | $81,600 | $81,600 | 1/1/2021 | 12/31/2021 | | |
| Pittsfield Twp | 39,147 | 2,212,951,587 | $88,615 | $88,615 | $88,615 | 11/1/2020 | | | |
| Redford Twp | 49,504 | 917,127,059 | | $79,441 | $79,441 | 12/1/2020 | 11/30/2024 | | |
| Van Buren Twp | 30,375 | 1,165,488,936 | $94,347 | $94,347 | $94,347 | 1/1/2021 | 1/1/2023 | | |
| Waterford Twp | 70,565 | 2,460,250,560 | | | $90,496 | 1/1/2021 | | | |
| Ypsilanti Twp | 55,670 | 1,509,216,773 | | | $86,341 | 1/1/2021 | 12/31/2021 | | |

**Legend:**

A Uses alternate title
B Shared position, see salary survey
C Contracted services
D Dept shared with other municipality
F Full and part time positions
H Base + Hourly
LEV Assessor's level
N Under negotiation
P Public Safety Dept
POC Paid on Call
T Part time position
U Union
V Vacant

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## CITY OF LIVONIA
## DIRECTORS SALARIES - PROPOSED
## 2021-2022 WAGE RATE SCHEDULE

*Elected Official's Salaries are as of 1/1/2022

| DIRECTOR CLASSIFICATION | | 3% 2021-2022 HOURLY | ANNUAL |
|---|---|---|---|
| POLICE CHIEF | | $67.44 | $140,275.20 |
| FIRE CHIEF (as of 12/1/2021 to be approved) | STEP 1 | $57.33 | $119,246.40 |
| | STEP 1.5 | $58.49 | $121,659.20 |
| | STEP 2 | $59.61 | $123,988.80 |
| | STEP 3 | $62.02 | $129,001.60 |
| | STEP 4 | $64.50 | $134,160.00 |
| | STEP 5 | $67.07 | $139,505.60 |
| CITY ATTORNEY (RFT) *PER COUNCIL RESOLUTION #172-18 REFLECTED PAY IS NEW AND EFFECTIVE 04/23/2018 THROUGH 11/30/2019. THERE IS NO 3% INCREASE FOR CA for 18-19.* | STEP 1 | $56.95 | $118,456.00 |
| | STEP 1.5 | $58.09 | $120,827.20 |
| | STEP 2 | $59.25 | $123,240.00 |
| | STEP 3 | $61.61 | $128,148.80 |
| | STEP 4 | $64.09 | $133,307.20 |
| | STEP 5 | $66.65 | $138,632.00 |
| MAYOR *(as of 1/1/2022) | | $64.72 | $134,609.00 |
| DIRECTOR OF FINANCE | STEP 1 | $53.41 | $111,092.80 |
| | STEP 1.5 | $54.49 | $113,339.20 |
| | STEP 2 | $55.51 | $115,460.80 |
| | STEP 3 | $57.75 | $120,120.00 |
| | STEP 4 | $60.12 | $125,049.60 |
| | STEP 5 | $62.47 | $129,937.60 |
| SUPERINTENDENT OF PARKS & RECREATION PER COUNCIL RESOLUTION #332-20 APPROVED 11/16/2020 EFFECTIVE 12/1/2020 | STEP 1 | $53.41 | $111,092.80 |
| | STEP 1.5 | $54.49 | $113,339.20 |
| | STEP 2 | $55.51 | $115,460.80 |
| | STEP 3 | $57.75 | $120,120.00 |
| | STEP 4 | $60.12 | $125,049.60 |
| | STEP 5 | $62.47 | $129,937.60 |
| PLANNING AND ECONOMIC DEVELOPMENT DIRECTOR PER COUNCIL RESOLUTION #10-10 APPROVED 1/13/2010 | STEP 1 | $53.41 | $111,092.80 |
| | STEP 1.5 | $54.49 | $113,339.20 |
| | STEP 2 | $55.51 | $115,460.80 |
| | STEP 3 | $57.75 | $120,120.00 |
| | STEP 4 | $60.12 | $125,049.60 |
| | STEP 5 | $62.47 | $129,937.60 |
| DIRECTOR OF PUBLIC WORKS | | $62.47 | $129,937.60 |
| CITY ASSESSOR *(as approved by PRC 7.9.21) (per CR#287-21, eff. 12.1.21)* | STEP 1 | $49.32 | $102,585.60 |
| | STEP 1.5 | $50.31 | $104,644.80 |
| | STEP 2 | $51.29 | $106,683.20 |
| | STEP 3 | $53.34 | $110,947.20 |
| | STEP 4 | $55.48 | $115,398.40 |
| | STEP 5 | $57.70 | $120,016.00 |
| CHIEF OF STAFF (DIRECTOR ADMINISTRATIVE SERVICES) (Proposed) | STEP 1 | $49.32 | $102,585.60 |
| | STEP 1.5 | $50.31 | $104,644.80 |
| | STEP 2 | $51.29 | $106,683.20 |
| | STEP 3 | $53.34 | $110,947.20 |
| | STEP 4 | $55.48 | $115,398.40 |
| | STEP 5 | $57.70 | $120,016.00 |

## CITY OF LIVONIA
## DEPUTY DIRECTORS SALARIES
## 2021-2022 WAGE RATE SCHEDULE

| DEPUTY DIRECTOR CLASSIFICATION | | 3% 2021-2022 HOURLY | ANNUAL | $ Differential at Top Step | % Differential at Top Step |
|---|---|---|---|---|---|
| DEPUTY POLICE CHIEF | | $61.32 | $127,545.60 | $12,729.60 | 9.1% |
| DEPUTY FIRE CHIEF | STEP 4 | $58.97 | $122,657.60 | | |
| | STEP 5 | $61.33 | $127,566.40 | $11,939.20 | 8.6% |
| CHIEF ASSISTANT *CITY ATTORNEY* | STEP 1 | $51.77 | $107,681.60 | | |
| | STEP 1.5 | $52.80 | $109,824.00 | | |
| | STEP 2 | $53.86 | $112,028.80 | | |
| | STEP 3 | $56.01 | $116,500.80 | | |
| | STEP 4 | $58.25 | $121,160.00 | | |
| | STEP 5 | $60.58 | $126,006.40 | $12,625.60 | 9.1% |
| DIRECTOR ADMINISTRATIVE SERVICES | STEP 1 | $40.93 | $85,134.40 | | |
| | STEP 1.5 | $41.78 | $86,902.40 | | |
| | STEP 2 | $42.54 | $88,483.20 | | |
| | STEP 3 | $44.24 | $92,019.20 | | |
| | STEP 4 | $46.01 | $95,700.80 | | |
| | STEP 5 | $47.85 | $99,528.00 | $35,081.00 | 26.1% |
| CHIEF ACCOUNTANT | STEP 1 | $42.72 | $88,857.60 | | |
| | STEP 1.5 | $43.64 | $90,771.20 | | |
| | STEP 2 | $44.38 | $92,310.40 | | |
| | STEP 3 | $46.12 | $95,929.60 | | |
| | STEP 4 | $47.95 | $99,736.00 | | |
| | STEP 5 | $49.87 | $103,729.60 | $26,208.00 | 20.2% |
| ASSISTANT SUPT. OF PARKS & RECREATION | STEP 1 | $43.66 | $90,812.80 | | |
| | STEP 1.5 | $44.49 | $92,539.20 | | |
| | STEP 2 | $45.36 | $94,348.80 | | |
| | STEP 3 | $47.16 | $98,092.80 | | |
| | STEP 4 | $49.04 | $102,003.20 | | |
| | STEP 5 | $51.00 | $106,080.00 | $23,857.60 | 18.4% |
| PLANNER IV | STEP 1 | $34.82 | $72,425.60 | | |
| | STEP 1.5 | $35.45 | $73,736.00 | | |
| | STEP 2 | $36.17 | $75,233.60 | | |
| | STEP 3 | $37.60 | $78,208.00 | | |
| | STEP 4 | $39.08 | $81,286.40 | | |
| | STEP 5 | $40.59 | $84,427.20 | $45,510.40 | 35.0% |
| ASSISTANT DIRECTOR OF PUBLIC WORKS | STEP 1 | $47.12 | $98,009.60 | | |
| | STEP 1.5 | $48.04 | $99,923.20 | | |
| | STEP 2 | $49.01 | $101,940.80 | | |
| | STEP 3 | $50.92 | $105,913.60 | | |
| | STEP 4 | $52.96 | $110,156.80 | | |
| | STEP 5 | $55.05 | $114,504.00 | $15,433.60 | 11.9% |
| ASSISTANT CITY *ASSESSOR* | STEP 1 | $39.85 | $82,888.00 | | |
| | STEP 1.5 | $40.65 | $84,552.00 | | |
| | STEP 2 | $41.45 | $86,216.00 | | |
| | STEP 3 | $43.11 | $89,668.80 | | |
| | STEP 4 | $44.84 | $93,267.20 | | |
| | STEP 5 | $46.64 | $97,011.20 | $23,004.80 | 19.2% |

RECEIVED
FEB 07 2022
LIVONIA CIVIL SERVICE

CITY OF LIVONIA
DIRECTORS SALARIES - PROPOSED
2021-2022 WAGE RATE SCHEDULE

*Elected Official's Salaries are as of 1/1/2022

| DIRECTOR CLASSIFICATION | | 3% 2021-2022 HOURLY | ANNUAL |
|---|---|---|---|
| INFORMATION SYSTEMS DIRECTOR | STEP 1 | $47.12 | $98,009.60 |
| | STEP 1.5 | $48.04 | $99,923.20 |
| | STEP 2 | $49.01 | $101,940.80 |
| | STEP 3 | $50.92 | $105,913.60 |
| | STEP 4 | $52.96 | $110,156.80 |
| | STEP 5 | $55.05 | $114,504.00 |
| HUMAN RESOURCES DIRECTOR (Proposed) | STEP 1 | $47.12 | $98,009.60 |
| | STEP 1.5 | $48.04 | $99,923.20 |
| | STEP 2 | $49.01 | $101,940.80 |
| | STEP 3 | $50.92 | $105,913.60 |
| | STEP 4 | $52.96 | $110,156.80 |
| | STEP 5 | $55.05 | $114,504.00 |
| DIRECTOR OF HOUSING (Proposed) | STEP 1 | $47.12 | $98,009.60 |
| | STEP 1.5 | $48.04 | $99,923.20 |
| | STEP 2 | $49.01 | $101,940.80 |
| | STEP 3 | $50.92 | $105,913.60 |
| | STEP 4 | $52.96 | $110,156.80 |
| | STEP 5 | $55.05 | $114,504.00 |
| DIRECTOR OF BUILDING INSPECTION | STEP 1 | $45.95 | $95,576.00 |
| | STEP 1.5 | $46.90 | $97,552.00 |
| | STEP 2 | $47.85 | $99,528.00 |
| | STEP 3 | $49.86 | $103,708.80 |
| | STEP 4 | $51.93 | $108,014.40 |
| | STEP 5 | $54.13 | $112,590.40 |
| LIBRARY DIRECTOR | STEP 1 | $45.36 | $94,348.80 |
| | STEP 1.5 | $46.25 | $96,200.00 |
| | STEP 2 | $47.16 | $98,092.80 |
| | STEP 3 | $49.04 | $102,003.20 |
| | STEP 4 | $51.00 | $106,080.00 |
| | STEP 5 | $52.92 | $110,073.60 |
| DIRECTOR ADMINISTRATIVE SERVICES | STEP 1 | $40.93 | $85,134.40 |
| | STEP 1.5 | $41.78 | $86,902.40 |
| | STEP 2 | $42.54 | $88,483.20 |
| | STEP 3 | $44.24 | $92,019.20 |
| | STEP 4 | $46.01 | $95,700.80 |
| | STEP 5 | $47.85 | $99,528.00 |
| DIRECTOR COMMUNITY RESOURCES | STEP 1 | $40.93 | $85,134.40 |
| | STEP 1.5 | $41.78 | $86,902.40 |
| | STEP 2 | $42.54 | $88,483.20 |
| | STEP 3 | $44.24 | $92,019.20 |
| | STEP 4 | $46.01 | $95,700.80 |
| | STEP 5 | $47.85 | $99,528.00 |
| DIRECTOR OF GOVERNMENTAL AFFAIRS *CR#321-20 of 11/4/2020 (Replaces Director of Legislative Affairs; same pay scale) (Minutes approved 11/16/2020)* | STEP 1 | $40.93 | $85,134.40 |
| | STEP 1.5 | $41.78 | $86,902.40 |
| | STEP 2 | $42.54 | $88,483.20 |
| | STEP 3 | $44.24 | $92,019.20 |
| | STEP 4 | $46.01 | $95,700.80 |
| | STEP 5 | $47.85 | $99,528.00 |
| DIRECTOR OF EMERGENCY PREPAREDNESS *PER CR #206-21 EFF. 7/1/2021* | STEP 1 | $38.30 | $79,664.00 |
| | STEP 1.5 | $39.07 | $81,265.60 |
| | STEP 2 | $39.83 | $82,846.40 |
| | STEP 3 | $41.43 | $86,174.40 |
| | STEP 4 | $43.08 | $89,606.40 |
| | STEP 5 | $44.82 | $93,225.60 |

CITY OF LIVONIA
DEPUTY DIRECTORS SALARIES
2021-2022 WAGE RATE SCHEDULE

| DEPUTY DIRECTOR CLASSIFICATION | | 3% 2021-2022 HOURLY | ANNUAL | $ Differential at Top Step | % Differential at Top Step |
|---|---|---|---|---|---|
| SYSTEMS ANALYST II | STEP 1 | $34.82 | $72,425.60 | | |
| | STEP 1.5 | $35.45 | $73,736.00 | | |
| | STEP 2 | $36.17 | $75,233.60 | | |
| | STEP 3 | $37.60 | $78,208.00 | | |
| | STEP 4 | $39.10 | $81,328.00 | | |
| | STEP 5 | $40.60 | $84,448.00 | $30,056.00 | 26.2% |
| PERSONNEL ANALYST II | STEP 1 | $35.65 | $74,152.00 | | |
| | STEP 1.5 | $36.33 | $75,566.40 | | |
| | STEP 2 | $37.03 | $77,022.40 | | |
| | STEP 3 | $38.46 | $79,996.80 | | |
| | STEP 4 | $40.05 | $83,304.00 | | |
| | STEP 5 | $41.54 | $86,403.20 | $28,100.80 | 24.5% |
| DIVISIONAL DIRECTOR | Step 1 | $28.20 | $58,662.44 | | |
| | Step 1.5 | $28.71 | $59,715.18 | | |
| | Step 2 | $29.25 | $60,835.12 | | |
| | Step 3 | $30.40 | $63,231.79 | | |
| | Step 4 | $31.55 | $65,628.46 | | |
| | Step 5 | $32.78 | $68,181.92 | $46,322.08 | 40.5% |
| ASSISTANT DIRECTOR OF BUILDING INSPECTION | STEP 1 | $37.23 | $77,438.40 | | |
| | STEP 1.5 | $37.92 | $78,873.60 | | |
| | STEP 2 | $38.66 | $80,412.80 | | |
| | STEP 3 | $40.19 | $83,595.20 | | |
| | STEP 4 | $41.81 | $86,964.80 | | |
| | STEP 5 | $43.47 | $90,417.60 | $22,172.80 | 19.7% |
| ASSISTANT BRANCH LIBRARIAN | STEP 1 | $33.81 | $70,324.80 | | |
| | STEP 1.5 | $34.47 | $71,697.60 | | |
| | STEP 2 | $35.16 | $73,132.80 | | |
| | STEP 3 | $36.51 | $75,940.80 | | |
| | STEP 4 | $37.92 | $78,873.60 | | |
| | STEP 5 | $39.43 | $82,014.40 | $28,059.20 | 25.5% |
| CHIEF OF PUBLIC RELATIONS | STEP 1 | $33.81 | $70,324.80 | | |
| | STEP 1.5 | $34.47 | $71,697.60 | | |
| | STEP 2 | $35.16 | $73,132.80 | | |
| | STEP 3 | $36.51 | $75,940.80 | | |
| | STEP 4 | $37.92 | $78,873.60 | | |
| | STEP 5 | $39.43 | $82,014.40 | $17,513.60 | 17.6% |

CITY OF LIVONIA
DIRECTORS SALARIES - PROPOSED
2021-2022 WAGE RATE SCHEDULE

*Elected Official's Salaries are as of 1/1/2022

| DIRECTOR CLASSIFICATION | 3% 2021-2022 HOURLY | ANNUAL |
|---|---|---|
| CITY CLERK *(as of 1/1/2022) | $45.40 | $94,441.00 |
| CITY TREASURER *(as of 1/1/2022) | $45.40 | $94,441.00 |

CITY OF LIVONIA
DEPUTY DIRECTORS SALARIES
2021-2022 WAGE RATE SCHEDULE

| DEPUTY DIRECTOR CLASSIFICATION | | 3% 2021-2022 HOURLY | ANNUAL | $ Differential at Top Step | % Differential at Top Step |
|---|---|---|---|---|---|
| DEPUTY CLERK | STEP 1 | $30.03 | $62,462.40 | | |
| | STEP 1.5 | $30.64 | $63,731.20 | | |
| | STEP 2 | $31.26 | $65,020.80 | | |
| | STEP 3 | $32.49 | $67,579.20 | | |
| | STEP 4 | $33.80 | $70,304.00 | | |
| | STEP 5 | $35.18 | $73,174.40 | $21,266.60 | 22.5% |
| DEPUTY TREASURER | STEP 1 | $30.03 | $62,462.40 | | |
| | STEP 1.5 | $30.64 | $63,731.20 | | |
| | STEP 2 | $31.26 | $65,020.80 | | |
| | STEP 3 | $32.49 | $67,579.20 | | |
| | STEP 4 | $33.80 | $70,304.00 | | |
| | STEP 5 | $35.18 | $73,174.40 | $21,266.60 | 22.5% |
| AVERAGE - All Positions | | | | $24,773.38 | 21.0% |

C:\Users\MSlater\Desktop\Salary Tables\[Global Salary Table Deputy Comparison 1.25.22.xlsx]Actuals

RECEIVED
FEB 07 2022
LIVONIA CIVIL SERVICE

TO: Livonia City Council

RE: Salary adjustments for Deputy Clerk, Deputy Treasurer

Dear Council Members,

We are asking your concurrence with a salary adjustment for both the Deputy City Clerk and Deputy City Treasurer based on several factors:

- The fact that comparable salaries for the same positions in nearby/comparable communities are significantly higher than salaries in Livonia *(see attached)*.

- The most recent Local Officers Compensation Commission meeting approved increases for the Clerk and Treasurer positions, as 5% in 2022 and 3% in 2023.

- The Personnel Review Committee prepared a citywide comparison of the differential between salaries of Livonia's Director positions and their deputy/second-in-command positions *(see attached)*. The current average differential is 21%, though the numbers are skewed higher by several unfilled or unavailable positions (Planning, Housing, etc.). With the current LOCC increases, the differential for Deputy Clerk and Deputy Treasurer is at 22.5%.

Considering these factors and knowing the pivotal role these deputy positions play in the day-to-day operations in each of their respective departments, the Personnel Review Committee has recommended and the Mayor supports the request that the Council approve an increase in compensation for these positions. The increases would mirror those provided to the Clerk and Treasurer by the LOCC and would add 2% retroactive to January 1, 2022, to the 3% increase that was effective Dec. 1, 2021. An additional 3% increase would be added for the coming budget year (2022-23), which again mirrors the increase for the Clerk and Treasurer. If approved, the new annual salaries would range from $63,690 at Step 1 to $74,610 at Step 5 for the current year and $65,603 at Step 1 to $76,856 at Step 5 for 2022-23. It should be noted that these adjustments are notwithstanding any changes that would be impacted by future contractual agreements extended to unrepresented employees.

Thank you for your consideration of these salary adjustments.

Sincerely,

Susan M Nash

Susan M. Nash
City Clerk

and

Lynda L. Scheel

Lynda L. Scheel
City Treasurer

Maureen Miller Brosnan
Mayor

# LETTER TO THE LIVONIA CITY COUNCIL



**Treasurer**
**March 23, 2022**

| MEETING DATE | PREPARED BY |
|---|---|
| Study Meeting of April 4, 2022 | Lynda L. Scheel, MiCPT, Treasurer, |

## AGENDA ITEM

REQUEST TO APPROVE INCREASE IN COMPENSATION FOR THE DEPUTY TREASURER AND DEPUTY CLERK: City Treasurer and City Clerk, re: to increase compensation to be more comparable with positions in neighboring communities.

## BACKGROUND

Dear Council Members,

We are asking your concurrence with a salary adjustment for both the Deputy City Clerk and Deputy City Treasurer based on several factors:

- The fact that comparable salaries for the same positions in nearby/comparable communities are significantly higher than salaries in Livonia (see attached).
- The most recent Local Officers Compensation Commission meeting approved increases for the Clerk and Treasurer positions, as 5% in 2022 and 3% in 2023.
- The Personnel Review Committee prepared a citywide comparison of the differential between salaries of Livonia's Director positions and their deputy/second-in-command positions (see attached). The current average differential is 21%, though the numbers are skewed higher by several unfilled or unavailable positions (Planning, Housing, etc.). With the current LOCC increases, the differential for Deputy Clerk and Deputy Treasurer is at 22.5%.

Considering these factors and knowing the pivotal role these deputy positions play in the day-to-day operations in each of their respective departments, the Personnel Review Committee has recommended and the Mayor supports the request that the Council approve an increase in compensation for these positions. The increases would mirror those provided to the Clerk and Treasurer by the LOCC and would add 2% retroactive to January 1, 2022, to the 3% increase that was effective Dec. 1, 2021. An additional 3% increase would be added for the coming budget year (2022-23), which again mirrors the increase for the Clerk and Treasurer. If approved, the new annual salaries would range from $63,690 at Step 1 to $74,610 at Step 5 for the current year and $65,603 at Step 1 to $76,856 at Step 5 for 2022-23. It should be noted that these adjustments are notwithstanding any changes that would be impacted by future contractual agreements extended to unrepresented employees.
Thank you for your consideration of these salary adjustments.

Sincerely,

| | |
|---|---|
| Susan M. Nash | Lynda L. Scheel |
| City Clerk | City Treasurer |

## RECOMMENDATION

Approve Request as stated.

## FISCAL CONSIDERATION

Budget for Salaries

## ATTACHMENTS

1. Deputy Clerk and Deputy Treasurer Information for Council 1
2. Deputy Clerk and Deputy Treasurer Information for Council 2
3. Deputy Clerk and Deputy Treasurer Information for Council 3
4. Deputy Clerk and Deputy Treasurer Information for Council Cover

## APPROVED BY

Michael T Slater

Date: March 23, 2022

Michael Slater, Finance Director

Maureen Miller Brosnan

Date: March 25, 2022

Maureen Miller Brosnan, Mayor

Meeting was called to order at 8:06 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, and Kathleen McIntyre. Absent: None

Elected and appointed officials present: City Clerk, Susan Nash, City Treasurer, Lynda Scheel, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier; City Attorney, and Jacob Rushlow, Assistant Director of Public Works.

3. REQUEST TO WAIVE THE FORMAL BIDDING PROCESS AND APPROVE THE CONTRACT WITH WEBSTER & GARNER, INC.: Department of Public Works, re: to supply propane to the City of Livonia, from budgeted funds.

   Jacob Rushlow, Assistant Director of Public Works, presented the request to Council.

   Council Vice President Laura Toy offered an approving resolution on the consent agenda.

   DIRECTION: APPROVING CONSENT

**Oakland County Purchasing Division**
**Bid Tabulation**
**Liquid Propane Supply**
**Event #005427**

| ITEM NO. | DESCRIPTION ↓ VENDOR → | Bidder #1 | Bidder #2 | Bidder #3 |
|---|---|---|---|---|
| | | CORRIGAN PROPANE | FERRELLGAS | WEBSTER AND GARNER |
| 1 | Liquid Propane (LP) gas Fixed Mark up per Gallon | $0.5490 | $2.0000 | $0.2950 |
| 2 | Proposed Terminal | Sarnia, Marysville, Woodhaven, Clio | Mont Bel Ave | Marysville |
| 3 | 500 Gallon Rental | $300.00 Pickup/Delivery Fee, $1.00 Yearly lease | $0.00 | $100.00 per year |
| 4 | 500 Gallon Purchase | NA | NA | $1,600.00 |
| 5 | Fork Lift Cylinders Exchanges price Unit | $27.95 | $30.00 | $25.00 |
| 6 | 20# Tank Exchanges price per Unit | $15.00 | $25.00 | $15.00 |
| 7 | 100# Tanks Exchanges price per Unit | $125.00 | $115.00 | $85.00 |

**Awarded to Webster and Garner - The lowest bidder.**

# STATE OF MICHIGAN
# ENTERPRISE PROCUREMENT

Department of Technology, Management, and Budget
525 W. Allegan, Lansing MI 48913
P.O. Box 30026, Lansing, MI 48909

## NOTICE OF CONTRACT

NOTICE OF CONTRACT NO. **210000001457**
between
THE STATE OF MICHIGAN
and

| CONTRACTOR | |
|---|---|
| | Ferrellgas |
| | 603 US 41 |
| | Negaunee, MI 49866 |
| | Don Steckman |
| | (906) 250-2882 |
| | donaldsteckman@ferrellgas.com |
| | CV0051103 |

| STATE | | | |
|---|---|---|---|
| | Program Manager | Statewide | DTMB |
| | | Phone Number | |
| | | Email Address | |
| | Contract Administrator | Yvon Dufour | DTMB |
| | | (517) 249-0455 | |
| | | dufoury@michigan.gov | |

| CONTRACT SUMMARY | | | |
|---|---|---|---|
| **DESCRIPTION:** | | | |
| INITIAL EFFECTIVE DATE | INITIAL EXPIRATION DATE | INITIAL AVAILABLE OPTIONS | EXPIRATION DATE BEFORE CHANGE(S) NOTED BELOW |
| 10/1/2021 | 9/30/2026 | Three – one year | 9/30/2026 |
| PAYMENT TERMS | | DELIVERY TIMEFRAME | |
| Net 45 | | 3 Days ARO | |
| ALTERNATE PAYMENT OPTIONS | | | EXTENDED PURCHASING |
| ☐ P-card ☐ Payment Request (PRC) ☐ Other | | | ☒ Yes ☐ No |
| MINIMUM DELIVERY REQUIREMENTS | | | |
| 250 gallons | | | |
| MISCELLANEOUS INFORMATION | | | |
| The terms and conditions of this Contract are those of RFP #210000002160, this Contract Agreement, and the vendor's quote. In the event of any conflicts between the specifications, terms and conditions indicated by the State and those indicated by the vendor, those of the State take precedence.<br><br>This contract is extended to local units of government through the MiDeal program. | | | |
| ESTIMATED CONTRACT VALUE AT TIME OF EXECUTION | | | **$5,000,000.00** |

Per Gallon Mark-up

STATE OF MICHIGAN PROCUREMENT Michigan.gov/MiProcurement

| | | | | |
|---|---|---|---|---|
| **8 - Southwest Prosperity Region** | | | | |
| 8 | BERRIEN | $0.6000 | MB - Mount Belvieu | Cassopolis, MI |
| 8 | BERRIEN COUNTY | $0.6000 | MB - Mount Belvieu | Cassopolis, MI |
| 8 | BRANCH | $0.6000 | MB - Mount Belvieu | Marshall, MI |
| 8 | CALHOUN | $0.6000 | MB - Mount Belvieu | Marshall, MI |
| 8 | CASS | $0.6000 | MB - Mount Belvieu | Cassopolis, MI |
| 8 | KALAMAZOO | $0.6000 | MB - Mount Belvieu | Portage, MI |
| 8 | ST JOSEPH | $0.6000 | MB - Mount Belvieu | Portage, MI |
| 8 | VAN BUREN | $0.6000 | MB - Mount Belvieu | Portage, MI |
| 9 | HILLSDALE | $0.5600 | MB - Mount Belvieu | Addison, MI |
| 9 | JACKSON | $0.5600 | MB - Mount Belvieu | Jackson, MI |
| 9 | LENAWEE | $0.5600 | MB - Mount Belvieu | Addison, MI |
| 9 | LIVINGSTON | $0.5600 | MB - Mount Belvieu | Howell, MI |
| 9 | MONROE | $0.5600 | MB - Mount Belvieu | Monroe, MI |
| 9 | WASHTENAW | $0.5400 | MB - Mount Belvieu | Belleville, MI |
| **10 - Detroit Metro Prosperity Region** | | | | |
| 10 | MACOMB | $0.5300 | MB - Mount Belvieu | Chesterfield, MI |
| 10 | OAKLAND | $0.5400 | MB - Mount Belvieu | Chesterfield, MI |
| 10 | WAYNE | $0.5400 | MB - Mount Belvieu | Belleville, MI |

**Remote monitoring:** $6.00 per year

**Emergency/After Hours Service:** $200.00 flat fee (no additional cost per gallon)

**FerrellGas Regional Customer Service Locations**

**Negaunee**
603 US 41
Negaunee, MI 49866
800-530-0113
Director of Operations, Don Steckman, donaldsteckman@ferrellgas.com
Customer Service Manager, Lori Luokkala, loriluokkala@ferrellgas.com

**West Branch**
2147 I-75 Business Loop
West Branch, MI 48661
800-477-0170
General Manager, Sonya Grezeszak; sonyagrezeszak@ferrellgas.com
Customer Service Manager, Courtney Maxson; courtneymaxson@ferrellgas.com

**East Lansing**
7777 Old M-78
East Lansing, MI 48823
800-677-8903
General Manager, Pat Cassidy; patrickcassidy@ferrellgas.com
Customer Service Manager, Courtney Maxson; courtneymaxson@ferrellgas.com

# LETTER TO THE LIVONIA CITY COUNCIL

3.

**DPW**
**March 18, 2022**

| MEETING DATE | PREPARED BY |
|---|---|
| Study Meeting of April 4, 2022 | Jill Russell, Secretary III, |

## AGENDA ITEM

REQUEST TO WAIVE THE FORMAL BIDDING PROCESS AND APPROVE THE CONTRACT WITH WEBSTER & GARNER, INC.: Department of Public Works, re: to supply propane to the City of Livonia, from budgeted funds.

## BACKGROUND

The Department of Public Works has been using propane to reduce the supply cost of fuel and help the environment by reducing our carbon footprint. The City currently has 61 pieces of propane powered equipment, including pickup trucks, mowers, hot-patch machines and forklifts, along with approximately 100 individual tanks (ranging from 20 pound to 100 pounds).

The Department of Public Works has been using the Oakland County bid for propane since 2019. Webster & Garner Inc. of Clio, Michigan has been low bidder since 2019. The pricing provided by Webster & Garner is $0.245 cheaper than the State of Michigan bid. The State bid currently has a markup of $0.54 over market price and the Webster & Garner markup is $0.295. The Oakland County bid mirrors the contract currently used by the City for the purchase of regular and diesel fuels, which is the cost of fuel from a price index plus a mark-up for delivery.

Our contract will be using the Oakland County Liquid Propane Gas Delivery bid pricing which was competitively bid for the period of February 1, 2022 through February 28, 2025 and meets our Finance ordinance requirements.

The Department of Public Works is looking for an agreement with Webster & Garner Inc. to supply propane to the city through the Oakland County bid.

## RECOMMENDATION

It is the recommendation of the Department of Public Works that Council authorize the Mayor and City Clerk to execute an agreement with Webster & Garner Inc., 3346 W Vienna Road, Clio, MI 48420, which meets all necessary fueling station specifications required by the department for the filling of propane, at a cost of $0.295 per gallon over the market price until February 28, 2025. No special appropriation is required since funds have been budgeted in the Department of Public Works' Propane Account (No. 101-443-751-100). In addition, we request Council waive the formal bidding process in accordance with the provisions set forth in Section 3.04.140.D.4. of the Livonia Code of Ordinances, as amended, inasmuch as the same is based upon the low bid price for Oakland County Liquid Propane Gas Delivery; and no advantage to the City would result from competitive bidding.

## FISCAL CONSIDERATION

Funds have been budgeted in the Department of Public Works Propane Account (No. 101-443-751-100) for this purpose.

## ATTACHMENTS

1. Oakland County Bid Tab - PROPANE - 2022
2. State of MI Propane Bid 2021-2026

## APPROVED BY

Date: March 22, 2022

Don Rohraff, Director of Public Works

Date: March 22, 2022

Michael Slater, Finance Director

Date: March 22, 2022

Maureen Miller Brosnan, Mayor

Meeting was called to order at 8:06 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, and Kathleen McIntyre. Absent: None

Elected and appointed officials present: City Clerk, Susan Nash, City Treasurer, Lynda Scheel, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier; City Attorney, and Jacob Rushlow, Assistant Director of Public Works.

4. REQUEST TO AMEND AGREEMENT WITH HYDROCORP FOR CROSS-CONNECTION PROGRAM; Department of Public Works, re: to modify their program to include repair and any additional required testing for City of Livonia facilities, from budgeted funds. (CR 150-21)

   Jacob Rushlow, Assistant Director of Public Works, presented the request to Council.

   Councilmember Rob Donovic offered an approving resolution on the consent agenda.

   President Jim Jolly asked for clarification with the term cross-connection. Jacob Rushlow stated that it relates to the public water supply system serving residents, businesses and industrial facilities throughout the city. When something is done with internal plumbing like a loss of pressure, there is a potential to use the cross-connection to siphon water from an untreated source and run that water back through the lines into the public water supply. The program is inspecting, testing and repairing assembly devices that are backflow protection preventers.

   DIRECTION: APPROVING CONSENT

HYDROCORP™

THE SAFE WATER AUTHORITY™

February 2, 2022

Mr. Jacob Rushlow
City of Livonia
12973 Farmington Road
Livonia, MI 48150

Dear Mr. Rushlow,

HydroCorp, Inc (HCI) has assembled a proposal to meet your specific Cross-Connection Control Program compliance requirements. In particular - HCI will assist the City of Livonia with compliance of the backflow prevention device testing component of your Cross-Connection Control Program, as well as applicable State of Michigan requirements.

For your convenience, this proposal has been divided into 6 sections. They include:

- Summary of Findings
- Program Recommendations
- Cost Proposal
- General Terms & Conditions
- Additional Considerations
- Critical Risk Factors

After reviewing this proposal, should you have any questions or require any additional information, please feel free to contact me directly at 248.250.5022 or via e-mail at pppatterson@hydrocorpinc.com . We look forward to working with you and the City of Livonia on this project.

Sincerely,

Paul M. Patterson
Senior Vice President

## Summary of Findings

### Overview

The City of Livonia's Cross Connection Control Program requires all facilities to test every reduced pressure backflow preventer (RPBP), double check valve (DCV) and pressure vacuum breaker (PVB) on an annual basis.

This proposal is based upon information currently maintained in the HydroSoft database. If there have been any new devices installed that HCI has no record of, HCI will complete testing of those devices at the same per test fee in this proposal.

### Significant Findings

The City of Livonia has established a cross connection control program to protect the potable water distribution system throughout the City. This program includes backflow prevention device testing. Testing is completed on an annual basis. Specifically, the following:

1. **The State of Michigan Plumbing Code requires testing.**

2. **City of Livonia requires testing annually.**

Based upon these findings, we have assembled a series of Program Recommendations specifically for the City of Livonia.

## Program Recommendations

### Overview

Based on our information, we recommend the following elements. Once this project has been approved and accepted by HCI, you may expect completion of the following elements:

**1. Verify Proper Installation of Devices**

Devices will be inspected for conformance to applicable plumbing and cross connection control codes. The devices shall also be reviewed to ensure that they have been properly installed in accordance with manufacturer specifications.

**2. Test Devices in Accordance with Applicable Codes**

A certified tester will test devices in conformance to all applicable codes to verify that the backflow prevention devices are in proper operating order. HCI will provide all test equipment and other necessary tools.

**3. Provide and/or Obtain Device Repair Parts as Necessary**
If parts are required, HCI will notify you or your designated personnel prior to obtaining the necessary parts. Most parts can be obtained within a one-to-two-day turnaround time.

**4. Repair Devices as Necessary**
If any devices fail, you or your designated personnel must approve a field order change before repair will begin. Defective devices will be repaired while on-site if possible. If additional parts are required, the repair will be completed as soon as possible.

**5. Enter Test Results into the City of Livonia Database**
Test results each device that is tested will be submitted directly into the City of Livonia database, which is currently provided by HCI. Each entry will include the test date, device type, location, size, manufacturer, model number, serial number, test results, comments or notes for correction, and all of the relevant tester information.

**6. Notify Appropriate City of Livonia of Test Results**
Upon completion of testing, HCI will notify city authorities with jurisdiction over backflow prevention for the City of Livonia Municipal Buildings.

**Cost Proposal**

| | |
|---|---|
| **Project Name:** Backflow Device Testing | **Project Code: N/A** |
| **Client Name**: City of Livonia | |
| **Proposal Date:** February 2, 2022 | **Prepared By**: Paul M. Patterson |
| **Pricing Valid Through:** April 30, 2024 | |
| **Description:** Test Backflow Prevention Devices – City of Livonia | |

Annually, test approximately seventy-four - (74) backflow prevention devicesowned by the City of Livonia.

Provide any required material and complete repairs on an as needed basis.

Upon completion of the project, HCI will submit the following:

1. One set of device test records for each tested assembly

**Project Cost Projections:**
**Per Test Fee: $85.00 per completed test**
**Repair Cost Estimate: $275.00 per repair**

**Annual Do Not Exceed Amount: $14,430.00**

**NOTE: Invoicing will be submitted monthly upon completion of testing and/or repairs and will include a detailed breakdown of the testing and repairs completed with costs associated to each.**

**Fine Print**

1. The terms and conditions pertaining to this, and other project proposals are contained in the General Terms and Conditions document that is included with this and every HCI proposal.

2. Specific project requirements are detailed in the Additional Consideration section that is included with this proposal.

3. Repair cost projections are based on average labor and material costs for 2" and smaller assemblies. Actual costs may vary depending on size and manufacturer of individual assemblies.

**Approval:** Date_____

Client_____

Date February 2, 2022

HCI_____

## General Terms and Conditions

### Client Confidentiality

All communications between HCI and the Client regarding business practices and other methods and forms of doing business will be considered confidential.

### Primary Contacts

Paul Patterson is your primary contact person at HCI. Paul Patterson must approve all issues relating to pricing, status inquiries, and production and related issues.

Jacob Rushlow is the Primary Contact Person at City of Livonia. Jacob Rushlow must approve all issues relating to project approvals, project status inquiries, project changes.

If the primary contact person changes, it is that party's responsibility to notify, in writing, the corresponding information of the new contact person assigned to the project.

### Proofreading & Errors

Every reasonable effort will be made on the part of HCI to ensure that our work is error-free.

### Cost Projections

HCI reserves the right to halt production if the actual project cost is expected to exceed the proposed amount, as a result of new information, additional work, or a change in scope, that is not specifically the fault of HCI. Approval for the project may then be directed to Jacob Rushlow.

### Project Status Inquiries

Jerry Ayers will be assigned to the project as Project Manager. Status Inquiries should be directed to your Project Manager at 248.701.5278. In the event that your Project Manager is unavailable when you call, we recommend contacting our Senior Vice President, Paul Patterson at 734.904.5153. Every effort will be made to respond to Status Inquiries on a timely basis.

## General Terms and Conditions (continued)

### Acceptance and Scheduling

This project can be initiated by issuing returning a signed copy of this proposal.

Once approved, you will be contacted to initiate scheduling. As many devices are seasonal all testing will be completed between the months of April and August.

### Payment

Payment for all HCI projects is payable in U.S. funds. Payment terms are net 30 days from date of invoice.

### Client Protection Plan

City of Livonia may terminate this agreement at any time. The City representative will be required to submit this request to HydroCorp, Inc. in writing. A final reconciliation of services rendered up to the date of termination will then be submitted to City of Livonia.

### Additional Considerations

### City of Livonia

1. HCI will maintain a "source" copy (i.e. database file) of all device test records.

2. HCI has generated this proposal based upon information obtained from the City of Livonia Cross Connection Control Management Database. Specifically, the proposal is based on testing approximately- (74) backflow prevention devices. Testable devices may have been added or deleted from service. If there has been any new devices installed, HCI will test those as required and a per test fee as stated in this proposal will be added to the final invoice.

3. HCI shall provide all device testing equipment (i.e. gauges), tools and ladders.

4. Hours of Work: The proposal cost is based on all work being performed on straight time, 7:30 a.m. – 5:00 p.m. Monday - Friday.

5. City of Livonia management and facility personnel must provide HCI with free, uninterrupted access to all areas and/or buildings that have backflow prevention devices. HCI will provide a planned work schedule to the City of Livonia prior to attempting building access to afford the City of Livonia staff appropriate time to coordinate such access as requires. Delays related to access problems (locked doors, special entry procedures, plant operational concerns, etc.) may require additional funds to cover the cost of the delays.

6. HCI will provide all "basic" safety equipment. The basic safety equipment includes – safety glasses with side shields, ear plugs, steel toe safety shoes and hard hats (if required). If additional safety equipment or apparel is required, then the City shall provide it.

7. HCI employees will not enter confined spaces.

8. HCI representatives will not risk injury. We practice safe work habits.

**Critical Risk Factors**

**Overview of Critical Risk Factors**

Each of the items listed below represents a Critical Risk Factor for HCI clients. Each item represents the potential to affect one or more of the following:

- Overall Project Quality
- Cost of the Project
- Timely Delivery of the Project

**Project Management**

HCI representatives will make every reasonable effort to reduce these critical risks for our clients. Your HCI Project Manager is available to answer questions and will be pleased to discuss each of these items in more detail. Risk factors include, but are not limited to the following:

1. Multiple Contact Points
2. Incomplete Data Collection
3. Site Access
4. Rush Orders
5. Payment Timing

**#150-21** RESOLVED, that having considered a communication from the Superintendent of Public Service, dated April 16, 2021, submitted pursuant to Council Resolution No. 128-20, adopted on May 11, 2020, which bears the signature of the Director of Finance and is approved for submission by the Mayor, to which is attached a proposed agreement between the City of Livonia and HydroCorp Services, dated February 8, 2021, the Council does hereby approve a three-year extension of the existing contract with Hydrocorp Services, 5700 Crooks Road, Suite 100, Troy, Michigan 48098, for an amount not to exceed $66,276.00 annually ($5,523.00 monthly), for providing the "Cross Connection Control" Program for the City of Livonia to protect the public drinking water supply from contamination for the period May 1, 2021 through April 30, 2024; FURTHER, the Council does hereby authorize an annual expenditure in an amount not to exceed $66,276.00 from funds budgeted in Account No. 592-559-818-000 (Water and Sewer Contractual Services) for the three years from May 1, 2021 to April 30, 2024 for this purpose; FURTHER, HydroCorp Services is a sole source provider for a project of this magnitude, and such action is taken in accordance with Section 3.04.140D3 of the Livonia Code of Ordinances, as amended; and the Mayor and City Clerk are hereby authorized, for and on behalf of the City of Livonia, to execute the aforesaid agreement with HydroCorp Services, subject to approval as to form and substance by the Department of Law, and to do all other things necessary or incidental to the full performance of this resolution.

A roll call vote was taken on the foregoing resolutions with the following result:

AYES: Donovic, Jolly, Toy, Bahr, White, McCullough, and McIntyre

NAYS: None

The President declared the resolutions adopted.

*CONSENT AGENDA ITEM 5 (Regular Meeting of May 10, 2021)*

| | |
|---|---|
| **Motion by:** | **Toy** |
| **Seconded by:** | **White** |
| **ROLL CALL:** | |
| **Ayes:** | **Donovic, Jolly, Toy, Bahr, White, McCullough, McIntyre** |
| **Nays:** | **None** |
| **Absent:** | **None** |

# LETTER TO THE LIVONIA CITY COUNCIL

4.

## DPW
## March 23, 2022

| MEETING DATE | PREPARED BY |
|---|---|
| Study Meeting of April 4, 2022 | Jill Russell, Secretary III, |

## AGENDA ITEM

REQUEST TO AMEND AGREEMENT WITH HYDROCORP FOR CROSS-CONNECTION PROGRAM; Department of Public Works, re: to modify their program to include repair and any additional required testing for City of Livonia facilities, from budgeted funds. (CR 150-21)

## BACKGROUND

Through the Department of Public Works, HydroCorp is under contract to perform cross-connection control program inspection services on industrial, commercial, and institutional facilities connected to the City's public water supply system. These inspections include city-owned facilities. Any deficiencies found through the inspection program require additional testing and repair by the facility owner to remain in compliance with EGLE Water Bureau Cross Connection Control Regulations. In order to assist the City with conducting the necessary testing and repairs, Hydrocorp has prepared the attached proposal to perform these services at 74 City-owned facilities. This would be an amendment to our existing cross connection inspection service contract with HydroCorp, which expires on April 30, 2024. It is estimated that approximately half of the tested facilities will need some repairs and HydroCorp proposes an amount not-to-exceed $14,430 annually ($28,860 over two years) to complete the work.

## RECOMMENDATION

Authorize the Mayor and City Clerk to execute an amendment to the agreement with HydroCorp Services, Inc. (CR 150-21) for the cross-connection program in an amount not-to-exceed $14,430 annually ($28,860 over two years) through April 30, 2024 from funds budgeted in account no. 592-559-818-000.

## FISCAL CONSIDERATION

Approval an additional $14,430 annually ($28,860 over two years) from funds budgeted in account no. 592-559-818-000.

## ATTACHMENTS

1. BFP Testing Proposal_2022_FEB2_Update
2. R051021 Approval of three-year contract ext with Hydrocorp Svcs for Cross Connection Control Prog CR 150-21

## APPROVED BY

Date: March 23, 2022

Jacob Rushlow, P.E., Assistant Director of Public Works

Date: March 24, 2022

Don Rohraff, Director of Public Works

Date: March 24, 2022

Michael Slater, Finance Director

Date: March 24, 2022

Paul Bernier, City Attorney

Date: March 25, 2022

Maureen Miller Brosnan, Mayor

Meeting was called to order at 8:06 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, and Kathleen McIntyre. Absent: None

Elected and appointed officials present: City Clerk, Susan Nash, City Treasurer, Lynda Scheel, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier; City Attorney, and Jacob Rushlow, Assistant Director of Public Works.

5. REQUEST FOR COUNCIL TO SET A DATE FOR THE PURPOSE OF ADOPTING A RESOLUTION PLACING SPECIAL ASSESSMENTS UPON REFERENCED PROPERTIES WHOSE OWNERS HAVE NOT PAID CHARGES CONNECTED WITH THE 2021 SIDEWALK PROGRAM, CONTRACT 21-G, SINGLE LOT ASSESSMENTS: Engineering Division, re: same. (CR 84-21)

Todd Zilincik, City Engineer, presented the request to Council.

Vice President Laura Toy offered an approving resolution on the consent agenda.

DIRECTION: APPROVING CONSENT

| Invoices # / Customer # / Parcel # | Srvc Code | Owner / Prop. Address | Mailing Address | Amt. Chg. / Pmts/Crdts | Amt. Billed / Amt. Due |
|---|---|---|---|---|---|
| 0000000001 | SIDE | COX MICHAEL | 20431 BRENTWOOD ST | 1,801.25 | 1,801.25 |
| 002 02 0097 000 | | 20431 BRENTWOOD | LIVONIA, MI | 0.00 | 1,801.25 |
| 002 02 0097 000 | | LIVONIA, MI | | | |
| 0000000002 | SIDE | WIOSKOWSKI CHRISTOPHER | 19835 WEYHER ST | 535.65 | 535.65 |
| 002 02 0053 000 | | 19835 WEYHER | LIVONIA, MI | 0.00 | 535.65 |
| 002 02 0053 000 | | LIVONIA, MI | | | |
| 0000000003 | SIDE | ROMANCZUK ROMAN / JACQ | 19104 BAINBRIDGE AVE | 491.25 | 491.25 |
| 007 01 0028 000 | | 19104 BAINBRIDGE | LIVONIA, MI | 0.00 | 491.25 |
| 007 01 0028 000 | | LIVONIA, MI | | | |
| 0000000004 | SIDE | STEVENS DEBORAH J | 30044 VASSAR | 638.95 | 638.95 |
| 008 07 0019 000 | | 30044 VASSAR | LIVONIA, MI | 0.00 | 638.95 |
| 008 07 0019 000 | | LIVONIA, MI | | | |
| 0000000005 | SIDE | BECKWITH JUDSON/MARY | 30068 VASSAR ST | 57.60 | 57.60 |
| 008 07 0018 000 | | 30068 VASSAR | LIVONIA, MI | 0.00 | 57.60 |
| 008 07 0018 000 | | LIVONIA, MI | | | |
| 0000000006 | SIDE | ROBERT PLICHTA | 19524 FARMINGTON RD | 1,334.75 | 1,334.75 |
| 011 01 0011 001 | | 19524 FARMINGTON | LIVONIA, MI | 0.00 | 1,334.75 |
| 011 01 0011 001 | | LIVONIA, MI | | | |
| 0000000007 | SIDE | WILLIAMS JR DENNIS/KAN | 31510 HALDANE ST | 530.55 | 530.55 |
| 012 02 0321 000 | | 31510 HALDANE | LIVONIA, MI | 0.00 | 530.55 |
| 012 02 0321 000 | | LIVONIA, MI | | | |
| 0000000008 | SIDE | PASSMORE ERIC | 34732 BRIDGE ST | 1,201.60 | 1,201.60 |
| 015 01 0049 000 | | 34732 BRIDGE | LIVONIA, MI | 0.00 | 1,201.60 |
| 015 01 0049 000 | | LIVONIA, MI | | | |
| 0000000009 | SIDE | WILSON STEVEN/PATRICIA | 33925 FAIRFAX DR | 497.80 | 497.80 |
| 016 02 0292 000 | | 33925 FAIRFAX | LIVONIA, MI | 0.00 | 497.80 |
| 016 02 0292 000 | | LIVONIA, MI | | | |
| 0000000010 | SIDE | MCKINNIE STEPHEN N | 33928 FONVILLE DR | 124.45 | 124.45 |
| 016 02 0275 000 | | 33928 FONVILLE | LIVONIA, MI | 0.00 | 124.45 |
| 016 02 0275 000 | | LIVONIA, MI | | | |
| 0000000011 | SIDE | TRUPIANO MICHAEL | 19511 GILL | 417.60 | 417.60 |
| 015 03 0001 000 | | 19511 GILL | LIVONIA, MI | 0.00 | 417.60 |
| 015 03 0001 000 | | LIVONIA, MI | | | |
| 0000000012 | SIDE | DONALD/KAREN RYSZTAK | 19395 LAUREL DR | 527.15 | 527.15 |
| 015 01 0050 000 | | 19395 LAUREL | LIVONIA, MI | 0.00 | 527.15 |
| 015 01 0050 000 | | LIVONIA, MI | | | |
| 0000000013 | SIDE | RICHARD / THERESA BRID | 20147 LAUREL DR | 126.60 | 126.60 |
| 014 04 0037 000 | | 20147 LAUREL | LIVONIA, MI | 0.00 | 126.60 |
| 014 04 0037 000 | | LIVONIA, MI | | | |
| 0000000014 | SIDE | BOSCHMA TODD / CARLY | 20175 LAUREL DR | 439.20 | 439.20 |
| 014 04 0038 000 | | 20175 LAUREL | LIVONIA, MI | 0.00 | 439.20 |
| 014 04 0038 000 | | LIVONIA, MI | | | |
| 0000000015 | SIDE | RAY NICHOLAS / COURTNE | 34593 NAVIN | 655.20 | 655.20 |
| 014 04 0006 000 | | 34593 NAVIN | LIVONIA, MI | 0.00 | 655.20 |
| 014 04 0006 000 | | LIVONIA, MI | | | |
| 0000000016 | SIDE | COBB DAN / CHRISTINA T | 34475 NORTHLAND | 753.80 | 753.80 |
| 015 99 0014 004 | | 34475 NORTHLAND | LIVONIA, MI | 0.00 | 753.80 |
| 015 99 0014 004 | | LIVONIA, MI | | | |
| 0000000017 | SIDE | MANSOOR MARIA LIZA | 34495 NORTHLAND | 192.40 | 192.40 |
| 015 99 0014 003 | | 34495 NORTHLAND | LIVONIA, MI | 0.00 | 192.40 |
| 015 99 0014 003 | | LIVONIA, MI | | | |
| 0000000018 | SIDE | LUCIE GURGANIAN | 34724 NORTHLAND DR | 189.95 | 189.95 |
| 015 01 0106 000 | | 34724 NORTHLAND | LIVONIA, MI | 0.00 | 189.95 |
| 015 01 0106 000 | | LIVONIA, MI | | | |
| 0000000019 | SIDE | GONZALEZ JULIAN/JANICE | 34750 NORTHLAND DR | 789.15 | 789.15 |
| 015 01 0105 000 | | 34750 NORTHLAND | LIVONIA, MI | 0.00 | 789.15 |
| 015 01 0105 000 | | LIVONIA, MI | | | |
| 0000000020 | SIDE | LAMMERS ERIC | 34855 PEMBROKE AVE | 897.35 | 897.35 |
| 014 03 0581 000 | | 34855 PEMBROKE | LIVONIA, MI | 0.00 | 897.35 |
| 014 03 0581 000 | | LIVONIA, MI | | | |

| Invoices # / Customer # / Parcel # | Srvc Code | Owner / Prop. Address | Mailing Address | Amt. Chg. / Pmts/Crdts | Amt. Billed / Amt. Due |
|---|---|---|---|---|---|
| 0000000021<br>014 03 0580 000<br>014 03 0580 000 | SIDE | JONES IAN / ELIZABETH<br>34887 PEMBROKE<br>LIVONIA, MI | 34887 PEMBROKE<br>LIVONIA, MI | 622.25<br>0.00 | 622.25<br>622.25 |
| 0000000022<br>015 01 0071 000<br>015 01 0071 000 | SIDE | NACARATO STEPHEN/WALTE<br>34738 ST MARTINS<br>LIVONIA, MI | 34738 SAINT MARTINS ST<br>LIVONIA, MI | 896.65<br>0.00 | 896.65<br>896.65 |
| 0000000023<br>015 01 0070 000<br>015 01 0070 000 | SIDE | METKO EDMOND<br>34764 ST MARTINS<br>LIVONIA, MI | 34764 SAINT MARTINS ST<br>LIVONIA, MI | 360.25<br>0.00 | 360.25<br>360.25 |
| 0000000024<br>025 04 0098 000<br>025 04 0098 000 | SIDE | PATRICK / MELISSA ANDO<br>18442 GLASTONBURY<br>LIVONIA, MI | 18442 GLASTONBURY DR<br>LIVONIA, MI | 134.80<br>0.00 | 134.80<br>134.80 |
| 0000000027<br>025 04 0101 000<br>025 04 0101 000 | SIDE | WILLIAMS RIA<br>18546 GLASTONBURY<br>LIVONIA, MI | 18546 GLASTONBURY<br>LIVONIA, MI | 554.40<br>0.00 | 554.40<br>554.40 |
| 0000000029<br>025 03 0006 000<br>025 03 0006 000 | SIDE | FREDERICK N / LAURIE E<br>37538 KINGSBURN<br>LIVONIA, MI | 37538 KINGSBURN DR<br>LIVONIA, MI | 838.40<br>0.00 | 838.40<br>838.40 |
| 0000000030<br>025 03 0007 000<br>025 03 0007 000 | SIDE | DISTELRATH ROBERT / FR<br>37560 KINGSBURN<br>LIVONIA, MI | 37560 KINGSBURN<br>LIVONIA, MI | 201.60<br>0.00 | 201.60<br>201.60 |
| 0000000031<br>025 04 0109 000<br>025 04 0109 000 | SIDE | CRAIG HUNTER<br>37715 KINGSBURN<br>LIVONIA, MI | 37715 KINGSBURN DR<br>LIVONIA, MI | 651.50<br>0.00 | 651.50<br>651.50 |
| 0000000032<br>025 02 0032 000<br>025 02 0032 000 | SIDE | LEONARD / MAUREEN WILK<br>37737 MARGARETA<br>LIVONIA, MI | 37737 MARGARETA DR<br>LIVONIA, MI | 176.85<br>0.00 | 176.85<br>176.85 |
| 0000000033<br>032 03 0065 000<br>032 03 0065 000 | SIDE | SEIDEL TYLER / KELLY<br>35452 BENNETT<br>LIVONIA, MI | 35452 BENNETT<br>LIVONIA, MI | 299.25<br>0.00 | 299.25<br>299.25 |
| 0000000035<br>031 01 0028 000<br>031 01 0028 000 | SIDE | KANE WILLIAM / CALLIE<br>36472 BOBRICH<br>LIVONIA, MI | 36472 BOBRICH<br>LIVONIA, MI | 668.10<br>0.00 | 668.10<br>668.10 |
| 0000000036<br>031 01 0086 000<br>031 01 0086 000 | SIDE | AMERIGO PALARCHIO<br>36475 BOBRICH<br>LIVONIA, MI | 36475 BOBRICH ST<br>LIVONIA, MI | 163.75<br>0.00 | 163.75<br>163.75 |
| 0000000037<br>031 01 0026 000<br>031 01 0026 000 | SIDE | JONES JENNIFER O<br>36540 BOBRICH<br>LIVONIA, MI | 36540 BOBRICH ST<br>LIVONIA, MI | 170.30<br>0.00 | 170.30<br>170.30 |
| 0000000038<br>029 02 0041 000<br>029 02 0041 000 | SIDE | SANDRA ANN BERTOVICK<br>17633 COUNTRY CLUB<br>LIVONIA, MI | 17633 COUNTRY CLUB DR<br>LIVONIA, MI | 639.15<br>0.00 | 639.15<br>639.15 |
| 0000000039<br>029 02 0040 000<br>029 02 0040 000 | SIDE | HENRY-TEUTA WELKER<br>17671 COUNTRY CLUB<br>LIVONIA, MI | 17671 COUNTRY CLUB DR<br>LIVONIA, MI | 548.75<br>0.00 | 548.75<br>548.75 |
| 0000000040<br>029 02 0039 000<br>029 02 0039 000 | SIDE | JOYCE WADE<br>17709 COUNTRY CLUB<br>LIVONIA, MI | 17709 COUNTRY CLUB DR<br>LIVONIA, MI | 255.45<br>0.00 | 255.45<br>255.45 |
| 0000000041<br>029 02 0054 000<br>029 02 0054 000 | SIDE | PETER W MAURIN<br>18094 COUNTRY CLUB<br>LIVONIA, MI | 18094 COUNTRY CLUB DR<br>LIVONIA, MI | 180.00<br>0.00 | 180.00<br>180.00 |
| 0000000042<br>029 02 0026 000<br>029 02 0026 000 | SIDE | CHAMBERLAIN DAVID A/LI<br>35491 CURTIS<br>LIVONIA, MI | 35491 CURTIS<br>LIVONIA, MI | 3,294.65<br>0.00 | 3,294.65<br>3,294.65 |
| 0000000043<br>029 02 0027 000<br>029 02 0027 000 | SIDE | RALPH L SCHMIDT<br>35503 CURTIS<br>LIVONIA, MI | 35503 CURTIS RD<br>LIVONIA, MI | 1,964.75<br>0.00 | 1,964.75<br>1,964.75 |
| 0000000044<br>032 01 0260 000<br>032 01 0260 000 | SIDE | SULLIVAN IV<br>17500 FAIRWAY<br>LIVONIA, MI | 17500 FAIRWAY ST<br>LIVONIA, MI | 129.60<br>0.00 | 129.60<br>129.60 |

| Invoices # / Customer # / Parcel # | Srvc Code | Owner / Prop. Address | Mailing Address | Amt. Chg. / Pmts/Crdts | Amt. Billed / Amt. Due |
|---|---|---|---|---|---|
| 0000000045<br>032 01 0259 000<br>032 01 0259 000 | SIDE | WIEDENBECK DENNIS/CATH<br>17550 FAIRWAY<br>LIVONIA, MI | 17550 FAIRWAY ST<br>LIVONIA, MI | 115.20<br>0.00 | 115.20<br>115.20 |
| 0000000046<br>032 01 0258 000<br>032 01 0258 000 | SIDE | DAVID/TINA BARTKOWIAK<br>17562 FAIRWAY<br>LIVONIA, MI | 17562 FAIRWAY ST<br>LIVONIA, MI | 404.72<br>0.00 | 404.72<br>404.72 |
| 0000000047<br>029 03 0019 000<br>029 03 0019 000 | SIDE | PUTERBAUGH KENNETH H/<br>18592 FAIRWAY<br>LIVONIA, MI | 18592 FAIRWAY ST<br>LIVONIA, MI | 747.25<br>0.00 | 747.25<br>747.25 |
| 0000000048<br>032 01 0257 000<br>032 01 0257 000 | SIDE | WILLIAM R / GLO GERULI<br>17594 FAIRWAY<br>LIVONIA, MI | 17594 FAIRWAY ST<br>LIVONIA, MI | 360.00<br>0.00 | 360.00<br>360.00 |
| 0000000050<br>032 01 0256 000<br>032 01 0256 000 | SIDE | ROWE ANDREW P<br>17622 FAIRWAY<br>LIVONIA, MI | 17622 FAIRWAY ST<br>LIVONIA, MI | 301.30<br>0.00 | 301.30<br>301.30 |
| 0000000051<br>029 03 0021 000<br>029 03 0021 000 | SIDE | YESH LEE G<br>18636 FAIRWAY<br>LIVONIA, MI | 18636 FAIRWAY ST<br>LIVONIA, MI | 304.45<br>0.00 | 304.45<br>304.45 |
| 0000000052<br>032 01 0237 000<br>032 01 0237 000 | SIDE | LAVIER GREGORY / DOLOR<br>17689 FAIRWAY<br>LIVONIA, MI | 17689 FAIRWAY ST<br>LIVONIA, MI | 492.30<br>0.00 | 492.30<br>492.30 |
| 0000000053<br>032 01 0253 000<br>032 01 0253 000 | SIDE | JAJE JOYCE K<br>17720 FAIRWAY<br>LIVONIA, MI | 17720 FAIRWAY ST<br>LIVONIA, MI | 91.70<br>0.00 | 91.70<br>91.70 |
| 0000000054<br>032 01 0252 000<br>032 01 0252 000 | SIDE | GARNETT STEPHANIE / JO<br>17754 FAIRWAY<br>LIVONIA, MI | 17754 FAIRWAY<br>LIVONIA, MI | 72.05<br>0.00 | 72.05<br>72.05 |
| 0000000055<br>032 01 0251 000<br>032 01 0251 000 | SIDE | SLUSARSKI BRADLEY / ME<br>17786 FAIRWAY<br>LIVONIA, MI | 17786 FAIRWAY<br>LIVONIA, MI | 246.20<br>0.00 | 246.20<br>246.20 |
| 0000000056<br>032 01 0247 000<br>032 01 0247 000 | SIDE | COPELAND RICHARD / SUS<br>17900 FAIRWAY<br>LIVONIA, MI | 17900 FAIRWAY<br>LIVONIA, MI | 387.00<br>0.00 | 387.00<br>387.00 |
| 0000000057<br>032 01 0245 000<br>032 01 0245 000 | SIDE | ATKINS CRAIG<br>17980 FAIRWAY<br>LIVONIA, MI | 17980 FAIRWAY<br>LIVONIA, MI | 554.40<br>0.00 | 554.40<br>554.40 |
| 0000000058<br>032 01 0244 000<br>032 01 0244 000 | SIDE | SALEM NEMEH/BERNADETTE<br>18040 FAIRWAY<br>LIVONIA, MI | 18040 FAIRWAY ST<br>LIVONIA, MI | 640.30<br>0.00 | 640.30<br>640.30 |
| 0000000059<br>032 01 0049 000<br>032 01 0049 000 | SIDE | JOHN/MICHELE DAHLSTROM<br>18089 FAIRWAY<br>LIVONIA, MI | 18089 FAIRWAY ST<br>LIVONIA, MI | 412.65<br>0.00 | 412.65<br>412.65 |
| 0000000060<br>032 01 0242 000<br>032 01 0242 000 | SIDE | OVERAITIS KEVIN<br>18130 FAIRWAY<br>LIVONIA, MI | 18130 FAIRWAY<br>LIVONIA, MI | 117.90<br>0.00 | 117.90<br>117.90 |
| 0000000061<br>032 01 0203 000<br>032 01 0203 000 | SIDE | PERTTUNEN GARY<br>17621 GOLFVIEW<br>LIVONIA, MI | 17621 GOLFVIEW ST<br>LIVONIA, MI | 115.20<br>0.00 | 115.20<br>115.20 |
| 0000000062<br>032 01 0207 000<br>032 01 0207 000 | SIDE | CHIMENTO ANTHONY / JUL<br>17751 GOLFVIEW<br>LIVONIA, MI | 17751 GOLFVIEW ST<br>LIVONIA, MI | 554.40<br>0.00 | 554.40<br>554.40 |
| 0000000063<br>032 01 0209 000<br>032 01 0209 000 | SIDE | SAATIO CHRISTINE A<br>17819 GOLFVIEW<br>LIVONIA, MI | 17819 GOLFVIEW<br>LIVONIA, MI | 104.80<br>0.00 | 104.80<br>104.80 |
| 0000000064<br>029 01 0205 000<br>029 01 0205 000 | SIDE | JOHN A ROCK<br>18357 LEVAN<br>LIVONIA, MI | 18357 LEVAN RD<br>LIVONIA, MI | 347.15<br>0.00 | 347.15<br>347.15 |
| 0000000065<br>029 01 0206 000<br>029 01 0206 000 | SIDE | HANNA / CLAUDIA MIKHAE<br>18381 LEVAN<br>LIVONIA, MI | 18381 LEVAN RD<br>LIVONIA, MI | 144.00<br>0.00 | 144.00<br>144.00 |

| Invoices # / Customer # / Parcel # | Srvc Code | Owner / Prop. Address | Mailing Address | Amt. Chg. / Pmts/Crdts | Amt. Billed / Amt. Due |
|---|---|---|---|---|---|
| 0000000067<br>032 01 0164 000<br>032 01 0164 000 | SIDE | GERALD W SWIETLICKI<br>36006 NORTHGATE<br>LIVONIA, MI | 36006 NORTHGATE DR<br>LIVONIA, MI | 237.60<br>0.00 | 237.60<br>237.60 |
| 0000000068<br>030 03 0071 000<br>030 03 0071 000 | SIDE | RICHARD / SUSAN NIESYT<br>37287 SEABROOK<br>LIVONIA, MI | 37287 SEABROOK DR<br>LIVONIA, MI | 170.30<br>0.00 | 170.30<br>170.30 |
| 0000000069<br>036 02 0121 000<br>036 02 0121 000 | SIDE | FRANK CANZANO<br>17386 FRANCAVILLA<br>LIVONIA, MI | 17386 FRANCAVILLA DR<br>LIVONIA, MI | 878.40<br>0.00 | 878.40<br>878.40 |
| 0000000070<br>036 02 0180 000<br>036 02 0180 000 | SIDE | LITTLE MARK / JULIA<br>17387 FRANCAVILLA<br>LIVONIA, MI | 17387 FRANCAVILLA<br>LIVONIA, MI | 554.40<br>0.00 | 554.40<br>554.40 |
| 0000000071<br>036 02 0137 000<br>036 02 0137 000 | SIDE | CASE TERRY D<br>17748 FRANCAVILLA<br>LIVONIA, MI | 17748 FRANCAVILLA DR<br>LIVONIA, MI | 646.85<br>0.00 | 646.85<br>646.85 |
| 0000000072<br>036 01 0023 000<br>036 01 0023 000 | SIDE | JAMES & KAREN KELLER<br>17382 VACRI<br>LIVONIA, MI | 17382 VACRI LN<br>LIVONIA, MI | 327.50<br>0.00 | 327.50<br>327.50 |
| 0000000073<br>044 99 0047 006<br>044 99 0047 006 | SIDE | MANUTD PROPERTIES LLC<br>17191 MIDDLEBELT<br>LIVONIA, MI | 17191 MIDDLEBELT<br>LIVONIA, MI | 1,056.00<br>0.00 | 1,056.00<br>1,056.00 |
| 0000000074<br>044 99 0050 000<br>044 99 0050 000 | SIDE | SPENCER LLC<br>17201 MIDDLEBELT<br>LIVONIA, MI | 3001 E KILGORE RD<br>KALAMAZOO, MI | 511.50<br>0.00 | 511.50<br>511.50 |
| 0000000075<br>044 99 0047 002<br>044 99 0047 002 | SIDE | NEW WINE GLORY MINISTR<br>17235 MIDDLEBELT<br>LIVONIA, MI | 18212 KENTUCKY<br>DETROIT, MI | 2,314.72<br>0.00 | 2,314.72<br>2,314.72 |
| 0000000076<br>041 99 0041 000<br>041 99 0041 000 | SIDE | BUCHAKIAN LUCAS J<br>30031 SEVEN MILE<br>LIVONIA, MI | 30031 SEVEN MILE<br>LIVONIA, MI | 492.45<br>0.00 | 492.45<br>492.45 |
| 0000000077<br>041 99 0040 001<br>041 99 0040 001 | SIDE | POPADIMAS CHRISTOS/AST<br>30035 SEVEN MILE<br>LIVONIA, MI | 30035 7 MILE RD<br>LIVONIA, MI | 574.95<br>0.00 | 574.95<br>574.95 |
| 0000000078<br>041 01 0054 001<br>041 01 0054 001 | SIDE | KIRKLAND JEFFREY<br>30079 SEVEN MILE<br>LIVONIA, MI | 30079 7 MILE RD<br>LIVONIA, MI | 838.15<br>0.00 | 838.15<br>838.15 |
| 0000000079<br>041 01 0050 001<br>041 01 0050 001 | SIDE | HUTCHINSON BRUCE / HOL<br>30145 SEVEN MILE<br>LIVONIA, MI | 30145 7 MILE RD<br>LIVONIA, MI | 163.75<br>0.00 | 163.75<br>163.75 |
| 0000000080<br>041 01 0052 002<br>041 01 0052 002 | SIDE | BRYON S GURAL<br>30123 SEVEN MILE<br>LIVONIA, MI | 30123 7 MILE RD<br>LIVONIA, MI | 378.45<br>0.00 | 378.45<br>378.45 |
| 0000000081<br>041 01 0003 000<br>041 01 0003 000 | SIDE | DAVID & MILISSA TOTH<br>30275 SEVEN MILE<br>LIVONIA, MI | 30275 7 MILE RD<br>LIVONIA, MI | 357.50<br>0.00 | 357.50<br>357.50 |
| 0000000082<br>041 01 0002 000<br>041 01 0002 000 | SIDE | GURI FATBARDHA / GENCI<br>30285 SEVEN MILE<br>LIVONIA, MI | 30285 SEVEN MILE<br>LIVONIA, MI | 180.00<br>0.00 | 180.00<br>180.00 |
| 0000000083<br>041 01 0001 000<br>041 01 0001 000 | SIDE | JAMES CHRONICLE<br>30295 SEVEN MILE<br>LIVONIA, MI | 30295 7 MILE RD<br>LIVONIA, MI | 355.55<br>0.00 | 355.55<br>355.55 |
| 0000000084<br>041 99 0063 000<br>041 99 0063 000 | SIDE | JOHN/MARY SULLIVAN<br>30325 SEVEN MILE<br>LIVONIA, MI | 30325 7 MILE RD<br>LIVONIA, MI | 327.50<br>0.00 | 327.50<br>327.50 |
| 0000000085<br>047 99 0004 007<br>047 99 0004 007 | SIDE | STEAK N SHAKE & SUBSID<br>17200 MIDDLEBELT<br>LIVONIA, MI | PO BOX 460169<br>HOUSTON, TX | 2,336.25<br>0.00 | 2,336.25<br>2,336.25 |
| 0000000086<br>046 99 0013 001<br>046 99 0013 001 | SIDE | LIVONIA TOWN GRILL LLC<br>29041 SEVEN MILE<br>LIVONIA, MI | 34569 BUNKER HILL DR<br>FARMINGTON HILLS, MI | 565.08<br>0.00 | 565.08<br>565.08 |

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|---|---|---|---|---|---|
| 0000000087<br>046 99 0011 001<br>046 99 0011 001 | SIDE | OAKWAYNE REAL ESTATE &<br>29155 SEVEN MILE<br>LIVONIA, MI | 50330 DRAKES BAY DRIVE<br>NOVI, MI | 4,251.74<br>0.00 | 4,251.74<br>4,251.74 |
| 0000000088<br>047 99 0004 005<br>047 99 0004 005 | SIDE | 29200 LIVONIA MI LLC<br>29200 SIX MILE<br>LIVONIA, MI | 549 EMPIRE BLVD STE 10<br>BROOKLYN, NY | 8,506.25<br>0.00 | 8,506.25<br>8,506.25 |
| 0000000089<br>052 02 0049 000<br>052 02 0049 000 | SIDE | DE LA FUENTE MARK<br>15939 DEERING<br>LIVONIA, MI | 15939 DEERING ST<br>LIVONIA, MI | 187.20<br>0.00 | 187.20<br>187.20 |
| 0000000090<br>049 01 0094 000<br>049 01 0094 000 | SIDE | ZIMMERMAN WILLIAM/SUZE<br>27623 SIX MILE<br>LIVONIA, MI | 27623 6 MILE RD<br>LIVONIA, MI | 257.35<br>0.00 | 257.35<br>257.35 |
| 0000000091<br>049 01 0093 000<br>049 01 0093 000 | SIDE | JOUNE MOUHAMD / NADIR<br>27641 SIX MILE<br>LIVONIA, MI | 27641 SIX MILE<br>LIVONIA, MI | 2,514.55<br>0.00 | 2,514.55<br>2,514.55 |
| 0000000092<br>049 01 0092 000<br>049 01 0092 000 | SIDE | CHARLES/KAREN SHREVE<br>27659 SIX MILE<br>LIVONIA, MI | 27659 6 MILE RD<br>LIVONIA, MI | 615.40<br>0.00 | 615.40<br>615.40 |
| 0000000093<br>049 01 0091 000<br>049 01 0091 000 | SIDE | LEACH REGINALD/CAROL<br>27815 SIX MILE<br>LIVONIA, MI | 27815 6 MILE RD<br>LIVONIA, MI | 1,259.25<br>0.00 | 1,259.25<br>1,259.25 |
| 0000000094<br>053 99 0001 002<br>053 99 0001 002 | SIDE | 6 MID PLAZA LLC<br>29441 SIX MILE<br>LIVONIA, MI | 27013 HAMPSTEAD BLVD<br>FARMINGTON HILLS, MI | 2,032.10<br>0.00 | 2,032.10<br>2,032.10 |
| 0000000095<br>060 01 0669 001<br>060 01 0669 001 | SIDE | LOTHAMER MICHAEL<br>31652 FIVE MILE<br>LIVONIA, MI | 31652 FIVE MILE<br>LIVONIA, MI | 1,822.25<br>0.00 | 1,822.25<br>1,822.25 |
| 0000000096<br>059 03 0001 000<br>059 03 0001 000 | SIDE | CHINAVARE BRIAN<br>15987 WESTMORE<br>LIVONIA, MI | 15987 WESTMORE<br>LIVONIA, MI | 393.00<br>0.00 | 393.00<br>393.00 |
| 0000000097<br>059 03 0002 000<br>059 03 0002 000 | SIDE | BREAZEALE MATTHEW / NI<br>16015 WESTMORE<br>LIVONIA, MI | 16015 WESTMORE<br>LIVONIA, MI | 294.75<br>0.00 | 294.75<br>294.75 |
| 0000000098<br>032 03 0066 000<br>032 03 0066 000 | SIDE | DOUEIK SARAH H<br>17635 WAYNE<br>LIVONIA, MI | 17635 WAYNE<br>LIVONIA, MI | 180.00<br>0.00 | 180.00<br>180.00 |
| 0000000099<br>043 02 0024 000<br>043 02 0024 000 | SIDE | BURGER KARI<br>30846 BOBRICH<br>LIVONIA, MI | 30846 BOBRICH<br>LIVONIA, MI | 412.65<br>0.00 | 412.65<br>412.65 |
| 0000000100<br>059 03 0050 000<br>059 03 0050 000 | SIDE | SIMIGIAN PATRICIA/ASHL<br>32983 MYRNA<br>LIVONIA, MI | 32983 MYRNA<br>LIVONIA, MI | 124.45<br>0.00 | 124.45<br>124.45 |
| 0000000101<br>063 02 0665 000<br>063 02 0665 000 | SIDE | MOULTON CATHARINE<br>16098 FAIRLANE<br>LIVONIA, MI | 16098 FAIRLANE DR<br>LIVONIA, MI | 402.92<br>0.00 | 402.92<br>402.92 |
| 0000000102<br>062 02 0593 000<br>062 02 0593 000 | SIDE | SCRIVE JACQUELINE M<br>16130 FAIRLANE<br>LIVONIA, MI | 16130 FAIRLANE DR<br>LIVONIA, MI | 246.20<br>0.00 | 246.20<br>246.20 |
| 0000000103<br>062 02 0592 000<br>062 02 0592 000 | SIDE | PAWLUSIAK LAURA<br>16142 FAIRLANE<br>LIVONIA, MI | 16142 FAIRLANE DR<br>LIVONIA, MI | 104.80<br>0.00 | 104.80<br>104.80 |
| 0000000104<br>062 02 0591 000<br>062 02 0591 000 | SIDE | WHEELOCK MICHAEL R/ELI<br>16154 FAIRLANE<br>LIVONIA, MI | 16154 FAIRLANE DR<br>LIVONIA, MI | 561.25<br>0.00 | 561.25<br>561.25 |
| 0000000105<br>062 02 0590 000<br>062 02 0590 000 | SIDE | JOB KURIAN/VENGACHUVAT<br>16166 FAIRLANE<br>LIVONIA, MI | 16166 FAIRLANE DR<br>LIVONIA, MI | 301.30<br>0.00 | 301.30<br>301.30 |
| 0000000106<br>064 01 0169 000<br>064 01 0169 000 | SIDE | MOKPO, LLC<br>33580 FIVE MILE<br>LIVONIA, MI | 26458 PLEASANT VALLEY<br>FARMINGTON HILLS, MI | 635.25<br>0.00 | 635.25<br>635.25 |

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|---|---|---|---|---|---|
| 0000000107<br>064 01 0701 000<br>064 01 0701 000 | SIDE | DEDRICH ROBIN<br>15789 STAMFORD<br>LIVONIA, MI | 15789 STAMFORD ST<br>LIVONIA, MI | 818.75<br>0.00 | 818.75<br>818.75 |
| 0000000108<br>061 02 0089 000<br>061 02 0089 000 | SIDE | LUCIA L ROSIN<br>16845 SURREY<br>LIVONIA, MI | 16845 SURREY ST<br>LIVONIA, MI | 262.00<br>0.00 | 262.00<br>262.00 |
| 0000000109<br>061 03 0332 000<br>061 03 0332 000 | SIDE | OGGER FRED/ANNETTE<br>34226 WOOD<br>LIVONIA, MI | 34226 WOOD ST<br>LIVONIA, MI | 206.25<br>0.00 | 206.25<br>206.25 |
| 0000000110<br>065 02 0229 000<br>065 02 0229 000 | SIDE | GUBACHY KENNETH/NIVA G<br>35450 BRISTOL<br>LIVONIA, MI | 35450 BRISTOL ST<br>LIVONIA, MI | 542.20<br>0.00 | 542.20<br>542.20 |
| 0000000111<br>065 02 0263 000<br>065 02 0263 000 | SIDE | VINCENT JAMES / JENNIF<br>35470 BRISTOL<br>LIVONIA, MI | 35470 BRISTOL<br>LIVONIA, MI | 163.75<br>0.00 | 163.75<br>163.75 |
| 0000000112<br>065 02 0262 000<br>065 02 0262 000 | SIDE | PLETCHER GARY/BRIDGET<br>35498 BRISTOL<br>LIVONIA, MI | 35498 BRISTOL ST<br>LIVONIA, MI | 206.80<br>0.00 | 206.80<br>206.80 |
| 0000000113<br>065 02 0261 000<br>065 02 0261 000 | SIDE | KACZOR MATTHEW / JODI<br>35500 BRISTOL<br>LIVONIA, MI | 35500 BRISTOL<br>LIVONIA, MI | 848.75<br>0.00 | 848.75<br>848.75 |
| 0000000114<br>065 02 0266 000<br>065 02 0266 000 | SIDE | PEGOUSKE DAVID<br>35511 BRISTOL<br>LIVONIA, MI | 35511 BRISTOL ST<br>LIVONIA, MI | 360.00<br>0.00 | 360.00<br>360.00 |
| 0000000116<br>065 02 0268 000<br>065 02 0268 000 | SIDE | KOPP JEREMY / AMANDA K<br>16269 PARK<br>LIVONIA, MI | 16269 PARK<br>LIVONIA, MI | 372.40<br>0.00 | 372.40<br>372.40 |
| 0000000117<br>065 02 0269 000<br>065 02 0269 000 | SIDE | WHEELER MICHAEL / MARI<br>16331 PARK<br>LIVONIA, MI | 16331 PARK<br>LIVONIA, MI | 491.25<br>0.00 | 491.25<br>491.25 |
| 0000000118<br>065 02 0270 000<br>065 02 0270 000 | SIDE | CULKEEN PATRICK/KATHER<br>16395 PARK<br>LIVONIA, MI | 16395 PARK ST<br>LIVONIA, MI | 698.65<br>0.00 | 698.65<br>698.65 |
| 0000000119<br>065 02 0273 000<br>065 02 0273 000 | SIDE | JACKSON MABEL G<br>16447 PARK<br>LIVONIA, MI | 3300 EAST COUNTY LINE<br>HALE, MI | 180.00<br>0.00 | 180.00<br>180.00 |
| 0000000121<br>065 02 0274 000<br>065 02 0274 000 | SIDE | CALLIS ANTHONY R<br>16475 PARK<br>LIVONIA, MI | 16475 PARK ST<br>LIVONIA, MI | 163.60<br>0.00 | 163.60<br>163.60 |
| 0000000122<br>065 02 0255 000<br>065 02 0255 000 | SIDE | HALL TIMOTHY/DANIELLE<br>16500 PARK<br>LIVONIA, MI | 16500 PARK ST<br>LIVONIA, MI | 206.80<br>0.00 | 206.80<br>206.80 |
| 0000000123<br>065 02 0275 000<br>065 02 0275 000 | SIDE | REID DAVID K<br>16501 PARK<br>LIVONIA, MI | 16501 PARK ST<br>LIVONIA, MI | 172.80<br>0.00 | 172.80<br>172.80 |
| 0000000124<br>065 02 0254 000<br>065 02 0254 000 | SIDE | LITTON JAMES/GAIL<br>16520 PARK<br>LIVONIA, MI | 16520 PARK<br>LIVONIA, MI | 364.70<br>0.00 | 364.70<br>364.70 |
| 0000000125<br>065 02 0276 000<br>065 02 0276 000 | SIDE | BRAMLETT DON C / ANN<br>16535 PARK<br>LIVONIA, MI | 16535 PARK ST<br>LIVONIA, MI | 507.50<br>0.00 | 507.50<br>507.50 |
| 0000000127<br>065 02 0277 000<br>065 02 0277 000 | SIDE | THOMPSON GREGORY/DONNA<br>16559 PARK<br>LIVONIA, MI | 16559 PARK ST<br>LIVONIA, MI | 2,634.40<br>0.00 | 2,634.40<br>2,634.40 |
| 0000000128<br>065 02 0279 000<br>065 02 0279 000 | SIDE | GILSBACH JAMES W/SHARO<br>16617 PARK<br>LIVONIA, MI | 16617 PARK ST<br>LIVONIA, MI | 176.85<br>0.00 | 176.85<br>176.85 |
| 0000000129<br>065 02 0281 000<br>065 02 0281 000 | SIDE | JOYCE H JACKSON<br>16679 PARK<br>LIVONIA, MI | 16679 PARK ST<br>LIVONIA, MI | 762.95<br>0.00 | 762.95<br>762.95 |

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|---|---|---|---|---|---|
| 0000000130<br>065 02 0282 000<br>065 02 0282 000 | SIDE | FORREST/PAMELA CHAFFEE<br>16713 PARK<br>LIVONIA, MI | 16713 PARK ST<br>LIVONIA, MI | 470.70<br>0.00 | 470.70<br>470.70 |
| 0000000133<br>067 04 0303 002<br>067 04 0303 002 | SIDE | STEWART BRIAN JOSEPH<br>36472 SUNNYDALE<br>LIVONIA, MI | 36472 SUNNYDALE<br>LIVONIA, MI | 497.80<br>0.00 | 497.80<br>497.80 |
| 0000000134<br>067 02 0096 000<br>067 02 0096 000 | SIDE | KASTNER MARK/WONG CIND<br>15619 SUSSEX<br>LIVONIA, MI | 15619 SUSSEX ST<br>LIVONIA, MI | 182.70<br>0.00 | 182.70<br>182.70 |
| 0000000135<br>069 02 0041 000<br>069 02 0041 000 | SIDE | BOUMAROUN MICHAEL<br>38016 BLOOMFIELD<br>LIVONIA, MI | 38016 BLOOMFIELD<br>LIVONIA, MI | 1,564.05<br>0.00 | 1,564.05<br>1,564.05 |
| 0000000137<br>069 02 0038 000<br>069 02 0038 000 | SIDE | KHALAF GHAZWAN<br>38128 BLOOMFIELD<br>LIVONIA, MI | 38128 BLOOMFIELD<br>LIVONIA, MI | 216.00<br>0.00 | 216.00<br>216.00 |
| 0000000138<br>069 02 0037 000<br>069 02 0037 000 | SIDE | KUJAWA JEFFREY S<br>38156 BLOOMFIELD<br>LIVONIA, MI | 38156 BLOOMFIELD<br>LIVONIA, MI | 399.55<br>0.00 | 399.55<br>399.55 |
| 0000000139<br>069 02 0036 000<br>069 02 0036 000 | SIDE | KENNETH R WANDZEL<br>38184 BLOOMFIELD<br>LIVONIA, MI | 38184 BLOOMFIELD DR<br>LIVONIA, MI | 327.50<br>0.00 | 327.50<br>327.50 |
| 0000000140<br>069 02 0035 000<br>069 02 0035 000 | SIDE | BIHUN GREGORY/KELLY<br>38212 BLOOMFIELD<br>LIVONIA, MI | 38212 BLOOMFIELD DR<br>LIVONIA, MI | 769.50<br>0.00 | 769.50<br>769.50 |
| 0000000141<br>071 01 0156 000<br>071 01 0156 000 | SIDE | GIST JEFFREY / DEBORA<br>15557 HIX<br>LIVONIA, MI | 15557 HIX<br>LIVONIA, MI | 151.20<br>0.00 | 151.20<br>151.20 |
| 0000000142<br>072 01 0030 000<br>072 01 0030 000 | SIDE | LAVERNA JOHNSON<br>15405 HUFF<br>LIVONIA, MI | 15405 HUFF ST<br>LIVONIA, MI | 892.80<br>0.00 | 892.80<br>892.80 |
| 0000000143<br>072 01 0034 000<br>072 01 0034 000 | SIDE | KALLAS WILLIAM J<br>15509 HUFF<br>LIVONIA, MI | 15509 HUFF<br>LIVONIA, MI | 180.00<br>0.00 | 180.00<br>180.00 |
| 0000000144<br>072 02 0094 000<br>072 02 0094 000 | SIDE | KNAPP SUSAN M<br>15600 HUFF<br>LIVONIA, MI | 2000 CORPORATE DR APT<br>LADERA RANCH, CA | 396.75<br>0.00 | 396.75<br>396.75 |
| 0000000145<br>072 02 0061 000<br>072 02 0061 000 | SIDE | MAJESKE PATRICK/SHARLE<br>15601 HUFF<br>LIVONIA, MI | 15601 HUFF ST<br>LIVONIA, MI | 296.42<br>0.00 | 296.42<br>296.42 |
| 0000000146<br>072 02 0093 000<br>072 02 0093 000 | SIDE | SAAD JENNIFER<br>15620 HUFF<br>LIVONIA, MI | 15620 HUFF<br>LIVONIA, MI | 163.75<br>0.00 | 163.75<br>163.75 |
| 0000000147<br>072 02 0092 000<br>072 02 0092 000 | SIDE | SERYLO SHANNEN/JOSEPH<br>15640 HUFF<br>LIVONIA, MI | 15640 HUFF<br>LIVONIA, MI | 176.85<br>0.00 | 176.85<br>176.85 |
| 0000000149<br>072 02 0090 000<br>072 02 0090 000 | SIDE | DINARO SERGIO M/SAYED<br>15680 HUFF<br>LIVONIA, MI | 15680 HUFF ST<br>LIVONIA, MI | 187.20<br>0.00 | 187.20<br>187.20 |
| 0000000150<br>072 02 0065 000<br>072 02 0065 000 | SIDE | DOWNS MARGARET<br>15681 HUFF<br>LIVONIA, MI | 15681 HUFF ST<br>LIVONIA, MI | 144.10<br>0.00 | 144.10<br>144.10 |
| 0000000151<br>072 02 0089 000<br>072 02 0089 000 | SIDE | THOMAS R LITTLE<br>15700 HUFF<br>LIVONIA, MI | 15700 HUFF<br>LIVONIA, MI | 170.30<br>0.00 | 170.30<br>170.30 |
| 0000000152<br>072 02 0049 000<br>072 02 0049 000 | SIDE | TONY/WAAD AL-KHAL<br>37457 KINGSBURY<br>LIVONIA, MI | 37457 KINGSBURY ST<br>LIVONIA, MI | 374.40<br>0.00 | 374.40<br>374.40 |
| 0000000153<br>072 02 0103 000<br>072 02 0103 000 | SIDE | OAK POINTE PROPERTIES<br>37482 KINGSBURY<br>LIVONIA, MI | 919 MCDONALD DR<br>NORTHVILLE, MI | 176.85<br>0.00 | 176.85<br>176.85 |

| Invoices # / Customer # / Parcel # | Srvc Code | Owner / Prop. Address | Mailing Address | Amt. Chg. / Pmts/Crdts | Amt. Billed / Amt. Due |
|---|---|---|---|---|---|
| 0000000154<br>072 02 0050 000<br>072 02 0050 000 | SIDE | GEORGE/JOAN BAKER<br>37483 KINGSBURY<br>LIVONIA, MI | 37483 KINGSBURY ST<br>LIVONIA, MI | 381.60<br>0.00 | 381.60<br>381.60 |
| 0000000155<br>072 02 0100 000<br>072 02 0100 000 | SIDE | BRAMER RICHARD S / RIC<br>37562 KINGSBURY<br>LIVONIA, MI | 37562 KINGSBURY<br>LIVONIA, MI | 281.55<br>0.00 | 281.55<br>281.55 |
| 0000000156<br>072 02 0053 000<br>072 02 0053 000 | SIDE | KANIA GARY J<br>37563 KINGSBURY<br>LIVONIA, MI | 37563 KINGSBURY ST<br>LIVONIA, MI | 208.80<br>0.00 | 208.80<br>208.80 |
| 0000000157<br>072 02 0054 000<br>072 02 0054 000 | SIDE | HERMAN FELTHAUS<br>37587 KINGSBURY<br>LIVONIA, MI | 37587 KINGSBURY ST<br>LIVONIA, MI | 165.60<br>0.00 | 165.60<br>165.60 |
| 0000000158<br>072 02 0057 000<br>072 02 0057 000 | SIDE | CHARLES E GLATFELTER J<br>37665 KINGSBURY<br>LIVONIA, MI | 37665 KINGSBURY ST<br>LIVONIA, MI | 194.40<br>0.00 | 194.40<br>194.40 |
| 0000000159<br>072 02 0095 000<br>072 02 0095 000 | SIDE | DAVID/NOEL BAWULSKI<br>37690 KINGSBURY<br>LIVONIA, MI | 37690 KINGSBURY ST<br>LIVONIA, MI | 327.50<br>0.00 | 327.50<br>327.50 |
| 0000000160<br>072 02 0058 000<br>072 02 0058 000 | SIDE | GRIFFIN JR LAWRENCE /<br>37691 KINGSBURY<br>LIVONIA, MI | 37691 KINGSBURY<br>LIVONIA, MI | 158.40<br>0.00 | 158.40<br>158.40 |
| 0000000161<br>071 01 0178 000<br>071 01 0178 000 | SIDE | HONSTAIN JOSEPH<br>38434 KINGSBURY<br>LIVONIA, MI | 38434 KINGSBURY<br>LIVONIA, MI | 165.60<br>0.00 | 165.60<br>165.60 |
| 0000000162<br>072 02 0079 000<br>072 02 0079 000 | SIDE | WILLIAM & SANDRA ENOCH<br>37460 LADYWOOD<br>LIVONIA, MI | 37460 LADYWOOD ST<br>LIVONIA, MI | 201.60<br>0.00 | 201.60<br>201.60 |
| 0000000163<br>072 02 0080 000<br>072 02 0080 000 | SIDE | LYONS STEPHEN / JENNY<br>37461 LADYWOOD<br>LIVONIA, MI | 37461 LADYWOOD<br>LIVONIA, MI | 278.30<br>0.00 | 278.30<br>278.30 |
| 0000000164<br>072 02 0081 000<br>072 02 0081 000 | SIDE | MCKINNON WILLIAM / KEN<br>37487 LADYWOOD<br>LIVONIA, MI | 37487 LADYWOOD<br>LIVONIA, MI | 259.20<br>0.00 | 259.20<br>259.20 |
| 0000000165<br>072 02 0077 000<br>072 02 0077 000 | SIDE | RODRIGUEZ JOSEPH / ASH<br>37502 LADYWOOD<br>LIVONIA, MI | 37502 LADYWOOD<br>LIVONIA, MI | 187.20<br>0.00 | 187.20<br>187.20 |
| 0000000167<br>072 02 0085 000<br>072 02 0085 000 | SIDE | GALICKI BRIAN<br>37581 LADYWOOD<br>LIVONIA, MI | 37581 LADYWOOD<br>LIVONIA, MI | 307.75<br>0.00 | 307.75<br>307.75 |
| 0000000168<br>072 02 0073 000<br>072 02 0073 000 | SIDE | WOODALL ERIC / CARIE<br>37606 LADYWOOD<br>LIVONIA, MI | 37606 LADYWOOD<br>LIVONIA, MI | 1,080.50<br>0.00 | 1,080.50<br>1,080.50 |
| 0000000169<br>072 02 0087 000<br>072 02 0087 000 | SIDE | GERALD L. CHARLOTTE<br>37633 LADYWOOD<br>LIVONIA, MI | 37633 LADYWOOD ST<br>LIVONIA, MI | 405.95<br>0.00 | 405.95<br>405.95 |
| 0000000170<br>072 02 0071 000<br>072 02 0071 000 | SIDE | CADY NELSON / JOAN<br>37658 LADYWOOD<br>LIVONIA, MI | 37658 LADYWOOD ST<br>LIVONIA, MI | 327.50<br>0.00 | 327.50<br>327.50 |
| 0000000171<br>072 02 0088 000<br>072 02 0088 000 | SIDE | BOWRING RICARDO / REBE<br>37659 LADYWOOD<br>LIVONIA, MI | 37659 LADYWOOD<br>LIVONIA, MI | 163.75<br>0.00 | 163.75<br>163.75 |
| 0000000172<br>072 02 0069 000<br>072 02 0069 000 | SIDE | EDWARD M HOLINSKI<br>37738 LADYWOOD<br>LIVONIA, MI | 37738 LADYWOOD ST<br>LIVONIA, MI | 370.60<br>0.00 | 370.60<br>370.60 |
| 0000000173<br>072 03 0073 000<br>072 03 0073 000 | SIDE | SCHLATTERBACK RICHARD/<br>37781 LADYWOOD<br>LIVONIA, MI | 37781 LADYWOOD ST<br>LIVONIA, MI | 208.80<br>0.00 | 208.80<br>208.80 |
| 0000000174<br>072 03 0076 000<br>072 03 0076 000 | SIDE | DAVIS GLENN/JANINE<br>37840 LADYWOOD<br>LIVONIA, MI | 37840 LADYWOOD ST<br>LIVONIA, MI | 337.20<br>0.00 | 337.20<br>337.20 |

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| 0000000175<br>072 01 0048 000<br>072 01 0048 000 | SIDE | KNIGHT THOMAS/RICHARDS<br>37456 LANCASTER<br>LIVONIA, MI | 37456 LANCASTER ST<br>LIVONIA, MI | 1,569.10<br>0.00 | 1,569.10<br>1,569.10 |
| 0000000176<br>071 01 0112 000<br>071 01 0112 000 | SIDE | GREGORY HILLARY M<br>38580 LANCASTER<br>LIVONIA, MI | 38580 LANCASTER<br>LIVONIA, MI | 196.50<br>0.00 | 196.50<br>196.50 |
| 0000000177<br>071 01 0120 000<br>071 01 0120 000 | SIDE | KOLTUNCHIK KENNETH<br>38804 LANCASTER<br>LIVONIA, MI | 38804 LANCASTER<br>LIVONIA, MI | 117.90<br>0.00 | 117.90<br>117.90 |
| 0000000178<br>069 02 0009 000<br>069 02 0009 000 | SIDE | FEATHERS CRYSTAL / JAC<br>37723 MALLORY<br>LIVONIA, MI | 37723 MALLORY<br>LIVONIA, MI | 233.75<br>0.00 | 233.75<br>233.75 |
| 0000000179<br>069 02 0032 000<br>069 02 0032 000 | SIDE | DAVIS VANESSA / JAMES<br>38252 MALLORY<br>LIVONIA, MI | 38252 MALLORY<br>LIVONIA, MI | 244.80<br>0.00 | 244.80<br>244.80 |
| 0000000180<br>071 01 0024 000<br>071 01 0024 000 | SIDE | REA ANDREW / NICOLE<br>15590 NOLA<br>LIVONIA, MI | 15590 NOLA<br>LIVONIA, MI | 478.15<br>0.00 | 478.15<br>478.15 |
| 0000000181<br>071 01 0023 000<br>071 01 0023 000 | SIDE | EPPERSON TOM<br>15596 NOLA<br>LIVONIA, MI | 18041 FAIRWAY<br>LIVONIA, MI | 683.45<br>0.00 | 683.45<br>683.45 |
| 0000000182<br>069 03 0199 000<br>069 03 0199 000 | SIDE | THOMAS GIERUCKI<br>16051 NOLA<br>LIVONIA, MI | 16051 NOLA DR<br>LIVONIA, MI | 157.20<br>0.00 | 157.20<br>157.20 |
| 0000000183<br>069 03 0147 000<br>069 03 0147 000 | SIDE | SALLY L WALLEN<br>16537 NOLA<br>LIVONIA, MI | 16537 NOLA CT<br>LIVONIA, MI | 633.60<br>0.00 | 633.60<br>633.60 |
| 0000000184<br>070 99 0001 004<br>070 99 0001 004 | SIDE | QUAKERTOWN LMT PTNSHP<br>39111 SIX MILE<br>LIVONIA, MI | 39209 6 MILE RD STE 11<br>LIVONIA, MI | 3,947.93<br>0.00 | 3,947.93<br>3,947.93 |
| 0000000185<br>074 01 0746 000<br>074 01 0746 000 | SIDE | MIELCAREK LOUIS S / CH<br>15015 KNOLSON<br>LIVONIA, MI | 15015 KNOLSON ST<br>LIVONIA, MI | 196.50<br>0.00 | 196.50<br>196.50 |
| 0000000186<br>076 03 1030 000<br>076 03 1030 000 | SIDE | GUY/CAROL ANN SNYDER<br>14447 NOLA<br>LIVONIA, MI | 14447 NOLA ST<br>LIVONIA, MI | 517.45<br>0.00 | 517.45<br>517.45 |
| 0000000189<br>073 02 0335 000<br>073 02 0335 000 | SIDE | JAMES TRUBAK<br>15157 NOLA<br>LIVONIA, MI | 15157 NOLA ST<br>LIVONIA, MI | 356.85<br>0.00 | 356.85<br>356.85 |
| 0000000190<br>074 06 0015 000<br>074 06 0015 000 | SIDE | FYLONENKO JORDAN M<br>38475 TUSCANY<br>LIVONIA, MI | 38475 TUSCANY<br>LIVONIA, MI | 151.20<br>0.00 | 151.20<br>151.20 |
| 0000000191<br>074 06 0008 000<br>074 06 0008 000 | SIDE | MAY ASHLEY / SEROD BRO<br>38571 TUSCANY<br>LIVONIA, MI | 38571 TUSCANY<br>LIVONIA, MI | 144.00<br>0.00 | 144.00<br>144.00 |
| 0000000192<br>074 06 0007 000<br>074 06 0007 000 | SIDE | STEPHENS JASON / AMAND<br>38587 TUSCANY<br>LIVONIA, MI | 57801 WOODCREEK<br>NEW HAVEN, MI | 208.80<br>0.00 | 208.80<br>208.80 |
| 0000000193<br>074 06 0004 000<br>074 06 0004 000 | SIDE | PARGOFF II ANDREW/GINA<br>38629 TUSCANY<br>LIVONIA, MI | 38629 TUSCANY CT<br>LIVONIA, MI | 158.40<br>0.00 | 158.40<br>158.40 |
| 0000000194<br>077 06 0155 000<br>077 06 0155 000 | SIDE | VINKLER MITCHELL<br>36197 MEADOWBROOK<br>LIVONIA, MI | 36197 MEADOWBROOK<br>LIVONIA, MI | 187.20<br>0.00 | 187.20<br>187.20 |
| 0000000196<br>083 04 0070 000<br>083 04 0070 000 | SIDE | DLUGOS CRAIG<br>13915 RIVERSIDE<br>LIVONIA, MI | 13915 RIVERSIDE<br>LIVONIA, MI | 609.15<br>0.00 | 609.15<br>609.15 |
| 0000000197<br>072 02 0091 000<br>072 02 0091 000 | SIDE | LASKOWSKI JANE OLGA<br>15660 HUFF<br>LIVONIA, MI | 15660 HUFF ST<br>LIVONIA, MI | 216.00<br>0.00 | 216.00<br>216.00 |

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| 0000000198<br>070 02 0234 000<br>070 02 0234 000 | SIDE | VICKI HARBOWY<br>16092 SWATHMORE<br>LIVONIA, MI | 16092 SWATHMORE CT N<br>LIVONIA, MI | 1,020.90<br>0.00 | 1,020.90<br>1,020.90 |
| 0000000199<br>032 01 0193 000<br>032 01 0193 000 | SIDE | EDNEY LAURA E / JAMESA<br>35881 BOBRICH<br>LIVONIA, MI | 35881 BOBRICH<br>LIVONIA, MI | 494.62<br>0.00 | 494.62<br>494.62 |
| 0000000200<br>032 01 0194 000<br>032 01 0194 000 | SIDE | BURLESON ANNE / JANICE<br>36005 BOBRICH<br>LIVONIA, MI | 36005 BOBRICH<br>LIVONIA, MI | 415.84<br>0.00 | 415.84<br>415.84 |
| 0000000201<br>032 01 0223 000<br>032 01 0223 000 | SIDE | HUNTER SARA JOIE<br>17460 GOLFVIEW<br>LIVONIA, MI | 17460 GOLFVIEW<br>LIVONIA, MI | 248.80<br>0.00 | 248.80<br>248.80 |
| 0000000202<br>032 01 0200 000<br>032 01 0200 000 | SIDE | DUFFY MICHAEL/SALLY L<br>17527 GOLFVIEW<br>LIVONIA, MI | 17527 GOLFVIEW ST<br>LIVONIA, MI | 127.82<br>0.00 | 127.82<br>127.82 |
| 0000000203<br>032 01 0201 000<br>032 01 0201 000 | SIDE | MCWHERTER ROBERT / REB<br>17559 GOLFVIEW<br>LIVONIA, MI | 17559 GOLFVIEW<br>LIVONIA, MI | 232.62<br>0.00 | 232.62<br>232.62 |
| 0000000204<br>088 05 0222 000<br>088 05 0222 000 | SIDE | MANNING ANNE T<br>14328 ARDEN<br>LIVONIA, MI | 14328 ARDEN ST<br>LIVONIA, MI | 352.80<br>0.00 | 352.80<br>352.80 |
| 0000000205<br>088 05 0231 000<br>088 05 0231 000 | SIDE | CREESY ROBIN C<br>14405 ARDEN<br>LIVONIA, MI | 14405 ARDEN ST<br>LIVONIA, MI | 180.00<br>0.00 | 180.00<br>180.00 |
| 0000000206<br>085 01 0336 000<br>085 01 0336 000 | SIDE | CHAPMAN MICHAEL<br>14844 AUBURNDALE<br>LIVONIA, MI | 14844 AUBURNDALE<br>LIVONIA, MI | 1,603.30<br>0.00 | 1,603.30<br>1,603.30 |
| 0000000207<br>088 03 0142 000<br>088 03 0142 000 | SIDE | LAWRENCE BRENDAN S<br>14127 BERWICK<br>LIVONIA, MI | 14127 BERWICK<br>LIVONIA, MI | 378.50<br>0.00 | 378.50<br>378.50 |
| 0000000208<br>088 04 0187 000<br>088 04 0187 000 | SIDE | KEVIN/MARY JANE CANARY<br>14235 BERWICK<br>LIVONIA, MI | 14235 BERWICK ST<br>LIVONIA, MI | 194.40<br>0.00 | 194.40<br>194.40 |
| 0000000209<br>088 08 0319 002<br>088 08 0319 002 | SIDE | ASTORINO ANDREW / HEAT<br>14349 MELROSE<br>LIVONIA, MI | 14349 MELROSE<br>LIVONIA, MI | 338.40<br>0.00 | 338.40<br>338.40 |
| 0000000210<br>088 10 0371 000<br>088 10 0371 000 | SIDE | ANNA PILTZ<br>14303 MERRIMAN<br>LIVONIA, MI | 14303 MERRIMAN RD<br>LIVONIA, MI | 336.55<br>0.00 | 336.55<br>336.55 |
| 0000000211<br>088 10 0372 000<br>088 10 0372 000 | SIDE | ANSARI NAVEED A<br>14317 MERRIMAN<br>LIVONIA, MI | 14317 MERRIMAN RD<br>LIVONIA, MI | 187.20<br>0.00 | 187.20<br>187.20 |
| 0000000212<br>088 10 0373 000<br>088 10 0373 000 | SIDE | DWIGHT L JACKSON<br>14329 MERRIMAN<br>LIVONIA, MI | 14329 MERRIMAN RD<br>LIVONIA, MI | 150.65<br>0.00 | 150.65<br>150.65 |
| 0000000213<br>088 10 0375 000<br>088 10 0375 000 | SIDE | EDWARD M VOCK JR<br>14353 MERRIMAN<br>LIVONIA, MI | 14353 MERRIMAN RD<br>LIVONIA, MI | 64.90<br>0.00 | 64.90<br>64.90 |
| 0000000214<br>088 10 0377 000<br>088 10 0377 000 | SIDE | MUNSON DANIEL/VIRGINI<br>14377 MERRIMAN<br>LIVONIA, MI | 14377 MERRIMAN RD<br>LIVONIA, MI | 815.15<br>0.00 | 815.15<br>815.15 |
| 0000000215<br>088 10 0378 000<br>088 10 0378 000 | SIDE | GARY A / JOYCE CUTSY<br>14407 MERRIMAN<br>LIVONIA, MI | 14407 MERRIMAN RD<br>LIVONIA, MI | 392.30<br>0.00 | 392.30<br>392.30 |
| 0000000216<br>088 10 0379 000<br>088 10 0379 000 | SIDE | DENICE DICK<br>14419 MERRIMAN<br>LIVONIA, MI | 14419 MERRIMAN RD<br>LIVONIA, MI | 874.00<br>0.00 | 874.00<br>874.00 |
| 0000000217<br>088 10 0380 000<br>088 10 0380 000 | SIDE | YAO YAO<br>14431 MERRIMAN<br>LIVONIA, MI | 14431 MERRIMAN RD<br>LIVONIA, MI | 327.50<br>0.00 | 327.50<br>327.50 |

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| 0000000218<br>088 10 0381 000<br>088 10 0381 000 | SIDE | TERRY D RANDALL<br>14443 MERRIMAN<br>LIVONIA, MI | 14443 MERRIMAN RD<br>LIVONIA, MI | 827.65<br>0.00 | 827.65<br>827.65 |
| 0000000219<br>088 10 0382 000<br>088 10 0382 000 | SIDE | KLOSOWSKI JONATHAN<br>14455 MERRIMAN<br>LIVONIA, MI | 14455 MERRIMAN RD<br>LIVONIA, MI | 158.40<br>0.00 | 158.40<br>158.40 |
| 0000000220<br>088 10 0383 000<br>088 10 0383 000 | SIDE | MICHAEL BYLICA<br>14467 MERRIMAN<br>LIVONIA, MI | 14467 MERRIMAN RD<br>LIVONIA, MI | 648.45<br>0.00 | 648.45<br>648.45 |
| 0000000222<br>088 04 0176 000<br>088 04 0176 000 | SIDE | BLACKBURN MICHAEL/KELL<br>31772 PERTH<br>LIVONIA, MI | 31772 PERTH ST<br>LIVONIA, MI | 235.80<br>0.00 | 235.80<br>235.80 |
| 0000000223<br>087 01 0009 001<br>087 01 0009 001 | SIDE | ROBERT H / MILDRED E W<br>33234 SCHOOLCRAFT<br>LIVONIA, MI | 40600 GRAND RIVER AVE<br>NOVI, MI | 3,394.07<br>0.00 | 3,394.07<br>3,394.07 |
| 0000000225<br>092 02 0020 000<br>092 02 0020 000 | SIDE | PEKORIUS AIVARAS/VIDA<br>30217 ACACIA<br>LIVONIA, MI | 30217 ACACIA ST<br>LIVONIA, MI | 281.65<br>0.00 | 281.65<br>281.65 |
| 0000000227<br>092 02 0022 000<br>092 02 0022 000 | SIDE | STEWART THOMAS<br>30245 ACACIA<br>LIVONIA, MI | 30245 ACACIA ST<br>LIVONIA, MI | 144.00<br>0.00 | 144.00<br>144.00 |
| 0000000229<br>091 05 0094 000<br>091 05 0094 000 | SIDE | COSTELLA BRIAN J<br>14091 BAINBRIDGE<br>LIVONIA, MI | 14091 BAINBRIDGE ST<br>LIVONIA, MI | 180.00<br>0.00 | 180.00<br>180.00 |
| 0000000231<br>091 04 0037 000<br>091 04 0037 000 | SIDE | HANNA MERAND<br>14209 DENNE<br>LIVONIA, MI | 14209 DENNE<br>LIVONIA, MI | 1,188.70<br>0.00 | 1,188.70<br>1,188.70 |
| 0000000232<br>091 04 0044 000<br>091 04 0044 000 | SIDE | ASSEMANY JASON<br>14303 DENNE<br>LIVONIA, MI | 14303 DENNE<br>LIVONIA, MI | 312.30<br>0.00 | 312.30<br>312.30 |
| 0000000233<br>091 04 0027 000<br>091 04 0027 000 | SIDE | JASEWICZ TARA N<br>14330 DENNE<br>LIVONIA, MI | 14330 DENNE<br>LIVONIA, MI | 216.00<br>0.00 | 216.00<br>216.00 |
| 0000000235<br>091 04 0052 000<br>091 04 0052 000 | SIDE | CHUDZINSKI MATTHEW<br>31140 GRENNADA<br>LIVONIA, MI | 31140 GRENNADA<br>LIVONIA, MI | 158.40<br>0.00 | 158.40<br>158.40 |
| 0000000236<br>091 05 0117 000<br>091 05 0117 000 | SIDE | MARK / PEGGY NELSON<br>31038 MASON<br>LIVONIA, MI | 31038 MASON ST<br>LIVONIA, MI | 201.60<br>0.00 | 201.60<br>201.60 |
| 0000000239<br>089 02 0037 000<br>089 02 0037 000 | SIDE | RODEIGUEZ ASHLEY<br>29526 OAKLEY<br>LIVONIA, MI | 29526 OAKLEY ST<br>LIVONIA, MI | 254.15<br>0.00 | 254.15<br>254.15 |
| 0000000240<br>089 02 0034 000<br>089 02 0034 000 | SIDE | GERALD HAWKINS<br>29562 OAKLEY<br>LIVONIA, MI | 29562 OAKLEY ST<br>LIVONIA, MI | 799.10<br>0.00 | 799.10<br>799.10 |
| 0000000242<br>091 09 0270 000<br>091 09 0270 000 | SIDE | EDEN CARISSA<br>13956 SUNSET<br>LIVONIA, MI | 13956 SUNSET<br>LIVONIA, MI | 170.80<br>0.00 | 170.80<br>170.80 |
| 0000000243<br>091 08 0222 000<br>091 08 0222 000 | SIDE | BASS JR. CHARLES D/MEL<br>14285 SUNSET<br>LIVONIA, MI | 14285 SUNSET ST<br>LIVONIA, MI | 668.10<br>0.00 | 668.10<br>668.10 |
| 0000000245<br>094 01 0263 000<br>094 01 0263 000 | SIDE | NATHANSON JOSEPH<br>28999 FIVE MILE<br>LIVONIA, MI | 1044 ELBERON AVE<br>LONG BRANCH, NJ | 2,725.40<br>0.00 | 2,725.40<br>2,725.40 |
| 0000000247<br>093 01 0066 002<br>093 01 0066 002 | SIDE | MILLER MICHAEL<br>27429 MEADOWBROOK<br>LIVONIA, MI | 27429 MEADOWBROOK ST<br>LIVONIA, MI | 163.75<br>0.00 | 163.75<br>163.75 |
| 0000000248<br>093 01 0064 003<br>093 01 0064 003 | SIDE | PARS TECH LLC<br>27441 MEADOWBROOK<br>LIVONIA, MI | 48075 ANDOVER DR<br>NOVI, MI | 411.95<br>0.00 | 411.95<br>411.95 |

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|---|---|---|---|---|---|
| 0000000249<br>093 04 0048 000<br>093 04 0048 000 | SIDE | SAID / PATIENCE HAYMOU<br>27898 MEADOWBROOK<br>LIVONIA, MI | 27898 MEADOWBROOKE AVE<br>LIVONIA, MI | 668.00<br>0.00 | 668.00<br>668.00 |
| 0000000250<br>093 04 0047 000<br>093 04 0047 000 | SIDE | OTIS / CYNTHIA YOUNG<br>27920 MEADOWBROOK<br>LIVONIA, MI | 27920 MEADOWBROOKE AVE<br>LIVONIA, MI | 651.65<br>0.00 | 651.65<br>651.65 |
| 0000000251<br>093 04 0046 000<br>093 04 0046 000 | SIDE | SAVIOUR / CATHY AGIUS<br>27945 MEADOWBROOK<br>LIVONIA, MI | 27945 MEADOWBROOKE AVE<br>LIVONIA, MI | 288.00<br>0.00 | 288.00<br>288.00 |
| 0000000252<br>095 06 0015 000<br>095 06 0015 000 | SIDE | TAILLARD STEVEN/LOUIS&<br>14440 SUMMERSIDE<br>LIVONIA, MI | 14440 SUMMERSIDE<br>LIVONIA, MI | 180.00<br>0.00 | 180.00<br>180.00 |
| 0000000254<br>100 01 0086 000<br>100 01 0086 000 | SIDE | OROZCO JOSE EDUARDO NE<br>12011 INKSTER<br>LIVONIA, MI | 12011 INKSTER<br>LIVONIA, MI | 818.75<br>0.00 | 818.75<br>818.75 |
| 0000000255<br>100 01 0089 000<br>100 01 0089 000 | SIDE | PALMER EMANUEL / DONNA<br>12029 INKSTER<br>LIVONIA, MI | 12029 INKSTER<br>LIVONIA, MI | 258.60<br>0.00 | 258.60<br>258.60 |
| 0000000256<br>100 01 0092 000<br>100 01 0092 000 | SIDE | CONSIDINE J/ROSKELLY S<br>12053 INKSTER<br>LIVONIA, MI | 12053 INKSTER RD<br>LIVONIA, MI | 1,438.15<br>0.00 | 1,438.15<br>1,438.15 |
| 0000000257<br>100 01 0096 000<br>100 01 0096 000 | SIDE | STEPHEN/DEBORAH PARASK<br>12085 INKSTER<br>LIVONIA, MI | 12085 INKSTER RD<br>LIVONIA, MI | 812.20<br>0.00 | 812.20<br>812.20 |
| 0000000258<br>102 99 0083 002<br>102 99 0083 002 | SIDE | SQS PROPERTIES LLC<br>13040 MERRIMAN<br>LIVONIA, MI | 13040 MERRIMAN RD<br>LIVONIA, MI | 2,073.65<br>0.00 | 2,073.65<br>2,073.65 |
| 0000000259<br>102 99 0079 007<br>102 99 0079 007 | SIDE | MT REAL ESTATE LLC<br>13060 MERRIMAN<br>LIVONIA, MI | 13170 MERRIMAN RD<br>LIVONIA, MI | 1,881.63<br>0.00 | 1,881.63<br>1,881.63 |
| 0000000260<br>102 99 0080 000<br>102 99 0080 000 | SIDE | WILLIAMS PLATING INC<br>13170 MERRIMAN<br>LIVONIA, MI | 13170 MERRIMAN RD<br>LIVONIA, MI | 890.80<br>0.00 | 890.80<br>890.80 |
| 0000000261<br>102 99 0079 001<br>102 99 0079 001 | SIDE | G & D HOLDINGS LLC<br>13222 MERRIMAN<br>LIVONIA, MI | 13222 MERRIMAN RD<br>LIVONIA, MI | 330.00<br>0.00 | 330.00<br>330.00 |
| 0000000262<br>102 99 0005 000<br>102 99 0005 000 | SIDE | DSI GROWTH AND INCOME<br>13450 MERRIMAN<br>LIVONIA, MI | 4675 MACARTHUR CT #50<br>NEWPORT BEACH, CA | 189.95<br>0.00 | 189.95<br>189.95 |
| 0000000263<br>102 99 0007 001<br>102 99 0007 001 | SIDE | MAC YARD LLC<br>13520 MERRIMAN<br>LIVONIA, MI | 13520 MERRIMAN<br>LIVONIA, MI | 1,382.05<br>0.00 | 1,382.05<br>1,382.05 |
| 0000000264<br>102 99 0009 001<br>102 99 0009 001 | SIDE | GASSO DEVELOPMENT CO.<br>13580 MERRIMAN<br>LIVONIA, MI | 20320 W 8 MILE RD<br>SOUTHFIELD, MI | 1,162.15<br>0.00 | 1,162.15<br>1,162.15 |
| 0000000265<br>102 99 0011 001<br>102 99 0011 001 | SIDE | ZEF IVEZAJ<br>13620 MERRIMAN<br>LIVONIA, MI | 18977 BECK RD<br>NORTHVILLE, MI | 452.25<br>0.00 | 452.25<br>452.25 |
| 0000000267<br>105 99 0038 007<br>105 99 0038 007 | SIDE | GREENWALT LLC<br>13211 MERRIMAN<br>LIVONIA, MI | 13211 MERRIMAN<br>LIVONIA, MI | 4,276.58<br>0.00 | 4,276.58<br>4,276.58 |
| 0000000268<br>105 99 0038 002<br>105 99 0038 002 | SIDE | JHB REAL ESTATE SUSIDI<br>13281 MERRIMAN<br>LIVONIA, MI | 900 E 8TH AVE STE 200<br>KING OF PRUSSIA, PA | 1,041.45<br>0.00 | 1,041.45<br>1,041.45 |
| 0000000269<br>105 99 0045 001<br>105 99 0045 001 | SIDE | 96 & MERRIMAN PROPERTI<br>13345 MERRIMAN<br>LIVONIA, MI | 2211 YORK RD, STE 222<br>OAK BROOK, IL | 2,390.75<br>0.00 | 2,390.75<br>2,390.75 |
| 0000000270<br>105 99 0044 002<br>105 99 0044 002 | SIDE | PROSPECT INDUSTRIAL TW<br>13551 MERRIMAN<br>LIVONIA, MI | 12763 STARK RD STE 115<br>LIVONIA, MI | 305.25<br>0.00 | 305.25<br>305.25 |

| Invoices # / Customer # / Parcel # | Srvc Code | Owner / Prop. Address | Mailing Address | Amt. Chg. / Pmts/Crdts | Amt. Billed / Amt. Due |
|---|---|---|---|---|---|
| 0000000271<br>105 02 0001 000<br>105 02 0001 000 | SIDE | PROSPECT INDUSTRIAL TW<br>13599 MERRIMAN<br>LIVONIA, MI | 12763 STARK , STE 115<br>LIVONIA, MI | 1,600.70<br>0.00 | 1,600.70<br>1,600.70 |
| 0000000272<br>105 99 0035 001<br>105 99 0035 001 | SIDE | NSC OF LIVONIA LLC<br>13635 MERRIMAN<br>LIVONIA, MI | 30500 NORTHWESTERN HWY<br>FARMINGTON HILLS, MI | 1,017.75<br>0.00 | 1,017.75<br>1,017.75 |
| 0000000273<br>105 99 0031 000<br>105 99 0031 000 | SIDE | ISREAL ESTATE LLC<br>13801 MERRIMAN<br>LIVONIA, MI | 30401 UTICA RD<br>ROSEVILLE, MI | 2,760.33<br>0.00 | 2,760.33<br>2,760.33 |
| 0000000274<br>107 01 0019 002<br>107 01 0019 002 | SIDE | FELDMAN PLYMOUTH ROAD,<br>32570 PLYMOUTH<br>LIVONIA, MI | 30400 LYON CENTER DR E<br>NEW HUDSON, MI | 3,447.85<br>0.00 | 3,447.85<br>3,447.85 |
| 0000000275<br>107 99 0019 001<br>107 99 0019 001 | SIDE | LUNA REAL ESTATE AND I<br>32850 PLYMOUTH<br>LIVONIA, MI | 35445 GENRON CT<br>ROMULUS, MI | 900.69<br>0.00 | 900.69<br>900.69 |
| 0000000276<br>107 99 0016 002<br>107 99 0016 002 | SIDE | FARIS AND SONS, L.L.C.<br>32910 PLYMOUTH<br>LIVONIA, MI | 32910 PLYMOUTH RD<br>LIVONIA, MI | 1,246.93<br>0.00 | 1,246.93<br>1,246.93 |
| 0000000277<br>112 99 0034 000<br>112 99 0034 000 | SIDE | THE SALVATION ARMY<br>33600 PLYMOUTH<br>LIVONIA, MI | 33600 PLYMOUTH RD<br>LIVONIA, MI | 2,624.50<br>0.00 | 2,624.50<br>2,624.50 |
| 0000000278<br>111 01 0001 002<br>111 01 0001 002 | SIDE | STANTON,DAVID J & ASOO<br>34450 PLYMOUTH<br>LIVONIA, MI | 17800 LAUREL PARK DR N<br>LIVONIA, MI | 2,357.35<br>0.00 | 2,357.35<br>2,357.35 |
| 0000000279<br>111 01 0001 001<br>111 01 0001 001 | SIDE | MOSS/WALKON-%M POER &<br>34500 PLYMOUTH<br>LIVONIA, MI | 2211 YORK RD STE 222<br>OAK BROOK, IL | 2,531.60<br>0.00 | 2,531.60<br>2,531.60 |
| 0000000281<br>121 04 0012 000<br>121 04 0012 000 | SIDE | PISANI MICHAEL C<br>38218 ANN ARBOR TR<br>LIVONIA, MI | 38218 ANN ARBOR TR<br>LIVONIA, MI | 150.65<br>0.00 | 150.65<br>150.65 |
| 0000000282<br>122 04 0228 000<br>122 04 0228 000 | SIDE | EVITTS MELISSA<br>38971 ANN ARBOR TR<br>LIVONIA, MI | 38971 ANN ARBOR TRL<br>LIVONIA, MI | 536.15<br>0.00 | 536.15<br>536.15 |
| 0000000283<br>123 02 0021 000<br>123 02 0021 000 | SIDE | STRONG FRANCES J<br>9498 BASSETT<br>LIVONIA, MI | 9498 BASSETT ST<br>LIVONIA, MI | 360.25<br>0.00 | 360.25<br>360.25 |
| 0000000284<br>124 99 0020 007<br>124 99 0020 007 | SIDE | FOUR OAKS MNGT LLC<br>8811 NEWBURGH<br>LIVONIA, MI | 1400 S. LAPEER RD<br>OXFORD, MI | 2,220.45<br>0.00 | 2,220.45<br>2,220.45 |
| 0000000285<br>123 02 0036 000<br>123 02 0036 000 | SIDE | PATRICIA WISNIEWSKI<br>9497 PATTON<br>LIVONIA, MI | 9497 PATTON ST<br>LIVONIA, MI | 163.75<br>0.00 | 163.75<br>163.75 |
| 0000000286<br>122 03 0015 000<br>122 03 0015 000 | SIDE | DALE & JEANINE FRANTSE<br>38715 RICHLAND<br>LIVONIA, MI | 38715 RICHLAND ST<br>LIVONIA, MI | 180.00<br>0.00 | 180.00<br>180.00 |
| 0000000287<br>126 06 0094 000<br>126 06 0094 000 | SIDE | DOROTHY AGODORNY<br>36793 ANGELINE CIR<br>LIVONIA, MI | 36793 ANGELINE CIR<br>LIVONIA, MI | 367.20<br>0.00 | 367.20<br>367.20 |
| 0000000288<br>125 01 0316 000<br>125 01 0316 000 | SIDE | BEASLEY ANTHONY / TOND<br>35500 WEST CHICAGO<br>LIVONIA, MI | 35500 WEST CHICAGO<br>LIVONIA, MI | 750.20<br>0.00 | 750.20<br>750.20 |
| 0000000289<br>125 01 0441 000<br>125 01 0441 000 | SIDE | BURR ELIZABETH ANN<br>35401 MINTON<br>LIVONIA, MI | 35401 MINTON<br>LIVONIA, MI | 165.60<br>0.00 | 165.60<br>165.60 |
| 0000000291<br>133 02 0328 000<br>133 02 0328 000 | SIDE | COX KENT/LINDA<br>9929 ARDEN<br>LIVONIA, MI | 9929 ARDEN ST<br>LIVONIA, MI | 172.80<br>0.00 | 172.80<br>172.80 |
| 0000000292<br>133 02 0412 000<br>133 02 0412 000 | SIDE | THAYER MARILY J<br>9909 AUBURNDALE<br>LIVONIA, MI | 9909 AUBURNDALE ST<br>LIVONIA, MI | 399.55<br>0.00 | 399.55<br>399.55 |

| Invoices # / Customer # / Parcel # | Srvc Code | Owner / Prop. Address | Mailing Address | Amt. Chg. / Pmts/Crdts | Amt. Billed / Amt. Due |
|---|---|---|---|---|---|
| 0000000293 | SIDE | ROBERTS GREGORY G | 11025 BERWICK | 510.90 | 510.90 |
| 133 02 0459 002 | | 11025 BERWICK | LIVONIA, MI | 0.00 | 510.90 |
| 133 02 0459 002 | | LIVONIA, MI | | | |
| 0000000294 | SIDE | MULLER DELORES LEE | 9625 BLACKBURN | 144.10 | 144.10 |
| 133 03 1109 000 | | 9625 BLACKBURN | LIVONIA, MI | 0.00 | 144.10 |
| 133 03 1109 000 | | LIVONIA, MI | | | |
| 0000000295 | SIDE | AARON BRANDON / BANAFS | 11314 HUBBARD | 696.55 | 696.55 |
| 133 02 0719 000 | | 11314 HUBBARD | LIVONIA, MI | 0.00 | 696.55 |
| 133 02 0719 000 | | LIVONIA, MI | | | |
| 0000000296 | SIDE | STOWE KEITH / CAROL | 11035 INGRAM | 151.20 | 151.20 |
| 133 02 0529 000 | | 11035 INGRAM | LIVONIA, MI | 0.00 | 151.20 |
| 133 02 0529 000 | | LIVONIA, MI | | | |
| 0000000297 | SIDE | CATHERINE ABRAHAM | 9391 IDAHO ST | 180.00 | 180.00 |
| 136 02 0268 000 | | 9391 IDAHO | LIVONIA, MI | 0.00 | 180.00 |
| 136 02 0268 000 | | LIVONIA, MI | | | |
| 0000000298 | SIDE | DANIEL P / MARY LOU ST | 11037 INGRAM ST | 412.55 | 412.55 |
| 133 02 0528 000 | | 11037 INGRAM | LIVONIA, MI | 0.00 | 412.55 |
| 133 02 0528 000 | | LIVONIA, MI | | | |
| 0000000299 | SIDE | CHURCH KYLE | 9314 LOUISIANA | 244.80 | 244.80 |
| 135 02 2054 000 | | 9314 LOUISIANA | LIVONIA, MI | 0.00 | 244.80 |
| 135 02 2054 000 | | LIVONIA, MI | | | |
| 0000000300 | SIDE | MARTIN DOMINGO/WALSH A | 30389 W CHICAGO ST | 964.80 | 964.80 |
| 140 03 0281 000 | | 30389 WEST CHICAGO | LIVONIA, MI | 0.00 | 964.80 |
| 140 03 0281 000 | | LIVONIA, MI | | | |
| 0000000301 | SIDE | OLSEN KENNETH / ASHLEY | 9901 CLEMENTS CIRCLE E | 17.60 | 17.60 |
| 141 03 0409 000 | | 9901 CLEMENTS CIRCLE E | LIVONIA, MI | 0.00 | 17.60 |
| 141 03 0409 000 | | LIVONIA, MI | | | |
| 0000000302 | SIDE | STOLL DOUGLAS / LOIS Y | 27561 DOVER | 574.15 | 574.15 |
| 144 05 0008 000 | | 27561 DOVER | LIVONIA, MI | 0.00 | 574.15 |
| 144 05 0008 000 | | LIVONIA, MI | | | |
| 0000000303 | SIDE | ROBERT / JULIE SEITER | 9619 BLACKBURN ST | 140.92 | 140.92 |
| 133 03 1110 000 | | 9619 BLACKBURN | LIVONIA, MI | 0.00 | 140.92 |
| 133 03 1110 000 | | LIVONIA, MI | | | |
| 0000000304 | SIDE | SCHOOLEY KEITH L/JUDIT | 17623 FAIRWAY ST | 841.40 | 841.40 |
| 032 01 0235 000 | | 17623 FAIRWAY | LIVONIA, MI | 0.00 | 841.40 |
| 032 01 0235 000 | | LIVONIA, MI | | | |
| 0000000305 | SIDE | BERGMAN WENDY | 17624 GOLFVIEW | 273.60 | 273.60 |
| 032 01 0217 000 | | 17624 GOLFVIEW | LIVONIA, MI | 0.00 | 273.60 |
| 032 01 0217 000 | | LIVONIA, MI | | | |
| 0000000306 | SIDE | MARVIN BOBBI L | 31014 MASON | 491.25 | 491.25 |
| 091 05 0119 000 | | 31014 MASON | LIVONIA, MI | 0.00 | 491.25 |
| 091 05 0119 000 | | LIVONIA, MI | | | |

| Billing Items Summary | | Item Amt. | Item Bal. |
|---|---|---|---|
| 4"SW Totals | 184 Billing Items | 106,227.90 | 106,227.90 |
| 6"SW Totals | 151 Billing Items | 39,794.40 | 39,794.40 |
| CITY Totals | 125 Billing Items | 0.00 | 0.00 |
| 20-6" Totals | 1 Billing Items | 126.60 | 126.60 |
| SAWCUT Totals | 39 Billing Items | 954.80 | 954.80 |
| H/O4" Totals | 5 Billing Items | 2,194.25 | 2,194.25 |
| H/O6" Totals | 7 Billing Items | 2,484.00 | 2,484.00 |
| 8"SW Totals | 21 Billing Items | 16,574.25 | 16,574.25 |
| AT&T Totals | 3 Billing Items | 0.00 | 0.00 |
| 20-4" Totals | 5 Billing Items | 5,097.96 | 5,097.96 |
| 20HO6" Totals | 1 Billing Items | 151.92 | 151.92 |
| MISC Totals | 1 Billing Items | 0.00 | 0.00 |
| GRIND Totals | 2 Billing Items | 129.80 | 129.80 |
| 20-8" Totals | 4 Billing Items | 3,946.80 | 3,946.80 |
| R4-6"C Totals | 1 Billing Items | 17.60 | 17.60 |

| | | | | |
|---|---|---|---|---|
| TOTALS | 274 Invoices | 177,700.28 | 0.00 | 177,700.28 |
| | | 0.00 | | 177,700.28 |

The Council of the City of Livonia, at a Regular Meeting held March 22, 2021 adopted the following resolution:

**#84-21** RESOLVED, that having considered a communication from the City Engineer, dated February 24, 2021, which bears the signatures of the Director of Finance and the Director of Public Works, and approved for submission by the Mayor, the Council does hereby authorize and accept the offer of Rotondo Construction Corp., 38807 Ann Arbor Road, Suite 2, Livonia, Michigan 48150, for completing all work required in connection with the 2021 Sidewalk Repair Program (Contract 21-G) by extending their Contract 20-G unit prices for Contract 21-G, with the exception of revised unit prices for bid items 1, 2, 3, 4, 8 and 9 (concrete sidewalk of various thickness of 4, 6 or 8-inches, along with 7-inch road pavement, and placement of 6-inch ADA ramps consisting of 4' x 2' or 5' x 2' inserts) and agreed upon inspector days of 60 based upon the Engineering Division's estimate of units involved and subject to a final payment based upon the actual units completed in accordance with the unit prices accepted herein, for a total amount not to exceed $755,587.25, which includes a 10% administrative fee ($68,689.75), the contract amount of $686,897.50, and the saw cutting portion of the project ($10,000.00), which will be handled by and paid to Precision Concrete, Inc., as set forth below; FURTHER, such action is taken without competitive bidding for the reasons that A) concrete material prices have risen rapidly and this bid largely protects the City from such increases; B) information from other communities' bidding procedures indicates that these prices are favorable for the City, and C) the Rotondo firm won the City's competitive bids in 2006-2011 and again in 2013-2020, such that there are ample reasons to waive competitive bidding under Code of Ordinances Section 3.04.140D3; FURTHER, the Council does hereby authorize a payment in an amount not to exceed $10,000.00 to Precision Concrete Inc., 1896 Goldeneye Drive, Holland, Michigan 49424 for the saw cutting portion of the contract and does hereby authorize an expenditure in an amount not to exceed $10,000.00 from funds already budgeted in Account No. 204-441-977-010 for this purpose; FURTHER, the Council does hereby authorize an advance in the amount of $182,179.92 (single lot assessments portion of the program) from the Road, Sidewalk and Tree Fund (204), provided that this fund be reimbursed from that portion of the project which is to be financed by special assessment at such time as funds are subsequently received from the payment of bills and assessments by affected property owners; FURTHER, the Council does hereby authorize an expenditure in the amount of $12,500.00 from funds budgeted in Account No. 202-451-977-010 (Major Road – Distributed Sidewalk Cost) and $92,407.33 from funds budgeted in Account No. 203-451-977-010 (Local Road- Distributed Sidewalk Cost) to cover the costs related to the construction or reconstruction of handicap ramps at major and local roads; FURTHER, the Council does hereby authorize an expenditure in the amount of $18,500.00 from the Unexpended Fund Balance of the Water and Sewer Fund for sidewalk work adjacent to and including water and sewer structure repairs; FURTHER, the Council does hereby authorize an expenditure in the amount of $450,000.00 to repair sidewalks heaved by tree roots from funds budgeted in the Road, Sidewalk and Tree Fund (Account No. 204-441-977-010 Distributed Sidewalk Cost) for the 2021 Sidewalk Repairs; and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties; and the Mayor and City Clerk are hereby authorized to execute a contract for and on behalf of the City of Livonia with the aforesaid bidder and to do all other things necessary or incidental to the full performance of this resolution.

# LETTER TO THE LIVONIA CITY COUNCIL

5.

## Engineering
## March 23, 2022

| MEETING DATE | PREPARED BY |
|---|---|
| April 4, 2022 | Karen Worley, Secretary IV, |

## AGENDA ITEM

REQUEST FOR COUNCIL TO SET A DATE FOR THE PURPOSE OF ADOPTING A RESOLUTION PLACING SPECIAL ASSESSMENTS UPON REFERENCED PROPERTIES WHOSE OWNERS HAVE NOT PAID CHARGES CONNECTED WITH THE 2021 SIDEWALK PROGRAM, Contract 21-G , SINGLE LOT ASSESSMENTS: Engineering Division, re: same. (CR 84-21)

## BACKGROUND

Council Resolution No. 84-21, dated March 22, 2021 awarded a contract for the 2021 Sidewalk Program to Rotondo Construction Corporation.

The list of the sidewalk repair locations completed in 2021 (Contract 21-G) which were the homeowner's responsibility and the cost of each sidewalk repair are attached. These lists do not include locations where it was solely the City's responsibility to pay for the sidewalk repairs as a result of lifted walk by City tree root(s).

All assessments are based upon unit prices bid by the contractor in which a 10% charge was added to cover the City's administrative, engineering, inspection, advertising, and collection expenses as provided for in Section 12.04.340 of the Livonia Code of Ordinances, as amended.

## RECOMMENDATION

It is recommended that the Council set a date when the Council will meet for the purpose of adopting a resolution placing special assessments upon those properties shown on the aforementioned list where the owners have not paid the charges prior to the established meeting date. Such a meeting is required under Section 3.08.150 of the Livonia Code of Ordinances, as amended.

## FISCAL CONSIDERATION

None

## ATTACHMENTS

1. 2021 Sidewalk Program - List of Homeowner Costs
2. CR 84-21

## APPROVED BY

Date: March 23, 2022

Todd Zilincik, P.E., City Engineer

Date: March 23, 2022

Don Rohraff, Director of Public Works

Date: March 23, 2022

Michael Slater, Finance Director

Date: March 25, 2022

Maureen Miller Brosnan, Mayor

# LETTER TO THE LIVONIA CITY COUNCIL

5.

**Law**
**April 4, 2022**

| MEETING DATE | PREPARED BY |
|---|---|
| Regular Meeting of April 18, 2022 | Sara Kasprowicz, Council Office Manager, |

## AGENDA ITEM

ROLL CALL: Proposed Amendment to Livonia Vision 21 Zoning Ordinance, as amended: Department of Law, re: Petition 2022-01-06-01 submitted by the City of Livonia Planning Commission as amended, to consider multiple revisions to the LIVONIA VISION 21 Zoning Ordinance in order to correct certain defects, add and delete provisions, and provide clarification to others.
First Reading given by Councilmember Brandon McCullough on Monday, April 4, 2022.

## BACKGROUND

Second Reading and Roll Call

## RECOMMENDATION

At the 1,184th Public Hearing and Regular Meeting held by the City Planning Commission on February 22, 2022, the following resolution was unanimously adopted:

#02-15-2022 RESOLVED, That pursuant to a Public Hearing having been held by the City Planning Commission on February 22, 2022, on Petition 2022-01-06-01 submitted by the City of Livonia Planning Commission on its own motion pursuant to Section 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, and in accordance with Public Act 110 of 2006 (Michigan Zoning Enabling Act), as amended, to consider multiple revisions to the LIVONIA VISION 21 Zoning Ordinance in order to correct certain defects, add and delete provisions, and provide clarification to others, the Planning Commission does hereby recommend to the City Council that Petition 2022-01-06-01 be approved for the following reasons:

1. That the proposed language amendments are needed to correct certain errors and omissions that were overlooked with the adoption of the original Livonia Vision 21 Zoning Ordinance.

2. That the proposed amendments add and delete certain provisions in a way that will serve to improve the effectiveness of the City's land use regulations.

3. That the proposed amendments will serve to further the implementation of the goals and objectives of the Livonia Vision 21 Master Plan and are in the best interests of the community as a whole.

4. That the proposed amendments to are in full compliance with the requirements of the Livonia

Vision 21 Zoning Ordinance and the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended.

## FISCAL CONSIDERATION

N/A

## ATTACHMENTS

1. 2022-01-06-01_LV21 Amendments_V2PCPH_E-COUNCIL Pkt
2. Petition 2022-01-06-01 Notice
3. LTC PH032122
4. DIRECTION - LANG - Livonia Vision 21
5. 2022-01-06-01_LV21ZoningOrdinance_edit_V2PCPH
6. LTC R040422

## APPROVED BY

# PLANNING COMMISSION STAFF NOTES

## PUBLIC HEARING

## ITEM 2

**Petition 2022-01-06-01 submitted by the City of Livonia Planning Commission** on its own motion pursuant to Section 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, and in accordance with Public Act 110 of 2006 (Michigan Zoning Enabling Act), as amended, to consider multiple revisions to the ***LIVONIA VISION 21 Zoning Ordinance*** in order to correct certain defects, add and delete provisions, and provide clarification to others.

**February 22, 2022 Planning Commission Public Hearing:**

This item involves multiple revisions to the Livonia Vision 21 Zoning Ordinance. Many of the changes are needed to correct defects and omissions that went unnoticed during the adoption of the new regulations last summer. The amendment process also presents a good opportunity to add and delete provisions, and clarify the language in others in an effort to better achieve the stated purpose of the Ordinance and the goals and objectives of the Livonia Vision 21 Master Plan. The changes affect 35 various sections of the Zoning Ordinance. This report provides a reference to each section along with a brief description of the proposed change. **To see the actual language, click anywhere on the blue text to navigate to the LV21 Zoning Ordinance and the specific amendment being proposed.**

Per discussion at the Study Meeting, several changes were made to Section 10.03 Landscape Design Requirements, and more specifically, Section 10.03(5) Screen Wall and Greenbelt Buffering.

## Section 3.03 Permitted Uses by District

Section 3.03(2) Permitted Residential Uses by District: Added "Planned Developments" as a waiver use in the N1, N2, RUF, NM1, NM2, C-1, C-2, C-3, and C-4 districts with a reference to *Sections 5.02* and *5.02(2)* in the corresponding Use Standards. (A)

Section 3.03(4) Permitted Public and Quasi-Public Uses by District: Changed "Local and suburban passenger terminals; trucking transportation terminals, including maintenance and service facilities" from a permitted use to a waiver use in the M-1 and M-2 districts. (B)

Section 3.03(5) Permitted Commercial and Retail Uses by District:

- Ambulance services, local and suburban bus terminals and taxicab terminals: Changed "bus terminal" to "bus terminals." (C)
- Planned developments: Changed from "Planned general developments" and added as a waiver use in the N1, N2, RUF, and NM1 districts with a reference to *Section 5.02(2)* in the corresponding Use Standards. (D)

Section 3.03(6) Permitted Industrial Uses by District:

- Industrial Parks: Added as a permitted use in the ML, M-1 and M-2 districts with a reference to *Section 7.28* in the corresponding Use Standards. (E)
- Steel fabricators, truck terminals, truck and trailer rental facilities, special trade contractors, and vehicle tow yards: Changed from a permitted use to a waiver use in the M-2 district. (F)

## Section 3.04 N1 Neighborhood District

Waiver Uses: Planned developments: Added "Planned developments" with reference to *Section 5.02 and Section 5.02(2).* (G)

## Section 3.05 N2 Neighborhood District

Waiver Uses: Planned developments: Added "Planned developments" with reference to *Section 5.02 and Section 5.02(2).* (H)

## Section 3.06 RUF District Regulations

Waiver Uses: Planned developments: Added "Planned developments" with reference to *Section 5.02 and Section 5.02(2).* (I)

## Section 3.07 NM1 Neighborhood Multifamily Regulations

Permitted Uses:

One-family dwellings: Added reference to *Section 6.19(2).* (J)

Two-family dwellings: Added reference to *Section 6.20(2).* (K)

Waiver Uses: Planned developments: Added "Planned developments" with references to *Section 5.02 and Section 5.02(2).* (L)

## Section 3.08 NM2 Neighborhood Multifamily District

Permitted Uses:

One-family dwellings: Added reference to *Section 6.19(2).* (M)

Two-family dwellings: Added reference to *Section 6.20(2).* (N)

Waiver Uses: Planned developments: Changed from "Planned general developments" and added a reference to *Section 5.02(2).* (O)

Dimension Regulations: Lot Standards: Max. Usable Floor Area in percentage of lot area: Increased from 30% to 35% and added a reference to footnote *(s).* (P)

## Section 3.10 C-1 District Regulations

Waiver Uses: Planned developments: Changed from "Planned general developments." (Q)

Dimension Regulations: Lot Standards: Front Yard Setback: Added footnote *(p).* (R)

## Section 3.11 C-2 District Regulations

Waiver Uses:

Planned developments: Changed from "Planned general developments." (S)

Ambulance services, local and suburban bus terminals and taxicab terminals: Changed "bus terminal" to "bus terminals." (T)

Dimension Regulations: Lot Standards: Front Yard Setback: Added footnote *(p).* (U)

## Section 3.12 C-3 District Regulations

Permitted Uses: Ambulance services, local and suburban bus terminals and taxicab terminals: Changed "bus terminal" to "bus terminals." (V)

Waiver Uses: Planned developments: Changed from "Planned general developments." (W)

Dimension Regulations: Lot Standards:

Front Yard Setback: Added footnote *(p).* (X)

Side Yard Setback: Added footnote *(p).* (Y)

Rear Yard Setback: Added footnote *(p).* (Z)

## Section 3.13 C-4 District Regulations

Waiver Uses: Planned developments: Changed from "Planned general developments." (AA)

Dimension Regulations: Lot Standards:

Front Yard Setback: Added footnote *(p).* (BB)

Side Yard Setback: Added footnote *(p).* (CC)

Rear Yard Setback: Added footnote *(p).* (DD)

Max. Building Height: Changed footnote from *(h)* to *(g)* to match Schedule of Regulations. (EE)

## Section 3.15 ML District Regulations

Permitted Uses: Industrial parks: Added "Industrial parks" with a reference to *Section 7.28.* (FF)

## Section 3.16 M-1 District Regulations

Permitted Uses:

Industrial parks: Added "Industrial parks" with a reference to *Section 7.28.* (GG)

Local and suburban passenger terminals; trucking transportation terminals including maintenance and service facilities: Deleted. (HH)

Waiver Uses:

Ambulance services, local and suburban bus terminals and taxicab terminals: Changed "bus terminal" to "bus terminals." (II)

Local and suburban passenger terminals; trucking transportation terminals including maintenance and service facilities: Changed to a waiver use with a reference to *Section 6.36.* (JJ)

Parking structures: Changed "structure" to "structures." (KK)

Steel fabricators, truck terminals, truck and trailer rental facilities, special trade contractors, and vehicle tow yards: Deleted "where vehicles, trailers, equipment and material." (LL)

## Section 3.17 M-2 District Regulations

Permitted Uses:

Industrial Parks: Added "Industrial parks" with a reference to *Section 7.28.* (MM)

Local and suburban passenger terminals; trucking transportation terminals including maintenance and service facilities: Deleted. (NN)

Steel fabricators, truck terminals, truck and trailer rental facilities where vehicles, trailers, equipment and material: Deleted. (OO)

Waiver Uses:

Ambulance services, local and suburban bus terminals and taxicab terminal: Changed "bus terminal" to "bus terminals." (PP)

Local and suburban passenger terminals; trucking transportation terminals including maintenance and service facilities: Changed to a waiver use with a reference to *Section 6.36.* (QQ)

Steel fabricators, truck terminals, truck and trailer rental facilities, special trade contractors, and vehicle tow yards: Changed to a waiver use with a reference to *Section 6.58.* (RR)

Vehicle tow yards: Deleted. (SS)

## Section 4.02 Schedule of Regulations

Zoning District: NM2, Neighborhood Multifamily: Lot Area, Lot Coverage, and Dwelling/Business Unit Standards: Maximum Usable Floor Area in Percentage of Lot Area: Increased from 30% to 35% and added a reference to footnote *(s).* (TT)

Zoning District: C-1, Local Business: Minimum Yard Setbacks (ft.): Front (ft.): Added a reference to footnote *(p).* (UU)

Zoning District: C-2, General Business: Minimum Yard Setbacks (ft.): Front (ft.): Added a reference to footnote *(p).* (VV)

Zoning District: C-3, Highway Services: Minimum Yard Setbacks (ft.):

Front (ft.): Added a reference to footnote *(p).* (WW)

Side (ft.): Added a reference to footnote *(p).* (XX)

Rear (ft.): Added a reference to footnote *(p).* (YY)

Zoning District: C-4, High Rise Commercial: Minimum Yard Setbacks (ft.):

Front (ft.): Added a reference to footnote *(p).* (ZZ)

Side (ft.): Added a reference to footnote *(p).* (AAA)

Rear (ft.): Added a reference to footnote *(p).* (BBB)

## Section 4.03 Footnotes to Schedule of Regulations

Section 4.03*(p)*: Added language to footnote *(p)* prohibiting the outside storage of merchandise and equipment in the front, side and rear yards of a commercial zoning districts, except as otherwise permitted, including merchant vehicles. (CCC)

Section 4.03*(s)*: Added footnote *(s)* to specify the maximum usable floor area as a percentage of lot area shall be 35% except in cases where City Council determines an increase is warranted with an overall limit of 45%. (DDD)

## Section 5.02 Special Waiver Use Standards for Planned Developments, including Planned Residential Developments and Planned General Developments

Section 5.02 Special Waiver Use Standards for Planned Developments, including Planned Residential Developments and Planned General Developments: Changed heading from "Special Waiver Use Standards for Planned Residential Developments and Planned General Developments." (EEE)

Section 5.02(2)C) Authority to Grant Waiver for Planned Residential Development or Planned General Development: Added provision requiring a two-thirds (2/3) vote of City Council to allow a Planned General Development in a residential district (N1, N2, RUF, NM1 or NM2). (FFF)

Section 5.02(4) Action by Planning Commission: Replaced "planned project" with "Planned Development. (GGG)

## Section 5.04 Form-Based Development Option in Commercial Districts

Section 5.04(6)B) Carriage House/Accessory Dwelling Unit: Replaced "residential lot" with "principal dwelling unit." (HHH)

## Section 6.10 Caregiver Grow Facilities

Section 6.10(1) Caregiver Grow Facilities: Replaced "…indoor recreational facility or athletic training school permitted pursuant to Section 16.11(f)…" with "…indoor recreational uses permitted pursuant to *Section 6.32…"* for accurate reference. (III)

## Section 6.15 Dwelling, Accessory Unit

Section 6.15 Dwelling, Accessory Unit: Section deleted and "*Reserved"* for future use. (JJJ)

## Section 6.16 Dwelling, Condominium

Section 6.16(3) Minimum Size within Zones: Deleted. (KKK)

## Section 6.19 Dwelling, Single-Family

Section 6.19(2) Requirements in Multifamily Zones: Added to require N1 standards for one-family dwellings in NM1 and NM2 districts. (LLL)

Section 6.19(3) Minimum Size within Zones: Deleted. (MMM)

## Section 6.20 Dwelling, Two-Family

Section 6.20(2) Requirements in Multifamily Zones: Added to require N2 standards for two-family dwellings in NM1 and NM2 districts. (NNN)

## Section 6.36 Local and Suburban Passenger Terminals; Trucking Transportation Terminals Including Maintenance and Service Facilities.

Section 6.36(1) Districts Permitted: Changed from a permitted use to a waiver use in the M-1 and M-2 districts. (OOO)

## Section 6.52 Retail Sales.

Section 6.52(1)A) Districts Permitted: Added C-4 district as a waiver use for buildings greater than 30,000 sq.ft. (PPP)

## Section 6.57 Ambulance Services, Local and Suburban Bus Terminals and Taxicab Terminals

Section 6.57 Ambulance Services, Local and Suburban Bus Terminals and Taxicab Terminals: Changed heading from "Terminals, Ambulances Services, Bus, and Taxicab." (QQQ)

## Section 6.58 Steel Fabricators, Truck Terminals, Truck and Trailer Rental Facilities, Special Trade Contractors, and Vehicle Tow Yards

Section 6.58 Steel Fabricators, Truck Terminals, Truck and Trailer Rental Facilities, Special Trade Contractors, and Vehicle Tow Yards: Changed heading from "Truck Terminals, Truck and Trailer Rental Facilities, Steel Fabricators, Special Trade Contractors, and Vehicle Tow Yards." (RRR)

Section 6.58(1) Districts Permitted: Changed from a permitted use to a waiver use in the M-2 district. (SSS)

## Section 7.10 Separate Dwellings for Domestic Employees

Section 7.10 Separate Dwellings for Domestic Employees: Section deleted and "*Reserved*" for future use. (TTT)

## Section 7.26 Encroachments and Exempt Structures.

Section 7.26(1) Permitted Yard Encroachments: Section 7.26(1)C): Chimneys, Fireplaces, Eaves, Overhangs, and Cornices in the Side, Rear and Front Yard Setbacks: Added to allow for encroachments up to twenty-four (24) inches. (EEEE)

## Section 7.28 Industrial Parks

Section 7.28 Industrial Parks: Added regulations for Industrial Parks that was inadvertently omitted from the Zoning Ordinance, including:

- Setback Requirements.
- Maximum Ground Coverage by Principal Structure.
- Landscaping Requirements.
- Driveways and Parking Areas.
- Off-Street Parking Requirements. (UUU)

## Section 9.04 Off-Street Parking Space Layout Standards

Section 9.04(4) Modifications: Added language giving City Council the authority to approve 9' x 18' parking stalls for up to 90% of the required number of parking spaces for general and professional office centers greater than 15,000 sq.ft. in area. (VVV)

## Section 10.01 Applicability

Section 10.01 Applicability: Added "and screening" in two (2) places to match the title of Article X. Landscaping and Screening. (FFFF)

## Section 10.03 Landscape Design Requirements

Section 10.03(5) Screen Wall and Greenbelt Buffering: Changed heading from "Greenbelt Buffering" and included "screen wall" where applicable in the ensuing paragraph. (GGGG)

Developing Zoning District: ML, M-1, and M-2 Districts: Adjacent to: C-1, C-2, C-3, and C-4 Districts: Footnote "c" replaced with footnote "b." (WWW)

Developing Zoning District: ML, M-1, and M-2 Districts: Adjacent to: ML, M-1, and M-2, and Railroad and Utility rights-of-way: Footnote "a" eliminated. (HHHH)

Footnote "b": Added language giving City Council the authority to require a six (6) foot high masonry wall or opaque fence in lieu of, or in conjunction with, a greenbelt. (XXX)

Footnote "c": Added language giving City Council the authority to require a seven (7) foot high masonry wall or opaque fence in lieu of, or in conjunction with, a greenbelt. (IIII)

Section 10.03(5)(E) Circumstances Requiring Construction of a Wall: Added language giving City Council the authority to require construction of a masonry screen wall where it is determined that a wall is needed to adequately buffer a developing district from the adjacent use or district. (YYY)

Section 10.03(5)(F) Separation Agreement: Added same language from Ordinance No. 543 that allowed for written agreements among the owners of property requiring installation of a protective wall or greenbelt and all adjacent residential property owners to waive the requirement for a period up to five (5) years. (ZZZ)

## Section 11.08 Zoning District Regulations

Section 11.08(2) Sign Regulations for C-1 Districts: Monument Signs: Sites comprised of one (1) building or multiple architecturally uniform buildings and sharing a common parking area: Maximum Area: Monument sign area increased from twenty (20) square feet to thirty (30) square feet. (AAAA)

## Section 13.13 City Planning Commission

Section 13.13(12) Site Plan Review and Approval: A) Authority: Added section requiring site plan review in N1, N2, RUF, NM1, NM2, NM3, P, C-1, C-2, C-3, C-4, ML, M-1 and M-2 districts. (BBBB)

Section 13.13(12)H) Application Fee: Deleted. This section was recently added to Code of Ordinances. (CCCC)

## Section 13.15 Amendments.

Section 13.15(6) Action by City Planning Commission; Notice; Public Hearing: Deleted requirement for City Clerk to provide inserts to applicants for public notification signs in the case of rezoning petitions. (DDDD)

**Approving Resolution:** That having conducted a public hearing with regard to Petition 2022-01-06-01, submitted by the City Planning Commission on its own motion pursuant to Section 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, and in accordance with Public Act 110 of 2006 (Michigan Zoning Enabling Act), as amended, to consider multiple revisions to the LIVONIA VISION 21 Zoning Ordinance, the City Planning Commission does hereby recommend approval of the Proposed Amendments Version 2.0, dated February 22, 2022, as prepared by the City of Livonia Planning Commission, for the following reasons:

1. That the proposed language amendments are needed to correct certain errors and omissions that were overlooked with the adoption of the original Livonia Vision 21 Zoning Ordinance.

2. That the proposed amendments add and delete certain provisions in a way that will serve to improve the effectiveness of the City's land use regulations.

3. That the proposed amendments will serve to further the implementation of the goals and objectives of the Livonia Vision 21 Master Plan and are in the best interests of the community as a whole.

4. That the proposed amendments to are in full compliance with the requirements of the Livonia Vision 21 Zoning Ordinance and the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended.

# LIVONIA VISION 21
# Zoning Ordinance

## City of Livonia, Michigan

*CITY COUNCIL ADOPTED AUGUST 23, 2021*

**Petition 2022-01-06-01**
**Proposed Amendments Version 2.0**
**February 22, 2022**


MCKENNA
151 South Rose Street, Suite 920
Kalamazoo, MI 49007
**O** 248.596.0920
**F** 248.596.0930
**E** info@mcka.com
MCKA.COM


MCKENNA

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# Acknowledgments

**Mayor**
Maureen Miller Brosnan

**City Council Members**
Kathleen E. McIntyre—*Council President*
Scott Bahr—*Council Vice President*
Rob Gjonaj Donovic
Jim Jolly
Brandon McCullough
Laura M. Toy
Cathy K. White

**Planning Commission Members**
Ian Wilshaw, Chairman
Glen W. Long, Jr.—*Vice Chairman*
Sam Caramagno—*Secretary*
David Bongero
Elizabeth McCue
Carol A. Smiley
Peter H. Ventura

**Zoning Board of Appeals Members**
Gregory G. Coppola—*Chairman*
James M. Baringhaus—*Vice Chairman*
Timothy J. Klisz, Secretary
Christopher N. Boloven
Lisa Fraske
Joel Turbiak
Michael Testa

**Technical Committee**
Ian Wilshaw—*Chairman, Planning Commission*
James M. Baringhaus—*Zoning Board of Appeals*
Michael E. Fisher—*Chief Assistant City Attorney*
Jerome Hanna—*Director of Inspection*
Mark Taormina—*Director of Planning and Economic Development*

**Consulting Planners: McKenna**
John Jackson, AICP —*President*
Paul Lippens AICP, NCI — *Project Manager*
Mike Campbell, RA — *Urban Designer*
Carrie Leitner—*Graphic Designer*
Hunter Whitehill—*Project Planner*
Cameron Carley—*Project Assistant*

MCKENNA

235 East Main Street, Suite 105
Northville, MI 48167
(248) 596-0920
**mcka.com**

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# Article I.
# Title, Purpose, and Scope

## Section 1.01 Short Title.

This Ordinance shall be known and may be cited as the LIVONIA VISION 21 Zoning Ordinance.

## Section 1.02 Purpose.

The comprehensive plan of this Ordinance is for the purpose of promoting public health, safety, morals, convenience, comfort, amenities, prosperity, and general welfare of the community and of a wholesome, serviceable, and attractive municipality. These purposes are attained by having regulations and restrictions that increase the safety and security of home life; that preserve and create a more favorable environment in which to rear children; that develop permanent good citizenship; that stabilize and enhance property and civic values; that provide for a more uniformly just land-use pattern and tax assessment basis; that facilitate adequate provisions for increased safety in traffic and for transportation, vehicular parking, parks, parkways, recreation, schools, public buildings, housing, light, air, water supply, sewerage, sanitation, and other public requirements that lessen congestion, disorder and danger which often inhere in unregulated municipal development; that prevent overcrowding of land and undue concentration of population; that assist in carrying out the Master Plan of the City of Livonia; and that provide more reasonable and serviceable means and methods of protecting and safeguarding the economic structure upon which the good of all depends. In order to more effectively protect and promote the general welfare and to accomplish the aims and purposes of this comprehensive plan, the City is divided into districts of such number, shape, and area, as well as, of such common unity of purpose and adaptability of use, that are deemed most suitable to provide for the best general civic use, protect the common rights and interests within each district, preserve the general rights and interests of all, and to promote improved wholesome, sightly, harmonious, and economic results in civic service, activities, and operations; and by further regulations to limit the location, uses and occupancy of buildings, structures and land to be used for trade, industry, residence or other purposes, and also the location, height, bulk, occupancy, and uses of buildings and other structures, including the percentage of plot occupancy and coverage, street setback lines, sizes of yards, and other open spaces.

## Section 1.03 Construction.

This Ordinance shall be liberally construed in such manner as to best effectuate its purpose. In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, convenience, comfort, prosperity, and general welfare. Whenever the requirements of this Ordinance impose requirements of lower heights of buildings, or a less percentage of lot that may be occupied, or require wider or larger courts, or deeper yards than are imposed or required by existing provisions of law or ordinance, the provisions of this Ordinance shall govern. Where, however, the provisions of the State Housing Code or other ordinance or regulations of the City of Livonia impose requirements for lower heights of buildings, or less percentage of lot that may be occupied, or require wider or larger courts, or deeper yards than are required by this Ordinance, the provisions of the State Housing Code or other ordinance or regulations shall govern. The provisions of this Ordinance shall be construed, if possible, in such manner as to make such provisions compatible and consistent with each other and likewise with the provisions of all existing and future ordinances of the City of Livonia, and all amendments thereto provided, however, that where any inconsistency or conflict cannot be avoided, then the most restrictive of such inconsistent or conflicting provisions shall control and prevail.

## Section 1.04 Enabling Authority.

This Ordinance is adopted pursuant to the Michigan Zoning Enabling Act, Act 110 of 2006, as amended; its predecessor statute, Act 208, Public Acts of Michigan, 1949, as amended; and Section I of Chapter II and Sections 11 and 20 of Chapter IV of the Charter of the City of Livonia. Said acts are hereby made a part of this Ordinance just as if they were word for word repeated herein.

# Article II.
# Definitions

## Section 2.01 General.

**(1) Definitions Pertaining to Grammatical Usage.**

**Meaning of Words and Phrases.** The words and phrases defined in this Article, when used in this Ordinance, shall, for the purpose of this Ordinance, have the meanings ascribed to them in this Article, except in those cases where the context clearly indicates a different meaning. Words used in the present tense include the future tense, words in the singular number include the plural number, words in the plural number include the singular number, and the word "shall" is always mandatory and not merely directory. The word "building" includes the word "structure," and the word "dwelling" includes the word "residence." The word "lot" includes the word “plot” or “parcel.” Terms not herein defined shall have the meaning customarily assigned to them.

**Occupied and Used.** The word "occupied”, and the word "used" shall each be considered and construed as though followed by the words "or intended, arranged, or designed to be used or occupied."

**Person.** The word "person" shall include any individual, firm, co-partnership, corporation, company, association, club, joint venture, estate, trust, or any other group or combination acting as a unit, and the individuals constituting such group or unit and the plural as well as the singular number; the singular masculine pronoun, the singular feminine pronoun, and the corresponding plural pronouns shall include the masculine, feminine, neuter and plural unless the intention to give a more limited meaning is disclosed by the context.

**(2) Definitions of General Zoning Terms.**

**Board of Appeals.** The Zoning Board of Appeals operating pursuant to the provisions of Michigan Zoning Enabling Act, MCL 125.3101, et seq, as amended.

**Building Official.** The Director of the Department of Inspection or any of his or her duly authorized assistants.

**Department of Inspection.** The Department of Inspection of the City of Livonia.

**Family.** A family is any number of persons living together in a single dwelling unit comprising a single housekeeping unit and related by blood, marriage, adoption, or any unrelated person who resides therein as though a member of the family and including the domestic employees thereof. Any group of persons not so related but inhabiting a single dwelling unit shall, for the purpose of this Ordinance, be considered to constitute one (1) family for each five (5) persons exclusive of domestic employees contained in such group.

**Future Transportation Map.** Current adopted Future Transportation Map included in the Livonia Vision 21 Master Plan, as amended.

**Non-Conforming Building.** A building or structure, lawfully existing at the time of enactment of this Ordinance or a subsequent amendment thereto, that does not conform to the regulations or provisions of this Ordinance applicable to the zoning district in which it is located.

**Non-Conforming Use.** A use of a building, structure, or of a tract of land, lawfully existing at the time of enactment of this Ordinance or a subsequent amendment thereto, that does not conform to the regulations or provisions of this Ordinance applicable to the zoning district in which it is situated.

**Planning Commission.** The City Planning Commission operating pursuant to the provisions of the Michigan Planning Enabling Act, MCL 125.3801, et. seq, as amended.

**Plat.** A map or chart of a subdivision of land.

**Platted Subdivision.** A parcel or tract of land which has been partitioned or divided by the proprietor thereof or by his or her heirs, executors, administrator, legal representative, successors, or assigns for the purpose of sale or of building development where the act of division created parcels in accordance with the provisions of MCL 560.101, et seq, as amended, being the "Land Division Act."

**Single Ownership.** Ownership by a person or by two or more members of the same family of a lot of record which is completely isolated from any other property held by the same person or persons.

**Subdivision Regulations.** Regulations and amendments thereto adopted by the City Planning Commission and authorized by the Michigan Planning Enabling Act, MCL 125.3801, et seq, as amended and Land Division Act, MCL 560.101, et seq, as amended.

**Use.** The purpose for which land or buildings thereon are designed, arranged, or intended to be occupied, used, or for which they are occupied or maintained.

**Variance.** A modification of the literal provisions of the Zoning Ordinance granted by the Board of Appeals when in its judgment the strict enforcement of the Zoning Ordinance would cause practical difficulty or undue hardship owing to circumstances unique to the individual property on which the variance is granted.

**Waiver Use.** Uses as enumerated under the zoning district that are permitted upon review and submission of findings by the City Planning Commission and approved by the City Council. Waiver uses are synonymous to special land uses, as defined in Section 125.3502 of the Michigan Zoning Enabling Act.

**Waiver Use Open Space Planned Residential Development.** The variation of residential zoning district requirements so as to achieve greater flexibility in the creation of open space and improved design without increasing density.

**(3) Definitions Pertaining to Rights-of-Way and Public Utilities.**

**Alley.** A passage or way open to public travel, not more than thirty (30) feet wide, affording a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

**Cul-de-sac.** A street with only one (1) outlet having sufficient space at the closed end to provide vehicular turning facilities.

**Essential Services.** The construction, alteration, or maintenance by private companies, municipal departments, or commissions of the various transmission, distribution, or disposal systems that are necessary for the preservation of the public health, safety, or general welfare, such as gas, electricity, telephone, telegraph, fire alarm, steam, water and sewage. This term shall also include all poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, emergency outdoor warning sirens, and other similar equipment or accessories reasonably necessary for the furnishing of adequate service by such private company, municipal department, or commission, but it shall not be deemed to include buildings or public utility substations. This term shall not include telecommunication towers, solar energy facilities, and wind energy conversion systems.

**Major Thoroughfare.** An arterial street intended to serve as a large volume trafficway for both the City of Livonia and the region beyond and which may be designated as a parkway, freeway, expressway, arterial highway, arterial street, special arterial, city major, or equivalent term for identification purposes. Any street with a width, either existing or proposed (as shown on the Future Transportation Map) of one hundred (100) feet or more shall be considered a master or major thoroughfare.

**Minor Street.** A street designated as a minor street pursuant to Act 51 of the Public Acts of 1951 intended primarily for providing access to abutting properties. A “Minor Street” includes a street supplementary to a secondary street intended to serve the local needs of the neighborhood and of limited continuity used primarily as access to abutting residential properties.

**Public Utility.** Any person, firm, corporation, municipal department, or board, duly authorized to furnish and furnishing general community services to the public, under state or municipal regulations, including, but not restricted to, electrical, gas, steam, communication, transportation, sewer, or water service. Telecommunication towers, small wireless communication facilities, solar energy facilities, and wind energy conversion systems are not public utilities.

**Public Utility Buildings.** This term shall include telephone exchange buildings, transformer stations and substations, gas regulator stations, and similar structures.

**Street.** A dedicated and accepted public thoroughfare, other than a public alley, open to public travel, whether designated as a road, avenue, highway, boulevard, drive, lane, circle, place, court, terrace, or any similar designation, having a right-of-way at least thirty (30) feet in width. A street may also accommodate non-motorized traffic.

**(4) Definitions of Basic Types of Buildings and Uses.**

**Accessory Buildings and Structures.** A subordinate building or structure whether attached, detached, or a subordinate adjunct to the principal building.

**Building, Principal.** A building or, where the context so indicates, a group of buildings in which the main or principal use of the lot is conducted.

**Educational Uses.** Uses that provide educational services, such as public libraries, public primary and secondary schools, and publicly owned and operated institutions of higher learning.

**General Farming.** Standard farming activities such as horticulture, dairying, livestock and poultry raising, farm forestry, and similar bona fide agricultural enterprises or uses of land and structures, except farms operated wholly or in part for the disposal of garbage, sewage, rubbish, offal, and wastes from rendering plants.

**Use, Accessory.** A use normally incidental to, and subordinate to the principal use of the premises.

**Use, Principal.** The primary and chief purpose for which a lot is used.

**Temporary Use, Temporary Building, Temporary Structure.** A structure building or use permitted by the City Building Official or City Council to exist during periods of construction of the principal use, for special events, or purposes, which shall not exceed one (1) year unless otherwise permitted or extended by the City Council. Temporary uses shall be only those which are clearly short duration.

**(5) Definitions of Basic Building and Structural Terms.**

**Alterations.** A change, addition, or modification in construction or type of occupancy. Any change in the structural members of a building, such as walls, partitions, columns, beams, or girders, the consummated act of which may be referred to herein as "altered" or "reconstructed."

**Basement.** That portion of a building which is wholly or partly below the average grade of the ground level adjoining the building is a basement when the height from the grade up to the first floor level is less than the height from the grade level down to the floor; provided, however, that if the height from the grade level to the first floor level is five (5) feet or more, such basement shall be considered a story.

**Building.** Any structure, either temporary or permanent, having a roof and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind. This shall include tents, awnings or vehicles situated on private property and used for purposes of a building.

**Building Area.** That portion of the lot occupied by the main building, accessory building, and other structures. The term is synonymous with lot coverage.

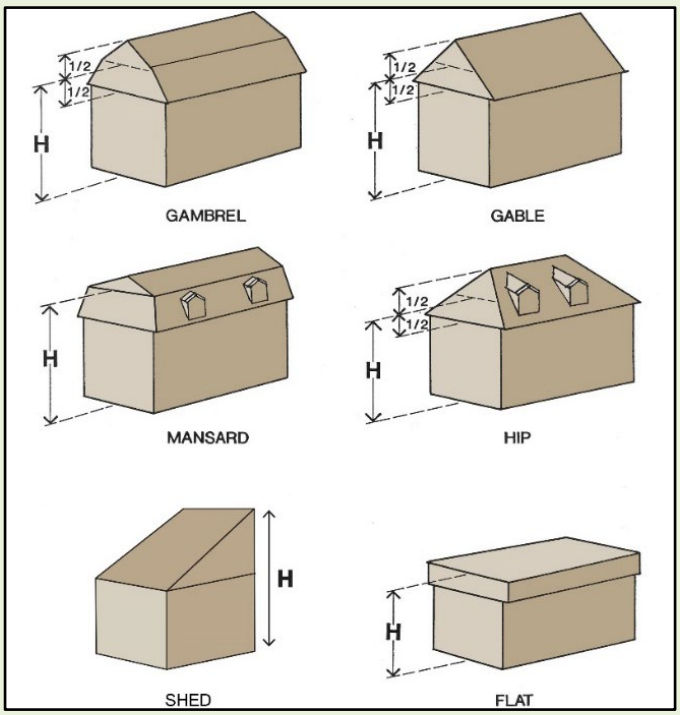
**Building, Front of.** That façade of a building most nearly parallel to and nearest the front lot line.

**Building Height.** The vertical distance between the average grade (see definition of “Grade”) and the highest point of the roof surface for flat roofs; to the deck line of Mansard roofs; the average height between eaves and ridge for gable, hip, and gambrel roofs; and the average height between the lowest point and the highest point on a shed roof.

**Building Line.** The line formed by the outer surface of a building, structure, or enclosure wall at ground level.

**Erected.** The word "erected" includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill drainage, and the like, shall be considered a part of erection.

**Grade, Finished.** The final elevation of ground surface after man-made alterations to a site in conformance with the approved plans or designs relating thereto.




**Grade, Natural.** The elevation of the undisturbed natural surface of the ground prior to any excavation or fill.

**Mezzanine.** An intermediate floor in any story occupying not to exceed one-third (1/3) of the floor area of such story.

**Soil.** Includes land, earth, dirt, clay, sand, gravel, soil components, minerals, and kindred substances.

**Story.** That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, or any portion of a building between the upper surface of the topmost floor and the ceiling above it.

**Story, Half.** A half story is an uppermost story lying under a sloping roof, the usable floor area of which does not exceed seventy-five (75) per cent of the floor area of the story immediately below it.

**Structure.** A structure is anything erected or constructed which requires permanent location on the ground or attachment to something having such location.

**Usable Floor Area, Non-Residential.** The measurement of usable floor area for non-residential uses shall be the sum of the area of the first floor, as measured to the exterior face of the exterior walls, plus that area, similarly measured, of all other stories that are accessible by a fixed stairway, ramp, escalator or elevator, which may be made fit for occupancy. The measurement shall include the floor area of all accessory buildings measured similarly.

**Usable Floor Area, Residential.** The measurement of usable floor area for residential uses shall be the sum of the area of the first floor, as measured to the exterior face of the exterior walls, plus that area, similarly measured, of all other stories having more than ninety (90) inches of headroom that are accessible by a fixed stairway and which may be made usable for human habitation, but excluding the floor area of uninhabitable basements, cellars, garages, accessory buildings, attics, unenclosed breezeways, and unenclosed porches.

**Utility Room.** A utility room, or space, is a room, or space, located other than in the basement, specifically designed and constructed to house any home utilities such as the heating unit and laundry facilities.

**(6) Definitions Pertaining to Lots and Areas.**

**Lot.** An area of land, which may consist of lots of record and/or parcels or parts thereof, occupied or intended for occupancy by not more than one main building or dwelling unit, unless otherwise specifically provided in this Ordinance.

**Lot, Area.** The total horizontal area within the lot lines of a lot.

**Lot, Corner**. A lot located at the intersection of two (2) or more streets where the corner interior angle formed by the intersection of the two (2) streets is one hundred thirty-five (135) degrees or less; or a lot abutting upon a curved street or streets if tangents to the curve at the two (2) points where the lot lines meet the curve, form an interior angle of less than one hundred thirty-five (135) degrees.

**Lot Coverage.** That part or percent of the lot occupied by buildings, including accessory buildings. See Figure below.

**Lot Depth.** The average depth of a lot.

**Lot, Double Frontage.** An interior lot having a street line for both the front lot line and the rear lot line.

**Lot, Interior.** An interior lot is a lot other than a corner lot.

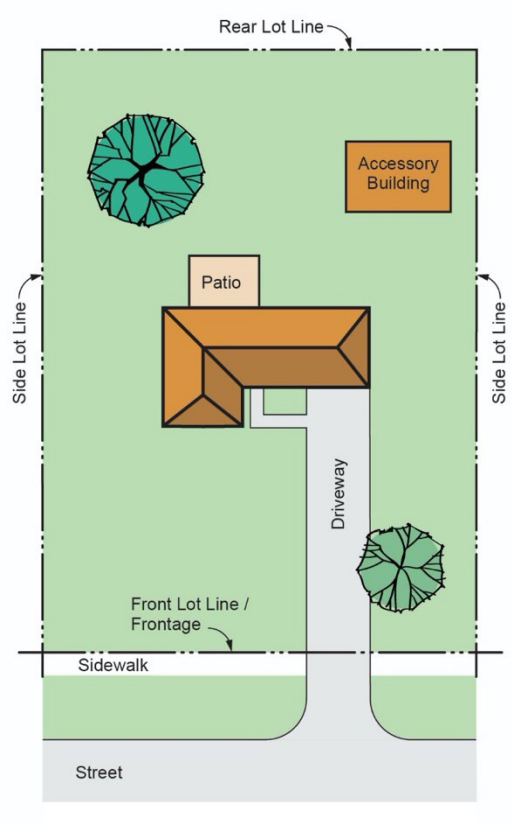
**Lot of Record.** A lot of record is a lot the dimensions of which are shown on a plat recorded in the office of the Register of Deeds prior to the effective date of this Ordinance, and which actually exists as so shown.

**Lot Lines.** The lines bounding a lot as defined herein. In case a recorded ownership is to the center line of a public thoroughfare, the lot line, for the purposes of this Ordinance, shall be the outside line of the right-of-way as shown on the Future Transportation Map.

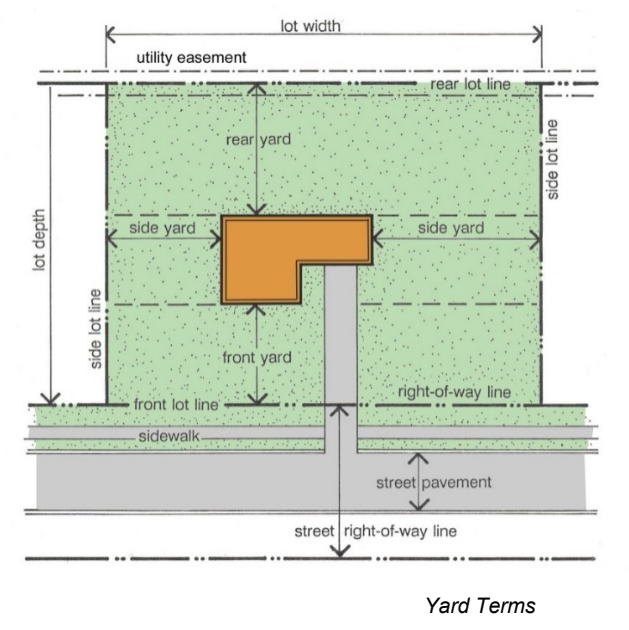
**Lot Line, Front.** The line abutting a street. On a corner lot the shorter street line shall be considered the front lot line. Where new street lines are established by ordinance or the Future Transportation Map of the City of Livonia, such lines shall be the front lot line. See Figure above.

**Lot Line, Rear.** The rear lot line is that boundary which is opposite and most distant from the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be that assumed line parallel to the front lot line, not less than ten (10) feet long, lying most distant from the front lot line and wholly within the lot. See Figure above.

**Lot Line, Side.** A side lot line is any lot boundary line not a front lot line or a rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot, or lots is an interior lot line. See Figure above.




*Lot Terms*




*Yard Terms*

**Lot Width.** The shortest straight-line dimension of a lot measured between side lot lines at the distance required for a front yard, but not encroaching into the setback, in the district in which the lot is located.

**Outlot.** An outlot is a parcel of land which must be designated on a recorded plat as an outlot before it may be legally considered as such.

**Setback.** The minimum required horizontal distance between the foundation of a building or other structure, excluding allowable projections and encroachments, and the front, side, or rear lot line or right-of-way line.

**Setback Lines.** A line marking the setback distance from the lot lines which establishes the minimum required front, side, or rear yards of a lot.

**Yards.** The open spaces on the same lot with a principal building are established by and between the lot lines and the required building setback lines and which are open, unoccupied, and unobstructed by any structure or any part thereof from the ground upward, except as may otherwise be provided in this Ordinance.

**Yard, Front.** A front yard is an open space extending the full width of a lot and of a uniform depth equal to required setback line as measured horizontally and perpendicular to the front lot line, unoccupied from the ground upward except as hereinafter specified. See Figure below.

**Yard, Rear.** A rear yard is an open space extending the full width of a lot and of a uniform depth equal to the required setback line measured horizontally and perpendicular to the rear lot line, unoccupied from the ground upward except as hereinafter specified. See Figure to the right.

**Yard, Side.** A side yard is an open space extending from the front yard to the rear yard and of a uniform width equal to the required setback line measured horizontally and perpendicular to the side lot line, unoccupied from the ground upward except as hereinafter specified. See Figure to the right.

**(7) Definitions Pertaining to Types of Dwellings.**

**Apartments.** A suite of rooms forming one residence, typically in a building containing a number of these.

**Condominium.** A form of property ownership in which dwelling units are owned individually but the associated land (limited and common) and common elements in the structure are owned jointly.

**Congregate Elderly Housing.** Apartments and dwellings for the elderly with communal dining facilities and services, such as housekeeping, organized social and recreational room(s) and activities, transportation services, and other support services appropriate for the residents under common management.

**Dwelling, Converted.** A "converted dwelling" is a building containing more dwelling units than the number for which it was originally designed and constructed.

**Dwelling, Multiple Family.** A building containing three (3) or more dwelling units arranged either side by side or one above the other.

**Dwelling, One-Family.** A separate detached building designed exclusively for and containing only one (1) dwelling unit.

**Dwelling, Two-Family.** A separate detached building designed exclusively for and containing only two (2) dwelling units, each of which is independent from the other.

**Dwelling Unit.** Any room or group of rooms located within a dwelling and forming a residential household unit with facilities that are used or intended to be used for living, sleeping, cooking, and eating, with a restroom(s) and bathing facility(ies) to be utilized by a family, a household unit as that term is defined in this Chapter, or three or more unrelated individuals. A building or portion thereof designed as a unit for occupancy by only one (1) family for residential living purposes and having principal kitchen facilities.

**Independent Elderly Housing.** Attached or detached dwellings (apartment, townhouse, or single-family structures) occupied by elderly persons in good health who desire and are capable of maintaining independent households as part of a planned development and provided with qualified management services, such as security, housekeeping, and recreational and social activities, to maintain the premises.

**Mobile Home.** A structure, transportable in one (1) or more sections, which is built on a chassis and is designed to be used as a one-family dwelling, with or without a permanent foundation, when connected to the required utilities, and which includes the plumbing, heating, air conditioning and electrical systems contained in the structure.

**Mobile Home Park.** A parcel or tract of land under the control of a person upon which three (3) or more mobile homes are located on a continual non-recreational basis, and which is offered to the public for that purpose regardless of whether a charge is made therefor, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incidental to the occupancy of a mobile home and which is not intended for use as a temporary trailer park.

**Modular Home.** A structure, transportable in two (2) or more sections and designed to be used as a one-family dwelling with a permanent foundation.

**Senior Assisted Living Facility.** Elderly residences that provide 24-hour supervision and are designed and operated for elderly people who require some level of support for daily living. Such support shall include meals, security, and housekeeping, and may include daily personal care, transportation, and other support services, where needed. Individual dwellings may contain kitchen facilities.

**Site Condominium.** Any development which is (i) exempt, pursuant to MCL 559.110(1), being Section 10(1) of the Condominium Act, MCL 559.101, et seq ., from the provisions of the Land Division Act, MCL 560.101, et seq., and (ii) not a condominium as that term is used in *Section 2.01 (7)* of this Ordinance, and shall include, but not be limited to, one-family dwellings.

**(8) Definitions of Terms Relating to Commercial Buildings and Uses.**

**Adult Businesses:**

A) **Adult Bookstore.** An establishment housing as a substantial or significant portion of its stock in trade, books, magazines, periodicals, or other materials which are distinguished or characterized by their emphasis on sexually explicit matter, or an establishment with a segment or section devoted to the sale or display of such material.

B) **Adult Motion Picture Theater.** An enclosed building with a capacity of four hundred (400) or more persons used for the presentation of material that has a dominant theme which is distinguished or characterized by an emphasis on the depicting or describing of sexually explicit matter, for observation by patrons therein.

C) **Adult-oriented Merchandise.** Goods, products, commodities, or other ware, including, but not limited to videos, CD ROMs, DVDs, computer disks or other storage devices, magazines, books, pamphlets, posters, cards, periodicals, or non-clothing novelties which depict, describe, or simulate sexual activities.

D) **Adult-oriented Retail.** An enclosed building or any portion thereof which for money, including any portion thereof, or any other form of consideration, devotes a significant or substantial portion of stock in trade to the sale, exchange, rental, loan, trade, transfer, or viewing of adult-oriented merchandise.

**Antique Store.** A retail establishment selling objects made in a bygone period having special value because of their age.

**Artisan, Craftsman, Printing, Engraving Shops, and other similar uses.** A service that requires a skilled trade, especially one that involves making things by hand.

**Bakeries, Dairies, Creameries, Soft Drink and Bottling Plants, and other similar uses.** Retail stores where bread and cakes are made and sold; establishments for the storage, processing, and distribution of milk and milk products at said retail stores; and the production and manufacturing of soft drinks and bottles to be sold at retail stores.

**Consignment Shop.** A store that sells Second-hand items (typically clothing and accessories) on behalf of the original owner, who receives a percentage of the selling price.

**Escort Services.** An establishment which provides the services of escorting members for payment of a fee.

**Garage, Community**. A community garage is a structure or a series of structures, for the storage of motor vehicles, having no public shop or services in connection therewith, and separated into compartments or sections with separate vehicular entrances, for the use of two (2) or more owners or occupants of property in the vicinity.

**Garage, Public.** A public garage is a structure, other than a private or community garage, for the storage, care, repair, or refinishing of motor vehicles. Except that a structure or room used solely for the display and sale of such vehicles, in which they are not operated under their own power and in connection with which there is no repair, maintenance, or refinishing service or storage of vehicles other than those displayed, shall not be considered a garage for the purposes of this Ordinance.

**Gasoline Service Station.** Buildings or premises, or portions thereof, arranged or designed to be used for the retail sale of oil, gasoline, or other fuel for the propulsion or lubrication of motor vehicles, including facilities for changing of tires, tube repairing, polishing, greasing, washing, or minor servicing of such motor vehicles, but excluding high-speed automotive washing, high-speed automotive steam cleaning, body repairing, chassis repairing, and bumping and painting.

**Home Occupation.** Any use customarily conducted entirely within a dwelling unit by the inhabitant thereof which is incidental and secondary to the use of the dwelling unit for dwelling purposes not requiring internal or external alterations or construction features or the use of equipment, machinery, outdoor storage, or signs not customary in residential areas. Clinics, hospitals, barber shops, beauty parlors, tea rooms, tourist homes, bed and breakfast establishments, animal hospitals, kennels, and uses of similar character shall not be deemed to be home occupations.

**Hotel.** An establishment providing accommodations, meals, and other services for travelers and tourists.

**Ice Cream Parlor.** An ice cream parlor is any establishment where ice cream (which may be in bulk form), desserts, confectioneries, packaged dairy products, and beverages are sold and which ice cream, desserts, confectioneries, and beverages may be consumed in the establishment at chairs and tables located within the premises only; provided, however, that there shall be no in-car customer service on the premises, and provided, further, that no food other than that enumerated above shall be consumed on the premises.

**Indoor recreational activities.** Indoor commercial amusement services such as but not limited to bowling alleys; billiard parlors and poolrooms; and swimming pools.

**Junkyard.** Place, structure, or parcel of land where junk, waste, discarded, salvaged, or similar materials, such as old iron or other metal, wood, lumber, glass, paper, rags, cloth, bagging, cordage, barrels, containers, etc., are bought, sold, exchanged, baled, packed, disassembled, or handled. Including auto wrecking yards, used lumber yards, house wrecking yards, and places or yards for use of salvaged house wrecking and structural steel materials, and equipment; excluding pawn shops, establishments for the sale, purchase or storage of used cars, salvaged machinery, used furniture, radios, stoves, refrigerators, or similar household goods, and the processing of used, discarded or salvaged materials as part of manufacturing operations.

**Kennel.** A kennel is a building, pen or enclosure used for the keeping, sheltering, maintaining, or boarding of four (4) or more dogs, or for the keeping or boarding of any number of dogs as a regular business. The term "kennel" shall not include the keeping or maintaining of puppies less than three (3) months old when borne by dogs which are legal accessory house pets.

**Loading Space.** An off-street space on the same lot with a building or group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or vehicles.

**Massage Establishment.** A place where manipulated massage or manipulated exercises are practiced for pay upon the human body by anyone using mechanical, therapeutic, or bathing devices or techniques, other than the following: a duly licensed physician, osteopath, or chiropractor; a registered or practical nurse operating under a physician's directions; or, registered physical or occupational therapist or speech pathologist who treats patients referred by a licensed physician and operates only under such physician's direction. Massage establishments, as defined herein, shall not include properly licensed hospitals, medical clinics, nursing homes, beauty salons, barber shops, tanning and/or nail salons, athletic clubs, or other licensed facilities where massages are administered as an incidental or accessory use to the main use of the premises, provided, that the facility maintains a separate room equipped with appliances and apparatus for massages and; provided further, that the massages are administered only by massage therapists who are licensed by the State of Michigan and have and continue to satisfy all the requirements and abide by all the restrictions and prohibitions set forth in the Mich. Admin. Code R 338.701 through R 338.727 inclusive, as amended; and, provided further, that the establishment or facility has obtained a separate zoning compliance permit from the Inspection Department for this use on an annual basis. Massage establishments, as defined herein, shall also not include offices where occasional chair massages are administered as an incidental or accessory use to the main use of the premises as long as the massages are administered only by massage therapists who are licensed by the State of Michigan and have and continue to satisfy all the requirements and abide by all the restrictions and prohibitions set forth in the Mich. Admin. Code R 338.701 through R 338.727 inclusive, as amended.

**Motel.** A motel is a building or group of buildings, cabins, courts or similar structures, containing primarily rooming units with the number of dwelling units being not greater than ten percent (10%) of the total number of rooming units, and designed, intended and actually used, if at all, for the provision of sleeping accommodations for travelers and auxiliary facilities for the person or persons in charge of such motel. The term "motel" shall include tourist cabins, motor courts, automobile courts, auto cabins, motor lodges, and similar facilities within this definition, but it shall not include tourist homes, bed and breakfast establishments, rooming houses, boarding houses, multiple dwellings, or hotels.

**Nursery.** Any grounds or premises on or in which nursery stock is propagated, grown, or cultivated for the purpose of distributing and/or selling the same as a business and required to be licensed under Insect Pest and Plant Disease Act, MCL 286.201, et seq., as amended.

**Office Business.** Place of business where professional or clerical duties are performed. Includes but not limited to advertising offices and businesses; consumer credit reporting agencies and offices; and telephone and public utility business offices.

**Outdoor Dining Areas.** Use of an adjacent, outside area by a food or beverage establishment for the same eating and drinking activities that occur within the establishment.

**Paint Shops, Automotive.** A service shop where vehicles and parts are painted, typically by spraying.

**Payday Lenders.** Any business licensed pursuant to the deferred presentment service transactions act, MCL 487.2121, et. Seq.

**Places of Assembly.** Shall include limited service and full-service restaurants; banquet facilities; business schools, colleges, and trade schools; auditoriums and theaters; lodge halls, social clubs, and fraternal organizations; and religious institutions.

**Restaurants:**

A) **Full-Service Restaurant.** A structure or portion of a structure which is maintained, operated, and advertised or held out to the public as a place where food, confections, frozen dessert, and beverages are served and consumed at chairs and tables primarily within the structure and which has a minimum seating capacity for more than thirty (30) persons.

B) **Limited Service Restaurant.** A structure or portion of a structure which is maintained, operated, and advertised or held out to the public as a place where food, confections, frozen dessert, and beverages are served and consumed within the structure, and which has seating for no more than thirty (30) persons.

C) **Carry-out Restaurant.** A structure which is maintained, operated, and advertised or held out to the public as a place where the principal activity is food, confections, frozen dessert and beverage take-out service and which includes, as an accessory use, a dining or eating area which has seating for no more than twelve (12) persons, where food and beverages may be selected and consumed within the structure.

D) **Drive-In Restaurant.** Any establishment where food, confections, frozen dessert, and/or beverages are served to customers while seated in their motor vehicles upon the premises. It shall also include any establishment where the customers may serve themselves and are permitted to consume food and beverage in a motor vehicle parked on the premises or at other facilities which are provided for the use of the patron for the purpose of consumption, and which are located outside of the building.

E) **Drive-Thru Restaurant.** A structure or portion of a structure which is maintained, operated, and advertised or held out to the public as a place where food, confections, frozen dessert, and/or beverages are purchased by customers from a drive-up window while seated in their motor vehicle and where no consumption of such food or beverage, when purchased at the drive-thru, shall take place anywhere on the site or within the structure.

**Retail Sales.** A business that sells commodities or goods to the public for personal, household, or business consumption. Includes but not limited to automobile accessory stores; monument sales, not including stone cutting; and office equipment sales.

**Retail Sales and Service Incidental to Trades in which a workshop is required.** A business that sells commodities or goods in small quantities to the public for personal, household, or business consumption that also includes a workshop. Includes but not limited to air conditioning sales, service and repair shops; electrical and lighting fixture sales, service, and repair shops; lawnmower sales, service and repair shops; and office equipment sales, service, and repair establishments.

**Retail Services.** Retailing that focuses on services rather than goods. Includes but not limited to blueprint, photostat, and photo-copying establishments; dry cleaning stores (including coin-operated) and plants; and exterminating services and shops.

**Retail Stores.** A place of business usually owned and operated by a retailer but sometimes owned and operated by a manufacturer or by someone other than a retailer in which merchandise is sold primarily to ultimate consumers. Includes but not limited to antique shops, with no outside storage; bicycle stores, including sales, rental, and repairs; candy, confectionery stores, and ice cream parlors; electrical and household appliance stores; garden supply and seed stores; locksmith shops; orthopedic and medical supply stores, not including assembly or manufacture of such articles; and sporting goods stores.

**Sexually Explicit Matter.** "Sexually explicit matter," as defined in MCL 722.673, as amended. All definitions therein are hereby adopted and included herein by reference.

**Specially Designated Distributor (S.D.D).** A person engaged in an established business licensed by the Michigan Liquor Control Commission pursuant to Michigan Public Act 58 of 1998, as amended, to distribute spirits and mixed spirit drink in the original package for consumption off the premises.

**Specially Designated Merchant (S.D.M.).** A person engaged in an established business licensed by the Michigan Liquor Control Commission pursuant to Michigan Public Act 58 of 1998, as amended, to sell beer or wine, or both, at retail for consumption off the licensed premises.

**Storage.** The keeping of goods, merchandise, or materials for subsequent sale, distribution or use on the site wherein said goods, merchandise, or materials are stored.

**Theater.** An enclosed building used principally for presenting performances or motion pictures which are observed by paying patrons from seats situated within the building.

**Theater, Drive-In.** An open-air theater constructed and operated in an established location, without cover or roof, displaying motion pictures for the general public who view the screen or stage while seated in automobiles. The term as used herein shall mean and include the entire premises upon which such theater is constructed, including parking areas, and all other facilities accessory to such business but excluding driveways and marquees.

**Used Car Lot.** A used car lot shall include and refer to any lot or parcel of land, or to any part thereof, used for the identification, exchange, or sale of used motor vehicles or used house trailers of any description whatsoever.

**Wholesale Business Uses.** The sale of goods or merchandise to retailers; to industrial, commercial, institutional, or other professional business users; or to other wholesalers. Includes but not limited to candy, jewelry, and tobacco products.

## Section 2.02 Specific Terms.

**(1) Definitions of Parking Terms.**

**Off-street Parking Lot.** A facility providing vehicular parking spaces with adequate drives and aisles for maneuvering, so as to provide access for entrance and exits for the parking of more than two (2) vehicles. Off-street parking lots must be durable and smooth.

**Parking Space.** An area suitable for the parking of a motor vehicle with a driveway connecting such parking space with a street or alley, arranged to facilitate the convenient and safe ingress and egress of a motor vehicle. The minimum area required above shall be exclusive of necessary driveways, aisles, or maneuvering areas for all uses other than one- and two-family dwellings.

**(2) Definition of Miscellaneous Terms.**

**Adult Foster Care Facility.** A governmental or nongovernmental establishment that provides foster care to adults. Subject to Michigan Public Act 218 of 1979, as amended, and MCL 400.701, et seq, adult foster care facilities include facilities and foster care family homes for adults who are aged, mentally ill, developmentally disabled, or physically disabled, who require supervision on an ongoing basis but who do not require continuous nursing care. An adult foster care facility does not include a nursing home, home for the aged, hospital, hospital for the mentally ill, facility for the developmentally disabled, county infirmary, child caring institution, an establishment commonly described as an alcohol or substance abuse rehabilitation center, a residential facility for persons released from or assigned to adult correctional institution, or any other use excluded under Act 218 of 1979, as amended.

**Agriculture.** The art and science of cultivating the ground, the production of crops or livestock, and the processing of milk produced on the farm on which the processing is located, excluding, however, commercial greenhouses, the sale of nursery stock, riding stables, mink or fox or similar fur farms, hog or poultry farms using garbage as the principal source of feed, and dairy processing operations.

**Automobile Car Wash Establishment.** A facility for the washing or cleaning of vehicles. A car wash may be:

A) a single unit type which has a single bay or a group of single bays with each bay to accommodate one vehicle only where a person uses a high-pressure hose to wash the vehicle by hand; or

B) an automated single unit type which has a single bay to accommodate one vehicle at a time; or

C) a tunnel unit type which allows washing of multiple vehicles in a tandem arrangement while moving through the structure.

**Automobile or Vehicle Dealership.** A business that sells new or used cars at the retail level. It may also provide maintenance services for cars and employ automotive technicians to stock and sell spare automobile parts and process warranty claims.

**Automobile Service Station.** A complex used for the sale of gasoline or other motor fuels, oils, lubricants, and auto accessories; and which may or may not include washing, lubricating, and other minor servicing except for automobile body work.

**Bed and Breakfast Establishment.** An owner-occupied dwelling where no more than 5 (five) guest rooms are made available for the temporary accommodation of the traveling or vacationing public. Such an establishment may offer meals only to those persons temporarily residing at the establishment. See also definition of "Bed and Breakfast Inn" and "Homestay."

A) **Bed and Breakfast Inn.** A structure primarily used for lodging purposes where the use as a residence is clearly secondary. A structure where more than 5 (five) but not more than 30 (thirty) guest rooms are made available for the temporary accommodation of the traveling or vacationing public. Such an establishment may offer meals to the public and persons temporarily residing at the establishment. See also definition of "Bed and Breakfast Establishment" and "Homestay."

B) **Homestay.** An owner-occupied, single-family dwelling, or a dwelling unit in a duplex or multi-family dwelling structure, that may rent up to three (3) single bedrooms with bathroom access for overnight accommodates for periods as short as one overnight stay. Meals are not provided with rental, but kitchen and/or dining facilities may be available for guests to prepare their own meals. Only properties that have received approval of a rental registration application are recognized as a Homestay for purposes of complying with City of Livonia ordinances. See also definition of "Bed and Breakfast Establishment" and "Bed and Breakfast Inn."

**Breezeway.** A roofed outdoor passage, as between a house and a garage.

**Bulk Storage.** Goods for sale, storage, or display that have a large size, mass, or volume and are not easily moved or carried, such as railroad ties, large bags of feed, fertilizer, wood, sand, gravel, stone, lumber, equipment, and other similar materials and supplies.

**Caregiver Grow Facility**. An enclosed, locked facility in which a "caregiver" or "patient," as those terms are used in the Michigan Medical Marihuana Act, Initiated Law 1, MCL 333.226421, et seq, cultivates marijuana.

**Electric Vehicle (EV) Charging Station or Port**. Equipment that connects a single electric or plug-in hybrid vehicle to a source of electricity.

**Enclosed.** Surrounded or closed off on all sides.

**Establishments for the distribution of or the packaging, assembling, secondary processing, alteration, or repair.** Includes but not limited to printing, publishing and related products; glass products made of purchased glass; and professional, scientific, and control instruments and parts; toys; amusement; sporting and athletic goods; office and artist materials; and jewelry and notions.

**Exotic Vehicle.** An investment-grade sport or luxury automobile specially made or produced in sufficiently limited numbers to be recognized for rarity, beauty, and general distinction.

**Family Child Care Home.** As defined by Public Act 1973, No. 116 of the State of Michigan, MCL 722.111, et seq, as amended, as a private home in which one (1) but fewer than seven (7) minor children are received for care and supervision for periods of less than twenty-four (24) hours a day, unattended by a parent or legal guardian, for more than four (4) weeks during a calendar year, except children related to an adult member of the family by blood, marriage, or adoption.

**Farm.** A farm is a platted or unplatted parcel of land more than three (3) acres, in area in single ownership or single operation, on which agriculture takes place.

**Fence.** An artificially constructed physical barrier used to contain or enclose an area for protective measures, privacy, decorative purposes, or to mark a boundary.

**Food Truck.** A large-wheeled vehicle from which food is sold that typically contains cooking facilities where the food is prepared.

**Garage, Private.** A private garage is a structure bearing a garage door and typically designed for the storage principally of non-commercial motor vehicles having no public shop or services in connection therewith.

**Group Day Care Home.** As defined by 1973 PA 116, of the State of Michigan, as amended, and MCL 722.111, et seq, as a private home in which more than six (6) but not more than twelve (12) minor children are given care and supervision for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian, for more than four (4) weeks during a calendar year, except children related to an adult member of the family by blood, marriage or adoption.

**Heavy Manufacturing.** Heavy manufacturing means primarily moderate- and high-impact industrial uses that need to be separated from residential and other uses due to potential land use conflicts. Heavy manufacturing usually means continuous processing, as in the assembly of motor vehicles or the manufacture of chemicals, and may involve the manufacture, processing or packaging of raw or unprocessed materials which that are inherently dangerous or hazardous due to flammability, radioactivity, explosiveness, or toxicity. This category shall also include any establishment or facility using large unscreened outdoor structures such as conveyor belt systems, cooling towers, cranes, storage silos, or similar equipment, that cannot be integrated into the building design, or engaging in largescale outdoor storage. Any industrial use that generates noise, odor, vibration, illumination, or particulate that may be offensive or obnoxious to adjacent land uses or requires a significant amount of on-site hazardous chemical storage, shall be classified under this land use. This use shall include any packaging of the product being manufactured on-site. Examples include but are not limited to the production of the following: large-scale food and beverage operations, lumber, milling, and planning facilities; aggregate, concrete, and asphalt plants; foundries, forge shops, open air welding, and other intensive metal fabrication facilities; chemical blending, mixing, or production, and plastic processing and production.

**Helicopter.** A vehicle where support in the air is derived from the vertical component of the force produced by airfoils mechanically rotated about an approximately vertical axis.

**Heliport.** An area of land, water, or a structural surface which is designed, used, or intended to be used for the landing and take-off of helicopters, and any appurtenant areas which are designed to be used for helicopter support facilities such as maintenance, refueling, and parking.

A) *Personal-use Heliport.* Any heliport used exclusively by the owner and/or operator.

B) *Public-use Heliport.* Any heliport open to the general public and not requiring prior permission of the owner and/or operator to land.

C) *Private-use Heliport.* Any heliport that restricts usage to the owner and/or operator or to persons authorized by the owner and/or operator.

D) Temporary Heliport. Any heliport used on a one-time or temporary basis which is limited to a maximum of ten (10) operations per day for not longer than thirty (30) consecutive days.

**Home, Rooming.** A rooming house is a building where, for compensation, and by prearrangement for definite periods, lodging or lodging and meals are provided for more than three (3) persons. The term "rooming house" shall include lodging house and boarding house, but not a tourist home, bed and breakfast establishment, automobile court, hotel, or motor court.

**Home, Tourist.** A dwelling furnishing overnight sleeping quarters to transient guests and containing not more than three (3) guest bedrooms.

**Hospital.** A hospital is an institution for the diagnosis and treatment of sick or injured people with both in-patient and outpatient facilities. The term "hospital" shall not include any institution established principally for the care of mental disorders or the treatment of alcoholics or drug addicts.

**House Unit, Rooming.** Any room or group of rooms forming a single habitable unit used for living and sleeping, but which does not contain cooking or eating facilities.

**Industrial Park.** A legally recorded subdivision that has been specifically designed for industrial purposes and use.

**Industrial plants manufacturing, processing, or assembling.** Industries that engage in the transformation of goods, materials, or substances into new products. The transformational process can be physical, chemical, or mechanical. Manufacturers often have plants, mills, or factories that produce goods for public consumption. Includes but not limited to agricultural products; food and kindred products, excluding, slaughterhouses and abattoirs; fabricated metal products, except heavy machinery, transportation equipment, and steel fabricators; and dies, gauges, instruments, patterns, and leather goods.

**Landscaping.** Notwithstanding any other provisions contained in this Ordinance, in commercial and industrial zoning districts, sodding, seeding or decorative treatment of the area lying between the property line and the pavement shall be required of the owner and/or developer of the lot, as approved by the Inspection Department.

**Light Manufacturing.** Light manufacturing refers to industrial activity that uses small or moderate amounts of raw or partially processed materials to produce items of relatively high value per unit weight. Light manufacture is most often associated with batches or discrete production runs. The manufacturing of clothes, furniture, consumer electronics, household items, jewelry, pottery, food, and beverages are some examples of light manufacturing. In determining whether a use is classified as light manufacturing or some other classification of use (e.g., heavy manufacturing, commercial, accessory use, home occupation, etc.), the Building Official shall consider the material, process, quantities, and/or other similar factors.

**Name Plate.** A sign indicating the name and/or address of a building or the name of an occupant thereof and the nature of a permitted occupation therein.

**Nature Preserve.** An area of land managed to conserve wildlife, plant habitat, or other natural features. Activities such as hiking, day camping, and educational laboratories can take place in a Nature Preserve.

**Nursing Home.** (Convalescent Home-Sheltered Care Home). An establishment for the care of children, the elderly, or infirm. Such an establishment shall not contain equipment for or provide care in maternity cases or for psychotics or other unruly, mentally deranged persons nor for surgical or medical cases commonly treated in hospitals and shall be licensed as a nursing home by the State of Michigan.

**Office, Medical.** Medical office includes such occupations as physicians, dentists, and similar medical personnel for the treatment and examination of patients solely on an outpatient basis, provided that no overnight patients are kept on the premises.

**Outdoor Recreation Uses.** Recreation engaged in out of doors, most commonly in natural settings. Including, but not limited to, baseball, soccer, basketball, nature trails, educational laboratories, etc.

**Personal Service Establishments.** An establishment engaged primarily in providing services involving the care of a person or apparel, includes but not limited to barber shops; custom dressmaking shops; health studios (not including reducing salons, massage parlors, and public baths); rental business with no outside storage or display of goods; and watch repair shops.

**Professional.** Having to do with a vocation, calling, occupation, or employment involving labor, skill, and education of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study.

**Professional Offices.** Including, but not limited to, the following: Medicine, osteopathy and dentistry (excluding veterinary clinics); Law, engineering and architecture; Optometry and chiropractic; and Insurance.

**Psychiatric Hospital.** A licensed publicly or privately-owned facility for in-patient care and treatment of mental disorders or the treatment of substance abusers such as alcoholics and drug addicts.

**Publicly or privately-owned facility.** Any facility in which a service is provided by any person, firm, corporation, municipal, county, state, or federal department or board, duly authorized and licensed to furnish such services to the public, under federal, state, county, or municipal regulations.

**Recreational Equipment.** Recreational equipment is defined and shall include the following:

A) A "*travel trailer*" is a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses; not to exceed eight (8) feet in width.

B) A "*pickup camper*" is a structure designed primarily to be mounted on a pickup or truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational, and vacation uses.

C) A "*motorized home*" is a portable dwelling designed and constructed as an integral part of a self-propelled vehicle.

D) A "*folding tent trailer*" is a folding structure, mounted on wheels and designed for travel and vacation uses.

E) Boats and "*boat trailer*" shall include boats, floats, and rafts, plus the normal equipment to transport the same on the highway.

F) Snowmobile and "*snowmobile trailer*" shall include all motorized tracked recreational vehicles for use on snow and ice and normal equipment to transport the same on the highway.

**Religious Institution.** A Religious Institution for the purpose of this Ordinance shall mean: an institution that people regularly attend to participate in or hold religious services, meetings, and other activities. The term "Religious Institution" shall not carry a secular connotation and shall include buildings in which the religious services of any denomination are held. Structures owned or operated by Religious Institutions located on parcels other than where the principal structure for religious services are held shall not, for the purpose of this Ordinance, be considered a Religious Institution, and the principal use of this structure shall be its use and the use shall conform to the requirements of the district in which it is located.

**Residential Homes for Mentally or Physically Handicapped Persons.** A state licensed residential facility constructed for the purpose of providing resident services with twenty-four (24) hour supervision or care for more than six (6) mentally or physically handicapped persons.

**School.** A building used for the purpose of elementary or secondary education, which meets all requirements of the compulsory education laws of the State of Michigan, and not providing residential accommodations.

**School, Nursery.** A public or private school or kindergarten wherein day care or day care and education are provided for five (5) or more children aged five (5) years and under.

**School, Private.** A building used for the purpose of elementary or secondary education and having a curriculum essentially the same as ordinarily given in a public school.

**Site Plan.** An accurate plan prepared by the applicant for evaluation by the Planning Commission and/or the City Council.

**Solar Charging Facility.** An infrastructure that supplies electric energy for the recharging of plug-in electric vehicles—including electric cars, neighborhood electric vehicles, and plug-in hybrids.

**Sound Level.** Sound level, in decibels, is defined as the reading of a sound level meter which conforms to the latest Standards of the American Standards Association for Sound Level Meters.

**Steel fabricators, truck terminals, truck and trailer rental facilities, and special trade contractors.** Including but not limited to concrete contractors; excavating contractors; paving contractors; septic tank installers and cleaners; landscape contractors; and vehicle tow yards.

**Truck Stop.** An establishment which shall be located on a major thoroughfare, and which shall be designed for and contain facilities to meet the needs of commercial truck traffic while in transit, including restaurants and vehicle service (minor), but excluding storage buildings, warehouses, and repair shops.

**Vehicle Repair.** All general repair and reconditioning of motor vehicles, including engine rebuilding, repair of collision damage, overall painting, and vehicle rust proofing.

A) **Vehicle Repair, Major**. Major repairs include engine rebuilding; rebuilding or reconditioning of vehicles; collision service, such as body, frame, or fender straightening and repair; overall painting and undercoating of vehicles; overhauling of engine requiring removal of cylinder head or crank case pan; steam cleaning; and similar activities.

B) **Vehicle Repair, Minor.** Buildings or structures which are designed or used for the retail sale and furnishing fuel, lubricants, air, water, and other operating commodities for motor vehicles, including aircraft and water craft, but excluding semi-trucks, and which has space and facilities for:

i) the storage of such fuel in underground tanks;

ii) the installation of such commodities on or in such vehicles, and the storage, minor repair or

iii) servicing of such vehicles, but which does not have a space and facilities for the major repair, bumping, painting, refinishing, overhauling, steam cleaning, rust proofing, or high-speed washing of such vehicles.

**Warehouse.** A building, or part of a building, used or intended to be used primarily for the storage of goods or chattels that are to be sold retail or wholesale from other premises; sold wholesale from the same premises; for the storage of goods or chattels to be shipped on mail order; for the storage of equipment or materials to be used or installed at other premises by the owner or operator of the warehouse; or for similar storage purposes.

**(3) Definitions Pertaining to Signs.**

The following definitions describe particular characteristics of certain words and phrases as used in the Ordinance. All other words and phrases used herein shall adhere to the rules of language construction described in *Section 2.01, Section 2.01(1)* above.

**Abandoned Sign.** Any sign which no longer directs a person to or advertises a bona fide business, tenant, owner, product or activity conducted, or product available on the premises where such sign is displayed, or any sign pole, frame or structure no longer containing a sign, or any sign not repaired or maintained properly, after notice pursuant to the terms of the Ordinance.

**Area of Sign.** The area of a sign, expressed in square feet, shall mean the entire area within any circle, triangle or rectangle, or square enclosing the extreme limits of writing, representation, emblem or any figure, or similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that where two (2) such faces are placed back-to-back and are at no point more than two (2) feet from one another, the area of the sign shall be taken as the area of one (1) face if the two (2) faces are of equal area, or as the area of the larger face if the two (2) faces are of unequal area.

**Awning Sign.** A permanent Projecting Sign painted or printed on the exterior surface of an awning. Such signs may be internally illuminated pursuant to the requirements of this Ordinance. See Figure to the right.

*Awning Sign*

**Banner.** A temporary sign made of cloth used in connection with some special event or promotion.

*Banner*

**Billboard.** A ground sign advertising a product, event, person, business, or subject not related to the premises on which the sign is located. Billboards typically have much greater height and area than signs permitted by this ordinance, and have characteristic types of installation, whether as pylon signs or with a substantial support structure.

**Blade Sign.** A small, pedestrian-oriented sign mounted so that the sign face is perpendicular to the face of the building.

**Bulletin Board.** A sign with temporary or replaceable letters or characters used to announce dates of functions or activities.

**Business.** Any legal use of a building other than for a religious institution, school, home occupation or residence by a person, firm, or corporation. Although contained in the same building as another business and owned by the same person, an activity may be treated as a separate business if it is physically separated from, uses different personnel than, and provides different products or services than such other related business.

*Blade Sign*

**Business Center.** A group of four (4) or more contiguous businesses or offices, research facilities, or industrial facilities developed as a planned complex which collectively have a name different from the name of any individual business, are under common ownership or management and share a common parking area or otherwise present the appearance of one (1) development site.

**Business Center Sign.** A sign which gives direction, name and identification to a business center.

**Business Sign.** A sign which directs attention to a business or profession conducted or to a product, service, or activity sold or offered upon the premises where such sign is located.

**Construction Sign.** A sign erected at a construction site identifying the architects, engineers, contractors or other parties responsible for a project, or identifying the intended purposes or uses of the building.

**Department.** The Inspection Department of the City of Livonia.

**Directional Sign.** A sign directing vehicular or pedestrian traffic to parking areas, loading areas, or to portions of a building.

**Development Site.** A lot, combination of lots, or parcels of property when combined form a complete parcel of land for development purposes.

**Director.** The Director of Building Inspection.

**Electronic Message Center (EMC) Sign.** An electrically activated changeable-copy sign whose variable message and/or graphic presentation capability can be electronically programmed. EMCs typically use light emitting diodes (LEDs) as lighting sources.

**Entranceway Sign.** A sign that designates the street entranceway to a residential or industrial subdivision from a public right-of-way.

**Flag.** A piece of cloth or bunting bearing the symbol of a nation, state, corporation, or organization.

**Freestanding Sign.** A sign supported by one or more uprights, poles, pylons, monuments, or braces placed in the ground and not attached to any building or other structure. Freestanding signs include, but are not limited to, Pole Signs and Monument Signs.

**Frontage.** Expressed in lineal feet, the width of the first-floor portion of a building occupied by a single business facing a street adjacent to the premises on which the business is located.

**Group Identification Sign.** A single sign or entranceway structure listing the names and addresses only of the establishments occupying a development or subdivision. The erection of such identification signs is so intended to assist the public in locating establishments within its immediate area and shall be placed upon property within the development or subdivision.

**Height of a Sign.** The vertical distance measured from the surface grade of the land beneath the midpoint of the face of the sign to the highest point of the sign or supporting structure without including any berm, landscaping, grading, or other artificially or unnaturally constructed raised portion of land at the point of measurement.

**Identification Sign.** A sign containing the name of a business operating on the premises, where located, the type of business, owner or resident, and/or the street address, and sets forth no other advertisement display.

**Master Sign Plan.** A plan for signage used in a plaza, mall, business center, office complex, industrial complex, or shopping center indicating the location, style, and maximum square footage of possible wall signage and the location and size of ground signs and all other signs on the development site.

**Monument Sign.** A base-mounted, freestanding sign placed in the ground and not attached to any building or other structure. See Figure Below.

**Moving Sign.** A sign that has motion either constantly or at intervals, or that gives the impression of movement through intermittent flashing, scintillating, or varying the intensity of illumination whether or not said illumination is reflected from an artificial source or from the sun. Such signs shall not include banners, pennants, spinners, streamers, or barber poles.

**Murals.** An original painting or texturing applied to the surface of a wall or window. If what the mural depicts is commercial in nature, the mural will be considered a wall sign for purposes of this Ordinance.

**Nameplate.** A wall sign not exceeding one (1) square foot in area stating the name of a person, firm, or name or description of a certain permitted use.

**Natural Materials.** Substances determined to be "natural materials" for the purposes of this Ordinance shall include, but not be limited to wood, stone, and brick. Substances specifically excluded from this definition are plywood, pressed board, drywall, wood or metal paneling, sheet metal, or any substances synthetically created in a manufacturing process. A natural material sign may only be illuminated by an indirect light source.

**Non-Conforming Sign.** Any advertising structure or sign which was lawfully erected and maintained prior to the effective date of this Ordinance, and any amendments thereto, and which fails to conform to all applicable regulations and restrictions of this Ordinance, or a sign for which a permit was previously issued that does not comply with the provisions of this Ordinance.

**Off-Premise[s] Sign.** A sign which contains a message unrelated to a business or profession conducted on the subject property, or to a commodity, service, or activity not sold or offered upon the premises where such sign is located.

**Outline Tubing Sign.** An arrangement of tubes or bands of light that outline and call attention to a window or other building feature or certain features of an advertising device such as individual letters, figures, shapes, or words commonly referred to as a neon sign.

**Owner.** A person, firm, partnership, association, or corporation and/or their legal successors.

**Pennant.** A narrow triangular cloth of the general type which is sometimes associated with naval signaling.

*Monument Sign*

*Pole Sign*

*Projecting Sign*

**Pole Sign.** A type of freestanding sign that is elevated above the ground on poles or braces.

**Portable Sign.** A sign that is freestanding, not permanently anchored or secured to either a building or the ground, including but not limited to "A" frame signs, commonly called sandwich signs; "T" frame signs; or any other sign which by its description or nature may be, or is intended to be, moved from one location to another.

**Poster Panel.** A device used to draw attention to matters ordinarily temporary or transitory in nature announcing price changes, bargains, loss leaders, and is accessory to the property upon which such sign is located.

**Premises.** Any contiguous real property under common management or ownership.

**Projecting Sign.** A sign which is affixed to any building or structure other than a marquee and projects in such a way that the message is not parallel to the wall to which it is attached.

**Public Sign.** A sign, noncommercial in nature, including but not limited to the following: legal notices, historic site designations, municipal facility directional or identification signs, street or traffic signs, railroad crossings, danger, and other emergency signs as may be authorized by the City of Livonia or any Federal, State, or County agency having jurisdiction over the subject matter of the sign.

**Pylon Sign.** A type of ground sign with a clear space of more than six (6) feet between the bottom of the face of the sign and the grade.

**Real Estate Development Sign.** A temporary non-illuminated business sign, of any content the owner deems appropriate, placed on the premises of a subdivision or other real estate development to advertise the development and provide information relative to availability while the development site is under construction.

**Real Estate Sign.** A temporary non-illuminated sign, of any content the owner deems appropriate, pertaining to the sale, lease, or rental of a single lot, parcel, or existing building situated thereon.

**Regional Center.** A planned complex of buildings containing a total gross leasable area of five hundred thousand (500,000) square feet or more and sharing a common parking area.

**Required Announcement Sign.** A temporary ground sign announcing to the general public a pending request for a lot split or rezoning of the property upon which the sign is displayed.

**Roof Sign.** A sign which is attached to a building and any part of which extends or projects above or beyond the roof or parapet.

**Seasonal Decorations.** Signs of a decorative nature not used for any commercial purpose and commonly associated with any national, local, or religious holiday.

**Sign.** A name, identification, description, display, light, balloon, flag, pennant, streamer, banner, illustration, letter, numeral, work, model, logo, trademark, representation, or device of any kind whatsoever, which is affixed to, painted, otherwise located, or set upon or in a building, structure, or piece of land and which directs attention to an object, product, place, activity, person, institution, organization, or business and which is visible from any public street, sidewalk, alley, park, or public property. The definition includes interior and exterior signs but not signs primarily directed at persons within the premises of the sign owners and does not include goods displayed in a store window.

**Sign Erector.** Any person engaged in the business of erecting, altering, or removing signs on a contractual or hourly basis.

**Sign Setback.** The distance measured from the portion of the sign structure nearest to the property lines or public rights-of-way. For the purpose of this measurement, the property lines and public right-of-way lines extend vertically and perpendicularly from the ground to infinity.

**Temporary Sign.** A display, information sign, or banner with or without a structural frame intended for a limited period of display including decorative displays for holidays or public demonstrations, civic projects, or other special events of a temporary nature.

**Trailer Sign.** A sign calling attention to special events, sales, services, products, or new attractions and is portable by virtue of being part of a trailer, attached to wheels, or towed by a vehicle.

**Variable Electronic Message Sign.** A light emitting diode (LED), digital or other similar sign such as, but not limited to, a liquid crystal display sign, fiber optic sign, or plasma display screen sign, the content of which can be electronically changed by remote or automatic means without altering the face of the sign. A sign or portion of a sign on which the message or display is an electronic indication of fuel price is an example of a variable electronic message sign.

**Wall Sign.** A sign attached to, inscribed or painted on, or placed flat against the exterior surface of any building or the vertical face of a "mansard roof," no portion of which projects more than twelve (12) inches from the wall and which may not project above the roof or parapet line. The roof line meaning the vertical distance measured from the established grade to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and the average height between eaves and ridge boards for gable, hip and gambrel roofs.

**Window Sign.** A sign which is applied, affixed, or attached to the interior of any building window or which is displayed through the glass area so as to be visible from the exterior of the building.

**(4) Flood Plain Terms.**

**Base Flood.** A 100-year flood having a one (1) percent chance of being equaled or exceeded in any given year.

**Flood or Flooding.** A general and temporary condition of partial or complete inundation of normally dry land areas from:

A) the overflow of inland or tidal waters;
B) the usual and rapid accumulation or runoff of surface waters from any source.

**Flood Hazard Area.** Land which on the basis of available flood plain information is subject to a one (1) percent or greater chance of flooding in any given area. Flood Hazard Area shall also mean the designated regulatory flood plain.

**Flood Hazard Boundary Map (FHBM).** An official map of the City of Livonia, issued by the Federal Insurance Administration, where the boundaries of the areas of special flood hazards have been designated as Zone A.

**Flood Insurance Rate Map (FIRM).** An official map of the City of Livonia, on which the Federal Insurance Administration has delineated both the areas special flood hazards and the risk premium zones applicable to the City.

**Flood Insurance Study.** The official report provided by the Federal Insurance Administration. The report contains flood profiles as well as the Flood Hazard Boundary Floodway Map and the water surface elevation of the base flood.

**Flood Plain.** Any land area susceptible to being inundated by water from any source (see definition of flood).

**Floodway.** The channel of a river or other water course and the adjacent land areas designated in the Flood Insurance Study which must be reserved in order to discharge the base.

**Special Flood Hazard Area.** The land area covered by the floodwaters of the base flood on National Flood Insurance Program (NFIP) maps.

# Article III.
# Zoning Districts and Map

## Section 3.01 Zoning Districts.

**(1)** **Established of Zoning Districts.** For the purpose of this Ordinance, the City of Livonia is hereby divided into the following zoning districts which shall be known by the following respective names and symbols:

| | |
|---|---|
| **N1** | Neighborhood District. |
| **N2** | Neighborhood District. |
| **RUF** | Rural Urban Farm District. |
| **NM1** | Neighborhood Multifamily District. |
| **NM2** | Neighborhood Multifamily District. |
| **NM3** | Neighborhood Multifamily District. |
| **C-1** | Local Business District. |
| **C-2** | General Business District. |
| **C-3** | Highway Services District. |
| **C-4** | High Rise Commercial District. |
| **P-L** | Public Lands District. |
| **M-L** | Manufacturing Limited District. |
| **M-1** | Light Manufacturing District. |
| **M-2** | General Manufacturing District. |
| **NP** | Nature Preserves District. |
| **P** | Parking District. |

**(2)** **District Areas.** The areas assigned to and included in the districts created in *Section 3.01 (1)* of this Ordinance, together with the designation and boundaries of said districts as shown on the Zoning Map of the City of Livonia, are hereby established.

**(3)** **Sections of Zoning Map.** Zoning Map of the City of Livonia is hereby divided into one hundred and forty-four (144) quarter sections which shall be the same in area, boundaries, and location as the thirty-six (36) sections of the City of Livonia, also known as Town One (1) South, Range Nine (9) East, Wayne County, Michigan, and which shall be known by the same section numbers as the corresponding sections of said City.

**(4)** **Amendments of Zoning Map.** The Zoning Map of the City of Livonia may be amended from time to time, in whole or in part, by Ordinance to which there shall be attached a map of the section or sections, or any part thereof, affected by the amendment or amendments set forth in such Ordinance. Each map showing an amendment shall be designated "Amendment No. ___ to the Zoning Map of the City of Livonia" and shall be given a number. Whenever the Council shall cause the Zoning Map of the City of Livonia to be amended as a whole, such map shall contain and show all prior amendments. Each amendment stating or describing a change in the districts, areas, or boundaries established by the provisions of this Article shall be considered and designated as an additional section of this Article. All other amendments shall be affected by re-enacting and publishing at length the section or sections amended, as provided in Section 23, Chapter IV of the Charter.

A copy of the Zoning Map of the City of Livonia adopted by this Ordinance shall be prominently displayed for public examination in the City Planning Department. Thereafter the same shall be revised to reflect such amendments of the Zoning Ordinance as may be made from time to time, and it shall be the duty of the City Planner to make these revisions no later than thirty (30) days after the effective date of such enactment.

**(5)** **Interpretation of the Zoning Map.** Where, due to the scale, lack of detail, or illegibility of the Zoning Map accompanying this Ordinance, there is an uncertainty, contradiction, or conflict as to the intended location of any Zoning District boundary as shown thereon, interpretation concerning the exact location of the Zoning District boundary line shall be determined by the Board of Appeals. The Board in arriving at a decision on these matters, shall apply the following standards:

A) Zoning District boundary lines are intended to follow lot lines, or be parallel or perpendicular thereto, or along the center lines of alleys, streets, rights-of-way, or water courses, unless such Zoning District boundary lines are fixed by dimensions as shown on the Zoning Map.

B) When Zoning District boundaries are so indicated that they approximately follow lot lines, such lot lines shall be construed to be such boundaries.

C) In unsubdivided property, or where a zoning district divides a recorded lot, the location of any such boundary, unless the same is indicated by dimensions shown on the zoning map, shall be determined by use of the map scale shown thereon.

D) If, after the application of the foregoing rules, uncertainty still exists as to the exact location of a zoning district boundary, the Board of Appeals shall determine and fix the location of said line in a reasonable manner to best accomplish the purposes of this Ordinance.

**(6)** **Districting of Vacated Streets and Alleys.** Whenever a street or alley shall have been vacated, the land within the former street or alley, or portion thereof, shall automatically be classified in the same zoning district as the property to which it attaches.

**(7)** **District Regulations.** Each district, as created in this Article, shall be subject to the regulations contained in this Ordinance. Uses not expressly permitted are prohibited. Uses for enterprises or purposes that are contrary to federal, state, or local laws or ordinances are prohibited. Waiver uses, because of their nature, require special restrictions and some measure of individual attention to determine whether or not such uses will be compatible with uses permitted by right in the district and with the purposes of this Ordinance. Waiver uses are therefore prohibited uses unless a waiver of such prohibition is reviewed, and findings submitted by the City Planning Commission as provided in this Ordinance and approved by the City Council.

## Section 3.02 Adoption of Zoning Map.

The Zoning Map, as identified by the signature of the President of the Council, and signed by the Mayor and City Clerk, together with all notations, references, and other information shown thereon is hereby approved and adopted. Such map, together with all amendments which may be hereafter made thereto, shall be known and cited as the LIVONIA VISION 21 Zoning Map for all purposes. The LIVONIA VISION 21 Zoning Map of the City of Livonia is hereby made a part of this Ordinance with the same effect as if all matters and information set forth in said map were fully described therein.

## Section 3.03 Permitted Uses by District.

The following table lists the permitted uses and waiver uses in each zoning district. Whenever a specific development standard is included for a particular use in the table below, any development must comply with the requirement of the referenced section in addition to all the other applicable requirements of this Code. All development standards for specific uses are listed in *Section 5.04(1)* and in other areas of this Code. Additionally, any use that is a waiver land use must also comply with the standards of *Section 13.13, Section 13.13(6).*

| | |
|---|---|
| P | Permitted |
| W | Waiver Use |

**(1) Permitted Agricultural Uses by District.**

| AGRICULTURAL USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **P** | **Use Standards** |
| Fowl and rabbits for the owner's consumption | | | P | | | | | | | | | | | | | | *Section 6.34* |
| Fowl and rabbits raised for sale | | | W | | | | | | | | | | | | | | *Section 6.34(3)* |
| Gardening and Tree Nurseries | | | P | | | | | P | P | P | | | | | | | *Section 6.25* |
| Nurseries, including sale of garden supplies | | | | | | | | P | P | P | | | | | | | |
| The raising of fur bearing animals | | | W | | | | | | | | | | | | | | *Section 6.49* |

**(2) Permitted Residential Uses by District.**

| RESIDENTIAL USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **P** | **Use Standards** |
| Accessory residential use for apartments | | | | | | | | | | W | | | | | | | *Section 7.23 Section 7.23(2)* |
| Bed and breakfast establishments | W | W | W | W | | | P | P | P | P | | | | | | | *Section 6.08* |
| Boarding, rooming and lodging houses or tourist homes | | | | W | | | | | | | | | | | | | |
| Condominium multiple dwellings | | | | P | P | P | | | | | | | | | | | |
| Family child care home | P | P | P | | | | | | | | | | | | | | *Section 6.11* |
| Group child care home | P | P | P | | | | | | | | | | | | | | *Section 6.12* |
| Home occupations | P | P | P | P | P | P | | | | | | | | | | | *Section 6.28* |
| Housing for the elderly | | | | | | P | | | | | P | | | | | | *Section 6.31* |
| Multiple dwellings and apartment houses | | | | | P | | | | | | | | | | | | *Section 6.04 Section 6.18* |
| One-family dwellings | P | P | P | P | P | | | | | | | | | | | | *Section 6.19* |
| Planned developments | W | W | W | W | W | | W | W | W | W | | | | | | | *Section 5.02 Section 5.02(2)* |
| Residential homes for mentally or physically handicapped persons | | | W | | | | | | | | | | | | | | *Section 6.02* |
| Single-family clustering | W | W | | | | | | | | | | | | | | | *Section 5.03* |
| Temporary buildings or structures for uses incidental to the construction of residential dwellings and improvements | P | P | P | | | | | | | | | | | | | | *Section 6.56 Section 6.56(2)* |
| Two-family dwellings | | | | P | P | | | | | | | | | | | | *Section 6.20* |

### (3) Permitted Medical Uses by District.

| MEDICAL USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **p** | **Use Standards** |
| Blood and plasma donation centers | | | | | | | P | P | P | P | | | | | | | |
| Hospitals | | | | | | | W | W | P | W | P | | | | | | *Section 6.29* |
| Kidney transfusion centers | | | | | | | P | P | P | P | | | | | | | |
| Medicine, osteopathy and dentistry (excluding veterinary clinics) | | | | | | | P | P | P | P | | | | | | | |
| Optometry and chiropractic | | | | | | | P | P | P | P | | | | | | | |
| Orthopedic and medical supply stores, but not including assembly or manufacture of such articles | | | | | | | P | P | P | P | | | | | | | |
| Physical therapy and health services (not including massage establishments and public baths) | | | | | | | P | P | P | P | | | | | | | |
| Psychology and podiatry | | | | | | | P | P | P | P | | | | | | | |
| Veterinary clinics, animal clinics and animal hospitals | | | W | | | | W | W | P | | | | | | | | *Section 6.59* |

**(4) Permitted Public and Quasi-Public Uses by District.**

| PUBLIC AND QUASI-PUBLIC USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **P** | **Use Standards** |
| Cemeteries | | | W | | | | | | | | | | | | | | |
| Clubs, lodges, and meeting halls, fraternal and religious | | | | | | | P | P | P | | | | | | | | |
| Cultural service buildings, such as publicly owned museums, art galleries and libraries | | | | | | | P | P | P | P | P | | | | | | |
| Educational uses | P | P | P | | | | P | P | P | P | P | | | | | | *Section 2.01 Section 2.01(4)* |
| Heliports | | | | | | | | | | W | P | W | W | W | | | *Section 6.27* |
| Licensed and certified publicly or privately-owned facilities for the detention, incarceration, commitment and/or rehabilitation of adults or minor children and psychiatric hospitals | | | | | | | | | | | W | | | | | | *Section 6.23* |
| Local and suburban passenger terminals; trucking transportation terminals including maintenance and service facilities | | | | | | | | | | | | | ~~P~~W | ~~P~~W | | | *Section 6.36* |
| Municipal or other governmental buildings | | | | | | | | | | | P | | | | | | |
| Nature Preserve | | | | | | | | | | | | | | | P | | *Section 2.02 Section 2.02(2) Section 6.39* |
| Parking Structure | | | | W | W | W | | W | W | W | P | W | W | P | | W | *Section 9.09* |
| Parks and Outdoor recreational uses | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | | *Section 2.02 Section 2.02(2)* |
| Privately owned and operated recreational uses | W | W | W | W | | | | | | | | | | | | | *Section 6.48* |
| Public utility buildings and substations | W | W | W | W | | | P | P | P | P | | | P | P | | | |

| PUBLIC AND QUASI-PUBLIC USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **P** | **Use Standards** |
| Radio and television towers and broadcasting studios | | | | | | | | P | P | P | | | | | | | |
| Religious Institutions | W | W | W | W | | | P | P | P | P | | | | | | | *Section 6.50* |
| Schools including, but not limited to dance, music and instrumental, and business/ training | | | | | | | P | P | P | P | | | | | | | |
| Universities, colleges, private colleges, including ancillary uses and facilities | | | P | | | | | | | P | P | | | | | | |

**(5) Permitted Commercial and Retail Uses by District.**

| COMMERCIAL AND RETAIL USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **P** | **Use Standards** |
| Adult Businesses | | | | | | | | | W | | | | | | | | *Section 6.01* |
| Airports, landing fields and platforms, hangars, masts and other facilities for the operation of aircraft | | | W | | | | | | | | | | | | | | |
| Ambulance services, local and suburban bus terminals and taxicab terminals | | | | | | | | W | P | | | | W | W | | | *Section 6.57* |
| Artisan, Craftsman, Printing and Engraving Shops other similar uses | | | | | | | W | P | P | P | | | P | P | | | *Section 2.01* *Section 2.01(8)* |
| Automobile and light truck (one (1) ton gross vehicle weight) repair | | | | | | | | W | P | | | | | | | | *Section 6.06* |
| Auto-wash establishments and auto-wash establishments operated with accessory gasoline pumps | | | | | | | | W | P | | | | | | | | *Section 6.07* |
| Bakeries | | | | | | | P | P | P | P | | | | | | | |
| Banks and savings and loans associations | | | | | | | P | P | P | P | | | | | | | |
| Brewer, Micro Brewer, Brewpub, and Distilleries | | | | | | | W | W | P | W | P | P | P | P | | | *Section 6.09* |
| Buildings (single or multi-unit) for the purpose of retail sales and which contain a GFA of 30,000 square feet or more | | | | | | | W | W | P | | | | | | | | *Section 6.52* *Section 6.52(1)* |
| Carnivals, outdoor circuses or migratory amusement enterprises | | | W | | | | | W | P | W | P | | | | | | *Section 6.56* *Section 6.56(3)* |

| COMMERCIAL AND RETAIL USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **P** | **Use Standards** |
| Catering establishments | | | | | | | P | P | P | P | | | | | | | |
| Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis | | | | | | | | W | P | | | P | P | P | | | *Section 6.54* |
| Convalescent and nursing homes | | | | | | | W | W | P | P | | | | | | | *Section 6.40* |
| Dairies, Creameries, Soft Drink and Bottling Plants, and other similar uses | | | | | | | W | W | W | W | | | P | P | | | *Section 2.01(8)* |
| Dance Halls and Ballrooms | | | | | | | | W | P | | | | | | | | *Section 6.14* |
| Day care nurseries | | | | | W | | W | P | P | P | | | | | | | *Section 6.13* |
| Dog Kennels | | | W | | | | | | | | | | | | | | *Section 6.34(3)* |
| Drive-in Restaurants and restaurants with either drive-thru or drive-up window facilities; including food trucks | | | | | | | | W | P | | | | | | | | *Section 6.51* *Section 6.51(3)* |
| Drive-in Theaters | | | | | | | | W | P | | | | | | | | |
| Establishments having liquor licenses such as Class C, Tavern, and Club | | | | | | | W | W | P | W | P | | | | | | *Section 6.22* |
| Full-Service Restaurants with or without outdoor dining areas | | | | | | | W | W | P | P | | | | | | | *Section 6.51* *Section 6.51(2)* |
| Funeral homes and undertaking establishments | | | | | | | W | P | P | P | | | | | | | |
| Garages, repair shops, rustproofing and similar highway services | | | | | | | | | | | | | W | P | | | *Section 6.24* |

| COMMERCIAL AND RETAIL USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **P** | **Use Standards** |
| Gasoline service station | | | | | | | | W | P | | | | | | | | *Section 6.26* |
| Golf courses, but not including miniature golf courses or golf driving ranges | P | P | P | | | | | | | | | | | | | | |
| General offices | | | | | | | P | P | P | P | | P | P | P | | | |
| Hotels | | | | | | | | P | P | P | | | | | | | *Section 6.30* |
| Indoor recreational uses | | | | | | | P | P | P | P | | | W | | | | *Section 2.01*<br>*Section 2.01(8)*<br>*Section 6.32* |
| Laundry and dry-cleaning establishments | | | | | | | | | | | | P | P | P | | | |
| Limited Service and Carry-Out restaurants with or without outdoor dining areas | | | | | | | P | P | P | P | | | | | | | *Section 6.51*<br>*Section 6.51(1)* |
| Massage establishments | | | | | | | W | W | P | W | | | | | | | *Section 6.37* |
| Motels | | | | | | | | W | P | P | | | | | | | *Section 6.38* |
| Museums | | | | | | | P | P | P | P | | | | | | | |
| Music, Dance, or Business academies | | | | | | | P | P | P | P | | | | | | | |
| New and Used Car Lots and Showrooms, New or Used Mobile Home Sales and Automobile Rental Facilities | | | | | | | | W | P | | | | | | | | *Section 6.05* |
| Open-air business uses | | | | | | | W | W | P | | | | | | | | *Section 6.42* |
| Open-air sales of Christmas trees | | | | | | | P | P | P | P | | | | | | | *Section 6.43* |
| Automotive Paint shops | | | | | | | | W | W | W | | | P | P | | | *Section 2.01(8)* |
| Parking, non-residential | | | | | | | P | P | P | P | P | P | P | P | P | P | *Article IX* |
| Pawn shops | | | | | | | | W | P | | | | | | | | *Section 6.45* |
| Payday lenders | | | | | | | | W | P | | | | | | | | *Section 6.46* |

| COMMERCIAL AND RETAIL USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **P** | **Use Standards** |
| Personal service establishments | | | | | W | W | P | P | P | P | | | | | | | *Section 2.02*<br>*Section 2.02(2)*<br>*Section 6.47* |
| Photographic studios | | | | | | | P | P | P | P | | | | | | | |
| Planned ~~general~~ developments | W | W | W | W | W | | W | W | W | W | | | | | | | *Section 5.02*<br>*Section 5.02(2)* |
| Professional offices | | | | | | | P | P | P | P | | P | P | P | | | *Section 2.02*<br>*Section 2.02(2)* |
| Retail sales | | | | | W | W | P | P | P | P | | | W | | | | *Section 2.01*<br>*Section 2.01(8)*<br>*Section 6.52* |
| S.D.D. and S.D.M. licenses | | | | | | | W | W | P | | | | | | | | *Section 6.03* |
| Second-hand stores and rummage shops | | | | | | | | W | P | | | | | | | | *Section 6.53* |
| Wholesale business uses | | | | | | | | P | P | P | | | | | | | *Section 2.01*<br>*Section 2.01(8)* |

**(6) Permitted Industrial Uses by District.**

| INDUSTRIAL USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **p** | **Use Standards** |
| Bulk storage of refined petroleum products | | | | | | | | | | | | | P | P | | | |
| Caregiver grow facilities | | | | | | | | | | | | | P | P | | | *Section 6.10* |
| Data processing and computer centers | | | | | | | | W | W | | | P | P | P | | | |
| Establishments for the distribution of, or the packaging, assembling, secondary processing, alteration or repair | | | | | | | | | | | | P | P | P | | | *Section 2.02 Section 2.02(2)* |
| Experimental product development and testing including limited manufacturing | | | | | | | | | | | | P | P | P | | | |
| Heavy manufacturing and general industrial plants | | | | | | | | | | | | | | P | | | |
| Outdoor storage of Recreational Equipment | | | | | | | | | | | | | W | P | | | *Section 6.44* |
| Industrial, scientific, or business research development and testing laboratories and offices | | | | | | | | | | | | P | P | P | | | |
| Industrial parks | | | | | | | | | | | | P | P | P | | | *Section 7.28* |
| Industrial plants manufacturing, processing or assembling | | | | | | | | | | | | | P | P | | | *Section 2.02 Section 2.02(2)* |
| Internet-based exotic vehicle sales | | | | | | | | | | | | | P | P | | | *Section 6.33* |
| Steel fabricators, truck terminals, truck and trailer rental facilities, special trade contractors, and vehicle tow yards. | | | | | | | | | | | | | W | ~~P~~W | | | *Section 6.58* |

| | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Tool and die shops and pattern making shops | | | | | | | | | | | | P | P | P | | | |
| Warehouses | | | | | | | | | | | | P | P | P | | | *Section 2.01* *Section 2.01(8)* |

**(7) Permitted Other Uses by District.**

| OTHER USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **p** | **Use Standards** |
| Accessory structures and uses | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | | *Section 7.23* *Section 7.23(1)* |
| Any lawful use of land or buildings not herein expressly provided for or prohibited | | | | | | | | | | | | | | P | | | |
| Temporary buildings for construction purposes for a period not to exceed the duration of construction | | | | | | | P | P | P | P | | P | P | P | | | |
| Temporary Uses and Sidewalk and Tent Sales | | | | | | | P | P | | | | | | | | | *Section 6.56(1)* |

## Section 3.04 N1 Neighborhood District.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply to all N1 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 7.09, Section 7.23, Section 7.23(1)*)<br>• Educational uses (*Section 2.01, Section 2.01(4)*)<br>• Golf courses, but not including miniature golf courses or golf driving ranges<br>• Family child care home (*Section 6.11*)<br>• Group child care home (*Section 6.12*)<br>• Home occupations (*Section 6.28*)<br>• One-family dwellings (*Section 6.19*)<br>• Parks and outdoor recreational uses (*Section 2.02, Section 2.02(2)*)<br>• Temporary buildings or structures for uses incidental to the construction of residential dwellings and improvements (*Section 6.56, Section 6.56(2)*) | • Bed and breakfast establishments (*Section 6.08*)<br>• Planned developments (*Section 5.02, Section 5.02(2)*)<br>• Public utility buildings and substations<br>• Single-family clustering (*Section 5.03*)<br>• Privately owned and operated recreational uses (*Section 6.48*)<br>• Religious institutions (*Section 6.50*) |
| Refer to *Article II* for definitions of uses and refer to *Section 5.04(1)* for development standards for specific uses. | |

| PROHIBITED USES |
|---|
| • Caregiver grow facilities.<br>• Non-residential uses, except as set forth in this Section. |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **N1** |
| Min. Lot Area (sq. ft.) | 6,000 |
| Min. Lot Width (ft.) | 50 (*(a)*) |
| Min. Lot Depth (ft.) | 120 (*(a)*) (*(b)*) |
| Front Yard Setback | 25 feet (*(r)*) |
| Rear Yard Setback | 30 feet |
| Side Yard Setback | 5 feet |
| Total of two side yard setbacks | 14 feet |
| Side yard setback abutting street | 15 feet |
| Rear yard abutting side yard, the side yard abutting upon a street not less than | 25 feet |
| Max. Lot Coverage (%) | (*(c)*) |
| Max. Building Height | 35 feet (2 stories), except as provided in *Section 7.17* to *Section 7.20* |
| **Footnotes:** Refer to *Section 4.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 5.04(1)* for dimensional regulations for specific uses. | |

## Section 3.05 N2 Neighborhood District.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply to all N2 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 7.09, Section 7.23, Section 7.23(1)*)<br>• Educational uses (*Section 2.01, Section 2.01(4)*)<br>• Golf courses, but not including miniature golf courses or golf driving ranges<br>• Family child care home (*Section 6.11*)<br>• Group child care home (*Section 6.12*)<br>• Home occupations (*Section 6.28*)<br>• One-family dwellings (*Section 6.19*)<br>• Parks and outdoor recreational uses (*Section 2.02, Section 2.02(2)*)<br>• Temporary buildings or structures for uses incidental to the construction of residential dwellings and improvements (*Section 6.56, Section 6.56(2)*) | • Bed and breakfast establishments (*Section 6.08*)<br>• Planned developments (*Section 5.02, Section 5.02(2)*)<br>• Public utility buildings and substations<br>• Single-family clustering (*Section 5.03*)<br>• Privately owned and operated recreational uses (*Section 6.48*)<br>• Religious institutions (*Section 6.50*) |
| Refer to *Article II* for definitions of uses and refer to *Section 5.04(1)* for development standards for specific uses. | |

| PROHIBITED USES |
|---|
| • Caregiver grow facilities.<br>• Non-residential uses, except as set forth in this Section. |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **N2** |
| Min. Lot Area (sq. ft.) | 8,400 |
| Min. Lot Width (ft.) | 70 (*(a)*) |
| Min. Lot Depth (ft.) | 120 (*(a)*) (*(b)*) |
| Front Yard Setback | 30 feet (*(r)*) |
| Rear Yard Setback | 30 feet |
| Side Yard Setback | 6 feet |
| Total of two side yard setbacks | 16 feet |
| Side yard setback abutting street | 17 feet |
| Rear yard abutting side yard, the side yard abutting upon a street not less than | 25 feet |
| Max. Lot Coverage (%) | *((c))* |
| Max. Building Height | 35 feet (2 stories), except as provided in *Section 7.17* to *Section 7.20* |
| **Footnotes:** Refer to *Section 4.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 5.04(1)* for dimensional regulations for specific uses. | |

## Section 3.06 RUF District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply to all RUF Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 7.09, Section 7.23, Section 7.23(1)*)<br>• Educational uses (*Section 2.01, Section 2.01(4)*)<br>• Fowl and rabbits for the owner's consumption (*Section 6.34*)<br>• Gardening and tree nurseries (*Section 6.24*)<br>• Golf courses, but not including miniature golf courses or golf driving ranges<br>• Family child care home (*Section 6.11*)<br>• Group child care home (*Section 6.12*)<br>• Home occupations (*Section 6.28)*<br>• One-family dwellings (*Section 6.19*)<br>• Parks and outdoor recreational uses (*Section 2.02, Section 2.02(2)*)<br>• Temporary buildings or structures for uses incidental to the construction of residential dwellings and improvements (*Section 6.56, Section 6.56(2)*)<br>• Universities, colleges, private colleges, including ancillary uses and facilities | • Airports, landing fields and platforms, hangars, masts and other facilities for the operation of aircraft<br>• Bed and breakfast establishments (*Section 6.08)*<br>• Carnivals, outdoor circuses or migratory amusement enterprises (*Section 6.56, Section 6.56(3)*)<br>• Cemeteries<br>• Dog kennels (*Section 6.35*)<br>• Fowl and rabbits raised for sale<br>• Planned developments (*Section 5.02, Section 5.02(2)*)<br>• Public utility buildings and substations<br>• Privately owned and operated recreational uses (*Section 6.48*)<br>• Religious institutions (*Section 6.50*)<br>• Residential homes for mentally or physically handicapped persons *(Section 6.02*)<br>• The raising of fur bearing animals (*Section 6.49*)<br>• Veterinary clinics, animal clinics and hospitals (*Section 6.59*) |
| Refer to *Article II* for definitions of uses and refer to *Section 5.04(1)* for development standards for specific uses. | |

| PROHIBITED USES |
|---|
| • Caregiver grow facilities.<br>• Non-residential uses, except as set forth in this Section. |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **RUF** |
| Min. Lot Area (sq. ft.) | 15,000 |
| Min. Lot Width (ft.) | 75 (*(a)*) |
| Min. Lot Depth (ft.) | 150 (*(a)*) *((b))* |
| Front Yard Setback | 50 feet (*(r)*) |
| Rear Yard Setback | 45 feet |
| Side Yard Setback | 10 feet |
| Total of two side yard setbacks | 20 feet |
| Side yard setback abutting street | 23 feet |
| Rear yard abutting side yard, the side yard abutting upon a street not less than | 40 feet |
| Max. Lot Coverage (%) | *(c)* |
| Max. Building Height | 35 feet (2 stories), except as provided in *Section 7.17* to *Section 7.20* |

**Footnotes:** Refer to *Section 4.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 5.04(1)* for dimensional regulations for specific uses.

## Section 3.07 NM1 Neighborhood Multifamily Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all NM1 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 7.23, Section 7.23(1)*)<br>• Condominium multiple dwellings<br>• One-family dwellings (*Section 6.19, Section 6.19(2)*)<br>• Parks and outdoor recreational uses (*Section 2.02, Section 2.02(2)*)<br>• Two-family dwellings (*Section 6.20, Section 6.20(2)*)<br>• Home occupations (*Section 6.28*) | • Bed and breakfast establishments (*Section 6.08*)<br>• Boarding, rooming and lodging houses or tourist homes<br>• Planned developments (*Section 5.02, Section 5.02(2)*)<br>• Privately owned and operated recreational uses (*Section 6.48*)<br>• Public utility buildings and substations<br>• Religious institutions (*Section 6.50*) |
| Refer to *Article II* for definitions of uses and refer to *Section 5.04(1)* for development standards for specific uses. | |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **NM1** |
| Min. Lot Width | 80 (*(a)*) |
| Front Yard Setback | 30 feet |
| Rear Yard Setback | 50 feet |
| Side Yard Setback | 25 (*(d)*) |
| Total of two side yard setbacks | 60 (*(d)*) |
| Side yard setback abutting street | (*(e)*) |
| Max. Lot Coverage | 25% |
| Max. Building Height | 35 feet (2.5 stories), except as provided in *Section 7.17* to *Section 7.20* |
| **Footnotes:** Refer to Section 4.03 wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to Section 5.04(1) for dimensional regulations for specific uses. | |

## Section 3.08 NM2 Neighborhood Multifamily District.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all NM2 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 7.23 Section 7.23(1)*)<br>• Condominium multiple dwellings<br>• Home occupations (*Section 6.28*)<br>• Multiple dwellings and apartment houses (*Section 6.04, Section 6.18*)<br>• One-family dwellings (*Section 6.19, Section 6.19(2)*)<br>• Parks and outdoor recreational uses (*Section 2.02, Section 2.02(2)*)<br>• Two-family dwellings (*Section 6.20, Section 6.20(2)*) | • Day care nurseries (*Section 6.13*)<br>• Personal service establishments (*Section 2.02, Section 2.02(2)*) (*Section 6.47*)<br>• Planned ~~general~~ developments (*Section 5.02, Section 5.02(2)*)<br>• Retail sales (*Section 2.01, Section 2.01(8)*) (*Section 6.52*) |
| Refer to *Article II* for definitions of uses and refer to *Section 5.04(1)* for development standards for specific uses. | |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **NM2** |
| Max. Usable Floor Area in percentage of lot area | ~~30~~35% ((s)) |
| Front Yard Setback | 50 feet (*(f)*) |
| Rear Yard Setback | 50 feet (*(f)*) |
| Side Yard Setback | 25 feet (*(f)*) |
| Total of two side yard setbacks | 60 feet (*(f)*) |
| Max. Building Height | *(g)* |
| **Footnotes:** Refer to *Section 4.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 5.04(1)* for dimensional regulations for specific uses. | |

## Section 3.09 NM3 District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all NM3 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 7.23, Section 7.23(1)*)<br>• Condominium multiple dwellings<br>• Home occupations (*Section 6.28*)<br>• Housing for the elderly (*Section 6.31*)<br>• Parks and outdoor recreational uses (*Section 2.02, Section 2.02(2)*) | • Personal service establishments (*Section 2.02, Section 2.02(2)*) (*Section 6.47*)<br>• Retail sales (*Section 2.01, Section 2.01(8)*) (*Section 6.52*) |
| Refer to *Article II* for definitions of uses and refer to *Section 5.04(1)* for development standards for specific uses. | |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **NM3** |
| Front Yard Setback | 50 feet (*(i)*) |
| Rear Yard Setback | 50 feet (*(i)*) |
| Side Yard Setback | 25 feet (*(i)*) |
| Total of two side yard setbacks | 60 feet |
| Maximum ground coverage by principal structure | 25% |
| Max. Building Height | *((h))* |
| **Footnotes:** Refer to *Section 4.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 5.04(1)* for dimensional regulations for specific uses. | |

## Section 3.10 C-1 District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all C-1 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 7.23, Section 7.23(1)D)*)<br>• Bakeries<br>• Banks and savings and loans associations<br>• Bed and breakfast establishments (*Section 6.08*)<br>• Blood and plasma donation centers<br>• Catering establishments<br>• Clubs, lodges, and meeting halls, fraternal and religious<br>• Cultural institutions, such as museums, art galleries and libraries<br>• Data processing and computer centers, including sales, service, and maintenance of electronic data processing equipment<br>• Educational uses (*Section 2.01, Section 2.01(4)*)<br>• General offices<br>• Indoor recreational uses<br>• Kidney transfusion centers<br>• Limited service and carry-out restaurants with or without outdoor dining areas (*Section 6.51,. Section 6.51(1)*)<br>• Medicine, osteopathy and dentistry (excluding veterinary clinics)<br>• Music, dance, or business academies<br>• Open-air sales of Christmas trees (*Section 6.43*)<br>• Optometry and chiropractic<br>• Orthopedic and medical supply stores, but not including assembly or manufacturing<br>• Parks and outdoor recreational uses (*Section 2.02, Section 2.02(2)*)<br>• Personal service establishments (*Section 2.02, Section 2.02(2)*) (*Section 6.47*)<br>• Photographic studios<br>• Physical therapy and health services (not including massage establishments and public baths)<br>• Professional offices (*Section 2.02, Section 2.02(2)*)<br>• Psychology and podiatry<br>• Public utility uses<br>• Religious institutions (*Section 6.50*)<br>• Retail sales (*Section 2.01, Section 2.01(8)*) (*Section 6.52*)<br>• Schools including, but not limited to dance, music and instrumental, and business/ training<br>• Schools - music, dance or business<br>• Temporary buildings for construction purposes, not to exceed the duration of construction<br>• Temporary Uses and Sidewalk and Tent Sales (Section 6.56(1)) | • Artisan, craftsman, printing and engraving Shops other similar uses (*Section 2.01, Section 2.01(8)*)<br>• Buildings (single or multi-unit) for the purpose of retail sales and which contain a GFA of 30,000 square feet or more (*Section 6.52, Section 6.52(1)*)<br>• Brewer, micro brewer, brewpub, and distilleries (*Section 6.09*)<br>• Convalescent and nursing homes (*Section 6.40*)<br>• Dairies, creameries, soft drink and bottling plants, and other similar uses (*Section 2.01, Section 2.01(8)*)<br>• Day care nurseries (*Section 6.13*)<br>• Establishments having liquor licenses such as Class C, tavern, and club (*Section 6.22*)<br>• Full-service restaurants with or without outdoor dining areas (*Section 6.51, Section 6.51(2)*)<br>• Funeral homes and undertaking establishments<br>• Hospitals (*Section 6.29*)<br>• Massage establishments (*Section 6.37*)<br>• Open-air business uses (*Section 6.42*)<br>• Planned ~~general~~ developments (Section 5.02*)*<br>• S.D.D. and S.D.M. licenses (*Section 6.03*)<br>• Veterinary clinics, animal clinics and animal hospitals (*Section 6.59*) |
| Refer to *Article II* for definitions of uses and refer to *Section 5.04(1)* for development standards for specific uses. | |

| PROHIBITED USES |
|---|
| In all C-1 Districts no buildings shall hereafter be erected, altered, or used, nor shall any land be used in whole or in part for residential purposes; provided, however, that nothing contained in this section shall affect or interfere with dwellings now in existence in C-1 Districts on the date when this Ordinance becomes effective nor with any buildings accessory to such dwellings or in any way prevent the owners thereof from making any additions, alterations, or repairs to such dwellings or erecting any buildings accessory thereto; provided further, however, that all such dwellings and buildings accessory thereto shall conform to the same requirements as are provided in this Ordinance for the nearest district thereto in which a dwelling may hereafter be lawfully erected.<br><br>Nothing in this Article shall be construed as permitting the operation of material yards, new and used lumber sales, nor the sale of used machinery or auto parts, which uses are hereby expressly prohibited in C-1 Districts. |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **C-1** |
| Min. Lot Area | 4,000 sq. ft. |
| Min. Size of Commercial Buildings | (*(j)*) |
| Front Yard Setback | 15 feet *((p))* |
| Side Yard Setback | 8 feet (*(p)*) |
| Total of two side yard setbacks | 16 feet |
| Rear Yard Setback | 8 feet (*(p)*) |
| Max. Building Height | 35 feet (2 stories), except as provided in *Section 7.17* to *Section 7.20* |
| **Footnotes:** Refer to *Section 4.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 5.04(1)* for dimensional regulations for specific uses. | |

## Section 3.11 C-2 District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all C-2 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 7.23, Section 7.23(1)D)*)<br>• Artisan, craftsman, printing and engraving shops other similar uses (*Section 2.01, Section 2.01(8)*)<br>• Bakeries<br>• Banks and savings and loans associations<br>• Bed and breakfast establishments (*Section 6.08*)<br>• Blood and plasma donation centers<br>• Catering establishments<br>• Clubs, lodges, and meeting halls, fraternal and religious<br>• Cultural institutions, such as museums, art galleries and libraries<br>• Day care nurseries (*Section 6.13*)<br>• Data processing and computer centers, including sales, service, and maintenance of electronic data processing equipment<br>• Educational uses (*Section 2.01, Section 2.01(4)*)<br>• Funeral homes and undertaking establishments<br>• Gardening and tree nurseries (*Section 6.24*)<br>• General offices<br>• Hotels (*Section 6.30*)<br>• Indoor recreational uses (*Section 2.01 (8)*) (*Section 6.32*)<br>• Kidney transfusion centers<br>• Limited service and carry-out restaurants with or without outdoor dining areas (*Section 6.51, Section 6.51(1)*)<br>• Medicine, osteopathy and dentistry (excluding veterinary clinics)<br>• Music, dance, or business academies<br>• Nurseries, including sale of garden supplies<br>• Open-air sales of Christmas trees (*Section 6.43*)<br>• Optometry and Chiropractic<br>• Orthopedic and medical supply stores, but not including assembly or manufacturing<br>• Parks and outdoor recreational uses (*Section 2.02, Section 2.02(2)*)<br>• Personal service establishments (*Section 2.02, Section 2.02(2)*) (*Section 6.47*)<br>• Photographic studios<br>• Physical therapy and health services (not including massage establishments and public baths)<br>• Professional offices (*Section 2.02, Section 2.02(2)*)<br>• Psychology and podiatry<br>• Public utility uses<br>• Radio and television towers and broadcasting studios<br>• Religious institutions (*Section 6.50*)<br>• Retail sales (*Section 2.01, Section 2.01(8)*) (*Section 6.52*)<br>• Schools including, but not limited to dance, music and instrumental, and business/ training<br>• Temporary buildings for construction purposes, not to exceed the duration of construction<br>• Temporary Uses and Sidewalk and Tent Sales (*Section 6.56(1)*)<br>• Wholesale business uses (*Section 2.01, Section 2.01(8)*) | • Ambulance services, local and suburban bus terminals and taxicab terminals (*Section 6.57*)<br>• Automobile and light truck (one (1) ton gross vehicle weight) repair (*Section 6.06*)<br>• Auto-wash establishments and auto-wash establishments operated with accessory gasoline pumps (*Section 6.07*)<br>• Buildings (single or multi-unit) for the purpose of retail sales and which contain a GFA of 30,000 square feet or more (*Section 6.52, Section 6.52(1)*)<br>• Brewer, micro brewer, brewpub, and distilleries (*Section 6.09*)<br>• Carnivals, outdoor circuses or migratory amusement enterprises (*Section 6.56, Section 6.56(3)*)<br>• Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis (*Section 6.54*)<br>• Convalescent and nursing homes (*Section 6.40*)<br>• Dairies, Creameries, Soft Drink and Bottling Plants, and other similar uses (*Section 2.01 (8)*)<br>• Dance halls and ballrooms (*Section 6.14*)<br>• Drive-in restaurants and restaurants with either drive-thru or drive-up window facilities; including food trucks (*Section 6.51, Section 6.51(3)*)<br>• Drive-in theaters<br>• Establishments having liquor licenses such as Class C, tavern, and club (*Section 6.22*)<br>• Full-service restaurants with or without outdoor dining areas (*Section 6.51, Section 6.51(2)*)<br>• Gasoline service station (*Section 6.26*)<br>• Hospitals (*Section 6.29*)<br>• Massage establishments (*Section 6.37*)<br>• Motels (*Section 6.38*)<br>• New and used car lots and showrooms, new or used mobile home sales and automobile rental facilities (*Section 6.05*)<br>• Open-air business uses (*Section 6.42*)<br>• Automotive paint Shops (*Section 2.01 (8)*)<br>• Parking structure (*Section 9.09*)<br>• Pawn shops (*Section 6.45*)<br>• Payday lenders (*Section 6.46*)<br>• Planned ~~general~~ developments (*Section 5.02*)<br>• S.D.D. and S.D.M. licenses (*Section 6.03*)<br>• Second-hand stores and rummage shops (*Section 6.53*)<br>• Veterinary clinics, animal clinics and animal hospitals (*Section 6.59*) |
| Refer to Article II for definitions of uses and refer to Section 5.04(1) for development standards for specific uses. | |

| PROHIBITED USES |
|---|
| In all C-2 Districts no building shall hereafter be erected, altered, or used, nor shall any land be used in whole or in part for residential purposes; provided, however, that nothing contained in this section shall affect or interfere with dwellings now in existence in C-2 Districts on the date when this Ordinance becomes effective nor with any buildings accessory to such dwellings, or in any way prevent the owners thereof from making any additions, alterations, or repairs to such dwellings or erecting any buildings accessory thereto; provided further, however, that all such dwellings and buildings accessory thereto shall conform to the same requirements as are provided in this Ordinance for the nearest district thereto in which a dwelling may hereafter be lawfully erected.<br><br>Nothing in this Article shall be construed as permitting the operation of material yards, new and used lumber sales, nor the sale of used machinery or auto parts, which uses are hereby expressly prohibited in C-2 Districts. |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **C-2** |
| Min. Lot Area | (*(k)*) |
| Min. Size of Commercial Buildings | (*(l)*) |
| Front Yard Setback | 15 feet (*(p)*) |
| Side Yard Setback | 8 feet (*(p)*) |
| Total of two side yard setbacks | 16 feet |
| Rear Yard Setback | 8 feet (*(p)*) |
| Max. Building Height | 35 feet (2 stories), except as provided in *Section 7.17* to *Section 7.20* |
| **Footnotes:** Refer to *Section 4.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 5.04(1)* for dimensional regulations for specific uses. | |

## Section 3.12 C-3 District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all C-3 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 7.23, Section 7.23(1)D)*)<br>• Ambulance services, local and suburban bus terminals and taxicab terminals (*Section 6.57*)<br>• Artisan, craftsman, printing and engraving shops other similar uses (*Section 2.01, Section 2.01(8)*)<br>• Automobile and light truck (one (1) ton gross vehicle weight) repair (*Section 6.06*)<br>• Auto-wash establishments and auto-wash establishments operated with accessory gasoline pumps (*Section 6.07*)<br>• Bakeries<br>• Banks and savings and loans associations<br>• Bed and breakfast establishments (*Section 6.08*)<br>• Blood and plasma donation centers<br>• Buildings (single or multi-unit) for the purpose of retail sales and which contain a GFA of 30,000 square feet or more (*Section 6.52, Section 6.52(1)*)<br>• Brewer, micro brewer, brewpub, and distilleries (*Section 6.09*)<br>• Carnivals, outdoor circuses or migratory amusement enterprises (*Section 6.56, Section 6.56(3)*)<br>• Catering establishments<br>• Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis (*Section 6.54*)<br>• Clubs, lodges, and meeting halls, fraternal and religious<br>• Convalescent and nursing homes (*Section 6.40*)<br>• Cultural institutions, such as museums, art galleries and libraries<br>• Dance halls and ballrooms (*Section 6.14*)<br>• Data processing and computer centers, including sales, service, and maintenance of electronic data processing equipment<br>• Day care nurseries (*Section 6.13*)<br>• Drive-in restaurants and restaurants with either drive-thru or drive-up window facilities; including food trucks (*Section 6.51, Section 6.51(3)*)<br>• Drive-in theaters<br>• Educational uses (*Section 2.01, Section 2.01(4)*)<br>• Establishments having liquor licenses such as Class C, tavern, and club (*Section 6.22*)<br>• Full service restaurants with or without outdoor dining areas (*Section 6.51, Section 6.51(2)*)<br>• Funeral homes and undertaking establishments<br>• Gardening and tree nurseries (*Section 6.24*)<br>• Gasoline service station (*Section 6.26*)<br>• General offices<br>• Hospitals (*Section 6.29*)<br>• Hotels (*Section 6.30*)<br>• Indoor recreational uses (*Section 2.01, Section 2.01(8)*) (*Section 6.32*)<br>• Kidney transfusion centers<br>• Limited service and carry-out restaurants with or without outdoor dining areas (*Section 6.51 Section 6.51(1)*)<br>• Massage establishments (*Section 6.37*)<br>• Medicine, osteopathy and dentistry (excluding veterinary clinics)<br>• Motels (*Section 6.38)*<br>• Music, dance, or business academies | • Adult businesses (*Section 6.01*)<br>• Dairies, creameries, soft drink and bottling plants, and other similar uses (*Section 2.01(8)*)<br>• Automotive paint shops (*Section 2.01(8)*)<br>• Parking structure (*Section 9.09*)<br>• Planned ~~general~~ developments (-*Section 5.02*)<br>• |

| PERMITTED USES | WAIVER USES |
|---|---|
| • New and used car lots and showrooms, new or used mobile home sales and automobile rental facilities (Section 6.05)<br>• Nurseries, including sale of garden supplies<br>• Open-air business uses (Section 6.42)<br>• Open-air sales of Christmas trees (Section 6.43)<br>• Optometry and chiropractic<br>• Orthopedic and medical supply stores, but not including assembly or manufacturing<br>• Parks and outdoor recreational uses (Section 2.02, Section 2.02(2))<br>• Pawn shops (Section 6.45)<br>• Payday lenders (Section 6.46)<br>• Personal service establishments (Section 2.02, Section 2.02(2)) (Section 6.47)<br>• Photographic studios<br>• Physical therapy and health services (not including massage establishments and public baths)<br>• Professional offices (Section 2.02, Section 2.02(2))<br>• Psychology and podiatry<br>• Public utility uses<br>• Radio and television towers and broadcasting studios<br>• Religious institutions (Section 6.50)<br>• Retail sales (Section 2.01, Section 2.01(8)) (Section 6.52)<br>• S.D.D. and S.D.M. licenses (Section 6.03)<br>• Second-hand stores and rummage shops (Section 6.53)<br>• Schools including, but not limited to dance, music and instrumental, and business/ training<br>• Temporary buildings for construction purposes, not to exceed the duration of construction<br>• Veterinary clinics, animal clinics and animal hospitals (Section 6.59)<br>• Wholesale business uses (Section 2.01, Section 2.01(8)) | |

| PROHIBITED USES |
|---|
| In all C-3 Districts no building shall hereafter be erected, altered, or used, nor shall any land be used in whole or in part for residential purposes; provided, however, that nothing contained in this section shall affect or interfere with dwellings now in existence in C-3 Districts on the date when this Ordinance becomes effective nor with any buildings accessory to such dwellings, or in any way prevent the owners thereof from making any additions, alterations or repairs to such dwellings or erecting any buildings accessory thereto; provided further, however, that all such dwellings and buildings accessory thereto shall conform to the same requirements as are provided in this Ordinance for the nearest district thereto in which a dwelling may hereafter be lawfully erected. Nothing in this article shall be construed as permitting the operation of material yards and the sale of used machinery or auto parts, which uses are hereby expressly prohibited in C-3 Districts. |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **C-3** |
| Min. Lot Area | ((k)) |
| Min. Size of Commercial Buildings | ((l)) |
| Front Yard Setback | 50 feet ((p)) |
| Side Yard Setback | 25 feet ((p)) |
| Total of two side yard setbacks | 50 feet |
| Rear Yard Setback | ((p)) ((q)) |
| Max. Building Height | 35 feet (2 stories), except as provided in Section 7.17 to Section 7.20 |
| **Footnotes:** Refer to Section 4.03 wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to Section 5.04(1) for dimensional regulations for specific uses. | |

## Section 3.13 C-4 District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all C-4 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 7.23, Section 7.23(1)D)*)<br>• Artisan, craftsman, printing and engraving shops other similar uses (*Section 2.01, Section 2.01(8)*)<br>• Bakeries<br>• Banks and savings and loans associations<br>• Bed and breakfast establishments (*Section 6.08*)<br>• Blood and plasma donation centers<br>• Brewer, Micro Brewer, Brewpub, and Distilleries (*Section 6.09*)<br>• Catering establishments<br>• Convalescent and nursing homes (*Section 6.40*)<br>• Cultural service buildings, such as publicly owned museums, art galleries and libraries<br>• Day care nurseries (*Section 6.13*)<br>• Educational uses (*Section 2.01, Section 2.01(4)*)<br>• Full service restaurants with or without outdoor dining areas (*Section 6.51, Section 6.51(2)*)<br>• Funeral homes and undertaking establishments<br>• Gardening and tree nurseries (*Section 6.24*)<br>• General offices<br>• Hotels (*Section 6.30*)<br>• Indoor recreational uses (*Section 2.01, Section 2.01(8)*) (*Section 6.32*)<br>• Kidney transfusion centers<br>• Limited service restaurant and carry-out restaurants with or without outdoor dining areas (*Section 6.51, Section 6.51(1)*)<br>• Medicine, osteopathy and dentistry (excluding veterinary clinics)<br>• Motels (*Section 6.38*)<br>• Museums<br>• Music, dance, or business academies<br>• Nurseries, including sale of garden supplies<br>• Open-air sales of Christmas trees (*Section 6.43*)<br>• Optometry and chiropractic<br>• Orthopedic and medical supply stores, but not including assembly or manufacturing<br>• Parks and outdoor recreational uses (*Section 2.02, Section 2.02(2)*)<br>• Personal service establishments (*Section 2.02, Section 2.02(2)*) (*Section 6.47*)<br>• Photographic studios<br>• Physical therapy and health services (not including massage establishments and public baths)<br>• Professional offices (*Section 2.02, Section 2.02(2)*)<br>• Psychology and podiatry<br>• Public utility uses<br>• Radio and television towers and broadcasting studios<br>• Religious institutions (*Section 6.50*)<br>• Retail sales (*Section 2.01, Section 2.01(8)), (Section 6.52*)<br>• Schools including, but not limited to dance, music and instrumental, and business/ training<br>• Universities, colleges, private colleges, including ancillary uses and facilities<br>• Wholesale business uses (*Section 2.01, Section 2.01(8)*)<br>• Temporary buildings for construction purposes, not to exceed the duration of construction | • Accessory residential use for apartments (*Section 7.23, Section 7.23(2)*)<br>• Carnivals, outdoor circuses or migratory amusement enterprises (*Section 6.56, Section 6.56(3)*)<br>• Dairies, creameries, soft drink and bottling plants, and other similar uses (*Section 2.01 (8)*)<br>• Establishments having liquor licenses such as Class C, Tavern, and Club (*Section 6.22*)<br>• Heliports (*Section 6.27*)<br>• Hospitals (*Section 6.29*)<br>• Massage establishments (*Section 6.37*)<br>• Automotive paint shops (*Section 2.01 (8)*)<br>• Parking structure (*Section 9.09*)<br>• Planned ~~general~~ developments (*Section 5.02*) |

Refer to *Article II* for definitions of uses and refer to *Section 5.04(1)* for development standards for specific uses.

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **C-4** |
| Min. Lot Area | 4,000 sq. ft. |
| Front Yard Setback | 40 feet *((p))* |
| Side Yard Setback | 40 feet *((p))* |
| Total of two side yard setbacks | 80 feet |
| Rear Yard Setback | 40 feet *((p))* |
| Max. Ground Coverage by Principal Structure | 20% |
| Max. Building Height | *((g)~~h~~)* |
| **Footnotes:** Refer to *Section 4.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 5.04(1)* for dimensional regulations for specific uses. | |

## Section 3.14 P-L District Regulations.

| APPLICATION OF ARTICLE |
|---|
| This district is designed to classify publicly owned uses and land publicly or privately-owned facilities (as defined in *Section 2.02* of this ordinance). The regulations set forth in this Article shall apply in all P-L districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 7.23, Section 7.23(1)*)<br>• Brewer, Micro Brewer, Brewpub, and Distilleries (*Section 6.09*)<br>• Carnivals, outdoor circuses or migratory amusement enterprises (*Section 6.56(3*)<br>• Cultural service buildings, such as publicly owned museums, art galleries and libraries<br>• Educational uses (*Section 2.01, Section 2.01(4)*)<br>• Establishments having liquor licenses such as Class C, tavern, and club (*Section 6.22*)<br>• Hospitals (*Section 6.29*)<br>• Housing for the elderly (*Section 6.31*)<br>• Municipal or other governmental buildings<br>• Heliports (*Section 6.27*)<br>• Parking structures (*Section 9.09*)<br>• Parks and outdoor recreational uses (*Section 2.02, Section 2.02(2)*)<br>• Universities, colleges, private colleges, including ancillary uses and facilities | • Licensed and certified publicly or privately-owned facilities for the detention, incarceration, commitment and/or rehabilitation of adults or minor children and psychiatric hospitals (*Section 6.23*) |
| Refer to *Article II* for definitions of uses and refer to *Section 5.04(1)* for development standards for specific uses. | |

## Section 3.15 ML District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all ML Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 7.23, Section 7.23(1)*)<br>• Brewer, micro brewer, brewpub, and distilleries (*Section 6.09*)<br>• Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis (*Section 6.54*)<br>• Data processing and computer centers, including sales, service and maintenance of electronic data processing equipment<br>• Establishments for the distribution of, or the packaging, assembling, secondary processing, alteration or repair<br>• Experimental product development and testing including limited manufacturing (*Section 6.22(3)*)<br>• General offices<br>• Industrial, scientific, or business research development and testing laboratories and offices<br>• Industrial parks (*Section 7.28*)<br>• Laundry and dry-cleaning establishments<br>• Parks and outdoor recreational uses (*Section 2.02, Section 2.02(2)*)<br>• Professional offices (*Section 2.02, Section 2.02(2)*)<br>• Temporary buildings for construction purposes for a period not to exceed the duration of construction<br>• Tool and die shops and pattern making shops<br>• Warehouses (*Section 2.01, Section 2.01(8)*) | • Heliports (*Section 6.27*)<br>• Parking structure (*Section 9.09*) |
| Refer to *Article II* for definitions of uses and refer to *Section 5.04(1)* for development standards for specific uses. | |

| PROHIBITED USES |
|---|
| In all ML Districts no building shall be erected or used, or land used, in whole or in part, for any one or more of the following uses:<br>a) All uses permitted in N1, N2, R-U-F, NM1, NM2, C-1, C-2, and C-3 Districts.<br>b) All waiver uses listed in N1, N2, R-U-F-Districts, NM1, NM2, C-1, C-2, and C-3 Districts.<br>c) Outside storage of trucks, materials, and/or supplies.<br>d) Uses causing or resulting in obnoxious, offensive, injurious, dangerous or unhealthy odors, fumes, dust, smoke, noise, glare of lights or vibration, or the accumulation of unsightly waste materials on private or public property. |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **ML** |
| Front Yard Setback | (*(m)*) |
| Rear Yard Setback | (*(m)*) |
| Side Yard Setback | (*(m)*) |
| Max. Building Height | 35 feet, except as provided in *Section 7.17* to *Section 7.20* |

**Footnotes:** Refer to *Section 4.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 5.04(1)* for dimensional regulations for specific uses.

## Section 3.16 M-1 District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all M-1 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 7.23, Section 7.23(1)*)<br>• Artisan, craftsman, printing and engraving shops other similar uses (*Section 2.01 Section 2.01(8)*)<br>• Brewer, micro brewer, brewpub, and distilleries (*Section 6.09*)<br>• Bulk storage of refined petroleum products<br>• Caregiver grow facilities (*Section 6.10*)<br>• Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis (*Section 6.54*)<br>• Dairies, creameries, soft drink and bottling plants, and other similar uses (*Section 2.01 Section 2.01(8)*)<br>• Data processing and computer centers, including sales, service and maintenance of electronic data processing equipment<br>• Establishments for the distribution of, or the packaging, assembling, secondary processing, alteration or repair<br>• Experimental product development and testing including limited manufacturing (*Section 6.22(3)*)<br>• General offices<br>• Industrial parks (*Section 7.28*)<br>• Industrial, scientific, or business research development and testing laboratories and offices<br>• Internet-based exotic vehicle sales (*Section 6.33*)<br>• Industrial plants manufacturing, processing or assembling (*Section 2.02, Section 2.02(2)*)<br>•<br>• Laundry and dry-cleaning establishments<br>• ~~Local and suburban passenger terminals; trucking transportation terminals including maintenance and service facilities (*Section 6.36*)~~<br>• Paint shops (*Section 2.01 (8)*)<br>• Parks and outdoor recreational uses (*Section 2.02, Section 2.02(2)*)<br>• Professional offices (*Section 2.02, Section 2.02(2)*)<br>• Public utility uses<br>• ~~Industrial, scientific, or business research development and testing laboratories and offices~~<br>• ~~Internet-based exotic vehicle sales (*Section 6.33*)~~<br>• ~~Industrial plants manufacturing, processing or assembling (*Section 2.02, Section 2.02(2)*)~~ | • Ambulance services, local and suburban bus terminals and taxicab terminals (*Section 6.57*)<br>• Garages, repair shops, rustproofing and similar highway services (*Section 6.24*)<br>• Heliports (*Section 6.27*)<br>• Indoor recreational uses (*Section 2.01, Section 2.01(8)*) (*Section 6.32*)<br>• Local and suburban passenger terminals; trucking transportation terminals including maintenance and service facilities (*Section 6.36*)<br>• Outdoor storage of recreational equipment (*Section 6.44*)<br>• Parking structures (*Section 9.09*)<br>• Retail sales (*Section 2.01, Section 2.01(8)*) (*Section 6.52*)<br>• Steel fabricators, truck terminals, truck and trailer rental facilities, ~~where vehicles, trailers, equipment and material,~~ special trade contractors, and vehicle tow yards (*Section 6.58*) |

| | |
|---|---|
| • Temporary buildings for construction purposes for a period not to exceed the duration of construction<br>• Tool and die shops and pattern making shops<br>• Warehouses (*Section 2.01, Section 2.01(8)*) | |
| Refer to *Article II* for definitions of uses and refer to *Section 5.04(1)* for development standards for specific uses. | |

| PROHIBITED USES |
|---|
| In all M-1 Districts no building shall be erected or used, or land used, in whole or in part, for any one or more of the following uses:<br>a) All uses permitted in N1, N2, R-U-F, NM1, NM2, C-1, C-2 and C-3 Districts unless expressly permitted in this Article.<br>b) All waiver uses listed in any of the N1, N2, RUF, NM1, NM2, C1, C2, and C3 Districts unless expressly permitted in this Article.<br>c) Junk yards and businesses handling junk, waste, trash, or rubbish.<br>d) Used auto parts or auto wrecking establishments.<br>e) Incubation, raising, or storing of poultry.<br>f) Slaughtering of animals.<br>g) Use or operation of steam hammers, forging equipment.<br>h) Heavy manufacturing drop forging plants, foundries, and boiler works.<br>i) Uses causing or resulting in obnoxious, offensive, injurious, dangerous or unhealthy odors, fumes, dust, smoke, noise, glare of lights or vibration, or the accumulation of unsightly waste materials on private or public property. |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **M-1** |
| Front Yard Setback | (*(n)*) |
| Rear Yard Setback | (*(n)*) |
| Side Yard Setback | (*(n)*) |
| Max. Building Height | 50 feet, except as provided in *Section 7.17* to *Section 7.20* |
| **Footnotes:** Refer to *Section 4.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 5.04(1)* for dimensional regulations for specific uses. | |

## Section 3.17 M-2 District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all M-2 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 7.23, Section 7.23(1)*)<br>• Any lawful use of land or buildings not herein expressly provided for or prohibited<br>• Artisan, craftsman, printing and engraving shops other similar uses (*Section 2.01, Section 2.01(8)*)<br>• Brewer, micro brewer, brewpub, and distilleries (*Section 6.09*)<br>• Bulk storage of refined petroleum products<br>• Caregiver grow facilities (*Section 6.10*)<br>• Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis (*Section 6.54*)<br>• Dairies, creameries, soft drink and bottling plants, and other similar uses (*Section 2.01 (8)*)<br>• Data processing and computer centers, including sales, service and maintenance of electronic data processing equipment<br>• Establishments for the distribution of, or the packaging, assembling, secondary processing, alteration or repair<br>• Experimental product development and testing including limited manufacturing (*Section 6.22(3)*)<br>• Garages, repair shops, rustproofing and similar highway services (*Section 6.24*)<br>• General offices<br>• Heavy manufacturing and general industrial plants<br>• Industrial, scientific, or business research development and testing laboratories and offices<br>• Industrial parks (*Section 7.28*)<br>• Industrial plants manufacturing, processing or assembling (*Section 2.02, Section 2.02(2)*)<br>• Internet-based exotic vehicle sales (*Section 6.33*)<br>• Laundry and dry-cleaning establishments<br>• ~~Local and suburban passenger terminals; trucking transportation terminals including maintenance and service facilities (*Section 6.36*)~~<br>• Outdoor storage of Recreational Equipment (*Section 6.44*)<br>• Paint shops (*Section 2.01 (8)*)<br>• Parking structure (*Section 9.09*)<br>• Parks and outdoor recreational uses (*Section 2.02, Section 2.02(2)*)<br>• Professional offices (*Section 2.02, Section 2.02(2)*)<br>• Public utility uses<br>• ~~Steel fabricators, truck terminals, truck and trailer rental facilities where vehicles, trailers, equipment and material (*Section 6.58*)~~<br>• Temporary buildings for construction purposes for a period not to exceed the duration of construction<br>• Tool and die shops and pattern making shops<br>• Warehouses (*Section 2.01, Section 2.01(8)*) | • Ambulance services, local and suburban bus terminals and taxicab terminals (*Section 6.57*)<br>• Heliports (*Section 6.27*)<br>• Local and suburban passenger terminals; trucking transportation terminals including maintenance and service facilities (*Section 6.36*)<br>• Steel fabricators, truck terminals, truck and trailer rental facilities, special trade contractors, and vehicle tow yards (*Section 6.58*)<br>• ~~Vehicle tow yards (*Section 6.58*)~~ |
| Refer to *Article II* for definitions of uses and refer to *Section 5.04(1)* for development standards for specific uses. | |

| PROHIBITED USES |
|---|
| In all M-2 Districts no building shall be erected or used, or land used, in whole or in part, for any one or more of the following uses:<br>a) All uses that are prohibited in an M-1 District.<br>b) Tanneries, slaughterhouses, stock yards, glue factories, soap factories, asphalt mixing, batching or paving plants, oil or asphalt refineries.<br>c) Furniture stores.<br>d) Indoor recreational uses.<br>e) The operation of forgings by steam or board hammers except where located more than one thousand (1,000) feet from any district zoned as residential as measured from any point on the property and only when approved by the City Council after review and submission of findings by the City Planning Commission. No such approval shall be given until the City Council is satisfied that vibration and noise will be reduced to a reasonable minimum through construction and use of the most modern and effective facilities available for such purpose.<br>f) Uses causing or resulting in obnoxious, offensive, injurious, dangerous or unhealthy odors, fumes, dust, smoke, noise, glare of lights, waste, discharge of by-products, or the accumulation of unsightly waste materials on private or public property.<br>g) Uses like the above specified uses. |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **M-2** |
| Front Yard Setback | (*(o)*) |
| Rear Yard Setback | (*(o)*) |
| Side Yard Setback | (*(o)*) |
| **Footnotes:** Refer to *Section 4.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 5.04(1)* for dimensional regulations for specific uses. | |

## Section 3.18 NP District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations of this Article shall apply in all NP Districts. The intent of this Article is to provide for the preservation and protection of certain City-owned properties which remain undisturbed in their natural state and which are designated as "Nature Preserve" on Part VII of the Master Plan, the Future Land Use Plan, because they have unique characteristics such as a dense growth of trees, wild flowers and a variety of other plants, animals and birds normally associated with a densely wooded area, as well as the preservation of publicly-owned properties which are designated as wetlands by the Department of Natural Resources or are located within a designated Flood Hazard District as defined in *Section 2.02, Section 2.02(4)* of this Ordinance. |

| PERMITTED USES |
|---|
| Nature Preserves (*Section 2.02, Section 2.02(2), Section 6.39*) |
| Refer to Article II for definitions of uses. |

| PROHIBITED USES |
|---|
| In all NP districts, no building or structure shall be erected, nor shall any land be used in whole or in part for any purpose whatsoever except for one or more of the uses expressly permitted in the permitted uses listed above. Irrespective of any other provisions of this Ordinance, the foregoing prohibition shall include grading, filing or dumping of any material in any manner; the removal or damaging of trees, wild flowers, and other plant material; and the destruction of wildlife. |

## Section 3.19 P District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations of this Article shall apply in all P Districts. |

| PERMITTED AND WAIVER USES |
|---|
| Non-residential parking shall be treated as a Permitted Use. In all P Districts, no land shall be used and no building shall be hereafter erected, converted or structurally altered, unless otherwise provided for in this Ordinance, for any use other than automobile parking. All P Districts shall be contiguous to a Business District and/or Industrial District; provided, however, that there may be a private highway or public street or public alley between such P District and such Business District and/or Industrial District. Parking may be with or without charge. The standards of Article X, Parking, Loading, and Access Management shall apply (*Article X*).<br>Parking structures shall be treated as a Waiver Use, subject to the provisions set forth in *Section 9.09*. |

| PROHIBITED USES |
|---|
| a) Parking areas shall be used for parking of private passenger vehicles only.<br>b) No business involving the repair or services to vehicles permitted thereon or sale, or other storage, or display thereof, shall be conducted from or upon such premises |

# Article IV.
# Schedule of Regulations

## Section 4.01 Statement of Purpose.

The purpose of this Article is to provide area, height, and placement regulations for districts established by this Zoning Ordinance.

## Section 4.02 Schedule of Regulations.

Unless otherwise provided in this Ordinance, area, height, and placement regulations under this Ordinance shall be in accordance with the Schedule of Regulations in the Table and footnotes below, which schedule and footnotes are hereby made a part of this *Section 4.02.*

## SCHEDULE OF REGULATIONS

| | Lot Area, Lot Coverage, and Dwelling/Business Unit Standards | | | | | | Minimum Yard Setbacks (ft) | | | | | | Maximum Building Height | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Zoning District** | Minimum Lot Area | Maximum Usable Floor Area in Percentage of Lot Area | Minimum Size of Commercial Buildings | Minimum Lot Width (ft.) | Minimum Lot Depth (ft.) | Maximum Lot Coverage (%) | Front (ft.) | Side (ft.) | Total of 2 Sides (ft.) | Side yard setback abutting street | Rear yard abutting side yard, the side yard abutting upon a street not less than | Rear (ft.) | Feet | Stories |
| **N1, Neighborhood** | 6,000 sq. ft. | — | — | 50 ((a)) | 120 ((a)) ((b)) | ((c)) | 25 ((r)) | 5 | 14 | 15 | 25 | 30 | 35, except as provided in Section 7.17 to Section 7.20 | 2, except as provided in Section 7.17 to Section 7.20 |
| **N2, Neighborhood** | 8,400 sq. ft. | — | — | 70 ((a)) | 120 ((a)) ((b)) | ((c)) | 30 ((r)) | 6 | 16 | 17 | 25 | 30 | 35, except as provided in Section 7.17 to Section 7.20 | 2, except as provided in Section 7.17 to Section 7.20 |
| **RUF, Rural Urban Farm** | 15,000 sq. ft. | — | — | 75 ((a)) | 150 ((a)) ((b)) | ((c)) | 50 ((r)) | 10 | 20 | 23 | 40 | 45 | 35, except as provided in Section 7.17 to Section 7.20 | 2, except as provided in Section 7.17 to Section 7.20 |
| **NM1, Neighborhood Multifamily** | — | — | — | 80 ((a)) | -- | 25% | 30 | 25 ((d)) | 60 ((d)) | ((e)) | — | 50 | 35, except as provided in Section 7.17 to Section 7.20 | 2 ½, except as provided in Section 7.17 to Section 7.20 |
| **NM2, Neighborhood Multifamily** | — | ~~30~~35% ((s)) | — | — | — | — | 50 ((f)) | 25 ((f)) | 60 ((f)) | — | — | 50 ((f)) | ((g)) | ((g)) |
| **NM3, Neighborhood Multifamily** | — | — | — | — | — | 25% for the principal structure | 50 ((i)) | 25 ((i)) | 60 ((i)) | — | — | 50 ((i)) | ((h)) | ((h)) |
| **C-1, Local Business** | 4,000 sq. ft. | — | ((j)) | — | — | — | 15 ((p)) | 8 ((p)) | 16 | — | — | 8 ((p)) | 35, except as provided in Section 7.17 to Section 7.20 | 2, except as provided in Section 7.17 to Section 7.20 |
| **C-2, General Business** | ((k)) | — | ((l)) | — | — | — | 15 ((p)) | 8 ((p)) | 16 | — | — | 8 ((p)) | 35, except as provided in Section 7.17 to Section 7.20 | 2, except as provided in Section 7.17 to Section 7.20 |
| **C-3, Highway Services** | ((k)) | — | ((l)) | — | — | — | 50 ((p)) | 25 ((p)) | 50 | — | — | ((p)) ((q)) | 35, except as provided in Section 7.17 to Section 7.20 | 2, except as provided in Section 7.17 to Section 7.20 |
| **C-4, High Rise Commercial** | 4,000 sq. ft. | — | — | -- | -- | | 40 ((p)) | 40 ((p)) | 80 | — | — | 40 ((p)) | ((g)) | ((g)) |
| **ML, Manufacturing Limited** | — | — | — | — | — | — | ((m)) | ((m)) | — | — | — | ((m)) | 35, except as provided in Section 7.17 to Section 7.20 | — |
| **M-1, Light Manufacturing** | — | — | — | — | — | — | ((n)) | ((n)) | — | — | — | ((n)) | 50, except as provided in Section 7.17 to Section 7.20 | — |
| **M-2, General Manufacturing** | — | — | — | — | — | — | ((o)) | ((o)) | — | — | — | ((o)) | — | — |

**Footnotes:** Refer to Section 4.03 wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to Section 5.04(1) for dimensional regulations for specific uses.

## Section 4.03 Footnotes to Schedule of Regulations.

*(a)* When lots are hereafter platted with a side or rear lot line abutting a major thoroughfare with an existing or proposed right-of-way width of one hundred twenty (120) feet or more as designated on the Future Transportation Map of the City of Livonia, the lot depth and/or lot width shall be increased by at least thirty (30) feet to provide additional buffering from such thoroughfare.

*(b)* Lot depth requirements need not be adhered to where immovable physical boundary limitations exist which prohibit meeting lot depth requirements, provided that all minimum area and width requirements are met.

*(c)* One-family dwellings together with accessory buildings shall not cover more than thirty-five (35) percent of the lot area.

*(d)* Side Yard Setbacks

*i)* Side Yards; One- and Two-Family Dwellings. All lots in NM1 Districts on which a one family dwelling is established shall have two (2) side yards, one with a minimum width of not less than six (6) feet, and the aggregate width of both side yards shall not be less than sixteen (16) feet. All lots in NM1 Districts on which a two (2) family dwelling is established shall have two (2) side yards of not less than ten (10) feet each.

*ii)* Side Yards; Non-Residential Use. Every lot on which a building or structure used for a non-dwelling purpose shall have a side yard on each side of such lot, and each such yard shall be not less than fifteen (15) feet in width.

*(e)* In NM1 Districts, the width of side yards abutting upon a street shall not be less than seventeen (17) feet at the first-floor level when rear yards abut rear yards; however, in case of a rear yard abutting a side yard of an adjacent lot, the side yard abutting upon a street shall be not less than thirty (30) feet.

*(f)* Provided, however, that when any front, rear or side yard abuts a major thoroughfare of one hundred twenty (120) feet or more as indicated on the Future Transportation Map of the City of Livonia, the minimum setback shall be seventy-five (75) feet.

*(g)* Buildings shall not exceed four (4) stories in height, except that the maximum height of buildings to be erected or used on any parcel or parcels of land designated Zone I, Zone II, or Zone III shall be as follows:

| Zone | Maximum Height of Building |
|---|---|
| I | 6 stories |
| II | 8 stories |
| III | 12 stories |
| IV | 20 stories |

*(h)* Thirty-five (35) feet and two and a half (2-½) stories, except that the maximum height of a building to be erected or used on any parcel or parcels of land designated Zone I, Zone II, and Zone III shall be as follows:

| Zone | Maximum Height of Building |
|---|---|
| I | 4 stories |
| II | 6 stories |
| III | 9 stories |

*(i)* The following setbacks apply in the NM3 District for building heights greater than 2 stories:

| Type of Building | | Front Yard | Rear Yard | Side Yard | Interior Yard |
|---|---|---|---|---|---|
| Required setback lines for principal buildings and accessory buildings | Perimeter 3-story building: | 75 feet | 50 feet | 50 feet | 50 feet |
| | | Provided, however, that when an NM3 District abuts single family residential district the required yards abutting said residential district shall be no less than seventy-five (75) feet. | | | |
| | Perimeter for each story more than three (3), the following additional setback is required | 5 feet | 10 feet | 10 feet | Interior for each story of a principal building in excess of three (3), the distance between buildings shall be increased by ten (10) feet. |

*(j)* In C-1 Districts no commercial building shall hereafter be erected having a first-floor area of less than six hundred (600) square feet or as otherwise approved by the City Council.

*(k)* In no case shall a business lot be less than four thousand (4,000) square feet in area.

*(l)* No commercial or business building shall hereafter be erected having a first-floor area of less than four hundred (400) square feet or as otherwise approved by the City Council.

*(m)* When a building is hereafter erected or altered in any ML District, front, rear, and side yards shall be maintained as follows:

*i)* Parcels Less Than One (1) Acre in Area. The front yard shall have a depth of at least fifty (50) feet, the rear yard shall have a depth of at least twenty (20) feet, and there shall be two (2) side yards, each having a width of not less than twelve (12) feet and the combined width of both side yards shall not be less than forty (40) feet; provided, however, that a side yard abutting a street shall not be less than thirty (30) feet.

*ii)* Parcels Less Than Ten (10) Acres in Area. Where such building is situated on a lot having an area in excess of one (1) acre and not more than ten (10) acres, the front and rear yards shall be at least fifty (50) feet each in depth, the interior side yards shall not be less than thirty (30) feet each, and a side yard abutting a street shall not be less than thirty (30) feet.

*iii)* Parcels More Than Ten (10) Acres in Area. The front yard shall have a depth of at least one hundred (100) feet, the rear yard shall be at least fifty (50) feet in depth, interior side yards shall not be less than thirty (30) feet each, and a side yard abutting a street shall not be less than fifty (50) feet.

*iv)* Provided, however, that notwithstanding the foregoing, where any such parcel or lot abuts a major thoroughfare having an existing or planned width of one hundred twenty (120) feet or more, as shown on the Future Transportation Map, then the required yards abutting major thoroughfares shall be provided with a depth of no less than one hundred (100) feet; except, however, in the case of properties abutting Eight Mile Road (Baseline Road) and the I-96 (Schoolcraft) Freeway eastbound service drive, in which case the said minimum setback shall be fifty (50) feet; further, the yard requirements set forth in this section shall not apply to property lines adjacent to any railroad right-of-way.

*(n)* When a building is hereafter erected or altered in any M-1 District, front, rear, and side yards shall be maintained as follows:

*i)* Parcels Less Than One (1) Acre in Area. The front yard shall have a depth of at least fifty (50) feet, the rear yard shall have a depth of at least twenty (20) feet, the interior side yards shall be not less than twenty (20) feet each, and a side yard abutting a street shall be not less than twenty-five (25) feet.

*ii)* Parcels Less Than Ten (10) Acres in Area. Where such building is situated on a lot having an area in excess of one (1) acre and not more than ten (10) acres, the front and rear yards shall be at least fifty (50) feet each in depth, the interior side yards shall be not less than twenty (20) feet each, and a side yard abutting a street shall be not less than twenty-five (25) feet.

*iii)* Parcels More Than Ten (10) Acres in Area. Where such building is situated on a lot having an area in excess of ten (10) acres, the front yard shall have a depth of at least one hundred (100) feet, the rear yard shall be at least fifty (50) feet in depth, the interior side yards shall not be less than twenty (20) feet each, and a side yard abutting a street shall be not less than fifty (50) feet.

Provided, however, that notwithstanding the foregoing, where any such parcel or lot abuts a major thoroughfare having an existing or planned width of one hundred twenty (120) feet or more, as shown on the Future Transportation Map, then the required yards abutting major thoroughfares shall be provided with a depth of no less than one hundred (100) feet; except, however, in the case of properties abutting Eight Mile Road (Baseline Road) and the I-96 (Schoolcraft) Freeway eastbound service drive, in which case the said minimum setback shall be fifty (50) feet; further, the yard requirements set forth in this section shall not apply to property lines adjacent to any railroad right-of-way.

*(o)* When a building is hereafter erected or altered in any M-2 District, front, rear, and side yards shall be maintained as follows:

*i)* Parcels more than twenty (20) acres in area, front, rear, and side yards shall have a depth of at least two hundred (200) feet each.

*ii)* Parcels twenty (20) acres or less in area. Front, rear, and side yards shall be the same as required in an M-1 District;

*iii)* Provided, however, that notwithstanding the foregoing provisions of this section, the following additional requirements shall apply:

- Where any such parcel or lot abuts a major thoroughfare having an existing or planned width of one hundred twenty (120) feet or more, as shown on the Future Transportation Map, then, and in such event, the required yard abutting a major thoroughfare shall have a setback of no less than one hundred (100) feet; except, however, in the case of properties abutting the I-96 (Schoolcraft) Freeway eastbound service drive, in which case the said minimum setback shall be fifty (50) feet;
- Where any such parcel abuts on the boundary of any district zoned other than M-2, M-1, or PL, any yard of such parcel abutting on such boundary shall not be less than two hundred (200) feet;
- The yard requirements set forth in this section shall not apply to property lines adjacent to any railroad right-of-way.

*(p)* No part of the minimum required front yard, side yard or rear yard shall be used for either the storage, placement or display of merchandise or equipment and no part of any parcel of land located in a C-1, C-2, C-3, or C-4 District shall be used for outdoor storage of merchandise or equipment, except as specifically permitted by other provisions of this ordinance. The foregoing prohibition of storage, placement or display of equipment within the required minimum front yard shall include the parking or storage of merchants' delivery vehicles except when loading or unloading merchandise or equipment. Side yards are not required along interior lot lines if all walls abutting or facing such lot lines are of fireproof construction and wholly without windows or other openings; but if the side wall is not of fireproof construction, or if of fireproof construction but containing windows or other openings (other than emergency exits or vents). For one (1) story buildings, the side/rear yard setback shall be five (5) feet; provided, however, that when a side/rear lot line coincides with a side/rear lot line in a residential district each commercial building shall provide a side/rear yard of not less than twenty (20) feet.

*(q)* In C-3 Districts no rear yard is required except for a lot running through to the street in the rear in which case a rear yard shall be provided which shall comply with the front yards on that street.

*(r)* A covered but unenclosed front porch will not be considered nonconforming by virtue of its incidental encroachment on the front yard setback.

*(s)* The maximum usable floor area as a percentage of lot area shall be limited to 35%, except in cases where City Council determines that it is in the best interests of the community to allow for a greater percentage, the maximum shall be 45%.

# Article V.
# Supplemental Zoning District Standards

## Section 5.01 Special Area Development Control.

**(1)** **Requirement.** No building shall be erected, expanded, or externally altered on property in the following designated areas except upon review and submission of findings by the City Planning Commission and approval by the City Council.

A) The area described as being within the vicinity of the Civic Center being that area located in Sections 15, 16, 21, and 22, bounded on the north by Roycroft Avenue, on the east by Hubbard Road, on the south by Lyndon Avenue (excepting therefrom all property in Kimberly Oaks Subdivision and Taylor Gardens Subdivision), on the west by the east property line of the Parkview Memorial Cemetery, and that portion of Stamford Road that is north of Five Mile Road and south of Roycroft Avenue.

B) The area described as being within the vicinity of the Wonderland Village being the area located in the Southwest ¼ of Section 25; the Northwest ¼ of Section 36; the Northeast ¼ of Section 35; and the Southeast ¼ of Section 26 (excepting therefrom all property located in Single-Family Residential Zoning Districts).

C) The area described as being within the vicinity of the Livonia Marketplace being the area located in the Southwest ¼ of Section 1: The Northwest ¼ of Section 12; the Northeast ¼ of Section 11; and the Southeast ¼ of Section 2 (excepting therefrom all property located in Single-Family Residential Zoning Districts).

D) The area described as being within the vicinity of the I-275 Freeway being the area described as the Southwest ¼ of Section 5; all of Section 6; all of Section 7; the west ½ of Section 8; the Northwest ¼ of Section 17; and the North ½ of Section 18 (excepting therefrom all property located in Single-Family Residential and Public Lands Zoning Districts).

E) The area described as being within the vicinity of the Seven Mile Road-Farmington Road Intersection being the area located in the West ½ of Section 3; the East ½ of Section 4; the Northeast ¼ of Section 9; and the N.W. ¼ of Section 10 (excepting therefrom all property located in Single-Family Residential Zoning Districts).

F) The area described as being within the vicinity of the Plymouth Road-Farmington Road Intersection being the area located in the Southwest ¼ of Section 27; the Southeast ¼ of Section 28; the Northeast ¼ of Section 33; and the Northwest ¼ of Section 34 (excepting therefrom all property located in Single Family Residential and Public Lands Zoning Districts).

G) The area described as being within the vicinity of Middlebelt Road-Schoolcraft-1-96 Service Drive being the area located in the Southeast ¼ of Section 23; the Southwest ¼ of Section 24; the Northwest ¼ of Section 25; and the Northeast ¼ of Section 26 (excepting therefrom all property located in Single-Family Residential and Public Lands Zoning Districts)

**(2)** **Standards.** A determination made by the City Planning Commission and City Council hereunder shall be subject to compliance with, and the application of, the standards prescribed in *Section 13.13, Section 13.13(6)* of this Ordinance. A petition for site plan approval shall also comply with the requirements prescribed in *Section 13.13, Section 13.13(12)* of this Ordinance.

**(3)** **Appeal to City Council.** In the event any applicant or petitioner is aggrieved by the determination of the City Planning Commission in relation to site plan approval, they may file an appeal with the City Council in accordance with the provisions set forth in *Section 13.13, Section 13.13(10)* of this Ordinance.

**(4)** **Limitation.** Whenever the City Planning Commission and City Council shall approve a site plan, such approval shall continue and be valid only in accordance with the provisions set forth in *Section 13.13, Section 13.13(13)* of this Ordinance.

**(5)** **Implementation.** An approved site plan shall be immediately transmitted to the Inspection Department, and all non-building improvements such as, but not limited to, landscaping, parking lots, parking spaces, walkways, screen walls, and exterior lighting required by such site plan shall be completed prior to the issuance of a Certificate of Occupancy; provided, however, that a temporary Certificate of Occupancy may be issued in the event that such completion is impractical or impossible, provided that a performance bond in the form of a cash bond or irrevocable bank letter of credit covering the estimated total cost of such improvements or parts thereof is deposited with the Inspection Department prior to the issuance of such temporary Certificate of Occupancy; provided further, however, that in no event shall a final Certificate of Occupancy be issued until all improvements have been completed. All improvements, when completed, shall, thereafter, be maintained with materials equal to or greater than the quality of the materials originally installed.

## Section 5.02 Special Waiver Use Standards for Planned Developments, including Planned Residential Developments and Planned General Developments.

**(1)** **Statement of Intent.** The intent of this Article is to provide, in the case of Planned Residential Developments and Planned General Developments, an added degree of flexibility in the placement, bulk, and interrelationship of the buildings and uses within the Planned Development, and the implementation of new design concepts so as to encourage a more efficient use of land and of public services through the use of a unified planning approach, while at the same time maintaining the over-all intensity of land use, density of population, and amounts of light, air, access, and required open space as specified in this Ordinance for the zoning district in which the Planned Development is to be located.

A Planned Development shall be deemed to be a Planned Residential Development when such development is limited to dwelling units in detached, attached or multi-storied structures, or any combination thereof. A Planned Development shall be deemed to be a Planned General Development when it contains commercial and/or office structures and uses exclusively or when it includes residential structures or dwelling units in a unified plan with commercial and/or office structures and uses.

The City Council does hereby determine that the several district regulations pertaining to intensity of land use, density of population, and required open space are the minimum requirements for the promotion and protection of the public health, safety, and welfare.

**(2) Authority to Grant Waiver for Planned Residential Development or Planned General Development.** Subject to the foregoing statement of intent, the Planning Commission may grant a waiver authorizing a Planned Residential Development or a Planned General Development but only after notice and hearing in the manner provided for other waivers and subject to all other provisions of this Article, and the City Planning Commission and City Council may, in the case of Planned Developments, allow for modification of the provisions of this Ordinance. Such modifications shall be considered only with respect to the following guidelines:

A) Modification in lot sizes may be granted irrespective of the minimum requirements imposed under the Zoning District within which such development is located.

B) Modification of yard requirements may be granted irrespective of the minimum requirements imposed under the Zoning District within which a Planned Development is located when it is determined that such modification will result in a more efficient use of the land and will not be injurious to surrounding land and to the public.

C) Uses not permitted in the Zoning District within which the Planned Development is located may be permitted when such uses are primarily designed and intended to service residents of any Planned Residential Development or Planned General Development or when such uses relate to an overall concept in the case of a non-residentially conceived Planned General Development. In the case of a Planned General Development located on any parcel of land zoned N1, N2, RUF, NM1, or NM2 and which involves development of one or more non-residential uses, such approval shall require a two-thirds (2/3) majority vote of City Council.

**(3) Application for Waiver for Planned Residential Development and/or Planned General Development.** The owner or owners of any tract of land may submit to the City Planning Commission an application for a waiver to use and develop the entire tract in a manner not consistent with regular or conventional street and lot patterns or general site development concepts. The application shall be made and filed in triplicate with the City Planning Commission and shall either contain or be accompanied by the following:

A) A legal description of the property under consideration.

B) The existing zoning classification of the property.

C) A fully dimensional map of the land showing topographic information at a contour interval of not less than two (2) feet.

D) A site plan showing the location of all existing and proposed principal and accessory buildings and structures, parking areas, driveways, buffer strips, distances between buildings and between buildings and lot lines, setback lines, all open spaces to be dedicated for parks, recreation, light and air, etc., and showing the location and design of all lots to be subdivided and the dimensions of all lot lines.

E) A vicinity map showing the location of the site in relation to surrounding properties, streets, parks, schools, school sites, etc.

F) Architectural sketches, at an appropriate scale, showing building heights, elevations, and an indication of the design and distribution of signs to be erected.

G) A declaration of private restrictions to be imposed upon the property after it is subdivided and developed to ensure that the development conforms in every detail to the approved site plan.

H) The location and the pavement and right of way width of all abutting roads and streets and driveway locations on abutting public streets.

I) A statement on intended phases of the project.

J) Description of soil erosion and sedimentation control measures.

K) Location of clusters of trees on site and all existing trees eight (8) inches or greater in diameter.

L) Location of existing wetlands.

M) The location of all rubbish receptacles and the location, height, and type of fences and walls to screen receptacles.

N) Location and dimension of required easements for public right-of way, utilities, access, and shared access.

O) Location of any proposed stormwater detention or retention facilities.

P) Traffic and pedestrian circulation patterns both within the site and on the public streets adjacent to the site and the proposed location and dimensions of any pedestrian sidewalks, malls, and open areas for parks and recreation either required or otherwise deemed necessary by the City Council. A concrete sidewalk of sufficient width as determined by the City Council shall be provided within the public right of way one (1) foot from the subject site's property line where the subject site borders a public right of way.

Q) The location, height, and area of all signs.

R) Information and plans for the storage, loading, disposal, and transfer of any hazardous/toxic waste (gas, oil, transmission fluid, lubricants, solvents, etc.). If any underground tank is used, the location, size, construction and use of the tank shall be specified on the site plan.

S) Any other information as required by the City Council or Director of Planning which will assist in evaluation of the proposed use.

**(4) Action by Planning Commission.** After a study of the application for a ~~planned project~~Planned Development, the Planning Commission shall send a resolution recommending approval or denial to the City Council for the final determination based upon the following standards:

A) The proposed use or uses shall be of such location, size, and character as to be in harmony with the appropriate and orderly development of the zoning district in which situated and shall not be detrimental to the orderly development of adjacent zoning districts.

B) The location and size of the proposed use or uses, the nature and intensity of the principal use and all accessory uses, the site layout and its relation to streets giving access to it, shall be such that traffic to and from the use or uses, and the assembly of persons in connection therewith, will not be hazardous or inconvenient to the neighborhood nor conflict with the normal traffic of the neighborhood. In applying this standard, the Commission shall consider, among other things: convenient routes for pedestrian traffic, particularly of children; the relationship of the proposed project to main traffic thoroughfares and to street and road intersections; and the general character and intensity of the existing and potential development of the neighborhood. In addition, where appropriate, the Commission shall determine that noise, vibration, odor, light, glare, heat, electromagnetic or radioactive radiation, or other external effects, from any source whatsoever which relates to the proposed use, will not have a detrimental effect upon neighboring property or the neighboring area in general.

C) The location and height of buildings, the location and nature and height of walls and fences, and the nature and extent of landscaping of the site shall be such that they will not hinder or discourage the proper development and use of adjacent land and buildings nor impair the value thereof.

D) The standards of density and required open space in the proposed project are at least equal to those required by this Ordinance in the zoning district in which the proposed project is to be located.

E) In any Planned Development wherein a shopping center is an integral part, the following specific standards shall be made a part of the site plan as it relates to the front, side, and rear yards of said shopping center:

i) Along freeways, major thoroughfares or secondary thoroughfares, except in areas described in ii), hereinbelow, the nearest fifteen (15) feet within the required yard area to the right-of-way line shall be maintained in landscaping and no parking or parking access aisles shall be permitted in such landscaped areas.

ii) Where residential districts adjoin the shopping center without an intervening street, the nearest twenty-five (25) feet to the property line within the required yard area of the shopping center shall be maintained in landscaping and no parking or vehicular access shall be permitted in such landscaped area.

iii) Where lots in residential areas front on minor streets at the boundary of a shopping center, the nearest twenty-five (25) feet to the right-of-way within the required yard of the shopping center shall be maintained in landscaping and no parking or parking access aisles shall be permitted in such area.

iv) All other yards within the shopping center, except those abutting a business or industrial district shall maintain no less than a fifteen (15) foot landscaped strip along the property lines which strip shall not be used for parking or parking access aisles.

The Commission may require such changes or modification in the site plan as are needed to achieve conformity to the standards as herein specified. Upon the finding by the Commission that all the standards as herein specified have been met, it may approve the project and the requested minor modifications to the provisions of this ordinance, if any, and recommend approval of the same to the City Council. It shall also, where it deems appropriate and necessary, recommend to the City Council those conditions to be imposed upon the project, its operation, or both, that are needed to assure adherence to the aforesaid standards. The Commission and Council may, in their determination whether to approve a proposed Planned Residential Development or Planned General Development, consider the impacts of the proposed project on existing developed land bordering the site as well as the future impacts of any development or redevelopment on the adjoining lands. Upon such review and determination and in furtherance of its objective to provide for the orderly development of land within the city, the Council may require that the streets be arranged in such a manner to provide for the future continuation or appropriate projection of existing streets in the surrounding areas. Streets shall be laid out to prevent the creation of double frontage lots.

**(5) Conditions Upon which Waiver is Granted.** Any waiver granted to authorize such a planned project shall in every case be subject to the following express conditions:

A) Immediately after waiver approval by the City Planning Commission the applicant shall submit the proposal to the City Council and obtain its concurrence in the waiver; until the approval of the City Council is obtained, the City Planning Commission's approval shall not be effective; if the City Council rejects, then the action of the City Planning Commission shall be deemed null and void.

B) The applicant shall thereafter submit proposed and final plats for the Planned Residential Development or Planned General Development for approval as in the case of other subdivision plats to the extent required by law; provided, however, that if the planned project is designed as site condominiums, the applicant shall thereafter submit the Master Deed for approval in accordance with the provisions set forth in *Section 7.27* of this Ordinance prior to any bonds being established by City Council pursuant to *Section 7.27* of this Ordinance.

C) Such plats or Master Deed shall be in strict conformity with the approved waiver, the conditions attached thereto, the site plan submitted with the waiver, and the provisions of this Article.

D) Where appropriate, a development agreement shall be submitted to the City in recordable form sufficient to assure the use and development of the planned project in accordance with the waiver, site plan, and the provisions of this Article.

E) The development agreement shall incorporate the approved site plan together with the resolutions of the City Planning Commission and City Council approving such waiver use. Said approved site plan shall be filed with the Department of Inspection and all building and land uses shall thereafter be in accordance with the site plan.

F) When open space and/or park land is/are provided as a part of a Planned Residential Development or a Planned General Development, the applicant shall provide an appropriate document which sets forth the function of the open space and/or park land, and such provisions for the ownership and maintenance of such lands as are reasonably necessary to ensure its continuity, care, conservation, maintenance, and to ensure that remedial measures will be available to the City of Livonia if such open space and/or park land is permitted to deteriorate or is not maintained in a condition that is consistent with the best interests of the Planned Development or of the City of Livonia.

G) No structure designed or intended to be used in part or in whole, for commercial purposes shall be constructed prior to the construction of not less than thirty (30) percent of the dwelling units, if any, proposed for the development.

H) Except as may otherwise be expressly authorized by council resolution, all internal private roads within a Planned Residential Development or a Planned General Development shall be designed and constructed in accordance with the minimum standards set forth by the City of Livonia Engineering Division consisting of asphalt pavement with monolithic valley swales, twenty-eight (28) feet wide, with a six (6) inch thick asphalt base, and one and one-half (1-1/2) inch thick wearing course.

**(6) Public Improvements within Planned Development.** The applicant for a waiver to authorize a Planned Residential Development or a Planned General Development may apply to the City Council for a modification of the nature and extent of public improvements required to be installed with respect to new residential subdivisions. The City Council may in its discretion relieve the applicant from installing public improvements as would otherwise be required to the extent that it determines such improvements to be unnecessary with the Planned Development. In the event of such a determination, the City Council shall incorporate the same in its resolution granting the waiver for the Planned Development. In granting such relief, as in granting the waiver use, the City Council may attach thereto such condition(s) regarding the character of the proposed development as it may deem reasonable. Compliance with such conditions shall be a prerequisite to the issuance of a Certificate of Compliance or Occupancy and the violation of any such condition shall be deemed a violation of this Ordinance.

## Section 5.03 Single-Family Clustering.

The intent of this section is to encourage development alternatives in any N1 and N2 district which will preserve open space while at the same time provide detached or attached single-family dwellings; encourage improved design alternatives to provide more efficient use of land and public services; provide single-family development for difficult sites; and encourage reasonable alternatives to multiple family residential development commonly referred to as apartments or townhouses.

A) The Planning Commission may recommend and the City Council may grant a waiver authorizing a single-family cluster project pursuant to *Section 5.02, Section 5.02(2)* of this Ordinance; provided, however, that in addition to requirements set forth in *Section 5.02, Section 5.02(3)*, the application for a waiver shall include documentation substantiating that the land area to be developed contains one or more of the following characteristics:

i) Contains natural assets, such as, but not limited to, natural stands of large trees, natural habitat for wildlife, natural streams and watercourses, or unusual topographic features, a substantial portion of which would be preserved using single-family clustering.

ii) Has a substantial portion of its perimeter adjacent to major office, commercial, industrial, institutional, or high-rise residential development or is otherwise located to act as a transitional use between conventional single-family residential areas and uses which are or are likely to be incompatible.

iii) Contains a flood plain which results in a substantial portion of the total land area being unbuildable as confirmed by current Flood Plain Information Report prepared by the Corps of Engineers, United States Army, a copy of which is on file with the Engineering Division.

iv) Contains poor soil conditions which result in a substantial portion of the total area being unbuildable using conventional construction methods as confirmed by soil test borings furnished by the applicant.

v) Is a small parcel which has frontage on a major thoroughfare with an existing or planned right-of-way width of one hundred twenty (120) feet or more as indicated on the Future Transportation Map and contains acute angles or is of shallow depth as measured from the thoroughfare to make conventional subdivision development physically impractical.

vi) Contains other unique physical or geographical constraints as determined by the Planning Commission and City Council to make conventional subdivision development impractical.

B) In addition to requirements contained in other sections of this Ordinance regarding "Planned Residential Developments" or "Planned General Developments," the following standards shall govern single-family cluster development:

i) In a planned development that qualifies as a single-family cluster project, yard requirements may be modified pursuant to *Section 5.02 Section 5.02(2)* of this Ordinance; provided, however, that the following additional rules shall apply:

a) Attaching of single-family dwelling units, provided the number of dwelling units attached shall not exceed four (4).

b) Minimum yard requirements shall provide that the minimum spacing between groups of attached buildings or between unattached buildings shall be ten (10) feet in an N1 district, and sixteen (16) feet in an N2 district; provided, however, that where a rear yard of one building or group of attached buildings abuts a rear yard or a side yard of another building or group of attached buildings, the distance between such buildings shall be the sum of the two abutting yards as required by *Section 4.02* of this Ordinance.

c) Front yards abutting a private street shall be as required by *Section 4.02* of this Ordinance; a side yard abutting a private street shall be a minimum of fifteen (15) feet and a side yard abutting a public street shall be as required by *Section 4.02* of this Ordinance; provided, however, that all buildings and parking areas shall be set back at least forty (40) feet from any major thoroughfare with an existing or proposed right-of-way width of one hundred twenty (120) feet, or more, as indicated on the Future Transportation Map .

ii) In a planned development when a single-family cluster project is proposed, the maximum number of units which may be developed shall be the number of acres of land on the proposed site, less any current or planned future rights-of-way of abutting public roads and areas designated by the Federal Emergency Management Agency (FEMA) as Special Flood Hazard Areas inundated by the 100-year flood or by the Michigan Department of Environmental Quality as protected wetlands, times the following numbers of units per acre for each zoning district:

| | |
|---|---|
| N1 Districts | 4.0 dwelling units per acre |
| N2 Districts | 3.0 dwelling units per acre |

iii) Whenever a proposed single-family cluster project abuts an existing single-family residential district, such district shall be buffered by means of one (1) or more of the following methods as a part of the development of the single-family cluster project:

a) Locate detached single-family dwellings on conventional lots immediately abutting the existing single-family residential district subject to requirements contained in *Section 3.04* of this Ordinance and the Subdivision Rules and Regulations of the City of Livonia.

b) Provide open space or recreation space immediately abutting said existing single-family residential district.

c) Provide significant topographic features, landscaping, or a combination thereof immediately abutting said existing single-family residential district.

d) A major thoroughfare located between the cluster development and a single-family residential district.

iv) The application shall include a fully dimensional and illustrated landscape treatment of the project, including the labeling of all materials as to type and size when installed, and shall also indicate the location, type, and size of all existing trees having at least a three (3) inch caliper measured one (1) foot above the ground and shall designate for non-removal all such trees so located so as not to substantially interfere with proposed street and structure locations.

## Section 5.04 Form-Based Development Option in Commercial Districts.

**(1) Statement of Purpose.** The purpose of the form-based development option is to create clear and simple regulations on the design of new development or redevelopment in Livonia's Commercial Districts of C-1, C-2, C-3, and C-4.

The regulations of this Section require development to have a physical form that enhances the goals and objectives of the City's Future Land Use Plan. Specifically, these regulations encourage a pedestrian friendly and walkable character; permit a mixture of land uses; encourage streets that serve the needs of pedestrians, bicycles, and motorized vehicle traffic equitably; encourage places for informal social activity and recreation; and encourage building frontages that define the public space of streets. With proper physical form, a building can accommodate a wide range of uses without generating undue impact on neighboring properties.

It is further the purpose of the Form-Based Development Option to:

A) Create walkable business area(s) that maintain the traditional physical form and help to implement the City's development objectives as described in the City's Future Land Use Plan.

B) Create unique, walkable mixed-use developments including residential, retail, entertainment, office, and other compatible uses.

C) Promote the orderly development, redevelopment, and continued maintenance of the City's commercial districts.

D) Encourage shared parking areas throughout the City rather than requiring each individual property owner to provide physical parking space on their property.

E) Create quantitative and qualitative building design guidelines that ensure new development is compatible with the City's Future Land Use Plan.

F) Ensure buildings create a solid street wall that helps to define streets as public spaces.

G) Ensure that permitted uses complement each other in terms of character and location, and to ensure that uses in the C-1, C-2, C-3, and C-4 districts do not have an adverse impact on the overall economic and social vitality of the district, street capacity, public utilities or services, or the overall image and function of the district.

H) Prevent automobile-oriented development from impacting access to commercial uses by walking, biking, or transit.

I) Encourage harmonious residential infill and adaptive reuse of noteworthy buildings to provide a mix of housing types, unit sizes, and compatible uses within walking distance of Livonia neighborhoods.

J) Encourage accessible housing options throughout the City.

**(2) Form-Based Development Option Procedures.** When using the Form-Based Development Option, conformance with the adopted Livonia Future Land Use Plan is required and one of the following application procedures must be followed:

A) Areas designated on the Future Land Use Plan as City Center.

i) A concept plan shall first be submitted. The City Planning and Economic Development Director, or designee, shall conduct a preliminary development meeting to review the concept plan and determine its conformance with the adopted Special Area Plan.

ii) Conforming plans may submit for Site Plan approval, per *Section 13.13 (12).*

iii) Non-conforming plans shall follow the procedure outlined in *5.04 (2) C)*.

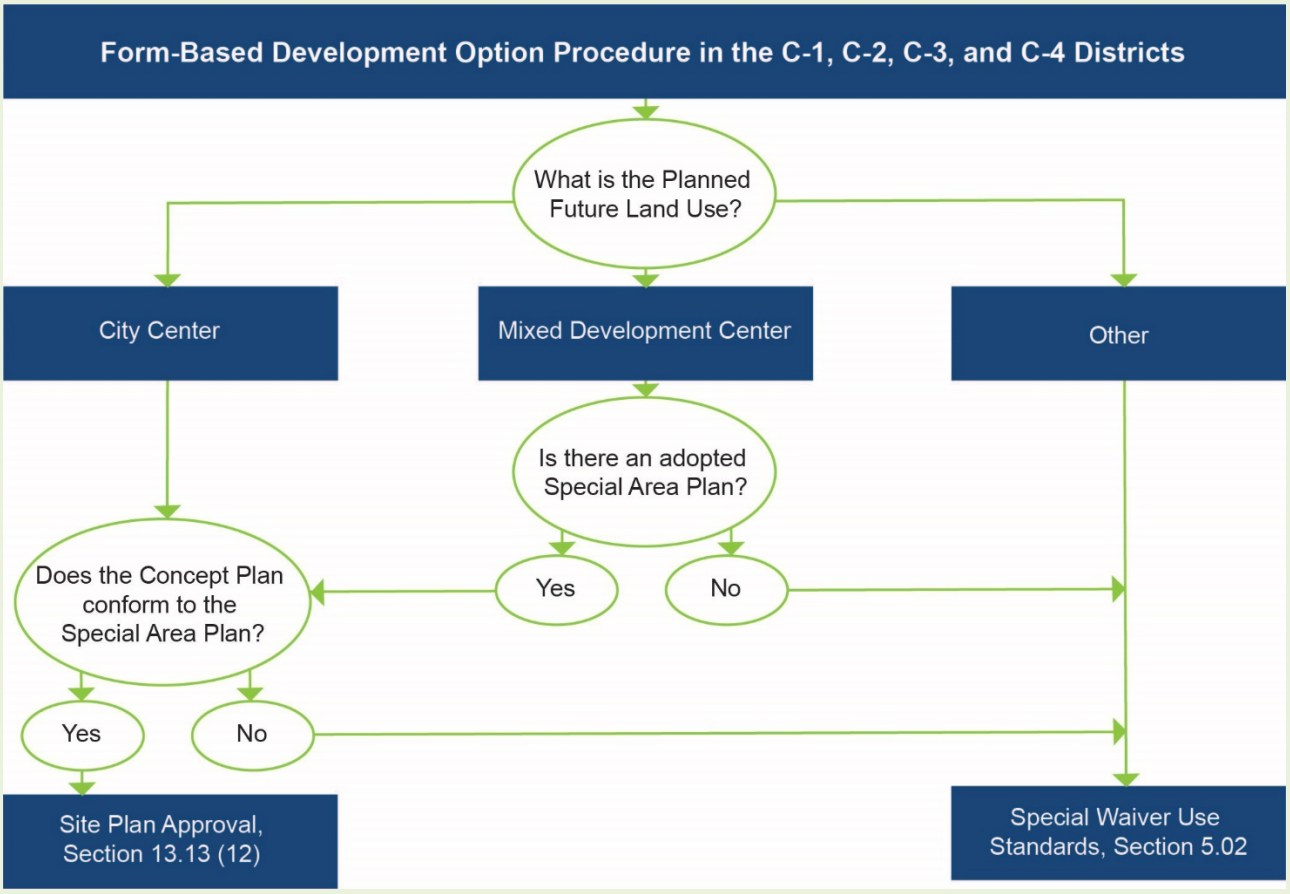
B) Areas designated on the Future Land Use Plan as Mixed Development Center

i) Developments within an area having an adopted Special Area Plan, may follow the procedure outlined in *5.04 (2) A)*.

ii) Developments not within an area having an adopted Special Area Plan, shall follow the procedure outlined in *5.04 (2) C)*.

C) Areas in the C-1, C-2, C-3, and C-4 districts not within an area having an adopted Special Area Plan, or not in conformance with an adopted Special Area Plan.

i) Developments in the C-1, C-2, C-3, and C-4 districts may use the Form Based Development Option subject to a review following the procedures of *Section 5.02*, Special Waiver Use Standards for Planned Residential Developments and Planned General Developments.



**(3) Expansion of existing development in the C-1, C-2, C-3, and C-4 districts with the Form-Based Development Option.** All sites in the C-1, C-2, C-3, and C-4 districts are eligible to use the Form-Based Development Option. When using the Form-Based Development Option to expand or redevelop an existing site or structure the following standards shall apply:

A) **Expansions of developed sites.**

i) Less than 15 percent of existing condition. Any development activity on a developed site that would increase the floor area of an existing building or group of buildings located on the same parcel or the area of existing site improvements by less than 15% need not comply with the requirements of this Section. However, any new building area or site improvements should result in the site being more compliant and shall not result in the site being less compliant with the requirement of this Section.

ii) More than 15 percent of existing condition. Whenever a building or site improvement expansion of greater than 15 percent of the existing condition is proposed, the activity shall comply with the requirements of this Section.

iii) Expansions measured cumulatively. For the purposes of determining compliance with this section, expansions shall be measured cumulatively, with the baseline being the building area and improved site area that existed at the date of adoption of this Ordinance.

B) **Redevelopment.** Redevelopment of existing buildings shall comply with the Architectural Standards for Adaptive Reuse, *Section 5.04 (5)*.

i) Whenever 50 percent or less of the existing building will be demolished or replaced, the development activity need not comply with the requirements of this Section. However, any site layout or building design changes that may occur as a result of the development activity should result in the site being more compliant with the requirements of this Section.

ii) Whenever more than 50 percent of an existing building will be demolished or replaced, the development activity shall comply with all of the requirements of this Section.

**(4) Modification of form-based development option requirements.**

A) **Purpose and limitations.** Upon review and submission of findings by the City Planning Commission and approval by the City Council for an activity in the C-1, C-2, C-3, and C-4 districts, the Planning Commission or Council may modify certain dimensional requirements contained in this Section. Regulations that may be altered through the modification process are described in the various sections of this Section, along with the specific parameters by which the regulation may be altered.

Modifications, as described in this section, are separate and distinct from variances in that they are limited in their bounds and are intended to permit reasonable use of property where the strict application of the requirements of this Section would not further the public purpose, and a relaxed or altered dimensional standard will still meet the intent and purpose of the C-1, C-2, C-3, and C-4 districts.

Whenever a regulation may be altered through the modification process, specific bounds are listed within which the modifications must be maintained. If an alteration to a dimensional requirement is requested that is greater than that listed in this Section, the applicant must obtain a variance following the procedures and review standards *Section 13.14* Board of Appeals.

B) **Application and review procedures.** The applicant shall clearly identify all requested modifications on the application and site plan. The reviewing authority shall evaluate the requested modifications and approve, approve with conditions, or deny the modification request. In evaluating a modification request, the reviewing authority shall take into account the following considerations:

i) Approval of the modification will not result in development that is incompatible with or will negatively impact existing or potential future development in the vicinity of the property to be developed.

ii) The requested modification is consistent with the intent and purpose of this Section.

iii) The modification will result in a superior development when compared with what could be achieved through the strict application of the requirements of this Section.

iv) A lesser modification will not accomplish the same purpose as the requested modification.

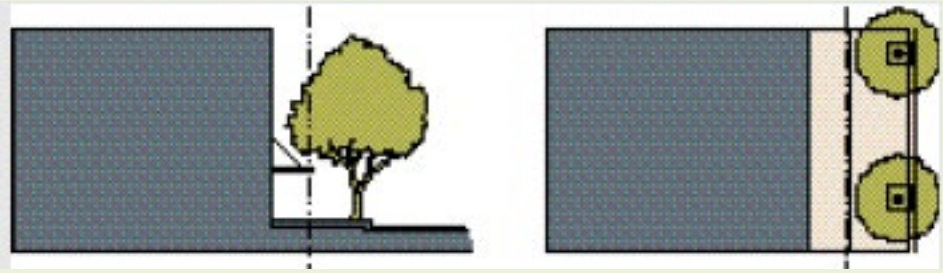
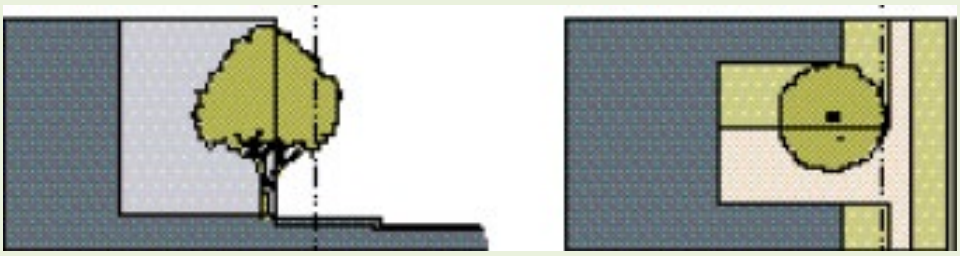
v) The modification will not negatively impact the potential of adjacent parcels to develop according to the requirements of this Section.

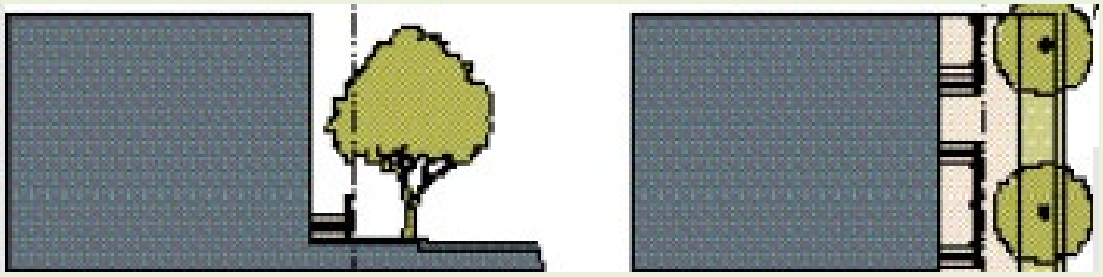
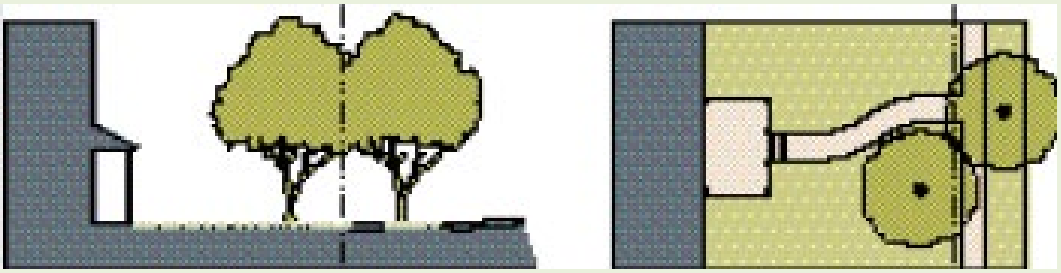
**(5) Architectural Standards for Adaptive Reuse.**

A) **Frontage Requirements.** Buildings in the C-1, C-2, C-3, and C-4 districts shall comply with the following requirements, in addition to any applicable requirements of *Section 4.02*, Schedule of Regulations. The requirements of this Section and *Section 4.02* are intended to be complimentary; however, in any instance where there is an apparent conflict, the provisions of this Section shall control.

i) Private frontage. The private frontage is the area between the right-of-way and the principal building façade. Buildings must contain architectural elements consistent with one of the following four private frontages. Each frontage is designed to be consistent with some or all of the uses permitted in the C-1, C-2, C-3, and C-4 districts.

Note that the following table includes specific dimensional requirements for each of the frontages. Unless otherwise noted, the dimensional requirements are in addition to any other dimensional requirement of this Section.

| FRONTAGE TYPE | WHERE PERMITTED | DIMENSIONAL REQUIREMENTS |
|---|---|---|
| **Shopfront.** | | |
| A frontage where the building façade is located close to the front lot line with the building entrance at sidewalk grade. This frontage type is suitable for nonresidential uses on the first floor. | C-1<br>C-2<br>C-3<br>C-4 | The building shall be set back a maximum of 15 feet from the front lot line. |
|  | | |
| **Courtyard** | | |
| A frontage where a portion of the building façade is close to the front lot line with a portion set back. The courtyard may accommodate tree plantings or a vehicle drop-off area. This frontage is suitable for any building use. | C-1<br>C-2<br>C-3<br>C-4 | The building shall be set back a maximum of 5 feet from the front lot line.<br>The courtyard area shall be considered part of the front building façade for the purposes of determining compliance with the setback and frontage requirements. |
|  | | |

| FRONTAGE TYPE | WHERE PERMITTED | DIMENSIONAL REQUIREMENTS |
|---|---|---|
| **Stoop** | | |
| A frontage where the first floor is elevated from the sidewalk to provide privacy for first floor windows. The entrance is usually from an exterior stair and landing. This frontage is suitable for ground-floor residential use. | C-1<br>C-2<br>C-3<br>C-4 | The building shall be set back a minimum of 7 feet from the front lot line.<br>The stoop or porch area shall be set back a minimum of 2 feet from the front lot line. |
|  | | |
| **Lawn** | | |
| A frontage where the building is set back from the street with a landscaped front yard area. This frontage is suitable for any building use. | C-1<br>C-2<br>C-3<br>C-4 | The building shall be set back a minimum of 10 feet from the front lot line.<br>Unenclosed front porches shall be set back a minimum of 5 feet from the front lot line. |
|  | | |

B) **Minimum height.** The minimum building height in the C-1, C-2, C-3, and C-4 districts is 20 feet. All buildings shall have the appearance of being at least 2-story buildings.

C) **Base, Middle, and Cap.** All buildings shall incorporate a base, middle, and cap, as is applicable.

i) Base. The base shall include an entryway with transparent windows and a horizontal molding or reveal placed between the first and second stories or over the second story. The molding or reveal shall have a depth of at least two (2) inches and a height of at least four (4) inches. If a one-story building is proposed, the molding or reveal is not required.

ii) Middle. The middle may include buildings and/or balconies that are located between the reveal and the cap area.

iii) Cap. The cap includes the area from the top floor to the roof of the building and shall include a cornice or roof overhang.

D) **Alignment.** Window sills, moldings, and cornices shall align with those of adjacent buildings. The bottom and top line defining the edge of the windows (the "window sill alignment") shall not vary more than two feet from the alignment of surrounding buildings. If the adjoining buildings have window sill alignments that vary by more than two feet from one another, the proposed building shall align with one of the adjoining buildings. This requirement may be modified, per *Section 5.04 (4)*.

E) **Building materials.** Buildings in the C-1, C-2, C-3, and C-4 districts shall comply with the following building material requirements:

i) Primary building materials. Durable natural building materials such as brick, stone, exposed logs or timber, and other similar materials are preferred primary building materials in the C-1, C-2, C-3, and C-4 districts. Concrete block or similar masonry units (including CMU or split-face blocks) are prohibited as a primary building material unless covered with a veneer of natural building materials. Synthetic building materials that convincingly match the appearance of natural building materials may be used as a primary building material. Primary building materials shall be used on a minimum of 70 percent of the façade area of the building (excluding doors and windows).

ii) Accent building materials. Accent materials may be used on up to 30% of the façade area of the building (excluding doors and windows). Acceptable accent materials include decorative precast concrete block, metal, and glass. Non-durable building materials such as EIFS may be used as accent building materials on up to ten percent of the total wall area of any façade, but may not be used on the ground floor façade.

iii) Modification. This requirement may be modified, per *Section 5.04 (4).*

F) **Ground floor design.**

i) Building entrance(s). All buildings shall have their principal entrance or entrances open onto a street, sidewalk, or public space. The principal building entrance shall not open onto a parking lot, although a secondary or subordinate entrance may be provided to a parking lot.

ii) Entryway alignment.

a) Nonresidential uses. For all buildings in the C-1, C-2, C-3, and C-4 districts and buildings with nonresidential uses on the first floor, the ground floor of the principal entrance shall align with the elevation of the adjacent sidewalk. Sunken terraces or stairways to a basement shall not constitute principal entrances to a building for the purposes of this section. It is not the intent of this section to preclude the use of below or above grade entryways, provided that such entryways are secondary, not principal entrances.

b) Residential and live/work uses. For first-floor residential and live/work uses in the C-1, C-2, C-3, and C-4 districts, the ground floor of the building (and consequently the principal entrance as well) may be raised up to 36 inches above the elevation of the adjacent sidewalk. This is intended to create greater privacy for first floor residential uses by elevating windows above the view of passing pedestrians.

G) Windows and entryways. The following requirements apply to façades of buildings facing a public street or public space such as a plaza or square.

i) Windows. Windows above the ground floor shall have a height to width ratio of at least 2:1.

ii) Ground floor façade transparency.

a) All buildings with first floor nonresidential uses shall maintain transparency for at least 70 percent of the first-floor façade area between two and eight feet above grade level. Doors and windows provide transparency.

b) All windows shall use transparent, non-reflective glass.

c) Areas of solid wall shall not exceed a length of 20 feet.

H) Recessed entrances encouraged. Doors are encouraged to be recessed into the face of the building to create a sense of entry and to add variety to the streetscape.

I) Encroachments. The following building elements may encroach into a public right-of-way or setback

i) Balconies. Balconies on upper stories may encroach up to 6 feet into any required setback area and up to 4 feet into any right-of-way area.

ii) Stoops. Unenclosed and uncovered front stoops may encroach up to 5 feet into a front yard setback area, provided that the stoop maintains a minimum setback of five feet from any right-of-way line.

iii) Awnings.

a) Ground-story awnings may encroach up to six feet from the face of the building into the setback or right-of-way area.

b) Awnings shall have a minimum of eight (8) feet of clear space between the sidewalk and the bottom of the awning or any support structure and shall not exceed a height of 12 feet to the highest point of the canopy.

c) If the awning encroachment of six (6) feet would interfere with the placement of street lighting or street trees, the awning projection shall be reduced to resolve the conflict.

d) Awnings shall be constructed out of fabric and may not be internally illuminated. Metal or other materials may be used for awnings if a modification is approved per Section 5.04 D.

iv) *Bay windows*. Bay windows on the ground story may encroach up to three (3) feet into any setback area, but may not encroach into a right-of-way area. Bay windows on upper floors may encroach up to three (3) feet into any setback or right-of-way area.

v) *Eaves.* Roof eaves may encroach up to three (3) feet into any setback or right-of-way area.

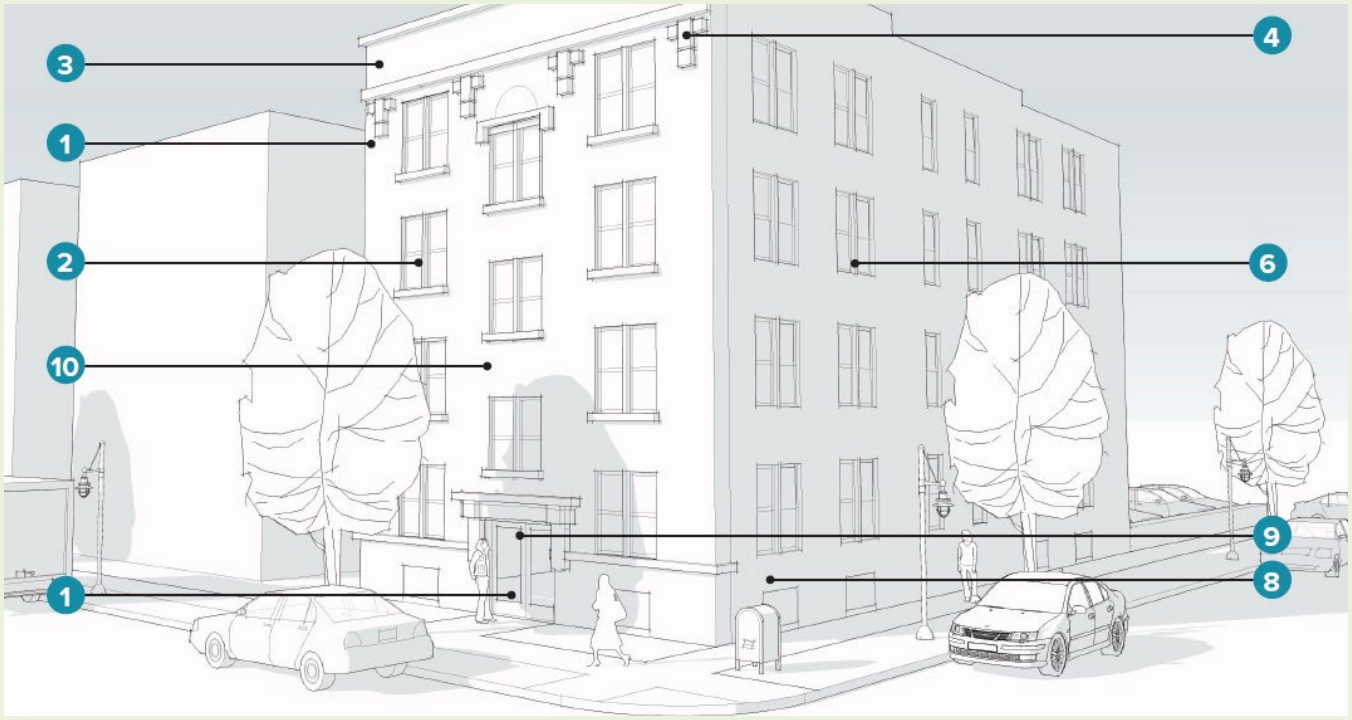
J) Service areas. All service areas, including utility access, above ground equipment and dumpsters shall be located in side or rear yards and shall be screened from view from any street.

K) Mechanical and utility equipment. Mechanical equipment, electrical and gas meter and service components, and similar utility devices (whether ground level, wall mounted, or roof mounted) shall be screened from view from the front property line. Exterior screening materials shall be the same as the predominant exterior materials of the principal building.

**(6) Building Type Standards for New Construction.**

When using the Form-Based Development Option for new construction in the C-1, C-2, C-3, and C-4 districts, buildings must conform to architectural and dimensional standards of the following building types.

A) **Apartments.** A medium sized building that contains five (5) to ten (10) dwelling units either side-by-side or stacked between two floors. There can be one shared entry or individual entries facing the street.




| ILLUSTRATED DESIGN STANDARDS: APARTMENTS |
|---|
| 1. Traditional building façade treatments (including masonry reliefs and/or motifs) and main entrances located along street of building address. |
| 2. Opaque façade through which window and door openings appear to have been “punched” as through paper in a ring binder. |
| 3. Building cornice (at top of building) of substantial height and decoration. |
| 4. Minimum one horizontal molding or accent material projection dividing the façade into layers. |
| 5. Pattern of solids and voids generated by the vertical and horizontal alignment of windows and doors in repeating sizes. |
| 6. Window groupings encouraged, with groups of up to 3 allowable. |
| 7. Main entrances at grade for accessibility, working in conjunction with interior lobby or vestibule and elevator(s). |
| 8. Ground Floor Units (finished floor) 36” to 42” above grade. |
| 9. Main entrance articulation. |
| 10. Prominent sills and/or heads required for windows located along façades (discouraged along other exterior walls). |
| 11. No building entrances from side parking lots allowable. Otherwise, sides and backs of buildings not regulated by this code, except at corners (as shown here). |
| 12. Building façade treatments optional along intersecting streets. |
| 13. Towers, sculptures, and other characteristic forms and/or focal points encouraged (not illustrated). |
| 14. Floor to floor heights limited to 10’-6”. |
| 15. Feature excepted on Art Deco style buildings. |

| Permitted Materials: Apartments | | | | | | | |
|---|---|---|---|---|---|---|---|
| | **Brick** | **Terra Cotta** | **Sandstone** | **Limestone** | **Formed Concrete** | **Marble** | **Other** |
| Building Wall | X | | X | | | X | Portland Cement Stucco |
| Accents | | X | X | X | X | X | Limestone |
| Window and Door Heads | Soldier Course | X | X | X | X | | Limestone |
| Window Sills | Soldier Course | X | X | X | X | X | Limestone |
| Columns | X | X | X | X | X | | Limestone |

B) **Carriage House/Accessory Dwelling Unit.** Also considered an accessory structure, a carriage house is a small building located in the rear of a ~~residential lot~~principal dwelling unit and can contain a small dwelling unit or similar use. They are often above a garage but can also be at ground level.

| ILLUSTRATED DESIGN STANDARDS: CARRIAGE HOUSE / ACCESSORY DWELLING UNIT |
|---|
| 1. Small, traditionally-styled residential garage form containing one (1) residential unit, indoor parking, or one (1) residential unit above indoor parking. Ground floor finish floor 24”-36” above grade (if not above parking). |
| 2. Opaque façade through which window and door openings appear to have been “punched” as through paper in a ring binder (garage doors excepted). |
| 3. Window groupings encouraged, with groups of up to 3 allowable. |
| 4. Residential entrance articulation and indoor stairway (stairway if more than one story). |
| 5. Floor to floor heights limited to 10’-6”. |
| 6. Window screens to be made of wood or, if non-masonry structure, windows to have 3 ½” ht. painted wood aprons added beneath sills to width of cased openings. |
| 7. Must be concealed behind a primary building type. Not to be located in view of frontage corresponding to street of primary building address. Garage door openings, garage doors, garage door Window panes, and garage door panels must all be square or rectangular. Door panels and Window panes must be oriented vertically. |

| Permitted Materials: Carriage House / Accessory Dwelling Unit | | | | | | | |
|---|---|---|---|---|---|---|---|
| | **Brick** | **Terra Cotta** | **Sandstone** | **Limestone** | **Formed Concrete** | **Marble** | **Other** |
| Building Wall | X | | X | | | X | Portland Cement Stucco / Cement Board* |
| Accents | | X | X | X | X | | |
| Window and Door Heads | Soldier Course | X | X | X | X | | Cedar |
| Window Sills* | Soldier Course | X | X | X | X | | Cedar |
| Columns | X | X | X | X | X | | Wood |

*Cement Siding and Wood Trim Installed Smooth-Side Out. Visible Wood-Grain Embossing or Rough-Sawn Surfaces Prohibited

C) **Duplex/Triplex Stacked, or Adjacent.** A small or medium sized building with two dwelling units stacked one on ground level and one above, each with a separate door facing the street.

| ILLUSTRATED DESIGN STANDARDS: DUPLEX / TRIPLEX STACKED, OR ADJACENT |
|---|
| 1. Traditionally-styled single-family house form containing two (2) residential units with two (2) main entrances at the front, and alternate or service entrances along the sides and/or back. Finished floor located 24" to 30" above grade. |
| 2. Residential units exist above one another within building enclosure. |
| 3. Opaque exterior walls through which window and door openings appear to have been "punched" as through paper in a ring binder. |
| 4. Pattern of solids and voids generated by the vertical and horizontal alignment of Windows and doors in variously repeating sizes. |
| 5. Window groupings encouraged, with groups of up to 3 allowable. |
| 6. Building overhangs commensurate with style of architecture. |
| 7. Ground floor 24" to 30" above grade. |
| 8. Min. 6'-6" deep front porch maximum 30" above grade with optional decorative rail 28"– 36" above porch floor. |
| 9. Stacked duplex and triplexes entrances may have separate doors or share a vestibule. Adjacent duplex and triplexes entrances shall have individual main entrance articulation. |
| 10. Window screens to be made of wood or, if non-masonry structure, windows to have 3 ½" ht. painted wood aprons added beneath sills to width of cased openings. |
| 11. Floor to floor heights limited to 10'-6". |

| Permitted Materials: Duplex / Triplex Stacked, or Adjacent | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | **Duplex Type** | **Brick** | **Terra Cotta** | **Sandstone** | **Limestone** | **Formed Concrete** | **Beveled Cedar Siding** | **Other** |
| Building Wall | Stacked | X | | X | | | X | Portland Cement Stucco / Cement Board * |
| | Adjacent | | | | | | | |
| Accents | Stacked | X | X | X | X | X | | |
| | Adjacent | | | | | | | |
| Window and Door Trim* | Stacked | Soldier Course | X | X | X | X | | Cedar |
| | Adjacent | | | | | | | |
| Window Sills* | Stacked | Soldier Course | X | X | X | X | | Cedar |
| | Adjacent | | | | | | | |
| Columns | Stacked | X | X | X | X | X | | Wood |
| | Adjacent | | | | | | | |

*Cement Siding and Wood Trim Installed Smooth-Side Out. Visible Wood-Grain Embossing or Rough-Sawn Surfaces Prohibited.

D) **Fourplex/Four-Family Dwelling Unit.** A medium sized building that contains four dwelling units split up two (2) on the ground floor and two (2) above, with a shared door facing the street.

| ILLUSTRATED DESIGN STANDARDS: FOURPLEX / FOUR-FAMILY DWELLING UNIT | |
|---|---|
| 1. | Traditional building façade treatments (including masonry reliefs and/or motifs) and main entrances located along street of building address. |
| 2. | Opaque exterior walls through which window and door openings appear to have been “punched” as through paper in a ring binder. |
| 3. | Building cornice must have the most prominent shadow line. |
| 4. | Minimum one (1) additional horizontal molding or accent material projection dividing the building into layers or creating water table expression on ground floor level. |
| 5. | Pattern of solids and voids generated by the vertical and horizontal alignment of windows and doors in repeating sizes. |
| 6. | Window groupings encouraged, with groups of up to 3 allowable. |
| 7. | Main entrances at grade for accessibility, working in conjunction with interior lobby or vestibule and lift or ramp servicing first floor units. |
| 8. | Ground-floor units finish floor-elevation 36” to 42” above grade. |
| 9. | Main entrance articulation. |
| 10. | Prominent sills and/or heads required for Windows located along façades. |
| 11. | No building entrances from side parking lots allowable. Otherwise, sides and backs of buildings not regulated by this code, except at corners (as shown here). |
| 12. | Building façade treatments optional along intersecting streets. |
| 13. | Floor to floor heights limited to 10’-6”. |

| Permitted Materials: Fourplex / Four-Family Dwelling Unit | | | | | | | |
|---|---|---|---|---|---|---|---|
| | **Brick** | **Terra Cotta** | **Sandstone** | **Limestone** | **Formed Concrete** | **Marble** | **Other** |
| Building Wall | X | | X | | | X | Portland Cement Stucco |
| Accents | x | X | X | X | X | | |
| Window and Door Heads | Soldier Course | X | X | X | X | | Cedar |
| Window Sills | Soldier Course | X | X | X | X | | Cedar |
| Columns | X | X | X | X | X | | Wood |

E) **Live/Work Unit.** A small to medium sized building that contains a ground floor office, service, or retail space with a dwelling unit above or behind it. The building can be attached or detached, and both the living and working space are owned or rented by one (1) user.

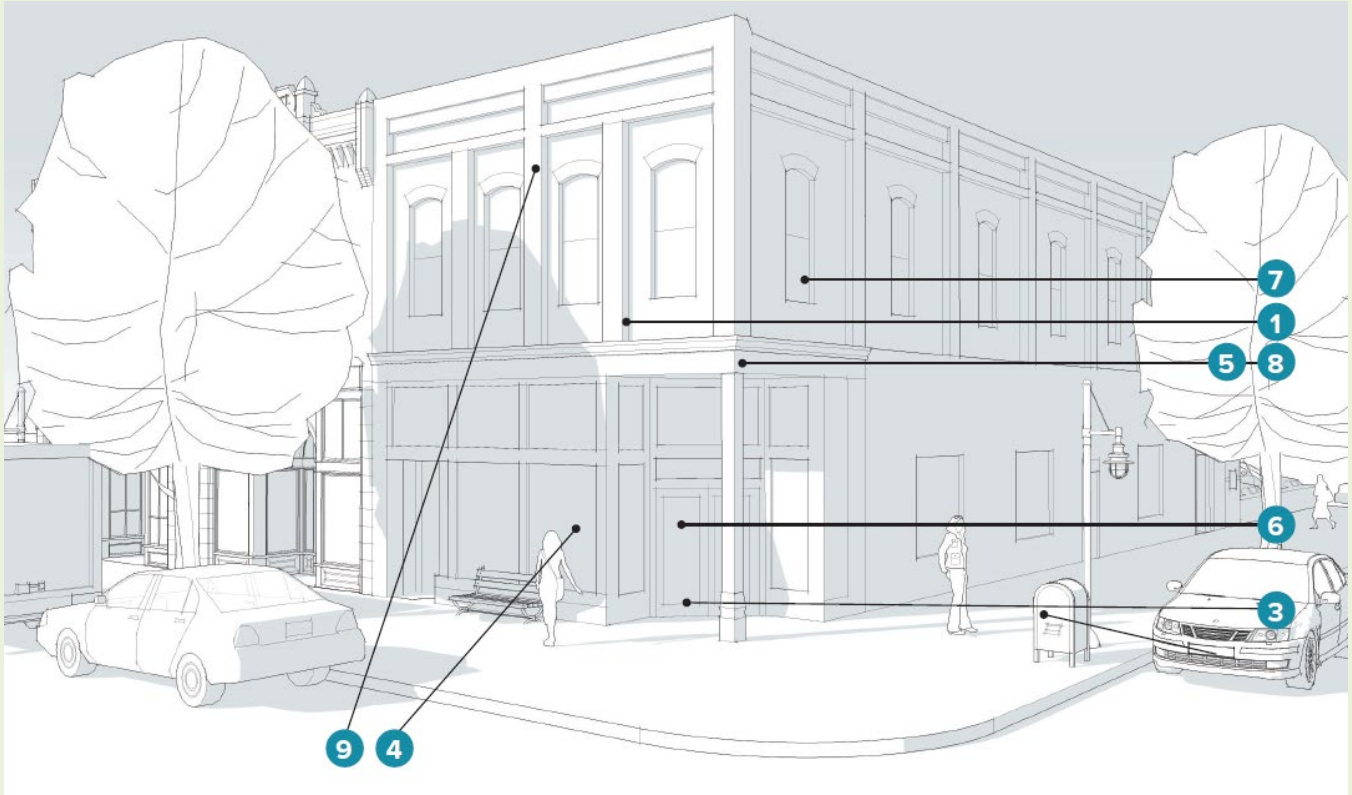
| ILLUSTRATED DESIGN STANDARDS: LIVE / WORK UNIT | |
|---|---|
| 1. | Ground floor elevated 30" to 42" above average grade at front of building with interior lift for accessibility (Type A). Main level may be accessible at grade with plate glass storefront (Type B) or if building is setback from right-of-way line minimum 7'-0" (Type C). |
| 2. | Traditional building façade treatments (as well as main business entrances) to be located along streets of corresponding building addresses and corresponding to right-of-way lines. Side entrances subordinate and allowable at right-of-way lines along intersecting streets only. Side entrances along parking lots prohibited. Rear entrances also subordinate. Storefront main entrance at corner may substitute for that listed above (see Mixed-Use Building). |
| 3. | Main business entrance doors must remain unlocked during business hours. |
| 4. | Open, plate-glass shopfronts (Type B) encouraged at ground-floor level along street of building address, with façade supported above by columns and beams and extending for a distance of 12' to 14' around building corners at intersecting streets. |
| 5. | Plate glass material beginning 15" to 18" above finished grade (top of sidewalk) and extending to underside of beam, with alternate leaded or stained-glass transoms minimum 8'-0" above finish grade. |
| 6. | Sign band and/or secondary cornice to be integral with any shopfronts and located above plate glass shopfronts or transoms (Type B). |
| 7. | At-grade doorways to be recessed (see numerical parameters below). |
| 8. | Opaque exterior walls, through which all window openings appear to have been "punched" (such as through paper in a ring binder), with such windows recessed into the façade, reinforcing this intended effect (except at shopfronts, which are to have plate glass column to column). |
| 9. | Building cornice (at top of building) casting tallest horizontal shadow upon building façade. Must be the most prominent shadow line (aside from those cast individually by awnings above shopfronts). |
| 10. | Phasing of site development to be coordinated with individual units (each 16' to 25' in width), any first unit developed front to back for a minimum distance of 25' before development of any adjacent unit is to begin. Adjacent and subsequent units to be developed front to back in a similar manner. 8 units per building maximum. |

| ILLUSTRATED DESIGN STANDARDS: LIVE / WORK UNIT |
|---|
| 11. Pattern of solids and voids, coordinated within structural bays, generated by the vertical and horizontal alignment of rectangular windows and doors in repeating sizes. Full and segmented arches allowable atop rectangular windows in these locations (shopfronts excepted). |
| 12. Arched building tops prohibited. |
| 13. Window groupings allowable. |
| 14. Open-ended, canvas, sloped awnings above shopfront windows. (Type B). |
| 15. Decorative sills and/or headers required on windows located along exterior walls (shopfronts excepted). |
| 16. Sides and backs of buildings not regulated by this code, except along intersecting streets (as shown here). |
| 17. Floor to floor heights limited to 15'. |
| 18. Flat roof required. |

**Permitted Materials: Live / Work Unit**

| | Brick | Terra Cotta | Sandstone | Limestone | Formed Concrete | Marble | Other |
|---|---|---|---|---|---|---|---|
| Building Wall | X | | X | | | | Portland Cement Stucco |
| Accents | X | X | X | X | X | | |
| Window and Door Heads | Soldier Course | X | X | X | X | | |
| Window Sills | Soldier Course | X | X | X | X | X | |
| Columns | X | X | | X | X | X | Steel |

F) **Mixed-Use Building.** A small to medium sized building that contains ground floor commercial space with dwelling units above. Any number of dwelling units can be incorporated based on the desired level of density. Typically, there is one (1) shared door for residential access facing the street.




| ILLUSTRATED DESIGN STANDARDS: MIXED-USE BUILDING | |
|---|---|
| 1. | Traditional building façade treatments (including masonry reliefs and/or motifs), as well as main business entrances, to be located along streets of corresponding building addresses and at right-of-way lines. Side entrances subordinate and allowable at right-of-way lines along intersecting streets only. Side entrances along parking lots prohibited. Rear entrances also subordinate. Main entrance at corner may substitute for that listed above. |
| 2. | Main entrance doors must remain unlocked during business hours. |
| 3. | Main level accessible at grade. |
| 4. | Open, plate-glass shopfronts (curtain walls), located at ground-floor level along street of building address, with façade supported above by columns and beams and extending for a distance of one structural bay around building corners at intersecting streets. Plate glass material beginning 15” to 18” above finish grade (top of sidewalk) and extending to underside of beam, with alternate leaded or stained-glass transoms minimum 8’-0” above finish grade. |
| 5. | Sign band and/or secondary cornice integral with shopfronts and above plate glass and/or transoms. Such cornice may be used to satisfy the one horizontal molding or accent material band projection requirement. |
| 6. | Recessed doorways located within shopfronts (see numerical parameters below). |
| 7. | Opaque exterior walls above ground floor, through which window openings appear to have been “punched” (such as through paper in a ring binder), with such windows recessed into the façade, reinforcing this intended effect. |
| 8. | Minimum one additional horizontal molding or accent material band projection, casting a secondary horizontal shadow line, dividing the façade into layers. This feature is excepted on Art Deco-style buildings. |
| 9. | Vertical façade projections (corresponding to structural columns) casting vertical shadows on façade and articulating regular structural bays, each 20’ to 30’ in width. |

| ILLUSTRATED DESIGN STANDARDS: MIXED-USE BUILDING |
|---|
| 10. Phasing of site development to be coordinated with structural bays, any first bay developed front to back for a minimum distance of 20' before development of any adjacent bay is to begin. Adjacent and subsequent bays to be developed front to back in a similar manner. |
| 11. Pattern of solids and voids above ground floor, coordinated within structural bays, generated by the vertical and horizontal alignment of rectangular windows and doors in repeating sizes. Full and segmented arches allowable atop rectangular windows in these locations. |
| 12. Radii of arches on segmented-arch windows must equal widths of corresponding windows. |
| 13. Arched building tops prohibited. |
| 14. Window groupings allowable above ground floor, corresponding to structural bays. |
| 15. Open-ended, canvas, sloped awnings above shopfront windows. |
| 16. Decorative sills and/or headers required on upper-floor windows located along façades. |
| 17. Sides and backs of buildings not regulated by this code, except at corners (as illustrated here). |
| 18. Building façade treatments optional along intersecting streets. |
| 19. Towers, sculptures, and other characteristic forms and/or focal points encouraged (not illustrated). |
| 20. Characteristic forms echoed or repeated within structural bays. |
| 21. Floor to floor heights limited to 15'. |

**Permitted Materials: Mixed-Use Building**

| | Brick | Terra Cotta | Sandstone | Limestone | Formed Concrete | Beveled Cedar Siding | Other |
|---|---|---|---|---|---|---|---|
| Building Wall | X | | X | | | | Portland Cement Stucco |
| Accents | X | X | X | X | X | | |
| Window and Door Heads | Soldier Course | X | X | X | X | | Cedar |
| Window Sills | Soldier Course | X | X | X | X | X | Cedar |
| Columns | X | X | | X | X | X | Wood |

*Cement Siding and Wood Trim Installed Smooth-Side Out. Visible Wood-Grain Embossing Or Rough-Sawn Surfaces Prohibited

G) **Townhome, Rowhouse.** A small to medium sized building that contains side-by-side attached single-family dwelling units. Typically, two (2) to eight (8) units make up a building, all with individual entrances facing the street.

| ILLUSTRATED DESIGN STANDARDS: TOWNHOME / ROWHOUSE |
|---|
| 1. Residential units existing side-by side within building enclosure with each unit extending from foundation to roof. |
| 2. Parking at rear or within building at ground floor with parking entrance at rear of building. |
| 3. Side parking lots prohibited. |
| 4. Opaque exterior walls through which window and door openings appear to have been “punched” as through paper in a ring binder. |
| 5. Pattern of solids and voids generated by the vertical and horizontal alignment of windows and doors in variously repeating sizes. |
| 6. Window groupings encouraged, with groups of up to 3 allowable. |
| 7. Ground floor (finished floor) 24” to 30” above grade. |
| 8. Min. 6’-6” deep required front porch maximum 30” above grade with decorative rail 28” – 36” above porch floor (porches may be individual or shared and continuous across front of building). |
| 9. Individual main entrance articulation. Porch may be shared (entrances may have separate doors or share a vestibule). |
| 10. Window screens to be made of wood or, if non-masonry structure, Windows to have 3 ½” ht. painted wood aprons added beneath sills to width of cased openings. |
| 11. Floor to floor heights limited to 10’-6”. |

| Permitted Materials: Townhome / Rowhouse | | | | | | | |
|---|---|---|---|---|---|---|---|
| | **Brick** | **Terra Cotta** | **Sandstone** | **Limestone** | **Formed Concrete** | **Beveled Cedar Siding** | **Other** |
| Building Wall | X | | X | | | X | Portland Cement Stucco Cement Board (a) |
| Accents | X | X | X | X | X | | Painted Wood |
| Window and Door Heads (a) | (b) | X | X | X | X | | Cedar |
| Window Sills (a) | (b) | X | X | X | X | | Cedar |
| Columns | X | X | | X | X | | Wood |

a) Cement siding and wood trim shall be installed with the smooth side facing outward. Visible woodgrain embossing or rough-sawn surfaces are prohibited.

b) Soldier course.

H) **Schedule of Regulations by Building Types:** When using the Form-Based Development Option, the following dimensional standards by building type shall apply to new construction in the C-1, C-2, C-3, and, C-4 districts. When in conflict with *Section 4.02*, these regulations shall prevail.

| SCHEDULE OF REGULATIONS BY BUILDING TYPE | | | | |
|---|---|---|---|---|
| **Building Type** | **Front Setback (j)** | **Side Setback** (adjacent to private lot) | **Side Setback** (adjacent to ROW line) | **Rear Setback** |
| Adjacent / Stacked Duplex & Triplex | ≥ 20' (a) | 10' | 7' to 12' | 10' |
| Fourplex | 10' (b) | 7' | 4' to 7' | 0' |
| Rowhouse | 20' (c) | 7' | 4' to 6' | 10' (d) |
| Small Apartment Building | ≤ 10' (e) | 7' | ≤ 7' | 0' |
| Residential Accessory Dwelling Unit / Garage | ≥ 10' (f) | ≥ 3' | ≥ 3' | 10' (d) |
| Live-Work Building | 0' (g) | 0' | 0' | 0' |
| Mixed-Use Building | 0' (h) | 0' | 0' | 0' |

a) Setback shall match mean setback of existing residential buildings along block frontage, ≥ 20'. If mean existing setback is < 20', then setback of new building shall default to 20'. Porches may encroach ≤ 12' into required front setbacks.

b) Setback shall match that of an adjacent residential building on the principal frontage, ≤ 35'. If adjacent building(s) are set back > 35', then setback of new building shall default to 10'.

c) Setback shall match that of an adjacent residential building on the principal frontage, ≤ 35'. If adjacent building(s) are set back > 35', then setback of new building shall default to 20'. Porches or porticos may encroach ≤ 9' into required front setbacks.

d) Rear setback is 4' from alley easements.

e) Setback shall match that of an adjacent residential building on the principal frontage, ≤ 35'. If adjacent building(s) are set back > 35', then setback of new building shall default to a distance ≤ 10'. Porches or porticos may encroach ≤ 9' into required front setbacks. Entrance canopies on Large Apartment Buildings may extend into right of way over sidewalk.

f) From main building on parcel.

g) See Building Type Regulations.

h) Required build-to line.

I) **Modifications from Building Design Standards for New Construction.** The City Council may modify the above requirements finding all of the following standards have been met:

i) The architectural design of the proposed structure is consistent with the character of the surrounding area.

ii) The architectural design otherwise meets the building design standards for adaptive reuse in the C-1, C-2, C-3, and C-4 districts.

iii) The project brings the site more into compliance with the Building Design Standards for New Construction and purpose of the C-1, C-2, C-3, and C-4 districts.

# Article VI.
# Standards Applicable to Specific Uses

## Section 6.01 Adult Entertainment.

Adult Businesses provided that:

**(1)** **Districts Permitted.** The following standards apply in the C-3 District as a waiver use.

**(2)** **Location.** No adult business shall be located within one thousand (1,000) feet of any property which is either occupied or approved for an adult business or within five hundred (500) feet of any property which is either occupied or zoned for residential use as measured from any point on the property which is so occupied or zoned.

**(3)** **Access.** The parcel of land on which the adult business is located shall have direct access to a major thoroughfare having an existing or planned width of one hundred twenty (120) feet or more as designated on the Future Transportation Map of the City of Livonia.

## Section 6.02 Adult Foster Care.

Residential homes for mentally or physically handicapped persons (as defined in *Section 2.02, Section 2.02(2)* of this Ordinance) for more than six (6) persons, provided that:

**(1)** **Districts Permitted.** The following standards apply in the RUF District as a waiver use.

**(2)** **Lot Size.** Residential homes for mentally or physically handicapped persons shall be located on a lot or parcel of no less than one-half (½) acre in area.

**(3)** **Maximum Capacity.** Such residential home shall house no more than sixteen (16) mentally or physically handicapped persons plus such persons as may be required to provide supervision. There shall be no more than two (2) occupants per bedroom.

**(4)** **Outdoor Recreation.** An outdoor recreation area shall be provided equal to five hundred (500) square feet per bedroom, and such recreation area shall be designed and oriented to fulfill the needs of all residents.

## Section 6.03 Alcohol Sales (Specially Designated Merchant [SDM] and Specially Designated Distributor [SDD]).

S.D.D. and S.D.M. licenses provided, however, that S.D.D. licenses which were approved and in use at locations prior to March 7, 1977, and S.D.M. licenses which were approved and in use at locations prior to April 11, 1983, may continue to be used to the extent and in the manner previously established at such locations without waiver use approval, provided further that:

**(1)** **Districts Permitted.** The following standards apply in the C-1 and C-2 Districts as a waiver use and in the C-3 District as a permitted use.

**(2)** **Location.**

A) Such proposed S.D.D. licensed establishment shall be located at least one thousand (1,000) feet distant from any existing S.D.D. licensed establishment, as measured from the nearest point on the building proposed to be licensed to the building in which the existing licensed establishment is located; and further provided that such S.D.M. licensed establishment shall be located at least five hundred (500) feet distant from any existing S.D.M. licensed establishment, as measured from the nearest point on the building proposed to be licensed to the building in which the existing licensed establishment is located; provided, however, that the foregoing one thousand (1,000) foot and five hundred (500) foot limitations may be waived by action of the City Council.

B) Such proposed S.D.D. or S.D.M. licensed establishment shall be located at least four hundred (400) feet distant from any church or school building, either public or parochial, as measured from the nearest point on the building proposed to be licensed to the existing church or school building.

**(3)** **Access.** Access to such S.D.D. or S.D.M. licensed establishment shall be from a public street having a right-of-way width of at least one hundred twenty (120) feet, as indicated on the Future Transportation Map of the City of Livonia.

**(4)** **Locked Display Case.** All S.D.D. licensees who sell alcoholic liquor other than beer and wine in their original package for consumption off the premises and whose total gross receipts derived from the sale of all alcoholic beverages do not exceed 35% of the total gross receipts of all sales, both alcoholic and non-alcoholic, shall display such alcoholic liquor behind a counter or in a locked display case in such a manner with no direct public access for a qualified employee at least eighteen (18) years of age to distribute to the customer.

## Section 6.04 Apartments.

**(1)** **Districts Permitted.** The following standards apply in the NM2 District as a permitted use.

**(2)** **Studio.** A dwelling unit containing a minimum net floor area of at least three hundred (300) square feet per unit, consisting of not more than one (1) room, in addition to kitchen and necessary sanitary facilities, and for the purposes of computing density shall be considered as a one (1) room unit.

**(3)** **One (1) Bedroom Unit.** A dwelling unit containing a minimum net floor area of at least four hundred fifty (450) square feet per unit, consisting of not more than three (3) rooms, in addition to kitchen and necessary sanitary facilities, and for the purposes of computing density shall be considered as a three (3) room unit.

**(4)** **Two (2) Bedroom Unit.** A dwelling unit containing a minimum net floor area of at least seven hundred fifty (750) square feet per unit, consisting of not more than four (4) rooms, in addition to kitchen and necessary sanitary facilities, and for the purposes of computing density shall be considered as a four (4) room unit.

**(5)** **Three (3) or More Bedroom Unit.** A dwelling unit wherein for each room in addition to the four (4) rooms permitted in a two (2) bedroom unit, there shall be provided an additional area of three hundred (300) square feet to the minimum net floor area of seven hundred fifty (750) square feet. For the purpose of computing density, said three (3) bedroom unit shall be considered as a five (5) room unit and for each increase in a bedroom over three (3) there shall be an increase in the room count by one (1) over the five (5).

## Section 6.05 Automobile Sales and Rental and Mobile Home Sales.

New and used car lots and showrooms, new or used mobile home sales and automobile rental facilities (including repair and service facilities only when owned and operated in conjunction therewith by the same proprietor and located on the same property), provided that:

**(1)** **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 District as a permitted use.

**(2)** **Minimum Lot Size and Lot Width.** Automobile sales and rental and mobile home sales shall be located on a parcel of land containing no less than one-half (½) acre and having a width of at least one hundred (100) feet at the front lot line.

**(3)** **Parking Setback.** No vehicles shall be parked within twenty (20) feet from the front lot line or at the side lot line adjacent to the street.

**(4)** **Lighting.** All exterior lighting, including illuminated signs, shall be erected and hooded or shielded so as to be deflected away from the adjacent or neighboring residential property.

**(5)** **Number of Vehicles.** The total number of vehicles proposed to be displayed or stored shall be subject to recommendation by the Planning Commission and approval by the City Council.

**(6)** **Access.** Automobile sales and rental and mobile home sales shall have direct access to a major thoroughfare having an existing or proposed right-of-way width of one hundred twenty (120) feet or more as designated on the Future Transportation Map.

**(7)** **Outdoor Storage.** Outdoor storage of disabled, damaged, or unlicensed vehicles is prohibited.

## Section 6.06 Automobile Repair (Up to One (1) Ton GVWR).

Automobile and light truck (one (1) ton gross vehicle weight) repair such as motor and electrical tune-up; replacement of shock absorbers, brakes, mufflers, exhaust and tailpipes; transmissions; and other similar repairs subject to the following:

**(1)** **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 District as a permitted use.

**(2)** **Repair Work.** All repair work must be carried out within an enclosed building.

**(3)** **Light Truck Repair.** Automobile and light truck repair shall not permit such repairs as bumping, painting, spraying or rustproofing.

**(4)** **Number of Vehicles.** The total number of vehicles proposed to be stored shall be subject to recommendation by the Planning Commission and approved by the City Council.

**(5)** **Access.** Automobile Repair shops shall have direct access to a major thoroughfare having an existing or proposed right-of-way width of one hundred twenty (120) feet or more as designated on the Future Transportation Map.

**(6)** **Outdoor Storage.** Outdoor storage of disabled, damaged, or unlicensed vehicles is prohibited.

## Section 6.07 Auto-Wash Establishments.

Auto-wash establishments and auto-wash establishments operated with accessory gasoline pumps, provided that:

**(1)** **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 District as a permitted use.

**(2)** **Enclosure.** All washing facilities (except steaming) are to be enclosed within a building.

**(3)** **Side Yard Setback.** The building is situated no closer than thirty-five (35) feet from one side property line.

**(4)** **Parking Lot Layout.** The building and off-street parking (waiting) areas shall be so located and arranged so that motor vehicles shall not park upon or overhang any public sidewalk, street, or right-of-way.

**(5)** **Location.** Auto-wash Establishments shall not be located nearer than one hundred fifty (150) feet as measured from any point on the property to any point on the property of any church, public or parochial school, or playground.

**(6)** **Minimum Lot Size and Lot Width.** Auto-wash establishments shall be located on a parcel of land containing at least eight thousand (8,000) square feet and having a width of at least one hundred (100) feet at the front property line.

**(7)** **Screening.** Where such a use adjoins any property located in any residential district or is separated from such property by a public alley, a protective wall shall be erected and maintained as provided in *Article X* of this Ordinance.

**(8)** **Lighting.** All exterior lighting, including illuminated signs, shall be erected and hooded or shielded so as to be deflected away from any adjacent or neighboring residential property.

**(9)** **Access.** Ingress and egress shall be available from a public street having a right-of-way width of at least one hundred twenty (120) feet or more as indicated on the Future Transportation Map.

## Section 6.08 Bed and Breakfast Establishments.

Bed and breakfast establishments provided that:

**(1)** **Districts Permitted.** The following standards apply in the N1, N2, RUF, and NM1 Districts as a waiver use and in the C-1, C-2, C-3, and C-4 as a permitted use.

**(2)** **Minimum Lot Size and Lot Width.** Bed and Breakfast Establishments shall be located on a lot or parcel of no less than one-half (½) acre in area or in a residential structure containing no less than two thousand (2,000) square feet of living space.

(3) **Parking Setbacks.** Off-street parking shall be provided in the rear or side yard, behind the front building setback line. For parcels abutting an exterior side street, parking shall not be closer to the street than the principal structure.

(4) **Site Features.** Such parking lot shall be improved with a minimum of four (4) inches of concrete or plant mixed asphalt. Natural screening by use of plant material or other screening by use of fencing shall be utilized to screen parking areas from adjoining residential properties.

(5) **Access.** Bed and breakfast establishments shall have direct access to a public street having an existing or planned width of at least eighty-six (86) feet or more as designated on the Future Transportation Map.

(6) **Ownership.** Such establishments shall be run by persons who own and occupy the premises for residential purposes.

(7) **Bedrooms.** Not more than six (6) bedrooms in the bed and breakfast establishment shall be used for bed and breakfast sleeping rooms. No more than four (4) occupants per room shall be allowed. There shall be no cooking facilities for use by the occupants of the bed and breakfast sleeping rooms.

(8) **Accessory Structures.** No accessory buildings shall be used for bed and breakfast sleeping rooms unless they were originally constructed to accommodate housing use. No garage shall be used for bed and breakfast sleeping rooms.

(9) **Signs.** One (1) sign identifying the bed and breakfast establishment shall be permitted if such sign complies with the requirements of Section 11.08 Section 11.08(1) of this Ordinance.

(10) **Maximum Stay.** Guest occupancy shall be no longer than fourteen (14) consecutive days.

(11) **Restrooms.** Lavatory and bathing facilities shall be available for all persons utilizing the bed and breakfast establishment.

(12) **Safety.** The dwelling to be used as a bed and breakfast establishment shall have at least two (2) usable exits. A fire escape plan shall be developed and graphically displayed in each guest room. A smoke detector in proper working order shall be placed in every sleeping room and a fire extinguisher in proper working order shall be placed on every floor. The site shall be reviewed by the Fire Marshall pursuant to the standards contained in the Fire Prevention Code as to the necessity for fire lanes.

(13) **Compliance.** All bed and breakfast establishments shall be required to obtain a business license under Chapter 5.42 of the Livonia Code of Ordinances and shall not conduct operations until such license has been obtained pursuant to that chapter. Such establishments shall comply with all applicable local, county, state, and federal ordinances, laws, rules, regulations, and codes. All bed and breakfast operations shall submit to annual inspections by the Building and Fire Departments. Renewal of a business license shall be contingent upon compliance with applicable codes, as verified by such inspectors.

## Section 6.09 Brewer, Micro Brewer, Brewpub, and Distilleries.

(1) **Districts Permitted.** The following standards apply in the C-1, C-2, and C-4 Districts as a waiver use and in the P-L, C-3, M-L, M-1, and M-2 District as a permitted use.

(2) **Location.**

A) Brewers, micro brewers, brewpubs, and distilleries shall not be located within one thousand (1,000) feet of any other such licensed establishment as measured from the actual premises being used or proposed for use of the respective properties; provided, however, that with respect to those licensed establishments which are utilized primarily as restaurants or for dining facilities, the foregoing one thousand (1,000) foot requirement may be waived by the City Council.

B) Such proposed licensed establishment shall be located at least four-hundred (400) feet distant from any church or school building, either public or parochial, as measured from the nearest point on the building proposed to be licensed to the existing church or school building.

**(3)** **Compliance.** Brewers, micro brewers, brewpubs, and distilleries shall comply in every respect with the Michigan Liquor Control Act.

**(4)** In M-L, M-1, and M-2 Districts, waiver use approval shall be required for on-site consumption except from a hospitality room located on the premises for sampling by consumers as provided in the Michigan Liquor Control Act which provisions are made a part hereof and incorporated herein by reference, and further provided, no Brewer, Micro Brewer, Brewpub, or Distillery shall be located less than 250 feet from the nearest point on the boundary of a residential district.

## Section 6.10 Caregiver Grow Facilities

**(1)** Such use shall not be located within four hundred (400) feet of any residential district, place of worship, municipal or private park, public or private school or daycare facility, or public or private indoor recreational uses ~~facility or athletic training school~~ permitted pursuant to *Section 6.32*~~Section 16.11(f)~~, as measured from the nearest point on the building within which the caregiver grow facility is operating and the property line of any of the uses.

**(2)** Such use shall be limited to buildings in which there are no other uses other than caregiver grow facilities.

**(3)** Such proposed Caregiver Grow Facility shall be located at least one thousand (1,000) feet distant from any existing Caregiver Grow Facility as measured from the nearest point on the building proposed to be occupied to the building in which the existing Caregiver Grow Facility is located.

## Section 6.11 Child Care, Family Home.

**(1)** **Districts Permitted.** The following standards apply in the N1, N2, and RUF Districts as a waiver use.

**(2)** **Compliance.** The owner or occupant of said residence is a licensee in good standing with the State of Michigan pursuant to PA 1973, No. 116, MCL 722.111, et seq, as amended. All health and safety requirements established by the State of Michigan shall be met.

**(3)** **Ownership.** The owner or occupant of said residence has registered with the City Clerk. The facility must be the principal residence of the provider.

**(4)** **Drop-off/ Pickup Area.** A drop-off/pickup area shall be provided where the residence is located on a major thoroughfare as defined in this Ordinance in order to prevent vehicles from backing onto the roadway.

**(5)** **Operating Hours.** There shall be no dropping off or picking up of children between the hours of 10:00 p.m. and 6:00 a.m.

**(6)** **Exterior Alterations.** No structural changes or exterior alterations shall be made which would alter the residential character of the dwelling except for those necessary to comply with the State of Michigan licensing rules applicable to family day care homes.

**(7)** **Outdoor Recreation.** Family day care homes shall provide and maintain an outdoor play space as required by the State of Michigan.

**(8)** **Noise.** Use will comply with all noise standards and other provisions contained in *Section 8.01.*

**(9)** **Signs.** No sign shall be used on the premises.

**(10)** **Safety.** All family day care homes shall be registered with the 911 dispatch center and the City of Livonia Public Safety Department.

**(11)** **Location.** No new family day care home shall operate within one thousand (1,000) feet from any existing registered family day care home or group day care home, as measured from the nearest property line of the proposed use to the nearest property line of the existing registered use.

## Section 6.12 Child Care, Group Home.

**(1)** **Districts Permitted.** The following standards apply in the N1, N2, and RUF Districts as a conditional use.

**(2)** **Compliance.** The owner or occupant of said residence currently operating as a group day care home is a licensee and has continuously remained a licensee in good standing with the State of Michigan pursuant to 1973 PA 116, as amended, since prior to November 14, 1999.

**(3)** **Previously Existing Group Homes.** Group day care homes not licensed and operating prior to November 14, 1999 in residential zones shall meet all of the following:

A) The owner or occupant of said residence shall be a licensee and continuously remain a licensee in good standing with the State of Michigan pursuant to 1973 PA 116, as amended.

B) The group day care home shall not operate within a distance of one thousand (1,000) feet from any existing registered family day care home or group day care home, as measured from the nearest property line of the proposed use to the nearest property line of the existing registered use.

C) The owner or operator has registered with the City Clerk.

D) The facility is the principal residence of the provider.

E) Group day care homes shall not result in traffic congestion or hazardous traffic conditions.

F) A drop-off/pickup area shall be provided if the residence is located on a major thoroughfare as defined in this Ordinance in order to prevent vehicles from backing onto the roadway.

G) The use shall not involve an increase in on-street parking by more than two (2) additional vehicles at a time.

H) All health and safety requirements of the State of Michigan shall be met.

I) There shall be no dropping off or picking up of children between the hours of 10:00 p.m. and 6:00 a.m.

J) No structural changes or exterior alterations shall be made which would alter the residential character of the dwelling except as required by the State of Michigan licensing rules.

K) Group day care homes shall provide and maintain an outdoor play space meeting the minimum requirements of the State of Michigan.

L) The residence shall have appropriate fencing which shall encompass the entire outdoor play space, unless same is prohibited by recorded private homeowner's restrictions/bylaws, or, in the alternative, relief from this requirement may be sought upon appeal to the Board of Appeals.

M) The use shall comply with all noise standards and other provisions contained in *Article VIII* of this Ordinance.

N) No sign shall be used on the premises.

O) All group day care homes shall be registered with the 911 dispatch center and the City of Livonia Public Safety Department.

## Section 6.13 Day Care Nurseries.

**(1)** **Districts Permitted.** The following standards apply in the NM2 and C-1 Districts as a waiver use and in the C-2, C-3, and C-4 Districts as a permitted use.

**(2)** **General Requirements.** Day care nurseries if situated on a parcel of land at least ten thousand (10,000) square feet in area and abutting a street or thoroughfare which has an existing or planned width of eighty-six (86) feet or more as indicated on the Future Transportation Map , and further provided that there is provided and maintained a minimum of five thousand (5,000) square feet of outdoor play area; and further provided that buildings erected on the premises are in harmony with the adjacent buildings in the area; and further provided that appropriate fencing of at least five (5) feet in height encompass the entire outdoor play area. Any use permitted herein shall not be permitted in the interior of any residential block.

## Section 6.14 Dance Halls and Ballrooms.

**(1)** **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 District as a permitted use.

**(2)** **Residential Setback.** Dance halls and ballrooms, provided that such use shall not be located within three hundred (300) feet of any residential district or property used for church purposes as measured from any point on the property to be so used.

## Section 6.15 ~~Dwelling, Accessory Unit~~Reserved.

~~Separate dwellings for the use of domestic employees of the owners, lessee, or occupants of the principal dwelling on a lot shall be considered accessory buildings, but if containing a complete housekeeping unit or units, shall conform to all the height and yard requirements for dwellings in the district in which they are located.~~

## Section 6.16 Dwelling, Condominium.

**(1)** **Districts Permitted.** The following standards apply in the NM1, NM2, and NM3 Districts as a permitted use.

**(2)** **Minimum Size.** The minimum size of condominium dwellings within the City, unless otherwise established and shown on the Zoning Map, shall be as follows:

| | |
|---|---|
| One Bedroom unit | 800 sq. feet |
| Two Bedroom unit | 1000 sq. feet |
| Three Bedroom unit | 1200 sq. feet |

~~(3) **Minimum Size within Zones.** Notwithstanding the foregoing provisions, Zones "A", "B", and "C" as shown on the Zoning Map of the City of Livonia, are hereby established and shall determine the minimum size of condominium dwellings within said zones. The following regulations are hereby established for such zones and no building used as a condominium dwelling shall be constructed except in accordance with the following schedule of regulations which establish the minimum size of condominium dwellings within said respective zones. The purpose and intent of establishing the following additional regulations is to protect, stabilize and conserve property values in residential areas. Numbers contained in the schedule refer to the minimum required usable floor area in square foot dimensions:~~

| ~~Dwelling Design~~ | ~~Minimum Required Usable Floor Area (sq. ft.)~~ | | |
|---|---|---|---|
| | ~~Zone A~~ | ~~Zone B~~ | ~~Zone C~~ |
| ~~One (1) Bedroom Unit~~ | ~~1,000~~ | ~~1,200~~ | ~~1,400~~ |
| ~~Two (2) Bedroom Unit~~ | ~~1,200~~ | ~~1,400~~ | ~~1,600~~ |
| ~~Three (3) Bedroom Unit~~ | ~~1,400~~ | ~~1,600~~ | ~~1,800~~ |

## Section 6.17 Dwelling, Mobile Homes and Modular Homes.

The placement of a mobile home or a modular home, as defined in *Section 2.01, Section 2.01(7)* of this Ordinance, on any lot or parcel in N-1, N-2, N-3, and NM1 districts shall comply with all the requirements and standards contained in such districts relating to one-family dwellings including, but not limited to, lot size, building setback and land coverage limitations and, in addition, shall comply with the requirements and standards set forth in *Section 6.19* of this Ordinance relating to one-family dwelling size; provided, however, that said mobile home or modular home shall comply with the following additional standards:

**(1)** **Structure Width.** Every mobile home or modular home shall have a minimum width across any main section of twenty (20) feet.

**(2)** **Attachment to Permanent Foundation.** Every mobile home or modular home shall be attached to a permanent foundation co-extensive with the perimeter of the building, which foundation shall be approved by the Inspection Department.

**(3)** **Public Utilities.** Every mobile home or modular home shall be connected to a public sanitary sewer, storm sewer, and water system.

**(4)** **Visual Appearance.** Such mobile home, when in place, shall not have exposed wheels, towing mechanisms, undercarriage, or chassis. The mobile home or modular home shall contain no additions or rooms or other areas which are not constructed with similar materials and which are not similar in appearance and which shall have similar quality of workmanship as the original structure, including the above described foundation and permanent attachment to the principal structure.

**(5)** **Site Features.** Every mobile home and modular home shall be aesthetically compatible in design and appearance with other residences in the vicinity, with either a roof overhang of not less than six (6) inches on all sides, or alternatively, with window sills and roof drainage systems concentrating roof drainage along the sides of the dwelling; with not less than two (2) exterior doors with one being in the front of the dwelling and the other being in either the rear or side of the dwelling, containing permanently attached steps connected to said exterior door areas where a difference in elevation requires the same. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard designed home.

**(6)** **Compliance.** Every mobile home or modular home shall comply with all pertinent City building and fire codes as well as, in the case of mobile homes, state and federal standards for mobile home construction. The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in any ordinance of the City of Livonia pertaining to such parks.

## Section 6.18 Dwelling, Multi-Family and Apartments.

**(1)** **Districts Permitted.** The following standards apply in the NM2 District as a permitted use.

**(2)** **Common Recreation Area.** In the case of multiple family projects comprising two (2) or more acres, there shall be provided a common recreation area equal to at least twenty-five (25) square feet per dwelling unit in the development with a minimum of twelve hundred (1,200) square feet. Such recreation area shall be designated and oriented to fit the needs of all tenants and may contain facilities such as but not limited to community buildings, swimming pools, tennis courts, and putting greens.

## Section 6.19 Dwelling, Single-Family.

**(1)** **Districts Permitted.** The following standards apply in the N1, N2, RUF, NM1, and NM2 Districts as a permitted use.

**(2)** **Requirements in Multifamily Zones.** In NM1 and NM2 Districts, one-family dwellings shall be subject to all of the regulations that apply in the N1 Neighborhood District, including the regulations pertaining to lot size and yard requirements.

~~(2)~~(3) **Minimum Size.** The minimum size of one-family dwellings within the City, unless otherwise established and shown on the Zoning Map, shall be as follows:

| Dwelling Design | | Minimum Size Required (sq. ft.) |
|---|---|---|
| One (1) Story Plan | | 1,000 |
| One and One-half (1-1/2) Story Plan | Ground Floor | 800 |
| | Aggregate | 1,100 |
| Two (2) Story Plan | Ground Floor | 624 |
| | Aggregate | 1,200 |

~~(3) **Minimum Size Within Zones.** Notwithstanding the foregoing provisions, Zones "A," "B," and "C" as shown on the Zoning Map of the City of Livonia, are hereby established and shall determine the minimum size of one-family dwellings within said zones. The following regulations are hereby established for such zones and no building used as a one-family dwelling shall be constructed except in accordance with the following schedule of regulations which establish the minimum size of one family dwellings within said respective zones. The purpose and intent of establishing the following additional regulations is to protect, stabilize, and conserve property values in residential areas that are substantially developed by providing a means to ensure that such areas will continue to develop in a manner consistent with the trend and character of the already existing building and development. Numbers contained in the schedule refer to the minimum required usable floor area in square foot dimensions:~~

| ~~Dwelling Design~~ | | ~~Minimum Required Usable Floor Area (sq. ft.)~~ | | |
|---|---|---|---|---|
| | | ~~Zone A~~ | ~~Zone B~~ | ~~Zone C~~ |
| ~~One (1) Story Plan~~ | | ~~1,150~~ | ~~1,300~~ | ~~1,500~~ |
| ~~One and One-half (1-1/2) Story Plan~~ | ~~Ground Floor~~ | ~~850~~ | ~~900~~ | ~~950~~ |
| | ~~Aggregate~~ | ~~1,260~~ | ~~1,400~~ | ~~1,650~~ |
| ~~Two (2) Story Plan~~ | ~~Ground Floor~~ | ~~690~~ | ~~780~~ | ~~900~~ |
| | ~~Aggregate~~ | ~~1,380~~ | ~~1,560~~ | ~~1,800~~ |

## Section 6.20 Dwelling, Two-Family.

**(1) Districts Permitted.** The following standards apply in the NM1 and NM2 Districts as a permitted use.

**(2) Requirements in Multifamily Zones.** In NM1 and NM2 Districts, two-family dwellings shall be subject to all of the regulations that apply in the N2 Neighborhood District, including the regulations pertaining to lot size and yard requirements.

~~(2)~~(3) **Minimum Size of Two-Family Dwellings.** The minimum size of two-family dwellings is hereby fixed as follows: Each living unit shall have not less than eight hundred (800) square feet of usable floor area, all on one floor, which shall not include common hall space or utility room space; provided, however, that where a living unit occupies more than one (1) floor, the aggregate usable floor area for the entire unit shall not be less than one thousand (1,000) square feet.

## Section 6.21 Essential Services.

Essential services shall be permitted as authorized and regulated by law and other ordinances, it being the intention hereof to exempt such essential services from the application of this Ordinance.

## Section 6.22 Establishments Having Liquor Licenses Such as Class C, Tavern, and Club.

**(1) Districts Permitted.** The following standards apply in the C-1, C-2, and C-4 Districts as a waiver use and in the C-3 and P-L Districts as a permitted use.

**(2) Location.**

A) Establishments having liquor licenses such as Class C, tavern, club, and small distiller shall not be located within one thousand (1,000) feet of any other such licensed establishment as measured from the actual premises being used or proposed for use of the respective properties; provided, however, that with respect to those licensed establishments which are utilized primarily as restaurants or for dining facilities, the foregoing one thousand (1,000) foot requirement may be waived by the City Council.

B) Such proposed licensed establishment shall be located at least four-hundred (400) feet distant from any church or school building, either public or parochial, as measured from the nearest point on the building proposed to be licensed to the existing church or school building.

**(3)** **Compliance.** Establishments having liquor licenses such as Class C, tavern, club, and small distiller shall comply in every respect with the Michigan Liquor Control Act.

## Section 6.23 Facilities for the Detention, Incarceration, Commitment, and/or Rehabilitation of Adults or Minor Children and Psychiatric Hospitals.

Licensed and certified publicly or privately-owned facilities for the detention, incarceration, commitment, and/or rehabilitation of adults or minor children and psychiatric hospitals provided that:

**(1)** **Districts Permitted.** The following standards apply in the P-L District as a waiver use.

**(2)** **Minimum Lot Size.** Facilities for the detention, incarceration, commitment, and/or rehabilitation of adults or minor children and psychiatric hospitals shall be located on a parcel of land consisting of at least twenty-five (25) acres in area.

**(3)** **Access.** Access to the site shall be directly from a major thoroughfare having an existing right-of-way width of one hundred twenty (120) feet or more.

**(4)** **Fencing.** Facilities for the detention, incarceration, commitment, and/or rehabilitation of adults or minor children and psychiatric hospitals shall be completely enclosed with security fencing at least eight (8) feet in height; provided, however, that such fence shall be located no closer than twenty (20) feet from any side or rear lot line and no closer than eighty (80) feet from the front property line. In addition, perimeter fencing not to exceed four (4) feet in height may be provided in the front yard forward of the building; provided, however, that in all cases the fencing shall be exclusive of the minimum front yard setback requirement.

**(5)** **Surveillance.** Such use shall have twenty-four (24) hour supervision and surveillance on site by experienced professional personnel in sufficient numbers as to ensure the security of the institution and surrounding properties as well as the safety of the general public.

**(6)** **Location.**

A) Facilities for the detention, incarceration, commitment, and/or rehabilitation of adults or minor children and psychiatric hospitals shall be separated from any school, playground, park, or church by a distance of at least one thousand (1,000) feet as measured from any point on the respective property lines.

B) Facilities for the detention, incarceration, commitment, and/or rehabilitation of adults or minor children and psychiatric hospitals shall be located no closer than five hundred (500) feet from the intersection of two (2) major thoroughfares.

C) Facilities for the detention, incarceration, commitment, and/or rehabilitation of adults or minor children and psychiatric hospitals shall be separated from any residential zoning district by a distance of at least five hundred (500) feet as measured from any point on the subject property to any point on the residential district line; provided, however, that the foregoing five hundred (500) foot restriction may be waived by the City Council.

**(7)** **Setbacks.** The minimum distance of any main or accessory building from boundary property lines shall be at least one hundred (100) feet for front, rear and side yards.

**(8)** **Off-street Parking.** Off-street parking shall comply with standards as set forth in *Section 9.03* of this Ordinance and shall be provided in an amount equal to one (1) space for each employee, including administrators, plus visitor parking spaces equal to fifty (50) percent of the number of individuals being served by the facility.

## Section 6.24 Garages, Repair Shops, Rustproofing and Similar Highway Services.

Garages, repair shops, rustproofing, and similar highway services, provided that:

**(1)** **Districts Permitted.** The following standards apply in the M-1 District as a waiver use and in the M-2 District as a permitted use.

**(2)** **Required Fencing.** Except for the front yard setback, the lot area shall be enclosed with a fence of a type approved by the City Council which shall be located and maintained on the boundaries of such lot area, with only such openings therein as may be necessary for ingress and egress; provided, however, that in the case of a corner lot such fence shall be located on the side yard setback line abutting a public or private thoroughfare.

## Section 6.25 Gardening and Tree Nurseries.

**(1)** **Districts Permitted.** The following standards apply in the N1, N2, RUF, C-2, C-3, and C-4 Districts as a permitted use.

**(2)** **Sale of Nursery Stock.** The sale of nursery stock and greenhouse product is permitted in the RUF, C-2, C-3, and C-4 Districts but prohibited in the N1 and N2 District.

## Section 6.26 Gasoline Service Station.

In order to regulate and control the problems of noise, odor, light, fumes, dust, danger of fire and explosion, and traffic congestion which is likely to result from the unrestricted and unregulated construction and operation of gasoline service stations, and to avoid, if possible, and control the adverse effects which these factors and other characteristics incident to the gasoline service station may have upon adjacent and surrounding land and uses, the following special requirements and regulations governing the erection of gasoline service stations are hereby established:

**(1)** **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 District as a permitted use.

**(2)** **Minimum Lot Area and Lot Width.** Gasoline service stations shall always be located on a plot of ground with frontage along a commercial street of not less than one hundred fifty (150) feet and which shall have a minimum area of not less than twenty-two thousand five hundred (22,500) square feet.

**(3)** **Setbacks.** Gasoline service stations shall provide a setback (area between the adjacent road right-of-way line(s) and the building line) of sixty (60) feet from any road with a right-of-way width of one hundred twenty (120) feet or more and/or any freeway service drive as designated on the Future Transportation Map and at least one side yard of not less than twenty (20) feet. The area within the setback and side yards shall not be used for vehicular storage or for any other service facilities.

**(4)** **Maximum Height.** Gasoline service stations including any part of the façade, shall not exceed thirty-five (35) feet in height; provided, however, that canopies shall not exceed eighteen (18) feet in height.

**(5)** **Access.** Gasoline service stations when located on a corner lot shall provide vehicular entrances or exits (curb cuts) no less than a minimum of twenty-five (25) feet from the intersection of the property lines parallel to the two (2) streets pavement. All curb openings whether on a corner lot or not shall not exceed thirty-five (35) feet in width at the curb. There shall always be a minimum of thirty (30) feet measured along the property line between any series of driveways. On corner lots, no driveway from a side street shall be less than fifteen (15) feet from rear property line as measured along the side street property line. Curbs shall be provided to prevent ingress or egress except at the required locations.

**(6)** **Enclosure.** All lubrication equipment, motor vehicle equipment, hydraulic hoists, and pits shall be enclosed entirely within the building. All gasoline pumps shall be located not less than twenty (20) feet from any lot line and shall be arranged so that motor vehicles shall not be supplied with gasoline or serviced while parked upon or overhanging any public sidewalk, street or right-of-way.

**(7)** **Screening.** Where a gasoline service station use adjoins any property located in any residential district or is separated from such property by a public alley, a protective wall shall be erected and maintained as provided in *Article X* of this Ordinance.

**(8)** **Lighting.** All exterior lighting on the property, including illuminated signs, shall be erected and hooded, shielded and recessed so as to be deflected away from any adjacent or neighboring residential property.

**(9)** **Outdoor Storage.** Outdoor storage of disabled, abandoned, junked, wrecked, and/or unlicensed vehicles is prohibited. Outdoor storage of rubbish and junked equipment or parts is prohibited unless such rubbish, junked equipment, or parts are stored adjacent and to the rear of the principal building and are enclosed by a masonry wall. When such a wall is provided, rubbish, junked equipment, or parts shall not be stored at a height exceeding the height of the wall; provided, further, that such rubbish and junked equipment or parts shall be removed from the property at least once every week.

**(10)** **Parking.**

A) No part of any parcel of land used for gasoline service station purposes shall be utilized for outdoor storage, placement, or display of merchandise; provided, however, that the foregoing prohibition shall not apply to the display, on a pump island only, of oil or oil-based products including, by way of example, but not limitation, motor oil, transmission oil, oil and gasoline additives, windshield solvent, and windshield wipers.

B) No more than one (1) tow truck may be parked in the front or side yard abutting a street.

C) Outside parking or storage of recreational equipment, or commercial vehicles or automobiles which are not used in the operation of the business is prohibited; provided, however, that such prohibition shall not apply to any equipment or vehicle which is temporarily on the premises for repair or service and which is stored or parked in a designated parking space; and provided, further, that no such equipment or vehicle shall be parked within one hundred (100) feet of the intersection of the property lines of two (2) intersecting public streets.

**(11)** **Free Air.** Free air shall be provided at all times station is open for business. The free air shall be dispensed at the point of service without having to enter the station or the performance of any extra action in order to obtain the air without charge.

**(12)** **Compliance.** Gasoline service stations must meet all the requirements of the Police and Fire Departments. The petitioner shall receive written approval by the Police and Fire Departments before the City Council can validly consider this use within a multi-story structure.

**(13)** **Signs.** Gasoline service stations only may display the following type, size, and number of signs which are deemed customary and necessary to their respective business:

A) One (1) ground sign per development site not to exceed a maximum area of forty (40) square feet at a maximum height above grade not to exceed twelve (12) feet and a minimum setback of five (5) feet from any right-of-way line.

B) Wall signs and all window signage, including those signs attached to the service buildings or to the canopy fascia, shall not in sum total exceed two (2) square feet in area for each one (1) lineal foot of building frontage with a maximum total area of one hundred (100) square feet.

C) Customary lettering or other insignia on a gasoline pump consisting of the brand of gasoline sold, lead warning information, and any other data not exceeding a total of three (3) square feet on each pump.

## Section 6.27 Heliports.

No land, water, or building in the City of Livonia shall be used as a location for landing, take-off, storage, servicing, or fueling of any helicopter until the following standards have been adhered to:

**(1)** **Districts Permitted.** The following standards apply in P-L as a permitted use and in the C-4, ML, M-1, and M-2 as a waiver use.

**(2)** **Compliance.** The proposed heliport shall be constructed, operated, and maintained in accordance with the published rules and regulations of the Federal Aviation Administration (FAA), Michigan Aeronautics Commission, and the National Fire Protection Association governing the use of heliports.

**(3)** **Required Application.** Each application for a heliport shall include:

A) A copy of the Federal Aviation Administration Form #7480, "Notice of Landing Area Approval".

B) A copy of a letter of "No Objection" from the FAA.

C) A copy of an approved State of Michigan Aeronautics Commission application for licensing.

D) An aerial photograph of a scale no less than one (1) inch equals four hundred (400) feet indicating the approach and departure routes, the location of all residences, schools, churches, hospitals and areas used for the open assembly of people as well as other noise sensitive areas within a radius of one-half (½) mile of the proposed heliport site.

E) A statement of property ownership or authorization of owner for property proposed to be used as a heliport.

F) A description of the purpose for which the heliport is being established and a schedule of proposed activities including:

i) Number of monthly operations.

ii) Hours of operation.

iii) Support activities such as storage, maintenance, and refueling.

G) A site plan which shall contain the following information:

i) The location, nature, and height of proposed security fences, berms, landscaping, and other security and noise attenuation structures.

ii) The location and type of firefighting equipment and materials.

iii) The location and type of fuel storage facilities.

iv) The location of all existing and proposed buildings.

v) The location of all helicopter landing and take-off areas; parking areas; and the method of surface preparation or stabilization.

H) A certificate of structural compliance attested to by registered professional engineer or architect shall be furnished with each application for a roof-top or other elevated heliport.

I) An environmental report showing the expected noise levels and possible odors, fumes, and dust that may be caused by the operations of the heliport.

J) Approval of the City of Livonia Department of Public Safety, Division of Fire, for the installation and location of firefighting equipment and materials; and the installation and location and method of use for refueling equipment and procedures.

K) Approval of the City of Livonia Department of Public Safety, Division of Police, as to the location of a temporary heliport and the effect of the proposed operation on the safety and well-being of the public.

## Section 6.28 Home Occupations.

Home occupations, except where specifically prohibited, shall be permitted where incidental to residential use and meeting all the following criteria:

**(1)** **Districts Permitted.** The following standards apply in the in the N1, N2, RUF, NM1, NM2, and NM3 Districts as a permitted use.

**(2)** **Usable Floor Area.** The activity is conducted entirely within a completely enclosed dwelling unit and entails neither the use of more than 20% of the usable floor area of that dwelling unit nor any garage (detached or attached) or other building or structure accessory to the principal building.

**(3)** **Nuisances.** The activity does not generate any noise, vibrations, smoke, dust, heat, glare, or interference with radio or television reception in the area that would exceed that normally produced by a dwelling unit in a residential district.

**(4)** **Advertisement.** The activity does not entail any advertising, display, or other indications of a home occupation, business, professional, trade, or occupational use of the property, except as permitted by *Section 11.08* of this Ordinance.

**(5)** **Outdoor Storage.** There is no outdoor display or storage of materials, goods, supplies, or equipment.

**(6)** **Deliveries.** There are no deliveries from commercial suppliers by any vehicle that exceeds Class 5 in the Federal Highway Administration classification system, and all deliveries are made between 9:00 a.m. and 5:00 p.m. on weekdays, provided further that such deliveries shall not restrict traffic circulation or occur so frequently as to interfere with the quiet character of the residential neighborhood.

**(7)** **Operating Hours.** No clients, patrons, salespersons, or other commercial invitees visit the premises except between the hours of 8:00 a.m. and 9:00 p.m., and no more than ten (10) vehicles visit the premises during that period, with no more than two (2) vehicles visiting at one time; provided further, that massage establishments, as defined in *Section 2.01, Section 2.01(8)* of this Ordinance, shall be strictly prohibited in all N1 districts, as permitted or waiver uses.

(8) **Prohibited Use.** The activity does not entail large-scale manufacturing or assembly; warehousing or distribution; or sales or rentals of any article or service except such as is produced by such occupation.

(9) **External Alterations.** The activity does not require any internal or external alteration, construction feature, equipment, or machinery which is not customary in residential areas.

(10) **Employment.** The activity does not entail employment of more than one person other than members of the resident family.

(11) **Safety.** If chemical and/or toxic-based materials will be utilized in connection with said home occupation, the owner or occupant of the property shall register same with the Building Official, the Fire Department and the Livonia Emergency Planning Committee prior to use of the residence for said home occupation in order to ensure compliance with all local, state, and federal environmental regulations.

## Section 6.29 Hospitals.

Hospitals are subject to the following regulations:

(1) **Districts Permitted.** The following standards apply in the C-1, C-2, and C-4 Districts as a waiver use and in the C-3 and P-L District as a permitted use.

(2) **Minimum Lot Size.** All such hospitals shall be developed on sites consisting of at least five (5) acres in area. Provided that there is a minimum of fifteen hundred (1,500) square feet of lot area per bed.

(3) **Access.** Ingress and egress shall be available from public street having an existing or planned right-of-way width of at least eighty-six (86) feet as shown on the Future Transportation Map. All ingress to and egress from the off-street parking areas for guests, employees, staff, as well as any other users of the facility, shall be directly from a major thoroughfare.

(4) **Setbacks.** The minimum distance of any main or accessory building from bounding lot lines or streets shall be at least one hundred (100) feet for front, rear, and side yards for all two (2) story structures. For every story above two (2), the minimum yard distance shall be increased twenty (20) feet.

(5) **Screening.** Ambulance and delivery areas shall be obscured from all residential view with an obscuring wall or fence not less than six (6) feet in height.

## Section 6.30 Hotels.

(1) **Districts Permitted.** The following standards apply in the C-2, C-3, and C-4 Districts as a permitted use.

(2) **Number of Dwelling Units.** Any building containing primarily rooming units with the number of dwelling units being not greater than ten percent (10%) of the total number of rooming units and, with the exception of the unit occupied by the management staff, used only for the accommodation of transients.

(3) **Signs.** Hotels having a minimum of two hundred (200) feet of property bordering on I-275 or I-96 right-of-ways may display additional wall signs on the basis of one (1) square foot of sign area in sum total for each one (1) lineal foot of building frontage facing I-275 or I-96. Wall signs exceeding thirty (30) square feet of sign area each shall consist exclusively of individually fabricated letters or symbols attached individually and flatly to the building.

## Section 6.31 Housing for the Elderly.

**(1)** **Districts Permitted.** The following standards apply in the NM3 and P-L Districts as a permitted use.

**(2)** **General Standards.** A building or group of buildings which provides housing, and as to which at least eighty percent (80%) of the occupied units are rented to at least one (1) person who is fifty-five (55) years of age or older, and which otherwise meets the requirements of 42 USC 3607(b)(2). This may include any of the following: independent elderly housing, senior assisted living facilities, congregate elderly housing, and nursing homes; but shall not include hospitals, hotels, motels, tourist homes, rooming homes, condominiums, or site condominiums.

## Section 6.32 Indoor Recreational Uses.

**(1)** **Districts Permitted.** The following standards apply in the M-1 District as a waiver use and in the C-2, C-3, and C-4 Districts as a permitted use.

**(2)** **Nature of Use.** Due to the nature of the use or its unique characteristics (e.g., requirement for higher ceilings), indoor recreational uses may be better suited or compatible in an industrial setting, including, but not limited to, gymnastics training facilities, martial arts and cheerleading schools, soccer facilities, tennis courts, racquetball and handball courts, baseball and softball practice areas, and archery ranges, provided that all parking and ingress/egress to the facility shall be designed so as not to interfere with industrial traffic in the area. In an M-1 District, such uses shall not include health and fitness clubs, swimming pools, bowling alleys, or billiard parlors and poolrooms.

A) **Skating Rinks.** Skating Rinks, ice or roller are permitted by right in the C-2 and C-3 and prohibited in the M-1 District, provided that such use shall not be located within five hundred (500) feet of any Class C licensed establishment as measured from any point on the respective properties.

B) **Theaters.** Enclosed theaters (not including drive-in theaters) are permitted by right in the C-2 and C-3 Districts and prohibited in the M-1 District. Such use must be carried on in a building properly designed and suitable for theater use and when such building is located on a parcel of land five (5) acres or more in size; provided further, that the parcel of land on which the theater building is located shall have direct access by means of at least two (2) separate entrances and exits to a major thoroughfare having an existing or planned width of one hundred twenty (120) feet or more as designated on the Future Transportation Map of the City of Livonia.

## Section 6.33 Internet-based Exotic Vehicle Sales

**(1)** **Districts Permitted.** The following standards apply in the M-1 and M-2 Districts as a permitted use.

**(2)** **Parking and Storage of All Vehicles.** No vehicles or parts thereof are displayed or stored outdoors, and that none of the vehicles stored or offered for sale within building(s) are visible from the surrounding streets or public places.

**(3)** **No Advertising.** The site offers no advertising of vehicle sales/storage which is visible from the surrounding streets or public places

**(4)** **No Repair Services.** There is no repair or reconditioning of vehicles on the premises.

**(5)** **Operating Hours.** Hours of operation do not include any time on Saturday, Sunday, or holidays, nor after 6:00 p.m. on weekdays, except by appointment.

**(6)** **Inspections.** All facilities for Internet-based Exotic Vehicle Sales shall be subject to annual inspection by the Department of Inspection.

## Section 6.34 Keeping of Animals (Fowl, Rabbits, Horses, Cows, etc.).

**(1)** **Districts Permitted.** The following standards apply in the RUF Districts as a permitted use.

**(2)** **Minimum Lot Size.** Fowl and rabbits may be raised and kept for the owner's consumption only on one-half (½) acre or more; two (2) horses may be kept for the owner's use only on one (1) acre or more; two (2) horses and one (1) cow or three (3) horses may be kept for the owner's use only on two (2) acres or more. The raising of livestock shall conform to the Generally Accepted Agricultural and Management Practices (GAAMP) for the Care of Farm Animals.

**(3)** **Fowl and Rabbits Raised for Sale.** Fowl and rabbits may be raised for sale on parcels five (5) acres or more in size if such animals are properly housed, maintained, and fenced so as not to become a nuisance or detrimental to public health, safety, or welfare.

## Section 6.35 Kennels.

**(1)** **Districts Permitted.** The following standards apply in the RUF District as a waiver use.

**(2)** **Minimum Lot Size.** Dog kennels may be operated on parcels five (5) acres or more in size if such animals are properly housed, maintained, and fenced so as not to become a nuisance or detrimental to public health, safety, or welfare.

## Section 6.36 Local and Suburban Passenger Terminals; Trucking Transportation Terminals Including Maintenance and Service Facilities.

**(1)** **Districts Permitted.** The following standards apply in the M-1 and M-2 Districts as a ~~permitted~~ waiver use.

**(2)** **Parking and Storage of All Vehicles.** Parking and storage of all vehicles, equipment, and material must be enclosed wholly within a building.

## Section 6.37 Massage Establishments.

Massage establishments (as defined in *Section 2.01, Section 2.01(8)* of this Ordinance), provided that:

**(1)** **Districts Permitted.** The following standards apply in the C-1, C-2, and C-4 Districts as a waiver use and in the C-3 District as a permitted use.

**(2)** **Compliance.** Such facilities shall conform to the requirements, restrictions, and prohibitions contained within Mich. Admin. Code R 338.701 through R 338.727 inclusive, as amended, the provisions of which are made a part hereof and incorporated herein by reference.

**(3)** **Separation Requirements.** No massage establishment shall be located within four hundred (400) feet of any property which is either occupied or approved for a massage establishment. No massage establishment shall be located within four hundred (400) feet of a preexisting school, place of worship, state-licensed day care facility, public library, playground, or public park, as measured from any point on the property to any point on the property of any school, place of worship, state-licensed day care facility, public library, playground, or public park.

**(4)** **Operating Hours.** Daily hours of operation of any massage establishment shall be limited to the period of time from 8:00 a.m. to 10:00 p.m.

## Section 6.38 Motels.

**(1)** **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 and C-4 Districts as a permitted use.

**(2)** **Setbacks.** No building shall be any closer than twenty-five (25) feet to any side lot line and no closer than seventy-five (75) feet to the front lot line.

**(3)** **Separation.** Separate buildings shall not be less than ten (10) feet apart.

**(4)** **Signs.** Motels having a minimum of two hundred (200) feet of property bordering on I-275 or I-96 right-of-way may display additional wall signs on the basis of one (1) square foot of sign area in sum total for each one (1) lineal foot of building frontage facing I-275 or I-96. Wall signs exceeding thirty (30) square feet of sign area each shall consist exclusively of individually fabricated letters or symbols attached individually and flatly to the building.

## Section 6.39 Nature Preserves

**(1)** **Districts Permitted.** The following uses and standards apply in the NP District as a permitted use.

A) **Outdoor Recreational Uses**, such as:

i) Nature trails, including the construction of new trails and any improvements necessary to meet barrier-free design standards, where feasible, provided such improvements are consistent with the City of Livonia Five-Year Parks and Recreation Master Plan and the City's nonmotorized transportation plan.

ii) Appropriate forest management practices as determined by the Parks and Recreation Commission, including:

a) The removal of invasive plant or animal species deemed to be harmful or damaging to the health of existing or desired native plant or animal species, or to the economy, environment, or human health.

b) Introduction, reintroduction or promotion of native plant and animal species

iii) Hiking.

iv) Educational laboratories.

v) Day camping (overnight camping not permitted).\

B) **Accessory Uses**, necessary or incidental to the principal uses listed above in A).

## Section 6.40 Nursing Homes and Convalescent Homes.

**(1)** **Districts Permitted.** The following standards apply in the C-1 and C-2 Districts as a waiver use and in the C-3 and C-4 Districts as a permitted use.

**(2)** **Minimum Lot Size.** Provided nursing homes and convalescent homes are located on a parcel of land comprising at least one (1) acre plus five hundred (500) square feet of land per bed.

## Section 6.41 Oil and Gas Wells and Storage.

No oil well or natural gas well shall be drilled, established, or maintained in the City of Livonia, nor may any drilling rig or similar equipment be erected or constructed for the purpose of drilling, establishing or maintaining an oil or gas well without recommendation of the City Planning Commission and approval of the City Council.

## Section 6.42 Open Air Business Uses Sales, Display, and/or Rental of Utility Trailers and Recreational Equipment.

**(1)** **Districts Permitted.** The following standards apply in the C-1 and C-2 Districts as a waiver use and in the C-3 District as a permitted use.

**(2)** **General Standards.** Open air sales, display, and/or rental of utility trailers and recreational equipment subject to the following:

A) **Minimum Lot Size**. A minimum lot area of eight thousand (8,000) square feet shall be required.

B) **Minimum Building Size and Maximum Building Height**. A building of not less than four hundred (400) square feet in area and not more than fifteen (15) feet in height shall be required to be located on said lot.

C) **Lighting**. Adequate lighting facilities shall be provided and so arranged as to reflect light toward the trailer rental area and away from streets and residential uses adjacent to the area. During the hours when the open-air display area is closed to business, lighting shall be provided at a level of not less than one (1) watt per each square yard of display area and with a maximum of not more than one and one-half (1 1/2) watts per each square yard of display area; provided, however, that such lighting shall be hooded or shielded so as to be deflected from adjacent residential property.

D) **Enclosure.** The display area shall be enclosed with either a six (6) foot cyclone fence or a fence of a type approved by the Inspection Department which shall be located and maintained on the boundaries of such display area, with only such openings therein as may be necessary for ingress and egress.

E) **Display Area Setback**. No utility trailers or recreational equipment shall be parked or displayed within twenty (20) feet from the front or side lot line abutting a public street.

**(3)** **Certain additional open-air business uses as herein specified:**

A) **Operating Season**. Retail sales and/or display of plant materials not grown on site and sales of lawn furniture, playground equipment, and other home garden supplies, providing such use is temporary and carried on between April 1 and November 1.

B) **Location**. Open-air Businesses shall not be located within two hundred (200) feet of any intersection of two (2) or more major thoroughfares as indicated on the Future Transportation Map.

C) **Enclosure**. Except for sales and/or display taking place on a pedestrian walkway, the sales and/or display area shall be enclosed with a fence of a type as recommended by the Planning Commission and approved by the City Council, which fence shall be located and maintained on the boundaries of such sales and display area.

D) **Pedestrian Access**. Such retail sales and/or display taking place on any walkway providing pedestrian access to the adjacent building shall be limited to bedding plants (flowers and vegetables) and potted shrubs; provided, however, that such uses shall be conducted in a manner that will insure that the walkway is sufficiently free of obstructions at all times so as to provide safe and direct pedestrian access to and from the building.

## Section 6.43 Open-Air Sales of Christmas Trees by Churches, Public and Parochial Schools and Other Bona Fide Charitable Organizations.

**(1)** **Districts Permitted.** The following standards apply in the C-1, C-2, C-3, and C-4 Districts as a permitted use.

**(2)** **General Standards.** Open-air sales of Christmas trees shall be permitted upon approval of a special annual commercial license by the Department of Inspection to churches, public and parochial schools, and other bona fide charitable organizations. The Department of Inspection shall determine that there is safe and suitable ingress and egress to the premises; adequate off-street parking is provided; and shall contact the Fire Department to determine that all fire rules and regulations have been complied with.

## Section 6.44 Outdoor Storage of Recreational Equipment.

Outdoor storage of Recreational Equipment provided that:

**(1)** **Districts Permitted.** The following standards apply in the M-1 District as a waiver use and in the M-2 District as a permitted use.

**(2)** **Compliance.** A site plan, as defined by Section 2.02 Section 2.02(2) of this Ordinance, has been submitted therefor and has been reviewed and recommended by the Planning Commission and approved by the City Council.

**(3)** **Outdoor Storage.** There shall be no recreational equipment parked or stored within the front yard or side yard abutting a public or private street as would be required therefor by Section 4.02.

**(4)** **Enclosure.** The storage area shall be enclosed with either a six (6) foot cyclone fence or a fence of a type approved by the Inspection Department which shall be located and maintained on the boundaries of such storage area with only such openings therein as may be necessary for ingress or egress.

**(5)** **Lighting.** Adequate lighting facilities shall be provided and so arranged as to reflect light toward the storage area and away from streets and residential uses adjacent to the area.

## Section 6.45 Pawnshops.

Pawn shops, provided that:

(1) **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 District as a permitted use.

(2) **Outdoor Storage.** There shall be no outdoor sales, storage, or display of merchandise.

(3) **Access.** Ingress and egress shall be available from a public street having an existing or planned right-of-way width of at least one hundred twenty (120) feet as shown on the Future Transportation Map.

(4) **Compliance.** The business shall be properly licensed and bonded pursuant to Chapter 5.63 of the Livonia Code of Ordinances.

(5) **Separation.** There is not a similar use within one thousand (1,000) feet measured from property lines.

## Section 6.46 Payday Lenders.

Any business licensed pursuant to the Deferred Presentment Service Transactions Act, MCL 487,2121, et. seq., provided that:

(1) **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 District as a permitted use.

(2) **Access.** Ingress and egress shall be available from a public street having an existing or planned right-of-way width of at least one hundred twenty (120) feet as shown on the Future Transportation Map.

(3) **Separation.** There is not a similar use within one thousand three hundred and twenty (1,320) feet measured from property lines.

## Section 6.47 Personal Service Establishments.

Personal Service Establishments within the NM2 and NM3 Districts must be developed in conjunction with the development of a planned residential community.

## Section 6.48 Privately Owned and Operated Recreational Uses.

Privately owned and operated recreational uses subject to the following special requirements:

(1) **Districts Permitted.** The following standards apply in the N1, N2, RUF, and NM1 Districts as a waiver use.

(2) **Minimum Lot Size.** The use shall be erected and located on a satisfactory site that is at least four (4) acres in area.

(3) **Setbacks.** Front, side, and rear yards shall each be at least twenty (20) feet wide. A swimming pool shall not be constructed within fifty (50) feet of any existing public street right-of-way as measured from the edge of the water. The pool shall not be constructed within three hundred (300) feet of any existing residence as measured from the edge of the water.

(4) **Access.** A parking and traffic plan showing the planned provision for parking and ingress and egress for pedestrian and motor vehicle traffic approved by the Police and Fire Departments shall be filed with the Inspection Department as a condition precedent to the issuance of the permit.

**(5)** **Landscape Plan.** A landscaping plan and time schedule approved by the Parks and Recreation Department shall be filed with the Inspection Department as a condition precedent to the issuance of the permit.

**(6)** **Maximum Building and Lighting Height.** Buildings erected on the premises in connection with privately owned and operated recreational uses shall in no case exceed one (1) story in height except where, as a result of the peculiar topography of the premises, a lower level can be constructed entirely below the grade of the public street abutting or adjacent to such premises, in which case the same shall be permitted, and lighting facilities erected on the premises shall not exceed twenty (20) feet in height.

**(7)** **Compliance.** Provided further, that privately owned and operated recreational uses comply with all other applicable rules, regulations, and ordinances of the City of Livonia. In order that the City Council might properly determine whether or not the requirements provided herein have and can be complied with, there shall be filed with the City Council a certified copy of the Articles of Incorporation and By-Laws of the private swimming pool club or organization; a plot plan drawn to scale showing the location of the premises on which the private swimming pool and related recreational facilities are to be situated, showing also the dimensions and area of such proposed area; the location of all residences and other buildings, structures, and public streets within one thousand (1,000) feet of such premises as measured from each of the property lines of the property site; and a separate development plan of the proposed site showing the size and location of all facilities to be situated thereon, and the size and location of all front, rear, and side yards and the length, width, and location of all driveways and parking facilities to be located on the proposed site. For the purpose of this Ordinance, the term "neighborhood," "community," or "club" pool shall mean that the pool is owned and operated by a private swimming club or similar organization for the sole and exclusive use of its members of such club, their families, and guests.

## Section 6.49 Raising of Fur Bearing Animals.

**(1)** **Districts Permitted.** The following standards apply in the RUF District as a waiver use.

**(2)** **Minimum Lot Size.** The raising of fur bearing animals shall be conducted on a farm of five (5) acres or more.

**(3)** **Setbacks.** The pens or cages must be located at least one hundred (100) feet from any front, side, or rear property line.

**(4)** **Conformance.** The raising of livestock shall conform to the Generally Accepted Agricultural and Management Practices (GAAMP) for the Care of Farm Animals.

## Section 6.50 Religious Institutions.

**(1)** **Districts Permitted.** The following standards apply in the N1, N2, RUF, and NM1 Districts as a waiver use, and in the C-1, C-2, C-3, and C-4 Districts as a permitted use.

**(2)** **Minimum Lot Size.** In N1, N2, RUF, and NM1 Districts, Religious Institutions must be located on a parcel of land at least two (2) acres in area.

**(3)** **Signs.** Religious institutions shall be permitted the following:

A) One (1) identification ground sign not to exceed thirty (30) square feet of sign area or to exceed six (6) feet in height and shall have a minimum setback of ten (10) feet from any right-of-way line.

B) One (1) freestanding bulletin board or identification ground sign not to exceed twenty (20) square feet of sign area and not to exceed five (5) feet in height and shall have a minimum setback of ten (10) feet from any right-of-way line.

C) One (1) wall sign not to exceed twenty (20) square feet of sign area. Such sign shall consist of individual letters attached individually and flatly to the building.

## Section 6.51 Restaurants.

**(1)** Limited service and carry-out restaurants with or without outdoor dining areas subject to the following:

A) **Districts Permitted.** The following standards apply in the C-1, C-2, C-3, and C-4 Districts as a permitted use.

B) **Access.** Ingress and egress shall be available from a public street having an existing or planned right-of-way width of at least one hundred twenty (120) feet as shown on the Future Transportation Map.

C) **Drive-Up Window Facilities.** Drive-up window facilities are prohibited.

D) **Outdoor Dining.** Outdoor dining areas with seating for no more than six (6) persons when conducted in conjunction with a carry-out restaurant or twelve (12) persons when conducted in conjunction with a Limited Service Restaurant (as defined in *Section 2.01 Section 2.01(8)* of this Ordinance) operating pursuant to a valid waiver use approval, provided that:

i) The outdoor dining is conducted in accordance with a site plan illustrating the seating arrangement and capacity which has been approved by the Planning Department and Inspection Department.

ii) That outdoor dining shall be restricted to sidewalk or patio areas adjoining the building.

iii) That the outdoor dining shall be conducted in a manner that will ensure that sufficient clear space for pedestrian and handicapped circulation is provided, and that safe and direct access to and from the building is maintained.

iv) If deemed necessary for public safety in instances where outdoor dining areas or drive aisles, decorative fencing (or other measures, such as bollards) shall be installed to demarcate and protect the outdoor seating areas.

v) That trash receptacles shall be provided for the outdoor seating area and shall be emptied regularly as needed.

vi) That the sound levels of any outdoor speakers shall be kept to a reasonable minimum so as to not become objectionable.

vii) That all lighting equipment installed for the outdoor seating area shall be shielded or so arranged as to minimize stray light trespassing across property lines and glaring into adjacent roadway.

**(2)** Full-service restaurants with or without outdoor dining areas subject to the following:

A) **Districts Permitted.** The following standards apply in the C-1 and C-2 Districts as a waiver use and in the C-3 and C-4 Districts as a permitted use.

B) **Floor Area.** At least one-half (½) of a restaurant's usable main floor area shall be devoted to a dining or eating and/or drinking area.

C) **Access.** Ingress and egress be available from a public street by means of at least two (2) separate driveways at least forty (40) feet apart from one another.

D) **Lighting.** Suitable lighting shall be provided and so arranged as to reflect away from any adjacent or abutting residential district and toward the commercial area.

**(3)** Drive-in restaurants and restaurants with either drive-thru or drive-up window facilities; including food trucks subject to the following:

A) **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 District as a permitted use.

B) **Access**. Ingress and egress shall be available from a public street having a right-of-way width of at least one hundred twenty (120) feet or more as indicated on the Future Transportation Map by means of at least two (2) separate driveways located at least thirty (30) feet apart from one another.

C) **Lighting.** Suitable lighting shall be provided and so arranged as to reflect away from any adjacent or abutting residential district and toward the commercial area.

D) **Setback.** No drive-in restaurant shall be located nearer than two hundred (200) feet as measured from any point on the property to any point on the property of a religious institution.

E) **Drive-Up Window Facilities.** Drive-up window facilities shall comply with the following minimum standards:

i) A restaurant with a drive-up window shall provide a separate customer ordering station.

ii) The traffic lane serving the drive-up window shall be at least ten (10) feet wide.

iii) The turning radius on any curve in the drive-up window traffic lane shall be no less than fifteen (15) feet.

iv) A by-pass lane or other suitable means of access to a public street shall be provided for vehicles that do not use the drive-up window.

v) Parking spaces located beyond drive-up windows shall be designated for use of drive-up window patrons.

vi) Ingress and egress shall be available from a public street by means of at least two (2) separate driveways at least forty (40) feet apart from one another.

vii) Suitable lighting shall be provided and so arranged as to reflect away from any adjacent or abutting residential district and toward the commercial area.

## Section 6.52 Retail Sales.

**(1)** Buildings (single or multi-unit) for the purpose of retail sales and which contain a gross floor area of thirty thousand (30,000) square feet or more provided that:

A) **Districts Permitted.** The following standards apply in the C-1 ~~and~~, C-2 and C-4 Districts as a waiver use and in the C-3 District as a permitted use.

B) **Setbacks.** The front yard shall be a least one hundred (100) feet; the rear yard shall be at least twenty-five (25) feet; the interior side yard(s) shall be at least twenty (20) feet; and a side or rear yard abutting a street shall be at least sixty (60) feet; provided, however, that when Retail Sales abuts a residential district, the required side and rear yards which abut such residential district shall be a least sixty (60) feet.

C) **Outdoor Storage.** There shall be no outdoor sales, storage, or display of merchandise.

D) **Restaurants as an accessory use.** Restaurant uses as defined in *Section 2.01, Section 2.01(8)* of this Ordinance shall be permitted as an accessory use to a single unit building only; provided, however, that the number of customer seats in the restaurant shall not exceed thirty (30). In the event that such building of thirty thousand (30,000) square feet or more was previously granted waiver use approval without providing for an accessory restaurant use, any restaurant use may not be added thereafter without first obtaining waiver use approval in accordance with the provision of this Ordinance.

E) **Single Unit.** In the event that such building of thirty thousand (30,000) square feet or more is intended to be a single unit, the application for waiver use shall include a statement that the building as proposed will be attractive to other commercial tenants in the event the initial occupant ceases its occupancy of the building, including a description of the features of the building which will make it attractive to prospective replacement tenants. Such statement shall be revised, prior to final approval, to reflect any design changes recommended by City Council which affect the attractiveness of the proposed building to subsequent would-be occupants.

**(2)** A workshop incidental to retail sales is permitted for servicing, repairing, or workshop activities. Up to 50% of the usable floor area can be used as a showroom in the commercial zoning districts. Up to 10% of the usable floor area can be used as a showroom in the industrial zoning districts. Such uses are detailed below:

A) Air conditioning sales, service, and repair shops;

B) Apparel alteration and repair shops;

C) Electrical and lighting fixture sales, service, and repair shops;

D) Furniture reupholstery and refinishing establishments;

E) Lawnmower sales, service, and repair shops;

F) Locksmith shops;

G) Office equipment sales, service, and repair establishments;

H) Plumbing and heating sales, service, and repair shops;

I) Radio and television sales, service, and repair shops;

J) Sign painting shops (no outside storage);

K) Taxidermy shops;

L) Motorcycle sales, service, and repair establishments; however, facilities for outdoor testing, display, or storage of merchandise are expressly prohibited.

**(3)** Retail sales of new furniture when such use is accessory to a furniture warehouse establishment and located within a warehouse structure, and located in an M-1 District, such waiver use being expressly prohibited in an M-2 District, and provided that:

A) **Minimum Lot Size.** The warehouse structure in any such case shall be located on a parcel of land containing four (4) acres or more.

B) **Floor Area.** Such retail sales use and display areas combined shall not exceed thirty-five (35) percent of the entire floor area of the structure or such lesser percent as approved.

C) **Outdoor Storage.** No outside storage, sales, or display of merchandise or promotional activity shall be permitted.

D) **Sales.** All sales of merchandise shall be conducted wholly within the retail sales portion of the structure.

E) **Off-Street Parking.** Off-street parking facilities shall be provided as hereinafter specified in *Section 9.04* of this Ordinance, except that no parking of automobiles or other motor vehicles shall be permitted in the front yard setbacks and in the case of double frontage lots, the rear yard setbacks or side yard setbacks if such yard abuts a public or private street.

## Section 6.53 Second-Hand Stores.

The following standards shall apply to second-hand stores and rummage shops (not including antique stores as defined in *Section 2.01(8)* of this Ordinance):

**(1)** **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 District as a permitted use.

**(2)** **Outdoor Storage.** There shall be no outdoor sales, storage, or display of merchandise.

**(3)** **Access.** Ingress and egress shall be available from a public street having an existing or planned right-of-way width of at least one hundred twenty (120) feet as shown on the Future Transportation Map.

## Section 6.54 Self-Storage, Indoor Climate Controlled.

Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis, subject to the following:

**(1)** **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3, ML, M-1, and M-2 Districts as a permitted use.

**(2)** **Minimum Lot Size.** The minimum size of the site shall be not less than three (3) acres.

**(3)** **Maximum Number.** Only one (1) climate-controlled building used in whole or in part for the purpose of providing storage on a self-service basis shall be permitted on the premises.

**(4)** **Outdoor Storage.** There shall be no outdoor storage and no storage of flammable, explosive, radioactive, hazardous, toxic, or volatile substances within the self-storage buildings or upon the premises.

**(5)** **Access.** Customer access to the self-storage units shall only be from the interior of a fully-enclosed, climate-controlled building.

**(6)** **Overhead Doors.** Overhead doors to allow vehicles to enter or exit the building may be allowed provided they are controlled by means of electronic access devices or by an employee of the facility.

**(7)** **Operating Hours.** The facility shall not be open for customer access to the storage units earlier than 7 a.m. nor later than 9 p.m.

**(8)** **Building Façades.** Exterior building wall façades shall consist of maintenance-free materials, and the design and architectural appearance of the building shall be compatible to and in harmony with the surrounding commercial buildings in the area.

**(9)** **Use of Self-Storage Facility.** Except as provided herein, the use of the self-storage facility shall be limited to the storage of personal and business items only, and no unit designed or intended for storage purposes shall be used for operating a business or recreational activity including, but not limited to, repairs, manufacturing, assembly, personal service, hobby, retail, or office.

**(10)** **Security Manager.** A security manager shall be permitted to reside within the confines of the same building used in whole or in part for self-storage and such residence shall be considered an accessory use as provided in Section 2.01 Section 2.01(4).

**(11) Accessory Uses.** Office, retail, and other uses otherwise permitted under this Article may be allowed only where such use or uses are designed and provided as an integral part of the development, including, but not limited to, access, parking, lighting, and signage.

## Section 6.55 Small Cell Wireless Facilities.

**(1) Districts Permitted.** The following standards apply in all zoning districts as a permitted use.

**(2) Compliance.** Per the provisions of the Small Wireless Communications Facilities Deployment Act, Public Act 365 of 2018, MCL 460.1301, et seq. ("Act 365"), the activities set forth in Code of Ordinances Section 12.06.050(D) are exempt from zoning review, except that replacement small cell wireless facilities shall require a permit if they exceed in size or weight the size or weight of the small cell wireless facility being replaced. Subsections (3) to (5) below apply to zoning reviews for the following activities that are subject to zoning review and approval, that are not a permitted use under Code of Ordinances Section 12.06.040(E), and that take place within or outside the public right-of-way:

A) The modification of existing or installation of new small cell wireless facilities.

B) The modification of existing or installation of new wireless support structures used for such small cell wireless facilities.

**(3) Application.** Applications for zoning approval shall be filed with the City Engineer, or his or her designee ("Engineer"), and the processing of an application for a zoning approval is subject to all of the following requirements:

A) Within 30 days after receiving an application under this section, the Engineer shall notify the applicant in writing whether the application is complete. If the application is incomplete, the notice shall clearly and specifically delineate all missing documents or information. The notice tolls the running of the 30-day period.

B) The running of the time period tolled under subdivision (A) resumes when the applicant makes a supplemental submission in response to the authority's notice of incompleteness. If a supplemental submission is inadequate, the Engineer shall notify the applicant not later than 10 days after receiving the supplemental submission that the supplemental submission did not provide the information identified in the original notice delineating missing documents or information. The time period may be tolled in the case of second or subsequent notices under the procedures identified in subdivision (2)(A) above. Second or subsequent notices of incompleteness may not specify missing documents or information that was/were not delineated in the original notice of incompleteness.

C) The application shall be processed on a nondiscriminatory basis.

D) The Engineer shall approve or deny the application and notify the applicant in writing within 90 days after an application for a modification of a wireless support structure or installation of a small cell wireless facility is received or 150 days after an application for a new wireless support structure is received. The time period for approval may be extended by mutual agreement between the applicant and the Engineer. If the Engineer fails to comply with this subdivision, the application is considered to be approved subject to the condition that the applicant provide the City not less than 15 days' advance written notice that the applicant will be proceeding with the work pursuant to this automatic approval.

E) The Engineer shall not deny an application unless all of the following apply:

i) The denial is supported by substantial evidence contained in a written record that is publicly released contemporaneously.

ii) There is a reasonable basis for the denial.

iii) The denial would not discriminate against the applicant with respect to the placement of the facilities of other wireless providers.

**(4)** **Zoning Approval.** Review of an application for a zoning approval is subject to all of the following requirements:

A) An applicant's business decision on the type and location of small cell wireless facilities, wireless support structures, or technology to be used is presumed to be reasonable. This presumption does not apply with respect to the height of wireless facilities or wireless support structures. The Engineer may consider the height of such structures in its zoning review but shall not discriminate between the applicant and other communications service providers.

B) The Engineer shall not evaluate or require an applicant to submit information about an applicant's business decisions with respect to any of the following:

i) The need for a wireless support structure or small cell wireless facilities.

ii) The applicant's service, customer demand for the service, or the quality of service.

C) Any requirements regarding the appearance of facilities, including those relating to materials used or arranging, screening, or landscaping, shall be reasonable.

D) Any spacing, setback, or fall zone requirement shall be substantially similar to a spacing, setback, or fall zone requirement imposed on other types of commercial structures of a similar height.

**(5)** **Fees.** Application fees for zoning approval hereunder shall be:

A) $1,000.00 for a new wireless support structure or modification of an existing wireless support structure.

B) $500.00 for a new small cell wireless facility or modification of an existing small cell wireless facility.

Fees hereunder shall be adjusted as necessary to assure that such fees are the highest amounts permitted under Act 365, so long as such fees do not exceed the costs imposed on the City in connection with the permit application and zoning review.

**(6)** **Construction Commencement.** Within 1 year after a zoning approval is granted, a wireless provider shall commence construction of the approved structure or facilities that are to be operational for use by a wireless services provider, unless the Engineer and the applicant agree to extend this period or the delay is caused by a lack of commercial power or communications facilities at the site. If the wireless provider fails to commence the construction of the approved structure or facilities within the time required, the zoning approval is void, and the wireless provider may reapply for a zoning approval. However, the wireless provider may voluntarily request that the zoning approval be terminated.

**(7)** **Moratorium.** The City shall not institute a moratorium on either of the following:

A) Filing, receiving, or processing applications for zoning approval.

B) Issuing approvals for installations that are not a permitted use.

**(8)** **Failure to Meet Requirements.** The Engineer may revoke a zoning approval, upon 30 days' notice and an opportunity to cure, if the permitted small cell wireless facilities and any associated wireless support structure fail to meet the requirements of the approval, applicable codes, or applicable zoning requirements.

**(9)** **Administration.** The Mayor or his/her designee may provide forms and policies for administering this Section and Chapter 06 of Title 12 of the Code of Ordinances.

**(10) Written Appeal.** Pursuant to MCL 460.1327, a person seeking to reverse a determination made under this Section or Chapter 06 of Title 12 of the Code of Ordinances may submit a written appeal to the Mayor, identifying the reason(s) for reversing the determination. Within 10 business days of receiving the written appeal, the Mayor shall render his/her decision whether to uphold, reverse, or uphold in part/reverse in part the determination under appeal.

## Section 6.56 Temporary Uses and Sidewalk and Tent Sales.

**(1) Sidewalk and Tent Sales.** Sidewalk and tent sales are permitted accessory uses for retail establishments in C-1 and C-2 Districts, provided that:

A) The retail establishment submits a site plan to the Building Official and obtains a permit from the Building Official and complies with all permit conditions.

B) No portion of any sale shall take place in a public right-of-way or the front or side yard required by this Ordinance for the retail establishment, except in cases where the building setback renders compliance with the yard requirement infeasible, in which case the sale shall be conducted at a setback which is, in the judgment of the Building Official, as near to a conforming setback as is feasible.

C) The retail establishment does not conduct more than two sidewalk and/or tent sales in any calendar year per address or tenant.

D) No such sale exceeds two (2) weeks in duration.

E) The principal use is located on the same premises; and

F) The premises upon which the sidewalk or tent sale is proposed is otherwise code compliant. If the Building Official has concerns or questions regarding safe access or the possibility of pedestrian and vehicular traffic conflicts that could occur in connection with the subject use, the Building Official will obtain a recommendation from the Traffic Bureau of the Police Department prior to issuance of a permit.

**(2) Temporary Buildings Incidental to the Construction of Residential Dwellings.** The following standard applies in the N1, N2, and RUF Districts as a permitted use. Temporary buildings or structures for uses incidental to the construction of residential dwellings and improvements shall be removed immediately upon completion or abandonment of the construction work.

**(3) Carnivals.** The following standard applies in the RUF, C-2, and C-4 Districts as a waiver use and in the P-L and C-3 Districts as a permitted use. Carnivals may be allowed for periods not normally to exceed two (2) weeks; however, they may request an optional time extension of up to two (2) weeks from the Planning Director.

## Section 6.57 Ambulance Services, Local and Suburban Bus Terminals and Taxicab Terminals ~~Terminals, Ambulances Services, Bus, and Taxicab~~.

**(1) Districts Permitted.** The following standards apply in the C-2, M-1, and M-2 Districts as a waiver use and in the C-3 District as a permitted use.

**(2) General Standards.** Ambulance services, local and suburban bus terminals, and taxicab terminals when exterior design, appearance, and location of any proposed building, structure, or premises and the location and design of any proposed parking facility or loading and unloading area to be used for above uses is consistent with the spirit, intent, and purpose of this Ordinance.

## Section 6.58 Steel Fabricators, Truck Terminals, Truck and Trailer Rental Facilities, ~~Steel Fabricators,~~ Special Trade Contractors, and Vehicle Tow Yards.

**(1) Districts Permitted.** ~~Except in the case of vehicle tow yards, T~~the following standards apply in the M-1 and M-2 Districts as a waiver use. ~~and in the M-2 District as a permitted use. For vehicle tow yards, the following standards apply in the M-1 and M-2 Districts as a waiver use.~~

**(2) Classification.** Steel fabricators; truck terminals; truck and trailer rental facilities where vehicles, trailers, equipment, and material are not wholly enclosed within a building; vehicle tow yards; and special trade contractor classified as:

A) Bridge builders.

B) Concrete contractors.

C) Dredging contractors.

D) Excavating contractors.

E) Fence contractors.

F) Foundation contractors.

G) Grading contractors.

H) Oil well contractors.

I) Paving contractors.

J) Pile driving contractors.

K) Sewer excavators.

L) Steel erectors.

M) Underground contractors.

N) Wrecking contractors.

O) Septic tank installers and cleaners.

P) Landscape contractors.

Provided that:

i) Except for the front yard setback, the lot area shall be enclosed with a fence of a type approved by the Inspection Department which shall be located and maintained on the boundaries of such lot area, with only such openings therein as may be necessary for ingress and egress; provided, however, that in the case of a corner lot such fence shall be located on the side yard setback line abutting a public or private thoroughfare.

ii) Landscaping of the front yard and, in the case of a corner lot, also the side yard abutting a public or private thoroughfare, shall be required.

iii) The outside stacking or stockpiling of materials shall not exceed eight (8) feet in height above ground level.

iv) Notwithstanding any other provisions of this Ordinance, wherever the outside storage of equipment and/or material occurs on the site of an approved waiver use and is immediately adjacent to or abutting any residentially zoned property, there shall be provided a greenbelt which shall be at least twenty (20) feet in width, which shall consist of at least two (2) rows of appropriate live plant materials, so placed as to provide continuous screening over and above that which is provided by the protective wall, as is required by other provisions of this Ordinance and shall thereafter be permanently maintained; and further provided, that such greenbelt shall attain a minimum height of at least eight (8) feet after one full growing season.

## Section 6.59 Veterinary Clinics, Animal Clinics, and Animal Hospitals.

Veterinary clinics, animal clinics, and animal hospitals, provided that such uses or clinics are hereby defined to mean the professional use of a building, by a licensed veterinarian for rendering professional services to household pets, and provided that:

**(1)** **Districts Permitted.** The following standards apply in the RUF, C-1 and C-2 Districts as a waiver use and in the C-3 Districts as a permitted use.

**(2)** **Specified Use.** Any building designed, constructed, or modified for veterinary clinics, animal clinics, and animal hospitals shall be used for the sole purpose of providing necessary medical care for sick or diseased household pets and shall not be constructed or used as a boarding establishment for household pets.

**(3)** **Attendant.** A full-time duly qualified attendant or veterinarian shall be stationed in charge of such premises whenever any animals eligible for treatment at such establishment, as herein defined, are kept on the premises.

**(4)** **Enclosure.** In no case shall such establishments have open or outdoor runways, kennels, or pens.

**(5)** **Disposal of Rubbish.** In no case shall there be, in connection with the operation of such establishment, the disposal of rubbish and litter in such a manner as to be obnoxious or offensive. In no case shall there be any harboring of vermin or decaying matter on the premises, and effective provision shall be made to confine all noise, confusion, and odor, if any, to the premises.

**(6)** **Soundproof.** The building housing veterinary clinics, animal clinics, and animal hospitals and the ventilating system used in connection therewith shall be so constructed as to be soundproof and soundproofing shall be installed to the extent necessary to ensure the elimination of all noise from the area used for the treatment and temporary keeping of such sick and diseased household pets.

## Section 6.60 Wireless Communication Facilities.

**(1)** **Purpose and intent.** It is the general purpose and intent of the City of Livonia to carry out the will of the United States Congress by authorizing communications facilities needed to operate wireless communications systems. However, it is the further purpose and intent of the City of Livonia to provide for such authorization in a manner which will retain the integrity of neighborhoods and the character, property values, and aesthetic quality of the community at large.

**(2)** **Compliance. Wireless communication facilities, provided that:**

A) Wireless Communication Facilities shall meet the requirements of *Section 7.18* of the Zoning Ordinance.

B) At least fifteen (15) days prior to the public hearing required by *Section 13.13, Section 13.13(2)* of the Zoning Ordinance with respect to such use, the City shall erect four foot by four foot (4' x 4') sign(s) at one (1) or more prominent locations around the premises leased or purchased for such wireless communication facility, in location(s) determined by the Building Official to be likely to give notice of the referenced proceedings to all interested parties. Such sign shall state the fact that a wireless communication facility has been proposed for a location near the sign, and name and address of the real party requesting the waiver use approval, and the telephone number at City Hall where interested persons can call for further information.

C) Notice of the hearing shall be provided as required by law for public hearings concerning zoning matters, except that, due to the public nature of the property involved, the area in which notices are mailed will be expanded to include properties within six hundred (600) feet of the property which is the subject of the application or petition, as measured from the boundaries of the site leased or purchased for the purpose of erecting the wireless communication facility.

**(3)** **Definitions.** The following definitions shall apply in the interpretation of this section:

A) "*Collocate*" means to place or install wireless communications equipment on an existing wireless communications support structure or in an existing equipment compound. "Collocation" has a corresponding meaning.

B) "*Equipment compound*" means an area surrounding or adjacent to the base of a wireless communications support structure and within which wireless communications equipment is located.

C) "*Wireless communications equipment"* means the set of equipment and network components used in the provision of wireless communications services, including, but not limited to, antennas, transmitters, receivers, base stations, equipment shelters, cabinets, emergency generators, power supply cables, and coaxial and fiber optic cables, but excluding wireless communications support structures.

D) "*Wireless communications support structure"* means a structure that is designed to support, or is capable of supporting, wireless communications equipment, including a monopole, self-supporting lattice tower, guyed tower, water tower, utility pole, or building.

E) "*Planning Official"* shall mean the Director of Planning.

F) "*Building Official"* shall mean the Chief Building Official.

G) "*Backhaul network"* shall mean the lines that connect a wireless communications provider's wireless communications facilities to one or more cellular telephone switching offices, and/or long-distance providers, or the public switched telephone network.

**(4)** **Authorization.** Except for paragraph A) below, no wireless communications equipment or support structures may be erected in the City of Livonia except upon application to the City for approval thereof, as set forth in paragraph (6) below; compliance with all other requirements of this section; and conformance of said equipment or support structure to one of the categories set forth in subparagraphs B) or D) below:

A) Wireless communications equipment is a permitted use of property and is not subject to special land use approval or any other approval if all the following requirements are met:

i) The wireless communications equipment will be collocated on an existing wireless communications support structure or in an existing equipment compound.

ii) The existing wireless communications support structure or existing equipment compound is in compliance with this zoning ordinance or was approved by the Planning Commission and City Council.

iii) The proposed collocation will not do any of the following:

a) Increase the overall height of the wireless communications support structure by more than 20 feet or 10% of its original height, whichever is greater.

b) Increase the width of the wireless communications support structure by more than the minimum necessary to permit collocation.

c) Increase the area of the existing equipment compound to greater than 2,500 square feet.

*iv) The proposed collocation complies with the terms and conditions of any previous final approval of the wireless communications support structure or equipment compound by the Planning Official, Building Official, Planning Commission, or City Council.*

B) Wireless communications equipment that meets the requirements of subparagraph A)i) and A)ii) but does not meet the requirements of subparagraph A)iii) or A)iv) is a permitted use of property if it receives waiver use or special waiver use approval under paragraphs E) or F).

C) Wireless communications equipment that meets the requirements of paragraph A) shall be required to comply with the requirements set forth in paragraph (5)A)i)a) through (5)A)i)c); paragraph (5)A)iii); paragraph (5)A)v)e) through (5)A)v)f); and paragraph (5)A)v)i) through (5)A)v)j).

D) Other circumstances creating permitted use treatment. Subject to the standards and conditions set forth in subparagraph (5)A) below, wireless communications equipment or support structures shall be permitted uses in the following circumstances, and in the following zoning districts and zones, after approval by both the Planning Official and Building Official:

i) An existing structure which will have wireless communications equipment attached to it within a non-residential zoning district where the existing structure is not proposed to be materially altered or materially changed in appearance.

ii) An existing structure which will have wireless communications equipment attached to it and which structure consists of a utility pole located within a right-of-way, where the existing pole is not proposed to be modified in a manner which would materially alter the structure and/or result in an impairment of sight lines or other safety interests.

iii) A wireless communications support structure established within a right-of-way having an existing width of more than 204 feet (expressways), subject to collocation requirements as outlined in paragraph (8) below.

iv) A wireless communications support structure established in any M-1, M-2, or commercially zoned district within Sections 25 - 30 and that portion of Section 19 bounded by Schoolcraft Road, Eckles Road, and the I-96 expressway, M-1, ML, and commercial zones which are contiguous with Eight Mile Road, and that zone which is west of the I-275/96 expressway, north of Six Mile Road, east of the western City boundary, and south of Eight Mile Road.

E) Waiver Uses.

i) Subject to the standards and conditions set forth below in Sections (5)A) and (5)B) and in *Section 13.13, Section 13.13(6)* of this Zoning Ordinance, wireless communications equipment and support structures may be authorized as waiver uses in C-1, C-2, C-3, C-4, PO, and OS zoning districts if not included in Paragraph A) or D) above upon a recommendation by the City Planning Commission and approval of the City Council.

ii) Subject to the standards and conditions set forth below and in *Section 13.13, Section 13.13(6)* of this Zoning Ordinance, wireless communications equipment may be authorized as waiver uses in NM3 zoning districts upon a recommendation by the City Planning Commission and approval by the City Council.

iii) Subject to the standards and conditions set forth below in Sections (5)A) and (5)B) and in *Section 13.13, Section 13.13(6)* of this Zoning Ordinance, wireless communications support structures may be authorized as a waiver use in any public land zone upon a recommendation of the City Planning Commission, approval of the Livonia City Council, and approval of the governing body which owns the land. Failure to receive approval from either the Livonia City Council or the governing body which owns the land shall result in a denial of the petition or application. In no case shall the wireless communications support structure in a public land zone be within 300 feet of a residence.

F) **Special Waiver Uses.** If it is demonstrated by an applicant that wireless communications equipment or a wireless communications support structure may not reasonably be established as a permitted use under paragraph A) or D) above, and is required to be established outside of a zoning district identified in paragraphs D) and E) above, in order to operate a wireless communications service, then wireless communications equipment or a wireless equipment support structure may be permitted elsewhere in the City as a special waiver use subject to the criteria and standards of *Section 13.13, Section 13.13(3)* of this Ordinance and paragraphs (5)A) and (5)B) below.

**(5) General Regulations.**

A) **Standards and Conditions.** Applications for wireless communications equipment or support structures, if required, shall be reviewed in accordance with the following standards and conditions, and, if approved, shall be constructed and maintained in accordance with such standards and conditions. In addition, if the wireless communications equipment or support structure is approved, and is other than a permitted use, it shall be constructed and maintained with any additional conditions imposed by the findings of the Planning Commission and approved by the City Council in its discretion; provided, however, that waiver use or special waiver use approval of wireless communications equipment may be made expressly conditional only on the wireless communications equipment's meeting the requirements of City ordinances and of federal and state laws before the wireless communications equipment begins operation.

i) Wireless communications equipment or support structures shall not be demonstrably injurious to neighborhoods or otherwise detrimental to the public safety and welfare.

a) **Annual Certification of Wireless Communications Equipment and Support Structures.** Every operator and all collocators on all wireless communications equipment and wireless communications support structures shall no later than November 1st of each year certify to the Inspection Department by sworn statement of an authorized corporate officer that each of the facilities it operates in the City:

i. are authorized to operate under a wireless license granted by the FCC;

ii. are subject to the FCC's radiofrequency exposure rules; and

iii. are operated in accordance with the FCC's radiofrequency rules.

Temporary remedial measures shall be promptly taken to bring equipment not certified to be compliant until permanent remedial measures have been made and compliance has been certified to the Inspection Department. Permanent remedial measures shall be made within thirty (30) days after the equipment was first deemed to be not in compliance with the FCC's radiofrequency rules. A late fee of One Hundred Dollars ($100.00) shall be imposed on any operator or collocator that has not provided this certification within ten (10) days of November 1st of each year.

b) **Penalty.** Any person, persons, firm or corporation, or any others acting on behalf of said person, persons, firm, or corporation, violating or failing to comply with any of the provisions of a) above shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars ($500.00), or by imprisonment not exceeding five (5) days, or by both such fine and imprisonment at the discretion of the Court. Each act of violation and every day upon which such violation shall occur shall constitute a separate offense.

c) **Address and Change of Address.** Each annual submission shall include the address of the facility assigned by the City and all pertinent information including the name, address, and telephone number of each operator and collocator. The operator and collocator of a cell tower or collocation equipment is hereby obligated to notify the Inspection Department in writing of any change of contact information or ownership within ten (10) days of any change. There shall be no charge for notification of the change of contact information or ownership if the notification is accomplished within the ten (10) day period. A late fee of one hundred dollars ($100.00) shall be imposed for failure to notify the Inspection Department of a change in contact information or ownership within the ten (10) day period. It is the responsibility of the owner and/or operator to verify that the city has received said notification.

ii) Wireless communications equipment and support structures shall be located and designed to be harmonious with the surrounding areas, and if it is a new wireless communications support structure, shall be located no less than 1/2 mile from existing wireless communications support structures. The distance requirements shall not apply to applicants who have demonstrated that collocation is not feasible pursuant to paragraph (8)C)i) below.

iii) Wireless communications equipment and support structures shall comply with applicable federal and state standards relative to the environmental effects of radio frequency emissions.

iv) Applicants shall demonstrate a justification for the proposed height of the structures and an evaluation of alternative designs which might result in lower heights.

v) The following additional standards shall be met:

a) The maximum height of the new or modified wireless communications support structure and antenna shall be the minimum height demonstrated to be necessary for reasonable communications by the applicant (and by other entities to collocate on the structure), but in no event shall the wireless communications support structure exceed 150 feet in height in all districts except in any M-1, M-2, or commercially zoned district within sections 25-30 and that portion of Section 19 bounded by Schoolcraft Road, Eckles Road, and the I-96 expressway, in which case the maximum height shall not exceed 250 feet. These height limitations shall not apply to those collocations which are a permitted use as set forth in paragraph (4)A) above. The accessory building contemplated to enclose such things as switching equipment shall be limited to the maximum height for accessory structures within the respective district.

b) The setback of the new or proposed wireless communications support structure from any residential district or residential use shall be at least the height of the highest point of the structure plus 25 feet. The setback of the new or proposed wireless communications support structure from any existing or proposed rights-of-way or other publicly traveled roads shall be no less than the height of the structure unless the structure is placed within the right-of-way itself.

c) Where the proposed new or modified wireless communication support structure abuts a parcel of land which is used for other than residential purposes, the minimum setback of the structure, and accessory structures, shall be in accordance with the required setbacks for main or principal buildings as provided in the schedule of regulations for the zoning district in which the support structure is located.

d) There shall be unobstructed access to the wireless communications support structure, for operation, maintenance, repair, and inspection purposes, which may be provided through or over an easement. This access shall have a width and location determined by such factors as: the location of adjacent thoroughfares and traffic and circulation within the site; utilities needed to service the tower and any attendant facilities; the location of buildings and parking facilities; proximity to residential districts and minimizing disturbance to the natural landscape; and the type of equipment which will need to access the site.

e) The division of property (lot splits or subdividing) for the purpose of locating wireless communications equipment or a wireless communications support structure is prohibited unless all zoning requirements and conditions are met.

f) Where wireless communications equipment is proposed on the roof of a building, if the equipment enclosure is proposed as a roof appliance or penthouse on the building, it shall be designed, constructed, and maintained to be architecturally compatible with the principal building. The equipment enclosure may be located within the principal building or may be an accessory building. If proposed as an accessory building, it shall conform with all district requirements for principal buildings, including yard setbacks.

g) Where the proposed wireless communications support structure is not a permitted use under section (4)D)i) above, the Planning Commission and City Council shall, with respect to the color of the support structure and all accessory buildings, review and approve so as to minimize distraction, reduce visibility, maximize aesthetic appearance, and ensure compatibility with surroundings. It shall be the responsibility of the applicant to maintain the wireless communications support structure in a neat and orderly condition.

h) Before installing wireless communications support structures, the support system shall be constructed in accordance with all applicable building codes and shall include the submission of a soils report from a geotechnical engineer, licensed in the State of Michigan. This soils report shall include soil borings and statements confirming the suitability of soil conditions for the proposed use. The requirements of the Federal Aviation Administration, Federal Communications Commission, and Michigan Aeronautics Commission shall be noted. All applicants shall apply for and receive a permit from the Building Official prior to commencement of construction.

i) A maintenance plan, and any applicable maintenance agreement, shall be presented and approved for the proposed wireless communications equipment or support structure. Such plan shall be designed to ensure long term, continuous maintenance to a reasonably prudent standard.

j) The application, if required, or the operator of wireless communications equipment if same is a permitted use, shall provide a description of security to be posted at the time of receiving a building permit for, or the installation of, the wireless communications equipment or a support structure to ensure removal of the wireless communications equipment or support structure when it has been abandoned or is no longer needed, as provided in paragraph (8) below. In this regard, the security shall, at the election of the applicant or the operator, be in the form of:

i. Cash calculated at $100.00 per vertical foot for wireless communications support structures.

ii. Surety bond calculated at $100.00 per vertical foot for wireless communications support structures.

iii. Letter of credit calculated at $100.00 per vertical foot for wireless communications support structures.

iv. An agreement in a form approved by the attorney for the City of Livonia and recordable at the office of the Register of Deeds for all wireless communications equipment or support structures, establishing a promise of the applicant and owner of the property to remove the equipment or support structure in a timely manner as required under this section of the ordinance, with the further provision that the applicant and owner shall be responsible for the payment of any costs and attorney's fees incurred by the City of Livonia in securing removal and that any removal costs incurred by the City of Livonia will become a lien on the owner's property and enforceable against said landowner in a court of law of appropriate jurisdiction.

B) Standards and Conditions Applicable to Waiver Uses and Special Waiver Uses. Applications for wireless communications equipment or support structures which may be approved as waiver uses and special waiver uses under subparagraphs (4)E) or (4)F) above shall be reviewed by the City Planning Commission with a submission of findings to City Council for its review and decision, and if approved, constructed and maintained in accordance with the standards and conditions in subparagraph A), and in accordance with the following standards:

i) The applicant shall demonstrate the need for the proposed wireless communications equipment or support structure to be located as proposed based upon the presence of one or more of the following factors:

a) Proximity to an interstate or major thoroughfare.

b) Areas of population concentration.

c) Concentration of commercial, industrial, and/or other business centers.

d) Areas where signal interference has occurred due to tall buildings, masses of trees, or other obstructions.

e) Topography of the proposed wireless communications equipment or support structure location in relation to other wireless communications equipment or support structures with which the proposed facility is to operate.

f) Other specifically identified reason(s) creating need for the wireless communications equipment or support structure.

ii) The proposal shall be reviewed in conformity with the collocation requirements of this section.

**(6) Application Requirements for Wireless Communications Equipment or Support Structures Requiring Approval.**

A) A site plan prepared in accordance with Section 13.13, Section 13.13(3) of this zoning ordinance shall be submitted, showing the location, size, screening, and design of all buildings and structures, including fences, and the location and size of outdoor equipment, and the location, number, and species of proposed landscaping.

B) The site plan shall also include a detailed landscaping plan where the support structure is being placed at a location which is not otherwise developed, or where a developed area will be disturbed. The purpose of landscaping is to provide screening and aesthetic enhancement for the structure base, accessory buildings, and enclosure. In all cases, there shall be shown on the plan fencing which is required for protection of the support structure and security from children and other persons who may otherwise access facilities.

C) The application shall include a signed certification by a State of Michigan licensed professional engineer regarding the manner in which the proposed wireless communications support structure will fall, which certification will be utilized, along with other criteria such as applicable regulations for the district in question, in determining the appropriate setback to be required for the structure and other equipment.

D) The application shall include a description of security to be posted at the time of receiving a building permit for the facility to ensure removal of the wireless communications equipment or support structure when it has been abandoned or is no longer needed, as provided in paragraph (9) below. In this regard, the security shall, at the election of the applicant, be in the form of:

i) Cash calculated at one hundred dollars ($100.00) per vertical foot for wireless communications support structures.

ii) Surety bond calculated at one hundred dollars ($100.00) per vertical foot for wireless communications support structures.

iii) Letter of credit calculated at one hundred dollars ($100.00) per vertical foot for wireless communications support structures.

iv) An agreement in a form approved by the attorney for the City of Livonia and recordable at the office of the Register of Deeds for all wireless communications equipment and support structures, establishing a promise of the applicant and owner of the property to remove the equipment and support structures in a timely manner as required under this section of the ordinance, with the further provision that the applicant and owner shall be responsible for the payment of any costs and attorney's fees incurred by the City of Livonia in securing removal and that any removal costs incurred by the City of Livonia will become a lien on the owner's property and enforceable against said landowner in a court of law of appropriate jurisdiction.

E) The application shall include a map showing existing and known proposed wireless communications equipment and support structures within the City of Livonia, and further showing existing and known proposed wireless communications equipment and support structures within areas surrounding the borders of the City of Livonia in the location, and in the area, which are relevant in terms of potential collocation or in demonstrating the need for the proposed wireless communications equipment and support structures. If and to the extent the information in question is on file with the City of Livonia, the applicant shall be required only to update as needed. Any such information which is trade secret and/or other confidential commercial information which, if released, would result in commercial disadvantage to the applicant, may be submitted with a request for confidentiality in connection with the development of governmental policy MCL 15.243(1)(g). This Ordinance shall serve as the promise to maintain confidentiality to the extent permitted by law. The request for confidentiality must be prominently stated to bring it to the attention of the City of Livonia.

F) The application shall include the name, address, and phone number of the person to contact for engineering, maintenance, and other notice purposes. This information shall be continuously updated during all times the facility is on the premises.

G) The application shall include identification of the entities providing the backhaul network for the wireless communications equipment and support structure described in the application and other facilities owned or operated by the applicant in the municipality, including any lessees or users of the facilities.

**(7) Time Periods for Approvals.**

A) After an application for a waiver use or special waiver use approval is filed with the Planning Commission, the Planning Official shall determine whether the application is administratively complete. Unless the Planning Official proceeds as provided under subparagraph B) below, the application shall be administratively complete when the Planning Official makes that determination or 14 business days after the Planning Commission receives the application, whichever is first.

B) If, before the expiration of the 14-day period under subparagraph A) above, the Planning Official notifies the applicant that the application is not administratively complete, specifying the information necessary to make the application administratively complete, or notifies the applicant that a fee required to accompany the application has not been paid, specifying the amount due, the running of the 14-day period under subparagraph A) is tolled until the applicant submits to the Planning Official the specified information or fee amount due. The notice shall be given in writing or by electronic notification.

C) The Planning Commission and City Council shall approve or deny the application not more than 60 days after the application is considered to be administratively complete. If the Planning Commission and City Council fail to timely approve or deny the application, the application shall be considered approved and the Planning Commission and City Council shall be considered to have made any determination required for approval.

D) If the wireless communications equipment does not meet the requirements of paragraph (4)A) or for a wireless communications support structure, subparagraphs A) through C) above apply to the waiver use and special waiver use approval process, except that the period for approval or denial under subparagraph C) above is 90 days.

**(8) Collocation.**

A) **Statement of Policy:** It is the policy of the City of Livonia to minimize the overall number of newly established locations for wireless communications equipment and wireless communications support structures within the City of Livonia and encourage the use of existing structures for attached wireless communications purposes, consistent with the statement of purpose and intent set forth in paragraph (1) of this section above. In light of the dramatic increase in the number of wireless communications equipment and support structures reasonably anticipated to occur as a result of the change of federal law and policy in and relating to the Federal Telecommunications Act of 1996, it is the policy of the City of Livonia that all users should collocate on wireless communications support structures in the interest of achieving the purposes and intent of this section, as stated above, and as stated in paragraph (1) of this section. If a provider fails or refuses to permit collocation on a facility owned or otherwise controlled by it, where collocation is feasible, the result will be that a new and unnecessary additional structure will be compelled, in direct violation of and in direct contradiction to the basic policy, intent, and purpose of the City of Livonia. The provisions of this subsection are designed to carry out and encourage conformity with the policy of the City of Livonia.

B) **Feasibility of collocation:** Collocation shall be deemed to be "feasible" for purposes of this section where all the following are met:

i) The wireless communications provider entity under consideration for collocation will undertake to pay market rent or other market compensation for collocation.

ii) The site on which collocation is being considered, taking into consideration reasonable modification or replacement of a support structure, can provide structural support.

iii) The collocation being considered is technologically reasonable, e.g., the collocation will not result in unreasonable interference, given appropriate physical and other adjustment in relation to the structure, antennas, and the like.

iv) The height of the structure necessary for collocation will not be increased beyond a point deemed to be permissible by the City of Livonia taking into consideration the several standards contained in paragraph (5) of this section, above.

C) **Requirements for Collocation:**

i) A special land use permit for the construction and use of a new wireless communications support structure shall not be granted unless and until the applicant demonstrates that a feasible collocation is not available for the coverage area and capacity needs.

ii) All new and modified wireless communications support structures shall be designed and constructed to accommodate collocation for a minimum of three (3) total users. The Planning Official and Building Official may reduce the number of required users if they are convinced that a total of three (3) users will be unfeasible.

iii) The policy of the City of Livonia is for collocation. Thus, if a party who owns or otherwise controls a wireless communications support structure within the City of Livonia shall fail or refuse to alter a structure to accommodate a proposed and otherwise feasible collocation, such structure shall thereupon and thereafter be deemed to be a nonconforming structure and use, and shall not be altered, expanded or extended in any respect.

iv) If a party who owns or otherwise controls a wireless communication support structure shall fail or refuse to permit a feasible collocation, and this requires the construction and/or use of a new wireless communications support structure, the party failing or refusing to permit a feasible collocation shall be deemed to be in direct violation and contradiction of the policy, intent and purpose of the City of Livonia, and consequently, such party shall take responsibility for the violation, and shall be prohibited from receiving approval for a new wireless communications support structure within the City of Livonia for a period of five years from the date of the failure or refusal to permit the collocation. Such a party may seek and obtain a variance from the Board of Appeals if and to the limited extent the applicant demonstrates entitlement to variance relief which, in this context, shall mean a demonstration that enforcement of the five year prohibition would unreasonably discriminate among providers of functionally equivalent wireless communications services, or that such enforcement would have the effect of prohibiting the provision of personal wireless communications services.

D) **Incentive.** Review of an application for collocation (where required under this section) and review of an application for a permit for use of a facility permitted under paragraph (4)D)i) above shall be expedited by the City of Livonia.

**(9) Removal.**

A) A condition of the installation of any wireless communications equipment or a wireless communications support structure shall be adequate provision for removal of all or part of the wireless communications equipment and support structure by users and owners upon the occurrence of one or more of the following events:

i) When the equipment or support structure has not been used for 180 days or more. For purposes of this section, the removal of antennas or other equipment from the support structure or the cessation of operations (transmission and/or reception of radio signals) shall be considered as the beginning of a period of nonuse.

ii) Six (6) months after new technology is available at reasonable cost as determined by the Livonia City Council, which determination shall be rebuttable by the support structure owner, which permits the operation of the communications system without the requirement of a support structure.

B) The situations in which removal of wireless communications equipment or a wireless communications support structure is required, as set forth in paragraph A) above, may be applied and limited to portions of wireless communications equipment or a wireless communications support structure.

C) Upon the occurrence of one or more of the events requiring removal specified in paragraph A) above, the property owner or persons who had used the equipment or support structure shall immediately apply or secure the application for any required demolition or removal permits, and immediately proceed with and complete the demolition/removal, restoring the premises to an acceptable condition as reasonably determined by the Planning Official and Building Official.

D) If the required removal of wireless communications equipment or a wireless communications support structure or a portion thereof has not been lawfully completed within sixty (60) days of the applicable deadline, and after at least thirty (30) days written notice to the equipment or support structure owner and property owner, the City of Livonia may remove or secure the removal of the equipment or support structure or required portions thereof, with its actual cost and reasonable administrative charge to be drawn, collected and/or enforced from or under the security posted at the time application was made for establishing the wireless communications equipment or support structure.

**(10) Application Fees.** All applicants for wireless communications equipment (except where approval is not required pursuant to paragraph (4)A) above) and for a wireless communications support structure shall pay an application fee of $500.00 before a permit may be issued.

**(11) Signs on Towers/Antennas/Wireless Communications Support Structures.** No signs shall be displayed on any cellular tower antennas or wireless communications support structure or equipment without a submission of findings of the City Planning Commission and approval of the City Council.

**(12) Franchise Fee.**

A) If a wireless communications equipment provider installs land-based equipment such as coaxial, wire, or fiber optic cables to transmit information or electric impulses to or from wireless communications equipment or support structures, such provider shall apply to the City of Livonia for a permit or franchise as required by law prior to installing said land-based equipment. The provider shall submit all information in its possession to the City of Livonia regarding any entity installing, providing, or using a backhaul network, and such entity shall also apply for a permit or franchise as required by law.

B) Owners and/or operators of wireless communications equipment and support structures shall certify that all franchises required by law for the construction and/or operation of a wireless communications system in the City of Livonia have been obtained and shall file a copy of all required franchises with the Planning Official.

# Article VII.
# General Provisions

## Section 7.01 Applicability.

The provisions of this Article shall apply to all districts within the City of Livonia, except where otherwise expressly stated in this Ordinance.

## Section 7.02 Scope.

No building or land, or part thereof, shall be used, altered, constructed or reconstructed except in conformity with the provisions of this Ordinance and the regulations hereby established which apply to the district in which it is located. No building shall be erected or altered to exceed in height the limit herein established for the district in which such building is located; no building shall be erected, nor shall an existing building be altered, enlarged, or rebuilt, nor shall any open space surrounding any building be encroached upon or reduced in any manner, except in conformity with the provisions of this Ordinance and the regulations hereby established for the district in which it is located.

## Section 7.03 Buildings Under Construction.

Any building or structure for which a building permit has been issued and the construction of the whole or a part of which has been started, or for which a contract or contracts have been entered into pursuant to a building permit issued prior to the effective date of this Ordinance, may be completed and used in accordance with the plans and application on which said building permit was granted.

## Section 7.04 Building and Easement Grades.

**(1)** **Surface Water.** Any building requiring yard space shall be located at such an elevation that a sloping grade shall be maintained to cause the flow of surface water to run away from the walls of the building. A building grade line (sometimes referred to as the finish grade or finish grade line) shall mean the elevation of the ground adjoining the building on all four sides. A first-floor elevation shall mean the height which the first floor extends above the building grade. A sloping earth grade beginning at a sidewalk level shall be maintained and established from the center of the front lot line to the finish grade line at the front of the building and from the rear wall of the building to the rear lot line, subject to approval of the Building Official and City Engineer. The height of the finish grade line of any dwelling shall not be less than twelve (12) inches nor more than eighteen (18) inches above the average front sidewalk elevation; the first-floor elevation shall not be more than twenty-six (26) inches above the finish grade line of the building. When a new building is being constructed on a vacant lot between two (2) existing buildings or adjacent to an existing building, the yards around the new building shall be graded in such a manner so as not to permit runoff of surface water to flow onto the adjacent properties. Whenever the natural drainage of the land is such as is likely to or will cause the flow of surface water to be from the front yard to the rear yard, or where the natural topography dictates a modification from the foregoing requirements, the building grade may be established otherwise than hereinbefore provided; provided, however, that in all such cases the altered design shall be submitted to and approved by the Department of Public Works. Surface grades shall be approved by the Department of Public Works before the issuance of any building permit.

**(2)** **Grading.** Where any lot, part or parcel of land, has located upon it a duly recorded easement for any purpose whatsoever, that portion of such land whereon the easement exists shall be graded as indicated by the Department of Public Works, and in no event shall be graded so as to obstruct or substantially slow down the natural flow of surface water across such easement. The grade in easements shall in all cases be subject to the approval of the Department of Public Works.

## Section 7.05 Minimum Lot Size and Width.

The size and width of each residential lot on which or in relation to which any building or use is affected by the provisions of this Ordinance shall not be less than the minimum size and width requirements established by this Ordinance which apply to the district in which the residential lot is located.

## Section 7.06 Application to Lots of Record.

Where two (2) or more abutting lots of record are held under one (1) ownership and where one (1) or more of such lots are nonconforming, the provisions of this Ordinance relating to lot width and area in the district in which such lots are located shall be observed and shall not be avoided by any sale or conveyance of all or any portion of any such lots after the effective date of this Ordinance; provided, however, that any lot of record which is the same width and area as, or a larger width and area than, fifty-five percent (55%) or more of the lots in the same subdivision in which such lot is located, which have already been developed, with dwellings, and as building sites, may be developed as a separate building site of a width and area consistent with the majority of the lots theretofore developed.

## Section 7.07 Approval of Plats.

No proposed plat of a new subdivision shall hereafter be approved by the City Planning Commission unless all the lots within such plat equal or exceeds the minimum lot size and width requirements which apply to the district in which the land sought to be platted is located and unless such plat in all other respects fully conforms with the statutes of the State of Michigan, the ordinances of the City of Livonia, and the Subdivision Regulations of the City Planning Commission.

## Section 7.08 Lot Limitation.

No more than one (1) principal building shall be constructed, erected, or placed on any lot in a recorded subdivision or on any parcel of land except for:

**(1)** **Outlots.** Parcels described and designated as "outlots" in a recorded plat which are so arranged or subdivided as to provide for one or more principal buildings with a land area allocated to each building which is equal to or greater than the lot area required in the district, and the building and land comply with all other requirements of the district in which it is located.

## Section 7.09 Single-Family Residential Accessory Buildings and Recreational Equipment Storage.

**(1)** **Residential Accessory Buildings.**

A) **Maximum Size.** For the purpose of this Section, a garage, whether attached or detached, shall be considered a residential accessory building. On single family lots, the combined ground floor area of all attached and detached residential accessory buildings shall not exceed nine hundred twenty (920) square feet; provided, however, the maximum ground floor area of any attached accessory building shall not exceed seven hundred twenty (720) square feet and the maximum ground floor area of any detached accessory building shall not exceed two hundred (200) square feet. On lots that do not contain any detached accessory buildings, the ground floor area of an attached residential accessory building shall not exceed seven hundred twenty (720) square feet or the ground floor area of the house (excluding the area of the attached accessory building), whichever is larger, subject to a maximum size limit of one thousand (1,000) square feet. On lots that do not contain attached accessory buildings, the combined ground floor area of all detached accessory buildings shall not exceed the ground floor area of the house, subject to a maximum size limit of one thousand (1,000) square feet. Notwithstanding the above, on lots measuring one-half (1/2) acre or more, one (1) detached residential accessory building not to exceed a ground floor area of three hundred (300) square feet shall be allowed solely for the purpose of housing or keeping of animals pursuant to *Section 6.34* or *Section 6.49*. Further, on lots measuring one (1) acre or more, one (1) detached residential accessory building not to exceed a ground floor area of six hundred (600) square feet shall be allowed solely for the purpose of housing or keeping of animals pursuant to *Section 6.34* or *Section 6.49*.

B) **Maximum Number.** On lots less than one-half (½) acre in size, no more than two (2) residential accessory buildings, including one (1) attached accessory building, are allowed. On lots which are more than one-half (½) acre, a total of three (3) residential accessory buildings, including one (1) attached accessory building, are allowed.

C) **Maximum Height.** Detached residential accessory buildings shall not exceed sixteen (16) feet in height.

D) **Minimum Setbacks.** Attached residential accessory buildings shall comply, in all respects, with the requirements of this ordinance applicable to the principal building. Detached residential accessory buildings shall not be located nearer than two (2) feet to the side lot line, two (2) feet to the rear lot line and shall not be constructed closer than ten (10) feet to the principal building; provided, further, however, that the minimum distance between detached residential accessory buildings on the same lot or parcel shall be four (4) feet. Detached residential accessory buildings proposed to be constructed on corner lots shall not be located closer to the side street lot line than that wall of the principal building which is parallel to such side street line. All residential accessory buildings used for the housing or keeping of animals pursuant to *Section 6.34* or *Section 6.49* shall be located not less than twenty-five (25) feet from any lot line.

E) **Maximum Lot Coverage.** The combined floor area of all detached residential accessory buildings shall not occupy more than twenty (20) percent of the area of any rear yard.

F) **Exempt Structures.** Landscaping structures, art displays, and minor structures (dog houses, playgrounds, treehouses, etc.) are not considered residential accessory buildings and are not regulated by this Section.

**(2)** **Residential Accessory Building and Storage Therein.** All inoperable or unlicensed vehicles or vehicles bearing visible commercial advertising, equipment, or accessories shall be housed in a residential accessory building when not in use.

**(3)** **Recreational Equipment Storage.** Unoccupied recreational equipment may be housed in a residential accessory building, and no more than one (1) unit of recreational equipment may be stored in the rear yard, except that no such unit may be stored within the corner side yard, as that term is defined in Section 15.44.030 of the Livonia Code of Ordinances, as amended. The temporary parking of one (1) unit of recreational equipment on the recreational equipment owner's or user's front or side driveway shall be permitted for a period not to exceed seventy-two (72) hours cumulatively in any five (5) day period for the purpose of repairing and maintaining the Recreational Equipment unit for suitable vacation use.

## Section 7.10 ~~Separate Dwellings for Domestic Employees~~Reserved.

~~Separate dwellings for the use of domestic employees of the owners, lessee, or occupants of the principal dwelling on a lot shall be considered accessory buildings, but if containing a complete housekeeping unit or units, shall conform to all the height and yard requirements for dwellings in the district in which they are located.~~

## Section 7.11 Yards; Double Frontage Lots.

On double frontage lots, a front yard, as prescribed for the district as herein established, shall be provided on both streets.

## Section 7.12 Front Yards; Schoolcraft Road.

Notwithstanding anything in this Ordinance to the contrary, where a residentially zoned lot or parcel is adjacent to or abuts on Schoolcraft Road in the City of Livonia, no building shall be erected, moved, enlarged, or otherwise established on such lot or parcel closer than seventy-five (75) feet to the lot line abutting the major street.

## Section 7.13 Yards; Use.

In any residential district no part of any required yard, except a rear yard, shall be used for any detached garage or any accessory building other than an attached garage or for the storage of vehicles. Any portion of a residential lot in front of the front building line shall be used for landscaping purposes only and nothing shall be placed thereon except trees, shrubs, or items of similar nature and required driveways.

## Section 7.14 Yard; Alley.

Wherever there is a public alley at the rear of a lot upon which the lot abuts for the full width, measurements of the depth of any abutting rear yard required under this Ordinance may be made to the center line of such alley.

## Section 7.15 Lots; Use for Yards, Courts, Etc.

No portion of a lot used in complying with the provisions of this Ordinance for yards, courts, lot area per family, or percentage of lot occupancy in connection with an existing or proposed building or structure shall again be used as part of the lot required in connection with any other building or structure existing or intended to exist at the same time.

## Section 7.16 Room Requirements.

Any dwelling hereafter constructed or altered shall comply with the Housing Law of Michigan.

## Section 7.17 Heights; Public, Quasi-Public, Form-Based Development Option, Planned Developments, and Major Business Buildings.

The height of public or semi-public buildings, churches, cathedrals, temples, hospitals, sanitariums, schools, major business buildings when developed as a part of a complete shopping center, and buildings when developed under the Form-Based Development Option pursuant to *Section 5.04* or as a Planned Development pursuant to *Section 5.02*, shall not in any case exceed one hundred and fifty-five (155) feet, subject to the General Waiver Requirements and General Standards as set forth in *Section 13.13(6)*.

## Section 7.18 Height; Items Not Included.

Chimneys, cooling towers, elevator bulkheads, fire towers, grain elevators, silos, penthouses, stacks, stage towers, scenery lofts, sugar refineries, tanks, water towers, pumping towers, television and radio towers and antennas, church steeples, monuments, cupolas, and mechanical appurtenances, including signs, pertaining to and necessary to the permitted use of the district in which they are located, shall not be included in calculating the height of the principal structure; provided, however, that in residentially zoned districts, television and radio towers and antennas which have a height, as measured from the established grade, of greater than 75 feet shall be prohibited. Television and radio towers and antennas in residentially zoned districts may be erected to a height of up to 40 feet, as measured from the established grade, but shall be prohibited for heights which exceed 40 feet but which are less than 75 feet, as measured from the established grade, unless written permission has first been obtained from the owners of at least two-thirds (2⁄3) of the lots which adjoin or abut the property upon which the proposed tower or antenna is to be located when the height of the proposed tower or antenna be greater than the distance from the center of the base of the tower or antenna to any of the property lines of such adjoining or abutting lots; provided, further, that all freestanding television and radio within residentially zoned districts shall be of a self-supporting design; and provided, further, however, that the location of television and radio towers or antennas shall be further subject to the following limitations:

**(1) Radio Towers or Satellite Antenna Dishes.** The location of television and radio towers or antennas including satellite dish antennas and cellular mobile towers in the established or minimum front yard of any zoning district is prohibited; provided, however, that the foregoing prohibition shall not apply to television or radio antennas, satellite dish antennas or cellular mobile towers located in M-1 and M-2 Districts in Section 25 through 30, when a site plan therefor is approved by the City Council subject to compliance with the general standards contained in *Section 13.13, Section 13.13(6)* of this Ordinance and the following additional standards; provided, however, that site plan approval shall not be required for satellite dish antennas which do not exceed 24 inches in diameter or 500 square inches in area, whichever is greater. Provided further, however, that prior to installation of any satellite dish antenna, a permit shall be obtained from the Inspection Department:

A) That such site plan shall include:

i) The proposed location of the antenna and detailed plans and specifications indicating its size, weight, color and specific materials to be used in construction of the antenna.

ii) The proposed method of screening the antenna from public view.

iii) Any other pertinent information the applicant or City Council deems necessary to properly evaluate the proposed antenna and its location.

B) Signs attached to or painted on such antenna are prohibited.

## Section 7.19 Height; Parapet Walls.

Parapet walls may extend not more than five (5) feet above the allowable height of a building.

## Section 7.20 Height; Public Buildings; Utilities.

The City Planning Commission may recommend and the City Council approve the erection and use of a building or an addition to an existing building which is publicly owned or owned by a public service corporation to be used for a public use or for public utility purposes, in any permitted district to a greater height or of larger area than the district requirements herein established, and permit the location in any use district of a public building or a public utility building, structure or use, provided the City Planning Commission shall find such use, height, area, building or structure reasonably necessary for the public convenience and service; and, provided further, that such building, structure or use is designed, erected and landscaped to conform harmoniously with the general architecture and plan of such district.

## Section 7.21 Division or Partitioning of Lots.

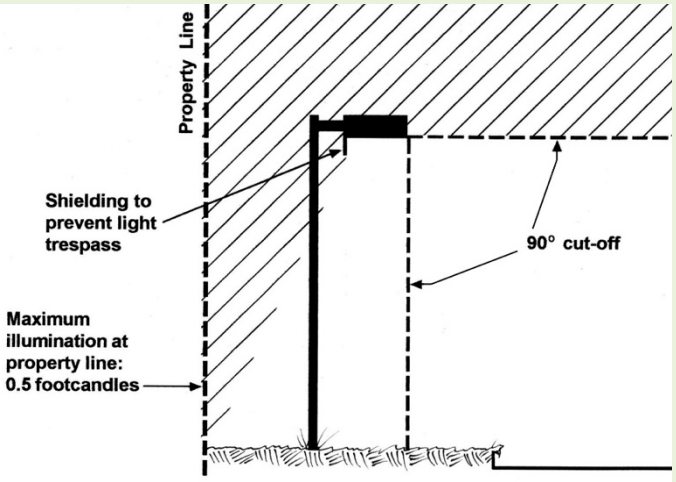
Upon petition by the owner of a parcel of land, the City Council may approve the division of the said parcel in accordance with Act 172 of the Public Acts of 1929 of the State of Michigan, as amended, and the City's Lot Partition Ordinance, Chapter 32 of Title 16 of the Livonia Code of Ordinances, as amended. Any nonconformity waived pursuant to the City's Lot Partition Ordinance shall be deemed waived pursuant to this Ordinance, subject to any conditions contained in the City Council resolution waiving same. Except for deficiencies as to lot width, area, accessibility, and depth-to-width ratio, any deficiencies not waived shall be subject to the jurisdiction of the Board of Appeals.

## Section 7.22 Lighting.

**(1)** **Purpose and Intent.** The regulations in this section aim to ensure that sufficient lighting is provided in the publicly accessible areas of buildings and surrounding property, to provide for the security of property and safety of the general public. These regulations promote the use of appropriate lighting practices and systems and discourage the adverse effects of inappropriate lighting such as glare, light trespass onto adjoining properties, light pollution and sky glow, and energy waste. This section also intends to encourage the use of innovative lighting designs and fixtures which complement the natural and built environments found throughout the City.

**(2)** **General Requirements.**

A) **Shielding.** All outdoor lighting in all use districts other than residential shall be shielded so the surface of the source of the light shall not be visible from adjacent residential districts, adjacent residences, and public right-of-way. All outdoor lighting must be directed toward and confined to the ground areas. Full cut-off fixtures must be used to prevent light from projecting above a ninety (90) degree horizontal plane (see figure).



B) **Illumination Levels.** Sufficient lighting, as specified in the following table, shall be required for parking areas, walkways, driveways, building entrances, loading areas, and public common areas to ensure security of property and safety of persons.

| Location | Maximum Level of Illumination (Foot-candles) for the Average of the Area |
|---|---|
| Off-Street Parking Areas | 1.0 |
| Off-Street Loading Areas | 1.0 |
| Sidewalks (Residential Areas-Public [only where required by this Ordinance or the City Council]) | 1.0 |
| Sidewalks (Non-Residential Areas) | 1.0 |
| Building Entrances (Frequent Use) | 5.0 |
| Building Entrances (Infrequent Use) | 1.0 |
| Gas Station (Directly Under Canopy) | 20.0 |
| Other Outdoor Areas Not Listed | At the discretion of the Planning Director, with a maximum not to exceed 20.0 |

C) **Light Trespass Limits.** Exterior lighting sources shall be designed, constructed, located, and maintained in a manner that minimizes light trespass onto neighboring properties. The light trespass from a property shall not exceed 0.5-foot-candles at the property line, measured five (5) feet from the ground. The light-emitting element of a light fixture shall not be directly visible from neighboring properties, as this is the primary cause of glare.

D) **Up-lighting.** All up-lighting in nonresidential districts used for the external illumination of buildings, so as to feature the buildings, shall be placed and shielded so as to not interfere with the vision of persons on adjacent highways or adjacent property. The light-emitting element of such fixtures shall not be directly visible from a vehicle or pedestrian travel area so as to not interfere with the vision of persons on adjacent highways or adjacent property. Such lighting shall be shielded in such a manner as to minimize or eliminate light pollution and sky glow.

E) **Height.** The height of light fixtures shall be measured from the finished grade to the top of the fixture. All lighting fixtures in non-industrial districts shall not exceed twenty (20) feet in height. In industrial districts, or on large-scale commercial developments, lighting fixtures up to a maximum height of thirty-five (35) feet may be allowed if the proposed lighting over twenty (20) feet in height has no adverse impacts on the surrounding land uses and on the natural environment.

**(3) Prohibited Lighting.**

A) All illumination of outdoor features of a flashing, moving, or intermittent type are prohibited.

B) No outdoor recreational facility, public or private, shall be illuminated after 11:00 p.m., except to conclude a permitted recreational or sporting event or other activity already in progress prior to 11:00 p.m.

C) The use of laser source light or any similar intensity light for outdoor advertising or entertainment is prohibited.

D) The operation of searchlights for advertising purposes is prohibited.

**(4)** **Exempt Lighting.** The following exterior lighting fixtures and systems are exempt from the regulations of this section. The Planning Director reserves the right to enforce standards to minimize glare, reduce light pollution, and otherwise protect the health, safety, and welfare of the public.

A) Light fixtures placed by a governmental agency in the right-of-way.

B) Decorative holiday lighting.

C) Pedestrian walkway lighting.

D) Temporary festival and civic lighting.

E) Temporary construction or emergency lighting.

F) Instances where federal, state, or local laws, rules, or regulations take precedence over the provisions of this section.

**(5)** **Waiver Process.** The City Council has the ability to waive the lighting requirements of this Section upon evidence that the required lighting would have a negative impact on neighboring properties.

## Section 7.23 Accessory Structures and Uses.

**(1)** **Accessory structures and uses:**

A) The following standards apply to accessory structures in the N1 and N2 Districts:

i) Private garages and detached accessory structures are permitted in accordance with *Section 2.02, Section 2.02(2)* and *Section 7.09* of this Ordinance.

ii) Must be customarily incidental to the principal permitted use on the site.

B) In addition to the standards above the following standards shall apply to accessory structures and uses in the R-U-F District:

i) No more than one (1) temporary structure (which may be of wood construction and shall have not more than three (3) walls and a roof with at least one (1) open side) which structure shall only be used for the sale of products grown on the site in the greenhouse or truck garden between May 15 and October 31 and thereafter shall be removed, dismantled and stored in the rear yard only.

ii) Such temporary structure shall be located on a parcel of land at least one-half (½) acre in size and not less than twenty-five (25) feet from the street or highway right-of-way line.

iii) An open space for parking, twenty-five (25) feet off the street or highway right-of-way, shall be provided for patrons of the temporary structure. Provided, however, that the outdoor storage of trucks, merchandise and equipment is prohibited.

C) The following standards apply to accessory structures in the NM1 and NM2:

i) Not more than one of which may be a commercial vehicle which shall not exceed three-quarter (¾) ton capacity, and which shall be kept housed within a garage when not used, provided said commercial vehicle is owned and operated by a member of the family who resides in said living unit.

ii) The storage or parking of trucks, truck tractors and truck trailers of over one (1) ton capacity, automobile trailers or the storage, parking or use of coaches, bus or street car bodies, or tourist cabins, tents or similar dwellings and enclosures shall not be allowed or considered a legal accessory use in an NM1 District. This shall not, however, prohibit the storage in the rear yard only of one (1) unoccupied recreational equipment unit for each dwelling unit which equipment is the property of or in the trust of the occupant of the dwelling unit.

iii) Must be customarily incidental to the principal permitted use on the site.

D) The following standards apply to accessory structures in the C-1, C-2, C-3 and C-4 Districts:

i) Must be customarily incidental to the principal permitted use on the site.

ii) A storage garage for the storage of commercial vehicles used by a business or other permitted activity, when located on the same lot therewith and occupying not more than twenty-five (25) percent of the area of such lot shall be considered a legal accessory building.

iii) Accessory uses to those permitted in this section include assembly, repair and storage which is clearly incidental to the conduct of the permitted use.

iv) Except where prescribed herein, fences are prohibited in all commercial zoning districts.

E) The following standards apply to accessory structures in the M-L, M-1, and M-2 Districts:

i) Must be customarily incidental to the principal permitted use on the site.

ii) Any portion of the lot area not used for structures, driveways, parking areas and sidewalks shall be landscaped and thereafter permanently maintained. Such landscaping shall include the total area of the established or minimum front yard exclusive of driveways, parking areas and sidewalks.

**(2) Accessory residential use for apartments.** Provided they do not constitute more than twenty (20) percent of the total floor area of the building.

## Section 7.24 Fences and Walls.

Except where prescribed herein, fences are prohibited in all commercial zoning districts. Yards may be used for fences and similar structures as set forth in Chapter 44 of Title 15 of the Livonia Code of Ordinances, as amended.

## Section 7.25 Alternative Energy.

**(1) Solar Energy.**

A) **Roof-Mounted and Wall-Mounted Solar Energy Systems.** Roof-mounted and wall-mounted solar energy systems for on-site use are permitted accessory structures in all zoning districts, subject to the following regulations:

i) Height. Roof-mounted systems shall not extend more than three (3) feet above the roofline nor above the maximum permitted height of the building to which it is attached.

ii) Location.

a) Roof-mounted solar energy systems may be located anywhere on a roof of a principal or accessory structure. However, roof-mounted solar energy systems shall not protrude beyond the edge of the roof. A solar panel may function as a roof element, such as an awning.

b) Wall-mounted solar energy systems may be located anywhere on the wall of a principal or accessory structure. Wall-mounted systems shall not extend above the edge of the roof.

B) **Ground-Mounted Solar Energy Systems.** Ground mounted and freestanding solar energy systems for on-site use are permitted accessory structures in all zoning districts. Total system production is limited to 10kW in all zoning districts, except M-1 and M-2, subject to the following regulations:

i) Location and Setbacks. Solar energy systems must be located in the rear of the principal building. Solar energy systems must also meet the minimum setbacks of the zoning district.

ii) Height. The height of the solar energy system and any mounts must not exceed ten (10) feet when oriented at maximum tilt.

iii) Screening. Evergreen landscaping must be provided to screen the racking and framing below the panels from view on all sides.

iv) Power Lines. All power lines between solar panels and inverters must be placed underground.

C) **Performance Guarantee.** All applications for a solar energy system must be accompanied by a performance guarantee sufficient to ensure the decommissioning and removal of the system when it is abandoned or no longer needed.

D) **Insurance.** The applicant must submit proof of sufficient property damage and liability insurance.

E) **Utility Connection.** The applicant must submit evidence that the utility company has been informed of the customer's intent to install an interconnected, customer-owned solar energy system and that such connection has been approved. Off-grid systems are exempt from this requirement.

**(2) Wind Energy.**

A) **Districts Permitted.**

i) Roof-Mounted Small Wind Energy Systems are permitted by right in all zoning districts, provided that the system does not fall within the front yard and meets all of the applicable requirements of this Ordinance.

ii) Tower-Mounted Small Wind Energy Systems shall be treated as a waiver use in the RUF, P-L, and M-L Districts and as a permitted use in the M-1 and M-2 Districts, provided that the system does not fall within the front yard and meets all of the applicable requirements of this Code.

B) **Minimum Lot Area.**

i) Roof-Mounted Small Wind Energy Systems will have no minimum lot area.

ii) Tower-Mounted Small Wind Energy Systems must be located on a lot with a minimum area of one (1) acre.

C) **Maximum Wind Turbine Height.**

i) Roof-Mounted Small Wind Energy Systems will have a maximum height of ten (10) feet above the highest point of the roof or ten (10) feet above the maximum height of the zoning district, whichever is lower.

ii) Tower-Mounted Small Wind Energy Systems will have a maximum height of seventy (70) feet.

D) **Minimum Setbacks.**

i) Roof-Mounted Small Wind Energy Systems must adhere to the minimum setbacks of the zoning district.

ii) Tower-Mounted Small Wind Energy Systems must be set back from all property lines, overhead utility rights-of-way and easements, and other towers a distance equal to or greater than the height of the tower.

E) **General Standards.** The following requirements are applicable to all wind energy systems:

i) **Noise.** A wind energy system must comply with the noise standards set forth in the City's Ordinances.

ii) **Shadow Flicker.** The application for a wind energy system must include a shadow flicker analysis demonstrating impact on adjacent and nearby residential properties. Wind energy systems must be constructed in locations that minimize the impacts of shadow flicker on residences.

iii) **Lighting.** No wind energy system will be artificially lighted unless required by the Federal Aviation Administration (FAA).

iv) **Appearance, Color, and Finish.** The wind energy system must be maintained in the color or finish that was originally applied by the manufacturer, unless otherwise approved in the building permit. All wind energy systems will be a single non-reflective, non-obtrusive, matte finished color (white or gray).

v) **Electrical Wires.** All electrical wires associated with a wind energy system, other than wires necessary to connect the wind generator to the tower wiring, the tower wiring to the disconnect junction box, and grounding wires, must be located underground.

vi) **Compliance with Electrical Code.** Building permit applications for wind energy systems must be accompanied by line drawings of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code.

vii) **Construction Codes, Towers, and Interconnection Standards.** Wind energy systems, including towers, must comply with all applicable state construction and electrical codes and local building permit requirements. Wind energy systems including towers, must comply with the FAA requirements, and other applicable local and state regulations. A wind energy system connected to the public utility electrical grid must comply with the Michigan Public Service Commission and Federal Energy Regulatory Commission standards. Off-grid systems are exempt from this requirement.

viii) **System Access.** Small wind energy systems must be designed and installed such that step bolts, ladders, or other means of access readily accessible to the public are located at least eight (8) feet above grade level.

ix) **Safety.** A wind energy system must have an automatic braking, governing, or feathering system to prevent uncontrolled rotation or over speeding. All wind towers must have lightning protection. If a tower is supported by guy wires, the wires must be clearly visible to a height of at least six (6) feet above the guy wire anchors.

x) **Minimum Ground Clearance.** The lowest extension of any blade or other exposed moving component of a tower mounted wind energy system must be at least twenty (20) feet above the surrounding grade at its highest point within twenty (20) feet of the base of the tower and at least twenty (20) feet above any outdoor surface intended for human use, such as balconies or roof gardens, that are located below the wind energy system.

xi) **Roof-Mounted Small Wind Energy Systems.** Roof-mounted small wind energy systems must be limited to roof mounting and must not be mounted on any other building wall or surface.

xii) **Performance Guarantee.** All applications for a small wind energy system must be accompanied by a performance guarantee in an amount sufficient to ensure the decommissioning and removal of the system when it is abandoned or no longer needed.

xiii) **Insurance.** The applicant must submit proof of sufficient property damage and liability insurance.

xiv) **Utility Connection.** The applicant must submit evidence that the utility company has been informed of the customer's intent to install an interconnected, customer-owned wind energy generator and that such connection has been approved. Off-grid systems are exempt from this requirement.

## Section 7.26 Encroachments and Exempt Structures.

**(1) Permitted Yard Encroachments.**

A) **Open Decks, Stairways, Porches, Paved Terraces, and Patios in the Front Yard Setback.** Open decks, stairways, porches, paved terraces, and patios which are at or below the finished first floor level of the building may encroach up to six (6) feet into the required front yard setback area on any lot, provided that in no case may any paved terrace, patio, deck, or other similar structure be located closer than 25 feet from a regulated wetland(s) or a detention pond or non-regulated wetland as shown on an approved site plan. Open decks, stairways, porches, paved terraces, and patios that encroach into the required front yard setback area may have a required railing and be covered with a roof that is no higher than the first story and does not encroach more than 6 feet into the front yard setback area. Any deck, terrace or patio that encroaches into the front yard setback must remain open and shall not be enclosed.

B) **Open Decks, Paved Terraces, and Patios in the Rear Yard Setback.** Open decks, stairways, porches, paved terraces and patios which have no roof or other projections above any required railing and which are at or below the finished first floor level of the building may encroach up to ten (10) feet into the required rear yard setback area on any lot, provided that in no case may any paved terrace, patio, deck, or other similar structure be located closer than 25 feet from a regulated wetland(s) or a detention pond or non-regulated wetland as shown on an approved site plan.

C) **Chimneys, Fireplaces, Eaves, Overhangs, and Cornices in the Side, Rear and Front Yard Setbacks.** Chimneys, fireplaces, eaves, overhangs, and cornices may encroach up to twenty-four (24) inches into the required side, rear or front yard setback area on any lot, provided that in the case of a side yard, a minimum setback of four (4) feet shall be maintained.

~~C)~~D) **Landscaping, Garden, and Retaining Walls.** Landscaping, garden, and retaining walls raised three (3) feet or less above the finished grade may be located in a yard setback.

~~D)~~E) **Walls, Fences, and Other Protective Barriers.** Walls, fences, and other protective barriers may be located in a yard setback pursuant to Chapter 44 of Title 15 of the Livonia Code of Ordinances.

~~E)~~F) **Swimming Pools.** Swimming pools may be located in required yard setback subject to the requirements in *Section 6.48*.

~~F)~~G) **Public Use.** The City Planning Commission may recommend and the City Council approve the erection and use of a building or an addition to an existing building which is publicly owned or owned by a public service corporation to be used for a public use or for public utility purposes, in any permitted district to a greater height or of larger area than the district requirements herein established, and permit the location in any use district of a public building or a public utility building, structure or use, provided the City Council shall find such use, height, area, building, or structure reasonably necessary for the public convenience and service; and, provided further, that such building, structure or use is designed, erected, and landscaped to conform harmoniously with the general architecture and plan of such district.

## Section 7.27 Subdivision and Site Condominiums.

No portion of any site condominium may be sold or offered for sale, nor shall a permit be issued for construction of same in the City of Livonia unless the master deed for such site condominium has been approved by the City Council upon review and submission of findings by the City Planning Commission, which master deed shall include as attachments thereto bylaws and a site plan that complies with the requirements of *Section 5.02* and the Subdivision Control Ordinance, Title 16, Chapters 16.04-16.40 of the Livonia Code of Ordinances, and shall pay the filing fees set forth therein.

**(1) Applicability of Subdivision Improvement Regulations for Site Condominiums.** Sewer, water, storm drainage, other utility services and streets and roads for site condominium projects shall conform to design, layout, and improvement standards as provided in the City of Livonia Subdivision Control Ordinance. The plat review and approval process required by the Subdivision Control Ordinance and Subdivision Rules and Regulations shall not apply to site condominiums.

**(2) Utilities.**

A) The Master Deed shall grant utility easements or the right of access to utility easements to the City of Livonia as may be required to construct, operate, inspect, maintain, repair, alter, replace, and/or remove pipelines, mains, and other installations of a similar character for the purpose of providing public utilities.

B) The Master Deed shall require that any stormwater detention pond(s) or underground stormwater detention facilities installed in connection with development of the site condominium shall be located in private parks, outlots, or general common areas and shall not be installed on limited common areas or any portion of any unit offered for sale. This requirement may be waived or modified, if Council finds that compliance with same would be unduly onerous, by a resolution in which two-thirds (2/3) of the City Council concur. To prevent an inadvertent waiver or modification of the prohibition on detention ponds in limited common areas and units offered for sale, such resolution must be separate from the resolution approving the Master Deed.

**(3) Master Deed.** The site condominium developer shall furnish a copy of the Master Deed as approved by the City Council, including bylaws and site plans, to the City Assessor and to the Inspection Department.

**(4) Bonds required.**

A) For any site condominium or other project which requires the approval of the City Council pursuant to this Zoning Ordinance, as amended the City Council may require the posting of a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the City covering the estimated cost of completing any or all of the following (the "improvements"):

i) roadways

ii) lighting

iii) utilities

iv) sidewalks

v) screening

vi) drainage

vii) such other features and actions which are considered necessary by the City Council to protect the health, safety, and welfare, of residents of the city, subject to the limitations of Section 125.584e of the Michigan Compiled Laws.

B) Any such performance guarantee shall be deposited with the City Clerk, at the time of the issuance of the permit authorizing the activity or project, to insure faithful completion of the improvements. Any cash deposits made to assure completion of an improvement shall be rebated at such time as completion of the improvement is attested by the City Engineer and Department of Inspection.

C) This section shall not be applicable to improvements for which a cash deposit, certified check, irrevocable bank letter of credit, or surety bond has been deposited pursuant to the Subdivision Control act, being Act No. 288 of the Public Acts of 1967, as amended, section 560.101 to 560.293 of the Michigan Compiled Laws.

**(5) Completion.** The proprietor shall be responsible for completing all common elements as shown on the approved site plan.

## Section 7.28 Industrial Parks

(1) **Setback Requirements.** When an industrial building is hereafter erected fronting on an internal road within an Industrial Park, the front yard shall be at least sixty (60) feet in depth as measured from the centerline of the publicly dedicated street.

(2) **Maximum Ground Coverage by Principal Structure.** In an Industrial Park located in this district, no more than fifty percent (50%) of the total lot area shall be occupied by the principal structure.

(3) **Landscaping Requirements.** Any portion of the lot area not used for structures, driveways, parking areas, and sidewalks, shall be landscaped and maintained.

(4) **Driveways and Parking Areas**. All driveways and parking areas shall be surfaced with concrete or plant-mixed bituminous material within two (2) years from the date that the Certificate of Occupancy is issued by the Bureau of Inspection.

(5) **Off-Street Parking Requirements.** Off-street parking facilities shall be provided as hereinafter specified in Article IX of this ordinance, except that no parking of automobiles or other motor vehicles shall be permitted in the front yard setback if such setback is less than eighty-five (85) feet in depth as measured from the centerline of the publicly dedicated internal stree

# Article VIII.
# Environmental Performance Standards

## Section 8.01 Sound/Noise.

Sound and noise shall be regulated by Chapter 8.32 of the Livonia Code of Ordinances.

## Section 8.02 Odors.

Any use which causes the production of odors or fumes, noxious or otherwise, which are detectable beyond the building, shall not be permitted.

## Section 8.03 Waste and Rubbish Facilities.

Waste and rubbish facilities are subject to the Livonia Code of Ordinances Chapters 13.36 and 13.38.

## Section 8.04 Soil Removal, Excavation, and Dumping Soil, Sand, Clay, or Gravel.

**(1)** **Permit Required.** No person shall remove, excavate, extract, stockpile, or transport or cause to be removed, excavated, extracted, transported, or stockpiled for such removal any soil from any land within the City of Livonia unless and until the bonds and fees required herein have been filed and deposited and a permit therefor obtained from the City. All soil removal and excavation permits where authorized, shall be issued by the Department of Inspection after full compliance by the applicant of all terms and provisions of this section relating thereto.

**(2)** **Approval of Commission.** No soil removal permit or permit to stockpile shall hereafter be issued unless and until the City Planning Commission does, by resolution:

A) Determine the proposed soil removal and/or excavation operations will not be injurious to the public health, safety and welfare.

B) Approves the application for a soil removal permit.

C) Authorizes the issuance of a soil removal permit. Such approval shall be nontransferable, and the applicant must obtain from the Department of Inspection a topsoil permit within a thirty (30) day period immediately following the approval.

**(3) Application Required.** Applications for soil removal and/or excavation permits, verified under oath, shall be filed, in quadruplicate, with the Department of Inspection. Such applications shall be accompanied by and set forth fully the following information:

A) The full name, address and signature of the applicant; a full and complete legal description of the land on which the soil removal and/or excavation operations are proposed; the names, addresses and signatures of the owner or owners of such land; a detailed description of the nature and extent, including the amount of acreage, of the proposed operations so that the character thereof and the effect upon such land can readily be ascertained; a description of the equipment and vehicles to be used in the proposed operations; the time within which such operations shall be commenced and completed, and an agreement on the part of the applicant and owner, or owners, to fully comply with all the ordinances, rules and regulations of the City of Livonia and all its departments.

B) A topographical survey dated and certified by a registered engineer or land surveyor showing, in detail, the existing grade elevations, the proposed or finished grade elevation and the contour of the land described in the application. The survey shall also indicate the grade and elevation of all the nearest existing streets; provided that in those cases where the applicant desires to remove soil from land that has been or is being platted and a proposed subdivision has been approved or will be submitted to the City of Livonia, then the applicant shall submit, in addition to the above survey, a plat clearly indicating the grade elevations of the proposed streets in such subdivision.

C) A license, witnessed and acknowledged as in the case of a deed, granting to the applicant (if the applicant is not the owner), the person or persons executing the corporate surety bond required hereafter and the City of Livonia, severally, the right to enter upon said premises, describing them and granting to the aforesaid the right to fill and grade such premises, and restore the same and bring it to the normal building grade as established from the nearest existing or proposed street as the case may be.

D) The Department of Inspection shall forward a copy of such application and topographical survey to the Police Department, the Engineering Division and the City Planning Commission.

i) The Police Department shall examine the application to determine whether or not the proposed operations will interfere with the enforcement and administration of traffic laws. The recommendation of the Police Department shall be transmitted to the City Planning Commission.

ii) The Engineering Division shall examine and investigate the application and topographical survey to determine the existing grade elevation of the property described in same. The City Engineer shall recommend approval of the application only if it appears from his or her examination and investigation that no soil will be removed below the normal building grade as established by the City Engineer from the nearest existing or proposed streets, as the case may be. The recommendation of the Engineering Division shall be transmitted to the City Planning Commission.

iii) The City Planning Commission shall examine the application and topographical survey, together with the above recommendations. The Commission shall not approve any application to remove soil below the normal building grade as established from the nearest existing or proposed street; similarly, no application shall be approved where the proposed operations, in the opinion of the Commission, would result in land becoming unwholesome, unhealthy, offensive, filthy or otherwise obnoxious. If, in the opinion of the Commission, there is sufficient soil available above the normal building grade and the proposed operations will not endanger the public health, safety and welfare, then the Commission may approve the application. The approval shall be by resolution; such resolution shall also authorize the issuance of a soil removal permit subject to any restriction or condition which the Commission may specify in approving the application and upon the payment of the permit fee and filing of the bond hereinafter provided.

**(4) Regulations, Fee, Bonds.**

A) Where an application requests permission to remove soil from land that has been platted and approved for subdividing by the City of Livonia, the grade elevation of the streets in the proposed subdivision may be used as a basis for determining the normal building grade. The applicant is herein required to present substantial evidence of the grade elevation of such proposed streets.

B) Notwithstanding any of the provisions of this section, no soil shall be removed below the normal building grade as established from the nearest existing or proposed street, by the Engineering Division. No soil shall be removed in such manner as to cause water to collect or as to result in a menace or danger to the public health, safety and welfare. No soil shall be removed in such manner as to leave the surface of the land below such established grade or unfit for the growing of turf and other land uses permitted in the district in which such removal occurs. The Engineering Division at any time may fully inspect or examine land from which it is proposed to remove or excavate soil, for the purpose of making any determination as to grades or otherwise. The holder of a permit shall, during such removal, provide for drainage in such manner as may be approved by the Engineering Division of the Department of Public Works.

C) The fee for such permit is hereby fixed at One Hundred Dollars ($100.00). No permit shall be transferable. Such permit shall specify the period for which it is granted, which shall in no case be longer than one (1) year from the date of issuance. A permit may be revoked by the Department of Inspection whenever the holder of such permit has violated any of the provisions of the ordinances, rules, and regulations of the City of Livonia or whenever the exercise of the rights granted by such permit have caused or is reasonably likely to cause a menace or danger to the public health, safety or welfare.

D) No permit shall be issued until the applicant and owner or owners have filed with the City a cash bond guaranteeing and a corporate surety bond, conditioned on the full performance by the holder of the permit of all the provisions of this section, due compliance with the laws of the State and ordinances of the City of Livonia and payment of any and all claims of the City of Livonia and/or any person or persons arising out of any operation under or use of such permit, or any violation of said laws or ordinances; such bonds shall also be specifically conditioned upon the holder of the permit, at all times, maintaining the premises upon which the removal of soil or excavating is being performed, in a safe and proper condition, and that said permitholder will, upon completion of such operation, leave or restore the said land to normal building grade level (as established by the Department of Public Works), remove and abate all offensive conditions, all unhealthy, unwholesome, obnoxious, filthy and unsanitary conditions, drain stagnant water existing and resulting from such removal of soil or excavating. The City Planning Commission shall fix the amount of the bonds to be deposited by the applicant. The bonds shall be in an amount estimated as sufficient to fill and grade the land on which such operations are to be undertaken to the normal building grades as established by the Engineering Division of the Department of Public Works. The Commission shall fix the amount of the corporate surety bond to be filed and the applicant shall deposit in addition thereto a cash bond in an amount equal to ten (10) per cent of the surety bond. Such bonds shall be for an indefinite period until released and discharged, after recommendation of the Engineering Division and Department of Inspection, by resolution of the City Planning Commission adopted at a regular meeting of that body. The bonds shall be in such form as may be approved by the City Attorney.

**(5) Exceptions.** This section shall apply only to the removal of soil for commercial purposes and shall not apply to the moving, grading or leveling of soil within a parcel of land for reasonably immediate use upon such parcel of land, nor shall this section apply to such removal of soil as the Department of Inspection may determine to be reasonably necessary in the construction of basements, foundations, footings, driveways, underground utilities and parking areas, nor shall this section apply to the removal of grass sod grown for commercial purposes where the Department of Public Works determines that such removal will not cause water to collect, result in poor drainage conditions or constitute a menace to public health and safety; provided, however, that a determination that this section does or does not apply in the above instance shall always be made in writing by the Department of Inspection on written application of any person desiring to remove sod.

(6) **Excavations and Holes.** The construction, maintenance, or existence within the City of Livonia of any unprotected, unbarricaded, open or dangerous excavations, holes, pits, or wells, or of any excavations, holes or pits which constitute or are reasonably likely to constitute a danger or menace to the public health, safety or welfare, are hereby prohibited; provided, however, that this section shall not prevent construction of excavations under a permit issued pursuant to this Ordinance or the Building Code Ordinances of the City of Livonia where such excavations are properly protected and warning signs posted in such manner as may be approved by the Department of Inspection; and, provided further, that this section shall not apply to lakes, streams, or other natural bodies of water, or to ditches, streams, reservoirs, or other major bodies of water created or existing by authority of the State of Michigan, County of Wayne, City of Livonia, or other governmental agency.

(7) **Dumping of Soil, Sand, Clay or Gravel.** The dumping of any soil, sand, clay, or gravel on any parcel of land within the City of Livonia is hereby prohibited, except where, within six (6) months following such dumping, such parcel of land is graded in such manner as to prevent the collection of water, to provide proper drainage and to leave the ground surface fit for the growing of turf and other land uses permitted in the district; provided, however, that no soil, sand, clay, gravel, trash, rubbish, or waste material shall be dumped on the spillways or flood plains of any natural streams or water courses, or on any area between the lower and upper banks of such streams or water courses, except on recommendation of the City Planning Commission and approval of the City Council after a public hearing and on a satisfactory showing that such dumping will not result in damage to other property within the City of Livonia and will not be injurious to the public health, safety, and welfare.

## Section 8.05 Performance Standards for Industrial Uses.

All uses permitted in either ML, M-1, or M-2 Districts shall comply with the following table of standards:

(1) **Automatic Screw Machines.** Where permitted in a district shall only be operated with noise silencers and only when located more than two hundred (200) feet from any residential zoned district.

(2) **Stamping Machines, Punch Presses, and Press Brakes.** When permitted in a district, no such machine shall be loaded beyond the capacity prescribed by the manufacturer. No such machine shall be operated less than two hundred (200) feet from any residential zoned district.

(3) **Hot Forgings, Steam, or Board Hammers.** No such machine shall be operated except in an M-2 District located more than one thousand (1,000) feet from any residential zoned district and when operations are located entirely within a masonry building on a suitably reinforced concrete mat or to solid rock and mounted on shock absorbers that reduce vibrations to a reasonable minimum.

(4) **Sound Level Limitations.** Noise decibels, as measured at the street or property line shall not exceed sixty-five (65) decibels in an ML District; seventy (70) decibels in an M-1 District; and seventy-five (75) decibels in an M-2 District. All noise shall be muffled so as not to become objectionable due to intermittence, beat frequency, or shrillness.

(5) **Smoke, Dust, Dirt, and Fly Ash.** Shall not exceed 0.3 grains per cubic foot of flue gas at stack temperature of 500 degrees Fahrenheit and not to exceed fifty (50) per cent excess air and shall not be so unclean, destructive, unhealthful, or hazardous as to be detrimental to the public health, safety, or welfare nor shall visibility be impaired by the emission of a haze which unduly impedes vision within apparent opaqueness equivalent to No. 1 of the Ringlemann Chart.

(6) **Glare and Heat.** Glare and heat from arc welding, acetylene torch cutting, or similar processes shall be performed so as not to be seen from any point beyond the outside of the property.

**(7) Sewage Wastes.**

A) No wastes shall be discharged in the public sewer system which is dangerous to the public health and safety.

B) Acidity or alkalinity shall be neutralized to a pH of 7.0 as a daily average on a volumetric basis, with a temporary variation of pH 5.0 to 10.0.

C) Wastes shall contain no Cyanides nor Halogens and shall contain no more than 10 parts per million (ppm) of the following gases: hydrogen sulfide, sulfur dioxide, and nitrous oxide.

D) Wastes shall not contain any insoluble substances in excess of 10,000 ppm or exceed a daily average of 500 ppm or fail to pass a No. 8 Standard Sieve, nor have a dimension greater than one-half (1/2) inch.

E) Wastes shall not have a chlorine demand greater than 15 ppm.

F) Wastes shall not contain phenols in excess of .005 ppm.

G) Wastes shall not contain any grease or oil or any oily substance in excess of 100 ppm or exceed a daily average of 25 ppm.

**(8) Radioactive Materials.** Radioactive materials shall not be emitted to exceed quantities established as safe by the U.S. Bureau of Standards, or as amended from time to time.

## Section 8.06 Special Flood Hazard Areas.

**(1) Application of Article.** All land lying within the Special Flood Hazard Area is subject to the regulations of this district in addition to the regulations otherwise established by the City of Livonia Zoning Map. The boundaries of the Special Flood Hazard Area shall coincide with the boundaries of the areas indicated as within the limits of the 100-year flood in the report entitled "The Flood Insurance Study, City of Livonia, Michigan," dated September 30, 2008, with accompanying Flood Insurance Rate Maps, effective February 2, 2012. The aforesaid Study and Maps are made part of this Article by reference, copies of which shall be maintained on file for public examination in the City Planning Department and the City Engineering Division.

**(2) Permitted Uses.** Notwithstanding any other provisions of this Ordinance, no building or structure shall be erected, converted, or structurally altered, and no land and/or structure shall be used in a Special Flood Hazard Area, except for one (1) or more of the following uses:

A) Gardening, horticulture, open recreational uses, such as parks, playgrounds, playfields, athletic fields, golf courses, bridle trails, and nature paths.

B) In the area above the Special Flood Hazard Area, uses permitted by the zoning district otherwise established for the lot, subject to regulations of such districts; provided, however, that the elevation of the lowest floor designed or intended for human habitation (including basement) shall be elevated to or above the elevation of the nearest point of the Special Flood Hazard Area Level unless an exception is granted pursuant to Chapter 15.36 of the Livonia Code of Ordinances.

C) In the area below the Special Flood Hazard Area Level, land may be used to supply open space or lot area requirements of a lot partially located beyond; provided, however, that no building or structure shall be located below the Special Flood Hazard Area Level except in conformance with Chapter 15.36 of the Livonia Code of Ordinances.

**(3) Accessory Uses.**

A) In the area above the Special Flood Hazard Area Level, accessory uses shall be regulated by the provisions of the zoning district within which such lot is otherwise located.

B) In the area below the Special Flood Hazard Area Level, off-street parking is permitted as a use accessory to a principal use beyond the Special Flood Hazard Area Level on the same lot. However, no building, structure, fence, or equipment other than boundary monuments is permitted below the Special Flood Hazard Area Level as an accessory use.

**(4) Dumping Prohibited; Exceptions.**

A) In the area below the Special Flood Hazard Area Level, dumping or backfilling with any material in any manner is prohibited, unless through compensating excavation and shaping of the flood plain, the flow and impoundment capacity of the flood plain will be maintained or improved.

B) In the area below the Special Flood Hazard Area Level, dumping or backfilling with any material in any manner is prohibited, unless no significantly measurable reduction in flow or impoundment capacity of the flood plain would thereby be caused; and further, that approval or a letter of no authority has been issued from the Michigan Department of Environment, Great Lakes and Energy under the authority of the floodplain regulatory provisions of Part 31 of Act 451 of 1994.

C) Below the Special Flood Hazard Area Level, the construction or location of bridges, outdoor play equipment, bleachers, and similar outdoor equipment and appurtenances is prohibited unless such elements would not cause any significant obstruction to the flow, or reduction in the impoundment capacity of the flood plain.

D) The foregoing exceptions shall be permitted only upon review by the City Planning Commission at a public hearing and on a showing that the above requirements are satisfied, and submission of findings to and approval by the City Council. To the extent applicable, the provisions set forth in *Section 13.13* of this Ordinance shall be complied with.

## Section 8.07 Outdoor Toilets.

No permanent building within the City of Livonia shall hereafter be erected, altered, or used for an outside toilet of any type unless approved lavatory facilities are installed and connected to a public sewer. This Section shall not be construed to prohibit temporary toilets on construction sites during period of construction or for temporary public gatherings.

# Article IX.
# Parking, Loading, and Access Management

## Section 9.01 Applicability.

The parking requirements of this Code must be met when one (1) or more of the following takes place.

**(1)** Any new building or structure.

**(2)** Commencement of use of any land.

**(3)** Any alterations to a building or structure which would require additional parking.

**(4)** Any alteration to the use of any building or structure or use of land which would require additional parking.

## Section 9.02 Access Management.

**(1)** **Standards for the Number of Nonresidential Driveways.** Access shall be provided for each site. Where feasible, access may be provided via a shared access driveway. Where it is not possible to provide shared access, access may be provided by a single driveway. One (1) additional driveway may be allowed for properties with a continuous frontage of over five hundred (500) feet and one (1) additional driveway for each additional two hundred fifty (250) feet of frontage. Uses requiring more than one driveway, detailed elsewhere in this Ordinance, are subject to those specific standards and the standard above will not apply. The City Council may determine additional driveways are justified due to the amount of traffic generated by the use without compromising traffic operations along the public street, based upon a traffic impact study submitted by the applicant.

**(2)** **Minimum Width.** Each ingress and/or egress driveway must have a minimum width of twenty (20) lineal feet and must be so designed so as to provide adequate turning and maneuvering for emergency and service vehicles.

**(3) Driveway Spacing Standards.**

A) **Between Driveways.** The minimum spacing between two (2) nonresidential driveways on the same side of the road shall be based upon posted speed limits along the parcel frontage. The minimum spacings indicated below are measured from centerline to centerline. For sites with insufficient road frontage to meet the driveway spacing standards below, the City Council may modify the spacing requirements.

| Posted Speed Limit (Mile Per Hour) | Minimum Driveway Spacing (Feet) |
|---|---|
| 30 | 155 |
| 35 | 185 |
| 40 | 225 |
| 45+ | 300 |

B) **Spacing from Intersections.** Minimum spacing requirements between a proposed nonresidential driveway and an intersection must be setback fifty (50) feet from the right of way. The City Council may modify the spacing standards.

**(4) Driveway Distance from Single-Family Residential Zone.** Each entrance and exit to and from any off-street parking lot located in a non-residential district must be at least twenty-five (25) feet from an adjacent residential use.

**(5) Modification of Standards for Special Situations.** During site plan review, the City Council shall have the authority to modify the standards of this Section upon consideration of the following:

A) The standards of this Section would prevent reasonable access to the site.

B) Access via a shared driveway or service/frontage road is not possible due to the presence of existing buildings or topographic conditions.

C) Roadway improvements (such as the addition of a traffic signal, center turn lane or bypass lane) will be made to improve overall traffic operations prior to project completion, or occupancy of the building.

D) The use involves the redesign of an existing development or a new use which will generate less traffic than the previous use.

E) The proposed location and design are supported by the Michigan Department of Transportation (MDOT) or Wayne County as an acceptable design under the existing site conditions. The City Council may also request the applicant provide a traffic impact study to support the requested access design.

F) Where there is a change in use or expansion at a site that does not comply with standards of this Ordinance, the City Council shall determine the amount of upgrade needed in consideration of the existing and expected traffic pattern and the capability to meet the standards of this Ordinance to the extent practical.

**(6) Traffic Impact Studies.** The City Council may require a traffic impact study (TIS) for all development proposals that it reviews. The TIS shall be accordance with and meet the standards of the City. The TIS shall be submitted by the developer or applicant to determine the potential future traffic conditions on adjacent roadways once a proposed development is finished. TIS shall predict the peak-hour operational conditions at site driveways and road intersections affected by the development. The results of the TIS shall be used in the final design of access points and internal circulation and may identify necessary off-site road improvements. At a minimum, the TIS shall meet standards as published by the Southeast Michigan Council of Governments (SEMCOG) and MDOT in the handbook titled Evaluating Traffic Impact Studies and shall be found acceptable by the City Council prior to being used.

## Section 9.03 Off-Street Parking Requirements.

In all zoning districts, off-street parking facilities for the storage or parking of self-propelled motor vehicles for the use of occupants, employees, and patrons of the buildings hereafter erected, altered or extended after the effective date of this Ordinance, shall be provided and maintained as herein prescribed.

**(1)** **Non-Residential.** Off-street parking for nonresidential uses shall be either on the same lot or within three hundred (300) feet of the building it is intended to serve, measured from the nearest public entrance to the building to the nearest point of the off-street parking lot, except as may be provided for by this Ordinance.

**(2)** **Off-Street Parking.** Off-street parking facilities for one- or two-family dwellings shall be located on the same lot or plot of ground as the building they are intended to serve. The location of required off-street parking facilities for other than one- and two-family dwellings shall be within three hundred (300) feet of the building they are intended to serve, measured from the nearest point of the off-street parking facilities and the nearest point of the building. Such facilities for multiple dwelling, commercial and professional uses, in order to ensure their use as a parking area for the building they are intended to serve, shall be located in a convenient and conspicuous position with reference to such building. For this purpose, the area to the rear of the building shall be considered as satisfying this requirement only when the building is to have a heavily used public entrance in the rear.

**(3)** **Existing Parking.** Off-street parking existing at the effective date of this Ordinance, in connection with the operation of an existing building or use, shall not be reduced in size to an amount less than hereinafter required for a similar new building or new use.

**(4)** **Parking Deferment.** Where the property owner can demonstrate or the City Council finds that the required number of parking spaces is excessive and the proposed parking will meet the demand for the proposed use, the City Council may, as a condition of site plan approval, permit up to twenty-five (25) percent of the total number of required parking spaces to be reserved for future consideration (i.e., “banked”), subject to the following:

A) The consequent reduction in off-street parking provided will not impair the functioning of the subject development or have a negative effect on traffic flow or parking on and/or adjacent to the site.

B) That a reserved area be shown on the site plan of sufficient size to meet the parking space, circulation, and maneuvering requirements of this Article, including dimensions and dotted parking lot layout. The reserved area shall be retained as open space. The reserved area designated as deferred parking shall be on the same lot as the principal use.

C) The reserved area shall not be within a required parking setback, landscape area, or greenbelt.

D) A written legal agreement, provided by the applicant, which has been approved by the City attorney, shall include provisions to construct the deferred parking and the agreement shall be referenced on the site plan.

E) The applicant shall agree in writing to install such “banked” parking within 180 days of a City Council resolution in which it is determined that such additional parking is needed.

F) The Department of Inspection may require posting of a performance guarantee to cover the estimated construction cost of the deferred parking with a refund in two (2) years if the additional parking is not found to be necessary.

**(5)** **Maximum Parking Allowable.** In order to minimize excessive areas of pavement which depreciate aesthetic standards and contribute to higher rates of storm water runoff and higher micro temperatures, exceeding the minimum parking space requirements of *Section 9.05* by greater than twenty percent (20%) is prohibited, except as approved by the City Council. In its request for additional parking spaces, the applicant must submit a parking study to the City Council demonstrating that additional parking spaces are needed based on the nature of the use and/or peak times thereof. In determining whether to grant additional parking spaces, the City Council shall also consult the most recent edition of Parking Generation, published by the Institute of Traffic Engineers (ITE), or another acceptable standard.

**(6)** **Minimum Parking Required.** The minimum number of off-street parking spaces by type of use shall be determined in accordance with the schedule contained in *Section 9.05* herein; however, the City Council may modify the numerical requirements for off-street parking based on evidence that another standard would be more reasonable based on the level of current or future employment and/or level of current or future customer traffic. In determining whether to permit fewer parking spaces, the City Council shall consult the most recent edition of Parking Generation, published by the Institute of Traffic Engineers (ITE), or another acceptable standard.

**(7)** **Snow Storage.** An area equivalent to ten percent (10%) of the required parking stall area must be provided for snow storage. The snow storage area must be landscaped and if the parking lot is bounded by a fence, the snow storage area must be located on the parking lot side of that fence. The snow storage area may be located in a landscape area required in *Article X* or in a storm water management area, subject to approval by the City.

**(8)** **Carports and Garages.** Carports and garages in multiple-family dwelling developments shall have a maximum height of fourteen (14) feet, measured from the grade to the peak of the structure. Carports shall be at least partially screened on any side facing a public or internal street or drive unless the side is used for entrance and exit.

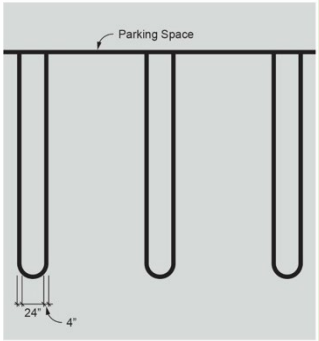
**(9)** **Changes in Use.** Should the use of the land or building change, the parking shall be provided based on the new use(s). For example, purposes only, should an approved elderly housing facility for independent or dependent living are converted to general occupancy, the parking shall be provided based on the requirements for multiple-family dwellings.

**(10)** **Parking Measurement Standard.** When units of measurement determining the number of required parking spaces result in the requirement of a fractional space, any fraction up to and including one-half (½) shall be disregarded and fractions over one-half (½) shall require one (1) parking space.

**(11)** **Parking Calculation Standard – Floor Area.** For the purpose of this Ordinance, "Floor Area," in the case of offices, merchandising or service types of uses, shall mean the gross floor area used or intended to be used for services to the public as customers, patrons, clients or patients or as tenants, including areas occupied for fixtures and equipment used for display or sale of merchandise.

**(12)** **Parking Standard – Employee Based.** For the purpose of computing the number of parking spaces required based on the number or employees, the parking shall be calculated based on the number of employees likely to be on the premise during the peak shift.

**(13)** **Double Striping.** All parking spaces shall be clearly marked by the use of double striping. Except for parallel parking, all parking spaces shall be clearly striped with four (4) inch wide double lines, twenty-four (24) inches apart, to facilitate movement and to help maintain an orderly parking arrangement. See image below.




**Double Striped Parking**

**(14) Required Parking for Uses Not Provided.** In the case of a use not specifically provided for herein, the City Council shall determine the off-street parking requirements for such use based on the most recent edition of Parking Generation, published by the Institute of Traffic Engineers (ITE), or another acceptable standard applicable for that use or a similar use.

## Section 9.04 Off-Street Parking Space Layout Standards.

Whenever the building of an off-street parking facility is required, such off-street parking lots shall be laid out, constructed and maintained in accordance with the following standards and regulations.

**(1) Dimensional Layout.** Plans for the layout of off-street parking facilities shall be in accordance with the following minimum requirements:

| Angle (In Degrees) | Min. Stall Length | Min. Stall Width | Min. Maneuvering Lane Width | |
|---|---|---|---|---|
| | | | One-way | Two-way |
| 0 (parallel) | 20 feet | 10 feet | 12 feet | - |
| 30-53 | 20 feet | 10 feet | 15 feet | - |
| 54-74 | 20 feet | 10 feet | 18 feet | - |
| 75-90 | 20 feet | 10 feet | 12 feet | 24 feet |

**(2) Shorter Parking Stall Length**. The requirements for parking stall length may be reduced by two (2) feet where 90-degree parking abuts a sidewalk, other pavement, or sodded area at the front of the stalls provided such pavement or sidewalk measures a minimum of eight (8) feet in width, or at least two (2) additional feet of landscaped area are provided. This is to account for the vehicle overhang.

**(3) Maneuvering Lane Access.** All spaces must be provided adequate access by means of maneuvering lanes. Backing directly onto a street or requiring the use of a street for a maneuvering lane is prohibited. Parking spaces must be clearly identified and marked with durable striping to distinguish the boundaries of the maneuvering lane and parking stalls.

**(4) Modifications.** Where site constraints limit the ability to meet the requirements of this Section, the City Council may approve ~~deficient~~ modifications to the parking space and maneuvering lane dimensions as part of Site Plan Review, except in no case shall parking stalls be less than nine (9) feet in width or eighteen (18) feet in length. For general and professional office centers that contain a minimum gross floor area of 15,000 square feet, the City Council may, upon the review and approval of a site plan by the City Planning Commission, allow up to ninety (90) percent of the required off-street parking spaces (exclusive of the required number of handicap parking spaces) to be nine (9) feet in width and one-hundred eighty (180) square feet in area. Such spaces shall be used primarily by the employees of the office center and shall be referred to in this ordinance as "designated employee parking spaces." In order to provide an adequate number of visitor and customer spaces for such office centers, no less than ten (10) percent of the total number of required parking spaces (exclusive of the required number of handicap parking spaces) shall be ten (10) feet in width and two hundred (200) square feet in area and shall be clearly marked and situated in close proximity to the building entrance(s).

## Section 9.05 Minimum Number of Parking Spaces Required.

| USE | PARKING REQUIRED |
|---|---|
| **AGRICULTURAL USES** | |
| Gardening and tree nurseries | One (1) parking space for each 500 sq. ft. of retail space |
| Nurseries, including sale of garden supplies | One (1) parking space for each 500 sq. ft. of retail space |
| **RESIDENTIAL USES** | |
| Accessory residential use for apartments | One (1) parking space per additional dwelling unit. |
| Bed and breakfast establishments | One (1) parking space per bedroom. |
| Boarding, rooming and lodging houses or tourist homes | One (1) parking space for each one (1) guest bedroom. |
| Condominium multiple dwellings | Two (2) parking spaces for each unit with one (1) and two (2) bedrooms and two and one-half (2½) spaces for each unit with three (3) or more bedrooms. |
| Family child care home | One (1) parking space per 250 sq. ft. of floor area. |
| Home occupations | Two (2) parking spaces |
| Housing for the elderly | One (1) parking space for each bed, plus one (1) space for each staff or visiting doctor, plus one (1) space for each employee including nurses. |
| Multiple dwellings and apartment houses | Two (2) parking spaces for each unit with one (1) and two (2) bedrooms and two and one-half (2½) spaces for each unit with three (3) or more bedrooms. |
| One-family dwellings | Two (2) parking spaces for each dwelling unit. |
| Residential homes for mentally or physically handicapped persons | One (1) parking space per bedroom. |
| Two family dwellings | Two (2) parking spaces for each dwelling unit. |
| **MEDICAL USES** | |
| Blood and plasma donation centers | One (1) parking space per two hundred (200) square feet of gross floor area and one (1) per employee on peak shift. |
| Hospitals | One (1) parking space per two (2) beds plus two (2) parking spaces per three (3) employees on the largest working shift. |
| Kidney transfusion centers | One (1) parking space per two hundred (200) square feet of gross floor area and one (1) parking space per employee on peak shift. |
| Medicine, osteopathy and dentistry (excluding veterinary clinics) | One (1) parking space for each one hundred ten (110) square feet of floor area. |
| Optometry and chiropractic | One (1) parking space for each one hundred ten (110) square feet of floor area. |
| Orthopedic and medical supply stores, but not including assembly or manufacture of such articles | One (1) parking space for each two hundred fifty (250) square feet of floor area. |
| Physical therapy and health services (not including massage establishments and public baths) | One (1) parking space for each one hundred fifty (150) square feet of floor area. |
| Psychology and podiatry | One (1) parking space for each two hundred (200) square feet of floor area. |
| Veterinary clinics, animal clinics and animal hospitals | One (1) parking space for each two hundred (200) square feet of floor area. |
| **PUBLIC & QUASI-PUBLIC USES** | |
| Clubs, lodges, and meeting halls, fraternal and religious | One (1) parking space for every 50 square feet of gross assembly. |

| USE | PARKING REQUIRED |
|---|---|
| Cultural service buildings, such as publicly owned museums, art galleries and libraries | One (1) parking space per three hundred thirty-three (333) square feet of floor area. |
| Educational uses | One (1) parking space for each employee (including teachers and administrators) plus sufficient off-street space for the safe and convenient loading and unloading of students. |
| Licensed and certified publicly or privately-owned facilities for the detention, incarceration, commitment and/or rehabilitation of adults or minor children and psychiatric hospitals | One (1) parking space for each bed, plus one (1) space for each staff or visiting doctor, plus one (1) space for each employee including nurses. |
| Local and suburban passenger terminals; trucking transportation terminals including maintenance and service facilities | One (1) parking space per 500 sq. ft. |
| Privately owned and operated recreational uses | Off-street parking facilities shall be provided on the premises to accommodate one third (1/3) of the total member families and/or individual members of the organization. |
| Radio and television towers and broadcasting studios | One (1) parking space for each employee on the largest working shift. |
| Religious Institutions | One (1) parking space for each three (3) seats in the main assembly unit. |
| Schools - music, dance or business | One (1) parking space for each employee (including teachers and administrators) plus sufficient off-street space for the safe and convenient loading and unloading of students. |
| Schools including, but not limited to dance, music and instrumental, and business/ training | One (1) parking space for each employee (including teachers and administrators) plus sufficient off-street space for the safe and convenient loading and unloading of students. |
| Universities, colleges, private colleges, including ancillary uses and facilities | One (1) parking space per thirty (30) square feet of classrooms, labs, or other instructional floor area, plus one (1) parking space per two hundred fifty (250) square feet of office or administrative floor area. |
| **COMMERCIAL & RETAIL USES** | |
| Adult businesses | One (1) parking space for each one hundred fifty (150) square feet of floor area. |
| Ambulance services, local and suburban bus terminal and taxicab terminals | One (1) parking space for each employee on the largest working shift. |
| Artisan, craftsman, printing and engraving shops other similar uses | One (1) parking space for each employee computed on the basis of the greatest number of persons to be employed at any one period during the day or night. |
| Automobile and light truck (one (1) ton gross vehicle weight) repair | Two (2) parking spaces for each repair bay plus one (1) for each employee. |
| Auto-wash establishments and auto-wash establishments operated with accessory gasoline pumps | At least twenty (20) parking spaces |
| Bakeries | One (1) parking space per one hundred seventy-five (175) square feet of floor area. |
| Banks and savings and loans associations | One (1) parking space for each one hundred fifty (150) square feet of floor space, plus one (1) space for each employee computed on the basis of the greatest number of persons to be employed at any one time. |
| Planned commercial or shopping centers, or buildings (single or multi-unit) for the purpose of retail sales and which contain a GFA of 30,000 square feet or more | One (1) parking space for each two hundred fifty (250) square feet gross leasable area (GLA) not including full service restaurants, plus one (1) parking space for every seventy-five (75) square feet of gross floor area devoted to full service restaurants. |

| USE | PARKING REQUIRED |
|---|---|
| Brewer, micro brewer, brewpub, and distilleries | One (1) parking space for each three hundred (300) square feet of floor area. |
| Catering establishments | One (1) parking space for every 3 persons, based on maximum capacity |
| Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis | One (1) parking space for each one thousand (1,000) square feet of floor space. |
| Convalescent and nursing homes | One (1) parking space for each three (3) beds, plus one (1) space for each staff or visiting doctor, plus one (1) space for each employee including nurses. |
| Dance halls and ballrooms | One (1) parking space for each fifty (50) square feet of floor area used for dancing or assembly. |
| Day care nurseries | One (1) parking space per 250 sq. ft. of floor area. |
| Dog kennels | One (1) parking space per 4 stalls |
| Drive-in restaurants and restaurants with either drive-thru or drive-up window facilities; including food trucks | One (1) parking space for each one hundred twenty-five (125) square feet of floor area, plus one (1) parking space for each three (3) outside patio seating spaces, plus one (1) parking space for each employee. |
| Establishments having liquor licenses such as Class C, tavern, and club | One (1) parking space for each three hundred (300) square feet of floor area. |
| Full-service restaurants with or without outdoor dining areas | One (1) parking space for each two (2) interior seating spaces to be provided within the proposed establishment, plus one (1) parking space for each three (3) outside patio seating spaces, plus one (1) parking space for each employee. |
| Funeral homes and undertaking establishments | One (1) parking space for each fifty (50) square feet of floor space in the parlors or individual funeral service rooms with a minimum of seventy-five (75) parking spaces. |
| Garages, repair shops, rustproofing and similar highway services | Two (2) parking spaces for each repair bay plus one (1) for each employee. |
| Gasoline service station | One (1) parking space for fueling pump |
| Golf courses but not including miniature golf courses or golf driving ranges | Three (3) parking spaces per hole plus one (1) parking space per three (3) seats of the dining facilities. |
| General offices | One (1) parking space for each two hundred (200) square feet of floor area. |
| Hotels | One (1) parking space for each guest room, plus one (1) additional space for each employee. |
| Indoor recreational uses | One (1) parking space per two hundred (200) square feet of floor area. |
| Laundry and dry-cleaning establishments | One (1) parking space per two (2) washing and drying machines. |
| Limited service and carry-out restaurants with or without outdoor dining areas | One (1) parking space for each one hundred (100) square feet of floor area, plus one (1) parking space for each three (3) outside patio seating spaces, plus one (1) parking space for each employee. |
| Massage establishments | One (1) parking space for each one hundred fifty (150) square feet of floor area. |

| USE | PARKING REQUIRED |
|---|---|
| Motels | One (1) parking space for each guest or sleeping room in a tourist home; one (1) parking space for each rental unit in a motel; plus one (1) additional space in each case for the owner or manager and for each employee. |
| Museums | One (1) parking space per three hundred thirty-three (333) square feet of floor area. |
| Music, dance, or business academies | One (1) per three (3) persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes. |
| New and used car lots and showrooms, new or used mobile home sales and automobile rental facilities | One (1) parking space for every two hundred (200) square feet of use area. |
| Paint shops | One (1) parking space per service stall. |
| Pawn shops | One (1) parking space for each one hundred fifty (150) square feet of floor space. |
| Payday lenders | One (1) parking space for each one hundred fifty (150) square feet of floor space. |
| Personal service establishments | One (1) parking space for each five hundred (500) square feet of floor space. |
| Photographic studios | One (1) parking space for each one hundred fifty (150) square feet of floor space. |
| Professional offices | One (1) parking space for each two hundred (200) square feet of floor area. |
| Retail sales | One (1) parking space for each one hundred fifty (150) square feet of floor space. |
| S.D.D. and S.D.M. licenses | One (1) parking space for each three hundred (300) square feet of floor area. |
| Second-hand stores and rummage shops | One (1) parking space for each one hundred fifty (150) square feet of floor space. |
| Wholesale business uses | One (1) parking space for each five hundred (500) square feet of floor space. |
| **INDUSTRIAL USES** | |
| Bulk storage of refined petroleum products | One (1) parking space for each employee computed on the basis of the greatest number of persons to be employed at any one period during the day or night. |
| Data processing and computer centers, including sales, service and maintenance of electronic data processing equipment | One (1) parking space for each four hundred (400) square feet of floor space. |
| Establishments for the distribution of, or the packaging, assembling, secondary processing, alteration or repair | Five (5) parking spaces, plus one (1) per 1,500 square feet of floor area plus one (1) per 350 useable square feet of office, sales or similar space plus one (1) per truck or company vehicle operating from the premises. |
| Experimental product development and testing including limited manufacturing | Five (5) parking spaces plus one (1) per 250 square feet gross floor area plus one (1) per each employee at peak shift. |
| Heavy manufacturing and general industrial plants | One (1) parking space for each employee computed on the basis of the greatest number of persons to be employed at any one period during the day or night. |
| Industrial, scientific, or business research development and testing laboratories and offices | One (1) parking space for each employee computed on the basis of the greatest number of persons to be employed at any one period during the day or night. |

| USE | PARKING REQUIRED |
|---|---|
| Industrial plants manufacturing, processing or assembling | One (1) parking space for each employee computed on the basis of the greatest number of persons to be employed at any one period during the day or night. |
| Steel fabricators, truck terminals, truck and trailer rental facilities, and special trade contractors | One (1) parking space per five hundred (500) square feet of use area. |
| Tool and die shops and pattern making shops | One (1) parking space per five hundred (500) square feet of use area. |
| Warehouses | One (1) parking space for each employee computed on the basis of the greatest number of persons to be employed at any one period during the day or night. |

## Section 9.06 Barrier-Free Parking Required.

Each parking lot that services a building entrance, except single- or two-family residential or temporary structures, shall provide parking spaces for the physically handicapped which shall be located as close as possible to walkways and entrances. All parking lots shall be designed in conformance with Michigan State Act No. 1 of the Public Acts of 1966 as amended, and the Americans with Disabilities Act, as summarized in the Table below.

| Total Spaces Required | Barrier-Free Spaces Required |
|---|---|
| 1-25 Spaces | 1 Space |
| 25-50 | 2 Spaces |
| 51-75 | 3 Spaces |
| 76-100 | 4 Spaces |
| 101-150 | 5 Spaces |
| 151-200 | 6 Spaces |
| 201-300 | 7 Spaces |
| 301-400 | 8 Spaces |
| 401-500 | 9 Spaces |
| 501-1,000 | 2% of total |
| Greater than 1,000 | 20, plus one (1) for each 100 spaces over 1,000 |

## Section 9.07 Parking and Loading for Multiple Uses and Joint Use.

The parking and loading regulations for any premises in multiple usages must be the sum of the minimum requirements for the individual uses on the premises.

In order to meet the minimum amount of required off-street parking spaces for a given use, application must be made to the City Council for the right to engage in the joint use of owned parking spaces. Prior to approving the joint use of parking spaces to meet the minimum amount of required off-street parking for a given use in a given zoning district, the City Council must verify by a preponderance of the evidence that each of the following statements are true:

**(1)** The commercial enterprises, industrial establishments, residential uses, places of public assembly, and religious institutions engaged in the joint use of off-street parking spaces are unlikely to have a need for the joint parking spaces at overlapping times.

**(2)** The parking spaces designated for joint use comprise less than seventy-five percent (75%) of the applicant's minimum required off-street parking spaces.

**(3)** The parking spaces designated for joint use are within five hundred (500) lineal feet of the applicant's most appropriate entrance.

**(4)** Written contracts, in the form of cross-access agreements, between the applicant and the owner/operator of the parking spaces approve this joint use.

**(5)** There must be adequate pedestrian access provided between the shared parking lot and the associated buildings and uses.

## Section 9.08 Off-Street Loading Space.

On the same premises with every building structure, or part thereof, erected and occupied for manufacturing, storage, warehouse purposes, department store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning, or other uses similarly involving the receipt or distribution of vehicles or materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading services in order to avoid undue interferences with public use of the streets or alleys. Such space shall be provided as follows:

| TOTAL FLOOR AREA OF THE BUILDING | OFF-STREET LOADING SPACE REQUIREMENTS |
|---|---|
| **Office Use** | |
| 0 - 10,000 square feet | One (1) usable loading space 10 ft. x 25 ft. in area |
| 10,001 - 50,000 square feet | One (1) usable loading spaces 10 ft. x 50 ft. in area |
| Over 50,000 square feet | Two (2) usable loading spaces 10 ft. x 50 ft. in area |
| **Commercial and Industrial uses** | |
| 0 - 1,400 square feet | One (1) usable loading 10 ft. x 25 ft. in area |
| 1,401 - 20,000 square feet | One (1) usable loading space 10 ft. x 50 ft. in area |
| 20,001 - 50,000 square feet | Two (2) usable loading spaces each 10 ft. x 50 ft. in area |
| Over 50,000 square feet | Three (3) usable loading spaces plus one (1) space for each fifty thousand (50,000) square feet in excess of fifty thousand (50,000) square feet each 10' x 50' in area |

**(1)** All loading spaces shall be in addition to the off-street parking area access drive and maneuvering lane requirements.

**(2)** Off-street loading space shall have a clearance of fourteen (14) feet in height.

**(3)** Off-street loading space may be completely enclosed within a building or may occupy a portion of the site outside of the building, provided that where any portion of a loading space is open to public view from a public way, the space shall be screened in accordance with *Article X*.

**(4)** All loading and unloading in an industrial district shall be provided off-street in the rear yard or interior side yard and shall in no instance be permitted in a front yard. In those instances where exterior side yards have a common relationship with an industrial district across a public thoroughfare, loading and unloading may take place in the exterior side yard when the setback is equal to at least fifty (50) feet.

## Section 9.09 Parking structures.

**(1)** **Districts Permitted.** Parking structures are subject to the following standards and are treated as a permitted use in the P-L and M-2 Districts and as a waiver use in the C-2, C-3, C-4, ML, M-1, and P Districts.

**(2)** **Maximum Height.** The height of any parking structure shall not exceed the maximum height of the district in which it is located.

**(3)** **Location.** Parking structures shall not be located in the Front Yard. No parking space within a parking structure may be closer to the street than the front face of the principal building.

**(4)** **Traffic Circulation.** Traffic circulation shall be designed so that no automobile need enter a public street in order to progress from one aisle to another within the same structure and so that no automobile need enter a public street backwards in order to leave the structure. Clear signs or pavement markings shall be provided to indicate traffic circulation.

**(5)** **Screening.** Parking structures shall be designed to screen vehicles and light trespass onto adjacent properties.

**(6)** **Architectural Standards.**

A) The design of all parking structures should be more than just a rectangular utilitarian box composed of concrete or steel beams and columns. Variation in forms and detail along with high quality facing materials are required where viewable by the general public.

B) Exterior elevations shall incorporate design components and materials utilized and compatible with the primary building(s). The incorporation of brick, stone, and precast concrete are preferred choices.

C) Floors shall be designed horizontally to support adaptive reuse of the structure.

**(7)** **Exemptions.** Parking structures are not required to have interior landscape islands as required in Section 10.03 Section 10.03(2)(Section 10.03(2)B)).

## Section 9.10 Surfacing and Drainage.

**(1)** **Hard Surfacing.** All parking areas, regardless of size, must be hard surfaced. Pavement type and thickness must be approved by the City Engineer prior to construction, taking into consideration soil conditions and traffic loadings.

**(2)** **Storm Water Management.** Storm water runoff created as a result of the improvements to the parking area must be controlled in such a manner so as to reduce and/or eliminate draining onto neighboring properties. To reduce storm water runoff, developers shall consider using permeable, pervious pavements wherever feasible. Improved parking areas may be incorporated into the storm water management plan for the proposed project. Site grading as well as storm water control provisions must be reviewed and approved by the City Engineer prior to site construction.

**(3)** **Maintenance.** All off-street parking areas shall be continually maintained in satisfactory condition so as to be safe, attractive, and free of any hazard, nuisance, or other unsafe condition.

## Section 9.11 Curb.

Except for those parking areas serving a single- and two-family dwelling unit, concrete curbs, sidewalks, and other items as necessary for the protection of the public and adjoining properties must be provided and maintained around all parking areas, including where parking spaces abut landscaping, property lines, or required setback areas. The City Council may approve an alternative design when opportunity exists to substantially improve the water quality of the site. In all cases where parking lots abut public sidewalks, a concrete curb at least six (6) inches high must be installed so that a motor vehicle cannot be driven or parked within two (2) feet of a public sidewalk.

## Section 9.12 Approval.

Plans for the development of any such parking area must be approved by the City Council before construction is started. No such land shall be used for parking purposes until approved by the Department of Inspection.

## Section 9.13 Off-Street Parking: Study and Report.

The City Council shall routinely make studies of the various areas in the City of Livonia for the purpose of determining areas within which there is need for the establishment of off-street parking facilities to be provided by the City of Livonia and to be financed wholly or in part by a special assessment district, or by other means, where such need is found. This study and report shall include recommendations on the site, location and other pertinent features of the proposed off-street parking facilities and the area they should be intended to serve. Wherever, pursuant to such recommendations, the City Council shall establish off-street parking facilities by means of a special assessment district or by any other means, it may also determine, upon completion and acceptance of such off-street parking facilities by the City, all existing buildings and uses and all buildings erected or uses established thereafter within the special assessment district, or districts which shall be exempt from the requirements of this section for privately supplied off-street parking facilities.

## Section 9.14 Illegal Parking of Motor Vehicles; Tickets; Towing of Motor Vehicles.

**(1)** It shall be unlawful for any motor vehicle which is abandoned, unlicensed, wrecked, inoperative, in a state of major disassembly, disrepair, or in the process of being stripped or dismantled, to be parked on any private property unless the same is completely enclosed within a garage or other suitable building or structure. A vehicle of any type shall not at any time undergo major overhaul, including body work, in any residential district.

**(2)** For the purpose of this section, a vehicle of any kind, as described in paragraph (1) of this section, or any unlicensed vehicle, shall be deemed abandoned when it has remained parked, stored, or left or been permitted to be parked, stored, or left on private property for a period of forty-eight (48) continuous hours or more. Provided, however, that this section shall not be applicable where a vehicle is being stored, used, or repaired, in connection with the following designated uses:

A) The repair and service facilities of a new and used automobile dealership or a new and used truck dealership when owned and operated in conjunction therewith by the same proprietor and located on the same property.

B) Garage, repair shops, and similar highway services.

**(3)** The officer authorized to enforce the provisions of this Zoning Ordinance, may in his or her discretion remove, cause to be removed, or tow away under his or her direction, any such motor vehicle which is flagrantly, continuously or persistently violating the provisions of the Zoning Ordinance relating to the parking of motor vehicles on private property. Any such motor vehicle thus removed or towed away shall be taken to the City automobile or motor vehicle pound or to a privately owned garage and kept under the custody or control of the officer or person in charge thereof; provided, however, that any such removal or towing shall be at the risk of the owner of said vehicle, and provided further that the disposition of said vehicle after removal shall be in accordance with the provisions set forth in Sections 10.21.210-10.21.260 of the Livonia Code of Ordinances, as amended, which provisions are made a part hereof and incorporated herein by reference.

**(4)** In any prosecution or proceeding under this section, the registration plate displayed on a motor vehicle shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked such vehicle at the place where such violation occurred. Whenever the owner or operator of any such motor vehicle is convicted of violating any of the provisions of said Ordinance pertaining to the parking of motor vehicles on private property, such violation shall be deemed to be a misdemeanor and shall be subject to all the penalties set forth in this Zoning Ordinance

## Section 9.15 Electric Vehicle (EV) Charging Stations or Ports

**(1)** **Accessory Use.** Electric Vehicle (EV) Charging Stations or Ports, when treated as an accessory use, shall be allowed in all zoning districts, subject to the review and approval of the Department of Inspection and the following:

A) **Size and Signage.**

i) **Commercial.** On commercial properties, all above-ground equipment associated with an EV Charging Station or Port shall be limited to a height of eight (8) feet and a width of four (4) feet, including any sign that is a part of or attached to the equipment, which sign shall not exceed two (2) square feet in area; provided, however, that in the case of an EV Charging Station that has a setback of one-hundred (100) feet or more from any public place, including any public right-of-way, the area of the sign shall be a maximum of ten (10) square feet. The use of neon-type or LED lighting around the frame, perimeter or any part of the EV Charging Station is strictly prohibited.

ii) **Single-Family.** On single-family lots, any equipment used in connection with an EV Charging Station located in a front or side yard shall be limited to a height of four (4) feet. In a rear yard, all EV Charging equipment shall be limited to a height of six (6) feet.

B) **Setbacks and Pedestrian Walkways.**

i) **Commercial.** No EV Charging Station shall be located closer than ten (10) feet from any public right-of-way, and no EV Charging Station shall be located within any part of a public right-of-way without the prior written approval of the authority having jurisdiction over the right-of-way. EV Charging Stations shall not encroach upon or inhibit the use of pedestrian walkways.

ii) **Single-Family.** EV Charging equipment on single-family lots shall not be located in any required front, side, or rear yard setback.

C) **Landscaping and Protection.** On commercial properties, any landscaping that must be removed for the installation of an EV Charging Station shall be replaced in the same general area as where it was removed. Adequate spacing or protection shall be provided around or adjacent to the EV Charging Station, such as steel or concrete-filled bollards.

D) **Coverings.** All structural or non-structural canopies, coverings, overhangs or structures designed to fully or partially enclose or protect an EV Charging Station shall comply with the height, area and setback requirements of the zoning district in which the EV Charging Station is located. Such coverings or structures in any commercial zoning district shall first require approval of a site plan pursuant to *Section 13.13(12)*.

E) **Residential.** In residential zoning districts, use of EV Charging Stations shall be limited to the owners, occupants or visitors of the property, and there shall be no remuneration or compensation charged for the services.

F) **Limitation.** In nonresidential zoning districts, no more than fifteen (15%) percent of the required number of parking spaces shall be dedicated EV Charging Stations unless an exception is granted by the Department of Inspection.

**(2)** **Principal Use.** Electric Vehicle (EV) Charging Stations or Ports as a principal use of the property, shall be treated as a waiver use limited to C-2 and C-3 zoning districts and subject to review and submission of findings by the City Planning Commission and approval by the City Council pursuant to *Section 6.26*.

## Section 9.16 Limitation of the Use.

**(1)** Parking areas shall be used for parking of private passenger vehicles only.

**(2)** Parking may be with or without charge.

**(3)** No business involving the repair or services to vehicles permitted thereon or sale, or other storage, or display thereof, shall be conducted from or upon such premises.

# Article X.
# Landscaping and Screening

## Section 10.01 Applicability.

The requirements set forth in this Section shall apply to all uses, lots, site, and parcels for which Site Plan Review is required and which are developed or expanded following the effective date of this Ordinance. No site plan shall be approved unless that site plan shows landscaping and screening consistent with the provisions of this Section. Furthermore, where landscaping and screening ~~is~~ are required, a Building Permit shall not be issued until the required landscape plan is submitted and approved and a Certificate of Occupancy shall not be issued unless provisions set forth in this Article have been met or a performance guarantee has been provided.

In cases where the use of an existing building changes or an existing building is altered or re-occupied, all of the standards of this Article shall be met.

The requirements of this Article are minimum requirements, and nothing in this Article shall preclude a developer and the City from agreeing to more extensive landscaping.

## Section 10.02 Landscape Plan Requirements.

The Landscaping Plan must be drawn at a reasonable scale to indicate all types of proposed landscape improvements at a minimum of one-inch equals thirty feet (1" = 30') and must include at least the following information:

**(1)** North arrow and scale;

**(2)** Name of the project applicant/owner;

**(3)** Name, address and phone number of the person or firm responsible for the preparation of the Landscaping Plan;

**(4)** Signed and sealed landscape architect stamp;

**(5)** Dates on which the plan was submitted or revised;

**(6)** All existing and proposed buildings and other structures, paved areas, planted areas, fencing, walls, water outlets, utility poles, fire hydrants, luminaires, underground utilities, signs, fences, dumpster locations, and other permanent features to be added to or retained on the site;

**(7)** All existing plant material to be removed or retained and all proposed additions or changes to landscaping, buffering, and walkways, illustrating existing natural land features including, but not limited to: trees, forest cover, and water resources (Water resources include ponds, lakes, streams, wetlands, flood plains, and drainage ditches and retention areas, rivers, and any other body of water or waterway);

**(8)** A schedule of all new landscaping materials to be installed. The plant list must include the common name, specified installation size, and on-center planting dimensions when applicable. When the list of plant material to be removed contains existing trees, the Landscaping Plan must justify that building location and placement has been developed with due consideration given to minimizing removal of trees. Quantities of plant material required shall be referenced on the plan;

**(9)** All property lines and easements;

**(10)** Details must be shown for the planting of trees, shrubs and ground cover within the buffered or landscaped area;

**(11)** Proposed irrigation fixtures shall also be shown, including, but not limited to the location and type of all sprinkler heads, the size of mainline and irrigation piping, the location and size of water meters and all valves, and the location of back flow prevention devices and irrigation controllers;

**(12)** Location and description of any and all storm water management or low impact development techniques used in site design (i.e., rain gardens, detention/retention ponds, filter strips, etc.); and

**(13)** Any other information which is determined necessary by the Planning Director or City Council for adequate review of the proposal.

## Section 10.03 Landscaping Design Requirements.

The following requirements must be satisfied by all projects set forth by Section 10.01 above. The following requirements must be detailed on a Landscaping Plan pursuant to Section 10.02 above. Existing landscaping or natural vegetation, as shown on a Landscaping Plan and that are in satisfactory condition, may be used to meet the standards and satisfy the requirements below in whole or in part, if protected and maintained during the construction phase of the development.

**(1)** **Frontage Landscaping.** Where the site abuts a public road right-of-way, the following frontage landscaping shall be provided in the front yard area adjacent to the road right-of-way (see Example of Frontage Landscaping below):

| Type of Landscaping | Minimum Required Landscaping |
|---|---|
| Deciduous or Evergreen Tree | 1 per 40 linear feet of road frontage or fraction thereof |
| Ornamental (Flowering) Tree | 1 per 100 linear feet of road frontage or fraction thereof |
| Shrubs | 8 per 40 linear feet of road frontage or fraction thereof |

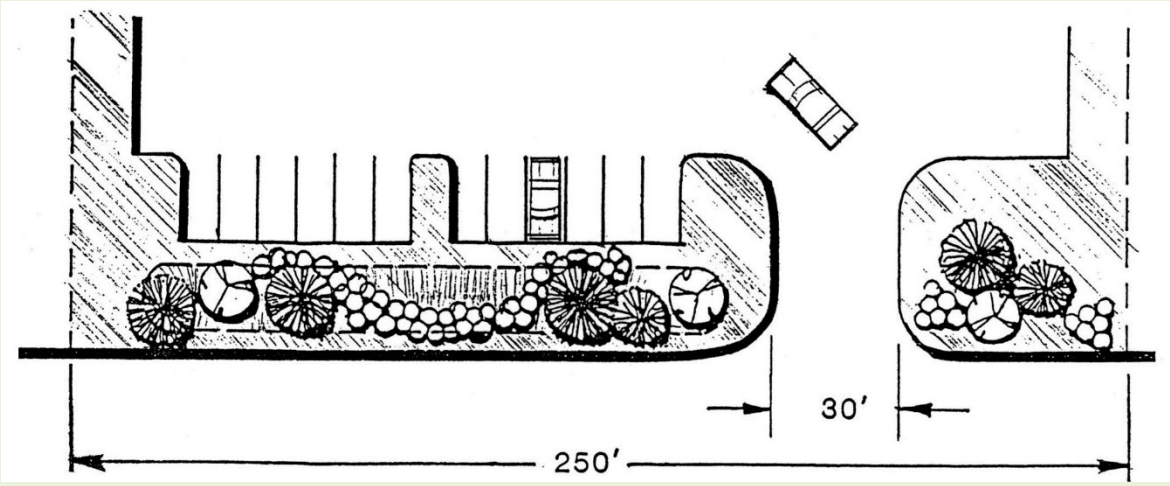
The depth of the frontage landscaping area shall be sufficient to contain the required landscaping and ensure the survivability of plant material. For the purposes of computing length of road frontage, openings for driveways and sidewalks shall not be counted. Trees and shrubs may be planted at uniform intervals, at random, or in groupings. However, the City Council or Planning Director may require the planting design to use massing or groupings of materials to create a stronger visual impact from the public right-of-way.

**Example of Frontage Landscaping**

Length of Road Frontage: 250 linear feet minus 30-foot driveway = 220 feet

Required Number of Plants

| | |
|---|---|
| Deciduous or evergreen trees | 220 ft./40 ft. = 6 deciduous or evergreen trees |
| Ornamental trees | 220 ft./100 ft. = 3 ornamental trees |
| Shrubs | (220 ft./40 ft.) x 8 = 48 shrubs |
| TOTAL | 6 deciduous or evergreen trees, 3 ornamental trees, and 48 shrubs |




**(2)** **Parking Lot Landscaping.** All parking areas and other paved ground surface areas used for vehicular parking must have perimeter and internal landscaping to provide visual and climatic relief from broad expanses of pavement and to channelize and define logical areas for pedestrian and vehicular circulation.

A) **Parking Lot Screening.** Parking lot screening adjacent to a parking lot is not required if the paved ground surface area is completely screened from the public right-of-way by an intervening building or structure. Where paved ground surface areas are located adjacent to sidewalks, streets, and other public rights-of-way, landscaping shall be provided between the public right-of-way and the paved ground surface area within ten (10) feet of the paved ground surface area with landscaping, a berm, a masonry wall, or a combination of these, as follows:

i) **Parking Lot Screening Landscaping.** Landscaping shall include a landscaped yard at least five (5) feet in width containing an opaque screen of landscaping (evergreen or deciduous hedge) at least three (3) feet in height. The landscaping shall be planted in a manner where the landscaping can be expected to provide an unbroken visual screen within three (3) years. The landscaping shall be located at least two (2) feet from the front of a parking space curb so as to account for vehicle overhang.

ii) **Parking Lot Screening Berm.** Berms shall be at least three (3) feet in height (measured above the elevation of the adjacent parking surface) and meet the requirements of *Section 10.03 (7)*.

iii) **Parking Lot Screening Wall.** Walls shall be at least three (3) feet in height and constructed of the same or compatible material and colors of the principal building in terms of texture and quality.

B) **Interior Parking Lot Landscaping.** All off-street parking areas of forty (40) parking spaces or more must have internal landscaping.

i) **Size of Interior Parking Lot Landscaping Areas.** Interior landscaping must account for a minimum of five percent (5%) of all paved parking areas, including parking and loading spaces, driveways, and aisles. Each separate interior landscaped area must be a minimum of three hundred (300) square feet in area and must have a minimum width of ten (10) feet.

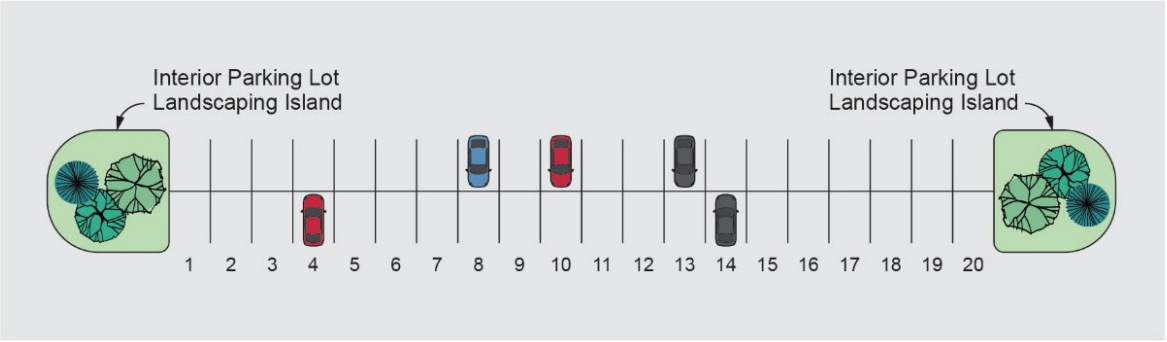
ii) **Minimum Number of Trees.** Each interior landscape area must contain at least one (1) tree. One (1) tree must be planted for each three hundred (300) square feet of interior landscaping.

iii) **Location of Landscaping.** All required interior parking lot landscaping must be planted within the landscaped islands or in landscaped areas within twenty (20) feet of the perimeter of the parking lot, provided that such landscaping is not also counted toward other landscape or screening requirements.

iv) **Groundcover.** Interior parking lot landscape areas must include groundcover of grass, perennials, shrubs, and/or hardwood mulch. Rock, stone, or pebbles are not permitted ground cover.

v) **Protection with Curbing or Wheel Stops.** All interior parking lot landscaping must be protected from vehicular encroachment by six (6) inch high concrete curbing or wheel stops.

vi) **Maximum Number of Parking Spaces in a Row.** Landscaping islands with or without walkways must be used to subdivide parking areas into parking rows with no more than twenty (20) spaces. See image below.




vii) **Maintenance.** The internal landscaping must be installed and maintained so that, when mature, it does not obscure traffic signs, fire hydrants, lighting, drainage patterns, or vision for safety or ingress or egress.

**(3) Loading Area Landscaping.** All loading areas (including, but not limited to, truck docks, overhead doors, or trailer staging areas) not screened by an intervening building shall be screened from a perpendicular view from any public street rights-of-way or adjacent residential zoning district for the entire length except for necessary access. It is the intent of this Section to screen loading areas and delivery vehicles as completely as practicable. Screening for loading areas may be accomplished by one (1) or a combination of the following:

A) An opaque fence or wall which is at least six (6) feet high and is made of the same or compatible material, in terms of texture and quality, as the material and color of the principal building. Additional evergreen planting materials shall be provided so that no more than two-thirds (2/3) of the surface area of the closed fence or wall is visible from the street within three (3) years of erection of the structure.

B) Evergreen trees at least eight (8) feet in height and planted in a staggered double row spaced fifteen (15) feet on center. Any plant material used to fulfill these requirements shall meet or exceed the minimum size requirements of *Section 10.04* when planted.

**(4) Display Area Screening.** Screening of display areas may, at the discretion of the City Council, be accomplished by plants, fences, walls or earthen berms, or any combination thereof to meet the requirements of this Section. The City Council must base its discretion on the material being displayed and the visual impact on surrounding areas. The City Council may modify or waive these requirements where outdoor display is integral to the principal use of the property (e.g., Outdoor Vehicle Sales).

A) The plants, fence, walls, earthen berms, or combination thereof, must provide a buffer no less than three (3) feet in height equal to the length of the display area, exclusive of driveways and sight lines used for safe automobile access and egress. In the case of vehicle or equipment display, the buffer must create a screen.

B) Walls which are used shall be of the same or compatible material, in terms of texture and quality, with the material and color of the principal building. Additional planting materials shall be provided so that no more than one half (½) of the surface area of the wall is visible from the street within three (3) years of erection of the structure. Forty percent (40%) of this plant material may be deciduous.

C) All shrubs shall comply with the requirements of *Section 10.04*. Vegetation planted on berms may have a lesser mature height required by the Article provided that the combined height of the berm and the plantings after three (3) years are at least three (3) feet high. Up to forty percent (40%) of all shrubs may be deciduous.

**(5) Screen Wall and Greenbelt Buffering.** The intent of this Section~~greenbelt buffering~~ is to reserve an appropriate area of a lot to screen and buffer the lot and its use(s) based on its zoning district and the zoning district of the adjacent lots, regardless of whether the adjacent lots are developed. A screen wall and/or greenbelt as specified in the table below shall be provided for all uses requiring Site Plan Review.

| | Adjacent To | | | |
|---|---|---|---|---|
| **Developing Zoning District** | **N1, N2, and R-U-F Districts** | **NM1, NM2, and NM3 Districts** | **C-1, C-2, C-3, and C-4 Districts** | **ML, M-1, and M-2, and Railroad and Utility rights-of-way** |
| N1, N2, and R-U-F Districts | a | b | b | b |
| NM1, NM2, and NM3 Districts | b | a | b | b |
| C-1, C-2, C-3, and C-4 Districts | b | b | a | b |
| ML, M-1, and M-2 Districts | c | c | ~~c~~b | ~~a~~ |

a) A ten (10) foot wide buffer, with one (1) tree per thirty (30) linear feet. For proposed single-family residential uses, the greenbelt buffering requirements shall apply only to Subdivision and Site Condominium development.

b) A six (6) foot high masonry wall or opaque fence and/or ~~A~~ a twenty (20) foot wide greenbelt buffer, with one (1) tree per twenty (20) linear feet (minimum of 50% evergreen trees)~~. A six (6) foot high masonry wall or opaque fence may be installed in lieu of the required trees~~, subject to City Council review and approval.

c) A seven (7) foot high masonry wall and/or~~A~~ a sixty (60) foot wide greenbelt buffer, with a staggered double row of evergreen trees spaced fifteen (15) feet apart on a six (6) foot high berm (see Section 10.03 (7)) with a flat horizontal area at the crest to be at least three (3) feet in width, subject to City Council review and approval. The planting must be in a manner where the evergreen trees provide eighty percent (80%) opacity within three (3) years of planting, measured from the top of the berm. After three (3) years, if this opacity is not achieved then additional evergreen trees and/or shrubs must be planted to achieve eighty percent (80%) opacity at the time of their planting. ~~A six (6) foot high masonry wall or opaque fence may be installed in lieu of the required berm and trees.~~

A) **Planting Setback.** Trees and shrubs must not be placed closer than four (4) feet to the fence line or property line. Single family uses are excluded from this requirement.

B) **City Review.** The City Council or Planning Director may modify the greenbelt buffering to allow less buffering or require additional buffering based on the proposed use's impact on adjacent lots.

C) **Greenspace Lawn.** The remainder of the greenspace area which is not planted with the aforementioned stock must be kept in lawn or another approved native vegetation. All plant materials must be maintained in a healthy growing condition and in a neat and orderly appearance as required in this Article.

D) **Existing Buffering.** If an existing wall, fence, or vegetation exists on the site that meets the greenspace buffering standards of this Ordinance, the City Council or Planning Director may accept the existing screening or require only supplemental screening to meet the intent of this Article.

E) **Circumstances Requiring Construction of a Wall.** City Council, in the review of a site plan or waiver use petition, may require the construction of a masonry wall where it is determined that construction of a wall is needed to adequately buffer a developing district from an adjacent use or district.

F) **Separation Agreement.** Upon receipt by the Inspection Department of a written agreement for a term of not more than five years, among the owner(s) of property requiring installation of a protective wall or greenbelt and the owner(s) of all abutting residential properties, and proof that a buffer complying with such agreement is in place, the requirements of this section shall be waived during the time such agreement remains in effect. Such an agreement may be renewed, for terms not exceeding five years for each renewal, pursuant to a written agreement of the owners of property described above. Any agreement made pursuant to this paragraph shall be expressly made binding on the parties' successors in title for the duration of the agreement. This paragraph shall only apply where the property requiring the protective wall cannot meet the standards for greenbelts set forth above due to a condition on the property which existed at the time this paragraph (f) was added to this Section.

**(6)** **Open Space Landscaping.** All remaining open areas on the site that are not required landscaping areas as described elsewhere in this Article (frontage landscaping, parking lot landscaping, loading and display area landscaping, and greenbelt buffering) shall be planted with one (1) tree per three thousand (3,000) square feet of open area. All open space landscaping areas shall be planted with grass or another suitable vegetative ground cover.

**(7)** **Berms.** Where required, earth berms, or landscaped berms must conform to the following standards:

A) The berm must be at least constructed with slopes no steeper than one (1) foot vertical for each three (3) feet horizontal with at least a two (2) foot flat area on the top unless a different size is required in this Ordinance.

B) The berm must be planted with grass or other suitable ground cover to ensure that it withstands wind, weather, and erosion, and retains its height and shape.

C) Unless a specific planting pattern is required by the Ordinance or the City Council, required trees and shrubs may be planted at uniform intervals, at random or in groupings.

D) Berm height must be measured as elevation above grade.

**(8)** **Garbage, Refuse, and Recycling Collection Areas.** All garbage, refuse, and recycling must be placed within a sealed container that shall be screened utilizing an enclosure that meets the following requirements:

A) An enclosure of sufficient height to completely screen the dumpster is required on three (3) sides of the waste receptacle with a solid gate on the fourth side. The height of the enclosure must be not less than six (6) feet or at least one (1) foot above the height of the dumpster, whichever is greater. This requirement specifically supersedes the maximum height requirement of a fence as set forth in Chapter 44 of Title 15 of the Livonia Code of Ordinances, as amended. The enclosure gates shall be of solid panel steel construction or durable, long-lasting solid panel fiberglass and, when not in use, closed at all times.

B) The enclosure must be constructed of the same or compatible material and colors of the principal building in terms of texture and quality.

**(9) Mechanical and Utility Equipment Screening.** All mechanical equipment, utility meters, storage tanks, air conditioning equipment, transformers, or similar equipment, incidental to any building, including roof-mounted equipment must be totally enclosed or screened from view off-site and must be an integral part of the architectural or landscape design of the building and site. This requirement does not apply to equipment serving a single-family unit or duplex.

**(10) Right-of-Way and Access Easement Landscaping.** In addition to any other landscaping requirements of this Ordinance for public rights-of-way and other access easements, any public right-of-way and access easement areas adjacent to required landscaped areas shall be planted with grass or other suitable ground cover and maintained by the owner of the adjacent property as if they were part of required landscaped areas.

## Section 10.04 Standards for Plant Materials.

**(1) Lawn Areas.** Lawn areas shall be planted in species of grass normally grown as permanent lawns in southeast Michigan. Grass may be sodded or seeded and mulched, except that solid sod shall be used in swales or other areas subject to erosion. Sod or seed shall be clean, free of weeds and noxious pests or disease.

**(2) Recommended Species of Trees, Shrubs, and Perennials.** The plant palette should emphasize native trees, shrubs, and perennials which are hardy to the southeast Michigan region. The following is a list of recommended species and required minimum sizes of plant materials. The City of Livonia may permit other species that are not listed below.

| Recommended Plant Type and Minimum Size | Common Name |
|---|---|
| Evergreen Trees (8 feet minimum height) | Fir, Hemlock, Juniper, Pine, and Spruce |
| Narrow Evergreens (5 feet minimum height) | Blue Columnar Chinese Juniper, Column Honoki Cypress, Douglas Arborvitae, Pyramidal Red Cedar, Pyramidal White Pine, and Swiss Stone Pine |
| Deciduous Trees (3-inch minimum caliper) | Beech, Birch, Gingko, Hackberry, Honey Locust (Without Thorns), Hop Hornbeam, Linden, Oak, Planetree (Sycamore), and Sweet Gum |
| Ornamental Trees (2-inch minimum caliper) | Allegheny Serviceberry, Dogwood, Flowering Crab, Hawthorn, Hornbeam, Magnolia, Redbud, and Rose of Sharon |
| Deciduous Shrubs (3 feet minimum height) | Dogwood, Euonymus, Fosythia, Hazelnut, Honeysuckle, Hydrangea, Lilac, Mock-Orange, Ninebark, Privet, Spiraea, Sumac, and Viburnum |
| Evergreen Shrubs (30 inches minimum height) | Holly, Juniper, and Yew |
| Spreading Shrubs (18 inches minimum height) | Cotoneaster and Creeping Juniper |
| Perennial Flowers/Groundcover | Black-Eyed Susan, Creeping Juniper, Creeping Phlox, Daylily, Fragrant Sumac, Ornamental Grass, Periwinkle, and Purple Coneflower |

**(3) Prohibited Species.** Based on the undesirability of the following species, they are prohibited from being planted as required landscaping. The City Council or Planning Director may prohibit other species that are not listed below.

| Latin (scientific name) | Prohibited Species | Description or Characteristic of Plant |
|---|---|---|
| Acer negundo | Boxelder Maple | |
| Catalpa speciosa | Catalpa | |

| | | |
|---|---|---|
| Populus sp. | Poplars | |
| Salix sp. | Willows | |
| Ailanthus altissima | Tree of Heaven | |
| Fraxinus sp. | Ash | Due to Emerald Ash Borer. |
| Acer sp. | Maples | Should be discouraged due to overuse in landscape. |

**(4) Minimum Requirements for Plant Material.**

A) All plant material must conform to the description consistent with generally accepted and published nursery and landscape standards. Plant materials must be typical of their species or variety, have normal habitat of growth, well-branched, and densely foliated when in leaf.

B) Plant materials must be chosen according to soil, climatic conditions, and environmental factors for the proposed development, the location of the installation, and its desired function.

C) Artificial plants are prohibited from satisfying landscape requirements.

## Section 10.05 Landscape Installation and Maintenance.

**(1) Installation.**

A) **Installation Period.** Whenever planting is required by this Ordinance, it must be planted prior to the issuance of the Certificate of Occupancy. If the weather does not permit the planting, the required planting must take place within six (6) months from the date of issuance of the Certificate of Occupancy.

B) **Installation Method.** All landscaping must be installed in a manner consistent with generally accepted and published nursery and landscape standards, the approved landscaping plan, and the following:

i) **High Quality and Healthy Plant Material.** Plant material must be freshly dug. Plant material must be of sound health, vigorous and uniform in appearance with a well-developed root system and free from disease, insects, pests, eggs, or larvae. Trees must have straight trunks with leaders intact, undamaged and uncut.

ii) **Mulching.** Trees, shrubs, hedges, vines, perennials, and live groundcovers (except turf grasses) must be generously mulched at the time of planting with hardwood bark mulch or similar natural material. Because stone, rocks, and pebbles trap heat and do not retain moisture, these materials must not be permitted as a ground cover or mulch.

iii) **Topsoil.** A minimum of four (4) inches of topsoil must be provided for all lawn areas, ground covers, berms, and planting beds.

iv) **Plant Material Required in All Portions of Landscaped Areas.** All portions of the landscaped areas must be planted with grass, groundcover, shrubbery, or other suitable plant material, except that paved patios, terraces, sidewalks, and similar site features may be incorporated with City Council approval.

v) **Planting Locations.** Unless a specific planting pattern is required by the Ordinance or the City Council, required trees and shrubs may be planted at uniform intervals, at random, or in groupings, provided they are planted in accordance with the approved plan. Landscaping must be located and maintained in a manner that minimizes conflicts with overhead or underground utilities, and that allows reasonable view of storefronts and signs.

vi) **Protection of Existing Vegetation.** Existing vegetation to be preserved must be protected during construction through the use of temporary fencing around the drip line.

**(2) Maintenance.**

A) The owner of the property is responsible for the regular maintenance of all plants and must replenish mulch, control weeds, fertilize plants, and prune plants as necessary beginning upon completion of construction of landscaping. All diseased, dead, or damaged plants must be replaced within thirty (30) days, unless the season is not appropriate for planting, in which case such plant material must be replaced at the beginning of the next planting season.

B) The approved landscape plan must be considered a permanent record and integral part of site plan approval. Unless otherwise approved in accordance with the procedures for amending a site plan, any revisions to or removal of plant materials that are not replaced will cause the parcel to be in nonconformity with the originally approved landscape plan and must be viewed as a violation of this Ordinance.

**(3) Irrigation Required.** All landscape areas (including lawns) shall be provided with an automatic underground irrigation system. The City Council or Planning Director may approve an alternate form of irrigation for a particular area, or may waive the irrigation requirement in an area upon determining that the underground irrigation is not necessary to maintain site landscaping in good condition due to the characteristics of the proposed plant materials.

**(4) Snow Storage.** Landscape areas may be used for snow storage, provided they are designed to accommodate the large volumes of snow, planted with salt-tolerant landscape material that can survive in winter conditions, and maintained in accordance with this Article.

## Section 10.06 Modifications.

In consideration of the overall design and impact of the landscape plan, the City Council may modify or adjust the requirements outlined in this Article for required landscaping, provided that any such adjustment is keeping with the intent of this Ordinance and more specifically, with the intent of this Article.

# Article XI.
# Signs

## Section 11.01 Applicability.

**(1) Sign Standards.**

All signs within the City of Livonia shall comply with the General Requirements of *Section 11.04*. Signs in specific Zoning Districts shall comply with *Section 11.08*. For prohibited signage refer to *Section 11.05* and *Section 11.09*. For exempt signage refer to *Section 11.06*.

**(2) Existing Signs.**

Except as otherwise specifically provided, nothing in this Article requires removal or discontinuance of an existing sign. Existing signs must not be enlarged or extended without meeting the requirements of this Article and obtaining a sign permit. Legally existing signs that do not meet this Article's requirements are labeled nonconforming signs.

**(3) Dual Suitability.**

Meeting the criteria of one sign type definition does not exclude the sign from meeting another sign definitions' criteria. For example, a blade sign can also meet the definition criteria of a double-faced sign. Therefore, the sign is a double-faced blade sign.

## Section 11.02 Intent.

It is not the intent of this Ordinance to have the open spaces and lines of vision created by public rights-of-way used as license for unrestricted advertising through the use of signage, but rather to enhance the physical appearance of the city, preserve scenic and natural beauty of designated areas, make the city a more enjoyable and pleasing community and to create a more attractive economic and business climate by preserving property values. It is intended by the provisions of this Ordinance to reduce sign or advertising distractions, to eliminate the visual blight caused by abandoned or poorly maintained signs and to avoid the confusion of conflicting adjacent signs. Through this Ordinance signage will be allowed in such a manner so as to provide those similar uses in similar zones the opportunity for identification exposure regardless of parcel size, although the location and size of buildings will influence the amount and type of signage permitted. This Ordinance shall make a distinction between those non-residential zones that provide for transitional or other than retail activity as a primary use. This section, through this approach, reflects the transitional nature of the zoning district arrangements shown on the zoning map and the future land use plan so that as the intensity of land use is decreased, so is the amount of permitted signage. This consistent approach is necessary to remove the need for the type of signs which compete for attention for the motorist, thereby creating traffic hazards as well as creating visual blight within the city. It is therefore within the health, safety and welfare responsibility of the city of Livonia that this section of the Ordinance is promulgated.

## Section 11.03 Substitution Clause.

Any non-commercial message may be substituted for the copy on any commercial sign allowed by this Ordinance.

## Section 11.04 General Requirements for All Signs.

The following conditions apply to all signs erected or located in any zoning district:

**(1) Inspection.**

No signs oriented to motorized traffic on a public street (except as specifically exempted) shall be erected, used, changed or altered without first having been approved by the Director of the Inspection Department, or his or her designee, and a sign permit issued.

**(2) Sign Location.**

A) No sign shall project beyond or overhang the wall or any permanent architectural feature (e.g., awning, canopy, or marquee) by more than eighteen (18) inches and shall not project above or beyond the highest point in the roof or parapet.

B) No sign shall be permitted at any location that creates any type of safety hazard or visual impediment to pedestrian or vehicular traffic. Any citation or notice of violation of this subsection shall cite any relevant building or electrical codes, provisions of this Ordinance or other City ordinances, and/or findings or studies of the Livonia Police Department Traffic Bureau and/or a traffic engineer.

**(3) Maximum Sign Size.** No sign in the City shall exceed an overall sign area of 200 square feet.

**(4) Alterations.** No sign will be altered, rebuilt, enlarged, extended or relocated except in conformity with the provisions of this Article. The refacing of signs is not an alteration within the meaning of this Article.

**(5)** **Sign Attachment and Support.** A sign must not be attached to or supported by a tree, utility pole, light pole, trash receptacle, bench, vending machine, public shelter, or be painted or drawn upon rocks or other natural features.

## Section 11.05 Prohibited Signs.

A sign not expressly permitted in a zoning district is prohibited. The following signs shall not be permitted and are expressly prohibited in any zoning district:

**(1)** **Abandoned signs.**

**(2)** **Bench signs.**

**(3)** **Billboards**.

**(4)** **Festoons, air-activated signs, and balloon signs** except for decorations commemorating a permitted time-limited event or a nationally recognized holiday.

**(5)** **Flashing signs.**

**(6)** **Moving signs.**

**(7)** **Outline tubing signs,** except that the use of outline tubing may be permitted when

A) such tubing is encased with tinted glass or plastic so as to protect it from weather and breakage and to render such tubing invisible when not illuminated, and

B) the tubing does not outline windows, roofs, or other building features.

**(8)** **Portable signs.**

**(9)** **Pylon signs.**

**(10)** **Roof signs.**

**(11)** **Trailer signs.**

**(12)** Any sign attached to a tree or utility pole whether public or private, or attached to a traffic device or public sign.

**(13)** Any sign unlawfully installed, erected or maintained.

**(14)** Any sign which has displayed thereon advertising or announcements in obscene material or language.

**(15)** Signs painted permanently and directly on the exterior surface of any building, wall or fence.

**(16)** Signs that include audio, pyrotechnic, Bluecasting (Bluetooth advertising), or other similar components.

**(17)** Any sign, that is located in or projects into any public right-of-way as shown on the Future Transportation Map is prohibited, except for traffic or other public signs and those signs for which a valid permit has been issued by a) the County, in the case of a County right-of-way, or b) the State, in the case of a State right-of-way. Any sign, including real estate signs, placards, posters, circulars, showbills, handbills, cards, leaflets or other advertising matter posted, pasted, nailed, printed, stamped, or unlawfully placed or erected in any right-of-way or public property may be removed and disposed of by the enforcement officers of the City of Livonia without regard to other provisions of this Ordinance.

## Section 11.06 Exempt Signs.

The following types of signs, where expressly permitted by zoning district, shall not require sign permits unless otherwise indicated; provided that the principal use to which they relate is permitted by this Zoning Ordinance and they meet all other restrictions of the particular zoning district and the following criteria:

**(1)** **Public signs.**

**(2)** **Temporary signs.** Provided they meet district regulations of *Section 11.08*.

**(3)** **Flags.** No greater quantity than three (3) per development site. Flagpoles shall be permitted to be located within the minimum required building setback area, provided that the distance between the base of the pole and any lot line is not less than the height of the flagpole.

**(4)** Address numbers with a numeral height not greater than six (6) inches for residences and twelve (12) inches for businesses. Address numbers on a business with a numeral height in excess of twelve (12) inches may be permitted as part of the total allowable wall or ground sign area otherwise permitted in this Ordinance. Individual addresses on multi-tenant buildings shall consist of numerals of a uniform size, style and color.

**(5)** Nameplates on the entry door of the premises or adjacent to the doorway.

**(6)** One (1) temporary construction sign of whatever content the owner deems appropriate, provided that such sign is erected only after the issuance of a building permit and is removed at the completion of construction or occupancy of the building, whichever occurs first, and subject to the following additional requirements:

A) Construction signs in R-U-F, N1, and N2 districts shall not exceed six (6) square feet in area, and if freestanding shall not exceed five (5) feet in height and shall have a minimum setback of ten (10) feet from any public right-of-way.

B) Construction signs in all other districts shall not exceed thirty (30) square feet in area, and if freestanding shall not exceed six (6) feet in height and shall have a minimum setback of ten (10) feet from any public right-of-way.

**(7)** Temporary community event signs, of whatever content the owner deems appropriate, for the purpose of advertising or promoting public events sponsored by a non-profit association or corporation for a charitable, educational, or public purpose to which the general public is invited when approved by the City Council and only after a sign permit has been issued by the Director of the Inspection Department, or his or her designee. Such signs shall not exceed sixteen (16) square feet of sign area, eight (8) feet in height, have a minimum setback of ten (10) feet from any public right-of-way and shall be removed within twenty-four (24) hours of the conclusion of the event it advertises.

**(8)** Directional signs, of whatever content the owner deems appropriate, located on parking areas or on auxiliary parking lots used in conjunction with an adjacent permitted use when the purpose of the sign is to expedite the flow of vehicular and pedestrian traffic to, from, and within a development site, each sign may not exceed two (2) square feet in area. The minimum setback for such signs used to indicate an entrance or exit shall be two (2) feet from all property lines or any public right-of-way line with a maximum height of three (3) feet. All other directional signs shall have a minimum setback of ten (10) feet from all property lines or any public right-of-way line with a maximum height of five (5) feet.

**(9)** One (1) temporary real estate sign of whatever content the owner deems appropriate, when located on the land or building intended to be rented, leased or sold, subject to the following additional requirements:

A) Real estate signs shall be removed within thirty (30) days after the property is rented, leased, or sold. For the purpose of this Ordinance, a property shall be considered leased when the lease agreement is executed by all parties or it shall be considered sold when the sale is closed.

B) Real estate signs in R-U-F, N1, and N2 districts shall not exceed six (6) square feet in area, and if freestanding shall not exceed five (5) feet in height and shall have a minimum setback of ten (10) feet from any public right-of-way.

C) Temporary real estate signs, of whatever content the owner deems appropriate, in all other districts shall not exceed sixteen (16) square feet in area, and if freestanding shall not exceed eight (8) feet in height and shall have a minimum setback of ten (10) feet from any public right-of-way or a location as deemed appropriate by the Director of the Inspection Department. Two (2) signs not exceeding sixteen (16) square feet each shall be permitted on property situated on a lot with double frontage and corner lots. Such signs shall require a sign permit and may be erected for a time period not to exceed six (6) months from the date of issuance of the sign permit; provided, however, that such permit may be renewed by the Director of the Inspection Department, or his or her designee, for a second six (6) month period. At the end of the second six (6) month period, such permit may be renewed for a period not to exceed six (6) additional months only if more than ten (10%) of the building or rentable area of the building is available.

D) On development sites with a minimum of two hundred (200) feet of property bordering on the I-275 freeway, temporary real estate, of whatever content the owner deems appropriate, signs facing the I-275 freeway shall not exceed sixty-four (64) square feet in area, and if freestanding shall not exceed twelve (12) feet in height and shall have a minimum setback of ten (10) feet from any public right-of-way.

**(10)** One (1) temporary non-illuminated "open house" real estate sign, of whatever content the owner deems appropriate, with an area not to exceed four (4) square feet. Such signs may be located only on the premises being sold and may be displayed for only one (1) day in any seven (7) day period.

**(11)** Temporary real estate development signs, of whatever content the owner deems appropriate, when permitted in a zoning district, require sign permits, provided that such sign is erected only after the issuance of a building permit for the development or a portion thereof. Except for temporary residential subdivisions which are provided for elsewhere, such signs shall be subject to the following additional requirements:

A) Real estate development signs shall be located on the land being developed and shall not exceed thirty-two (32) square feet in area, eight (8) feet in height and shall have a minimum setback of ten (10) feet from any public right-of-way line.

B) Real estate development signs may be permitted for a time period not to exceed twelve (12) months from the date of issuance of the sign permit and may be renewed by the Director of the Inspection Department, or his or her designee, when the sign is demonstrated to be safe and well maintained. Such signs are to be removed upon expiration of the permit or occupancy of the building, whichever occurs first.

**(12)** Residential subdivision development with models shall be permitted one (1) temporary real estate sign of whatever content the owner deems appropriate, for each access road entering the development. Such signs shall be separated by a minimum distance of five hundred (500) feet and shall not exceed thirty (30) square feet in area, twelve (12) feet in height, and shall have a minimum setback of ten (10) feet from all property lines and any public right-of-way lines.

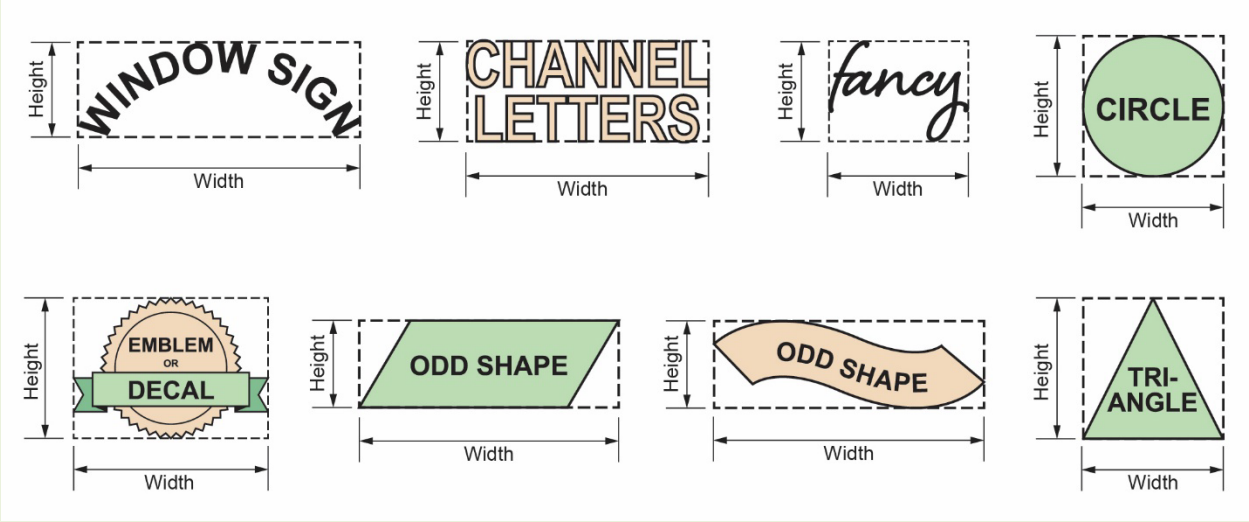
A) Within subdivisions, each home builder for each model shall be permitted, one (1) temporary real estate sign of whatever content the owner deems necessary, for each home builder for each model. Such signs shall not exceed of sixteen (16) square feet in area, five (5) feet in height, and shall have a minimum setback of fifteen (15) feet from any property line.

B) Such home builder signs shall be removed upon cessation of new home marketing within the subdivision or when ninety-five percent (95%) of all lots have been sold by the builder(s) or when the permit expires, whichever occurs first.

**(13)** Required announcement signs are permitted in all zoning districts when erected and maintained in accordance with the provisions requiring their use.

## Section 11.07 Measurement of Sign Area.

**(1)** The area of a sign, expressed in square feet, shall mean the entire area within any circle, triangle or rectangle or square enclosing the extreme limits of writing, representation, emblem or any figure or similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding the necessary supports or uprights on which such sign is placed. Refer to the image below.

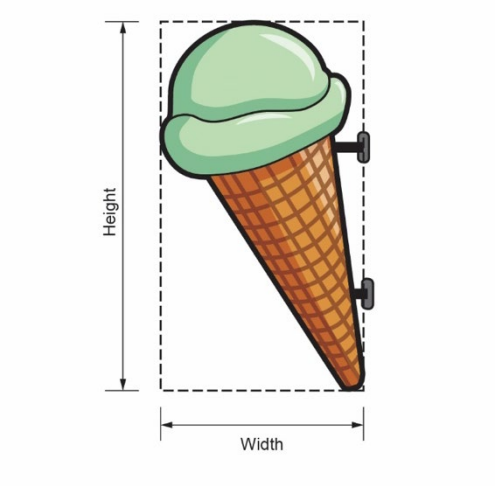


**(2)** Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that where two (2) such faces are placed back-to-back and are at no point more than two (2) feet from one another, the area of the sign shall be taken as the area of one (1) face if the two (2) faces are of equal area, or as the area of the larger face if the two (2) faces are of unequal area.

**(3)** Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area unless it too contains advertising lettering, materials or symbols.

**(4)** Where a sign consists of one or more three-dimensional objects (i.e., balls, cubes, clusters of objects, sculpture, or statue-like trademarks), the sign area is measured as their maximum projection, upon a vertical plane, as viewed from a position in the public right-of-way which produces the largest visual projection. See figure to the right.

**(5)** Regardless of spacing, the letters forming a word or words shall be considered a single sign. The area of such a sign shall be measured as provided in this Article.



## Section 11.08 Zoning District Regulations.

### (1) Sign Regulations for Residential Districts

| Sign Type | N1, N2, RUF, NM1, NM2, and NM3 Districts (Single-family and two-family lots only) | N1, N2, RUF, NM1, NM2, and NM3 Districts (Residential developments [subdivisions, site condominiums, and multi-family] and non-residential uses only) |
|---|---|---|
| **Blade Signs** | Not Permitted | |
| **Banner or Pennant Signs** | Not Permitted | |
| **Monument Signs** | Not Permitted | **Maximum Number:** One (1) for each lot with permitted non-residential uses. One (1) entranceway sign per residential development when constructed out of natural materials.<br>**Maximum Height:** Five (5) feet.<br>**Maximum Area:** Twenty (20) sq. ft.<br>**Minimum Setback:** Ten (10) feet from all property lines and any right-of-way line. |
| **Awning, Canopy, or Wall Signs** | Not Permitted | **Maximum Area:** Twenty (20) sq. ft. |
| **Window Signs** | Not Permitted | |
| **Changeable Signs and Electronic Message Center Signs (EMCs)** *Section 11.10* | Not Permitted | |
| **Temporary Signs** | **Maximum Number:** Two (2) per residential lot.<br>**Maximum Area:** Thirty-two (32) sq. ft., total for all signs. Sixteen (16) sq. ft. maximum per sign.<br>**Maximum Height:** Six (6) feet.<br>**Minimum Setback:** Ten (10) feet from any property line.<br>**Duration:** Temporary signs shall not be placed for a period exceeding ninety (90) days in one calendar year, unless otherwise permitted by this ordinance. | |
| **Address Number Signs** | **Maximum Numeral Height.** Six (6) inches for residences and twelve (12) inches for businesses. Address numbers on a business with a numeral height in excess of twelve (12) inches may be permitted as part of the total allowable wall or monument sign area otherwise permitted in this Ordinance. Individual addresses on multi-tenant buildings shall consist of numerals of a uniform size, style, and color. | |
| **Identification Sign** | **Maximum Number:** One (1) for each waiver use, not including religious institutions.<br>**Maximum Area:** Six (6) sq. ft.<br>**Maximum Height:** Four (4) feet.<br>**Minimum Setback:** Twenty (20) feet from any right-of-way line. | |

### (2) Sign Regulations for C-1 Districts.

| SIGN TYPE | C-1 DISTRICTS | |
|---|---|---|
| **Blade Signs** | **Maximum Area:** Six (6) sq. ft. | |
| **Banner or Pennant Signs** | **Maximum Number:** One (1) per lot.<br>**Maximum Area:** Thirty-two (32) sq. ft. or the area of the permanent sign if temporarily covering the permanent sign.<br>**Maximum Duration:** Four (4) weeks per year. No such permit shall allow the display of balloons or searchlights for more than seven (7) consecutive days or of pennants, banners, or other decorations for more than fourteen (14) consecutive days. | |
| **Menu Order Board** | **Maximum Number:** One (1).<br>**Maximum Area:** Thirty (30) sq. ft.<br>Such signs shall be primarily directed at persons within the premises of the sign owner. | |
| **Monument Signs** | **Sites consisting of a single tenant occupying a single building.** | **Sites comprised of one (1) building or multiple architecturally uniform buildings and sharing a common parking area** |
| | **Maximum Number:** One (1).<br>**Maximum Area:** Thirty (30) sq. ft.<br>**Maximum Height:** Six (6) feet.<br>**Maximum Length:** Ten (10) feet.<br>**Minimum Setback:** Ten (10) feet from any right-of-way line. | **Maximum Number:** One (1).<br>**Maximum Area:** ~~Twenty~~ Thirty (~~20~~30) sq. ft.<br>**Maximum Height:** Six (6) feet.<br>**Maximum Length:** Ten (10) feet.<br>**Minimum Setback:** Ten (10) feet from the perimeter of the building. |
| **Awning, Canopy, or Wall Signs** | **Maximum Area:** One (1) square foot of area for each one (1) lineal foot of frontage of the building or portion thereof occupied by each separate business; provided, however, that in the case of a single business occupying a corner lot situated on two (2) major thoroughfares, a second wall sign having an area not exceeding one-half (½) of the allowable area as the first permitted sign, shall be permitted on the other façade facing a street. | |
| **Window Signs** | **Maximum Area:** 20% of the window area. | |
| **Changeable Signs and Electronic Message Center Signs (EMCs)** *Section 11.10* | **Maximum Area:** Fifteen (15) sq. ft.<br>EMC signs are only permitted if they are a monument sign, and only if all signage on site is fully compliant with the Zoning Ordinance. | |
| **Temporary Signs** | **Maximum Number:**<br>• On lots of five (5) acres or less, no more than two (2) temporary signs are permitted at any one time.<br>• On lots of five (5) acres or more, or with three (3) or more businesses, no more than three (3) temporary signs are permitted at any one time.<br>**Maximum Area:** Sixteen (16) sq. ft. maximum per sign.<br>**Maximum Height:** Six (6) feet.<br>**Duration:** Must not be displayed more than 90 days in a 1-year period. | |
| **Address Number Signs** | **Maximum Numeral Height.** Twelve (12) inches for businesses. Address numbers on a business with a numeral height in excess of twelve (12) inches may be permitted as part of the total allowable wall or monument sign area otherwise permitted in this Ordinance. Individual addresses on multi-tenant buildings shall consist of numerals of a uniform size, style, and color. | |

### (3) Sign Regulations in C-2, C-3, and C-4 Districts.

| SIGN TYPE | C-2, C-3, AND C-4 DISTRICTS | | |
|---|---|---|---|
| **Blade Signs** | **Maximum Area:** Six (6) sq. ft. | | |
| **Banner or Pennant Signs** | **Maximum Number:** One (1) per lot.<br>**Maximum Area:** Thirty-two (32) sq. ft. or the area of the permanent sign if temporarily covering the permanent sign.<br>**Maximum Duration:** Four (4) weeks per year. No such permit shall allow the display of balloons or searchlights for more than seven (7) consecutive days or of pennants, banners, or other decorations for more than fourteen (14) consecutive days. | | |
| **Menu Order Board** | **Maximum Number:** One (1).<br>**Maximum Area:** Thirty (30) sq. ft.<br>Such signs shall be primarily directed at persons within the premises of the sign owner. | | |
| **Monument Signs** | **For each single building or business center, housing no more than three (3) separate business uses** | **For each business center having four (4) or more separate business uses** | **Signage in a Regional Shopping Center is intended to identify the regional center and/or the principal tenants to the general public** |
| | **Maximum Area:** Thirty (30) sq. ft.<br>**Maximum Height:** Six (6) feet. | **Maximum Area:** Forty (40) sq. ft.<br>**Maximum Height:** Eight (8) feet. | **Maximum Area:** One Hundred (100) sq. ft.<br>**Maximum Height:** Twenty (20) feet. |
| | **Maximum Number:** One (1). Where a development site has more than four hundred (400) feet of frontage along a major thoroughfare or a minimum of two hundred (200) feet of frontage on each of two (2) major thoroughfares, a second freestanding sign shall be permitted with the same size and location limitations as the first permitted sign, provided the distance between the two (2) signs is no less than three hundred (300) feet measured along the road frontage.<br>**Maximum Length:** Ten (10) feet.<br>**Minimum Setback:** Ten (10) feet from any right-of-way line. No freestanding sign shall be permitted when the front yard setback of the building(s) is less than twenty (20) feet. | | |
| **Awning, Canopy, or Wall Signs** | **Maximum Area:** One (1) square foot of area for each one (1) lineal foot of frontage of the building or portion thereof occupied by each separate business; provided, however, that in the case of a single business occupying a corner lot situated on two (2) major thoroughfares, a second wall sign having an area not exceeding one-half (½) of the allowable area as the first permitted sign, shall be permitted on the other façade facing a street. | | |
| **Window Signs** | **Maximum Area:** 20% of the window area. | | |
| **Changeable Signs and Electronic Message Center Signs (EMCs)**<br>*Section 11.10* | **Maximum Area:** Fifteen (15) sq. ft.<br>EMC signs are only permitted if they are a monument sign, and only if all signage on site is fully compliant with the Zoning Ordinance. | | |
| **Temporary Signs** | **Maximum Number:**<br>• On lots of five (5) acres or less, no more than two (2) temporary signs are permitted at any one time.<br>• On lots of five (5) acres or more, or with three (3) or more businesses, no more than three (3) temporary signs are permitted at any one time.<br>**Maximum Area:** Sixteen (16) sq. ft. maximum per sign.<br>**Maximum Height:** Six (6) feet.<br>**Duration:** Must not be displayed more than 90 days in a 1-year period. | | |
| **Address Number Signs** | **Maximum Numeral Height:** Twelve (12) inches for businesses. Address numbers on a business with a numeral height in excess of twelve (12) inches may be permitted as part of the total allowable wall or monument sign area otherwise permitted in this Ordinance. Individual addresses on multi-tenant buildings shall consist of numerals of a uniform size, style, and color. | | |

### (4) Sign Regulations in Industrial Districts.

| SIGN TYPE | M-L, M-1, AND M-2 DISTRICTS | | |
|---|---|---|---|
| Blade Signs | **Maximum Area:** Six (6) sq. ft. | | |
| Banner or Pennant Signs | **Maximum Number:** One (1) per lot.<br>**Maximum Area:** Thirty-two (32) sq. ft. or the area of the permanent sign if temporarily covering the permanent sign.<br>**Maximum Duration:** Four (4) weeks per year. No such permit shall allow the display of balloons or searchlights for more than seven (7) consecutive days or of pennants, banners, or other decorations for more than fourteen (14) consecutive days. | | |
| Monument Signs | **For each industrial development site consisting of a single tenant occupying a single building** | **Multi-tenant complexes comprised of one (1) or more architecturally uniform buildings and sharing a common parking area shall be permitted the following, and prior to sign permits being issued, a master sign plan shall be submitted to the Director of the Inspection Department, or his or her designee, indicating size, type and location of wall signs, ground signs and any other requested signs** | **At the entrance to an industrial park, an entranceway sign shall be permitted when constructed out of natural materials.** |
| | **Maximum Number:** One (1). Where a development site has more than four hundred (400) feet of frontage along a major thoroughfare or a minimum of two hundred (200) feet of frontage on each of two (2) major thoroughfares, a second freestanding sign shall be permitted with the same size and location limitations as the first permitted sign, provided the distance between the two (2) signs is no less than three hundred (300) feet measured along the road frontage.<br>**Maximum Length:** Ten (10) feet.<br>**Maximum Area:** Thirty (30) sq. ft.<br>**Maximum Height:** Six (6) feet.<br>**Minimum Setback:** Ten (10) feet from any right-of-way line. | | **Maximum Number:** One (1).<br>**Maximum Area:** Twenty (20) sq. ft.<br>**Maximum Height:** Five (5) feet.<br>**Minimum Setback:** Ten (10) feet from any right-of-way line. |
| Awning, Canopy, and Wall Signs | **For each industrial development site consisting of a single tenant occupying a single building** | **Multi-tenant complexes comprised of one (1) or more architecturally uniform buildings and sharing a common parking area** | |
| | **Maximum Area:** One (1) square foot of area for each two (2) lineal foot of front building width or one hundred (100) square feet, whichever is lesser. | Multi-tenant structures may identify tenants with not more than one (1) wall sign per tenant, not to exceed ten (10) square feet of sign area and to be located on the face of the area occupied by the tenant. Additionally, one (1) identification wall sign not to exceed two (2) square feet in area shall be permitted at the rear entrance to each business establishment. | |

| SIGN TYPE | M-L, M-1, AND M-2 DISTRICTS |
|---|---|
| Window Signs | **Maximum Area:** 20% of the window area. |
| Changeable Signs and Electronic Message Center Signs (EMCs) *Section 11.10* | Not Permitted |
| Temporary Signs | **Maximum Number:**<br>• On lots of five (5) acres or less, no more than two (2) temporary signs are permitted at any one time.<br>• On lots of five (5) acres or more, or with three (3) or more businesses, no more than three (3) temporary signs are permitted at any one time.<br>**Maximum Area:** Sixteen (16) sq. ft. maximum per sign.<br>**Maximum Height:** Six (6) feet.<br>**Duration:** Must not be displayed more than 90 days in a 1-year period. |
| Address Number Signs | **Maximum Numeral Height.** Twelve (12) inches for businesses. Address numbers on a business with a numeral height in excess of twelve (12) inches may be permitted as part of the total allowable wall or monument sign area otherwise permitted in this Ordinance. Individual addresses on multi-tenant buildings shall consist of numerals of a uniform size, style and color. |
| Identification Signs | Multi-tenant complexes comprised of one (1) or more architecturally uniform buildings and sharing a common parking area shall be permitted one (1) group identification sign not to exceed twenty-four (24) square feet of sign area and if freestanding, shall be located within ten (10) feet of the perimeter of the building. |

## Section 11.09 Billboards.

The erection and maintenance of billboards and outdoor advertising signs on any parcel of land within the City of Livonia, or the use of any such parcel for said purpose, are hereby prohibited; provided, however, that this section shall not apply to billboards or outdoor advertising signs lawfully in existence at the time this Ordinance becomes effective, nor to those specific signs which are expressly allowed by the district regulations contained in this Ordinance.

## Section 11.10 Sign Illumination.

**(1) Illumination.**

Signs permitted to be illuminated, may be either internally or indirectly illuminated. Any sign, regardless of size, that makes use of electricity, shall require an electrical permit in addition to any required sign permit. No sign shall be illuminated by other than approved electrical devices, installed in accordance with the requirements of the regulations adopted by the City of Livonia, and shall be subject to the following conditions:

A) The lighting of signs shall be of a non-intermittent, non-flashing character.

B) Illumination devices designed and installed to illuminate the exterior of principal buildings or accessory buildings on a site shall be permitted without respect to the size of signs permitted in any zoning district; provided, however, that there shall be no spillage of illumination or glare onto any public or private roads, drives or traffic lanes, and shall be so shielded, trained, or aimed that glare is prevented from spilling onto adjacent residential properties.

C) Internal illumination or back-lighting of signs attached to a canopy or awning, which render the canopy or awning translucent, is not permitted; however, the portion of the canopy or awning which encompasses the sign area only may be illuminated to light the sign area in a translucent manner.

**(2) Standards.**

Any ground sign permitted under *Section 11.08, 0* which pertains to a business, business center, and/or regional center as to which all other signage of whatever type also conforms to this Ordinance, may include a variable electronic message sign covering not more than fifty (50) percent of the area of the ground sign, provided that each individual message on the sign shall remain in place for a minimum of eight (8) seconds, any change of message is accomplished within one (1) second, and any change shall occur simultaneously over the entire face of the variable electronic message sign. Signs which constitute Nonconforming Uses under *Section 11.15* of this Ordinance, or as to which variance(s) has/have been granted for sign size, height, location, or number, must be eliminated or brought into conformity with all currently applicable Ordinance limits prior to the issuance of a variable electronic message sign permit for the business, business center, and/or regional center to which such nonconforming sign(s) pertain(s).

A) No such sign may be oriented to face any residentially zoned property.

B) The intensity of the display on any variable electronic message sign shall not exceed the levels specified in the chart below:

| INTENSITY LEVEL (NITS) | | |
|---|---|---|
| **COLOR** | **DAYTIME** | **NIGHTTIME** |
| Red Only | 3,150 | 1,125 |
| Green Only | 6,300 | 2,250 |
| Amber Only | 4,690 | 1,675 |
| Full Color | 7,000 | 2,500 |

C) Prior to the issuance of a permit for a variable electronic message sign, applicant shall provide a written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the levels specified in the chart above, and the intensity level is protected from end-user manipulation by password-protected software or other method deemed appropriate by the Department. The characters on any variable electronic message sign must be lighted against a darker or less luminous background.

D) The sign owner shall provide on the application for a permit for a variable electronic message sign contact information for a person who is available to be contacted at any time and who is able to turn off the variable electronic message sign promptly after a malfunction occurs. If the Department finds that a variable electronic message sign has malfunctioned, the owner of the sign, within twenty-four (24) hours of a request by the Department, shall correct the malfunction or power off the sign.

E) Variable electronic message signs which do not comply with all of the provisions of this subsection shall not be permitted in any zoning district in the City.

## Section 11.11 Construction and Maintenance.

**(1) Material Requirements.**

All signs shall be designed and constructed in conformity to the provisions for materials, loads, and stresses of the latest adopted edition of the B.O.C.A. Code and requirements of this section.

A) **Restriction on Combustible Materials.** All signs and sign structures erected shall conform to the State Construction Code relating to combustibility.

B) **Non-Structural Trim.** Non-structural trim may be of wood, metal, approved plastics, or any combination thereof.

C) **Fastenings.** Signs erected to masonry, concrete or steel shall be safely and securely fastened thereto by means of metal anchors, bolts, or approved expansion screws of sufficient size and anchorage to support safely the loads applied. All bolts, cables, and other parts of such signs shall be painted and free from corrosion. Any defect due to the fault of the erector shall be repaired by the erector. All building fastenings must be of non-corrosive materials. Lightweight sign letters may be attached by means of an approved adhesive.

D) **Proximity to Electrical Conductors.** No sign shall be erected so that any part including cables, guys, etc., will be within six (6) feet of any electrical conductor, electric light pole, street lamp, traffic light, or other public utility pole or standard.

E) **Erector's Imprint.** Signs of every class which come within the purview of this section, must carry the identification of the sign erector in clearly legible letters. In case of rehanging or re-erection of any sign, the new erector must place his or her identification and the date on the sign.

**(2) Windloads.**

For the purpose of design, wind pressure shall be taken upon the gross area of the vertical projection of all signs and sign structures at not less than fifteen (15) pounds per square foot for those portions above the ground. In calculating wind pressure on curved surfaces such as cylindrical or spherical signs or sign structures, this pressure shall be assumed to act on three-fifths (3/5) of the projected area. In all open frame signs or sign structures, the area used in computing wind pressure shall be one-half (½) times the net area of the framing members exposed to the wind.

**(3) Sign Elimination.**

The Director of the Inspection Department, or his or her designee, may order the removal of any sign and supporting structures:

A) Maintained in violation of this section, such order shall be in writing to the owner of said sign; or to the owner of the building, structure, or premises on which the sign is located; or to the owner or operator of the business to which the sign pertains; and shall allow seven (7) days for the removal of said sign or to insure that it is brought into conformance with the terms of this section.

B) Existing at the time of, or erected after, the adoption of this Ordinance if either by its location or structural characteristics is deemed to be immediately hazardous to the safety of the general public.

C) Whenever the sign becomes abandoned as defined in this Ordinance.

**(4) Responsibility of Compliance.**

The owner of any property on which a sign is erected, located, or placed, and the person maintaining said sign, are declared to be equally responsible for the condition of the sign and the area in the vicinity thereof.

## Section 11.12 Permits.

**(1) Permits Required.**

It shall be unlawful for any person to erect, alter, paint, relocate, or maintain (by structural change or changing the display of the face of the sign) within the City of Livonia any sign or other advertising structure as defined herein, except where specifically exempted by *Section 11.06* of this Ordinance, without first obtaining a permit from the Department and payment of the fee provided for in this Ordinance. The provisions and regulations of this Ordinance shall not apply to the ordinary servicing or repainting of an existing sign message, cleaning of a sign, nor to changing of advertising on a sign specifically designed for periodic change of message without change in structure, such as a bulletin board, or similar type of sign, but not including a sign to which a new permanent face may be attached.

**(2) Application for Sign Permit.**

Application for sign permits shall be made upon forms provided by the Department, and shall contain or have attached thereto the following information:

A) Name, address, and telephone number of the applicant.

B) Location of the building, structure, or lot to which the sign is to be attached or erected.

C) Position of the sign in relation to nearby buildings, structures, and property lines.

D) Three (3) scaled drawings of the plans and specifications and method of construction and attachment to the building or in the ground.

E) Copy of stress sheets and calculations, if deemed necessary, showing the structure as designed for dead load and wind pressure.

F) Name and address of the person, firm, corporation, or association erecting the structure.

G) Any electrical permit required and issued for said sign.

H) Insurance policy or bond as required herein.

I) Such other information as the Director of the Inspection Department, or his or her designee, may require to show full compliance with this and all other applicable laws of the City of Livonia and the State of Michigan.

J) In the discretion of said Director when in his or her opinion the public safety requires it, the application containing the aforesaid material shall, in addition, bear the certificate or seal of a registered architect or engineer as a condition to the issuance of a permit.

K) In all applications for entranceway signs, the Director of the Inspection Department, or his or her designee, shall require that appropriate provisions have been made to assure continued maintenance of the sign.

**(3) Permit Fees.**

A permit fee shall be paid to the Department for each permanent permit and each temporary permit and each renewal thereof required by this Ordinance as shall be set by resolution of the City Council. The fee for any required permit shall be doubled if the sign is erected prior to the issuance of the permit.

**(4) Appeal Process.**

The Department has the authority to revoke or deny any sign permit required under this Ordinance if the sign violates this Ordinance or another law, provided that the Department shall offer the sign owner an opportunity to be heard by the Director of the Inspection Department, or his or her designee. Such hearing rights shall be in addition to the property owner's rights under *Section 13.14* of this Zoning Ordinance as amended. Such hearing shall occur no later than ten (10) business days after the denial or revocation complained of, except with the consent of the owner to a later hearing date. The person(s) whose permit is under consideration shall be given at least five (5) days written notice of the time, place, and reason for the hearing. The sign owner and/or person identified in the permit shall be permitted to present relevant facts and legal argument concerning the pending denial or revocation. Following this hearing, the Department shall consider the merits of the case and shall present a written opinion prior to any action. If, however, the Department believes the health, safety, or welfare of the citizens is endangered by any violation of this Ordinance, the Department may immediately revoke any sign permits.

**(5) Sign Permit Expiration.**

A sign permit shall become null and void if the work for which the permit was issued is not completed within ninety (90) days of the date of issuance.

**(6) Authorized Sign Erectors.**

Every person before engaging or continuing in the business of erecting, repairing, or dismantling signs, poster boards, or other display signs in the City of Livonia, shall obtain an annual sign erector's license. The erector shall first furnish the City a public liability insurance policy, approved by the City Attorney, in the amount of one million dollars ($1,000,000.00) for injury to one (1) person and another one million dollars ($1,000,000.00) for injury to more than one (1) person, and property damage insurance policy in the amount of five hundred thousand dollars ($500,000.00) for damage to property, said policy to indemnify said erector from all damage suits or actions of every nature brought or claimed against the erector for or on account of injuries or damages to persons or property received or sustained by any person or persons through any act of omission or negligence of said erector, his or her servants, agents or employees in the erection, repair, or dismantling of any sign, poster board, or other display sign. Said policy shall contain a clause whereby said policy cannot be cancelled until after a written notice of intention to cancel has been filed with the Department at least ten (10) days prior to the date of cancellation. In lieu of an insurance policy as herein required, an erector may present proof satisfactory to the City Attorney that the said erector is financially capable of self-insurance in the above amounts. Said sign erector's license shall terminate upon the expiration or cancellation of the insurance policy unless evidence of renewal is filed with the Department. The license may be suspended or revoked in the manner provided by *0 (8)*, revocation of license.

**(7) License Fees.**

The annual fees for licenses issued under this section shall be as provided in Section 15.56.070 of the Livonia Code of Ordinances, as amended.

**(8) Revocation of License.**

The Director of the Inspection Department, or his or her designee, may, after notice and service upon any holder of a license issued under this Ordinance, suspend any license heretofore or hereafter granted, for good cause shown. The City Council may revoke a sign license upon giving thirty (30) days' notice to the licensee of the reasons for the proposed revocation and a hearing held thereon. Upon such hearing the licensee may appear in person or together with counsel and contest such revocation.

## Section 11.13 Sign Removal.

The Zoning Inspector will order the removal of any sign for which no sign permit has been issued or signs erected in violation of this Ordinance in accordance with the following procedures:

**(1) Notify Property Owner of Violation.**

The Zoning Inspector will notify the property owner by first class mail describing the sign, specifying the violation involved, and ordering correction of the violation within 15 days. A similar notice will be posted on the property.

**(2) Timely Action by Property Owner.**

The property owner must remove the offending sign, obtain a permit if the sign can be conforming, or initiate an appeal to the Board of Appeals within 15 days of receipt of the letter.

**(3) Enforcement.**

When a sign is removed or replaced, all brackets, poles, and other structural elements that supported the sign must also be removed. Affected building surfaces must be restored to match the adjacent portion of the structure. If at the expiration of the time limit in said notice, the owner has not complied with the requirements thereof, or appealed the decision of the Zoning Inspector, the Zoning Inspector may carry out the requirements of the notice pursuant to *Article XIV* to seek the legal removal of the sign.

## Section 11.14 Dangerous Signs

In the case of a sign which presents imminent danger to life or property the sign owner must take immediate action as is necessary to abate the danger. If the sign owner cannot be reached, the appropriate City Official may abate the danger in order to protect the health, safety, and welfare of the community.

## Section 11.15 Non-Conforming Signs.

It is the intent of this section to recognize that the existence of non-conforming signs is contrary to the best interests of the community. It is considered as much a subject of health, safety, and welfare as is the prohibition of the establishment of new signs in violation of the requirements of this Ordinance. It is hereby declared to be the policy of the City of Livonia, as expressed in this Ordinance, to remove non-conforming signs as expeditiously as is reasonable and as circumstances permit, having due regard for the rights of all parties concerned.

**(1) Maintenance.**

Nothing in this section shall relieve the owner or user of a non-conforming sign, or owner of property on which the non-conforming sign is located, from the provisions of this Ordinance regarding safety and maintenance of the sign.

**(2) Existing Signs.**

Any existing sign lawfully erected prior to the effective date of this Ordinance, which does not comply with all of the requirements and provisions hereof, may be maintained subject to the following provisions, but shall not be:

A) Replaced by or changed to another non-conforming sign.

B) Structurally altered so as to prolong the life of the sign or to change the shape, size, type, or design of the sign unless the sign is brought into conformance with the requirements of this Ordinance.

C) Repaired or reestablished after damage or destruction, if the estimated expense of reconstruction exceeds fifty (50) percent of the cost of an identical new sign.

D) Displayed, maintained, or placed by anyone other than the person who owned the premises on the date of adoption of this Ordinance.

E) Reestablished or maintained after the activity, business, or usage to which it relates has been discontinued for a period of ninety (90) days or longer. In the case where the activity, business, or usage which is discontinued occupies a portion of a non-conforming multi-tenant wall or ground type business sign, that portion of the sign identifying the previous use shall be painted out or replaced with a blank panel of the same color as the background color that it replaces until such time as fifty (50) percent or more of the total sign area is blank, at which time the entire sign structure is to be removed or replaced with a conforming sign.

**(3) Alteration.**

No nonconforming sign shall be altered or reconstructed, unless the alteration or reconstruction is in compliance with the provisions of this Article. For the purpose of this Article only, the term “altered” or “reconstructed” shall not include normal maintenance; changing of surface sign space to a lesser or equal area, ornamental molding, frames, trellises or ornamental features or landscaping below the base line; or the addition, construction, installation or changing of electrical wiring or electrical devices, backgrounds, letters, figures or characters or other embellishments.

## Section 11.16 Severability.

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality must not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Article. It is intended that if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article is severed, the remaining parts, sections, subsections, paragraphs, subparagraphs, sentences, phrases, clauses, terms, or words of this Article must be considered independent, valid, and enforceable.

# Article XII.
# **Nonconformities.**

## Section 12.01 Nonconforming Uses and structures; Continuance.

The lawful use of land or a structure exactly as such existed at the time of the enactment of this Ordinance, may be continued although such use or structure does not conform with the provisions of this Ordinance. Such a use, where lawfully continued pursuant to the provisions of this section, shall, for the purpose of this Ordinance, be known as a "Valid Nonconforming Use"; but where such a use is not thus lawfully continued, the same, for the purpose of this Ordinance, shall be known as an "Invalid Nonconforming Use." For purpose of this section, produce markets and nurseries existing in the City as of July 1, 1997 in RUF zoning districts and which are currently nonconforming uses shall be considered to be valid nonconforming uses as long as the continuation of the operation of such business and buildings utilized therein is substantially of the same size and same essential nature as the use existing as of July 1, 1997. Such produce markets and nurseries shall remain subject to the provisions below, inclusive, of this Ordinance and any expansion of these uses is prohibited.

## Section 12.02 Certificates of Valid Nonconforming Uses and structures.

A certificate shall be required for each valid nonconforming use, as that term is defined in *Section 12.01* of this Ordinance. Such certificate shall state that, on consideration by the Department of Inspection of an application for such certificate and of such other facts as may be ascertained by the Department, the use described in the application has been determined to be a valid nonconforming use existing pursuant to *Section 12.01* and *Section 12.03* of this Ordinance. Such application shall be filed with the Department of Inspection by the owner or lessee of the building or land occupied by such nonconforming use, within one (1) year from the effective date of this Ordinance, and the Department shall issue such certificate within thirty (30) days following the filing of such application. Failure of an owner or lessee to so obtain such a certificate within said one (1) year period shall create a conclusive presumption that such use is not a valid nonconforming use and such use shall be discontinued immediately following said one (1) year period; provided, however, that nothing contained in this section shall affect existing dwellings or interfere with the continued use, as a dwelling, or any dwelling lawfully existing at the time this Ordinance becomes effective, or prevent any alteration, repair or improvements as provided by *Section 12.06* of this Ordinance.

## Section 12.03 Nonconforming Uses and structures; Termination.

Any use which is properly designated as a valid nonconforming use shall be automatically terminated on the happening of either of the following events:

**(1)** Actual abandonment of said use;

**(2)** Acquisition by the City of Livonia, by purchase, condemnation or otherwise, of private property for the removal of such valid nonconforming use, pursuant to Section 8 (3), Act 110, Public Acts of Michigan, 2006, MCL125.3208, as amended.

After such termination, such nonconforming use may not thereafter be resumed or revived.

## Section 12.04 Nonconforming Uses and structures; Restoration.

**(1)** Nothing in this Ordinance shall prevent the restoration, repairing, or rebuilding of any valid nonconforming building or structure damaged by fire, explosion, act of God, or any act of the public enemy, subsequent to the effective date of this Ordinance, or shall prevent the continuance of the use of such building, or part thereof, as such use existed at the time of such impairment of such building or part thereof, provided said use has not been abandoned.

**(2)** No nonconforming structure or use shall be changed unless the changed structure or use conforms to the Zoning Ordinance regulations for the district in which such structure or use is located. However, any vertical or horizontal retraction of a nonconforming structure or use is permitted, provided there is no vertical or horizontal expansion of the nonconforming portion of the structure or use.

**(3)** No nonconforming use or structure shall be moved in whole or in part, for any distance whatsoever, to any other location on the same or any other lot unless the entire use and structure shall thereafter conform to the regulations of the zoning district in which it is located after being moved.

## Section 12.05 Nonconforming Uses and structures; Repair.

Nothing in this Ordinance shall prevent the repair, reinforcement, or reconstruction of a valid nonconforming building, structure, or part thereof existing at the effective date of this Ordinance, rendered necessary by wear and tear, deterioration or depreciation, provided such use, building, or structure has not been previously abandoned, nor shall any provision of this Ordinance prevent compliance with the provisions of any Building Code in effect in this City or the Housing Laws of Michigan relative to the maintenance of buildings or structures.

## Section 12.06 Nonconforming Uses and Structures; Exceptions.

Notwithstanding the provisions of the preceding Sections above, inclusive, of this Ordinance, nothing in this Ordinance shall prevent:

**(1)** The alteration, improvement, or rehabilitation of any valid nonconforming building which does not involve any increase in height, area, bulk, or change of use;

**(2)** The strengthening or restoration of any building or wall declared unsafe by the Department of Inspection;

**(3)** Any alteration, improvement or repair required by the Department of Health or the Department of Public Safety, or by any of the divisions of said departments, as necessary to the protection of the public health, safety, and welfare;

**(4)** Any alteration, improvement, repair, or addition determined by the Department of Inspection to constitute full or partial compliance with the use requirements of the district in which the building in question is situated.

**(5)** The conforming alteration, improvement, or repair of, or addition to any dwelling or any accessory building, including private garage, incidental to such dwelling; or

**(6)** The erection of any conforming accessory building, including private garage, incidental to an existing dwelling.

## Section 12.07 Nonconforming Uses and Structures; Elimination.

Except as hereinafter provided, no building, structure, or premises or part thereof shall be used, altered, constructed, or reconstructed except in conformity with the provisions of this Ordinance which apply to the district in which it is located. The existence of nonconforming uses is hereby declared to be contrary to the best interests of the community and it is hereby declared to be the policy of the City as expressed in this Ordinance to discontinue nonconforming uses in the course of time, as circumstances permit, having due regard for the rights of all parties concerned. In order to accomplish the elimination of those nonconforming uses which constitute a nuisance or are detrimental to the public health and general welfare, the City of Livonia, pursuant to Section 8(3), Act 110, Public Acts of Michigan, 2006, MCL 125.3208(3), as amended, and Sections 11 and 15, Chapter IV of the Charter, may acquire by purchase, condemnation or otherwise private property for the removal of nonconforming uses and structures. The Council may in its discretion provide that the cost and expense of acquiring such private property be paid from general funds, or the cost and expense or any portion thereof be assessed to a special district.

## Section 12.08 Nonconforming Due to Reclassification.

The foregoing provisions relating to nonconforming uses shall also apply to buildings, structures, land, or uses which hereafter become nonconforming due to any reclassification of districts under this Ordinance or any subsequent change in the regulations of the Ordinance.

# Article XIII.
# Administrative Procedures

## Section 13.01 Administration and Enforcement.

The Department of Inspection shall administer the provisions of this Ordinance and shall enforce such provisions with the assistance of the Police Department.

## Section 13.02 Zoning Permit and Zoning Compliance Permit Required.

It shall be unlawful to begin the excavation for the construction, the moving, alteration, or repair, except ordinary repairs, of any building or other structure, including a fence or an accessory structure exceeding forty (40) square feet in area until the building official has issued either a Zoning Permit or a Zoning Compliance Permit for such work which includes a certification of his or her determination that plans, specifications, and the intended use for such structure do, in all respects, conform to the provisions of this Ordinance. Also, it shall be unlawful to change the type of use of land, or to change the type of use or type of occupancy of any building, or to extend any use on any lot on which there is a nonconforming use, until the building official has issued for such intended use a Zoning Compliance Permit, including a certification of his or her determination that the proposed new use does, in all respects, conform to the provisions of this Ordinance. In all cases where a building permit is required, application for a Zoning Compliance Permit shall be made coincidentally with the application for a building permit; in all other cases, it shall be made prior to that date when a new or enlarged use of a building or premises or part thereof is intended to begin. All Zoning Permit and Zoning Compliance Permit applications shall be made in writing to the building official on forms provided for that purpose. The Zoning Permit or Zoning Compliance Permit may be incorporated as part of the building permit form and issued simultaneously with the issuance of the building permit, or it may be issued separately.

## Section 13.03 Duties and Limitations of the Building Official.

**(1)** The building official shall have the power to grant zoning compliance permits and certificates of occupancy and to make inspections of buildings or premises necessary to carry out his or her duties in the enforcement of this Ordinance.

**(2)** Every application for a zoning compliance permit for excavation, construction, moving, alteration, or change in type of use or type of occupancy, shall be accompanied by a written statement and plans or plats, drawn to scale, showing the following in sufficient detail to enable the building official to ascertain whether the proposed work or use is in conformance with the provisions of this Ordinance:

A) The actual shape, location, and dimensions of the lot; if the lot is not a lot of record, sufficient survey data to locate the lot on the ground.

B) The shape, size, and location of all buildings, or other structures, to be erected, altered or moved, and of any other buildings, or other structures, already on the lot.

C) The existing and intended use of the lot and of all structures upon it.

D) Such other information concerning the lot, adjoining lots, or other matters as may be essential for determining whether the provisions of this Ordinance and any condition(s) of zoning approval(s) are being observed.

**(3)** If the proposed excavation, construction, moving, alteration, or use of land as set forth in the application are in conformity with the provisions of this Ordinance and any condition(s) of zoning approval(s), the building official shall issue a Zoning Compliance Permit, however:

A) Issuance of a zoning compliance permit shall in no case be construed as waiving any provision of this Ordinance.

B) The building official under no circumstances is permitted to grant exceptions to any clause, order, or regulation contained in this Ordinance to any person making application to excavate, construct, move, alter, or use either buildings, structures, or land.

C) The building official under no circumstances is permitted to make changes to this Ordinance or to vary the terms of this Ordinance in carrying out his or her duties as building official.

D) The Zoning Compliance Permit shall be in addition to any building permit or other permits specifically required to be obtained by this Ordinance and shall be in addition to all permits required to be obtained by the Building Code ordinances of the City.

E) The building official shall issue a permit when the imposed conditions of this Ordinance and any condition(s) of zoning approval(s) are complied with by the applicant.

F) If any application for such permit is not approved, the building official shall state in writing the cause for such disapproval.

## Section 13.04 Permit Fees.

No Zoning Compliance Permit shall be issued under the provisions of this Ordinance until there shall have been paid to the City Treasurer a separate permit fee therefor in accordance with the schedule outlined in Chapter 15.56 of the Code of Ordinances.

## Section 13.05 Duration of Permit.

Any Zoning Compliance Permit issued under the provisions of this Ordinance shall be valid for a period of six (6) months from the date of the issuance thereof, unless revoked prior to the termination of such six (6) month period, thereof, or as long as work is in progress, unless revoked etc.

## Section 13.06 Revocation of Permit.

Any permit issued under the provisions of this Ordinance may be revoked by the Department of Inspection at any time whenever the holder thereof:

**(1)** shall have made any false or fraudulent statement in the application for such permit or in the exercise of such permit;

**(2)** shall have violated any of the provisions of this Ordinance;

**(3)** shall have failed to satisfy the requirements of this Ordinance or of any rules or approvals adopted pursuant thereto; or

**(4)** shall have caused, created or maintained, in the exercise of such permit, a menace or danger to the public health, safety, or welfare.

## Section 13.07 Inspection.

It shall be the duty of the holder of every zoning compliance permit, building permit, or other permit to notify the Department of Inspection, in writing, of the time when such building or premises will be ready for inspection. In addition to inspections required by other ordinances of the City, at least two (2) such inspections shall be requested on all buildings. The first of these inspections shall be requested when excavation for foundations has been completed, and the second inspection shall be requested when the building is completed. In the case of sheds and garages, having an area of less than eight hundred (800) square feet, only one (1) inspection by the Department of Inspection shall be required, which inspection shall be requested as soon as wall studs are in place. Failure to notify the Department of Inspection of the time of such inspection shall automatically cancel all permits, and before re-issuing any of such permits, the Department of Inspection may require the payment of a second fee. A notice to call the attention of the holders of permits to the requirements of this section shall be printed on all permits issued. Whenever a zoning compliance permit shall be issued for the use of vacant land, an inspection of such land may be made at any time by the Department of Inspection.

## Section 13.08 Certificate of Compliance Required.

No land or building, or part thereof, for which a zoning compliance permit or a building permit has been issued, shall be used or occupied unless and until after final inspection a Certificate of Compliance shall have been issued by the Department of Inspection for such new use. Certificates of Occupancy as required by the Building Code ordinances may be so prepared and worded as to include and constitute Certificates of Compliance as required by this Ordinance, in which case the same shall be designated as a Certificate of Compliance and Occupancy. The issuance of either a Certificate of Compliance or Occupancy shall not be construed as waiving any provision or requirement of this Ordinance.

## Section 13.09 Temporary Certificate of Occupancy.

The Chief Building Inspector or Acting Chief Building Inspector may issue a Temporary Certificate of Occupancy for a portion of a building in process of erection or alteration, provided that such certificate shall not be effective for longer than six (6) months; provided further, that such portion of the building is in conformity with the provisions of this Ordinance and provided further, that the applicant has agreed in writing to comply with all of such provisions as to the entire building.

## Section 13.10 Application for Certificates.

Application for any certificate authorized by the provisions of this Ordinance shall be made in writing to the Department of Inspection on forms furnished by the Department and such certificate shall be issued within ten (10) days after receipt of such application if it is found that the building, or part thereof, or the use of land is in accordance with the provisions of this Ordinance. If such certificate is refused, the applicant shall be notified of such refusal and the reasons therefor within the aforesaid ten (10) day period.

## Section 13.11 Record of Certificates.

A record and copy of each permit and of each certificate issued pursuant to the provisions of this Ordinance shall be kept on file in the office of the Department of Inspection and copies shall be furnished to any person having a proprietary or tenancy interest on payment to the City Treasurer of a fee of one dollar ($1.00) each. A record of all applications shall likewise be kept on file in said office.

## Section 13.12 Exception to Barrier Free Design Requirements—Posting of Final Order.

Any business or establishment which has requested and received an exception to the barrier free design requirements from the State Barrier Free Design Board, pursuant to the provisions of Act I, Public Acts of Michigan of 1966, MCL 125.1351, et seq, as amended, shall post a copy of the Final Order issued by the State Barrier Free Design Board in a conspicuous location in a public area of the building for examination by the public. The copy of the Final Order shall be exhibited at all times at such location and shall be required to be posted in this manner regardless of whether the Final Order was issued prior to or subsequent to the enactment of this section.

## Section 13.13 City Planning Commission.

**(1) Appointment and Duties.**

The City Planning Commission is hereby appointed by the City Council to perform the duties of the Commission specified in Act 33, Public Acts of Michigan of 2008, MCL 125.3801, et seq. as amended; is hereby designated as such Commission; and is authorized to perform such duties. The City Planning Commission is hereby vested with all powers and duties given to a City Planning Commission by the laws of the state, together with such other powers and duties as are given to such Commission by the provisions of this Ordinance, including authority to act on all matters requiring the approval or action of such Commission.

**(2) Authority to Grant Waivers and Approve Uses.**

Wherever in this Ordinance the lawful exercise or existence of a use requires the review of a waiver or a conditional use and submission of findings by the City Planning Commission and approval by the City Council, the Commission is hereby authorized and directed, upon application or petition by an owner or property owners, to investigate the matters relating to the requested waiver or use approval, to conduct a public hearing thereon, to make a determination, to either recommend approval or denial of the requested waiver or use approval, and to do all other things reasonably necessary or incidental to the making of such investigation or determination.

**(3) Applications and Petitions; Filing Fee.**

Each application for a waiver or conditional use approval filed by a property owner or owners shall be accompanied by a filing fee as determined by the schedule outlined in Chapter 15.56 of the Code of Ordinances.

**(4) Applications and Petitions; Filing, Form and Contents.** All applications and petitions for waivers or use approvals shall be in writing, signed, notarized, and filed in triplicate with the City Clerk and, if in the proper form, shall be immediately forwarded by the City Clerk to the City Planning Commission. All such applications and petitions, without limiting the right to file additional material, shall contain at least the following:

A) The petitioner's name, address and interest in the petition, as well as the name, address and interest of every person having a legal or an equitable interest in the land covered by the petition.

B) The waiver use or other use sought to be recommended;

C) A fully dimensional map showing:

i) The land upon which the proposed use is to be located, including the location of the use on such land and dimensions indicating the front, side and rear setback lines to be maintained.

ii) The location and arrangement of parking areas and spaces.

iii) A legal description of the property to be considered.

iv) The zoning classification of the property together with the zoning classification of all property located within five hundred (500) feet of such property as measured from all of its property lines.

v) All public and private rights-of-way and easements bounding and intersecting the land to be under consideration.

vi) All existing uses within five hundred (500) feet of any property line of the property to be considered.

vii) The lot lines and their dimensions.

viii) The area of the property.

ix) All other circumstances, factors and reasons which the applicant offers in support of the proposed use.

D) The applicant shall also furnish such other surveys, plans or other information as may be reasonably required by the Commission for the proper evaluation and consideration of the matter.

**(5) Hearings; Notice.** Prior to conducting a hearing as required in *Section 13.13 (2)*, or by any other provision of this Ordinance, the City Planning Commission shall cause notice of such hearing to be given as required by law for public hearings concerning zoning matters. In the case of public hearings on waiver use petitions pursuant to *Section 13.15, Section 13.15(5)*, notice of the hearing shall be provided as set forth in that Section. Failure of any person to receive any notice required to be sent under the provisions of this section shall not invalidate any such proceedings provided that the notice has been given as required herein.

**(6) General Waiver Requirements and General Standards.** Where this Ordinance empowers the City Planning Commission to review waivers or approval of conditional uses to be approved by the City Council, such waiver or use shall be approved only where the proposal complies with all of the special requirements for the waiver or use sought to be approved, except that any or all requirements may be waived or modified by a separate resolution, specifically delineating the requirement(s) waived or modified, in which two-thirds (2/3) of the members of the City Council concur. Whether or not any condition is waived, all such proposals must comply with all of the following general standards:

A) The proposed use must be of such location, size, and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood.

B) The location and size of the proposed use or uses, the nature and intensity of the principal use and all accessory uses, the site layout and its relation to streets giving access to it, shall be such that traffic to and from the use and uses, and the assembly of persons in connection therewith, will not be hazardous or inconvenient to the neighborhood nor unduly conflict with the normal traffic of the neighborhood. In applying this standard, the Commission shall consider, amongst other things: convenient routes for pedestrian traffic, particularly of children; the relationship of the proposed use to main traffic thoroughfares and to streets and road intersections; vehicular turning movements in relation to routes of traffic flow; location and access of off-street parking and provisions for pedestrian traffic with particular attention to minimizing child-vehicle contact in residential districts; and the general character and intensity of the existing and potential development of the neighborhood.

C) The location and height of buildings or structures and the location, nature, and height of walls and fences must be such that the proposed use will not have a detrimental effect upon the neighboring property or the neighboring area in general, nor impair the value of neighboring property, nor interfere with or discourage the appropriate development and use of adjacent land or buildings or unreasonably affect their value.

D) The standards of density and required open spaces for the proposed use shall be at least equal to those:

i) required in the zoning district in which the proposed use is to be located or

ii) unless they have been specifically waived as set forth above, those prescribed in the special requirements relating to the proposed use, whichever is the greater.

E) The location, size, intensity, site layout, and periods of operation of any such proposed use must be designed to eliminate any possible nuisance likely to emanate therefrom which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke, or lights. Such design shall provide for (but shall not be limited to) the following:

i) Facilities for the storage of refuse for subsequent disposal which shall be concealed and contained in such a manner that they will be screened from public view and will prevent the emission of noxious odors and the attraction of insects and vermin.

ii) All mechanical equipment, such as (but not limited to) air conditioning and heating units which shall be located and concealed so as to be completely screened from public view; provided, however, that the location and method of containment and concealment of refuse storage facilities and mechanical equipment shall be subject to the review and recommendation of the Planning Commission and approval by the City Council.

F) The proposed use must provide for proper yard space, parking facilities, loading space, percentage of lot coverage, protective walls, size of buildings, lot area and width and other requirements of this Ordinance.

G) The proposed use must be in accord with the spirit and purpose of this Ordinance and not be inconsistent with or contrary to the objectives sought to be accomplished by this Ordinance and principles of sound planning.

H) Any building proposed to be erected or any addition thereto shall be designed by an architect or professional engineer registered by the State of Michigan or by a state having a reciprocal agreement with the State of Michigan; provided, however, that no building shall be erected, placed, expanded or externally altered on any lot or parcel for which a site plan therefor is required pursuant to *Section 5.01* and *Section 13.13 (12)* of this Ordinance until the exterior design of which has been reviewed and approved as to materials and harmony of design and colors with existing and planned buildings by that City body having the authority to grant final site plan approval as designated in *Section 5.01* and *Section 13.13 (12)* of this Ordinance.

I) No building shall be erected, placed or expanded on any lot or parcel for which a site plan therefor is required pursuant to *Section 5.01* and *Section 13.13 (12)* of this Ordinance until a landscape plan has been reviewed and approved by that City body having the authority to grant final site plan approval as designated in *Section 5.01* and *Section 13.13 (12)* of this Ordinance; provided, however, that the area proposed to be landscaped as illustrated on the landscape plan shall not be less than fifteen (15) percent of the total area of the lot or parcel exclusive of public right-of-way as shown on the Future Transportation Map ; provided further, however, that such minimum area requirement may be waived by that City body having the authority to grant final site plan approval as designated in *Section 5.01* and *Section 13.13 (12)* of this Ordinance. The landscape plan shall identify all plant materials as to species, quantity and size upon installation and all other landscape materials shall be similarly identified on the plan. Tree species shall be from the Approved Tree Species list as identified in *Article X.*

**(7)** City Body Having the Authority to Grant Final Site Plan Approval. That City body having the authority to grant final site plan approval as designated in Article V and Section 13.13 (12) of this Ordinance, in acting on any request for a waiver use, approval of a conditional use, or approval of a site plan, may attach any conditions to their approval which they determine are necessary to accomplish the reasonable application of the special requirements and the foregoing standards. Compliance with such conditions shall be a prerequisite to the issuance of a Certificate of Compliance or Occupancy, and the violation of any such condition shall be deemed a violation of this Ordinance.

**(8)** Mayoral Veto. Any waiver use or conditional use approval shall be subject to mayoral veto as set forth in the City Charter, provided that

A) The mayor has participated in any council hearing(s) held with respect to the petition for waiver or conditional use;

B) The mayor shall apply the standards applicable in the City Council's review of said petition; and

C) Any veto shall be incorporated in a statement of conclusions relative to said petition, specifying the basis for the veto.

**(9) Determination.**

Each determination or recommendation made by the City Planning Commission under the provisions of this Ordinance shall be in the form of a resolution, copies of which shall be furnished to any party on request.

**(10) Appeal to City Council; Filing Fee; Hearing and Notice.**

Any applicant or petitioner aggrieved by a recommendation and findings of fact by the City Planning Commission that results in a denial of any application or petition may file an appeal with the City Council requesting a reversal of such recommendation and/or findings. In order for such appeal to be heard by the City Council, the same must be filed with the City Clerk, in writing, no more than ten (10) business days from the Commission's determination and shall specify the grounds thereof. Each request for appeal shall be accompanied by a filing fee. Upon receiving such an appeal, the City Clerk shall immediately forward the same to the City Council. The City Council shall thereafter fix a reasonable time for a hearing of the appeal and the City Clerk shall give due notice of such hearing and the date thereof in the same manner and to the same extent as was given prior to the hearing before the Commission. The City Council shall make a determination of the appeal by resolution and such determination shall be final.

**(11) Rules of Procedure.**

The City Planning Commission is hereby authorized to make rules of procedure consistent with the statutes of Michigan and the provisions of this Ordinance.

**(12) Site Plan Review and Approval.**

A) **Authority.** No condominium or site condominium shall be developed in an N1, N2, or RUF district, nor shall any building be constructed or expanded in an NM1, NM2, NM3, C-1, C-2, C-3, or C-4 district, nor shall any parking lot be constructed or expanded in a P district, nor shall any building be constructed or expanded in an ML, M-1 or M-2 district which abuts a residential district, unless a site plan therefor has been reviewed by the City Planning Commission and approved by the City Council.

~~A)~~B) **Staff Review.** Prior to Planning Commission or City Council consideration, the site plan and application may be distributed to appropriate City departments, staff, and any consultants for review and comment. If deemed necessary, the plans may also be submitted to applicable outside agencies for review and comment. After written comments are obtained from City departments, staff, consultants, and outside agencies, a Staff Review meeting may be held with the applicant, Planning Director, City departments, staff, and consultants to discuss review comments and address concerns raised. After the Staff Review meeting, the Planning Director shall determine if the site plan application is ready to proceed for Planning Commission review.

~~B)~~C) **Planning Commission Review.** The Planning Commission shall review the site plan, together with any reports and recommendations from staff, consultants, and other reviewing agencies and any public comments. The Planning Commission is authorized to postpone, approve, approve subject to conditions, or deny the site plan as follows:

i) **Postponement.** Upon determination by the Planning Commission that a site plan is not sufficiently complete for approval or denial or upon a request by the applicant, the Planning Commission may postpone consideration until a later meeting.

ii) **Denial.** Upon determination that a site plan does not comply with the standards and regulations set forth in this Ordinance or would require extensive revisions to comply with the standards and regulations, the site plan shall be denied. If a site plan is denied, a written record shall be provided to the applicant listing the reasons for such denial. In instances where Planning Commission denies a Site Plan this decision can be appealed to City Council pursuant to *Section 13.13 (10)*.

iii) **Approval.** Upon determination that a site plan is in compliance with the requirements of this Ordinance and other applicable ordinances and laws, the site plan shall be approved.

iv) **Approval Subject to Conditions.** The Planning Commission may approve a site plan, subject to one or more conditions necessary to address minor modifications to the site plan, ensure that public services and facilities can accommodate the proposed use, protect significant natural features, ensure compatibility with adjacent land uses, or otherwise meet the intent and purpose of this Ordinance. Such conditions may include the need to obtain variances or approvals from other agencies.

~~C)~~D) **Final Site Plan Review.** Except as provided below, the City Council shall review the final site plan, together with any reports and recommendations from the Planning Commission, staff, consultants, and other reviewing agencies and any public comments. The City Council shall then make a determination to postpone, deny, approve, or approve subject to conditions based on the requirements of this Ordinance. Amendments to Site Plans previously given final approval by the Planning Commission shall be reviewed and approved by the Planning Commission.

~~D)~~E) **Submittal Requirements.** The site plan shall be drawn to scale and shall contain the following information. The Planning Department shall have the discretion to modify site plan information requirements based on site specific development characteristics.

| Site Plan Required Information |
|---|
| • Site dimensions including road right-of-way and building setback lines. |
| • Public or private easements, protective walls (existing and/or proposed) and existing trees. |
| • Any significant topographic features (existing and proposed). |
| • Relationship of ingress and egress to thoroughfares, showing traffic patterns into the site from the same including ultimate pavement width, deceleration lanes and the like. |
| • On-site traffic circulation, parking areas (including size of parking bays, aisles, lighting materials, surface materials, and striping of parking lots surface to delineate parking bays). |
| • All landscape treatment of the site, including the labeling of all materials as to type and size, when installed. |
| • The location of signs (existing and/or proposed), and an indication of their size, height, and design |
| • Title and date of plan, including the date and nature of all subsequent revisions. |
| • North arrow and scale. |
| • Zoning classification of the petitioner's parcel and all abutting parcels. |
| • The location and height of all existing and proposed structures on and within 100 feet of the subject property. |
| • A schedule of parking needs. Separate drawings may be submitted to indicate usable floor areas, etc. for computation of parking needs. Each individual parking space shall be indicated including typical parking space dimensions for regular and handicapped spaces and type of lot surfacing. |
| • The location of all waste and recycling receptacles and the location, height and type of fences and walls to screen receptacles. |
| • Location of existing and proposed fire hydrants, water mains, pump houses, stand pipes, building services, and sizes including proposed connections to public sewer or water supply systems and/or considerations for extensions to loop other public water mains in adjacent public rights of way. |
| • Front, rear, and side elevations of proposed buildings, a color rendering, and proposed type of building materials, roof design, projections, canopies and overhangs, screen walls and accessory buildings, and any other outdoor mechanical equipment, i.e., air conditions, heating units, etc. |
| • The location and type of outdoor lighting, proposed illumination patterns (including a photometric plan), a manufacturer cut sheet detailing lighting specifications, aesthetic appearance, and method of screening to prevent glare onto adjacent properties. |
| • The location of any outdoor storage of material(s) and the manner in which it shall be screened or covered. |
| • With nonresidential proposals, the number of offices, number of employees, the number of floors, typical floor plans, and the gross and usable floor area shall be provided. |
| • For sites with regular truck traffic, a truck circulation diagram indicating the type and volume of truck traffic anticipated at the site and defining all truck access and circulation lanes and truck loading/unloading areas on the site plan. |

~~E)~~F) **Outside Agency Permits or Approvals.** The applicant shall be responsible for obtaining all necessary permits or approvals from applicable outside state and county agencies. All federal, state, and local laws and ordinances shall be met, and no unresolved negative comments issued by any governmental agency or public utility shall exist prior to the issuance of a certificate of occupancy.

~~F)~~G) **Limitation.**

i) Whenever the City Council shall have approved a site plan, such approval shall continue and be valid for a period of one (1) year only from the date of such action. If the applicant does not obtain a building permit or obtain an extension of time, the site plan approval shall be deemed null and void at the expiration of said period. Site plan approvals granted to applicants shall be construed as running with the land and shall not be transferable or assignable.

ii) If the City Council approves a site plan conditional upon the petitioner submitting additional information such as, but not limited to, revised site plans, landscape or signage plans, said information must be submitted to the City for review within sixty (60) days from the date of approval of the site plan unless more time is granted by the City Council. If the additional information is not submitted, no building permits shall be issued by any city department for work or improvements at the subject site.

~~G)~~H) **Implementation.** An approved site plan shall be immediately transmitted to the Inspection Department, and all non-building improvements such as, but not limited to, landscaping, parking lots, parking spaces, walkways, screen walls and exterior lighting required by such site plan shall be completed prior to the issuance of a Certificate of Occupancy; provided, however, that a temporary Certificate of Occupancy may be issued in the event that such completion is impractical or impossible provided that a performance bond in the form of a cash bond or irrevocable bank letter of credit covering the estimated total cost of such improvements or parts thereof is deposited with the Inspection Department prior to the issuance of such temporary Certificate of Occupancy; provided further, however, that in no event shall a final Certificate of Occupancy be issued until all improvements have been completed. All improvements, when completed, shall thereafter be maintained with materials equal to or greater than the quality of the materials originally installed.

~~H) **Application Fee.** Each application presented by a property owner or owners to have a site plan approved shall be accompanied by a filing fee of six hundred dollars ($600.00) plus twenty dollars ($20.00) for each 1,000 square feet of gross floor area of new construction proposed. Each request to extend the expiration date of an approved site plan shall be accompanied by a filing fee of two hundred dollars ($200.00). Each request to modify a site plan or amend a condition of approval shall be accompanied by a filing fee of three hundred dollars ($300.00).~~

**(13) Waiver or Use Approval; Limitation.** Whenever the Commission or City Council grants a waiver or approves of a conditional use upon original application or appeal, such waiver or approval shall continue and be valid for a period of one (1) year only from the date of such action. If the applicant does not obtain a building permit and commence construction within that period or obtain an extension of time, the waiver or use approval shall be deemed void at the expiration of said period. Waivers and use approvals granted to applicants shall be construed as running with the land and shall not be transferable or assignable.

## Section 13.14 Board of Appeals.

**(1) Creation of Board.** A Board of Appeals consisting of seven (7) members is hereby created pursuant to the provisions of Section 5, Act 207, Public Acts of Michigan of 1921, as well as Act 110 of 2006, MCL 125.3101, et seq, as amended. Said board shall be known as the Board of Appeals.

**(2)** **Appointment of Members.** The members of the Board of Appeals shall be appointed by the City Council; provided, however, that those persons who are acting as members of the Board of Appeals under the provisions of Ordinance No. 543, as amended, of the City of Livonia, having been duly appointed as members of such Board by the City Council, and who are so acting immediately prior to the time this Ordinance becomes effective, shall automatically become members of the Board of Appeals created under the provisions of Section 13.14 (1) of this Ordinance, are hereby appointed as such at the time this Ordinance becomes effective, and shall hold their respective offices for respective periods of time equivalent to their respective unexpired terms as members of the Board of Appeals, created under the provisions of Ordinance No. 543 , as amended.

**(3)** **Term of Office.** Each member of the Board of Appeals shall be appointed for a term of three (3) years; provided, however, that the first members of such Board to be appointed shall hold their respective offices for the period provided in Section 13.14 (1) of this Ordinance; and thereafter two (2) members shall be appointed each year, each for the full three (3) year term; provided, however, that every three (3) years there shall be three (3) members appointed for the full three (3) year term.

**(4)** **Officers.** The Board of Appeals shall annually elect from among its members a Chairman, Vice-Chairman, Secretary and such other officers as it may determine, who shall each hold office for one (1) year and until his or her successor is duly elected.

**(5)** **Compensation.** The City Council may authorize by Council resolution the remuneration of the members of the Board for attendance at each meeting of the Board.

**(6)** **Powers of Board.** The Board of Appeals shall have all powers and authority granted by State Law together with such other powers and duties as are given to such Board by the provisions of this Ordinance, including the following specific powers:

A) **Administrative Review.** To hear and decide appeals where it is alleged by the applicant that there is an error in any order, requirement, permit, decision, or refusal made by the building official or any other administrative official in enforcing the provisions of this Ordinance.

B) **Variances.** To authorize, upon an appeal filed by the legal or equitable owner of property, a variance from the strict application of the provisions of this Ordinance where existing conditions or factors would result, by strict application of the provisions of this Ordinance, in peculiar or exceptional practical difficulties to, or exceptional or undue hardship upon, the owner of such property, provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this Ordinance. In granting a variance, the Board of Appeals may attach thereto such condition regarding the location, character, and other features of the proposed building, structure, or use as it may deem reasonable. Compliance with such conditions shall be a prerequisite to the issuance of a Certificate of Compliance or Occupancy and the violation of any such condition shall be deemed a violation of this Ordinance.

C) **Other Powers:**

i) In those cases where a district boundary line divides a lot of record, the Board shall have the power to permit the extension of a use permitted on the less restricted portion of such a lot to that portion of said lot which lies in the more restricted district, provided that such extension shall be made for a distance of not to exceed fifty (50) feet beyond the district boundary line in any case.

ii) The Board shall also have the authority to hear and decide all matters referred to it or upon which such Board is required to pass under this Ordinance, including the power to reverse, affirm, in whole or in part, or modify the order, requirement; decision or determination appealed from and may make such order, requirement, decision or determination as in its opinion ought to be made in the premises, and to that end shall have all the powers of the officer from whom the appeal is taken.

D) **Rules**. To adopt and enforce rules of procedure consistent with the statutes of the State of Michigan, the Charter of the City of Livonia and the provisions of this Ordinance.

**(7) Application of Variance Power.** No variance in the application of the provisions of this Ordinance shall be allowed by the Board of Appeals relating to buildings, land, or premises now existing or to be constructed, except in cases involving practical difficulties or unnecessary hardships when the evidence in the official record of the appeal from a decision or order of the building official supports the following affirmative findings:

A) That the alleged hardships and practical difficulties, or both, are exceptional and peculiar to the property of the person requesting the variance, and result from conditions which do not exist generally throughout the City.

B) That the alleged hardships and practical difficulties, or both, which will result from a failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both.

C) That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this Ordinance, the individual hardships that will be suffered by a failure of the Board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.

D) That the variance, if granted, will not adversely affect the purpose or objectives of the Master Plan of the City of Livonia.

The above findings of fact shall be made by the Board of Appeals which is not empowered to grant a variance without an affirmative finding of fact on the categories above.

**(8) Limitations on the Powers of the Board of Appeals.** Every decision of the Board of Appeals shall be based upon finding of fact and every finding of fact shall be supported in the record of the proceedings of the Board. Nothing contained herein shall be construed to empower the Board of Appeals to change the terms of this Ordinance, or effect changes in the Zoning Map.

**(9) Appeal Procedure.**

A) **Notice of Appeal.** An appeal may be taken by any person aggrieved or by an officer, department, board, or Department of the City of Livonia. Such appeal shall be taken within such time as shall be prescribed by the Board of Appeals by rule, by the filing with the officer from whom the appeal is taken and with such Board of a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

B) **Stay of Proceedings.** An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the Board of Appeals, after the notice of appeal shall have been filed with him or her, that by reason of facts stated in the certificate, a stay would in his or her opinion cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by the Circuit Court on application, on notice to such officer, and on due cause shown.

C) **Hearing on Appeal.** The Board of Appeals shall fix a reasonable time for the hearing of an appeal and give due notice thereof as required by law for public hearings concerning zoning matters, and shall decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or attorney.

D) **Official Record of Appeal.** The Board of Appeals shall prepare an official record for each appeal and shall base its decision on this record. The official record shall include:

i) The relevant administrative and historical records and any administrative orders issued thereon relating to the appeal.

ii) The notice of appeal.

iii) Such documents, exhibits, photographs, or written reports as may be submitted to the Board for its consideration.

E) **Determination of Appeal.** The concurring vote of a majority of the members of the Board of Appeals shall be necessary to reverse any order, requirement, decision, or determination of any administrative official, or to decide in favor of the applicant any matter upon which the Board is required to pass under this Ordinance or to effect any variation of this Ordinance except that a concurring vote of two-thirds (2/3) of the members of the Board shall be necessary to grant a variance from uses of land permitted in this Ordinance.

F) **Recording of Determination.** The requisite written findings of fact, the conditions attached, and the decisions and orders by the Board in disposing of the appeal shall be entered into the official record after they have been authenticated by the signature of the chairman of the Board and after written notice of the disposition of the appeal has been served, either in person or by mail, upon the parties to the appeal, the building official, and the City Clerk. The completed official records of appeals shall be filed in the Inspection Department.

**(10)** **Filing Fees.** Each application for appeal shall be given a number and shall be accompanied by a filing fee as determined by the schedule outlined in Chapter 15.56 of the Code of Ordinances.

**(11)** **Meetings and Records of Board.** At least one (1) regular meeting shall be held each month by the Board of Appeals, as provided in the rules of the Board. Special meetings may be called by the chairman or any three (3) members. All regular meetings and all hearings shall be public. The Board shall keep minutes of its meetings, which shall be a public record. The chairman, or in his or her absence, the vice-chairman may administer oaths and compel the attendance of witnesses.

**(12)** **Pending Matters.** All petitions, appeals and other matters pending at the time this Ordinance becomes effective, before the Board of Appeals, created and existing under the provisions of Ordinance No. 543 of the City of Livonia, shall continue before the Board of Appeals, created by Section 13.14 (1) of this Ordinance, and said Board shall hear, determine and dispose of such petitions, appeals and other matters with the same effect as if such petitions, appeals, and other matters had been duly filed with said Board of Appeals.

## Section 13.15 Amendments.

**(1)** **This Ordinance may be amended from time to time pursuant to the provisions of PA 110 of 2006 (MCL 125.3405, as amended).** All amendments shall be made in the manner provided in this section and in *Section 3.01, Section 3.01(4)* of this Ordinance. Proceedings to amend this Ordinance or the Zoning Map of the City of Livonia shall be initiated or commenced by any one or more of the following methods:

A) By resolution of the Council wherein the question whether or not a particular amendment should be made is referred by the Council, on its own motion, to the City Planning Commission and wherein such commission is requested to hold a public hearing on the question and to thereafter make a report and recommendation to the Council.

B) By resolution of the City Planning Commission wherein such commission, on its own motion, provides for a public hearing on the question whether or not a particular amendment should be made and for a report and recommendation thereon to the Council.

C) By written application in triplicate, addressed to the Council, duly signed by the legal or equitable owners of fifty percent (50%) or more of the frontage in any district or part thereof, duly acknowledged by each owner substantially in accordance with the statutory provisions for acknowledgment of deeds, and accompanied by the filing fee hereinafter fixed.

**(2)** **Procedure for Amendment Applications.** Where an application is presented by a property owner or owners, pursuant to *Section 13.15 (1), Section 13.14 (1)C)*, the following procedure and requirements shall be observed in every case:

A) **Filing of Applications.** All applications shall be in writing, signed before a notary, and filed in quadruplicate with the City Clerk for presentation to the City Council.

B) **Contents of Applications.** All applications for amendments to this Ordinance, without limiting the right to file additional material, shall contain at least the following:

i) The petitioner's name, address, and interest in the petition, as well as the name, address, and interest of every person having a legal or an equitable interest in the land covered by the petition.

ii) The nature and effect of the proposed amendment.

iii) The existing zoning classification of such property.

iv) The change or amendment desired.

v) A complete legal and common description of the property sought to be rezoned.

vi) If the proposed amendment would require a change on the zoning map, a fully dimensional area map drawn at a scale of four hundred (400) feet to one (1) inch with a north point, dated, key to symbols, if used, section numbers and showing:

a) The land which would be affected by the proposed amendment;

b) A legal description of such land;

c) A common description of such land;

d) The present zoning classification of the land;

e) The zoning classification of all abutting zoning districts;

f) All public and private right-of-ways and easements bounding and intersecting the land under consideration;

g) The dimension of land sought to be rezoned;

h) The proposed land uses in land sought to be rezoned; and

i) The structures and existing land use on all property adjacent to the subject parcel and on such other property as may, in the City Planner's determination, be necessary to properly reflect the existing character of the surrounding neighborhood.

**(3)** **Fees for Amendment Applications.** Each application presented by a property owner or owners to have property rezoned pursuant to *Section 13.15 (2) (5)* shall be accompanied by a publication fee in the amount specified in Chapter 15.56 of the Code of Ordinances.

**(4)** **Designation of Proceedings.** Each proceeding, whether originating by resolution or application, shall be designated as a "petition" and given a number by the City Clerk. All such petitions shall be approved as to form by the Department of Law before action is taken thereon by the City Planning Commission, in the case of those petitions initiated by resolution; and before forwarding to the City Council, where initiated by application.

**(5)** **Standards of Review for Amendments.** In considering any petition for an amendment to the text of this Ordinance or to the Zoning Map, the Planning Commission and City Council shall consider the following criteria that apply to the application in making findings, recommendations, and a decision. The Planning Commission and City Council may also take into account other factors or considerations specific to the subject matter of the proposed amendment.

A) Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.

B) Consistency with the basic intent and purpose of this Zoning Ordinance.

C) The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.

D) The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety, and welfare of the City.

E) That conditions have changed since the Zoning Ordinance was adopted or there was an error in the Zoning Ordinance that justifies the amendment.

F) That the amendment will not be expected to result in exclusionary zoning.

G) If a rezoning is requested, compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.

H) If a rezoning is requested, compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.

I) If a rezoning is requested, the boundaries of the requested rezoning district will be reasonable in relationship to surrounding zoning districts, and construction on the sites will be able to meet the dimensional regulations for the requested zoning district.

J) If a rezoning is requested, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.

K) If a rezoning is requested to allow for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.

L) If a rezoning is requested, the requested rezoning will not create an isolated or incompatible zone in the neighborhood.

**(6)** **Action by City Planning Commission; Notice; Public Hearing.** The City Council, on receipt of a petition for amendment from the City Clerk, shall forthwith refer such petition to the City Planning Commission. The Commission shall cause a complete study of the petition to be made by the Planning Director, shall review the request contained in the petition, and shall within sixty (60) days recommend to the City Council such action as the Commission deems proper. The Commission shall hold a public hearing on such petition before making its recommendation and notice thereof shall be given to the same extent as is provided for the public hearing required to be held by the City Council. At least fifteen (15) days prior to the public hearing the applicant shall erect a four foot by four foot (4' x 4'), two (2) sided sign on the property proposed to be rezoned with an insert ~~provided by the City Clerk~~ containing the following information:

A) At the top of the sign the following words shall appear: "This property is proposed to be rezoned," followed by the present zoning district at the time of the petition and the proposed or requested zoning district sought. The full name of the zoning districts shall be used as, for example, RUF, rural urban farm.

B) The name and address of the real party requesting the zoning change.

C) The proposed use of the land or building if the request for rezoning is successful.

D) The phone number at City Hall where interested persons can call for further information.

The sign shall be erected in a location one (1) foot behind the right-of-way line perpendicular to the adjoining street(s) and clearly observable by passersby on the adjoining street(s). The sign shall remain up until the application process is completed and shall thereafter be removed by the petitioner within thirty (30) days.

(7) **Action by City Council; Notice; Public Hearing.** The City Council shall, after receipt of the report and recommendation from the City Planning Commission, either approve or reject the recommendation of the Commission and either grant or refuse the requested amendment; provided, however, that a public hearing shall be held by the City Council, for which notice shall be given as required by law for public hearings concerning zoning matters, before the adoption of any amendment to this Ordinance. The City Council's approval of any amendment hereunder shall be subject to mayoral veto as set forth in the City Charter.

(8) **Effect of Protest to Proposed Amendment.** In case a protest against any proposed amendment to the Zoning Map be presented in writing to the City Council prior to the adoption by the Council of the Ordinance which protest is duly signed by the owners of at least twenty percent (20%) of the area of land included in the proposed change, or by the owners of at least twenty percent (20%) of the area of land included within an area extending outward one hundred (100) feet from any point on the boundary of the land included in the proposed change excluding publicly owned land, said amendment shall not be passed except by a three-fourths (¾) vote of the City Council.

# Article XIV.
# Violations and Penalties

## Section 14.01 Compliance and Responsibility.

**(1)** No land or building within the City of Livonia shall be occupied or used except in compliance with the provisions of this Ordinance, including any conditions on any zoning approval by the City Council or Board of Appeals. No building within the City of Livonia shall be erected, altered, repaired, or moved except in compliance with the provisions of this Ordinance. No person shall use or occupy any land or building within the City of Livonia, nor shall any person erect, alter, repair, or move any building within the City of Livonia except in compliance with this Ordinance.

**(2)** The prohibition of any act in this Ordinance, in any amendment thereof and in any rule or regulation adopted hereunder shall include the causing, securing, aiding, or abetting of another person to do said act.

**(3)** It shall be the duty of all architects, contractors, subcontractors, builders, and other persons having charge of the establishment of any use of land or the erecting, altering, changing, or remodeling of any building or structure, before beginning or undertaking any such work to see that all proper and necessary permits have been applied for and obtained, including a zoning compliance permit, certificate of occupancy, building permit and all other permits required by either this Ordinance or any of the Building Code ordinances of the City; it shall also be the duty of such parties to see that such work does not conflict with and is not in violation of the terms of this Ordinance and any such architect, contractor, subcontractor, builder or other person doing or performing any such work or erecting, repairing, altering, changing or remodeling without such a permit or permits having been issued or in violation of, or in conflict with the terms of this Ordinance or allowing any building erected to be occupied without a certificate of occupancy having first been issued, shall be guilty of a violation of this Ordinance in the same manner and to the same extent as the owner of the premises or the person or persons for whom such building was or is erected, altered, changed, repaired or remodeled or the use of land established or a building occupied in violation hereof and shall be subject to the penalties herein prescribed for such violation.

## Section 14.02 Violation Nuisance Per Se.

Buildings erected, altered, razed, converted, or uses carried on in violation of any provision of this Ordinance are hereby declared to be a nuisance per se. The court having jurisdiction shall order such nuisances abated and the owner and/or agent in charge of such building or land shall be adjudged guilty of maintaining a nuisance per se.

## Section 14.03 Penalty.

Any person, persons, firm, corporation, or any others acting on behalf of said person, persons, firm, or corporation, violating or failing to comply with any of the provisions of this Ordinance, or any of the regulations adopted in pursuance hereof, or who shall hamper, impede or interfere with the performance of the duties of any official or agent of the Department of Inspection or other officer under the provisions of this Ordinance, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars ($500.00), or by imprisonment not exceeding ninety-three (93) days, or by both such fine and imprisonment in the discretion of the Court. Alternatively, first-time violators may be charged with a civil infraction, with a maximum fine of $500. Each act of violation and every day upon which such violation shall occur shall constitute a separate offense.

## Section 14.04 Other Remedies.

In addition to all other remedies, including the penalties provided in *Section 14.03* of this Ordinance, the City of Livonia may commence and prosecute appropriate actions or proceedings in the Circuit Court for the County of Wayne or any other court having jurisdiction to restrain or prevent any noncompliance with or violation of any of the provisions of this Ordinance, or to correct, remedy or abate such noncompliance or violation.

## Section 14.05 Severability.

It is the legislative intent of the City Council in adopting this Ordinance that all sections thereof shall be liberally construed to protect and preserve the peace, health, safety, and general welfare of the inhabitants of the City of Livonia, Wayne County, Michigan, and further, that should any provision, portion, section, or subsection of this Ordinance be held or deemed unconstitutional or invalid, such holding shall not be construed nor shall it in any manner affect the validity of any of the remaining provisions, portions, sections, or subsections of this Ordinance, it being the intent of the City Council that this Ordinance shall stand, notwithstanding the invalidity of any provision or section or any part thereof. The provisions of this section shall apply to the amendment of any section of this Ordinance whether or not such a provision is restated in the amendatory Ordinance, and to any supplemental regulation added by amendment to this Ordinance.

## Section 14.06 Repeal.

The existing zoning regulations of the City of Livonia, being Ordinance No. 543 and all amendments and extensions thereof, are hereby repealed and all other ordinances of the City of Livonia and parts of such other ordinances in conflict with any of the provisions of this Ordinance are hereby repealed to the extent of such conflict. The adoption of this Ordinance, however, shall not affect or prevent any pending or future prosecution of, or action to abate, any existing provision of Ordinance No. 543, as amended, if the use, so in violation, is in violation of the provisions of this Ordinance. The adoption of this Ordinance shall not be deemed to nor shall it discontinue, abate, modify, alter, or in any way affect or waive any right of the City of Livonia under any section or provision of the ordinances herein repealed existing on the effective date of this Ordinance or any right of the City under any determination or action by the Board of Appeals or City Planning Commission made pursuant to any section or provision of the ordinances herein repealed. A provision herein which duplicates the wording of a corresponding provision of any predecessor Ordinance shall be deemed effective continuously from the date of original adoption.

# ***UNAPPROVED MINUTES***



**MINUTES OF THE 1,184th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA**

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On Tuesday, February 22, 2022, the City Planning Commission of the City of Livonia held its 1,184th Public Hearing and Regular Meetings in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Ian Wilshaw, Chairman, called the meeting to order at 7 p.m.

| | | | |
|---|---|---|---|
| Members present: | David Bongero | Sam Caramagno | Glen Long |
| | Betsy McCue | Carol Smiley | Ian Wilshaw |

Members absent: Peter Ventura

Mr. Mark Taormina, Planning Director, and Stephanie Reece, Program Supervisor, were also present.

Chairman Wilshaw informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission makes a recommendation to the City Council who, in turn, will hold its own public hearing and make the final determination as to whether a petition is approved or denied. The Planning Commission holds the only public hearing on a request for preliminary plat and/or vacating petition. The Commission's recommendation is forwarded to the City Council for the final determination as to whether a plat is accepted or rejected. If a petition requesting a waiver of use or site plan approval is denied tonight, the petitioner has ten days in which to appeal the decision, in writing, to the City Council. Resolutions adopted by the City Planning Commission become effective seven (7) days after the date of adoption. The Planning Commission and the professional staff have reviewed each of these petitions upon their filing. The staff has furnished the Commission with both approving and denying resolutions, which the Commission may, or may not, use depending on the outcome of the proceedings tonight.

**ITEM #2 PETITION 2022-01-06-01 Livonia Vision 21 Zoning Ord Amendment**

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2022-01-06-01 submitted by the City of Livonia Planning Commission on its own motion pursuant to Section 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, and in accordance with Public Act 110 of 2006 (Michigan Zoning Enabling Act), as amended, to consider multiple revisions to the *LIVONIA VISION 21 Zoning Ordinance* in order to correct

certain defects, add and delete provisions, and provide clarification to others.

Mr. Taormina: This item involves changes to the Livonia Vision 21 Zoning Ordinance. As you know, the new zoning ordinance was adopted last August. After six months of applying the new regulations, staff has discovered several items that were somehow overlooked and missing, and which should be added back. Additionally, we feel that this presents a great opportunity to make other desired improvements to the ordinance. The requested changes affect 35 different sections of the code. A few are more significant than others, which I will go over briefly. They include: 1) Expanding the opportunity to use the Planned Development option within the City's residential districts. 2) Changing ambulance services, local and suburban passenger, bus, taxi, and trucking transportation terminals, from a permitted use to a waiver-use in the industrial districts. 3) Adding back the provisions for industrial parks that previously existed in Ordinance 543. This is something that came up recently with a couple of site plans in Rosati Park and is important that we get the old regulations reinstated into the new zoning ordinance. 4) Increasing the allowable floor area ratio in the NM2 multi-family district from 30% to 35%. 5) Adding back provisions for restricting the storage of materials and equipment in the front, side, and rear yards within the city's commercial districts. This is something that was inadvertently omitted from the new zoning ordinance, and we found a place to put that back into the code. 6) Eliminating accessory dwelling units as a permitted used in one-family residential districts. I showed you this last week. This language exists in two different spots within the ordinance. Both of those sections would be eliminated. One is part of Article XI and the other is in Article XII. 7) Eliminating the zones that require minimum house sizes since these are all obsolete. When we adopted the new zoning map, we removed any reference to Zones A, B, and C, which for a long time were part of the various district designations, but no longer exist. 8) Including retail sales in our C-4, High Rise Commercial zoning district. Why that was left out, I don't know. The fact that it is a commercial zoning district, it should allow for limited retail sales. 9) Adding back a provision that will allow limited projections of chimneys, eaves, and other architectural features into the required yard setbacks on residential properties. This is another item we discussed where it is not uncommon to have minor projections for features on houses such as chimneys, eaves, and those types of things. Currently, the ordinance has separate rules as applied to porches and decks, but other minor

architectural features were unaccounted for in the new zoning ordinance. We want to add that language back. 10) Adding back the allowance for reduced parking stall dimensions in the case of office developments. Where we typically require 10 x 20 spaces, often times in office complexes where employees park for a long period of time, we really don't see the need for the ten-foot-wide spaces. Nine feet seems to be appropriate in most circumstances. It saves land and since it is not used for customer parking there is less risk of vehicles being damaged. 11) Making sure that screen walls are the preferred means by which to buffer non-residential developments from residential properties. Mr. Long had asked, as we were going through the restrictions, that it should be the preference over the landscape buffering. If you refer to Article X Section 10.03, you will see how we have modified that language to address that concern. 12) Allowing for separation agreements between property owners who desire certain buffering standards and are willing to avoid going through the variance process. There are times when the owner of a commercial property is required to put up a wall, but the adjacent residential property owner might have an existing fence that they prefer to keep. As long as the two parties agree, the ordinance would allow for up to five-year agreements. Over the years, we have done a number of these. They work well. Again, that was left out of the new code book, and we feel it is an important item to put back in. 13) Increasing the allowable area for monument signs in the C-1, Local Business zoning district from 20 square feet to 30 square feet. Why we reduced it in the first place I don't know. It seems logical that for multi-building complexes that the amount of sign area would be at least equal to if it were a single commercial building. 14) Adding back a provision that requires site plan review in the case of certain commercial and other non-residential developments, as well as site condominium and condominium projects. Again, this is language that was inadvertently omitted that we are putting back. 15) Eliminating the application fee for site plan reviews since this was moved to the Code of Ordinances. 16) Lastly, removing the requirement for the City Clerk to provide inserts in the case of rezoning notification signs. It is our opinion that these changes will result in a better overall zoning ordinance and one that helps achieve the overall goals and objectives of the Master Plan. Thank you.

Mr. Wilshaw: Excellent. Thank you, Mr. Taormina. There is no further correspondence from any other departments for this item, is there?

Mr. Taormina: There is not. That is correct. The report for the prepared resolution should be located at the end of the staff report.

Mr. Wilshaw: I do see it in our packet. Thank you. Just for the audience's benefit, who may be reading this or seeing it online or whatever, we did at our study meeting go through an exhaustive review of each of these changes at our study meeting and really appreciate that detail. We have had an opportunity now for the past week between the study meeting and now to further review these changes. Is there any questions from the commissioners for our planning staff?

Ms. Smiley: Not a question. More of a comment. This must have taken a great deal of effort and experience to make these changes and I appreciate them being done. Thank you.

Mr. Taormina: It was interesting because between the Planning, Inspection and Law Departments, in the real-world application of the new ordinance, we began discovering several defects and omissions. There was constant correspondence back and forth between the departments. Where is this? Why is it missing? And what should we do to fix it? So, over the course of the last six months, we have been logging all of these items which aided significantly in drafting the changes.

Ms. Smiley: Thank you.

Mr. Wilshaw: Thank you, Ms. Smiley. That is a great point. This zoning ordinance is over 200 pages. It was almost a clean sheet rewrite from scratch over a period of many many months reviewed by many departments. At some point, when you are looking at all these words you end up getting cross-eyed or you get sort of tunnel vision. It is not easy to see everything clearly, so it is good that this process is happening to constantly review and modify. That is the intent of this new zoning ordinance to be flexible and I think this is a great example of that. Any other comments or questions from anybody? This is a public hearing. There is no one else in the audience to speak to this, so I will not look for anybody to come forward. If there is no other comments or questions from anyone, I will close the public hearing and ask for a motion.

On a motion by Long, seconded by Caramagno, and unanimously adopted, it was

**#02-15-2022** ***RESOLVED***, That pursuant to a Public Hearing having been held by the City Planning Commission on February 22, 2022, on Petition 2022-01-06-01 submitted by the City of Livonia Planning Commission on its own motion pursuant to Section 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, and in accordance with Public Act 110 of 2006 (Michigan Zoning Enabling Act), as amended, to consider multiple revisions to the *LIVONIA VISION 21 Zoning Ordinance* in order to correct certain defects, add and delete provisions, and provide clarification to others, the Planning Commission does hereby recommend to the City Council that Petition 2022-01-06-01 be approved for the following reasons:

1. That the proposed language amendments are needed to correct certain errors and omissions that were overlooked with the adoption of the original Livonia Vision 21 Zoning Ordinance.

2. That the proposed amendments add and delete certain provisions in a way that will serve to improve the effectiveness of the City's land use regulations.

3. That the proposed amendments will serve to further the implementation of the goals and objectives of the Livonia Vision 21 Master Plan and are in the best interests of the community as a whole.

4. That the proposed amendments to are in full compliance with the requirements of the Livonia Vision 21 Zoning Ordinance and the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended.

Mr. Wilshaw: Is there any discussion?

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to City Council with an approving resolution.

# CITY OF LIVONIA

## NOTICE OF PUBLIC HEARING

In accordance with the provisions set forth in Section 4 of Act 207 of the Public Acts of Michigan of 1921, as amended, the City Zoning Act (MSA 5.2934; MCLA 125.584) as well as Article XXIII of Ordinance No. 543, as amended, the Zoning Ordinance of the City of Livonia, the Council has determined that a Public Hearing will take place before the Council of the City of Livonia on **MONDAY, MARCH 21, 2022 at 7:00 P.M.**, in the Auditorium at City Hall, 33000 Civic Center Drive, Livonia, Michigan, with respect to the following item:

Petition 2022-01-06-01 submitted by the City of Livonia Planning Commission on its own motion pursuant to Section 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, and in accordance with Public Act 110 of 2006 (Michigan Zoning Enabling Act), as amended, to consider multiple revisions to the LIVONIA VISION 21 Zoning Ordinance in order to correct certain defects, add and delete provisions, and provide clarification to others

**SUSAN M. NASH, CITY CLERK**

Publish: March 6, 2022

LO-0000361603 3x2.5

# LETTER TO THE LIVONIA CITY COUNCIL

2.

## Planning
## February 25, 2022

| MEETING DATE | PREPARED BY |
| --- | --- |
| Public Hearing of March 21, 2022 | Stephanie Reece, Program Supervisor, |

## AGENDA ITEM

Petition 2022-01-06-01 submitted by the City of Livonia Planning Commission on its own motion pursuant to Section 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, and in accordance with Public Act 110 of 2006 (Michigan Zoning Enabling Act), as amended, to consider multiple revisions to the LIVONIA VISION 21 Zoning Ordinance in order to correct certain defects, add and delete provisions, and provide clarification to others.

## BACKGROUND

## RECOMMENDATION

At the 1,184th Public Hearing and Regular Meeting held by the City Planning Commission on February 22, 2022, the following resolution was unanimously adopted:

#02-15-2022 RESOLVED, That pursuant to a Public Hearing having been held by the City Planning Commission on February 22, 2022, on Petition 2022-01-06-01 submitted by the City of Livonia Planning Commission on its own motion pursuant to Section 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, and in accordance with Public Act 110 of 2006 (Michigan Zoning Enabling Act), as amended, to consider multiple revisions to the LIVONIA VISION 21 Zoning Ordinance in order to correct certain defects, add and delete provisions, and provide clarification to others, the Planning Commission does hereby recommend to the City Council that Petition 2022-01-06-01 be approved for the following reasons:

1. That the proposed language amendments are needed to correct certain errors and omissions that were overlooked with the adoption of the original Livonia Vision 21 Zoning Ordinance.

2. That the proposed amendments add and delete certain provisions in a way that will serve to improve the effectiveness of the City's land use regulations.

3. That the proposed amendments will serve to further the implementation of the goals and objectives of the Livonia Vision 21 Master Plan and are in the best interests of the community as a whole.

4. That the proposed amendments to are in full compliance with the requirements of the Livonia Vision 21 Zoning Ordinance and the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended.

## FISCAL CONSIDERATION

N/A

## ATTACHMENTS

1. 2022-01-06-01_LV21 Amendments_V2PCPH_E-COUNCIL Pkt
2. Petition 2022-01-06-01 Notice

## APPROVED BY

Date: February 24, 2022

Mark Taormina, Planning and Economic Development Director

Date: March 04, 2022

Maureen Miller Brosnan, Mayor

Mayor, Law, S. Kasprowicz,
S. Nash, File

# PUBLIC HEARING
# DIRECTION

**MONDAY, MARCH 21, 2022**

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**PETITION 2022-01-06-01 submitted by The City of Livonia Planning Commission on its own motion pursuant to Section 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, and in accordance with Public Act 110 of 2006 (Michigan Zoning Enabling Act), as amended, to consider multiple revisions to the LIVONIA VISION 21 Zoning Ordinance in order to correct certain defects, add and delete provisions, and provide clarification to others.**

**DIRECTION: 1) APPROVING**

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**THESE ITEMS ARE TO BE PLACED ON THE AGENDA FOR THE REGULAR MEETING OF APRIL 4, 2022**

**(1) Permitted Residential Uses by District.**

| RESIDENTIAL USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **P** | **Use Standards** |
| Accessory residential use for apartments | | | | | | | | | | W | | | | | | | *Section 5.23 Section 5.23(2)* |
| Bed and breakfast establishments | W | W | W | W | | | P | P | P | P | | | | | | | *Section 4.08* |
| Boarding, rooming and lodging houses or tourist homes | | | | W | | | | | | | | | | | | | |
| Condominium multiple dwellings | | | | P | P | P | | | | | | | | | | | |
| Family child care home | P | P | P | | | | | | | | | | | | | | *Section 4.11* |
| Group child care home | P | P | P | | | | | | | | | | | | | | *Section 4.12* |
| Home occupations | P | P | P | P | P | P | | | | | | | | | | | *Section 4.28* |
| Housing for the elderly | | | | | | P | | | | | P | | | | | | *Section 4.31* |
| Multiple dwellings and apartment houses | | | | | P | | | | | | | | | | | | *Section 4.04 Section 4.18* |
| One-family dwellings | P | P | P | P | P | | | | | | | | | | | | *Section 4.19* |
| Planned developments | W | W | W | W | W | | W | W | W | W | | | | | | | *Section 3.02 Section 3.02(2)* |
| Residential homes for mentally or physically handicapped persons | | | W | | | | | | | | | | | | | | *Section 4.02* |
| Single-family clustering | W | W | | | | | | | | | | | | | | | *Section 3.03* |
| Temporary buildings or structures for uses incidental to the construction of residential dwellings and improvements | P | P | P | | | | | | | | | | | | | | *Section 4.56 Section 4.56(2)* |
| Two-family dwellings | | | | P | P | | | | | | | | | | | | *Section 4.20* |

**(2) Permitted Medical Uses by District.**

| MEDICAL USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **p** | **Use Standards** |
| Blood and plasma donation centers | | | | | | | P | P | P | P | | | | | | | |
| Hospitals | | | | | | | W | W | P | W | P | | | | | | *Section 4.29* |
| Kidney transfusion centers | | | | | | | P | P | P | P | | | | | | | |
| Medicine, osteopathy and dentistry (excluding veterinary clinics) | | | | | | | P | P | P | P | | | | | | | |
| Optometry and chiropractic | | | | | | | P | P | P | P | | | | | | | |
| Orthopedic and medical supply stores, but not including assembly or manufacture of such articles | | | | | | | P | P | P | P | | | | | | | |
| Physical therapy and health services (not including massage establishments and public baths) | | | | | | | P | P | P | P | | | | | | | |
| Psychology and podiatry | | | | | | | P | P | P | P | | | | | | | |
| Veterinary clinics, animal clinics and animal hospitals | | | W | | | | W | W | P | | | | | | | | *Section 4.59* |

### (3) Permitted Public and Quasi-Public Uses by District.

| PUBLIC AND QUASI-PUBLIC USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **P** | **Use Standards** |
| Cemeteries | | | W | | | | | | | | | | | | | | |
| Clubs, lodges, and meeting halls, fraternal and religious | | | | | | | P | P | P | | | | | | | | |
| Cultural service buildings, such as publicly owned museums, art galleries and libraries | | | | | | | P | P | P | P | P | | | | | | |
| Educational uses | P | P | P | | | | P | P | P | P | P | | | | | | *Error! Reference source not found. Error! Reference source not found.* |
| Heliports | | | | | | | | | | W | P | W | W | W | | | *Section 4.27* |
| Licensed and certified publicly or privately-owned facilities for the detention, incarceration, commitment and/or rehabilitation of adults or minor children and psychiatric hospitals | | | | | | | | | | | W | | | | | | *Section 4.23* |
| Local and suburban passenger terminals; trucking transportation terminals including maintenance and service facilities | | | | | | | | | | | | | ~~P~~W | ~~P~~W | | | *Section 4.36* |
| Municipal or other governmental buildings | | | | | | | | | | | P | | | | | | |
| Nature Preserve | | | | | | | | | | | | | | | P | | *Error! Reference source not found. Error! Reference source not found.* *Section 4.39* |
| Parking Structure | | | | W | W | W | | W | W | W | P | W | W | P | | W | *Section 7.09* |

| | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Parks and Outdoor recreational uses | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | | *Error! Reference source not found. Error! Reference source not found.* |
| Privately owned and operated recreational uses | W | W | W | W | | | | | | | | | | | | | *Section 4.48* |
| Public utility buildings and substations | W | W | W | W | | | P | P | P | P | | | P | P | | | |
| **PUBLIC AND QUASI-PUBLIC USES** | | | | | | | | | | | | | | | | | |
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **P** | **Use Standards** |
| Radio and television towers and broadcasting studios | | | | | | | | P | P | P | | | | | | | |
| Religious Institutions | W | W | W | W | | | P | P | P | P | | | | | | | *Section 4.50* |
| Schools including, but not limited to dance, music and instrumental, and business/ training | | | | | | | P | P | P | P | | | | | | | |
| Universities, colleges, private colleges, including ancillary uses and facilities | | | P | | | | | | | P | P | | | | | | |

**(4) Permitted Commercial and Retail Uses by District.**

| COMMERCIAL AND RETAIL USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **P** | **Use Standards** |
| Adult Businesses | | | | | | | | | W | | | | | | | | *Section 4.01* |
| Airports, landing fields and platforms, hangars, masts and other facilities for the operation of aircraft | | | W | | | | | | | | | | | | | | |
| Ambulance services, local and suburban bus terminals and taxicab terminals | | | | | | | | W | P | | | | W | W | | | *Section 4.57* |
| Artisan, Craftsman, Printing and Engraving Shops other similar uses | | | | | | | W | P | P | P | | | P | P | | | ***Error! Reference source not found. Error! Reference source not found.*** |
| Automobile and light truck (one (1) ton gross vehicle weight) repair | | | | | | | | W | P | | | | | | | | *Section 4.06* |
| Auto-wash establishments and auto-wash establishments operated with accessory gasoline pumps | | | | | | | | W | P | | | | | | | | *Section 4.07* |
| Bakeries | | | | | | | P | P | P | P | | | | | | | |
| Banks and savings and loans associations | | | | | | | P | P | P | P | | | | | | | |
| Brewer, Micro Brewer, Brewpub, and Distilleries | | | | | | | W | W | P | W | P | P | P | P | | | *Section 4.09* |
| Buildings (single or multi-unit) for the purpose of retail sales and which contain a GFA of 30,000 square feet or more | | | | | | | W | W | P | | | | | | | | *Section 4.52 Section 4.52(1)* |

| COMMERCIAL AND RETAIL USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **P** | **Use Standards** |
| Carnivals, outdoor circuses or migratory amusement enterprises | | | W | | | | | W | P | W | P | | | | | | *Section 4.56 Section 4.56(3)* |
| Catering establishments | | | | | | | P | P | P | P | | | | | | | |
| Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis | | | | | | | | W | P | | | P | P | P | | | *Section 4.54* |
| Convalescent and nursing homes | | | | | | | W | W | P | P | | | | | | | *Section 4.40* |
| Dairies, Creameries, Soft Drink and Bottling Plants, and other similar uses | | | | | | | W | W | W | W | | | P | P | | | ***Error! Reference source not found.*** |
| Dance Halls and Ballrooms | | | | | | | | W | P | | | | | | | | *Section 4.14* |
| Day care nurseries | | | | | W | | W | P | P | P | | | | | | | *Section 4.13* |
| Dog Kennels | | | W | | | | | | | | | | | | | | *Section 4.34(3)* |
| Drive-in Restaurants and restaurants with either drive-thru or drive-up window facilities; including food trucks | | | | | | | | W | P | | | | | | | | *Section 4.51 Section 4.51(3)* |
| Drive-in Theaters | | | | | | | | W | P | | | | | | | | |
| Establishments having liquor licenses such as Class C, Tavern, and Club | | | | | | | W | W | P | W | P | | | | | | *Section 4.22* |
| Full-Service Restaurants with or without outdoor dining areas | | | | | | | W | W | P | P | | | | | | | *Section 4.51 Section 4.51(2)* |
| Funeral homes and undertaking establishments | | | | | | | W | P | P | P | | | | | | | |

| COMMERCIAL AND RETAIL USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **P** | **Use Standards** |
| Garages, repair shops, rustproofing and similar highway services | | | | | | | | | | | | | W | P | | | *Section 4.24* |
| Gasoline service station | | | | | | | | W | P | | | | | | | | *Section 4.26* |
| Golf courses, but not including miniature golf courses or golf driving ranges | P | P | P | | | | | | | | | | | | | | |
| General offices | | | | | | | P | P | P | P | | P | P | P | | | |
| Hotels | | | | | | | | P | P | P | | | | | | | *Section 4.30* |
| Indoor recreational uses | | | | | | | P | P | P | P | | | W | | | | ***Error! Reference source not found. Error! Reference source not found.*** *Section 4.32* |
| Laundry and dry-cleaning establishments | | | | | | | | | | | | P | P | P | | | |
| Limited Service and Carry-Out restaurants with or without outdoor dining areas | | | | | | | P | P | P | P | | | | | | | *Section 4.51* *Section 4.51(1)* |
| Massage establishments | | | | | | | W | W | P | W | | | | | | | *Section 4.37* |
| Motels | | | | | | | | W | P | P | | | | | | | *Section 4.38* |
| Museums | | | | | | | P | P | P | P | | | | | | | |
| Music, Dance, or Business academies | | | | | | | P | P | P | P | | | | | | | |
| New and Used Car Lots and Showrooms, New or Used Mobile Home Sales and Automobile Rental Facilities | | | | | | | | W | P | | | | | | | | *Section 4.05* |
| Open-air business uses | | | | | | | W | W | P | | | | | | | | *Section 4.42* |
| Open-air sales of Christmas trees | | | | | | | P | P | P | P | | | | | | | *Section 4.43* |

| COMMERCIAL AND RETAIL USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **P** | **Use Standards** |
| Automotive Paint shops | | | | | | | | W | W | W | | | P | P | | | ***Error! Reference source not found.*** |
| Parking, non-residential | | | | | | | P | P | P | P | P | P | P | P | P | P | *Article VII* |
| Pawn shops | | | | | | | | W | P | | | | | | | | *Section 4.45* |
| Payday lenders | | | | | | | | W | P | | | | | | | | *Section 4.46* |
| Personal service establishments | | | | | W | W | P | P | P | P | | | | | | | ***Error! Reference source not found. Error! Reference source not found.*** *Section 4.47* |
| Photographic studios | | | | | | | P | P | P | P | | | | | | | |
| Planned ~~general~~ developments | W | W | W | W | W | | W | W | W | W | | | | | | | *Section 3.02* *Section 3.02(2)* |
| Professional offices | | | | | | | P | P | P | P | | P | P | P | | | ***Error! Reference source not found. Error! Reference source not found.*** |
| Retail sales | | | | | W | W | P | P | P | P | | | W | | | | ***Error! Reference source not found. Error! Reference source not found.*** *Section 4.52* |
| S.D.D. and S.D.M. licenses | | | | | | | W | W | P | | | | | | | | *Section 4.03* |
| Second-hand stores and rummage shops | | | | | | | | W | P | | | | | | | | *Section 4.53* |
| Wholesale business uses | | | | | | | | P | P | P | | | | | | | ***Error! Reference source not found. Error! Reference source not found.*** |

**(5) Permitted Industrial Uses by District.**

| INDUSTRIAL USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **p** | **Use Standards** |
| Bulk storage of refined petroleum products | | | | | | | | | | | | | P | P | | | |
| Caregiver grow facilities | | | | | | | | | | | | | P | P | | | *Section 4.10* |
| Data processing and computer centers | | | | | | | | W | W | | | P | P | P | | | |
| Establishments for the distribution of, or the packaging, assembling, secondary processing, alteration or repair | | | | | | | | | | | | P | P | P | | | ***Error! Reference source not found. Error! Reference source not found.*** |
| Experimental product development and testing including limited manufacturing | | | | | | | | | | | | P | P | P | | | |
| Heavy manufacturing and general industrial plants | | | | | | | | | | | | | | P | | | |
| Outdoor storage of Recreational Equipment | | | | | | | | | | | | | W | P | | | *Section 4.44* |
| Industrial, scientific, or business research development and testing laboratories and offices | | | | | | | | | | | | P | P | P | | | |
| Industrial parks | | | | | | | | | | | | P | P | P | | | *Section 5.28* |
| Industrial plants manufacturing, processing or assembling | | | | | | | | | | | | | P | P | | | ***Error! Reference source not found. Error! Reference source not found.*** |
| Internet-based exotic vehicle sales | | | | | | | | | | | | | P | P | | | *Section 4.33* |
| Steel fabricators, truck terminals, truck and | | | | | | | | | | | | | W | ~~P~~W | | | *Section 4.58* |

| | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| trailer rental facilities, special trade contractors, and vehicle tow yards. | | | | | | | | | | | | | | | | | |
| Tool and die shops and pattern making shops | | | | | | | | | | | | P | P | P | | | |
| Warehouses | | | | | | | | | | | | P | P | P | | | *Error! Reference source not found. Error! Reference source not found.* |

**(6) Permitted Other Uses by District.**

| OTHER USES | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | **N1** | **N2** | **RUF** | **NM1** | **NM2** | **NM3** | **C-1** | **C-2** | **C-3** | **C-4** | **P-L** | **M-L** | **M-1** | **M-2** | **NP** | **p** | **Use Standards** |
| Accessory structures and uses | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | | *Section 5.23 Section 5.23(1)* |
| Any lawful use of land or buildings not herein expressly provided for or prohibited | | | | | | | | | | | | | | P | | | |
| Temporary buildings for construction purposes for a period not to exceed the duration of construction | | | | | | | P | P | P | P | | P | P | P | | | |
| Temporary Uses and Sidewalk and Tent Sales | | | | | | | P | P | | | | | | | | | *Section 4.56(1)* |

## Section 1.02 N1 Neighborhood District.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply to all N1 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 5.09, Section 5.23, Section 5.23(1)*)<br>• Educational uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Golf courses, but not including miniature golf courses or golf driving ranges<br>• Family child care home (*Section 4.11*)<br>• Group child care home (*Section 4.12*)<br>• Home occupations (*Section 4.28*)<br>• One-family dwellings (*Section 4.19*)<br>• Parks and outdoor recreational uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Temporary buildings or structures for uses incidental to the construction of residential dwellings and improvements (*Section 4.56, Section 4.56(2)*) | • Bed and breakfast establishments (*Section 4.08*)<br>• Planned developments (*Section 3.02, Section 3.02(2)*)<br>• Public utility buildings and substations<br>• Single-family clustering (*Section 3.03*)<br>• Privately owned and operated recreational uses (*Section 4.48*)<br>• Religious institutions (*Section 4.50*) |
| Refer to ***Error! Reference source not found.*** for definitions of uses and refer to *Section 3.04(1)* for development standards for specific uses. | |

| PROHIBITED USES |
|---|
| • Caregiver grow facilities.<br>• Non-residential uses, except as set forth in this Section. |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **N1** |
| Min. Lot Area (sq. ft.) | 6,000 |
| Min. Lot Width (ft.) | 50 (*(a)*) |
| Min. Lot Depth (ft.) | 120 (*(a)*) (*(b)*) |
| Front Yard Setback | 25 feet (*(r)*) |
| Rear Yard Setback | 30 feet |
| Side Yard Setback | 5 feet |
| Total of two side yard setbacks | 14 feet |
| Side yard setback abutting street | 15 feet |
| Rear yard abutting side yard, the side yard abutting upon a street not less than | 25 feet |
| Max. Lot Coverage (%) | (*(c)*) |
| Max. Building Height | 35 feet (2 stories), except as provided in *Section 5.17* to *Section 5.20* |
| **Footnotes:** Refer to *Section 2.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 3.04(1)* for dimensional regulations for specific uses. | |

## Section 1.03 N2 Neighborhood District.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply to all N2 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 5.09, Section 5.23, Section 5.23(1)*)<br>• Educational uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Golf courses, but not including miniature golf courses or golf driving ranges<br>• Family child care home (*Section 4.11*)<br>• Group child care home (*Section 4.12*)<br>• Home occupations (*Section 4.28*)<br>• One-family dwellings (*Section 4.19*)<br>• Parks and outdoor recreational uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Temporary buildings or structures for uses incidental to the construction of residential dwellings and improvements (*Section 4.56, Section 4.56(2)*) | • Bed and breakfast establishments (*Section 4.08*)<br>• Planned developments (*Section 3.02, Section 3.02(2)*)<br>• Public utility buildings and substations<br>• Single-family clustering (*Section 3.03*)<br>• Privately owned and operated recreational uses (*Section 4.48*)<br>• Religious institutions (*Section 4.50)* |
| Refer to ***Error! Reference source not found.*** for definitions of uses and refer to *Section 3.04(1)* for development standards for specific uses. | |

| PROHIBITED USES |
|---|
| • Caregiver grow facilities.<br>• Non-residential uses, except as set forth in this Section. |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **N2** |
| Min. Lot Area (sq. ft.) | 8,400 |
| Min. Lot Width (ft.) | 70 (*(a)*) |
| Min. Lot Depth (ft.) | 120 (*(a)*) (*(b)*) |
| Front Yard Setback | 30 feet (*(r)*) |
| Rear Yard Setback | 30 feet |
| Side Yard Setback | 6 feet |
| Total of two side yard setbacks | 16 feet |
| Side yard setback abutting street | 17 feet |
| Rear yard abutting side yard, the side yard abutting upon a street not less than | 25 feet |
| Max. Lot Coverage (%) | *((c))* |
| Max. Building Height | 35 feet (2 stories), except as provided in *Section 5.17* to *Section 5.20* |
| **Footnotes:** Refer to *Section 2.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 3.04(1)* for dimensional regulations for specific uses. | |

## Section 1.04 RUF District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply to all RUF Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 5.09, Section 5.23, Section 5.23(1)*)<br>• Educational uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Fowl and rabbits for the owner's consumption (*Section 4.34*)<br>• Gardening and tree nurseries (*Section 4.24*)<br>• Golf courses, but not including miniature golf courses or golf driving ranges<br>• Family child care home (*Section 4.11*)<br>• Group child care home (*Section 4.12*)<br>• Home occupations (*Section 4.28)*<br>• One-family dwellings (*Section 4.19*)<br>• Parks and outdoor recreational uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Temporary buildings or structures for uses incidental to the construction of residential dwellings and improvements (*Section 4.56, Section 4.56(2)*)<br>• Universities, colleges, private colleges, including ancillary uses and facilities | • Airports, landing fields and platforms, hangars, masts and other facilities for the operation of aircraft<br>• Bed and breakfast establishments (*Section 4.08)*<br>• Carnivals, outdoor circuses or migratory amusement enterprises (*Section 4.56, Section 4.56(3)*)<br>• Cemeteries<br>• Dog kennels (*Section 4.35*)<br>• Fowl and rabbits raised for sale<br>• Planned developments (*Section 3.02, Section 3.02(2)*)<br>• Public utility buildings and substations<br>• Privately owned and operated recreational uses (*Section 4.48*)<br>• Religious institutions (*Section 4.50*)<br>• Residential homes for mentally or physically handicapped persons *(Section 4.02*)<br>• The raising of fur bearing animals (*Section 4.49*)<br>• Veterinary clinics, animal clinics and hospitals (*Section 4.59*) |
| Refer to ***Error! Reference source not found.*** for definitions of uses and refer to *Section 3.04(1)* for development standards for specific uses. | |

| PROHIBITED USES |
|---|
| • Caregiver grow facilities.<br>• Non-residential uses, except as set forth in this Section. |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **RUF** |
| Min. Lot Area (sq. ft.) | 15,000 |
| Min. Lot Width (ft.) | 75 (*(a)*) |
| Min. Lot Depth (ft.) | 150 (*(a)*) *((b))* |
| Front Yard Setback | 50 feet (*(r)*) |
| Rear Yard Setback | 45 feet |
| Side Yard Setback | 10 feet |
| Total of two side yard setbacks | 20 feet |
| Side yard setback abutting street | 23 feet |
| Rear yard abutting side yard, the side yard abutting upon a street not less than | 40 feet |
| Max. Lot Coverage (%) | *(c)* |
| Max. Building Height | 35 feet (2 stories), except as provided in *Section 5.17* to *Section 5.20* |

**Footnotes:** Refer to *Section 2.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 3.04(1)* for dimensional regulations for specific uses.

## Section 1.05 NM1 Neighborhood Multifamily Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all NM1 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 5.23, Section 5.23(1)*)<br>• Condominium multiple dwellings<br>• One-family dwellings (*Section 4.19, Section 4.19(2)*)<br>• Parks and outdoor recreational uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Two-family dwellings (*Section 4.20, Section 4.20(2)*)<br>• Home occupations (*Section 4.28*) | • Bed and breakfast establishments (*Section 4.08*)<br>• Boarding, rooming and lodging houses or tourist homes<br>• Planned developments (*Section 3.02, Section 3.02(2)*)<br>• Privately owned and operated recreational uses (*Section 4.48*)<br>• Public utility buildings and substations<br>• Religious institutions (*Section 4.50*) |
| Refer to ***Error! Reference source not found.*** for definitions of uses and refer to *Section 3.04(1)* for development standards for specific uses. | |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **NM1** |
| Min. Lot Width | 80 (*(a)*) |
| Front Yard Setback | 30 feet |
| Rear Yard Setback | 50 feet |
| Side Yard Setback | 25 (*(d)*) |
| Total of two side yard setbacks | 60 (*(d)*) |
| Side yard setback abutting street | (*(e)*) |
| Max. Lot Coverage | 25% |
| Max. Building Height | 35 feet (2.5 stories), except as provided in *Section 5.17* to *Section 5.20* |
| **Footnotes:** Refer to Section 2.03 wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to Section 3.04(1) for dimensional regulations for specific uses. | |

## Section 1.06 NM2 Neighborhood Multifamily District.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all NM2 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 5.23 Section 5.23(1)*)<br>• Condominium multiple dwellings<br>• Home occupations (*Section 4.28*)<br>• Multiple dwellings and apartment houses (*Section 4.04, Section 4.18*)<br>• One-family dwellings (*Section 4.19, Section 4.19(2)*)<br>• Parks and outdoor recreational uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Two-family dwellings (*Section 4.20, Section 4.20(2)*) | • Day care nurseries (*Section 4.13*)<br>• Personal service establishments (***Error! Reference source not found., Error! Reference source not found.***) (*Section 4.47*)<br>• Planned ~~general~~ developments (*Section 3.02, Section 3.02(2)*)<br>• Retail sales (***Error! Reference source not found., Error! Reference source not found.***) (*Section 4.52*) |
| Refer to ***Error! Reference source not found.*** for definitions of uses and refer to *Section 3.04(1)* for development standards for specific uses. | |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **NM2** |
| Max. Usable Floor Area in percentage of lot area | ~~30~~35% (*(s)*) |
| Front Yard Setback | 50 feet (*(f)*) |
| Rear Yard Setback | 50 feet (*(f)*) |
| Side Yard Setback | 25 feet (*(f)*) |
| Total of two side yard setbacks | 60 feet (*(f)*) |
| Max. Building Height | *(g)* |
| **Footnotes:** Refer to *Section 2.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 3.04(1)* for dimensional regulations for specific uses. | |

## Section 1.07 NM3 District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all NM3 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 5.23, Section 5.23(1)*)<br>• Condominium multiple dwellings<br>• Home occupations (*Section 4.28*)<br>• Housing for the elderly (*Section 4.31*)<br>• Parks and outdoor recreational uses (***Error! Reference source not found., Error! Reference source not found.***) | • Personal service establishments (***Error! Reference source not found., Error! Reference source not found.***) (*Section 4.47*)<br>• Retail sales (***Error! Reference source not found., Error! Reference source not found.***) (*Section 4.52*) |
| Refer to ***Error! Reference source not found.*** for definitions of uses and refer to *Section 3.04(1)* for development standards for specific uses. | |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **NM3** |
| Front Yard Setback | 50 feet (*(i)*) |
| Rear Yard Setback | 50 feet (*(i)*) |
| Side Yard Setback | 25 feet (*(i)*) |
| Total of two side yard setbacks | 60 feet |
| Maximum ground coverage by principal structure | 25% |
| Max. Building Height | (*(h)*) |
| **Footnotes:** Refer to *Section 2.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 3.04(1)* for dimensional regulations for specific uses. | |

## Section 1.08 C-1 District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all C-1 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 5.23, Section 5.23(1)D)*)<br>• Bakeries<br>• Banks and savings and loans associations<br>• Bed and breakfast establishments (*Section 4.08*)<br>• Blood and plasma donation centers<br>• Catering establishments<br>• Clubs, lodges, and meeting halls, fraternal and religious<br>• Cultural institutions, such as museums, art galleries and libraries<br>• Data processing and computer centers, including sales, service, and maintenance of electronic data processing equipment<br>• Educational uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• General offices<br>• Indoor recreational uses<br>• Kidney transfusion centers<br>• Limited service and carry-out restaurants with or without outdoor dining areas (*Section 4.51,. Section 4.51(1)*)<br>• Medicine, osteopathy and dentistry (excluding veterinary clinics)<br>• Music, dance, or business academies<br>• Open-air sales of Christmas trees (*Section 4.43*)<br>• Optometry and chiropractic<br>• Orthopedic and medical supply stores, but not including assembly or manufacturing<br>• Parks and outdoor recreational uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Personal service establishments (***Error! Reference source not found., Error! Reference source not found.***) (*Section 4.47*)<br>• Photographic studios<br>• Physical therapy and health services (not including massage establishments and public baths)<br>• Professional offices (***Error! Reference source not found., Error! Reference source not found.***)<br>• Psychology and podiatry<br>• Public utility uses<br>• Religious institutions (*Section 4.50*)<br>• Retail sales (***Error! Reference source not found., Error! Reference source not found.***) (*Section 4.52*)<br>• Schools including, but not limited to dance, music and instrumental, and business/ training<br>• Schools - music, dance or business<br>• Temporary buildings for construction purposes, not to exceed the duration of construction<br>• Temporary Uses and Sidewalk and Tent Sales (Section 4.56(1)) | • Artisan, craftsman, printing and engraving Shops other similar uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Buildings (single or multi-unit) for the purpose of retail sales and which contain a GFA of 30,000 square feet or more (*Section 4.52, Section 4.52(1)*)<br>• Brewer, micro brewer, brewpub, and distilleries (*Section 4.09*)<br>• Convalescent and nursing homes (*Section 4.40*)<br>• Dairies, creameries, soft drink and bottling plants, and other similar uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Day care nurseries (*Section 4.13*)<br>• Establishments having liquor licenses such as Class C, tavern, and club (*Section 6.22*)<br>• Full-service restaurants with or without outdoor dining areas (*Section 4.51, Section 4.51(2)*)<br>• Funeral homes and undertaking establishments<br>• Hospitals (*Section 4.29*)<br>• Massage establishments (*Section 4.37*)<br>• Open-air business uses (*Section 4.42*)<br>• Planned ~~general~~ developments (Section 3.02*)*<br>• S.D.D. and S.D.M. licenses (*Section 4.03*)<br>• Veterinary clinics, animal clinics and animal hospitals (*Section 4.59*) |
| Refer to ***Error! Reference source not found.*** for definitions of uses and refer to *Section 3.04(1)* for development standards for specific uses. | |

## PROHIBITED USES

In all C-1 Districts no buildings shall hereafter be erected, altered, or used, nor shall any land be used in whole or in part for residential purposes; provided, however, that nothing contained in this section shall affect or interfere with dwellings now in existence in C-1 Districts on the date when this Ordinance becomes effective nor with any buildings accessory to such dwellings or in any way prevent the owners thereof from making any additions, alterations, or repairs to such dwellings or erecting any buildings accessory thereto; provided further, however, that all such dwellings and buildings accessory thereto shall conform to the same requirements as are provided in this Ordinance for the nearest district thereto in which a dwelling may hereafter be lawfully erected.

Nothing in this Article shall be construed as permitting the operation of material yards, new and used lumber sales, nor the sale of used machinery or auto parts, which uses are hereby expressly prohibited in C-1 Districts.

## DIMENSION REGULATIONS

| **Lot Standards** | **C-1** |
|---|---|
| Min. Lot Area | 4,000 sq. ft. |
| Min. Size of Commercial Buildings | (*(j)*) |
| Front Yard Setback | 15 feet (*(p)*) |
| Side Yard Setback | 8 feet (*(p)*) |
| Total of two side yard setbacks | 16 feet |
| Rear Yard Setback | 8 feet (*(p)*) |
| Max. Building Height | 35 feet (2 stories), except as provided in *Section 5.17* to *Section 5.20* |

**Footnotes:** Refer to *Section 2.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 3.04(1)* for dimensional regulations for specific uses.

## Section 1.09 C-2 District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all C-2 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 5.23, Section 5.23(1)D)*)<br>• Artisan, craftsman, printing and engraving shops other similar uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Bakeries<br>• Banks and savings and loans associations<br>• Bed and breakfast establishments (*Section 4.08*)<br>• Blood and plasma donation centers<br>• Catering establishments<br>• Clubs, lodges, and meeting halls, fraternal and religious<br>• Cultural institutions, such as museums, art galleries and libraries<br>• Day care nurseries (*Section 4.13*)<br>• Data processing and computer centers, including sales, service, and maintenance of electronic data processing equipment<br>• Educational uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Funeral homes and undertaking establishments<br>• Gardening and tree nurseries (*Section 4.24*)<br>• General offices<br>• Hotels (*Section 4.30*)<br>• Indoor recreational uses (*Section 2.01 (8)*) (*Section 4.32*)<br>• Kidney transfusion centers<br>• Limited service and carry-out restaurants with or without outdoor dining areas (*Section 4.51, Section 4.51(1)*)<br>• Medicine, osteopathy and dentistry (excluding veterinary clinics)<br>• Music, dance, or business academies<br>• Nurseries, including sale of garden supplies<br>• Open-air sales of Christmas trees (*Section 4.43*)<br>• Optometry and Chiropractic<br>• Orthopedic and medical supply stores, but not including assembly or manufacturing<br>• Parks and outdoor recreational uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Personal service establishments (***Error! Reference source not found., Error! Reference source not found.***) (*Section 4.47*)<br>• Photographic studios<br>• Physical therapy and health services (not including massage establishments and public baths)<br>• Professional offices (***Error! Reference source not found., Error! Reference source not found.***)<br>• Psychology and podiatry<br>• Public utility uses<br>• Radio and television towers and broadcasting studios<br>• Religious institutions (*Section 4.50*)<br>• Retail sales (***Error! Reference source not found., Error! Reference source not found.***) (*Section 4.52*)<br>• Schools including, but not limited to dance, music and instrumental, and business/ training | • Ambulance services, local and suburban bus terminals and taxicab terminals (*Section 4.57*)<br>• Automobile and light truck (one (1) ton gross vehicle weight) repair (*Section 4.06*)<br>• Auto-wash establishments and auto-wash establishments operated with accessory gasoline pumps (*Section 4.07*)<br>• Buildings (single or multi-unit) for the purpose of retail sales and which contain a GFA of 30,000 square feet or more (*Section 4.52, Section 4.52(1)*)<br>• Brewer, micro brewer, brewpub, and distilleries (*Section 4.09*)<br>• Carnivals, outdoor circuses or migratory amusement enterprises (*Section 4.56, Section 4.56(3)*)<br>• Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis (*Section 4.54*)<br>• Convalescent and nursing homes (*Section 4.40*)<br>• Dairies, Creameries, Soft Drink and Bottling Plants, and other similar uses (*Section 2.01 (8)*)<br>• Dance halls and ballrooms (*Section 4.14*)<br>• Drive-in restaurants and restaurants with either drive-thru or drive-up window facilities; including food trucks (*Section 4.51, Section 4.51(3)*)<br>• Drive-in theaters<br>• Establishments having liquor licenses such as Class C, tavern, and club (*Section 6.22*)<br>• Full-service restaurants with or without outdoor dining areas (*Section 4.51, Section 4.51(2)*)<br>• Gasoline service station (*Section 4.26*)<br>• Hospitals (*Section 4.29*)<br>• Massage establishments (*Section 4.37*)<br>• Motels (*Section 4.38*)<br>• New and used car lots and showrooms, new or used mobile home sales and automobile rental facilities (*Section 4.05*)<br>• Open-air business uses (*Section 4.42*)<br>• Automotive paint Shops (*Section 2.01 (8)*)<br>• Parking structure (*Section 7.09*)<br>• Pawn shops (*Section 4.45*)<br>• Payday lenders (*Section 4.46*)<br>• Planned ~~general~~ developments (*Section 3.02*)<br>• S.D.D. and S.D.M. licenses (*Section 4.03*)<br>• Second-hand stores and rummage shops (*Section 4.53*)<br>• Veterinary clinics, animal clinics and animal hospitals (*Section 4.59*) |

| | |
|---|---|
| • Temporary buildings for construction purposes, not to exceed the duration of construction<br>• Temporary Uses and Sidewalk and Tent Sales (*Section 4.56(1*))<br>• Wholesale business uses (***Error! Reference source not found.**, **Error! Reference source not found.***) | |
| Refer to **Error! Reference source not found.** for definitions of uses and refer to Section 3.04(1) for development standards for specific uses. | |

## PROHIBITED USES

In all C-2 Districts no building shall hereafter be erected, altered, or used, nor shall any land be used in whole or in part for residential purposes; provided, however, that nothing contained in this section shall affect or interfere with dwellings now in existence in C-2 Districts on the date when this Ordinance becomes effective nor with any buildings accessory to such dwellings, or in any way prevent the owners thereof from making any additions, alterations, or repairs to such dwellings or erecting any buildings accessory thereto; provided further, however, that all such dwellings and buildings accessory thereto shall conform to the same requirements as are provided in this Ordinance for the nearest district thereto in which a dwelling may hereafter be lawfully erected.

Nothing in this Article shall be construed as permitting the operation of material yards, new and used lumber sales, nor the sale of used machinery or auto parts, which uses are hereby expressly prohibited in C-2 Districts.

## DIMENSION REGULATIONS

| **Lot Standards** | **C-2** |
|---|---|
| Min. Lot Area | (*(k)*) |
| Min. Size of Commercial Buildings | (*(l)*) |
| Front Yard Setback | 15 feet (*(p)*) |
| Side Yard Setback | 8 feet (*(p)*) |
| Total of two side yard setbacks | 16 feet |
| Rear Yard Setback | 8 feet (*(p)*) |
| Max. Building Height | 35 feet (2 stories), except as provided in *Section 5.17* to *Section 5.20* |
| **Footnotes:** Refer to *Section 2.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 3.04(1)* for dimensional regulations for specific uses. | |

## Section 1.10 C-3 District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all C-3 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 5.23, Section 5.23(1)D)*)<br>• Ambulance services, local and suburban bus terminals and taxicab terminals (*Section 4.57*)<br>• Artisan, craftsman, printing and engraving shops other similar uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Automobile and light truck (one (1) ton gross vehicle weight) repair (*Section 4.06*)<br>• Auto-wash establishments and auto-wash establishments operated with accessory gasoline pumps (*Section 4.07*)<br>• Bakeries<br>• Banks and savings and loans associations<br>• Bed and breakfast establishments (*Section 4.08*)<br>• Blood and plasma donation centers<br>• Buildings (single or multi-unit) for the purpose of retail sales and which contain a GFA of 30,000 square feet or more (*Section 4.52, Section 4.52(1)*)<br>• Brewer, micro brewer, brewpub, and distilleries (*Section 4.09*)<br>• Carnivals, outdoor circuses or migratory amusement enterprises (*Section 4.56, Section 4.56(3)*)<br>• Catering establishments<br>• Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis (*Section 4.54*)<br>• Clubs, lodges, and meeting halls, fraternal and religious<br>• Convalescent and nursing homes (*Section 4.40*)<br>• Cultural institutions, such as museums, art galleries and libraries<br>• Dance halls and ballrooms (*Section 4.14*)<br>• Data processing and computer centers, including sales, service, and maintenance of electronic data processing equipment<br>• Day care nurseries (*Section 4.13*)<br>• Drive-in restaurants and restaurants with either drive-thru or drive-up window facilities; including food trucks (*Section 4.51, Section 4.51(3)*)<br>• Drive-in theaters<br>• Educational uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Establishments having liquor licenses such as Class C, tavern, and club (*Section 6.22*)<br>• Full service restaurants with or without outdoor dining areas (*Section 4.51, Section 4.51(2)*)<br>• Funeral homes and undertaking establishments<br>• Gardening and tree nurseries (*Section 4.24*)<br>• Gasoline service station (*Section 4.26*)<br>• General offices<br>• Hospitals (*Section 4.29*)<br>• Hotels (*Section 4.30*)<br>• Indoor recreational uses (***Error! Reference source not found., Error! Reference source not found.***) (*Section 4.32*)<br>• Kidney transfusion centers<br>• Limited service and carry-out restaurants with or without outdoor dining areas (*Section 4.51 Section 4.51(1)*)<br>• Massage establishments (*Section 4.37*)<br>• Medicine, osteopathy and dentistry (excluding veterinary clinics)<br>• Motels (*Section 4.38)* | • Adult businesses (*Section 4.01*)<br>• Dairies, creameries, soft drink and bottling plants, and other similar uses (***Error! Reference source not found.***)<br>• Automotive paint shops (***Error! Reference source not found.***)<br>• Parking structure (*Section 7.09*)<br>• Planned ~~general~~ developments (*-Section 3.02*)<br>• |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Music, dance, or business academies<br>• New and used car lots and showrooms, new or used mobile home sales and automobile rental facilities (*Section 4.05*)<br>• Nurseries, including sale of garden supplies<br>• Open-air business uses (*Section 4.42)*<br>• Open-air sales of Christmas trees (*Section 4.43*)<br>• Optometry and chiropractic<br>• Orthopedic and medical supply stores, but not including assembly or manufacturing<br>• Parks and outdoor recreational uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Pawn shops (*Section 4.45)*<br>• Payday lenders (*Section 4.46*)<br>• Personal service establishments (***Error! Reference source not found., Error! Reference source not found.***) (*Section 4.47*)<br>• Photographic studios<br>• Physical therapy and health services (not including massage establishments and public baths)<br>• Professional offices (***Error! Reference source not found., Error! Reference source not found.***)<br>• Psychology and podiatry<br>• Public utility uses<br>• Radio and television towers and broadcasting studios<br>• Religious institutions (*Section 4.50*)<br>• Retail sales (***Error! Reference source not found., Error! Reference source not found.***) (*Section 4.52*)<br>• S.D.D. and S.D.M. licenses (*Section 4.03*)<br>• Second-hand stores and rummage shops (*Section 4.53*)<br>• Schools including, but not limited to dance, music and instrumental, and business/ training<br>• Temporary buildings for construction purposes, not to exceed the duration of construction<br>• Veterinary clinics, animal clinics and animal hospitals (*Section 4.59*)<br>• Wholesale business uses (***Error! Reference source not found., Error! Reference source not found.***) | |

| PROHIBITED USES |
|---|
| In all C-3 Districts no building shall hereafter be erected, altered, or used, nor shall any land be used in whole or in part for residential purposes; provided, however, that nothing contained in this section shall affect or interfere with dwellings now in existence in C-3 Districts on the date when this Ordinance becomes effective nor with any buildings accessory to such dwellings, or in any way prevent the owners thereof from making any additions, alterations or repairs to such dwellings or erecting any buildings accessory thereto; provided further, however, that all such dwellings and buildings accessory thereto shall conform to the same requirements as are provided in this Ordinance for the nearest district thereto in which a dwelling may hereafter be lawfully erected. Nothing in this article shall be construed as permitting the operation of material yards and the sale of used machinery or auto parts, which uses are hereby expressly prohibited in C-3 Districts. |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **C-3** |
| Min. Lot Area | *((k))* |
| Min. Size of Commercial Buildings | *((l))* |
| Front Yard Setback | 50 feet *((p))* |
| Side Yard Setback | 25 feet *((p))* |
| Total of two side yard setbacks | 50 feet |

| | |
|---|---|
| Rear Yard Setback | ((p)) ((q)) |
| Max. Building Height | 35 feet (2 stories), except as provided in Section 5.17 to Section 5.20 |
| **Footnotes:** Refer to Section 2.03 wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to Section 3.04(1) for dimensional regulations for specific uses. | |

## Section 1.11 C-4 District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all C-4 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (Section 5.23, Section 5.23(1)D)) | • Accessory residential use for apartments (Section 5.23, Section 5.23(2)) |
| • Artisan, craftsman, printing and engraving shops other similar uses (***Error! Reference source not found., Error! Reference source not found.***) | • Carnivals, outdoor circuses or migratory amusement enterprises (Section 4.56, Section 4.56(3)) |
| • Bakeries | • Dairies, creameries, soft drink and bottling plants, and other similar uses (Section 2.01 (8)) |
| • Banks and savings and loans associations | • Establishments having liquor licenses such as Class C, Tavern, and Club (Section 6.22) |
| • Bed and breakfast establishments (Section 4.08) | • Heliports (Section 4.27) |
| • Blood and plasma donation centers | • Hospitals (Section 4.29) |
| • Brewer, Micro Brewer, Brewpub, and Distilleries (Section 4.09) | • Massage establishments (Section 4.37) |
| • Catering establishments | • Automotive paint shops (Section 2.01 (8)) |
| • Convalescent and nursing homes (Section 4.40) | • Parking structure (Section 7.09) |
| • Cultural service buildings, such as publicly owned museums, art galleries and libraries | • Planned ~~general~~ developments (Section 3.02) |
| • Day care nurseries (Section 4.13) | |
| • Educational uses (***Error! Reference source not found., Error! Reference source not found.***) | |
| • Full service restaurants with or without outdoor dining areas (Section 4.51, Section 4.51(2)) | |
| • Funeral homes and undertaking establishments | |
| • Gardening and tree nurseries (Section 4.24) | |
| • General offices | |
| • Hotels (Section 4.30) | |
| • Indoor recreational uses (***Error! Reference source not found., Error! Reference source not found.***) (Section 4.32) | |
| • Kidney transfusion centers | |
| • Limited service restaurant and carry-out restaurants with or without outdoor dining areas (Section 4.51, Section 4.51(1)) | |
| • Medicine, osteopathy and dentistry (excluding veterinary clinics) | |
| • Motels (Section 4.38) | |
| • Museums | |
| • Music, dance, or business academies | |
| • Nurseries, including sale of garden supplies | |
| • Open-air sales of Christmas trees (Section 4.43) | |
| • Optometry and chiropractic | |
| • Orthopedic and medical supply stores, but not including assembly or manufacturing | |
| • Parks and outdoor recreational uses (***Error! Reference source not found., Error! Reference source not found.***) | |
| • Personal service establishments (***Error! Reference source not found., Error! Reference source not found.***) (Section 4.47) | |
| • Photographic studios | |
| • Physical therapy and health services (not including massage establishments and public baths) | |

| | |
|---|---|
| • Professional offices (***Error! Reference source not found., Error! Reference source not found.***)<br>• Psychology and podiatry<br>• Public utility uses<br>• Radio and television towers and broadcasting studios<br>• Religious institutions (*Section 4.50*)<br>• Retail sales (***Error! Reference source not found., Error! Reference source not found.***), (*Section 4.52*)<br>• Schools including, but not limited to dance, music and instrumental, and business/ training<br>• Universities, colleges, private colleges, including ancillary uses and facilities<br>• Wholesale business uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Temporary buildings for construction purposes, not to exceed the duration of construction | |
| Refer to ***Error! Reference source not found.*** for definitions of uses and refer to *Section 3.04(1)* for development standards for specific uses. | |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **C-4** |
| Min. Lot Area | 4,000 sq. ft. |
| Front Yard Setback | 40 feet (*(p)*) |
| Side Yard Setback | 40 feet (*(p)*) |
| Total of two side yard setbacks | 80 feet |
| Rear Yard Setback | 40 feet (*(p)*) |
| Max. Ground Coverage by Principal Structure | 20% |
| Max. Building Height | *(h)* |
| **Footnotes:** Refer to *Section 2.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 3.04(1)* for dimensional regulations for specific uses. | |

## Section 1.12 P-L District Regulations.

| APPLICATION OF ARTICLE |
|---|
| This district is designed to classify publicly owned uses and land publicly or privately-owned facilities (as defined in ***Error! Reference source not found.*** of this ordinance). The regulations set forth in this Article shall apply in all P-L districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 5.23, Section 5.23(1)*)<br>• Brewer, Micro Brewer, Brewpub, and Distilleries (*Section 4.09*)<br>• Carnivals, outdoor circuses or migratory amusement enterprises (*Section 4.56(3*)<br>• Cultural service buildings, such as publicly owned museums, art galleries and libraries<br>• Educational uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Establishments having liquor licenses such as Class C, tavern, and club (*Section 4.22*)<br>• Hospitals (*Section 4.29*)<br>• Housing for the elderly (*Section 4.31*)<br>• Municipal or other governmental buildings<br>• Heliports (*Section 4.27*)<br>• Parking structures (*Section 7.09*)<br>• Parks and outdoor recreational uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Universities, colleges, private colleges, including ancillary uses and facilities | • Licensed and certified publicly or privately-owned facilities for the detention, incarceration, commitment and/or rehabilitation of adults or minor children and psychiatric hospitals (*Section 4.23*) |
| Refer to ***Error! Reference source not found.*** for definitions of uses and refer to *Section 3.04(1)* for development standards for specific uses. | |

## Section 1.13 ML District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all ML Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 5.23, Section 5.23(1)*)<br>• Brewer, micro brewer, brewpub, and distilleries (*Section 4.09*)<br>• Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis (*Section 4.54*)<br>• Data processing and computer centers, including sales, service and maintenance of electronic data processing equipment<br>• Establishments for the distribution of, or the packaging, assembling, secondary processing, alteration or repair<br>• Experimental product development and testing including limited manufacturing (*Section 4.22(3)*)<br>• General offices<br>• Industrial, scientific, or business research development and testing laboratories and offices<br>• Industrial parks (*Section 5.28*)<br>• Laundry and dry-cleaning establishments<br>• Parks and outdoor recreational uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Professional offices (***Error! Reference source not found., Error! Reference source not found.***)<br>• Temporary buildings for construction purposes for a period not to exceed the duration of construction<br>• Tool and die shops and pattern making shops<br>• Warehouses (***Error! Reference source not found., Error! Reference source not found.***) | • Heliports (*Section 4.27*)<br>• Parking structure (*Section 7.09*) |
| Refer to ***Error! Reference source not found.*** for definitions of uses and refer to *Section 3.04(1)* for development standards for specific uses. | |

| PROHIBITED USES |
|---|
| In all ML Districts no building shall be erected or used, or land used, in whole or in part, for any one or more of the following uses:<br>a) All uses permitted in N1, N2, R-U-F, NM1, NM2, C-1, C-2, and C-3 Districts.<br>b) All waiver uses listed in N1, N2, R-U-F-Districts, NM1, NM2, C-1, C-2, and C-3 Districts.<br>c) Outside storage of trucks, materials, and/or supplies.<br>d) Uses causing or resulting in obnoxious, offensive, injurious, dangerous or unhealthy odors, fumes, dust, smoke, noise, glare of lights or vibration, or the accumulation of unsightly waste materials on private or public property. |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **ML** |
| Front Yard Setback | (*(m)*) |
| Rear Yard Setback | (*(m)*) |
| Side Yard Setback | (*(m)*) |
| Max. Building Height | 35 feet, except as provided in *Section 5.17* to *Section 5.20* |

**Footnotes:** Refer to *Section 2.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 3.04(1)* for dimensional regulations for specific uses.

## Section 1.14 M-1 District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all M-1 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 5.23, Section 5.23(1)*)<br>• Artisan, craftsman, printing and engraving shops other similar uses (***Error! Reference source not found. Error! Reference source not found.***)<br>• Brewer, micro brewer, brewpub, and distilleries (*Section 4.09*)<br>• Bulk storage of refined petroleum products<br>• Caregiver grow facilities (*Section 4.10*)<br>• Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis (*Section 4.54*)<br>• Dairies, creameries, soft drink and bottling plants, and other similar uses (***Error! Reference source not found. Error! Reference source not found.***)<br>• Data processing and computer centers, including sales, service and maintenance of electronic data processing equipment<br>• Establishments for the distribution of, or the packaging, assembling, secondary processing, alteration or repair<br>• Experimental product development and testing including limited manufacturing (*Section 4.22(3)*)<br>• General offices<br>• Industrial parks (*Section 5.28*)<br>• Industrial, scientific, or business research development and testing laboratories and offices<br>• Internet-based exotic vehicle sales (*Section 4.33*)<br>• Industrial plants manufacturing, processing or assembling (***Error! Reference source not found., Error! Reference source not found.***)<br>•<br>• Laundry and dry-cleaning establishments<br>• ~~Local and suburban passenger terminals; trucking transportation terminals including maintenance and service facilities (*Section 6.36*)~~<br>• Paint shops (*Section 2.01 (8)*)<br>• Parks and outdoor recreational uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Professional offices (***Error! Reference source not found., Error! Reference source not found.***)<br>• Public utility uses<br>• ~~Industrial, scientific, or business research development and testing laboratories and offices~~<br>• ~~Internet-based exotic vehicle sales (*Section 6.33*)~~ | • Ambulance services, local and suburban bus terminals and taxicab terminals (*Section 4.57*)<br>• Garages, repair shops, rustproofing and similar highway services (*Section 4.24*)<br>• Heliports (*Section 4.27*)<br>• Indoor recreational uses (***Error! Reference source not found., Error! Reference source not found.***) (*Section 4.32*)<br>• Local and suburban passenger terminals; trucking transportation terminals including maintenance and service facilities (*Section 4.36*)<br>• Outdoor storage of recreational equipment (*Section 4.44*)<br>• Parking structures (*Section 7.09*)<br>• Retail sales (***Error! Reference source not found., Error! Reference source not found.***) (*Section 4.52*)<br>• Steel fabricators, truck terminals, truck and trailer rental facilities, ~~where vehicles, trailers, equipment and material,~~ special trade contractors, and vehicle tow yards (*Section 4.58*) |

| | |
|---|---|
| • ~~Industrial plants manufacturing, processing or assembling (*Section 2.02, Section 2.02(2)*)~~<br>• Temporary buildings for construction purposes for a period not to exceed the duration of construction<br>• Tool and die shops and pattern making shops<br>• Warehouses (***Error! Reference source not found., Error! Reference source not found.***) | |
| Refer to ***Error! Reference source not found.*** for definitions of uses and refer to *Section 3.04(1)* for development standards for specific uses. | |

| PROHIBITED USES |
|---|
| In all M-1 Districts no building shall be erected or used, or land used, in whole or in part, for any one or more of the following uses:<br>a) All uses permitted in N1, N2, R-U-F, NM1, NM2, C-1, C-2 and C-3 Districts unless expressly permitted in this Article.<br>b) All waiver uses listed in any of the N1, N2, RUF, NM1, NM2, C1, C2, and C3 Districts unless expressly permitted in this Article.<br>c) Junk yards and businesses handling junk, waste, trash, or rubbish.<br>d) Used auto parts or auto wrecking establishments.<br>e) Incubation, raising, or storing of poultry.<br>f) Slaughtering of animals.<br>g) Use or operation of steam hammers, forging equipment.<br>h) Heavy manufacturing drop forging plants, foundries, and boiler works.<br>i) Uses causing or resulting in obnoxious, offensive, injurious, dangerous or unhealthy odors, fumes, dust, smoke, noise, glare of lights or vibration, or the accumulation of unsightly waste materials on private or public property. |

| DIMENSION REGULATIONS | |
|---|---|
| **Lot Standards** | **M-1** |
| Front Yard Setback | (*(n)*) |
| Rear Yard Setback | (*(n)*) |
| Side Yard Setback | (*(n)*) |
| Max. Building Height | 50 feet, except as provided in *Section 5.17* to *Section 5.20* |
| **Footnotes:** Refer to *Section 2.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 3.04(1)* for dimensional regulations for specific uses. | |

## Section 1.15 M-2 District Regulations.

| APPLICATION OF ARTICLE |
|---|
| The regulations set forth in this Article shall apply in all M-2 Districts. |

| PERMITTED USES | WAIVER USES |
|---|---|
| • Accessory structures and uses (*Section 5.23, Section 5.23(1)*)<br>• Any lawful use of land or buildings not herein expressly provided for or prohibited<br>• Artisan, craftsman, printing and engraving shops other similar uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Brewer, micro brewer, brewpub, and distilleries (*Section 4.09*)<br>• Bulk storage of refined petroleum products<br>• Caregiver grow facilities (*Section 4.10*)<br>• Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis (*Section 4.54*)<br>• Dairies, creameries, soft drink and bottling plants, and other similar uses (*Section 2.01 (8)*)<br>• Data processing and computer centers, including sales, service and maintenance of electronic data processing equipment<br>• Establishments for the distribution of, or the packaging, assembling, secondary processing, alteration or repair<br>• Experimental product development and testing including limited manufacturing (*Section 4.22(3)*)<br>• Garages, repair shops, rustproofing and similar highway services (*Section 4.24*)<br>• General offices<br>• Heavy manufacturing and general industrial plants<br>• Industrial, scientific, or business research development and testing laboratories and offices<br>• Industrial parks (*Section 5.28*)<br>• Industrial plants manufacturing, processing or assembling (***Error! Reference source not found., Error! Reference source not found.***)<br>• Internet-based exotic vehicle sales (*Section 4.33*)<br>• Laundry and dry-cleaning establishments<br>• ~~Local and suburban passenger terminals; trucking transportation terminals including maintenance and service facilities (*Section 6.36*)~~<br>• Outdoor storage of Recreational Equipment (*Section 4.44*)<br>• Paint shops (*Section 2.01 (8)*)<br>• Parking structure (*Section 7.09*)<br>• Parks and outdoor recreational uses (***Error! Reference source not found., Error! Reference source not found.***)<br>• Professional offices (***Error! Reference source not found., Error! Reference source not found.***)<br>• Public utility uses<br>• ~~Steel fabricators, truck terminals, truck and trailer rental facilities where vehicles, trailers, equipment and material (*Section 6.58*)~~<br>• Temporary buildings for construction purposes for a period not to exceed the duration of construction<br>• Tool and die shops and pattern making shops<br>• Warehouses (***Error! Reference source not found., Error! Reference source not found.***) | • Ambulance services, local and suburban bus terminals and taxicab terminals (*Section 4.57*)<br>• Heliports (*Section 4.27*)<br>• Local and suburban passenger terminals; trucking transportation terminals including maintenance and service facilities (*Section 4.36*)<br>• Steel fabricators, truck terminals, truck and trailer rental facilities, special trade contractors, and vehicle tow yards (*Section 4.58*)<br>• ~~Vehicle tow yards (*Section 6.58*)~~ |
| Refer to ***Error! Reference source not found.*** for definitions of uses and refer to *Section 3.04(1)* for development standards for specific uses. | |

## PROHIBITED USES

In all M-2 Districts no building shall be erected or used, or land used, in whole or in part, for any one or more of the following uses:

a) All uses that are prohibited in an M-1 District.

b) Tanneries, slaughterhouses, stock yards, glue factories, soap factories, asphalt mixing, batching or paving plants, oil or asphalt refineries.

c) Furniture stores.

d) Indoor recreational uses.

e) The operation of forgings by steam or board hammers except where located more than one thousand (1,000) feet from any district zoned as residential as measured from any point on the property and only when approved by the City Council after review and submission of findings by the City Planning Commission. No such approval shall be given until the City Council is satisfied that vibration and noise will be reduced to a reasonable minimum through construction and use of the most modern and effective facilities available for such purpose.

f) Uses causing or resulting in obnoxious, offensive, injurious, dangerous or unhealthy odors, fumes, dust, smoke, noise, glare of lights, waste, discharge of by-products, or the accumulation of unsightly waste materials on private or public property.

g) Uses like the above specified uses.

## DIMENSION REGULATIONS

| **Lot Standards** | **M-2** |
|---|---|
| Front Yard Setback | (*(o)*) |
| Rear Yard Setback | (*(o)*) |
| Side Yard Setback | (*(o)*) |

**Footnotes:** Refer to *Section 2.03* wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to *Section 3.04(1)* for dimensional regulations for specific uses.

## Section 1.16 NP District Regulations.

### APPLICATION OF ARTICLE

The regulations of this Article shall apply in all NP Districts. The intent of this Article is to provide for the preservation and protection of certain City-owned properties which remain undisturbed in their natural state and which are designated as "Nature Preserve" on Part VII of the Master Plan, the Future Land Use Plan, because they have unique characteristics such as a dense growth of trees, wild flowers and a variety of other plants, animals and birds normally associated with a densely wooded area, as well as the preservation of publicly-owned properties which are designated as wetlands by the Department of Natural Resources or are located within a designated Flood Hazard District as defined in ***Error! Reference source not found.***, ***Error! Reference source not found.*** of this Ordinance.

### PERMITTED USES

Nature Preserves (***Error! Reference source not found.***, ***Error! Reference source not found.***, *Section 4.39*)

Refer to **Error! Reference source not found.** for definitions of uses.

### PROHIBITED USES

In all NP districts, no building or structure shall be erected, nor shall any land be used in whole or in part for any purpose whatsoever except for one or more of the uses expressly permitted in the permitted uses listed above. Irrespective of any other provisions of this Ordinance, the foregoing prohibition shall include grading, filing or dumping of any material in any manner; the removal or damaging of trees, wild flowers, and other plant material; and the destruction of wildlife.

## Section 1.17 P District Regulations.

### APPLICATION OF ARTICLE

The regulations of this Article shall apply in all P Districts.

### PERMITTED AND WAIVER USES

Non-residential parking shall be treated as a Permitted Use. In all P Districts, no land shall be used and no building shall be hereafter erected, converted or structurally altered, unless otherwise provided for in this Ordinance, for any use other than automobile parking. All P Districts shall be contiguous to a Business District and/or Industrial District; provided, however, that there may be a private highway or public street or public alley between such P District and such Business District and/or Industrial District. Parking may be with or without charge. The standards of Article X, Parking, Loading, and Access Management shall apply (*Article X*).

Parking structures shall be treated as a Waiver Use, subject to the provisions set forth in *Section 7.09*.

### PROHIBITED USES

a) Parking areas shall be used for parking of private passenger vehicles only.

b) No business involving the repair or services to vehicles permitted thereon or sale, or other storage, or display thereof, shall be conducted from or upon such premises

# Article II.
# Schedule of Regulations

## Section 2.01 Statement of Purpose.

The purpose of this Article is to provide area, height, and placement regulations for districts established by this Zoning Ordinance.

## Section 2.02 Schedule of Regulations.

Unless otherwise provided in this Ordinance, area, height, and placement regulations under this Ordinance shall be in accordance with the Schedule of Regulations in the Table and footnotes below, which schedule and footnotes are hereby made a part of this *Section 2.02.*

## SCHEDULE OF REGULATIONS

| | Lot Area, Lot Coverage, and Dwelling/Business Unit Standards | | | | | | Minimum Yard Setbacks (ft) | | | | | | Maximum Building Height | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Zoning District** | Minimum Lot Area | Maximum Usable Floor Area in Percentage of Lot Area | Minimum Size of Commercial Buildings | Minimum Lot Width (ft.) | Minimum Lot Depth (ft.) | Maximum Lot Coverage (%) | Front (ft.) | Side (ft.) | Total of 2 Sides (ft.) | Side yard setback abutting street | Rear yard abutting side yard, the side yard abutting upon a street not less than | Rear (ft.) | Feet | Stories |
| **N1, Neighborhood** | 6,000 sq. ft. | — | — | 50 ((a)) | 120 ((a)) ((b)) | ((c)) | 25 ((r)) | 5 | 14 | 15 | 25 | 30 | 35, except as provided in Section 5.17 to Section 5.20 | 2, except as provided in Section 5.17 to Section 5.20 |
| **N2, Neighborhood** | 8,400 sq. ft. | — | — | 70 ((a)) | 120 ((a)) ((b)) | ((c)) | 30 ((r)) | 6 | 16 | 17 | 25 | 30 | 35, except as provided in Section 5.17 to Section 5.20 | 2, except as provided in Section 5.17 to Section 5.20 |
| **RUF, Rural Urban Farm** | 15,000 sq. ft. | — | — | 75 ((a)) | 150 ((a)) ((b)) | ((c)) | 50 ((r)) | 10 | 20 | 23 | 40 | 45 | 35, except as provided in Section 5.17 to Section 5.20 | 2, except as provided in Section 5.17 to Section 5.20 |
| **NM1, Neighborhood Multifamily** | — | — | — | 80 ((a)) | -- | 25% | 30 | 25 ((d)) | 60 ((d)) | ((e)) | — | 50 | 35, except as provided in Section 5.17 to Section 5.20 | 2 ½, except as provided in Section 5.17 to Section 5.20 |
| **NM2, Neighborhood Multifamily** | — | ~~30~~35% ((s)) | — | — | — | — | 50 ((f)) | 25 ((f)) | 60 ((f)) | — | — | 50 ((f)) | ((g)) | ((g)) |
| **NM3, Neighborhood Multifamily** | — | — | — | — | — | 25% for the principal structure | 50 ((i)) | 25 ((i)) | 60 ((i)) | — | — | 50 ((i)) | ((h)) | ((h)) |
| **C-1, Local Business** | 4,000 sq. ft. | — | ((j)) | — | — | — | 15 ((p)) | 8 ((p)) | 16 | — | — | 8 ((p)) | 35, except as provided in Section 5.17 to Section 5.20 | 2, except as provided in Section 5.17 to Section 5.20 |
| **C-2, General Business** | ((k)) | — | ((l)) | — | — | — | 15 ((p)) | 8 ((p)) | 16 | — | — | 8 ((p)) | 35, except as provided in Section 5.17 to Section 5.20 | 2, except as provided in Section 5.17 to Section 5.20 |
| **C-3, Highway Services** | ((k)) | — | ((l)) | — | — | — | 50 ((p)) | 25 ((p)) | 50 | — | — | ((p)) ((q)) | 35, except as provided in Section 5.17 to Section 5.20 | 2, except as provided in Section 5.17 to Section 5.20 |
| **C-4, High Rise Commercial** | 4,000 sq. ft. | — | — | -- | -- | | 40 ((p)) | 40 ((p)) | 80 | — | — | 40 ((p)) | ((g)) | ((g)) |
| **ML, Manufacturing Limited** | — | — | — | — | — | — | ((m)) | ((m)) | — | — | — | ((m)) | 35, except as provided in Section 5.17 to Section 5.20 | — |
| **M-1, Light Manufacturing** | — | — | — | — | — | — | ((n)) | ((n)) | — | — | — | ((n)) | 50, except as provided in Section 5.17 to Section 5.20 | — |
| **M-2, General Manufacturing** | — | — | — | — | — | — | ((o)) | ((o)) | — | — | — | ((o)) | — | — |

**Footnotes:** Refer to Section 2.03 wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to Section 3.04(1) for dimensional regulations for specific uses.

## Section 2.03 Footnotes to Schedule of Regulations.

*(a)* When lots are hereafter platted with a side or rear lot line abutting a major thoroughfare with an existing or proposed right-of-way width of one hundred twenty (120) feet or more as designated on the Future Transportation Map of the City of Livonia, the lot depth and/or lot width shall be increased by at least thirty (30) feet to provide additional buffering from such thoroughfare.

*(b)* Lot depth requirements need not be adhered to where immovable physical boundary limitations exist which prohibit meeting lot depth requirements, provided that all minimum area and width requirements are met.

*(c)* One-family dwellings together with accessory buildings shall not cover more than thirty-five (35) percent of the lot area.

*(d)* Side Yard Setbacks

*i)* Side Yards; One- and Two-Family Dwellings. All lots in NM1 Districts on which a one family dwelling is established shall have two (2) side yards, one with a minimum width of not less than six (6) feet, and the aggregate width of both side yards shall not be less than sixteen (16) feet. All lots in NM1 Districts on which a two (2) family dwelling is established shall have two (2) side yards of not less than ten (10) feet each.

*ii)* Side Yards; Non-Residential Use. Every lot on which a building or structure used for a non-dwelling purpose shall have a side yard on each side of such lot, and each such yard shall be not less than fifteen (15) feet in width.

*(e)* In NM1 Districts, the width of side yards abutting upon a street shall not be less than seventeen (17) feet at the first-floor level when rear yards abut rear yards; however, in case of a rear yard abutting a side yard of an adjacent lot, the side yard abutting upon a street shall be not less than thirty (30) feet.

*(f)* Provided, however, that when any front, rear or side yard abuts a major thoroughfare of one hundred twenty (120) feet or more as indicated on the Future Transportation Map of the City of Livonia, the minimum setback shall be seventy-five (75) feet.

*(g)* Buildings shall not exceed four (4) stories in height, except that the maximum height of buildings to be erected or used on any parcel or parcels of land designated Zone I, Zone II, or Zone III shall be as follows:

| Zone | Maximum Height of Building |
|---|---|
| I | 6 stories |
| II | 8 stories |
| III | 12 stories |
| IV | 20 stories |

*(h)* Thirty-five (35) feet and two and a half (2-½) stories, except that the maximum height of a building to be erected or used on any parcel or parcels of land designated Zone I, Zone II, and Zone III shall be as follows:

| Zone | Maximum Height of Building |
|---|---|
| I | 4 stories |
| II | 6 stories |
| III | 9 stories |

*(i)* The following setbacks apply in the NM3 District for building heights greater than 2 stories:

| Type of Building | | Front Yard | Rear Yard | Side Yard | Interior Yard |
|---|---|---|---|---|---|
| Required setback lines for principal buildings and accessory buildings | Perimeter 3-story building: | 75 feet | 50 feet | 50 feet | 50 feet |
| | | Provided, however, that when an NM3 District abuts single family residential district the required yards abutting said residential district shall be no less than seventy-five (75) feet. | | | |
| | Perimeter for each story more than three (3), the following additional setback is required | 5 feet | 10 feet | 10 feet | Interior for each story of a principal building in excess of three (3), the distance between buildings shall be increased by ten (10) feet. |

*(j)* In C-1 Districts no commercial building shall hereafter be erected having a first-floor area of less than six hundred (600) square feet or as otherwise approved by the City Council.

*(k)* In no case shall a business lot be less than four thousand (4,000) square feet in area.

*(l)* No commercial or business building shall hereafter be erected having a first-floor area of less than four hundred (400) square feet or as otherwise approved by the City Council.

*(m)* When a building is hereafter erected or altered in any ML District, front, rear, and side yards shall be maintained as follows:

*i)* Parcels Less Than One (1) Acre in Area. The front yard shall have a depth of at least fifty (50) feet, the rear yard shall have a depth of at least twenty (20) feet, and there shall be two (2) side yards, each having a width of not less than twelve (12) feet and the combined width of both side yards shall not be less than forty (40) feet; provided, however, that a side yard abutting a street shall not be less than thirty (30) feet.

*ii)* Parcels Less Than Ten (10) Acres in Area. Where such building is situated on a lot having an area in excess of one (1) acre and not more than ten (10) acres, the front and rear yards shall be at least fifty (50) feet each in depth, the interior side yards shall not be less than thirty (30) feet each, and a side yard abutting a street shall not be less than thirty (30) feet.

*iii)* Parcels More Than Ten (10) Acres in Area. The front yard shall have a depth of at least one hundred (100) feet, the rear yard shall be at least fifty (50) feet in depth, interior side yards shall not be less than thirty (30) feet each, and a side yard abutting a street shall not be less than fifty (50) feet.

*iv)* Provided, however, that notwithstanding the foregoing, where any such parcel or lot abuts a major thoroughfare having an existing or planned width of one hundred twenty (120) feet or more, as shown on the Future Transportation Map, then the required yards abutting major thoroughfares shall be provided with a depth of no less than one hundred (100) feet; except, however, in the case of properties abutting Eight Mile Road (Baseline Road) and the I-96 (Schoolcraft) Freeway eastbound service drive, in which case the said minimum setback shall be fifty (50) feet; further, the yard requirements set forth in this section shall not apply to property lines adjacent to any railroad right-of-way.

*(n)* When a building is hereafter erected or altered in any M-1 District, front, rear, and side yards shall be maintained as follows:

*i)* Parcels Less Than One (1) Acre in Area. The front yard shall have a depth of at least fifty (50) feet, the rear yard shall have a depth of at least twenty (20) feet, the interior side yards shall be not less than twenty (20) feet each, and a side yard abutting a street shall be not less than twenty-five (25) feet.

*ii)* Parcels Less Than Ten (10) Acres in Area. Where such building is situated on a lot having an area in excess of one (1) acre and not more than ten (10) acres, the front and rear yards shall be at least fifty (50) feet each in depth, the interior side yards shall be not less than twenty (20) feet each, and a side yard abutting a street shall be not less than twenty-five (25) feet.

*iii)* Parcels More Than Ten (10) Acres in Area. Where such building is situated on a lot having an area in excess of ten (10) acres, the front yard shall have a depth of at least one hundred (100) feet, the rear yard shall be at least fifty (50) feet in depth, the interior side yards shall not be less than twenty (20) feet each, and a side yard abutting a street shall be not less than fifty (50) feet.

Provided, however, that notwithstanding the foregoing, where any such parcel or lot abuts a major thoroughfare having an existing or planned width of one hundred twenty (120) feet or more, as shown on the Future Transportation Map, then the required yards abutting major thoroughfares shall be provided with a depth of no less than one hundred (100) feet; except, however, in the case of properties abutting Eight Mile Road (Baseline Road) and the I-96 (Schoolcraft) Freeway eastbound service drive, in which case the said minimum setback shall be fifty (50) feet; further, the yard requirements set forth in this section shall not apply to property lines adjacent to any railroad right-of-way.

*(o)* When a building is hereafter erected or altered in any M-2 District, front, rear, and side yards shall be maintained as follows:

*i)* Parcels more than twenty (20) acres in area, front, rear, and side yards shall have a depth of at least two hundred (200) feet each.

*ii)* Parcels twenty (20) acres or less in area. Front, rear, and side yards shall be the same as required in an M-1 District;

*iii)* Provided, however, that notwithstanding the foregoing provisions of this section, the following additional requirements shall apply:

- Where any such parcel or lot abuts a major thoroughfare having an existing or planned width of one hundred twenty (120) feet or more, as shown on the Future Transportation Map, then, and in such event, the required yard abutting a major thoroughfare shall have a setback of no less than one hundred (100) feet; except, however, in the case of properties abutting the I-96 (Schoolcraft) Freeway eastbound service drive, in which case the said minimum setback shall be fifty (50) feet;
- Where any such parcel abuts on the boundary of any district zoned other than M-2, M-1, or PL, any yard of such parcel abutting on such boundary shall not be less than two hundred (200) feet;
- The yard requirements set forth in this section shall not apply to property lines adjacent to any railroad right-of-way.

*(p)* No part of the minimum required front yard, side yard or rear yard shall be used for either the storage, placement or display of merchandise or equipment and no part of any parcel of land located in a C-1, C-2, C-3, or C-4 District shall be used for outdoor storage of merchandise or equipment, except as specifically permitted by other provisions of this ordinance. The foregoing prohibition of storage, placement or display of equipment within the required minimum front yard shall include the parking or storage of merchants' delivery vehicles except when loading or unloading merchandise or equipment. Side yards are not required along interior lot lines if all walls abutting or facing such lot lines are of fireproof construction and wholly without windows or other openings; but if the side wall is not of fireproof construction, or if of fireproof construction but containing windows or other openings (other than emergency exits or vents). For one (1) story buildings, the side/rear yard setback shall be five (5) feet; provided, however, that when a side/rear lot line coincides with a side/rear lot line in a residential district each commercial building shall provide a side/rear yard of not less than twenty (20) feet.

*(q)* In C-3 Districts no rear yard is required except for a lot running through to the street in the rear in which case a rear yard shall be provided which shall comply with the front yards on that street.

*(r)* A covered but unenclosed front porch will not be considered nonconforming by virtue of its incidental encroachment on the front yard setback.

*(s)* The maximum usable floor area as a percentage of lot area shall be limited to 35%, except in cases where City Council determines that it is in the best interests of the community to allow for a greater percentage, the maximum shall be 45%.

# Article III.
# Supplemental Zoning District Standards

## Section 3.01 Special Area Development Control.

**(1)** **Requirement.** No building shall be erected, expanded, or externally altered on property in the following designated areas except upon review and submission of findings by the City Planning Commission and approval by the City Council.

A) The area described as being within the vicinity of the Civic Center being that area located in Sections 15, 16, 21, and 22, bounded on the north by Roycroft Avenue, on the east by Hubbard Road, on the south by Lyndon Avenue (excepting therefrom all property in Kimberly Oaks Subdivision and Taylor Gardens Subdivision), on the west by the east property line of the Parkview Memorial Cemetery, and that portion of Stamford Road that is north of Five Mile Road and south of Roycroft Avenue.

B) The area described as being within the vicinity of the Wonderland Village being the area located in the Southwest ¼ of Section 25; the Northwest ¼ of Section 36; the Northeast ¼ of Section 35; and the Southeast ¼ of Section 26 (excepting therefrom all property located in Single-Family Residential Zoning Districts).

C) The area described as being within the vicinity of the Livonia Marketplace being the area located in the Southwest ¼ of Section 1: The Northwest ¼ of Section 12; the Northeast ¼ of Section 11; and the Southeast ¼ of Section 2 (excepting therefrom all property located in Single-Family Residential Zoning Districts).

D) The area described as being within the vicinity of the I-275 Freeway being the area described as the Southwest ¼ of Section 5; all of Section 6; all of Section 7; the west ½ of Section 8; the Northwest ¼ of Section 17; and the North ½ of Section 18 (excepting therefrom all property located in Single-Family Residential and Public Lands Zoning Districts).

E) The area described as being within the vicinity of the Seven Mile Road-Farmington Road Intersection being the area located in the West ½ of Section 3; the East ½ of Section 4; the Northeast ¼ of Section 9; and the N.W. ¼ of Section 10 (excepting therefrom all property located in Single-Family Residential Zoning Districts).

F) The area described as being within the vicinity of the Plymouth Road-Farmington Road Intersection being the area located in the Southwest ¼ of Section 27; the Southeast ¼ of Section 28; the Northeast ¼ of Section 33; and the Northwest ¼ of Section 34 (excepting therefrom all property located in Single Family Residential and Public Lands Zoning Districts).

G) The area described as being within the vicinity of Middlebelt Road-Schoolcraft-1-96 Service Drive being the area located in the Southeast ¼ of Section 23; the Southwest ¼ of Section 24; the Northwest ¼ of Section 25; and the Northeast ¼ of Section 26 (excepting therefrom all property located in Single-Family Residential and Public Lands Zoning Districts)

**(2)** **Standards.** A determination made by the City Planning Commission and City Council hereunder shall be subject to compliance with, and the application of, the standards prescribed in *Section 11.13, Section 11.13(6)* of this Ordinance. A petition for site plan approval shall also comply with the requirements prescribed in *Section 11.13, Section 11.13(12)* of this Ordinance.

**(3)** **Appeal to City Council.** In the event any applicant or petitioner is aggrieved by the determination of the City Planning Commission in relation to site plan approval, they may file an appeal with the City Council in accordance with the provisions set forth in *Section 11.13, Section 11.13(10)* of this Ordinance.

**(4)** **Limitation.** Whenever the City Planning Commission and City Council shall approve a site plan, such approval shall continue and be valid only in accordance with the provisions set forth in *Section 11.13, Section 11.13(13)* of this Ordinance.

**(5)** **Implementation.** An approved site plan shall be immediately transmitted to the Inspection Department, and all non-building improvements such as, but not limited to, landscaping, parking lots, parking spaces, walkways, screen walls, and exterior lighting required by such site plan shall be completed prior to the issuance of a Certificate of Occupancy; provided, however, that a temporary Certificate of Occupancy may be issued in the event that such completion is impractical or impossible, provided that a performance bond in the form of a cash bond or irrevocable bank letter of credit covering the estimated total cost of such improvements or parts thereof is deposited with the Inspection Department prior to the issuance of such temporary Certificate of Occupancy; provided further, however, that in no event shall a final Certificate of Occupancy be issued until all improvements have been completed. All improvements, when completed, shall, thereafter, be maintained with materials equal to or greater than the quality of the materials originally installed.

## Section 3.02 Special Waiver Use Standards for Planned Developments, including Planned Residential Developments and Planned General Developments.

**(1)** **Statement of Intent.** The intent of this Article is to provide, in the case of Planned Residential Developments and Planned General Developments, an added degree of flexibility in the placement, bulk, and interrelationship of the buildings and uses within the Planned Development, and the implementation of new design concepts so as to encourage a more efficient use of land and of public services through the use of a unified planning approach, while at the same time maintaining the over-all intensity of land use, density of population, and amounts of light, air, access, and required open space as specified in this Ordinance for the zoning district in which the Planned Development is to be located.

A Planned Development shall be deemed to be a Planned Residential Development when such development is limited to dwelling units in detached, attached or multi-storied structures, or any combination thereof. A Planned Development shall be deemed to be a Planned General Development when it contains commercial and/or office structures and uses exclusively or when it includes residential structures or dwelling units in a unified plan with commercial and/or office structures and uses.

The City Council does hereby determine that the several district regulations pertaining to intensity of land use, density of population, and required open space are the minimum requirements for the promotion and protection of the public health, safety, and welfare.

**(2) Authority to Grant Waiver for Planned Residential Development or Planned General Development.** Subject to the foregoing statement of intent, the Planning Commission may grant a waiver authorizing a Planned Residential Development or a Planned General Development but only after notice and hearing in the manner provided for other waivers and subject to all other provisions of this Article, and the City Planning Commission and City Council may, in the case of Planned Developments, allow for modification of the provisions of this Ordinance. Such modifications shall be considered only with respect to the following guidelines:

A) Modification in lot sizes may be granted irrespective of the minimum requirements imposed under the Zoning District within which such development is located.

B) Modification of yard requirements may be granted irrespective of the minimum requirements imposed under the Zoning District within which a Planned Development is located when it is determined that such modification will result in a more efficient use of the land and will not be injurious to surrounding land and to the public.

C) Uses not permitted in the Zoning District within which the Planned Development is located may be permitted when such uses are primarily designed and intended to service residents of any Planned Residential Development or Planned General Development or when such uses relate to an overall concept in the case of a non-residentially conceived Planned General Development. In the case of a Planned General Development located on any parcel of land zoned N1, N2, RUF, NM1, or NM2 and which involves development of one or more non-residential uses, such approval shall require a two-thirds (2/3) majority vote of City Council.

**(3) Application for Waiver for Planned Residential Development and/or Planned General Development.** The owner or owners of any tract of land may submit to the City Planning Commission an application for a waiver to use and develop the entire tract in a manner not consistent with regular or conventional street and lot patterns or general site development concepts. The application shall be made and filed in triplicate with the City Planning Commission and shall either contain or be accompanied by the following:

A) A legal description of the property under consideration.

B) The existing zoning classification of the property.

C) A fully dimensional map of the land showing topographic information at a contour interval of not less than two (2) feet.

D) A site plan showing the location of all existing and proposed principal and accessory buildings and structures, parking areas, driveways, buffer strips, distances between buildings and between buildings and lot lines, setback lines, all open spaces to be dedicated for parks, recreation, light and air, etc., and showing the location and design of all lots to be subdivided and the dimensions of all lot lines.

E) A vicinity map showing the location of the site in relation to surrounding properties, streets, parks, schools, school sites, etc.

F) Architectural sketches, at an appropriate scale, showing building heights, elevations, and an indication of the design and distribution of signs to be erected.

G) A declaration of private restrictions to be imposed upon the property after it is subdivided and developed to ensure that the development conforms in every detail to the approved site plan.

H) The location and the pavement and right of way width of all abutting roads and streets and driveway locations on abutting public streets.

I) A statement on intended phases of the project.

J) Description of soil erosion and sedimentation control measures.

K) Location of clusters of trees on site and all existing trees eight (8) inches or greater in diameter.

L) Location of existing wetlands.

M) The location of all rubbish receptacles and the location, height, and type of fences and walls to screen receptacles.

N) Location and dimension of required easements for public right-of way, utilities, access, and shared access.

O) Location of any proposed stormwater detention or retention facilities.

P) Traffic and pedestrian circulation patterns both within the site and on the public streets adjacent to the site and the proposed location and dimensions of any pedestrian sidewalks, malls, and open areas for parks and recreation either required or otherwise deemed necessary by the City Council. A concrete sidewalk of sufficient width as determined by the City Council shall be provided within the public right of way one (1) foot from the subject site's property line where the subject site borders a public right of way.

Q) The location, height, and area of all signs.

R) Information and plans for the storage, loading, disposal, and transfer of any hazardous/toxic waste (gas, oil, transmission fluid, lubricants, solvents, etc.). If any underground tank is used, the location, size, construction and use of the tank shall be specified on the site plan.

S) Any other information as required by the City Council or Director of Planning which will assist in evaluation of the proposed use.

**(4) Action by Planning Commission.** After a study of the application for a ~~planned project~~Planned Development, the Planning Commission shall send a resolution recommending approval or denial to the City Council for the final determination based upon the following standards:

A) The proposed use or uses shall be of such location, size, and character as to be in harmony with the appropriate and orderly development of the zoning district in which situated and shall not be detrimental to the orderly development of adjacent zoning districts.

B) The location and size of the proposed use or uses, the nature and intensity of the principal use and all accessory uses, the site layout and its relation to streets giving access to it, shall be such that traffic to and from the use or uses, and the assembly of persons in connection therewith, will not be hazardous or inconvenient to the neighborhood nor conflict with the normal traffic of the neighborhood. In applying this standard, the Commission shall consider, among other things: convenient routes for pedestrian traffic, particularly of children; the relationship of the proposed project to main traffic thoroughfares and to street and road intersections; and the general character and intensity of the existing and potential development of the neighborhood. In addition, where appropriate, the Commission shall determine that noise, vibration, odor, light, glare, heat, electromagnetic or radioactive radiation, or other external effects, from any source whatsoever which relates to the proposed use, will not have a detrimental effect upon neighboring property or the neighboring area in general.

C) The location and height of buildings, the location and nature and height of walls and fences, and the nature and extent of landscaping of the site shall be such that they will not hinder or discourage the proper development and use of adjacent land and buildings nor impair the value thereof.

D) The standards of density and required open space in the proposed project are at least equal to those required by this Ordinance in the zoning district in which the proposed project is to be located.

E) In any Planned Development wherein a shopping center is an integral part, the following specific standards shall be made a part of the site plan as it relates to the front, side, and rear yards of said shopping center:

i) Along freeways, major thoroughfares or secondary thoroughfares, except in areas described in ii), hereinbelow, the nearest fifteen (15) feet within the required yard area to the right-of-way line shall be maintained in landscaping and no parking or parking access aisles shall be permitted in such landscaped areas.

ii) Where residential districts adjoin the shopping center without an intervening street, the nearest twenty-five (25) feet to the property line within the required yard area of the shopping center shall be maintained in landscaping and no parking or vehicular access shall be permitted in such landscaped area.

iii) Where lots in residential areas front on minor streets at the boundary of a shopping center, the nearest twenty-five (25) feet to the right-of-way within the required yard of the shopping center shall be maintained in landscaping and no parking or parking access aisles shall be permitted in such area.

iv) All other yards within the shopping center, except those abutting a business or industrial district shall maintain no less than a fifteen (15) foot landscaped strip along the property lines which strip shall not be used for parking or parking access aisles.

The Commission may require such changes or modification in the site plan as are needed to achieve conformity to the standards as herein specified. Upon the finding by the Commission that all the standards as herein specified have been met, it may approve the project and the requested minor modifications to the provisions of this ordinance, if any, and recommend approval of the same to the City Council. It shall also, where it deems appropriate and necessary, recommend to the City Council those conditions to be imposed upon the project, its operation, or both, that are needed to assure adherence to the aforesaid standards. The Commission and Council may, in their determination whether to approve a proposed Planned Residential Development or Planned General Development, consider the impacts of the proposed project on existing developed land bordering the site as well as the future impacts of any development or redevelopment on the adjoining lands. Upon such review and determination and in furtherance of its objective to provide for the orderly development of land within the city, the Council may require that the streets be arranged in such a manner to provide for the future continuation or appropriate projection of existing streets in the surrounding areas. Streets shall be laid out to prevent the creation of double frontage lots.

**(5) Conditions Upon which Waiver is Granted.** Any waiver granted to authorize such a planned project shall in every case be subject to the following express conditions:

A) Immediately after waiver approval by the City Planning Commission the applicant shall submit the proposal to the City Council and obtain its concurrence in the waiver; until the approval of the City Council is obtained, the City Planning Commission's approval shall not be effective; if the City Council rejects, then the action of the City Planning Commission shall be deemed null and void.

B) The applicant shall thereafter submit proposed and final plats for the Planned Residential Development or Planned General Development for approval as in the case of other subdivision plats to the extent required by law; provided, however, that if the planned project is designed as site condominiums, the applicant shall thereafter submit the Master Deed for approval in accordance with the provisions set forth in *Section 5.27* of this Ordinance prior to any bonds being established by City Council pursuant to *Section 5.27* of this Ordinance.

C) Such plats or Master Deed shall be in strict conformity with the approved waiver, the conditions attached thereto, the site plan submitted with the waiver, and the provisions of this Article.

D) Where appropriate, a development agreement shall be submitted to the City in recordable form sufficient to assure the use and development of the planned project in accordance with the waiver, site plan, and the provisions of this Article.

E) The development agreement shall incorporate the approved site plan together with the resolutions of the City Planning Commission and City Council approving such waiver use. Said approved site plan shall be filed with the Department of Inspection and all building and land uses shall thereafter be in accordance with the site plan.

F) When open space and/or park land is/are provided as a part of a Planned Residential Development or a Planned General Development, the applicant shall provide an appropriate document which sets forth the function of the open space and/or park land, and such provisions for the ownership and maintenance of such lands as are reasonably necessary to ensure its continuity, care, conservation, maintenance, and to ensure that remedial measures will be available to the City of Livonia if such open space and/or park land is permitted to deteriorate or is not maintained in a condition that is consistent with the best interests of the Planned Development or of the City of Livonia.

G) No structure designed or intended to be used in part or in whole, for commercial purposes shall be constructed prior to the construction of not less than thirty (30) percent of the dwelling units, if any, proposed for the development.

H) Except as may otherwise be expressly authorized by council resolution, all internal private roads within a Planned Residential Development or a Planned General Development shall be designed and constructed in accordance with the minimum standards set forth by the City of Livonia Engineering Division consisting of asphalt pavement with monolithic valley swales, twenty-eight (28) feet wide, with a six (6) inch thick asphalt base, and one and one-half (1-1/2) inch thick wearing course.

**(6)** **Public Improvements within Planned Development.** The applicant for a waiver to authorize a Planned Residential Development or a Planned General Development may apply to the City Council for a modification of the nature and extent of public improvements required to be installed with respect to new residential subdivisions. The City Council may in its discretion relieve the applicant from installing public improvements as would otherwise be required to the extent that it determines such improvements to be unnecessary with the Planned Development. In the event of such a determination, the City Council shall incorporate the same in its resolution granting the waiver for the Planned Development. In granting such relief, as in granting the waiver use, the City Council may attach thereto such condition(s) regarding the character of the proposed development as it may deem reasonable. Compliance with such conditions shall be a prerequisite to the issuance of a Certificate of Compliance or Occupancy and the violation of any such condition shall be deemed a violation of this Ordinance.

## Section 3.03 Single-Family Clustering.

The intent of this section is to encourage development alternatives in any N1 and N2 district which will preserve open space while at the same time provide detached or attached single-family dwellings; encourage improved design alternatives to provide more efficient use of land and public services; provide single-family development for difficult sites; and encourage reasonable alternatives to multiple family residential development commonly referred to as apartments or townhouses.

A) The Planning Commission may recommend and the City Council may grant a waiver authorizing a single-family cluster project pursuant to *Section 3.02, Section 3.02(2)* of this Ordinance; provided, however, that in addition to requirements set forth in *Section 3.02, Section 3.02(3)*, the application for a waiver shall include documentation substantiating that the land area to be developed contains one or more of the following characteristics:

i) Contains natural assets, such as, but not limited to, natural stands of large trees, natural habitat for wildlife, natural streams and watercourses, or unusual topographic features, a substantial portion of which would be preserved using single-family clustering.

ii) Has a substantial portion of its perimeter adjacent to major office, commercial, industrial, institutional, or high-rise residential development or is otherwise located to act as a transitional use between conventional single-family residential areas and uses which are or are likely to be incompatible.

iii) Contains a flood plain which results in a substantial portion of the total land area being unbuildable as confirmed by current Flood Plain Information Report prepared by the Corps of Engineers, United States Army, a copy of which is on file with the Engineering Division.

iv) Contains poor soil conditions which result in a substantial portion of the total area being unbuildable using conventional construction methods as confirmed by soil test borings furnished by the applicant.

v) Is a small parcel which has frontage on a major thoroughfare with an existing or planned right-of-way width of one hundred twenty (120) feet or more as indicated on the Future Transportation Map and contains acute angles or is of shallow depth as measured from the thoroughfare to make conventional subdivision development physically impractical.

vi) Contains other unique physical or geographical constraints as determined by the Planning Commission and City Council to make conventional subdivision development impractical.

B) In addition to requirements contained in other sections of this Ordinance regarding "Planned Residential Developments" or "Planned General Developments," the following standards shall govern single-family cluster development:

i) In a planned development that qualifies as a single-family cluster project, yard requirements may be modified pursuant to *Section 3.02 Section 3.02(2)* of this Ordinance; provided, however, that the following additional rules shall apply:

a) Attaching of single-family dwelling units, provided the number of dwelling units attached shall not exceed four (4).

b) Minimum yard requirements shall provide that the minimum spacing between groups of attached buildings or between unattached buildings shall be ten (10) feet in an N1 district, and sixteen (16) feet in an N2 district; provided, however, that where a rear yard of one building or group of attached buildings abuts a rear yard or a side yard of another building or group of attached buildings, the distance between such buildings shall be the sum of the two abutting yards as required by *Section 2.02* of this Ordinance.

c) Front yards abutting a private street shall be as required by *Section 2.02* of this Ordinance; a side yard abutting a private street shall be a minimum of fifteen (15) feet and a side yard abutting a public street shall be as required by *Section 2.02* of this Ordinance; provided, however, that all buildings and parking areas shall be set back at least forty (40) feet from any major thoroughfare with an existing or proposed right-of-way width of one hundred twenty (120) feet, or more, as indicated on the Future Transportation Map .

ii) In a planned development when a single-family cluster project is proposed, the maximum number of units which may be developed shall be the number of acres of land on the proposed site, less any current or planned future rights-of-way of abutting public roads and areas designated by the Federal Emergency Management Agency (FEMA) as Special Flood Hazard Areas inundated by the 100-year flood or by the Michigan Department of Environmental Quality as protected wetlands, times the following numbers of units per acre for each zoning district:

| | |
|---|---|
| N1 Districts | 4.0 dwelling units per acre |
| N2 Districts | 3.0 dwelling units per acre |

iii) Whenever a proposed single-family cluster project abuts an existing single-family residential district, such district shall be buffered by means of one (1) or more of the following methods as a part of the development of the single-family cluster project:

a) Locate detached single-family dwellings on conventional lots immediately abutting the existing single-family residential district subject to requirements contained in *Section 1.02* of this Ordinance and the Subdivision Rules and Regulations of the City of Livonia.

b) Provide open space or recreation space immediately abutting said existing single-family residential district.

c) Provide significant topographic features, landscaping, or a combination thereof immediately abutting said existing single-family residential district.

d) A major thoroughfare located between the cluster development and a single-family residential district.

iv) The application shall include a fully dimensional and illustrated landscape treatment of the project, including the labeling of all materials as to type and size when installed, and shall also indicate the location, type, and size of all existing trees having at least a three (3) inch caliper measured one (1) foot above the ground and shall designate for non-removal all such trees so located so as not to substantially interfere with proposed street and structure locations.

## Section 3.04 Form-Based Development Option in Commercial Districts.

**(1) Statement of Purpose.** The purpose of the form-based development option is to create clear and simple regulations on the design of new development or redevelopment in Livonia's Commercial Districts of C-1, C-2, C-3, and C-4.

The regulations of this Section require development to have a physical form that enhances the goals and objectives of the City's Future Land Use Plan. Specifically, these regulations encourage a pedestrian friendly and walkable character; permit a mixture of land uses; encourage streets that serve the needs of pedestrians, bicycles, and motorized vehicle traffic equitably; encourage places for informal social activity and recreation; and encourage building frontages that define the public space of streets. With proper physical form, a building can accommodate a wide range of uses without generating undue impact on neighboring properties.

It is further the purpose of the Form-Based Development Option to:

A) Create walkable business area(s) that maintain the traditional physical form and help to implement the City's development objectives as described in the City's Future Land Use Plan.

B) Create unique, walkable mixed-use developments including residential, retail, entertainment, office, and other compatible uses.

C) Promote the orderly development, redevelopment, and continued maintenance of the City's commercial districts.

D) Encourage shared parking areas throughout the City rather than requiring each individual property owner to provide physical parking space on their property.

E) Create quantitative and qualitative building design guidelines that ensure new development is compatible with the City's Future Land Use Plan.

F) Ensure buildings create a solid street wall that helps to define streets as public spaces.

G) Ensure that permitted uses complement each other in terms of character and location, and to ensure that uses in the C-1, C-2, C-3, and C-4 districts do not have an adverse impact on the overall economic and social vitality of the district, street capacity, public utilities or services, or the overall image and function of the district.

H) Prevent automobile-oriented development from impacting access to commercial uses by walking, biking, or transit.

I) Encourage harmonious residential infill and adaptive reuse of noteworthy buildings to provide a mix of housing types, unit sizes, and compatible uses within walking distance of Livonia neighborhoods.

J) Encourage accessible housing options throughout the City.

**(2) Form-Based Development Option Procedures.** When using the Form-Based Development Option, conformance with the adopted Livonia Future Land Use Plan is required and one of the following application procedures must be followed:

A) Areas designated on the Future Land Use Plan as City Center.

i) A concept plan shall first be submitted. The City Planning and Economic Development Director, or designee, shall conduct a preliminary development meeting to review the concept plan and determine its conformance with the adopted Special Area Plan.

ii) Conforming plans may submit for Site Plan approval, per *Section 13.13 (12).*

iii) Non-conforming plans shall follow the procedure outlined in *5.04 (2) C)*.

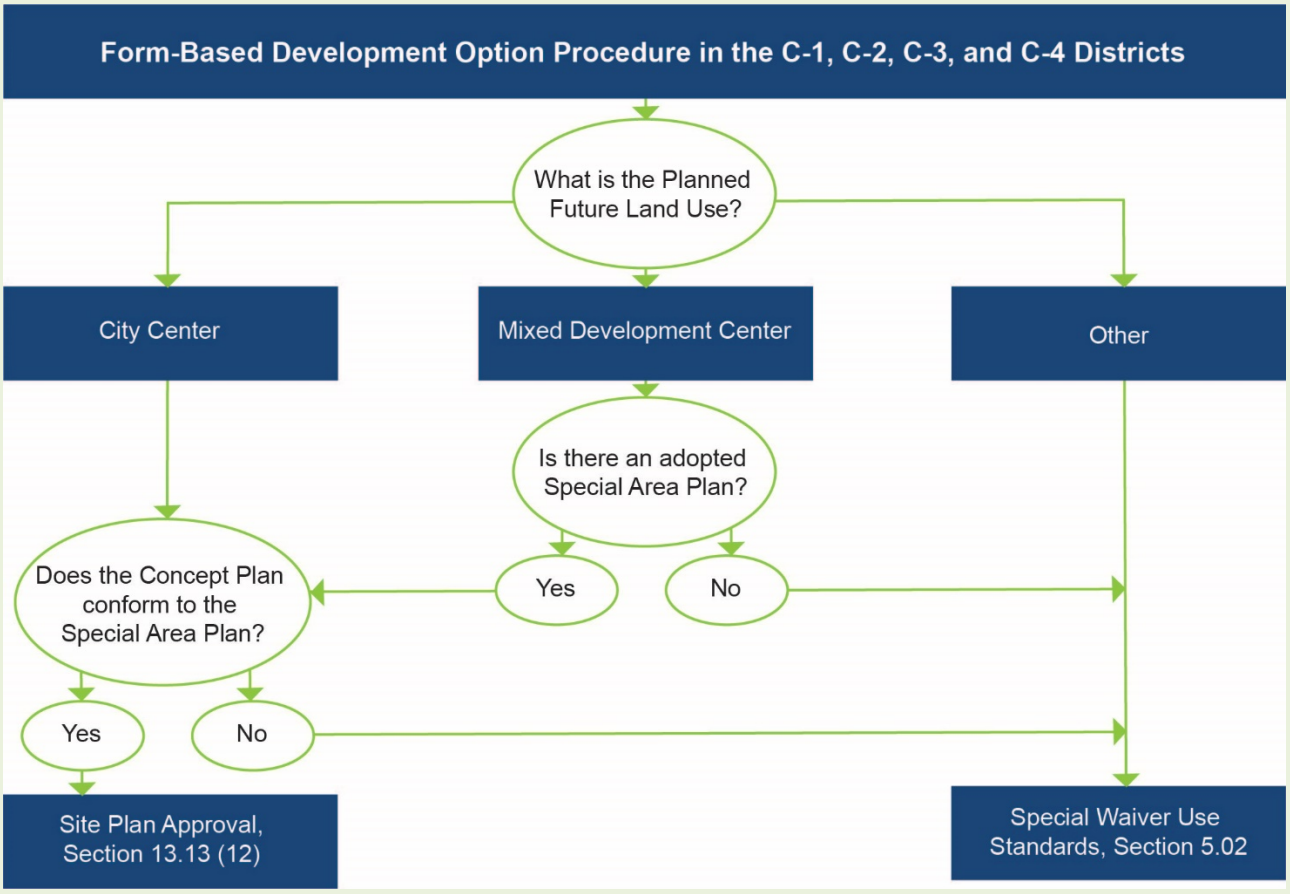
B) Areas designated on the Future Land Use Plan as Mixed Development Center

i) Developments within an area having an adopted Special Area Plan, may follow the procedure outlined in *5.04 (2) A)*.

ii) Developments not within an area having an adopted Special Area Plan, shall follow the procedure outlined in *5.04 (2) C)*.

C) Areas in the C-1, C-2, C-3, and C-4 districts not within an area having an adopted Special Area Plan, or not in conformance with an adopted Special Area Plan.

i) Developments in the C-1, C-2, C-3, and C-4 districts may use the Form Based Development Option subject to a review following the procedures of *Section 5.02*, Special Waiver Use Standards for Planned Residential Developments and Planned General Developments.



**(3) Expansion of existing development in the C-1, C-2, C-3, and C-4 districts with the Form-Based Development Option.** All sites in the C-1, C-2, C-3, and C-4 districts are eligible to use the Form-Based Development Option. When using the Form-Based Development Option to expand or redevelop an existing site or structure the following standards shall apply:

A) **Expansions of developed sites.**

i) Less than 15 percent of existing condition. Any development activity on a developed site that would increase the floor area of an existing building or group of buildings located on the same parcel or the area of existing site improvements by less than 15% need not comply with the requirements of this Section. However, any new building area or site improvements should result in the site being more compliant and shall not result in the site being less compliant with the requirement of this Section.

ii) More than 15 percent of existing condition. Whenever a building or site improvement expansion of greater than 15 percent of the existing condition is proposed, the activity shall comply with the requirements of this Section.

iii) Expansions measured cumulatively. For the purposes of determining compliance with this section, expansions shall be measured cumulatively, with the baseline being the building area and improved site area that existed at the date of adoption of this Ordinance.

B) **Redevelopment.** Redevelopment of existing buildings shall comply with the Architectural Standards for Adaptive Reuse, *Section 5.04 (5)*.

i) Whenever 50 percent or less of the existing building will be demolished or replaced, the development activity need not comply with the requirements of this Section. However, any site layout or building design changes that may occur as a result of the development activity should result in the site being more compliant with the requirements of this Section.

ii) Whenever more than 50 percent of an existing building will be demolished or replaced, the development activity shall comply with all of the requirements of this Section.

**(4) Modification of form-based development option requirements.**

A) **Purpose and limitations.** Upon review and submission of findings by the City Planning Commission and approval by the City Council for an activity in the C-1, C-2, C-3, and C-4 districts, the Planning Commission or Council may modify certain dimensional requirements contained in this Section. Regulations that may be altered through the modification process are described in the various sections of this Section, along with the specific parameters by which the regulation may be altered.

Modifications, as described in this section, are separate and distinct from variances in that they are limited in their bounds and are intended to permit reasonable use of property where the strict application of the requirements of this Section would not further the public purpose, and a relaxed or altered dimensional standard will still meet the intent and purpose of the C-1, C-2, C-3, and C-4 districts.

Whenever a regulation may be altered through the modification process, specific bounds are listed within which the modifications must be maintained. If an alteration to a dimensional requirement is requested that is greater than that listed in this Section, the applicant must obtain a variance following the procedures and review standards *Section 11.14* Board of Appeals.

B) **Application and review procedures.** The applicant shall clearly identify all requested modifications on the application and site plan. The reviewing authority shall evaluate the requested modifications and approve, approve with conditions, or deny the modification request. In evaluating a modification request, the reviewing authority shall take into account the following considerations:

i) Approval of the modification will not result in development that is incompatible with or will negatively impact existing or potential future development in the vicinity of the property to be developed.

ii) The requested modification is consistent with the intent and purpose of this Section.

iii) The modification will result in a superior development when compared with what could be achieved through the strict application of the requirements of this Section.

iv) A lesser modification will not accomplish the same purpose as the requested modification.

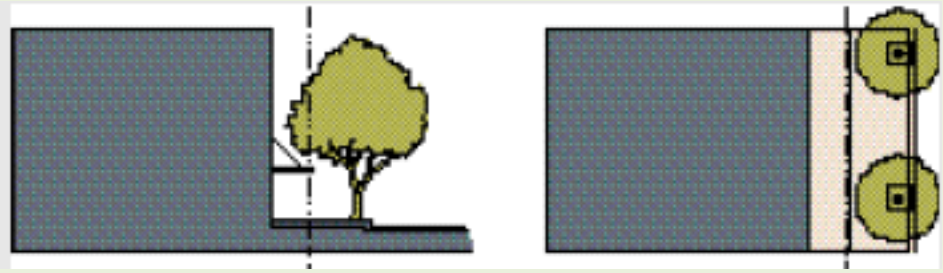
v) The modification will not negatively impact the potential of adjacent parcels to develop according to the requirements of this Section.

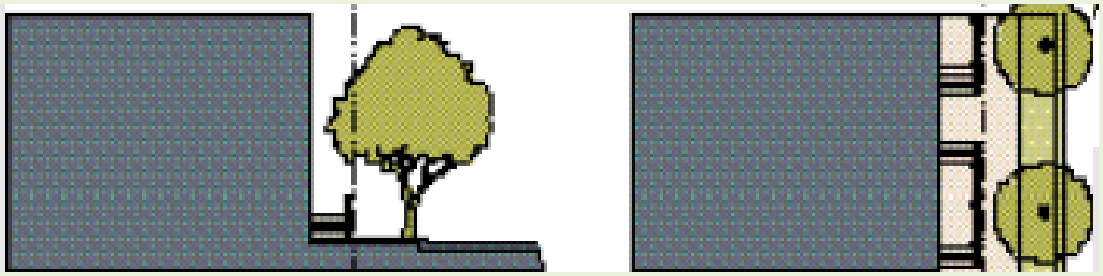
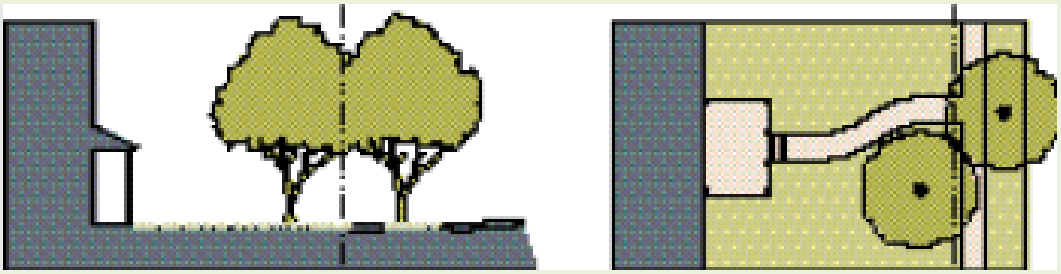
**(5) Architectural Standards for Adaptive Reuse.**

A) **Frontage Requirements.** Buildings in the C-1, C-2, C-3, and C-4 districts shall comply with the following requirements, in addition to any applicable requirements of *Section 4.02*, Schedule of Regulations. The requirements of this Section and *Section 4.02* are intended to be complimentary; however, in any instance where there is an apparent conflict, the provisions of this Section shall control.

i) Private frontage. The private frontage is the area between the right-of-way and the principal building façade. Buildings must contain architectural elements consistent with one of the following four private frontages. Each frontage is designed to be consistent with some or all of the uses permitted in the C-1, C-2, C-3, and C-4 districts.

Note that the following table includes specific dimensional requirements for each of the frontages. Unless otherwise noted, the dimensional requirements are in addition to any other dimensional requirement of this Section.

| FRONTAGE TYPE | WHERE PERMITTED | DIMENSIONAL REQUIREMENTS |
|---|---|---|
| **Shopfront.** | | |
| A frontage where the building façade is located close to the front lot line with the building entrance at sidewalk grade. This frontage type is suitable for nonresidential uses on the first floor. | C-1<br>C-2<br>C-3<br>C-4 | The building shall be set back a maximum of 15 feet from the front lot line. |
|  | | |
| **Courtyard** | | |
| A frontage where a portion of the building façade is close to the front lot line with a portion set back. The courtyard may accommodate tree plantings or a vehicle drop-off area. This frontage is suitable for any building use. | C-1<br>C-2<br>C-3<br>C-4 | The building shall be set back a maximum of 5 feet from the front lot line.<br>The courtyard area shall be considered part of the front building façade for the purposes of determining compliance with the setback and frontage requirements. |
| | | |

| FRONTAGE TYPE | WHERE PERMITTED | DIMENSIONAL REQUIREMENTS |
|---|---|---|
| **Stoop** | | |
| A frontage where the first floor is elevated from the sidewalk to provide privacy for first floor windows. The entrance is usually from an exterior stair and landing. This frontage is suitable for ground-floor residential use. | C-1<br>C-2<br>C-3<br>C-4 | The building shall be set back a minimum of 7 feet from the front lot line.<br>The stoop or porch area shall be set back a minimum of 2 feet from the front lot line. |
|  | | |
| **Lawn** | | |
| A frontage where the building is set back from the street with a landscaped front yard area. This frontage is suitable for any building use. | C-1<br>C-2<br>C-3<br>C-4 | The building shall be set back a minimum of 10 feet from the front lot line.<br>Unenclosed front porches shall be set back a minimum of 5 feet from the front lot line. |
|  | | |

B) **Minimum height.** The minimum building height in the C-1, C-2, C-3, and C-4 districts is 20 feet. All buildings shall have the appearance of being at least 2-story buildings.

C) **Base, Middle, and Cap.** All buildings shall incorporate a base, middle, and cap, as is applicable.

i) Base. The base shall include an entryway with transparent windows and a horizontal molding or reveal placed between the first and second stories or over the second story. The molding or reveal shall have a depth of at least two (2) inches and a height of at least four (4) inches. If a one-story building is proposed, the molding or reveal is not required.

ii) Middle. The middle may include buildings and/or balconies that are located between the reveal and the cap area.

iii) Cap. The cap includes the area from the top floor to the roof of the building and shall include a cornice or roof overhang.

D) **Alignment.** Window sills, moldings, and cornices shall align with those of adjacent buildings. The bottom and top line defining the edge of the windows (the "window sill alignment") shall not vary more than two feet from the alignment of surrounding buildings. If the adjoining buildings have window sill alignments that vary by more than two feet from one another, the proposed building shall align with one of the adjoining buildings. This requirement may be modified, per *Section 5.04 (4)*.

E) **Building materials.** Buildings in the C-1, C-2, C-3, and C-4 districts shall comply with the following building material requirements:

i) Primary building materials. Durable natural building materials such as brick, stone, exposed logs or timber, and other similar materials are preferred primary building materials in the C-1, C-2, C-3, and C-4 districts. Concrete block or similar masonry units (including CMU or split-face blocks) are prohibited as a primary building material unless covered with a veneer of natural building materials. Synthetic building materials that convincingly match the appearance of natural building materials may be used as a primary building material. Primary building materials shall be used on a minimum of 70 percent of the façade area of the building (excluding doors and windows).

ii) Accent building materials. Accent materials may be used on up to 30% of the façade area of the building (excluding doors and windows). Acceptable accent materials include decorative precast concrete block, metal, and glass. Non-durable building materials such as EIFS may be used as accent building materials on up to ten percent of the total wall area of any façade, but may not be used on the ground floor façade.

iii) Modification. This requirement may be modified, per *Section 5.04 (4).*

F) **Ground floor design.**

i) Building entrance(s). All buildings shall have their principal entrance or entrances open onto a street, sidewalk, or public space. The principal building entrance shall not open onto a parking lot, although a secondary or subordinate entrance may be provided to a parking lot.

ii) Entryway alignment.

a) Nonresidential uses. For all buildings in the C-1, C-2, C-3, and C-4 districts and buildings with nonresidential uses on the first floor, the ground floor of the principal entrance shall align with the elevation of the adjacent sidewalk. Sunken terraces or stairways to a basement shall not constitute principal entrances to a building for the purposes of this section. It is not the intent of this section to preclude the use of below or above grade entryways, provided that such entryways are secondary, not principal entrances.

b) Residential and live/work uses. For first-floor residential and live/work uses in the C-1, C-2, C-3, and C-4 districts, the ground floor of the building (and consequently the principal entrance as well) may be raised up to 36 inches above the elevation of the adjacent sidewalk. This is intended to create greater privacy for first floor residential uses by elevating windows above the view of passing pedestrians.

G) Windows and entryways. The following requirements apply to façades of buildings facing a public street or public space such as a plaza or square.

i) Windows. Windows above the ground floor shall have a height to width ratio of at least 2:1.

ii) Ground floor façade transparency.

a) All buildings with first floor nonresidential uses shall maintain transparency for at least 70 percent of the first-floor façade area between two and eight feet above grade level. Doors and windows provide transparency.

b) All windows shall use transparent, non-reflective glass.

c) Areas of solid wall shall not exceed a length of 20 feet.

H) Recessed entrances encouraged. Doors are encouraged to be recessed into the face of the building to create a sense of entry and to add variety to the streetscape.

I) Encroachments. The following building elements may encroach into a public right-of-way or setback

i) Balconies. Balconies on upper stories may encroach up to 6 feet into any required setback area and up to 4 feet into any right-of-way area.

ii) Stoops. Unenclosed and uncovered front stoops may encroach up to 5 feet into a front yard setback area, provided that the stoop maintains a minimum setback of five feet from any right-of-way line.

iii) Awnings.

a) Ground-story awnings may encroach up to six feet from the face of the building into the setback or right-of-way area.

b) Awnings shall have a minimum of eight (8) feet of clear space between the sidewalk and the bottom of the awning or any support structure and shall not exceed a height of 12 feet to the highest point of the canopy.

c) If the awning encroachment of six (6) feet would interfere with the placement of street lighting or street trees, the awning projection shall be reduced to resolve the conflict.

d) Awnings shall be constructed out of fabric and may not be internally illuminated. Metal or other materials may be used for awnings if a modification is approved per Section 5.04 D.

iv) *Bay windows*. Bay windows on the ground story may encroach up to three (3) feet into any setback area, but may not encroach into a right-of-way area. Bay windows on upper floors may encroach up to three (3) feet into any setback or right-of-way area.

v) *Eaves.* Roof eaves may encroach up to three (3) feet into any setback or right-of-way area.

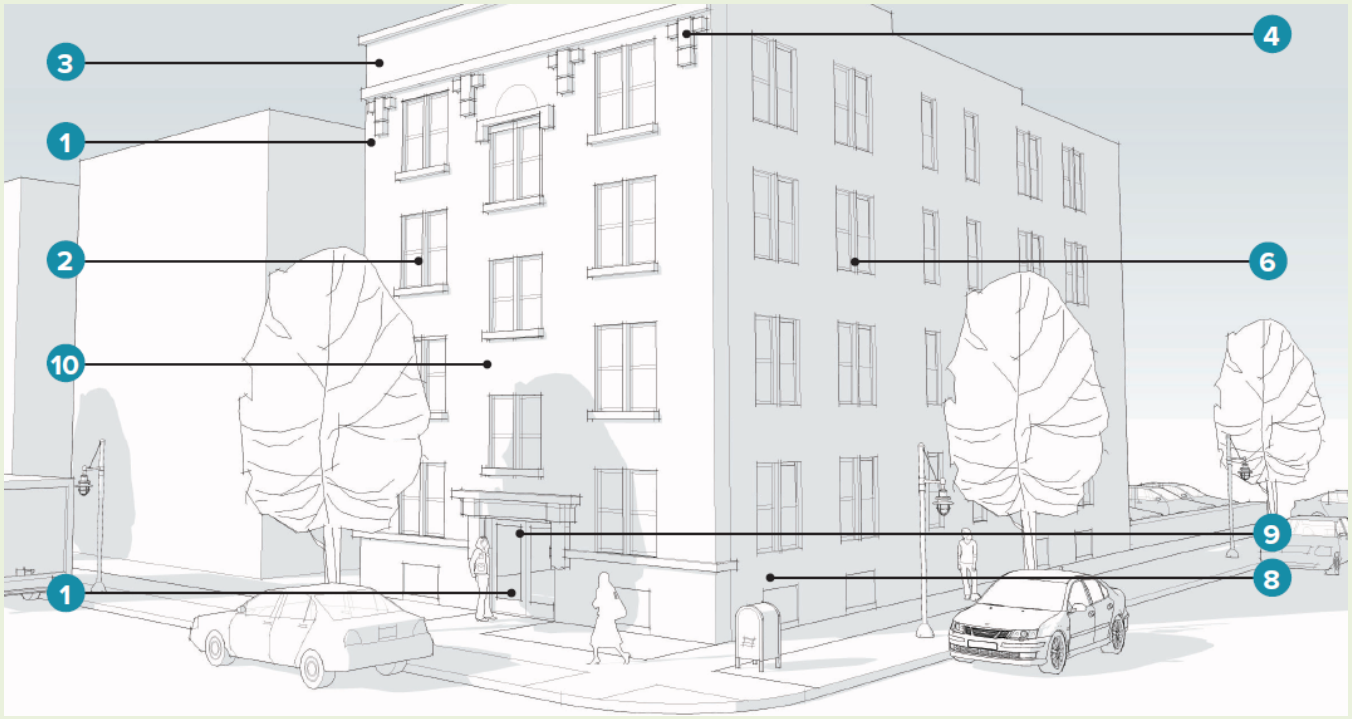
J) Service areas. All service areas, including utility access, above ground equipment and dumpsters shall be located in side or rear yards and shall be screened from view from any street.

K) Mechanical and utility equipment. Mechanical equipment, electrical and gas meter and service components, and similar utility devices (whether ground level, wall mounted, or roof mounted) shall be screened from view from the front property line. Exterior screening materials shall be the same as the predominant exterior materials of the principal building.

**(6) Building Type Standards for New Construction.**

When using the Form-Based Development Option for new construction in the C-1, C-2, C-3, and C-4 districts, buildings must conform to architectural and dimensional standards of the following building types.

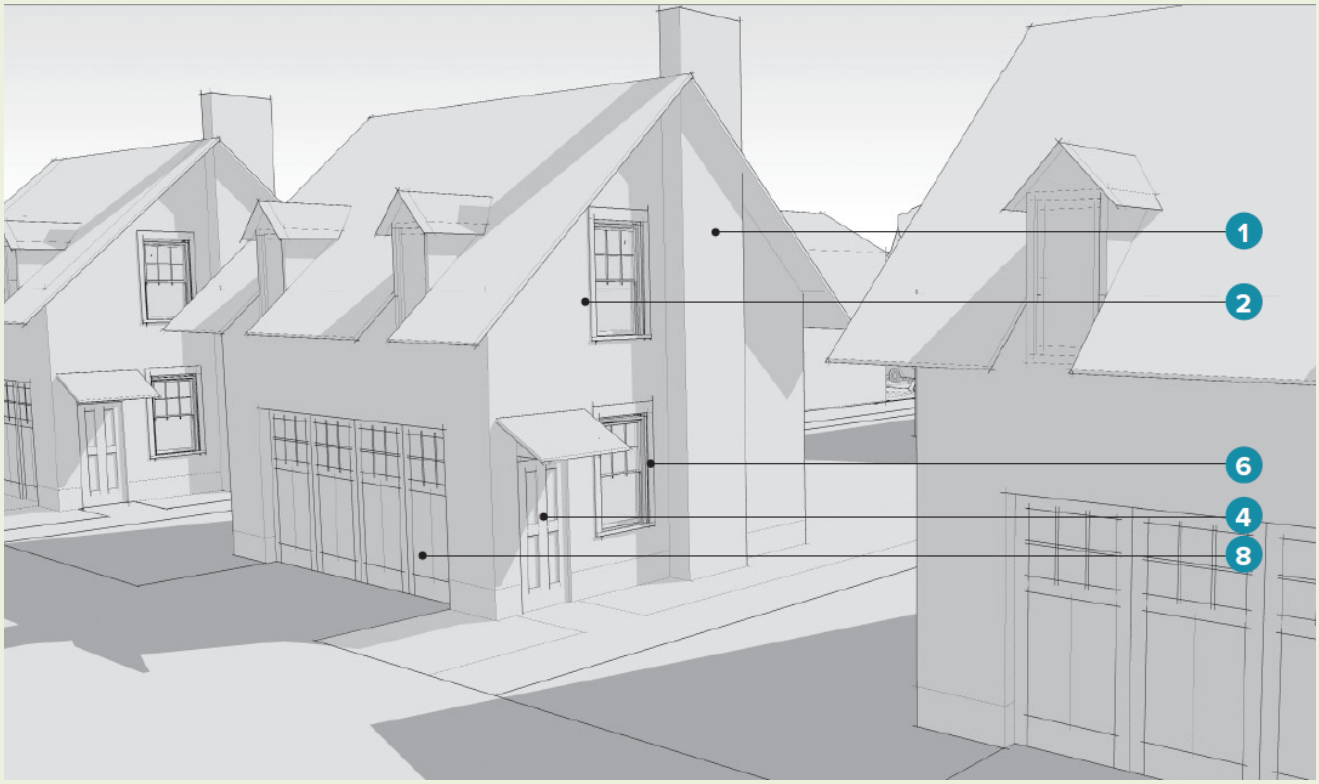
A) **Apartments.** A medium sized building that contains five (5) to ten (10) dwelling units either side-by-side or stacked between two floors. There can be one shared entry or individual entries facing the street.




| ILLUSTRATED DESIGN STANDARDS: APARTMENTS |
|---|
| 1. Traditional building façade treatments (including masonry reliefs and/or motifs) and main entrances located along street of building address. |
| 2. Opaque façade through which window and door openings appear to have been “punched” as through paper in a ring binder. |
| 3. Building cornice (at top of building) of substantial height and decoration. |
| 4. Minimum one horizontal molding or accent material projection dividing the façade into layers. |
| 5. Pattern of solids and voids generated by the vertical and horizontal alignment of windows and doors in repeating sizes. |
| 6. Window groupings encouraged, with groups of up to 3 allowable. |
| 7. Main entrances at grade for accessibility, working in conjunction with interior lobby or vestibule and elevator(s). |
| 8. Ground Floor Units (finished floor) 36” to 42” above grade. |
| 9. Main entrance articulation. |
| 10. Prominent sills and/or heads required for windows located along façades (discouraged along other exterior walls). |
| 11. No building entrances from side parking lots allowable. Otherwise, sides and backs of buildings not regulated by this code, except at corners (as shown here). |
| 12. Building façade treatments optional along intersecting streets. |
| 13. Towers, sculptures, and other characteristic forms and/or focal points encouraged (not illustrated). |
| 14. Floor to floor heights limited to 10’-6”. |
| 15. Feature excepted on Art Deco style buildings. |

| Permitted Materials: Apartments | | | | | | | |
|---|---|---|---|---|---|---|---|
| | **Brick** | **Terra Cotta** | **Sandstone** | **Limestone** | **Formed Concrete** | **Marble** | **Other** |
| Building Wall | X | | X | | | X | Portland Cement Stucco |
| Accents | | X | X | X | X | X | Limestone |
| Window and Door Heads | Soldier Course | X | X | X | X | | Limestone |
| Window Sills | Soldier Course | X | X | X | X | X | Limestone |
| Columns | X | X | X | X | X | | Limestone |

B) **Carriage House/Accessory Dwelling Unit.** Also considered an accessory structure, a carriage house is a small building located in the rear of a ~~residential lot~~principal dwelling unit and can contain a small dwelling unit or similar use. They are often above a garage but can also be at ground level.




| ILLUSTRATED DESIGN STANDARDS: CARRIAGE HOUSE / ACCESSORY DWELLING UNIT |
|---|
| 1. Small, traditionally-styled residential garage form containing one (1) residential unit, indoor parking, or one (1) residential unit above indoor parking. Ground floor finish floor 24”-36” above grade (if not above parking). |
| 2. Opaque façade through which window and door openings appear to have been “punched” as through paper in a ring binder (garage doors excepted). |
| 3. Window groupings encouraged, with groups of up to 3 allowable. |
| 4. Residential entrance articulation and indoor stairway (stairway if more than one story). |
| 5. Floor to floor heights limited to 10’-6”. |
| 6. Window screens to be made of wood or, if non-masonry structure, windows to have 3 ½” ht. painted wood aprons added beneath sills to width of cased openings. |
| 7. Must be concealed behind a primary building type. Not to be located in view of frontage corresponding to street of primary building address. |
| Garage door openings, garage doors, garage door Window panes, and garage door panels must all be square or rectangular. Door panels and Window panes must be oriented vertically. |

| Permitted Materials: Carriage House / Accessory Dwelling Unit | | | | | | | |
|---|---|---|---|---|---|---|---|
| | **Brick** | **Terra Cotta** | **Sandstone** | **Limestone** | **Formed Concrete** | **Marble** | **Other** |
| Building Wall | X | | X | | | X | Portland Cement Stucco / Cement Board* |
| Accents | | X | X | X | X | | |
| Window and Door Heads | Soldier Course | X | X | X | X | | Cedar |
| Window Sills* | Soldier Course | X | X | X | X | | Cedar |
| Columns | X | X | X | X | X | | Wood |

*Cement Siding and Wood Trim Installed Smooth-Side Out. Visible Wood-Grain Embossing or Rough-Sawn Surfaces Prohibited

C) **Duplex/Triplex Stacked, or Adjacent.** A small or medium sized building with two dwelling units stacked one on ground level and one above, each with a separate door facing the street.

| ILLUSTRATED DESIGN STANDARDS: DUPLEX / TRIPLEX STACKED, OR ADJACENT |
|---|
| 1. Traditionally-styled single-family house form containing two (2) residential units with two (2) main entrances at the front, and alternate or service entrances along the sides and/or back. Finished floor located 24" to 30" above grade. |
| 2. Residential units exist above one another within building enclosure. |
| 3. Opaque exterior walls through which window and door openings appear to have been "punched" as through paper in a ring binder. |
| 4. Pattern of solids and voids generated by the vertical and horizontal alignment of Windows and doors in variously repeating sizes. |
| 5. Window groupings encouraged, with groups of up to 3 allowable. |
| 6. Building overhangs commensurate with style of architecture. |
| 7. Ground floor 24" to 30" above grade. |
| 8. Min. 6'-6" deep front porch maximum 30" above grade with optional decorative rail 28"– 36" above porch floor. |
| 9. Stacked duplex and triplexes entrances may have separate doors or share a vestibule. Adjacent duplex and triplexes entrances shall have individual main entrance articulation. |
| 10. Window screens to be made of wood or, if non-masonry structure, windows to have 3 ½" ht. painted wood aprons added beneath sills to width of cased openings. |
| 11. Floor to floor heights limited to 10'-6". |

| Permitted Materials: Duplex / Triplex Stacked, or Adjacent | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | **Duplex Type** | **Brick** | **Terra Cotta** | **Sandstone** | **Limestone** | **Formed Concrete** | **Beveled Cedar Siding** | **Other** |
| Building Wall | Stacked | X | | X | | | X | Portland Cement Stucco / Cement Board * |
| | Adjacent | | | | | | | |
| Accents | Stacked | X | X | X | X | X | | |
| | Adjacent | | | | | | | |
| Window and Door Trim* | Stacked | Soldier Course | X | X | X | X | | Cedar |
| | Adjacent | | | | | | | |
| Window Sills* | Stacked | Soldier Course | X | X | X | X | | Cedar |
| | Adjacent | | | | | | | |
| Columns | Stacked | X | X | X | X | X | | Wood |
| | Adjacent | | | | | | | |

*Cement Siding and Wood Trim Installed Smooth-Side Out. Visible Wood-Grain Embossing or Rough-Sawn Surfaces Prohibited.

D) **Fourplex/Four-Family Dwelling Unit.** A medium sized building that contains four dwelling units split up two (2) on the ground floor and two (2) above, with a shared door facing the street.

| ILLUSTRATED DESIGN STANDARDS: FOURPLEX / FOUR-FAMILY DWELLING UNIT | |
|---|---|
| 1. | Traditional building façade treatments (including masonry reliefs and/or motifs) and main entrances located along street of building address. |
| 2. | Opaque exterior walls through which window and door openings appear to have been “punched” as through paper in a ring binder. |
| 3. | Building cornice must have the most prominent shadow line. |
| 4. | Minimum one (1) additional horizontal molding or accent material projection dividing the building into layers or creating water table expression on ground floor level. |
| 5. | Pattern of solids and voids generated by the vertical and horizontal alignment of windows and doors in repeating sizes. |
| 6. | Window groupings encouraged, with groups of up to 3 allowable. |
| 7. | Main entrances at grade for accessibility, working in conjunction with interior lobby or vestibule and lift or ramp servicing first floor units. |
| 8. | Ground-floor units finish floor-elevation 36” to 42” above grade. |
| 9. | Main entrance articulation. |
| 10. | Prominent sills and/or heads required for Windows located along façades. |
| 11. | No building entrances from side parking lots allowable. Otherwise, sides and backs of buildings not regulated by this code, except at corners (as shown here). |
| 12. | Building façade treatments optional along intersecting streets. |
| 13. | Floor to floor heights limited to 10’-6”. |

| Permitted Materials: Fourplex / Four-Family Dwelling Unit | | | | | | | |
|---|---|---|---|---|---|---|---|
| | **Brick** | **Terra Cotta** | **Sandstone** | **Limestone** | **Formed Concrete** | **Marble** | **Other** |
| Building Wall | X | | X | | | X | Portland Cement Stucco |
| Accents | x | X | X | X | X | | |
| Window and Door Heads | Soldier Course | X | X | X | X | | Cedar |
| Window Sills | Soldier Course | X | X | X | X | | Cedar |
| Columns | X | X | X | X | X | | Wood |

E) **Live/Work Unit.** A small to medium sized building that contains a ground floor office, service, or retail space with a dwelling unit above or behind it. The building can be attached or detached, and both the living and working space are owned or rented by one (1) user.

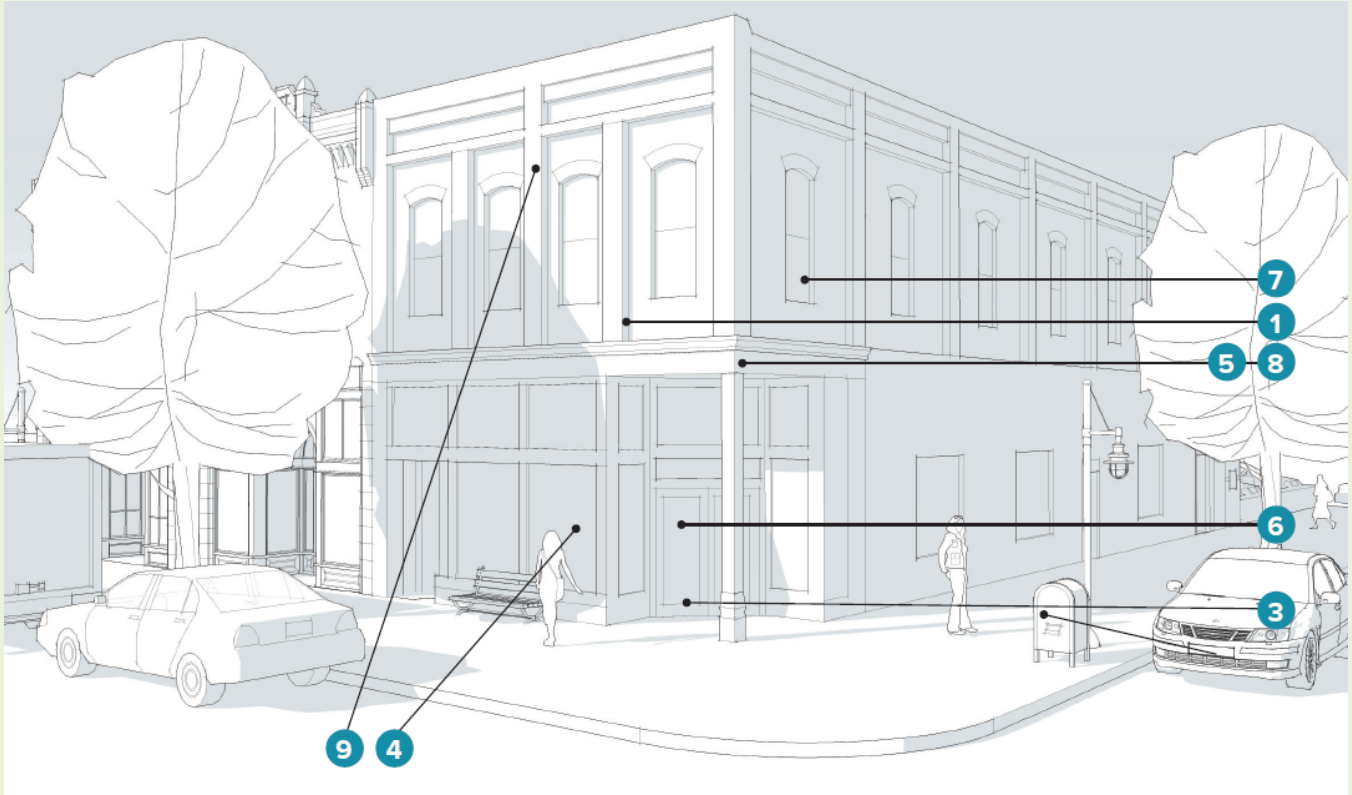
| ILLUSTRATED DESIGN STANDARDS: LIVE / WORK UNIT | |
|---|---|
| 1. | Ground floor elevated 30" to 42" above average grade at front of building with interior lift for accessibility (Type A). Main level may be accessible at grade with plate glass storefront (Type B) or if building is setback from right-of-way line minimum 7'-0" (Type C). |
| 2. | Traditional building façade treatments (as well as main business entrances) to be located along streets of corresponding building addresses and corresponding to right-of-way lines. Side entrances subordinate and allowable at right-of-way lines along intersecting streets only. Side entrances along parking lots prohibited. Rear entrances also subordinate. Storefront main entrance at corner may substitute for that listed above (see Mixed-Use Building). |
| 3. | Main business entrance doors must remain unlocked during business hours. |
| 4. | Open, plate-glass shopfronts (Type B) encouraged at ground-floor level along street of building address, with façade supported above by columns and beams and extending for a distance of 12' to 14' around building corners at intersecting streets. |
| 5. | Plate glass material beginning 15" to 18" above finished grade (top of sidewalk) and extending to underside of beam, with alternate leaded or stained-glass transoms minimum 8'-0" above finish grade. |
| 6. | Sign band and/or secondary cornice to be integral with any shopfronts and located above plate glass shopfronts or transoms (Type B). |
| 7. | At-grade doorways to be recessed (see numerical parameters below). |
| 8. | Opaque exterior walls, through which all window openings appear to have been "punched" (such as through paper in a ring binder), with such windows recessed into the façade, reinforcing this intended effect (except at shopfronts, which are to have plate glass column to column). |
| 9. | Building cornice (at top of building) casting tallest horizontal shadow upon building façade. Must be the most prominent shadow line (aside from those cast individually by awnings above shopfronts). |
| 10. | Phasing of site development to be coordinated with individual units (each 16' to 25' in width), any first unit developed front to back for a minimum distance of 25' before development of any adjacent unit is to begin. Adjacent and subsequent units to be developed front to back in a similar manner. 8 units per building maximum. |

| ILLUSTRATED DESIGN STANDARDS: LIVE / WORK UNIT |
|---|
| 11. Pattern of solids and voids, coordinated within structural bays, generated by the vertical and horizontal alignment of rectangular windows and doors in repeating sizes. Full and segmented arches allowable atop rectangular windows in these locations (shopfronts excepted). |
| 12. Arched building tops prohibited. |
| 13. Window groupings allowable. |
| 14. Open-ended, canvas, sloped awnings above shopfront windows. (Type B). |
| 15. Decorative sills and/or headers required on windows located along exterior walls (shopfronts excepted). |
| 16. Sides and backs of buildings not regulated by this code, except along intersecting streets (as shown here). |
| 17. Floor to floor heights limited to 15'. |
| 18. Flat roof required. |

**Permitted Materials: Live / Work Unit**

| | Brick | Terra Cotta | Sandstone | Limestone | Formed Concrete | Marble | Other |
|---|---|---|---|---|---|---|---|
| Building Wall | X | | X | | | | Portland Cement Stucco |
| Accents | X | X | X | X | X | | |
| Window and Door Heads | Soldier Course | X | X | X | X | | |
| Window Sills | Soldier Course | X | X | X | X | X | |
| Columns | X | X | | X | X | X | Steel |

F) **Mixed-Use Building.** A small to medium sized building that contains ground floor commercial space with dwelling units above. Any number of dwelling units can be incorporated based on the desired level of density. Typically, there is one (1) shared door for residential access facing the street.




| ILLUSTRATED DESIGN STANDARDS: MIXED-USE BUILDING | |
|---|---|
| 1. | Traditional building façade treatments (including masonry reliefs and/or motifs), as well as main business entrances, to be located along streets of corresponding building addresses and at right-of-way lines. Side entrances subordinate and allowable at right-of-way lines along intersecting streets only. Side entrances along parking lots prohibited. Rear entrances also subordinate. Main entrance at corner may substitute for that listed above. |
| 2. | Main entrance doors must remain unlocked during business hours. |
| 3. | Main level accessible at grade. |
| 4. | Open, plate-glass shopfronts (curtain walls), located at ground-floor level along street of building address, with façade supported above by columns and beams and extending for a distance of one structural bay around building corners at intersecting streets. Plate glass material beginning 15” to 18” above finish grade (top of sidewalk) and extending to underside of beam, with alternate leaded or stained-glass transoms minimum 8’-0” above finish grade. |
| 5. | Sign band and/or secondary cornice integral with shopfronts and above plate glass and/or transoms. Such cornice may be used to satisfy the one horizontal molding or accent material band projection requirement. |
| 6. | Recessed doorways located within shopfronts (see numerical parameters below). |
| 7. | Opaque exterior walls above ground floor, through which window openings appear to have been “punched” (such as through paper in a ring binder), with such windows recessed into the façade, reinforcing this intended effect. |
| 8. | Minimum one additional horizontal molding or accent material band projection, casting a secondary horizontal shadow line, dividing the façade into layers. This feature is excepted on Art Deco-style buildings. |
| 9. | Vertical façade projections (corresponding to structural columns) casting vertical shadows on façade and articulating regular structural bays, each 20’ to 30’ in width. |

## ILLUSTRATED DESIGN STANDARDS: MIXED-USE BUILDING

10. Phasing of site development to be coordinated with structural bays, any first bay developed front to back for a minimum distance of 20' before development of any adjacent bay is to begin. Adjacent and subsequent bays to be developed front to back in a similar manner.
11. Pattern of solids and voids above ground floor, coordinated within structural bays, generated by the vertical and horizontal alignment of rectangular windows and doors in repeating sizes. Full and segmented arches allowable atop rectangular windows in these locations.
12. Radii of arches on segmented-arch windows must equal widths of corresponding windows.
13. Arched building tops prohibited.
14. Window groupings allowable above ground floor, corresponding to structural bays.
15. Open-ended, canvas, sloped awnings above shopfront windows.
16. Decorative sills and/or headers required on upper-floor windows located along façades.
17. Sides and backs of buildings not regulated by this code, except at corners (as illustrated here).
18. Building façade treatments optional along intersecting streets.
19. Towers, sculptures, and other characteristic forms and/or focal points encouraged (not illustrated).
20. Characteristic forms echoed or repeated within structural bays.
21. Floor to floor heights limited to 15'.

**Permitted Materials: Mixed-Use Building**

| | Brick | Terra Cotta | Sandstone | Limestone | Formed Concrete | Beveled Cedar Siding | Other |
|---|---|---|---|---|---|---|---|
| Building Wall | X | | X | | | | Portland Cement Stucco |
| Accents | X | X | X | X | X | | |
| Window and Door Heads | Soldier Course | X | X | X | X | | Cedar |
| Window Sills | Soldier Course | X | X | X | X | X | Cedar |
| Columns | X | X | | X | X | X | Wood |

*Cement Siding and Wood Trim Installed Smooth-Side Out. Visible Wood-Grain Embossing Or Rough-Sawn Surfaces Prohibited

G) **Townhome, Rowhouse.** A small to medium sized building that contains side-by-side attached single-family dwelling units. Typically, two (2) to eight (8) units make up a building, all with individual entrances facing the street.

| ILLUSTRATED DESIGN STANDARDS: TOWNHOME / ROWHOUSE |
|---|
| 1. Residential units existing side-by side within building enclosure with each unit extending from foundation to roof. |
| 2. Parking at rear or within building at ground floor with parking entrance at rear of building. |
| 3. Side parking lots prohibited. |
| 4. Opaque exterior walls through which window and door openings appear to have been “punched” as through paper in a ring binder. |
| 5. Pattern of solids and voids generated by the vertical and horizontal alignment of windows and doors in variously repeating sizes. |
| 6. Window groupings encouraged, with groups of up to 3 allowable. |
| 7. Ground floor (finished floor) 24” to 30” above grade. |
| 8. Min. 6’-6” deep required front porch maximum 30” above grade with decorative rail 28” – 36” above porch floor (porches may be individual or shared and continuous across front of building). |
| 9. Individual main entrance articulation. Porch may be shared (entrances may have separate doors or share a vestibule). |
| 10. Window screens to be made of wood or, if non-masonry structure, Windows to have 3 ½” ht. painted wood aprons added beneath sills to width of cased openings. |
| 11. Floor to floor heights limited to 10’-6”. |

| Permitted Materials: Townhome / Rowhouse | | | | | | | |
|---|---|---|---|---|---|---|---|
| | **Brick** | **Terra Cotta** | **Sandstone** | **Limestone** | **Formed Concrete** | **Beveled Cedar Siding** | **Other** |
| Building Wall | X | | X | | | X | Portland Cement Stucco Cement Board (a) |
| Accents | X | X | X | X | X | | Painted Wood |
| Window and Door Heads (a) | (b) | X | X | X | X | | Cedar |
| Window Sills (a) | (b) | X | X | X | X | | Cedar |
| Columns | X | X | | X | X | | Wood |

a) Cement siding and wood trim shall be installed with the smooth side facing outward. Visible woodgrain embossing or rough-sawn surfaces are prohibited.

b) Soldier course.

H) **Schedule of Regulations by Building Types:** When using the Form-Based Development Option, the following dimensional standards by building type shall apply to new construction in the C-1, C-2, C-3, and, C-4 districts. When in conflict with *Section 4.02*, these regulations shall prevail.

**SCHEDULE OF REGULATIONS BY BUILDING TYPE**

| Building Type | Front Setback (j) | Side Setback (adjacent to private lot) | Side Setback (adjacent to ROW line) | Rear Setback |
|---|---|---|---|---|
| Adjacent / Stacked Duplex & Triplex | ≥ 20' (a) | 10' | 7' to 12' | 10' |
| Fourplex | 10' (b) | 7' | 4' to 7' | 0' |
| Rowhouse | 20' (c) | 7' | 4' to 6' | 10' (d) |
| Small Apartment Building | ≤ 10' (e) | 7' | ≤ 7' | 0' |
| Residential Accessory Dwelling Unit / Garage | ≥ 10' (f) | ≥ 3' | ≥ 3' | 10' (d) |
| Live-Work Building | 0' (g) | 0' | 0' | 0' |
| Mixed-Use Building | 0' (h) | 0' | 0' | 0' |

a) Setback shall match mean setback of existing residential buildings along block frontage, ≥ 20'. If mean existing setback is < 20', then setback of new building shall default to 20'. Porches may encroach ≤ 12' into required front setbacks.

b) Setback shall match that of an adjacent residential building on the principal frontage, ≤ 35'. If adjacent building(s) are set back > 35', then setback of new building shall default to 10'.

c) Setback shall match that of an adjacent residential building on the principal frontage, ≤ 35'. If adjacent building(s) are set back > 35', then setback of new building shall default to 20'. Porches or porticos may encroach ≤ 9' into required front setbacks.

d) Rear setback is 4' from alley easements.

e) Setback shall match that of an adjacent residential building on the principal frontage, ≤ 35'. If adjacent building(s) are set back > 35', then setback of new building shall default to a distance ≤ 10'. Porches or porticos may encroach ≤ 9' into required front setbacks. Entrance canopies on Large Apartment Buildings may extend into right of way over sidewalk.

f) From main building on parcel.

g) See Building Type Regulations.

h) Required build-to line.

I) **Modifications from Building Design Standards for New Construction.** The City Council may modify the above requirements finding all of the following standards have been met:

i) The architectural design of the proposed structure is consistent with the character of the surrounding area.

ii) The architectural design otherwise meets the building design standards for adaptive reuse in the C-1, C-2, C-3, and C-4 districts.

iii) The project brings the site more into compliance with the Building Design Standards for New Construction and purpose of the C-1, C-2, C-3, and C-4 districts.

# Article IV.
# Standards Applicable to Specific Uses

## Section 4.01 Adult Entertainment.

Adult Businesses provided that:

**(1)** **Districts Permitted.** The following standards apply in the C-3 District as a waiver use.

**(2)** **Location.** No adult business shall be located within one thousand (1,000) feet of any property which is either occupied or approved for an adult business or within five hundred (500) feet of any property which is either occupied or zoned for residential use as measured from any point on the property which is so occupied or zoned.

**(3)** **Access.** The parcel of land on which the adult business is located shall have direct access to a major thoroughfare having an existing or planned width of one hundred twenty (120) feet or more as designated on the Future Transportation Map of the City of Livonia.

## Section 4.02 Adult Foster Care.

Residential homes for mentally or physically handicapped persons (as defined in ***Error! Reference source not found., Error! Reference source not found.*** of this Ordinance) for more than six (6) persons, provided that:

**(1)** **Districts Permitted.** The following standards apply in the RUF District as a waiver use.

**(2)** **Lot Size.** Residential homes for mentally or physically handicapped persons shall be located on a lot or parcel of no less than one-half (½) acre in area.

**(3)** **Maximum Capacity.** Such residential home shall house no more than sixteen (16) mentally or physically handicapped persons plus such persons as may be required to provide supervision. There shall be no more than two (2) occupants per bedroom.

**(4)** **Outdoor Recreation.** An outdoor recreation area shall be provided equal to five hundred (500) square feet per bedroom, and such recreation area shall be designed and oriented to fulfill the needs of all residents.

## Section 4.03 Alcohol Sales (Specially Designated Merchant [SDM] and Specially Designated Distributor [SDD]).

S.D.D. and S.D.M. licenses provided, however, that S.D.D. licenses which were approved and in use at locations prior to March 7, 1977, and S.D.M. licenses which were approved and in use at locations prior to April 11, 1983, may continue to be used to the extent and in the manner previously established at such locations without waiver use approval, provided further that:

**(1)** **Districts Permitted.** The following standards apply in the C-1 and C-2 Districts as a waiver use and in the C-3 District as a permitted use.

**(2)** **Location.**

A) Such proposed S.D.D. licensed establishment shall be located at least one thousand (1,000) feet distant from any existing S.D.D. licensed establishment, as measured from the nearest point on the building proposed to be licensed to the building in which the existing licensed establishment is located; and further provided that such S.D.M. licensed establishment shall be located at least five hundred (500) feet distant from any existing S.D.M. licensed establishment, as measured from the nearest point on the building proposed to be licensed to the building in which the existing licensed establishment is located; provided, however, that the foregoing one thousand (1,000) foot and five hundred (500) foot limitations may be waived by action of the City Council.

B) Such proposed S.D.D. or S.D.M. licensed establishment shall be located at least four hundred (400) feet distant from any church or school building, either public or parochial, as measured from the nearest point on the building proposed to be licensed to the existing church or school building.

**(3)** **Access.** Access to such S.D.D. or S.D.M. licensed establishment shall be from a public street having a right-of-way width of at least one hundred twenty (120) feet, as indicated on the Future Transportation Map of the City of Livonia.

**(4)** **Locked Display Case.** All S.D.D. licensees who sell alcoholic liquor other than beer and wine in their original package for consumption off the premises and whose total gross receipts derived from the sale of all alcoholic beverages do not exceed 35% of the total gross receipts of all sales, both alcoholic and non-alcoholic, shall display such alcoholic liquor behind a counter or in a locked display case in such a manner with no direct public access for a qualified employee at least eighteen (18) years of age to distribute to the customer.

## Section 4.04 Apartments.

**(1)** **Districts Permitted.** The following standards apply in the NM2 District as a permitted use.

**(2)** **Studio.** A dwelling unit containing a minimum net floor area of at least three hundred (300) square feet per unit, consisting of not more than one (1) room, in addition to kitchen and necessary sanitary facilities, and for the purposes of computing density shall be considered as a one (1) room unit.

**(3)** **One (1) Bedroom Unit.** A dwelling unit containing a minimum net floor area of at least four hundred fifty (450) square feet per unit, consisting of not more than three (3) rooms, in addition to kitchen and necessary sanitary facilities, and for the purposes of computing density shall be considered as a three (3) room unit.

**(4)** **Two (2) Bedroom Unit.** A dwelling unit containing a minimum net floor area of at least seven hundred fifty (750) square feet per unit, consisting of not more than four (4) rooms, in addition to kitchen and necessary sanitary facilities, and for the purposes of computing density shall be considered as a four (4) room unit.

**(5)** **Three (3) or More Bedroom Unit.** A dwelling unit wherein for each room in addition to the four (4) rooms permitted in a two (2) bedroom unit, there shall be provided an additional area of three hundred (300) square feet to the minimum net floor area of seven hundred fifty (750) square feet. For the purpose of computing density, said three (3) bedroom unit shall be considered as a five (5) room unit and for each increase in a bedroom over three (3) there shall be an increase in the room count by one (1) over the five (5).

## Section 4.05 Automobile Sales and Rental and Mobile Home Sales.

New and used car lots and showrooms, new or used mobile home sales and automobile rental facilities (including repair and service facilities only when owned and operated in conjunction therewith by the same proprietor and located on the same property), provided that:

**(1)** **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 District as a permitted use.

**(2)** **Minimum Lot Size and Lot Width.** Automobile sales and rental and mobile home sales shall be located on a parcel of land containing no less than one-half (½) acre and having a width of at least one hundred (100) feet at the front lot line.

**(3)** **Parking Setback.** No vehicles shall be parked within twenty (20) feet from the front lot line or at the side lot line adjacent to the street.

**(4)** **Lighting.** All exterior lighting, including illuminated signs, shall be erected and hooded or shielded so as to be deflected away from the adjacent or neighboring residential property.

**(5)** **Number of Vehicles.** The total number of vehicles proposed to be displayed or stored shall be subject to recommendation by the Planning Commission and approval by the City Council.

**(6)** **Access.** Automobile sales and rental and mobile home sales shall have direct access to a major thoroughfare having an existing or proposed right-of-way width of one hundred twenty (120) feet or more as designated on the Future Transportation Map.

**(7)** **Outdoor Storage.** Outdoor storage of disabled, damaged, or unlicensed vehicles is prohibited.

## Section 4.06 Automobile Repair (Up to One (1) Ton GVWR).

Automobile and light truck (one (1) ton gross vehicle weight) repair such as motor and electrical tune-up; replacement of shock absorbers, brakes, mufflers, exhaust and tailpipes; transmissions; and other similar repairs subject to the following:

**(1)** **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 District as a permitted use.

**(2)** **Repair Work.** All repair work must be carried out within an enclosed building.

**(3)** **Light Truck Repair.** Automobile and light truck repair shall not permit such repairs as bumping, painting, spraying or rustproofing.

**(4)** **Number of Vehicles.** The total number of vehicles proposed to be stored shall be subject to recommendation by the Planning Commission and approved by the City Council.

**(5)** **Access.** Automobile Repair shops shall have direct access to a major thoroughfare having an existing or proposed right-of-way width of one hundred twenty (120) feet or more as designated on the Future Transportation Map.

**(6)** **Outdoor Storage.** Outdoor storage of disabled, damaged, or unlicensed vehicles is prohibited.

## Section 4.07 Auto-Wash Establishments.

Auto-wash establishments and auto-wash establishments operated with accessory gasoline pumps, provided that:

**(1)** **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 District as a permitted use.

**(2)** **Enclosure.** All washing facilities (except steaming) are to be enclosed within a building.

**(3)** **Side Yard Setback.** The building is situated no closer than thirty-five (35) feet from one side property line.

**(4)** **Parking Lot Layout.** The building and off-street parking (waiting) areas shall be so located and arranged so that motor vehicles shall not park upon or overhang any public sidewalk, street, or right-of-way.

**(5)** **Location.** Auto-wash Establishments shall not be located nearer than one hundred fifty (150) feet as measured from any point on the property to any point on the property of any church, public or parochial school, or playground.

**(6)** **Minimum Lot Size and Lot Width.** Auto-wash establishments shall be located on a parcel of land containing at least eight thousand (8,000) square feet and having a width of at least one hundred (100) feet at the front property line.

**(7)** **Screening.** Where such a use adjoins any property located in any residential district or is separated from such property by a public alley, a protective wall shall be erected and maintained as provided in *Article VIII* of this Ordinance.

**(8)** **Lighting.** All exterior lighting, including illuminated signs, shall be erected and hooded or shielded so as to be deflected away from any adjacent or neighboring residential property.

**(9)** **Access.** Ingress and egress shall be available from a public street having a right-of-way width of at least one hundred twenty (120) feet or more as indicated on the Future Transportation Map.

## Section 4.08 Bed and Breakfast Establishments.

Bed and breakfast establishments provided that:

**(1)** **Districts Permitted.** The following standards apply in the N1, N2, RUF, and NM1 Districts as a waiver use and in the C-1, C-2, C-3, and C-4 as a permitted use.

**(2)** **Minimum Lot Size and Lot Width.** Bed and Breakfast Establishments shall be located on a lot or parcel of no less than one-half (½) acre in area or in a residential structure containing no less than two thousand (2,000) square feet of living space.

(3) **Parking Setbacks.** Off-street parking shall be provided in the rear or side yard, behind the front building setback line. For parcels abutting an exterior side street, parking shall not be closer to the street than the principal structure.

(4) **Site Features.** Such parking lot shall be improved with a minimum of four (4) inches of concrete or plant mixed asphalt. Natural screening by use of plant material or other screening by use of fencing shall be utilized to screen parking areas from adjoining residential properties.

(5) **Access.** Bed and breakfast establishments shall have direct access to a public street having an existing or planned width of at least eighty-six (86) feet or more as designated on the Future Transportation Map.

(6) **Ownership.** Such establishments shall be run by persons who own and occupy the premises for residential purposes.

(7) **Bedrooms.** Not more than six (6) bedrooms in the bed and breakfast establishment shall be used for bed and breakfast sleeping rooms. No more than four (4) occupants per room shall be allowed. There shall be no cooking facilities for use by the occupants of the bed and breakfast sleeping rooms.

(8) **Accessory Structures.** No accessory buildings shall be used for bed and breakfast sleeping rooms unless they were originally constructed to accommodate housing use. No garage shall be used for bed and breakfast sleeping rooms.

(9) **Signs.** One (1) sign identifying the bed and breakfast establishment shall be permitted if such sign complies with the requirements of Section 9.08 Section 9.08(1) of this Ordinance.

(10) **Maximum Stay.** Guest occupancy shall be no longer than fourteen (14) consecutive days.

(11) **Restrooms.** Lavatory and bathing facilities shall be available for all persons utilizing the bed and breakfast establishment.

(12) **Safety.** The dwelling to be used as a bed and breakfast establishment shall have at least two (2) usable exits. A fire escape plan shall be developed and graphically displayed in each guest room. A smoke detector in proper working order shall be placed in every sleeping room and a fire extinguisher in proper working order shall be placed on every floor. The site shall be reviewed by the Fire Marshall pursuant to the standards contained in the Fire Prevention Code as to the necessity for fire lanes.

(13) **Compliance.** All bed and breakfast establishments shall be required to obtain a business license under Chapter 5.42 of the Livonia Code of Ordinances and shall not conduct operations until such license has been obtained pursuant to that chapter. Such establishments shall comply with all applicable local, county, state, and federal ordinances, laws, rules, regulations, and codes. All bed and breakfast operations shall submit to annual inspections by the Building and Fire Departments. Renewal of a business license shall be contingent upon compliance with applicable codes, as verified by such inspectors.

## Section 4.09 Brewer, Micro Brewer, Brewpub, and Distilleries.

(1) **Districts Permitted.** The following standards apply in the C-1, C-2, and C-4 Districts as a waiver use and in the P-L, C-3, M-L, M-1, and M-2 District as a permitted use.

(2) **Location.**

A) Brewers, micro brewers, brewpubs, and distilleries shall not be located within one thousand (1,000) feet of any other such licensed establishment as measured from the actual premises being used or proposed for use of the respective properties; provided, however, that with respect to those licensed establishments which are utilized primarily as restaurants or for dining facilities, the foregoing one thousand (1,000) foot requirement may be waived by the City Council.

B) Such proposed licensed establishment shall be located at least four-hundred (400) feet distant from any church or school building, either public or parochial, as measured from the nearest point on the building proposed to be licensed to the existing church or school building.

**(3)** **Compliance.** Brewers, micro brewers, brewpubs, and distilleries shall comply in every respect with the Michigan Liquor Control Act.

**(4)** In M-L, M-1, and M-2 Districts, waiver use approval shall be required for on-site consumption except from a hospitality room located on the premises for sampling by consumers as provided in the Michigan Liquor Control Act which provisions are made a part hereof and incorporated herein by reference, and further provided, no Brewer, Micro Brewer, Brewpub, or Distillery shall be located less than 250 feet from the nearest point on the boundary of a residential district.

## Section 4.10 Caregiver Grow Facilities

**(1)** Such use shall not be located within four hundred (400) feet of any residential district, place of worship, municipal or private park, public or private school or daycare facility, or public or private indoor recreational uses ~~facility or athletic training school~~ permitted pursuant to *Section 4.32*~~Section 16.11(f)~~, as measured from the nearest point on the building within which the caregiver grow facility is operating and the property line of any of the uses.

**(2)** Such use shall be limited to buildings in which there are no other uses other than caregiver grow facilities.

**(3)** Such proposed Caregiver Grow Facility shall be located at least one thousand (1,000) feet distant from any existing Caregiver Grow Facility as measured from the nearest point on the building proposed to be occupied to the building in which the existing Caregiver Grow Facility is located.

## Section 4.11 Child Care, Family Home.

**(1)** **Districts Permitted.** The following standards apply in the N1, N2, and RUF Districts as a waiver use.

**(2)** **Compliance.** The owner or occupant of said residence is a licensee in good standing with the State of Michigan pursuant to PA 1973, No. 116, MCL 722.111, et seq, as amended. All health and safety requirements established by the State of Michigan shall be met.

**(3)** **Ownership.** The owner or occupant of said residence has registered with the City Clerk. The facility must be the principal residence of the provider.

**(4)** **Drop-off/ Pickup Area.** A drop-off/pickup area shall be provided where the residence is located on a major thoroughfare as defined in this Ordinance in order to prevent vehicles from backing onto the roadway.

**(5)** **Operating Hours.** There shall be no dropping off or picking up of children between the hours of 10:00 p.m. and 6:00 a.m.

**(6)** **Exterior Alterations.** No structural changes or exterior alterations shall be made which would alter the residential character of the dwelling except for those necessary to comply with the State of Michigan licensing rules applicable to family day care homes.

**(7)** **Outdoor Recreation.** Family day care homes shall provide and maintain an outdoor play space as required by the State of Michigan.

**(8)** **Noise.** Use will comply with all noise standards and other provisions contained in *Section 6.01.*

**(9)** **Signs.** No sign shall be used on the premises.

**(10)** **Safety.** All family day care homes shall be registered with the 911 dispatch center and the City of Livonia Public Safety Department.

**(11)** **Location.** No new family day care home shall operate within one thousand (1,000) feet from any existing registered family day care home or group day care home, as measured from the nearest property line of the proposed use to the nearest property line of the existing registered use.

## Section 4.12 Child Care, Group Home.

**(1)** **Districts Permitted.** The following standards apply in the N1, N2, and RUF Districts as a conditional use.

**(2)** **Compliance.** The owner or occupant of said residence currently operating as a group day care home is a licensee and has continuously remained a licensee in good standing with the State of Michigan pursuant to 1973 PA 116, as amended, since prior to November 14, 1999.

**(3)** **Previously Existing Group Homes.** Group day care homes not licensed and operating prior to November 14, 1999 in residential zones shall meet all of the following:

A) The owner or occupant of said residence shall be a licensee and continuously remain a licensee in good standing with the State of Michigan pursuant to 1973 PA 116, as amended.

B) The group day care home shall not operate within a distance of one thousand (1,000) feet from any existing registered family day care home or group day care home, as measured from the nearest property line of the proposed use to the nearest property line of the existing registered use.

C) The owner or operator has registered with the City Clerk.

D) The facility is the principal residence of the provider.

E) Group day care homes shall not result in traffic congestion or hazardous traffic conditions.

F) A drop-off/pickup area shall be provided if the residence is located on a major thoroughfare as defined in this Ordinance in order to prevent vehicles from backing onto the roadway.

G) The use shall not involve an increase in on-street parking by more than two (2) additional vehicles at a time.

H) All health and safety requirements of the State of Michigan shall be met.

I) There shall be no dropping off or picking up of children between the hours of 10:00 p.m. and 6:00 a.m.

J) No structural changes or exterior alterations shall be made which would alter the residential character of the dwelling except as required by the State of Michigan licensing rules.

K) Group day care homes shall provide and maintain an outdoor play space meeting the minimum requirements of the State of Michigan.

L) The residence shall have appropriate fencing which shall encompass the entire outdoor play space, unless same is prohibited by recorded private homeowner's restrictions/bylaws, or, in the alternative, relief from this requirement may be sought upon appeal to the Board of Appeals.

M) The use shall comply with all noise standards and other provisions contained in *Section 5.28* of this Ordinance.

N) No sign shall be used on the premises.

O) All group day care homes shall be registered with the 911 dispatch center and the City of Livonia Public Safety Department.

## Section 4.13 Day Care Nurseries.

**(1)** **Districts Permitted.** The following standards apply in the NM2 and C-1 Districts as a waiver use and in the C-2, C-3, and C-4 Districts as a permitted use.

**(2)** **General Requirements.** Day care nurseries if situated on a parcel of land at least ten thousand (10,000) square feet in area and abutting a street or thoroughfare which has an existing or planned width of eighty-six (86) feet or more as indicated on the Future Transportation Map , and further provided that there is provided and maintained a minimum of five thousand (5,000) square feet of outdoor play area; and further provided that buildings erected on the premises are in harmony with the adjacent buildings in the area; and further provided that appropriate fencing of at least five (5) feet in height encompass the entire outdoor play area. Any use permitted herein shall not be permitted in the interior of any residential block.

## Section 4.14 Dance Halls and Ballrooms.

**(1)** **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 District as a permitted use.

**(2)** **Residential Setback.** Dance halls and ballrooms, provided that such use shall not be located within three hundred (300) feet of any residential district or property used for church purposes as measured from any point on the property to be so used.

## Section 4.15 ~~Dwelling, Accessory Unit~~Reserved.

~~Separate dwellings for the use of domestic employees of the owners, lessee, or occupants of the principal dwelling on a lot shall be considered accessory buildings, but if containing a complete housekeeping unit or units, shall conform to all the height and yard requirements for dwellings in the district in which they are located.~~

## Section 4.16 Dwelling, Condominium.

**(1)** **Districts Permitted.** The following standards apply in the NM1, NM2, and NM3 Districts as a permitted use.

**(2)** **Minimum Size.** The minimum size of condominium dwellings within the City, unless otherwise established and shown on the Zoning Map, shall be as follows:

| | |
|---|---|
| One Bedroom unit | 800 sq. feet |
| Two Bedroom unit | 1000 sq. feet |
| Three Bedroom unit | 1200 sq. feet |

~~(3) **Minimum Size within Zones.** Notwithstanding the foregoing provisions, Zones "A", "B", and "C" as shown on the Zoning Map of the City of Livonia, are hereby established and shall determine the minimum size of condominium dwellings within said zones. The following regulations are hereby established for such zones and no building used as a condominium dwelling shall be constructed except in accordance with the following schedule of regulations which establish the minimum size of condominium dwellings within said respective zones. The purpose and intent of establishing the following additional regulations is to protect, stabilize and conserve property values in residential areas. Numbers contained in the schedule refer to the minimum required usable floor area in square foot dimensions:~~

| ~~Dwelling Design~~ | ~~Minimum Required Usable Floor Area (sq. ft.)~~ | | |
|---|---|---|---|
| | ~~Zone A~~ | ~~Zone B~~ | ~~Zone C~~ |
| ~~One (1) Bedroom Unit~~ | ~~1,000~~ | ~~1,200~~ | ~~1,400~~ |
| ~~Two (2) Bedroom Unit~~ | ~~1,200~~ | ~~1,400~~ | ~~1,600~~ |
| ~~Three (3) Bedroom Unit~~ | ~~1,400~~ | ~~1,600~~ | ~~1,800~~ |

## Section 4.17 Dwelling, Mobile Homes and Modular Homes.

The placement of a mobile home or a modular home, as defined in ***Error! Reference source not found.***, ***Error! Reference source not found.*** of this Ordinance, on any lot or parcel in N-1, N-2, N-3, and NM1 districts shall comply with all the requirements and standards contained in such districts relating to one-family dwellings including, but not limited to, lot size, building setback and land coverage limitations and, in addition, shall comply with the requirements and standards set forth in *Section 4.19* of this Ordinance relating to one-family dwelling size; provided, however, that said mobile home or modular home shall comply with the following additional standards:

**(1)** **Structure Width.** Every mobile home or modular home shall have a minimum width across any main section of twenty (20) feet.

**(2)** **Attachment to Permanent Foundation.** Every mobile home or modular home shall be attached to a permanent foundation co-extensive with the perimeter of the building, which foundation shall be approved by the Inspection Department.

**(3)** **Public Utilities.** Every mobile home or modular home shall be connected to a public sanitary sewer, storm sewer, and water system.

**(4)** **Visual Appearance.** Such mobile home, when in place, shall not have exposed wheels, towing mechanisms, undercarriage, or chassis. The mobile home or modular home shall contain no additions or rooms or other areas which are not constructed with similar materials and which are not similar in appearance and which shall have similar quality of workmanship as the original structure, including the above described foundation and permanent attachment to the principal structure.

**(5)** **Site Features.** Every mobile home and modular home shall be aesthetically compatible in design and appearance with other residences in the vicinity, with either a roof overhang of not less than six (6) inches on all sides, or alternatively, with window sills and roof drainage systems concentrating roof drainage along the sides of the dwelling; with not less than two (2) exterior doors with one being in the front of the dwelling and the other being in either the rear or side of the dwelling, containing permanently attached steps connected to said exterior door areas where a difference in elevation requires the same. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard designed home.

**(6)** **Compliance.** Every mobile home or modular home shall comply with all pertinent City building and fire codes as well as, in the case of mobile homes, state and federal standards for mobile home construction. The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in any ordinance of the City of Livonia pertaining to such parks.

## Section 4.18 Dwelling, Multi-Family and Apartments.

**(1)** **Districts Permitted.** The following standards apply in the NM2 District as a permitted use.

**(2)** **Common Recreation Area.** In the case of multiple family projects comprising two (2) or more acres, there shall be provided a common recreation area equal to at least twenty-five (25) square feet per dwelling unit in the development with a minimum of twelve hundred (1,200) square feet. Such recreation area shall be designated and oriented to fit the needs of all tenants and may contain facilities such as but not limited to community buildings, swimming pools, tennis courts, and putting greens.

## Section 4.19 Dwelling, Single-Family.

**(1)** **Districts Permitted.** The following standards apply in the N1, N2, RUF, NM1, and NM2 Districts as a permitted use.

**(2)** **Requirements in Multifamily Zones.** In NM1 and NM2 Districts, one-family dwellings shall be subject to all of the regulations that apply in the N1 Neighborhood District, including the regulations pertaining to lot size and yard requirements.

~~(2)~~(3) **Minimum Size.** The minimum size of one-family dwellings within the City, unless otherwise established and shown on the Zoning Map, shall be as follows:

| Dwelling Design | | Minimum Size Required (sq. ft.) |
|---|---|---|
| One (1) Story Plan | | 1,000 |
| One and One-half (1-1/2) Story Plan | Ground Floor | 800 |
| | Aggregate | 1,100 |
| Two (2) Story Plan | Ground Floor | 624 |
| | Aggregate | 1,200 |

~~(3) **Minimum Size Within Zones.** Notwithstanding the foregoing provisions, Zones "A," "B," and "C" as shown on the Zoning Map of the City of Livonia, are hereby established and shall determine the minimum size of one-family dwellings within said zones. The following regulations are hereby established for such zones and no building used as a one-family dwelling shall be constructed except in accordance with the following schedule of regulations which establish the minimum size of one-family dwellings within said respective zones. The purpose and intent of establishing the following additional regulations is to protect, stabilize, and conserve property values in residential areas that are substantially developed by providing a means to ensure that such areas will continue to develop in a manner consistent with the trend and character of the already existing building and development. Numbers contained in the schedule refer to the minimum required usable floor area in square foot dimensions:~~

| ~~Dwelling Design~~ | | ~~Minimum Required Usable Floor Area (sq. ft.)~~ | | |
|---|---|---|---|---|
| | | ~~Zone A~~ | ~~Zone B~~ | ~~Zone C~~ |
| ~~One (1) Story Plan~~ | | ~~1,150~~ | ~~1,300~~ | ~~1,500~~ |
| ~~One and One-half (1-1/2) Story Plan~~ | ~~Ground Floor~~ | ~~850~~ | ~~900~~ | ~~950~~ |
| | ~~Aggregate~~ | ~~1,260~~ | ~~1,400~~ | ~~1,650~~ |
| ~~Two (2) Story Plan~~ | ~~Ground Floor~~ | ~~690~~ | ~~780~~ | ~~900~~ |
| | ~~Aggregate~~ | ~~1,380~~ | ~~1,560~~ | ~~1,800~~ |

## Section 4.20 Dwelling, Two-Family.

**(1) Districts Permitted.** The following standards apply in the NM1 and NM2 Districts as a permitted use.

**(2) Requirements in Multifamily Zones.** In NM1 and NM2 Districts, two-family dwellings shall be subject to all of the regulations that apply in the N2 Neighborhood District, including the regulations pertaining to lot size and yard requirements.

~~(2)~~(3) **Minimum Size of Two-Family Dwellings.** The minimum size of two-family dwellings is hereby fixed as follows: Each living unit shall have not less than eight hundred (800) square feet of usable floor area, all on one floor, which shall not include common hall space or utility room space; provided, however, that where a living unit occupies more than one (1) floor, the aggregate usable floor area for the entire unit shall not be less than one thousand (1,000) square feet.

## Section 4.21 Essential Services.

Essential services shall be permitted as authorized and regulated by law and other ordinances, it being the intention hereof to exempt such essential services from the application of this Ordinance.

## Section 4.22 Establishments Having Liquor Licenses Such as Class C, Tavern, and Club.

**(1) Districts Permitted.** The following standards apply in the C-1, C-2, and C-4 Districts as a waiver use and in the C-3 and P-L Districts as a permitted use.

**(2) Location.**

A) Establishments having liquor licenses such as Class C, tavern, club, and small distiller shall not be located within one thousand (1,000) feet of any other such licensed establishment as measured from the actual premises being used or proposed for use of the respective properties; provided, however, that with respect to those licensed establishments which are utilized primarily as restaurants or for dining facilities, the foregoing one thousand (1,000) foot requirement may be waived by the City Council.

B) Such proposed licensed establishment shall be located at least four-hundred (400) feet distant from any church or school building, either public or parochial, as measured from the nearest point on the building proposed to be licensed to the existing church or school building.

**(3)** **Compliance.** Establishments having liquor licenses such as Class C, tavern, club, and small distiller shall comply in every respect with the Michigan Liquor Control Act.

## Section 4.23 Facilities for the Detention, Incarceration, Commitment, and/or Rehabilitation of Adults or Minor Children and Psychiatric Hospitals.

Licensed and certified publicly or privately-owned facilities for the detention, incarceration, commitment, and/or rehabilitation of adults or minor children and psychiatric hospitals provided that:

**(1)** **Districts Permitted.** The following standards apply in the P-L District as a waiver use.

**(2)** **Minimum Lot Size.** Facilities for the detention, incarceration, commitment, and/or rehabilitation of adults or minor children and psychiatric hospitals shall be located on a parcel of land consisting of at least twenty-five (25) acres in area.

**(3)** **Access.** Access to the site shall be directly from a major thoroughfare having an existing right-of-way width of one hundred twenty (120) feet or more.

**(4)** **Fencing.** Facilities for the detention, incarceration, commitment, and/or rehabilitation of adults or minor children and psychiatric hospitals shall be completely enclosed with security fencing at least eight (8) feet in height; provided, however, that such fence shall be located no closer than twenty (20) feet from any side or rear lot line and no closer than eighty (80) feet from the front property line. In addition, perimeter fencing not to exceed four (4) feet in height may be provided in the front yard forward of the building; provided, however, that in all cases the fencing shall be exclusive of the minimum front yard setback requirement.

**(5)** **Surveillance.** Such use shall have twenty-four (24) hour supervision and surveillance on site by experienced professional personnel in sufficient numbers as to ensure the security of the institution and surrounding properties as well as the safety of the general public.

**(6)** **Location.**

A) Facilities for the detention, incarceration, commitment, and/or rehabilitation of adults or minor children and psychiatric hospitals shall be separated from any school, playground, park, or church by a distance of at least one thousand (1,000) feet as measured from any point on the respective property lines.

B) Facilities for the detention, incarceration, commitment, and/or rehabilitation of adults or minor children and psychiatric hospitals shall be located no closer than five hundred (500) feet from the intersection of two (2) major thoroughfares.

C) Facilities for the detention, incarceration, commitment, and/or rehabilitation of adults or minor children and psychiatric hospitals shall be separated from any residential zoning district by a distance of at least five hundred (500) feet as measured from any point on the subject property to any point on the residential district line; provided, however, that the foregoing five hundred (500) foot restriction may be waived by the City Council.

**(7)** **Setbacks.** The minimum distance of any main or accessory building from boundary property lines shall be at least one hundred (100) feet for front, rear and side yards.

**(8)** **Off-street Parking.** Off-street parking shall comply with standards as set forth in *Section 7.03* of this Ordinance and shall be provided in an amount equal to one (1) space for each employee, including administrators, plus visitor parking spaces equal to fifty (50) percent of the number of individuals being served by the facility.

## Section 4.24 Garages, Repair Shops, Rustproofing and Similar Highway Services.

Garages, repair shops, rustproofing, and similar highway services, provided that:

**(1)** **Districts Permitted.** The following standards apply in the M-1 District as a waiver use and in the M-2 District as a permitted use.

**(2)** **Required Fencing.** Except for the front yard setback, the lot area shall be enclosed with a fence of a type approved by the City Council which shall be located and maintained on the boundaries of such lot area, with only such openings therein as may be necessary for ingress and egress; provided, however, that in the case of a corner lot such fence shall be located on the side yard setback line abutting a public or private thoroughfare.

## Section 4.25 Gardening and Tree Nurseries.

**(1)** **Districts Permitted.** The following standards apply in the N1, N2, RUF, C-2, C-3, and C-4 Districts as a permitted use.

**(2)** **Sale of Nursery Stock.** The sale of nursery stock and greenhouse product is permitted in the RUF, C-2, C-3, and C-4 Districts but prohibited in the N1 and N2 District.

## Section 4.26 Gasoline Service Station.

In order to regulate and control the problems of noise, odor, light, fumes, dust, danger of fire and explosion, and traffic congestion which is likely to result from the unrestricted and unregulated construction and operation of gasoline service stations, and to avoid, if possible, and control the adverse effects which these factors and other characteristics incident to the gasoline service station may have upon adjacent and surrounding land and uses, the following special requirements and regulations governing the erection of gasoline service stations are hereby established:

**(1)** **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 District as a permitted use.

**(2)** **Minimum Lot Area and Lot Width.** Gasoline service stations shall always be located on a plot of ground with frontage along a commercial street of not less than one hundred fifty (150) feet and which shall have a minimum area of not less than twenty-two thousand five hundred (22,500) square feet.

**(3)** **Setbacks.** Gasoline service stations shall provide a setback (area between the adjacent road right-of-way line(s) and the building line) of sixty (60) feet from any road with a right-of-way width of one hundred twenty (120) feet or more and/or any freeway service drive as designated on the Future Transportation Map and at least one side yard of not less than twenty (20) feet. The area within the setback and side yards shall not be used for vehicular storage or for any other service facilities.

**(4)** **Maximum Height.** Gasoline service stations including any part of the façade, shall not exceed thirty-five (35) feet in height; provided, however, that canopies shall not exceed eighteen (18) feet in height.

**(5)** **Access.** Gasoline service stations when located on a corner lot shall provide vehicular entrances or exits (curb cuts) no less than a minimum of twenty-five (25) feet from the intersection of the property lines parallel to the two (2) streets pavement. All curb openings whether on a corner lot or not shall not exceed thirty-five (35) feet in width at the curb. There shall always be a minimum of thirty (30) feet measured along the property line between any series of driveways. On corner lots, no driveway from a side street shall be less than fifteen (15) feet from rear property line as measured along the side street property line. Curbs shall be provided to prevent ingress or egress except at the required locations.

**(6)** **Enclosure.** All lubrication equipment, motor vehicle equipment, hydraulic hoists, and pits shall be enclosed entirely within the building. All gasoline pumps shall be located not less than twenty (20) feet from any lot line and shall be arranged so that motor vehicles shall not be supplied with gasoline or serviced while parked upon or overhanging any public sidewalk, street or right-of-way.

**(7)** **Screening.** Where a gasoline service station use adjoins any property located in any residential district or is separated from such property by a public alley, a protective wall shall be erected and maintained as provided in *Article VIII* of this Ordinance.

**(8)** **Lighting.** All exterior lighting on the property, including illuminated signs, shall be erected and hooded, shielded and recessed so as to be deflected away from any adjacent or neighboring residential property.

**(9)** **Outdoor Storage.** Outdoor storage of disabled, abandoned, junked, wrecked, and/or unlicensed vehicles is prohibited. Outdoor storage of rubbish and junked equipment or parts is prohibited unless such rubbish, junked equipment, or parts are stored adjacent and to the rear of the principal building and are enclosed by a masonry wall. When such a wall is provided, rubbish, junked equipment, or parts shall not be stored at a height exceeding the height of the wall; provided, further, that such rubbish and junked equipment or parts shall be removed from the property at least once every week.

**(10)** **Parking.**

A) No part of any parcel of land used for gasoline service station purposes shall be utilized for outdoor storage, placement, or display of merchandise; provided, however, that the foregoing prohibition shall not apply to the display, on a pump island only, of oil or oil-based products including, by way of example, but not limitation, motor oil, transmission oil, oil and gasoline additives, windshield solvent, and windshield wipers.

B) No more than one (1) tow truck may be parked in the front or side yard abutting a street.

C) Outside parking or storage of recreational equipment, or commercial vehicles or automobiles which are not used in the operation of the business is prohibited; provided, however, that such prohibition shall not apply to any equipment or vehicle which is temporarily on the premises for repair or service and which is stored or parked in a designated parking space; and provided, further, that no such equipment or vehicle shall be parked within one hundred (100) feet of the intersection of the property lines of two (2) intersecting public streets.

**(11)** **Free Air.** Free air shall be provided at all times station is open for business. The free air shall be dispensed at the point of service without having to enter the station or the performance of any extra action in order to obtain the air without charge.

**(12)** **Compliance.** Gasoline service stations must meet all the requirements of the Police and Fire Departments. The petitioner shall receive written approval by the Police and Fire Departments before the City Council can validly consider this use within a multi-story structure.

**(13)** **Signs.** Gasoline service stations only may display the following type, size, and number of signs which are deemed customary and necessary to their respective business:

A) One (1) ground sign per development site not to exceed a maximum area of forty (40) square feet at a maximum height above grade not to exceed twelve (12) feet and a minimum setback of five (5) feet from any right-of-way line.

B) Wall signs and all window signage, including those signs attached to the service buildings or to the canopy fascia, shall not in sum total exceed two (2) square feet in area for each one (1) lineal foot of building frontage with a maximum total area of one hundred (100) square feet.

C) Customary lettering or other insignia on a gasoline pump consisting of the brand of gasoline sold, lead warning information, and any other data not exceeding a total of three (3) square feet on each pump.

## Section 4.27 Heliports.

No land, water, or building in the City of Livonia shall be used as a location for landing, take-off, storage, servicing, or fueling of any helicopter until the following standards have been adhered to:

**(1)** **Districts Permitted.** The following standards apply in P-L as a permitted use and in the C-4, ML, M-1, and M-2 as a waiver use.

**(2)** **Compliance.** The proposed heliport shall be constructed, operated, and maintained in accordance with the published rules and regulations of the Federal Aviation Administration (FAA), Michigan Aeronautics Commission, and the National Fire Protection Association governing the use of heliports.

**(3)** **Required Application.** Each application for a heliport shall include:

A) A copy of the Federal Aviation Administration Form #7480, "Notice of Landing Area Approval".

B) A copy of a letter of "No Objection" from the FAA.

C) A copy of an approved State of Michigan Aeronautics Commission application for licensing.

D) An aerial photograph of a scale no less than one (1) inch equals four hundred (400) feet indicating the approach and departure routes, the location of all residences, schools, churches, hospitals and areas used for the open assembly of people as well as other noise sensitive areas within a radius of one-half (½) mile of the proposed heliport site.

E) A statement of property ownership or authorization of owner for property proposed to be used as a heliport.

F) A description of the purpose for which the heliport is being established and a schedule of proposed activities including:

i) Number of monthly operations.

ii) Hours of operation.

iii) Support activities such as storage, maintenance, and refueling.

G) A site plan which shall contain the following information:

i) The location, nature, and height of proposed security fences, berms, landscaping, and other security and noise attenuation structures.

ii) The location and type of firefighting equipment and materials.

iii) The location and type of fuel storage facilities.

iv) The location of all existing and proposed buildings.

v) The location of all helicopter landing and take-off areas; parking areas; and the method of surface preparation or stabilization.

H) A certificate of structural compliance attested to by registered professional engineer or architect shall be furnished with each application for a roof-top or other elevated heliport.

I) An environmental report showing the expected noise levels and possible odors, fumes, and dust that may be caused by the operations of the heliport.

J) Approval of the City of Livonia Department of Public Safety, Division of Fire, for the installation and location of firefighting equipment and materials; and the installation and location and method of use for refueling equipment and procedures.

K) Approval of the City of Livonia Department of Public Safety, Division of Police, as to the location of a temporary heliport and the effect of the proposed operation on the safety and well-being of the public.

## Section 4.28 Home Occupations.

Home occupations, except where specifically prohibited, shall be permitted where incidental to residential use and meeting all the following criteria:

**(1)** **Districts Permitted.** The following standards apply in the in the N1, N2, RUF, NM1, NM2, and NM3 Districts as a permitted use.

**(2)** **Usable Floor Area.** The activity is conducted entirely within a completely enclosed dwelling unit and entails neither the use of more than 20% of the usable floor area of that dwelling unit nor any garage (detached or attached) or other building or structure accessory to the principal building.

**(3)** **Nuisances.** The activity does not generate any noise, vibrations, smoke, dust, heat, glare, or interference with radio or television reception in the area that would exceed that normally produced by a dwelling unit in a residential district.

**(4)** **Advertisement.** The activity does not entail any advertising, display, or other indications of a home occupation, business, professional, trade, or occupational use of the property, except as permitted by *Section 9.08* of this Ordinance.

**(5)** **Outdoor Storage.** There is no outdoor display or storage of materials, goods, supplies, or equipment.

**(6)** **Deliveries.** There are no deliveries from commercial suppliers by any vehicle that exceeds Class 5 in the Federal Highway Administration classification system, and all deliveries are made between 9:00 a.m. and 5:00 p.m. on weekdays, provided further that such deliveries shall not restrict traffic circulation or occur so frequently as to interfere with the quiet character of the residential neighborhood.

**(7)** **Operating Hours.** No clients, patrons, salespersons, or other commercial invitees visit the premises except between the hours of 8:00 a.m. and 9:00 p.m., and no more than ten (10) vehicles visit the premises during that period, with no more than two (2) vehicles visiting at one time; provided further, that massage establishments, as defined in ***Error! Reference source not found., Error! Reference source not found.*** of this Ordinance, shall be strictly prohibited in all N1 districts, as permitted or waiver uses.

(8) **Prohibited Use.** The activity does not entail large-scale manufacturing or assembly; warehousing or distribution; or sales or rentals of any article or service except such as is produced by such occupation.

(9) **External Alterations.** The activity does not require any internal or external alteration, construction feature, equipment, or machinery which is not customary in residential areas.

(10) **Employment.** The activity does not entail employment of more than one person other than members of the resident family.

(11) **Safety.** If chemical and/or toxic-based materials will be utilized in connection with said home occupation, the owner or occupant of the property shall register same with the Building Official, the Fire Department and the Livonia Emergency Planning Committee prior to use of the residence for said home occupation in order to ensure compliance with all local, state, and federal environmental regulations.

## Section 4.29 Hospitals.

Hospitals are subject to the following regulations:

(1) **Districts Permitted.** The following standards apply in the C-1, C-2, and C-4 Districts as a waiver use and in the C-3 and P-L District as a permitted use.

(2) **Minimum Lot Size.** All such hospitals shall be developed on sites consisting of at least five (5) acres in area. Provided that there is a minimum of fifteen hundred (1,500) square feet of lot area per bed.

(3) **Access.** Ingress and egress shall be available from public street having an existing or planned right-of-way width of at least eighty-six (86) feet as shown on the Future Transportation Map. All ingress to and egress from the off-street parking areas for guests, employees, staff, as well as any other users of the facility, shall be directly from a major thoroughfare.

(4) **Setbacks.** The minimum distance of any main or accessory building from bounding lot lines or streets shall be at least one hundred (100) feet for front, rear, and side yards for all two (2) story structures. For every story above two (2), the minimum yard distance shall be increased twenty (20) feet.

(5) **Screening.** Ambulance and delivery areas shall be obscured from all residential view with an obscuring wall or fence not less than six (6) feet in height.

## Section 4.30 Hotels.

(1) **Districts Permitted.** The following standards apply in the C-2, C-3, and C-4 Districts as a permitted use.

(2) **Number of Dwelling Units.** Any building containing primarily rooming units with the number of dwelling units being not greater than ten percent (10%) of the total number of rooming units and, with the exception of the unit occupied by the management staff, used only for the accommodation of transients.

(3) **Signs.** Hotels having a minimum of two hundred (200) feet of property bordering on I-275 or I-96 right-of-ways may display additional wall signs on the basis of one (1) square foot of sign area in sum total for each one (1) lineal foot of building frontage facing I-275 or I-96. Wall signs exceeding thirty (30) square feet of sign area each shall consist exclusively of individually fabricated letters or symbols attached individually and flatly to the building.

## Section 4.31 Housing for the Elderly.

**(1)** **Districts Permitted.** The following standards apply in the NM3 and P-L Districts as a permitted use.

**(2)** **General Standards.** A building or group of buildings which provides housing, and as to which at least eighty percent (80%) of the occupied units are rented to at least one (1) person who is fifty-five (55) years of age or older, and which otherwise meets the requirements of 42 USC 3607(b)(2). This may include any of the following: independent elderly housing, senior assisted living facilities, congregate elderly housing, and nursing homes; but shall not include hospitals, hotels, motels, tourist homes, rooming homes, condominiums, or site condominiums.

## Section 4.32 Indoor Recreational Uses.

**(1)** **Districts Permitted.** The following standards apply in the M-1 District as a waiver use and in the C-2, C-3, and C-4 Districts as a permitted use.

**(2)** **Nature of Use.** Due to the nature of the use or its unique characteristics (e.g., requirement for higher ceilings), indoor recreational uses may be better suited or compatible in an industrial setting, including, but not limited to, gymnastics training facilities, martial arts and cheerleading schools, soccer facilities, tennis courts, racquetball and handball courts, baseball and softball practice areas, and archery ranges, provided that all parking and ingress/egress to the facility shall be designed so as not to interfere with industrial traffic in the area. In an M-1 District, such uses shall not include health and fitness clubs, swimming pools, bowling alleys, or billiard parlors and poolrooms.

A) **Skating Rinks.** Skating Rinks, ice or roller are permitted by right in the C-2 and C-3 and prohibited in the M-1 District, provided that such use shall not be located within five hundred (500) feet of any Class C licensed establishment as measured from any point on the respective properties.

B) **Theaters.** Enclosed theaters (not including drive-in theaters) are permitted by right in the C-2 and C-3 Districts and prohibited in the M-1 District. Such use must be carried on in a building properly designed and suitable for theater use and when such building is located on a parcel of land five (5) acres or more in size; provided further, that the parcel of land on which the theater building is located shall have direct access by means of at least two (2) separate entrances and exits to a major thoroughfare having an existing or planned width of one hundred twenty (120) feet or more as designated on the Future Transportation Map of the City of Livonia.

## Section 4.33 Internet-based Exotic Vehicle Sales

**(1)** **Districts Permitted.** The following standards apply in the M-1 and M-2 Districts as a permitted use.

**(2)** **Parking and Storage of All Vehicles.** No vehicles or parts thereof are displayed or stored outdoors, and that none of the vehicles stored or offered for sale within building(s) are visible from the surrounding streets or public places.

**(3)** **No Advertising.** The site offers no advertising of vehicle sales/storage which is visible from the surrounding streets or public places

**(4)** **No Repair Services.** There is no repair or reconditioning of vehicles on the premises.

**(5)** **Operating Hours.** Hours of operation do not include any time on Saturday, Sunday, or holidays, nor after 6:00 p.m. on weekdays, except by appointment.

**(6)** **Inspections.** All facilities for Internet-based Exotic Vehicle Sales shall be subject to annual inspection by the Department of Inspection.

## Section 4.34 Keeping of Animals (Fowl, Rabbits, Horses, Cows, etc.).

**(1)** **Districts Permitted.** The following standards apply in the RUF Districts as a permitted use.

**(2)** **Minimum Lot Size.** Fowl and rabbits may be raised and kept for the owner's consumption only on one-half (½) acre or more; two (2) horses may be kept for the owner's use only on one (1) acre or more; two (2) horses and one (1) cow or three (3) horses may be kept for the owner's use only on two (2) acres or more. The raising of livestock shall conform to the Generally Accepted Agricultural and Management Practices (GAAMP) for the Care of Farm Animals.

**(3)** **Fowl and Rabbits Raised for Sale.** Fowl and rabbits may be raised for sale on parcels five (5) acres or more in size if such animals are properly housed, maintained, and fenced so as not to become a nuisance or detrimental to public health, safety, or welfare.

## Section 4.35 Kennels.

**(1)** **Districts Permitted.** The following standards apply in the RUF District as a waiver use.

**(2)** **Minimum Lot Size.** Dog kennels may be operated on parcels five (5) acres or more in size if such animals are properly housed, maintained, and fenced so as not to become a nuisance or detrimental to public health, safety, or welfare.

## Section 4.36 Local and Suburban Passenger Terminals; Trucking Transportation Terminals Including Maintenance and Service Facilities.

**(1)** **Districts Permitted.** The following standards apply in the M-1 and M-2 Districts as a ~~permitted~~ waiver use.

**(2)** **Parking and Storage of All Vehicles.** Parking and storage of all vehicles, equipment, and material must be enclosed wholly within a building.

## Section 4.37 Massage Establishments.

Massage establishments (as defined in ***Error! Reference source not found.***, ***Error! Reference source not found.*** of this Ordinance), provided that:

**(1)** **Districts Permitted.** The following standards apply in the C-1, C-2, and C-4 Districts as a waiver use and in the C-3 District as a permitted use.

**(2)** **Compliance.** Such facilities shall conform to the requirements, restrictions, and prohibitions contained within Mich. Admin. Code R 338.701 through R 338.727 inclusive, as amended, the provisions of which are made a part hereof and incorporated herein by reference.

**(3)** **Separation Requirements.** No massage establishment shall be located within four hundred (400) feet of any property which is either occupied or approved for a massage establishment. No massage establishment shall be located within four hundred (400) feet of a preexisting school, place of worship, state-licensed day care facility, public library, playground, or public park, as measured from any point on the property to any point on the property of any school, place of worship, state-licensed day care facility, public library, playground, or public park.

**(4)** **Operating Hours.** Daily hours of operation of any massage establishment shall be limited to the period of time from 8:00 a.m. to 10:00 p.m.

## Section 4.38 Motels.

**(1)** **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 and C-4 Districts as a permitted use.

**(2)** **Setbacks.** No building shall be any closer than twenty-five (25) feet to any side lot line and no closer than seventy-five (75) feet to the front lot line.

**(3)** **Separation.** Separate buildings shall not be less than ten (10) feet apart.

**(4)** **Signs.** Motels having a minimum of two hundred (200) feet of property bordering on I-275 or I-96 right-of-way may display additional wall signs on the basis of one (1) square foot of sign area in sum total for each one (1) lineal foot of building frontage facing I-275 or I-96. Wall signs exceeding thirty (30) square feet of sign area each shall consist exclusively of individually fabricated letters or symbols attached individually and flatly to the building.

## Section 4.39 Nature Preserves

**(1)** **Districts Permitted.** The following uses and standards apply in the NP District as a permitted use.

A) **Outdoor Recreational Uses**, such as:

i) Nature trails, including the construction of new trails and any improvements necessary to meet barrier-free design standards, where feasible, provided such improvements are consistent with the City of Livonia Five-Year Parks and Recreation Master Plan and the City's nonmotorized transportation plan.

ii) Appropriate forest management practices as determined by the Parks and Recreation Commission, including:

a) The removal of invasive plant or animal species deemed to be harmful or damaging to the health of existing or desired native plant or animal species, or to the economy, environment, or human health.

b) Introduction, reintroduction or promotion of native plant and animal species

iii) Hiking.

iv) Educational laboratories.

v) Day camping (overnight camping not permitted).\

B) **Accessory Uses**, necessary or incidental to the principal uses listed above in A).

## Section 4.40 Nursing Homes and Convalescent Homes.

**(1)** **Districts Permitted.** The following standards apply in the C-1 and C-2 Districts as a waiver use and in the C-3 and C-4 Districts as a permitted use.

**(2)** **Minimum Lot Size.** Provided nursing homes and convalescent homes are located on a parcel of land comprising at least one (1) acre plus five hundred (500) square feet of land per bed.

## Section 4.41 Oil and Gas Wells and Storage.

No oil well or natural gas well shall be drilled, established, or maintained in the City of Livonia, nor may any drilling rig or similar equipment be erected or constructed for the purpose of drilling, establishing or maintaining an oil or gas well without recommendation of the City Planning Commission and approval of the City Council.

## Section 4.42 Open Air Business Uses Sales, Display, and/or Rental of Utility Trailers and Recreational Equipment.

**(1)** **Districts Permitted.** The following standards apply in the C-1 and C-2 Districts as a waiver use and in the C-3 District as a permitted use.

**(2)** **General Standards.** Open air sales, display, and/or rental of utility trailers and recreational equipment subject to the following:

A) **Minimum Lot Size**. A minimum lot area of eight thousand (8,000) square feet shall be required.

B) **Minimum Building Size and Maximum Building Height**. A building of not less than four hundred (400) square feet in area and not more than fifteen (15) feet in height shall be required to be located on said lot.

C) **Lighting**. Adequate lighting facilities shall be provided and so arranged as to reflect light toward the trailer rental area and away from streets and residential uses adjacent to the area. During the hours when the open-air display area is closed to business, lighting shall be provided at a level of not less than one (1) watt per each square yard of display area and with a maximum of not more than one and one-half (1 1/2) watts per each square yard of display area; provided, however, that such lighting shall be hooded or shielded so as to be deflected from adjacent residential property.

D) **Enclosure.** The display area shall be enclosed with either a six (6) foot cyclone fence or a fence of a type approved by the Inspection Department which shall be located and maintained on the boundaries of such display area, with only such openings therein as may be necessary for ingress and egress.

E) **Display Area Setback**. No utility trailers or recreational equipment shall be parked or displayed within twenty (20) feet from the front or side lot line abutting a public street.

**(3)** **Certain additional open-air business uses as herein specified:**

A) **Operating Season**. Retail sales and/or display of plant materials not grown on site and sales of lawn furniture, playground equipment, and other home garden supplies, providing such use is temporary and carried on between April 1 and November 1.

B) **Location**. Open-air Businesses shall not be located within two hundred (200) feet of any intersection of two (2) or more major thoroughfares as indicated on the Future Transportation Map.

C) **Enclosure**. Except for sales and/or display taking place on a pedestrian walkway, the sales and/or display area shall be enclosed with a fence of a type as recommended by the Planning Commission and approved by the City Council, which fence shall be located and maintained on the boundaries of such sales and display area.

D) **Pedestrian Access**. Such retail sales and/or display taking place on any walkway providing pedestrian access to the adjacent building shall be limited to bedding plants (flowers and vegetables) and potted shrubs; provided, however, that such uses shall be conducted in a manner that will insure that the walkway is sufficiently free of obstructions at all times so as to provide safe and direct pedestrian access to and from the building.

## Section 4.43 Open-Air Sales of Christmas Trees by Churches, Public and Parochial Schools and Other Bona Fide Charitable Organizations.

**(1)** **Districts Permitted.** The following standards apply in the C-1, C-2, C-3, and C-4 Districts as a permitted use.

**(2)** **General Standards.** Open-air sales of Christmas trees shall be permitted upon approval of a special annual commercial license by the Department of Inspection to churches, public and parochial schools, and other bona fide charitable organizations. The Department of Inspection shall determine that there is safe and suitable ingress and egress to the premises; adequate off-street parking is provided; and shall contact the Fire Department to determine that all fire rules and regulations have been complied with.

## Section 4.44 Outdoor Storage of Recreational Equipment.

Outdoor storage of Recreational Equipment provided that:

**(1)** **Districts Permitted.** The following standards apply in the M-1 District as a waiver use and in the M-2 District as a permitted use.

**(2)** **Compliance.** A site plan, as defined by **Error! Reference source not found. Error! Reference source not found.** of this Ordinance, has been submitted therefor and has been reviewed and recommended by the Planning Commission and approved by the City Council.

**(3)** **Outdoor Storage.** There shall be no recreational equipment parked or stored within the front yard or side yard abutting a public or private street as would be required therefor by Section 2.02.

**(4)** **Enclosure.** The storage area shall be enclosed with either a six (6) foot cyclone fence or a fence of a type approved by the Inspection Department which shall be located and maintained on the boundaries of such storage area with only such openings therein as may be necessary for ingress or egress.

**(5)** **Lighting.** Adequate lighting facilities shall be provided and so arranged as to reflect light toward the storage area and away from streets and residential uses adjacent to the area.

## Section 4.45 Pawnshops.

Pawn shops, provided that:

(1) **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 District as a permitted use.

(2) **Outdoor Storage.** There shall be no outdoor sales, storage, or display of merchandise.

(3) **Access.** Ingress and egress shall be available from a public street having an existing or planned right-of-way width of at least one hundred twenty (120) feet as shown on the Future Transportation Map.

(4) **Compliance.** The business shall be properly licensed and bonded pursuant to Chapter 5.63 of the Livonia Code of Ordinances.

(5) **Separation.** There is not a similar use within one thousand (1,000) feet measured from property lines.

## Section 4.46 Payday Lenders.

Any business licensed pursuant to the Deferred Presentment Service Transactions Act, MCL 487,2121, et. seq., provided that:

(1) **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 District as a permitted use.

(2) **Access.** Ingress and egress shall be available from a public street having an existing or planned right-of-way width of at least one hundred twenty (120) feet as shown on the Future Transportation Map.

(3) **Separation.** There is not a similar use within one thousand three hundred and twenty (1,320) feet measured from property lines.

## Section 4.47 Personal Service Establishments.

Personal Service Establishments within the NM2 and NM3 Districts must be developed in conjunction with the development of a planned residential community.

## Section 4.48 Privately Owned and Operated Recreational Uses.

Privately owned and operated recreational uses subject to the following special requirements:

(1) **Districts Permitted.** The following standards apply in the N1, N2, RUF, and NM1 Districts as a waiver use.

(2) **Minimum Lot Size.** The use shall be erected and located on a satisfactory site that is at least four (4) acres in area.

(3) **Setbacks.** Front, side, and rear yards shall each be at least twenty (20) feet wide. A swimming pool shall not be constructed within fifty (50) feet of any existing public street right-of-way as measured from the edge of the water. The pool shall not be constructed within three hundred (300) feet of any existing residence as measured from the edge of the water.

(4) **Access.** A parking and traffic plan showing the planned provision for parking and ingress and egress for pedestrian and motor vehicle traffic approved by the Police and Fire Departments shall be filed with the Inspection Department as a condition precedent to the issuance of the permit.

**(5)** **Landscape Plan.** A landscaping plan and time schedule approved by the Parks and Recreation Department shall be filed with the Inspection Department as a condition precedent to the issuance of the permit.

**(6)** **Maximum Building and Lighting Height.** Buildings erected on the premises in connection with privately owned and operated recreational uses shall in no case exceed one (1) story in height except where, as a result of the peculiar topography of the premises, a lower level can be constructed entirely below the grade of the public street abutting or adjacent to such premises, in which case the same shall be permitted, and lighting facilities erected on the premises shall not exceed twenty (20) feet in height.

**(7)** **Compliance.** Provided further, that privately owned and operated recreational uses comply with all other applicable rules, regulations, and ordinances of the City of Livonia. In order that the City Council might properly determine whether or not the requirements provided herein have and can be complied with, there shall be filed with the City Council a certified copy of the Articles of Incorporation and By-Laws of the private swimming pool club or organization; a plot plan drawn to scale showing the location of the premises on which the private swimming pool and related recreational facilities are to be situated, showing also the dimensions and area of such proposed area; the location of all residences and other buildings, structures, and public streets within one thousand (1,000) feet of such premises as measured from each of the property lines of the property site; and a separate development plan of the proposed site showing the size and location of all facilities to be situated thereon, and the size and location of all front, rear, and side yards and the length, width, and location of all driveways and parking facilities to be located on the proposed site. For the purpose of this Ordinance, the term "neighborhood," "community," or "club" pool shall mean that the pool is owned and operated by a private swimming club or similar organization for the sole and exclusive use of its members of such club, their families, and guests.

## Section 4.49 Raising of Fur Bearing Animals.

**(1)** **Districts Permitted.** The following standards apply in the RUF District as a waiver use.

**(2)** **Minimum Lot Size.** The raising of fur bearing animals shall be conducted on a farm of five (5) acres or more.

**(3)** **Setbacks.** The pens or cages must be located at least one hundred (100) feet from any front, side, or rear property line.

**(4)** **Conformance.** The raising of livestock shall conform to the Generally Accepted Agricultural and Management Practices (GAAMP) for the Care of Farm Animals.

## Section 4.50 Religious Institutions.

**(1)** **Districts Permitted.** The following standards apply in the N1, N2, RUF, and NM1 Districts as a waiver use, and in the C-1, C-2, C-3, and C-4 Districts as a permitted use.

**(2)** **Minimum Lot Size.** In N1, N2, RUF, and NM1 Districts, Religious Institutions must be located on a parcel of land at least two (2) acres in area.

**(3)** **Signs.** Religious institutions shall be permitted the following:

A) One (1) identification ground sign not to exceed thirty (30) square feet of sign area or to exceed six (6) feet in height and shall have a minimum setback of ten (10) feet from any right-of-way line.

B) One (1) freestanding bulletin board or identification ground sign not to exceed twenty (20) square feet of sign area and not to exceed five (5) feet in height and shall have a minimum setback of ten (10) feet from any right-of-way line.

C) One (1) wall sign not to exceed twenty (20) square feet of sign area. Such sign shall consist of individual letters attached individually and flatly to the building.

## Section 4.51 Restaurants.

**(1)** Limited service and carry-out restaurants with or without outdoor dining areas subject to the following:

A) **Districts Permitted.** The following standards apply in the C-1, C-2, C-3, and C-4 Districts as a permitted use.

B) **Access.** Ingress and egress shall be available from a public street having an existing or planned right-of-way width of at least one hundred twenty (120) feet as shown on the Future Transportation Map.

C) **Drive-Up Window Facilities.** Drive-up window facilities are prohibited.

D) **Outdoor Dining.** Outdoor dining areas with seating for no more than six (6) persons when conducted in conjunction with a carry-out restaurant or twelve (12) persons when conducted in conjunction with a Limited Service Restaurant (as defined in ***Error! Reference source not found. Error! Reference source not found.*** of this Ordinance) operating pursuant to a valid waiver use approval, provided that:

i) The outdoor dining is conducted in accordance with a site plan illustrating the seating arrangement and capacity which has been approved by the Planning Department and Inspection Department.

ii) That outdoor dining shall be restricted to sidewalk or patio areas adjoining the building.

iii) That the outdoor dining shall be conducted in a manner that will ensure that sufficient clear space for pedestrian and handicapped circulation is provided, and that safe and direct access to and from the building is maintained.

iv) If deemed necessary for public safety in instances where outdoor dining areas or drive aisles, decorative fencing (or other measures, such as bollards) shall be installed to demarcate and protect the outdoor seating areas.

v) That trash receptacles shall be provided for the outdoor seating area and shall be emptied regularly as needed.

vi) That the sound levels of any outdoor speakers shall be kept to a reasonable minimum so as to not become objectionable.

vii) That all lighting equipment installed for the outdoor seating area shall be shielded or so arranged as to minimize stray light trespassing across property lines and glaring into adjacent roadway.

**(2)** Full-service restaurants with or without outdoor dining areas subject to the following:

A) **Districts Permitted.** The following standards apply in the C-1 and C-2 Districts as a waiver use and in the C-3 and C-4 Districts as a permitted use.

B) **Floor Area.** At least one-half (½) of a restaurant's usable main floor area shall be devoted to a dining or eating and/or drinking area.

C) **Access.** Ingress and egress be available from a public street by means of at least two (2) separate driveways at least forty (40) feet apart from one another.

D) **Lighting.** Suitable lighting shall be provided and so arranged as to reflect away from any adjacent or abutting residential district and toward the commercial area.

**(3)** Drive-in restaurants and restaurants with either drive-thru or drive-up window facilities; including food trucks subject to the following:

A) **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 District as a permitted use.

B) **Access**. Ingress and egress shall be available from a public street having a right-of-way width of at least one hundred twenty (120) feet or more as indicated on the Future Transportation Map by means of at least two (2) separate driveways located at least thirty (30) feet apart from one another.

C) **Lighting.** Suitable lighting shall be provided and so arranged as to reflect away from any adjacent or abutting residential district and toward the commercial area.

D) **Setback.** No drive-in restaurant shall be located nearer than two hundred (200) feet as measured from any point on the property to any point on the property of a religious institution.

E) **Drive-Up Window Facilities.** Drive-up window facilities shall comply with the following minimum standards:

i) A restaurant with a drive-up window shall provide a separate customer ordering station.

ii) The traffic lane serving the drive-up window shall be at least ten (10) feet wide.

iii) The turning radius on any curve in the drive-up window traffic lane shall be no less than fifteen (15) feet.

iv) A by-pass lane or other suitable means of access to a public street shall be provided for vehicles that do not use the drive-up window.

v) Parking spaces located beyond drive-up windows shall be designated for use of drive-up window patrons.

vi) Ingress and egress shall be available from a public street by means of at least two (2) separate driveways at least forty (40) feet apart from one another.

vii) Suitable lighting shall be provided and so arranged as to reflect away from any adjacent or abutting residential district and toward the commercial area.

## Section 4.52 Retail Sales.

**(1)** Buildings (single or multi-unit) for the purpose of retail sales and which contain a gross floor area of thirty thousand (30,000) square feet or more provided that:

A) **Districts Permitted.** The following standards apply in the C-1 ~~and~~, C-2 and C-4 Districts as a waiver use and in the C-3 District as a permitted use.

B) **Setbacks.** The front yard shall be a least one hundred (100) feet; the rear yard shall be at least twenty-five (25) feet; the interior side yard(s) shall be at least twenty (20) feet; and a side or rear yard abutting a street shall be at least sixty (60) feet; provided, however, that when Retail Sales abuts a residential district, the required side and rear yards which abut such residential district shall be a least sixty (60) feet.

C) **Outdoor Storage.** There shall be no outdoor sales, storage, or display of merchandise.

D) **Restaurants as an accessory use.** Restaurant uses as defined in ***Error! Reference source not found.***, ***Error! Reference source not found.*** of this Ordinance shall be permitted as an accessory use to a single unit building only; provided, however, that the number of customer seats in the restaurant shall not exceed thirty (30). In the event that such building of thirty thousand (30,000) square feet or more was previously granted waiver use approval without providing for an accessory restaurant use, any restaurant use may not be added thereafter without first obtaining waiver use approval in accordance with the provision of this Ordinance.

E) **Single Unit.** In the event that such building of thirty thousand (30,000) square feet or more is intended to be a single unit, the application for waiver use shall include a statement that the building as proposed will be attractive to other commercial tenants in the event the initial occupant ceases its occupancy of the building, including a description of the features of the building which will make it attractive to prospective replacement tenants. Such statement shall be revised, prior to final approval, to reflect any design changes recommended by City Council which affect the attractiveness of the proposed building to subsequent would-be occupants.

**(2)** A workshop incidental to retail sales is permitted for servicing, repairing, or workshop activities. Up to 50% of the usable floor area can be used as a showroom in the commercial zoning districts. Up to 10% of the usable floor area can be used as a showroom in the industrial zoning districts. Such uses are detailed below:

A) Air conditioning sales, service, and repair shops;

B) Apparel alteration and repair shops;

C) Electrical and lighting fixture sales, service, and repair shops;

D) Furniture reupholstery and refinishing establishments;

E) Lawnmower sales, service, and repair shops;

F) Locksmith shops;

G) Office equipment sales, service, and repair establishments;

H) Plumbing and heating sales, service, and repair shops;

I) Radio and television sales, service, and repair shops;

J) Sign painting shops (no outside storage);

K) Taxidermy shops;

L) Motorcycle sales, service, and repair establishments; however, facilities for outdoor testing, display, or storage of merchandise are expressly prohibited.

**(3)** Retail sales of new furniture when such use is accessory to a furniture warehouse establishment and located within a warehouse structure, and located in an M-1 District, such waiver use being expressly prohibited in an M-2 District, and provided that:

A) **Minimum Lot Size.** The warehouse structure in any such case shall be located on a parcel of land containing four (4) acres or more.

B) **Floor Area.** Such retail sales use and display areas combined shall not exceed thirty-five (35) percent of the entire floor area of the structure or such lesser percent as approved.

C) **Outdoor Storage.** No outside storage, sales, or display of merchandise or promotional activity shall be permitted.

D) **Sales.** All sales of merchandise shall be conducted wholly within the retail sales portion of the structure.

E) **Off-Street Parking.** Off-street parking facilities shall be provided as hereinafter specified in *Section 7.04* of this Ordinance, except that no parking of automobiles or other motor vehicles shall be permitted in the front yard setbacks and in the case of double frontage lots, the rear yard setbacks or side yard setbacks if such yard abuts a public or private street.

## Section 4.53 Second-Hand Stores.

The following standards shall apply to second-hand stores and rummage shops (not including antique stores as defined in *Error! Reference source not found.* of this Ordinance):

**(1)** **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3 District as a permitted use.

**(2)** **Outdoor Storage.** There shall be no outdoor sales, storage, or display of merchandise.

**(3)** **Access.** Ingress and egress shall be available from a public street having an existing or planned right-of-way width of at least one hundred twenty (120) feet as shown on the Future Transportation Map.

## Section 4.54 Self-Storage, Indoor Climate Controlled.

Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis, subject to the following:

**(1)** **Districts Permitted.** The following standards apply in the C-2 District as a waiver use and in the C-3, ML, M-1, and M-2 Districts as a permitted use.

**(2)** **Minimum Lot Size.** The minimum size of the site shall be not less than three (3) acres.

**(3)** **Maximum Number.** Only one (1) climate-controlled building used in whole or in part for the purpose of providing storage on a self-service basis shall be permitted on the premises.

**(4)** **Outdoor Storage.** There shall be no outdoor storage and no storage of flammable, explosive, radioactive, hazardous, toxic, or volatile substances within the self-storage buildings or upon the premises.

**(5)** **Access.** Customer access to the self-storage units shall only be from the interior of a fully-enclosed, climate-controlled building.

**(6)** **Overhead Doors.** Overhead doors to allow vehicles to enter or exit the building may be allowed provided they are controlled by means of electronic access devices or by an employee of the facility.

**(7)** **Operating Hours.** The facility shall not be open for customer access to the storage units earlier than 7 a.m. nor later than 9 p.m.

**(8)** **Building Façades.** Exterior building wall façades shall consist of maintenance-free materials, and the design and architectural appearance of the building shall be compatible to and in harmony with the surrounding commercial buildings in the area.

**(9)** **Use of Self-Storage Facility.** Except as provided herein, the use of the self-storage facility shall be limited to the storage of personal and business items only, and no unit designed or intended for storage purposes shall be used for operating a business or recreational activity including, but not limited to, repairs, manufacturing, assembly, personal service, hobby, retail, or office.

**(10)** **Security Manager.** A security manager shall be permitted to reside within the confines of the same building used in whole or in part for self-storage and such residence shall be considered an accessory use as provided in **Error! Reference source not found. Error! Reference source not found.**.

**(11) Accessory Uses.** Office, retail, and other uses otherwise permitted under this Article may be allowed only where such use or uses are designed and provided as an integral part of the development, including, but not limited to, access, parking, lighting, and signage.

## Section 4.55 Small Cell Wireless Facilities.

**(1) Districts Permitted.** The following standards apply in all zoning districts as a permitted use.

**(2) Compliance.** Per the provisions of the Small Wireless Communications Facilities Deployment Act, Public Act 365 of 2018, MCL 460.1301, et seq. ("Act 365"), the activities set forth in Code of Ordinances Section 12.06.050(D) are exempt from zoning review, except that replacement small cell wireless facilities shall require a permit if they exceed in size or weight the size or weight of the small cell wireless facility being replaced. Subsections (3) to (5) below apply to zoning reviews for the following activities that are subject to zoning review and approval, that are not a permitted use under Code of Ordinances Section 12.06.040(E), and that take place within or outside the public right-of-way:

A) The modification of existing or installation of new small cell wireless facilities.

B) The modification of existing or installation of new wireless support structures used for such small cell wireless facilities.

**(3) Application.** Applications for zoning approval shall be filed with the City Engineer, or his or her designee ("Engineer"), and the processing of an application for a zoning approval is subject to all of the following requirements:

A) Within 30 days after receiving an application under this section, the Engineer shall notify the applicant in writing whether the application is complete. If the application is incomplete, the notice shall clearly and specifically delineate all missing documents or information. The notice tolls the running of the 30-day period.

B) The running of the time period tolled under subdivision (A) resumes when the applicant makes a supplemental submission in response to the authority's notice of incompleteness. If a supplemental submission is inadequate, the Engineer shall notify the applicant not later than 10 days after receiving the supplemental submission that the supplemental submission did not provide the information identified in the original notice delineating missing documents or information. The time period may be tolled in the case of second or subsequent notices under the procedures identified in subdivision (2)(A) above. Second or subsequent notices of incompleteness may not specify missing documents or information that was/were not delineated in the original notice of incompleteness.

C) The application shall be processed on a nondiscriminatory basis.

D) The Engineer shall approve or deny the application and notify the applicant in writing within 90 days after an application for a modification of a wireless support structure or installation of a small cell wireless facility is received or 150 days after an application for a new wireless support structure is received. The time period for approval may be extended by mutual agreement between the applicant and the Engineer. If the Engineer fails to comply with this subdivision, the application is considered to be approved subject to the condition that the applicant provide the City not less than 15 days' advance written notice that the applicant will be proceeding with the work pursuant to this automatic approval.

E) The Engineer shall not deny an application unless all of the following apply:

i) The denial is supported by substantial evidence contained in a written record that is publicly released contemporaneously.

ii) There is a reasonable basis for the denial.

iii) The denial would not discriminate against the applicant with respect to the placement of the facilities of other wireless providers.

**(4) Zoning Approval.** Review of an application for a zoning approval is subject to all of the following requirements:

A) An applicant's business decision on the type and location of small cell wireless facilities, wireless support structures, or technology to be used is presumed to be reasonable. This presumption does not apply with respect to the height of wireless facilities or wireless support structures. The Engineer may consider the height of such structures in its zoning review but shall not discriminate between the applicant and other communications service providers.

B) The Engineer shall not evaluate or require an applicant to submit information about an applicant's business decisions with respect to any of the following:

i) The need for a wireless support structure or small cell wireless facilities.

ii) The applicant's service, customer demand for the service, or the quality of service.

C) Any requirements regarding the appearance of facilities, including those relating to materials used or arranging, screening, or landscaping, shall be reasonable.

D) Any spacing, setback, or fall zone requirement shall be substantially similar to a spacing, setback, or fall zone requirement imposed on other types of commercial structures of a similar height.

**(5) Fees.** Application fees for zoning approval hereunder shall be:

A) $1,000.00 for a new wireless support structure or modification of an existing wireless support structure.

B) $500.00 for a new small cell wireless facility or modification of an existing small cell wireless facility.

Fees hereunder shall be adjusted as necessary to assure that such fees are the highest amounts permitted under Act 365, so long as such fees do not exceed the costs imposed on the City in connection with the permit application and zoning review.

**(6) Construction Commencement.** Within 1 year after a zoning approval is granted, a wireless provider shall commence construction of the approved structure or facilities that are to be operational for use by a wireless services provider, unless the Engineer and the applicant agree to extend this period or the delay is caused by a lack of commercial power or communications facilities at the site. If the wireless provider fails to commence the construction of the approved structure or facilities within the time required, the zoning approval is void, and the wireless provider may reapply for a zoning approval. However, the wireless provider may voluntarily request that the zoning approval be terminated.

**(7) Moratorium.** The City shall not institute a moratorium on either of the following:

A) Filing, receiving, or processing applications for zoning approval.

B) Issuing approvals for installations that are not a permitted use.

**(8) Failure to Meet Requirements.** The Engineer may revoke a zoning approval, upon 30 days' notice and an opportunity to cure, if the permitted small cell wireless facilities and any associated wireless support structure fail to meet the requirements of the approval, applicable codes, or applicable zoning requirements.

**(9) Administration.** The Mayor or his/her designee may provide forms and policies for administering this Section and Chapter 06 of Title 12 of the Code of Ordinances.

**(10) Written Appeal.** Pursuant to MCL 460.1327, a person seeking to reverse a determination made under this Section or Chapter 06 of Title 12 of the Code of Ordinances may submit a written appeal to the Mayor, identifying the reason(s) for reversing the determination. Within 10 business days of receiving the written appeal, the Mayor shall render his/her decision whether to uphold, reverse, or uphold in part/reverse in part the determination under appeal.

## Section 4.56 Temporary Uses and Sidewalk and Tent Sales.

**(1) Sidewalk and Tent Sales.** Sidewalk and tent sales are permitted accessory uses for retail establishments in C-1 and C-2 Districts, provided that:

A) The retail establishment submits a site plan to the Building Official and obtains a permit from the Building Official and complies with all permit conditions.

B) No portion of any sale shall take place in a public right-of-way or the front or side yard required by this Ordinance for the retail establishment, except in cases where the building setback renders compliance with the yard requirement infeasible, in which case the sale shall be conducted at a setback which is, in the judgment of the Building Official, as near to a conforming setback as is feasible.

C) The retail establishment does not conduct more than two sidewalk and/or tent sales in any calendar year per address or tenant.

D) No such sale exceeds two (2) weeks in duration.

E) The principal use is located on the same premises; and

F) The premises upon which the sidewalk or tent sale is proposed is otherwise code compliant. If the Building Official has concerns or questions regarding safe access or the possibility of pedestrian and vehicular traffic conflicts that could occur in connection with the subject use, the Building Official will obtain a recommendation from the Traffic Bureau of the Police Department prior to issuance of a permit.

**(2) Temporary Buildings Incidental to the Construction of Residential Dwellings.** The following standard applies in the N1, N2, and RUF Districts as a permitted use. Temporary buildings or structures for uses incidental to the construction of residential dwellings and improvements shall be removed immediately upon completion or abandonment of the construction work.

**(3) Carnivals.** The following standard applies in the RUF, C-2, and C-4 Districts as a waiver use and in the P-L and C-3 Districts as a permitted use. Carnivals may be allowed for periods not normally to exceed two (2) weeks; however, they may request an optional time extension of up to two (2) weeks from the Planning Director.

## Section 4.57 Ambulance Services, Local and Suburban Bus Terminals and Taxicab Terminals ~~Terminals, Ambulances Services, Bus, and Taxicab~~.

**(1) Districts Permitted.** The following standards apply in the C-2, M-1, and M-2 Districts as a waiver use and in the C-3 District as a permitted use.

**(2) General Standards.** Ambulance services, local and suburban bus terminals, and taxicab terminals when exterior design, appearance, and location of any proposed building, structure, or premises and the location and design of any proposed parking facility or loading and unloading area to be used for above uses is consistent with the spirit, intent, and purpose of this Ordinance.

## Section 4.58 Steel Fabricators, Truck Terminals, Truck and Trailer Rental Facilities, ~~Steel Fabricators,~~ Special Trade Contractors, and Vehicle Tow Yards.

**(1) Districts Permitted.** ~~Except in the case of vehicle tow yards,~~ Tthe following standards apply in the M-1 and M-2 Districts as a waiver use. ~~and in the M-2 District as a permitted use. For vehicle tow yards, the following standards apply in the M-1 and M-2 Districts as a waiver use.~~

**(2) Classification.** Steel fabricators; truck terminals; truck and trailer rental facilities where vehicles, trailers, equipment, and material are not wholly enclosed within a building; vehicle tow yards; and special trade contractor classified as:

A) Bridge builders.

B) Concrete contractors.

C) Dredging contractors.

D) Excavating contractors.

E) Fence contractors.

F) Foundation contractors.

G) Grading contractors.

H) Oil well contractors.

I) Paving contractors.

J) Pile driving contractors.

K) Sewer excavators.

L) Steel erectors.

M) Underground contractors.

N) Wrecking contractors.

O) Septic tank installers and cleaners.

P) Landscape contractors.

Provided that:

i) Except for the front yard setback, the lot area shall be enclosed with a fence of a type approved by the Inspection Department which shall be located and maintained on the boundaries of such lot area, with only such openings therein as may be necessary for ingress and egress; provided, however, that in the case of a corner lot such fence shall be located on the side yard setback line abutting a public or private thoroughfare.

ii) Landscaping of the front yard and, in the case of a corner lot, also the side yard abutting a public or private thoroughfare, shall be required.

iii) The outside stacking or stockpiling of materials shall not exceed eight (8) feet in height above ground level.

iv) Notwithstanding any other provisions of this Ordinance, wherever the outside storage of equipment and/or material occurs on the site of an approved waiver use and is immediately adjacent to or abutting any residentially zoned property, there shall be provided a greenbelt which shall be at least twenty (20) feet in width, which shall consist of at least two (2) rows of appropriate live plant materials, so placed as to provide continuous screening over and above that which is provided by the protective wall, as is required by other provisions of this Ordinance and shall thereafter be permanently maintained; and further provided, that such greenbelt shall attain a minimum height of at least eight (8) feet after one full growing season.

## Section 4.59 Veterinary Clinics, Animal Clinics, and Animal Hospitals.

Veterinary clinics, animal clinics, and animal hospitals, provided that such uses or clinics are hereby defined to mean the professional use of a building, by a licensed veterinarian for rendering professional services to household pets, and provided that:

**(1)** **Districts Permitted.** The following standards apply in the RUF, C-1 and C-2 Districts as a waiver use and in the C-3 Districts as a permitted use.

**(2)** **Specified Use.** Any building designed, constructed, or modified for veterinary clinics, animal clinics, and animal hospitals shall be used for the sole purpose of providing necessary medical care for sick or diseased household pets and shall not be constructed or used as a boarding establishment for household pets.

**(3)** **Attendant.** A full-time duly qualified attendant or veterinarian shall be stationed in charge of such premises whenever any animals eligible for treatment at such establishment, as herein defined, are kept on the premises.

**(4)** **Enclosure.** In no case shall such establishments have open or outdoor runways, kennels, or pens.

**(5)** **Disposal of Rubbish.** In no case shall there be, in connection with the operation of such establishment, the disposal of rubbish and litter in such a manner as to be obnoxious or offensive. In no case shall there be any harboring of vermin or decaying matter on the premises, and effective provision shall be made to confine all noise, confusion, and odor, if any, to the premises.

**(6)** **Soundproof.** The building housing veterinary clinics, animal clinics, and animal hospitals and the ventilating system used in connection therewith shall be so constructed as to be soundproof and soundproofing shall be installed to the extent necessary to ensure the elimination of all noise from the area used for the treatment and temporary keeping of such sick and diseased household pets.

## Section 4.60 Wireless Communication Facilities.

**(1)** **Purpose and intent.** It is the general purpose and intent of the City of Livonia to carry out the will of the United States Congress by authorizing communications facilities needed to operate wireless communications systems. However, it is the further purpose and intent of the City of Livonia to provide for such authorization in a manner which will retain the integrity of neighborhoods and the character, property values, and aesthetic quality of the community at large.

**(2)** **Compliance. Wireless communication facilities, provided that:**

A) Wireless Communication Facilities shall meet the requirements of *Section 5.18* of the Zoning Ordinance.

B) At least fifteen (15) days prior to the public hearing required by *Section 11.13, Section 11.13(2)* of the Zoning Ordinance with respect to such use, the City shall erect four foot by four foot (4' x 4') sign(s) at one (1) or more prominent locations around the premises leased or purchased for such wireless communication facility, in location(s) determined by the Building Official to be likely to give notice of the referenced proceedings to all interested parties. Such sign shall state the fact that a wireless communication facility has been proposed for a location near the sign, and name and address of the real party requesting the waiver use approval, and the telephone number at City Hall where interested persons can call for further information.

C) Notice of the hearing shall be provided as required by law for public hearings concerning zoning matters, except that, due to the public nature of the property involved, the area in which notices are mailed will be expanded to include properties within six hundred (600) feet of the property which is the subject of the application or petition, as measured from the boundaries of the site leased or purchased for the purpose of erecting the wireless communication facility.

**(3)** **Definitions.** The following definitions shall apply in the interpretation of this section:

A) "*Collocate*" means to place or install wireless communications equipment on an existing wireless communications support structure or in an existing equipment compound. "Collocation" has a corresponding meaning.

B) "*Equipment compound*" means an area surrounding or adjacent to the base of a wireless communications support structure and within which wireless communications equipment is located.

C) "*Wireless communications equipment"* means the set of equipment and network components used in the provision of wireless communications services, including, but not limited to, antennas, transmitters, receivers, base stations, equipment shelters, cabinets, emergency generators, power supply cables, and coaxial and fiber optic cables, but excluding wireless communications support structures.

D) "*Wireless communications support structure"* means a structure that is designed to support, or is capable of supporting, wireless communications equipment, including a monopole, self-supporting lattice tower, guyed tower, water tower, utility pole, or building.

E) "*Planning Official"* shall mean the Director of Planning.

F) "*Building Official"* shall mean the Chief Building Official.

G) "*Backhaul network"* shall mean the lines that connect a wireless communications provider's wireless communications facilities to one or more cellular telephone switching offices, and/or long-distance providers, or the public switched telephone network.

**(4)** **Authorization.** Except for paragraph A) below, no wireless communications equipment or support structures may be erected in the City of Livonia except upon application to the City for approval thereof, as set forth in paragraph (6) below; compliance with all other requirements of this section; and conformance of said equipment or support structure to one of the categories set forth in subparagraphs B) or D) below:

A) Wireless communications equipment is a permitted use of property and is not subject to special land use approval or any other approval if all the following requirements are met:

i) The wireless communications equipment will be collocated on an existing wireless communications support structure or in an existing equipment compound.

ii) The existing wireless communications support structure or existing equipment compound is in compliance with this zoning ordinance or was approved by the Planning Commission and City Council.

iii) The proposed collocation will not do any of the following:

a) Increase the overall height of the wireless communications support structure by more than 20 feet or 10% of its original height, whichever is greater.

b) Increase the width of the wireless communications support structure by more than the minimum necessary to permit collocation.

c) Increase the area of the existing equipment compound to greater than 2,500 square feet.

*iv) The proposed collocation complies with the terms and conditions of any previous final approval of the wireless communications support structure or equipment compound by the Planning Official, Building Official, Planning Commission, or City Council.*

B) Wireless communications equipment that meets the requirements of subparagraph A)i) and A)ii) but does not meet the requirements of subparagraph A)iii) or A)iv) is a permitted use of property if it receives waiver use or special waiver use approval under paragraphs E) or F).

C) Wireless communications equipment that meets the requirements of paragraph A) shall be required to comply with the requirements set forth in paragraph (5)A)i)a) through (5)A)i)c); paragraph (5)A)iii); paragraph (5)A)v)e) through (5)A)v)f); and paragraph (5)A)v)i) through (5)A)v)j).

D) Other circumstances creating permitted use treatment. Subject to the standards and conditions set forth in subparagraph (5)A) below, wireless communications equipment or support structures shall be permitted uses in the following circumstances, and in the following zoning districts and zones, after approval by both the Planning Official and Building Official:

i) An existing structure which will have wireless communications equipment attached to it within a non-residential zoning district where the existing structure is not proposed to be materially altered or materially changed in appearance.

ii) An existing structure which will have wireless communications equipment attached to it and which structure consists of a utility pole located within a right-of-way, where the existing pole is not proposed to be modified in a manner which would materially alter the structure and/or result in an impairment of sight lines or other safety interests.

iii) A wireless communications support structure established within a right-of-way having an existing width of more than 204 feet (expressways), subject to collocation requirements as outlined in paragraph (8) below.

iv) A wireless communications support structure established in any M-1, M-2, or commercially zoned district within Sections 25 - 30 and that portion of Section 19 bounded by Schoolcraft Road, Eckles Road, and the I-96 expressway, M-1, ML, and commercial zones which are contiguous with Eight Mile Road, and that zone which is west of the I-275/96 expressway, north of Six Mile Road, east of the western City boundary, and south of Eight Mile Road.

E) Waiver Uses.

i) Subject to the standards and conditions set forth below in Sections (5)A) and (5)B) and in *Section 11.13, Section 11.13(6)* of this Zoning Ordinance, wireless communications equipment and support structures may be authorized as waiver uses in C-1, C-2, C-3, C-4, PO, and OS zoning districts if not included in Paragraph A) or D) above upon a recommendation by the City Planning Commission and approval of the City Council.

ii) Subject to the standards and conditions set forth below and in *Section 11.13, Section 11.13(6)* of this Zoning Ordinance, wireless communications equipment may be authorized as waiver uses in NM3 zoning districts upon a recommendation by the City Planning Commission and approval by the City Council.

iii) Subject to the standards and conditions set forth below in Sections (5)A) and (5)B) and in *Section 11.13, Section 11.13(6)* of this Zoning Ordinance, wireless communications support structures may be authorized as a waiver use in any public land zone upon a recommendation of the City Planning Commission, approval of the Livonia City Council, and approval of the governing body which owns the land. Failure to receive approval from either the Livonia City Council or the governing body which owns the land shall result in a denial of the petition or application. In no case shall the wireless communications support structure in a public land zone be within 300 feet of a residence.

F) **Special Waiver Uses.** If it is demonstrated by an applicant that wireless communications equipment or a wireless communications support structure may not reasonably be established as a permitted use under paragraph A) or D) above, and is required to be established outside of a zoning district identified in paragraphs D) and E) above, in order to operate a wireless communications service, then wireless communications equipment or a wireless equipment support structure may be permitted elsewhere in the City as a special waiver use subject to the criteria and standards of *Section 11.13, Section 11.13(3)* of this Ordinance and paragraphs (5)A) and (5)B) below.

**(5) General Regulations.**

A) **Standards and Conditions.** Applications for wireless communications equipment or support structures, if required, shall be reviewed in accordance with the following standards and conditions, and, if approved, shall be constructed and maintained in accordance with such standards and conditions. In addition, if the wireless communications equipment or support structure is approved, and is other than a permitted use, it shall be constructed and maintained with any additional conditions imposed by the findings of the Planning Commission and approved by the City Council in its discretion; provided, however, that waiver use or special waiver use approval of wireless communications equipment may be made expressly conditional only on the wireless communications equipment's meeting the requirements of City ordinances and of federal and state laws before the wireless communications equipment begins operation.

i) Wireless communications equipment or support structures shall not be demonstrably injurious to neighborhoods or otherwise detrimental to the public safety and welfare.

a) **Annual Certification of Wireless Communications Equipment and Support Structures.** Every operator and all collocators on all wireless communications equipment and wireless communications support structures shall no later than November 1st of each year certify to the Inspection Department by sworn statement of an authorized corporate officer that each of the facilities it operates in the City:

i. are authorized to operate under a wireless license granted by the FCC;

ii. are subject to the FCC's radiofrequency exposure rules; and

iii. are operated in accordance with the FCC's radiofrequency rules.

Temporary remedial measures shall be promptly taken to bring equipment not certified to be compliant until permanent remedial measures have been made and compliance has been certified to the Inspection Department. Permanent remedial measures shall be made within thirty (30) days after the equipment was first deemed to be not in compliance with the FCC's radiofrequency rules. A late fee of One Hundred Dollars ($100.00) shall be imposed on any operator or collocator that has not provided this certification within ten (10) days of November 1st of each year.

b) **Penalty.** Any person, persons, firm or corporation, or any others acting on behalf of said person, persons, firm, or corporation, violating or failing to comply with any of the provisions of a) above shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars ($500.00), or by imprisonment not exceeding five (5) days, or by both such fine and imprisonment at the discretion of the Court. Each act of violation and every day upon which such violation shall occur shall constitute a separate offense.

c) **Address and Change of Address.** Each annual submission shall include the address of the facility assigned by the City and all pertinent information including the name, address, and telephone number of each operator and collocator. The operator and collocator of a cell tower or collocation equipment is hereby obligated to notify the Inspection Department in writing of any change of contact information or ownership within ten (10) days of any change. There shall be no charge for notification of the change of contact information or ownership if the notification is accomplished within the ten (10) day period. A late fee of one hundred dollars ($100.00) shall be imposed for failure to notify the Inspection Department of a change in contact information or ownership within the ten (10) day period. It is the responsibility of the owner and/or operator to verify that the city has received said notification.

ii) Wireless communications equipment and support structures shall be located and designed to be harmonious with the surrounding areas, and if it is a new wireless communications support structure, shall be located no less than 1/2 mile from existing wireless communications support structures. The distance requirements shall not apply to applicants who have demonstrated that collocation is not feasible pursuant to paragraph (8)C)i) below.

iii) Wireless communications equipment and support structures shall comply with applicable federal and state standards relative to the environmental effects of radio frequency emissions.

iv) Applicants shall demonstrate a justification for the proposed height of the structures and an evaluation of alternative designs which might result in lower heights.

v) The following additional standards shall be met:

a) The maximum height of the new or modified wireless communications support structure and antenna shall be the minimum height demonstrated to be necessary for reasonable communications by the applicant (and by other entities to collocate on the structure), but in no event shall the wireless communications support structure exceed 150 feet in height in all districts except in any M-1, M-2, or commercially zoned district within sections 25-30 and that portion of Section 19 bounded by Schoolcraft Road, Eckles Road, and the I-96 expressway, in which case the maximum height shall not exceed 250 feet. These height limitations shall not apply to those collocations which are a permitted use as set forth in paragraph (4)A) above. The accessory building contemplated to enclose such things as switching equipment shall be limited to the maximum height for accessory structures within the respective district.

b) The setback of the new or proposed wireless communications support structure from any residential district or residential use shall be at least the height of the highest point of the structure plus 25 feet. The setback of the new or proposed wireless communications support structure from any existing or proposed rights-of-way or other publicly traveled roads shall be no less than the height of the structure unless the structure is placed within the right-of-way itself.

c) Where the proposed new or modified wireless communication support structure abuts a parcel of land which is used for other than residential purposes, the minimum setback of the structure, and accessory structures, shall be in accordance with the required setbacks for main or principal buildings as provided in the schedule of regulations for the zoning district in which the support structure is located.

d) There shall be unobstructed access to the wireless communications support structure, for operation, maintenance, repair, and inspection purposes, which may be provided through or over an easement. This access shall have a width and location determined by such factors as: the location of adjacent thoroughfares and traffic and circulation within the site; utilities needed to service the tower and any attendant facilities; the location of buildings and parking facilities; proximity to residential districts and minimizing disturbance to the natural landscape; and the type of equipment which will need to access the site.

e) The division of property (lot splits or subdividing) for the purpose of locating wireless communications equipment or a wireless communications support structure is prohibited unless all zoning requirements and conditions are met.

f) Where wireless communications equipment is proposed on the roof of a building, if the equipment enclosure is proposed as a roof appliance or penthouse on the building, it shall be designed, constructed, and maintained to be architecturally compatible with the principal building. The equipment enclosure may be located within the principal building or may be an accessory building. If proposed as an accessory building, it shall conform with all district requirements for principal buildings, including yard setbacks.

g) Where the proposed wireless communications support structure is not a permitted use under section (4)D)i) above, the Planning Commission and City Council shall, with respect to the color of the support structure and all accessory buildings, review and approve so as to minimize distraction, reduce visibility, maximize aesthetic appearance, and ensure compatibility with surroundings. It shall be the responsibility of the applicant to maintain the wireless communications support structure in a neat and orderly condition.

h) Before installing wireless communications support structures, the support system shall be constructed in accordance with all applicable building codes and shall include the submission of a soils report from a geotechnical engineer, licensed in the State of Michigan. This soils report shall include soil borings and statements confirming the suitability of soil conditions for the proposed use. The requirements of the Federal Aviation Administration, Federal Communications Commission, and Michigan Aeronautics Commission shall be noted. All applicants shall apply for and receive a permit from the Building Official prior to commencement of construction.

i) A maintenance plan, and any applicable maintenance agreement, shall be presented and approved for the proposed wireless communications equipment or support structure. Such plan shall be designed to ensure long term, continuous maintenance to a reasonably prudent standard.

j) The application, if required, or the operator of wireless communications equipment if same is a permitted use, shall provide a description of security to be posted at the time of receiving a building permit for, or the installation of, the wireless communications equipment or a support structure to ensure removal of the wireless communications equipment or support structure when it has been abandoned or is no longer needed, as provided in paragraph (8) below. In this regard, the security shall, at the election of the applicant or the operator, be in the form of:

i. Cash calculated at $100.00 per vertical foot for wireless communications support structures.

ii. Surety bond calculated at $100.00 per vertical foot for wireless communications support structures.

iii. Letter of credit calculated at $100.00 per vertical foot for wireless communications support structures.

iv. An agreement in a form approved by the attorney for the City of Livonia and recordable at the office of the Register of Deeds for all wireless communications equipment or support structures, establishing a promise of the applicant and owner of the property to remove the equipment or support structure in a timely manner as required under this section of the ordinance, with the further provision that the applicant and owner shall be responsible for the payment of any costs and attorney's fees incurred by the City of Livonia in securing removal and that any removal costs incurred by the City of Livonia will become a lien on the owner's property and enforceable against said landowner in a court of law of appropriate jurisdiction.

B) Standards and Conditions Applicable to Waiver Uses and Special Waiver Uses. Applications for wireless communications equipment or support structures which may be approved as waiver uses and special waiver uses under subparagraphs (4)E) or (4)F) above shall be reviewed by the City Planning Commission with a submission of findings to City Council for its review and decision, and if approved, constructed and maintained in accordance with the standards and conditions in subparagraph A), and in accordance with the following standards:

i) The applicant shall demonstrate the need for the proposed wireless communications equipment or support structure to be located as proposed based upon the presence of one or more of the following factors:

a) Proximity to an interstate or major thoroughfare.

b) Areas of population concentration.

c) Concentration of commercial, industrial, and/or other business centers.

d) Areas where signal interference has occurred due to tall buildings, masses of trees, or other obstructions.

e) Topography of the proposed wireless communications equipment or support structure location in relation to other wireless communications equipment or support structures with which the proposed facility is to operate.

f) Other specifically identified reason(s) creating need for the wireless communications equipment or support structure.

ii) The proposal shall be reviewed in conformity with the collocation requirements of this section.

**(6) Application Requirements for Wireless Communications Equipment or Support Structures Requiring Approval.**

A) A site plan prepared in accordance with Section 11.13, Section 11.13(3) of this zoning ordinance shall be submitted, showing the location, size, screening, and design of all buildings and structures, including fences, and the location and size of outdoor equipment, and the location, number, and species of proposed landscaping.

B) The site plan shall also include a detailed landscaping plan where the support structure is being placed at a location which is not otherwise developed, or where a developed area will be disturbed. The purpose of landscaping is to provide screening and aesthetic enhancement for the structure base, accessory buildings, and enclosure. In all cases, there shall be shown on the plan fencing which is required for protection of the support structure and security from children and other persons who may otherwise access facilities.

C) The application shall include a signed certification by a State of Michigan licensed professional engineer regarding the manner in which the proposed wireless communications support structure will fall, which certification will be utilized, along with other criteria such as applicable regulations for the district in question, in determining the appropriate setback to be required for the structure and other equipment.

D) The application shall include a description of security to be posted at the time of receiving a building permit for the facility to ensure removal of the wireless communications equipment or support structure when it has been abandoned or is no longer needed, as provided in paragraph (9) below. In this regard, the security shall, at the election of the applicant, be in the form of:

i) Cash calculated at one hundred dollars ($100.00) per vertical foot for wireless communications support structures.

ii) Surety bond calculated at one hundred dollars ($100.00) per vertical foot for wireless communications support structures.

iii) Letter of credit calculated at one hundred dollars ($100.00) per vertical foot for wireless communications support structures.

iv) An agreement in a form approved by the attorney for the City of Livonia and recordable at the office of the Register of Deeds for all wireless communications equipment and support structures, establishing a promise of the applicant and owner of the property to remove the equipment and support structures in a timely manner as required under this section of the ordinance, with the further provision that the applicant and owner shall be responsible for the payment of any costs and attorney's fees incurred by the City of Livonia in securing removal and that any removal costs incurred by the City of Livonia will become a lien on the owner's property and enforceable against said landowner in a court of law of appropriate jurisdiction.

E) The application shall include a map showing existing and known proposed wireless communications equipment and support structures within the City of Livonia, and further showing existing and known proposed wireless communications equipment and support structures within areas surrounding the borders of the City of Livonia in the location, and in the area, which are relevant in terms of potential collocation or in demonstrating the need for the proposed wireless communications equipment and support structures. If and to the extent the information in question is on file with the City of Livonia, the applicant shall be required only to update as needed. Any such information which is trade secret and/or other confidential commercial information which, if released, would result in commercial disadvantage to the applicant, may be submitted with a request for confidentiality in connection with the development of governmental policy MCL 15.243(1)(g). This Ordinance shall serve as the promise to maintain confidentiality to the extent permitted by law. The request for confidentiality must be prominently stated to bring it to the attention of the City of Livonia.

F) The application shall include the name, address, and phone number of the person to contact for engineering, maintenance, and other notice purposes. This information shall be continuously updated during all times the facility is on the premises.

G) The application shall include identification of the entities providing the backhaul network for the wireless communications equipment and support structure described in the application and other facilities owned or operated by the applicant in the municipality, including any lessees or users of the facilities.

**(7) Time Periods for Approvals.**

A) After an application for a waiver use or special waiver use approval is filed with the Planning Commission, the Planning Official shall determine whether the application is administratively complete. Unless the Planning Official proceeds as provided under subparagraph B) below, the application shall be administratively complete when the Planning Official makes that determination or 14 business days after the Planning Commission receives the application, whichever is first.

B) If, before the expiration of the 14-day period under subparagraph A) above, the Planning Official notifies the applicant that the application is not administratively complete, specifying the information necessary to make the application administratively complete, or notifies the applicant that a fee required to accompany the application has not been paid, specifying the amount due, the running of the 14-day period under subparagraph A) is tolled until the applicant submits to the Planning Official the specified information or fee amount due. The notice shall be given in writing or by electronic notification.

C) The Planning Commission and City Council shall approve or deny the application not more than 60 days after the application is considered to be administratively complete. If the Planning Commission and City Council fail to timely approve or deny the application, the application shall be considered approved and the Planning Commission and City Council shall be considered to have made any determination required for approval.

D) If the wireless communications equipment does not meet the requirements of paragraph (4)A) or for a wireless communications support structure, subparagraphs A) through C) above apply to the waiver use and special waiver use approval process, except that the period for approval or denial under subparagraph C) above is 90 days.

**(8) Collocation.**

A) **Statement of Policy:** It is the policy of the City of Livonia to minimize the overall number of newly established locations for wireless communications equipment and wireless communications support structures within the City of Livonia and encourage the use of existing structures for attached wireless communications purposes, consistent with the statement of purpose and intent set forth in paragraph (1) of this section above. In light of the dramatic increase in the number of wireless communications equipment and support structures reasonably anticipated to occur as a result of the change of federal law and policy in and relating to the Federal Telecommunications Act of 1996, it is the policy of the City of Livonia that all users should collocate on wireless communications support structures in the interest of achieving the purposes and intent of this section, as stated above, and as stated in paragraph (1) of this section. If a provider fails or refuses to permit collocation on a facility owned or otherwise controlled by it, where collocation is feasible, the result will be that a new and unnecessary additional structure will be compelled, in direct violation of and in direct contradiction to the basic policy, intent, and purpose of the City of Livonia. The provisions of this subsection are designed to carry out and encourage conformity with the policy of the City of Livonia.

B) **Feasibility of collocation:** Collocation shall be deemed to be "feasible" for purposes of this section where all the following are met:

i) The wireless communications provider entity under consideration for collocation will undertake to pay market rent or other market compensation for collocation.

ii) The site on which collocation is being considered, taking into consideration reasonable modification or replacement of a support structure, can provide structural support.

iii) The collocation being considered is technologically reasonable, e.g., the collocation will not result in unreasonable interference, given appropriate physical and other adjustment in relation to the structure, antennas, and the like.

iv) The height of the structure necessary for collocation will not be increased beyond a point deemed to be permissible by the City of Livonia taking into consideration the several standards contained in paragraph (5) of this section, above.

C) **Requirements for Collocation:**

i) A special land use permit for the construction and use of a new wireless communications support structure shall not be granted unless and until the applicant demonstrates that a feasible collocation is not available for the coverage area and capacity needs.

ii) All new and modified wireless communications support structures shall be designed and constructed to accommodate collocation for a minimum of three (3) total users. The Planning Official and Building Official may reduce the number of required users if they are convinced that a total of three (3) users will be unfeasible.

iii) The policy of the City of Livonia is for collocation. Thus, if a party who owns or otherwise controls a wireless communications support structure within the City of Livonia shall fail or refuse to alter a structure to accommodate a proposed and otherwise feasible collocation, such structure shall thereupon and thereafter be deemed to be a nonconforming structure and use, and shall not be altered, expanded or extended in any respect.

iv) If a party who owns or otherwise controls a wireless communication support structure shall fail or refuse to permit a feasible collocation, and this requires the construction and/or use of a new wireless communications support structure, the party failing or refusing to permit a feasible collocation shall be deemed to be in direct violation and contradiction of the policy, intent and purpose of the City of Livonia, and consequently, such party shall take responsibility for the violation, and shall be prohibited from receiving approval for a new wireless communications support structure within the City of Livonia for a period of five years from the date of the failure or refusal to permit the collocation. Such a party may seek and obtain a variance from the Board of Appeals if and to the limited extent the applicant demonstrates entitlement to variance relief which, in this context, shall mean a demonstration that enforcement of the five year prohibition would unreasonably discriminate among providers of functionally equivalent wireless communications services, or that such enforcement would have the effect of prohibiting the provision of personal wireless communications services.

D) **Incentive.** Review of an application for collocation (where required under this section) and review of an application for a permit for use of a facility permitted under paragraph (4)D)i) above shall be expedited by the City of Livonia.

**(9) Removal.**

A) A condition of the installation of any wireless communications equipment or a wireless communications support structure shall be adequate provision for removal of all or part of the wireless communications equipment and support structure by users and owners upon the occurrence of one or more of the following events:

i) When the equipment or support structure has not been used for 180 days or more. For purposes of this section, the removal of antennas or other equipment from the support structure or the cessation of operations (transmission and/or reception of radio signals) shall be considered as the beginning of a period of nonuse.

ii) Six (6) months after new technology is available at reasonable cost as determined by the Livonia City Council, which determination shall be rebuttable by the support structure owner, which permits the operation of the communications system without the requirement of a support structure.

B) The situations in which removal of wireless communications equipment or a wireless communications support structure is required, as set forth in paragraph A) above, may be applied and limited to portions of wireless communications equipment or a wireless communications support structure.

C) Upon the occurrence of one or more of the events requiring removal specified in paragraph A) above, the property owner or persons who had used the equipment or support structure shall immediately apply or secure the application for any required demolition or removal permits, and immediately proceed with and complete the demolition/removal, restoring the premises to an acceptable condition as reasonably determined by the Planning Official and Building Official.

D) If the required removal of wireless communications equipment or a wireless communications support structure or a portion thereof has not been lawfully completed within sixty (60) days of the applicable deadline, and after at least thirty (30) days written notice to the equipment or support structure owner and property owner, the City of Livonia may remove or secure the removal of the equipment or support structure or required portions thereof, with its actual cost and reasonable administrative charge to be drawn, collected and/or enforced from or under the security posted at the time application was made for establishing the wireless communications equipment or support structure.

**(10) Application Fees.** All applicants for wireless communications equipment (except where approval is not required pursuant to paragraph (4)A) above) and for a wireless communications support structure shall pay an application fee of $500.00 before a permit may be issued.

**(11) Signs on Towers/Antennas/Wireless Communications Support Structures.** No signs shall be displayed on any cellular tower antennas or wireless communications support structure or equipment without a submission of findings of the City Planning Commission and approval of the City Council.

**(12) Franchise Fee.**

A) If a wireless communications equipment provider installs land-based equipment such as coaxial, wire, or fiber optic cables to transmit information or electric impulses to or from wireless communications equipment or support structures, such provider shall apply to the City of Livonia for a permit or franchise as required by law prior to installing said land-based equipment. The provider shall submit all information in its possession to the City of Livonia regarding any entity installing, providing, or using a backhaul network, and such entity shall also apply for a permit or franchise as required by law.

B) Owners and/or operators of wireless communications equipment and support structures shall certify that all franchises required by law for the construction and/or operation of a wireless communications system in the City of Livonia have been obtained and shall file a copy of all required franchises with the Planning Official.

# Article V.
# General Provisions

## Section 5.01 Applicability.

The provisions of this Article shall apply to all districts within the City of Livonia, except where otherwise expressly stated in this Ordinance.

## Section 5.02 Scope.

No building or land, or part thereof, shall be used, altered, constructed or reconstructed except in conformity with the provisions of this Ordinance and the regulations hereby established which apply to the district in which it is located. No building shall be erected or altered to exceed in height the limit herein established for the district in which such building is located; no building shall be erected, nor shall an existing building be altered, enlarged, or rebuilt, nor shall any open space surrounding any building be encroached upon or reduced in any manner, except in conformity with the provisions of this Ordinance and the regulations hereby established for the district in which it is located.

## Section 5.03 Buildings Under Construction.

Any building or structure for which a building permit has been issued and the construction of the whole or a part of which has been started, or for which a contract or contracts have been entered into pursuant to a building permit issued prior to the effective date of this Ordinance, may be completed and used in accordance with the plans and application on which said building permit was granted.

## Section 5.04 Building and Easement Grades.

**(1)** **Surface Water.** Any building requiring yard space shall be located at such an elevation that a sloping grade shall be maintained to cause the flow of surface water to run away from the walls of the building. A building grade line (sometimes referred to as the finish grade or finish grade line) shall mean the elevation of the ground adjoining the building on all four sides. A first-floor elevation shall mean the height which the first floor extends above the building grade. A sloping earth grade beginning at a sidewalk level shall be maintained and established from the center of the front lot line to the finish grade line at the front of the building and from the rear wall of the building to the rear lot line, subject to approval of the Building Official and City Engineer. The height of the finish grade line of any dwelling shall not be less than twelve (12) inches nor more than eighteen (18) inches above the average front sidewalk elevation; the first-floor elevation shall not be more than twenty-six (26) inches above the finish grade line of the building. When a new building is being constructed on a vacant lot between two (2) existing buildings or adjacent to an existing building, the yards around the new building shall be graded in such a manner so as not to permit runoff of surface water to flow onto the adjacent properties. Whenever the natural drainage of the land is such as is likely to or will cause the flow of surface water to be from the front yard to the rear yard, or where the natural topography dictates a modification from the foregoing requirements, the building grade may be established otherwise than hereinbefore provided; provided, however, that in all such cases the altered design shall be submitted to and approved by the Department of Public Works. Surface grades shall be approved by the Department of Public Works before the issuance of any building permit.

**(2)** **Grading.** Where any lot, part or parcel of land, has located upon it a duly recorded easement for any purpose whatsoever, that portion of such land whereon the easement exists shall be graded as indicated by the Department of Public Works, and in no event shall be graded so as to obstruct or substantially slow down the natural flow of surface water across such easement. The grade in easements shall in all cases be subject to the approval of the Department of Public Works.

## Section 5.05 Minimum Lot Size and Width.

The size and width of each residential lot on which or in relation to which any building or use is affected by the provisions of this Ordinance shall not be less than the minimum size and width requirements established by this Ordinance which apply to the district in which the residential lot is located.

## Section 5.06 Application to Lots of Record.

Where two (2) or more abutting lots of record are held under one (1) ownership and where one (1) or more of such lots are nonconforming, the provisions of this Ordinance relating to lot width and area in the district in which such lots are located shall be observed and shall not be avoided by any sale or conveyance of all or any portion of any such lots after the effective date of this Ordinance; provided, however, that any lot of record which is the same width and area as, or a larger width and area than, fifty-five percent (55%) or more of the lots in the same subdivision in which such lot is located, which have already been developed, with dwellings, and as building sites, may be developed as a separate building site of a width and area consistent with the majority of the lots theretofore developed.

## Section 5.07 Approval of Plats.

No proposed plat of a new subdivision shall hereafter be approved by the City Planning Commission unless all the lots within such plat equal or exceeds the minimum lot size and width requirements which apply to the district in which the land sought to be platted is located and unless such plat in all other respects fully conforms with the statutes of the State of Michigan, the ordinances of the City of Livonia, and the Subdivision Regulations of the City Planning Commission.

## Section 5.08 Lot Limitation.

No more than one (1) principal building shall be constructed, erected, or placed on any lot in a recorded subdivision or on any parcel of land except for:

**(1)** **Outlots.** Parcels described and designated as "outlots" in a recorded plat which are so arranged or subdivided as to provide for one or more principal buildings with a land area allocated to each building which is equal to or greater than the lot area required in the district, and the building and land comply with all other requirements of the district in which it is located.

## Section 5.09 Single-Family Residential Accessory Buildings and Recreational Equipment Storage.

**(1)** **Residential Accessory Buildings.**

A) **Maximum Size.** For the purpose of this Section, a garage, whether attached or detached, shall be considered a residential accessory building. On single family lots, the combined ground floor area of all attached and detached residential accessory buildings shall not exceed nine hundred twenty (920) square feet; provided, however, the maximum ground floor area of any attached accessory building shall not exceed seven hundred twenty (720) square feet and the maximum ground floor area of any detached accessory building shall not exceed two hundred (200) square feet. On lots that do not contain any detached accessory buildings, the ground floor area of an attached residential accessory building shall not exceed seven hundred twenty (720) square feet or the ground floor area of the house (excluding the area of the attached accessory building), whichever is larger, subject to a maximum size limit of one thousand (1,000) square feet. On lots that do not contain attached accessory buildings, the combined ground floor area of all detached accessory buildings shall not exceed the ground floor area of the house, subject to a maximum size limit of one thousand (1,000) square feet. Notwithstanding the above, on lots measuring one-half (1/2) acre or more, one (1) detached residential accessory building not to exceed a ground floor area of three hundred (300) square feet shall be allowed solely for the purpose of housing or keeping of animals pursuant to *Section 4.34* or *Section 4.49*. Further, on lots measuring one (1) acre or more, one (1) detached residential accessory building not to exceed a ground floor area of six hundred (600) square feet shall be allowed solely for the purpose of housing or keeping of animals pursuant to *Section 4.34* or *Section 4.49*.

B) **Maximum Number.** On lots less than one-half (½) acre in size, no more than two (2) residential accessory buildings, including one (1) attached accessory building, are allowed. On lots which are more than one-half (½) acre, a total of three (3) residential accessory buildings, including one (1) attached accessory building, are allowed.

C) **Maximum Height.** Detached residential accessory buildings shall not exceed sixteen (16) feet in height.

D) **Minimum Setbacks.** Attached residential accessory buildings shall comply, in all respects, with the requirements of this ordinance applicable to the principal building. Detached residential accessory buildings shall not be located nearer than two (2) feet to the side lot line, two (2) feet to the rear lot line and shall not be constructed closer than ten (10) feet to the principal building; provided, further, however, that the minimum distance between detached residential accessory buildings on the same lot or parcel shall be four (4) feet. Detached residential accessory buildings proposed to be constructed on corner lots shall not be located closer to the side street lot line than that wall of the principal building which is parallel to such side street line. All residential accessory buildings used for the housing or keeping of animals pursuant to *Section 4.34* or *Section 4.49* shall be located not less than twenty-five (25) feet from any lot line.

E) **Maximum Lot Coverage.** The combined floor area of all detached residential accessory buildings shall not occupy more than twenty (20) percent of the area of any rear yard.

F) **Exempt Structures.** Landscaping structures, art displays, and minor structures (dog houses, playgrounds, treehouses, etc.) are not considered residential accessory buildings and are not regulated by this Section.

**(2)** **Residential Accessory Building and Storage Therein.** All inoperable or unlicensed vehicles or vehicles bearing visible commercial advertising, equipment, or accessories shall be housed in a residential accessory building when not in use.

**(3)** **Recreational Equipment Storage.** Unoccupied recreational equipment may be housed in a residential accessory building, and no more than one (1) unit of recreational equipment may be stored in the rear yard, except that no such unit may be stored within the corner side yard, as that term is defined in Section 15.44.030 of the Livonia Code of Ordinances, as amended. The temporary parking of one (1) unit of recreational equipment on the recreational equipment owner's or user's front or side driveway shall be permitted for a period not to exceed seventy-two (72) hours cumulatively in any five (5) day period for the purpose of repairing and maintaining the Recreational Equipment unit for suitable vacation use.

## Section 5.10 ~~Separate Dwellings for Domestic Employees~~Reserved.

~~Separate dwellings for the use of domestic employees of the owners, lessee, or occupants of the principal dwelling on a lot shall be considered accessory buildings, but if containing a complete housekeeping unit or units, shall conform to all the height and yard requirements for dwellings in the district in which they are located.~~

## Section 5.11 Yards; Double Frontage Lots.

On double frontage lots, a front yard, as prescribed for the district as herein established, shall be provided on both streets.

## Section 5.12 Front Yards; Schoolcraft Road.

Notwithstanding anything in this Ordinance to the contrary, where a residentially zoned lot or parcel is adjacent to or abuts on Schoolcraft Road in the City of Livonia, no building shall be erected, moved, enlarged, or otherwise established on such lot or parcel closer than seventy-five (75) feet to the lot line abutting the major street.

## Section 5.13 Yards; Use.

In any residential district no part of any required yard, except a rear yard, shall be used for any detached garage or any accessory building other than an attached garage or for the storage of vehicles. Any portion of a residential lot in front of the front building line shall be used for landscaping purposes only and nothing shall be placed thereon except trees, shrubs, or items of similar nature and required driveways.

## Section 5.14 Yard; Alley.

Wherever there is a public alley at the rear of a lot upon which the lot abuts for the full width, measurements of the depth of any abutting rear yard required under this Ordinance may be made to the center line of such alley.

## Section 5.15 Lots; Use for Yards, Courts, Etc.

No portion of a lot used in complying with the provisions of this Ordinance for yards, courts, lot area per family, or percentage of lot occupancy in connection with an existing or proposed building or structure shall again be used as part of the lot required in connection with any other building or structure existing or intended to exist at the same time.

## Section 5.16 Room Requirements.

Any dwelling hereafter constructed or altered shall comply with the Housing Law of Michigan.

## Section 5.17 Heights; Public, Quasi-Public, Form-Based Development Option, Planned Developments, and Major Business Buildings.

The height of public or semi-public buildings, churches, cathedrals, temples, hospitals, sanitariums, schools, major business buildings when developed as a part of a complete shopping center, and buildings when developed under the Form-Based Development Option pursuant to *Section 3.04* or as a Planned Development pursuant to *Section 3.02*, shall not in any case exceed one hundred and fifty-five (155) feet, subject to the General Waiver Requirements and General Standards as set forth in *Section 11.13(6)*.

## Section 5.18 Height; Items Not Included.

Chimneys, cooling towers, elevator bulkheads, fire towers, grain elevators, silos, penthouses, stacks, stage towers, scenery lofts, sugar refineries, tanks, water towers, pumping towers, television and radio towers and antennas, church steeples, monuments, cupolas, and mechanical appurtenances, including signs, pertaining to and necessary to the permitted use of the district in which they are located, shall not be included in calculating the height of the principal structure; provided, however, that in residentially zoned districts, television and radio towers and antennas which have a height, as measured from the established grade, of greater than 75 feet shall be prohibited. Television and radio towers and antennas in residentially zoned districts may be erected to a height of up to 40 feet, as measured from the established grade, but shall be prohibited for heights which exceed 40 feet but which are less than 75 feet, as measured from the established grade, unless written permission has first been obtained from the owners of at least two-thirds (2⁄3) of the lots which adjoin or abut the property upon which the proposed tower or antenna is to be located when the height of the proposed tower or antenna be greater than the distance from the center of the base of the tower or antenna to any of the property lines of such adjoining or abutting lots; provided, further, that all freestanding television and radio within residentially zoned districts shall be of a self-supporting design; and provided, further, however, that the location of television and radio towers or antennas shall be further subject to the following limitations:

**(1) Radio Towers or Satellite Antenna Dishes.** The location of television and radio towers or antennas including satellite dish antennas and cellular mobile towers in the established or minimum front yard of any zoning district is prohibited; provided, however, that the foregoing prohibition shall not apply to television or radio antennas, satellite dish antennas or cellular mobile towers located in M-1 and M-2 Districts in Section 25 through 30, when a site plan therefor is approved by the City Council subject to compliance with the general standards contained in *Section 11.13, Section 11.13(6)* of this Ordinance and the following additional standards; provided, however, that site plan approval shall not be required for satellite dish antennas which do not exceed 24 inches in diameter or 500 square inches in area, whichever is greater. Provided further, however, that prior to installation of any satellite dish antenna, a permit shall be obtained from the Inspection Department:

A) That such site plan shall include:

i) The proposed location of the antenna and detailed plans and specifications indicating its size, weight, color and specific materials to be used in construction of the antenna.

ii) The proposed method of screening the antenna from public view.

iii) Any other pertinent information the applicant or City Council deems necessary to properly evaluate the proposed antenna and its location.

B) Signs attached to or painted on such antenna are prohibited.

## Section 5.19 Height; Parapet Walls.

Parapet walls may extend not more than five (5) feet above the allowable height of a building.

## Section 5.20 Height; Public Buildings; Utilities.

The City Planning Commission may recommend and the City Council approve the erection and use of a building or an addition to an existing building which is publicly owned or owned by a public service corporation to be used for a public use or for public utility purposes, in any permitted district to a greater height or of larger area than the district requirements herein established, and permit the location in any use district of a public building or a public utility building, structure or use, provided the City Planning Commission shall find such use, height, area, building or structure reasonably necessary for the public convenience and service; and, provided further, that such building, structure or use is designed, erected and landscaped to conform harmoniously with the general architecture and plan of such district.

## Section 5.21 Division or Partitioning of Lots.

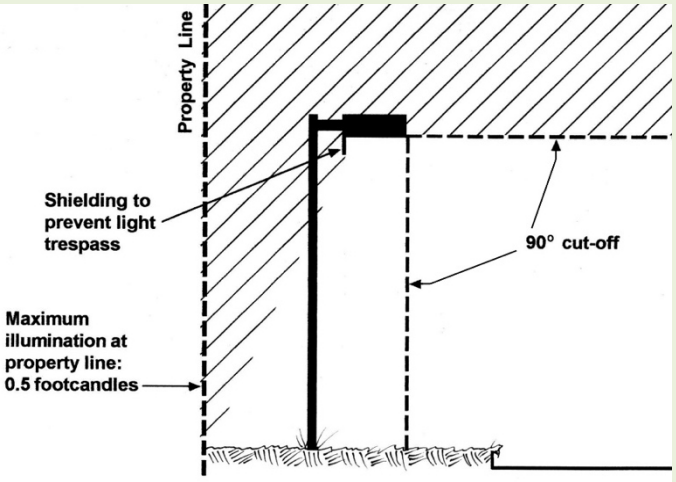
Upon petition by the owner of a parcel of land, the City Council may approve the division of the said parcel in accordance with Act 172 of the Public Acts of 1929 of the State of Michigan, as amended, and the City's Lot Partition Ordinance, Chapter 32 of Title 16 of the Livonia Code of Ordinances, as amended. Any nonconformity waived pursuant to the City's Lot Partition Ordinance shall be deemed waived pursuant to this Ordinance, subject to any conditions contained in the City Council resolution waiving same. Except for deficiencies as to lot width, area, accessibility, and depth-to-width ratio, any deficiencies not waived shall be subject to the jurisdiction of the Board of Appeals.

## Section 5.22 Lighting.

**(1)** **Purpose and Intent.** The regulations in this section aim to ensure that sufficient lighting is provided in the publicly accessible areas of buildings and surrounding property, to provide for the security of property and safety of the general public. These regulations promote the use of appropriate lighting practices and systems and discourage the adverse effects of inappropriate lighting such as glare, light trespass onto adjoining properties, light pollution and sky glow, and energy waste. This section also intends to encourage the use of innovative lighting designs and fixtures which complement the natural and built environments found throughout the City.

**(2)** **General Requirements.**

A) **Shielding.** All outdoor lighting in all use districts other than residential shall be shielded so the surface of the source of the light shall not be visible from adjacent residential districts, adjacent residences, and public right-of-way. All outdoor lighting must be directed toward and confined to the ground areas. Full cut-off fixtures must be used to prevent light from projecting above a ninety (90) degree horizontal plane (see figure).



B) **Illumination Levels.** Sufficient lighting, as specified in the following table, shall be required for parking areas, walkways, driveways, building entrances, loading areas, and public common areas to ensure security of property and safety of persons.

| Location | Maximum Level of Illumination (Foot-candles) for the Average of the Area |
|---|---|
| Off-Street Parking Areas | 1.0 |
| Off-Street Loading Areas | 1.0 |
| Sidewalks (Residential Areas-Public [only where required by this Ordinance or the City Council]) | 1.0 |
| Sidewalks (Non-Residential Areas) | 1.0 |
| Building Entrances (Frequent Use) | 5.0 |
| Building Entrances (Infrequent Use) | 1.0 |
| Gas Station (Directly Under Canopy) | 20.0 |
| Other Outdoor Areas Not Listed | At the discretion of the Planning Director, with a maximum not to exceed 20.0 |

C) **Light Trespass Limits.** Exterior lighting sources shall be designed, constructed, located, and maintained in a manner that minimizes light trespass onto neighboring properties. The light trespass from a property shall not exceed 0.5-foot-candles at the property line, measured five (5) feet from the ground. The light-emitting element of a light fixture shall not be directly visible from neighboring properties, as this is the primary cause of glare.

D) **Up-lighting.** All up-lighting in nonresidential districts used for the external illumination of buildings, so as to feature the buildings, shall be placed and shielded so as to not interfere with the vision of persons on adjacent highways or adjacent property. The light-emitting element of such fixtures shall not be directly visible from a vehicle or pedestrian travel area so as to not interfere with the vision of persons on adjacent highways or adjacent property. Such lighting shall be shielded in such a manner as to minimize or eliminate light pollution and sky glow.

E) **Height.** The height of light fixtures shall be measured from the finished grade to the top of the fixture. All lighting fixtures in non-industrial districts shall not exceed twenty (20) feet in height. In industrial districts, or on large-scale commercial developments, lighting fixtures up to a maximum height of thirty-five (35) feet may be allowed if the proposed lighting over twenty (20) feet in height has no adverse impacts on the surrounding land uses and on the natural environment.

**(3) Prohibited Lighting.**

A) All illumination of outdoor features of a flashing, moving, or intermittent type are prohibited.

B) No outdoor recreational facility, public or private, shall be illuminated after 11:00 p.m., except to conclude a permitted recreational or sporting event or other activity already in progress prior to 11:00 p.m.

C) The use of laser source light or any similar intensity light for outdoor advertising or entertainment is prohibited.

D) The operation of searchlights for advertising purposes is prohibited.

**(4)** **Exempt Lighting.** The following exterior lighting fixtures and systems are exempt from the regulations of this section. The Planning Director reserves the right to enforce standards to minimize glare, reduce light pollution, and otherwise protect the health, safety, and welfare of the public.

A) Light fixtures placed by a governmental agency in the right-of-way.

B) Decorative holiday lighting.

C) Pedestrian walkway lighting.

D) Temporary festival and civic lighting.

E) Temporary construction or emergency lighting.

F) Instances where federal, state, or local laws, rules, or regulations take precedence over the provisions of this section.

**(5)** **Waiver Process.** The City Council has the ability to waive the lighting requirements of this Section upon evidence that the required lighting would have a negative impact on neighboring properties.

## Section 5.23 Accessory Structures and Uses.

**(1)** **Accessory structures and uses:**

A) The following standards apply to accessory structures in the N1 and N2 Districts:

i) Private garages and detached accessory structures are permitted in accordance with ***Error! Reference source not found., Error! Reference source not found.*** and *Section 5.09* of this Ordinance.

ii) Must be customarily incidental to the principal permitted use on the site.

B) In addition to the standards above the following standards shall apply to accessory structures and uses in the R-U-F District:

i) No more than one (1) temporary structure (which may be of wood construction and shall have not more than three (3) walls and a roof with at least one (1) open side) which structure shall only be used for the sale of products grown on the site in the greenhouse or truck garden between May 15 and October 31 and thereafter shall be removed, dismantled and stored in the rear yard only.

ii) Such temporary structure shall be located on a parcel of land at least one-half (½) acre in size and not less than twenty-five (25) feet from the street or highway right-of-way line.

iii) An open space for parking, twenty-five (25) feet off the street or highway right-of-way, shall be provided for patrons of the temporary structure. Provided, however, that the outdoor storage of trucks, merchandise and equipment is prohibited.

C) The following standards apply to accessory structures in the NM1 and NM2:

i) Not more than one of which may be a commercial vehicle which shall not exceed three-quarter (¾) ton capacity, and which shall be kept housed within a garage when not used, provided said commercial vehicle is owned and operated by a member of the family who resides in said living unit.

ii) The storage or parking of trucks, truck tractors and truck trailers of over one (1) ton capacity, automobile trailers or the storage, parking or use of coaches, bus or street car bodies, or tourist cabins, tents or similar dwellings and enclosures shall not be allowed or considered a legal accessory use in an NM1 District. This shall not, however, prohibit the storage in the rear yard only of one (1) unoccupied recreational equipment unit for each dwelling unit which equipment is the property of or in the trust of the occupant of the dwelling unit.

iii) Must be customarily incidental to the principal permitted use on the site.

D) The following standards apply to accessory structures in the C-1, C-2, C-3 and C-4 Districts:

i) Must be customarily incidental to the principal permitted use on the site.

ii) A storage garage for the storage of commercial vehicles used by a business or other permitted activity, when located on the same lot therewith and occupying not more than twenty-five (25) percent of the area of such lot shall be considered a legal accessory building.

iii) Accessory uses to those permitted in this section include assembly, repair and storage which is clearly incidental to the conduct of the permitted use.

iv) Except where prescribed herein, fences are prohibited in all commercial zoning districts.

E) The following standards apply to accessory structures in the M-L, M-1, and M-2 Districts:

i) Must be customarily incidental to the principal permitted use on the site.

ii) Any portion of the lot area not used for structures, driveways, parking areas and sidewalks shall be landscaped and thereafter permanently maintained. Such landscaping shall include the total area of the established or minimum front yard exclusive of driveways, parking areas and sidewalks.

**(2) Accessory residential use for apartments.** Provided they do not constitute more than twenty (20) percent of the total floor area of the building.

## Section 5.24 Fences and Walls.

Except where prescribed herein, fences are prohibited in all commercial zoning districts. Yards may be used for fences and similar structures as set forth in Chapter 44 of Title 15 of the Livonia Code of Ordinances, as amended.

## Section 5.25 Alternative Energy.

**(1) Solar Energy.**

A) **Roof-Mounted and Wall-Mounted Solar Energy Systems.** Roof-mounted and wall-mounted solar energy systems for on-site use are permitted accessory structures in all zoning districts, subject to the following regulations:

i) Height. Roof-mounted systems shall not extend more than three (3) feet above the roofline nor above the maximum permitted height of the building to which it is attached.

ii) Location.

a) Roof-mounted solar energy systems may be located anywhere on a roof of a principal or accessory structure. However, roof-mounted solar energy systems shall not protrude beyond the edge of the roof. A solar panel may function as a roof element, such as an awning.

b) Wall-mounted solar energy systems may be located anywhere on the wall of a principal or accessory structure. Wall-mounted systems shall not extend above the edge of the roof.

B) **Ground-Mounted Solar Energy Systems.** Ground mounted and freestanding solar energy systems for on-site use are permitted accessory structures in all zoning districts. Total system production is limited to 10kW in all zoning districts, except M-1 and M-2, subject to the following regulations:

i) Location and Setbacks. Solar energy systems must be located in the rear of the principal building. Solar energy systems must also meet the minimum setbacks of the zoning district.

ii) Height. The height of the solar energy system and any mounts must not exceed ten (10) feet when oriented at maximum tilt.

iii) Screening. Evergreen landscaping must be provided to screen the racking and framing below the panels from view on all sides.

iv) Power Lines. All power lines between solar panels and inverters must be placed underground.

C) **Performance Guarantee.** All applications for a solar energy system must be accompanied by a performance guarantee sufficient to ensure the decommissioning and removal of the system when it is abandoned or no longer needed.

D) **Insurance.** The applicant must submit proof of sufficient property damage and liability insurance.

E) **Utility Connection.** The applicant must submit evidence that the utility company has been informed of the customer's intent to install an interconnected, customer-owned solar energy system and that such connection has been approved. Off-grid systems are exempt from this requirement.

**(2) Wind Energy.**

A) **Districts Permitted.**

i) Roof-Mounted Small Wind Energy Systems are permitted by right in all zoning districts, provided that the system does not fall within the front yard and meets all of the applicable requirements of this Ordinance.

ii) Tower-Mounted Small Wind Energy Systems shall be treated as a waiver use in the RUF, P-L, and M-L Districts and as a permitted use in the M-1 and M-2 Districts, provided that the system does not fall within the front yard and meets all of the applicable requirements of this Code.

B) **Minimum Lot Area.**

i) Roof-Mounted Small Wind Energy Systems will have no minimum lot area.

ii) Tower-Mounted Small Wind Energy Systems must be located on a lot with a minimum area of one (1) acre.

C) **Maximum Wind Turbine Height.**

i) Roof-Mounted Small Wind Energy Systems will have a maximum height of ten (10) feet above the highest point of the roof or ten (10) feet above the maximum height of the zoning district, whichever is lower.

ii) Tower-Mounted Small Wind Energy Systems will have a maximum height of seventy (70) feet.

D) **Minimum Setbacks.**

i) Roof-Mounted Small Wind Energy Systems must adhere to the minimum setbacks of the zoning district.

ii) Tower-Mounted Small Wind Energy Systems must be set back from all property lines, overhead utility rights-of-way and easements, and other towers a distance equal to or greater than the height of the tower.

E) **General Standards.** The following requirements are applicable to all wind energy systems:

i) **Noise.** A wind energy system must comply with the noise standards set forth in the City's Ordinances.

ii) **Shadow Flicker.** The application for a wind energy system must include a shadow flicker analysis demonstrating impact on adjacent and nearby residential properties. Wind energy systems must be constructed in locations that minimize the impacts of shadow flicker on residences.

iii) **Lighting.** No wind energy system will be artificially lighted unless required by the Federal Aviation Administration (FAA).

iv) **Appearance, Color, and Finish.** The wind energy system must be maintained in the color or finish that was originally applied by the manufacturer, unless otherwise approved in the building permit. All wind energy systems will be a single non-reflective, non-obtrusive, matte finished color (white or gray).

v) **Electrical Wires.** All electrical wires associated with a wind energy system, other than wires necessary to connect the wind generator to the tower wiring, the tower wiring to the disconnect junction box, and grounding wires, must be located underground.

vi) **Compliance with Electrical Code.** Building permit applications for wind energy systems must be accompanied by line drawings of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code.

vii) **Construction Codes, Towers, and Interconnection Standards.** Wind energy systems, including towers, must comply with all applicable state construction and electrical codes and local building permit requirements. Wind energy systems including towers, must comply with the FAA requirements, and other applicable local and state regulations. A wind energy system connected to the public utility electrical grid must comply with the Michigan Public Service Commission and Federal Energy Regulatory Commission standards. Off-grid systems are exempt from this requirement.

viii) **System Access.** Small wind energy systems must be designed and installed such that step bolts, ladders, or other means of access readily accessible to the public are located at least eight (8) feet above grade level.

ix) **Safety.** A wind energy system must have an automatic braking, governing, or feathering system to prevent uncontrolled rotation or over speeding. All wind towers must have lightning protection. If a tower is supported by guy wires, the wires must be clearly visible to a height of at least six (6) feet above the guy wire anchors.

x) **Minimum Ground Clearance.** The lowest extension of any blade or other exposed moving component of a tower mounted wind energy system must be at least twenty (20) feet above the surrounding grade at its highest point within twenty (20) feet of the base of the tower and at least twenty (20) feet above any outdoor surface intended for human use, such as balconies or roof gardens, that are located below the wind energy system.

xi) **Roof-Mounted Small Wind Energy Systems.** Roof-mounted small wind energy systems must be limited to roof mounting and must not be mounted on any other building wall or surface.

xii) **Performance Guarantee.** All applications for a small wind energy system must be accompanied by a performance guarantee in an amount sufficient to ensure the decommissioning and removal of the system when it is abandoned or no longer needed.

xiii) **Insurance.** The applicant must submit proof of sufficient property damage and liability insurance.

xiv) **Utility Connection.** The applicant must submit evidence that the utility company has been informed of the customer's intent to install an interconnected, customer-owned wind energy generator and that such connection has been approved. Off-grid systems are exempt from this requirement.

## Section 5.26 Encroachments and Exempt Structures.

**(1) Permitted Yard Encroachments.**

A) **Open Decks, Stairways, Porches, Paved Terraces, and Patios in the Front Yard Setback.** Open decks, stairways, porches, paved terraces, and patios which are at or below the finished first floor level of the building may encroach up to six (6) feet into the required front yard setback area on any lot, provided that in no case may any paved terrace, patio, deck, or other similar structure be located closer than 25 feet from a regulated wetland(s) or a detention pond or non-regulated wetland as shown on an approved site plan. Open decks, stairways, porches, paved terraces, and patios that encroach into the required front yard setback area may have a required railing and be covered with a roof that is no higher than the first story and does not encroach more than 6 feet into the front yard setback area. Any deck, terrace or patio that encroaches into the front yard setback must remain open and shall not be enclosed.

B) **Open Decks, Paved Terraces, and Patios in the Rear Yard Setback.** Open decks, stairways, porches, paved terraces and patios which have no roof or other projections above any required railing and which are at or below the finished first floor level of the building may encroach up to ten (10) feet into the required rear yard setback area on any lot, provided that in no case may any paved terrace, patio, deck, or other similar structure be located closer than 25 feet from a regulated wetland(s) or a detention pond or non-regulated wetland as shown on an approved site plan.

C) **Chimneys, Fireplaces, Eaves, Overhangs, and Cornices in the Side, Rear and Front Yard Setbacks.** Chimneys, fireplaces, eaves, overhangs, and cornices may encroach up to twenty-four (24) inches into the required side, rear or front yard setback area on any lot, provided that in the case of a side yard, a minimum setback of four (4) feet shall be maintained.

~~C)~~D) **Landscaping, Garden, and Retaining Walls.** Landscaping, garden, and retaining walls raised three (3) feet or less above the finished grade may be located in a yard setback.

~~D)~~E) **Walls, Fences, and Other Protective Barriers.** Walls, fences, and other protective barriers may be located in a yard setback pursuant to Chapter 44 of Title 15 of the Livonia Code of Ordinances.

~~E)~~F) **Swimming Pools.** Swimming pools may be located in required yard setback subject to the requirements in *Section 4.48*.

~~F)~~G) **Public Use.** The City Planning Commission may recommend and the City Council approve the erection and use of a building or an addition to an existing building which is publicly owned or owned by a public service corporation to be used for a public use or for public utility purposes, in any permitted district to a greater height or of larger area than the district requirements herein established, and permit the location in any use district of a public building or a public utility building, structure or use, provided the City Council shall find such use, height, area, building, or structure reasonably necessary for the public convenience and service; and, provided further, that such building, structure or use is designed, erected, and landscaped to conform harmoniously with the general architecture and plan of such district.

## Section 5.27 Subdivision and Site Condominiums.

No portion of any site condominium may be sold or offered for sale, nor shall a permit be issued for construction of same in the City of Livonia unless the master deed for such site condominium has been approved by the City Council upon review and submission of findings by the City Planning Commission, which master deed shall include as attachments thereto bylaws and a site plan that complies with the requirements of *Section 3.02* and the Subdivision Control Ordinance, Title 16, Chapters 16.04-16.40 of the Livonia Code of Ordinances, and shall pay the filing fees set forth therein.

**(1) Applicability of Subdivision Improvement Regulations for Site Condominiums.** Sewer, water, storm drainage, other utility services and streets and roads for site condominium projects shall conform to design, layout, and improvement standards as provided in the City of Livonia Subdivision Control Ordinance. The plat review and approval process required by the Subdivision Control Ordinance and Subdivision Rules and Regulations shall not apply to site condominiums.

**(2) Utilities.**

A) The Master Deed shall grant utility easements or the right of access to utility easements to the City of Livonia as may be required to construct, operate, inspect, maintain, repair, alter, replace, and/or remove pipelines, mains, and other installations of a similar character for the purpose of providing public utilities.

B) The Master Deed shall require that any stormwater detention pond(s) or underground stormwater detention facilities installed in connection with development of the site condominium shall be located in private parks, outlots, or general common areas and shall not be installed on limited common areas or any portion of any unit offered for sale. This requirement may be waived or modified, if Council finds that compliance with same would be unduly onerous, by a resolution in which two-thirds (2/3) of the City Council concur. To prevent an inadvertent waiver or modification of the prohibition on detention ponds in limited common areas and units offered for sale, such resolution must be separate from the resolution approving the Master Deed.

**(3) Master Deed.** The site condominium developer shall furnish a copy of the Master Deed as approved by the City Council, including bylaws and site plans, to the City Assessor and to the Inspection Department.

**(4) Bonds required.**

A) For any site condominium or other project which requires the approval of the City Council pursuant to this Zoning Ordinance, as amended the City Council may require the posting of a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the City covering the estimated cost of completing any or all of the following (the "improvements"):

i) roadways

ii) lighting

iii) utilities

iv) sidewalks

v) screening

vi) drainage

vii) such other features and actions which are considered necessary by the City Council to protect the health, safety, and welfare, of residents of the city, subject to the limitations of Section 125.584e of the Michigan Compiled Laws.

B) Any such performance guarantee shall be deposited with the City Clerk, at the time of the issuance of the permit authorizing the activity or project, to insure faithful completion of the improvements. Any cash deposits made to assure completion of an improvement shall be rebated at such time as completion of the improvement is attested by the City Engineer and Department of Inspection.

C) This section shall not be applicable to improvements for which a cash deposit, certified check, irrevocable bank letter of credit, or surety bond has been deposited pursuant to the Subdivision Control act, being Act No. 288 of the Public Acts of 1967, as amended, section 560.101 to 560.293 of the Michigan Compiled Laws.

**(5) Completion.** The proprietor shall be responsible for completing all common elements as shown on the approved site plan.

## Section 5.28 Industrial Parks

(1) **Setback Requirements.** When an industrial building is hereafter erected fronting on an internal road within an Industrial Park, the front yard shall be at least sixty (60) feet in depth as measured from the centerline of the publicly dedicated street.

(2) **Maximum Ground Coverage by Principal Structure.** In an Industrial Park located in this district, no more than fifty percent (50%) of the total lot area shall be occupied by the principal structure.

(3) **Landscaping Requirements.** Any portion of the lot area not used for structures, driveways, parking areas, and sidewalks, shall be landscaped and maintained.

(4) **Driveways and Parking Areas**. All driveways and parking areas shall be surfaced with concrete or plant-mixed bituminous material within two (2) years from the date that the Certificate of Occupancy is issued by the Bureau of Inspection.

(5) **Off-Street Parking Requirements.** Off-street parking facilities shall be provided as hereinafter specified in Article IX of this ordinance, except that no parking of automobiles or other motor vehicles shall be permitted in the front yard setback if such setback is less than eighty-five (85) feet in depth as measured from the centerline of the publicly dedicated internal stree

# Article VI.
# Environmental Performance Standards

## Section 6.01 Sound/Noise.

Sound and noise shall be regulated by Chapter 8.32 of the Livonia Code of Ordinances.

## Section 6.02 Odors.

Any use which causes the production of odors or fumes, noxious or otherwise, which are detectable beyond the building, shall not be permitted.

## Section 6.03 Waste and Rubbish Facilities.

Waste and rubbish facilities are subject to the Livonia Code of Ordinances Chapters 13.36 and 13.38.

## Section 6.04 Soil Removal, Excavation, and Dumping Soil, Sand, Clay, or Gravel.

**(1)** **Permit Required.** No person shall remove, excavate, extract, stockpile, or transport or cause to be removed, excavated, extracted, transported, or stockpiled for such removal any soil from any land within the City of Livonia unless and until the bonds and fees required herein have been filed and deposited and a permit therefor obtained from the City. All soil removal and excavation permits where authorized, shall be issued by the Department of Inspection after full compliance by the applicant of all terms and provisions of this section relating thereto.

**(2)** **Approval of Commission.** No soil removal permit or permit to stockpile shall hereafter be issued unless and until the City Planning Commission does, by resolution:

A) Determine the proposed soil removal and/or excavation operations will not be injurious to the public health, safety and welfare.

B) Approves the application for a soil removal permit.

C) Authorizes the issuance of a soil removal permit. Such approval shall be nontransferable, and the applicant must obtain from the Department of Inspection a topsoil permit within a thirty (30) day period immediately following the approval.

**(3) Application Required.** Applications for soil removal and/or excavation permits, verified under oath, shall be filed, in quadruplicate, with the Department of Inspection. Such applications shall be accompanied by and set forth fully the following information:

A) The full name, address and signature of the applicant; a full and complete legal description of the land on which the soil removal and/or excavation operations are proposed; the names, addresses and signatures of the owner or owners of such land; a detailed description of the nature and extent, including the amount of acreage, of the proposed operations so that the character thereof and the effect upon such land can readily be ascertained; a description of the equipment and vehicles to be used in the proposed operations; the time within which such operations shall be commenced and completed, and an agreement on the part of the applicant and owner, or owners, to fully comply with all the ordinances, rules and regulations of the City of Livonia and all its departments.

B) A topographical survey dated and certified by a registered engineer or land surveyor showing, in detail, the existing grade elevations, the proposed or finished grade elevation and the contour of the land described in the application. The survey shall also indicate the grade and elevation of all the nearest existing streets; provided that in those cases where the applicant desires to remove soil from land that has been or is being platted and a proposed subdivision has been approved or will be submitted to the City of Livonia, then the applicant shall submit, in addition to the above survey, a plat clearly indicating the grade elevations of the proposed streets in such subdivision.

C) A license, witnessed and acknowledged as in the case of a deed, granting to the applicant (if the applicant is not the owner), the person or persons executing the corporate surety bond required hereafter and the City of Livonia, severally, the right to enter upon said premises, describing them and granting to the aforesaid the right to fill and grade such premises, and restore the same and bring it to the normal building grade as established from the nearest existing or proposed street as the case may be.

D) The Department of Inspection shall forward a copy of such application and topographical survey to the Police Department, the Engineering Division and the City Planning Commission.

i) The Police Department shall examine the application to determine whether or not the proposed operations will interfere with the enforcement and administration of traffic laws. The recommendation of the Police Department shall be transmitted to the City Planning Commission.

ii) The Engineering Division shall examine and investigate the application and topographical survey to determine the existing grade elevation of the property described in same. The City Engineer shall recommend approval of the application only if it appears from his or her examination and investigation that no soil will be removed below the normal building grade as established by the City Engineer from the nearest existing or proposed streets, as the case may be. The recommendation of the Engineering Division shall be transmitted to the City Planning Commission.

iii) The City Planning Commission shall examine the application and topographical survey, together with the above recommendations. The Commission shall not approve any application to remove soil below the normal building grade as established from the nearest existing or proposed street; similarly, no application shall be approved where the proposed operations, in the opinion of the Commission, would result in land becoming unwholesome, unhealthy, offensive, filthy or otherwise obnoxious. If, in the opinion of the Commission, there is sufficient soil available above the normal building grade and the proposed operations will not endanger the public health, safety and welfare, then the Commission may approve the application. The approval shall be by resolution; such resolution shall also authorize the issuance of a soil removal permit subject to any restriction or condition which the Commission may specify in approving the application and upon the payment of the permit fee and filing of the bond hereinafter provided.

**(4) Regulations, Fee, Bonds.**

A) Where an application requests permission to remove soil from land that has been platted and approved for subdividing by the City of Livonia, the grade elevation of the streets in the proposed subdivision may be used as a basis for determining the normal building grade. The applicant is herein required to present substantial evidence of the grade elevation of such proposed streets.

B) Notwithstanding any of the provisions of this section, no soil shall be removed below the normal building grade as established from the nearest existing or proposed street, by the Engineering Division. No soil shall be removed in such manner as to cause water to collect or as to result in a menace or danger to the public health, safety and welfare. No soil shall be removed in such manner as to leave the surface of the land below such established grade or unfit for the growing of turf and other land uses permitted in the district in which such removal occurs. The Engineering Division at any time may fully inspect or examine land from which it is proposed to remove or excavate soil, for the purpose of making any determination as to grades or otherwise. The holder of a permit shall, during such removal, provide for drainage in such manner as may be approved by the Engineering Division of the Department of Public Works.

C) The fee for such permit is hereby fixed at One Hundred Dollars ($100.00). No permit shall be transferable. Such permit shall specify the period for which it is granted, which shall in no case be longer than one (1) year from the date of issuance. A permit may be revoked by the Department of Inspection whenever the holder of such permit has violated any of the provisions of the ordinances, rules, and regulations of the City of Livonia or whenever the exercise of the rights granted by such permit have caused or is reasonably likely to cause a menace or danger to the public health, safety or welfare.

D) No permit shall be issued until the applicant and owner or owners have filed with the City a cash bond guaranteeing and a corporate surety bond, conditioned on the full performance by the holder of the permit of all the provisions of this section, due compliance with the laws of the State and ordinances of the City of Livonia and payment of any and all claims of the City of Livonia and/or any person or persons arising out of any operation under or use of such permit, or any violation of said laws or ordinances; such bonds shall also be specifically conditioned upon the holder of the permit, at all times, maintaining the premises upon which the removal of soil or excavating is being performed, in a safe and proper condition, and that said permitholder will, upon completion of such operation, leave or restore the said land to normal building grade level (as established by the Department of Public Works), remove and abate all offensive conditions, all unhealthy, unwholesome, obnoxious, filthy and unsanitary conditions, drain stagnant water existing and resulting from such removal of soil or excavating. The City Planning Commission shall fix the amount of the bonds to be deposited by the applicant. The bonds shall be in an amount estimated as sufficient to fill and grade the land on which such operations are to be undertaken to the normal building grades as established by the Engineering Division of the Department of Public Works. The Commission shall fix the amount of the corporate surety bond to be filed and the applicant shall deposit in addition thereto a cash bond in an amount equal to ten (10) per cent of the surety bond. Such bonds shall be for an indefinite period until released and discharged, after recommendation of the Engineering Division and Department of Inspection, by resolution of the City Planning Commission adopted at a regular meeting of that body. The bonds shall be in such form as may be approved by the City Attorney.

**(5) Exceptions.** This section shall apply only to the removal of soil for commercial purposes and shall not apply to the moving, grading or leveling of soil within a parcel of land for reasonably immediate use upon such parcel of land, nor shall this section apply to such removal of soil as the Department of Inspection may determine to be reasonably necessary in the construction of basements, foundations, footings, driveways, underground utilities and parking areas, nor shall this section apply to the removal of grass sod grown for commercial purposes where the Department of Public Works determines that such removal will not cause water to collect, result in poor drainage conditions or constitute a menace to public health and safety; provided, however, that a determination that this section does or does not apply in the above instance shall always be made in writing by the Department of Inspection on written application of any person desiring to remove sod.

(6) **Excavations and Holes.** The construction, maintenance, or existence within the City of Livonia of any unprotected, unbarricaded, open or dangerous excavations, holes, pits, or wells, or of any excavations, holes or pits which constitute or are reasonably likely to constitute a danger or menace to the public health, safety or welfare, are hereby prohibited; provided, however, that this section shall not prevent construction of excavations under a permit issued pursuant to this Ordinance or the Building Code Ordinances of the City of Livonia where such excavations are properly protected and warning signs posted in such manner as may be approved by the Department of Inspection; and, provided further, that this section shall not apply to lakes, streams, or other natural bodies of water, or to ditches, streams, reservoirs, or other major bodies of water created or existing by authority of the State of Michigan, County of Wayne, City of Livonia, or other governmental agency.

(7) **Dumping of Soil, Sand, Clay or Gravel.** The dumping of any soil, sand, clay, or gravel on any parcel of land within the City of Livonia is hereby prohibited, except where, within six (6) months following such dumping, such parcel of land is graded in such manner as to prevent the collection of water, to provide proper drainage and to leave the ground surface fit for the growing of turf and other land uses permitted in the district; provided, however, that no soil, sand, clay, gravel, trash, rubbish, or waste material shall be dumped on the spillways or flood plains of any natural streams or water courses, or on any area between the lower and upper banks of such streams or water courses, except on recommendation of the City Planning Commission and approval of the City Council after a public hearing and on a satisfactory showing that such dumping will not result in damage to other property within the City of Livonia and will not be injurious to the public health, safety, and welfare.

## Section 6.05 Performance Standards for Industrial Uses.

All uses permitted in either ML, M-1, or M-2 Districts shall comply with the following table of standards:

(1) **Automatic Screw Machines.** Where permitted in a district shall only be operated with noise silencers and only when located more than two hundred (200) feet from any residential zoned district.

(2) **Stamping Machines, Punch Presses, and Press Brakes.** When permitted in a district, no such machine shall be loaded beyond the capacity prescribed by the manufacturer. No such machine shall be operated less than two hundred (200) feet from any residential zoned district.

(3) **Hot Forgings, Steam, or Board Hammers.** No such machine shall be operated except in an M-2 District located more than one thousand (1,000) feet from any residential zoned district and when operations are located entirely within a masonry building on a suitably reinforced concrete mat or to solid rock and mounted on shock absorbers that reduce vibrations to a reasonable minimum.

(4) **Sound Level Limitations.** Noise decibels, as measured at the street or property line shall not exceed sixty-five (65) decibels in an ML District; seventy (70) decibels in an M-1 District; and seventy-five (75) decibels in an M-2 District. All noise shall be muffled so as not to become objectionable due to intermittence, beat frequency, or shrillness.

(5) **Smoke, Dust, Dirt, and Fly Ash.** Shall not exceed 0.3 grains per cubic foot of flue gas at stack temperature of 500 degrees Fahrenheit and not to exceed fifty (50) per cent excess air and shall not be so unclean, destructive, unhealthful, or hazardous as to be detrimental to the public health, safety, or welfare nor shall visibility be impaired by the emission of a haze which unduly impedes vision within apparent opaqueness equivalent to No. 1 of the Ringlemann Chart.

(6) **Glare and Heat.** Glare and heat from arc welding, acetylene torch cutting, or similar processes shall be performed so as not to be seen from any point beyond the outside of the property.

**(7) Sewage Wastes.**

A) No wastes shall be discharged in the public sewer system which is dangerous to the public health and safety.

B) Acidity or alkalinity shall be neutralized to a pH of 7.0 as a daily average on a volumetric basis, with a temporary variation of pH 5.0 to 10.0.

C) Wastes shall contain no Cyanides nor Halogens and shall contain no more than 10 parts per million (ppm) of the following gases: hydrogen sulfide, sulfur dioxide, and nitrous oxide.

D) Wastes shall not contain any insoluble substances in excess of 10,000 ppm or exceed a daily average of 500 ppm or fail to pass a No. 8 Standard Sieve, nor have a dimension greater than one-half (1/2) inch.

E) Wastes shall not have a chlorine demand greater than 15 ppm.

F) Wastes shall not contain phenols in excess of .005 ppm.

G) Wastes shall not contain any grease or oil or any oily substance in excess of 100 ppm or exceed a daily average of 25 ppm.

**(8) Radioactive Materials.** Radioactive materials shall not be emitted to exceed quantities established as safe by the U.S. Bureau of Standards, or as amended from time to time.

## Section 6.06 Special Flood Hazard Areas.

**(1) Application of Article.** All land lying within the Special Flood Hazard Area is subject to the regulations of this district in addition to the regulations otherwise established by the City of Livonia Zoning Map. The boundaries of the Special Flood Hazard Area shall coincide with the boundaries of the areas indicated as within the limits of the 100-year flood in the report entitled "The Flood Insurance Study, City of Livonia, Michigan," dated September 30, 2008, with accompanying Flood Insurance Rate Maps, effective February 2, 2012. The aforesaid Study and Maps are made part of this Article by reference, copies of which shall be maintained on file for public examination in the City Planning Department and the City Engineering Division.

**(2) Permitted Uses.** Notwithstanding any other provisions of this Ordinance, no building or structure shall be erected, converted, or structurally altered, and no land and/or structure shall be used in a Special Flood Hazard Area, except for one (1) or more of the following uses:

A) Gardening, horticulture, open recreational uses, such as parks, playgrounds, playfields, athletic fields, golf courses, bridle trails, and nature paths.

B) In the area above the Special Flood Hazard Area, uses permitted by the zoning district otherwise established for the lot, subject to regulations of such districts; provided, however, that the elevation of the lowest floor designed or intended for human habitation (including basement) shall be elevated to or above the elevation of the nearest point of the Special Flood Hazard Area Level unless an exception is granted pursuant to Chapter 15.36 of the Livonia Code of Ordinances.

C) In the area below the Special Flood Hazard Area Level, land may be used to supply open space or lot area requirements of a lot partially located beyond; provided, however, that no building or structure shall be located below the Special Flood Hazard Area Level except in conformance with Chapter 15.36 of the Livonia Code of Ordinances.

**(3) Accessory Uses.**

A) In the area above the Special Flood Hazard Area Level, accessory uses shall be regulated by the provisions of the zoning district within which such lot is otherwise located.

B) In the area below the Special Flood Hazard Area Level, off-street parking is permitted as a use accessory to a principal use beyond the Special Flood Hazard Area Level on the same lot. However, no building, structure, fence, or equipment other than boundary monuments is permitted below the Special Flood Hazard Area Level as an accessory use.

**(4) Dumping Prohibited; Exceptions.**

A) In the area below the Special Flood Hazard Area Level, dumping or backfilling with any material in any manner is prohibited, unless through compensating excavation and shaping of the flood plain, the flow and impoundment capacity of the flood plain will be maintained or improved.

B) In the area below the Special Flood Hazard Area Level, dumping or backfilling with any material in any manner is prohibited, unless no significantly measurable reduction in flow or impoundment capacity of the flood plain would thereby be caused; and further, that approval or a letter of no authority has been issued from the Michigan Department of Environment, Great Lakes and Energy under the authority of the floodplain regulatory provisions of Part 31 of Act 451 of 1994.

C) Below the Special Flood Hazard Area Level, the construction or location of bridges, outdoor play equipment, bleachers, and similar outdoor equipment and appurtenances is prohibited unless such elements would not cause any significant obstruction to the flow, or reduction in the impoundment capacity of the flood plain.

D) The foregoing exceptions shall be permitted only upon review by the City Planning Commission at a public hearing and on a showing that the above requirements are satisfied, and submission of findings to and approval by the City Council. To the extent applicable, the provisions set forth in *Section 11.13* of this Ordinance shall be complied with.

## Section 6.07 Outdoor Toilets.

No permanent building within the City of Livonia shall hereafter be erected, altered, or used for an outside toilet of any type unless approved lavatory facilities are installed and connected to a public sewer. This Section shall not be construed to prohibit temporary toilets on construction sites during period of construction or for temporary public gatherings.

# Article VII.
# Parking, Loading, and Access Management

## Section 7.01 Applicability.

The parking requirements of this Code must be met when one (1) or more of the following takes place.

**(1)** Any new building or structure.

**(2)** Commencement of use of any land.

**(3)** Any alterations to a building or structure which would require additional parking.

**(4)** Any alteration to the use of any building or structure or use of land which would require additional parking.

## Section 7.02 Access Management.

**(1)** **Standards for the Number of Nonresidential Driveways.** Access shall be provided for each site. Where feasible, access may be provided via a shared access driveway. Where it is not possible to provide shared access, access may be provided by a single driveway. One (1) additional driveway may be allowed for properties with a continuous frontage of over five hundred (500) feet and one (1) additional driveway for each additional two hundred fifty (250) feet of frontage. Uses requiring more than one driveway, detailed elsewhere in this Ordinance, are subject to those specific standards and the standard above will not apply. The City Council may determine additional driveways are justified due to the amount of traffic generated by the use without compromising traffic operations along the public street, based upon a traffic impact study submitted by the applicant.

**(2)** **Minimum Width.** Each ingress and/or egress driveway must have a minimum width of twenty (20) lineal feet and must be so designed so as to provide adequate turning and maneuvering for emergency and service vehicles.

**(3) Driveway Spacing Standards.**

A) **Between Driveways.** The minimum spacing between two (2) nonresidential driveways on the same side of the road shall be based upon posted speed limits along the parcel frontage. The minimum spacings indicated below are measured from centerline to centerline. For sites with insufficient road frontage to meet the driveway spacing standards below, the City Council may modify the spacing requirements.

| Posted Speed Limit (Mile Per Hour) | Minimum Driveway Spacing (Feet) |
|---|---|
| 30 | 155 |
| 35 | 185 |
| 40 | 225 |
| 45+ | 300 |

B) **Spacing from Intersections.** Minimum spacing requirements between a proposed nonresidential driveway and an intersection must be setback fifty (50) feet from the right of way. The City Council may modify the spacing standards.

**(4) Driveway Distance from Single-Family Residential Zone.** Each entrance and exit to and from any off-street parking lot located in a non-residential district must be at least twenty-five (25) feet from an adjacent residential use.

**(5) Modification of Standards for Special Situations.** During site plan review, the City Council shall have the authority to modify the standards of this Section upon consideration of the following:

A) The standards of this Section would prevent reasonable access to the site.

B) Access via a shared driveway or service/frontage road is not possible due to the presence of existing buildings or topographic conditions.

C) Roadway improvements (such as the addition of a traffic signal, center turn lane or bypass lane) will be made to improve overall traffic operations prior to project completion, or occupancy of the building.

D) The use involves the redesign of an existing development or a new use which will generate less traffic than the previous use.

E) The proposed location and design are supported by the Michigan Department of Transportation (MDOT) or Wayne County as an acceptable design under the existing site conditions. The City Council may also request the applicant provide a traffic impact study to support the requested access design.

F) Where there is a change in use or expansion at a site that does not comply with standards of this Ordinance, the City Council shall determine the amount of upgrade needed in consideration of the existing and expected traffic pattern and the capability to meet the standards of this Ordinance to the extent practical.

**(6) Traffic Impact Studies.** The City Council may require a traffic impact study (TIS) for all development proposals that it reviews. The TIS shall be accordance with and meet the standards of the City. The TIS shall be submitted by the developer or applicant to determine the potential future traffic conditions on adjacent roadways once a proposed development is finished. TIS shall predict the peak-hour operational conditions at site driveways and road intersections affected by the development. The results of the TIS shall be used in the final design of access points and internal circulation and may identify necessary off-site road improvements. At a minimum, the TIS shall meet standards as published by the Southeast Michigan Council of Governments (SEMCOG) and MDOT in the handbook titled Evaluating Traffic Impact Studies and shall be found acceptable by the City Council prior to being used.

## Section 7.03 Off-Street Parking Requirements.

In all zoning districts, off-street parking facilities for the storage or parking of self-propelled motor vehicles for the use of occupants, employees, and patrons of the buildings hereafter erected, altered or extended after the effective date of this Ordinance, shall be provided and maintained as herein prescribed.

**(1)** **Non-Residential.** Off-street parking for nonresidential uses shall be either on the same lot or within three hundred (300) feet of the building it is intended to serve, measured from the nearest public entrance to the building to the nearest point of the off-street parking lot, except as may be provided for by this Ordinance.

**(2)** **Off-Street Parking.** Off-street parking facilities for one- or two-family dwellings shall be located on the same lot or plot of ground as the building they are intended to serve. The location of required off-street parking facilities for other than one- and two-family dwellings shall be within three hundred (300) feet of the building they are intended to serve, measured from the nearest point of the off-street parking facilities and the nearest point of the building. Such facilities for multiple dwelling, commercial and professional uses, in order to ensure their use as a parking area for the building they are intended to serve, shall be located in a convenient and conspicuous position with reference to such building. For this purpose, the area to the rear of the building shall be considered as satisfying this requirement only when the building is to have a heavily used public entrance in the rear.

**(3)** **Existing Parking.** Off-street parking existing at the effective date of this Ordinance, in connection with the operation of an existing building or use, shall not be reduced in size to an amount less than hereinafter required for a similar new building or new use.

**(4)** **Parking Deferment.** Where the property owner can demonstrate or the City Council finds that the required number of parking spaces is excessive and the proposed parking will meet the demand for the proposed use, the City Council may, as a condition of site plan approval, permit up to twenty-five (25) percent of the total number of required parking spaces to be reserved for future consideration (i.e., “banked”), subject to the following:

A) The consequent reduction in off-street parking provided will not impair the functioning of the subject development or have a negative effect on traffic flow or parking on and/or adjacent to the site.

B) That a reserved area be shown on the site plan of sufficient size to meet the parking space, circulation, and maneuvering requirements of this Article, including dimensions and dotted parking lot layout. The reserved area shall be retained as open space. The reserved area designated as deferred parking shall be on the same lot as the principal use.

C) The reserved area shall not be within a required parking setback, landscape area, or greenbelt.

D) A written legal agreement, provided by the applicant, which has been approved by the City attorney, shall include provisions to construct the deferred parking and the agreement shall be referenced on the site plan.

E) The applicant shall agree in writing to install such “banked” parking within 180 days of a City Council resolution in which it is determined that such additional parking is needed.

F) The Department of Inspection may require posting of a performance guarantee to cover the estimated construction cost of the deferred parking with a refund in two (2) years if the additional parking is not found to be necessary.

**(5)** **Maximum Parking Allowable.** In order to minimize excessive areas of pavement which depreciate aesthetic standards and contribute to higher rates of storm water runoff and higher micro temperatures, exceeding the minimum parking space requirements of *Section 7.05* by greater than twenty percent (20%) is prohibited, except as approved by the City Council. In its request for additional parking spaces, the applicant must submit a parking study to the City Council demonstrating that additional parking spaces are needed based on the nature of the use and/or peak times thereof. In determining whether to grant additional parking spaces, the City Council shall also consult the most recent edition of Parking Generation, published by the Institute of Traffic Engineers (ITE), or another acceptable standard.

**(6)** **Minimum Parking Required.** The minimum number of off-street parking spaces by type of use shall be determined in accordance with the schedule contained in *Section 7.05* herein; however, the City Council may modify the numerical requirements for off-street parking based on evidence that another standard would be more reasonable based on the level of current or future employment and/or level of current or future customer traffic. In determining whether to permit fewer parking spaces, the City Council shall consult the most recent edition of Parking Generation, published by the Institute of Traffic Engineers (ITE), or another acceptable standard.

**(7)** **Snow Storage.** An area equivalent to ten percent (10%) of the required parking stall area must be provided for snow storage. The snow storage area must be landscaped and if the parking lot is bounded by a fence, the snow storage area must be located on the parking lot side of that fence. The snow storage area may be located in a landscape area required in *Article VIII* or in a storm water management area, subject to approval by the City.

**(8)** **Carports and Garages.** Carports and garages in multiple-family dwelling developments shall have a maximum height of fourteen (14) feet, measured from the grade to the peak of the structure. Carports shall be at least partially screened on any side facing a public or internal street or drive unless the side is used for entrance and exit.

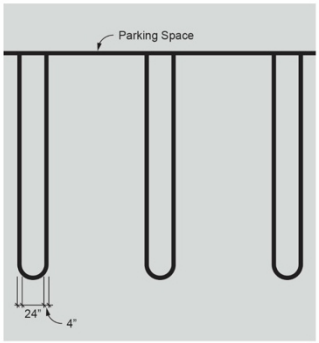
**(9)** **Changes in Use.** Should the use of the land or building change, the parking shall be provided based on the new use(s). For example, purposes only, should an approved elderly housing facility for independent or dependent living are converted to general occupancy, the parking shall be provided based on the requirements for multiple-family dwellings.

**(10)** **Parking Measurement Standard.** When units of measurement determining the number of required parking spaces result in the requirement of a fractional space, any fraction up to and including one-half (½) shall be disregarded and fractions over one-half (½) shall require one (1) parking space.

**(11)** **Parking Calculation Standard – Floor Area.** For the purpose of this Ordinance, "Floor Area," in the case of offices, merchandising or service types of uses, shall mean the gross floor area used or intended to be used for services to the public as customers, patrons, clients or patients or as tenants, including areas occupied for fixtures and equipment used for display or sale of merchandise.

**(12)** **Parking Standard – Employee Based.** For the purpose of computing the number of parking spaces required based on the number or employees, the parking shall be calculated based on the number of employees likely to be on the premise during the peak shift.

**(13)** **Double Striping.** All parking spaces shall be clearly marked by the use of double striping. Except for parallel parking, all parking spaces shall be clearly striped with four (4) inch wide double lines, twenty-four (24) inches apart, to facilitate movement and to help maintain an orderly parking arrangement. See image below.




**Double Striped Parking**

**(14) Required Parking for Uses Not Provided.** In the case of a use not specifically provided for herein, the City Council shall determine the off-street parking requirements for such use based on the most recent edition of Parking Generation, published by the Institute of Traffic Engineers (ITE), or another acceptable standard applicable for that use or a similar use.

## Section 7.04 Off-Street Parking Space Layout Standards.

Whenever the building of an off-street parking facility is required, such off-street parking lots shall be laid out, constructed and maintained in accordance with the following standards and regulations.

**(1) Dimensional Layout.** Plans for the layout of off-street parking facilities shall be in accordance with the following minimum requirements:

| Angle (In Degrees) | Min. Stall Length | Min. Stall Width | Min. Maneuvering Lane Width | |
|---|---|---|---|---|
| | | | One-way | Two-way |
| 0 (parallel) | 20 feet | 10 feet | 12 feet | - |
| 30-53 | 20 feet | 10 feet | 15 feet | - |
| 54-74 | 20 feet | 10 feet | 18 feet | - |
| 75-90 | 20 feet | 10 feet | 12 feet | 24 feet |

**(2) Shorter Parking Stall Length**. The requirements for parking stall length may be reduced by two (2) feet where 90-degree parking abuts a sidewalk, other pavement, or sodded area at the front of the stalls provided such pavement or sidewalk measures a minimum of eight (8) feet in width, or at least two (2) additional feet of landscaped area are provided. This is to account for the vehicle overhang.

**(3) Maneuvering Lane Access.** All spaces must be provided adequate access by means of maneuvering lanes. Backing directly onto a street or requiring the use of a street for a maneuvering lane is prohibited. Parking spaces must be clearly identified and marked with durable striping to distinguish the boundaries of the maneuvering lane and parking stalls.

**(4) Modifications.** Where site constraints limit the ability to meet the requirements of this Section, the City Council may approve ~~deficient~~ modifications to the parking space and maneuvering lane dimensions as part of Site Plan Review, except in no case shall parking stalls be less than nine (9) feet in width or eighteen (18) feet in length. For general and professional office centers that contain a minimum gross floor area of 15,000 square feet, the City Council may, upon the review and approval of a site plan by the City Planning Commission, allow up to ninety (90) percent of the required off-street parking spaces (exclusive of the required number of handicap parking spaces) to be nine (9) feet in width and one-hundred eighty (180) square feet in area. Such spaces shall be used primarily by the employees of the office center and shall be referred to in this ordinance as "designated employee parking spaces." In order to provide an adequate number of visitor and customer spaces for such office centers, no less than ten (10) percent of the total number of required parking spaces (exclusive of the required number of handicap parking spaces) shall be ten (10) feet in width and two hundred (200) square feet in area and shall be clearly marked and situated in close proximity to the building entrance(s).

## Section 7.05 Minimum Number of Parking Spaces Required.

| USE | PARKING REQUIRED |
|---|---|
| **AGRICULTURAL USES** | |
| Gardening and tree nurseries | One (1) parking space for each 500 sq. ft. of retail space |
| Nurseries, including sale of garden supplies | One (1) parking space for each 500 sq. ft. of retail space |
| **RESIDENTIAL USES** | |
| Accessory residential use for apartments | One (1) parking space per additional dwelling unit. |
| Bed and breakfast establishments | One (1) parking space per bedroom. |
| Boarding, rooming and lodging houses or tourist homes | One (1) parking space for each one (1) guest bedroom. |
| Condominium multiple dwellings | Two (2) parking spaces for each unit with one (1) and two (2) bedrooms and two and one-half (2½) spaces for each unit with three (3) or more bedrooms. |
| Family child care home | One (1) parking space per 250 sq. ft. of floor area. |
| Home occupations | Two (2) parking spaces |
| Housing for the elderly | One (1) parking space for each bed, plus one (1) space for each staff or visiting doctor, plus one (1) space for each employee including nurses. |
| Multiple dwellings and apartment houses | Two (2) parking spaces for each unit with one (1) and two (2) bedrooms and two and one-half (2½) spaces for each unit with three (3) or more bedrooms. |
| One-family dwellings | Two (2) parking spaces for each dwelling unit. |
| Residential homes for mentally or physically handicapped persons | One (1) parking space per bedroom. |
| Two family dwellings | Two (2) parking spaces for each dwelling unit. |
| **MEDICAL USES** | |
| Blood and plasma donation centers | One (1) parking space per two hundred (200) square feet of gross floor area and one (1) per employee on peak shift. |
| Hospitals | One (1) parking space per two (2) beds plus two (2) parking spaces per three (3) employees on the largest working shift. |
| Kidney transfusion centers | One (1) parking space per two hundred (200) square feet of gross floor area and one (1) parking space per employee on peak shift. |
| Medicine, osteopathy and dentistry (excluding veterinary clinics) | One (1) parking space for each one hundred ten (110) square feet of floor area. |
| Optometry and chiropractic | One (1) parking space for each one hundred ten (110) square feet of floor area. |
| Orthopedic and medical supply stores, but not including assembly or manufacture of such articles | One (1) parking space for each two hundred fifty (250) square feet of floor area. |
| Physical therapy and health services (not including massage establishments and public baths) | One (1) parking space for each one hundred fifty (150) square feet of floor area. |
| Psychology and podiatry | One (1) parking space for each two hundred (200) square feet of floor area. |
| Veterinary clinics, animal clinics and animal hospitals | One (1) parking space for each two hundred (200) square feet of floor area. |
| **PUBLIC & QUASI-PUBLIC USES** | |
| Clubs, lodges, and meeting halls, fraternal and religious | One (1) parking space for every 50 square feet of gross assembly. |

| USE | PARKING REQUIRED |
|---|---|
| Cultural service buildings, such as publicly owned museums, art galleries and libraries | One (1) parking space per three hundred thirty-three (333) square feet of floor area. |
| Educational uses | One (1) parking space for each employee (including teachers and administrators) plus sufficient off-street space for the safe and convenient loading and unloading of students. |
| Licensed and certified publicly or privately-owned facilities for the detention, incarceration, commitment and/or rehabilitation of adults or minor children and psychiatric hospitals | One (1) parking space for each bed, plus one (1) space for each staff or visiting doctor, plus one (1) space for each employee including nurses. |
| Local and suburban passenger terminals; trucking transportation terminals including maintenance and service facilities | One (1) parking space per 500 sq. ft. |
| Privately owned and operated recreational uses | Off-street parking facilities shall be provided on the premises to accommodate one third (1/3) of the total member families and/or individual members of the organization. |
| Radio and television towers and broadcasting studios | One (1) parking space for each employee on the largest working shift. |
| Religious Institutions | One (1) parking space for each three (3) seats in the main assembly unit. |
| Schools - music, dance or business | One (1) parking space for each employee (including teachers and administrators) plus sufficient off-street space for the safe and convenient loading and unloading of students. |
| Schools including, but not limited to dance, music and instrumental, and business/ training | One (1) parking space for each employee (including teachers and administrators) plus sufficient off-street space for the safe and convenient loading and unloading of students. |
| Universities, colleges, private colleges, including ancillary uses and facilities | One (1) parking space per thirty (30) square feet of classrooms, labs, or other instructional floor area, plus one (1) parking space per two hundred fifty (250) square feet of office or administrative floor area. |
| **COMMERCIAL & RETAIL USES** | |
| Adult businesses | One (1) parking space for each one hundred fifty (150) square feet of floor area. |
| Ambulance services, local and suburban bus terminal and taxicab terminals | One (1) parking space for each employee on the largest working shift. |
| Artisan, craftsman, printing and engraving shops other similar uses | One (1) parking space for each employee computed on the basis of the greatest number of persons to be employed at any one period during the day or night. |
| Automobile and light truck (one (1) ton gross vehicle weight) repair | Two (2) parking spaces for each repair bay plus one (1) for each employee. |
| Auto-wash establishments and auto-wash establishments operated with accessory gasoline pumps | At least twenty (20) parking spaces |
| Bakeries | One (1) parking space per one hundred seventy-five (175) square feet of floor area. |
| Banks and savings and loans associations | One (1) parking space for each one hundred fifty (150) square feet of floor space, plus one (1) space for each employee computed on the basis of the greatest number of persons to be employed at any one time. |
| Planned commercial or shopping centers, or buildings (single or multi-unit) for the purpose of retail sales and which contain a GFA of 30,000 square feet or more | One (1) parking space for each two hundred fifty (250) square feet gross leasable area (GLA) not including full service restaurants, plus one (1) parking space for every seventy-five (75) square feet of gross floor area devoted to full service restaurants. |

| USE | PARKING REQUIRED |
|---|---|
| Brewer, micro brewer, brewpub, and distilleries | One (1) parking space for each three hundred (300) square feet of floor area. |
| Catering establishments | One (1) parking space for every 3 persons, based on maximum capacity |
| Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis | One (1) parking space for each one thousand (1,000) square feet of floor space. |
| Convalescent and nursing homes | One (1) parking space for each three (3) beds, plus one (1) space for each staff or visiting doctor, plus one (1) space for each employee including nurses. |
| Dance halls and ballrooms | One (1) parking space for each fifty (50) square feet of floor area used for dancing or assembly. |
| Day care nurseries | One (1) parking space per 250 sq. ft. of floor area. |
| Dog kennels | One (1) parking space per 4 stalls |
| Drive-in restaurants and restaurants with either drive-thru or drive-up window facilities; including food trucks | One (1) parking space for each one hundred twenty-five (125) square feet of floor area, plus one (1) parking space for each three (3) outside patio seating spaces, plus one (1) parking space for each employee. |
| Establishments having liquor licenses such as Class C, tavern, and club | One (1) parking space for each three hundred (300) square feet of floor area. |
| Full-service restaurants with or without outdoor dining areas | One (1) parking space for each two (2) interior seating spaces to be provided within the proposed establishment, plus one (1) parking space for each three (3) outside patio seating spaces, plus one (1) parking space for each employee. |
| Funeral homes and undertaking establishments | One (1) parking space for each fifty (50) square feet of floor space in the parlors or individual funeral service rooms with a minimum of seventy-five (75) parking spaces. |
| Garages, repair shops, rustproofing and similar highway services | Two (2) parking spaces for each repair bay plus one (1) for each employee. |
| Gasoline service station | One (1) parking space for fueling pump |
| Golf courses but not including miniature golf courses or golf driving ranges | Three (3) parking spaces per hole plus one (1) parking space per three (3) seats of the dining facilities. |
| General offices | One (1) parking space for each two hundred (200) square feet of floor area. |
| Hotels | One (1) parking space for each guest room, plus one (1) additional space for each employee. |
| Indoor recreational uses | One (1) parking space per two hundred (200) square feet of floor area. |
| Laundry and dry-cleaning establishments | One (1) parking space per two (2) washing and drying machines. |
| Limited service and carry-out restaurants with or without outdoor dining areas | One (1) parking space for each one hundred (100) square feet of floor area, plus one (1) parking space for each three (3) outside patio seating spaces, plus one (1) parking space for each employee. |
| Massage establishments | One (1) parking space for each one hundred fifty (150) square feet of floor area. |

| USE | PARKING REQUIRED |
|---|---|
| Motels | One (1) parking space for each guest or sleeping room in a tourist home; one (1) parking space for each rental unit in a motel; plus one (1) additional space in each case for the owner or manager and for each employee. |
| Museums | One (1) parking space per three hundred thirty-three (333) square feet of floor area. |
| Music, dance, or business academies | One (1) per three (3) persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes. |
| New and used car lots and showrooms, new or used mobile home sales and automobile rental facilities | One (1) parking space for every two hundred (200) square feet of use area. |
| Paint shops | One (1) parking space per service stall. |
| Pawn shops | One (1) parking space for each one hundred fifty (150) square feet of floor space. |
| Payday lenders | One (1) parking space for each one hundred fifty (150) square feet of floor space. |
| Personal service establishments | One (1) parking space for each five hundred (500) square feet of floor space. |
| Photographic studios | One (1) parking space for each one hundred fifty (150) square feet of floor space. |
| Professional offices | One (1) parking space for each two hundred (200) square feet of floor area. |
| Retail sales | One (1) parking space for each one hundred fifty (150) square feet of floor space. |
| S.D.D. and S.D.M. licenses | One (1) parking space for each three hundred (300) square feet of floor area. |
| Second-hand stores and rummage shops | One (1) parking space for each one hundred fifty (150) square feet of floor space. |
| Wholesale business uses | One (1) parking space for each five hundred (500) square feet of floor space. |
| **INDUSTRIAL USES** | |
| Bulk storage of refined petroleum products | One (1) parking space for each employee computed on the basis of the greatest number of persons to be employed at any one period during the day or night. |
| Data processing and computer centers, including sales, service and maintenance of electronic data processing equipment | One (1) parking space for each four hundred (400) square feet of floor space. |
| Establishments for the distribution of, or the packaging, assembling, secondary processing, alteration or repair | Five (5) parking spaces, plus one (1) per 1,500 square feet of floor area plus one (1) per 350 useable square feet of office, sales or similar space plus one (1) per truck or company vehicle operating from the premises. |
| Experimental product development and testing including limited manufacturing | Five (5) parking spaces plus one (1) per 250 square feet gross floor area plus one (1) per each employee at peak shift. |
| Heavy manufacturing and general industrial plants | One (1) parking space for each employee computed on the basis of the greatest number of persons to be employed at any one period during the day or night. |
| Industrial, scientific, or business research development and testing laboratories and offices | One (1) parking space for each employee computed on the basis of the greatest number of persons to be employed at any one period during the day or night. |

| USE | PARKING REQUIRED |
|---|---|
| Industrial plants manufacturing, processing or assembling | One (1) parking space for each employee computed on the basis of the greatest number of persons to be employed at any one period during the day or night. |
| Steel fabricators, truck terminals, truck and trailer rental facilities, and special trade contractors | One (1) parking space per five hundred (500) square feet of use area. |
| Tool and die shops and pattern making shops | One (1) parking space per five hundred (500) square feet of use area. |
| Warehouses | One (1) parking space for each employee computed on the basis of the greatest number of persons to be employed at any one period during the day or night. |

## Section 7.06 Barrier-Free Parking Required.

Each parking lot that services a building entrance, except single- or two-family residential or temporary structures, shall provide parking spaces for the physically handicapped which shall be located as close as possible to walkways and entrances. All parking lots shall be designed in conformance with Michigan State Act No. 1 of the Public Acts of 1966 as amended, and the Americans with Disabilities Act, as summarized in the Table below.

| Total Spaces Required | Barrier-Free Spaces Required |
|---|---|
| 1-25 Spaces | 1 Space |
| 25-50 | 2 Spaces |
| 51-75 | 3 Spaces |
| 76-100 | 4 Spaces |
| 101-150 | 5 Spaces |
| 151-200 | 6 Spaces |
| 201-300 | 7 Spaces |
| 301-400 | 8 Spaces |
| 401-500 | 9 Spaces |
| 501-1,000 | 2% of total |
| Greater than 1,000 | 20, plus one (1) for each 100 spaces over 1,000 |

## Section 7.07 Parking and Loading for Multiple Uses and Joint Use.

The parking and loading regulations for any premises in multiple usages must be the sum of the minimum requirements for the individual uses on the premises.

In order to meet the minimum amount of required off-street parking spaces for a given use, application must be made to the City Council for the right to engage in the joint use of owned parking spaces. Prior to approving the joint use of parking spaces to meet the minimum amount of required off-street parking for a given use in a given zoning district, the City Council must verify by a preponderance of the evidence that each of the following statements are true:

**(1)** The commercial enterprises, industrial establishments, residential uses, places of public assembly, and religious institutions engaged in the joint use of off-street parking spaces are unlikely to have a need for the joint parking spaces at overlapping times.

**(2)** The parking spaces designated for joint use comprise less than seventy-five percent (75%) of the applicant's minimum required off-street parking spaces.

**(3)** The parking spaces designated for joint use are within five hundred (500) lineal feet of the applicant's most appropriate entrance.

**(4)** Written contracts, in the form of cross-access agreements, between the applicant and the owner/operator of the parking spaces approve this joint use.

**(5)** There must be adequate pedestrian access provided between the shared parking lot and the associated buildings and uses.

## Section 7.08 Off-Street Loading Space.

On the same premises with every building structure, or part thereof, erected and occupied for manufacturing, storage, warehouse purposes, department store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning, or other uses similarly involving the receipt or distribution of vehicles or materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading services in order to avoid undue interferences with public use of the streets or alleys. Such space shall be provided as follows:

| TOTAL FLOOR AREA OF THE BUILDING | OFF-STREET LOADING SPACE REQUIREMENTS |
|---|---|
| **Office Use** | |
| 0 - 10,000 square feet | One (1) usable loading space 10 ft. x 25 ft. in area |
| 10,001 - 50,000 square feet | One (1) usable loading spaces 10 ft. x 50 ft. in area |
| Over 50,000 square feet | Two (2) usable loading spaces 10 ft. x 50 ft. in area |
| **Commercial and Industrial uses** | |
| 0 - 1,400 square feet | One (1) usable loading 10 ft. x 25 ft. in area |
| 1,401 - 20,000 square feet | One (1) usable loading space 10 ft. x 50 ft. in area |
| 20,001 - 50,000 square feet | Two (2) usable loading spaces each 10 ft. x 50 ft. in area |
| Over 50,000 square feet | Three (3) usable loading spaces plus one (1) space for each fifty thousand (50,000) square feet in excess of fifty thousand (50,000) square feet each 10' x 50' in area |

**(1)** All loading spaces shall be in addition to the off-street parking area access drive and maneuvering lane requirements.

**(2)** Off-street loading space shall have a clearance of fourteen (14) feet in height.

**(3)** Off-street loading space may be completely enclosed within a building or may occupy a portion of the site outside of the building, provided that where any portion of a loading space is open to public view from a public way, the space shall be screened in accordance with *Article VIII*.

**(4)** All loading and unloading in an industrial district shall be provided off-street in the rear yard or interior side yard and shall in no instance be permitted in a front yard. In those instances where exterior side yards have a common relationship with an industrial district across a public thoroughfare, loading and unloading may take place in the exterior side yard when the setback is equal to at least fifty (50) feet.

## Section 7.09 Parking structures.

**(1)** **Districts Permitted.** Parking structures are subject to the following standards and are treated as a permitted use in the P-L and M-2 Districts and as a waiver use in the C-2, C-3, C-4, ML, M-1, and P Districts.

**(2)** **Maximum Height.** The height of any parking structure shall not exceed the maximum height of the district in which it is located.

**(3)** **Location.** Parking structures shall not be located in the Front Yard. No parking space within a parking structure may be closer to the street than the front face of the principal building.

**(4)** **Traffic Circulation.** Traffic circulation shall be designed so that no automobile need enter a public street in order to progress from one aisle to another within the same structure and so that no automobile need enter a public street backwards in order to leave the structure. Clear signs or pavement markings shall be provided to indicate traffic circulation.

**(5)** **Screening.** Parking structures shall be designed to screen vehicles and light trespass onto adjacent properties.

**(6)** **Architectural Standards.**

A) The design of all parking structures should be more than just a rectangular utilitarian box composed of concrete or steel beams and columns. Variation in forms and detail along with high quality facing materials are required where viewable by the general public.

B) Exterior elevations shall incorporate design components and materials utilized and compatible with the primary building(s). The incorporation of brick, stone, and precast concrete are preferred choices.

C) Floors shall be designed horizontally to support adaptive reuse of the structure.

**(7)** **Exemptions.** Parking structures are not required to have interior landscape islands as required in Section 8.03 Section 8.03(2)(Section 8.03(2)B)).

## Section 7.10 Surfacing and Drainage.

**(1)** **Hard Surfacing.** All parking areas, regardless of size, must be hard surfaced. Pavement type and thickness must be approved by the City Engineer prior to construction, taking into consideration soil conditions and traffic loadings.

**(2)** **Storm Water Management.** Storm water runoff created as a result of the improvements to the parking area must be controlled in such a manner so as to reduce and/or eliminate draining onto neighboring properties. To reduce storm water runoff, developers shall consider using permeable, pervious pavements wherever feasible. Improved parking areas may be incorporated into the storm water management plan for the proposed project. Site grading as well as storm water control provisions must be reviewed and approved by the City Engineer prior to site construction.

**(3)** **Maintenance.** All off-street parking areas shall be continually maintained in satisfactory condition so as to be safe, attractive, and free of any hazard, nuisance, or other unsafe condition.

## Section 7.11 Curb.

Except for those parking areas serving a single- and two-family dwelling unit, concrete curbs, sidewalks, and other items as necessary for the protection of the public and adjoining properties must be provided and maintained around all parking areas, including where parking spaces abut landscaping, property lines, or required setback areas. The City Council may approve an alternative design when opportunity exists to substantially improve the water quality of the site. In all cases where parking lots abut public sidewalks, a concrete curb at least six (6) inches high must be installed so that a motor vehicle cannot be driven or parked within two (2) feet of a public sidewalk.

## Section 7.12 Approval.

Plans for the development of any such parking area must be approved by the City Council before construction is started. No such land shall be used for parking purposes until approved by the Department of Inspection.

## Section 7.13 Off-Street Parking: Study and Report.

The City Council shall routinely make studies of the various areas in the City of Livonia for the purpose of determining areas within which there is need for the establishment of off-street parking facilities to be provided by the City of Livonia and to be financed wholly or in part by a special assessment district, or by other means, where such need is found. This study and report shall include recommendations on the site, location and other pertinent features of the proposed off-street parking facilities and the area they should be intended to serve. Wherever, pursuant to such recommendations, the City Council shall establish off-street parking facilities by means of a special assessment district or by any other means, it may also determine, upon completion and acceptance of such off-street parking facilities by the City, all existing buildings and uses and all buildings erected or uses established thereafter within the special assessment district, or districts which shall be exempt from the requirements of this section for privately supplied off-street parking facilities.

## Section 7.14 Illegal Parking of Motor Vehicles; Tickets; Towing of Motor Vehicles.

**(1)** It shall be unlawful for any motor vehicle which is abandoned, unlicensed, wrecked, inoperative, in a state of major disassembly, disrepair, or in the process of being stripped or dismantled, to be parked on any private property unless the same is completely enclosed within a garage or other suitable building or structure. A vehicle of any type shall not at any time undergo major overhaul, including body work, in any residential district.

**(2)** For the purpose of this section, a vehicle of any kind, as described in paragraph (1) of this section, or any unlicensed vehicle, shall be deemed abandoned when it has remained parked, stored, or left or been permitted to be parked, stored, or left on private property for a period of forty-eight (48) continuous hours or more. Provided, however, that this section shall not be applicable where a vehicle is being stored, used, or repaired, in connection with the following designated uses:

A) The repair and service facilities of a new and used automobile dealership or a new and used truck dealership when owned and operated in conjunction therewith by the same proprietor and located on the same property.

B) Garage, repair shops, and similar highway services.

**(3)** The officer authorized to enforce the provisions of this Zoning Ordinance, may in his or her discretion remove, cause to be removed, or tow away under his or her direction, any such motor vehicle which is flagrantly, continuously or persistently violating the provisions of the Zoning Ordinance relating to the parking of motor vehicles on private property. Any such motor vehicle thus removed or towed away shall be taken to the City automobile or motor vehicle pound or to a privately owned garage and kept under the custody or control of the officer or person in charge thereof; provided, however, that any such removal or towing shall be at the risk of the owner of said vehicle, and provided further that the disposition of said vehicle after removal shall be in accordance with the provisions set forth in Sections 10.21.210-10.21.260 of the Livonia Code of Ordinances, as amended, which provisions are made a part hereof and incorporated herein by reference.

**(4)** In any prosecution or proceeding under this section, the registration plate displayed on a motor vehicle shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked such vehicle at the place where such violation occurred. Whenever the owner or operator of any such motor vehicle is convicted of violating any of the provisions of said Ordinance pertaining to the parking of motor vehicles on private property, such violation shall be deemed to be a misdemeanor and shall be subject to all the penalties set forth in this Zoning Ordinance

## Section 7.15 Electric Vehicle (EV) Charging Stations or Ports

**(1)** **Accessory Use.** Electric Vehicle (EV) Charging Stations or Ports, when treated as an accessory use, shall be allowed in all zoning districts, subject to the review and approval of the Department of Inspection and the following:

A) **Size and Signage.**

i) **Commercial.** On commercial properties, all above-ground equipment associated with an EV Charging Station or Port shall be limited to a height of eight (8) feet and a width of four (4) feet, including any sign that is a part of or attached to the equipment, which sign shall not exceed two (2) square feet in area; provided, however, that in the case of an EV Charging Station that has a setback of one-hundred (100) feet or more from any public place, including any public right-of-way, the area of the sign shall be a maximum of ten (10) square feet. The use of neon-type or LED lighting around the frame, perimeter or any part of the EV Charging Station is strictly prohibited.

ii) **Single-Family.** On single-family lots, any equipment used in connection with an EV Charging Station located in a front or side yard shall be limited to a height of four (4) feet. In a rear yard, all EV Charging equipment shall be limited to a height of six (6) feet.

B) **Setbacks and Pedestrian Walkways.**

i) **Commercial.** No EV Charging Station shall be located closer than ten (10) feet from any public right-of-way, and no EV Charging Station shall be located within any part of a public right-of-way without the prior written approval of the authority having jurisdiction over the right-of-way. EV Charging Stations shall not encroach upon or inhibit the use of pedestrian walkways.

ii) **Single-Family.** EV Charging equipment on single-family lots shall not be located in any required front, side, or rear yard setback.

C) **Landscaping and Protection.** On commercial properties, any landscaping that must be removed for the installation of an EV Charging Station shall be replaced in the same general area as where it was removed. Adequate spacing or protection shall be provided around or adjacent to the EV Charging Station, such as steel or concrete-filled bollards.

D) **Coverings.** All structural or non-structural canopies, coverings, overhangs or structures designed to fully or partially enclose or protect an EV Charging Station shall comply with the height, area and setback requirements of the zoning district in which the EV Charging Station is located. Such coverings or structures in any commercial zoning district shall first require approval of a site plan pursuant to *Section 11.13(12)*.

E) **Residential.** In residential zoning districts, use of EV Charging Stations shall be limited to the owners, occupants or visitors of the property, and there shall be no remuneration or compensation charged for the services.

F) **Limitation.** In nonresidential zoning districts, no more than fifteen (15%) percent of the required number of parking spaces shall be dedicated EV Charging Stations unless an exception is granted by the Department of Inspection.

**(2)** **Principal Use.** Electric Vehicle (EV) Charging Stations or Ports as a principal use of the property, shall be treated as a waiver use limited to C-2 and C-3 zoning districts and subject to review and submission of findings by the City Planning Commission and approval by the City Council pursuant to *Section 4.26*.

## Section 7.16 Limitation of the Use.

**(1)** Parking areas shall be used for parking of private passenger vehicles only.

**(2)** Parking may be with or without charge.

**(3)** No business involving the repair or services to vehicles permitted thereon or sale, or other storage, or display thereof, shall be conducted from or upon such premises.

# Article VIII.
# Landscaping and Screening

## Section 8.01 Applicability.

The requirements set forth in this Section shall apply to all uses, lots, site, and parcels for which Site Plan Review is required and which are developed or expanded following the effective date of this Ordinance. No site plan shall be approved unless that site plan shows landscaping and screening consistent with the provisions of this Section. Furthermore, where landscaping and screening ~~is~~ are required, a Building Permit shall not be issued until the required landscape plan is submitted and approved and a Certificate of Occupancy shall not be issued unless provisions set forth in this Article have been met or a performance guarantee has been provided.

In cases where the use of an existing building changes or an existing building is altered or re-occupied, all of the standards of this Article shall be met.

The requirements of this Article are minimum requirements, and nothing in this Article shall preclude a developer and the City from agreeing to more extensive landscaping.

## Section 8.02 Landscape Plan Requirements.

The Landscaping Plan must be drawn at a reasonable scale to indicate all types of proposed landscape improvements at a minimum of one-inch equals thirty feet (1" = 30') and must include at least the following information:

**(1)** North arrow and scale;

**(2)** Name of the project applicant/owner;

**(3)** Name, address and phone number of the person or firm responsible for the preparation of the Landscaping Plan;

**(4)** Signed and sealed landscape architect stamp;

**(5)** Dates on which the plan was submitted or revised;

**(6)** All existing and proposed buildings and other structures, paved areas, planted areas, fencing, walls, water outlets, utility poles, fire hydrants, luminaires, underground utilities, signs, fences, dumpster locations, and other permanent features to be added to or retained on the site;

**(7)** All existing plant material to be removed or retained and all proposed additions or changes to landscaping, buffering, and walkways, illustrating existing natural land features including, but not limited to: trees, forest cover, and water resources (Water resources include ponds, lakes, streams, wetlands, flood plains, and drainage ditches and retention areas, rivers, and any other body of water or waterway);

**(8)** A schedule of all new landscaping materials to be installed. The plant list must include the common name, specified installation size, and on-center planting dimensions when applicable. When the list of plant material to be removed contains existing trees, the Landscaping Plan must justify that building location and placement has been developed with due consideration given to minimizing removal of trees. Quantities of plant material required shall be referenced on the plan;

**(9)** All property lines and easements;

**(10)** Details must be shown for the planting of trees, shrubs and ground cover within the buffered or landscaped area;

**(11)** Proposed irrigation fixtures shall also be shown, including, but not limited to the location and type of all sprinkler heads, the size of mainline and irrigation piping, the location and size of water meters and all valves, and the location of back flow prevention devices and irrigation controllers;

**(12)** Location and description of any and all storm water management or low impact development techniques used in site design (i.e., rain gardens, detention/retention ponds, filter strips, etc.); and

**(13)** Any other information which is determined necessary by the Planning Director or City Council for adequate review of the proposal.

## Section 8.03 Landscaping Design Requirements.

The following requirements must be satisfied by all projects set forth by Section 8.01 above. The following requirements must be detailed on a Landscaping Plan pursuant to Section 8.02 above. Existing landscaping or natural vegetation, as shown on a Landscaping Plan and that are in satisfactory condition, may be used to meet the standards and satisfy the requirements below in whole or in part, if protected and maintained during the construction phase of the development.

**(1)** **Frontage Landscaping.** Where the site abuts a public road right-of-way, the following frontage landscaping shall be provided in the front yard area adjacent to the road right-of-way (see Example of Frontage Landscaping below):

| Type of Landscaping | Minimum Required Landscaping |
|---|---|
| Deciduous or Evergreen Tree | 1 per 40 linear feet of road frontage or fraction thereof |
| Ornamental (Flowering) Tree | 1 per 100 linear feet of road frontage or fraction thereof |
| Shrubs | 8 per 40 linear feet of road frontage or fraction thereof |

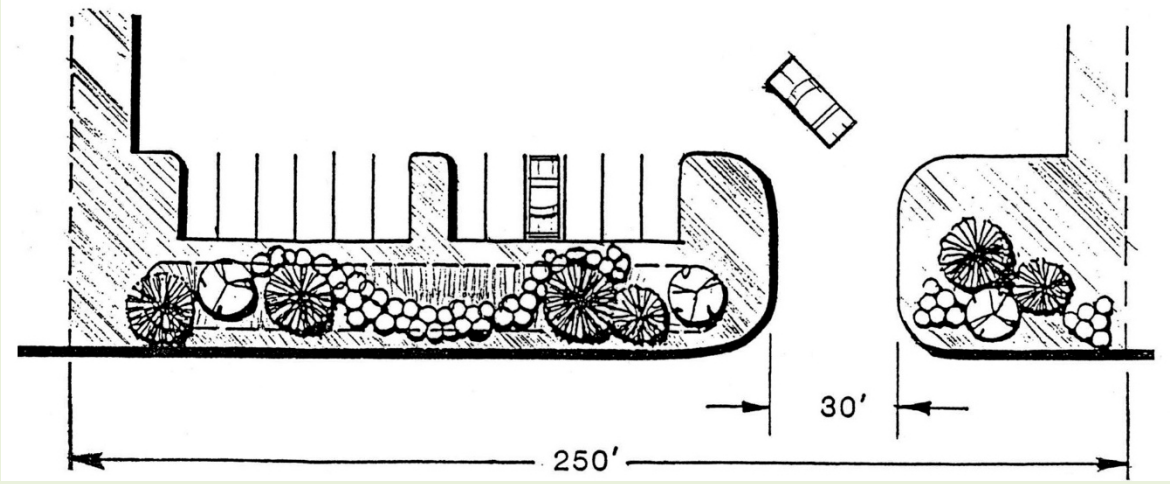
The depth of the frontage landscaping area shall be sufficient to contain the required landscaping and ensure the survivability of plant material. For the purposes of computing length of road frontage, openings for driveways and sidewalks shall not be counted. Trees and shrubs may be planted at uniform intervals, at random, or in groupings. However, the City Council or Planning Director may require the planting design to use massing or groupings of materials to create a stronger visual impact from the public right-of-way.

**Example of Frontage Landscaping**

Length of Road Frontage: 250 linear feet minus 30-foot driveway = 220 feet

Required Number of Plants

| | |
|---|---|
| Deciduous or evergreen trees | 220 ft./40 ft. = 6 deciduous or evergreen trees |
| Ornamental trees | 220 ft./100 ft. = 3 ornamental trees |
| Shrubs | (220 ft./40 ft.) x 8 = 48 shrubs |
| TOTAL | 6 deciduous or evergreen trees, 3 ornamental trees, and 48 shrubs |




**(2)** **Parking Lot Landscaping.** All parking areas and other paved ground surface areas used for vehicular parking must have perimeter and internal landscaping to provide visual and climatic relief from broad expanses of pavement and to channelize and define logical areas for pedestrian and vehicular circulation.

A) **Parking Lot Screening.** Parking lot screening adjacent to a parking lot is not required if the paved ground surface area is completely screened from the public right-of-way by an intervening building or structure. Where paved ground surface areas are located adjacent to sidewalks, streets, and other public rights-of-way, landscaping shall be provided between the public right-of-way and the paved ground surface area within ten (10) feet of the paved ground surface area with landscaping, a berm, a masonry wall, or a combination of these, as follows:

i) **Parking Lot Screening Landscaping.** Landscaping shall include a landscaped yard at least five (5) feet in width containing an opaque screen of landscaping (evergreen or deciduous hedge) at least three (3) feet in height. The landscaping shall be planted in a manner where the landscaping can be expected to provide an unbroken visual screen within three (3) years. The landscaping shall be located at least two (2) feet from the front of a parking space curb so as to account for vehicle overhang.

ii) **Parking Lot Screening Berm.** Berms shall be at least three (3) feet in height (measured above the elevation of the adjacent parking surface) and meet the requirements of *Section 8.03 (7)*.

iii) **Parking Lot Screening Wall.** Walls shall be at least three (3) feet in height and constructed of the same or compatible material and colors of the principal building in terms of texture and quality.

B) **Interior Parking Lot Landscaping.** All off-street parking areas of forty (40) parking spaces or more must have internal landscaping.

i) **Size of Interior Parking Lot Landscaping Areas.** Interior landscaping must account for a minimum of five percent (5%) of all paved parking areas, including parking and loading spaces, driveways, and aisles. Each separate interior landscaped area must be a minimum of three hundred (300) square feet in area and must have a minimum width of ten (10) feet.

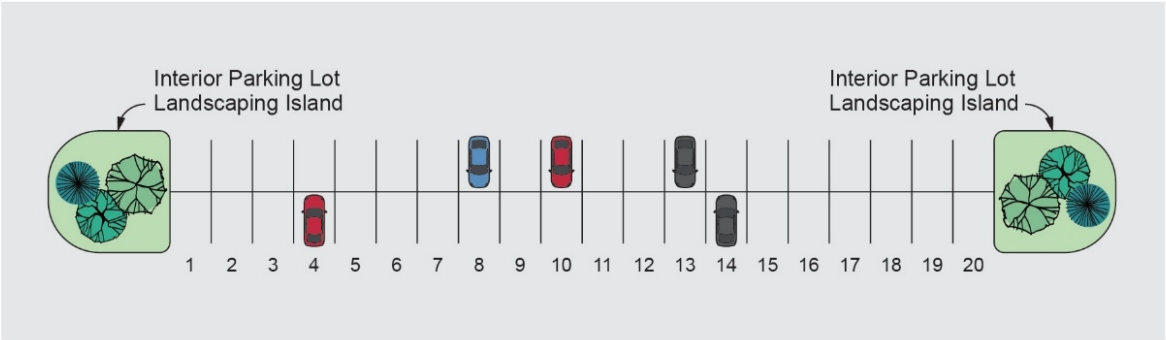
ii) **Minimum Number of Trees.** Each interior landscape area must contain at least one (1) tree. One (1) tree must be planted for each three hundred (300) square feet of interior landscaping.

iii) **Location of Landscaping.** All required interior parking lot landscaping must be planted within the landscaped islands or in landscaped areas within twenty (20) feet of the perimeter of the parking lot, provided that such landscaping is not also counted toward other landscape or screening requirements.

iv) **Groundcover.** Interior parking lot landscape areas must include groundcover of grass, perennials, shrubs, and/or hardwood mulch. Rock, stone, or pebbles are not permitted ground cover.

v) **Protection with Curbing or Wheel Stops.** All interior parking lot landscaping must be protected from vehicular encroachment by six (6) inch high concrete curbing or wheel stops.

vi) **Maximum Number of Parking Spaces in a Row.** Landscaping islands with or without walkways must be used to subdivide parking areas into parking rows with no more than twenty (20) spaces. See image below.




vii) **Maintenance.** The internal landscaping must be installed and maintained so that, when mature, it does not obscure traffic signs, fire hydrants, lighting, drainage patterns, or vision for safety or ingress or egress.

**(3) Loading Area Landscaping.** All loading areas (including, but not limited to, truck docks, overhead doors, or trailer staging areas) not screened by an intervening building shall be screened from a perpendicular view from any public street rights-of-way or adjacent residential zoning district for the entire length except for necessary access. It is the intent of this Section to screen loading areas and delivery vehicles as completely as practicable. Screening for loading areas may be accomplished by one (1) or a combination of the following:

A) An opaque fence or wall which is at least six (6) feet high and is made of the same or compatible material, in terms of texture and quality, as the material and color of the principal building. Additional evergreen planting materials shall be provided so that no more than two-thirds (2/3) of the surface area of the closed fence or wall is visible from the street within three (3) years of erection of the structure.

B) Evergreen trees at least eight (8) feet in height and planted in a staggered double row spaced fifteen (15) feet on center. Any plant material used to fulfill these requirements shall meet or exceed the minimum size requirements of *Section 8.04* when planted.

**(4) Display Area Screening.** Screening of display areas may, at the discretion of the City Council, be accomplished by plants, fences, walls or earthen berms, or any combination thereof to meet the requirements of this Section. The City Council must base its discretion on the material being displayed and the visual impact on surrounding areas. The City Council may modify or waive these requirements where outdoor display is integral to the principal use of the property (e.g., Outdoor Vehicle Sales).

A) The plants, fence, walls, earthen berms, or combination thereof, must provide a buffer no less than three (3) feet in height equal to the length of the display area, exclusive of driveways and sight lines used for safe automobile access and egress. In the case of vehicle or equipment display, the buffer must create a screen.

B) Walls which are used shall be of the same or compatible material, in terms of texture and quality, with the material and color of the principal building. Additional planting materials shall be provided so that no more than one half (½) of the surface area of the wall is visible from the street within three (3) years of erection of the structure. Forty percent (40%) of this plant material may be deciduous.

C) All shrubs shall comply with the requirements of *Section 8.04*. Vegetation planted on berms may have a lesser mature height required by the Article provided that the combined height of the berm and the plantings after three (3) years are at least three (3) feet high. Up to forty percent (40%) of all shrubs may be deciduous.

**(5) Screen Wall and Greenbelt Buffering.** The intent of this Section~~greenbelt buffering~~ is to reserve an appropriate area of a lot to screen and buffer the lot and its use(s) based on its zoning district and the zoning district of the adjacent lots, regardless of whether the adjacent lots are developed. A screen wall and/or greenbelt as specified in the table below shall be provided for all uses requiring Site Plan Review.

| | Adjacent To | | | |
|---|---|---|---|---|
| **Developing Zoning District** | **N1, N2, and R-U-F Districts** | **NM1, NM2, and NM3 Districts** | **C-1, C-2, C-3, and C-4 Districts** | **ML, M-1, and M-2, and Railroad and Utility rights-of-way** |
| N1, N2, and R-U-F Districts | a | b | b | b |
| NM1, NM2, and NM3 Districts | b | a | b | b |
| C-1, C-2, C-3, and C-4 Districts | b | b | a | b |
| ML, M-1, and M-2 Districts | c | c | ~~c~~b | ~~a~~ |

a) A ten (10) foot wide buffer, with one (1) tree per thirty (30) linear feet. For proposed single-family residential uses, the greenbelt buffering requirements shall apply only to Subdivision and Site Condominium development.

b) A six (6) foot high masonry wall or opaque fence and/or ~~A~~ a twenty (20) foot wide greenbelt buffer, with one (1) tree per twenty (20) linear feet (minimum of 50% evergreen trees)~~. A six (6) foot high masonry wall or opaque fence may be installed in lieu of the required trees~~, subject to City Council review and approval.

c) A seven (7) foot high masonry wall and/or~~A~~ a sixty (60) foot wide greenbelt buffer, with a staggered double row of evergreen trees spaced fifteen (15) feet apart on a six (6) foot high berm (see Section 8.03 (7)) with a flat horizontal area at the crest to be at least three (3) feet in width, subject to City Council review and approval. The planting must be in a manner where the evergreen trees provide eighty percent (80%) opacity within three (3) years of planting, measured from the top of the berm. After three (3) years, if this opacity is not achieved then additional evergreen trees and/or shrubs must be planted to achieve eighty percent (80%) opacity at the time of their planting. ~~A six (6) foot high masonry wall or opaque fence may be installed in lieu of the required berm and trees.~~

A) **Planting Setback.** Trees and shrubs must not be placed closer than four (4) feet to the fence line or property line. Single family uses are excluded from this requirement.

B) **City Review.** The City Council or Planning Director may modify the greenbelt buffering to allow less buffering or require additional buffering based on the proposed use's impact on adjacent lots.

C) **Greenspace Lawn.** The remainder of the greenspace area which is not planted with the aforementioned stock must be kept in lawn or another approved native vegetation. All plant materials must be maintained in a healthy growing condition and in a neat and orderly appearance as required in this Article.

D) **Existing Buffering.** If an existing wall, fence, or vegetation exists on the site that meets the greenspace buffering standards of this Ordinance, the City Council or Planning Director may accept the existing screening or require only supplemental screening to meet the intent of this Article.

E) **Circumstances Requiring Construction of a Wall.** City Council, in the review of a site plan or waiver use petition, may require the construction of a masonry wall where it is determined that construction of a wall is needed to adequately buffer a developing district from an adjacent use or district.

F) **Separation Agreement.** Upon receipt by the Inspection Department of a written agreement for a term of not more than five years, among the owner(s) of property requiring installation of a protective wall or greenbelt and the owner(s) of all abutting residential properties, and proof that a buffer complying with such agreement is in place, the requirements of this section shall be waived during the time such agreement remains in effect. Such an agreement may be renewed, for terms not exceeding five years for each renewal, pursuant to a written agreement of the owners of property described above. Any agreement made pursuant to this paragraph shall be expressly made binding on the parties' successors in title for the duration of the agreement. This paragraph shall only apply where the property requiring the protective wall cannot meet the standards for greenbelts set forth above due to a condition on the property which existed at the time this paragraph (f) was added to this Section.

**(6)** **Open Space Landscaping.** All remaining open areas on the site that are not required landscaping areas as described elsewhere in this Article (frontage landscaping, parking lot landscaping, loading and display area landscaping, and greenbelt buffering) shall be planted with one (1) tree per three thousand (3,000) square feet of open area. All open space landscaping areas shall be planted with grass or another suitable vegetative ground cover.

**(7)** **Berms.** Where required, earth berms, or landscaped berms must conform to the following standards:

A) The berm must be at least constructed with slopes no steeper than one (1) foot vertical for each three (3) feet horizontal with at least a two (2) foot flat area on the top unless a different size is required in this Ordinance.

B) The berm must be planted with grass or other suitable ground cover to ensure that it withstands wind, weather, and erosion, and retains its height and shape.

C) Unless a specific planting pattern is required by the Ordinance or the City Council, required trees and shrubs may be planted at uniform intervals, at random or in groupings.

D) Berm height must be measured as elevation above grade.

**(8)** **Garbage, Refuse, and Recycling Collection Areas.** All garbage, refuse, and recycling must be placed within a sealed container that shall be screened utilizing an enclosure that meets the following requirements:

A) An enclosure of sufficient height to completely screen the dumpster is required on three (3) sides of the waste receptacle with a solid gate on the fourth side. The height of the enclosure must be not less than six (6) feet or at least one (1) foot above the height of the dumpster, whichever is greater. This requirement specifically supersedes the maximum height requirement of a fence as set forth in Chapter 44 of Title 15 of the Livonia Code of Ordinances, as amended. The enclosure gates shall be of solid panel steel construction or durable, long-lasting solid panel fiberglass and, when not in use, closed at all times.

B) The enclosure must be constructed of the same or compatible material and colors of the principal building in terms of texture and quality.

**(9) Mechanical and Utility Equipment Screening.** All mechanical equipment, utility meters, storage tanks, air conditioning equipment, transformers, or similar equipment, incidental to any building, including roof-mounted equipment must be totally enclosed or screened from view off-site and must be an integral part of the architectural or landscape design of the building and site. This requirement does not apply to equipment serving a single-family unit or duplex.

**(10) Right-of-Way and Access Easement Landscaping.** In addition to any other landscaping requirements of this Ordinance for public rights-of-way and other access easements, any public right-of-way and access easement areas adjacent to required landscaped areas shall be planted with grass or other suitable ground cover and maintained by the owner of the adjacent property as if they were part of required landscaped areas.

## Section 8.04 Standards for Plant Materials.

**(1) Lawn Areas.** Lawn areas shall be planted in species of grass normally grown as permanent lawns in southeast Michigan. Grass may be sodded or seeded and mulched, except that solid sod shall be used in swales or other areas subject to erosion. Sod or seed shall be clean, free of weeds and noxious pests or disease.

**(2) Recommended Species of Trees, Shrubs, and Perennials.** The plant palette should emphasize native trees, shrubs, and perennials which are hardy to the southeast Michigan region. The following is a list of recommended species and required minimum sizes of plant materials. The City of Livonia may permit other species that are not listed below.

| Recommended Plant Type and Minimum Size | Common Name |
|---|---|
| Evergreen Trees (8 feet minimum height) | Fir, Hemlock, Juniper, Pine, and Spruce |
| Narrow Evergreens (5 feet minimum height) | Blue Columnar Chinese Juniper, Column Honoki Cypress, Douglas Arborvitae, Pyramidal Red Cedar, Pyramidal White Pine, and Swiss Stone Pine |
| Deciduous Trees (3-inch minimum caliper) | Beech, Birch, Gingko, Hackberry, Honey Locust (Without Thorns), Hop Hornbeam, Linden, Oak, Planetree (Sycamore), and Sweet Gum |
| Ornamental Trees (2-inch minimum caliper) | Allegheny Serviceberry, Dogwood, Flowering Crab, Hawthorn, Hornbeam, Magnolia, Redbud, and Rose of Sharon |
| Deciduous Shrubs (3 feet minimum height) | Dogwood, Euonymus, Fosythia, Hazelnut, Honeysuckle, Hydrangea, Lilac, Mock-Orange, Ninebark, Privet, Spiraea, Sumac, and Viburnum |
| Evergreen Shrubs (30 inches minimum height) | Holly, Juniper, and Yew |
| Spreading Shrubs (18 inches minimum height) | Cotoneaster and Creeping Juniper |
| Perennial Flowers/Groundcover | Black-Eyed Susan, Creeping Juniper, Creeping Phlox, Daylily, Fragrant Sumac, Ornamental Grass, Periwinkle, and Purple Coneflower |

**(3) Prohibited Species.** Based on the undesirability of the following species, they are prohibited from being planted as required landscaping. The City Council or Planning Director may prohibit other species that are not listed below.

| Latin (scientific name) | Prohibited Species | Description or Characteristic of Plant |
|---|---|---|
| Acer negundo | Boxelder Maple | |
| Catalpa speciosa | Catalpa | |

| | | |
|---|---|---|
| Populus sp. | Poplars | |
| Salix sp. | Willows | |
| Ailanthus altissima | Tree of Heaven | |
| Fraxinus sp. | Ash | Due to Emerald Ash Borer. |
| Acer sp. | Maples | Should be discouraged due to overuse in landscape. |

**(4) Minimum Requirements for Plant Material.**

A) All plant material must conform to the description consistent with generally accepted and published nursery and landscape standards. Plant materials must be typical of their species or variety, have normal habitat of growth, well-branched, and densely foliated when in leaf.

B) Plant materials must be chosen according to soil, climatic conditions, and environmental factors for the proposed development, the location of the installation, and its desired function.

C) Artificial plants are prohibited from satisfying landscape requirements.

## Section 8.05 Landscape Installation and Maintenance.

**(1) Installation.**

A) **Installation Period.** Whenever planting is required by this Ordinance, it must be planted prior to the issuance of the Certificate of Occupancy. If the weather does not permit the planting, the required planting must take place within six (6) months from the date of issuance of the Certificate of Occupancy.

B) **Installation Method.** All landscaping must be installed in a manner consistent with generally accepted and published nursery and landscape standards, the approved landscaping plan, and the following:

i) **High Quality and Healthy Plant Material.** Plant material must be freshly dug. Plant material must be of sound health, vigorous and uniform in appearance with a well-developed root system and free from disease, insects, pests, eggs, or larvae. Trees must have straight trunks with leaders intact, undamaged and uncut.

ii) **Mulching.** Trees, shrubs, hedges, vines, perennials, and live groundcovers (except turf grasses) must be generously mulched at the time of planting with hardwood bark mulch or similar natural material. Because stone, rocks, and pebbles trap heat and do not retain moisture, these materials must not be permitted as a ground cover or mulch.

iii) **Topsoil.** A minimum of four (4) inches of topsoil must be provided for all lawn areas, ground covers, berms, and planting beds.

iv) **Plant Material Required in All Portions of Landscaped Areas.** All portions of the landscaped areas must be planted with grass, groundcover, shrubbery, or other suitable plant material, except that paved patios, terraces, sidewalks, and similar site features may be incorporated with City Council approval.

v) **Planting Locations.** Unless a specific planting pattern is required by the Ordinance or the City Council, required trees and shrubs may be planted at uniform intervals, at random, or in groupings, provided they are planted in accordance with the approved plan. Landscaping must be located and maintained in a manner that minimizes conflicts with overhead or underground utilities, and that allows reasonable view of storefronts and signs.

vi) **Protection of Existing Vegetation.** Existing vegetation to be preserved must be protected during construction through the use of temporary fencing around the drip line.

**(2) Maintenance.**

A) The owner of the property is responsible for the regular maintenance of all plants and must replenish mulch, control weeds, fertilize plants, and prune plants as necessary beginning upon completion of construction of landscaping. All diseased, dead, or damaged plants must be replaced within thirty (30) days, unless the season is not appropriate for planting, in which case such plant material must be replaced at the beginning of the next planting season.

B) The approved landscape plan must be considered a permanent record and integral part of site plan approval. Unless otherwise approved in accordance with the procedures for amending a site plan, any revisions to or removal of plant materials that are not replaced will cause the parcel to be in nonconformity with the originally approved landscape plan and must be viewed as a violation of this Ordinance.

**(3) Irrigation Required.** All landscape areas (including lawns) shall be provided with an automatic underground irrigation system. The City Council or Planning Director may approve an alternate form of irrigation for a particular area, or may waive the irrigation requirement in an area upon determining that the underground irrigation is not necessary to maintain site landscaping in good condition due to the characteristics of the proposed plant materials.

**(4) Snow Storage.** Landscape areas may be used for snow storage, provided they are designed to accommodate the large volumes of snow, planted with salt-tolerant landscape material that can survive in winter conditions, and maintained in accordance with this Article.

## Section 8.06 Modifications.

In consideration of the overall design and impact of the landscape plan, the City Council may modify or adjust the requirements outlined in this Article for required landscaping, provided that any such adjustment is keeping with the intent of this Ordinance and more specifically, with the intent of this Article.

# Article IX.
# Signs

## Section 9.01 Applicability.

**(1) Sign Standards.**

All signs within the City of Livonia shall comply with the General Requirements of *Section 9.04*. Signs in specific Zoning Districts shall comply with *Section 9.08*. For prohibited signage refer to *Section 9.05* and *Section 9.09*. For exempt signage refer to *Section 9.06*.

**(2) Existing Signs.**

Except as otherwise specifically provided, nothing in this Article requires removal or discontinuance of an existing sign. Existing signs must not be enlarged or extended without meeting the requirements of this Article and obtaining a sign permit. Legally existing signs that do not meet this Article's requirements are labeled nonconforming signs.

**(3) Dual Suitability.**

Meeting the criteria of one sign type definition does not exclude the sign from meeting another sign definitions' criteria. For example, a blade sign can also meet the definition criteria of a double-faced sign. Therefore, the sign is a double-faced blade sign.

## Section 9.02 Intent.

It is not the intent of this Ordinance to have the open spaces and lines of vision created by public rights-of-way used as license for unrestricted advertising through the use of signage, but rather to enhance the physical appearance of the city, preserve scenic and natural beauty of designated areas, make the city a more enjoyable and pleasing community and to create a more attractive economic and business climate by preserving property values. It is intended by the provisions of this Ordinance to reduce sign or advertising distractions, to eliminate the visual blight caused by abandoned or poorly maintained signs and to avoid the confusion of conflicting adjacent signs. Through this Ordinance signage will be allowed in such a manner so as to provide those similar uses in similar zones the opportunity for identification exposure regardless of parcel size, although the location and size of buildings will influence the amount and type of signage permitted. This Ordinance shall make a distinction between those non-residential zones that provide for transitional or other than retail activity as a primary use. This section, through this approach, reflects the transitional nature of the zoning district arrangements shown on the zoning map and the future land use plan so that as the intensity of land use is decreased, so is the amount of permitted signage. This consistent approach is necessary to remove the need for the type of signs which compete for attention for the motorist, thereby creating traffic hazards as well as creating visual blight within the city. It is therefore within the health, safety and welfare responsibility of the city of Livonia that this section of the Ordinance is promulgated.

## Section 9.03 Substitution Clause.

Any non-commercial message may be substituted for the copy on any commercial sign allowed by this Ordinance.

## Section 9.04 General Requirements for All Signs.

The following conditions apply to all signs erected or located in any zoning district:

**(1) Inspection.**

No signs oriented to motorized traffic on a public street (except as specifically exempted) shall be erected, used, changed or altered without first having been approved by the Director of the Inspection Department, or his or her designee, and a sign permit issued.

**(2) Sign Location.**

A) No sign shall project beyond or overhang the wall or any permanent architectural feature (e.g., awning, canopy, or marquee) by more than eighteen (18) inches and shall not project above or beyond the highest point in the roof or parapet.

B) No sign shall be permitted at any location that creates any type of safety hazard or visual impediment to pedestrian or vehicular traffic. Any citation or notice of violation of this subsection shall cite any relevant building or electrical codes, provisions of this Ordinance or other City ordinances, and/or findings or studies of the Livonia Police Department Traffic Bureau and/or a traffic engineer.

**(3) Maximum Sign Size.** No sign in the City shall exceed an overall sign area of 200 square feet.

**(4) Alterations.** No sign will be altered, rebuilt, enlarged, extended or relocated except in conformity with the provisions of this Article. The refacing of signs is not an alteration within the meaning of this Article.

**(5)** **Sign Attachment and Support.** A sign must not be attached to or supported by a tree, utility pole, light pole, trash receptacle, bench, vending machine, public shelter, or be painted or drawn upon rocks or other natural features.

## Section 9.05 Prohibited Signs.

A sign not expressly permitted in a zoning district is prohibited. The following signs shall not be permitted and are expressly prohibited in any zoning district:

**(1)** **Abandoned signs.**

**(2)** **Bench signs.**

**(3)** **Billboards**.

**(4)** **Festoons, air-activated signs, and balloon signs** except for decorations commemorating a permitted time-limited event or a nationally recognized holiday.

**(5)** **Flashing signs.**

**(6)** **Moving signs.**

**(7)** **Outline tubing signs,** except that the use of outline tubing may be permitted when

A) such tubing is encased with tinted glass or plastic so as to protect it from weather and breakage and to render such tubing invisible when not illuminated, and

B) the tubing does not outline windows, roofs, or other building features.

**(8)** **Portable signs.**

**(9)** **Pylon signs.**

**(10)** **Roof signs.**

**(11)** **Trailer signs.**

**(12)** Any sign attached to a tree or utility pole whether public or private, or attached to a traffic device or public sign.

**(13)** Any sign unlawfully installed, erected or maintained.

**(14)** Any sign which has displayed thereon advertising or announcements in obscene material or language.

**(15)** Signs painted permanently and directly on the exterior surface of any building, wall or fence.

**(16)** Signs that include audio, pyrotechnic, Bluecasting (Bluetooth advertising), or other similar components.

**(17)** Any sign, that is located in or projects into any public right-of-way as shown on the Future Transportation Map is prohibited, except for traffic or other public signs and those signs for which a valid permit has been issued by a) the County, in the case of a County right-of-way, or b) the State, in the case of a State right-of-way. Any sign, including real estate signs, placards, posters, circulars, showbills, handbills, cards, leaflets or other advertising matter posted, pasted, nailed, printed, stamped, or unlawfully placed or erected in any right-of-way or public property may be removed and disposed of by the enforcement officers of the City of Livonia without regard to other provisions of this Ordinance.

## Section 9.06 Exempt Signs.

The following types of signs, where expressly permitted by zoning district, shall not require sign permits unless otherwise indicated; provided that the principal use to which they relate is permitted by this Zoning Ordinance and they meet all other restrictions of the particular zoning district and the following criteria:

**(1)** **Public signs.**

**(2)** **Temporary signs.** Provided they meet district regulations of *Section 11.08*.

**(3)** **Flags.** No greater quantity than three (3) per development site. Flagpoles shall be permitted to be located within the minimum required building setback area, provided that the distance between the base of the pole and any lot line is not less than the height of the flagpole.

**(4)** Address numbers with a numeral height not greater than six (6) inches for residences and twelve (12) inches for businesses. Address numbers on a business with a numeral height in excess of twelve (12) inches may be permitted as part of the total allowable wall or ground sign area otherwise permitted in this Ordinance. Individual addresses on multi-tenant buildings shall consist of numerals of a uniform size, style and color.

**(5)** Nameplates on the entry door of the premises or adjacent to the doorway.

**(6)** One (1) temporary construction sign of whatever content the owner deems appropriate, provided that such sign is erected only after the issuance of a building permit and is removed at the completion of construction or occupancy of the building, whichever occurs first, and subject to the following additional requirements:

A) Construction signs in R-U-F, N1, and N2 districts shall not exceed six (6) square feet in area, and if freestanding shall not exceed five (5) feet in height and shall have a minimum setback of ten (10) feet from any public right-of-way.

B) Construction signs in all other districts shall not exceed thirty (30) square feet in area, and if freestanding shall not exceed six (6) feet in height and shall have a minimum setback of ten (10) feet from any public right-of-way.

**(7)** Temporary community event signs, of whatever content the owner deems appropriate, for the purpose of advertising or promoting public events sponsored by a non-profit association or corporation for a charitable, educational, or public purpose to which the general public is invited when approved by the City Council and only after a sign permit has been issued by the Director of the Inspection Department, or his or her designee. Such signs shall not exceed sixteen (16) square feet of sign area, eight (8) feet in height, have a minimum setback of ten (10) feet from any public right-of-way and shall be removed within twenty-four (24) hours of the conclusion of the event it advertises.

**(8)** Directional signs, of whatever content the owner deems appropriate, located on parking areas or on auxiliary parking lots used in conjunction with an adjacent permitted use when the purpose of the sign is to expedite the flow of vehicular and pedestrian traffic to, from, and within a development site, each sign may not exceed two (2) square feet in area. The minimum setback for such signs used to indicate an entrance or exit shall be two (2) feet from all property lines or any public right-of-way line with a maximum height of three (3) feet. All other directional signs shall have a minimum setback of ten (10) feet from all property lines or any public right-of-way line with a maximum height of five (5) feet.

**(9)** One (1) temporary real estate sign of whatever content the owner deems appropriate, when located on the land or building intended to be rented, leased or sold, subject to the following additional requirements:

A) Real estate signs shall be removed within thirty (30) days after the property is rented, leased, or sold. For the purpose of this Ordinance, a property shall be considered leased when the lease agreement is executed by all parties or it shall be considered sold when the sale is closed.

B) Real estate signs in R-U-F, N1, and N2 districts shall not exceed six (6) square feet in area, and if freestanding shall not exceed five (5) feet in height and shall have a minimum setback of ten (10) feet from any public right-of-way.

C) Temporary real estate signs, of whatever content the owner deems appropriate, in all other districts shall not exceed sixteen (16) square feet in area, and if freestanding shall not exceed eight (8) feet in height and shall have a minimum setback of ten (10) feet from any public right-of-way or a location as deemed appropriate by the Director of the Inspection Department. Two (2) signs not exceeding sixteen (16) square feet each shall be permitted on property situated on a lot with double frontage and corner lots. Such signs shall require a sign permit and may be erected for a time period not to exceed six (6) months from the date of issuance of the sign permit; provided, however, that such permit may be renewed by the Director of the Inspection Department, or his or her designee, for a second six (6) month period. At the end of the second six (6) month period, such permit may be renewed for a period not to exceed six (6) additional months only if more than ten (10%) of the building or rentable area of the building is available.

D) On development sites with a minimum of two hundred (200) feet of property bordering on the I-275 freeway, temporary real estate, of whatever content the owner deems appropriate, signs facing the I-275 freeway shall not exceed sixty-four (64) square feet in area, and if freestanding shall not exceed twelve (12) feet in height and shall have a minimum setback of ten (10) feet from any public right-of-way.

**(10)** One (1) temporary non-illuminated "open house" real estate sign, of whatever content the owner deems appropriate, with an area not to exceed four (4) square feet. Such signs may be located only on the premises being sold and may be displayed for only one (1) day in any seven (7) day period.

**(11)** Temporary real estate development signs, of whatever content the owner deems appropriate, when permitted in a zoning district, require sign permits, provided that such sign is erected only after the issuance of a building permit for the development or a portion thereof. Except for temporary residential subdivisions which are provided for elsewhere, such signs shall be subject to the following additional requirements:

A) Real estate development signs shall be located on the land being developed and shall not exceed thirty-two (32) square feet in area, eight (8) feet in height and shall have a minimum setback of ten (10) feet from any public right-of-way line.

B) Real estate development signs may be permitted for a time period not to exceed twelve (12) months from the date of issuance of the sign permit and may be renewed by the Director of the Inspection Department, or his or her designee, when the sign is demonstrated to be safe and well maintained. Such signs are to be removed upon expiration of the permit or occupancy of the building, whichever occurs first.

**(12)** Residential subdivision development with models shall be permitted one (1) temporary real estate sign of whatever content the owner deems appropriate, for each access road entering the development. Such signs shall be separated by a minimum distance of five hundred (500) feet and shall not exceed thirty (30) square feet in area, twelve (12) feet in height, and shall have a minimum setback of ten (10) feet from all property lines and any public right-of-way lines.

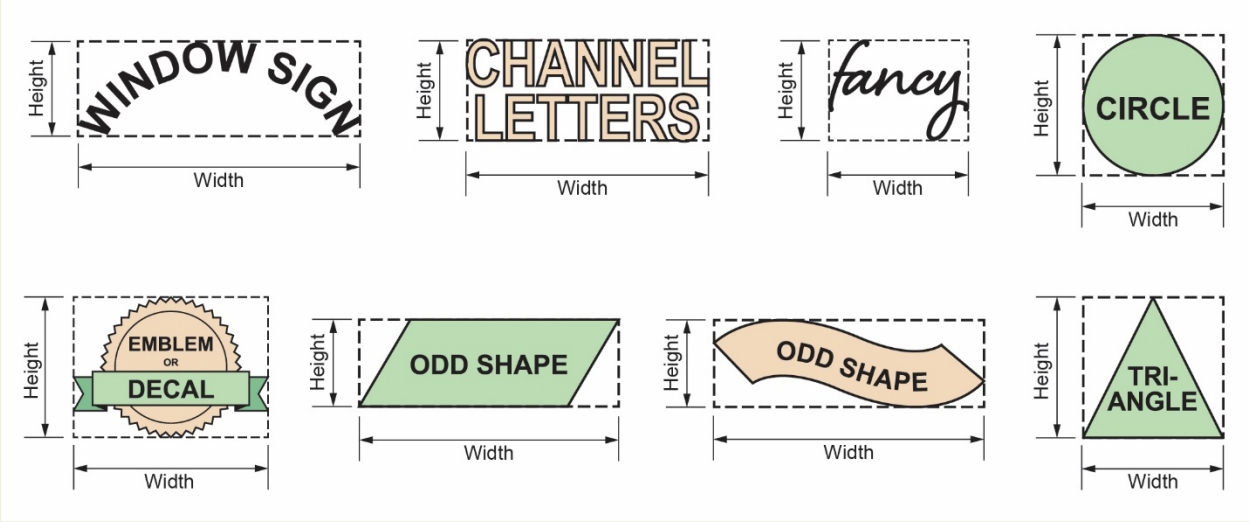
A) Within subdivisions, each home builder for each model shall be permitted, one (1) temporary real estate sign of whatever content the owner deems necessary, for each home builder for each model. Such signs shall not exceed of sixteen (16) square feet in area, five (5) feet in height, and shall have a minimum setback of fifteen (15) feet from any property line.

B) Such home builder signs shall be removed upon cessation of new home marketing within the subdivision or when ninety-five percent (95%) of all lots have been sold by the builder(s) or when the permit expires, whichever occurs first.

**(13)** Required announcement signs are permitted in all zoning districts when erected and maintained in accordance with the provisions requiring their use.

## Section 9.07 Measurement of Sign Area.

**(1)** The area of a sign, expressed in square feet, shall mean the entire area within any circle, triangle or rectangle or square enclosing the extreme limits of writing, representation, emblem or any figure or similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding the necessary supports or uprights on which such sign is placed. Refer to the image below.

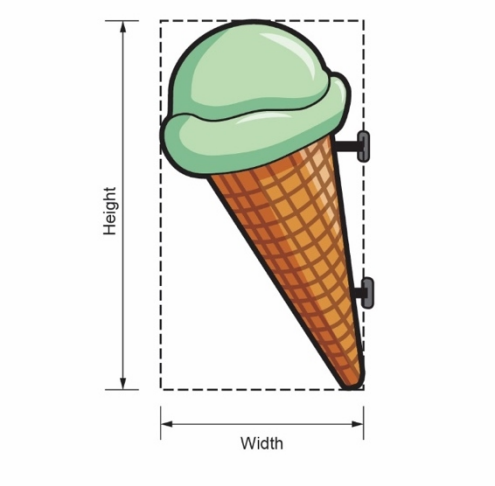


**(2)** Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that where two (2) such faces are placed back-to-back and are at no point more than two (2) feet from one another, the area of the sign shall be taken as the area of one (1) face if the two (2) faces are of equal area, or as the area of the larger face if the two (2) faces are of unequal area.

**(3)** Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area unless it too contains advertising lettering, materials or symbols.

**(4)** Where a sign consists of one or more three-dimensional objects (i.e., balls, cubes, clusters of objects, sculpture, or statue-like trademarks), the sign area is measured as their maximum projection, upon a vertical plane, as viewed from a position in the public right-of-way which produces the largest visual projection. See figure to the right.

**(5)** Regardless of spacing, the letters forming a word or words shall be considered a single sign. The area of such a sign shall be measured as provided in this Article.



## Section 9.08 Zoning District Regulations.

### (1) Sign Regulations for Residential Districts

| Sign Type | N1, N2, RUF, NM1, NM2, and NM3 Districts (Single-family and two-family lots only) | N1, N2, RUF, NM1, NM2, and NM3 Districts (Residential developments [subdivisions, site condominiums, and multi-family] and non-residential uses only) |
|---|---|---|
| **Blade Signs** | Not Permitted | |
| **Banner or Pennant Signs** | Not Permitted | |
| **Monument Signs** | Not Permitted | **Maximum Number:** One (1) for each lot with permitted non-residential uses. One (1) entranceway sign per residential development when constructed out of natural materials.<br>**Maximum Height:** Five (5) feet.<br>**Maximum Area:** Twenty (20) sq. ft.<br>**Minimum Setback:** Ten (10) feet from all property lines and any right-of-way line. |
| **Awning, Canopy, or Wall Signs** | Not Permitted | **Maximum Area:** Twenty (20) sq. ft. |
| **Window Signs** | Not Permitted | |
| **Changeable Signs and Electronic Message Center Signs (EMCs)** *Section 9.10* | Not Permitted | |
| **Temporary Signs** | **Maximum Number:** Two (2) per residential lot.<br>**Maximum Area:** Thirty-two (32) sq. ft., total for all signs. Sixteen (16) sq. ft. maximum per sign.<br>**Maximum Height:** Six (6) feet.<br>**Minimum Setback:** Ten (10) feet from any property line.<br>**Duration:** Temporary signs shall not be placed for a period exceeding ninety (90) days in one calendar year, unless otherwise permitted by this ordinance. | |
| **Address Number Signs** | **Maximum Numeral Height.** Six (6) inches for residences and twelve (12) inches for businesses. Address numbers on a business with a numeral height in excess of twelve (12) inches may be permitted as part of the total allowable wall or monument sign area otherwise permitted in this Ordinance. Individual addresses on multi-tenant buildings shall consist of numerals of a uniform size, style, and color. | |
| **Identification Sign** | **Maximum Number:** One (1) for each waiver use, not including religious institutions.<br>**Maximum Area:** Six (6) sq. ft.<br>**Maximum Height:** Four (4) feet.<br>**Minimum Setback:** Twenty (20) feet from any right-of-way line. | |

### (2) Sign Regulations for C-1 Districts.

| SIGN TYPE | C-1 DISTRICTS | |
|---|---|---|
| **Blade Signs** | **Maximum Area:** Six (6) sq. ft. | |
| **Banner or Pennant Signs** | **Maximum Number:** One (1) per lot.<br>**Maximum Area:** Thirty-two (32) sq. ft. or the area of the permanent sign if temporarily covering the permanent sign.<br>**Maximum Duration:** Four (4) weeks per year. No such permit shall allow the display of balloons or searchlights for more than seven (7) consecutive days or of pennants, banners, or other decorations for more than fourteen (14) consecutive days. | |
| **Menu Order Board** | **Maximum Number:** One (1).<br>**Maximum Area:** Thirty (30) sq. ft.<br>Such signs shall be primarily directed at persons within the premises of the sign owner. | |
| **Monument Signs** | **Sites consisting of a single tenant occupying a single building.** | **Sites comprised of one (1) building or multiple architecturally uniform buildings and sharing a common parking area** |
| | **Maximum Number:** One (1).<br>**Maximum Area:** Thirty (30) sq. ft.<br>**Maximum Height:** Six (6) feet.<br>**Maximum Length:** Ten (10) feet.<br>**Minimum Setback:** Ten (10) feet from any right-of-way line. | **Maximum Number:** One (1).<br>**Maximum Area:** ~~Twenty~~ Thirty (~~20~~30) sq. ft.<br>**Maximum Height:** Six (6) feet.<br>**Maximum Length:** Ten (10) feet.<br>**Minimum Setback:** Ten (10) feet from the perimeter of the building. |
| **Awning, Canopy, or Wall Signs** | **Maximum Area:** One (1) square foot of area for each one (1) lineal foot of frontage of the building or portion thereof occupied by each separate business; provided, however, that in the case of a single business occupying a corner lot situated on two (2) major thoroughfares, a second wall sign having an area not exceeding one-half (½) of the allowable area as the first permitted sign, shall be permitted on the other façade facing a street. | |
| **Window Signs** | **Maximum Area:** 20% of the window area. | |
| **Changeable Signs and Electronic Message Center Signs (EMCs)** *Section 9.10* | **Maximum Area:** Fifteen (15) sq. ft.<br>EMC signs are only permitted if they are a monument sign, and only if all signage on site is fully compliant with the Zoning Ordinance. | |
| **Temporary Signs** | **Maximum Number:**<br>• On lots of five (5) acres or less, no more than two (2) temporary signs are permitted at any one time.<br>• On lots of five (5) acres or more, or with three (3) or more businesses, no more than three (3) temporary signs are permitted at any one time.<br>**Maximum Area:** Sixteen (16) sq. ft. maximum per sign.<br>**Maximum Height:** Six (6) feet.<br>**Duration:** Must not be displayed more than 90 days in a 1-year period. | |
| **Address Number Signs** | **Maximum Numeral Height.** Twelve (12) inches for businesses. Address numbers on a business with a numeral height in excess of twelve (12) inches may be permitted as part of the total allowable wall or monument sign area otherwise permitted in this Ordinance. Individual addresses on multi-tenant buildings shall consist of numerals of a uniform size, style, and color. | |

### (3) Sign Regulations in C-2, C-3, and C-4 Districts.

| SIGN TYPE | C-2, C-3, AND C-4 DISTRICTS | | |
|---|---|---|---|
| **Blade Signs** | **Maximum Area:** Six (6) sq. ft. | | |
| **Banner or Pennant Signs** | **Maximum Number:** One (1) per lot.<br>**Maximum Area:** Thirty-two (32) sq. ft. or the area of the permanent sign if temporarily covering the permanent sign.<br>**Maximum Duration:** Four (4) weeks per year. No such permit shall allow the display of balloons or searchlights for more than seven (7) consecutive days or of pennants, banners, or other decorations for more than fourteen (14) consecutive days. | | |
| **Menu Order Board** | **Maximum Number:** One (1).<br>**Maximum Area:** Thirty (30) sq. ft.<br>Such signs shall be primarily directed at persons within the premises of the sign owner. | | |
| **Monument Signs** | **For each single building or business center, housing no more than three (3) separate business uses** | **For each business center having four (4) or more separate business uses** | **Signage in a Regional Shopping Center is intended to identify the regional center and/or the principal tenants to the general public** |
| | **Maximum Area:** Thirty (30) sq. ft.<br>**Maximum Height:** Six (6) feet. | **Maximum Area:** Forty (40) sq. ft.<br>**Maximum Height:** Eight (8) feet. | **Maximum Area:** One Hundred (100) sq. ft.<br>**Maximum Height:** Twenty (20) feet. |
| | **Maximum Number:** One (1). Where a development site has more than four hundred (400) feet of frontage along a major thoroughfare or a minimum of two hundred (200) feet of frontage on each of two (2) major thoroughfares, a second freestanding sign shall be permitted with the same size and location limitations as the first permitted sign, provided the distance between the two (2) signs is no less than three hundred (300) feet measured along the road frontage.<br>**Maximum Length:** Ten (10) feet.<br>**Minimum Setback:** Ten (10) feet from any right-of-way line. No freestanding sign shall be permitted when the front yard setback of the building(s) is less than twenty (20) feet. | | |
| **Awning, Canopy, or Wall Signs** | **Maximum Area:** One (1) square foot of area for each one (1) lineal foot of frontage of the building or portion thereof occupied by each separate business; provided, however, that in the case of a single business occupying a corner lot situated on two (2) major thoroughfares, a second wall sign having an area not exceeding one-half (½) of the allowable area as the first permitted sign, shall be permitted on the other façade facing a street. | | |
| **Window Signs** | **Maximum Area:** 20% of the window area. | | |
| **Changeable Signs and Electronic Message Center Signs (EMCs)**<br>*Section 9.10* | **Maximum Area:** Fifteen (15) sq. ft.<br>EMC signs are only permitted if they are a monument sign, and only if all signage on site is fully compliant with the Zoning Ordinance. | | |
| **Temporary Signs** | **Maximum Number:**<br>• On lots of five (5) acres or less, no more than two (2) temporary signs are permitted at any one time.<br>• On lots of five (5) acres or more, or with three (3) or more businesses, no more than three (3) temporary signs are permitted at any one time.<br>**Maximum Area:** Sixteen (16) sq. ft. maximum per sign.<br>**Maximum Height:** Six (6) feet.<br>**Duration:** Must not be displayed more than 90 days in a 1-year period. | | |
| **Address Number Signs** | **Maximum Numeral Height:** Twelve (12) inches for businesses. Address numbers on a business with a numeral height in excess of twelve (12) inches may be permitted as part of the total allowable wall or monument sign area otherwise permitted in this Ordinance. Individual addresses on multi-tenant buildings shall consist of numerals of a uniform size, style, and color. | | |

### (4) Sign Regulations in Industrial Districts.

| SIGN TYPE | M-L, M-1, AND M-2 DISTRICTS | | |
|---|---|---|---|
| **Blade Signs** | **Maximum Area:** Six (6) sq. ft. | | |
| **Banner or Pennant Signs** | **Maximum Number:** One (1) per lot.<br>**Maximum Area:** Thirty-two (32) sq. ft. or the area of the permanent sign if temporarily covering the permanent sign.<br>**Maximum Duration:** Four (4) weeks per year. No such permit shall allow the display of balloons or searchlights for more than seven (7) consecutive days or of pennants, banners, or other decorations for more than fourteen (14) consecutive days. | | |
| **Monument Signs** | **For each industrial development site consisting of a single tenant occupying a single building** | **Multi-tenant complexes comprised of one (1) or more architecturally uniform buildings and sharing a common parking area shall be permitted the following, and prior to sign permits being issued, a master sign plan shall be submitted to the Director of the Inspection Department, or his or her designee, indicating size, type and location of wall signs, ground signs and any other requested signs** | **At the entrance to an industrial park, an entranceway sign shall be permitted when constructed out of natural materials.** |
| | **Maximum Number:** One (1). Where a development site has more than four hundred (400) feet of frontage along a major thoroughfare or a minimum of two hundred (200) feet of frontage on each of two (2) major thoroughfares, a second freestanding sign shall be permitted with the same size and location limitations as the first permitted sign, provided the distance between the two (2) signs is no less than three hundred (300) feet measured along the road frontage.<br>**Maximum Length:** Ten (10) feet.<br>**Maximum Area:** Thirty (30) sq. ft.<br>**Maximum Height:** Six (6) feet.<br>**Minimum Setback:** Ten (10) feet from any right-of-way line. | | **Maximum Number:** One (1).<br>**Maximum Area:** Twenty (20) sq. ft.<br>**Maximum Height:** Five (5) feet.<br>**Minimum Setback:** Ten (10) feet from any right-of-way line. |
| **Awning, Canopy, and Wall Signs** | **For each industrial development site consisting of a single tenant occupying a single building** | **Multi-tenant complexes comprised of one (1) or more architecturally uniform buildings and sharing a common parking area** | |
| | **Maximum Area:** One (1) square foot of area for each two (2) lineal foot of front building width or one hundred (100) square feet, whichever is lesser. | Multi-tenant structures may identify tenants with not more than one (1) wall sign per tenant, not to exceed ten (10) square feet of sign area and to be located on the face of the area occupied by the tenant. Additionally, one (1) identification wall sign not to exceed two (2) square feet in area shall be permitted at the rear entrance to each business establishment. | |

| | |
|---|---|
| **Window Signs** | **Maximum Area:** 20% of the window area. |
| **Changeable Signs and Electronic Message Center Signs (EMCs)** *Section 9.10* | Not Permitted |
| **Temporary Signs** | **Maximum Number:**<br>• On lots of five (5) acres or less, no more than two (2) temporary signs are permitted at any one time.<br>• On lots of five (5) acres or more, or with three (3) or more businesses, no more than three (3) temporary signs are permitted at any one time.<br>**Maximum Area:** Sixteen (16) sq. ft. maximum per sign.<br>**Maximum Height:** Six (6) feet.<br>**Duration:** Must not be displayed more than 90 days in a 1-year period. |
| **Address Number Signs** | **Maximum Numeral Height.** Twelve (12) inches for businesses. Address numbers on a business with a numeral height in excess of twelve (12) inches may be permitted as part of the total allowable wall or monument sign area otherwise permitted in this Ordinance. Individual addresses on multi-tenant buildings shall consist of numerals of a uniform size, style and color. |
| **Identification Signs** | Multi-tenant complexes comprised of one (1) or more architecturally uniform buildings and sharing a common parking area shall be permitted one (1) group identification sign not to exceed twenty-four (24) square feet of sign area and if freestanding, shall be located within ten (10) feet of the perimeter of the building. |

## Section 9.09 Billboards.

The erection and maintenance of billboards and outdoor advertising signs on any parcel of land within the City of Livonia, or the use of any such parcel for said purpose, are hereby prohibited; provided, however, that this section shall not apply to billboards or outdoor advertising signs lawfully in existence at the time this Ordinance becomes effective, nor to those specific signs which are expressly allowed by the district regulations contained in this Ordinance.

## Section 9.10 Sign Illumination.

**(1) Illumination.**

Signs permitted to be illuminated, may be either internally or indirectly illuminated. Any sign, regardless of size, that makes use of electricity, shall require an electrical permit in addition to any required sign permit. No sign shall be illuminated by other than approved electrical devices, installed in accordance with the requirements of the regulations adopted by the City of Livonia, and shall be subject to the following conditions:

A) The lighting of signs shall be of a non-intermittent, non-flashing character.

B) Illumination devices designed and installed to illuminate the exterior of principal buildings or accessory buildings on a site shall be permitted without respect to the size of signs permitted in any zoning district; provided, however, that there shall be no spillage of illumination or glare onto any public or private roads, drives or traffic lanes, and shall be so shielded, trained, or aimed that glare is prevented from spilling onto adjacent residential properties.

C) Internal illumination or back-lighting of signs attached to a canopy or awning, which render the canopy or awning translucent, is not permitted; however, the portion of the canopy or awning which encompasses the sign area only may be illuminated to light the sign area in a translucent manner.

**(2) Standards.**

Any ground sign permitted under *Section 9.08, 0* which pertains to a business, business center, and/or regional center as to which all other signage of whatever type also conforms to this Ordinance, may include a variable electronic message sign covering not more than fifty (50) percent of the area of the ground sign, provided that each individual message on the sign shall remain in place for a minimum of eight (8) seconds, any change of message is accomplished within one (1) second, and any change shall occur simultaneously over the entire face of the variable electronic message sign. Signs which constitute Nonconforming Uses under *Section 9.15* of this Ordinance, or as to which variance(s) has/have been granted for sign size, height, location, or number, must be eliminated or brought into conformity with all currently applicable Ordinance limits prior to the issuance of a variable electronic message sign permit for the business, business center, and/or regional center to which such nonconforming sign(s) pertain(s).

A) No such sign may be oriented to face any residentially zoned property.

B) The intensity of the display on any variable electronic message sign shall not exceed the levels specified in the chart below:

| INTENSITY LEVEL (NITS) | | |
|---|---|---|
| COLOR | DAYTIME | NIGHTTIME |
| Red Only | 3,150 | 1,125 |
| Green Only | 6,300 | 2,250 |
| Amber Only | 4,690 | 1,675 |
| Full Color | 7,000 | 2,500 |

C) Prior to the issuance of a permit for a variable electronic message sign, applicant shall provide a written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the levels specified in the chart above, and the intensity level is protected from end-user manipulation by password-protected software or other method deemed appropriate by the Department. The characters on any variable electronic message sign must be lighted against a darker or less luminous background.

D) The sign owner shall provide on the application for a permit for a variable electronic message sign contact information for a person who is available to be contacted at any time and who is able to turn off the variable electronic message sign promptly after a malfunction occurs. If the Department finds that a variable electronic message sign has malfunctioned, the owner of the sign, within twenty-four (24) hours of a request by the Department, shall correct the malfunction or power off the sign.

E) Variable electronic message signs which do not comply with all of the provisions of this subsection shall not be permitted in any zoning district in the City.

## Section 9.11 Construction and Maintenance.

**(1) Material Requirements.**

All signs shall be designed and constructed in conformity to the provisions for materials, loads, and stresses of the latest adopted edition of the B.O.C.A. Code and requirements of this section.

A) **Restriction on Combustible Materials.** All signs and sign structures erected shall conform to the State Construction Code relating to combustibility.

B) **Non-Structural Trim.** Non-structural trim may be of wood, metal, approved plastics, or any combination thereof.

C) **Fastenings.** Signs erected to masonry, concrete or steel shall be safely and securely fastened thereto by means of metal anchors, bolts, or approved expansion screws of sufficient size and anchorage to support safely the loads applied. All bolts, cables, and other parts of such signs shall be painted and free from corrosion. Any defect due to the fault of the erector shall be repaired by the erector. All building fastenings must be of non-corrosive materials. Lightweight sign letters may be attached by means of an approved adhesive.

D) **Proximity to Electrical Conductors.** No sign shall be erected so that any part including cables, guys, etc., will be within six (6) feet of any electrical conductor, electric light pole, street lamp, traffic light, or other public utility pole or standard.

E) **Erector's Imprint.** Signs of every class which come within the purview of this section, must carry the identification of the sign erector in clearly legible letters. In case of rehanging or re-erection of any sign, the new erector must place his or her identification and the date on the sign.

**(2) Windloads.**

For the purpose of design, wind pressure shall be taken upon the gross area of the vertical projection of all signs and sign structures at not less than fifteen (15) pounds per square foot for those portions above the ground. In calculating wind pressure on curved surfaces such as cylindrical or spherical signs or sign structures, this pressure shall be assumed to act on three-fifths (3/5) of the projected area. In all open frame signs or sign structures, the area used in computing wind pressure shall be one-half (½) times the net area of the framing members exposed to the wind.

**(3) Sign Elimination.**

The Director of the Inspection Department, or his or her designee, may order the removal of any sign and supporting structures:

A) Maintained in violation of this section, such order shall be in writing to the owner of said sign; or to the owner of the building, structure, or premises on which the sign is located; or to the owner or operator of the business to which the sign pertains; and shall allow seven (7) days for the removal of said sign or to insure that it is brought into conformance with the terms of this section.

B) Existing at the time of, or erected after, the adoption of this Ordinance if either by its location or structural characteristics is deemed to be immediately hazardous to the safety of the general public.

C) Whenever the sign becomes abandoned as defined in this Ordinance.

**(4) Responsibility of Compliance.**

The owner of any property on which a sign is erected, located, or placed, and the person maintaining said sign, are declared to be equally responsible for the condition of the sign and the area in the vicinity thereof.

## Section 9.12 Permits.

**(1) Permits Required.**

It shall be unlawful for any person to erect, alter, paint, relocate, or maintain (by structural change or changing the display of the face of the sign) within the City of Livonia any sign or other advertising structure as defined herein, except where specifically exempted by *Section 11.06* of this Ordinance, without first obtaining a permit from the Department and payment of the fee provided for in this Ordinance. The provisions and regulations of this Ordinance shall not apply to the ordinary servicing or repainting of an existing sign message, cleaning of a sign, nor to changing of advertising on a sign specifically designed for periodic change of message without change in structure, such as a bulletin board, or similar type of sign, but not including a sign to which a new permanent face may be attached.

**(2) Application for Sign Permit.**

Application for sign permits shall be made upon forms provided by the Department, and shall contain or have attached thereto the following information:

A) Name, address, and telephone number of the applicant.

B) Location of the building, structure, or lot to which the sign is to be attached or erected.

C) Position of the sign in relation to nearby buildings, structures, and property lines.

D) Three (3) scaled drawings of the plans and specifications and method of construction and attachment to the building or in the ground.

E) Copy of stress sheets and calculations, if deemed necessary, showing the structure as designed for dead load and wind pressure.

F) Name and address of the person, firm, corporation, or association erecting the structure.

G) Any electrical permit required and issued for said sign.

H) Insurance policy or bond as required herein.

I) Such other information as the Director of the Inspection Department, or his or her designee, may require to show full compliance with this and all other applicable laws of the City of Livonia and the State of Michigan.

J) In the discretion of said Director when in his or her opinion the public safety requires it, the application containing the aforesaid material shall, in addition, bear the certificate or seal of a registered architect or engineer as a condition to the issuance of a permit.

K) In all applications for entranceway signs, the Director of the Inspection Department, or his or her designee, shall require that appropriate provisions have been made to assure continued maintenance of the sign.

**(3) Permit Fees.**

A permit fee shall be paid to the Department for each permanent permit and each temporary permit and each renewal thereof required by this Ordinance as shall be set by resolution of the City Council. The fee for any required permit shall be doubled if the sign is erected prior to the issuance of the permit.

**(4) Appeal Process.**

The Department has the authority to revoke or deny any sign permit required under this Ordinance if the sign violates this Ordinance or another law, provided that the Department shall offer the sign owner an opportunity to be heard by the Director of the Inspection Department, or his or her designee. Such hearing rights shall be in addition to the property owner's rights under *Section 11.14* of this Zoning Ordinance as amended. Such hearing shall occur no later than ten (10) business days after the denial or revocation complained of, except with the consent of the owner to a later hearing date. The person(s) whose permit is under consideration shall be given at least five (5) days written notice of the time, place, and reason for the hearing. The sign owner and/or person identified in the permit shall be permitted to present relevant facts and legal argument concerning the pending denial or revocation. Following this hearing, the Department shall consider the merits of the case and shall present a written opinion prior to any action. If, however, the Department believes the health, safety, or welfare of the citizens is endangered by any violation of this Ordinance, the Department may immediately revoke any sign permits.

**(5) Sign Permit Expiration.**

A sign permit shall become null and void if the work for which the permit was issued is not completed within ninety (90) days of the date of issuance.

**(6) Authorized Sign Erectors.**

Every person before engaging or continuing in the business of erecting, repairing, or dismantling signs, poster boards, or other display signs in the City of Livonia, shall obtain an annual sign erector's license. The erector shall first furnish the City a public liability insurance policy, approved by the City Attorney, in the amount of one million dollars ($1,000,000.00) for injury to one (1) person and another one million dollars ($1,000,000.00) for injury to more than one (1) person, and property damage insurance policy in the amount of five hundred thousand dollars ($500,000.00) for damage to property, said policy to indemnify said erector from all damage suits or actions of every nature brought or claimed against the erector for or on account of injuries or damages to persons or property received or sustained by any person or persons through any act of omission or negligence of said erector, his or her servants, agents or employees in the erection, repair, or dismantling of any sign, poster board, or other display sign. Said policy shall contain a clause whereby said policy cannot be cancelled until after a written notice of intention to cancel has been filed with the Department at least ten (10) days prior to the date of cancellation. In lieu of an insurance policy as herein required, an erector may present proof satisfactory to the City Attorney that the said erector is financially capable of self-insurance in the above amounts. Said sign erector's license shall terminate upon the expiration or cancellation of the insurance policy unless evidence of renewal is filed with the Department. The license may be suspended or revoked in the manner provided by *0 (8)*, revocation of license.

**(7) License Fees.**

The annual fees for licenses issued under this section shall be as provided in Section 15.56.070 of the Livonia Code of Ordinances, as amended.

**(8) Revocation of License.**

The Director of the Inspection Department, or his or her designee, may, after notice and service upon any holder of a license issued under this Ordinance, suspend any license heretofore or hereafter granted, for good cause shown. The City Council may revoke a sign license upon giving thirty (30) days' notice to the licensee of the reasons for the proposed revocation and a hearing held thereon. Upon such hearing the licensee may appear in person or together with counsel and contest such revocation.

## Section 9.13 Sign Removal.

The Zoning Inspector will order the removal of any sign for which no sign permit has been issued or signs erected in violation of this Ordinance in accordance with the following procedures:

**(1) Notify Property Owner of Violation.**

The Zoning Inspector will notify the property owner by first class mail describing the sign, specifying the violation involved, and ordering correction of the violation within 15 days. A similar notice will be posted on the property.

**(2) Timely Action by Property Owner.**

The property owner must remove the offending sign, obtain a permit if the sign can be conforming, or initiate an appeal to the Board of Appeals within 15 days of receipt of the letter.

**(3) Enforcement.**

When a sign is removed or replaced, all brackets, poles, and other structural elements that supported the sign must also be removed. Affected building surfaces must be restored to match the adjacent portion of the structure. If at the expiration of the time limit in said notice, the owner has not complied with the requirements thereof, or appealed the decision of the Zoning Inspector, the Zoning Inspector may carry out the requirements of the notice pursuant to ***Error! Reference source not found.*** to seek the legal removal of the sign.

## Section 9.14 Dangerous Signs

In the case of a sign which presents imminent danger to life or property the sign owner must take immediate action as is necessary to abate the danger. If the sign owner cannot be reached, the appropriate City Official may abate the danger in order to protect the health, safety, and welfare of the community.

## Section 9.15 Non-Conforming Signs.

It is the intent of this section to recognize that the existence of non-conforming signs is contrary to the best interests of the community. It is considered as much a subject of health, safety, and welfare as is the prohibition of the establishment of new signs in violation of the requirements of this Ordinance. It is hereby declared to be the policy of the City of Livonia, as expressed in this Ordinance, to remove non-conforming signs as expeditiously as is reasonable and as circumstances permit, having due regard for the rights of all parties concerned.

**(1) Maintenance.**

Nothing in this section shall relieve the owner or user of a non-conforming sign, or owner of property on which the non-conforming sign is located, from the provisions of this Ordinance regarding safety and maintenance of the sign.

**(2) Existing Signs.**

Any existing sign lawfully erected prior to the effective date of this Ordinance, which does not comply with all of the requirements and provisions hereof, may be maintained subject to the following provisions, but shall not be:

A) Replaced by or changed to another non-conforming sign.

B) Structurally altered so as to prolong the life of the sign or to change the shape, size, type, or design of the sign unless the sign is brought into conformance with the requirements of this Ordinance.

C) Repaired or reestablished after damage or destruction, if the estimated expense of reconstruction exceeds fifty (50) percent of the cost of an identical new sign.

D) Displayed, maintained, or placed by anyone other than the person who owned the premises on the date of adoption of this Ordinance.

E) Reestablished or maintained after the activity, business, or usage to which it relates has been discontinued for a period of ninety (90) days or longer. In the case where the activity, business, or usage which is discontinued occupies a portion of a non-conforming multi-tenant wall or ground type business sign, that portion of the sign identifying the previous use shall be painted out or replaced with a blank panel of the same color as the background color that it replaces until such time as fifty (50) percent or more of the total sign area is blank, at which time the entire sign structure is to be removed or replaced with a conforming sign.

**(3) Alteration.**

No nonconforming sign shall be altered or reconstructed, unless the alteration or reconstruction is in compliance with the provisions of this Article. For the purpose of this Article only, the term “altered” or “reconstructed” shall not include normal maintenance; changing of surface sign space to a lesser or equal area, ornamental molding, frames, trellises or ornamental features or landscaping below the base line; or the addition, construction, installation or changing of electrical wiring or electrical devices, backgrounds, letters, figures or characters or other embellishments.

## Section 9.16 Severability.

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality must not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Article. It is intended that if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article is severed, the remaining parts, sections, subsections, paragraphs, subparagraphs, sentences, phrases, clauses, terms, or words of this Article must be considered independent, valid, and enforceable.

# Article X.
# **Nonconformities.**

## Section 10.01 Nonconforming Uses and structures; Continuance.

The lawful use of land or a structure exactly as such existed at the time of the enactment of this Ordinance, may be continued although such use or structure does not conform with the provisions of this Ordinance. Such a use, where lawfully continued pursuant to the provisions of this section, shall, for the purpose of this Ordinance, be known as a "Valid Nonconforming Use"; but where such a use is not thus lawfully continued, the same, for the purpose of this Ordinance, shall be known as an "Invalid Nonconforming Use." For purpose of this section, produce markets and nurseries existing in the City as of July 1, 1997 in RUF zoning districts and which are currently nonconforming uses shall be considered to be valid nonconforming uses as long as the continuation of the operation of such business and buildings utilized therein is substantially of the same size and same essential nature as the use existing as of July 1, 1997. Such produce markets and nurseries shall remain subject to the provisions below, inclusive, of this Ordinance and any expansion of these uses is prohibited.

## Section 10.02 Certificates of Valid Nonconforming Uses and structures.

A certificate shall be required for each valid nonconforming use, as that term is defined in *Section 10.01* of this Ordinance. Such certificate shall state that, on consideration by the Department of Inspection of an application for such certificate and of such other facts as may be ascertained by the Department, the use described in the application has been determined to be a valid nonconforming use existing pursuant to *Section 10.01* and *Section 10.03* of this Ordinance. Such application shall be filed with the Department of Inspection by the owner or lessee of the building or land occupied by such nonconforming use, within one (1) year from the effective date of this Ordinance, and the Department shall issue such certificate within thirty (30) days following the filing of such application. Failure of an owner or lessee to so obtain such a certificate within said one (1) year period shall create a conclusive presumption that such use is not a valid nonconforming use and such use shall be discontinued immediately following said one (1) year period; provided, however, that nothing contained in this section shall affect existing dwellings or interfere with the continued use, as a dwelling, or any dwelling lawfully existing at the time this Ordinance becomes effective, or prevent any alteration, repair or improvements as provided by *Section 10.06* of this Ordinance.

## Section 10.03 Nonconforming Uses and structures; Termination.

Any use which is properly designated as a valid nonconforming use shall be automatically terminated on the happening of either of the following events:

**(1)** Actual abandonment of said use;

**(2)** Acquisition by the City of Livonia, by purchase, condemnation or otherwise, of private property for the removal of such valid nonconforming use, pursuant to Section 8 (3), Act 110, Public Acts of Michigan, 2006, MCL125.3208, as amended.

After such termination, such nonconforming use may not thereafter be resumed or revived.

## Section 10.04 Nonconforming Uses and structures; Restoration.

**(1)** Nothing in this Ordinance shall prevent the restoration, repairing, or rebuilding of any valid nonconforming building or structure damaged by fire, explosion, act of God, or any act of the public enemy, subsequent to the effective date of this Ordinance, or shall prevent the continuance of the use of such building, or part thereof, as such use existed at the time of such impairment of such building or part thereof, provided said use has not been abandoned.

**(2)** No nonconforming structure or use shall be changed unless the changed structure or use conforms to the Zoning Ordinance regulations for the district in which such structure or use is located. However, any vertical or horizontal retraction of a nonconforming structure or use is permitted, provided there is no vertical or horizontal expansion of the nonconforming portion of the structure or use.

**(3)** No nonconforming use or structure shall be moved in whole or in part, for any distance whatsoever, to any other location on the same or any other lot unless the entire use and structure shall thereafter conform to the regulations of the zoning district in which it is located after being moved.

## Section 10.05 Nonconforming Uses and structures; Repair.

Nothing in this Ordinance shall prevent the repair, reinforcement, or reconstruction of a valid nonconforming building, structure, or part thereof existing at the effective date of this Ordinance, rendered necessary by wear and tear, deterioration or depreciation, provided such use, building, or structure has not been previously abandoned, nor shall any provision of this Ordinance prevent compliance with the provisions of any Building Code in effect in this City or the Housing Laws of Michigan relative to the maintenance of buildings or structures.

## Section 10.06 Nonconforming Uses and Structures; Exceptions.

Notwithstanding the provisions of the preceding Sections above, inclusive, of this Ordinance, nothing in this Ordinance shall prevent:

**(1)** The alteration, improvement, or rehabilitation of any valid nonconforming building which does not involve any increase in height, area, bulk, or change of use;

**(2)** The strengthening or restoration of any building or wall declared unsafe by the Department of Inspection;

**(3)** Any alteration, improvement or repair required by the Department of Health or the Department of Public Safety, or by any of the divisions of said departments, as necessary to the protection of the public health, safety, and welfare;

**(4)** Any alteration, improvement, repair, or addition determined by the Department of Inspection to constitute full or partial compliance with the use requirements of the district in which the building in question is situated.

**(5)** The conforming alteration, improvement, or repair of, or addition to any dwelling or any accessory building, including private garage, incidental to such dwelling; or

**(6)** The erection of any conforming accessory building, including private garage, incidental to an existing dwelling.

## Section 10.07 Nonconforming Uses and Structures; Elimination.

Except as hereinafter provided, no building, structure, or premises or part thereof shall be used, altered, constructed, or reconstructed except in conformity with the provisions of this Ordinance which apply to the district in which it is located. The existence of nonconforming uses is hereby declared to be contrary to the best interests of the community and it is hereby declared to be the policy of the City as expressed in this Ordinance to discontinue nonconforming uses in the course of time, as circumstances permit, having due regard for the rights of all parties concerned. In order to accomplish the elimination of those nonconforming uses which constitute a nuisance or are detrimental to the public health and general welfare, the City of Livonia, pursuant to Section 8(3), Act 110, Public Acts of Michigan, 2006, MCL 125.3208(3), as amended, and Sections 11 and 15, Chapter IV of the Charter, may acquire by purchase, condemnation or otherwise private property for the removal of nonconforming uses and structures. The Council may in its discretion provide that the cost and expense of acquiring such private property be paid from general funds, or the cost and expense or any portion thereof be assessed to a special district.

## Section 10.08 Nonconforming Due to Reclassification.

The foregoing provisions relating to nonconforming uses shall also apply to buildings, structures, land, or uses which hereafter become nonconforming due to any reclassification of districts under this Ordinance or any subsequent change in the regulations of the Ordinance.

# Article XI.
# Administrative Procedures

## Section 11.01 Administration and Enforcement.

The Department of Inspection shall administer the provisions of this Ordinance and shall enforce such provisions with the assistance of the Police Department.

## Section 11.02 Zoning Permit and Zoning Compliance Permit Required.

It shall be unlawful to begin the excavation for the construction, the moving, alteration, or repair, except ordinary repairs, of any building or other structure, including a fence or an accessory structure exceeding forty (40) square feet in area until the building official has issued either a Zoning Permit or a Zoning Compliance Permit for such work which includes a certification of his or her determination that plans, specifications, and the intended use for such structure do, in all respects, conform to the provisions of this Ordinance. Also, it shall be unlawful to change the type of use of land, or to change the type of use or type of occupancy of any building, or to extend any use on any lot on which there is a nonconforming use, until the building official has issued for such intended use a Zoning Compliance Permit, including a certification of his or her determination that the proposed new use does, in all respects, conform to the provisions of this Ordinance. In all cases where a building permit is required, application for a Zoning Compliance Permit shall be made coincidentally with the application for a building permit; in all other cases, it shall be made prior to that date when a new or enlarged use of a building or premises or part thereof is intended to begin. All Zoning Permit and Zoning Compliance Permit applications shall be made in writing to the building official on forms provided for that purpose. The Zoning Permit or Zoning Compliance Permit may be incorporated as part of the building permit form and issued simultaneously with the issuance of the building permit, or it may be issued separately.

## Section 11.03 Duties and Limitations of the Building Official.

**(1)** The building official shall have the power to grant zoning compliance permits and certificates of occupancy and to make inspections of buildings or premises necessary to carry out his or her duties in the enforcement of this Ordinance.

**(2)** Every application for a zoning compliance permit for excavation, construction, moving, alteration, or change in type of use or type of occupancy, shall be accompanied by a written statement and plans or plats, drawn to scale, showing the following in sufficient detail to enable the building official to ascertain whether the proposed work or use is in conformance with the provisions of this Ordinance:

A) The actual shape, location, and dimensions of the lot; if the lot is not a lot of record, sufficient survey data to locate the lot on the ground.

B) The shape, size, and location of all buildings, or other structures, to be erected, altered or moved, and of any other buildings, or other structures, already on the lot.

C) The existing and intended use of the lot and of all structures upon it.

D) Such other information concerning the lot, adjoining lots, or other matters as may be essential for determining whether the provisions of this Ordinance and any condition(s) of zoning approval(s) are being observed.

**(3)** If the proposed excavation, construction, moving, alteration, or use of land as set forth in the application are in conformity with the provisions of this Ordinance and any condition(s) of zoning approval(s), the building official shall issue a Zoning Compliance Permit, however:

A) Issuance of a zoning compliance permit shall in no case be construed as waiving any provision of this Ordinance.

B) The building official under no circumstances is permitted to grant exceptions to any clause, order, or regulation contained in this Ordinance to any person making application to excavate, construct, move, alter, or use either buildings, structures, or land.

C) The building official under no circumstances is permitted to make changes to this Ordinance or to vary the terms of this Ordinance in carrying out his or her duties as building official.

D) The Zoning Compliance Permit shall be in addition to any building permit or other permits specifically required to be obtained by this Ordinance and shall be in addition to all permits required to be obtained by the Building Code ordinances of the City.

E) The building official shall issue a permit when the imposed conditions of this Ordinance and any condition(s) of zoning approval(s) are complied with by the applicant.

F) If any application for such permit is not approved, the building official shall state in writing the cause for such disapproval.

## Section 11.04 Permit Fees.

No Zoning Compliance Permit shall be issued under the provisions of this Ordinance until there shall have been paid to the City Treasurer a separate permit fee therefor in accordance with the schedule outlined in Chapter 15.56 of the Code of Ordinances.

## Section 11.05 Duration of Permit.

Any Zoning Compliance Permit issued under the provisions of this Ordinance shall be valid for a period of six (6) months from the date of the issuance thereof, unless revoked prior to the termination of such six (6) month period, thereof, or as long as work is in progress, unless revoked etc.

## Section 11.06 Revocation of Permit.

Any permit issued under the provisions of this Ordinance may be revoked by the Department of Inspection at any time whenever the holder thereof:

**(1)** shall have made any false or fraudulent statement in the application for such permit or in the exercise of such permit;

**(2)** shall have violated any of the provisions of this Ordinance;

**(3)** shall have failed to satisfy the requirements of this Ordinance or of any rules or approvals adopted pursuant thereto; or

**(4)** shall have caused, created or maintained, in the exercise of such permit, a menace or danger to the public health, safety, or welfare.

## Section 11.07 Inspection.

It shall be the duty of the holder of every zoning compliance permit, building permit, or other permit to notify the Department of Inspection, in writing, of the time when such building or premises will be ready for inspection. In addition to inspections required by other ordinances of the City, at least two (2) such inspections shall be requested on all buildings. The first of these inspections shall be requested when excavation for foundations has been completed, and the second inspection shall be requested when the building is completed. In the case of sheds and garages, having an area of less than eight hundred (800) square feet, only one (1) inspection by the Department of Inspection shall be required, which inspection shall be requested as soon as wall studs are in place. Failure to notify the Department of Inspection of the time of such inspection shall automatically cancel all permits, and before re-issuing any of such permits, the Department of Inspection may require the payment of a second fee. A notice to call the attention of the holders of permits to the requirements of this section shall be printed on all permits issued. Whenever a zoning compliance permit shall be issued for the use of vacant land, an inspection of such land may be made at any time by the Department of Inspection.

## Section 11.08 Certificate of Compliance Required.

No land or building, or part thereof, for which a zoning compliance permit or a building permit has been issued, shall be used or occupied unless and until after final inspection a Certificate of Compliance shall have been issued by the Department of Inspection for such new use. Certificates of Occupancy as required by the Building Code ordinances may be so prepared and worded as to include and constitute Certificates of Compliance as required by this Ordinance, in which case the same shall be designated as a Certificate of Compliance and Occupancy. The issuance of either a Certificate of Compliance or Occupancy shall not be construed as waiving any provision or requirement of this Ordinance.

## Section 11.09 Temporary Certificate of Occupancy.

The Chief Building Inspector or Acting Chief Building Inspector may issue a Temporary Certificate of Occupancy for a portion of a building in process of erection or alteration, provided that such certificate shall not be effective for longer than six (6) months; provided further, that such portion of the building is in conformity with the provisions of this Ordinance and provided further, that the applicant has agreed in writing to comply with all of such provisions as to the entire building.

## Section 11.10 Application for Certificates.

Application for any certificate authorized by the provisions of this Ordinance shall be made in writing to the Department of Inspection on forms furnished by the Department and such certificate shall be issued within ten (10) days after receipt of such application if it is found that the building, or part thereof, or the use of land is in accordance with the provisions of this Ordinance. If such certificate is refused, the applicant shall be notified of such refusal and the reasons therefor within the aforesaid ten (10) day period.

## Section 11.11 Record of Certificates.

A record and copy of each permit and of each certificate issued pursuant to the provisions of this Ordinance shall be kept on file in the office of the Department of Inspection and copies shall be furnished to any person having a proprietary or tenancy interest on payment to the City Treasurer of a fee of one dollar ($1.00) each. A record of all applications shall likewise be kept on file in said office.

## Section 11.12 Exception to Barrier Free Design Requirements—Posting of Final Order.

Any business or establishment which has requested and received an exception to the barrier free design requirements from the State Barrier Free Design Board, pursuant to the provisions of Act I, Public Acts of Michigan of 1966, MCL 125.1351, et seq, as amended, shall post a copy of the Final Order issued by the State Barrier Free Design Board in a conspicuous location in a public area of the building for examination by the public. The copy of the Final Order shall be exhibited at all times at such location and shall be required to be posted in this manner regardless of whether the Final Order was issued prior to or subsequent to the enactment of this section.

## Section 11.13 City Planning Commission.

**(1) Appointment and Duties.**

The City Planning Commission is hereby appointed by the City Council to perform the duties of the Commission specified in Act 33, Public Acts of Michigan of 2008, MCL 125.3801, et seq. as amended; is hereby designated as such Commission; and is authorized to perform such duties. The City Planning Commission is hereby vested with all powers and duties given to a City Planning Commission by the laws of the state, together with such other powers and duties as are given to such Commission by the provisions of this Ordinance, including authority to act on all matters requiring the approval or action of such Commission.

**(2) Authority to Grant Waivers and Approve Uses.**

Wherever in this Ordinance the lawful exercise or existence of a use requires the review of a waiver or a conditional use and submission of findings by the City Planning Commission and approval by the City Council, the Commission is hereby authorized and directed, upon application or petition by an owner or property owners, to investigate the matters relating to the requested waiver or use approval, to conduct a public hearing thereon, to make a determination, to either recommend approval or denial of the requested waiver or use approval, and to do all other things reasonably necessary or incidental to the making of such investigation or determination.

**(3) Applications and Petitions; Filing Fee.**

Each application for a waiver or conditional use approval filed by a property owner or owners shall be accompanied by a filing fee as determined by the schedule outlined in Chapter 15.56 of the Code of Ordinances.

**(4) Applications and Petitions; Filing, Form and Contents.** All applications and petitions for waivers or use approvals shall be in writing, signed, notarized, and filed in triplicate with the City Clerk and, if in the proper form, shall be immediately forwarded by the City Clerk to the City Planning Commission. All such applications and petitions, without limiting the right to file additional material, shall contain at least the following:

A) The petitioner's name, address and interest in the petition, as well as the name, address and interest of every person having a legal or an equitable interest in the land covered by the petition.

B) The waiver use or other use sought to be recommended;

C) A fully dimensional map showing:

i) The land upon which the proposed use is to be located, including the location of the use on such land and dimensions indicating the front, side and rear setback lines to be maintained.

ii) The location and arrangement of parking areas and spaces.

iii) A legal description of the property to be considered.

iv) The zoning classification of the property together with the zoning classification of all property located within five hundred (500) feet of such property as measured from all of its property lines.

v) All public and private rights-of-way and easements bounding and intersecting the land to be under consideration.

vi) All existing uses within five hundred (500) feet of any property line of the property to be considered.

vii) The lot lines and their dimensions.

viii) The area of the property.

ix) All other circumstances, factors and reasons which the applicant offers in support of the proposed use.

D) The applicant shall also furnish such other surveys, plans or other information as may be reasonably required by the Commission for the proper evaluation and consideration of the matter.

**(5) Hearings; Notice.** Prior to conducting a hearing as required in *Section 11.13 (2)*, or by any other provision of this Ordinance, the City Planning Commission shall cause notice of such hearing to be given as required by law for public hearings concerning zoning matters. In the case of public hearings on waiver use petitions pursuant to *Section 11.15, Section 11.15(5)*, notice of the hearing shall be provided as set forth in that Section. Failure of any person to receive any notice required to be sent under the provisions of this section shall not invalidate any such proceedings provided that the notice has been given as required herein.

**(6) General Waiver Requirements and General Standards.** Where this Ordinance empowers the City Planning Commission to review waivers or approval of conditional uses to be approved by the City Council, such waiver or use shall be approved only where the proposal complies with all of the special requirements for the waiver or use sought to be approved, except that any or all requirements may be waived or modified by a separate resolution, specifically delineating the requirement(s) waived or modified, in which two-thirds (2/3) of the members of the City Council concur. Whether or not any condition is waived, all such proposals must comply with all of the following general standards:

A) The proposed use must be of such location, size, and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood.

B) The location and size of the proposed use or uses, the nature and intensity of the principal use and all accessory uses, the site layout and its relation to streets giving access to it, shall be such that traffic to and from the use and uses, and the assembly of persons in connection therewith, will not be hazardous or inconvenient to the neighborhood nor unduly conflict with the normal traffic of the neighborhood. In applying this standard, the Commission shall consider, amongst other things: convenient routes for pedestrian traffic, particularly of children; the relationship of the proposed use to main traffic thoroughfares and to streets and road intersections; vehicular turning movements in relation to routes of traffic flow; location and access of off-street parking and provisions for pedestrian traffic with particular attention to minimizing child-vehicle contact in residential districts; and the general character and intensity of the existing and potential development of the neighborhood.

C) The location and height of buildings or structures and the location, nature, and height of walls and fences must be such that the proposed use will not have a detrimental effect upon the neighboring property or the neighboring area in general, nor impair the value of neighboring property, nor interfere with or discourage the appropriate development and use of adjacent land or buildings or unreasonably affect their value.

D) The standards of density and required open spaces for the proposed use shall be at least equal to those:

i) required in the zoning district in which the proposed use is to be located or

ii) unless they have been specifically waived as set forth above, those prescribed in the special requirements relating to the proposed use, whichever is the greater.

E) The location, size, intensity, site layout, and periods of operation of any such proposed use must be designed to eliminate any possible nuisance likely to emanate therefrom which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke, or lights. Such design shall provide for (but shall not be limited to) the following:

i) Facilities for the storage of refuse for subsequent disposal which shall be concealed and contained in such a manner that they will be screened from public view and will prevent the emission of noxious odors and the attraction of insects and vermin.

ii) All mechanical equipment, such as (but not limited to) air conditioning and heating units which shall be located and concealed so as to be completely screened from public view; provided, however, that the location and method of containment and concealment of refuse storage facilities and mechanical equipment shall be subject to the review and recommendation of the Planning Commission and approval by the City Council.

F) The proposed use must provide for proper yard space, parking facilities, loading space, percentage of lot coverage, protective walls, size of buildings, lot area and width and other requirements of this Ordinance.

G) The proposed use must be in accord with the spirit and purpose of this Ordinance and not be inconsistent with or contrary to the objectives sought to be accomplished by this Ordinance and principles of sound planning.

H) Any building proposed to be erected or any addition thereto shall be designed by an architect or professional engineer registered by the State of Michigan or by a state having a reciprocal agreement with the State of Michigan; provided, however, that no building shall be erected, placed, expanded or externally altered on any lot or parcel for which a site plan therefor is required pursuant to *Section 3.01* and *Section 11.13 (12)* of this Ordinance until the exterior design of which has been reviewed and approved as to materials and harmony of design and colors with existing and planned buildings by that City body having the authority to grant final site plan approval as designated in *Section 3.01* and *Section 11.13 (12)* of this Ordinance.

I) No building shall be erected, placed or expanded on any lot or parcel for which a site plan therefor is required pursuant to *Section 3.01* and *Section 11.13 (12)* of this Ordinance until a landscape plan has been reviewed and approved by that City body having the authority to grant final site plan approval as designated in *Section 3.01* and *Section 11.13 (12)* of this Ordinance; provided, however, that the area proposed to be landscaped as illustrated on the landscape plan shall not be less than fifteen (15) percent of the total area of the lot or parcel exclusive of public right-of-way as shown on the Future Transportation Map ; provided further, however, that such minimum area requirement may be waived by that City body having the authority to grant final site plan approval as designated in *Section 3.01* and *Section 11.13 (12)* of this Ordinance. The landscape plan shall identify all plant materials as to species, quantity and size upon installation and all other landscape materials shall be similarly identified on the plan. Tree species shall be from the Approved Tree Species list as identified in *Article VIII.*

**(7)** City Body Having the Authority to Grant Final Site Plan Approval. That City body having the authority to grant final site plan approval as designated in Article V and Section 11.13 (12) of this Ordinance, in acting on any request for a waiver use, approval of a conditional use, or approval of a site plan, may attach any conditions to their approval which they determine are necessary to accomplish the reasonable application of the special requirements and the foregoing standards. Compliance with such conditions shall be a prerequisite to the issuance of a Certificate of Compliance or Occupancy, and the violation of any such condition shall be deemed a violation of this Ordinance.

**(8)** Mayoral Veto. Any waiver use or conditional use approval shall be subject to mayoral veto as set forth in the City Charter, provided that

A) The mayor has participated in any council hearing(s) held with respect to the petition for waiver or conditional use;

B) The mayor shall apply the standards applicable in the City Council's review of said petition; and

C) Any veto shall be incorporated in a statement of conclusions relative to said petition, specifying the basis for the veto.

**(9) Determination.**

Each determination or recommendation made by the City Planning Commission under the provisions of this Ordinance shall be in the form of a resolution, copies of which shall be furnished to any party on request.

**(10) Appeal to City Council; Filing Fee; Hearing and Notice.**

Any applicant or petitioner aggrieved by a recommendation and findings of fact by the City Planning Commission that results in a denial of any application or petition may file an appeal with the City Council requesting a reversal of such recommendation and/or findings. In order for such appeal to be heard by the City Council, the same must be filed with the City Clerk, in writing, no more than ten (10) business days from the Commission's determination and shall specify the grounds thereof. Each request for appeal shall be accompanied by a filing fee. Upon receiving such an appeal, the City Clerk shall immediately forward the same to the City Council. The City Council shall thereafter fix a reasonable time for a hearing of the appeal and the City Clerk shall give due notice of such hearing and the date thereof in the same manner and to the same extent as was given prior to the hearing before the Commission. The City Council shall make a determination of the appeal by resolution and such determination shall be final.

**(11) Rules of Procedure.**

The City Planning Commission is hereby authorized to make rules of procedure consistent with the statutes of Michigan and the provisions of this Ordinance.

**(12) Site Plan Review and Approval.**

A) **Authority.** No condominium or site condominium shall be developed in an N1, N2, or RUF district, nor shall any building be constructed or expanded in an NM1, NM2, NM3, C-1, C-2, C-3, or C-4 district, nor shall any parking lot be constructed or expanded in a P district, nor shall any building be constructed or expanded in an ML, M-1 or M-2 district which abuts a residential district, unless a site plan therefor has been reviewed by the City Planning Commission and approved by the City Council.

~~A)~~B) **Staff Review.** Prior to Planning Commission or City Council consideration, the site plan and application may be distributed to appropriate City departments, staff, and any consultants for review and comment. If deemed necessary, the plans may also be submitted to applicable outside agencies for review and comment. After written comments are obtained from City departments, staff, consultants, and outside agencies, a Staff Review meeting may be held with the applicant, Planning Director, City departments, staff, and consultants to discuss review comments and address concerns raised. After the Staff Review meeting, the Planning Director shall determine if the site plan application is ready to proceed for Planning Commission review.

~~B)~~C) **Planning Commission Review.** The Planning Commission shall review the site plan, together with any reports and recommendations from staff, consultants, and other reviewing agencies and any public comments. The Planning Commission is authorized to postpone, approve, approve subject to conditions, or deny the site plan as follows:

i) **Postponement.** Upon determination by the Planning Commission that a site plan is not sufficiently complete for approval or denial or upon a request by the applicant, the Planning Commission may postpone consideration until a later meeting.

ii) **Denial.** Upon determination that a site plan does not comply with the standards and regulations set forth in this Ordinance or would require extensive revisions to comply with the standards and regulations, the site plan shall be denied. If a site plan is denied, a written record shall be provided to the applicant listing the reasons for such denial. In instances where Planning Commission denies a Site Plan this decision can be appealed to City Council pursuant to *Section 11.13 (10)*.

iii) **Approval.** Upon determination that a site plan is in compliance with the requirements of this Ordinance and other applicable ordinances and laws, the site plan shall be approved.

iv) **Approval Subject to Conditions.** The Planning Commission may approve a site plan, subject to one or more conditions necessary to address minor modifications to the site plan, ensure that public services and facilities can accommodate the proposed use, protect significant natural features, ensure compatibility with adjacent land uses, or otherwise meet the intent and purpose of this Ordinance. Such conditions may include the need to obtain variances or approvals from other agencies.

~~C)~~D) **Final Site Plan Review.** Except as provided below, the City Council shall review the final site plan, together with any reports and recommendations from the Planning Commission, staff, consultants, and other reviewing agencies and any public comments. The City Council shall then make a determination to postpone, deny, approve, or approve subject to conditions based on the requirements of this Ordinance. Amendments to Site Plans previously given final approval by the Planning Commission shall be reviewed and approved by the Planning Commission.

~~D)~~E) **Submittal Requirements.** The site plan shall be drawn to scale and shall contain the following information. The Planning Department shall have the discretion to modify site plan information requirements based on site specific development characteristics.

| Site Plan Required Information |
|---|
| • Site dimensions including road right-of-way and building setback lines. |
| • Public or private easements, protective walls (existing and/or proposed) and existing trees. |
| • Any significant topographic features (existing and proposed). |
| • Relationship of ingress and egress to thoroughfares, showing traffic patterns into the site from the same including ultimate pavement width, deceleration lanes and the like. |
| • On-site traffic circulation, parking areas (including size of parking bays, aisles, lighting materials, surface materials, and striping of parking lots surface to delineate parking bays). |
| • All landscape treatment of the site, including the labeling of all materials as to type and size, when installed. |
| • The location of signs (existing and/or proposed), and an indication of their size, height, and design |
| • Title and date of plan, including the date and nature of all subsequent revisions. |
| • North arrow and scale. |
| • Zoning classification of the petitioner's parcel and all abutting parcels. |
| • The location and height of all existing and proposed structures on and within 100 feet of the subject property. |
| • A schedule of parking needs. Separate drawings may be submitted to indicate usable floor areas, etc. for computation of parking needs. Each individual parking space shall be indicated including typical parking space dimensions for regular and handicapped spaces and type of lot surfacing. |
| • The location of all waste and recycling receptacles and the location, height and type of fences and walls to screen receptacles. |
| • Location of existing and proposed fire hydrants, water mains, pump houses, stand pipes, building services, and sizes including proposed connections to public sewer or water supply systems and/or considerations for extensions to loop other public water mains in adjacent public rights of way. |
| • Front, rear, and side elevations of proposed buildings, a color rendering, and proposed type of building materials, roof design, projections, canopies and overhangs, screen walls and accessory buildings, and any other outdoor mechanical equipment, i.e., air conditions, heating units, etc. |
| • The location and type of outdoor lighting, proposed illumination patterns (including a photometric plan), a manufacturer cut sheet detailing lighting specifications, aesthetic appearance, and method of screening to prevent glare onto adjacent properties. |
| • The location of any outdoor storage of material(s) and the manner in which it shall be screened or covered. |
| • With nonresidential proposals, the number of offices, number of employees, the number of floors, typical floor plans, and the gross and usable floor area shall be provided. |
| • For sites with regular truck traffic, a truck circulation diagram indicating the type and volume of truck traffic anticipated at the site and defining all truck access and circulation lanes and truck loading/unloading areas on the site plan. |

~~E)~~F) **Outside Agency Permits or Approvals.** The applicant shall be responsible for obtaining all necessary permits or approvals from applicable outside state and county agencies. All federal, state, and local laws and ordinances shall be met, and no unresolved negative comments issued by any governmental agency or public utility shall exist prior to the issuance of a certificate of occupancy.

~~F)~~G) **Limitation.**

i) Whenever the City Council shall have approved a site plan, such approval shall continue and be valid for a period of one (1) year only from the date of such action. If the applicant does not obtain a building permit or obtain an extension of time, the site plan approval shall be deemed null and void at the expiration of said period. Site plan approvals granted to applicants shall be construed as running with the land and shall not be transferable or assignable.

ii) If the City Council approves a site plan conditional upon the petitioner submitting additional information such as, but not limited to, revised site plans, landscape or signage plans, said information must be submitted to the City for review within sixty (60) days from the date of approval of the site plan unless more time is granted by the City Council. If the additional information is not submitted, no building permits shall be issued by any city department for work or improvements at the subject site.

~~G)~~H) **Implementation.** An approved site plan shall be immediately transmitted to the Inspection Department, and all non-building improvements such as, but not limited to, landscaping, parking lots, parking spaces, walkways, screen walls and exterior lighting required by such site plan shall be completed prior to the issuance of a Certificate of Occupancy; provided, however, that a temporary Certificate of Occupancy may be issued in the event that such completion is impractical or impossible provided that a performance bond in the form of a cash bond or irrevocable bank letter of credit covering the estimated total cost of such improvements or parts thereof is deposited with the Inspection Department prior to the issuance of such temporary Certificate of Occupancy; provided further, however, that in no event shall a final Certificate of Occupancy be issued until all improvements have been completed. All improvements, when completed, shall thereafter be maintained with materials equal to or greater than the quality of the materials originally installed.

~~H) **Application Fee.** Each application presented by a property owner or owners to have a site plan approved shall be accompanied by a filing fee of six hundred dollars ($600.00) plus twenty dollars ($20.00) for each 1,000 square feet of gross floor area of new construction proposed. Each request to extend the expiration date of an approved site plan shall be accompanied by a filing fee of two hundred dollars ($200.00). Each request to modify a site plan or amend a condition of approval shall be accompanied by a filing fee of three hundred dollars ($300.00).~~

**(13) Waiver or Use Approval; Limitation.** Whenever the Commission or City Council grants a waiver or approves of a conditional use upon original application or appeal, such waiver or approval shall continue and be valid for a period of one (1) year only from the date of such action. If the applicant does not obtain a building permit and commence construction within that period or obtain an extension of time, the waiver or use approval shall be deemed void at the expiration of said period. Waivers and use approvals granted to applicants shall be construed as running with the land and shall not be transferable or assignable.

## Section 11.14 Board of Appeals.

**(1) Creation of Board.** A Board of Appeals consisting of seven (7) members is hereby created pursuant to the provisions of Section 5, Act 207, Public Acts of Michigan of 1921, as well as Act 110 of 2006, MCL 125.3101, et seq, as amended. Said board shall be known as the Board of Appeals.

**(2)** **Appointment of Members.** The members of the Board of Appeals shall be appointed by the City Council; provided, however, that those persons who are acting as members of the Board of Appeals under the provisions of Ordinance No. 543, as amended, of the City of Livonia, having been duly appointed as members of such Board by the City Council, and who are so acting immediately prior to the time this Ordinance becomes effective, shall automatically become members of the Board of Appeals created under the provisions of Section 11.14 (1) of this Ordinance, are hereby appointed as such at the time this Ordinance becomes effective, and shall hold their respective offices for respective periods of time equivalent to their respective unexpired terms as members of the Board of Appeals, created under the provisions of Ordinance No. 543 , as amended.

**(3)** **Term of Office.** Each member of the Board of Appeals shall be appointed for a term of three (3) years; provided, however, that the first members of such Board to be appointed shall hold their respective offices for the period provided in Section 11.14 (1) of this Ordinance; and thereafter two (2) members shall be appointed each year, each for the full three (3) year term; provided, however, that every three (3) years there shall be three (3) members appointed for the full three (3) year term.

**(4)** **Officers.** The Board of Appeals shall annually elect from among its members a Chairman, Vice-Chairman, Secretary and such other officers as it may determine, who shall each hold office for one (1) year and until his or her successor is duly elected.

**(5)** **Compensation.** The City Council may authorize by Council resolution the remuneration of the members of the Board for attendance at each meeting of the Board.

**(6)** **Powers of Board.** The Board of Appeals shall have all powers and authority granted by State Law together with such other powers and duties as are given to such Board by the provisions of this Ordinance, including the following specific powers:

A) **Administrative Review.** To hear and decide appeals where it is alleged by the applicant that there is an error in any order, requirement, permit, decision, or refusal made by the building official or any other administrative official in enforcing the provisions of this Ordinance.

B) **Variances.** To authorize, upon an appeal filed by the legal or equitable owner of property, a variance from the strict application of the provisions of this Ordinance where existing conditions or factors would result, by strict application of the provisions of this Ordinance, in peculiar or exceptional practical difficulties to, or exceptional or undue hardship upon, the owner of such property, provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this Ordinance. In granting a variance, the Board of Appeals may attach thereto such condition regarding the location, character, and other features of the proposed building, structure, or use as it may deem reasonable. Compliance with such conditions shall be a prerequisite to the issuance of a Certificate of Compliance or Occupancy and the violation of any such condition shall be deemed a violation of this Ordinance.

C) **Other Powers:**

i) In those cases where a district boundary line divides a lot of record, the Board shall have the power to permit the extension of a use permitted on the less restricted portion of such a lot to that portion of said lot which lies in the more restricted district, provided that such extension shall be made for a distance of not to exceed fifty (50) feet beyond the district boundary line in any case.

ii) The Board shall also have the authority to hear and decide all matters referred to it or upon which such Board is required to pass under this Ordinance, including the power to reverse, affirm, in whole or in part, or modify the order, requirement; decision or determination appealed from and may make such order, requirement, decision or determination as in its opinion ought to be made in the premises, and to that end shall have all the powers of the officer from whom the appeal is taken.

D) **Rules**. To adopt and enforce rules of procedure consistent with the statutes of the State of Michigan, the Charter of the City of Livonia and the provisions of this Ordinance.

**(7) Application of Variance Power.** No variance in the application of the provisions of this Ordinance shall be allowed by the Board of Appeals relating to buildings, land, or premises now existing or to be constructed, except in cases involving practical difficulties or unnecessary hardships when the evidence in the official record of the appeal from a decision or order of the building official supports the following affirmative findings:

A) That the alleged hardships and practical difficulties, or both, are exceptional and peculiar to the property of the person requesting the variance, and result from conditions which do not exist generally throughout the City.

B) That the alleged hardships and practical difficulties, or both, which will result from a failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both.

C) That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this Ordinance, the individual hardships that will be suffered by a failure of the Board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.

D) That the variance, if granted, will not adversely affect the purpose or objectives of the Master Plan of the City of Livonia.

The above findings of fact shall be made by the Board of Appeals which is not empowered to grant a variance without an affirmative finding of fact on the categories above.

**(8) Limitations on the Powers of the Board of Appeals.** Every decision of the Board of Appeals shall be based upon finding of fact and every finding of fact shall be supported in the record of the proceedings of the Board. Nothing contained herein shall be construed to empower the Board of Appeals to change the terms of this Ordinance, or effect changes in the Zoning Map.

**(9) Appeal Procedure.**

A) **Notice of Appeal.** An appeal may be taken by any person aggrieved or by an officer, department, board, or Department of the City of Livonia. Such appeal shall be taken within such time as shall be prescribed by the Board of Appeals by rule, by the filing with the officer from whom the appeal is taken and with such Board of a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

B) **Stay of Proceedings.** An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the Board of Appeals, after the notice of appeal shall have been filed with him or her, that by reason of facts stated in the certificate, a stay would in his or her opinion cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by the Circuit Court on application, on notice to such officer, and on due cause shown.

C) **Hearing on Appeal.** The Board of Appeals shall fix a reasonable time for the hearing of an appeal and give due notice thereof as required by law for public hearings concerning zoning matters, and shall decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or attorney.

D) **Official Record of Appeal.** The Board of Appeals shall prepare an official record for each appeal and shall base its decision on this record. The official record shall include:

i) The relevant administrative and historical records and any administrative orders issued thereon relating to the appeal.

ii) The notice of appeal.

iii) Such documents, exhibits, photographs, or written reports as may be submitted to the Board for its consideration.

E) **Determination of Appeal.** The concurring vote of a majority of the members of the Board of Appeals shall be necessary to reverse any order, requirement, decision, or determination of any administrative official, or to decide in favor of the applicant any matter upon which the Board is required to pass under this Ordinance or to effect any variation of this Ordinance except that a concurring vote of two-thirds (2/3) of the members of the Board shall be necessary to grant a variance from uses of land permitted in this Ordinance.

F) **Recording of Determination.** The requisite written findings of fact, the conditions attached, and the decisions and orders by the Board in disposing of the appeal shall be entered into the official record after they have been authenticated by the signature of the chairman of the Board and after written notice of the disposition of the appeal has been served, either in person or by mail, upon the parties to the appeal, the building official, and the City Clerk. The completed official records of appeals shall be filed in the Inspection Department.

**(10)** **Filing Fees.** Each application for appeal shall be given a number and shall be accompanied by a filing fee as determined by the schedule outlined in Chapter 15.56 of the Code of Ordinances.

**(11)** **Meetings and Records of Board.** At least one (1) regular meeting shall be held each month by the Board of Appeals, as provided in the rules of the Board. Special meetings may be called by the chairman or any three (3) members. All regular meetings and all hearings shall be public. The Board shall keep minutes of its meetings, which shall be a public record. The chairman, or in his or her absence, the vice-chairman may administer oaths and compel the attendance of witnesses.

**(12)** **Pending Matters.** All petitions, appeals and other matters pending at the time this Ordinance becomes effective, before the Board of Appeals, created and existing under the provisions of Ordinance No. 543 of the City of Livonia, shall continue before the Board of Appeals, created by Section 11.14 (1) of this Ordinance, and said Board shall hear, determine and dispose of such petitions, appeals and other matters with the same effect as if such petitions, appeals, and other matters had been duly filed with said Board of Appeals.

## Section 11.15 Amendments.

**(1)** **This Ordinance may be amended from time to time pursuant to the provisions of PA 110 of 2006 (MCL 125.3405, as amended).** All amendments shall be made in the manner provided in this section and in *Error! Reference source not found., Error! Reference source not found.* of this Ordinance. Proceedings to amend this Ordinance or the Zoning Map of the City of Livonia shall be initiated or commenced by any one or more of the following methods:

A) By resolution of the Council wherein the question whether or not a particular amendment should be made is referred by the Council, on its own motion, to the City Planning Commission and wherein such commission is requested to hold a public hearing on the question and to thereafter make a report and recommendation to the Council.

B) By resolution of the City Planning Commission wherein such commission, on its own motion, provides for a public hearing on the question whether or not a particular amendment should be made and for a report and recommendation thereon to the Council.

C) By written application in triplicate, addressed to the Council, duly signed by the legal or equitable owners of fifty percent (50%) or more of the frontage in any district or part thereof, duly acknowledged by each owner substantially in accordance with the statutory provisions for acknowledgment of deeds, and accompanied by the filing fee hereinafter fixed.

**(2)** **Procedure for Amendment Applications.** Where an application is presented by a property owner or owners, pursuant to *Section 11.15 (1), Section 13.14 (1)C)*, the following procedure and requirements shall be observed in every case:

A) **Filing of Applications.** All applications shall be in writing, signed before a notary, and filed in quadruplicate with the City Clerk for presentation to the City Council.

B) **Contents of Applications.** All applications for amendments to this Ordinance, without limiting the right to file additional material, shall contain at least the following:

i) The petitioner's name, address, and interest in the petition, as well as the name, address, and interest of every person having a legal or an equitable interest in the land covered by the petition.

ii) The nature and effect of the proposed amendment.

iii) The existing zoning classification of such property.

iv) The change or amendment desired.

v) A complete legal and common description of the property sought to be rezoned.

vi) If the proposed amendment would require a change on the zoning map, a fully dimensional area map drawn at a scale of four hundred (400) feet to one (1) inch with a north point, dated, key to symbols, if used, section numbers and showing:

a) The land which would be affected by the proposed amendment;

b) A legal description of such land;

c) A common description of such land;

d) The present zoning classification of the land;

e) The zoning classification of all abutting zoning districts;

f) All public and private right-of-ways and easements bounding and intersecting the land under consideration;

g) The dimension of land sought to be rezoned;

h) The proposed land uses in land sought to be rezoned; and

i) The structures and existing land use on all property adjacent to the subject parcel and on such other property as may, in the City Planner's determination, be necessary to properly reflect the existing character of the surrounding neighborhood.

**(3)** **Fees for Amendment Applications.** Each application presented by a property owner or owners to have property rezoned pursuant to *Section 11.15 (2) (5)* shall be accompanied by a publication fee in the amount specified in Chapter 15.56 of the Code of Ordinances.

**(4)** **Designation of Proceedings.** Each proceeding, whether originating by resolution or application, shall be designated as a "petition" and given a number by the City Clerk. All such petitions shall be approved as to form by the Department of Law before action is taken thereon by the City Planning Commission, in the case of those petitions initiated by resolution; and before forwarding to the City Council, where initiated by application.

**(5)** **Standards of Review for Amendments.** In considering any petition for an amendment to the text of this Ordinance or to the Zoning Map, the Planning Commission and City Council shall consider the following criteria that apply to the application in making findings, recommendations, and a decision. The Planning Commission and City Council may also take into account other factors or considerations specific to the subject matter of the proposed amendment.

A) Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.

B) Consistency with the basic intent and purpose of this Zoning Ordinance.

C) The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.

D) The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety, and welfare of the City.

E) That conditions have changed since the Zoning Ordinance was adopted or there was an error in the Zoning Ordinance that justifies the amendment.

F) That the amendment will not be expected to result in exclusionary zoning.

G) If a rezoning is requested, compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.

H) If a rezoning is requested, compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.

I) If a rezoning is requested, the boundaries of the requested rezoning district will be reasonable in relationship to surrounding zoning districts, and construction on the sites will be able to meet the dimensional regulations for the requested zoning district.

J) If a rezoning is requested, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.

K) If a rezoning is requested to allow for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.

L) If a rezoning is requested, the requested rezoning will not create an isolated or incompatible zone in the neighborhood.

**(6)** **Action by City Planning Commission; Notice; Public Hearing.** The City Council, on receipt of a petition for amendment from the City Clerk, shall forthwith refer such petition to the City Planning Commission. The Commission shall cause a complete study of the petition to be made by the Planning Director, shall review the request contained in the petition, and shall within sixty (60) days recommend to the City Council such action as the Commission deems proper. The Commission shall hold a public hearing on such petition before making its recommendation and notice thereof shall be given to the same extent as is provided for the public hearing required to be held by the City Council. At least fifteen (15) days prior to the public hearing the applicant shall erect a four foot by four foot (4' x 4'), two (2) sided sign on the property proposed to be rezoned with an insert ~~provided by the City Clerk~~ containing the following information:

A) At the top of the sign the following words shall appear: "This property is proposed to be rezoned," followed by the present zoning district at the time of the petition and the proposed or requested zoning district sought. The full name of the zoning districts shall be used as, for example, RUF, rural urban farm.

B) The name and address of the real party requesting the zoning change.

C) The proposed use of the land or building if the request for rezoning is successful.

D) The phone number at City Hall where interested persons can call for further information.

The sign shall be erected in a location one (1) foot behind the right-of-way line perpendicular to the adjoining street(s) and clearly observable by passersby on the adjoining street(s). The sign shall remain up until the application process is completed and shall thereafter be removed by the petitioner within thirty (30) days.

# LETTER TO THE LIVONIA CITY COUNCIL

9.

**Law**
**March 14, 2022**

| MEETING DATE | PREPARED BY |
|---|---|
| Regular Meeting of April 4, 2022 | Brenda Smyser, Program Supervisor, |

## AGENDA ITEM

PROPOSED AMENDMENT TO LIVONIA VISION 21 ZONING ORDINANCE, AS AMENDED: Department of Law, re: Petition 2022-01-06-01 submitted by the City of Livonia Planning Commission as amended, to consider multiple revisions to the LIVONIA VISION 21 Zoning Ordinance in order to correct certain defects, add and delete provisions, and provide clarification to others.
Public Hearing held on Monday, March 21, 2022

## BACKGROUND

## RECOMMENDATION

At the 1,184th Public Hearing and Regular Meeting held by the City Planning Commission on February 22, 2022, the following resolution was unanimously adopted:

#02-15-2022 RESOLVED, That pursuant to a Public Hearing having been held by the City Planning Commission on February 22, 2022, on Petition 2022-01-06-01 submitted by the City of Livonia Planning Commission on its own motion pursuant to Section 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, and in accordance with Public Act 110 of 2006 (Michigan Zoning Enabling Act), as amended, to consider multiple revisions to the LIVONIA VISION 21 Zoning Ordinance in order to correct certain defects, add and delete provisions, and provide clarification to others, the Planning Commission does hereby recommend to the City Council that Petition 2022-01-06-01 be approved for the following reasons:

1. That the proposed language amendments are needed to correct certain errors and omissions that were overlooked with the adoption of the original Livonia Vision 21 Zoning Ordinance.

2. That the proposed amendments add and delete certain provisions in a way that will serve to improve the effectiveness of the City's land use regulations.

3. That the proposed amendments will serve to further the implementation of the goals and objectives of the Livonia Vision 21 Master Plan and are in the best interests of the community as a whole.

4. That the proposed amendments to are in full compliance with the requirements of the Livonia Vision 21 Zoning Ordinance and the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended.

## FISCAL CONSIDERATION

N/A

## ATTACHMENTS

1. 2022-01-06-01_LV21 Amendments_V2PCPH_E-COUNCIL Pkt
2. Petition 2022-01-06-01 Notice
3. LTC PH032122
4. DIRECTION - LANG - Livonia Vision 21
5. 2022-01-06-01_LV21ZoningOrdinance_edit_V2PCPH

## APPROVED BY

Date: March 23, 2022

Paul Bernier, City Attorney

Date: March 25, 2022

Maureen Miller Brosnan, Mayor

# LETTER TO THE LIVONIA CITY COUNCIL

6.

## Government Affairs
## March 23, 2022

| MEETING DATE | PREPARED BY |
|---|---|
| Regular Meeting of 4/18/22 | LaShawn Thomas, Director of Government Affairs, |

## AGENDA ITEM

ADMINISTRATIVE RESPONSE TO CR 37-20: Office of Government Affairs, re: local government response to climate change.

## BACKGROUND

Thank you for requesting the Administration's report and recommendation regarding the subject matter of local government response to climate change issues, initiatives to policy decisions and possible efforts that the City of Livonia could undertake.

The Earth's climate is changing. Temperatures are rising, snow and rainfall patterns are shifting, and more extreme climate events – like heavy rainstorms and record high temperatures – are already happening. Many of these observed changes are linked to the rising levels of carbon dioxide and other greenhouse gases in our atmosphere, caused by human activities.

The Administration has already taken several steps to decrease the City's carbon footprint. The attached letter outlines these steps and includes ideas that we may implement in the future.

## RECOMMENDATION

Receive and file

## FISCAL CONSIDERATION

## ATTACHMENTS

1. Climate change report
2. Regular meeting 2.10.20 -CR 37-20

## APPROVED BY

**OFFICE OF GOVERNMENT AFFAIRS**

**MAUREEN MILLER BROSNAN**
**MAYOR**

**LASHAWN THOMAS**
**Director of Government Affairs**

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2201

March 23, 2022

TO: Honorable Members of the City Council
RE: Council Resolution 37-20, request for report and recommendation regarding the subject matter of local government response to climate change issues.

Dear Council Members,

Thank you for requesting the Administration's report and recommendation regarding the subject matter of local government response to climate change issues, initiatives to policy decisions and possible efforts that the City of Livonia could undertake.

The Earth's climate is changing. Temperatures are rising, snow and rainfall patterns are shifting, and more extreme climate events – like heavy rainstorms and record high temperatures – are already happening. Many of these observed changes are linked to the rising levels of carbon dioxide and other greenhouse gases in our atmosphere, caused by human activities.

The Administration is committed to doing its part to decrease the City's carbon footprint. In 2013, the Greenleaf Project outlined the importance of sustainability within the City, emphasizing the critical balance between the economy, society, and the environment. The project identified a number of ways to increase energy efficiency, improve conservation, and implement city-wide environmentally friendly practices.

In 2015, Bike Walk Livonia was developed to encourage the use of alternative modes of transportation. According to the Center for Climate and Energy Solutions, bicycling and walking are not just recreational activities; these options help to reduce greenhouse gas emissions, traffic congestion and our demand for oil. Additional benefits include reducing other environmental impacts of motorized transportation, such as noise, the destruction of open space, wetlands, and other habitats.

More recently, the City adopted "Livonia Vision 21," our comprehensive master plan, which identified several key objectives for sustainability and resiliency:

- Promote the development of multiple small-scale and walkable commercial and service districts that serve the immediately adjacent neighborhoods.
- Improve the City's network of trails, bicycle amenities, and other connections.

- Promote the use of alternative modes of transportation such as ridesharing, bicycling, walking, and transit throughout the metropolitan area.
- Promote land use patterns that increase sustainability, support broadband provision and green technology, and resiliency in buildings and transportation systems by making sustainability a critical element when developing new zoning regulations and modifying old regulations and the Future Land Use map.
- Increase the use of renewable resources to reduce dependence on fossil fuel.
- Commit to mitigating the City's climate impacts, including reducing energy, land, and water consumption and improving outdoor and indoor air quality.
- Conserve and restore open spaces, waterways, tree canopies, and other natural resources to increase resiliency, adaptability, and biological integrity.

The City's Department of Public Works (DPW) plays an intricate role in the push for sustainability. Several of its vehicles have been converted to allow operators to switch from gas to propane depending on the task. Propane lawnmowers are used for lawn maintenance, and "Grow Zones" (areas with limited mowing) have been created in parks, encouraging the growth of trees and habitat areas for wildlife. In collaboration with the Tree Committee, DPW has created a proposed ordinance to make sure that trees on public property meet several distinct criteria before they can be removed.

The DPW building itself is equipped with an energy management system designed to control heating and cooling more efficiently. It also uses ultraviolet lighting in the air ducts to eliminate germs and viruses as the air flows through the HVAC system. A well-insulated garage and tankless water heater also create a more climate-friendly facility.

The City's efforts don't just stop there. Approximately 60,000 cubic yards of organic material is diverted from landfills every year through our Bulk Leaf and Yard Waste Collection program.

When winter weather strikes, a brine solution is used to "pre-wet" rock salt before it is applied to a roadway. This process, which helps the salt adhere to the pavement, can be used for both anti-icing and in advance of a snow/ice event. The result is a 70% reduction in salt usage.

The City has made great strides in addressing climate change and sustainability over the years. There are still many areas where additional innovation may be seen. For example, many residents have expressed interest in composting and have voiced support for permanent 64-gallon recycle bins. Additionally, the ever-changing fuel costs and product development will drive the need to continually reassess the use of propane and the potential value of building a fleet of electric vehicles.

The administration's laser-focus on the goals of Livonia Vision 21 – especially those dedicated to sustainability, efficiency and conservation – will ensure a bright future for our community.

Sincerely,

LaShawn Thomas

LaShawn Thomas
Director of Government Affairs

climate change, was received and placed on file for the information of the Council.

On a motion by White, supported by Jolly, it was:

**#37-20** RESOLVED, that upon the request of Councilmember Cathy White at the Study Meeting held January 27, 2020, regarding the subject matter of local government response to climate change issues, initiatives to policy decisions and possible efforts that the City of Livonia could undertake, the Council does hereby refer this item to the Administration for its report and recommendation.

Jim Baringhaus, Chair of the Greenleaf Commission, came to the podium to speak on climate change and the approach to take for it.

Katie Rogowicz also addressed Council on this issue.

Following discussion by Council, a roll call vote was taken on the foregoing resolution with the following result:

AYES: Jolly, Toy, White and McCullough

NAYS: Donovic, Bahr, and McIntyre

The President declared the resolution adopted.

On a motion by Bahr, supported by Jolly, and unanimously adopted, it was:

**#38-20** RESOLVED, that having considered a communication from the Department of Law, dated January 20, 2020, approved for submission by the Mayor, transmitting for Council acceptance a Grant of Easement executed by Randall Gasser, Executive Director, Woodhaven Retirement Community, a Michigan corporation, for a twenty (20') foot wide public utility easement in connection with the construction of a water main at the subject location in the Southeast 1/4 of Section 14, more particularly described as:

<u>20-Foot Wide Water Main Easement</u>

The centerline of a twenty (20.00) foot wide water main easement, being part of the Southeast ¼ of Section 14, Town 1 South, Range 9 East, City of Livonia, Wayne County, Michigan, described as commencing at the East ¼ corner of said Section 14; thence S 01°11'00" W, 663.60 feet along the East line of Section 14 and N 88°39'30" W, 310.00 feet along the

Meeting was called to order at 8:06 p.m. by President Jim Jolly. Present: Vice President Laura Toy, Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, and Kathleen McIntyre. Absent: None

Elected and appointed officials present: City Clerk, Susan Nash, City Treasurer, Lynda Scheel, Mark Taormina, Director of Planning and Economic Development, Todd Zilincik, City Engineer, Paul Bernier; City Attorney, and Jacob Rushlow, Assistant Director of Public Works.

2. REQUEST TO APPROVE AMENDMENT TO AGREEMENT WITH SIMPLE RECYCLING: Department of Public Works, re: to modify their program collection from a regular, weekly curbside collection to a scheduled porch pickup.

Jacob Rushlow, Assistant Director of Public Works, presented the request to Council.

Councilmember Scott Bahr asked what was unique about this company that required Council's approval versus any other company. Jacob Rushlow stated that it was because the agreement changed. Council member Bahr stated that their new process is very smooth and is an improvement and asset for the city. He offered an approving resolution for the Consent agenda.

Council Vice President Laura Toy asked how the residents can get the bags. Jacob Rushlow stated that social media posts will be put out along with promotional literature from the company that will be made available.

Council Vice President Laura Toy asked where they are located to see their process. Jacob Rushlow noted there are video links on their website showing the process. Simple Recycling does the collection of the process, they don't necessarily do the recycling portion.

Councilmember Brandon McCullough asked to verify that the addendum went from a penny per pound to a nickel per pick up. Jacob Rushlow confirmed.

Councilmember Brandon McCullough commended the company asked for number of what the residents are using. Jacob Rushlow stated they get monthly collection reports which used to show tonnage but now show the number of pick-ups.

Councilmember Rob Donovic also commended the company and noted their information on the website, also commending DPW for working on this.

Council President Jim Jolly offered an approving on the Regular agenda. He stated that he questions the amount of nominal money coming into the city is worth the time and effort of the professionals on the city's side. This for-profit business is in competition with the non-profit businesses. The process initially was a standardized pick up alongside the normal garbage pick-up, but now there is very little difference

between this and the non-profit businesses doing the same work. He asked that a motion also be added to terminate the agreement all-together.

Councilmember Kathleen McCullough noted that textile waste ending up in landfills is a huge issue and it is impractical that the city can take on all environmental concerns. She indicated that she learned more about textile waste and what the company does and became more supportive of this service. She would like to know if more than a nominal amount of city resources used for the program. Non-profits won't pick up a lot of the things that this company will take, which will otherwise be thrown out. She indicated her support for this program, stating it a little cost to us and is a benefit to the residents.

Councilmember Scott Bahr asked if there was a need for an agreement, could they continue the service without the agreement. Jacob Rushlow stated they could continue, but the company wanted to have a partnership with the community to get their information disseminated to the public. Councilmember Bahr asked if we had an obligation to market this. Jacob indicated that they do not have an obligation, but we agreed to review the materials provided and will choose to share them with the public. Scott noted that we still get a small amount of money back as part of this. Jacob agreed that it is a small number, but it was really something giving back to the community.

Councilmember Kathleen McIntyre agreed that it is a service to the residents and is a nominal cost to us to provide the service to the residents.

DIRECTION: APPROVING REGULAR

AGREEMENT RENEWAL AMENDMENT

FOR COLLECTION OF SOFT RECYCLABLES

This Agreement for the Collection of Soft Recyclables ("Agreement") is made and entered into this___ day of _____, 2021, by and between City of Livonia a municipal corporation with an address at 33000 Civic Center Drive, Livonia, MI 48154 (herein referred to as "CITY") and Great Lakes Recycling dba Simple Recycling, an Ohio corporation (herein referred to as "Contractor") with a business address at 5425 Naiman Parkway, Solon, OH 44139.

WHEREAS the Parties entered into an AGREEMENT FOR COLLECTION OF SOFT RECYCLABLES program on (Date) August 12, 2019 (the "Original Contract").

In consideration of the mutual covenants contained herein, both City and Contractor mutually covenant and agree as follows:

Amendments to the terms of this agreement are included in Exhibit B.

This Amendment binds and benefits both Parties and any successors or assigns. This document, including the attached Original Contract, is the entire agreement between the Parties.

All other terms and conditions of the Original Contract remain unchanged.

IN WITNESS WHEREOF, the parties have executed and delivered this Agreement as of the Date of Execution first written above.

City of Livonia, a Michigan Municipal Corporation

In the Presence of:

By:

_____

_____
Maureen Miller Brosnan
Mayor

In the Presence of:

By:

_____

_____
Susan M. Nash
City Clerk

In the Presence of:

Great Lakes Recycling, Inc. d/b/a Simple Recycling

_____

By:

_____
Adam Winfield, President

Approved:

_____
Donald R. Rohraff
Director of Public Works

_____
Michael Slater
Director of Finance

Approved as to form:

_____
Paul Bernier
Department of Law

Pursuant to Resolution #_____

Adopted by City Council on: _____

Exhibit B

4. **Set Out Procedures.** Residents shall be offered free scheduled pickup service on www.SimpleRecycling.com, or by phone with Simple Recycling. Residents shall be instructed to place Soft Recyclables into Containers and placed Containers outside front door for collection and labeled for Simple Recycling. Overflow material shall be placed adjacent to the Container(s) in plastic bags or other easily handled container. Soft Recyclables shall not be set out in tied bundles. Contractor must collect all Soft Recyclables that are set out in this manner.

6. **Collection Schedule.** Collections shall be made from Service Recipients on a schedule in accordance with the date requested by the Service Recipient from the Contractor.

8. **Inventory of Containers.** Containers shall be provided by the resident. Acceptable containers include plastic bags, paper bags and boxes.

9. **Contractor's Fee.** Contractor shall pay to TOWN a contract fee of five cents ($0.05) per pickup of Soft Recyclables scheduled and collected via SimpleRecycling.com in the CITY'S portion of the residential Service Area. Payments and estimated collection weight reports shall be made to CITY not more than thirty (30) days following the close of each calendar quarter during the term of this Agreement. Estimated weight shall be collected and documented upon completion of each collection day. Under no circumstance will CITY, its residents or Service Recipients incur any fees, charges or assessments to the Contractor for Contractor's delivery of services under this Agreement.

10. **Public Information and Education Program.** CITY shall agree to distribute public information through existing communication channels in the normal course to inform Service Recipients of this recycling program at no cost to Contractor. The content and timing of CITY public information shall be coordinated with and approved by Contractor. Contractor may prepare and distribute its own promotional materials subject to CITY approval, which approval shall not be unreasonably withheld. Contractor shall participate in CITY directed promotion and education efforts as outlined below:

a. Training of employees to deal courteously with customers on the telephone and on-route to promote the collection service and explain proper material preparation.

b. Coordinate with CITY for distribution of written promotional and instructional materials to Service Recipients.

c. Provide advice to CITY on promotion and education material content and presentation.

SUSAN M. NASH
CITY CLERK

LORI L. MILLER
DEPUTY CLERK

OFFICE OF THE CITY CLERK

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2230
FAX: (734) 421-1147

September 16, 2019

Simple Recycling
5425 Naiman Parkway
Solon, OH 44139

***RE: Agreement for Collection of Soft Recyclables between the City of Livonia and Simple Recycling***
***CR #270-19***

To Whom It May Concern:

Enclosed please find a duly executed copy of the contract between the City of Livonia and Simple Recycling, pursuant to Council Resolution No. 270-19, adopted at the August 12, 2019 Regular Meeting of Council.

Very truly yours,

Susan M. Nash, City Clerk
SMN/bjm

cc: DPW – Jacob Rushlow
Ordinance

AGREEMENT FOR COLLECTION OF SOFT RECYCLABLES

This Agreement for the Collection of Soft Recyclables ("Agreement") is made and entered into this 12th day of August, 20 19, (the "Date of Execution") by and between City of Livonia a municipal corporation with an address at 33000 Civic Center Drive, Livonia, MI 48152 (herein referred to as "CITY"), and Great Lakes Recycling, Inc. d/b/a Simple Recycling, an Ohio corporation with a business address at 5425 Naiman Parkway, Solon, OH 44139 (together which with its successors and assigns, herein referred to as "Contractor").

WITNESSETH:

WHEREAS, Contractor is skilled and experienced in the collection and efficient recycling and disposition of Soft Recyclables; and

WHEREAS, CITY desires to limit and restrict the quantity of Soft Recyclables which are deposited in the landfill; and

WHEREAS, CITY has selected Contractor to collect, identify, haul, recycle and/or dispose of Soft Recyclables in the CITY'S Service Area; and

WHEREAS, Contractor can provide such services and is in the business of and has the expertise, experience, resources and capability to perform the collecting, identifying, packaging, hauling, recycling and/or disposing of Soft Recyclables; and

Now, THEREFORE, in consideration of the premises and material promises set forth below and other consideration the receipt and sufficiency of which is hereby acknowledged by the parties, Contractor and CITY (herein collectively called the "Parties") hereby agree as follows:

**1. Term.** This Agreement shall begin upon the Date of Execution and continue for an initial term of four (4) years (the "Initial Term"). At the end of the Initial Term Contractor and CITY have the right to renew for and unlimited number of additional four (4) year terms upon mutual agreement (such term an "Extension Term" and collectively, the "Term"). Unless either Party provides written notice to the other Party at least sixty (60) days prior to the end of the Initial Term, the Term shall automatically renew for the Extension Term. During the Term, Contractor shall have the sole and exclusive rights to pick up Soft Recyclables in the CITY'S Service Area through municipal contracted pick up.

**2. Collection Procedures.** During the Term and after the Date of Commencement, Contractor shall collect all acceptable Soft Recyclables set-out for recycling and collection by Residential Customers in approved Containers. However, in no event shall Contractor be required to accept any Excluded Items (excluded items include, but are not limited to the following items: garbage, hazardous waste, carpet, newspapers, mattresses, large furniture, large appliances, yard waste) and in no event shall Contractor provide service to Commercial Customers. Contractor shall not be responsible for collecting Soft Recyclables which have fallen or been placed Curbside but are not in a Container. Contractor agrees to operate collection vehicles in such a manner to prevent materials from being blown from the vehicle. If at any time

during collection and transport, Soft Recyclables are spilled onto a street, sidewalk, or private property, Contractor shall clean up and place in the collection vehicle all Soft Recyclables before the vehicle proceeds to the next stop on the collection route or shall promptly make all other reasonably necessary arrangements for the immediate clean-up of spilled Soft Recyclables. Contractor agrees to remove and dispose of all Soft Recyclables at no cost to CITY.

**3. Ownership.** Soft Recyclables set out for collection on the regularly scheduled collection day shall belong to Contractor from the time of its collection. Soft Recyclables physically collected by Contractor shall be deemed acceptable Soft Recyclables for the purposes of its obligations under this Agreement.

**4. Set Out Procedures.** Residents shall place Soft Recyclables into Containers and place Containers at Curbside for collection. Overflow material shall be placed adjacent to the Container(s) in plastic bags or other easily handled container. Soft Recyclables shall not be set out in tied bundles. Contractor must collect all Soft Recyclables that are set out in this manner and are placed within seven (7) feet of the Curbside. Containers shall be placed in a manner that will not interfere with or endanger the movement of vehicles or pedestrians. When construction work is being performed in the right-of-way, Containers shall be placed as close as practicable to an access point for the collection vehicle. Contractor may decline to collect any Soft Recyclables not set out in accordance with this paragraph.

**5. Contamination and Improper Set Out.** If Contractor encounters any improperly packaged Soft Recyclables or other contaminants in the Container, Contractor may leave those materials in the Container. Contractor must place a tag on the contaminant(s) that is not collected, collect the acceptable items, and leave contaminants at Curbside.

**6. Collection Schedule.** Contractor shall divide the Service Area into collection areas to coincide with CITY collection dates. Collections shall be made from Service Recipients on a regular schedule in accordance with the existing CITY recycling pickup schedule. CITY shall notify Contractor of any service area changes with a minimum of 30 days notice.

Contractor shall not be required to perform any service under this Agreement on Holidays. Contractor may interrupt the regular schedule and quality of service because of street repairs, snow or other closures of public routes, which in Contractor's sole reasonable discretion makes the pick-up of the Soft Recyclables from a Service Recipient impracticable under the circumstances.

**7. Missed Collections and Complaints.** Service Recipients shall be instructed by CITY to report missed collections and complaints to Contractor. The Program Brochure and other program information shall include contact information for the Contractor to facilitate communication from Service Recipients. Contractor shall give prompt and courteous attention to all reported missed collections and complaints.

**8. Inventory of Containers.** During the term of this Agreement, Contractor shall purchase (at its sole cost) and maintain an inventory of acceptable and approved Containers for distribution to Service Recipients. Prior to commencement of service under this Agreement, Contractor shall provide new Containers to each Service Recipient. Containers shall initially be delivered to Service Recipients with an informational brochure on the recycling collection

program described herein that is produced and printed by the contractor and approved by CITY, which approval shall not be unreasonably withheld (the "Program Brochure").

**9. Contractor's Fee.** Contractor shall pay to CITY a contract fee of One Cent ($0.01) per pound of gross receipts of Soft Recyclables in the CITY'S portion of the Service Area. Payments shall be made to CITY not more than thirty (30) days following the close of each calendar month during the term of this Agreement. Weight shall be collected and documented upon completion of each collection day. Under no circumstance will CITY, its residents or Service Recipients incur any fees, charges or assessments to the Contractor for Contractor's delivery of services under this Agreement.

**10. Public Information and Education Program.** CITY shall provide public information in the normal course to inform Service Recipients of this recycling program. The content and timing of CITY public information shall be coordinate with and approved by Contractor. Contractor may prepare and distribute its own promotional materials subject to CITY approval; which approval shall not be unreasonably withheld. Contractor shall participate in CITY directed promotion and education efforts as outlined below:

a. During the course of the routine recycling pick up, provide and distribute notices regarding rejected materials and proper set out procedures.

b. Training of employees to deal courteously with customers on the telephone and on-route to promote the collection service and explain proper material preparation.

c. Coordinate with CITY for distribution of written promotional and instructional materials directly to Service Recipients.

d. Provide advice to CITY on promotion and education material content and presentation.

**11. Telephone and Customer Service.** Contractor shall maintain and staff a local toll-free telephone number where complaints of Service Recipients shall be received, recorded and handled by Contractor, between the hours of 9:00 AM and 4:30 PM Monday through Friday, excluding Holidays. Typically, all "call backs" shall be attempted a minimum of one time prior to 6:00 p.m. on the day of the call.

**12. Marketing and Disposition of Recyclable Material.** Contractor shall be solely responsible for the marketing and sale of collected Soft Recyclables and shall be solely responsible for the storage and disposition of the Soft Recyclables in the event it is unable to sell the Soft Recyclables in a timely manner.

**13. Insurance.** During the term of this Agreement Contractor agrees to keep in force, with an insurance company licensed to transact business in the state of Michigan, an "occurrence basis" insurance policy or policies indemnifying, defending and saving harmless CITY from all damages (except for damages caused by CITY's own negligence, willful misconduct or failure) which may be occasioned to any person, firm, or corporation, whether damages are by reason of any willful or negligent act or acts on part of Contractor, its agents or employees, with limits no less than:

a. General Liability: One Million and no/100 Dollars ($1,000,000.00) combined single limit per occurrence for bodily injury, personal injury, and property damage.
b. Vehicle Liability: Two Million and no/100 Dollars ($2,000,000.00) combined single limit per accident for bodily injury and property damage.
c. Worker's Compensation/Industrial Insurance: Limits as required by the State of Michigan.
The general liability provisions in automobile liability policies are to contain, or be endorsed to contain, the following provisions:

(i) CITY, its officers, officials, employees, and volunteers are to be covered as insureds as respects: liability arising out of activities performed by or on behalf of Contractor; products and completed operations of Contractor; premises owned, occupied, or used by Contractor; or automobiles owned, leased, hired, or borrowed by Contractor.
(ii) Contractor's insurance coverage shall be primary insurance as CITY, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by CITY, its officers, officials, employees, or volunteers shall be in excess of Contractor's insurance and shall not contribute with it.
(iii) Any failure to comply with reporting provisions of the policy shall not affect coverage provided to CITY, its officers, officials, employees, or volunteers.
(iv) Contractor's insurance shall apply separate to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
(v) Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, nor reduced in coverage or in limits except after thirty (30) days' prior written notice has been given to CITY.

**14. Taxes.** Contractor agrees to save CITY harmless from any and all taxes or assessments of any kind or nature levied by any political subdivision upon Contractor by reason of services rendered for Soft Recyclables and disposal for CITY.

**15. Employee Conduct.** All Contractor personnel must maintain a courteous and respectful attitude toward the public at all times. At no time may they solicit, request or receive gratuities of any kind. Contractor must direct its employees to avoid loud and/or profane language at all times during the performance of duties. Any employee of Contractor who engages in misconduct or is incompetent or negligent in the proper performance of duties or is disorderly, dishonest, intoxicated, or discourteous must be removed from service under this contract by Contractor.

**16. Monthly Reports.** Contractor shall provide monthly project status reports. These reports will be due within fifteen (15) days of the close of the month being reported. At a minimum, the reports shall include detailed data to allow analysis of collection and processing efficiencies including pounds of Soft Recyclables collected in the prior month and the payment of the required fee to CITY.

**17. Inspections.** Upon reasonable advanced request to Contractor, CITY may inspect the facilities, equipment and operations of Contractor to assure itself of the appearance and compliance with provisions of this Agreement. Upon reasonable advance request, CITY may review the records kept on the Soft Recyclables collected under the terms of this Agreement to test and validate the weights claimed. CITY agrees to notify Contractor, in writing, at least forty-eight (48) hours prior to any such inspection.

**18. Meetings and Communications.** In order to minimize misunderstanding and to provide thereafter a forum for discussing and resolving any issues that may arise, the parties agree to meet on a regular basis and hereby adopt communications procedures as follows:

Meetings After Collection Begins. After Collections begin, meetings shall be held no less frequently than a quarterly basis, unless otherwise mutually agreed, between representatives of the parties. Such meetings will be held for the purpose of reviewing and discussing day-to-day operations, promotion, public information and public relations.

Designation of Representatives. Each party shall send at least one representative to each meeting. CITY shall send to each meeting at least one staff member with operation expertise. Each party shall designate one, and only one, representative as its Lead Representative. If a party sends only one representative to any meeting, that person shall be conclusively presumed to be its Lead Representative.

**19. Compliance with Laws and Regulations.** Contractor agrees that, in performance of work and services under this contract, Contractor will qualify under and comply with any and all applicable federal, State and local laws and regulations now in effect, or hereafter enacted during the Term, which are applicable to Contractor, its employees, agents or subcontractors, if any, with respect to the work and services described herein.

**20. Termination and Breach.** In the event of a breach of the terms and conditions of this Agreement by either Party hereunder, the non-breaching Party may elect to terminate this Agreement by providing the defaulting Party with a written notice of such default, and allowing the breaching Party a period of thirty (30) days from and after the date of such notice to cure the breach complained of to the satisfaction of the non-breaching Party. In the event said breach is not cured within the thirty (30) day period, this Agreement shall be terminated (for-cause) as of the last day of the period. In the event CITY is the non-defaulting party, Contractor agrees to furnish services under this Agreement, if so desired by the CITY, until such time as another Soft Recyclables collection and disposal contractor can be selected by CITY.

**21. Severability.** Should one or more of the provisions of this Agreement be held by any court to be invalid, void or unenforceable, the remaining provisions shall nevertheless remain and continue in full force and effect, provided that the continuation of such remaining provisions does not materially change the original intent of this Agreement.

**22. Independent Contractor Status.** In the performance of services pursuant to this Agreement, Contractor shall be an independent contractor and not an officer, agent, servant or employee of CITY. Contractor shall have exclusive control over the details of the service and work performed and over all persons performing such service and work. Contractor shall be solely responsible for the acts and omissions of its officers, agents, employees, Contractors and subcontractors, if any. Neither Contractor nor its officers, agents, employees or subcontractors shall obtain any right to retirement benefits, Workers' Compensation benefits, or any other benefits which accrue to CITY employees and Contractor expressly waives and claim it may have or acquire to such benefits.

**23. No Assignment.** This Agreement, or any interest herein, shall not be transferred, sold, nor assigned by the CITY to any person, firm, or corporation, without the prior written consent of the Contractor.

**24. Definitions.**

**a. Commercial Customer**: The term "Commercial Customer" means non-residential customers, including businesses, public or private schools, institutions, governmental agencies and all other users of commercial-type Garbage collection services.
**b. Container**: The term "Container" means a bag, supplied by Contractor for use by the Residential Customer to set out Soft Recyclables.
**c. Curb or Curbside**: The words "Curb" or "Curbside" relate to the homeowners' property, within five (5) feet of the Public Street or Private Road without blocking sidewalks, driveways or on-street parking. If circumstances preclude, a Curbside shall be considered a placement suitable to the resident, convenient to Contractor's equipment, and mutually agreed to by CITY and Contractor.
**d. Excluded Items:** The term "Excluded Items" means Garbage, Hazardous Waste, large furniture, large appliances such as refrigerators, stoves, washers and dryers, magazines, newspapers, car seats, cribs, mattresses, paint, tires, cleaners, etc. and any item heavier than fifty (50) pounds.
**e. Garbage**: The term "Garbage" means all putrescible and non-putrescible solid and semi-solid wastes, including, but not limited to, rubbish, ashes, industrial wastes, grass, yard debris, leaves, stumps, swill, demolition and construction wastes, dead animals, piles of debris, car parts, construction or demolition debris, or any item that would be considered Hazardous Waste.
**f. Hazardous Waste**: The term "Hazardous Waste" means any hazardous, toxic or dangerous waste, substance or material, or contaminant, pollutant or chemical, known or unknown, defined or identified as such in any existing or future local, state or federal law, statute, code, ordinance, rule, regulation, guideline, decree or order relating to human health or the environment or environmental conditions, including but not limited to any substance that is defined as hazardous by 4 0 C .F .R. Part 2 61 and regulated as hazardous waste by the United States Environmental Protection Agency under Subtitle C of the Resource Conservation and Recovery Act ("RCRA") of 1976, 42 U.S.C. § 6901 et seq., as amended by the Hazardous and Solid Waste Amendments ("HSWA") of 1984; the Toxic Substances Control Act, 15 U.S.C. § 2601 et seq.; or any other federal statute or regulation governing the treatment, storage, handling or disposal of waste imposing special handling or disposal requirements similar to those required by Subtitle C of RCRA or any Michigan statute or regulation governing the treatment, storage, handling or disposal of wastes and imposing special handling requirements similar to those required by federal law.
**g. Holiday**: The term "Holiday" means the following days: New Year's Day, Martin Luther King Jr. Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day and Christmas Day, unless otherwise specified by the CITY recycling holiday schedule.
**h. Residential Customer**: The term "Residential Customer" means and individual or individuals residing in a living space rented, leased or owned.
**i. Service Area**: The Service Area will encompass all of CITY'S curbside, residential trash and recycling collection area, as it may be amended from time to time.

**j. Service Recipients:** The term "Service Recipients" means Residential Customers of CITY in the Service Area.

**k. Soft Recyclable:** The term "Soft Recyclable" means items of an individual weight less than fifty (50) pounds and can be carried by one person. Acceptable Soft Recyclables include primarily men's, women's and children's clothing as well as items such as jewelry, shoes, purses, hats, toys, pictures, mirrors, blankets, drapes and curtains, pillows, rags, sewing scraps, sleeping bags, small furniture, small appliances, irons, radios and audio equipment, TVs and video equipment, cameras, lamps, hairdryers, tools, toasters, microwaves, coffee makers, computers and household or consumer electronics, silverware, dishes, pots and pans, glasses and the like. The definition of Soft Recyclable is subject to modification, with mutual agreement between the City and the Contractor based upon experience gained during the term of this Agreement.

**25. Additional Services.** The Contractor shall establish a drop-box for Soft Recyclables at the CITY'S recycling drop-off facility. The type of drop-box shall be approved by the Contractor, with the appearance subject to the mutual agreement of the Parties to this Agreement. The drop-box shall be viewed by the Contractor no less frequently than every week and shall be emptied of its contents on a schedule determined by the Contractor, but with sufficient frequency to avoid creating an unseemly appearance.

**26. Service Modifications.** To avoid confusion with the CITY'S existing collector for trash and recycling, the Parties agree that the Contractor will not collect any material set outside of the Container, such as small furniture, small appliances, televisions and other items which do not fit into the Container. The Contractor and CITY agree to discuss this service modification at the quarterly meetings set forth under Section 20 herein, with a goal of allowing the Contractor to collect and recycle these materials for the CITY as soon as practicable.

IN WITNESS WHEREOF, the parties have executed and delivered this Agreement as of the Date of Execution first written above.

City of Livonia, a Michigan Municipal Corporation

In the Presence of:

By:

Dennis K. Wright
Mayor

In the Presence of:

By:

Susan M. Nash
City Clerk

In the Presence of:

Great Lakes Recycling, Inc. d/b/a Simple Recycling

By:

Adam Winfield, President

Approved:

Donald R. Rohraff
Director of Public Works

Michael Slater
Director of Finance

Approved as to form:

Paul Bernier
Department of Law

Pursuant to Resolution #270-19

Adopted by City Council on: 8-12-2019

On a motion by Meakin, supported by White, and unanimously adopted, it was:

AUG 12, 2019

**MUNI-REFUSE**
(Simple Recycling) Approval to enter into an agreement with Simple Recycling, to provide services for curbside collection of soft recyclables for a period of four (4) years.

**#270-19** RESOLVED, that having considered the report and recommendation from the Director of Public Works and the Superintendent of Public Service, dated July 11, 2019, which is approved for submission by the Mayor, requesting that the City enter into an agreement with Simple Recycling, 5425 Naiman Parkway, Solon, Ohio 44139, to provide services for curbside collection of soft recyclables for a period of four (4) years (with the option to extend the agreement for an additional four (4) years), said services to be provided at no cost to the City and Simple Recycling to pay the City a fee of $0.01 per pound ($20.00 per ton) of gross receipts of soft recyclables collected, the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute the proposed agreement for collection of soft recyclables in the manner and form herein submitted, subject to approval as to form and substance by the Department of Law, and to do all other things necessary or incidental to the full performance of this resolution.

Councilmember White gave a brief summary of what the above agreement will offer to Livonia residents.

Vice President Jolly stated that the details of this Agreement will be forthcoming and for residents not to expect it to immediately take place.

Councilmember McIntyre indicated there will be special bags for this and that one of the advantages of this program is that items such as textiles are not recyclable and that this program will allow them to be recycled.

President Toy reminded residents that clothing items can still be donated to their local charities if they prefer, but that this is another way for the City to be user friendly in recycling and repurposing different items. She thanked the Sustainability Committee for all of the work they did on this item.

*UNFINISHED BUSINESS AGENDA ITEMS (Regular Meeting of August 12, 2019)*

***Motion by:*** ***Meakin***
***Seconded by:*** ***White***
***ROLL CALL:***
***Ayes:*** ***Meakin, Jolly, Kritzman, White, McIntyre and Toy***
***Nays:*** ***None***
***Absent:*** ***Bahr***

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# LETTER TO THE LIVONIA CITY COUNCIL

2.

## DPW
## March 18, 2022

| MEETING DATE | PREPARED BY |
|---|---|
| Study Meeting of April 4, 2022 | Jill Russell, Secretary III, |

## AGENDA ITEM

REQUEST TO APPROVE AMENDMENT TO AGREEMENT WITH SIMPLE RECYCLING: Department of Public Works, re: to modify their program collection from a regular, weekly curbside collection to a scheduled porch pickup.

## BACKGROUND

In response to challenges brought forth during the COVID-19 pandemic, Simple Recycling was forced to cease their collections of curbside soft recyclables during a period from March 2020 through August 2020 (6 months). Once collections resumed, ongoing difficulties with staffing shortages and increased operational costs prompted Simple Recycling to modify their program collection from a regular, weekly curbside collection to a scheduled porch pickup. These program changes have allowed Simple Recycling to run the program more efficiently with improved convenience for the residents while continuing to provide this service **at no cost to the City**. This new collection process has proven successful and Simple Recycling intends to continue operating in this manner for the foreseeable future. Concurrence with this change requires an amendment to the agreement for collection of soft recyclables between the City and Simple Recycling.

## RECOMMENDATION

Authorize the Mayor and City Clerk to execute amendments to the agreement with Simple Recycling (CR 270-19) for the collection of soft recyclables as defined in the attached agreement.

## FISCAL CONSIDERATION

None

## ATTACHMENTS

1. Livonia Simple Recycling Scheduled Pickup Ammendment 2022-03-17
2. LivoniaSimpleRecycling 4-Year Service Agreement Fully Executed 2019-08-12
3. R081219 Approval of Simple Recycling Contract CR 270-19

## APPROVED BY

Date: March 21, 2022

Jacob Rushlow, P.E., Assistant Director of Public Works

Date: March 21, 2022

Don Rohraff, Director of Public Works

Date: March 21, 2022

Michael Slater, Finance Director

Date: March 21, 2022

Paul Bernier, City Attorney

Date: March 22, 2022

Maureen Miller Brosnan, Mayor

NEW DATA FOR REGULAR MEETING
OF APRIL 18, 2022 - ITEM 7

**Simple Recycling Collections**

| Month | Materials Collected (lbs.) | Materials Collected (Tons) |
|---|---|---|
| Dec 2019 | 21,690 | 10.85 |
| Jan 2020 | 18,099 | 9.05 |
| Feb 2020 | 8,725 | 4.36 |
| Mar 2020 * | 6,036 | 3.02 |
| Apr 2020 | - | - |
| May 2020 | - | - |
| Jun 2020 | - | - |
| Jul 2020 | - | - |
| Aug 2020 | - | - |
| Sep 2020 | 8,858 | 4.43 |
| Oct 2020 | 7,046 | 3.52 |
| Nov 2020 | 8,812 | 4.41 |
| Dec 2020 | 7,443 | 3.72 |
| Jan 2021 | 7,280 | 3.64 |
| Feb 2021 | 6,784 | 3.39 |
| Mar 2021 | 13,152 | 6.58 |
| Apr 2021 | 10,780 | 5.39 |
| May 2021 | 9,226 | 4.61 |
| Jun 2021 | 7,165 | 3.58 |
| July 2021 | 882 | 0.44 |
| Aug 2021 | 728 | 0.36 |
| Sep 2021 | 1,050 | 0.53 |
| Oct 2021 | 1,134 | 0.57 |
| Nov 2021 | 71 | 0.04 |
| Dec 2021 | 1,106 | 0.55 |
| Jan 2022 | 1,190 | 0.60 |
| Feb 2022 | 728 | 0.36 |
| Mar 2022 | 854 | 0.43 |
| | | - |
| **Total Collections** | **148,839** | **74.42** |

*** 3/17/2020 operations ceased due to COVID until 8/31/2020**

# LETTER TO THE LIVONIA CITY COUNCIL

8.

**Law**
**April 5, 2022**

| MEETING DATE | PREPARED BY |
|---|---|
| April 18, 2022 | Brenda Smyser, Program Supervisor, |

## AGENDA ITEM

REQUEST TO SCHEDULE A CLOSED COMMITTEE OF THE WHOLE MEETING: Department of Law, re: for the purpose of discussing pending litigation and attorney/client privileged communications with respect to The Parz Group, Inc., et al. v City of Livonia, et al.

## BACKGROUND

It is respectfully requested that the Council, by a two-thirds roll call vote in accordance with Section 7(1) and 8(d) of the Open Meetings Act, schedule a closed meeting for the Committee of the Whole for the purpose of discussing the subject pending litigation and attorney/client privileged communications.

## RECOMMENDATION

Approve and schedule a Closed Committee of the Whole Meeting

## FISCAL CONSIDERATION

N/A

## ATTACHMENTS

None

## APPROVED BY

Paul Bernier, City Attorney — Date: April 05, 2022

Maureen Miller Brosnan, Mayor — Date: April 7, 2022