

OFFICE OF THE COUNCIL

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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, JULY 26, 2021
7:00 P.M.**

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(734) 466-2250**

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

AGENDA

1925th Regular Meeting of the Council of the City of Livonia Monday, July 26, 2021

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 1924th Regular Meeting of July 12, 2021

AUDIENCE COMMUNICATION

REPORTS FROM THE MAYOR AND OTHER CITY OFFICIALS

[Communication from the Department of Finance, dated July 1, 2021, re: forwarding various financial statements of the City of Livonia as of May 31, 2021.](#)

CONSENT AGENDA

1. [BLOCK PARTY: Maggie McGrane, re: to be held Saturday, August 21, 2021, from 1:00 p.m. to 10:00 p.m. on Rayburn Street, between Levan and Williams, with no rain date requested.](#)
2. [BLOCK PARTY: Jennifer Thomas, re: with a band and DJ, to be held Saturday, August 7, 2021, from 12:00 p.m. to 10:00 p.m. at Dooley Park, on Harrison between Meadowlark and Lyndon, with a rain date of Saturday, August 14, 2021.](#)
3. [REQUEST TO WAIVE THE CITY'S NOISE ORDINANCE: Robert Rais, Knights of Columbus, re: to host a car show with a DJ at Saint Colette's Catholic Church, 17600 Newburgh Road on Saturday, August 7, 2021 from 9:00 a.m. to 3:00 p.m.](#)
4. [REQUEST TO WAIVE THE CITY'S NOISE ORDINANCE: Ian Edgar and Gale Wilcox, Anastasia & Katie's Coffee Shop, re: to host a car show with a DJ, in the parking lot of business located at 19215 Merriman Road on Saturday, August 28, 2021 from 8:30 a.m. to 4:00 p.m., with a rain date request of either Saturday, September 4, 2021 or Saturday, September 11, 2021.](#)
5. [REQUEST TO MAINTAIN MEMBERSHIP IN OAKLAND COUNTY'S COURTS AND LAW ENFORCEMENT MANAGEMENT INFORMATION SYSTEM \(CLEMIS\): Division of Police, re: as this system serves as a technical link between member agencies to promote communication and the sharing of criminal justice information.](#)

Agenda for the Regular Meeting of July 26, 2021

6. REQUEST APPROVAL FOR SENIOR ALLIANCE 2022 ANNUAL IMPLEMENTATION PLAN (AIP): Jason Maciejewski, Chief Information and Planning Officer, re: as required by the Aging and Adult Services Agency (AASA) to be submitted to the State Commission on Services to the Aging.
7. TAX RATE REQUEST FOR THE PLYMOUTH ROAD DEVELOPMENT AUTHORITY FOR THE 2021 TAX YEAR: Office of the City Clerk, re: forwarding communication dated May 17, 2021, from Michael T. Slater, Treasurer, setting forth the rate of tax to be levied and requesting that it be collected as part of the summer tax collection.
8. TAX RATE REQUEST FOR THE LIVONIA PUBLIC SCHOOL DISTRICT FOR THE YEAR 2021: Office of the City Clerk, re: forwarding a communication from Alison Smith, Director of Finance, requesting the City to continue to collect one-half of the district's taxes with the summer tax collection and the remaining one-half with the winter tax collection, commencing July 1, 2021.
9. TAX RATE REQUEST FOR THE CLARENCEVILLE SCHOOL DISTRICT FOR THE 2021-2022 SCHOOL YEAR: Office of the City Clerk, re: forwarding a communication from David G. Bergeron, Assistant Superintendent, setting forth the rate of tax approved by the Board of Education on May 14, 2021.
10. TAX RATE REQUEST FOR SCHOOLCRAFT COMMUNITY COLLEGE DISTRICT FOR THE 2021-2022 SCHOOL YEAR: Office of the City Clerk, re: forwarding a communication from Jon Lamb, CPA, CFO of Schoolcraft College, to set the rate of tax to be levied and requesting that it be collected as a summer tax.
11. TAX RATE REQUEST FOR OAKLAND SCHOOLS ISD FOR THE 2021-2022 SCHOOL YEAR: Office of the City Clerk, re: forwarding a communication from Michelle Saunders, Executive Director of Financial Services, to set the rate of tax to be levied and requesting that it be collected as a summer tax.
12. TAX RATE REQUEST FOR WAYNE COUNTY REGIONAL EDUCATIONAL SERVICE AGENCY (RESA) FOR THE 2021 SCHOOL YEAR: Office of the City Clerk, re: forwarding a communication from Tamara Dust, Director of Finance and Compliance, requesting to set the rate of tax to be levied and requesting that it be collected as a summer tax.
13. TAX RATE REQUEST FOR THE COUNTY OF WAYNE FOR THE YEAR 2021: Office of the City Clerk, re: forwarding a communication from Scott T. Vandermergel, MMAO(4), Director of Assessment and Equalization, requesting that the City collect 5.6347 Charter authorized mills as part of the summer tax collection and the remainder as part of the winter tax collection.
14. TAX RATE REQUEST FOR THE STATE OF MICHIGAN, STATE EDUCATION TAX FOR THE YEAR 2021: Office of the City Clerk, re: forwarding a communication from Rachael Eubanks, State Treasurer, requesting to set the rate of tax to be levied and requesting that it be collected as a summer tax.

Agenda for the Regular Meeting of July 26, 2021

15. [REQUEST TO APPROVE THE ESTABLISHMENT OF IMPROVEMENT BONDS: Engineering Division, re: to assure the installation of public improvements at Grand Reserve Site Condominium \(formerly Roma Court\); located on the south side of Lyndon Avenue between Newburgh Road and Hix Road \(37855 Lyndon Avenue, formerly Webster Elementary School site\) in the Southeast 1/4 of Section 19 \(CR 87-21\).](#)
16. [REQUEST TO APPROVE THE ESTABLISHMENT OF IMPROVEMENT BONDS: Engineering Division, re: to assure the installation of public improvements at Lyndon Park Site Condominium \(formerly Adams Park\); located on the south side of Lyndon Avenue between Inkster Road and Middlebelt Road \(28201 Lyndon Avenue, formerly Adams Elementary School site\) in the Southeast 1/4 of Section 24 \(CR 11-21\)](#)

UNFINISHED BUSINESS - MEETINGS OF THE COMMITTEE

17. [FINANCE AND BUDGET COMMITTEE – Meeting of Wednesday, June 30, 2021](#)
 - a. [CR 367-02 Topic of Annual Audit Reports. \(City of Livonia Audit Reports for the period December 1, 2019 to November 30, 2020\).](#)
18. [PUBLIC SAFETY, HEALTH & ENVIRONMENT COMMITTEE – Meeting of Monday, July 19, 2021](#)
 - a. [CR 42-20 Subject matter of urban environment concerns.](#)
 - b. [CR 111-18 Subject matter of measures to retain employees within the Police and Fire Divisions of the Department of Public Safety.](#)

UNFINISHED BUSINESS

19. [LANGUAGE PETITION: Planning Commission, re: Petition 2020-12-06-03, to consider the adoption of an updated and re-formatted LIVONIA VISION 21 Zoning Ordinance and LIVONIA VISION 21 Zoning Map. The proposed LIVONIA VISION 21 Zoning Ordinance provides new definitions, creates several new zoning districts and deletes several existing districts, updates the list of permitted and waiver land uses for each zoning district, provides new requirements and regulations for lot sizes, building setbacks, and lot coverages, off street parking, signs, alternative energy systems, and other regulations for structures and uses, including a new form-based development option for the City's commercial districts.](#)

[NEW DATA ITEM 19 – Letter from resident](#)

NEW BUSINESS

20. [REQUEST TO WAIVE THE CITY'S NOISE ORDINANCE: Maria Alaouieh, re: to host a party with music at her home located at 37316 Seabrook Drive on Saturday, July 31, 2021, from 3:00 p.m. to 11:00 p.m.](#)

Agenda for the Regular Meeting of July 26, 2021

21. [WAIVER PETITION: Planning Commission, re: Petition 2021-06-02-10 submitted by Livonia AM Rotary Club, to conduct a carnival in the parking lot of Sears, consisting of amusement rides, games, and food concessions from September 16, 2021, through September 20, 2021, inclusive, on property at 29500 Seven Mile Road, located on the northwest corner of Seven Mile and Middlebelt Roads in the Southeast ¼ of Section 2.](#)

[NEW DATA ITEM 21: Letters from Petitioner](#)

AUDIENCE COMMUNICATION

SUSAN M. NASH, CITY CLERK

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
July 1, 2021

MEETING DATE

July 26, 2021

PREPARED BY

DeAnne Bates, Program Supervisor,

AGENDA ITEM

Communication from the Department of Finance, dated July 1, 2021, re: forwarding various financial statements of the City of Livonia as of May 31, 2021.

BACKGROUND

Attached hereto are the various financial statements of the City of Livonia for the month ending May 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

Receive and File

FISCAL CONSIDERATION

N/A

ATTACHMENTS

1. BUDGET TO ACTUAL - COUNCIL SUMMARY - MAY 2021

APPROVED BY

A handwritten signature in black ink that reads "Michael T Slater".

Date: July 01, 2021

Michael Slater, Finance Director

A handwritten signature in black ink that reads "Maureen Miller Brosnan".

Date: July 02, 2021

Maureen Miller Brosnan, Mayor



BUDGET TO ACTUAL - COUNCIL SUMMARY -

5/31/2021

Through 05/31/21

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	63,341,002.00	.00	63,341,002.00	2,177,149.21	.00	46,649,040.76	16,691,961.24	74	46,110,825.21
REVENUE TOTALS	\$63,341,002.00	\$0.00	\$63,341,002.00	\$2,177,149.21	\$0.00	\$46,649,040.76	\$16,691,961.24	74%	\$46,110,825.21
EXPENSE									
Department 101 - CITY COUNCIL	294,142.00	.00	294,142.00	21,553.23	.00	134,980.81	159,161.19	46	178,291.69
Department 173 - MAYOR'S OFFICE	602,660.00	.00	602,660.00	47,057.93	.00	280,521.12	322,138.88	47	289,806.68
Department 191 - ACCOUNTING	234,432.00	.00	234,432.00	22,748.01	.00	91,105.81	143,326.19	39	96,836.22
Department 192 - FINANCE DEPARTMENT	418,272.00	.00	418,272.00	32,266.91	.00	195,998.04	222,273.96	47	184,217.52
Department 215 - CITY CLERK	647,082.00	.00	647,082.00	47,030.79	.00	306,160.48	340,921.52	47	257,658.32
Department 223 - INDEPENDENT AUDIT	35,609.00	.00	35,609.00	(1,220.00)	.00	54,198.91	(18,589.91)	152	38,030.99
Department 228 - INFORMATION SYSTEMS	1,194,503.00	.00	1,194,503.00	49,529.16	41,019.57	741,695.43	411,788.00	66	556,973.91
Department 236 - ETHICS BOARD	400.00	.00	400.00	65.00	.00	177.20	222.80	44	27.52
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	2,411.36	1,133.64	68	2,196.06
Department 253 - TREASURER	566,689.00	.00	566,689.00	45,972.89	5,803.00	251,852.31	309,033.69	45	251,390.04
Department 256 - DAMAGE CLAIMS	950,000.00	.00	950,000.00	158,628.00	.00	611,830.45	338,169.55	64	348,613.52
Department 257 - ASSESSING	548,658.00	.00	548,658.00	37,546.66	.00	239,216.69	309,441.31	44	232,862.33
Department 261 - UTILITIES AND SUPPLIES	608,247.00	.00	608,247.00	53,508.29	.00	200,400.22	407,846.78	33	152,598.58
Department 262 - ELECTION COMMISSION	348,186.00	.00	348,186.00	63,786.78	.00	126,592.35	221,593.65	36	167,812.09
Department 263 - INSURANCE-GENERAL	91,711.00	.00	91,711.00	(3,607.00)	.00	391,789.00	(300,078.00)	427	386,146.67
Department 264 - INSURANCE-WORKERS COMP	325,299.00	.00	325,299.00	38,848.70	.00	324,740.45	558.55	100	196,381.10
Department 266 - LAW DEPARTMENT	850,822.00	.00	850,822.00	65,182.24	.00	397,698.62	453,123.38	47	379,842.33
Department 267 - EMPLOYEE BENEFITS CONTROL	42,000.00	.00	42,000.00	269,274.75	.00	(727,455.03)	769,455.03	-1732	(1,622,471.83)
Department 268 - NON-DEPT CAPITAL PROJECTS	531,000.00	.00	531,000.00	.00	.00	525,000.00	6,000.00	99	1,025,000.00
Department 269 - CIVIL SERVICE	821,138.00	.00	821,138.00	54,475.41	.00	310,477.40	510,660.60	38	317,056.98
Department 271 - LABOR RELATIONS	96,500.00	.00	96,500.00	4,430.00	.00	37,568.75	58,931.25	39	33,133.66
Department 272 - DUES AND SUBSCRIPTIONS	51,000.00	.00	51,000.00	.00	.00	12,589.00	38,411.00	25	17,309.00
Department 286 - 16TH DISTRICT COURT	3,323,235.00	.00	3,323,235.00	234,061.19	1,498.87	1,496,308.43	1,825,427.70	45	1,335,737.45
Department 302 - TRAFFIC BUREAU	1,215,460.00	.00	1,215,460.00	70,679.50	.00	374,824.60	840,635.40	31	472,763.85
Department 304 - POLICE ADMINISTRATION	2,734,212.00	71,000.00	2,805,212.00	171,514.54	42,552.86	1,019,152.63	1,743,506.51	38	950,959.06
Department 306 - POLICE DATA PROCESSING	853,721.00	.00	853,721.00	75,525.75	65,511.03	372,517.13	415,692.84	51	389,026.30
Department 307 - DETECTIVE BUREAU	3,400,555.00	.00	3,400,555.00	255,907.71	.00	1,563,777.85	1,836,777.15	46	1,441,008.53
Department 309 - AUTOMOTIVE SERVICE	556,150.00	.00	556,150.00	46,694.21	.00	196,496.81	359,653.19	35	139,835.01
Department 310 - POLICE COMMUNICATIONS	973,482.00	.00	973,482.00	59,928.92	33,424.00	336,969.23	603,088.77	38	386,454.53
Department 313 - CROSSING GUARDS	70,723.00	.00	70,723.00	4,976.37	.00	24,065.44	46,657.56	34	20,832.42
Department 316 - SCHOOL LIAISON	411,632.00	.00	411,632.00	27,846.46	.00	175,787.94	235,844.06	43	181,054.13
Department 318 - OFFICE OF EMERG PREP	133,515.00	.00	133,515.00	8,426.89	.00	51,962.95	81,552.05	39	52,821.87
Department 319 - RESERVE POL/SPECIAL EVENT	342,593.00	.00	342,593.00	23,215.45	.00	122,443.83	220,149.17	36	109,957.10
Department 325 - POLICE PATROL BUREAU	13,476,216.00	(71,000.00)	13,405,216.00	778,693.24	12,889.18	5,039,290.44	8,353,036.38	38	4,645,635.82
Department 329 - INTELLIGENCE BUREAU	2,372,561.00	.00	2,372,561.00	135,018.51	.00	732,777.46	1,639,783.54	31	797,547.26



BUDGET TO ACTUAL - COUNCIL SUMMARY - 5/31/2021

Through 05/31/21

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 336 - FIRE ADMINISTRATION	1,260,045.00	.00	1,260,045.00	107,061.77	1,723.36	569,192.38	689,129.26	45	535,900.94
Department 338 - FIRE FIGHTING	13,357,355.00	.00	13,357,355.00	1,202,763.86	227,679.00	6,058,398.46	7,071,277.54	47	5,050,872.91
Department 341 - FIRE PREVENTION	824,309.00	.00	824,309.00	58,308.28	.00	369,514.27	454,794.73	45	329,674.20
Department 371 - INSPECTION	1,685,617.00	.00	1,685,617.00	111,890.12	.00	693,518.37	992,098.63	41	600,524.91
Department 381 - BLDG CODE BD OF APPEALS	861.00	.00	861.00	.00	.00	.00	861.00	0	.00
Department 435 - TRAFFIC COMMISSION	2,353.00	.00	2,353.00	118.41	.00	791.22	1,561.78	34	462.89
Department 441 - PUBLIC SERV ADMIN	8,391.00	.00	8,391.00	(20,212.72)	.00	(108,432.34)	116,823.34	-1292	(92,795.36)
Department 443 - PUBLIC SERV-EQUIP MAINT	213,125.00	.00	213,125.00	(27,880.58)	23,956.24	(89,387.70)	278,556.46	-31	(157,615.26)
Department 447 - ENGINEERING	1,269.00	.00	1,269.00	(7,182.83)	.00	(80,652.48)	81,921.48	-6356	(88,274.05)
Department 448 - STREET LIGHTING	231,648.00	.00	231,648.00	16,260.94	.00	105,530.82	126,117.18	46	129,619.69
Department 463 - MAINTENANCE-STREET	453,716.00	.00	453,716.00	(39,083.54)	13,315.99	98,561.73	341,838.28	25	38,541.96
Department 523 - PUBLIC SERV-BLDG MAINT	1,598,450.00	.00	1,598,450.00	93,274.96	60,681.68	674,756.02	863,012.30	46	535,054.54
Department 524 - PARKS	1,425,183.00	.00	1,425,183.00	88,009.04	26,416.85	386,476.39	1,012,289.76	29	344,814.20
Department 701 - PLANNING	726,945.00	.00	726,945.00	56,866.53	.00	297,218.67	429,726.33	41	265,436.13
Department 702 - ZONING BOARD OF APPEALS	113,232.00	.00	113,232.00	3,839.59	.00	26,249.66	86,982.34	23	23,965.74
Department 752 - RECREATION ADMINISTRATION	164,486.00	.00	164,486.00	7,880.68	.00	60,617.01	103,868.99	37	171,946.79
Department 758 - RECREATION FACILITIES	28,825.00	.00	28,825.00	1,861.45	.00	4,589.96	24,235.04	16	796.41
Department 759 - RECREATION ATHLETICS	89,925.00	.00	89,925.00	10,897.02	2,066.10	20,133.69	67,725.21	25	6,114.73
Department 820 - PARKS & REC - SENIOR SERVICES	610,066.00	.00	610,066.00	49,982.93	.00	263,191.81	346,874.19	43	209,865.13
Department 821 - P&R - GREENMEAD AND CULTURAL	917,520.00	.00	917,520.00	70,642.08	12,085.83	371,859.51	533,574.66	42	389,535.62
EXPENSE TOTALS	\$62,843,271.00	\$0.00	\$62,843,271.00	\$4,684,864.48	\$570,623.56	\$25,738,051.56	\$36,534,595.88	42%	\$22,707,788.83
Fund 101 - GENERAL FUND Totals									
REVENUE TOTALS	63,341,002.00	.00	63,341,002.00	2,177,149.21	.00	46,649,040.76	16,691,961.24	74%	46,110,825.21
EXPENSE TOTALS	62,843,271.00	.00	62,843,271.00	4,684,864.48	570,623.56	25,738,051.56	36,534,595.88	42%	22,707,788.83
Fund 101 - GENERAL FUND Totals	\$497,731.00	\$0.00	\$497,731.00	(\$2,507,715.27)	(\$570,623.56)	\$20,910,989.20	(\$19,842,634.64)		\$23,403,036.38



BUDGET TO ACTUAL - COUNCIL SUMMARY -

5/31/2021

Through 05/31/21

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	8,501,865.00	.00	8,501,865.00	689,991.96	.00	2,769,477.75	5,732,387.25	33	2,819,565.55
REVENUE TOTALS	\$8,501,865.00	\$0.00	\$8,501,865.00	\$689,991.96	\$0.00	\$2,769,477.75	\$5,732,387.25	33%	\$2,819,565.55
EXPENSE									
Department 448 - STREET LIGHTING	602,433.00	.00	602,433.00	39,000.00	.00	234,000.00	368,433.00	39	210,000.00
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	1,202,599.00	277,054.00	1,479,653.00	49,434.49	.00	358,274.65	1,121,378.35	24	450,841.73
Department 478 - MAINT-FREEWAY LIGHTING	25,000.00	.00	25,000.00	1,299.36	.00	7,939.34	17,060.66	32	7,902.11
Department 479 - SNOW AND ICE REMOVAL	728,799.00	.00	728,799.00	27,398.00	.00	164,388.00	564,411.00	23	157,626.00
Department 483 - ADMIN, ENGIN RECORD KEEPI	183,138.00	.00	183,138.00	15,261.00	.00	91,566.00	91,572.00	50	171,249.00
Department 484 - FUND TRANSFERS	7,200,000.00	.00	7,200,000.00	600,000.00	.00	3,600,000.00	3,600,000.00	50	3,300,000.00
EXPENSE TOTALS	\$10,001,969.00	\$277,054.00	\$10,279,023.00	\$732,392.85	\$0.00	\$4,456,167.99	\$5,822,855.01	43%	\$4,297,618.84
Fund 202 - MAJOR STREET FUND Totals									
REVENUE TOTALS	8,501,865.00	.00	8,501,865.00	689,991.96	.00	2,769,477.75	5,732,387.25	33%	2,819,565.55
EXPENSE TOTALS	10,001,969.00	277,054.00	10,279,023.00	732,392.85	.00	4,456,167.99	5,822,855.01	43%	4,297,618.84
Fund 202 - MAJOR STREET FUND Totals	(\$1,500,104.00)	(\$277,054.00)	(\$1,777,158.00)	(\$42,400.89)	\$0.00	(\$1,686,690.24)	(\$90,467.76)		(\$1,478,053.29)



BUDGET TO ACTUAL - COUNCIL SUMMARY - 5/31/2021

Through 05/31/21

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	10,435,624.00	.00	10,435,624.00	861,440.37	.00	4,649,398.28	5,786,225.72	45	4,370,421.21
REVENUE TOTALS	\$10,435,624.00	\$0.00	\$10,435,624.00	\$861,440.37	\$0.00	\$4,649,398.28	\$5,786,225.72	45%	\$4,370,421.21
EXPENSE									
Department 448 - STREET LIGHTING	118,000.00	.00	118,000.00	9,833.00	.00	58,998.00	59,002.00	50	51,000.00
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	1,559,669.00	.00	1,559,669.00	120,596.00	.00	723,576.00	836,093.00	46	545,562.00
Department 479 - SNOW AND ICE REMOVAL	421,437.00	.00	421,437.00	35,117.00	.00	210,702.00	210,735.00	50	207,762.00
Department 483 - ADMIN, ENGIN RECORD KEEPI	654,768.00	.00	654,768.00	54,562.00	.00	327,372.00	327,396.00	50	227,946.00
Department 484 - FUND TRANSFERS	7,900,000.00	.00	7,900,000.00	658,333.00	.00	3,949,998.00	3,950,002.00	50	3,949,998.00
EXPENSE TOTALS	\$10,778,874.00	\$0.00	\$10,778,874.00	\$878,441.00	\$0.00	\$5,270,646.00	\$5,508,228.00	49%	\$4,982,268.00
Fund 203 - LOCAL STREET FUND Totals									
REVENUE TOTALS	10,435,624.00	.00	10,435,624.00	861,440.37	.00	4,649,398.28	5,786,225.72	45%	4,370,421.21
EXPENSE TOTALS	10,778,874.00	.00	10,778,874.00	878,441.00	.00	5,270,646.00	5,508,228.00	49%	4,982,268.00
Fund 203 - LOCAL STREET FUND Totals	(\$343,250.00)	\$0.00	(\$343,250.00)	(\$17,000.63)	\$0.00	(\$621,247.72)	\$277,997.72		(\$611,846.79)



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Fund 204 - ROAD - SIDEWALK & TREE									
REVENUE									
Department 000 - ACCOUNT BALANCES	12,222,041.00	.00	12,222,041.00	915,859.29	.00	8,276,207.45	3,945,833.55	68	7,958,924.93
REVENUE TOTALS	\$12,222,041.00	\$0.00	\$12,222,041.00	\$915,859.29	\$0.00	\$8,276,207.45	\$3,945,833.55	68%	\$7,958,924.93
EXPENSE									
Department 441 - PUBLIC SERV ADMIN	33,794.00	.00	33,794.00	2,816.00	.00	16,896.00	16,898.00	50	13,830.00
Department 447 - ENGINEERING	2,287,000.00	211,587.00	2,498,587.00	53,162.77	.00	403,955.54	2,094,631.46	16	406,637.22
Department 463 - MAINTENANCE-STREET	10,115,000.00	1,707,353.00	11,822,353.00	603,807.19	.00	738,353.52	11,083,999.48	6	86,398.46
Department 530 - FORESTRY	125,000.00	5,058.00	130,058.00	.00	.00	.00	130,058.00	0	.00
EXPENSE TOTALS	\$12,560,794.00	\$1,923,998.00	\$14,484,792.00	\$659,785.96	\$0.00	\$1,159,205.06	\$13,325,586.94	8%	\$506,865.68
Fund 204 - ROAD - SIDEWALK & TREE Totals									
REVENUE TOTALS	12,222,041.00	.00	12,222,041.00	915,859.29	.00	8,276,207.45	3,945,833.55	68%	7,958,924.93
EXPENSE TOTALS	12,560,794.00	1,923,998.00	14,484,792.00	659,785.96	.00	1,159,205.06	13,325,586.94	8%	506,865.68
Fund 204 - ROAD - SIDEWALK & TREE Totals	(\$338,753.00)	(\$1,923,998.00)	(\$2,262,751.00)	\$256,073.33	\$0.00	\$7,117,002.39	(\$9,379,753.39)		\$7,452,059.25



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Fund 208 - COMMUNITY RECREATION									
REVENUE									
Department 000 - ACCOUNT BALANCES	6,956,311.00	22,600.00	6,978,911.00	426,579.30	.00	5,030,084.21	1,948,826.79	72	4,343,854.91
REVENUE TOTALS	\$6,956,311.00	\$22,600.00	\$6,978,911.00	\$426,579.30	\$0.00	\$5,030,084.21	\$1,948,826.79	72%	\$4,343,854.91
EXPENSE									
Department 755 - RECREATION CENTER	6,900,217.00	199,013.00	7,099,230.00	317,624.64	311,605.44	3,340,881.57	3,446,742.99	51	3,372,540.05
Department 756 - OTHER RECREATION	22,100.00	165,000.00	187,100.00	572.00	35,000.00	7,533.75	144,566.25	23	6,795.79
Department 757 - ICE RINK	392,814.00	.00	392,814.00	.00	.00	352,358.53	40,455.47	90	347,239.30
Department 776 - SPECIAL EVENTS	93,060.00	.00	93,060.00	1,970.74	.00	14,879.71	78,180.29	16	7,005.27
Department 795 - SWIMMING POOL - BOTSFORD	274,160.00	105,000.00	379,160.00	902.74	271,486.00	3,816.12	103,857.88	73	1,807.71
Department 796 - SWIMMING POOL - CLEMENT C	140,082.00	20,000.00	160,082.00	1,144.50	4,562.00	3,251.85	152,268.15	5	2,588.77
Department 797 - SWIMMING POOL - SHELDON	162,922.00	(16,000.00)	146,922.00	443.58	28,366.00	1,921.81	116,634.19	21	725.17
EXPENSE TOTALS	\$7,985,355.00	\$473,013.00	\$8,458,368.00	\$322,658.20	\$651,019.44	\$3,724,643.34	\$4,082,705.22	52%	\$3,738,702.06
Fund 208 - COMMUNITY RECREATION Totals									
REVENUE TOTALS	6,956,311.00	22,600.00	6,978,911.00	426,579.30	.00	5,030,084.21	1,948,826.79	72%	4,343,854.91
EXPENSE TOTALS	7,985,355.00	473,013.00	8,458,368.00	322,658.20	651,019.44	3,724,643.34	4,082,705.22	52%	3,738,702.06
Fund 208 - COMMUNITY RECREATION Totals	(\$1,029,044.00)	(\$450,413.00)	(\$1,479,457.00)	\$103,921.10	(\$651,019.44)	\$1,305,440.87	(\$2,133,878.43)		\$605,152.85



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Fund 211 - DESIGNATED PURPOSE									
REVENUE									
Department 000 - ACCOUNT BALANCES	120,000.00	150.00	120,150.00	1,738.00	.00	16,521.84	103,628.16	14	32,423.25
REVENUE TOTALS	\$120,000.00	\$150.00	\$120,150.00	\$1,738.00	\$0.00	\$16,521.84	\$103,628.16	14%	\$32,423.25
EXPENSE									
Department 000 - ACCOUNT BALANCES	120,000.00	45,000.00	165,000.00	484.77	.00	6,796.01	158,203.99	4	32,251.86
EXPENSE TOTALS	\$120,000.00	\$45,000.00	\$165,000.00	\$484.77	\$0.00	\$6,796.01	\$158,203.99	4%	\$32,251.86
Fund 211 - DESIGNATED PURPOSE Totals									
REVENUE TOTALS	120,000.00	150.00	120,150.00	1,738.00	.00	16,521.84	103,628.16	14%	32,423.25
EXPENSE TOTALS	120,000.00	45,000.00	165,000.00	484.77	.00	6,796.01	158,203.99	4%	32,251.86
Fund 211 - DESIGNATED PURPOSE Totals	\$0.00	(\$44,850.00)	(\$44,850.00)	\$1,253.23	\$0.00	\$9,725.83	(\$54,575.83)		\$171.39



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Fund 226 - MUNICIPAL REFUSE FUND									
REVENUE									
Department 000 - ACCOUNT BALANCES	11,986,251.00	.00	11,986,251.00	708,866.18	.00	11,803,990.90	182,260.10	98	11,079,701.15
REVENUE TOTALS	\$11,986,251.00	\$0.00	\$11,986,251.00	\$708,866.18	\$0.00	\$11,803,990.90	\$182,260.10	98%	\$11,079,701.15
EXPENSE									
Department 521 - SANITATION	1,159,639.00	28,000.00	1,187,639.00	76,672.55	.00	566,121.35	621,517.65	48	541,819.55
Department 528 - PUBLIC SERVICE	10,876,144.00	188,584.00	11,064,728.00	814,524.69	180,343.20	4,587,169.69	6,297,215.11	43	4,284,119.95
Department 529 - ANIMAL CONTROL	313,799.00	2,300.00	316,099.00	17,439.65	720.25	108,471.99	206,906.76	35	122,136.49
EXPENSE TOTALS	\$12,349,582.00	\$218,884.00	\$12,568,466.00	\$908,636.89	\$181,063.45	\$5,261,763.03	\$7,125,639.52	43%	\$4,948,075.99
Fund 226 - MUNICIPAL REFUSE FUND Totals									
REVENUE TOTALS	11,986,251.00	.00	11,986,251.00	708,866.18	.00	11,803,990.90	182,260.10	98%	11,079,701.15
EXPENSE TOTALS	12,349,582.00	218,884.00	12,568,466.00	908,636.89	181,063.45	5,261,763.03	7,125,639.52	43%	4,948,075.99
Fund 226 - MUNICIPAL REFUSE FUND Totals	(\$363,331.00)	(\$218,884.00)	(\$582,215.00)	(\$199,770.71)	(\$181,063.45)	\$6,542,227.87	(\$6,943,379.42)		\$6,131,625.16



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Fund 242 - LIVONIA BROWNFIELD - LSRRF									
REVENUE									
Department 000 - ACCOUNT BALANCES	83,000.00	.00	83,000.00	54.70	.00	35,591.86	47,408.14	43	27,990.24
REVENUE TOTALS	\$83,000.00	\$0.00	\$83,000.00	\$54.70	\$0.00	\$35,591.86	\$47,408.14	43%	\$27,990.24
EXPENSE									
Department 000 - ACCOUNT BALANCES	40,627.00	.00	40,627.00	2,552.26	.00	15,313.48	25,313.52	38	.00
EXPENSE TOTALS	\$40,627.00	\$0.00	\$40,627.00	\$2,552.26	\$0.00	\$15,313.48	\$25,313.52	38%	\$0.00
Fund 242 - LIVONIA BROWNFIELD - LSRRF Totals									
REVENUE TOTALS	83,000.00	.00	83,000.00	54.70	.00	35,591.86	47,408.14	43%	27,990.24
EXPENSE TOTALS	40,627.00	.00	40,627.00	2,552.26	.00	15,313.48	25,313.52	38%	.00
Fund 242 - LIVONIA BROWNFIELD - LSRRF Totals	\$42,373.00	\$0.00	\$42,373.00	(\$2,497.56)	\$0.00	\$20,278.38	\$22,094.62		\$27,990.24



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Fund 243 - LIVONIA BROWNFIELD REDEV AUTH									
REVENUE									
Department 000 - ACCOUNT BALANCES	490,000.00	.00	490,000.00	.00	.00	169,055.39	320,944.61	35	129,879.99
REVENUE TOTALS	\$490,000.00	\$0.00	\$490,000.00	\$0.00	\$0.00	\$169,055.39	\$320,944.61	35%	\$129,879.99
EXPENSE									
Department 000 - ACCOUNT BALANCES	490,000.00	.00	490,000.00	169,055.39	.00	169,055.39	320,944.61	35	129,879.99
EXPENSE TOTALS	\$490,000.00	\$0.00	\$490,000.00	\$169,055.39	\$0.00	\$169,055.39	\$320,944.61	35%	\$129,879.99
Fund 243 - LIVONIA BROWNFIELD REDEV AUTH Totals									
REVENUE TOTALS	490,000.00	.00	490,000.00	.00	.00	169,055.39	320,944.61	35%	129,879.99
EXPENSE TOTALS	490,000.00	.00	490,000.00	169,055.39	.00	169,055.39	320,944.61	35%	129,879.99
Fund 243 - LIVONIA BROWNFIELD REDEV AUTH Totals	\$0.00	\$0.00	\$0.00	(\$169,055.39)	\$0.00	\$0.00	\$0.00		\$0.00



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Fund 244 - ECONOMIC DEVEL CORP									
REVENUE									
Department 000 - ACCOUNT BALANCES	300.00	.00	300.00	4.65	.00	3.45	296.55	1	264.18
REVENUE TOTALS	\$300.00	\$0.00	\$300.00	\$4.65	\$0.00	\$3.45	\$296.55	1%	\$264.18
EXPENSE									
Department 000 - ACCOUNT BALANCES	.00	.00	.00	.00	.00	.00	.00	+++	.00
EXPENSE TOTALS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	+++	\$0.00
Fund 244 - ECONOMIC DEVEL CORP Totals									
REVENUE TOTALS	300.00	.00	300.00	4.65	.00	3.45	296.55	1%	264.18
EXPENSE TOTALS	.00	.00	.00	.00	.00	.00	.00	+++	.00
Fund 244 - ECONOMIC DEVEL CORP Totals	\$300.00	\$0.00	\$300.00	\$4.65	\$0.00	\$3.45	\$296.55		\$264.18



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Fund 248 - PLYMOUTH RD DEV AUTHORITY									
REVENUE									
Department 000 - ACCOUNT BALANCES	719,514.00	.00	719,514.00	22.28	.00	1,041.72	718,472.28	0	788.76
REVENUE TOTALS	\$719,514.00	\$0.00	\$719,514.00	\$22.28	\$0.00	\$1,041.72	\$718,472.28	0%	\$788.76
EXPENSE									
Department 000 - ACCOUNT BALANCES	712,925.00	384,996.00	1,097,921.00	96,048.27	.00	233,237.69	864,683.31	21	70,537.21
EXPENSE TOTALS	\$712,925.00	\$384,996.00	\$1,097,921.00	\$96,048.27	\$0.00	\$233,237.69	\$864,683.31	21%	\$70,537.21
Fund 248 - PLYMOUTH RD DEV AUTHORITY Totals									
REVENUE TOTALS	719,514.00	.00	719,514.00	22.28	.00	1,041.72	718,472.28	0%	788.76
EXPENSE TOTALS	712,925.00	384,996.00	1,097,921.00	96,048.27	.00	233,237.69	864,683.31	21%	70,537.21
Fund 248 - PLYMOUTH RD DEV AUTHORITY Totals	\$6,589.00	(\$384,996.00)	(\$378,407.00)	(\$96,025.99)	\$0.00	(\$232,195.97)	(\$146,211.03)		(\$69,748.45)



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Fund 260 - MIDC GRANT									
REVENUE									
Department 000 - ACCOUNT BALANCES	648,952.00	.00	648,952.00	113,533.14	.00	476,527.78	172,424.22	73	289,269.23
REVENUE TOTALS	\$648,952.00	\$0.00	\$648,952.00	\$113,533.14	\$0.00	\$476,527.78	\$172,424.22	73%	\$289,269.23
EXPENSE									
Department 000 - ACCOUNT BALANCES	648,952.00	.00	648,952.00	19,452.49	.00	129,935.31	519,016.69	20	149,918.38
EXPENSE TOTALS	\$648,952.00	\$0.00	\$648,952.00	\$19,452.49	\$0.00	\$129,935.31	\$519,016.69	20%	\$149,918.38
Fund 260 - MIDC GRANT Totals									
REVENUE TOTALS	648,952.00	.00	648,952.00	113,533.14	.00	476,527.78	172,424.22	73%	289,269.23
EXPENSE TOTALS	648,952.00	.00	648,952.00	19,452.49	.00	129,935.31	519,016.69	20%	149,918.38
Fund 260 - MIDC GRANT Totals	\$0.00	\$0.00	\$0.00	\$94,080.65	\$0.00	\$346,592.47	(\$346,592.47)		\$139,350.85



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Fund 261 - PUB. SAFETY COMMUNICATION									
REVENUE									
Department 000 - ACCOUNT BALANCES	545,000.00	.00	545,000.00	794.70	.00	224,392.19	320,607.81	41	268,600.85
REVENUE TOTALS	\$545,000.00	\$0.00	\$545,000.00	\$794.70	\$0.00	\$224,392.19	\$320,607.81	41%	\$268,600.85
EXPENSE									
Department 000 - ACCOUNT BALANCES	1,366,500.00	136,603.00	1,503,103.00	1,217.81	148,806.05	175,853.18	1,178,443.77	22	52,877.88
EXPENSE TOTALS	\$1,366,500.00	\$136,603.00	\$1,503,103.00	\$1,217.81	\$148,806.05	\$175,853.18	\$1,178,443.77	22%	\$52,877.88
Fund 261 - PUB. SAFETY COMMUNICATION Totals									
REVENUE TOTALS	545,000.00	.00	545,000.00	794.70	.00	224,392.19	320,607.81	41%	268,600.85
EXPENSE TOTALS	1,366,500.00	136,603.00	1,503,103.00	1,217.81	148,806.05	175,853.18	1,178,443.77	22%	52,877.88
Fund 261 - PUB. SAFETY COMMUNICATION Totals	(\$821,500.00)	(\$136,603.00)	(\$958,103.00)	(\$423.11)	(\$148,806.05)	\$48,539.01	(\$857,835.96)		\$215,722.97



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Fund 262 - ADJUDICATED FORFEITURES									
REVENUE									
Department 000 - ACCOUNT BALANCES	225,000.00	.00	225,000.00	9,189.05	.00	164,328.19	60,671.81	73	155,943.43
REVENUE TOTALS	\$225,000.00	\$0.00	\$225,000.00	\$9,189.05	\$0.00	\$164,328.19	\$60,671.81	73%	\$155,943.43
EXPENSE									
Department 333 - STATE/LOCAL FORFEITURE EX	516,350.00	.00	516,350.00	6,920.34	.00	44,049.56	472,300.44	9	28,346.22
Department 334 - FEDERAL FORFEITURE EXP	301,865.00	1,140.00	303,005.00	5,118.35	.00	60,877.05	242,127.95	20	45,412.38
Department 335 - CONTINUING CRIMINAL ENTERPRISE	145,000.00	.00	145,000.00	5,331.76	.00	10,121.83	134,878.17	7	4,589.98
EXPENSE TOTALS	\$963,215.00	\$1,140.00	\$964,355.00	\$17,370.45	\$0.00	\$115,048.44	\$849,306.56	12%	\$78,348.58
Fund 262 - ADJUDICATED FORFEITURES Totals									
REVENUE TOTALS	225,000.00	.00	225,000.00	9,189.05	.00	164,328.19	60,671.81	73%	155,943.43
EXPENSE TOTALS	963,215.00	1,140.00	964,355.00	17,370.45	.00	115,048.44	849,306.56	12%	78,348.58
Fund 262 - ADJUDICATED FORFEITURES Totals	(\$738,215.00)	(\$1,140.00)	(\$739,355.00)	(\$8,181.40)	\$0.00	\$49,279.75	(\$788,634.75)		\$77,594.85



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Fund 270 - HISTORICAL COMMISSION									
REVENUE									
Department 000 - ACCOUNT BALANCES	115,200.00	1,787.00	116,987.00	4,798.46	.00	35,783.96	81,203.04	31	16,110.80
REVENUE TOTALS	\$115,200.00	\$1,787.00	\$116,987.00	\$4,798.46	\$0.00	\$35,783.96	\$81,203.04	31%	\$16,110.80
EXPENSE									
Department 000 - ACCOUNT BALANCES	84,000.00	39,480.00	123,480.00	818.75	38,811.25	1,988.16	82,680.59	33	10,900.71
EXPENSE TOTALS	\$84,000.00	\$39,480.00	\$123,480.00	\$818.75	\$38,811.25	\$1,988.16	\$82,680.59	33%	\$10,900.71
Fund 270 - HISTORICAL COMMISSION Totals									
REVENUE TOTALS	115,200.00	1,787.00	116,987.00	4,798.46	.00	35,783.96	81,203.04	31%	16,110.80
EXPENSE TOTALS	84,000.00	39,480.00	123,480.00	818.75	38,811.25	1,988.16	82,680.59	33%	10,900.71
Fund 270 - HISTORICAL COMMISSION Totals	\$31,200.00	(\$37,693.00)	(\$6,493.00)	\$3,979.71	(\$38,811.25)	\$33,795.80	(\$1,477.55)		\$5,210.09



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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 271 - LIBRARY FUND									
REVENUE									
Department 000 - ACCOUNT BALANCES	4,129,019.00	.00	4,129,019.00	236,152.34	.00	3,994,760.22	134,258.78	97	3,720,537.73
REVENUE TOTALS	\$4,129,019.00	\$0.00	\$4,129,019.00	\$236,152.34	\$0.00	\$3,994,760.22	\$134,258.78	97%	\$3,720,537.73
EXPENSE									
Department 778 - CIVIC CENTER LIBRARY	3,381,149.00	183,500.00	3,564,649.00	212,494.15	35,273.31	1,376,770.66	2,152,605.03	40	1,164,985.33
Department 779 - NOBLE LIBRARY	.00	20,000.00	20,000.00	811.93	.00	6,476.16	13,523.84	32	77,451.35
Department 780 - SANDBURG LIBRARY	749,504.00	16,391.00	765,895.00	51,298.47	1,864.37	340,103.44	423,927.19	45	256,713.71
EXPENSE TOTALS	\$4,130,653.00	\$219,891.00	\$4,350,544.00	\$264,604.55	\$37,137.68	\$1,723,350.26	\$2,590,056.06	40%	\$1,499,150.39
Fund 271 - LIBRARY FUND Totals									
REVENUE TOTALS	4,129,019.00	.00	4,129,019.00	236,152.34	.00	3,994,760.22	134,258.78	97%	3,720,537.73
EXPENSE TOTALS	4,130,653.00	219,891.00	4,350,544.00	264,604.55	37,137.68	1,723,350.26	2,590,056.06	40%	1,499,150.39
Fund 271 - LIBRARY FUND Totals	(\$1,634.00)	(\$219,891.00)	(\$221,525.00)	(\$28,452.21)	(\$37,137.68)	\$2,271,409.96	(\$2,455,797.28)		\$2,221,387.34



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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 272 - ARTS COMMISSION FUND									
REVENUE									
Department 000 - ACCOUNT BALANCES	17,000.00	.00	17,000.00	7,630.76	.00	8,771.37	8,228.63	52	6,332.25
REVENUE TOTALS	\$17,000.00	\$0.00	\$17,000.00	\$7,630.76	\$0.00	\$8,771.37	\$8,228.63	52%	\$6,332.25
EXPENSE									
Department 000 - ACCOUNT BALANCES	13,000.00	.00	13,000.00	.00	.00	.00	13,000.00	0	212.50
EXPENSE TOTALS	\$13,000.00	\$0.00	\$13,000.00	\$0.00	\$0.00	\$0.00	\$13,000.00	0%	\$212.50
Fund 272 - ARTS COMMISSION FUND Totals									
REVENUE TOTALS	17,000.00	.00	17,000.00	7,630.76	.00	8,771.37	8,228.63	52%	6,332.25
EXPENSE TOTALS	13,000.00	.00	13,000.00	.00	.00	.00	13,000.00	0%	212.50
Fund 272 - ARTS COMMISSION FUND Totals	\$4,000.00	\$0.00	\$4,000.00	\$7,630.76	\$0.00	\$8,771.37	(\$4,771.37)		\$6,119.75



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Fund 286 - TRANSIT & CAPITAL IMPR									
REVENUE									
Department 000 - ACCOUNT BALANCES	2,407,245.00	.00	2,407,245.00	143,639.98	.00	2,431,370.89	(24,125.89)	101	2,222,607.98
REVENUE TOTALS	\$2,407,245.00	\$0.00	\$2,407,245.00	\$143,639.98	\$0.00	\$2,431,370.89	(\$24,125.89)	101%	\$2,222,607.98
EXPENSE									
Department 000 - ACCOUNT BALANCES	2,407,245.00	.00	2,407,245.00	.00	.00	2,407,245.00	.00	100	2,308,717.00
EXPENSE TOTALS	\$2,407,245.00	\$0.00	\$2,407,245.00	\$0.00	\$0.00	\$2,407,245.00	\$0.00	100%	\$2,308,717.00
Fund 286 - TRANSIT & CAPITAL IMPR Totals									
REVENUE TOTALS	2,407,245.00	.00	2,407,245.00	143,639.98	.00	2,431,370.89	(24,125.89)	101%	2,222,607.98
EXPENSE TOTALS	2,407,245.00	.00	2,407,245.00	.00	.00	2,407,245.00	.00	100%	2,308,717.00
Fund 286 - TRANSIT & CAPITAL IMPR Totals	\$0.00	\$0.00	\$0.00	\$143,639.98	\$0.00	\$24,125.89	(\$24,125.89)		(\$86,109.02)



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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 288 - COMMUNITY TRANSIT PROGRAM									
REVENUE									
Department 000 - ACCOUNT BALANCES	994,828.00	.00	994,828.00	2,495.95	.00	931,874.68	62,953.32	94	944,214.14
REVENUE TOTALS	\$994,828.00	\$0.00	\$994,828.00	\$2,495.95	\$0.00	\$931,874.68	\$62,953.32	94%	\$944,214.14
EXPENSE									
Department 606 - COMM TRANSIT DISPATCHERS	101,050.00	.00	101,050.00	9,480.11	.00	43,279.97	57,770.03	43	38,848.64
Department 607 - COMMUNITY TRANSIT ADMIN	130,486.00	.00	130,486.00	9,816.63	.00	61,705.73	68,780.27	47	77,771.96
Department 608 - COMMUNITY TRANSIT	907,863.00	.00	907,863.00	19,897.00	79,744.00	388,397.57	439,721.43	52	420,069.80
EXPENSE TOTALS	\$1,139,399.00	\$0.00	\$1,139,399.00	\$39,193.74	\$79,744.00	\$493,383.27	\$566,271.73	50%	\$536,690.40
Fund 288 - COMMUNITY TRANSIT PROGRAM Totals									
REVENUE TOTALS	994,828.00	.00	994,828.00	2,495.95	.00	931,874.68	62,953.32	94%	944,214.14
EXPENSE TOTALS	1,139,399.00	.00	1,139,399.00	39,193.74	79,744.00	493,383.27	566,271.73	50%	536,690.40
Fund 288 - COMMUNITY TRANSIT PROGRAM Totals	(\$144,571.00)	\$0.00	(\$144,571.00)	(\$36,697.79)	(\$79,744.00)	\$438,491.41	(\$503,318.41)		\$407,523.74



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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 297 - CABLE TELEVISION FUND									
REVENUE									
Department 000 - ACCOUNT BALANCES	421,100.00	.00	421,100.00	69,818.67	.00	196,317.66	224,782.34	47	211,783.27
REVENUE TOTALS	\$421,100.00	\$0.00	\$421,100.00	\$69,818.67	\$0.00	\$196,317.66	\$224,782.34	47%	\$211,783.27
EXPENSE									
Department 806 - CABLE TELEVISION	507,616.00	.00	507,616.00	39,330.66	2,713.77	206,253.24	298,648.99	41	187,451.43
EXPENSE TOTALS	\$507,616.00	\$0.00	\$507,616.00	\$39,330.66	\$2,713.77	\$206,253.24	\$298,648.99	41%	\$187,451.43
Fund 297 - CABLE TELEVISION FUND Totals									
REVENUE TOTALS	421,100.00	.00	421,100.00	69,818.67	.00	196,317.66	224,782.34	47%	211,783.27
EXPENSE TOTALS	507,616.00	.00	507,616.00	39,330.66	2,713.77	206,253.24	298,648.99	41%	187,451.43
Fund 297 - CABLE TELEVISION FUND Totals	(\$86,516.00)	\$0.00	(\$86,516.00)	\$30,488.01	(\$2,713.77)	(\$9,935.58)	(\$73,866.65)		\$24,331.84



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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 372 - D/S 2015 MBA REFUNDING									
REVENUE									
Department 000 - ACCOUNT BALANCES	184,457.00	.00	184,457.00	.00	.00	175,497.50	8,959.50	95	172,473.50
REVENUE TOTALS	\$184,457.00	\$0.00	\$184,457.00	\$0.00	\$0.00	\$175,497.50	\$8,959.50	95%	\$172,473.50
EXPENSE									
Department 000 - ACCOUNT BALANCES	184,457.00	.00	184,457.00	.00	.00	175,497.50	8,959.50	95	172,473.50
EXPENSE TOTALS	\$184,457.00	\$0.00	\$184,457.00	\$0.00	\$0.00	\$175,497.50	\$8,959.50	95%	\$172,473.50
Fund 372 - D/S 2015 MBA REFUNDING Totals									
REVENUE TOTALS	184,457.00	.00	184,457.00	.00	.00	175,497.50	8,959.50	95%	172,473.50
EXPENSE TOTALS	184,457.00	.00	184,457.00	.00	.00	175,497.50	8,959.50	95%	172,473.50
Fund 372 - D/S 2015 MBA REFUNDING Totals	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00



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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 373 - D/S 2016 MBA REFUNDING									
REVENUE									
Department 000 - ACCOUNT BALANCES	551,000.00	.00	551,000.00	.00	.00	446,600.00	104,400.00	81	438,000.00
REVENUE TOTALS	\$551,000.00	\$0.00	\$551,000.00	\$0.00	\$0.00	\$446,600.00	\$104,400.00	81%	\$438,000.00
EXPENSE									
Department 000 - ACCOUNT BALANCES	551,000.00	.00	551,000.00	.00	.00	446,600.00	104,400.00	81	438,000.00
EXPENSE TOTALS	\$551,000.00	\$0.00	\$551,000.00	\$0.00	\$0.00	\$446,600.00	\$104,400.00	81%	\$438,000.00
Fund 373 - D/S 2016 MBA REFUNDING Totals									
REVENUE TOTALS	551,000.00	.00	551,000.00	.00	.00	446,600.00	104,400.00	81%	438,000.00
EXPENSE TOTALS	551,000.00	.00	551,000.00	.00	.00	446,600.00	104,400.00	81%	438,000.00
Fund 373 - D/S 2016 MBA REFUNDING Totals	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00



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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 374 - D/S 2017 MBA REFUNDING									
REVENUE									
Department 000 - ACCOUNT BALANCES	1,993,850.00	.00	1,993,850.00	.00	.00	1,692,450.00	301,400.00	85	1,672,400.00
REVENUE TOTALS	\$1,993,850.00	\$0.00	\$1,993,850.00	\$0.00	\$0.00	\$1,692,450.00	\$301,400.00	85%	\$1,672,400.00
EXPENSE									
Department 000 - ACCOUNT BALANCES	1,993,850.00	.00	1,993,850.00	.00	.00	1,692,450.00	301,400.00	85	1,672,400.00
EXPENSE TOTALS	\$1,993,850.00	\$0.00	\$1,993,850.00	\$0.00	\$0.00	\$1,692,450.00	\$301,400.00	85%	\$1,672,400.00
Fund 374 - D/S 2017 MBA REFUNDING Totals									
REVENUE TOTALS	1,993,850.00	.00	1,993,850.00	.00	.00	1,692,450.00	301,400.00	85%	1,672,400.00
EXPENSE TOTALS	1,993,850.00	.00	1,993,850.00	.00	.00	1,692,450.00	301,400.00	85%	1,672,400.00
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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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	2,182,245.00	.00	2,182,245.00	1,761.81	.00	2,133,543.87	48,701.13	98	2,621,443.92
REVENUE TOTALS	\$2,182,245.00	\$0.00	\$2,182,245.00	\$1,761.81	\$0.00	\$2,133,543.87	\$48,701.13	98%	\$2,621,443.92
EXPENSE									
Department 000 - ACCOUNT BALANCES	2,501,450.00	4,654,895.00	7,156,345.00	71,574.38	127,947.83	607,274.72	6,421,122.45	10	846,268.23
EXPENSE TOTALS	\$2,501,450.00	\$4,654,895.00	\$7,156,345.00	\$71,574.38	\$127,947.83	\$607,274.72	\$6,421,122.45	10%	\$846,268.23
Fund 401 - CAPITAL PROJECTS Totals									
REVENUE TOTALS	2,182,245.00	.00	2,182,245.00	1,761.81	.00	2,133,543.87	48,701.13	98%	2,621,443.92
EXPENSE TOTALS	2,501,450.00	4,654,895.00	7,156,345.00	71,574.38	127,947.83	607,274.72	6,421,122.45	10%	846,268.23
Fund 401 - CAPITAL PROJECTS Totals	(\$319,205.00)	(\$4,654,895.00)	(\$4,974,100.00)	(\$69,812.57)	(\$127,947.83)	\$1,526,269.15	(\$6,372,421.32)		\$1,775,175.69



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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 418 - BUILDING IMPROVEMENT FUND									
REVENUE									
Department 000 - ACCOUNT BALANCES	5,000.00	.00	5,000.00	632.40	.00	454.75	4,545.25	9	13,442.83
REVENUE TOTALS	\$5,000.00	\$0.00	\$5,000.00	\$632.40	\$0.00	\$454.75	\$4,545.25	9%	\$13,442.83
EXPENSE									
Department 000 - ACCOUNT BALANCES	100,000.00	.00	100,000.00	.00	.00	.00	100,000.00	0	.00
EXPENSE TOTALS	\$100,000.00	\$0.00	\$100,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00	0%	\$0.00
Fund 418 - BUILDING IMPROVEMENT FUND Totals									
REVENUE TOTALS	5,000.00	.00	5,000.00	632.40	.00	454.75	4,545.25	9%	13,442.83
EXPENSE TOTALS	100,000.00	.00	100,000.00	.00	.00	.00	100,000.00	0%	.00
Fund 418 - BUILDING IMPROVEMENT FUND Totals	(\$95,000.00)	\$0.00	(\$95,000.00)	\$632.40	\$0.00	\$454.75	(\$95,454.75)		\$13,442.83



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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 536 - NEWBURGH VILLAGE									
REVENUE									
Department 000 - ACCOUNT BALANCES	838,400.00	.00	838,400.00	68,928.77	.00	415,573.92	422,826.08	50	407,176.13
REVENUE TOTALS	\$838,400.00	\$0.00	\$838,400.00	\$68,928.77	\$0.00	\$415,573.92	\$422,826.08	50%	\$407,176.13
EXPENSE									
Department 677 - NEWBURGH VILLAGE	728,084.00	.00	728,084.00	40,296.88	12,427.50	303,020.15	412,636.35	43	267,564.81
EXPENSE TOTALS	\$728,084.00	\$0.00	\$728,084.00	\$40,296.88	\$12,427.50	\$303,020.15	\$412,636.35	43%	\$267,564.81
Fund 536 - NEWBURGH VILLAGE Totals									
REVENUE TOTALS	838,400.00	.00	838,400.00	68,928.77	.00	415,573.92	422,826.08	50%	407,176.13
EXPENSE TOTALS	728,084.00	.00	728,084.00	40,296.88	12,427.50	303,020.15	412,636.35	43%	267,564.81
Fund 536 - NEWBURGH VILLAGE Totals	\$110,316.00	\$0.00	\$110,316.00	\$28,631.89	(\$12,427.50)	\$112,553.77	\$10,189.73		\$139,611.32



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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 538 - SILVER VILLAGE FUND									
REVENUE									
Department 000 - ACCOUNT BALANCES	674,210.00	.00	674,210.00	54,714.91	.00	328,344.05	345,865.95	49	342,450.11
REVENUE TOTALS	\$674,210.00	\$0.00	\$674,210.00	\$54,714.91	\$0.00	\$328,344.05	\$345,865.95	49%	\$342,450.11
EXPENSE									
Department 676 - SILVER VILLAGE	586,164.00	.00	586,164.00	34,670.53	267.23	222,003.88	363,892.89	38	233,485.39
EXPENSE TOTALS	\$586,164.00	\$0.00	\$586,164.00	\$34,670.53	\$267.23	\$222,003.88	\$363,892.89	38%	\$233,485.39
Fund 538 - SILVER VILLAGE FUND Totals									
REVENUE TOTALS	674,210.00	.00	674,210.00	54,714.91	.00	328,344.05	345,865.95	49%	342,450.11
EXPENSE TOTALS	586,164.00	.00	586,164.00	34,670.53	267.23	222,003.88	363,892.89	38%	233,485.39
Fund 538 - SILVER VILLAGE FUND Totals	\$88,046.00	\$0.00	\$88,046.00	\$20,044.38	(\$267.23)	\$106,340.17	(\$18,026.94)		\$108,964.72



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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 584 - GOLF COURSE FUND									
REVENUE									
Department 000 - ACCOUNT BALANCES	2,055,363.00	.00	2,055,363.00	288,474.28	.00	610,334.83	1,445,028.17	30	328,716.10
REVENUE TOTALS	\$2,055,363.00	\$0.00	\$2,055,363.00	\$288,474.28	\$0.00	\$610,334.83	\$1,445,028.17	30%	\$328,716.10
EXPENSE									
Department 000 - ACCOUNT BALANCES	.00	.00	.00	.00	.00	.00	.00	+++	.00
Department 773 - WHISPERING WILLOWS	712,974.00	1,404.00	714,378.00	48,826.49	4,804.00	296,255.68	413,318.32	42	242,078.05
Department 774 - IDYL WYLD	533,974.00	1,404.00	535,378.00	47,541.33	.00	238,390.56	296,987.44	45	180,330.03
Department 775 - FOX CREEK	779,372.00	1,404.00	780,776.00	54,132.57	.00	304,525.46	476,250.54	39	215,650.84
EXPENSE TOTALS	\$2,026,320.00	\$4,212.00	\$2,030,532.00	\$150,500.39	\$4,804.00	\$839,171.70	\$1,186,556.30	42%	\$638,058.92
Fund 584 - GOLF COURSE FUND Totals									
REVENUE TOTALS	2,055,363.00	.00	2,055,363.00	288,474.28	.00	610,334.83	1,445,028.17	30%	328,716.10
EXPENSE TOTALS	2,026,320.00	4,212.00	2,030,532.00	150,500.39	4,804.00	839,171.70	1,186,556.30	42%	638,058.92
Fund 584 - GOLF COURSE FUND Totals	\$29,043.00	(\$4,212.00)	\$24,831.00	\$137,973.89	(\$4,804.00)	(\$228,836.87)	\$258,471.87		(\$309,342.82)



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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 592 - WATER AND SEWER FUND									
REVENUE									
Department 000 - ACCOUNT BALANCES	43,652,866.00	.00	43,652,866.00	3,477,652.59	.00	17,557,489.62	26,095,376.38	40	17,393,496.01
REVENUE TOTALS	\$43,652,866.00	\$0.00	\$43,652,866.00	\$3,477,652.59	\$0.00	\$17,557,489.62	\$26,095,376.38	40%	\$17,393,496.01
EXPENSE									
Department 558 - W & S FINANCIAL ADMIN	35,034,916.00	3,098.00	35,038,014.00	2,811,871.48	670.00	16,985,855.44	18,051,488.56	48	16,460,522.77
Department 559 - W & S FIELD OPERATIONS	7,087,611.00	150,000.00	7,237,611.00	443,404.40	19,108.39	3,379,157.16	3,839,345.45	47	2,506,231.90
EXPENSE TOTALS	\$42,122,527.00	\$153,098.00	\$42,275,625.00	\$3,255,275.88	\$19,778.39	\$20,365,012.60	\$21,890,834.01	48%	\$18,966,754.67
Fund 592 - WATER AND SEWER FUND Totals									
REVENUE TOTALS	43,652,866.00	.00	43,652,866.00	3,477,652.59	.00	17,557,489.62	26,095,376.38	40%	17,393,496.01
EXPENSE TOTALS	42,122,527.00	153,098.00	42,275,625.00	3,255,275.88	19,778.39	20,365,012.60	21,890,834.01	48%	18,966,754.67
Fund 592 - WATER AND SEWER FUND Totals	\$1,530,339.00	(\$153,098.00)	\$1,377,241.00	\$222,376.71	(\$19,778.39)	(\$2,807,522.98)	\$4,204,542.37		(\$1,573,258.66)
Grand Totals									
REVENUE TOTALS	176,496,643.00	24,537.00	176,521,180.00	10,261,923.75	.00	111,224,829.09	65,296,350.91	63%	108,099,637.66
EXPENSE TOTALS	179,937,829.00	8,532,264.00	188,470,093.00	12,389,226.58	1,875,144.15	75,938,966.96	110,655,981.89	41%	69,473,261.25
Grand Totals	(\$3,441,186.00)	(\$8,507,727.00)	(\$11,948,913.00)	(\$2,127,302.83)	(\$1,875,144.15)	\$35,285,862.13	(\$45,359,630.98)		\$38,626,376.41

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD JULY 12, 2021**

1

Meeting was called to order in the Auditorium of City Hall, 33000 Civic Center Drive, at 9:02 p.m. by President Kathleen McIntyre. Present: Rob Donovic; Jim Jolly; Laura Toy; Scott Bahr; Cathy White, Brandon McCullough; and President Kathleen McIntyre. Absent: None.

1) BLOCK PARTY: Maggie McGrane, re: to be held Saturday, August 21, 2021, from 1:00 p.m. to 10:00 p.m. on Rayburn Street, between Levan and Williams, with no rain date requested.

The Petitioner not being present, Councilmember Jolly offered an approving resolution for the Regular Agenda.

The Petitioner having appeared at the end of the Study Session, Councilmember Jolly rescinded his request for the approving resolution on the Regular Agenda and requested it be placed on the Consent Agenda.

DIRECTION:

APPROVING

CONSENT

During Audience Communication Maggie McGrane appeared for her block party request which was Item No. 1 on the Agenda, and the results are reflected as such under the designated request.



LETTER TO THE LIVONIA CITY COUNCIL

1.

City Clerk
June 18, 2021

MEETING DATE

July 12, 2021

PREPARED BY

Lori Miller, Deputy City Clerk

AGENDA ITEM

BLOCK PARTY: Maggie McGrane, re: to be held Saturday, August 21, 2021, from 1:00 p.m. to 10:00 p.m. on Rayburn Street, between Levan and Williams, with no rain date requested.

BACKGROUND

Block party on Rayburn, between Levan and Williams, to include games, BBQ, music, etc.

RECOMMENDATION

Approve as submitted.

FISCAL CONSIDERATION

N/A

ATTACHMENTS

1. Rayburn Block Party Request (07-12-21)

APPROVED BY

REQUEST FOR BLOCK PARTY and/or BARRICADING OF CITY STREETS

(To be sent to: Livonia City Council, c/o City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097
or hand delivered to the City Clerk's Office at least 8 weeks prior to the planned event)

PLEASE PRINT

Date of Application 6-17-21

Maggie McGrane
Name of Neighborhood Representative

38730 Rayburn Livonia MI 48154
Address (please include zip code)

Telephone Number: Home 734-968-6920 Email ms.maggie.mcgrane@gmail.com
(please include area code) Office _____

Please circle what is being requested - **"BLOCK PARTY"** and/or **"STREET BARRICADING"**

Aug. 21, 2021
Date of Block Party and/or Barricading

n/a
Rain Date

1:00 pm - 10:00 pm
Time of Block Party and/or Barricading
(Ending Time - No Later than 10:00 p.m.) (Be as specific as possible)

Location of Block Party and/or Barricading.
(Be as specific as possible - indicate what streets as well as what boundaries).

Rayburn (between Levan + Williams)

Type of Event (Describe briefly activities planned, i.e. music, barbecue, games, etc.)

games, BBQ, music, etc.

Approximate Number Attending: 70

Date of Council Approval/Denial: _____

Council Resolution Number: _____

RECEIVED
OFFICE OF THE CITY CLERK
2021 JUN 18 PM 1:38

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD JULY 12, 2021**

2

Meeting was called to order in the Auditorium of City Hall, 33000 Civic Center Drive, at 9:02 p.m. by President Kathleen McIntyre. Present: Rob Donovic; Jim Jolly; Laura Toy; Scott Bahr; Cathy White, Brandon McCullough; and President Kathleen McIntyre. Absent: None.

2) BLOCK PARTY: Jennifer Thomas, re: with a band and DJ, to be held Saturday, August 7, 2021, from 12:00 p.m. to 10:00 p.m. at Dooley Park, on Harrison between Meadowlark and Lyndon, with a rain date of Saturday, August 14, 2021.

Jennifer Thomas, 14054 Sunbury, Livonia, 48154, presented this request to Council. She stated we are asking for permission to do a community block party in Compton Village at Dooley Park. It's not really a block, it's the park, but we more recently just had the food truck rallies begin in our neighborhood and it's been hugely successful and myself and a couple neighbors were looking to do an actual block party but then once we saw the magnitude of how many people showed up and how awesome this was, that's when the idea kind of came into fruition, too, make this a little bit bigger within the community and we definitely need it after the last year that we've had and we just think it would be an awesome community event. We are looking at securing a stage for our DJ and we have like a kid's band and then a couple other little bands, bounce houses, it's going to be a really cool thing and you guys are all welcome to come join.

Vice President Bahr said this one is particularly special for me because as Council is probably sick of hearing I spent eleven years leading the Compton Village Civic Association and leading exactly this type of stuff. And that was a greater renovation that had a lot of great things going and due to a number of reasons has not kept up the same level of activity and my eyes absolutely lit up, Jennifer, when I saw your name on the Agenda tonight and what you were trying to do because this is just a continuation or a restart really of a really great tradition in that neighborhood and I just think it's huge for that neighborhood and those types of activities and organizations are huge for our City. I got the chance to meet the Thomas' during the intermission here and look forward to hopefully some more conversations and sharing the lessons learned. I wish you all the best and I'm going to mark my calendar and try to be there and come see some of my old friends. I'll offer this for approving on Consent if there's no objections.

Councilmember Toy asked Thomas if this is their first attempt at this event and Thomas replied yes, they're calling it their first annual as they would like to have it be a yearly thing.

Councilmember Jolly pointed out that there is a request for a non-veto letter and he would like to note that as well as the request for a non-veto.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

2.

Council Office
June 25, 2021

MEETING DATE

July 12, 2021

PREPARED BY

Sara Kasprowicz, Council Office Manager

AGENDA ITEM

BLOCK PARTY: Jennifer Thomas, re: with a band and DJ, to be held Saturday, August 7, 2021, from 12:00 p.m. to 10:00 p.m. at Dooley Park, on Harrison between Meadowlark and Lyndon, with a rain date of Saturday, August 14, 2021.

BACKGROUND

RECOMMENDATION

FISCAL CONSIDERATION

ATTACHMENTS

1. S071221 Req for Block party Jennifer Thomas

APPROVED BY

**REQUEST FOR NOISE WAIVER BLOCK PARTY and/or
BARRICADING OF CITY STREETS**

(To be sent to: Livonia City Council, c/o City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097
or hand delivered to the City Clerk's Office at least 8 weeks prior to the planned event)

PLEASE PRINT

Date of Application 6/23/2021

+ Request a
"No Veto" letter

Jennifer Thomas
Name of Neighborhood Representative

14054 Sunbury St. Livonia MI 48154
Address (please include zip code)

Telephone Number: Home 248-595-2575 Email Jthomas1780@hotmail.com
(please include area code) Office _____

Please circle what is being requested "BLOCK PARTY" and/or "STREET BARRICADING"

8/7/2021
Date of Block Party and/or Barricading

8/14/2021
Rain Date

12:00pm - 10:00pm (Dusk)
Time of Block Party and/or Barricading
(Ending Time - No Later than 10:00 p.m.) (Be as specific as possible)

Location of Block Party and/or Barricading.
(Be as specific as possible - indicate what streets as well as what boundaries).

Neighborhood Party will be @ Dooley Park. Requesting
barricades on Harrison between Meadowlark and Lyndon

Type of Event (Describe briefly activities planned, i.e. music, barbecue, games, etc.)

"Compton Village Neighborhood Block Party"
Music, bounce house, games, activities for kids, baseball,
band, D.J., food trucks, etc.

Approximate Number Attending: 100+

Date of Council Approval/Denial: _____

Council Resolution Number: _____

+ We realize we got a late start planning.
We were unsure with COVID.
Our Neighborhood needs this ♥

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD JULY 12, 2021**

3

3) REQUEST TO WAIVE THE CITY'S NOISE ORDINANCE: Robert Rais, Knights of Columbus, re: to host a car show with a DJ at Saint Colette's Catholic Church, 17600 Newburgh Road on Saturday, August 7, 2021 from 9:00 a.m. to 3:00 p.m.

Robert Rais, 39499 Northwind Court, Northville, MI, presented this request to Council. He stated I'm a member of the Knights of Columbus and a Bentley Bulldog and stated this is the fourth year that we're having this car show. We were shut out last year with Covid but we're here before the Council to get a waiver of the Noise Ordinance so that we can have a DJ. The show runs from 9:00 a.m. until 3:00 p.m. on Saturday, August the 7th. All are welcome.

Councilmember Jolly stated I am also a duly Knight of Columbus and Mr. Rais and his partners in crime over at St. Colette's are putting on a good show here on an almost annual basis. There haven't been any problems from any neighbors or anything like that and it's for a good cause so I'm happy to offer an approving for the Consent Agenda. I'll note in terms of community, Mr. Rais and his wife opened their house to a group of probably obnoxious Ladywood girls and Catholic Central guys for most of my high school experience, so he deserves a commendation for that and a thank you as well.

President McIntyre thanked Rais and his organization for what they do for our community.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

3.

City Clerk
June 28, 2021

MEETING DATE

July 12, 2021

PREPARED BY

Lori Miller, Deputy City Clerk

AGENDA ITEM

REQUEST TO WAIVE THE CITY'S NOISE ORDINANCE: Robert Rais, Knights of Columbus, re: to host a car show with a DJ at Saint Colette's Catholic Church, 17600 Newburgh Road on Saturday, August 7, 2021 from 9:00 a.m. to 3:00 p.m.

BACKGROUND

Knights of Columbus' 4th Annual Car Show at Saint Colette's Catholic Church on Saturday, August 7, 2021 from 9:00 a.m. to 3:00 p.m. with DJ providing music. Contacts are Bob Rais at (248) 348-0399 or Lou Fiorentino at (248) 347-7816.

RECOMMENDATION

Approve as submitted.

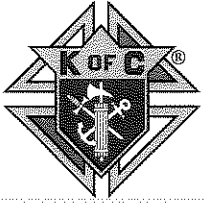
FISCAL CONSIDERATION

N/A.

ATTACHMENTS

1. Noise Ord Waiver, KOC 4th Annual Car Show, 07-12-21 Study

APPROVED BY



Knights of Columbus

DR. THOMAS A. DOOLEY COUNCIL, No. 5492
17600 Newburgh Road
Livonia, Michigan 48152

June 25, 2021

To Whom it may Concern,

Saint Colette's Catholic Church , 17600 Newburgh Road , Livonia , MI. 48152 is requesting a waiver of the Noise Ordinance on 08-07-2021. We will be Hosting our 4th Annual Car Show in our parking lot from 9 AM - 3 PM , a DJ will be providing music during this time frame.

The Knights of Columbus , Council #5492 from our Parish will be in Charge. Please contact Bob Rais at 248-348-0399 or Lou Fiorentino 248-347-7816 , should you have any questions.

Thank You

Robert Rais
Chairperson , Car Show

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OFFICE OF THE CITY CLERK
2021 JUN 28 AM 11:34

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD JULY 12, 2021**

4

4) REQUEST TO WAIVE THE CITY'S NOISE ORDINANCE: Ian Edgar and Gale Wilcox, Anastasia & Katie's Coffee Shop, re: to host a car show with a DJ, in the parking lot of business located at 19215 Merriman Road on Saturday, August 28, 2021 from 8:30 a.m. to 4:00 p.m., with a rain date request of either Saturday, September 4, 2021 or Saturday, September 11, 2021.

Ian Edgar, representing Anastasia & Katies Coffee Shop, 19215 Merriman Road, Livonia, presented this request to Council. He stated they are having a car show on August 28th from 11:00 a.m. – 2:30 p.m.

Councilmember White offered an approving resolution for the Consent Agenda.

Councilmember McCullough said I want to give you guys a shout out because of all of the awesome things you do in the community, and the coffee and all the food that you guys have is top notch, I love stopping. And then I think, if I'm not mistaken, do you guys have anything going on this Thursday from 5:00 to 8:00?

Edgar replied yes, we're having a social event on Thursday, just to celebrate the coffee shop.

McCullough said I wanted to make sure for all the viewers out there and anybody in the audience that on Thursday, July 15th from 5:00 to 8:00, you'll have eating to music, free to attend. So, feel free to stop by.

Edgar stated we are a 501(c) (3) nonprofit that was formed in 2018 and we were started by a group of families, caregivers and advocates of people with developmental disabilities and our work is funded through private donations and grants. We are not affiliated with any Federal or State entity. And also, our work is also funded through these fundraisers that we do periodically.

President McIntyre asked Edgar to repeat their motto and he replied, "We are good and strong." President McIntyre said exactly, and that's about your coffee and your people, right, and Edgar replied exactly. President McIntyre stated that the business I work for, we did a box lunch day a few weeks ago and it was wonderful. We ordered the box lunches from Anastasia & Katie's and it was just great, everybody loved their lunches and we all just really enjoyed that. So, thank you for everything you do, you did a wonderful job presenting tonight and this is on Consent so you don't have to come back but you're always welcome to come back and we encourage you to come back any time there's news about Anastasia & Katie's or your activities that you'd like to share with us and with the City.

Edgar stated we actually have a couple packets of information about the nonprofit and asked if his mother could pass those out to everybody.

President McIntyre asked Edgar the date of their golf outing and he replied August 16th at Idyl Wild Golf Course.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

4.

City Clerk
July 2, 2021

MEETING DATE

July 12, 2021

PREPARED BY

Lori Miller, Deputy City Clerk

AGENDA ITEM

REQUEST TO WAIVE THE CITY'S NOISE ORDINANCE: Ian Edgar and Gale Wilcox, Anastasia & Katie's Coffee Shop, re: to host a car show with a DJ, in the parking lot of business located at 19215 Merriman Road on Saturday, August 28, 2021 from 8:30 a.m. to 4:00 p.m., with a rain date request of either Saturday, September 4, 2021 or Saturday, September 11, 2021.

BACKGROUND

Livonia non-profit business, Anastasia & Katie's Coffee Shop, requests permission to host car show with music, emcee and the coffee shop will be open for business to raise funds for their non-profit within private parking lot of business located at 19215 Merriman Road, north of Seven Mile. Date of the event is Saturday, August 28, 2021 from 8:30 a.m. to 4:00 p.m., with rain dates requested of either Saturday, September 4, 2021 or Saturday, September 11, 2021

RECOMMENDATION

Approve as submitted.

FISCAL CONSIDERATION

N/A

ATTACHMENTS

1. Anastasia & Katie's Coffee Shop, Car Show

APPROVED BY

lanEdgar199@yahoo.com

REQUEST FOR BLOCK PARTY and/or BARRICADING OF CITY STREETS

(To be sent to: Livonia City Council, c/o City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097
or hand delivered to the City Clerk's Office at least 8 weeks prior to the planned event)

PLEASE PRINT

Date of Application

July 2nd, 2021

Anastasia +
Katie's Coffee
Shop

Ian Edgar + Gale Wilcox

Name of Neighborhood Representative

19215 Merriman Livonia 48152

Address (please include zip code)

Telephone Number:

Home

734 664-4621

please call
Ian Edgar

(please include area code)

Office

248 957-8019

coffee shop

LOT

Please circle what is being requested - "BLOCK PARTY" and/or "STREET BARRICADING"

EVENT

8-28-2021

9-4 OR 9-11

2021 JUL - 2 AM 11:56

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OFFICE OF THE CITY CLERK

Date of Block Party and/or Barricading

Rain Date

8:30 am - 4pm

Time of Block Party and/or Barricading

(Ending Time - No Later than 10:00 p.m.) (Be as specific as possible)

Location of Block Party and/or Barricading.

(Be as specific as possible - indicate what streets as well as what boundaries).

N. of 7 Mile on E side of Merriman in the parking lot

Type of Event (Describe briefly activities planned, i.e. music, barbecue, games, etc.)

Car show with music, emcee, & coffee shop open

Approximate Number Attending:

Unsure - we need info from you re:

Date of Council Approval/Denial:

Capacity
overflow
restrictions

Council Resolution Number:

We have not yet secured
a car club.

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD JULY 12, 2021**

5

5) REQUEST TO MAINTAIN MEMBERSHIP IN OAKLAND COUNTY'S COURTS AND LAW ENFORCEMENT MANAGEMENT INFORMATION SYSTEM (CLEMIS): Division of Police, re: as this system serves as a technical link between member agencies to promote communication and the sharing of criminal justice information.

Curtis Caid, Chief of Police, presented this request to Council. He stated this item before you is a request for your authorization to really renew the existing contract that we have with CLEMIS. As you mentioned from the Regular Meeting with the item that was before you, CLEMIS has played a role in the City of Livonia for a number of years and worked jointly with the Court, 16th District Court, along with the Fire Department as well using the suite of services that CLEMIS provides. A quick note on some of those is the CAD, computer aided dispatch, the Mobile Data Computers, access to LIEN, electronic citations, crash reports, evidence and property management, the list goes on. We also have a seat at the table for voting with the CLEMIS committee, as a Wayne County rep and Livonia has that initially going into it as well as because we were a strategic partner with them at the beginning of this with a catastrophic back-up. Things have modified over the years and that necessity has waned. But Livonia remains at the table with a vote on various policy issues that come to task, discussing or debating whether we go down a path of adding or subtracting other services to the CLEMIS program overall. It's been a great group, we budget annually funds to continue that subscription, we have that going forward, again with your approval of this contract. The contract has been submitted, the Law Department has been vetted by the legal analysts and have found no issues with that. So I'm before you asking your support and approval to re-enter into this agreement and then continue with the payment of the annual dues as dictated in the request.

Councilmember Jolly stated this is a crucial piece of information and infrastructure for the Police Department and the 16th District Court, I'm happy to offer an approval for the Consent Agenda. I can't imagine how law enforcement would work at this point without a system like this.

Caid replied it is very comprehensive, not to take up more time, it is the largest in the State and with technology being what it is today it would be cost prohibitive for us to replicate what we're doing outside of CLEMIS.

President McIntyre asked Caid if he heard at the prior meeting about the issue of looking into the ability and we know that it's complicated, but to give Ordinance some limited access to CLEMIS but we know it's complicated, I don't know if you heard the previous conversation.

Caid replied yes, I was there and I'm aware of that. And the issue really isn't so much the CLEMIS end, it's the hardware and the cost of that. So, we'd have to get laptops and printers and all these things and then get access into the system, the Mobile Data Link, all of those things. And we've just kind of been weighing that out on against the

cost effectiveness of it, so we've been writing paper tickets and then have to input those but we're adjusting it.

President McIntyre said thank you, very much, we know you are and I didn't know if you were here for that part of the meeting but thank you very much.

Caid thanked Council.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

5.

Police
July 1, 2021

MEETING DATE

July 12, 2021

PREPARED BY

Diane Warterian, Program Supervisor

AGENDA ITEM

REQUEST TO MAINTAIN MEMBERSHIP IN OAKLAND COUNTY'S COURTS AND LAW ENFORCEMENT MANAGEMENT INFORMATION SYSTEM (CLEMIS): Division of Police, re: as this system serves as a technical link between member agencies to promote communication and the sharing of criminal justice information.

BACKGROUND

The Livonia Division of Police is requesting authorization to enter into an Interlocal agreement with Oakland County for the purpose of providing Information Technology (I.T.) Services for the City of Livonia (Public Body) pursuant to Michigan law for a period of five (5) years. This agreement is being updated with every public entity that has an I.T. connection with Oakland County. The I.T. Services provided by Oakland County are specific to the suite of CLEMIS (Courts and Law Enforcement Management Information System) services utilized by the Department of Public Safety.

This agreement will allow us to maintain membership in Oakland County's Courts and Law Enforcement Management Information Systems (CLEMIS). CLEMIS was ahead of its time when it was formed in 1982, bringing together law enforcement, courts, and fire departments to gather and share information. Although it is not meant as a consolidation of departments, it is a consortium of over 120 municipal and county agencies. Since that time, CLEMIS has expanded to not only house and share information, but has developed their own programs, such as: dispatch, report writing for both incidents and accidents, vehicle impounds, property documentation, electronic citations, AXON body worn and in-car camera integration, second-hand property transaction (pawn shop), and more.

CLEMIS also provides our Live-Scan booking machine that digitally captures fingerprints and palm prints and electronically submits them to the State and Federal Government. They also provide our Crime Mapping service, which allows residents to see what is occurring in their neighborhoods. They have been able to leverage their large membership to provide these core programs, which all departments need, at a very reasonable cost and with some degree of ability to customize for each agency.

Livonia joined CLEMIS in 2000 and was the first non-Oakland County agency accepted into the consortium. Livonia immediately became a strategic partner for the consortium. Because of our strategic partner status, we were granted "In-County" pricing, which saves us a considerable amount of money every year. If we were not a CLEMIS member, we would be forced to either partner with another agency/agencies, or forced to purchase off-the-shelf programs for reports, etc.

We have found that purchasing off-the-shelf products limits our ability to customize and limits our ability to share information with other agencies. Additionally, Livonia is one of 18 voting members of the Advisory Committee, thus having the ability to voice direction and future goals of CLEMIS.

RECOMMENDATION

We are requesting authorization to enter into a new interlocal agreement with Oakland County, for the purpose of providing Information Technology (I.T.) Services for the City of Livonia (Public Body) pursuant to Michigan law for a period of five (5) years from July 1, 2021 to June 30, 2026.

FISCAL CONSIDERATION

We are requesting authorization to continue our participation in CLEMIS at a cost of \$51,355.50 for the second half of 2021; projected cost not to exceed \$106,819.44 for 2022; \$111,092.21 for 2023; \$115,535.89 for 2024; \$120,157.32 for 2025; \$62,481.80 for the first half of 2026. The 2021-2026 Figures assume an annual increase of 4%. The total amount requested for that period is \$567,442.16. These costs would be paid for with budgeted funds from accounts #101-306-851-020 and #261-000-851-020.

ATTACHMENTS

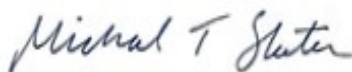
1. CLEMIS IT Services 1
2. CLEMIS Attachment 2

APPROVED BY



Date: July 02, 2021

Curtis Caid, Police Chief



Date: July 02, 2021

Michael Slater, Finance Director



Date: July 02, 2021

Paul Bernier, City Attorney



Date: July 02, 2021

Maureen Miller Brosnan, Mayor

**AGREEMENT FOR I.T. SERVICES BETWEEN
OAKLAND COUNTY AND
CITY OF LIVONIA**

This Agreement (the "Agreement") is made between Oakland County, a Municipal and Constitutional Corporation, 1200 North Telegraph Road, Pontiac, Michigan 48341 ("County"), and City of Livonia ("Public Body") 33000 Civic Center, Livonia, MI 48154 . County and Public Body may also be referred to jointly as "Parties".

PURPOSE OF AGREEMENT. County and Public Body enter into this Agreement for the purpose of providing Information Technology Services ("I.T. Services") for Public Body pursuant to Michigan law.

In consideration of the mutual promises, obligations, representations, and assurances in this Agreement, the Parties agree to the following:

1. **DEFINITIONS.** The following words and expressions used throughout this Agreement, whether used in the singular or plural, shall be defined, read, and interpreted as follows.
 - 1.1. **Agreement** means the terms and conditions of this Agreement and any other mutually agreed to written and executed modification, amendment, Exhibit and attachment.
 - 1.2. **Claims** mean any alleged losses, claims, complaints, demands for relief or damages, lawsuits, causes of action, proceedings, judgments, deficiencies, liabilities, penalties, litigation, costs, and expenses, including, but not limited to, reimbursement for reasonable attorney fees, witness fees, court costs, investigation expenses, litigation expenses, amounts paid in settlement, and/or other amounts or liabilities of any kind which are incurred by or asserted against County or Public Body, or for which County or Public Body may become legally and/or contractually obligated to pay or defend against, whether direct, indirect or consequential, whether based upon any alleged violation of the federal or the state constitution, any federal or state statute, rule, regulation, or any alleged violation of federal or state common law, whether any such claims are brought in law or equity, tort, contract, or otherwise, and/or whether commenced or threatened.
 - 1.3. **"Confidential Information"** means all information and data that the County is required or permitted by law to keep confidential including records of County' security measures, including security plans, security codes and combinations, passwords, keys, and security procedures, to the extent that the records relate to ongoing security of the County as well as records or information to protect the security or safety of persons or property, whether public or private, including, but not limited to, building, public works, and public water supply designs relating to ongoing security measures, capabilities and plans for responding to a violation of the Michigan anti-terrorisms act, emergency response plans, risk planning documents, threat assessments and domestic preparedness strategies.
 - 1.4. **County** means Oakland County, a Municipal and Constitutional Corporation, including, but not limited to, all of its departments, divisions, the County Board of Commissioners, elected and appointed officials, directors, board members, council members, commissioners, authorities, committees, employees, agents, volunteers, and/or any such persons' successors.

- 1.5. **Day** means any calendar day beginning at 12:00 a.m. and ending at 11:59 p.m.
- 1.6. **Public Body** means the City of Livonia which is an entity created by state or local authority or which is primarily funded by or through state or local authority, including, but not limited to, its council, its Board, its departments, its divisions, elected and appointed officials, directors, board members, council members, commissioners, authorities, committees, employees, agents, subcontractors, attorneys, volunteers, and/or any such persons' successors. For purposes of this Agreement, Public Body includes any Michigan court, when acting in concert with its funding unit, to obtain I.T. Services.
- 1.7. **Public Body Employee** means any employees, officers, directors, members, managers, trustees, volunteers, attorneys, and representatives of Public Body, licensees, concessionaires, contractors, subcontractors, independent contractors, agents, and/or any such persons' successors or predecessors (whether such persons act or acted in their personal, representative or official capacities), and/or any persons acting by, through, under, or in concert with any of the above who have access to the I.T. Services provided under this Agreement. "Public Body Employee" shall also include any person who was a Public Body Employee at any time during the term of this Agreement but, for any reason, is no longer employed, appointed, or elected in that capacity.
- 1.8. **Points of Contact** mean the individuals designated by Public Body and identified to County to act as primary and secondary contacts for communication and other purposes as described herein.
- 1.9. **I.T. Services** means the following individual I.T. Services provided by County's Department of Information Technology, if applicable:
- 1.9.1. **Online Payments** mean the ability to accept payment of monies owed to Public Body initiated via a website maintained by County using a credit card, a debit card that functions as a credit card, or electronic debit of a checking account.
- 1.9.2. **Over The Counter Payments** means the ability to accept payment of monies owed to Public Body initiated via a credit card reader attached to an on-premise computer with access to a website maintained by County using a credit card or a debit card that functions as a credit card.
- 1.9.3. **Pay Local Taxes** means the ability to accept payment of local property taxes owed to Public Body initiated via a website maintained by County using a credit card, a debit card that functions as a credit card, or an electronic debit of a checking account. (Does not apply to Public Bodies outside of Oakland County).
- 1.9.4. **Jury Management System** means a subscription based software that facilitates the selection and communication with potential and selected individuals who may serve as jurors.
- 1.9.5. **Collaborative Asset Management System ("CAMS")** means providing for the collaborative use of information related to public assets, such as water, sanitary sewer, and/or storm sewer infrastructure, that is managed by various governmental entities participating in the CAMS within the County of Oakland in order to promote the effective maintenance and care of these assets.
- 1.9.6. **Data Center Use & Services** means providing space for Public Body's equipment in County's Data Center and access to electrical power and backup power.

- 1.9.7. **Remedial Support Services** means providing Public Body assistance with diagnosis and configuration of Public Body owned system components.
- 1.9.8. **Oaknet Connectivity** means use of communication lines and network equipment maintained by County for the transmission of digital information whether leased or owned by County.
- 1.9.9. **Internet Service** means access to the Internet from Public Body's work stations. Access from the Internet to Public Body's applications, whether at County or at Public Body (hosting), is not included.
- 1.9.10. **CLEMIS** means the Court and Law Enforcement Management Information System, an information management system comprised of specific software applications (CLEMIS Applications) operated and maintained by the CLEMIS Division of County.
- 1.9.11. **ArcGIS Online** means the ability to access a web based, collaborative Geographic Information System (GIS) that allows users having an ArcGIS Online (AGO) Named User account to create and share maps, applications (apps), layers, analytics, and data in Environmental Systems Research Institute, Inc.'s ("ESRI") secure cloud.
- 1.9.12. **Data Sharing** means the ability for the Public Body to utilize Access Oakland Products and data owned and maintained by the County on or in relation to its Geographic Information System (GIS).
- 1.9.13. **Pictometry Licensed Products** means the ability to use a Geographic Information System (GIS) solution that allows authorized users to access Pictometry-hosted high-resolution, orthogonal and oblique imagery.
- 1.9.14. **Security Best Practices Advice** means providing information on tools that may be used to enhance network security posture.
- 1.10. **Service Center** means the location of technical support and information provided by County's Department of Information Technology.
- 1.11. **Exhibits** mean the following descriptions of I.T. Services which are governed by this Agreement only if they are attached to this Agreement and selected below or added at a later date by a formal amendment to this Agreement:
- Exhibit I: Online Payments
 - Exhibit II: Over The Counter Payments
 - Exhibit III: Pay Local Taxes
 - Exhibit IV: Jury Management System
 - Exhibit V: Collaborative Asset Management System (CAMS)
 - Exhibit VI: Remedial Support Services
 - Exhibit VII: Data Center Use and Services
 - ☒ Exhibit VIII: Oaknet Connectivity
 - Exhibit IX: Internet Service
 - ☒ Exhibit X: CLEMIS
 - Exhibit XI: ArcGIS Online

Exhibit XII: Data Sharing

Exhibit XIII: Pictometry Licensed Products

Exhibit XIV: Security Best Practice Advice

2. COUNTY RESPONSIBILITIES.

- 2.1. County, through its Department of Information Technology, shall provide the I.T. Services selected above which are attached and incorporated into this Agreement.
- 2.2. County shall support the I.T. Services as follows:
 - 2.2.1. **Access.** County will provide secure access to I.T. Services for use on hardware provided by Public Body as part of its own computer system or as otherwise provided in an Exhibit to this Agreement.
 - 2.2.2. **Maintenance and Availability.** County will provide maintenance to its computer system to ensure that the I.T. Services are functional, operational, and work for intended purposes. Such maintenance to County's system will include "bug" fixes, patches, and upgrades, such as software, hardware, database and network upgrades. The impact of patches and/or upgrades to the applications will be thoroughly evaluated by County and communicated to Public Body through their Points of Contact prior to implementation in Public Body's production environment. County will reserve scheduled maintenance windows to perform these work activities. These maintenance windows will be outlined specifically for each application in the attached Exhibits.
 - 2.2.2.1. If changes to scheduled maintenance windows or if additional maintenance times are required, County will give as much lead time as possible.
 - 2.2.2.2. During maintenance windows, access to the application may be restricted by County without specific prior notification.
- 2.3. County may deny access to I.T. Services so that critical unscheduled maintenance (i.e. break-fixes) may be performed. County will make prompt and reasonable efforts to minimize unscheduled application downtime. County will notify the Points of Contact about such interruptions with as much lead time as possible.
- 2.4. **Backup and Disaster Recovery.**
 - 2.4.1. County will perform periodic backups of I.T. Services hosted on County's computer system. Copies of scheduled backups will be placed offsite for disaster recovery purposes.
 - 2.4.2. County will maintain a disaster recovery process that will be used to recover applications during a disaster or failure of County's computer system.
- 2.5. **Auditing.** County may conduct scheduled and unscheduled audits or scans to ensure the integrity of County's data and County's compliance with Federal, State and local laws and industry standards, including, but not limited to, the Health Insurance Portability and Accountability Act (HIPAA) and Payment Card Industry Data Security Standard (PCI DSS.)

2.5.1. In order to limit possibility of data theft and scope of audit requirements, County will not store credit card account numbers. County is only responsible for credit card data only during the time of transmission to payment processor.

2.6. **Training and Information Resources.** County may provide training on use of the I.T. Services on an as-needed basis or as set forth in an Exhibit to this Agreement.

2.7. **Service Center.** I.T. Service incidents requiring assistance must be reported to the Service Center, by the Points of Contact, to the phone number, e-mail or website provided below. The Service Center is staffed to provide support during County's normal business hours of 8:30 a.m. to 5:00 p.m., EST, Monday through Friday, excluding holidays. The Service Center can receive calls to report I.T. Service outages 24 hours a day, 7 days a week. Outages are defined as unexpected service downtime or error messages. Depending on severity, outage reports received outside of County's normal business hours may not be responded to until the resumption of County's normal business hours.

Service Center Phone Number	248-858-8812
Service Center Email Address	servicecenter@oakgov.com
Service Center Website	https://sc.oakgov.com

2.8. County may access, use and disclose transaction information and any content to comply with the law such as a subpoena, Court Order or Freedom of Information Act request. County shall first refer all such requests for information to Public Body's Points of Contact for their response within the required time frame. County shall provide assistance for the response if requested by the Public Body's Points of Contact, and if able to access the requested information. County shall not distribute Public Body's data to other entities for reasons other than in response to legal process.

2.9. I.T. service providers require County to pass through to Public Body certain terms and conditions contained in license agreements, service agreements, acceptable use policies and similar terms of service, in order to provide I. T. Services to Public Body. The County will provide Public Body with access to these terms and conditions. County will provide notice when it becomes aware of changes to the terms and conditions of these agreements that are applicable to Public Body.

3. PUBLIC BODY RESPONSIBILITIES.

3.1. Public Body shall immediately notify County of any unauthorized use of the I.T. Services and any breach of security of the I.T. Services. Public Body shall cooperate with County in all investigations involving the potential misuse of County's computer system or data.

3.2. Public Body is the owner of all data provided by Public Body and is responsible to provide all initial data identified in the attached Exhibits, in a format acceptable to County, and, for the CLEMIS Exhibit, as required by applicable statute, regulation, or administrative rule. Public Body is responsible for ensuring the accuracy and currency of data contained within its applications.

3.3. Public Body shall follow County's I.T. Services requirements as described on County's website. Public Body shall comply with County's minimum standards for each Internet browser used by Public Body to access I.T. Services as set forth in an Exhibit(s) to this Agreement. Public Body shall meet any changes to these minimum standards that County may reasonably update from time to time.

- 3.4. Public Body shall not interfere with or disrupt the I.T. Services provided herein or networks connected with the I.T. Services.
- 3.5. Public Body requires that each Public Body Employee with access to I.T. Services shall:
 - 3.5.1. Utilize an antivirus software package/system on their equipment and keep same updated in a reasonable manner.
 - 3.5.2. Have a unique User ID and password that will be removed upon termination of Public Body Employee's employment or association with Public Body.
 - 3.5.3. Maintain the most reasonably current operating system patches on all equipment accessing the I.T. Services.
- 3.6. If authorized by County, Public Body may extend I.T. Services to other entities which are created by or primarily funded by state or local authority. If County authorizes Public Body to provide access to any I.T. Services to other entities, Public Body shall require those entities to agree to utilize an antivirus software package/system on computers accessing the I.T. Services and to assign users of the I.T. Services a unique User ID and password that will be terminated when a user is no longer associated with the entity. Public Body must require an entity receiving I.T. Services under this Section, to agree in writing to comply with the terms and conditions of this Agreement and to provide County with a copy of this writing.
- 3.7. For each I.T. Service covered by an Exhibit to this Agreement, Public Body shall designate two representatives to act as a primary and secondary Points of Contact with County. The Points of Contact responsibilities shall include:
 - 3.7.1. Direct coordination and interaction with County staff.
 - 3.7.2. Communication with general public supported by Public Body.
 - 3.7.3. Following County's procedures to report an application incident.
 - 3.7.4. If required by County, attend training classes provided by County either online or at County's Information Technology Building in Waterford, Michigan or other suitable location determined by County.
 - 3.7.5. Providing initial support services to Public Body users prior to logging a Service Center incident with County.
 - 3.7.6. Requesting security changes and technical support from the Service Center.
 - 3.7.7. Testing Applications in conjunction with County, at the times and locations mutually agreed upon by County and Public Body.
 - 3.7.8. To report a service incident to the Service Center, one of Public Body's Points of Contact shall provide the following information:
 - 3.7.8.1. Contact Name
 - 3.7.8.2. Telephone Number
 - 3.7.8.3. Email Address
 - 3.7.8.4. Public Body Name
 - 3.7.8.5. Application and, if possible, the specific module with which the incident is associated.

- 3.7.8.6. Exact nature of the problem or function including any error message that appeared on the computer screen.
- 3.7.8.7. Any action the Points of Contact or user has taken to resolve the matter.
- 3.8. Public Body may track the status of the incident by calling the Service Center and providing the Incident Number.
- 3.9. Public Body shall respond to Freedom of Information Act Requests relating to Public Body's data.
- 3.10. I.T. service providers require County to pass through to Public Body certain terms and conditions contained in license agreements, service agreements, acceptable use policies and similar terms of service, in order to provide I. T. Services to Public Body. Public Body agrees to comply with these terms and conditions. Public Body may follow the termination provisions of this Agreement if it determines that it cannot comply with any of the terms and conditions.

4. DURATION OF INTERLOCAL AGREEMENT.

- 4.1. This Agreement and any amendments shall be effective when executed by both Parties with resolutions passed by the governing bodies of each Party except as otherwise specified below. The approval and terms of this Agreement and any amendments, except as specified below, shall be entered in the official minutes of the governing bodies of each Party. An executed copy of this Agreement and any amendments shall be filed by the County Clerk with the Secretary of State. If Public Body is a Court, a signature from the Chief Judge of the Court shall evidence approval by the Public Body, providing a resolution and minutes does not apply. If the Public Body is the State of Michigan, approval and signature shall be as provided by law.
- 4.2. Notwithstanding Section 4.1, the Chairperson of the Oakland County Board of Commissioners is authorized to sign amendments to the Agreements to add Exhibits that were previously approved by the Board of Commissioners but are requested by Public Body after the execution of the Agreement. An amendment signed by the Board Chairperson under this Section must be sent to the Election Division in the County Clerk's Office to be filed with the Agreement once it is signed by both Parties.
- 4.3. Unless extended by an Amendment, this Agreement shall remain in effect for five (5) years from the date the Agreement is completely executed by all Parties or until cancelled or terminated by any of the Parties pursuant to the terms of the Agreement.

5. PAYMENTS.

- 5.1. I.T. Services shall be provided to Public Body at the rates specified in the Exhibits, if applicable.
- 5.2. **Possible Additional Services and Costs.** If County is legally obligated for any reason, e.g. subpoena, Court Order, or Freedom of Information Request, to search for, identify, produce or testify regarding Public Body's data or information that is electronically stored by County relating to I.T. Services the Public Body receives under this Agreement, then Public Body shall reimburse County for all reasonable costs the County incurs in searching for, identifying, producing or testifying regarding such data or information. County may waive this requirement in its sole discretion.
- 5.3. County shall provide Public Body with a detailed invoice/explanation of County's costs for I.T. Services provided herein and/or a statement describing any amounts owed to County.

Public Body shall pay the full amount shown on any such invoice within sixty (60) calendar days after the date shown on any such invoice. Payment shall be sent along with a copy of the invoice to: Oakland County Treasurer – Cash Acctg, Bldg 12 E, 1200 N. Telegraph Road, Pontiac, MI 48341.

- 5.4. If Public Body, for any reason, fails to pay County any monies when and as due under this Agreement, Public Body agrees that unless expressly prohibited by law, County or the Oakland County Treasurer, at their sole option, shall be entitled to set off from any other Public Body funds that are in County's possession for any reason, including but not limited to, the Oakland County Delinquent Tax Revolving Fund ("DTRF"), if applicable. Any setoff or retention of funds by County shall be deemed a voluntary assignment of the amount by Public Body to County. Public Body waives any Claims against County or its Officials for any acts related specifically to County's offsetting or retaining of such amounts. This paragraph shall not limit Public Body's legal right to dispute whether the underlying amount retained by County was actually due and owing under this Agreement.
- 5.5. If County chooses not to exercise its right to setoff or if any setoff is insufficient to fully pay County any amounts due and owing County under this Agreement, County shall have the right to charge up to the then-maximum legal interest on any unpaid amount. Interest charges shall be in addition to any other amounts due to County under this Agreement. Interest charges shall be calculated using the daily unpaid balance method and accumulate until all outstanding amounts and accumulated interest are fully paid.
- 5.6. Nothing in this Section shall operate to limit County's right to pursue or exercise any other legal rights or remedies under this Agreement or at law against Public Body to secure payment of amounts due County under this Agreement. The remedies in this Section shall be available to County on an ongoing and successive basis if Public Body at any time becomes delinquent in its payment. Notwithstanding any other term and condition in this Agreement, if County pursues any legal action in any court to secure its payment under this Agreement, Public Body agrees to pay all costs and expenses, including attorney fees and court costs, incurred by County in the collection of any amount owed by Public Body.

6. ASSURANCES.

- 6.1. Each Party shall be responsible for any Claims made against that Party by a third party, and for the acts of its employees arising under or related to this Agreement.
- 6.2. Except as provided for in Section 5.6, in any Claim that may arise from the performance of this Agreement, each Party shall seek its own legal representation and bear the costs associated with such representation, including judgments and attorney fees.
- 6.3. Except as otherwise provided for in this Agreement, neither Party shall have any right under this Agreement or under any other legal principle to be indemnified or reimbursed by the other Party or any of its agents in connection with any Claim.
- 6.4. Public Body shall be solely responsible for all costs, fines and fees associated with any misuse by its Public Body Employees of the I.T. Services provided herein.
- 6.5. This Agreement does not, and is not intended to, impair, divest, delegate or contravene any constitutional, statutory, and/or other legal right, privilege, power, obligation, duty, or immunity of the Parties. Nothing in this Agreement shall be construed as a waiver of governmental immunity for either Party.
- 6.6. The Parties have taken all actions and secured all approvals necessary to authorize and complete this Agreement. The persons signing this Agreement on behalf of each Party

have legal authority to sign this Agreement and bind the Parties to the terms and conditions contained herein.

- 6.7. Each Party shall comply with all federal, state, and local ordinances, regulations, administrative rules, and requirements applicable to its activities performed under this Agreement.

7. USE OF CONFIDENTIAL INFORMATION

- 7.1. The Parties shall not reproduce, provide, disclose, or give access to Confidential Information to the County or to a Public Body Employee not having a legitimate need to know the Confidential Information, or to any third-party. County and Public Body Employees shall only use the Confidential Information for performance of this Agreement. Notwithstanding the foregoing, the Parties may disclose the Confidential Information if required by law, statute, or other legal process provided that the Party required to disclose the information: (i) provides prompt written notice of the impending disclosure to the other Party, (ii) provides reasonable assistance in opposing or limiting the disclosure, and (iii) makes only such disclosure as is compelled or required. This Agreement imposes no obligation upon the Parties with respect to any Confidential Information which can establish by legally sufficient evidence: (i) was in possession of or was known by prior to its receipt from the other Party, without any obligation to maintain its confidentiality; or (ii) was obtained from a third party having the right to disclose it, without an obligation to keep such information confidential.
- 7.2. Within five (5) business days' receipt of a written request from the other Party, or upon termination of this Agreement, the receiving Party shall return or destroy all of the disclosing Party's Confidential Information.

8. DISCLAIMER OR WARRANTIES

- 8.1. The I.T. Services are provided on an "as is" and "as available" basis. County expressly disclaims all warranties of any kind, whether express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose and non-infringement.
- 8.2. County makes no warranty that (i) the I.T. Services will meet Public Body's requirements; (ii) the I.T. Services will be uninterrupted, timely, secure or error-free; nor (iii) the results that may be obtained by the I.T. Services will be accurate or reliable.
- 8.3. Any material or data downloaded or otherwise obtained through the use of the I.T. Services is accessed at Public Body's discretion and risk. Public Body will be solely responsible for any damage to its computer system or loss of data that results from downloading of any material.
9. **LIMITATION OF LIABILITY**. In no event shall either Party be liable to the other Party or any other person, for any consequential, incidental, direct, indirect, special, and punitive or other damages arising out of this Agreement.
10. **DISPUTE RESOLUTION**. All disputes relating to the execution, interpretation, performance, or nonperformance of this Agreement involving or affecting the Parties may first be submitted to County's Director of Information Technology and Public Body's Agreement Administrator for possible resolution. County's Director of Information Technology and Public Body's Agreement Administrator may promptly meet and confer in an effort to resolve such dispute. If they cannot resolve the dispute in five (5) business days, the dispute may be submitted to the signatories of this

Agreement or their successors in office. The signatories of this Agreement may meet promptly and confer in an effort to resolve such dispute.

11. **TERMINATION OR CANCELLATION OF AGREEMENT.**

- 11.1. Either Party may terminate or cancel this entire Agreement or any one of the I.T. Services described in the attached Exhibits, upon one hundred twenty (120) days written notice, if either Party decided, in its sole discretion, to terminate this Agreement or one of the Exhibits, for any reason including convenience.
- 11.2. Early termination fees may apply to Public Body if provided for in the Exhibits.
- 11.3. The effective date of termination and/or cancellation shall be clearly stated in the written notice. Either the County Executive or the Board of Commissioners is authorized to terminate this Agreement for County under this provision. A termination of one or more of the Exhibits which does not constitute a termination of the entire Agreement may be accepted on behalf of County by its Director of Information Technology.

12. **SUSPENSION OF SERVICES.** County, through its Director of Information Technology, may immediately suspend I.T. Services for any of the following reasons: (i) requests by law enforcement or other governmental agencies; (ii) engagement by Public Body in fraudulent or illegal activities relating to the I.T. Services provided herein; (iii) breach of the terms and conditions of this Agreement; or (iv) unexpected technical or security issues. The right to suspend I.T. Services is in addition to the right to terminate or cancel this Agreement according to the provisions in Section 11. County shall not incur any penalty, expense or liability if I.T. Services are suspended under this Section.

13. **DELEGATION OR ASSIGNMENT.** Neither Party shall delegate or assign any obligations or rights under this Agreement without the prior written consent of the other Party.

14. **NO EMPLOYEE-EMPLOYER RELATIONSHIP.** Nothing in this Agreement shall be construed as creating an employee-employer relationship between County and Public Body.

15. **NO THIRD-PARTY BENEFICIARIES.** Except as provided for the benefit of the Parties, this Agreement does not and is not intended to create any obligation, duty, promise, contractual right or benefit, right to indemnification, right to subrogation, and/or any other right in favor of any other person or entity.

16. **NO IMPLIED WAIVER.** Absent a written waiver, no act, failure, or delay by a Party to pursue or enforce any rights or remedies under this Agreement shall constitute a waiver of those rights with regard to any existing or subsequent breach of this Agreement. No waiver of any term, condition, or provision of this Agreement, whether by conduct or otherwise, in one or more instances shall be deemed or construed as a continuing waiver of any term, condition, or provision of this Agreement. No waiver by either Party shall subsequently affect its right to require strict performance of this Agreement.

17. **SEVERABILITY.** If a court of competent jurisdiction finds a term or condition of this Agreement to be illegal or invalid, then the term or condition shall be deemed severed from this Agreement. All other terms, conditions, and provisions of this Agreement shall remain in full force.

18. **PRECEDENCE OF DOCUMENTS.** In the event of a conflict between the terms of and conditions of any of the documents that comprise this Agreement, the terms in the Agreement shall prevail and take precedence over any allegedly conflicting terms in the Exhibits or other documents that comprise this Agreement.

19. **CAPTIONS.** The section and subsection numbers, captions, and any index to such sections and subsections contained in this Agreement are intended for the convenience of the reader and are not intended to have any substantive meaning. The numbers, captions, and indexes shall not be interpreted or be considered as part of this Agreement. Any use of the singular or plural, any reference to gender, and any use of the nominative, objective or possessive case in this Agreement shall be deemed the appropriate plurality, gender or possession as the context requires.
20. **FORCE MAJEURE.** Notwithstanding any other term or provision of this Agreement, neither Party shall be liable to the other for any failure of performance hereunder if such failure is due to any cause beyond the reasonable control of that Party and that Party cannot reasonably accommodate or mitigate the effects of any such cause. Such cause shall include, without limitation, acts of God, fire, explosion, vandalism, national emergencies, insurrections, riots, wars, strikes, lockouts, work stoppages, other labor difficulties, or any law, order, regulation, direction, action, or request of the United States government or of any other government. Reasonable notice shall be given to the affected Party of any such event.
21. **NOTICES.** Notices given under this Agreement shall be in writing and shall be personally delivered, sent by express delivery service, certified mail, or first class U.S. mail postage prepaid, and addressed to the person listed below. Notice will be deemed given on the date when one of the following first occur: (i) the date of actual receipt; (ii) the next business day when notice is sent express delivery service or personal delivery; or (iii) three days after mailing first class or certified U.S. mail.
- 21.1. If Notice is sent to County, it shall be addressed and sent to: Director, Oakland County Department of Information Technology, 1200 North Telegraph Road, Pontiac, Michigan, 48341, and the Chairperson of the Oakland County Board of Commissioners, 1200 North Telegraph Road, Pontiac, Michigan 48341.
- 21.2. If Notice is sent to Public Body, it shall be addressed to: Mayor Maureen Miller Brosnan, City of Livonia, 33000 Civic Center, Livonia, MI 48154.
- 21.3. Either Party may change the individual to whom Notice is sent and/or the mailing address by notifying the other Party in writing of the change.
22. **GOVERNING LAW/CONSENT TO JURISDICTION AND VENUE.** This Agreement shall be governed, interpreted, and enforced by the laws of the State of Michigan. Except as otherwise required by law or court rule, any action brought to enforce, interpret, or decide any Claim arising under or related to this Agreement shall be brought in the 6th Judicial Circuit Court of the State of Michigan, the 50th District Court of the State of Michigan, or the United States District Court for the Eastern District of Michigan, Southern Division, as dictated by the applicable jurisdiction of the court. Except as otherwise required by law or court rule, venue is proper in the courts set forth above.
23. **ENTIRE AGREEMENT.**
- 23.1. This Agreement represents the entire agreement and understanding between the Parties regarding the specific Services described in the attached Exhibits. With regard to those Services, this Agreement supersedes all other oral or written agreements between the Parties.
- 23.2. The language of this Agreement shall be construed as a whole according to its fair meaning, and not construed strictly for or against any Party.

IN WITNESS WHEREOF, Mayor Maureen Miller Brosnan hereby acknowledges that he/she has been authorized by a resolution of the City of Livonia, a certified copy of which is attached, or by approval of the Chief Judge if the Public Body is a Court, to execute this Agreement on behalf of Public Body and hereby accepts and binds Public Body to the terms and conditions of this Agreement.

EXECUTED: _____ DATE: _____
Maureen Miller Brosnan
Mayor

WITNESSED: _____ DATE: _____

AGREEMENT
ADMINISTRATOR: _____ DATE: _____
(IF APPLICABLE)

IN WITNESS WHEREOF, David T. Woodward, Chairperson, Oakland County Board of Commissioners, hereby acknowledges that he has been authorized by a resolution of the Oakland County Board of Commissioners to execute this Agreement on behalf of Oakland County, and hereby accepts and binds Oakland County to the terms and conditions of this Agreement.

EXECUTED: _____ DATE: _____
David T. Woodward, Chairperson
Oakland County Board of Commissioners

WITNESSED: _____ DATE: _____
Oakland County Board of Commissioners
County of Oakland

**EXHIBIT VIII
I.T. SERVICES AGREEMENT
OAKNET CONNECTIVITY**

INTRODUCTION

The I.T. Service described in this Exhibit (OakNet Connectivity) will provide network transport services to government agencies for the purpose of accessing applications and ISP services provided by Oakland County.

1.0 COUNTY RESPONSIBILITIES

- 1.1 County shall provide, install, and maintain the network equipment and cable necessary to deliver the I.T. Service of OakNet Connectivity, which will allow Public Body to connect to the County's network (OakNet) at Public Body's facilities and workstations. OakNet Connectivity permits Public Body to access I.T. Services that County has made available to Public Body.
- 1.2 County shall provide Public Body with a private IP address range, subnet mask, and gateway address for use by Public Body in configuring its internal network and to enable use of this I.T. Service.
- 1.3 County shall provide a single port by which Public Body may connect its internal network to OakNet
- 1.4 County shall use reasonable means to provide the I.T. Service for the transmission of information 24 hours a day, 7 days a week.
- 1.5 County and authorized Vendors shall present identification to Public Body for physical access to the OakNet Connectivity equipment for emergency service and scheduled maintenance.
- 1.6 To the extent practicable, County shall notify Public Body sixty (60) days in advance of pending changes in its contract with its third party connection provider(s). If the County's connection provider(s) is increasing costs, County shall provide Public Body with sufficient information to determine if it wishes to continue receiving this I.T. Service.

2.0 PUBLIC BODY RESPONSIBILITIES

- 2.1 Public Body shall provide adequate space and electrical power for the County to place equipment, an equipment cabinet, and cable.
- 2.2 Public Body shall promptly provide County staff and authorized third party with physical access to County equipment for emergency service and scheduled maintenance.
- 2.3 Public Body shall not mount any equipment in the County's equipment cabinet.
- 2.4 Public Body shall be responsible for configuring and maintaining Public Body's internal network equipment and cabling. Internal network equipment shall include cables connecting Public Body and County equipment.
- 2.5 Public Body shall configure Public Body workstations and other equipment to operate properly on the internal network, including assignment/configuration of the

**EXHIBIT VIII
I.T. SERVICES AGREEMENT
OAKNET CONNECTIVITY**

local IP addresses, Network Address Translation (NAT), or Domain Name Services (DNS) and as required to access this I.T. Service.

- 2.6 If Public Body terminates this I.T. Service, Public Body shall pay any charges related to early termination of third party communication services provided by County on behalf of Public Body.
- 2.7 Public Body shall be responsible for all costs associated with the relocation, reconfiguration or removal of County equipment and cable, when any of these changes are initiated by or at the request of Public Body, for any reason, including but not limited to relocation of municipal offices, construction, renovation, and discontinuance of services.
- 2.8 Public Body shall not attempt to access, configure, power cycle or connect to any County equipment unless specifically directed to do so by authorized County Department of Information Technology personnel or third party authorized by County.

3.0 SUPPORT

The I.T. Service will be supported by County's Information Technology (I.T.) Department as described in the Agreement.

4.0 SERVICE AND SUPPORT COSTS

County will invoice Public Body monthly for the cost of the communication lines. These charges will be based upon the rates set by the County's connection provider. County may choose to waive any fees for qualified law enforcement departments and for Public Bodies located within Oakland County.

5.0 LICENSE USE AND ACCESS

- 5.1 County grants to Public Body a nonexclusive license to use the County developed software applications, if any, needed to receive this I.T. Service. This license cannot be provided to any other party without County's consent in writing.

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INTRODUCTION.

The Courts and Law Enforcement Management Information System (known as “CLEMIS”) is a multi-faceted, regional public safety information management system, operated and maintained by the Oakland County Department of Information Technology, CLEMIS Division. CLEMIS is comprised of many software applications.

CLEMIS was created in 1968 to address the inability of criminal justice/public safety agencies to electronically share data in a timely manner. The purpose of CLEMIS is to provide innovative technology and related services to criminal justice/public safety agencies to enable them to share data and to improve the delivery of criminal justice/public safety services. Public Bodies that use CLEMIS have realized lower costs and improved efficiency in providing criminal justice/public safety services. These benefits allow first responders additional time to serve and protect citizens.

The Parties agree to the following terms and conditions:

1. **DEFINITIONS.** The following words and expressions used throughout this Exhibit, whether used in the singular or plural, shall be defined and interpreted as follows.
 - 1.1. **CLEMIS** is the Court and Law Enforcement Management Information System, an information management system, comprised of CLEMIS Applications operated and maintained by the CLEMIS Division with recommendations and counsel from the CLEMIS Advisory Committee.
 - 1.2. **CLEMIS Advisory Committee (formerly known as the CLEMIS Advisory or Policy Board)** is an advisory committee that leads the CLEMIS Consortium and that provides recommendations and counsel to the CLEMIS Division regarding the operation and maintenance of CLEMIS.
 - 1.3. **CLEMIS Applications** are the specific software applications that comprise CLEMIS. These software applications are listed and described on the CLEMIS Website and are included in the definition of I.T. Services under this Agreement.
 - 1.4. **CLEMIS Consortium** is a non-legal entity comprised of all CLEMIS Members. Its purpose is to empower criminal justice/public safety agencies to maximize the use of collected data, to enhance daily operations and engage in comprehensive planning. The Consortium is led by the CLEMIS Advisory Committee.
 - 1.5. **CLEMIS Division** is the division in the Oakland County Department of Information Technology responsible for the operation and maintenance of CLEMIS.
 - 1.6. **CLEMIS Fee** is the sum of costs for use of CLEMIS, CLEMIS Applications, and services provided by the CLEMIS Division. These costs are listed and itemized on the CLEMIS Website.
 - 1.7. **CLEMIS Member** means the Public Body that executes this Exhibit and compiles with this Agreement.

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- 1.8. **CLEMIS Website** is the portion of the County's website dedicated to CLEMIS located at www.oakgov.com/clemis or www.clemis.org.
- 1.9. **Criminal Justice Information Services ("CJIS") Security Policy** is the effective security policy approved by the CJIS Advisory Policy Board setting forth security requirements, guidelines, and agreements for protecting transmission, access, storage, use, generation of, and sources of Criminal Justice Information ("CJI") as defined in the CJIS Security Policy.
- 1.10. **Fire Records Management System ("FRMS")** is a CLEMIS Application that provides an integrated technology system to participating fire departments, which is further described on the CLEMIS Website.

2. CLEMIS DIVISION RESPONSIBILITIES.

- 2.1. **Provision of CLEMIS Applications.** County shall provide Public Body with access to CLEMIS and the specific CLEMIS Applications and services marked on Addendum A, which may be changed from time to time. Addendum A is fully incorporated into this Agreement. Notwithstanding any provision in this Agreement, Addendum A and any changes thereto shall be signed by the CLEMIS Division Manager on behalf of County and the authorized representative as designated on Addendum A on behalf of Public Body. The operational descriptions of the CLEMIS Applications and services are set forth on the CLEMIS Website.
- 2.2. **Compliance with Laws, Rules, Regulations, and Policies.** County shall comply with all applicable laws, rules, and regulations and the CJIS Security Policy in the delivery, operation, and maintenance of CLEMIS Applications and in the transmission, access, storage, and use of data through or in CLEMIS Applications.
- 2.3. **No Verification of Data.** County does not verify or review data entered into and stored in CLEMIS for accuracy.

3. PUBLIC BODY RESPONSIBILITIES.

- 3.1. **Execution of Exhibit VIII.** Unless approved in writing by the CLEMIS Division, Public Body must execute Exhibit VIII to this Agreement (OakNet Connectivity) to provide connectivity for the use and operation of CLEMIS Applications. If Public Body receives approval from the CLEMIS Division not to use OakNet, such approval will be marked on Addendum A.
- 3.2. **Execution of Management Control Agreement.** Public Body shall execute a Management Control Agreement with County as required by and consistent with the CJIS Security Policy, which may be amended from time to time. The Management Control Agreement shall be executed by the persons authorized to sign Addendum A.
- 3.3. **Compliance with Laws, Rules, Regulations, and Policies.** Public Body and Public Body Employees shall comply with the CJIS Security Policy and all applicable laws, rules, and

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regulations when using CLEMIS and when generating, entering, and using data that is stored in CLEMIS.

- 3.4. **Access to CLEMIS.** Only Public Body Employees authorized by Public Body may access and use CLEMIS. Public Body shall keep a list of Public Body Employees authorized to access and use CLEMIS. Public Body shall review this list at least quarterly to ensure its accuracy. Upon written request of County, Public Body shall provide this list to County. Public Body shall not allow any individuals, who are not on this list, to access and use CLEMIS.
- 3.5. **Security/Background Checks.** Public Body shall provide for and pay for security/background checks for all Public Body Employees who access and use CLEMIS, as required by the CJIS Security Policy and any other applicable law, rule, and regulation.
- 3.6. **Data Entry.** Public Body is solely responsible for entering all data that is required by any CLEMIS Applications into CLEMIS.
- 3.7. **Data Ownership.** All data entered into CLEMIS by Public Body shall be and shall remain the data of Public Body.
- 3.8. **Data Accuracy.** Public Body is solely responsible for ensuring that all data entered into and stored in CLEMIS is accurate and complete. Accurate and complete means that the data does not contain erroneous information. Public Body shall immediately correct erroneous information upon discovery of error. To ensure accurate and complete data, Public Body shall conduct regular and systemic audits to minimize the possibility of generating, transmitting, and storing erroneous information.
- 3.9. **Data Update/Expungement/Redaction.** Public Body is solely responsible for updating, expunging, correcting, record locking, or redacting Public Body's data entered into or stored in CLEMIS, as required by law, rule, regulation, court order, or the CJIS Security Policy.
- 3.10. **Access to Public Body Facilities.** Public Body shall allow County employees access to Public Body facilities for maintenance of CLEMIS and to audit Public Body's use of CLEMIS.
- 3.11. **Provision of Hardware/Equipment.** The hardware/equipment needed to access and use CLEMIS shall be purchased, maintained, repaired and replaced by Public Body, unless otherwise agreed, in writing, by the Parties. The hardware/equipment shall meet the specifications and requirements set forth by the CLEMIS Division.
- 3.12. **Changes or Alternations to Public Body Facilities.** If Public Body is required to or decides to make changes or alternations to its facilities/buildings for any reason, then Public Body is responsible for all costs and expenses associated with moving or relocating hardware/equipment used to access CLEMIS or with moving or relocating the medium/connectivity, e.g., fiber, wireless connections, ISDN Lines, T1 Lines, etc., used to access CLEMIS.

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- 3.13. **E-Mail Address.** Public Body shall create and monitor a generic CLEMIS email address. The CLEMIS Division will provide Public Body instructions on how to create this email address. This email address will be the main point of contact for scheduled maintenance, outages, alerts, etc.
- 3.14. **Cooperation.** Public Body shall fully cooperate with County concerning the performance of this Agreement.

4. PROVISION OF PUBLIC BODY DATA TO PUBLIC BODY OR THIRD PARTIES.

- 4.1. **Request by Public Body for Public Body Data.** Public Body may request in writing that County provide a copy of portions of Public Body's data to Public Body. County will provide such data in a format and time period determined by County but will use its best efforts to provide the data in the format and time period requested by Public Body.
- 4.2. **Third Party Requests to County for Public Body Data.**
- 4.2.1. **Michigan Freedom of Information Act Requests.** County will respond pursuant to applicable law, to Michigan Freedom of Information Act ("FOIA") requests addressed and received by County, Subject to applicable law, if County receives a request for Public Body's data possessed by County, County will provide written notice to the requesting person identifying the Public Body and stating that the requesting person shall submit their request to the Public Body. Public Body shall be responsible for responding to all FOIA requests received by the Public Body.
- 4.2.2. **Other Legal Requests (Excluding FOIA Requests) to County for Public Body Data.** County will respond pursuant to applicable law to any subpoena, court order, or other legal request addressed to and received by County for Public Body's data possessed by County. Before responding to said legal request, County will use commercially reasonable efforts to inform Public Body of the request for the purpose of providing Public Body an opportunity to contest the legal request and/or to provide County with information that could impact County's response to the legal request. For the avoidance of doubt, this paragraph 4.2.2. does not apply to FOIA requests, which are governed by paragraph 4.2.1. (above).
- 4.2.3. Section 4.2 only applies to Public Body's data possessed by County for the purposes of providing services under Exhibit X (CLEMIS) and not to any other exhibit. Additionally, this section 4.2 does not apply to the CLEMIS Crash Purchase Application, which is governed by section 6 (below).
- 4.3. **Continuous Access to Public Body Data by Third Parties.**
- 4.3.1. In Addendum A, Public Body may request that County provide continuous access to Public Body's data to a third party. Addendum A shall identify the

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third party and shall set forth any specific instructions regarding the provision of such data to the third party. The County shall determine the manner in which to provide access to Public Body's data.

- 4.3.2. County shall provide and shall continue to provide access to Public Body's data to the third party identified in Addendum A, until Public Body provides written notice to the CLEMIS Manager to stop or change such access. The written notice shall contain the date on which access to Public Body's data shall stop. Upon receipt of this notice, County shall promptly stop the third party's access to Public Body's data and shall use its best efforts to stop third party access to Public Body's data on the date requested by Public Body.
- 4.3.3. In order to effectuate the third party's continuous access to Public Body's data, County will require the third party to execute an agreement with County to govern delivery and/or access to Public Body's data. The CLEMIS Manager is authorized to sign this agreement on behalf of County.
- 4.4. **Providing Public Body Data to Third Parties.** Except as otherwise provided in this Exhibit, the Agreement, or as directed in Addendum A, County will not provide Public Body's data to a third party. Notwithstanding any other provision, County shall provide Public Body's data to related Mugshots, Livescan, Michigan Incident Crime Reporting, and Crash/UD-10 traffic crash reports to the Michigan State Police. County may provide Public Body's data to County contractors and vendors for the purposes of providing services to Public Body, the County, and/or for improving CLEMIS Applications and services.
- 4.5. **Costs for Providing Public Body Data.** If County incurs any costs in providing Public Body's data to a third party or to Public Body, then Public Body shall be responsible for those costs and shall reimburse County for those costs. The CLEMIS Division shall invoice Public Body for such costs. Public Body shall pay the invoice at the location and within the time period stated in the Agreement. The CLEMIS Division may waive these costs in its sole discretion.
- 4.6. **Protected Health Information.** If the data, to be provided to a third party, is Protected Health Information" or "PHI" (defined in 45 CFR 160.103) under the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and under the changes to HIPAA made by the Health Information Technology for Economic and Clinical Health Act ("HITECH Amendment"), then County and Public Body shall execute a Business Associate Agreement.
- 4.7. **County not Responsible for Third Party Use of Data.** Public Body acknowledges and agrees that if it requests County to provide access to Public Body's data to a third party, County shall not be responsible for any actions of the third party and the third party's use of Public Body's data.

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- 4.8. **Sharing Data with other CLEMIS Members.** Public Body acknowledges and agrees that County may share Public Data with other CLEMIS members upon the recommendation and counsel of the CLEMIS Advisory Committee.

5. FINANCIAL RESPONSIBILITIES—CLEMIS FEE

- 5.1. **Payment of CLEMIS Fee.** Public Body shall pay the CLEMIS Fee to County for the CLEMIS Applications and services, which are marked on Addendum A. The amount of the CLEMIS fee and the costs that comprise the CLEMIS Fee are listed and itemized on the CLEMIS Website. The CLEMIS Division shall invoice Public Body on a quarterly basis for the CLEMIS Fee, unless otherwise specified. Public Body shall pay the invoice at the location and within the time period stated in the Agreement.
- 5.2. **Establishment of CLEMIS Fee.** The CLEMIS Division upon the recommendation and counsel of the CLEMIS Advisory Committee shall establish the CLEMIS Fee. The CLEMIS Fee shall be posted on the CLEMIS website and may be obtained from the CLEMIS Division.
- 5.3. **Review of CLEMIS Fee.** The CLEMIS Division and the CLEMIS Advisory Committee shall annually review the CLEMIS FEE.
- 5.4. **CLEMIS and FRMS Funds.** County has established and shall continue to have separate enterprise funds within the County budget for revenues, expenses, and operations of CLEMIS (hereinafter “CLEMIS Fund and FRMS Fund”).
- 5.5. **Deposit of CLEMIS Fee.** All monies paid by Public Body to County pursuant to this Exhibit shall be deposited into the CLEMIS Fund or FRMS Fund, as applicable. Only revenues and expenses stemming from CLEMIS operations and maintenance are recorded in the CLEMIS Fund and FRMS Fund; no other County revenues and expenses are recorded in these Funds. Any equity in the CLEMIS Fund and FRMS Fund at the end of the County’s fiscal year shall be rolled into the CLEMIS Fund and FRMS Fund for the next fiscal year. Surplus/equity in the CLEMIS Fund and FRMS Fund can only be used for CLEMIS operations and maintenance and not for the general operations of County or Public Body. Any County general fund contributions (transfers) to the CLEMIS Fund and FRMS Fund are strictly based on availability and official appropriation by County and cannot be deemed permanent on-going contributions.
- 5.6. **Financial Statement for CLEMIS and FRMS Funds.** The County Fiscal Services Division shall prepare financial statements for the CLEMIS Fund and FRMS Fund on a quarterly basis. These financial statements will be posted on the CLEMIS Website on a quarterly and year-end basis. The County Director of Management and Budget or his/her designee shall report the condition of the CLEMIS Fund and FRMS Fund to the CLEMIS Advisory Committee, on a quarterly basis.
- 5.7. **Refund of CLEMIS Fee for Operational Problems.** Subject to Section 18 (Force Majeure) of the Agreement, if any CLEMIS Applications are not operational for more than

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fourteen (14) consecutive calendar days, County shall refund the CLEMIS Fee, already paid by Public Body, for the days that the CLEMIS Applications were not operational.

6. **COUNTY/PUBLIC BODY RESPONSIBILITIES FOR CLEMIS CITATION PAYMENT APPLICATION AND CLEMIS CRASH PURCHASE APPLICATION.** If a Public Body uses the CLEMIS Citation Payment Application (hereinafter "Payment Application") and/or the CLEMIS Crash Purchase Application (hereinafter "Purchase Application"), then the following terms and conditions apply:
- 6.1. **Placement of URL.** Public Body shall be responsible for placing the Payment Application and the Purchase Application URLs on its website; the URLs shall be provided by County. Public Body shall include this URL in printed or electronic communications to the general public regarding the Payment Application and the Purchase Application.
 - 6.2. **Questions Regarding Payment of Tickets/Citations/Parking Tickets and Purchase of Crash/Accident Reports.** County shall refer all questions that County receives to Public Body regarding the payment of citations/tickets/parking tickets and the purchase of crash/accident reports and regarding the amount of monies owed to Public Body.
 - 6.3. **Security of Data.** County shall secure and protect data received through the Payment Application and Purchase Application (including credit card information) according to law, County's contractual obligations, and reasonable business standards and practices.
 - 6.4. **No Interference with Contract.** Third-party service providers such as PayPal Inc. and Elavon, Inc. are required for the operation of the Payment Application and Purchase Application. Neither Public Body nor Public Body Employees shall act or fail to act, either directly or indirectly, in a manner to cause any purported breach in any term or condition in any agreement between County and such third party.
 - 6.5. **Enhanced Access Fee.** Persons or entities paying citations/tickets/parking tickets through the Payment Application or purchasing crash/accident reports through the Purchase Application shall be charged an Enhanced Access Fee, in addition to the monies owed to Public Body.
 - 6.6. **Payment Transaction for Payment Application.** When using the Payment Application, a person or entity paying a citation/ticket/parking ticket will authorize two transactions, at the time of payment: (1) one transaction for payment of monies owed to Public Body/Court and (2) one transaction for payment of the Enhanced Access Fee. The funds for the payment to Public Body/Court will be directed to the depository account designated and/or owned by Public Body/Court. The funds for the Enhanced Access Fee will be directed to a depository account designated and owned by County.
 - 6.7. **Amount of Enhanced Access Fee for Payment Application.** The Enhanced Access Fee charged to persons/entities paying citations/tickets/parking tickets through the Payment Application shall be in an amount established by the Oakland County Board of Commissioners, Miscellaneous Resolution # 07121 and as subsequently amended by the

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Oakland County Board of Commissioners. Public Body shall receive one dollar (\$1.00) of the Enhanced Access Fee collected for each citation/ticket paid through the Payment Application. Given the small amount of the Enhanced Access Fee for parking tickets, Public Body shall receive no portion of the Enhanced Access Fee collected for parking tickets paid through the Payment Application.

- 6.8. **Amount of Enhanced Access Fee for Purchase Application.** The Enhanced Access Fee charged to persons/entities purchasing crash/accident reports through the Purchase Application shall be in an amount established by the Oakland County Board of Commissioners, Miscellaneous Resolution # 09182 and as subsequently amended by the Oakland County Board of Commissioners. Public Body shall receive one dollar (\$1.00) of the Enhanced Access Fee collected for the purchase of each crash/accident report through the Payment Application.
- 6.9. **Amount of Fee for Crash/Accident Report.** Public Body shall set the fee for the purchase of the crash/accident report through the Purchase Application. The amount of this fee shall be listed in Addendum A.
- 6.10. **Distribution of Enhanced Access Fees and Fees for Crash/Accident Reports.** Public Body's portion of the Enhanced Access Fees, set forth in this Exhibit, and the fee for the crash/accident reports, set forth in Addendum A, shall be disbursed to Public Body pursuant to its written instructions. Public Body shall provide the written instructions, required by this section to CLEMIS Division.
- 6.11. **Obligations and Responsibilities if Public Body is a Court.**
- 6.11.1. **Access to Website.** If Public Body is a Court, then County shall provide access to a password protected website where Public Body/Court can issue credits or refunds and view daily, weekly, and monthly transactions processed through the Payment Application.
- 6.11.2. **Contract for Credit Card Processing.** If Public Body is a Court, then County shall establish, maintain, and pay for a separate contract for credit card processing services with the entities currently providing credit card processing services for County, i.e., PayPal Inc. and Elavon, Inc.
- 6.11.3. **Separate Depository Bank Account.** If Public Body is a Court, then it shall maintain a corresponding depository bank account, with a depository financial institution acceptable to County, for the receipt of monies owed to Public Body/Court. Public Body/Court shall provide County with all necessary bank account numbers and routing number to give effect to this requirement.

7. CLEMIS ADVISORY COMMITTEE.

- 7.1. **Establishment and Purpose of CLEMIS Advisory Committee.** The CLEMIS Advisory Committee was established to obtain advice and guidance from CLEMIS Members

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concerning policy, technical, and operational questions for CLEMIS Applications. The purpose behind the CLEMIS Advisory Committee is to allow CLEMIS Members to provide input regarding the operation and management of CLEMIS. The CLEMIS Advisory Committee leads the CLEMIS Consortium and provides recommendations and counsel to the CLEMIS Division regarding the operation, maintenance, and budget for CLEMIS (including suggested security policies, development/operation/modifications to CLEMIS Applications, and actions regarding misuse of CLEMIS).

- 7.2. **Composition of CLEMIS Advisory Committee.** The composition of the CLEMIS Advisory Committee is posted on the CLEMIS Website.
 - 7.3. **CLEMIS Advisory Committee Meetings.** The CLEMIS Advisory Committee meets at least four (4) times per year. CLEMIS Members are encouraged to attend.
 - 7.4. **CLEMIS Advisory Committee Officers.** Every July, the CLEMIS Advisory Committee shall elect a Chairperson by majority vote. The Chairperson shall select and appoint a Co-Chairperson. The CLEMIS Division Manager shall serve as Executive Secretary to the CLEMIS Advisory Committee. The Executive Secretary shall prepare the agenda for CLEMIS Advisory Committee meetings. Prior to each meeting, the Chairperson and the Executive Secretary shall review the contents of each agenda.
 - 7.5. **CLEMIS Advisory Committee—Subcommittees.** The CLEMIS Advisory Committee may create subcommittees as it deems appropriate. The subcommittees and their composition and responsibilities shall be posted on the CLEMIS Website. The CLEMIS Advisory Committee Chairperson shall appoint the chairpersons of the subcommittees, except for the Chairperson of the Strategic Planning subcommittee, whose Chairperson is the current President of Oakland County Chiefs of Police Association and except for the Chairperson of Fire Governance whose Chairperson is elected by the Fire Governance Committee members.
8. **TRAINING.** Public Body shall require all Public Employees who use or access CLEMIS to attend training classes required by the CLEMIS Division. The format of the training classes will be at the discretion of the CLEMIS Division, e.g., train the trainer, classroom training, or on-line/remote training. If the training classes are held at County facilities or held in an on-line/remote format, then such training classes are at no cost to Public Body or Public Employees. If the training classes are held at non-County facilities, there may be a charge to Public Body based on time, materials, and location of training classes.
 9. **SUPPORT AND MAINTENANCE SERVICES.** County shall maintain and support the CLEMIS Applications. The CLEMIS Fee includes the costs for support and maintenance services for the CLEMIS Applications and other services provided by the CLEMIS Division, unless otherwise indicated on Addendum A. When providing support and maintenance services for CLEMIS, County has the authority to prioritize its resources, including, but not limited to, the order in which calls for support or maintenance will be resolved and allocation of time of its employees, agents, subcontractors, and equipment.

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10. OBLIGATIONS & RESPONSIBILITIES UPON TERMINATION/CANCELLATION.

- 10.1. **Use of CLEMIS & CLEMIS Applications.** Upon the effective date of termination or cancellation of this Exhibit, Public Body shall stop using CLEMIS and CLEMIS Applications and it shall not have access to CLEMIS and CLEMIS Applications.
- 10.2. **Use and Access to Public Body's Data.** Upon the effective date of termination or cancellation of this Exhibit, Public Body's data shall not be useable by or accessible to any other CLEMIS Member.
- 10.3. **Transition of Data upon Termination/Cancellation.** Upon termination or cancellation of this Agreement, CLEMIS shall provide a copy of Public Body's data to Public Body in an electronic format and a time period determined by County. Upon written confirmation from Public Body that it received its data, County will purge Public Body's data from CLEMIS and any disaster recovery sites. If County incurs any costs in copying Public Body's data, then Public Body shall be responsible for those costs and shall reimburse County for those costs. The CLEMIS Division shall invoice Public Body for such costs. Public Body shall pay the invoice at the location and within the time period stated in the Agreement. The CLEMIS Division may waive these costs in its sole discretion.
- 10.4. **Obligation to Pay CLEMIS Fee Upon Termination/Cancellation.** Public Body's obligation to pay the CLEMIS Fee shall stop on the effective date of termination or cancellation. If the termination or cancellation date is other than the end of a quarter, any CLEMIS Fee, paid in advance to County, shall be refunded to Public Body on a pro-rated daily basis for the time period that Public Body paid in advance.

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ADDENDUM A

I. CLEMIS CATEGORIES / TIERS

Public Body shall receive the CLEMIS Applications and services associated with the category/tier selected below. The CLEMIS Website describes each category/tier listed below, describes the CLEMIS Applications that are received with a particular category/tier, and lists the cost for the below categories. As used in this Addendum "FTE" means Full-Time Equivalents (Sworn Officers).

☒	<u>Tier 1</u>	☒ 16 or more FTE's	☐ 6 – 15 FTE's	☐ 1 – 5 FTE's
☐	<u>Tier 2</u>	☐ 16 or more FTE's	☐ 6 – 15 FTE's	☐ 1 – 5 FTE's
☐	<u>Tier 2.5</u>	☐ 16 or more FTE's	☐ 6 – 15 FTE's	☐ 1 – 5 FTE's
☐	<u>Tier 3</u>	☐ 16 or more FTE's	☐ 6 – 15 FTE's	☐ 1 – 5 FTE's
☐	☐ 16 or more FTE's	☐ 6 – 15 FTE's	☐ 1 – 5 FTE's	
	<u>Tier 4</u> Rescinded			
	<u>Tier 5</u> Rescinded			
☐	<u>Tier 6 (eCLEMIS)</u>			
☐	☐ 19 or more FTE's	☐ 6 – 18 FTE's	☐ 1 – 5 FTE's	
☐	<u>Tier 7</u> Public Safety Answering Point (PSAP)/Central Dispatch Center			
☐	<u>Tier 8</u> Jail Management (outside Oakland County)			
☐	<u>Federal Departments, Offices or Agencies Inquiry Only in the State of Michigan</u> (does not contribute any data)			
☐	<u>District Court in Oakland County</u> (excluding 52nd District Courts)			
	☐ Pays CLEMIS Fee: receives ticket data load and CLEMIS Citation Payment Application is optional.			
	☐ Does not pay CLEMIS Fee: receives ticket data load and must exclusively use CLEMIS Citation Payment Application.			
☐	<u>District Court outside Oakland County</u>			
	☐ Pays CLEMIS Fee: receives ticket data load and CLEMIS Citation Payment Application is optional.			
	☐ Does not pay CLEMIS Fee: receives ticket data load and must exclusively use CLEMIS Citation Payment Application.			
☐	<u>Circuit Court</u> (outside Oakland County - does not contribute any data)			
☐	<u>Prosecutor Office</u> (outside Oakland County, does not contribute any data)			
☐	<u>FRMS Participant</u> (Fire Records Management System)			

II. ADDITIONAL CLEMIS APPLICATIONS

Public Body may select and shall receive any of the CLEMIS Applications, selected below, for a separate cost. The cost for the CLEMIS Applications is set forth on the CLEMIS Website.



Mobile Data Computers ("MDC")



WITH County provided wireless



WITHOUT County provided wireless



CAD Only WITHOUT County provided wireless



Livescan



WITH printer



WITHOUT printer



Mugshot



Capture Station and Investigative



Investigative Only



Jail Management



CLEMIS Member located in Oakland County



CLEMIS Member located outside Oakland County



OakVideo (CLEMIS Member located outside Oakland County)



Crime Mapping Application

Vendor name: CentralSquare

Address: 5160 Carroll Canyon Road, Suite, 100, San Diego, CA 92121

Contact: Brenda Taylor

Phone: (563) 387-4833

Email: brenda.taylor@centralsquare.com



Pawn Application



Fire Records Management System In Oakland County



Phase I



Phase II



Fire Records Management System Outside Oakland County



Police, Fire and/or Public Safety Department Data Extract



In Oakland County



Outside Oakland County

Vendor name: ESO Solutions Inc.

Address: 11500 Alterra Parkway, Suite 100, Austin, Texas 787598

Contact: Robert Munden, General Counsel

Phone: 866-766-9471 ext. 1253

Email: Robert.munden@eso.com

☐ In Oakland County

☒ Outside Oakland County

Vendor name: Bryx

Address: 120 East Avenue, Suite 325, Rochester, NY 14534

Contact: David Thomas

Phone: (408) 406-2808

Email: dave@bryx.com

☐ In Oakland County

☒ Outside Oakland County

Vendor name: Arx Community

Address: 19 Clifford St, 8th Floor, Detroit, MI 48226

Contact: Bo Cheng, President

Phone: (734) 276-8670

Email: bo@arxcommunity.com

☐ In Oakland County

☒ Outside Oakland County

Vendor name _____

Address _____

Contact: _____

Phone: _____

Email _____



CRASH Report Payment Amount: \$ 5.00



Enhanced Access Fee Disbursement Instructions



Disbursement when Requested



Disbursement Quarterly

Make Check Payable to:

City of Livonia



OPT-OUT of Exhibit V (OakNet Connectivity) OakNet connectivity is not needed

COUNTY _____

CLEMIS Division Manager

Date _____

PUBLIC BODY _____

Title/Name: _____

Signature: _____

Date _____

(to be completed by Public Body)



Courts and Law Enforcement Management Information Systems

What is it?

Revised – January 2018





CLEMIS **Courts & Law Enforcement** **Management Information System**

PROBLEM:

Courts and Law Enforcement agencies unable to share data with one another in a timely manner.

SOLUTION:

Regional data sharing of innovative technology and applications to apprehend, solve, and ultimately reduce crime.

Our mission statement ...

To provide innovative computer technology and related services to criminal justice and public safety agencies . . .

CLEMIS provides solutions through a cooperative effort that are affordable.

CLEMIS applications and technologies save officers a tremendous amount of time spent in the office writing reports - this allows them more time "on the streets" to protect the citizens.

CLEMIS agencies share data and use advanced technology that improves homeland security, identifies suspects, and solves crime.

CLEMIS is a multi-faceted, regional law enforcement management information system and more. The key principle of CLEMIS is the sharing of data between law enforcement agencies in a County-operated and maintained regional database.

Data is extracted from CLEMIS by law enforcement agencies for required Federal and State crime reporting, analyzing criminal activity, resource allocation, incident reporting, and other legal purposes.

Police and Public Safety agencies from all cities, villages, and townships located within Oakland County provide law enforcement information to the CLEMIS database and enjoy the benefits of having access to this data. Additional agencies in several counties surrounding Oakland County's borders are full CLEMIS members that contribute and access the regional law enforcement data as well.

CLEMIS is more than one application. CLEMIS provides:

- Enhanced 911 (E-911 Call-Taking)
- Computer Aided Dispatch (CAD)
- Mobile Data Computers (MDC)
- Law Enforcement Information Network (LEIN) access via WebLEIN
- Consolidated Law Enforcement Advanced Records (CLEAR) Records Management
- Electronic Citations
- Crash Reports
- Evidence & Property Management
- Auto-Impound Management
- Biometric Facial Images (Mugshot)
- Biometric Fingerprints (Livescan)
- Video Conferencing (OakVideo)
- Search
- Crime Mapping
 - CrimeView Dashboard
 - Crimemapping.com (3rd Party Vendor)
- Pawn Shop (3rd Party Vendor)
- Business Objects Reporting Tool
- Online Citizens Police Reporting (OCPR)
- eCLEMIS
- Inmate Management & Cost Recovery System (Jail -IMACS)
- Radio (Voice) Communication (OakWIN)
- Fire Records Management System (FRMS)



CLEMIS

Enhanced 911 (E-911) Next Generation 911 (NG911)

PROBLEM:
911 application outdated,
unable to purchase parts
or upgrade.

SOLUTION:
Provide an enhanced 911
(E-911) application that
will interface with other
CLEMIS applications.

Our mission statement ...
To provide innovative
computer technology and
related services to
criminal justice and public
safety agencies ...

*CLEMIS E-911 is used to
dispatch public safety
and medical responders
to emergency situations.*

*E-911 routes emergency
calls to the proper public
safety agency.*

*E-911 interfaces with
CLEMIS CAD.*

*E-911 utilizes advanced
equipment and supports
wireless technology as
well.*

CLEMIS serves as the Oakland County Coordinator for twenty-one local Public Safety Answering Points (PSAPs) within Oakland County that receive and process 911 calls and dispatch public safety responders to emergencies.

911 is far more than a telephone number. It is a complex system of database servers, network connections, and call-taking equipment at the PSAPs. Enhanced 911, or E-911, provide selective routing of 911 calls to the correct PSAP for the caller's location through an intricate, yet almost instantaneous process that identifies the caller's telephone number, searches a database, and routes the call.

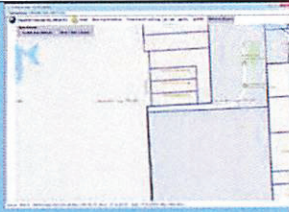
When E-911 was originally implemented in Oakland County in 1986, most callers accessed 911 via wireline telephones, and the application provided the caller's exact name, location, and call-back number to the PSAP. Communication technology has continued to evolve; including wireless handsets, Voice over Internet telephony, and most recently, text messages to 911. These new technologies continue to communicate over a legacy telephone network designed in the 1960s for hard wired, land line telephones.

Telephone service providers began phasing out the legacy telephone network in 2015, evolving to an Internet Protocol (IP) Next Generation 911 (NG911) application.

NG911 will allow emergency calls to be routed based on the callers' latitude and longitude. This is critical in pinpointing the location of the emergency because over 70% of 911 calls are now from wireless handsets and are no longer associated with a fixed address, as the old landlines were. NG911 will also allow callers to transmit new data along with the voice call, including photographs, videos, and crash information from in-car applications. This will provide valuable "eye-witness" information to emergency responders directly from the 911 caller.

In addition to the IP network, call-taking equipment at the PSAPs, logging recorders, training, and possibly staffing levels need to be addressed.

CLEMIS continues to work with participating members to determine the best and most cost effective technology to assist the PSAPs.



CLEMIS

Computer Aided Dispatch (CAD)

PROBLEM:
Need an efficient way for Police, Fire, and medical agencies to track and manage incoming calls for service.

SOLUTION:
CLEMIS Computer Aided Dispatch allows fast, reliable means for tracking and managing calls for service.

Our mission statement ...

To provide innovative computer technology and related services to criminal justice and public safety agencies . . .

The CLEMIS CAD Application has a failover backup.

Users can choose how the data is displayed on the screen.

CAD feeds data into Records, MDC

CAD imports data from E-911.

CLEMIS Computer Aided Dispatch (CAD) is a dispatching application that allows users to create, update, track, and manage all public safety calls for service.

CAD is based on a Geographical Information System (GIS) that allows users to plot calls for service on a map and recommend the correct units to send on the call. Dispatchers have many ways of determining which units to send on a call for service. Units sent on a call may be based on primary patrol area or through use of Automatic Vehicle Locator (AVL) that can send the closest unit regardless of the primary area of responsibility.

The CAD server and network connections are redundant. It is designed in such a fashion that one central processing unit (CPU) or disk drive can go down and be replaced without any loss of functionality. Network connections are set so that the primary connection could be lost and the communication center would failover to an ISDN (Integrated Services Digital Network) line and keep functioning.

CAD allows users different methods of updating and creating calls for service. Users of all skill levels are able to perform basic functions. Users can use a command line, syntax-based commands, forms, or drag and drop functionality. Dispatchers and other law enforcement personnel can select the method best suited for themselves to produce desired results including changing window sets to view calls.

CAD interfaces with other programs such as CLEAR (Records Management), Mobile Data Computers (MDC), and E-911 to further enhance usability. The data entered into CAD will import into the records management application to eliminate redundant data entry. Calls for service assigned to units with MDC's will receive any and all comments entered by dispatchers or other units assigned to the call for service. E-911 information is automatically entered into the call for service without user intervention.

One prerequisite to implementing CLEMIS CAD is the GIS street file. CLEMIS Members that are not in Oakland County work with their own county GIS departments for the initial development and on-going support of their GIS file for CAD. This is probably the biggest obstacle to implementing CLEMIS CAD with new member agencies. It is one area CLEMIS does not support.



CLEMIS

Mobile Data Computers (MDC)

PROBLEM:

Police officers are unable to communicate privately with their Dispatch Center and other officers.

SOLUTION:

Mobile Data Computers that wirelessly transmit information that cannot be intercepted by the public.

Our mission statement ...

To provide innovative computer technology and related services to criminal justice and public safety agencies . . .

There are over 1,700 units using CLEMIS MDC's.

CLEMIS MDC's communicate on a wireless network, and have access to State, and Federal law enforcement databases.

Officers are able to communicate with Dispatch and one another while on the road via CLEMIS MDC's.

CLEMIS Mobile Data Computers (MDC's) were known as Mobile Data Terminals (MDT's) in 1989 when the first private county-wide mobile data application was deployed for CLEMIS members. Although those devices were useful, they had limited capabilities.

In late 1999, CLEMIS upgraded the mobile data application to take full advantage of Cellular Digital Packet Data (CDPD) technology. New MDC's were purchased which provided a much wider range of functionality. Currently, there are more than 1,700 devices on the mobile network, with Police and Fire departments participating, across several surrounding counties. CLEMIS has upgraded the wireless technology and the devices now use 4G/LTE wireless.

CLEMIS MDC's communicate wirelessly with Dispatch, and are able to receive and initiate dispatch incidents and update information in CLEMIS CAD. As part of the CAD initiative, Automated Vehicle Locator (AVL) was also added to public safety vehicles so that Dispatch can see where the vehicles are located at all times.

CLEMIS MDC's can communicate with State (LEIN, SOS, and CMIS) and Federal (NCIC and NLETS) law enforcement databases. The ability to access these databases helps keep our officers safe, because they are able to find out if the vehicle they are stopping is stolen, or if the individuals in the car have outstanding warrants against them. CLEMIS MDC's can also communicate with any other mobile unit on the network.

Officers are able to run fingerprints, receive mugshot images, and Michigan's digital driver's license on the MDC located inside their vehicle. CLEMIS Members must purchase their own equipment and pay an annual participation fee to use this application.

	CLEMIS WebLEIN
PROBLEM: Criminal history data is not easily accessible to the officer in the field. SOLUTION: Use technology to provide an interface to criminal data via the Internet. Our mission statement ... To provide innovative computer technology and related services to criminal justice and public safety agencies . . . <i>CLEMIS members have access to several criminal databases.</i> <i>CLEMIS hosts, updates, and maintains the central system.</i> <i>Secretary of State images are available to CLEMIS members.</i> <i>This data is available on hand-held devices.</i>	CLEMIS WebLEIN/Talon provides an interface between local law enforcement to state, federal, and various local criminal justice databases. These databases include: • Michigan Secretary of State driving records and images. • State of Michigan Corrections prisoner information application. • FBI criminal and stolen property databases. • Databases belonging to local police agencies around the State of Michigan. • LEIN – The State’s “Law Enforcement Information Network” which contains criminal, wanted persons, officer safety cautions, and vehicle information. CLEMIS WebLEIN/Talon software is easy to use, and responses from the different databases return to the user very quickly. CLEMIS hosts, updates, and maintains the central system allowing police agencies to focus on criminal justice. When a program update is performed, users have access to improved functions at their next sign-on without additional work. CLEMIS WebLEIN users can access images from Michigan’s Secretary of State driver licenses for identification purposes of suspects, injured citizens, or for other law enforcement use. In the past, it was very time consuming to get access to images. CLEMIS does not charge any additional fees for access to WebLEIN. Questions regarding LEIN fees should be directed to the Michigan State Police at (517) 241-0658 or (517) 636-4548.



CLEMIS

Consolidated Law Enforcement Advanced Records (CLEAR)

PROBLEM:

Public Safety agencies are not able to share criminal information because they use different applications.

SOLUTION:

Provide a multi-tasked Records Management application to share data with all participating members.

Our mission statement ...

To provide innovative computer technology and related services to criminal justice and public safety agencies ...

CLEMIS CLEAR is affordable.

CLEAR provides:

interfaces to Mugshot & LEIN to reduce data entry, interfaces to CAD & MDC, MICR reporting to MSP, allows users to attach images and documents to case files, exports property to Property & Evidence module, allows users to send letters to persons involved in crimes and import notes to cases for all to see, provides an audit trail of who completed & viewed transactions, detectives can easily track all assigned Case Reports, etc.

CLEMIS CLEAR is a complete records management application as easy to use as the Internet. CLEAR is a web-based application designed to have the same look and feel from a desktop or a mobile device. It provides all the tools an agency needs to properly record, store, and retrieve departmental and criminal records.

CLEAR combines intelligent document management with a sound relational database structure to provide an extremely intuitive and highly functional records management application. By utilizing the most up-to-date and technologically advanced tools available, CLEMIS CLEAR can be leveraged by participating members in infinite ways.

Benefits of CLEMIS CLEAR

CLEAR is a web-based application for storage, retrieval and analysis of data collected by law enforcement personnel.

CLEAR provides department benefits such as:

- Allows multiple users to work in multiple case supplements at the same time.
- Quick response – Based on the Oracle Server and Internet Information Server, CLEMIS CLEAR serves up millions of records making more information available in the field where it is most needed.
- Simplified tasks – CLEAR solves the problem of producing FBI-compliant NIBRS statistics while also automating the Michigan Incident Crime Reporting (MICR) submission.



CLEMIS

Evidence & Property Management

PROBLEM:

Agencies need an efficient way to manage their property and evidence.

SOLUTION:

Provide users with an easy-to-use interface to manage and track all property and evidence.

Our mission statement ...

To provide innovative computer technology and related services to criminal justice and public safety agencies ...

Application developed in-house.

Easy to use, simplistic interface.

Works with existing CLEMIS applications.

CLEMIS Evidence & Property Management offers a complete solution for evidence and property management.

CLEMIS Evidence & Property Management application tracks all property that comes through a police department (Property, Found, Safekeeping, etc). Tracking starts from the time it is entered into a report until it is disposed of. This tracking will show who entered the item into the application and all movement or activity. Transfers will show who completed the transfer and where it was transferred to, with date and time. Returns will show who returned it and where it is held in the department with date and time. Officer's in charge of items can be changed or updated as needed. The application can send letters to the owners of items, and provide complete tracking of how and when property was disposed of. Agencies can create custom letters and reports relating to any property entered into the application.

Attachments can be added to the property record (letters, release forms, and photos). The CLEMIS Evidence & Property Room application can provide a complete chain of custody record for all items and will allow agencies to do a complete audit of all property items entered into the application.

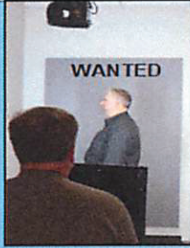
Bar codes and scanners provide end users with a simple, error free way of tracking and tagging property.

The CLEMIS Evidence & Property Room application was written in-house with help from several law enforcement personnel to find out how a Property Room is run - which makes the application the best it can be.

This application provides the most efficient way for agencies to electronically maintain their property rooms. It will save officers and property room clerks from re-entering the same information duplicate times.

CLEMIS

	CLEMIS Auto-Impound Management
PROBLEM: Agencies need an efficient way to manage their auto-impounds. SOLUTION: Provide users with an easy-to-use interface to manage and track all impounds. Our mission statement ... To provide innovative computer technology and related services to criminal justice and public safety agencies . . . <i>Application developed in-house.</i> <i>Easy to use, simplistic interface.</i> <i>Works with existing CLEMIS applications.</i> <i>CLEMIS Auto-Impound offers a complete solution for private property, arrest, and abandoned or vehicle impounds.</i>	CLEMIS Auto-Impound Management tracks all auto-impounds a police department performs (private property, arrest, abandoned autos). Tracking starts from the time the vehicle is entered into records management until it is released, disposed of, or auctioned. This tracking indicates who entered the vehicle into the application and all movement or activity. Transfers will show who completed the transfer and where it was transferred to, with date and time. Returns will show who returned it and where it is held with date and time. Officer's in charge of the vehicle can be changed or updated as needed. The application can track vehicle owner contact information. Agencies can create custom reports relating to any vehicles entered into the application. Attachments can be added to the vehicle record (letters, release forms, and photos). Auto-Impound provides a complete chain of custody record for all vehicles. The application will allow agencies to do a complete audit of all vehicle items that were entered. Bar codes and scanners provide end users with a simple, error free way of tracking and tagging vehicles. Impound slips can be created, printed, and emailed to towing companies. The CLEMIS Auto-Impound Management application was written in-house with help from several law enforcement personnel to find out how the Impound process works. This application is the best way for agencies to electronically maintain their vehicle impounds. It will save officers, dispatchers, and impound officers from re-entering the same information multiple times.



CLEMIS

Biometric Imaging (Mugshot)

PROBLEM:

How to share facial images, data and biometric technology with multiple agencies across a broad range of platforms.

SOLUTION:

The CLEMIS Mugshot application is capable of being accessed via a LAN connection, or the Internet. Images and data can be retrieved to the desktop, the patrol vehicle, and to hand-held devices.

Our mission statement ...

To provide innovative computer technology and related services to criminal justice and public safety agencies . . .

CLEMIS Mugshot is a robust imaging application for the law enforcement community.

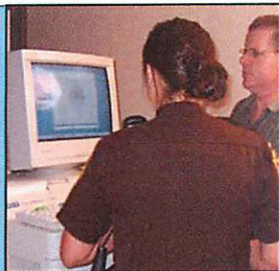
Mugshot will empower the officer to make decisions based upon access to biometric identification information.

CLEMIS Mugshot provides the public safety community with immediate access to mugshot images and data through a wide variety of means. Oakland County provides the central site hardware and software. CLEMIS Members must purchase their own Mugshot hardware and pay an annual maintenance fee to use this application.

CLEMIS members have access to the following biometric imaging functionality:

- Access to mugshot images and data from the desktop, patrol vehicle, or wireless PDA device.
- Ability to share suspect images and data via the Internet.
- Can search database records using any combination of data elements for investigative purposes.
- Create suspect line-up sessions and transmit the results from the desktop to the patrol vehicle.
- Create a Witness Line-Up.
- Access to the latest “facial recognition” technology. Relying solely on the image of an unknown suspect, the entire CLEMIS database searches for matching images. Once found, the data set associated with the matching records is displayed for the officer.
- CLEMIS Mugshot interfaces with Oakland County’s Jail Management application and the CLEMIS Livescan application. The officer receives suspect image records linked by fingerprint identification.

CLEMIS



CLEMIS

Biometric Fingerprint Identification (Livescan)

PROBLEM:

How to provide officers with a biometric means of identifying persons arrested for crimes.

SOLUTION:

Livescan technology electronically digitizes the person's fingerprint images then transmits them to the State and Federal systems for identification.

Our mission statement ...

To provide innovative computer technology and related services to criminal justice and public safety agencies . . .

Real-time biometric identification of persons taken into custody.

Identifying persons involved in unsolved crimes.

Reduce the time frame for the recording of arrest and charge information.

CLEMIS Livescan, technically referred to as an Automated Fingerprint Identification System (AFIS), was implemented in 1995. This application provides CLEMIS law enforcement members with the following functionality:

- Officers electronically capture and transmit accurate, reliable fingerprint images to the Michigan State Police and FBI for identification purposes.
- Arrest information along with finger and palm prints are registered in CAPFIS (CLEMIS Automated Palm & Fingerprint Identification System). Instantaneous identification of a suspect is based upon biometric technology. No longer is the officer forced to rely solely on suspect supplied demographic information. Arrest information is immediately transmitted to the State Police for Criminal History Information recording; a process which used to take weeks takes only minutes now.
- Fingerprints that are electronically submitted are also compared against unsolved crimes throughout the State of Michigan. If a fingerprint "match" is located, the agency submitting the crime scene fingerprints and the agency submitting the suspect fingerprints are immediately notified.
- CLEMIS Members can submit latent print evidence to the Oakland County Sheriff's Office Forensic lab for entry in the palm AFIS and search against known suspect records at no cost.
- Provides the County Prosecutor's office with an electronic and reliable means for submitting charge information to the State.
- In 2009, CLEMIS introduced BlueCheck devices which are small mobile devices that capture a single digit fingerprint. The system runs the fingerprint wirelessly back to an AFIS server which checks the prints for identification purposes. If there is a match, the information is sent to the MDC located in the vehicles. There have been many outstanding warrant arrests made as a result of this technology.
- CLEMIS Members must purchase their own Livescan hardware and pay an annual maintenance fee to use this application.

CLEMIS



CLEMIS

Video Conferencing (OakVideo)

PROBLEM:

High costs and travel time for police transporting prisoners and obtaining warrants.

SOLUTION:

Use a video application to save officers time and taxpayers money.

Our mission statement ...

To provide innovative computer technology and related services to criminal justice and public safety agencies . . .

CLEMIS video conferencing equipment connects courts, prosecutor's office, jail, community corrections, parole agencies, prisons, and police departments.

OakVideo automates paper flow and replaces aging equipment with advanced technology.

CLEMIS OakVideo provides more time for officers to be on the road to protect the citizens of the community.

CLEMIS OakVideo utilizes video conferencing equipment to connect Oakland County's District and Circuit Courts, Prosecutor's Office, Community Corrections, Friend of the Court, Oakland County Jail, State and Local Probation offices, Michigan Department of Corrections and many participating CLEMIS agencies. Currently OakVideo is only available to members in Oakland County, and at no additional cost. Hardware, maintenance, repair, technical support, and software updates are included.

The effect is to minimize offender transport, thereby improving court security and mitigating law enforcement time and costs.

OakVideo automates much of the paper flow that traditionally occurred via fax machines between agencies. It replaces rapidly aging warrant teleconferencing equipment with advanced technology using Oakland County's fiber optic, gigabit OakNET network.

CLEMIS OakVideo enables law enforcement agencies to prepare documents and create case files on a central server. When an agency transfers files to the folder, the case can be sent to the county prosecutor as well as other local and state agencies who will be involved in the case.

Once warrants are created and saved to the case folder, the detective and the court of jurisdiction conduct a video "Warrant Swear To." Once the 'swear to' has taken place, the court can conduct a video arraignment. During normal business times, the booking and arraignment process can be completed in hours rather than days.

Courts are also able to further proceedings via video such as trials, witness testimony, sentencing, etc.

CLEMIS



Alias Search:

[Person](#) [Identifier](#) [Arrest](#)

PROBLEM:

Law Enforcement agencies need an efficient and rapid way to search for, and display historical information across jurisdictional boundaries.

SOLUTION:

Provide users with an easy and intuitive way to access data from various CLEMIS applications and data sources.

Our mission statement ...

To provide innovative computer technology and related services to criminal justice and public safety agencies . . .

CLEMIS Search is a robust search tool for the law enforcement community.

CLEMIS Members contribute law enforcement data which is shared across jurisdictional boundaries.

CLEMIS SEARCH displays important law enforcement information at your fingertips. It is designed to provide insight into analyzing and solving public safety issues.

CLEMIS

SEARCH

CLEMIS Search provides law enforcement agencies with rapid access to live, current, and historical public safety information. CLEMIS Members across Southeastern Michigan contribute important law enforcement data which is shared across jurisdictional boundaries. Agencies can access and analyze cross jurisdictional data using the CLEMIS Search.

The CLEMIS Search uses a centralized web environment which extracts and displays data from several sources including:

- CLEAR (Consolidated Law Enforcement Advanced Records)
- Citations
- Crash
- Mugshot
- Property and Evidence
- Incident Data
- Field Interviews
- Fire Arms
- Pawn
- State Parolee Data
- State Sex Offender Data

CLEMIS members can search on various categories to include:

- Persons
- Property
- Addresses
- Arrests (Mugshots Displayed)
- Businesses
- Crime Incidents
- Identifiers
- Alias's
- Narrative (only your agency)

CLEMIS



CLEMIS

Crime Mapping & Analysis

PROBLEM:

Police agencies unable to predict hotspots and trends in crimes across jurisdictional boundaries.

SOLUTION:

Use CVDB to identify hotspots of crime and reallocate resources to those areas.

Our mission statement ...

To provide innovative computer technology and related services to criminal justice and public safety agencies . . .

Crime Mapping indicates where crime is occurring so police agencies can use intelligence led policing in allocation of resources.

Data is extracted from CLEMIS applications and placed on a map for intelligence led policing.

CVDB has three applications available: Community, Internal, and Advanced.

CLEMIS Crime Mapping & Analysis uses CrimeView Dashboard (CVDB) to determine trends, hotspots, or crime sprees based on location and time. This process (formerly known as pin-mapping) is digitized making information easily accessible.

The advantage of using CLEMIS Crime Mapping is the sharing of data with other participating members across jurisdictional boundaries. CLEMIS agencies inputting data into RMS, CAD, Citation, Crash and Arrests have access to analyze CLEMIS data across jurisdictional lines.

Data is extracted three times daily from many CLEMIS applications and mapped. User's query incidents based on criteria such as crime type, and dates and time ranges within user defined areas. Those incidents are then displayed on the map and available for output.

Police agencies have access to advanced capabilities using ArcMap and CrimeView Desktop, where additional data is available such as local census information, parcels, parks, and waterways, as well as the robust functionality ArcMap offers.

If needed, Crimemapping.com is available for agencies to publish crime data to their community. Data is extracted each morning automatically and published to the crimemapping.com website. A link can be added to Police Department websites to allow the public access to the crime information.

Included with CVDB is an advanced reporting module (ARM), a robust reporting tool for analytical reports such as a Command Summary, Compstat, Monthly Comparison, and Monthly Activity reports.



CLEMIS

Pawn Shop Application (LeadsOnline)

PROBLEM:

Property items are stolen from crime scenes and disposed of by criminals who sell them to pawn shops, second hand stores, etc.

SOLUTION:

LeadsOnline may lead the investigator of a crime not only to the property itself, but also to the identity of the person who sold or pawned the item.

Our mission statement ...

To provide innovative computer technology and related services to criminal justice and public safety agencies . . .

LeadsOnline is a technology service helping law enforcement catch criminals, while helping businesses reduce the tedious task of reporting.

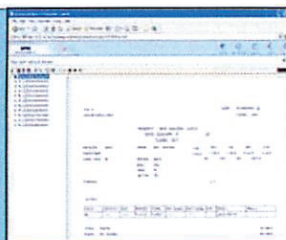
CLEMIS Pawn-Shop application is currently provided by a third-party vendor. LeadsOnline is the nation's largest online investigation tool for law enforcement, providing rapid electronic access to transactions from thousands of reporting businesses including scrap metal processors, secondhand stores, Internet drop-off stores, and pawn shops across the country, as well as critical information from eBay listings for criminal investigations.

CLEMIS and LeadsOnline help member agencies solve crimes through the recovery of stolen or missing property and identifying persons associated with it.

LeadsOnline is the link between investigators and missing items or individuals who may turn out to be instrumental in solving a homicide, finding a meth lab, or getting stolen property back to its rightful owner.

This application is available to all CLEMIS Members at a discounted annual fee that is based on the number of full-time equivalent officers at each agency.

For new LeadsOnline accounts, call 1-972-331-7744.
For existing accounts, call 1-972-331-7748.



CLEMIS

Business Objects Reporting Tool

PROBLEM:

Agencies need an efficient way to produce reports from various CLEMIS applications.

SOLUTION:

Provide users with an easy and intuitive way to access data from various CLEMIS applications.

Our mission statement ...

To provide innovative computer technology and related services to criminal justice and public safety agencies . . .

Navigate, Create, and Interact easily - access the web-based portal for CLEMIS information to create powerful documents.

Personalize your viewing experience.

CLEMIS Business Objects offers a set of analytic engines designed to provide insight into solving public safety issues.

CLEMIS Business Objects is a product used in retrieving Police and Fire data. This web-based product assists in making precise intelligent decisions based on the data.

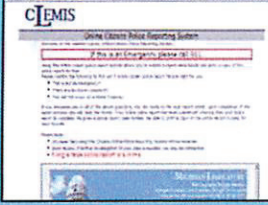
Business Objects uses a centralized web environment, which allows users to find documents and information easily. Users can navigate using an integrated search facility as well as a folder navigation tree. Within Business Objects, ad-hoc queries and powerful, interactive documents can be created on the fly. In addition, users can personalize views by customizing folders or documents and place reports in a specific location for quick accessibility.

CLEMIS staff has customized this off-the-shelf application to suit the requirements for Police and Fire statistics. Agencies can utilize reports based on CLEMIS CAD, CLEMIS CLEAR, Parolee/Probation, Sexual Offender, GIS data or create their own personalized reports.

Reports can also be set up to run automatically based on dates and times and sent to specific email addresses.

CLEMIS Business Objects provides a way for CLEMIS members to navigate, create, and interact with their public safety information.



	CLEMIS Online Citizens Police Reporting (OCPR)
PROBLEM: Citizens have to drive to, or call police departments to report minor police incidents. SOLUTION: Provide an on-line citizen reporting application that will empower citizens to report complaints from their homes, or work, to save time on minor police complaints. Our mission statement ... To provide innovative computer technology and related services to criminal justice and public safety agencies . . . <i>CLEMIS OCPR is very easy to use.</i> <i>OCPR allows citizens to quickly enter a simple police complaint on five different categories:</i> <i>Harassing Phone Call</i> <i>Identity Theft</i> <i>Lost/Damaged Property</i> <i>Theft</i> <i>Vandalism</i>	CLEMIS OCPR is an Online Citizen's Police Reporting application utilizing the latest technologically advanced tools available. OCPR allows a citizen to submit a simple police report online. This application is interfaced with the CLEMIS records management application. <u>Benefits of CLEMIS Online Citizens Police Reporting:</u> OCPR is a true secure Internet application that allows citizens to report a minor event immediately. CLEMIS OCPR provides participating agencies benefits such as: • Allow citizens to report the following incident types which may include: Harassing Phone Call, Identity Theft, Lost/Damaged Property, Theft, Vandalism. • Quick response – Based on the Oracle Server and Internet connection, CLEMIS OCPR assists citizens in creating these simple reports, saving law enforcement staff time while making more information available without having to dispatch an officer. • Police Report Queue – OCPR sorts the complaints by offense type so they can be easily reviewed by police department assigned staff and if needed, a Call-for-Service (CFS) Report will be created.



eCLEMIS

electronic law enforcement applications

PROBLEM:
Courts and Law
Enforcement agencies
unable to share data with
one another in a timely
manner.

SOLUTION:
Regional data sharing of
innovative technology and
applications to apprehend,
solve, and ultimately
reduce crime.

Our mission statement ...
To provide innovative
computer technology and
related services to
criminal justice and public
safety agencies . . .

*CLEMIS provides
solutions through a
cooperative effort that
are affordable.*

*CLEMIS applications and
technologies save officers
a tremendous amount of
time spent in the office
writing reports - this
allows them more time
"on the streets" to protect
the citizens.*

*CLEMIS agencies share
data and use advanced
technology that improves
homeland security,
identifies suspects, and
solves crime.*

eCLEMIS provides electronic, automated tools to public safety personnel via the world-wide web.

Applications that have been written in-house by CLEMIS developers are available to agencies that apply and are approved to become a Member of the CLEMIS Consortium. Data is shared between law enforcement agencies within the CLEMIS footprint.

Tools currently available via e CLEMIS include:

- Consolidated Law Enforcement Advanced Records (CLEAR) Records Management
- Electronic Citations
- Crash Reports
- Evidence & Property Management
- Auto-Impound Management
- Crime Mapping
- CLEMIS Search

Optional applications:

- Mobile Data Computers
- Biometric Facial Images (Mugshot)
- Biometric Fingerprints (Livescan)



CLEMIS

Jail Management System (IMACS)

PROBLEM:
Need to track the whereabouts of inmates throughout Oakland County correctional facilities.

SOLUTION:
Develop a Jail Management application that provides real-time tracking of inmate activities.

Our mission statement ...
To provide innovative computer technology and related services to criminal justice and public safety agencies ...

CLEMIS developed an in-house jail management application for Oakland County that was used for over 20 years before IMACS.

Oakland County Correctional Facilities use the CLEMIS Livescan and Mugshot applications in conjunction with Jail Management.

CLEMIS Inmate Management & Cost Recovery System (IMACS) was purchased as part of the continuing effort to keep up with evolving technologies and was implemented at the Oakland County Sheriff's Jail in 2012.

Because of the nature of the inmate population, a substantial amount of jail staff's time is expended dealing with day-to-day management of over 1,500 incarcerated individuals. IMACS allows deputies to manage an ever-growing inmate population more efficiently.

Inmate activities and movements are tracked from the time the inmates enter the back door of the facility, until the time they are released from the custody of the Oakland County Sheriff's Office. Deputy's that work in Oakland County correctional facilities know where an individual is at any time of the day or night.

To better identify inmates as they are booked into custody, CLEMIS Livescan is utilized in the event that an incorrect identification was presented to officers at the time of arrest. An electronic fingerprint of the inmate is recorded and checked against several databases to verify proper identity.

The regional CLEMIS Mugshot is used in conjunction with the CLEMIS IMACS Jail Management to take high-quality photos of the inmates, and these photos are printed on wristbands worn by the inmates during the entire period of incarceration. The photos may also be used in creating "line up" sessions.

CLEMIS



CLEMIS

Radio (Voice) Communication (OakWIN)

PROBLEM:

Police, Fire, and EMS are unable to communicate with one another.

SOLUTION:

Provide an interoperable radio application with a high level of coverage in Oakland County.

Our mission statement ...

To provide innovative computer technology and related services to criminal justice and public safety agencies . . .

CLEMIS OakWIN is a digital VoIP 800Mhz radio application.

Over fifty transmitter sites are located throughout Oakland County's CLEMIS OakWIN radio application.

Over 6000 law enforcement, fire service, and emergency medical service mobile and portable radios use OakWIN for their daily activities.

CLEMIS provides **OakWIN** - a county-wide, interoperable voice radio communication application for public safety within Oakland County borders.

In the mid-1990's, several emergency situations occurred in which multiple police, fire, and EMS agencies needed to communicate with one another. One of the most publicized situations was the shooting by a disgruntled employee at a plant in Wixom, during which many law enforcement agencies had to work together to locate and subdue the gunman, but were hampered because they could not communicate with each other. Public safety agencies in Oakland County used disparate radio frequencies, manufacturers, and technologies that did not allow their radios to "talk" to each other.

A committee from the CLEMIS leadership and membership was formed to obtain funding and frequencies for a radio application that would allow them to work independently for day-to-day situations, with the ability to communicate seamlessly during multi-agency emergencies. Specifications were drafted for a digital 800 MHz application that would provide interoperability, a high level of capacity, and coverage. The Oakland County public safety community identified a need for radio communications that would work not only from the emergency vehicles out-of-doors, but also from hand-held radios while inside most buildings.

OakWIN is designed to meet all requirements identified by the public safety officials of Oakland County. A digital Voice over Internet Protocol 800 MHz application provides both interoperability and sufficient coverage inside of buildings, achieved by deploying many transmitter sites throughout Oakland County. It has replaced or supplemented all of the existing disparate radio applications with new equipment, including mobile radios, hand-held radios, and dispatch center consoles for participating agencies.

CLEMIS OakWIN is a complex endeavor. Over 6,000 law enforcement, fire service, and emergency medical service mobile and portable radios utilize the application, as well as dispatch centers and hospitals within Oakland County.

Visit www.oakgov.com/radio to learn more about the Oakland County CLEMIS Radio application.

CLEMIS



CLEMIS

Fire Records Management System (FRMS)

PROBLEM:

Fire Service agencies lacked a cost effective Records Management application that integrates with Computer Aided Dispatch (CAD).

SOLUTION:

Provide a cost effective standard software applications to meet Federal and State reporting requirements.

Our mission statement ...

To provide innovative computer technology and related services to criminal justice and public safety agencies . . .

FRMS Members meet monthly Federal, State and National Fire Incident Reporting System (NFIRS) reporting requirements easily and efficiently.

CLEMIS Fire Records Management System (FRMS)

Through a cooperative relationship with Oakland County, FRMS Members receive a variety of cost-effective technology solutions.

Fire agencies automatically receive real-time emergency incident data from their dispatch center. Fire Records data is collected system-wide as well as providing a platform for individual fire departments to meet their monthly Federal, State, and local Medical Control Authority reporting requirements.

FRMS includes:

- Fire and EMS Incident Records
- Personnel Records Management
- Daily Roster Assignments
- Training Records
- Equipment & Vehicles Maintenance and Inventory
- Hydrants Management
- Daily Activities Log
- Statistical Reports
- Digital Photos and Floor Plan Attachments

Other FRMS technologies may include:

- Station Tear and Run Incident Data
- CAD Status Monitors

CLEMIS Manager, Jeffrey Nesmith

To: CLEMIS Member Agency Chiefs / Directors / Sheriff / Admin
From: Jeff Nesmith, CLEMIS Manager
RE: CLEMIS Membership Fees
Date: August 13, 2019

The CLEMIS Advisory Board met July 11, 2019 and discussed CLEMIS membership fees. The Committee voted in favor of a **3% increase** for the **CLEMIS Membership/Usage Fee** line item on your CLEMIS invoice to be effective **July 1, 2020 and an additional 3% July 1, 2021**. The increase applies to in-county and out-county CLEMIS members. The intent of this communication is to provide plenty of notice of the fee increases for your budgeting process. Other fees that appear on agency's quarterly invoice such as MDC Participation, Livescan Maintenance, Mugshot Maintenance, and CrimeMapping will be reviewed and advance notice of any increase will be provided.

All member agencies are welcome and strongly encouraged to attend the quarterly CLEMIS Advisory Committee meetings. Attendance and participation at these meetings provides an excellent way for you to stay current on CLEMIS issues, policies and procedures, a means to provide valuable input and feedback on matters facing CLEMIS and/or your agency, and to interact with other member public safety leaders.

The next CLEMIS Advisory Committee Meeting is on October 17, 2019 at 2:00 pm in the lecture hall at Oakland County Information Technology.

When planning your fiscal budgets, please visit www.clemis.org click on "Financials" on the left navigator bar. Refer to the "Explanation of CLEMIS Costs" document on the far right of the screen for current CLEMIS fee information.

Please feel free to contact CLEMIS Chief Jim Manning @ manningjt@oakgov.com if you have any questions about the potential CLEMIS Membership / Usage Fee increase.

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD JULY 12, 2021**

6

6) REQUEST APPROVAL FOR SENIOR ALLIANCE 2022 ANNUAL IMPLEMENTATION PLAN (AIP): Jason Maciejewski, Chief Information and Planning Officer, re: as required by the Aging and Adult Services Agency (AASA) to be submitted to the State Commission on Services to the Aging.

Brandie Isaacson, Director of Housing, presented this request to Council. She said I'm here on behalf of the Senior Alliance to request approval of their Fiscal Year 2022 Annual Implementation Plan which outlines the activities the Agency is pursuing to achieve its goals in providing services to Senior Citizens which includes the City of Livonia. A couple of their programs that they do assist with our Senior residents are the nutrition and food assistance program, holiday meals, care management and case coordination, Medicare and Medicaid assistance, long term care, adult day care, legal assistance, just to name a few.

Councilmember Toy offered an approving resolution for the Consent Agenda, this has been longstanding with this organization, they do wonderful work and I'm just disappointed we didn't get to see Jason because he was intern out of the Council Office many years ago with me and he's just a talented person.

President McIntyre said I'd just like to add, I know that everyone's got a lot of things to read but if you haven't had a chance to look at the AIP it's pretty amazing and it lays out the many, many things that the Senior Alliance does. I can't think of one program that doesn't benefit somebody in the City and a lot of work goes into that. It's a required State filing but it's more than just a pro forma, it really does outline and give you a sense of the scope of their services and the programs that are provided.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

6.

Housing
July 1, 2021

MEETING DATE

July 12, 2021

PREPARED BY

Brandie Isaacson, Director of Housing

AGENDA ITEM

REQUEST APPROVAL FOR SENIOR ALLIANCE 2022 ANNUAL IMPLEMENTATION PLAN (AIP): Jason Maciejewski, Chief Information and Planning Officer, re: as required by the Aging and Adult Services Agency (AASA) to be submitted to the State Commission on Services to the Aging.

BACKGROUND

The State of Michigan's Aging and Adult Services Agency (AASA) requires The Senior Alliance (TSA) to request a resolution approving its 2022 Annual Implementation Plan (AIP) from each of its 34 municipalities within its service area.

RECOMMENDATION

WHEREAS, the City Council of the City of Livonia, Wayne County, Michigan recognizes the role of The Senior Alliance (TSA) as the designated Area Agency on Aging for Southern and Western Wayne County to be responsible for planning, developing, coordinating, monitoring, and managing a comprehensive organized service delivery system of services for older adults and caregivers.

WHEREAS, the 34 communities of Southern and Western County, including the City of Livonia, comprises the Planning and Service Area to the agency's governing body.

WHEREAS, the Office of Services to the Aging require local Area Agencies on Aging to request approvals of their Annual Implementation Plan from their local governments.

WHEREAS, The Senior Alliance has submitted the plan to this honorable body in accordance with federal and state laws.

WHEREAS, The Senior Alliance has held a public hearing for client, caregiver, and service provider population feedback which contributed to the development of the 2022 Annual Implementation Plan (AIP).

NOW, THEREFORE, BE IT RESOLVED, that this honorable body approves the Annual Implementation Plan for FY 2022, as presented to the City.

FISCAL CONSIDERATION

n/a

ATTACHMENTS

1. Muncipal Resolution Request Letter from TSA
2. 2022-Annual-Implementation-Plan

APPROVED BY



Date: July 01, 2021

Brandie Isaacson, Director of
Housing



Date: July 02, 2021

Maureen Miller Brosnan, Mayor



June 29, 2021

The Honorable Maureen Miller Brosnan
City of Livonia
33000 Civic Center Drive
Livonia, MI 48154

Dear Mayor Brosnan,

As you know, The Senior Alliance, Area Agency on Aging 1-C (TSA), assists people to thrive as they live, age and grow. With that objective in mind, The Senior Alliance's Board of Directors approved the agency's 2022 Annual Implementation Plan (AIP) on June 24, 2021. The AIP outlines the agency's goals for Older Americans Act and state funded services during the coming fiscal year.

The State of Michigan's Aging & Adult Services Agency (AASA) requires TSA to request a resolution approving our AIP from each of the 34 municipalities in our planning and service area. **A sample resolution is enclosed.** The final AIP document is available on our website: <https://thesenioralliance.org/wp-content/uploads/2021/05/Draft-2022-Annual-Implementation-Plan.pdf>. A copy of the AIP can be sent to you via U.S. postal mail or email upon your request.

Please share this document with your municipality's legislative body and consider a resolution approving TSA's 2022 Annual Implementation Plan no later than July 30, 2021. We are also requesting that you email notification of your approval or related concerns regarding the AIP as soon as possible.

If you have any questions regarding the 2022 AIP, please contact me by phone (734-516-0470) or via email at jmaciejewski@thesenioralliance.org.

Your community's continued support of The Senior Alliance's vision to lead our region toward a healthy future where all have the opportunity to engage, connect and contribute is deeply appreciated.

Thank you in advance for your consideration of approving a resolution in support of our 2022 Annual Implementation Plan.

Sincerely,

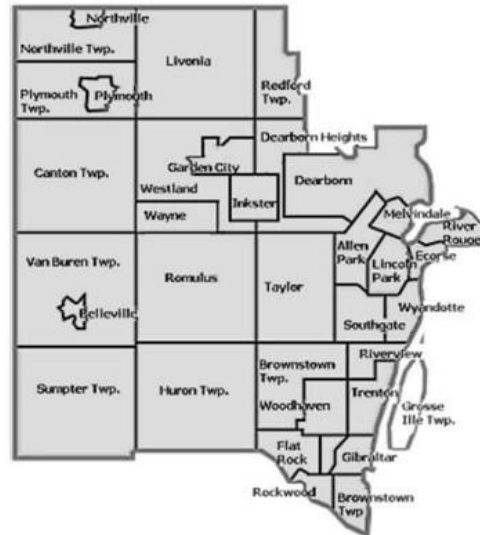
Jason Maciejewski

Jason Maciejewski
Chief Advocacy & Planning Officer
The Senior Alliance, Area Agency on Aging 1-C

Enclosure

2020-2022 Multi Year Plan
FY 2022 ANNUAL IMPLEMENTATION PLAN
THE SENIOR ALLIANCE, INC. 1-C

DRAFT



Planning and Service Area
Serves all Wayne County
(Excluding areas served by Region 1-A)

The Senior Alliance, Inc. 1-C
5454 Venoy Road
Wayne, MI 48184
734-722-2830
1-800-815-1112 (SE Mich only)
734-722-2836 (fax)
Tamera Kiger, CEO
www.aaa1c.org

Field Representative Laura McMurtry
mcmurtryl@michigan.gov
517-284-0174

DRAFT



The Senior Alliance

2022 Annual Implementation Plan Public Hearing Notice

The Senior Alliance, Area Agency on Aging 1-C will host a public hearing to gather input on the organization's Fiscal Year 2022 Annual Implementation Plan (AIP). The plan outlines activities the agency is pursuing to achieve goals in service delivery to persons aged 60 and older in southern and western Wayne County.

Due to the COVID-19 pandemic, the public hearing will be held remotely on the Zoom meeting platform.

The 2022 AIP Public Hearing will be conducted on **Wednesday, June 14, 2021 at 9:30 a.m.**

Information on how to join the meeting by Zoom can be found at www.thesenioralliance.org or by calling 734-727-2058 prior to June 14, 2021

The draft 2022 AIP will be made available for public review online at www.thesenioralliance.org beginning on May 28, 2021. The public hearing will include a brief overview of the draft 2022 AIP, followed by public comment. Written comments will be accepted until 4:00 p.m. on Monday June 14, 2021. Written comments can be emailed to advocacy@thesenioralliance.org or sent via U.S. mail to:

The Senior Alliance
Attn: AIP Public Comment
5454 Venoy Rd
Wayne, MI 48184

The Senior Alliance is a non-profit 501(c)(3) established in 1980 and designated by the Michigan Commission on Services to the Aging as the Area Agency on Aging (AAA) for the 34 communities of southern and western Wayne County. As the state designated Area Agency on Aging, The Senior Alliance is the link to information, resources and services for over 200,000 older adults.

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Michigan Department of Health & Human Services
AGING AND ADULT SERVICES AGENCY

FY2020-2022 Multi Year Plan

FY 2022 Annual Implementation Plan

The Senior Alliance, Inc.

FY 2022

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Executive Summary

Include a brief description of the planning and service area and any significant changes to the current area plan: (A) Any significant new priorities, plans or objectives set by the area agency for the use of Older Americans Act (OAA) and state funding during FY 2022. If there are no new activities or changes, note that in your response. (B) Include changes, if any, to the access, in-home and community-based services and supports provided within the plan. (C) Address the agency's response to the COVID-19 pandemic emergency, including a description of the challenges and continuing needs brought on by this emergency. (D) Current information about contingency planning for potential reduced federal funding (if plans include the pursuit of alternative funding, identify specific funding sources). (E) A description of progress made through advocacy efforts to date and focus of advocacy efforts in FY 2022.

The Senior Alliance (TSA) is a 501 c(3) non-profit organization responsible for planning and coordinating a network of services as the designated Area Agency on Aging (AAA) for region 1C. As an AAA we serve approximately 215,000 older adults (U.S. Census 2017 Community Survey data) residing in southern and western Wayne County. Founded in 1980, TSA's mission is, "Assisting people to thrive as they live, age and grow." We envision our role as "Leading our community toward a healthy future where all have the opportunity to engage, connect and contribute." Our foundation is built upon enabling access to the network of home and community based long term supports and services available through Older Americans Act funding. These services include nutrition programs, Care Management, Case Coordination & Support, Information & Assistance, Transportation, Medicare Medicaid Assistance Program (MMAP), the Long-Term Care Ombudsman, Adult Day Care, evidence-based health & wellness programs, legal assistance and telephonic Friendly Reassurance. A particular focus is given to advocating for the needs of older adults and individuals living with a disability in our service area.

In March 2020 the lives of older adults and people living with a disability were dramatically impacted by COVID-19 and the urgent public health measures that were taken in response to a fast-spreading global pandemic. The population we serve as an Area Agency on Aging quickly proved to be the most vulnerable to this illness, brought on by a nouvelle coronavirus that is readily transmitted in congregate settings.

In response to the COVID-19 pandemic TSA quickly transitioned to a 100% remotely based workforce on Friday, March 13, 2020. Since then TSA has invested in technological tools including laptops, printers, hotspots and cell phones to further empower staff working remotely. Microsoft Teams has been deployed and adopted as a software tool to routinely connect and engage TSA staff in their day-to-day work, improving productivity. TSA immediately responded to aid older adults in our Planning & Service Area (PSA) by addressing the food needs of older adults during the stay-at-home orders.

To address an initial immediate need in our regular congregate nutrition program, The Senior Alliance purchased and distributed 950 food bags in partnership with Firehouse Subs. These bags contained shelf-stable items along with a few treats such as Oreo cookies and fruit snacks. Our agency then reached out to Gleaners Community Food Bank and purchased 1,650 food boxes and distributing them to older adults in PSA 1C.

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TSA also collaborated with Gleaners to obtain and distribute 1,850 food boxes obtained by the Aging & Adult Services Agency (AASA). Another effort with Gleaners involved distribution of 2,200 food boxes donated by The Ralph Wilson Foundation. In total TSA distributed 5,700 food boxes to older adults in our service area during fiscal year 2020. Each Gleaners food box weighed 26 pounds and included all shelf-stable items such as: pasta, pasta sauce, oatmeal, corn flakes, canned vegetables, canned fruit, tuna fish, canned chicken, chicken broth, peanut butter and other food items.

Working with the AASA, TSA distributed 1,000 produce boxes shipped by LaGrasso Brothers and 2,450 produce boxes shipped by Van Eerden. Each participating older adult received one box of fruit (oranges, pears, and apples) and one box of vegetables (carrots, potatoes, zucchini, cucumbers, green peppers, and tomatoes).

These food and produce boxes were distributed via home deliveries, contactless drive-thru food distributions that took place in The Senior Alliance parking lot and Wyandotte's Yack Arena. Deliveries were made to various senior residences, senior centers and our faith-based community. TSA also distributed boxes through partnerships with the City of Westland, Plymouth Township, Goodfellows of Huron Township and the Muslim Community of Western Suburbs organization.

A volunteer based emergency grocery shopping program was developed to fill an identified food gap. This connection also enabled TSA to provide referrals to other community resources for participants. As of mid-May 2021, 204 shopping trips were provided, paid for by grant funds.

Many older adults in PSA 1C were in desperate need of food during these trying times. Some lacked transportation to get to the grocery store to purchase items. Others were ill, frail or too frightened to venture outside of their homes. Therefore, The Senior Alliance continues to distribute food boxes in fiscal year 2021 with 3,350 boxes handed-out and another 300 anticipated.

TSA's contracted nutrition programs vendor, Wayne County Senior Services (WCSS), converted from the regular five-day per week hot meal program to a one-day per week delivery of a frozen five-meal pack for home-delivered meals clients. This distribution method has continued into the summer of 2021. WCSS's congregate meal sites suspended operations on Monday, March 16, 2020. In response TSA stepped in to contact the approximately 200 regular congregate participants to identify needs. In response, TSA conducted a shelf-stable five-meal pack food distribution on April 9, 2020 in partnership with Firehouse Subs. WCSS resumed serving impacted clients in the summer of 2020 with five-pack meal boxes each Monday via a touchless curbside pick-up opportunity. WCSS adjusted liquid nutrition distribution dates after working with sites that had closed under the Stay-Home, Stay-Safe Executive Order. The Halal home-delivered program continued to operate as normal under the sub-contractor, Country Kitchen.

Personal Protection Equipment (PPE) was distributed to our vendor network and older adults during the pandemic. In fiscal year 2020 TSA distributed over 25,000 PPE items. As of mid-May, 13,599 pieces of PPE had been distributed to our vendors and older adults, in fiscal year 2021.

In January 2021, by utilizing funds from the Personal Care-Essential Care Box Project Grant (AASA Transmittal Letter - TL #2020-429), TSA worked with STEP to procure and assemble 1,100 personal care boxes. These boxes were then distributed to home-delivered meals recipients in our targeted communities.

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Our Care Management and Case Coordination programs have addressed needs amongst participants by conducting a variety of initiatives. At the outset of the pandemic staff conducted initial check-ins and then shifted to routine services. With the addition of new staff, TSA is increasing enrollment into Care Management and Case Coordination & Support by an average of six per week.

A Regional Direct Service Request, *Care Management Personal Care Units for COVID-19 Pandemic*, was approved by AASA for fiscal year 2021 and the agency intends to continue this service in fiscal year 2022. In fiscal year 2021 this allowed TSA to provide 494 personal care bags in October 2020 containing items such as toilet paper, paper towels, laundry detergent, soap, hand soap, dish soap, shampoo, toothpaste, toothbrush, hand sanitizer, a face covering, and similar items for Care Management program participants who were not able to purchase routine items during the pandemic because they are unable to go to the store. A monthly supply delivery was added for Care Management and Case Coordination participants who suffer from incontinence followed. As of May 2021 TSA has secured the delivery of 5,990 packs of briefs, absorbent bed-pads and sanitary wipes to 312 program participants and counting. Total distribution of Personal Care Bags and incontinence briefs totaled 74.6% of the program's total participant population at that time.

TSA was a leader in distributing robotic Joy-for-All Companion pets to older adults who displayed indicators of social isolation or loneliness. As of mid-May 2021, 297 pets have been distributed to Care Management participants. Additionally, 512 personal-protective masks have been mailed or delivered to program participants and older adults in the community who were in need. Regular snow removal service was provided to 71 Care Management and Case Coordination & Support program participants, for a total of 659 separate clearings of sidewalks, driveways, front walks and porch steps during the winter of 2021. In addition, TSA is committed to providing regular, weekly lawn service for 88 participants.

In the spring of 2021, TSA Supports Coordinators identified participants living with significant mobility issues and barriers to accessing the community as ideal candidates for accessibility ramps, doorway widening and threshold modifications. By mid-May 2021 eight home modification projects had been completed, totaling over \$46,000, with an additional 14 projects in process. TSA also allocated \$67,000 towards supplying lift chairs for participants who require assistance with transferring from a sitting to standing position.

Two support coordinators from the Care Management team trained and received Tailored Care (TCARE) certification in May 2021, an evidenced-based solution to help prevent family caregiver burnout.

TSA's Information & Assistance (I&A) team quickly moved to a work-from-home operation, quickly returning calls left on a common voice mail. I&A added COVID specific resources to their Resource Database, including: COVID-19 Hotline, COVID19 Public Information Line and COVID-19 Test Finder. TSA community transportation spreadsheet was updated with COVID specific resource information. To accommodate the increased requests for food and meals, online applications for home delivered meals were filled out by I&A in collaboration with callers. Food pantry, food distribution and holiday meal resources were updated to provide more options when food insecurities were identified. One-hundred and forty-five check-in participants were referred to the agency via the Michigan Department of Health & Human Services (MDHHS) website registry. As of mid-May 2021 a total of 53 additional Friendly Reassurance participants have been added to the program in fiscal year 2021, most citing social isolation and loneliness due to COVID-19. I&A has also been monitoring, documenting and sharing COVID-19 vaccine opportunities for community and homebound participants. In fiscal

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year 2022 I&A will continue to expand and update resources in the Resource Database and make it database accessible to the public online. Our I&A team will also continue to monitor re-openings and service changes in PSA 1C, including transportation resources.

The top ten resources inquired about by callers contacting I&A in fiscal year 2020 were, in order:

1. In-Home Health Care
2. Home Delivered Meals/Food Assistance
3. Housing
4. Transportation
5. Referrals to other AAA's
6. Legal Assistance
7. I&A Requests for MMAP
8. Veterans Benefits Assistance
9. TSA General Information & Assistance
10. Medic Alert Systems

MMAP also quickly switched to a full remote telephonic operation. This change occurred in large part due to the dedication of our volunteers. MMAP team members conducted a new pre-Annual Open Enrollment individual telephonic outreach campaign to reach former clients, connecting with 353 individuals to inform them about current scams, including COVID-19 related. Info was also provided about how to access services via telephone. On the operations side, the MMAP coordinators changed our call system to an online based system that insured counselors could access quickly the info about client in need.

Utilizing a Michigan No Wrong Door / Aging & Disability Resource Center (COVID-19) grant through AASA, TSA has launched the development of an innovative model to combat the rise in social isolation during the COVID-19 pandemic. By using evidence-based assessments and screening tools in order to provide person-centered services this model strives to meet physical, emotional or social needs - leading to positive mental health and quality of life outcomes.

Some Older Americans Act programs have been impacted by the COVID-19 pandemic. TSA's internal ride-of-last-resort transportation program suspended operations on Monday, March 23, 2020 and remains offline. However, a new vehicle fleet is being purchased with new communicable safety standards in mind. All of TSA's evidence based disease prevention programs are contracted to vendors. The National Kidney Foundation of Michigan began offering online workshops in June 2020. Adult Day Care (ADC) services were also suspended by our vendors. All senior centers in 1C's service area closed their buildings to the public in mid-March 2020. Some are now going through a limited re-opening process. The Long-Term Care Ombudsperson worked with TSA staff to advocate that the Wayne County Public Health Office should conduct testing of all long-term care facility residents and staff in the fall of 2020.

TSA will continue utilizing a Regional Service Definition, *Enhanced Adult Day Services for COVID-19 Pandemic*, which was approved in our 2021 AIP. This Regional Service Definition allows contracted Adult Day programs to provide weekly/regular check-in phone calls, activity packets, socialization through video interactions, and other non-traditional activities to support caregivers and clients while traditional program participation is not an option during the pandemic. Contracted ADC centers submitted requests for equipment, including PPE and cleaning supplies, in order to expand the services they are providing under the service

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definition. One ADC was able to safely open with limited services late in fiscal year 2020. Another contracted ADC contracted remains closed and providing services remotely. Both ADC centers will continue to provide remote services to those in need or who are unable to receive services in-person.

During the COVID-19 pandemic the Long Term Care Ombudsman (LTCO) completed 286 contacts for general COVID -19 information, assisting people to locate information on COVID-19 guidance and the operating status of long term care facilities. Residents that have consistent access to a telephone and feel comfortable calling have been able to access the LTCO, but other residents must rely on family members to access services - if they can at all.

In March, 2020 the LTCO received numerous communications through providers and community members of COVID-19 outbreaks at facilities in PSA 1C. The region was experiencing a lack of PPE and COVID testing supplies. The LTCO discussed concerns with TSA's Leadership Team, which led to letters of concern and requests for COVID-19 testing targeted at long term care facilities being sent to elected officials and the Wayne County Health Department. The LTCO and TSA staff also discussed advocacy strategies with Leading Age Michigan. The LTCO has been collecting facility visitation policies and their plans to vaccinate unvaccinated residents against COVID-19. As of mid-May 2021 this information has been collected from 22 nursing homes and 9 Homes for the Aged so far. The LTCO contacted all the municipalities participating in the Wayne County Health Department's homebound vaccination program to confirm whether they would be willing to give COVID-19 vaccines to those in a long term care setting. As a result, the LTCO has connected at least 3 nursing homes with this opportunity to access the COVID-19 vaccine. This initiative also aided in the development of a relationship between the LTCO and the Deputy Health Officer at the Wayne County Health Department.

Weekly conference call meetings were held with Purchase-Of-Service (POS) vendors over the first few months of the pandemic to discuss a variety of challenges. Discussion topics included PPE usage, steps for reporting participant/worker COVID-19 exposure, and prioritizing services for high risk individuals. PPE supplies were distributed by TSA to 50 different vendors on multiple occasions throughout the pandemic. TSA staff worked with subcontractors who could no longer provide direct services during the pandemic and needed to alter service definitions to include remote/virtual activities. TSA also diligently worked with our nutrition services provider to ensure that food delivery continued throughout the pandemic at a level that meets emergency operating standards. In fiscal year 2022 TSA will continue to offer resources and support to our vendors and subcontractors.

For many years Coogan Terrace, a residence for older adults and individuals living with a disability in Melvindale, has held a Health/Resource Fair in their courtyard. COVID-19 forced a cancelation of this event last year - but this year the fair is scheduled for August 26, 2021. The Senior Alliance is looking forward to opportunities like this resource sharing event as we re-engage with in-person outreach activities.

As our community continues to adapt during the COVID-19 pandemic, TSA and our vendor network will continue to identify needs and collaborate on solutions.

A Regional Service Definition is being requested in this AIP for Gap Filling Services. This will give TSA some flexibility in our ability to quickly respond to urgent unmet needs that we find occurring in PSA 1C – especially in situations where individual's ability to live in the community cannot be addressed by other programs or services.

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In 2020 and 2021 TSA's Board of Directors approved an Advocacy Platform covering a variety of issues important to older adults and individuals living with a disability. The 2021 Advocacy Platform planks covered:

FEDERAL ADVOCACY POSITIONS -

- Increase Funding for Home-Delivered and Congregate Meals
- Preserve "Safety Net" Programs that Impact Older Adults and People Living with a Disability
- Expand State Health Insurance Program (SHIP)
- Address the Direct Care Workforce Shortage

STATE ADVOCACY POSITIONS -

- Eliminate Wait Lists for In-Home & Nutrition Services
- Shift Senior Community Service Employment Program (SCSEP) to ACL
- Increase MI Choice Waiver Funding to Support Direct Care Workforce
- Preserve & Rebalance the Community-Based Long Term Services and Supports (LTSS) Model
- Publicly Evaluate MI Health Link Before MLTSS Expansion
- Grow Transportation Options
- Combat Elder Abuse, Exploitation & Neglect
- Expand Housing Options and Accessibility
- Develop Outreach, Information and Services for Underserved Populations
- Access to Broadband Internet Service for All Michiganders

In July 2020 TSA began publication of a monthly advocacy email newsletter, Colloquy. This update routinely includes information on legislation, administrative action and appropriations developments impacting older adults and individuals living with a disability.

TSA also launched a new podcast series, *Inside The Senior Alliance*, with the first episode posted in October 2020. Available on all major podcasting platforms, the series is informational in nature, providing information on resources, programs and services. Episodes are less than 15 minutes in length and have been useful for potential program participants, caregivers and agency staff. Topics to date include: What is The Senior Alliance?, MI Choice Waiver, MMAP, Information & Assistance, Housing Coordination, the Long Term Care Ombudsman and the role of Supports Coordinators.

During the COVID-19 pandemic in-person advocacy visits became telephone and video meetings. TSA continued to engage with federal, state and county legislators on a variety of aging-related topics. Traditional written communications were sent to federal and state elected officials on a variety of topics since the beginning of the pandemic, including: COVID-19 emergency funding, COVID-19 testing, response and older adult needs during the pandemic, the direct care worker wage increase, the 2020 U.S. Census, nursing home recommendations, kinship caregiver legislation and the criminal background check bill.

TSA staff played a leading role in planning Older Michiganders Day (OMD) 2021 with the Area Agency on Aging Association of Michigan. The virtual nature of OMD 2021 lent itself to the creation of a Senior Action Week, with a focus on one of the five OMD advocacy planks each day. TSA staff served on the steering and platform committees, and served as host during the OMD LiveStream event on May 12th that was well attended by people from across the state.

The Senior Alliance will continue its contracted work as a vendor to the Integrated Care Organization's

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operating MI Health Link in FY 2022.

Grants will again be pursued to support TSA's Holiday Meals efforts and COVID-19 response, as they become available.

The agency anticipates applying for a Michigan Health Endowment Fund grant in the summer of FY 2021 to support work on a model addressing social isolation amongst older adults with complex social needs and co-morbid health challenges, such as psychiatric or medical conditions.

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County/Local Unit of Government Review

The Area Agency on Aging must send a request to the chairperson of each County Board of Commissioners within the Planning and Service Area (PSA), for approval of the final AIP by August 2, 2021. Notification can be sent via US mail or by electronic means, with delivery and signature confirmation, by no later than June 30, 2021. Describe the efforts made to distribute the AIP to, and gain support from, the appropriate county and/or local units of government.

The Senior Alliance (TSA) will inform each chief elected official of the 34 local units of government comprising the Planning & Service Area (PSA) 1-C of southern and western Wayne County about the availability of the draft 2022 Annual Implementation Plan (AIP) for review via on the TSA's website by Wednesday, June 30, 2021. This notice will be sent in a letter sent via the U.S. Mail, with delivery and signature confirmation, and contain information on how to access, view and print the 2022 AIP document. This letter will also advise that a printed copy of TSA's 2022 AIP can be sent via U.S. Mail, or as an electronic copy via email, if requested. The letter will also note that TSA's Chief Executive Officer and Chief Advocacy & Planning Officer are available to discuss the 2022 AIP, if requested. Email notification from the local unit of government of their approval of the 2022 AIP or their related concerns will be requested in the letter, with a due date of Friday, July 30, 2021.

Notification of the 2022 AIP's availability will also be sent to TSA's Board of Directors prior to the public hearing on Monday, June 14, 2021. TSA's Board of Directors is partly comprised of individuals appointed by the Conference of Western Wayne (CWW) and the Downriver Community Conference (DCC). The memberships of the CWW and DCC are constituted of chief elected officials within PSA 1C.

TSA's Community Focal Points will receive the 2022 AIP Public Hearing notice and a link to the draft 2022 AIP. The Community Focal Points will be encouraged to share the draft 2022 AIP and the public hearing notice within their communities.

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Public Hearings

Complete the chart below regarding your public hearing(s). Include the date, time, number of attendees and the location and accessibility of each public hearing. Please scan any written testimony (including emails received) as a PDF and upload on this tab. A narrative description of the public input strategy and hearing(s) is also required. Please describe the strategy/approach employed to encourage public attendance and testimony on the AIP. Describe all methods used to gain public input and the resultant impact on the AIP. Indicate whether the meeting complied with the Michigan Open Meetings Act. (See Transmittal Letter 2021-448.)

Date	Location	Time	Barrier Free?	No. of Attendees
06/14/2021	Virtual	09:30 AM	Yes	0

A public hearing on the draft 2022 Annual Implementation Plan (AIP) will be held on Monday, June 14, 2021 at 9:30 a.m. The public hearing will be part of TSA's Advisory Council meeting.

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Regional Service Definitions

If the area agency is proposing to fund a new (not previously approved in this multi-year planning cycle) service category that is not included in the Operating Standards for Service Programs, then information about the proposed service category must be included in this section. Enter new regional service name, identify the service category and fund source, include unit or service, minimum standards and why activities cannot be funded under an existing service definition.

Service Name/Definition

Gap Filling Services

Rationale (Explain why activities cannot be funded under an existing service definition.)

Gap Filling Services address barriers to independence, health, or safety that require immediate attention when other resources are not available or accessible. Gap Filling Services are a one-time last resort option that provide flexible, cost effective, and person-centered resources to address unmet needs of older adults and caregivers in an effort to create and/or maintain a safe living environment in the community.

Service Category	Fund Source	Unit of Service
☐ Access ☐ In-Home ☒ Community	☒ Title III PartB ☐ Title III PartD ☒ Title III PartE ☐ Title VII ☐ State Alternative Care ☐ State Access ☐ State In-home ☐ State Respite ☐ Other _____	One hour

Minimum Standards

1. Services will be based on an intake and assessment conducted by Information & Assistance, Care Management, Case Coordination & Support or Supports Coordination staff.
2. Staff will identify a lack of available services, programs or resources to address the issue.
3. Recipients of Gap Filling Services will be encouraged to share in the cost of provided Gap Filling Services.
4. Gap Filling Services may include, but are not limited to: minor home modification/home safety equipment, household/yard chore, extermination service, moving assistance, major decluttering, personal care training, specialized medical or communications equipment and technologies, accessibility ramps, utility assistance, supplies and other services deemed necessary to enable an older adult to remain living in the community.
5. Chief Clinical Officer must approve use of gap filling services.

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Access Services

Select from the list of access services those services the area agency plans to provide directly during FY 2022, and provide the information requested. Specify, in the appropriate text box for each service category, the planned goals and activities that will be undertaken to provide the service.

The Area Plan Grant Budget that is uploaded and saved in AMPS must include each access service to be provided directly in the Direct Service Budget details tab. The funding identified in this tab should correspond to the funding (federal OAA Title III or VII and state funds) identified in the Area Plan Grant Budget's Support Services Detail tab. The method of provision must be specified in the Service Summary tab.

Care Management

Starting Date 10/01/2021 Ending Date 09/30/2022

Total of Federal Dollars Total of State Dollars

Geographic area to be served

PSA 1C

Specify the planned goals and activities that will be undertaken to provide the service.

GOAL: Provide quality Care Management (CM) services throughout the entire PSA 1-C.

ACTIVITIES:

1. CM clients will receive comprehensive assessment and the desired level of assistance with coordination of services most appropriate to their needs and wishes. Enrollment continues on an ongoing basis.
2. Program quality will be monitored on an ongoing basis. As necessary, program improvements will be made. Staff training will be identified through quality assurance activities and training will be provided, as needed.
3. Analyze results of the Quality Aging Matrix survey, which provided a standard measure of global wellbeing by measuring outcomes rather than outputs. Information was gathered in 15 domains: Daily Functioning, Physical Health, Nutrition, Informal Supports, Social Connections, Mental Health, Substance Abuse, Access to Health Care, Financial Resources, Access to Services, Housing, Safety, Transportation, Legal Status and Caregiver Supports. Staff can use the survey results to prioritize focus areas utilizing a person centered planning philosophy.
4. TSA recognizes falls are a serious issue for older adults with 80% of their falls occurring in the bathroom. TSA will take a proactive approach in fall prevention by identifying those who lack bathroom safety equipment and provide and install necessary items, if funding is available. TSA provides Personal Emergency Response units and also offers enhanced units that have fall detectors.

Number of client pre-screenings:	Current Year:	755	Planned Next Year:	800
Number of initial client assessments:	Current Year:	154	Planned Next Year:	180
Number of initial client care plans:	Current Year:	154	Planned Next Year:	180

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Total number of clients (carry over plus new):	Current Year: 561	Planned Next Year: 600
Staff to client ratio (Active and maintenance per Full time care	Current Year: 1:61	Planned Next Year: 1:60

Case Coordination and Support

<u>Starting Date</u>	10/01/2021	<u>Ending Date</u>	09/30/2022
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Total of Federal Dollars	Total of State Dollars
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Geographic area to be served

PSA 1C

Specify the planned goals and activities that will be undertaken to provide the service.

GOAL: To provide quality Case Coordination and Support (CCS) services for older adults within the PSA 1-C.

ACTIVITIES:

1. Clients who do not currently need a nursing facility level of service, but are at-risk of needing that level of care; will receive support to prevent or slow a further medical or functional decline. As of April 1, 2019, 306 individuals have been served through CCS. Enrollment continues on an ongoing basis.
2. Program quality will be monitored on an ongoing basis. As necessary, program improvements will be made. Staff training will be identified through quality assurance activities and trainings will be provided , as needed.
3. Implement Quality Aging Matrix survey which will provide a standardized measure of global well being by measuring outcomes rather than outputs. Information is gathered in 15 domains: Daily Functioning, Physical Health, Nutrition, Informal Supports, Social Connections, Mental Health, Substance Abuse, Access to Health Care, Financial Resources, Access to Services, Housing, Safety, Transportation, Legal Status and Caregiver Supports. Staff can use the survey to prioritize focus areas utilizing a person centered planning philosophy .
4. TSA has increased staffing in the CCS program to reduce the wait list and serve more participants . TSA will continue to evaluate in the upcoming program years.

Information and Assistance

<u>Starting Date</u>	10/01/2021	<u>Ending Date</u>	09/30/2022
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Total of Federal Dollars	Total of State Dollars
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Geographic area to be served

PSA 1C

Specify the planned goals and activities that will be undertaken to provide the service.

GOAL: Provide quality Information and Assistance (I&A) services to the entire PSA 1-C through the continued engagement and increased partnerships with community-based organizations, local governments, health care entities, community focal points, and local senior centers to gain relevant and up-to-date information on the needs of the community.

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ACTIVITIES:

1. Provide up-to-date information to the entire PSA 1-C by offering appropriate resources and referrals.
2. Update and expand the new I&A resource database utilized by the Information Services department through the use of Interns and I&A staff.
3. Continue to measure the quality of calls through ongoing phone monitoring and mentoring sessions with I&A staff and random database checks.
4. Monitor type and quantity of calls coming into the I&A department and set benchmarks for I&A Specialists to strive for.
5. Create a new call flow process allowing internal calls to be transferred and simple requests to be answered while allowing fully trained I&A Specialists to handle the more complex calls and provide Options Counseling when required.
6. Update the I&A internal home health care procedures and staff training process to more effectively make referrals for Care Management, Case Coordination and Support, Targeted Care Management, MI Choice Waiver, MMAP for MI Health Link Options Counseling and any other home health care related assistance.
7. Increase I&A staff involvement in community outreach activities.

1.

Transportation (for MATF only)

<u>Starting Date</u>	10/01/2021	<u>Ending Date</u>	09/30/2022
Total of Federal Dollars		Total of State Dollars	
Geographic area to be served			
PSA 1C			

Specify the planned goals and activities that will be undertaken to provide the service.

GOAL: Provide TSA's ride-of-last-resort transportation to clients that are unable to access and/ or afford private transportation in and to areas where SMART or other local transportation companies are unable to service.

ACTIVITIES:

1. Residents of the planning service area (PSA) 1-C will have an improved transportation options to access non-emergency medical, housing transitions, benefit application, and enrollment appointments.
2. In collaboration with the I&A department, identify additional community resource options to meet the growing need for transportation services.

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Approved MYP Program Development Objectives

Program development goals and objectives previously set by the area agency and approved by the CSA in this multi-year planning cycle are included as read-only. For each of these established program development objectives, a text box is included for the area agency to provide information on progress toward the objectives to date. This text box is editable. Please provide information on progress to date for each established objective under the section tab entitled "Progress."

For the Diversity, Equity and Inclusion (DEI) objective, include progress on trainings for staff and subcontractors in DEI and unconscious bias. Discuss efforts to ensure that programming and outreach is culturally sensitive and welcoming to all participants, including non-English speaking persons. Discuss efforts to ensure that providers are trained to adapt to diverse cultural needs.

Area Agency on Aging Goal

A. Advocate, inform and empower those we serve.

Objectives

1. Serve as an information resource for elected officials on programs and services that impact the lives of older adults and their caregivers.
Timeline: 10/01/2019 to 09/30/2022

Progress

In 2020 and 2021 TSA's Board of Directors approved an Advocacy Platform covering a variety of issues important to older adults and individuals living with a disability. Copies of the platform were sent to all federal, state and county elected officials serving PSA 1C.

The 2021 Advocacy Platform planks covered:

FEDERAL ADVOCACY POSITIONS -

Increase Funding for Home-Delivered and Congregate Meals

Preserve "Safety Net" Programs that Impact Older Adults and People Living with a Disability

Expand State Health Insurance Program (SHIP)

Address the Direct Care Workforce Shortage

STATE ADVOCACY POSITIONS -

Eliminate Wait Lists for In-Home & Nutrition Services

Shift Senior Community Service Employment Program (SCSEP) to ACL

Increase MI Choice Waiver Funding to Support Direct Care Workforce

Preserve & Rebalance the Community-Based Long Term Services and Supports (LTSS) Model

Publicly Evaluate MI Health Link Before MLTSS Expansion

Grow Transportation Options

Combat Elder Abuse, Exploitation & Neglect

Expand Housing Options and Accessibility

Develop Outreach, Information and Services for Underserved Populations

Access to Broadband Internet Service for All Michiganders

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Federal, state, county and local elected officials receive TSA's monthly advocacy newsletter, Colloquy, via email.

During the COVID-19 pandemic in-person advocacy visits became telephone and video meetings. TSA continued to engage with federal, state and county legislators on a variety of aging-related topics. Notable discussion occurred in 2021 with Congresswoman Debbie Dingell, State Representative Abdullah Hammoud, State Rep. Laurie Pohutsky, State Representative Cara Clemente, State Representative Matt Koleszar, State Representative Mary Cavanagh, State Representative Karen Whitsett, State Representative Jewell Jones, State Senator Erika Geiss, State Senator Stephanie Chang and State Senator Sylvia Santana.

Communications were sent to federal and state elected officials on a variety of topics since the beginning of the pandemic, including:

COVID-19 Emergency Federal Funding (March 2020)
Letter to Governor Gretchen Whitmer on COVID-19 response & needs of older adults (May 2020)
Nursing Home Testing Advocacy with Long-Term Care Ombudsman (May 2020)
COVID-19 Stimulus Funding (May 2020)
Direct Care Worker Wage Increase (June 2020)
U.S. Census Deadline Extension (August 2020)
Governor's Nursing Task Force Recommendation (September 2020)
Kinship Caregiver Bills (September 2020)
Criminal Background Check Bill – HB 6124 (September 2020)
COVID-19 Relief & Federal FY 2021 Budget (December 2020)
Direct Care Worker Wage Increase (February 2021)
Criminal Background Check Bill – HB 4325 (March 2021)

TSA staff drafted a Resolution, introduced by State Representative Cara Clemente, outlining the impact and contributions of older adults and declaring May 12, 2021 as Older Michiganians Day. H.R. 105 was unanimously approved.

2. Advocate on behalf of older adults for increased appropriations to the community-based LTSS, including the MI Choice Medicaid Waiver Program.
Timeline: 10/01/2019 to 09/30/2022

Progress

TSA's 2020 and 2021 Advocacy Platform contains two planks on the MI Choice Waiver program:

Increase MI Choice Waiver Funding to Support Direct Care Workforce -
Work with other organizations to advocate for an increased MI Choice Waiver appropriation focused on raising rates paid to the in-home services vendor network that provides direct care services. Data from PHI shows that in 2019, on average, home health and personal care aides in Michigan earned \$ 11.58 per hour. This is less than they can make in entry-level retail sector positions. Increased service delivery rates will attract needed employees and result in an improved workforce, giving more adults with a nursing home level of care need the choice to receive care in their home.

Preserve & Rebalance the Community-Based Long Term Services and Supports (LTSS) Model -
Advocate to preserve and strengthen the home and community-based model of service delivery for individuals

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receiving long-term services and supports (LTSS) by building upon the successes achieved by Area Agencies on Aging in their role as administrators of the MI Choice Medicaid Waiver program. Rebalance Medicaid Long Term Services and Supports (LTSS) funding so at least 60% goes to Home and Community Based Services (HCBS). In fiscal year 2016, 57% of Medicaid LTSS care delivered in the U.S. was through HCBS. In Michigan only 40% went to HCBS in fiscal year 2016, while 60% went to care in institutional settings. Michigan's HCBS program, known as MI Choice, has demonstrated that care delivered in the home is more than 55% less expensive than having the same person moved into a nursing facility or institutional setting.

Each year TSA staff produce an informational handout on the impact of the MI Choice Waiver program, including the cost effectiveness of community-based care versus institutional care. This handout is distributed to state and federal elected officials in PSA 1C.

In July 2020 TSA began publication of a monthly advocacy newsletter, Colloquy. This email update routinely includes updates on legislation, administrative action and appropriations developments around the MI Choice Waiver program.

TSA's new podcast series, Inside The Senior Alliance, dedicated two episodes to exploring the MI Choice Waiver program. While a third episode featured a discussion with a Supports Coordinator in the program. These podcasts are informational in nature and are used as a tool to educate policy makers, potential program participants, caregivers and the public about this important community-based program.

TSA staff have also participated in advocacy conversations with state legislators focusing on the MI Choice Waiver program.

3. Advocate on behalf of older adults for increased appropriations to the State of Michigan Aging & Adult Services Agency (AASA).

Timeline: 10/01/2019 to 09/30/2022

Progress

TSA's Board of Directors has approved an Advocacy Platform in 2020 and again in 2021. The platform includes AASA funding related planks:

Eliminate Wait Lists for In-Home & Nutrition Services -

With the Silver Key Coalition, advocate for a \$4.75 million increase in the in-home and nutrition services line items within the Michigan Department of Health and Human Services budget for Fiscal Year 2022. This funding will continue progress toward the goal of making Michigan a "no-wait state". While our service area does not currently have a wait list for nutrition services, a long wait list exists for MDHHS allocated in-home services.

Grow Transportation Options -

support policies and advocate to expand the availability, affordability and accessibility of transportation options that enable people to work, volunteer, socialize, recreate, access services, keep clinical appointments, attend religious activities and spend time with family. Lack of transportation leads many older adults to miss both critical and routine medical appointments, resulting in adverse health impacts and higher medical costs. The Family Caregiver Alliance reports that 78% of caregivers have provided or arranged transportation for their loved one.

Expand Housing Options and Accessibility -

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The Senior Alliance supports policies and appropriations to improve the affordability of housing for older adults and people living with a disability, further enabling individuals to live in the community they choose. A Harvard University study finds that 2.4 million of the poorest older adults will have no access to affordable housing by 2038. Models that bring together housing accessibility and available community-based services should be encouraged and enabled.

Develop Outreach, Information and Services for Underserved Populations

The Senior Alliance supports policies and appropriations to expand outreach, resource information and services to underserved populations, including low-income, racial and ethnic minorities, immigrants, refugees, isolated individuals and those identifying as LGBTQ.

In July 2020 TSA began publication of a monthly advocacy newsletter, Colloquy. This email update routinely includes updates on legislation, administrative action and appropriations developments involving AASA funded programs.

TSA's new podcast series, Inside The Senior Alliance, has dedicated multiple episodes to AASA funded programs. Topics have included Information & Assistance, Medicare Medicaid Assistance Program, Housing Coordination, the Long Term Care Ombudsman and advocacy through the Michigan Senior Advocates Council. These podcasts are informational in nature and are used as a tool to educate policy makers, potential program participants, caregivers and the public about these important community-based programs and services.

TSA staff have also participated in advocacy conversations with state legislators focusing on appropriations for AASA programs.

4. Inform and empower older adults, caregivers and stakeholders on issues impacting the lives of older adults in PSA 1C.

Timeline: 10/01/2019 to 09/30/2022

Progress

In 2020 and 2021 TSA's Board of Directors approved an Advocacy Platform covering a variety of issues important to older adults and individuals living with a disability. This platform document was distributed to the agencies Advisory Council, stakeholders and elected officials. The platform is also available on TSA's website. It serves as a guidepost for advocacy action that can be undertaken by older adults, caregivers and stakeholders.

In July 2020 TSA began publication of a monthly advocacy newsletter, Colloquy - which means, "a conversation." Colloquy provides recipients an overview of aging related legislation, appropriations process updates and information on public policy actions in the aging sector.

TSA also periodically issues Advocacy Action Alerts to empower people with background information and advocacy points if they desire to contact their legislators on important issues. Over the past year alerts have been issued on COVID-19 Relief, Kinship Caregiver legislation and a Direct Care Worker Wage Increase through the state.

Every meeting of TSA's Advisory Council includes an agenda item for advocacy updates from staff and an update from the agency's Michigan Senior Advocates Council. The Advisory Council serves as an important link to others in our community that advocate on aging issues.

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B. Promote elder and vulnerable adult rights and justice.

Objectives

1. Provide information and education to older adults, caregivers and stakeholders to raise awareness about elder abuse.

Timeline: 10/01/2019 to 09/30/2022

Progress

I&A provides information to older adults, caregivers and stakeholders about resources for elder abuse, such as APS, elder abuse prevention through Neighborhood Legal Services or assistance with financial exploitation through legal assistance or through the Success After Financial Exploitation program (SAFE) at Wayne State University. Referrals are made to the Long Term Care Ombudsman when concerns are about an individual in a nursing facility. I&A shares information, resources and intervenes when necessary.

TSA's I&A Team has a direct working relationship with the State of Michigan Adult Protective Services (APS). APS makes referrals to TSA for program and service assistance, while TSA makes reports to APS when there is concern for the safety and well-being of an individual.

The LTCO attended and participated in Attorney General Dana Nessel's Elder Abuse Task Force town halls on December 13, 2019 at the Livonia Senior Center and on January 24, 2020 the Woodhaven Recreation Center. Information provided MLTCOP resident rights fact sheets, resident right bookmarks and pamphlets and elder abuse literature.

The LTCO presented "Elder Abuse, Neglect and Exploitation, Recognizing, Reporting and Prevention" on February 8, 2021 to TSA's Advisory Council and on March 17, 2021 to the Wayne County Senior Services Nutrition Site Managers.

The MMAP Team reached out to 2,630 Medicare beneficiaries and their caregivers related to fraud, waste and abuse in Medicare in fiscal year 2020. Similarly, 1,530 individuals in fiscal year 2021 have been educated via outreach efforts as of May 20, 2021.

In fiscal year 2021, the MMAP team has reached out to the community 35 times in various ways to educate individuals via community presentations, Facebook posts and an online podcast describing our services. In fiscal year 2020 the MMAP team reached out to the community 47 times with info and resources.

2. The Long Term Care Ombudsman will work to increase coordinated and collaborative approaches to assisting older adults and their caregivers understand long-term care.

Timeline: 10/01/2019 to 09/30/2022

Progress

The LTCO assisted 5 resident transfers into the community, referring residents to transition and MI Health Link services.

The LTCO had 155 information and assistance contacts for long term care options, 62 information and assistance

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contacts Medicaid options and 43 contacts of information and assistance for transitions services.

On May 20, 2021 the LTCO presented to Elder Law and Advocacy Section on "Back to Basics Webinar Series of Alternatives to Long Term Care". Presentation discussed community options providing services for individuals to remain in the community or the least restrictive environment possible.

3. Advocate at the state and federal levels for the rights of older adults.

Timeline: 10/01/2019 to 09/30/2022

Progress

LTCO worked with the office of State Representative Laurie Pohutsky and Attorney General Dana Nessel's Elder Abuse Task Force on a town hall event held on December 13, 2019 in Livonia.

The LTCO worked with the offices of State Representative Darrin Camilleri, State Senator Stephanie Chang and Attorney General Dana Nessel's Elder Abuse Task Force on a town hall event held on January 24, 2020 in Woodhaven.

TSA's 2020 and 2021 Advocacy Platform contains two plank on elder abuse prevention:

Support Elder Justice Act Initiatives -

Support initiatives authorized by the federal Elder Justice Act (EJA). The EJA implements a comprehensive national strategy to address elder abuse, neglect and exploitation. Services delivered by Adult Protective Services and Long Term Care Ombudsmen are critical to assisting the victims of abuse.

Combat Elder Abuse, Exploitation & Neglect -

Collaborate with partners in the aging network to support state-level policies to combat all forms elder abuse, exploitation and neglect. Elder abuse is all too common with 1 in 10 older adults becoming the victims of abuse. Some victims suffer physically, many others bear psychological and emotional scars.

C. Provide municipalities with technical assistance in pursuit of Communities for a Lifetime designation.

Objectives

1. Provide all 34 municipalities in PSA 1C information on Communities for a Lifetime designation.

Timeline: 10/10/2019 to 09/30/2020

Progress

On October 1, 2019 a detailed letter was sent to the Mayors and Township Supervisors in 32 of the 34 municipalities in region 1C. The letter provided a detailed overview of the CFL initiative and offered technical assistance with the designation process. No municipalities expressed interest in pursuing CFL.

The City of Inkster holds CFL designation. The City of Livonia began pursuing AARP Age Friendly Community designation in partnership with St. Mary's Livonia Hospital, but paused the initiative at the onset of the COVID-19 pandemic.

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2. Provide technical assistance to any municipality electing to pursue Community for a Lifetime designation.
Timeline: 10/01/2019 to 09/30/2020

Progress

On October 1, 2019 a detailed letter was sent to the Mayors and Township Supervisors in 32 of the 34 municipalities in region 1C. The letter provided a detailed overview of the CFL initiative and offered technical assistance with the designation process. No municipalities expressed interest in pursuing CFL.

The City of Inkster holds CFL designation.

The City of Livonia is pursuing AARP Age Friendly Community designation in partnership with St. Mary's Livonia Hospital. The Senior Alliance is a member of the committee facilitated by St. Mary's Livonia Hospital working on AARP Age Friendly Community designation.

D. Help older adults maintain their health and independence at home and in their community.

Objectives

1. Implement use of the Quality Aging Matrix survey in the Care Management program.
Timeline: 10/01/2019 to 09/30/2022

Progress

The Quality Aging Matrix was fully implemented on October 1st, 2019. As of April 1st, 2021, staff had conducted 1,090 surveys. Responses were collected at each initial assessment and again during the participant's first reassessment. Management initiated follow-up with support coordinators whose monthly assessment data did not correlate with new Quality Aging Matrix entries. Data collection continues on a month-to-month basis as the agency remains partnered with the survey's administrators within the Southeast Michigan Senior Regional Collaborative.

With a significant sample size, focus has shifted to the data analysis phase of the survey's implementation. Domains of concern for intake staff, deserving special attention during assessments, were identified as Daily Functioning, Physical Health and Access to Services. Between the initial assessment and first reassessment, program interventions are correlated with a 39.8% improvement in Daily Functioning and 40.1% improvement in Access to Services domains. The agency has also identified movement within the Social Connections domain, quantifying the worrying impact of the pandemic and related social distancing. 74.7% of program participants were not able to improve their level of social connectedness, with 11.7% seeing a reduction to crisis level.

TSA will continue to monitor crisis domains during intake and reassessments, with a focus on social connection interventions.

2. Provide and install bathroom safety equipment for Care Management program participants to reduce fall risk, as funding is available.
Timeline: 10/01/2019 to 09/30/2022

Progress

Meetings were held with local vendors and Care Management staff to develop plans for effective bathroom safety equipment service delivery. Shower chairs, raised commodes, fixed-grab bars and similar sample equipment

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were purchased to educate staff and vendors on available, high-priority items. A database was created to improve service ordering efficiency, organizing participants who need equipment by their geographic location.

In December of 2019, the agency renewed focus on immediately available equipment to mitigate fall risk. Care Management staff were re-trained on available fall detection Personal Emergency Response Systems as a program intervention. The topic became a standing agenda item at monthly program staff meetings.

With the suspension of in-home visits in March of 2020, Care Management Staff began direct shipment of shower chairs and transfer benches to participants identified as a fall risk without appropriate safety equipment. As of mid-May, 38 additional participants now have this safety equipment in their bathroom. TSA continues to offer this equipment to new program enrollees and current participants who develop indicators of fall risk as they age in place.

3. Train agency staff to understand and meet the changing needs of older adults and individuals living with disabilities to ensure quality, coordinated care, and accessibility of available services throughout PSA 1-C.
Timeline: 10/01/2019 to 09/30/2022

Progress

TSA has provided all staff trainings on the following topics:

- Gift of Life - Information pertaining to organ donation by Gift of Life Organization (October 2019)
- Cultural Diversity – ACCESS (November 2019)
- MI-DDI and MI-OCEAN Presentation by Wayne State University (January 2020)
- Successful Aging through Financial Empowerment by Wayne State University Institute of Gerontology (February 2020)
- QPR – Question Persuade Refer Training by Hegira Health (February 2020)
- DEI LGBTQ Training by SAGE (December 2020)
- Alzheimer's & Dementia overview by Alzheimer's Association (January 2021)
- Various ALZ and Dementia optional workshops by Alzheimer's Association (February & March 2021)
- COVID-19 Vaccine Information by Michigan Medicine Physician Dr. Cinti (February 2021)
- Pathways for Suicide Prevention by Hegira Health (March 2021)
- Emergency Needs Program by Hannan Center (March 2021)
- Successful Aging through Financial Empowerment by Wayne State University (April 2021)

TSA's monthly staff meetings include agency include updates on programs, services, resources, as well as compliance reminders and COVID-19 information.

The Information & Assistance Team has attended the following trainings:

- Older Adult Crisis Management During COVID-19
- Older Adult Mental Health
- QPR Suicide Prevention Training
- LGBT Cultural Sensitivity Training
- Alzheimer's/Dementia Training
- I&A Manager and CCD Housing Coordinator attended a PACE presentation
- Summer 2021 scheduled trainings are on PACE, MI Choice Waiver, CM/CCS and MI Health Link
- Future trainings include: Hoarding, Mental Health First Aid, Motivational Interviewing

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The CM/CCS Team has attended the following trainings:

- Michigan Elder Law – Aging in Michigan Conference (October 2019)
- Challenging Geriatric Behaviors (December 2019)
- A meaningful life with Alzheimer's disease (November 2020)
- Making of a Victim/Institute of Gerontology-Wayne State University (December 2020)
- Alzheimer's Association Michigan Chapter Presents: 10 Warning Signs (February 2021)
- Issues in Aging Conference/Institute of Gerontology-Wayne State University (April 2021)

The LTCO held virtual trainings with 8 TSA employees on the Michigan Long Term Care Ombudsman Program.

MMAF conducts monthly update trainings for all MMAF team members. Initial MMAF volunteer trainings are held in 10 out of 12 months each year.

4. Provide basic needs outreach (housing, food resources, social isolation) to promote successful aging-in-place.
Timeline: 10/01/2019 to 09/30/2022

Progress

Friendly Reassurance is one of TSA's programs designed to help combat social isolation and aging-in-place through regular telephone contacts to provide interaction and assure the participant's well-being and safety. Outreach to promote this program has included: 1) Friendly Reassurance flyers taken to all outreach events in the community; 2) Presentations for TSA staff, community seniors and professionals; 3) Flyers included in a holiday envelope going to every holiday meals recipient; 4) Flyers delivered, mailed or emailed during the pandemic.

The outcome of the outreach has been positive since the beginning of fiscal year 2020, with the increased social need due to the COVID-19 pandemic. In fiscal year 2020 calls were made to 180 unduplicated Friendly Reassurance participants compared to 127 in fiscal year 2019. In addition, 145 MDHHS check-in calls were made.

Starting in May 2020, a comprehensive social isolation contacts and resources list was shared with agency staff. Care Management Support Coordinators were trained to cover the topic on subsequent participant contact calls.

In 2021, Care Management Support Coordinators began tracking COVID-19 vaccination progress for their participants. An inter-agency hub for current vaccine opportunities by municipality is maintained and shared with program participants and the community at large. Special outreach to the homebound population and access to visiting vaccine appointments remains a focus.

The Michigan Long Term Care Ombudsman Program initiated the Companion Pet Project, with the LTCO contacting 24 nursing homes for interest. The LTCO delivered 3 pets to residents who relocated to other nursing homes.

MMAF Program Materials were distributed at TSA Food Distribution events to approximately 1,600 individuals. Information including the Extra Help program and the Medicare Savings Program.

MMAF has established an easier process for volunteer counselors to refer to TSA's Information & Assistance Department when a client who may need services is identified. Beginning in October 2020, MMAF Counselors utilize a fillable form on Microsoft Teams that is accessible and easy to use.

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The Senior Alliance delivered 1,015 holidays meals at Thanksgiving 2019 and 1,156 at Christmas 2019 using a network of volunteers.

The COVID-19 pandemic required a shift from our normal program. TSA coordinated with Wayne County Senior Services to deliver the holiday meal with the normal meals delivery. TSA provided a frozen holiday themed meal to each meals on wheels recipient for Easter 2020 and 2021 and Thanksgiving & Christmas 2020. Over 2,000 meals were provided per holiday along with a holiday themed message/card.

E. Improve the accessibility of services to Michigan's communities and people of color, immigrants and LGBTQ+ individuals

Objectives

1. Establish outreach partnerships with key local organizations to understand the caregiver cultural needs within each minority population.

Timeline: 10/01/2020 to 09/30/2022

Progress

TSA has developed a focus group process to engage communities of color, immigrants and LGBTQ+ individuals. Outreach has been conducted to ACCESS, Sage and the NAACP for the conducting of focus groups in late FY 2021 and FY 2022.

TSA conducted a virtual focus group with eight representatives from the faith-based community in PSA 1C on November 18, 2020. A regular, larger faith-based event is planned to occur each year to reach all denominations and minority populations in PSA 1C.

TSA has Advisory Council representation from ACCESS and is currently seeking additional members from other minority communities and organizations.

2. Develop and distribute outreach materials to educate participants and caregivers of immigrants, LGBTQ+ people and communities of color on available programs and services.

Timeline: 10/01/2020 to 09/30/2022

Progress

TSA has maintained tele-interpreter capabilities through Language Line Services in order to communicate effectively with non-English speakers who contact the agency.

With information gained from the focus groups, TSA will develop and distribute brochures, presentations and other outreach materials based on input and recommendations.

3. Provide annual diversity, equity, and inclusion training to contracted organizations and TSA staff.

Timeline: 10/01/2020 to 09/30/2022

Progress

TSA has been engaged in several DEI trainings with staff. A DEI consultant has been hired and is currently leading trainings with management, staff, the Advisory Council and the Board of Directors.

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Six staff members attended the following AIRS trainings: Diversity, Equity and Inclusion at the Personal and Organizational Level; What COVID Uncovered About Privilege; Personal Freedom from Cultural Myths.

SAGE LGBT cultural sensitivity training was provided for all staff.

Four staff members trained in SAGE Metro Detroit's "Act. Reflect. Commit." curriculum, consisting of 9 online learning modules totaling over 3 hours of licensed Social Worker continuing education.

ACCESS provided a staff training on Arabic culture and the Arab American National Museum.

MI-DDI and MI-OCEAN presentation on disabilities.

In FY 2022 staff will complete SAGE LGBT online intensives and continue Diversity Equity and Inclusion trainings with the consultant.

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Supplemental Documents

This year, the completion of the Quality Outcome Measures Reporting Form (six-month report) and the Emergency Management and Preparedness document are required and may be found in the Document Library.

Supplemental Documents A through F are presented in the list below. Select the applicable supplemental document(s) from the list on the left. Provide all requested information for each selected document. Note that older versions of these documents will not be accepted and should not be uploaded as separate documents.

- A. Policy Board Membership - Required
- B. Advisory Council Membership - Required
- C. Proposal Selection Criteria - *should only be completed if there are new or changed criteria*
- D. Cash-In-Lieu-Of-Commodity Agreement - *should only be completed if there are new or changed criteria*
- E. Waiver of Minimum Percentage of a Priority Service Category - *should only be completed if there are new or changed criteria*
- F. Request to Transfer Funds - *should only be completed if there are new or changed criteria*

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SUPPLEMENTAL DOCUMENT A
Board of Directors Membership

	Asian/Pacific Islander	African American	Native American/ Alaskan	Hispanic Origin	Persons with Disabilities	Female	Total Membership
Membership Demographics	1	0	0	0	1	4	13
Aged 60 and Over	1	0	0	0	1	2	7

Board Member Name	Geographic Area	Affiliation	Membership Status
Tom Jankowski	Canton	At-Large Wayne State Institute of Gerontology	Appointed
David Ippel	Dearborn Heights	At-Large Retired	Appointed
Doug Hull	Plymouth Township	Conference of Western Wayne Retired	Appointed
Frank Vaslo	Lincoln Park	Downriver Community Conference Retired	Appointed
Jack Frucci	Grosse Ile	At-Large Retired	Appointed
Michael Harris	Westland	At-Large Michigan Paralyzed Veterans	Appointed
Ann Hatley	Wyandotte	At-Large Small Business	Appointed
Vicki Ashker	Dearborn Heights	Conference of Western Wayne Madonna Univ.	Appointed
Kathleen McIntyre	Livonia	At-Large Livonia City Council	Appointed
Roger Myers	Canton	At-Large Presbyterian Villages of Michigan	Appointed
Syed Taj	Canton	Conference of Western Wayne Medical Doctor	Appointed
Gregory Genter	Grosse Ile	Downriver Community Conference Investment Mgr	Appointed

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Denise Brothers	Livonia	Advisory Council Madonna University	Appointed
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SUPPLEMENTAL DOCUMENT B

Advisory Board Membership

	Asian/ Pacific Islander	African American	Native American/A laskan	Hispanic Origin	Persons with Disabilities	Female	Total Membership
Membership Demographics	0	3	0	0	1	13	16
Aged 60 and Over	0	1	0	0	1	7	8

Board Member Name	Geographic Area	Affiliation
Denise Brothers	Livonia	Madonna University
Joan Siavrakas	Livonia	Wayne County Senior Services
Rosemarie Shim	Canton	Social Work
Jean Barnas	Livonia	Alzheimer's Association of Michigan
Lois Beerbaum	Canton	MMAP/Faith-Based
Jack Bird	Canton	MMAP
Sandy Bonavero	Westland	Retired
Tim Cokley	Westland	Faith-Based
Marti Coplai	Livonia	Angela Hospice
Thomas J. Jankowski	Westland	Retired (former First Responder)
Ayana King	Wyandotte	Communications
Carolyn Marengere	Southgate	Social Work - Housing Sector
Dianne Neihengen	Canton	Retired (former Senior Center Director)
Ann Randolph	Trenton	Retired (former Caregiver)
Susan Rowe	Wayne	Retired (former Elected Official)
Amne Darwish Talab	Dearborn	Community Services Organization

Quality Outcome Measures Reporting Form

(6 Month Report Due April 15, 2021 and Annual Final Report Due November 15, 2021)

1. Participant Satisfaction Level

Measure: The percentage of the total participant satisfaction survey question responses that are positive; negative; or neutral for:

Care Management	Positive	97%	Negative	0%	Neutral	3%
Case Coordination & Support	Positive	86%	Negative	7%	Neutral	7%

2. Participant Quality of Life Satisfaction Level Before and After Receiving Services

Measure: The percentage of the total participant satisfaction survey question responses about quality of life before and after receiving services that are positive; negative; or neutral (based on these two questions to be added to the area agency survey):

A. My quality of life prior to receiving services was:

Care Management	Positive	21%	Negative	55%	Neutral	24%
Case Coordination & Support	Positive	5%	Negative	70%	Neutral	25%

B. My quality of life after receiving services is:

Care Management	Positive	89%	Negative	0%	Neutral	11%
Case Coordination & Support	Positive	83%	Negative	9%	Neutral	9%

3. Prevalence of Social Isolation

Measure: The percentage of all participants who are alone for long periods of time or always AND who also report feeling lonely -OR- Participants who are distressed by declining social activity, 90 days prior to assessment/reassessment (or since last assessment if less than 90 days) for:

Care Management	15%	Case Coordination & Support:	24%
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4. Prevalence of Emergency Room Visits and Hospital Stays

Measure: The percentage of all participants who have had one or more hospitalizations or emergency room visits during the last 90 days before the assessment/reassessment (or since last assessment if less than 90 days) for:

Care Management:	31%	Case Coordination & Support:	20%
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5. Prevalence of Inadequate Meals and Dehydration

Measure: The percentage of all participants who in at least 4 of last 7 days prior to assessment/reassessment ate one or fewer meals for:

Care Management:	1%	Case Coordination & Support:	1%
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Measure: The percentage of all participants who in the last 3 days prior to assessment/reassessment had fluid intake less than 1,000 cc per day (less than four 8 oz. cups/day) for:

Care Management:	2%	Case Coordination & Support:	2%
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**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD JULY 12, 2021**

7

7) TAX RATE REQUEST FOR THE PLYMOUTH ROAD DEVELOPMENT AUTHORITY FOR THE 2021 TAX YEAR: Office of the City Clerk, re: forwarding communication dated May 17, 2021, from Michael T. Slater, Treasurer, setting forth the rate of tax to be levied and requesting that it be collected as part of the summer tax collection.

Vice President Bahr stated this is a housekeeping item basically, it's a pass-through for us, so I'll offer this for approving for Consent if there's no objection. And I'll also ask can we just handle the next seven or eight items together? Bernier replied they can all just be received and filed because they're just pass-through items.

President McIntyre asked if they can be grouped together and Bernier replied yes, because there's no vote on it.

DIRECTION:

RECEIVE & FILE

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

7.

City Clerk
June 29, 2021

MEETING DATE

July 12, 2021

PREPARED BY

Lori Miller, Deputy City Clerk

AGENDA ITEM

TAX RATE REQUEST FOR THE PLYMOUTH ROAD DEVELOPMENT AUTHORITY FOR THE 2021 TAX YEAR: Office of the City Clerk, re: forwarding communication dated May 17, 2021, from Michael T. Slater, Treasurer, setting forth the rate of tax to be levied and requesting that it be collected as part of the summer tax collection.

BACKGROUND

Tax rate to be levied for the 2021 tax year for the Plymouth Road Development authority.

RECOMMENDATION

Receive and File.

FISCAL CONSIDERATION

Tax collection for the 2021 tax year.

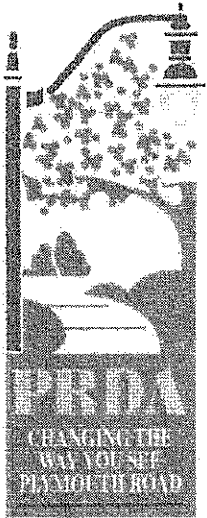
ATTACHMENTS

1. PRDA Tax Rate

APPROVED BY

Date: July 02, 2021

Susan Nash, C.M.M.C., City Clerk



May 17, 2021

Ms. Cathy Garrett, County Clerk
Wayne County Clerk
2 Woodward Avenue, Suite 211
Detroit, Michigan 48226

RE: 2021 Tax Request - Form L-4029

Dear Ms. Garrett:

I have enclosed for your information a completed copy of the Form L-4029 for the Plymouth Road Development Authority for the 2021 tax year.

Should you have any questions, please feel free to contact me.

Very truly yours,

Michael T. Slater
Treasurer

MTS:db
Attachment

cc: (via email) Susan Nash, City Clerk, Linda Gosselin, City Assessor,
Lynda Scheel, City Treasurer, Finance Director File, Scott T.
Vandemergel, Equalization Dept. (svandemergel@waynecounty.com),
Connie Kumpula, Chief Accountant, Tim Priebe, Accountant II, Mark
Taormina

PLYMOUTH
ROAD
DEVELOPMENT
AUTHORITY

33000
Civic Center Drive
Livonia, Michigan
48154

(734) 466-2290

MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS

Carefully read the instructions on page 2.

2021 Taxable Value of All Properties in the Unit as of 5-24-2021

tax is levied. Penalty for non-filing is provided under MCL Sec 211.119. The following tax rates have been an-

[illegible]

Prepared by MICHAEL T. SLATER	Telephone Number (734) 466-2260	Title of Preparer TREASURER	Date 05/17/2021
---	---	---------------------------------------	---------------------------

Local School District Use Only. Complete if requesting millage to be levied. See STC Bulletin 2 of 2021 for instructions on completing this section.

Total School District Operating Rates to be Levied (HH/Supp and NH Oper ONLY)	Rate
For Principal Residence, Qualified Ag, Qualified Forest and Industrial Personal	
For Commercial Personal	
For all Other	

For Governmental Organizations	
For all Other	

***** IMPORTANT:** See instructions on page 2 regarding where to find the millage rate used in column (5).

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD JULY 12, 2021**

8

8) TAX RATE REQUEST FOR THE LIVONIA PUBLIC SCHOOL DISTRICT FOR THE YEAR 2021: Office of the City Clerk, re: forwarding a communication from Alison Smith, Director of Finance, requesting the City to continue to collect one-half of the district's taxes with the summer tax collection and the remaining one-half with the winter tax collection, commencing July 1, 2021.

President McIntyre stated she will be presenting Item Nos. 8 through 14 cumulatively.

Vice President Bahr offered them to be received and filed for the Consent Agenda.

DIRECTION:

RECEIVE & FILE

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

8.

City Clerk
June 29, 2021

MEETING DATE

July 12, 2021

PREPARED BY

Lori Miller, Deputy City Clerk

AGENDA ITEM

TAX RATE REQUEST FOR THE LIVONIA PUBLIC SCHOOL DISTRICT FOR THE YEAR 2021:
Office of the City Clerk, re: forwarding a communication from Alison Smith, Director of Finance, requesting the City to continue to collect one-half of the district's taxes with the summer tax collection and the remaining one-half with the winter tax collection, commencing July 1, 2021.

BACKGROUND

Tax rate collection for the Livonia Public School District for the year 2021.

RECOMMENDATION

Receive and File.

FISCAL CONSIDERATION

Tax collection rate for LPS for the year 2021.

ATTACHMENTS

1. LPS School Dist

APPROVED BY

Date: July 02, 2021

Susan Nash, C.M.M.C., City Clerk

L-4029

2021 Tax Rate Request (This form must be completed and submitted on or before September 30, 2021)

MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS

This form is issued under authority of MCL Sections 211.24e, 211.34, and 211.34d. Filing is mandatory. Penalty applies.

Carefully read the instructions on page 2.

County(ies) Where the Local Government Unit Levies Taxes	2021 Taxable Value of ALL Properties in the Unit as of 5-24-2021
Wayne County	\$4,833,896,020
Local Government Unit Requesting Millage Levy	For LOCAL School Districts, 2021 Taxable Value excluding Principal Residence, Qualified Agricultural, Qualified Forest, Industrial Personal and Commercial Personal Properties
Livonia Public Schools School District	\$1,408,515,246

This form must be completed for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec 211.119. The following tax rates have been authorized for levy on the 2021 tax roll.

(1) Source	(2) Purpose of Millage	(3) Date of Election	(4) Original Millage Authorized by Election Charter, etc	(5) ** 2020 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(6) 2021 Current Year "Headlee" Millage Reduction Fraction	(7) 2021 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(8) Sec 211.34 Truth in Equalization Millage Rollback Fraction	(9) Maximum Allowable Millage Levy*	(10) Millage Requested to be Levied July 1	(11) Millage Requested to be Levied Dec 1	(12) Expiration Date of Millage Authorized
Voted	Oper-NH	08/2019	18.3866	18.3590 ✓	0.9998	18.3553	1.0000	18.0000	9.0000 ✓	9.0000 ✓	TY2030
Voted	Sinking- All	08/2019	1.6000	1.5934 ✓	0.9954	1.5860 ✓	1.0000	1.5860	7930 ✓	7930	TY2029
Voted	Debt	02/1992	UNLMTD	N/A	1.0000	N/A	1.0000	N/A	9250	9250	N/A
Voted	Debt	05/2013	UNLMTD	N/A	1.0000	N/A	1.0000	N/A _{2.05} ✓	4400	4400	N/A
Voted	Debt	05/2021	UNLMTD	N/A	1.0000	N/A	1.0000	N/A	0.6850	0.6850	N/A

Prepared by Alison Smith	Telephone Number (734) 744-2584	Title of Preparer Director of Finance	Date 06/14/2021
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CERTIFICATION: As the representatives for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary to comply with MCL Sections 211.24e, 211.34 and, for LOCAL school districts which levy a Supplemental (Hold Harmless) Millage, 380.1211(3).

☐ Clerk☒ Secretary☐ Chairperson☒ President

Signature Karen Bradford Print Name **Karen Bradford** Date **06/14/2021**

Signature Colleen Burton Print Name **Colleen Burton** Date **6/14/2021**

* Under Truth in Taxation, MCL Section 211.24e, the governing body may decide to levy a rate which will not exceed the maximum authorized rate allowed in column 9. The requirements of MCL 211.24e must be met prior to levying an operating levy which is larger than the base tax rate but not larger than the rate in column 9.

** IMPORTANT: See instructions on page 2 regarding where to find the millage rate used in column (5)

Local School District Use Only. Complete if requesting millage to be levied. See SEC Bulletin 2 of 2021 for instructions on completing this section.	Total School District Operating Rates to be Levied (HH/Supp and NH Oper ONLY)	Rate
	For Principal Residence, Qualified Ag, Qualified Forest and Industrial Personal	0.0000
	For Commercial Personal	6.0000
	For all Other	18.0000

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD JULY 12, 2021**

9

9) TAX RATE REQUEST FOR THE CLARENCEVILLE SCHOOL DISTRICT FOR THE 2021-2022 SCHOOL YEAR: Office of the City Clerk, re: forwarding a communication from David G. Bergeron, Assistant Superintendent, setting forth the rate of tax approved by the Board of Education on May 14, 2021.

DIRECTION:

RECEIVE & FILE

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

9.

City Clerk
June 29, 2021

MEETING DATE

July 12, 2021

PREPARED BY

Lori Miller, Deputy City Clerk

AGENDA ITEM

TAX RATE REQUEST FOR THE CLARENCEVILLE SCHOOL DISTRICT FOR THE 2021-2022 SCHOOL YEAR: Office of the City Clerk, re: forwarding a communication from David G. Bergeron, Assistant Superintendent, setting forth the rate of tax approved by the Board of Education on May 14, 2021.

BACKGROUND

Tax rate request for Clarenceville School District for 2021-2022 School Year.

RECOMMENDATION

Receive and File.

FISCAL CONSIDERATION

Tax rate collection for Clarenceville School District for the 2021-2022 School Year.

ATTACHMENTS

1. Clarenceville School Dist

APPROVED BY

A handwritten signature in cursive script, appearing to read "Susan Nash".

Date: July 02, 2021

Susan Nash, C.M.M.C., City Clerk

2021 Tax Rate Request (This form must be completed and submitted on or before September 30, 2021)

MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS

This form is issued under authority of MCL Sections 211.24e, 211.34 and 211.34d. Filing is mandatory. Penalty applies.

Carefully read the instructions on page 2.

County(ies) Where the Local Government Unit Levies Taxes Oakland/Wayne	2021 Taxable Value of ALL Properties in the Unit as of 5-24-2021 334,117,129
Local Government Unit Requesting Millage Levy Clarenceville School District	For LOCAL School Districts: 2021 Taxable Value excluding Principal Residence, Qualified Agricultural, Qualified Forest, Industrial Personal and Commercial Personal Properties. 143,306,296

This form must be completed for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec 211.119. The following tax rates have been authorized for levy on the 2021 tax roll.

(1) Source	(2) Purpose of Millage	(3) Date of Election	(4) Original Millage Authorized by Charter, etc.	(5) ** 2020 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(6) 2021 Current Year "Headlee" Millage Reduction Fraction	(7) 2021 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(8) Sec. 211.34 Truth in Assessing or Equalization Millage Rollback Fraction	(9) Maximum Allowable Millage Levy *	(10) Millage Requested to be Levied July 1	(11) Millage Requested to be Levied Dec. 1	(12) Expiration Date of Millage Authorized
Voted	Operating NH	8/4/2015	19.0000	18.2610	1.0000	18.2610	1.0000	18.2610	18.0000	0.0000	06/2026
	Sinking Fund										
Voted	All Properties	5/3/2016	4.5000	4.3261	.9926	4.2940	1.0000	4.2940	4.2940	0.0000	06/2026

Prepared by David G. Bergeron	Telephone Number (248) 388-1333	Title of Preparer Assistant Superintendent	Date 05/14/2021
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CERTIFICATION: As the representatives for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary to comply with MCL Sections 211.24e, 211.34 and, for LOCAL school districts which levy a Supplemental (Hold Harmless) Millage, 380.121(3).

☐ Clerk	Signature 	Print Name Jeffrey Bunker	Date 05/14/2021
☒ Secretary	Signature 	Print Name Cindy Immonen	Date 05/14/2021

* Under Truth in Taxation, MCL Section 211.24e, the governing body may decide to levy a rate which will not exceed the maximum authorized rate allowed in column 9. The requirements of MCL 211.24e must be met prior to levying an operating levy which is larger than the base tax rate but not larger than the rate in column 9.

Total School District Operating Rates to be Levied (HH/Supp and NH Oper ONLY)	Rate
For Principal Residence, Qualified Ag, Qualified Forest and Industrial Personal	0.0000
For Commercial Personal	6.0000
For all Other	18.0000

**** IMPORTANT:** See instructions on page 2 regarding where to find the millage rate used in column (5).

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD JULY 12, 2021**

10

10) TAX RATE REQUEST FOR SCHOOLCRAFT COMMUNITY COLLEGE DISTRICT FOR THE 2021-2022 SCHOOL YEAR: Office of the City Clerk, re: forwarding a communication from Jon Lamb, CPA, CFO of Schoolcraft College, to set the rate of tax to be levied and requesting that it be collected as a summer tax.

DIRECTION:

RECEIVE & FILE

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

10.

City Clerk
June 29, 2021

MEETING DATE

July 12, 2021

PREPARED BY

Lori Miller, Deputy City Clerk

AGENDA ITEM

TAX RATE REQUEST FOR SCHOOLCRAFT COMMUNITY COLLEGE DISTRICT FOR THE 2021-2022 SCHOOL YEAR: Office of the City Clerk, re: forwarding a communication from Jon Lamb, CPA, CFO of Schoolcraft College, to set the rate of tax to be levied and requesting that it be collected as a summer tax.

BACKGROUND

Tax rate request for Schoolcraft Community College District for the 2021-2022 School Year.

RECOMMENDATION

Receive and File.

FISCAL CONSIDERATION

Tax rate collection for Schoolcraft Community College District for the 2021-2022 School Year.

ATTACHMENTS

1. Schoolcraft Community College

APPROVED BY

A handwritten signature in cursive script, appearing to read "Susan Nash".

Date: July 02, 2021

Susan Nash, C.M.M.C., City Clerk

2021 Tax Rate Request (This form must be completed and submitted on or before September 30, 2021) MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS

Carefully read the instructions on page 2.

This form is issued under authority of MCL Sections 211.24c, 211.34 and 211.34d. Filing is mandatory. Penalty applies.

County(ies) Where the Local Government Unit Levies Taxes Wayne, Oakland, Washtenaw	2021 Taxable Value of ALL Properties in the Unit as of 5-24-2021 \$15,965,312,950
Local Government Unit Requesting Millage Levy Schoolcraft College	For LOCAL School Districts: 2021 Taxable Value excluding Principal Residence, Qualified Agricultural, Qualified Forest, Industrial Personal and Commercial Personal Properties.

This form must be completed for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec 211.119. The following tax rates have been authorized for levy on the 2021 tax roll.

(1) Source	(2) Purpose of Millage	(3) Date of Election	(4) Original Millage Authorized by Election Charter, etc.	(5) ** 2020 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(6) 2021 Current Year "Headlee" Millage Reduction Fraction	(7) 2021 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(8) Sec. 211.34 Truth in Assessing or Equalization Millage Rollback Fraction	(9) Maximum Allowable Millage Levy *	(10) Millage Requested to be Levied July 1	(11) Millage Requested to be Levied Dec. 1	(12) Expiration Date of Millage Authorized
Charter	Operating	6/1962	1.0000	0.7782	1.0000	0.7782	1.0000	0.7782	0.7782	0.0000	None
Charter	Operating	6/1966	0.7700	0.5990	1.0000	0.5990	1.0000	0.5990	0.5990	0.0000	None
Charter	Operating	3/1986	0.5000	0.3890	1.0000	0.3890	1.0000	0.3890	0.3890	0.0000	None
Voted	Operating	11/2016	0.5038	0.5038	1.0000	0.5038	1.0000	0.5038	0.5038	0.0000	TY 2028
						Total		2.2700	2.2700	0.0000	

Prepared by **Jon Lamb, CPA** Telephone Number **(734) 462-4603** Title of Preparer **Chief Financial Officer** Date **05/19/2021**

CERTIFICATION: As the representatives for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary to comply with MCL Sections 211.24c, 211.34 and, for LOCAL school districts which levy a Supplemental (Held Harmless) Millage, 380.121(1)(3).

☐ Clerk	Signature	Print Name	Date
☒ Secretary	<i>Brian D. Broderick</i>	Brian D. Broderick	05/19/2021
☒ Chairperson	Signature	Print Name	Date
☐ President	<i>Joan A. Gebhardt</i>	Joan A. Gebhardt	05/19/2021

* Under Truth in Taxation, MCL Section 211.24c, the governing body may decide to levy a rate which will not exceed the maximum authorized rate allowed in column 9. The requirements of MCL 211.24c must be met prior to levying an operating levy which is larger than the base tax rate but not larger than the rate in column 9.

**** IMPORTANT:** See instructions on page 2 regarding where to find the millage rate used in column (5).

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD JULY 12, 2021**

11

11) TAX RATE REQUEST FOR OAKLAND SCHOOLS ISD FOR THE 2021-2022 SCHOOL YEAR: Office of the City Clerk, re: forwarding a communication from Michelle Saunders, Executive Director of Financial Services, to set the rate of tax to be levied and requesting that it be collected as a summer tax.

DIRECTION:

RECEIVE & FILE

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

11.

City Clerk
June 29, 2021

MEETING DATE

July 12, 2021

PREPARED BY

Lori Miller, Deputy City Clerk

AGENDA ITEM

TAX RATE REQUEST FOR OAKLAND SCHOOLS ISD FOR THE 2021-2022 SCHOOL YEAR:
Office of the City Clerk, re: forwarding a communication from Michelle Saunders, Executive Director of Financial Services, to set the rate of tax to be levied and requesting that it be collected as a summer tax.

BACKGROUND

Tax rate request for Oakland Schools ISD for the 2021-2022 School Year.

RECOMMENDATION

Receive and File.

FISCAL CONSIDERATION

Tax rate request for Oakland Schools ISD for the 2021-2022 School Year.

ATTACHMENTS

1. Oakland Schools ISD

APPROVED BY

A handwritten signature in cursive script, appearing to read "Susan Nash".

Date: July 02, 2021

Susan Nash, C.M.M.C., City Clerk

2021 TAX RATE REQUEST (this form must be completed on or before September 30, 2021)

L-4029

MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS

This form is issued under authority of MCL Sections 211.24a, 211.34 and 211.34d. Filing is mandatory. Penalties apply.

ORIGINAL TO: County Clerk(s)
 COPY TO: Equalization Department(s)
 COPY TO: Each township or city clerk

County Taxable Value for all properties as of 5-1-2021

County Taxable Value for all properties as of 5-1-2021

County Taxable Value for all properties as of 5-1-2021

County Taxable Value for all properties as of 5-1-2021

County Taxable Value for all properties as of 5-1-2021

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County Taxable Value for all properties as of 5-1-2021

County Taxable Value for all properties as of 5-1-2021

County Taxable Value for all properties as of 5-1-2021

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD JULY 12, 2021**

12

12) TAX RATE REQUEST FOR WAYNE COUNTY REGIONAL EDUCATIONAL SERVICE AGENCY (RESA) FOR THE 2021 SCHOOL YEAR: Office of the City Clerk, re: forwarding a communication from Tamara Dust, Director of Finance and Compliance, requesting to set the rate of tax to be levied and requesting that it be collected as a summer tax.

DIRECTION:

RECEIVE & FILE

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

12.

City Clerk
June 29, 2021

MEETING DATE

July 12, 2021

PREPARED BY

Lori Miller, Deputy City Clerk

AGENDA ITEM

TAX RATE REQUEST FOR WAYNE COUNTY REGIONAL EDUCATIONAL SERVICE AGENCY (RESA) FOR THE 2021 SCHOOL YEAR: Office of the City Clerk, re: forwarding a communication from Tamara Dust, Director of Finance and Compliance, requesting to set the rate of tax to be levied and requesting that it be collected as a summer tax.

BACKGROUND

Tax rate request for Wayne County Regional Educational Service Agency for the 2021 School Year.

RECOMMENDATION

Receive and File.

FISCAL CONSIDERATION

Tax rate request for Wayne County Regional Educational Service Agency for the 2021 School Year.

ATTACHMENTS

1. Wayne RESA

APPROVED BY

Date: July 02, 2021

Susan Nash, C.M.M.C., City Clerk

2021 Tax Rate Request (This form must be completed and submitted on or before September 30, 2021)

MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS

Carefully read the instructions on page 2.

This form is issued under authority of MCL Sections 211.24a, 211.34 and 211.34d. Filing is mandatory. Penalty applies.

County(ies) Where the Local Government Unit Levies Taxes Wayne, Washtenaw, Monroe & Oakland		2021 Taxable Value of ALL Properties in the Unit as of 5-24-2021 all property 45,785,432,514; enhancement tv 46,102,840,579
Local Government Unit Requesting Millage Levy Wayne RESA		For LOCAL School Districts: 2021 Taxable Value excluding Principal Residence, Qualified Agricultural, Qualified Forest, Industrial, Personal and Commercial Personal Properties.

This form must be completed for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec 211.119. The following tax rates have been authorized for levy on the 2021 tax roll.

(1) Source	(2) Purpose of Millage	(3) Date of Election	(4) Original Millage Authorized by Election Charter, etc.	(5) ** 2020 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(6) 2021 Current Year "Headlee" Millage Reduction Fraction	(7) 2021 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(8) Sec. 211.34 Truth in Assessing or Equalization Millage Rollback Fraction	(9) Maximum Allowable Millage Levy *	(10) Millage Requested to be Levied July 1	(11) Millage Requested to be Levied Dec. 1	(12) Expiration Date of Millage Authorized
Allocated	Operating	NA	0.0300	0.0278	0.9976	0.0277	1.0000	0.0277	*Tax Rate	Resolution	NA
Allocated	Operating	NA	0.0700	0.0687	0.9976	0.0685	1.0000	0.0685	*Tax Rate	Resolution	NA
Charter	Spec Ed	NA	1.0000	0.9300	0.9976	0.9277	1.0000	0.9277	*Tax Rate	Resolution	NA
Charter	Spec Ed	NA	1.0000	0.9378	0.9976	0.9355	1.0000	0.9355	*Tax Rate	Resolution	NA
Charter	Spec Ed	NA	1.5000	1.5000	0.9976	1.4964	1.0000	1.4964	*Tax Rate	Resolution	NA
Voted	Enhancement	11/8/16	2.0000	2.0000	0.9981	1.9962	1.0000	1.9962	*Tax Rate	Resolution	12/31/21
							*2021 Tax	Rate	Resolution	Attached	

Prepared by Tamara Dust	Telephone Number (734) 334-1579	Title of Preparer Director of Finance & Compliance	Date 06/09/2021
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CERTIFICATION: As the representatives for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary to comply with MCL Sections 211.24a, 211.34 and, for LOCAL school districts which levy a Supplemental (Hold Harmless) Millage, 390.121(3).

☐ Clerk	Signature	Print Name	Date
☒ Secretary	<i>James Berl</i>	James Berl	06/09/2021
☐ Chairperson	Signature	Print Name	Date
☒ President	<i>Mary Blackmon</i>	Mary Blackmon	06.09.2021

* Under Truth in Taxation, MCL Section 211.24a, the governing body may decide to levy a rate which will not exceed the maximum authorized rate allowed in column 9. The requirements of MCL 211.24a must be met prior to laying an operating levy which is larger than the base tax rate but not larger than the rate in column 9.

**** IMPORTANT:** See instructions on page 2 regarding where to find the millage rate used in column (5).

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD JULY 12, 2021**

13

13) TAX RATE REQUEST FOR THE COUNTY OF WAYNE FOR THE YEAR 2021: Office of the City Clerk, re: forwarding a communication from Scott T. Vandermergel, MMAO(4), Director of Assessment and Equalization, requesting that the City collect 5.6347 Charter authorized mills as part of the summer tax collection and the remainder as part of the winter tax collection.

DIRECTION:

RECEIVE & FILE

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

13.

City Clerk
June 29, 2021

MEETING DATE

July 12, 2021

PREPARED BY

Lori Miller, Deputy City Clerk

AGENDA ITEM

TAX RATE REQUEST FOR THE COUNTY OF WAYNE FOR THE YEAR 2021: Office of the City Clerk, re: forwarding a communication from Scott T. Vandermergel, MMAO(4), Director of Assessment and Equalization, requesting that the City collect 5.6347 Charter authorized mills as part of the summer tax collection and the remainder as part of the winter tax collection.

BACKGROUND

Tax rate request for the County of Wayne for the year 2021.

RECOMMENDATION

Receive and File.

FISCAL CONSIDERATION

Tax rate request for the County of Wayne for the year 2021.

ATTACHMENTS

1. Wayne County

APPROVED BY

Date: July 02, 2021

Susan Nash, C.M.M.C., City Clerk

2021 Tax Rate Request (This form must be completed and submitted on or before September 30, 2021)
MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS

This form is issued under authority of MCL Sections 211.24e, 211.34 and 211.34d. Filing is mandatory; Penalty applies.

ORIGINAL TO: County Clerk(s) **L-4029**
COPY TO: Equalization Department(s)
COPY TO: Each township or city clerk

Carefully read the instructions on page 2.

County(ies) Where the Local Government Unit Levies Taxes Wayne County	2021 Taxable Value of ALL Properties in the Unit as of 5-24-2021 \$45,394,169,554 ad valorem; \$45,103,504,489 ad valorem minus renaissance zones
Local Government Unit Requesting Millage Levy Charter County of Wayne, Michigan	For LOCAL School Districts: 2021 Taxable Value excluding Principal Residence, Qualified Agricultural, Qualified Forest, Industrial Personal and Commercial Personal Properties.

This form must be completed for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec 211.119. The following tax rates have been authorized for levy on the 2021 tax roll. 2021 taxable value: \$45,004,413,117 ad valorem minus renaissance zones minus MCL 211.7d housing (L-4028/L-4028 IC total)

(1) Source	(2) Purpose of Millage	(3) Date of Election	(4) Original Millage Authorized by Election Charter, etc.	(5) ** 2020 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(6) 2021 Current Year "Headlee" Millage Reduction Fraction	(7) 2021 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(8) Sec. 211.34 Truth in Assessing or Equalization Millage Rollback Fraction	(9) Maximum Allowable Millage Levy *	(10) Millage Requested to be Levied July 1	(11) Millage Requested to be Levied Dec. 1	(12) Expiration Date of Millage Authorized
Wayne County Charter, Section 5.1e1	Charter Operating	11/3/1981	6.0700	5.6483 ✓	0.9976	5.6347 ✓	1.0000	5.6347	5.6347 ✓	0.0000	N/A
Public Act 214 of 1899	Veterans' Relief Fund	9/23/1899	0.1000	0.0368 ✓	0.9976	0.0367 ✓	1.0000	0.0367	0.0000	0.0367	N/A
General Operating (Levy Year 2 of 10 Authorized Years)	Approved Extra-Voted	8/1/2020	0.9529	0.9529 ✓	0.9976	0.9506 ✓	1.0000	0.9506	0.0000	0.9506	TY 2029
Approved Extra-Voted	Parks Operating (Levy Year 1 of 5 Authorized Years)	8/1/2020	0.2459	0.2459 ✓	0.9976	0.2453 ✓	1.0000	0.2453	0.0000	0.2453	TY 2025
Approved Extra-Voted	Jails Operating (Levy Year 10 of 10 Authorized Years)	8/1/2012	0.9381	0.9381 ✓	0.9976	0.9358 ✓	1.0000	0.9358	0.0000	0.9358	TY 2021
								Totals:	5.6347 (s) +	2.1684 (w) =	7.8031 (t)

Prepared by Scott T. Vandemergel, MMAO (4)	Telephone Number (313) 224-2329	Title of Preparer Dir. of Assessment & Equalization	Date 5/7/2021
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CERTIFICATION: As the representatives for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary, to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary, to comply with MCL Sections 211.24e, 211.34 and, for LOCAL school districts which levy a Supplemental (Hold Harmless) Millage, 380.121(3).

☒ Clerk ☐ Secretary	Signature <i>Pae. Pae.</i>	Print Name Pamela Lane, Esq., Clerk	Date 6/3/2021
☒ Chairperson ☐ President	Signature <i>Alisha R. Bell</i>	Print Name Alisha R. Bell, Chair	Date 6/3/2021

* Under Truth in Taxation, MCL Section 211.24e, the governing body may decide to levy a rate which will not exceed the maximum authorized rate allowed in column 9. The requirements of MCL 211.24e must be met prior to levying an operating levy which is larger than the base tax rate but not larger than the rate in column 9.

** IMPORTANT: See instructions on page 2 regarding where to find the millage rate used in column (5).

Local School District Use Only. Complete if requesting millage to be levied. See 81C Bulletin 2 of 2021 for instructions on completing this section.	
Total School District Operating Rates to be Levied (HH/Supp and NH Oper ONLY)	Rate
For Principal Residence, Qualified Ag, Qualified Forest and Industrial Personal	
For Commercial Personal	
For all Other	

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD JULY 12, 2021**

14

14) TAX RATE REQUEST FOR THE STATE OF MICHIGAN, STATE EDUCATION TAX FOR THE YEAR 2021: Office of the City Clerk, re: forwarding a communication from Rachael Eubanks, State Treasurer, requesting to set the rate of tax to be levied and requesting that it be collected as a summer tax.

DIRECTION:

RECEIVE & FILE

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

14.

City Clerk
June 29, 2021

MEETING DATE

July 12, 2021

PREPARED BY

Lori Miller, Deputy City Clerk

AGENDA ITEM

TAX RATE REQUEST FOR THE STATE OF MICHIGAN, STATE EDUCATION TAX FOR THE YEAR 2021: Office of the City Clerk, re: forwarding a communication from Rachael Eubanks, State Treasurer, requesting to set the rate of tax to be levied and requesting that it be collected as a summer tax.

BACKGROUND

Tax rate request for the State of Michigan, State Education Tax for the year 2021.

RECOMMENDATION

Receive and File.

FISCAL CONSIDERATION

Tax rate request for the State of Michigan, State Education Tax for the year 2021.

ATTACHMENTS

1. State of MI, State Education Tax

APPROVED BY

Date: July 02, 2021

Susan Nash, C.M.M.C., City Clerk



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

RACHAEL EUBANKS
STATE TREASURER

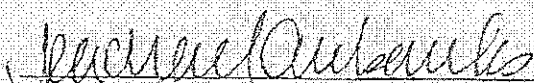
April 1, 2021

**NOTICE TO TOWNSHIP CLERKS, CITY CLERKS, AND COUNTY CLERKS
OF CERTIFICATION OF STATE EDUCATION TAX LEVY
PURSUANT TO ACT 331 OF 1993**

Section 5 of the State Education Tax Act, 1993 PA 331, MCL 211.905 (5), requires the State Treasurer to certify the levy of the State Education Tax.

This Notice constitutes certification of the levy of the State Education Tax and authorizes collection of the State Education Tax at the rate of six mills for the 2021 tax year as a summer levy.

Local clerks are requested to spread the six mills on the rolls for the summer levy.


Rachael Eubanks
State Treasurer

15) REQUEST TO APPROVE THE ESTABLISHMENT OF IMPROVEMENT BONDS: Engineering Division, re: to assure the installation of public improvements at Grand Reserve Site Condominium (formerly Roma Court); located on the south side of Lyndon Avenue between Newburgh Road and Hix Road (37855 Lyndon Avenue, formerly Webster Elementary School site) in the Southeast 1/4 of Section 19 (CR 87-21).

Todd Zilincik, City Engineer, presented this request to Council. He stated this is a just a formal housekeeping issue. We collect improvement bonds, general improvement bonds, sidewalk bond, grading and soil erosion control bonds, entrance marker and landscaping bond, monuments and markers bond and as-built drawings bonds. As we move forward with the construction of the development and the items are approved and accepted, we'll come back to City Council to have those bonds released again to protect the City and us in case the developer for some reason is unable to complete that or there's some outstanding issues, we can address those with the bond money that we've held and again, protecting the residents that may reside there or again, the City, to complete those items. Be happy to answer any questions if you have any and again, appreciate your efforts in the new developments that are coming into the City of Livonia, there's three of them, and these are two of them on board.

Councilmember Jolly offered an approving resolution for the Consent Agenda but I do have a question. Because these are bonds, are we always accepting these as cash bonds or are we accepting surety bonds or when we say bonds, what exactly are we taking from them?

Zilincik replied we're talking cash bonds, so if you look at the attachment or whatever, these are cash bonds that are due. Typically the problem with surety bonds is that they expire within a year and the banks and us trying to collect those is very difficult, so in order for the development to occur, we want to make sure that there's cash bonds. Again, with the surety bonds in the past practice we've had people walk and issues with that. So it's to protect the City. Since I've been here, I've taken cash bonds for all the recent developments itself, and again, it protects the City in the long run.

Jolly asked if that's the standard practice for all communities. I mean I think it's great, that's a great approach to take, but is that how other communities are doing it as well?

Zilincik replied I'd have to check, it depends on each practice, whatever, so I think some may take surety, some may take cash, but I believe again when I came on board here back in 2008, took me over areas where a lot of developments were left hanging to be fixed, the bonds came in handy to get that work done, whether paving the roads or whatever else. And a surety bond would have been expired by then from that bank or whatever entity they got it from, the developer got it from, or they may not be in business anymore. So, cash for us is very key to make sure that we protect the residents that actually reside there and may if a developer walks or something god forbid happens with

that development, we can pick up those pieces and make sure the residents are put back whole.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

15.

Engineering
June 29, 2021

MEETING DATE

July 12, 2021

PREPARED BY

Karen Worley, Secretary IV

AGENDA ITEM

REQUEST TO APPROVE THE ESTABLISHMENT OF IMPROVEMENT BONDS: Engineering Division, re: to assure the installation of public improvements at Grand Reserve Site Condominium (formerly Roma Court); located on the south side of Lyndon Avenue between Newburgh Road and Hix Road (37855 Lyndon Avenue, formerly Webster Elementary School site) in the Southeast 1/4 of Section 19 (CR 87-21).

BACKGROUND

Upon review of the plans for the subject development the Engineering Division has determined that the following bonds should be established pursuant to Section 18.66 of Ordinance No. 543. The bonds in question are required at this time to assure the installation of public improvements.

General Improvement Bond	\$518,997.00 (\$51,900.00 minimum cash)
Sidewalk Bond	\$39,600.00 (\$7,500.00 minimum cash)
Grading & Soil Erosion Control Bond	\$6,000.00 (all cash)
Entrance Markers/Landscaping	\$5,000.00 (all cash)
Monuments and Markers Bond	\$1,000.00 (all cash)
As-Built Drawings Bond	\$10,000.00 (all cash)

RECOMMENDATION

An estimate of the cost of the public improvements for the purpose of establishing the improvement bond requirement, along with the required cash payments, is shown on the attached schedule in accordance with Section 18.66 of Ordinance No. 543. In accordance with Section 16.24.310 (modification of requirements of the Livonia Code of Ordinances), it will be noted that a cash payment is being recommended herein representing a contribution in aid for possible future street lighting within the subject development. The contribution amount has been based on the number of future street lights (as determined by this office) and cost factors as estimated by the Detroit Edison Company in accordance with a ruling of the Michigan Public Service Commission in December 1990.

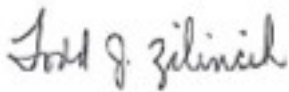
To facilitate the maintenance of our records, the Engineering Division will require that "as built" plans of all public improvements installed in connection with the development be submitted to this office via electronic PDF and Auto Cad copies. Further, appropriate utility easements and deeds will be required for future maintenance by the City.

FISCAL CONSIDERATION

ATTACHMENTS

1. 6-18-21 Grand Reserve Schedule of Bonds & Fee Requirements
2. R032221 Approval of Petition 2020-11-08-06 37855 Lyndon CR 87-21

APPROVED BY



Todd Zilincik, P.E., City Engineer

Date: June 30, 2021



Donald Rohraff, Director of Public Works

Date: July 01, 2021



Maureen Miller Brosnan, Mayor

Date: July 02, 2021

To: Honorable Members of the City Council
Re: Grand Reserve Site Condominium
S.E. ¼ of Section 19, City of Livonia
Establishment of Improvement Bonds

June 29, 2021
Page 3

SCHEDULE OF BONDS & FEE REQUIREMENTS

I. Bond Requirements

A. General Improvement Bond

Water Mains	\$126,380.00
Sanitary Sewers	\$109,990.00
Storm Sewers, including Footing Drain	
Storm Sewers	\$106,068.00
Paving (Public Street)	<u>\$151,845.00</u>
Estimated Construction Cost	\$494,283.00
Construction Contingencies	<u>\$24,714.00</u>
(Approximately 5%)	
Total	<u>\$518,997.00</u>
(\$51,900.00 min. cash bond)	

B. Sidewalk Bond

Sidewalks	\$36,000.00
Construction Contingencies	<u>\$3,600.00</u>
(Approx. 10%)	
Total	<u>\$39,600.00</u>
(\$7,500.00 min. cash bond)	

C. Grading & Soil Erosion Control Bond

(Ord. #1187) \$6,000.00 (cash)
(SESC Permit #21-11, Paid 6/16/21, Receipt #7275)

D. Entrance Markers/Landscaping \$5,000.00 (cash)

E. Monuments & Markers \$1,000.00 (cash)
(Ord. #951)

F. As-Built Drawings Bond \$10,000.00 (cash)

TOTAL CASH BONDS **\$81,400.00**

TOTAL CASH BONDS
CURRENTLY DUE **\$75,400.00**

To: Honorable Members of the City Council
Re: Grand Reserve Site Condominium
S.E. ¼ of Section 19, City of Livonia
Establishment of Improvement Bonds

June 29, 2021
Page 4

II. Fees (Cash Payments to the City)

A. Trees (32 Lots)		\$10,000.00
B. Street Name Signs (Josephine Court)		\$250.00
C. Traffic Control Signs (Stop Sign and No Outlet)		\$750.00
D. Street Light Contribution in Aid (First Year Cost)		\$18,000.00*
E. Engineering Services Gen. Improv. & Sidewalk		
1. Plan Review & Admin. (2%)	\$11,952.00	
2. Field Inspection (5%)	<u>\$24,714.00</u>	
(includes Sidewalk and Drive Approaches)		\$36,666.00
F. Engineering Services (Grading & Soil Erosion Control) (SESC Permit #21-11, Paid 6/16/21, Receipt #7275)		
1. Plan Review	\$500.00	
2. Permit & Inspection	<u>\$2,000.00</u>	
		\$2,500.00
TOTAL CASH PAYMENTS (NON-REFUNDABLE)		<u>\$68,166.00</u>
TOTAL FEES CURRENTLY DUE		<u>\$65,666.00</u>

*To be adjusted and/or refunded based on streetlight public hearings and the type of lighting units to be determined by the City Council.

Regular Meeting Minutes of March 22, 2021

A Site Cross Section sheet, dated July 13, 2020, prepared by Angle Design & Engineering, LLC, re: Petition 2020-11-08-06, was received and placed on file for the information of the Council.

On a motion by Bahr, supported by Toy, it was;

RESOLVED, that having considered a communication from the City Planning Commission, dated February 25, 2021, which transmits its resolution #02-05-2021, adopted on February 23, 2021, with regard to Petition 2020-11-08-06 submitted by Leo Soave Building Company, Inc., to develop a site condominium (Roma Court) consisting of thirty-two (32) single-family homes on the property located on the south side of Lyndon Avenue between Newburgh and Hix Roads (37855 Lyndon Avenue, former Webster Elementary School site) in the Southeast $\frac{1}{4}$ of Section 19, the Council does hereby concur in the recommendation of the Planning Commission and Petition 2020-11-08-06 is hereby approved and granted, subject to the following conditions:

1. That the Site Plan identified as Drawing No. CS-100 dated November 19, 2020, prepared by Angle Design & Engineering L.L.C., is hereby approved and shall be adhered to;
2. That the Landscape Plan identified as LP-1 and the Landscape Notes & Details identified as LP-2, both dated November 13, 2020, prepared by Nagy Devlin Land Design, are hereby approved and shall be adhered to;
3. That the condominium Master Deed and Bylaws comply with the requirements of the Subdivision Control Ordinance, Title 16, Chapter 16.04-16.40 of the Livonia Code of Ordinance, and Article XX, Section 20.01-20.06 of Zoning Ordinance #543;
4. That the Master Deed and Bylaws shall include language in the building and use restrictions that requires the homes on Lots 24 thru 30, located along the west side of the cul-de-sac street identified on the plans as Roma Court, shall be a maximum of one story in height;
5. That the brick used in the construction of each condominium unit shall be full face four-inch (4") brick; 6. In the event of a conflict between the provisions set forth in the Master Deed and Bylaws, and the requirements set forth in the City of Livonia Zoning Ordinance No. 543, as amended, the Zoning Ordinance requirements shall prevail, and petitioner shall comply with the Zoning Ordinance requirements;

Regular Meeting Minutes of March 22, 2021

7. That only a conforming entrance marker is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals;

8. That the petitioner shall include language in the Master Deed and bylaws or a separate recordable instrument wherein the condominium association shall reimburse the City of Livonia for any maintenance or repair costs incurred for the storm water detention/retention and outlet facilities, and giving the City of Livonia the right to impose liens on each lot owner's property pro rata and place said charges on their real estate tax bills in the event said charges are not paid by the condominium association (or each lot owner) within thirty (30) days of billing for the City of Livonia;

9. That all required cash deposits, certified checks, irrevocable bank letters of credit and/or surety bonds which shall be established by the City Engineer pursuant to Article XVIII of Ordinance No. 543, Section 18.66 of the ordinance, shall be deposited with the City prior to the issuance of engineering permits for this site condominium development; and

10. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of one year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

Following discussion by Council, the Petitioner, City Engineer Zilincik, Director Taormina, a Friendly Amendment was made to the motion by Bahr, supported by Toy, eliminating Condition No. 4, with the following result:

#87-21 RESOLVED, that having considered a communication from the City Planning Commission, dated February 25, 2021, which transmits its resolution #02-05-2021, adopted on February 23, 2021, with regard to Petition 2020-11-08-06 submitted by Leo Soave Building Company, Inc., to develop a site condominium (Roma Court) consisting of thirty-two (32) single-family homes on the property located on the south side of Lyndon Avenue between Newburgh and Hix Roads (37855 Lyndon Avenue, former Webster Elementary School site) in the Southeast ¼ of Section 19, the Council does hereby concur in the recommendation of the Planning Commission and Petition 2020-11-08-06 is hereby approved and granted, subject to the following conditions:

1. That the Site Plan identified as Drawing No. CS-100 dated November 19, 2020, prepared by Angle Design & Engineering L.L.C., is hereby approved and shall be adhered to;

SITE PLANS

Petition 2020-11-08-06
(Leo Soave Building Company, Inc.)
Approval to develop a site condominium (Roma Court) consisting of thirty-two (32) single-family homes on the property located on the south side of Lyndon Avenue between Newburgh and Hix Roads (37855 Lyndon Avenue, former Webster Elementary School site) Section 19.

Regular Meeting Minutes of March 22, 2021

2. That the Landscape Plan identified as LP-1 and the Landscape Notes & Details identified as LP-2, both dated November 13, 2020, prepared by Nagy Devlin Land Design, are hereby approved and shall be adhered to;
3. That the condominium Master Deed and Bylaws comply with the requirements of the Subdivision Control Ordinance, Title 16, Chapter 16.04-16.40 of the Livonia Code of Ordinance, and Article XX, Section 20.01-20.06 of Zoning Ordinance #543;
4. That the brick used in the construction of each condominium unit shall be full face four-inch (4") brick;
5. In the event of a conflict between the provisions set forth in the Master Deed and Bylaws, and the requirements set forth in the City of Livonia Zoning Ordinance No. 543, as amended, the Zoning Ordinance requirements shall prevail, and petitioner shall comply with the Zoning Ordinance requirements;
6. That only a conforming entrance marker is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals;
7. That the petitioner shall include language in the Master Deed and bylaws or a separate recordable instrument wherein the condominium association shall reimburse the City of Livonia for any maintenance or repair costs incurred for the storm water detention/retention and outlet facilities, and giving the City of Livonia the right to impose liens on each lot owner's property pro rata and place said charges on their real estate tax bills in the event said charges are not paid by the condominium association (or each lot owner) within thirty (30) days of billing for the City of Livonia;
8. That all required cash deposits, certified checks, irrevocable bank letters of credit and/or surety bonds which shall be established by the City Engineer pursuant to Article XVIII of Ordinance No. 543, Section 18.66 of the ordinance, shall be deposited with the City prior to the issuance of engineering permits for this site condominium development; and
9. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of one year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

Regular Meeting Minutes of March 22, 2021

with the following result:

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

NAYS: None

The President declared the resolution adopted.

<i>REGULAR AGENDA ITEM 15 (Regular Meeting of March 22, 2021)</i>

Motion by: Bahr

Seconded by: Toy

ROLL CALL:

Ayes: Toy, Bahr, White, McCullough, Donovic, Jolly, McIntyre

Nays: None

Absent: None

16) REQUEST TO APPROVE THE ESTABLISHMENT OF IMPROVEMENT BONDS: Engineering Division, re: to assure the installation of public improvements at Lyndon Park Site Condominium (formerly Adams Park); located on the south side of Lyndon Avenue between Inkster Road and Middlebelt Road (28201 Lyndon Avenue, formerly Adams Elementary School site) in the Southeast 1/4 of Section 24 (CR 11-21)

Todd Zilincik, City Engineer, presented this request to Council. He stated Windmill Homes is developing that property over there, Stewart Michaelson is developing that area and is looking for improvement bonds again to protect us for the thirty-eight to thirty-nine homes going in that location and just to help protect the City and look forward to working with these folks on the new development that's occurring. As you know there's a block party at Dooley Park there so just be careful, there will be some development going on, hopefully not on Saturday and hopefully will obviously be contained with the silt fence and soil erosion measures that are there but I just want to make sure the people that came earlier with the Dooley Park party that there is construction north of that location obviously with the developments occurring at this location.

Councilmember McCullough said this is standard development and to answer Councilman Jolly's question, at least for a couple of the municipalities that I've had, the cash is the gold standard to have on file. I don't know of any other communities that do that but I'll offer an approving for Consent if there's no objection.

Councilmember Toy asked Zilincik for an update about the closure of Five Mile.

Zilincik replied as you all know, I-275 project, it's called I-275 Revive by MDOT, Michigan Department of Transportation, is working on the Five Mile bridge which will be extended to allow for pedestrians. They're closing it for approximately ten weeks starting today, July 12th, there's a message board on either side of the expressways letting people know that the bridge is closed to have construction work done for the next ten weeks. So, people are advised to go up Newburgh Road, north on Newburgh Road heading west off of Six Mile and head south down to Haggerty, so that's the detour, it is posted. And I look forward to completing that within ten weeks. And then they go up to Six Mile Road, that will be shut down partially for one way traffic for approximately eight weeks. So, watch out for the bridge work at Six Mile and Five Mile, but Five Mile was closed officially today for approximately ten weeks to do the work in widening the bridge.

Toy asked how would you get, if I may ask you, to the service drive at Schoolcraft if you're going to like the gas station or my physical therapy, it's on the other side, what's the best route to take on that.

Zilincik replied you can go up Haggerty to Six Mile down or if you're Schoolcraft you have to go west up to Newburgh, you know, eastbound Schoolcraft go to come up Newburgh and then come back around. You know they've got the Mobil gas station

there, that Kroger's, things of that nature, I would just go south if you had to also and come back around if you wanted to, but Six Mile is a closer detour.

DIRECTION:

APPROVING

CONSENT



LETTER TO THE LIVONIA CITY COUNCIL

16.

Engineering
June 30, 2021

MEETING DATE

July 12, 2021

PREPARED BY

Karen Worley, Secretary IV

AGENDA ITEM

REQUEST TO APPROVE THE ESTABLISHMENT OF IMPROVEMENT BONDS: Engineering Division, re: to assure the installation of public improvements at Lyndon Park Site Condominium (formerly Adams Park); located on the south side of Lyndon Avenue between Inkster Road and Middlebelt Road (28201 Lyndon Avenue, formerly Adams Elementary School site) in the Southeast 1/4 of Section 24 (CR 11-21)

BACKGROUND

Upon review of the plans for the subject development the Engineering Division has determined that the following bonds should be established pursuant to Section 18.66 of Ordinance No. 543. The bonds in question are required at this time to assure the installation of public improvements.

General Improvement Bond	\$796,738.00	(\$79,674.00 minimum cash)
Sidewalk Bond	\$104,775.00	(\$10,500.00 minimum cash)
Grading & Soil Erosion Control Bond	\$7,800.00	(all cash)
Entrance Markers/Landscaping	\$5,000.00	(all cash)
Monuments and Markers Bond	\$1,000.00	(all cash)
As-Built Drawings Bond	\$10,000.00	(all cash)

RECOMMENDATION

An estimate of the cost of the public improvements for the purpose of establishing the improvement bond requirement, along with the required cash payments, is shown on the attached schedule in accordance with Section 18.66 of Ordinance No. 543. In accordance with Section 16.24.310 (modification of requirements of the Livonia Code of Ordinances), it will be noted that a cash payment is being recommended herein representing a contribution in aid for possible future street lighting within the subject development. The contribution amount has been based on the number of future street lights (as determined by this office) and cost factors as estimated by the Detroit Edison Company in accordance with a ruling of the Michigan Public Service Commission in December 1990.

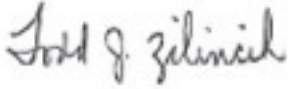
To facilitate the maintenance of our records, the Engineering Division will require that "as built" plans of all public improvements installed in connection with the development be submitted to this office via electronic PDF and Auto Cad copies. Further, appropriate utility easements and deeds will be required for future maintenance by the City.

FISCAL CONSIDERATION

ATTACHMENTS

1. 6-29-21 Lyndon Park Schedule of Bonds & Fee Requirements
2. R011321 Petition 2020-11-08-07 (Adams Park Dev) 14416 Harrison and 28201 Lyndon Aves CR 11-21

APPROVED BY



Todd Zilincik, P.E., City Engineer

Date: June 30, 2021



Donald Rohraff, Director of Public Works

Date: July 01, 2021



Maureen Miller Brosnan, Mayor

Date: July 02, 2021

To: Honorable Members of the City Council
Re: Lyndon Park Site Condominium
S.E. ¼ of Section 24, City of Livonia
Establishment of Improvement Bonds

June 29, 2021
Page 3

SCHEDULE OF BONDS & FEE REQUIREMENTS

I. Bond Requirements

A. General Improvement Bond

Water Mains	\$133,740.00
Sanitary Sewers	\$196,250.00
Storm Sewers, including Footing Drain	
Storm Sewers	\$226,868.00
Paving (Public Street)	<u>\$201,940.00</u>
Estimated Construction Cost	\$758,798.00
Construction Contingencies	<u>\$37,940.00</u>
(Approximately 5%)	

Total **\$796,738.00**
(\$79,674.00 min. cash bond)

B. Sidewalk Bond

Sidewalks	\$95,250.00
Construction Contingencies	<u>\$9,525.00</u>
(Approx. 10%)	

Total **\$104,775.00**
(\$10,500.00 min. cash bond)

C. Grading & Soil Erosion Control Bond

 (Ord. #1187) \$7,800.00 (cash)
 (SESC Permit #21-11, Paid 6/16/21, Receipt #7275)

D. Entrance Markers/Landscaping \$5,000.00 (cash)

E. Monuments & Markers \$1,000.00 (cash)
 (Ord. #951)

F. As-Built Drawings Bond \$10,000.00 (cash)

TOTAL CASH BONDS **\$113,974.00**

TOTAL CASH BONDS
CURRENTLY DUE **\$113,974.00**

To: Honorable Members of the City Council
Re: Lyndon Park Site Condominium
S.E. ¼ of Section 24, City of Livonia
Establishment of Improvement Bonds

June 29, 2021
Page 4

II. Fees (Cash Payments to the City)

A. Trees (39 Lots)		\$11,700.00
B. Street Name Signs (Nova Drive, Dooley Drive and Fountainview)		\$750.00
C. Traffic Control Signs (2 - Stop Signs, 1 - Yield and 1 – No Outlet)		\$1,000.00
D. Street Light Contribution in Aid (First Year Cost)		\$24,000.00*
E. Engineering Services Gen. Improv. & Sidewalk		
1. Plan Review & Admin. (2%)	\$17,663.00	
2. Field Inspection (5%)	<u>\$33,231.00</u>	
(includes Sidewalk and Drive Approaches)		\$50,894.00
F. Engineering Services (Grading & Soil Erosion Control)		
1. Plan Review	\$575.00	
2. Permit & Inspection	<u>\$2,300.00</u>	
		\$2,875.00
TOTAL CASH PAYMENTS (NON-REFUNDABLE)		<u>\$91,219.00</u>

TOTAL FEES CURRENTLY DUE \$91,219.00

*To be adjusted and/or refunded based on streetlight public hearings and the type of lighting units to be determined by the City Council.

Regular Meeting Minutes of January 13, 2021

On a motion by Bahr, supported by Toy, and unanimously adopted, it was:

SITE PLANS

Petition 2020-11-08-07
(Adams Park
Development, L.L.C.)
Approval to develop a
site condominium
(Adams Park)
consisting of thirty-nine
(39) single-family
homes on the
properties located on
the south side of
Lyndon Avenue
between Inkster and
Middlebelt Roads
(14416 Harrison
Avenue and 28201
Lyndon Avenue, former
Adams Elementary
School site) Section
24/

#11-21 RESOLVED, that having considered a communication from the City Planning Commission, dated December 16, 2020, which transmits its resolution #12-61-2020, adopted on December 15, 2020, with regard to Petition 2020-11-08-07, submitted by Adams Park Development, L.L.C., requesting to develop a site condominium (Adams Park) consisting of thirty-nine (39) single-family homes on the properties located on the south side of Lyndon Avenue between Inkster and Middlebelt Roads (14416 Harrison Avenue and 28201 Lyndon Avenue, former Adams Elementary School site) in the Southeast ¼ of Section 24, the Council does hereby concur in the recommendation of the Planning Commission and Petition 2020-11-08-07 is hereby approved and granted, subject to the following conditions:

1. That the Site Plan identified as Sheet 03, dated November 17, 2020, prepared by Michael L. Priest & Associates, Inc., is hereby approved and shall be adhered to.
2. That the issues as outlined in the correspondence dated December 7, 2020, from the Fire Marshal shall be resolved to the satisfaction of the Livonia Fire and Rescue Division.
3. That the Landscape Planting Plan identified as L-1 and the Landscape Notes & Details identified as L-2, both dated November 19, 2020 as revised, prepared by Nagy Devlin Land Design., are hereby approved and shall be adhered to.
4. That streetlights and sidewalks shall be installed throughout the development to the satisfaction of the Engineering Department.
5. That the condominium Master Deed and Bylaws comply with the requirements of the Subdivision Control Ordinance, Title 16, Chapter 16.04-16.40 of the Livonia Code of Ordinance, and Article XX, Section 20.01-20.06 of Zoning Ordinance #543.
6. That Section 6.7 Garages of the Bylaws shall be modified to include front entries where applicable.
7. That the brick used in the construction of each condominium unit shall be full face four-inch (4") brick.
8. In the event of a conflict between the provisions set forth in the Master Deed and bylaws, and the requirements set forth in the City of Livonia Zoning Ordinance No. 543, as amended, the Zoning Ordinance requirements shall prevail, and petitioner shall comply with the Zoning Ordinance requirements.
9. That the petitioner shall include language in the Master Deed and bylaws or a separate recordable instrument wherein the condominium association shall

Regular Meeting Minutes of January 13, 2021

reimburse the City of Livonia for any maintenance or repair costs incurred for the storm water detention/retention and outlet facilities, and giving the City of Livonia the right to impose liens on each lot owner's property pro rata and place said charges on their real estate tax bills in the event said charges are not paid by the condominium association (or each lot owner) within thirty (30) days of billing for the City of Livonia.

10. That all required cash deposits, certified checks, irrevocable bank letters of credit and/or surety bonds which shall be established by the City Engineer pursuant to Article XVIII of Ordinance No. 543, Section 18.66 of the ordinance, shall be deposited with the City prior to the issuance of engineering permits for this site condominium development.

11. That only a conforming entrance marker is approved with this petition, and any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals; and

12. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of one year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

13.

<i>UNFINISHED BUSINESS (Regular Meeting of January 13, 2021)</i>
--

Motion by: Bahr

Seconded by: Toy

ROLL CALL:

Ayes: White, McCullough, Donovic, Jolly, Toy, Bahr, McIntyre

Nays: None

Absent: None

FINANCE AND BUDGET COMMITTEE MEETING**WEDNESDAY, JUNE 30, 2021**

A Finance and Budget Committee meeting was held on Wednesday, June 30, 2021, in the City Hall Council Chambers.

Committee Members Present: Vice President Scott Bahr, Chair
Rob Donovic, Vice Chair

Committee Members Absent: Jim Jolly, Member

City Officials and Others Present: Kathleen E. McIntyre, City Council President
Michael Slater, Finance Director
Leo Neville, Assistant City Attorney
Connie Kumpula, Chief Accountant

Additional Attendees: Stephanie Atkinson, Plante Moran, PLCC
Stacey Reeves, Plante Moran, PLCC
Keith Szymanski, Plante Moran, PLCC

The meeting convened at 7:01PM.

1. CR 367-02 Topic of Annual Audit Reports. (City of Livonia Audit Reports for the period December 1, 2019 to November 30, 2020)

The meeting was led by Committee Chair, Vice President Scott Bahr.

Plante Moran presented their annual audit report. They city once again was given an unmodified opinion, which is the goal. This year presented extra challenges with working remotely during the audit and converting to the new GASB84 accounting standard, and both Plante Moran and City Finance Director Mike Slater expressed their appreciation for everyone's efforts.

There were again zero errors by the city in more than 8,000 journal entries.

Additional information to note:

- Both revenue and expenditures were higher in FY 2020, and revenue exceeded expenditures by \$1.3M
- Unassigned General Fund balance as a percentage of expenditures is about 24%, which far exceeds the minimum requirement of 16.7%.
- Though not fully funded, Livonia's legacy costs continue to be well managed and in the top tier relative to other Michigan communities.
- Plante Moran recommended that we continue to make discretionary contributions to these funds.
 - The defined benefit pension system is 96% funded, which represents an \$11M liability.
 - The VEBA is 59% funded, representing an \$85M liability.

The Committee recommends:

To receive and file the 2020 audit report as submitted.

Note: This item will remain in committee.

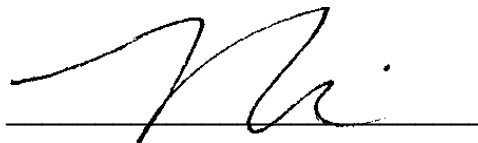
The meeting was adjourned at **7:57PM**

This item is to be placed on the **Regular Meeting Agenda of July 26, 2021**

Respectfully submitted,



Scott Bahr, Chair



Rob Donovic, Vice Chair

cc: City Clerk, City Attorney



LETTER TO THE LIVONIA CITY COUNCIL

Finance
June 30, 2021

MEETING DATE

July 12, 2021

PREPARED BY

Sara Kasprovicz, Council Office Manager,

AGENDA ITEM

FINANCE AND BUDGET COMMITTEE MEETING OF JUNE 30, 2021

a. **CR 367-02** Topic of Annual Audit Reports. (City of Livonia Audit Reports for the period December 1, 2019 to November 30, 2020)

BACKGROUND

The City of Livonia audit for the fiscal year ended November 30, 2020 has been completed by Plante & Moran. The City has received an unqualified opinion from Plante & Moran.

Attached are electronic copies of the audits for the General Purpose Financial Statements, Federal Financial Assistance Programs and 16th District Court. Also attached is a copy of the Management Letter.

These reports are the subject of the scheduled June 30, 2021 meeting of the Finance and Budget Committee.

RECOMMENDATION

Receive and File

FISCAL CONSIDERATION

N/A

ATTACHMENTS

1. City of Livonia-Audit Report 2020
2. City of Livonia-End of Audit Communications 2020
3. City of Livonia Single Audit 2020

APPROVED BY

City of Livonia, Michigan

**Financial Report
with Supplemental Information
November 30, 2020**

Independent Auditor's Report	1-2
Management's Discussion and Analysis	3-7
Basic Financial Statements	
Government-wide Financial Statements:	
Statement of Net Position	8-9
Statement of Activities	10-11
Fund Financial Statements:	
Governmental Funds:	
Balance Sheet	12
Reconciliation of the Balance Sheet to the Statement of Net Position	13
Statement of Revenue, Expenditures, and Changes in Fund Balances	14
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Independent Auditor's Report

To the Honorable Mayor and
Members of the City Council
City of Livonia, Michigan

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Livonia, Michigan (the "City") as of and for the year ended November 30, 2020 and the related notes to the financial statements, which collectively comprise the City of Livonia, Michigan's basic financial statements, as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Livonia, Michigan as of November 30, 2020 and the respective changes in its financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Emphasis of Matter

As discussed in Note 1 to the basic financial statements, during the current year, the City adopted the new accounting guidance GASB Statement No. 84, *Fiduciary Activities*. Our opinion is not modified with respect to this matter.

To the Honorable Mayor and
Members of the City Council
City of Livonia, Michigan

Other Matters

Required Supplemental Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and required supplemental information, as identified in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, which considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplemental information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City of Livonia, Michigan's basic financial statements. The other supplemental information, as identified in the table of contents, is presented for the purpose of additional analysis and is not a required part of the basic financial statements.

The other supplemental information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the other supplemental information is fairly stated in all material respects in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated May 20, 2021 on our consideration of the City of Livonia, Michigan's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements, and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City of Livonia, Michigan's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City of Livonia, Michigan's internal control over financial reporting and compliance.

Plante & Moran, PLLC

May 20, 2021

Overview of the Financial Statements

The City of Livonia, Michigan's (the "City") 2020 annual report consists of four parts: (1) management's discussion and analysis, (2) basic financial statements, (3) required supplemental information, and (4) other supplemental information that presents combining statements for nonmajor governmental funds, proprietary funds, and fiduciary funds. The basic financial statements include two kinds of statements that present different views of the City. The first two statements are government-wide financial statements that are intended to provide longer-term information about the City's overall financial status. The remaining statements are fund financial statements that focus on individual parts of the City's government, reporting the City's operations in more detail than the government-wide financial statements.

Government-wide Statements

The government-wide financial statements report information about the City as a whole using accounting methods similar to those used by private sector companies. The statement of net position includes all of the City's assets, liabilities, deferred inflows, and deferred outflows. All of the current year's revenue and expenses are accounted for in the statement of activities regardless of when cash is received or paid.

The two government-wide statements report the City's net position and how it has changed. Net position, the difference between the City's assets/deferred outflows and liabilities/deferred inflows, is one way to measure the City's financial health or position.

The government-wide financial statements of the City are divided into three categories:

- Governmental activities - Most of the City's basic services are included here, such as the police, fire, public works, parks departments, and general administration. Property taxes, state-shared revenue, and charges for services provide most of the funding for these activities.
- Business-type activities - The City charges fees to customers to cover the costs of certain services it provides. The City's water and sewer system, golf course operations, and nonfederal senior housing are treated as business-type activities.
- Component units - The City includes three other entities in its report, the Plymouth Road Development Authority, the Economic Development Corporation, and the Livonia Brownfield Redevelopment Authority. Although legally separate, these component units are important because the City is financially accountable for them, including debt, which is issued on behalf of the authorities by the City.

Fund Financial Statements

The fund financial statements provide more detailed information about the City's most significant funds, not the City as a whole. Funds are accounting tools that the City uses to keep track of specific sources of funding and spending for particular purposes. Some funds are required by state law and bond covenants. Other funds are established to control and manage money for particular purposes.

The City has three kinds of funds:

- Governmental funds - Most of the City's basic services are included in governmental funds, which focus on how cash and other financial assets that can be converted to cash flow in and out and the balance left at year end that is available for spending. The governmental fund statements provide a detailed short-term view that helps you determine if there are more or fewer financial resources available to spend in the near future to finance the City's programs.
- Proprietary funds - Services that are intended to be entirely self-supporting by customer fees are generally reported in proprietary funds. Proprietary fund statements, like government-wide statements, provide both short- and long-term financial information.

- Fiduciary funds - Services that are intended to be entirely self-supporting by customer fees are generally reported in proprietary funds. Proprietary fund statements, like government-wide statements, provide both short- and long-term financial information.

Government-wide Overall Financial Analysis

In a condensed format, the table below shows a comparison of the net position as of November 30, 2020 to the prior year:

The City's Net Position

	Governmental Activities		Business-type Activities		Total	
	2020	2019	2020	2019	2020	2019
Assets						
Current and other assets	\$ 91,075,849	\$ 81,582,013	\$ 43,952,453	\$ 41,735,067	\$ 135,028,302	\$ 123,317,080
Capital assets	217,593,021	212,589,731	95,022,993	88,590,459	312,616,014	301,180,190
Total assets	308,668,870	294,171,744	138,975,446	130,325,526	447,644,316	424,497,270
Deferred Outflows of Resources	15,303,371	28,396,304	725,090	1,381,927	16,028,461	29,778,231
Liabilities	136,829,494	148,201,178	26,193,392	22,837,158	163,022,886	171,038,336
Deferred Inflows of Resources	64,686,838	76,316,535	3,224,685	3,777,629	67,911,523	80,094,164
Net Position						
Net investment in capital assets	193,092,060	186,014,042	81,971,512	77,087,208	275,063,572	263,101,250
Restricted	46,158,004	41,577,832	1,531,874	1,340,480	47,689,878	42,918,312
Unrestricted	(116,794,155)	(129,541,539)	26,779,073	26,664,978	(90,015,082)	(102,876,561)
Total net position	<u>\$ 122,455,909</u>	<u>\$ 98,050,335</u>	<u>\$ 110,282,459</u>	<u>\$ 105,092,666</u>	<u>\$ 232,738,368</u>	<u>\$ 203,143,001</u>

City of Livonia, Michigan - Net Position

The City's assets/deferred outflows exceed its liabilities/deferred inflows at the end of the fiscal year by \$232.7 million (net position). However, a major portion (118 percent) of the City's net position represents its investments in capital assets (i.e., land, roads, infrastructure, buildings, and equipment) less any related debt used to acquire or construct these assets. The City uses these physical assets to provide services to its citizens. These assets are illiquid and not available for future spending.

Unrestricted net position of the City's governmental activities increased from \$(129.5) million at November 30, 2019 to \$(116.8) million at the end of this year. The amount represents the part of net position that can be used to finance day-to-day operations without constraints established by debt covenants, enabling legislation, or other legal requirements.

City of Livonia, Michigan

Management's Discussion and Analysis (Continued)

The following table shows the changes in net position during the current year and compared to the prior year:

The City's Changes in Net Position

	Governmental Activities		Business-type Activities		Total	
	2020	2019	2020	2019	2020	2019
Revenue						
Program revenue:						
Charges for services	\$ 13,833,127	\$ 17,573,266	\$ 44,042,088	\$ 44,860,704	\$ 57,875,215	\$ 62,433,970
Operating grants and contributions	15,528,149	12,758,140	-	-	15,528,149	12,758,140
Capital grants and contributions	1,556,723	1,506,420	743,733	828,955	2,300,456	2,335,375
General revenue:						
Property taxes	57,074,846	57,802,438	-	-	57,074,846	57,802,438
State-shared revenue	14,385,321	13,907,010	-	-	14,385,321	13,907,010
Interest	1,107,078	2,266,398	284,233	560,829	1,391,311	2,827,227
Other revenue:						
Rental income and fees	2,826,899	2,615,212	-	-	2,826,899	2,615,212
Sale of capital assets	-	-	-	31,550	-	31,550
Transfer and miscellaneous	36,629	356,997	-	-	36,629	356,997
Total revenue	106,348,772	108,785,881	45,070,054	46,282,038	151,418,826	155,067,919
Expenses						
General government	12,346,676	12,216,514	-	-	12,346,676	12,216,514
Public safety	32,793,347	40,104,719	-	-	32,793,347	40,104,719
Public works	23,094,152	24,026,984	-	-	23,094,152	24,026,984
Community and economic development	1,491,636	1,539,054	-	-	1,491,636	1,539,054
Recreation and culture	11,083,397	12,727,317	-	-	11,083,397	12,727,317
Interest on long-term debt	737,243	792,263	-	-	737,243	792,263
Water and Sewer	-	-	38,988,378	37,153,125	38,988,378	37,153,125
Golf Course	-	-	1,696,434	1,703,429	1,696,434	1,703,429
Housing	-	-	1,133,807	1,013,070	1,133,807	1,013,070
Total expenses	81,546,451	91,406,851	41,818,619	39,869,624	123,365,070	131,276,475
Transfers	(1,938,358)	(58,000)	1,938,358	58,000	-	-
Change in Net Position	22,863,963	17,321,030	5,189,793	6,470,414	28,053,756	23,791,444
Net Position - Beginning of year, as restated (Note 1)	99,591,946	80,729,305	105,092,666	98,622,252	204,684,612	179,351,557
Net Position - End of year	\$ 122,455,909	\$ 98,050,335	\$ 110,282,459	\$ 105,092,666	\$ 232,738,368	\$ 203,143,001

Governmental Activities

In reviewing governmental activities in the above table, it can be noted that revenue decreased by \$2.4 million and expenses decreased by \$9.9 million. The most significant factors impacting revenue were reductions to charges for services and increases to grants resulting from shutdown of services related to COVID-19 and CARES Act grants received. Interest income also decreased due to historically low interest rates being paid on deposits. The most significant factors impacting expenses were decreases to the OPEB liability, as well as savings from employee furloughs during COVID-19 and staff vacancies in the police and fire departments.

Business-type Activities

The City has three business-type activities. These include the water and sewer system; the operating fund for the Fox Creek, Idyl Wyld, and Whispering Willows golf courses; and nonfederal senior housing at Silver Village and Newburgh Village.

The following table shows the operating income before contributions, transfers, and interest for each of these activities in the current and prior year:

	Water and Sewer		Golf Course		Housing	
	2020	2019	2020	2019	2020	2019
Operating revenue	\$ 40,616,883	\$ 41,699,219	\$ 1,973,460	\$ 1,712,140	\$ 1,451,745	\$ 1,449,345
Operating expenses	(38,648,474)	(36,852,119)	(1,696,434)	(1,703,429)	(1,133,413)	(1,013,070)
Operating income	<u>\$ 1,968,409</u>	<u>\$ 4,847,100</u>	<u>\$ 277,026</u>	<u>\$ 8,711</u>	<u>\$ 318,332</u>	<u>\$ 436,275</u>

The operating income of the Water and Sewer Fund decreased between 2019 and 2020 primarily due to decreased water sales that were impacted by COVID-19 shutdowns.

Financial Analysis of Individual Funds

The fund financial statements begin on page 12 and provide detailed information on the most significant governmental funds, not the City as a whole. Funds are created to help manage money for special purposes, as well as to show accountability for certain activities, such as special property tax millages. The City's major governmental funds for 2020 include the General Fund, Refuse Disposal System Fund, and Roads and Sidewalks Fund.

The City's governmental funds reported a combined fund balance of \$67.4 million. This is an increase of approximately \$7.1 million for the year. The primary contributors to the increase were lower than expected costs in the Refuse Disposal System Fund and Library Fund; contributions to the Building Improvement and Capital Projects funds; the adoption of GASB Statement No. 84, which reclassified certain fiduciary activities to governmental activities; and overall spending constraints in the General Fund.

General Fund Budgetary Highlights

Over the course of the year, the City's administration and City Council monitor and amend the budget, primarily to prevent expenditures in excess of budget, as required by the State of Michigan Budget Act. The final amended budget included increases to revenue to reflect personal property tax reimbursements from the Local Community Stabilization Authority (LCSA) and receipt of CARES Act grants to assist in COVID-19 response. The budget amendment allowed for these extra funds to be contributed to the VEBA as additional funding for postemployment medical benefits and the Building Improvement capital projects fund for future building needs.

Actual General Fund revenue was approximately \$2.7 million below the final budget.

Actual General Fund expenditures were approximately \$6.0 million below the final budget. Nearly all departments held expenditures below the final budget.

Capital Assets and Debt Administration

At the end of fiscal year 2020, the City has \$580.5 million invested, before depreciation, in a wide range of capital assets, including land, buildings, infrastructure, public safety equipment, computer equipment, and water and sewer lines.

Debt of \$24.9 million related to the construction of the above-mentioned capital assets is reported as a liability in the governmental activities in the statement of net position.

Debt related to the water and sewer system totaling \$13.1 million is recorded as a liability in the business-type activities in the statement of net position. This debt represents construction of and improvements to existing water and sewer lines.

Significant additions to capital assets during fiscal year 2020 include \$11.5 million invested in the construction of infrastructure and improvements to roads, \$2.7 million invested in equipment and vehicles, and \$3.2 million invested in water and sewer system infrastructure. Significant disposals of capital assets during fiscal year 2020 included the disposal of vehicles and equipment with a total cost of \$1.6 million.

Economic Factors and Next Year's Budgets and Rates

The City continues to maintain positive fund balances in each of its funds. However, concerns arise when considering the revenue and expenses that the City is facing in upcoming years.

The majority of the City's revenue base is constrained by factors outside the City's control. Property taxes, state-shared revenue, and interest income make up 68 percent of the City's total governmental activities revenue. Revenue has been slowly increasing after many years of reductions. Property assessments are projected to increase in fiscal year 2021.

On March 11, 2021, the American Rescue Plan Act of 2021 (ARPA) was signed into law. The City anticipates that it will receive approximately \$8.9 million in funding from the ARPA based upon formulas provided by the U.S. Treasury. Funds are to be distributed in two tranches - the first after the U.S. Treasury certifies the proceeds to each jurisdiction and the second approximately one year later. The City is awaiting formal guidelines from the U.S. Treasury before determining how the funds will be used.

Requests for Further Information

The financial report is designed to provide our citizens, taxpayers, customers, investors, and creditors with a general overview of the City's finances and to show the City's accountability for the money it receives. If you have questions about this report or need additional financial information, contact the director of finance at the City of Livonia, 33000 Civic Center Drive, Livonia, MI 48154.

November 30, 2020

	Primary Government			Component Units
	Governmental Activities	Business-type Activities	Total	
Assets				
Cash and cash equivalents	\$ 76,084,620	\$ 27,798,362	\$ 103,882,982	\$ 1,430,280
Accounts receivable:				
Property taxes	164,792	-	164,792	44,045
Special assessments	196,767	197,439	394,206	-
Customers	-	13,274,559	13,274,559	-
Workers' compensation	11,498	-	11,498	-
Due from other governmental units	7,449,583	-	7,449,583	-
Other	4,277,854	255,339	4,533,193	-
Allowance for doubtful accounts	-	(2,083)	(2,083)	-
Inventory, prepaid expenses, and deposits	2,890,735	896,963	3,787,698	-
Restricted assets (Note 8)	-	1,531,874	1,531,874	-
Capital assets: (Note 5)				
Assets not subject to depreciation	35,296,706	13,414,773	48,711,479	474,448
Assets subject to depreciation - Net	182,296,315	81,608,220	263,904,535	568,752
Total assets	308,668,870	138,975,446	447,644,316	2,517,525
Deferred Outflows of Resources				
Deferred charges on bond refunding	362,391	-	362,391	-
Deferred OPEB costs (Note 13)	14,940,980	725,090	15,666,070	-
Total deferred outflows of resources	15,303,371	725,090	16,028,461	-
Liabilities				
Accounts payable	5,247,603	2,874,646	8,122,249	86,215
Due to other governmental units	163,160	4,674,864	4,838,024	4,451
Accrued and other liabilities	2,425,616	180,266	2,605,882	-
Unearned revenue	903,781	2,784	906,565	-
Due to fiduciary funds	247,737	39,902	287,639	-
Bonds and deposits	1,562,935	369,549	1,932,484	-
Noncurrent liabilities: (Note 7)				
Due within one year:				
Compensated absences	3,101,412	241,070	3,342,482	-
Current portion of long-term debt	2,215,402	956,010	3,171,412	-
Due in more than one year:				
Compensated absences and insurance claims	7,661,819	285,447	7,947,266	-
Landfill closure and postclosure	695,441	-	695,441	-
Net pension liability (Note 11)	9,631,162	575,172	10,206,334	-
Net OPEB liability (Note 13)	80,325,476	3,898,211	84,223,687	-
Long-term debt - Net of current portion	22,647,950	12,095,471	34,743,421	-
Total liabilities	136,829,494	26,193,392	163,022,886	90,666
Deferred Inflows of Resource				
Deferred pension cost reductions (Note 11)	7,633,840	455,891	8,089,731	-
Deferred OPEB cost reductions (Note 13)	57,052,998	2,768,794	59,821,792	-
Total deferred inflows of resource	64,686,838	3,224,685	67,911,523	-

See notes to financial statements.

Statement of Net Position (Continued)

November 30, 2020

	Primary Government			Component Units
	Governmental Activities	Business-type Activities	Total	
Net Position				
Net investment in capital assets	\$ 193,092,060	\$ 81,971,512	\$ 275,063,572	\$ 1,043,200
Restricted:				
Community recreation	4,674,177	-	4,674,177	-
Municipal refuse	9,846,084	-	9,846,084	-
Streets, roads, and sidewalks	8,875,997	-	8,875,997	-
Library	4,811,701	-	4,811,701	-
Public safety communication	4,428,739	-	4,428,739	-
Grants	165,881	-	165,881	-
Ordinance requirements	-	1,531,874	1,531,874	-
Street lighting	761,936	-	761,936	-
Adjudicated forfeitures	2,126,808	-	2,126,808	-
Community transit	1,127,847	-	1,127,847	-
Capital improvements	9,045,939	-	9,045,939	-
Designated purpose	292,895	-	292,895	-
Unrestricted	(116,794,155)	26,779,073	(90,015,082)	1,383,659
Total net position	<u>\$ 122,455,909</u>	<u>\$ 110,282,459</u>	<u>\$ 232,738,368</u>	<u>\$ 2,426,859</u>

City of Livonia, Michigan

Functions/Programs	Expenses	Program Revenue		
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions
Primary government:				
Governmental activities:				
General government	\$ 12,346,676	\$ 2,581,068	\$ 58,596	\$ -
Public safety	32,793,347	7,537,496	3,600,800	-
Public works	23,094,152	1,828,432	10,801,155	1,442,895
Community and economic development	1,491,636	416,198	604,393	-
Recreation and culture	11,083,397	1,469,933	463,205	113,828
Interest on long-term debt	737,243	-	-	-
Total governmental activities	81,546,451	13,833,127	15,528,149	1,556,723
Business-type activities:				
Water and Sewer	38,988,378	40,616,883	-	742,733
Housing	1,133,807	1,451,745	-	1,000
Golf Course	1,696,434	1,973,460	-	-
Total business-type activities	41,818,619	44,042,088	-	743,733
Total primary government	\$ 123,365,070	\$ 57,875,215	\$ 15,528,149	\$ 2,300,456
Component units:				
Economic Development Corporation	\$ 108	\$ -	\$ -	\$ -
Plymouth Road Development Authority	466,798	-	-	-
Brownfield Redevelopment Authority	416,418	-	-	-
Total component units	\$ 883,324	\$ -	\$ -	\$ -
General revenue:				
Property taxes				
State-shared revenue				
Investment income				
Cable franchise fees				
Other miscellaneous income				
Total general revenue				
Transfers				
Change in Net Position				
Net Position - Beginning of year, as restated (Note 1)				
Net Position - End of year				

Statement of Activities

Year Ended November 30, 2020

Net (Expense) Revenue and Changes in Net Position			
Primary Government			
Governmental Activities	Business-type Activities	Total	Component Units
\$ (9,707,012)	\$ -	\$ (9,707,012)	\$ -
(21,655,051)	-	(21,655,051)	-
(9,021,670)	-	(9,021,670)	-
(471,045)	-	(471,045)	-
(9,036,431)	-	(9,036,431)	-
(737,243)	-	(737,243)	-
(50,628,452)	-	(50,628,452)	-
-	2,371,238	2,371,238	-
-	318,938	318,938	-
-	277,026	277,026	-
-	2,967,202	2,967,202	-
(50,628,452)	2,967,202	(47,661,250)	-
-	-	-	(108)
-	-	-	(466,798)
-	-	-	(416,418)
-	-	-	(883,324)
57,074,846	-	57,074,846	1,212,575
14,385,321	-	14,385,321	-
1,107,078	284,233	1,391,311	2,900
2,826,899	-	2,826,899	-
36,629	-	36,629	1,000
75,430,773	284,233	75,715,006	1,216,475
(1,938,358)	1,938,358	-	-
22,863,963	5,189,793	28,053,756	333,151
99,591,946	105,092,666	204,684,612	2,093,708
\$ 122,455,909	\$ 110,282,459	\$ 232,738,368	\$ 2,426,859

Governmental Funds
Balance Sheet

November 30, 2020

	Major Special Revenue Funds				Total Governmental Funds
	General Fund	Refuse Disposal System	Roads and Sidewalks	Nonmajor Funds	
Assets					
Cash and investments	\$ 16,510,819	\$ 11,028,093	\$ 4,951,244	\$ 38,432,981	\$ 70,923,137
Accounts receivable:					
Property taxes	95,196	34,225	10,543	24,828	164,792
Special assessments	-	-	-	196,767	196,767
Workers' compensation	11,498	-	-	-	11,498
Due from other governmental units	4,260,529	493,386	181,229	2,514,439	7,449,583
Other	3,341,433	36,168	1,000	510,414	3,889,015
Inventory, prepaid expenses, and deposits	152,597	-	-	-	152,597
Total assets	\$ 24,372,072	\$ 11,591,872	\$ 5,144,016	\$ 41,679,429	\$ 82,787,389
Liabilities					
Accounts payable	\$ 1,482,968	\$ 1,030,117	\$ 1,486,349	\$ 1,248,169	\$ 5,247,603
Due to other governmental units	-	-	-	163,160	163,160
Accrued and other liabilities	1,461,041	20,230	-	867,747	2,349,018
Unearned revenue	108,933	-	-	794,848	903,781
Due to fiduciary funds	221,136	-	-	26,601	247,737
Bonds and deposits	1,562,935	-	-	-	1,562,935
Total liabilities	4,837,013	1,050,347	1,486,349	3,100,525	10,474,234
Deferred Inflows of Resources - Unavailable revenue	3,133,349	526,838	191,534	1,018,262	4,869,983
Fund Balances					
Nonspendable - Inventory and prepaid assets	152,597	-	-	-	152,597
Restricted:					
Streets, roads, and sidewalks	-	-	3,466,133	5,218,330	8,684,463
Adjudicated forfeitures	-	-	-	2,126,808	2,126,808
Capital improvements	-	-	-	8,879,571	8,879,571
Community recreation	-	-	-	4,505,008	4,505,008
Municipal refuse	-	10,014,687	-	-	10,014,687
Street lighting	-	-	-	761,936	761,936
Library	-	-	-	4,636,451	4,636,451
Public safety communication	-	-	-	4,204,946	4,204,946
Community transit	-	-	-	1,020,161	1,020,161
Designated purpose	-	-	-	292,895	292,895
Committed:					
Employee retention	1,665,700	-	-	-	1,665,700
Cable access television	-	-	-	918,503	918,503
Arts Commission	-	-	-	84,063	84,063
Historical Commission	-	-	-	232,296	232,296
Assigned:					
Capital projects	-	-	-	496,739	496,739
Golf course capital improvements	-	-	-	187,487	187,487
Building improvements	-	-	-	3,310,897	3,310,897
Court building improvements	-	-	-	694,666	694,666
Unassigned	14,583,413	-	-	(10,115)	14,573,298
Total fund balances	16,401,710	10,014,687	3,466,133	37,560,642	67,443,172
Total liabilities, deferred inflows of resources, and fund balances	\$ 24,372,072	\$ 11,591,872	\$ 5,144,016	\$ 41,679,429	\$ 82,787,389

Governmental Funds

Reconciliation of the Balance Sheet to the Statement of Net Position

November 30, 2020

Fund Balances Reported in Governmental Funds	\$ 67,443,172
Amounts reported for governmental activities in the statement of net position are different because:	
Capital assets used in governmental activities are not financial resources and are not reported in the funds	217,593,021
Certain receivables are expected to be collected over several years, including special assessments, delinquent personal property taxes, and grants	388,839
Grants and other receivables that are collected after year end, such that they are not available to pay bills outstanding as of year end, are not recognized in the funds	4,869,983
Landfill closure and postclosure liability is not due and payable in the current period and is not reported in the funds	(695,441)
Long-term liabilities are not due and payable in the current period and are not reported in the funds	(24,863,352)
Deferred charges on bond refunding are reported as deferred outflows of resources in the statement of net position but are not reported in the funds	362,391
Accrued interest is not due and payable in the current period and is not reported in the funds	(76,598)
Some employee fringe benefits are payable over a long period of years and do not represent a claim on current financial resources; therefore, they are not reported as fund liabilities:	
Employee compensated absences	(9,305,766)
Pension benefits	(17,265,002)
Retiree health care benefits	(122,437,494)
The Internal Service Fund (self-insurance) is included as part of governmental activities	6,442,156
Net Position of Governmental Activities	<u><u>\$ 122,455,909</u></u>

Governmental Funds

Statement of Revenue, Expenditures, and Changes in Fund Balances

Year Ended November 30, 2020

		Major Special Revenue Funds			
	General Fund	Refuse Disposal System	Roads and Sidewalks	Nonmajor Funds	Total Governmental Funds
Revenue					
Property taxes	\$ 34,212,538	\$ 10,284,708	\$ 3,776,636	\$ 8,893,184	\$ 57,167,066
Special assessments	-	-	-	1,442,895	1,442,895
Intergovernmental:					
Federal revenue	2,858,371	-	-	662,602	3,520,973
State and local revenue	11,953,877	1,286,980	391,348	12,805,677	26,437,882
Charges for services	4,282,983	111,223	-	1,739,472	6,133,678
Fines and forfeitures	3,023,897	-	-	583,660	3,607,557
Licenses and permits	3,050,795	-	-	-	3,050,795
Interest	388,931	162,457	60,764	454,670	1,066,822
Other revenue	3,805,731	7,014	14,996	674,557	4,502,298
Total revenue	63,577,123	11,852,382	4,243,744	27,256,717	106,929,966
Expenditures					
Current services:					
General government	9,072,723	-	-	-	9,072,723
Employee benefits, insurance, and other	3,227,832	-	-	-	3,227,832
Public safety	36,751,181	-	-	1,174,459	37,925,640
Public works	3,273,871	11,404,572	10,139,026	5,392,923	30,210,392
Community and economic development	661,758	-	-	829,878	1,491,636
Recreation and culture	2,187,227	-	-	8,130,897	10,318,124
Capital outlay	-	-	-	2,909,297	2,909,297
Debt service:					
Principal retirement	-	-	-	1,810,000	1,810,000
Interest and other	-	-	-	916,921	916,921
Total expenditures	55,174,592	11,404,572	10,139,026	21,164,375	97,882,565
Excess of Revenue Over (Under) Expenditures	8,402,531	447,810	(5,895,282)	6,092,342	9,047,401
Other Financing Sources (Uses)					
Transfers in (Note 6)	-	-	7,899,996	14,442,707	22,342,703
Transfers out (Note 6)	(7,054,144)	-	-	(17,226,917)	(24,281,061)
Total other financing (uses) sources	(7,054,144)	-	7,899,996	(2,784,210)	(1,938,358)
Net Change in Fund Balances	1,348,387	447,810	2,004,714	3,308,132	7,109,043
Fund Balances - Beginning of year, as restated (Note 1)	15,053,323	9,566,877	1,461,419	34,252,510	60,334,129
Fund Balances - End of year	<u>\$ 16,401,710</u>	<u>\$ 10,014,687</u>	<u>\$ 3,466,133</u>	<u>\$ 37,560,642</u>	<u>\$ 67,443,172</u>

Governmental Funds

**Reconciliation of the Statement of Revenue, Expenditures, and Changes in
Fund Balances to the Statement of Activities**

Year Ended November 30, 2020

Net Change in Fund Balances Reported in Governmental Funds	\$ 7,109,043
Amounts reported for governmental activities in the statement of activities are different because:	
Governmental funds report capital outlays as expenditures; however, in the statement of activities, these costs are allocated over their estimated useful lives as depreciation:	
Capital outlay	15,466,543
Depreciation expense	(10,170,987)
Net book value of assets disposed of	(357,297)
Revenue in the statement of activities that does not provide current financial resources is not reported as revenue in the funds until it is available	(522,012)
Payment on capital leases is an expenditure in the governmental funds but not in the statement of activities (where it reduces the capital lease liability)	156,890
Repayment of bond principal is an expenditure in the governmental funds but not in the statement of activities (where it reduces long-term debt)	1,810,000
Interest expense is recognized in the government-wide statements as it accrues	179,678
Change in net pension liability and related deferred inflows and outflows reported in the statement of activities do not require the use of current resources and, therefore, are not reported in the fund statements until they come due for payment	(1,968,452)
Change in net OPEB liability and related deferred inflows and outflows reported in the statement of activities do not require the use of current resources and, therefore, are not reported in the fund statements until they come due for payment	12,102,892
Net increase in accumulated employee sick and vacation pay is recorded when incurred in the statement of activities	(744,658)
Increase in landfill liability is recorded when incurred in the statement of activities	(11,838)
Internal service funds are included as part of governmental activities	(185,839)
Change in Net Position of Governmental Activities	<u><u>\$ 22,863,963</u></u>

Proprietary Funds
Statement of Net Position

November 30, 2020

	Major Enterprise Fund	Nonmajor Enterprise Funds		Total Enterprise Funds	Governmental Activities
	Water and Sewer	Housing	Golf Course		Internal Service Fund
Assets					
Current assets:					
Cash and investments	\$ 23,196,989	\$ 3,361,706	\$ 1,239,667	\$ 27,798,362	\$ 5,161,483
Accounts receivable:					
Customers	13,274,559	-	-	13,274,559	-
Other	249,473	-	5,866	255,339	-
Allowance for doubtful accounts	-	-	(2,083)	(2,083)	-
Inventory, prepaid expenses, and deposits	896,963	-	-	896,963	2,738,138
Total current assets	37,617,984	3,361,706	1,243,450	42,223,140	7,899,621
Noncurrent assets:					
Restricted assets (Note 8)	1,531,874	-	-	1,531,874	-
Special assessment receivables	197,439	-	-	197,439	-
Capital assets: (Note 5)					
Assets not subject to depreciation	8,247,487	1,584,798	3,582,488	13,414,773	-
Assets subject to depreciation - Net	78,330,980	2,676,603	600,637	81,608,220	-
Total noncurrent assets	88,307,780	4,261,401	4,183,125	96,752,306	-
Total assets	125,925,764	7,623,107	5,426,575	138,975,446	7,899,621
Deferred Outflows of Resources -					
Deferred OPEB costs (Note 13)	527,606	154,562	42,922	725,090	-
Liabilities					
Current liabilities:					
Accounts payable	2,754,112	37,922	82,612	2,874,646	-
Due to other governmental units	4,674,864	-	-	4,674,864	-
Accrued and other liabilities	134,890	42,340	3,036	180,266	-
Unearned revenue	2,784	-	-	2,784	-
Due to fiduciary funds	39,902	-	-	39,902	-
Bonds and deposits	193,518	176,031	-	369,549	-
Compensated absences (Note 7)	209,227	23,843	8,000	241,070	-
Current portion of long-term debt (Note 7)	950,000	6,010	-	956,010	-
Total current liabilities	8,959,297	286,146	93,648	9,339,091	-
Noncurrent liabilities:					
Compensated absences and insurance claims (Note 7)	198,732	57,516	29,199	285,447	-
Net pension liability (Note 11)	431,015	144,157	-	575,172	-
Net OPEB liability (Note 13)	2,836,507	830,946	230,758	3,898,211	-
Long-term debt - Net of current portion (Note 7)	12,075,191	20,280	-	12,095,471	1,457,465
Total noncurrent liabilities	15,541,445	1,052,899	259,957	16,854,301	1,457,465
Total liabilities	24,500,742	1,339,045	353,605	26,193,392	1,457,465

Proprietary Funds
Statement of Net Position (Continued)

November 30, 2020

	Major Enterprise Fund	Nonmajor Enterprise Funds		Total Enterprise Funds	Governmental Activities
	Water and Sewer	Housing	Golf Course		Internal Service Fund
Deferred Inflows of Resources					
Deferred pension cost reductions (Note 11)	\$ 341,631	\$ 114,260	\$ -	\$ 455,891	\$ -
Deferred OPEB cost reductions (Note 13)	2,014,692	590,200	163,902	2,768,794	-
Total deferred inflows of resources	2,356,323	704,460	163,902	3,224,685	-
Net Position					
Net investment in capital assets	73,553,276	4,235,111	4,183,125	81,971,512	-
Restricted - Ordinance requirements	1,531,874	-	-	1,531,874	-
Unrestricted	24,511,155	1,499,053	768,865	26,779,073	6,442,156
Total net position	<u><u>\$ 99,596,305</u></u>	<u><u>\$ 5,734,164</u></u>	<u><u>\$ 4,951,990</u></u>	<u><u>\$ 110,282,459</u></u>	<u><u>\$ 6,442,156</u></u>

Proprietary Funds

Statement of Revenue, Expenses, and Changes in Net Position

Year Ended November 30, 2020

	Major Enterprise Fund	Nonmajor Enterprise Funds		Total Enterprise Funds	Governmental Activities
	Water and Sewer	Housing	Golf Course		Internal Service Fund
Operating Revenue					
Customer billings	\$ 39,107,543	\$ -	\$ -	\$ 39,107,543	\$ -
Fines and forfeitures	1,407,064	-	-	1,407,064	-
Service connections	49,899	-	-	49,899	-
Greens fees	-	-	1,696,392	1,696,392	-
Golf cart fees	-	-	118,000	118,000	-
City contributions	-	-	-	-	14,704,686
Rental income	-	1,451,745	4,000	1,455,745	-
Other revenue	52,377	-	155,068	207,445	-
Total operating revenue	40,616,883	1,451,745	1,973,460	44,042,088	14,704,686
Operating Expenses					
Cost of water	11,633,702	-	-	11,633,702	-
Cost of sewage disposal	16,994,074	-	-	16,994,074	-
System maintenance and operation	5,164,796	-	-	5,164,796	-
General and administration	1,172,959	-	-	1,172,959	-
Reinsurance charges and claims	-	-	-	-	14,930,781
Salaries and wages	-	528,854	108,341	637,195	-
Supplies	-	32,562	216,112	248,674	-
Other services and charges	-	400,709	1,338,316	1,739,025	-
Depreciation	3,682,943	171,288	33,665	3,887,896	-
Total operating expenses	38,648,474	1,133,413	1,696,434	41,478,321	14,930,781
Operating Income (Loss)	1,968,409	318,332	277,026	2,563,767	(226,095)
Nonoperating Revenue (Expense)					
Investment income	245,340	32,274	6,619	284,233	40,256
Interest expense	(339,904)	(394)	-	(340,298)	-
Total nonoperating (expense) revenue	(94,564)	31,880	6,619	(56,065)	40,256
Income (Loss) - Before contributions and transfers	1,873,845	350,212	283,645	2,507,702	(185,839)
Capital Contributions					
Capital grants	30,000	-	-	30,000	-
Lines donated by developers	712,733	-	-	712,733	-
Other capital contributions	-	1,000	-	1,000	-
Total capital contributions	742,733	1,000	-	743,733	-
Transfers In	1,854,058	-	84,300	1,938,358	-
Change in Net Position	4,470,636	351,212	367,945	5,189,793	(185,839)
Net Position - Beginning of year	95,125,669	5,382,952	4,584,045	105,092,666	6,627,995
Net Position - End of year	<u>\$ 99,596,305</u>	<u>\$ 5,734,164</u>	<u>\$ 4,951,990</u>	<u>\$ 110,282,459</u>	<u>\$ 6,442,156</u>

Proprietary Funds
Statement of Cash Flows

Year Ended November 30, 2020

	Major Enterprise Fund	Nonmajor Enterprise Funds		Total Enterprise Funds	Governmental Activities
	Water and Sewer	Housing	Golf Course		Internal Service Fund
Cash Flows from Operating Activities					
Receipts from customers	\$ 41,927,609	\$ 1,451,745	\$ 1,976,291	\$ 45,355,645	\$ 14,704,686
Payments to suppliers	(29,300,112)	(430,103)	(1,525,477)	(31,255,692)	(11,348,686)
Payments to employees	(4,008,777)	(420,092)	(135,730)	(4,564,599)	-
Other receipts	3,617	-	-	3,617	-
Net cash and cash equivalents provided by operating activities	8,622,337	601,550	315,084	9,538,971	3,356,000
Cash Flows Provided by Noncapital Financing Activities - Transfers in	-	-	84,300	84,300	-
Cash Flows from Capital and Related Financing Activities					
Issuance of bonds and capital leases	2,909,554	33,875	-	2,943,429	-
Receipt of capital grants	30,000	-	-	30,000	-
Special assessment collections	27,123	-	-	27,123	-
Net purchases of capital assets	(9,573,821)	(32,875)	-	(9,606,696)	-
Principal and interest paid on long-term debt	(1,743,438)	(7,586)	-	(1,751,024)	-
Transfer in	1,854,058	-	-	1,854,058	-
Net cash and cash equivalents used in capital and related financing activities	(6,496,524)	(6,586)	-	(6,503,110)	-
Cash Flows from Investing Activities					
Interest received on investments	245,340	32,274	6,619	284,233	40,256
Purchases of investment securities	(1,089,880)	-	(203,002)	(1,292,882)	(1,698,128)
Net cash and cash equivalents (used in) provided by investing activities	(844,540)	32,274	(196,383)	(1,008,649)	(1,657,872)
Net Increase in Cash and Cash Equivalents	1,281,273	627,238	203,001	2,111,512	1,698,128
Cash and Cash Equivalents - Beginning of year	11,849,345	1,367,233	416,832	13,633,410	882,613
Cash and Cash Equivalents - End of year	\$ 13,130,618	\$ 1,994,471	\$ 619,833	\$ 15,744,922	\$ 2,580,741
Classification of Cash and Cash Equivalents					
Cash and investments	\$ 23,196,989	\$ 3,361,706	\$ 1,239,667	\$ 27,798,362	\$ 5,161,483
Restricted cash (Note 8)	1,531,874	-	-	1,531,874	-
Less investments	(11,598,245)	(1,367,235)	(619,834)	(13,585,314)	(2,580,742)
Total cash and cash equivalents	\$ 13,130,618	\$ 1,994,471	\$ 619,833	\$ 15,744,922	\$ 2,580,741

Proprietary Funds
Statement of Cash Flows (Continued)

Year Ended November 30, 2020

	Major Enterprise Fund	Nonmajor Enterprise Funds		Total Enterprise Funds	Governmental Activities
	Water and Sewer	Housing	Golf Course		Internal Service Fund
Reconciliation of Operating Income (Loss) to Net Cash from Operating Activities					
Operating income (loss)	\$ 1,968,409	\$ 318,332	\$ 277,026	\$ 2,563,767	\$ (226,095)
Adjustments to reconcile operating income (loss) to net cash from operating activities:					
Depreciation	3,682,943	171,288	33,665	3,887,896	-
Changes in assets and liabilities:					
Receivables	1,310,726	-	2,831	1,313,557	-
Inventories	(141,921)	-	-	(141,921)	-
Prepaid and other assets	8,015	-	-	8,015	4,450,193
Net pension and OPEB liabilities	(596,701)	101,724	(27,272)	(522,249)	-
Accounts payable	2,277,241	3,168	28,951	2,309,360	107,382
Accrued and other liabilities	110,008	7,038	(117)	116,929	(172,906)
Other assets	3,617	-	-	3,617	-
Unearned revenue	-	-	-	-	(802,574)
Net cash and cash equivalents provided by operating activities	<u>\$ 8,622,337</u>	<u>\$ 601,550</u>	<u>\$ 315,084</u>	<u>\$ 9,538,971</u>	<u>\$ 3,356,000</u>

Noncash Transactions - During the year ended November 30, 2020, the City received \$742,733 of donated lines reported as capital assets in the Water and Sewer Fund.

Fiduciary Funds
Statement of Fiduciary Net Position

November 30, 2020

	Pension and Other Employee Benefits	Custodial Funds	Total Fiduciary Funds
Assets			
Cash and cash equivalents (Note 3)	\$ 623,862	\$ 3,757,484	\$ 4,381,346
Investments: (Note 3)			
U.S. government securities	11,841,349	-	11,841,349
Collateralized mortgage obligations	7,982,352	-	7,982,352
Common stocks	175,464,350	-	175,464,350
Corporate bonds	18,412,382	-	18,412,382
Real estate investment trust	4,583,616	-	4,583,616
Foreign bonds	1,176,360	-	1,176,360
Mutual funds	125,592,428	-	125,592,428
Accounts receivable	960,009	14,525	974,534
Due from primary government	287,639	-	287,639
Total assets	346,924,347	3,772,009	350,696,356
Liabilities			
Accounts payable	1,523,969	16,207	1,540,176
Due to other governmental units	36,922	2,701,497	2,738,419
Bonds and other deposits	-	272,837	272,837
Total liabilities	1,560,891	2,990,541	4,551,432
Net Position			
Restricted:			
Pension	222,607,699	-	222,607,699
Postemployment benefits other than pension	122,755,757	-	122,755,757
Individuals, organizations, and other governments	-	781,468	781,468
Total net position	<u>\$ 345,363,456</u>	<u>\$ 781,468</u>	<u>\$ 346,144,924</u>

Fiduciary Funds
Statement of Changes in Fiduciary Net Position

Year Ended November 30, 2020

	Pension and Other Employee Benefits	Custodial Funds	Total Fiduciary Funds
Additions			
Investment income (loss):			
Interest and dividends	\$ 7,482,332	\$ 25,691	\$ 7,508,023
Net increase in fair value of investments	26,183,574	-	26,183,574
Investment costs	(854,547)	-	(854,547)
Net investment income	32,811,359	25,691	32,837,050
Contributions:			
Employer	6,351,103	-	6,351,103
Employee	601,538	-	601,538
Total contributions	6,952,641	-	6,952,641
Collections for other governments	-	143,244,700	143,244,700
Fines and fees	-	1,026,877	1,026,877
Bond receipts	-	615,564	615,564
Restitutions, judgments, and other	-	282,618	282,618
Volunteer work program and civil drug fund	-	221,655	221,655
Total additions	39,764,000	145,417,105	185,181,105
Deductions			
Pension benefit payments	18,823,771	-	18,823,771
Medical benefit payments	8,949,761	-	8,949,761
Disability benefit payments	185,728	-	185,728
Refunds of contributions	642,807	-	642,807
Administrative expenses	281,692	-	281,692
Disbursements to other governments	-	144,267,140	144,267,140
Bond forfeitures	-	615,564	615,564
Restitutions, judgments, and other refunds	-	282,618	282,618
Volunteer work program and civil drug fund	-	286,497	286,497
Total deductions	28,883,759	145,451,819	174,335,578
Net Increase (Decrease) in Net Position	10,880,241	(34,714)	10,845,527
Net Position - Beginning of year, as restated (Note 1)	334,483,215	816,182	335,299,397
Net Position - End of year	\$ 345,363,456	\$ 781,468	\$ 346,144,924

Component Units
Statement of Net Position

November 30, 2020

	Economic Development Corporation	Plymouth Road Development Authority	Brownfield Redevelopment Authority	Total
Assets				
Cash and cash equivalents	\$ 25,019	\$ 1,131,026	\$ 274,235	\$ 1,430,280
Accounts receivable	-	44,045	-	44,045
Capital assets: (Note 5)				
Assets not subject to depreciation	-	474,448	-	474,448
Assets subject to depreciation - Net	-	568,752	-	568,752
Total assets	25,019	2,218,271	274,235	2,517,525
Liabilities				
Accounts payable	-	86,215	-	86,215
Due to other governmental units	-	-	4,451	4,451
Total liabilities	-	86,215	4,451	90,666
Net Position				
Net investment in capital assets	-	1,043,200	-	1,043,200
Unrestricted	25,019	1,088,856	269,784	1,383,659
Total net position	<u>\$ 25,019</u>	<u>\$ 2,132,056</u>	<u>\$ 269,784</u>	<u>\$ 2,426,859</u>

City of Livonia, Michigan

	Program Revenue			
	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions
Functions/Programs				
Economic Development Corporation	\$ 108	\$ -	\$ -	\$ -
Plymouth Road Development Authority - Community and economic development	466,798	-	-	-
Brownfield Redevelopment Authority - Community and economic development	416,418	-	-	-
Total component units	<u><u>\$ 883,324</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>
General revenue:				
Property taxes				
Interest				
Other miscellaneous income				
Total general revenue				
Change in Net Position				
Net Position - Beginning of year				
Net Position - End of year				

Component Units
Statement of Activities

Year Ended November 30, 2020

Net (Expense) Revenue and Changes in Net Position			
Economic Development Corporation	Plymouth Road Development Authority	Brownfield Redevelopment Authority	Total
\$ (108)	\$ -	\$ -	\$ (108)
-	(466,798)	-	(466,798)
-	-	(416,418)	(416,418)
(108)	(466,798)	(416,418)	(883,324)
-	737,357	475,218	1,212,575
280	262	2,358	2,900
-	-	1,000	1,000
280	737,619	478,576	1,216,475
172	270,821	62,158	333,151
24,847	1,861,235	207,626	2,093,708
\$ 25,019	\$ 2,132,056	\$ 269,784	\$ 2,426,859

November 30, 2020

Note 1 - Significant Accounting Policies

The following is a summary of the significant accounting policies used by the City of Livonia, Michigan:

Reporting Entity

The City of Livonia, Michigan (the "City") is governed by an elected seven-member council. The City's administration operates under the overall direction of an elected mayor. The accompanying financial statements present the City and its component units, entities for which the City is considered to be financially accountable. Blended component units are, in substance, part of the City's operations, even though they are separate legal entities. Thus, blended component units are appropriately presented as funds of the City. Each discretely presented component unit is reported in a separate column in the government-wide financial statements to emphasize that it is legally separate from the City.

Blended Component Units

The Municipal Building Authority of Livonia is governed by a board that is appointed by the City's mayor. Although it is legally separate from the City, it is reported as if it were part of the primary government because its primary purpose is to finance and construct the City's public buildings. The operations of the Municipal Building Authority are reported as a nonmajor debt service fund.

The District Court Funds of District No. 16 (the "District Court") are reported within the custodial funds. Although it is legally separate from the City, it is reported as if it were part of the primary government because of the fiduciary relationship it has with the City.

The City of Livonia Employees Retirement System and the City of Livonia Retiree Health and Disability Benefits Plan are governed by a five-member pension board that includes three individuals chosen by the City Council and/or mayor. Although legally separate from the City, the systems are reported as if they were part of the primary government because of the fiduciary responsibility that the City retains relative to the operations of each system. The operations of the Employees' Retirement System and the City of Livonia Retiree Health and Disability Benefits Plan are reported as a pension and other employee benefits fiduciary funds.

Discretely Presented Component Units

The Economic Development Corporation (the "EDC") was created to provide means and methods for the encouragement and assistance of industrial and commercial enterprises in relocating, purchasing, constructing, improving, or expanding within the City so as to provide needed services and facilities of such enterprises to the residents of the City. The EDC's governing body, which consists of eight individuals, is selected by the mayor and approved by the City Council. Internally prepared financial statements for the EDC can be obtained from the City of Livonia Finance Department at 33000 Civic Center Drive, Livonia, MI 48154.

The Plymouth Road Development Authority was created to encourage additional economic activity and growth in the Plymouth Road business district. The Plymouth Road Development Authority's governing body, which consists of 12 individuals, is selected by the mayor and approved by the City Council. Internally prepared financial statements for the Plymouth Road Development Authority can be obtained from the City of Livonia Finance Department at 33000 Civic Center Drive, Livonia, MI 48154.

The Brownfield Redevelopment Authority was created, pursuant to Public Act (PA) 381 of 1996, to promote revitalization of environmentally distressed areas within the 36-square-mile boundary of the City. The Brownfield Redevelopment Authority is funded primarily by property tax revenue captures. The Brownfield Redevelopment Authority is governed by a nine-member board that is designated by the mayor and appointed by the City Council.

The City has excluded the Housing Commission from this report. Even though the City appoints the Housing Commission's directors, it does not have the ability to impose its will.

November 30, 2020

Note 1 - Significant Accounting Policies (Continued)

Accounting and Reporting Principles

The City follows accounting principles generally accepted in the United States of America (GAAP), as applicable to governmental units. Accounting and financial reporting pronouncements are promulgated by the Governmental Accounting Standards Board (GASB).

Report Presentation

Governmental accounting principles require that financial reports include two different perspectives - the government-wide perspective and the fund-based perspective. The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the nonfiduciary activities of the primary government and its component units. The government-wide financial statements are presented on the economic resources measurement focus and the full accrual basis of accounting. Property taxes are recognized as revenue in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met. The statements also present a schedule reconciling these amounts to the modified accrual-based presentation found in the fund-based statements.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenue. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenue includes: (1) charges to customers or applicants for goods, services, or privileges provided; (2) operating grants and contributions; and (3) capital grants and contributions, including special assessments. Taxes, unrestricted intergovernmental receipts, and other items not properly included among program revenue are reported instead as general revenue.

As a general rule, the effect of interfund activity has been removed from the government-wide financial statements. Exceptions to this general rule occur when there are charges between the City's water and sewer function and various other functions. Eliminations of these charges would distort the direct costs and program revenue reported for the various functions concerned.

Separate financial statements are provided for governmental funds, proprietary funds, and fiduciary funds, even though the latter are excluded from the government-wide financial statements. Major individual governmental funds and major individual enterprise funds, if any, are reported as separate columns in the fund financial statements.

Fund Accounting

The City accounts for its various activities in several different funds in order to demonstrate accountability for how it spends certain resources; separate funds allow the City to show the particular expenditures for which specific revenue is used. The various funds are aggregated into three broad fund types:

Governmental Funds

Governmental funds include all activities that provide general governmental services that are not business-type activities. Governmental funds can include the General Fund, special revenue funds, debt service funds, capital project funds, and permanent funds. The City reports the following funds as major governmental funds:

- The General Fund is the primary operating fund because it accounts for all financial resources used to provide government services other than those specifically assigned to another fund.
- The Refuse Disposal System Fund accounts for the operations of the refuse disposal activities of the City. Funding is primarily through a local dedicated property tax levy.
- The Roads and Sidewalks Fund accounts for the funding of road and sidewalk repairs and improvements. Funding is primarily through a local dedicated property tax levy.

November 30, 2020

Note 1 - Significant Accounting Policies (Continued)

Proprietary Funds

Proprietary funds include enterprise funds (which provide goods or services to users in exchange for charges or fees) and internal service funds (which provide goods or services to other funds of the City). The City reports the following fund as a major enterprise fund:

- The Water and Sewer Fund accounts for the activities of the water and sewer distribution system and sewage collection system. Funding is provided primarily through user charges.

The City's Internal Service Fund is used to fund general, workers' compensation, and employee health care liability claims to purchase insurance that provides excess general liability coverage for city employees and property. The fund is financed primarily by charges to the various departments of the City.

Fiduciary Funds

Fiduciary funds include amounts held in a fiduciary capacity for others. These amounts are not used to operate the City's programs. Activities that are reported as fiduciary include the following:

- The Pension and Other Employee Benefits Trust Fund accounts for the activities of employee benefit plans that accumulate resources for pension and other postemployment benefit (OPEB) payments to qualified employees.
- Custodial funds account for assets held by the City in a trustee capacity.

Interfund Activity

During the course of operations, the City has activity between funds for various purposes. Any residual balances outstanding at year end are reported as due from/to other funds and advances to/from other funds. While these balances are reported in fund financial statements, certain eliminations are made in the preparation of the government-wide financial statements. Balances between the funds included in governmental activities (i.e., the governmental and internal service funds) are eliminated so that only the net amount is included as internal balances in the governmental activities column. Similarly, balances between the funds included in business-type activities (i.e., the enterprise funds) are eliminated so that only the net amount is included as internal balances in the business-type activities column.

Furthermore, certain activity occurs during the year involving transfers of resources between funds. In fund financial statements, these amounts are reported at gross amounts as transfers in/out. While reported in fund financial statements, certain eliminations are made in the preparation of the government-wide financial statements. Transfers between the funds included in governmental activities are eliminated so that only the net amount is included as transfers in the governmental activities column. Similarly, balances between the funds included in business-type activities are eliminated so that only the net amount is included as transfers in the business-type activities column.

Basis of Accounting

The governmental funds use the current financial resources measurement focus and the modified accrual basis of accounting. This basis of accounting is intended to better demonstrate accountability for how the City has spent its resources.

Expenditures are reported when the goods are received or the services are rendered. Capital outlays are reported as expenditures (rather than as capital assets) because they reduce the ability to spend resources in the future; conversely, employee benefit costs that will be funded in the future (such as pension and retiree health care-related costs or sick and vacation pay) are not counted until they come due for payment. In addition, debt service expenditures, claims, and judgments are recorded only when payment is due.

November 30, 2020

Note 1 - Significant Accounting Policies (Continued)

Revenue is not recognized until it is collected or collected soon enough after the end of the year that it is available to pay for obligations outstanding at the end of the year. For this purpose, the City considers amounts collected within 60 days of year end to be available for recognition. The following major revenue sources meet the availability criterion: state-shared revenue, state gas and weight tax revenue, district court fines, and interest associated with the current fiscal period. Conversely, delinquent personal property taxes, certain state-shared revenue payments, 911 surcharges, special assessments, and other miscellaneous revenue will be collected after the period of availability; receivables have been recorded for these, along with a deferred inflow.

Proprietary funds and fiduciary funds use the economic resources measurement focus and the full accrual basis of accounting. Revenue is recorded when earned, and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

Specific Balances and Transactions

Cash and Investments

Cash and cash equivalents include cash on hand, demand deposits, and short-term investments with a maturity of three months or less when acquired. Investments are stated at fair value. Pooled investment income is generally allocated to each fund using a weighted-average balance for the principal held for each fund on a daily basis.

Receivables and Payables

In general, outstanding balances between funds are reported as due to/from other funds. Any residual balances outstanding between the governmental activities and the business-type activities are reported in the government-wide statements as internal balances. All trade and property tax receivables are shown as net of allowance for uncollectible amounts.

Inventories and Prepaid Items

Inventories are valued at cost, on a first-in, first-out basis. Inventories of governmental funds are recorded as expenditures when consumed rather than when purchased. Certain payments to vendors reflect costs applicable to future fiscal years and are recorded as prepaid items in both government-wide and fund financial statements.

Restricted Assets

The revenue bonds of the enterprise funds require amounts to be set aside for bond reserve. These amounts have been classified as restricted assets.

Capital Assets

Capital assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items), are reported in the applicable governmental or business-type activities column in the government-wide financial statements. Capital assets are defined by the City as assets with an initial individual cost of more than \$5,000 and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated acquisition value at the date of donation.

November 30, 2020

Note 1 - Significant Accounting Policies (Continued)

Infrastructure, buildings, equipment, and vehicles are depreciated using the straight-line method over the following useful lives:

	Depreciable Life - Years
Infrastructure	33 to 40
Road rights	33
Buildings and improvements	25 to 50
Machinery, equipment, and vehicles	2 to 20
Water and sewer distribution systems	50

Long-term Obligations

In the government-wide financial statements and the proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund-type statement of net position. Bond premiums and discounts are deferred and amortized over the life of the bonds using the effective interest method. Bonds payable are reported net of the applicable bond premium or discount. Bond issuance costs are expensed at the time they are incurred. In the fund financial statements, governmental fund types recognize bond issuances and premiums as other financing sources and bond discounts as other financing uses. The General Fund and debt service funds are generally used to liquidate governmental long-term debt.

Deferred Outflows/Inflows of Resources

In addition to assets, the statement of net position and/or balance sheet will sometimes report a separate section for deferred outflows of resources. This separate financial statement element represents a consumption of net position that applies to future periods and will not be recognized as an outflow of resources (expense/expenditure) until then. The City reports deferred outflows related to bond refunding charges and the OPEB plan, as detailed in Note 13.

In addition to liabilities, the statement of net position and/or balance sheet will sometimes report a separate section for deferred inflows of resources. This separate financial statement element represents an acquisition of net position that applies to future periods and will not be recognized as an inflow of resources (revenue) until that time. The City reports deferred inflows related to two items. Unavailable revenue is reported only in the governmental funds balance sheet. The governmental funds report unavailable revenue from various sources shown in Note 16. These amounts are deferred and recognized as an inflow of resources in the period that the amounts become available. The City also reports deferred inflows of resources related to the pension and OPEB plans, as detailed in Notes 11 and 13, respectively.

Net Position Flow Assumption

The City will sometimes fund outlays for a particular purpose from both restricted (e.g., restricted bond or grant proceeds) and unrestricted resources. In order to calculate the amounts to report as restricted net position and unrestricted net position in the government-wide and proprietary fund financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the City's policy to consider restricted net position to have been depleted before unrestricted net position is applied, except as noted below.

November 30, 2020

Note 1 - Significant Accounting Policies (Continued)

Fund Balance Flow Assumptions

The City will sometimes fund outlays for a particular purpose from both restricted and unrestricted resources (the total of committed, assigned, and unassigned fund balance). In order to calculate the amounts to report as restricted, committed, assigned, and unassigned fund balance in the governmental fund financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the City's policy to consider restricted fund balance to have been depleted before using any of the components of unrestricted fund balance. The exceptions to this are the Community Recreation Fund and Capital Improvement Fund, which apply unrestricted fund balance first. Furthermore, when the components of unrestricted fund balance can be used for the same purpose, committed fund balance is depleted first, followed by assigned fund balance. Unassigned fund balance is applied last. This is true for all funds except the Community Recreation Fund and Capital Improvement Fund. As noted above, the policy for these funds is to use unrestricted funds first; therefore, the order of spending is unassigned, restricted, committed, and assigned.

Fund Balance Policies

Fund balance of governmental funds is reported in various categories based on the nature of any limitations requiring the use of resources for specific purposes. The City itself can establish limitations on the use of resources through either a commitment (committed fund balance) or an assignment (assigned fund balance).

The committed fund balance classification includes amounts that can be used only for the specific purposes determined by a formal action of the City's highest level of decision-making authority. The City Council is the highest level of decision-making authority for the City that can, by adoption of an ordinance prior to the end of the fiscal year, commit fund balance. Once adopted, the limitation imposed by the ordinance remains in place until a similar action is taken (the adoption of another ordinance) to remove or revise the limitation.

Amounts in the assigned fund balance classification are intended to be used by the City for specific purposes but do not meet the criteria to be classified as committed. The City Council has, by resolution, authorized the finance director to assign fund balance. The City Council may also assign fund balance as it does when appropriating fund balance to cover a gap between estimated revenue and appropriations in the subsequent year's appropriated budget. Unlike commitments, assignments generally only exist temporarily. In other words, an additional action does not normally have to be taken for the removal of an assignment. Conversely, as discussed above, an additional action is essential to either remove or revise a commitment.

Property Tax Revenue

Property taxes are levied on each July 1 and December 1 and become an enforceable lien at that time; the tax is based on the taxable valuation of property as of the preceding December 31. These taxes are due on September 14 and February 14, respectively. Taxes are considered delinquent on March 1 of the following year, at which time penalties and interest are assessed.

The City's 2019 property tax revenue was levied and collectible on December 1, 2019 and is recognized as revenue in the year ended November 30, 2020 when the proceeds of the levy are budgeted and available for the financing of operations.

November 30, 2020

Note 1 - Significant Accounting Policies (Continued)

The 2019 taxable valuation of the City totaled \$4.23 billion. Properties in the Plymouth Road Development Authority (PRDA) are assessed a millage of 2.0000 on July 1. The 2020 taxable valuation of PRDA totaled \$379 million. The millages levied by the City and the resulting revenue are as follows:

Purpose	Millage Rate	Approximate Revenue (in 000s)
Operating purposes	4.0203 \$	17,225
Police and fire	0.8038	3,444
Police and fire and snow	1.2060	5,167
Library	0.8038	3,434
Refuse and recycling	2.4061	10,285
Industrial development	0.0116	50
Roads, sidewalks, and trees	0.8838	3,777
Recreation	0.7806	3,336
Public safety	1.6897	7,239
Culture and senior services	0.2484	1,064
Transit and capital improvement	0.4969	2,123
Plymouth Road Development Authority	2.0000	741
Total		<u>\$ 57,885</u>

These amounts are recognized in the respective General, special revenue, debt service, and Plymouth Road Development Authority funds financial statements as tax revenue.

The delinquent real property taxes of the City are purchased by Wayne County, Michigan (the "County"). The County sells tax notes, the proceeds of which are used to pay the City for these property taxes. Wayne County, Michigan remitted its purchased delinquent real property taxes in June 2020. Wayne County, Michigan's delinquent real property taxes have been recorded as revenue in the current year.

Pension

The City offers a defined benefit pension plan to certain employees. The City records a net pension liability for the difference between the total pension liability calculated by the actuary and the pension plan's fiduciary net position. For the purpose of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the City of Livonia Employees Retirement System and additions to/deductions from the pension plan's fiduciary net position have been determined on the same basis as they are reported by the pension plan. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Other Postemployment Benefit Costs

The City offers retiree health care benefits to certain retirees. The City records a net OPEB liability for the difference between the total OPEB liability calculated by the actuary and the OPEB plan's fiduciary net position. For the purpose of measuring the net OPEB liability, deferred outflows of resources and deferred inflows of resources related to OPEB, and OPEB expense, information about the fiduciary net position of the City of Livonia Retiree Health and Disability Benefits Plan and additions to/deductions from the OPEB plan's fiduciary net position have been determined on the same basis as they are reported by the OPEB plan. For this purpose, benefit payments are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

November 30, 2020**Note 1 - Significant Accounting Policies (Continued)****Compensated Absences (Vacation and Sick Leave)**

It is the City's policy to permit employees to accumulate earned but unused sick and vacation pay benefits, as well as comp time. Under the City's policy, employees earn benefits based on time of service with the City. All vacation and sick pay, as well as comp time, is accrued when incurred in the government-wide and proprietary fund financial statements. A liability for these amounts is reported in governmental funds only for employee terminations as of year end. All other accrued compensated absences are reported in the government-wide financial statements; generally, the funds that report each employee's compensation (the General Fund and Water and Sewer Fund, primarily) are used to liquidate obligation.

Proprietary Funds Operating Classification

Proprietary funds distinguish operating revenue and expenses from nonoperating items. Operating revenue and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenue of the Water and Sewer Fund, Housing Fund, Golf Course Fund, and Internal Service Fund is charges to customers for sales or services. The Water and Sewer Fund also recognizes as operating revenue the portion of tap fees intended to recover the cost of connecting new customers to the system. Operating expenses for these funds include the cost of sales or services, administrative expenses, and depreciation on capital assets. All revenue and expenses not meeting this definition are reported as nonoperating revenue and expenses.

Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the period. Actual results could differ from those estimates.

Upcoming Accounting Pronouncements

In June 2017, the GASB issued Statement No. 87, *Leases*, which improves accounting and financial reporting for leases by governments. This statement requires recognition of certain lease assets and liabilities for leases that were previously classified as operating leases and recognized as inflows of resources or outflows of resources based on the payment provisions of the contract. It establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. Under this statement, a lessee is required to recognize a lease liability and an intangible right-of-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources. The City is currently evaluating the impact this standard will have on the financial statements when adopted. The provisions of this statement were originally effective for the City's financial statements for the year ending November 30, 2021 but were extended to November 30, 2022 with the issuance of GASB Statement No. 95, *Postponement of the Effective Dates of Certain Authoritative Guidance*.

November 30, 2020

Note 1 - Significant Accounting Policies (Continued)

In June 2018, the GASB issued Statement No. 89, *Accounting for Interest Cost Incurred before the End of a Construction Period*, which simplifies accounting for interest cost incurred before the end of construction and requires those costs to be expensed in the period incurred. As a result, interest cost incurred before the end of a construction period will not be capitalized and included in the historical cost of a capital asset reported in a business-type activity or enterprise fund. This statement also reiterates that, in financial statements prepared using the current financial resources measurement focus, interest cost incurred before the end of a construction period should be recognized as an expenditure on a basis consistent with governmental fund accounting principles. The requirements of the standard will be applied prospectively and result in increased interest expense during periods of construction. The provisions of this statement were originally effective for the City's financial statements for the November 30, 2021 fiscal year but were extended to November 30, 2022 with the issuance of GASB Statement No. 95, *Postponement of the Effective Dates of Certain Authoritative Guidance*.

In May 2019, the GASB issued Statement No. 91, *Conduit Debt Obligations*, which clarifies the existing definition of conduit debt, provides a single method of reporting conduit debt obligations by issuers, and eliminates diversity in practice associated with commitments extended by issuers, arrangements associated with conduit debt obligations, and related note disclosures. As a result, issuers should not recognize a liability for items meeting the definition of conduit debt; however, a liability should be recorded for additional or voluntary commitments to support debt service if certain recognition criteria are met. The standard also addresses the treatment of arrangements where capital assets are constructed or acquired with the proceeds of a conduit debt obligation and used by a third-party obligor. The provisions of this statement were originally effective for the City's financial statements for the year ending November 30, 2022 but were extended to November 30, 2023 with the issuance of GASB Statement No. 95, *Postponement of the Effective Date of Certain Authoritative Guidance*.

In January 2020, the GASB issued Statement No. 92, *Omnibus 2020*. This statement addresses eight unrelated practice issues and technical inconsistencies in authoritative literature. The standard addresses leases, intraentity transfers of assets, postemployment benefits, government acquisitions, risk financing and insurance-related activities of public entity risk pools, fair value measurements, and derivative instruments. The standard has various effective dates. The City does not believe this pronouncement will have a significant impact on its financial statements but is still making a full evaluation.

In March 2020, the GASB issued Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements*, to bring a uniform guidance on how to report public-private and public-public partnership arrangements. As a result, transferors in public-private or public-public arrangements will recognize receivables for installment payments; deferred inflows of resources; and, when applicable, capital assets. Operators will recognize liabilities for installment payments and intangible right-to-use assets and, when applicable, deferred outflows of resources and liabilities for assets being transferred. This statement also provides guidance for accounting and financial reporting for availability payment arrangements in which a government compensates an operator for services, such as designing, constructing, financing, maintaining, or operating an underlying asset for a period of time in an exchange or exchange-like transaction. The provisions of this statement are effective for the City's financial statements for the year ending November 30, 2023.

In May 2020, the Governmental Accounting Standards Board issued Statement No. 96, *Subscription-Based Information Technology Arrangements (SBITAs)*, which defines SBITAs and provides accounting and financial reporting for SBITAs by governments. This statement requires a government to recognize a subscription liability and an intangible right-to-use subscription asset for SBITAs. The City is currently evaluating the impact this standard will have on the financial statements when adopted. The provisions of this statement are effective for the City's financial statements for the year ending November 30, 2023.

November 30, 2020

Note 1 - Significant Accounting Policies (Continued)***Adoption of New Accounting Pronouncement***

During the current year, the City adopted GASB Statement No. 84, *Fiduciary Activities*, which establishes criteria for identifying and reporting fiduciary activities. As a result of implementing this standard, the following activities were previously reported as agency funds in the statement of fiduciary net position but no longer meet the definition of such. Therefore, these activities are now reported within governmental funds: investment administration fund, special trust fund, historical commission fund, and arts commission fund. The remaining agency funds are now reported as custodial funds.

The effect of this new standard on fund balance/net position was as follows:

	Primary Government				
	General Fund	Nonmajor Governmental Funds	Governmental Activities	Custodial Funds	Fiduciary
Net position/fund balance - November 30, 2019 - As previously reported	\$ 14,884,442	\$ 32,879,780	\$ 98,050,335	\$ -	\$ 334,483,215
Adjustment for GASB Statement No. 84 - To change fund type	168,881	1,372,730	1,541,611	816,182	816,182
Net position/fund balance - November 30, 2019 - As restated	<u>\$ 15,053,323</u>	<u>\$ 34,252,510</u>	<u>\$ 99,591,946</u>	<u>\$ 816,182</u>	<u>\$ 335,299,397</u>

Note 2 - Stewardship, Compliance, and Accountability***Construction Code Fees***

The City oversees building construction in accordance with the State's Construction Code Act, including inspection of building construction and renovation, to ensure compliance with the building codes. The City charges fees for these services. The law requires that collection of these fees be used only for construction code costs, including an allocation of estimated overhead costs. A summary of the current year activity and the cumulative surplus or shortfall generated since January 1, 2000 is as follows:

Adjusted cumulative shortfall at December 1, 2019	\$ (2,162,617)
Current year building permit revenue	2,823,126
Related expenses:	
Direct costs	\$ 2,271,959
Estimated indirect costs	603,701
	<u>2,875,660</u>
Current year net revenue	<u>(52,534)</u>
Cumulative shortfall at November 30, 2020	<u>\$ (2,215,151)</u>

Note 3 - Deposits and Investments

Michigan Compiled Laws Section 129.91 (Public Act 20 of 1943, as amended) authorizes local governmental units to make deposits and invest in the accounts of federally insured banks, credit unions, and savings and loan associations that have offices in Michigan. The law also allows investments outside the state of Michigan when fully insured. The local unit is allowed to invest in bonds, securities, and other direct obligations of the United States or any agency or instrumentality of the United States; repurchase agreements; bankers' acceptances of United States banks; commercial paper rated within the two highest classifications that matures no more than 270 days after the date of purchase; obligations of the State of Michigan or its political subdivisions that are rated as investment grade; and mutual funds composed of investment vehicles that are legal for direct investment by local units of government in Michigan.

November 30, 2020

Note 3 - Deposits and Investments (Continued)

The pension trust fund and retiree health care fund are also authorized by Michigan Public Act 314 of 1965, as amended, to invest in certain reverse repurchase agreements, stocks, diversified investment companies, annuity investment contracts, real estate leased to public entities, mortgages, real estate (if the trust fund's assets exceed \$250 million), debt or equity of certain small businesses, certain state and local government obligations, and certain other specified investment vehicles.

The City has designated eight banks for the deposit of its funds. The investment policy adopted by the City Council in accordance with Public Act 196 of 1997 has authorized investment in bonds and securities of the United States government and bank accounts and CDs. The City's deposits and investments are in accordance with statutory authority.

Custodial Credit Risk of Bank Deposits

Custodial credit risk is the risk that, in the event of a bank failure, the City's deposits may not be returned to it. The City does not have a deposit policy for custodial credit risk. At year end, the City had \$45,580,861 of bank deposits (certificates of deposit and checking and savings accounts) that were uninsured and uncollateralized. In addition, the District Court, a component unit, had \$525,298 of bank deposits (checking and savings accounts) that were uninsured and uncollateralized. The City believes that, due to the dollar amounts of cash deposits and the limits of FDIC insurance, it is impractical to insure all deposits. As a result, the City evaluates each financial institution with which it deposits funds and assesses the level of risk of each institution; only those institutions with an acceptable estimated risk level are used as depositories.

Interest Rate Risk

Interest rate risk is the risk that the value of investments will decrease as a result of a rise in interest rates. The City's investment policy does not restrict investment maturities other than commercial paper, which can only be purchased with a 270-day maturity.

At year end, the City had the following investments and maturities:

Primary Government	Fair Value	0-5 Years	6-10 Years	More Than 10 Years
U.S. agency securities	\$ 21,509,226	\$ 21,509,226	\$ -	\$ -
U.S. Treasury securities	8,978,909	8,978,909	-	-
Total	<u>\$ 30,488,135</u>	<u>\$ 30,488,135</u>	<u>\$ -</u>	<u>\$ -</u>
City of Livonia Employees Retirement System	Fair Value	0-5 Years	6-10 Years	More Than 10 Years
Corporate bonds	\$ 8,243,863	\$ 3,590,801	\$ 2,569,123	\$ 2,083,939
Foreign bonds	173,708	63,351	61,314	49,043
U.S. agency securities	2,807,820	16,176	125,623	2,666,021
U.S. Treasury securities	860,782	-	90,295	770,487
Collateralized mortgage obligations	4,428,044	50,543	76,065	4,301,436
Total	<u>\$ 16,514,217</u>	<u>\$ 3,720,871</u>	<u>\$ 2,922,420</u>	<u>\$ 9,870,926</u>

November 30, 2020

Note 3 - Deposits and Investments (Continued)

City of Livonia Retiree Health and Disability Benefits Plan	Fair Value	0-5 Years	6-10 Years	More Than 10 Years
Corporate bonds	\$ 10,168,519	\$ 5,436,427	\$ 2,284,272	\$ 2,447,820
Foreign bonds	1,002,652	784,800	169,077	48,775
U.S. agency securities	4,306,643	211	1,094	4,305,338
U.S. Treasury securities	3,866,104	1,206,127	15,049	2,644,928
Collateralized mortgage obligations	3,554,308	219,976	286,481	3,047,851
Total	<u>\$ 22,898,226</u>	<u>\$ 7,647,541</u>	<u>\$ 2,755,973</u>	<u>\$ 12,494,712</u>

Credit Risk

State law limits investments in commercial paper to the top two ratings issued by nationally recognized statistical rating organizations. The City has no investment policy that would further limit its investment choices. As of November 30, 2020, the credit quality ratings of debt securities (other than the U.S. government) are as follows:

Investment	Fair Value	Rating	Rating Organization
Primary Government			
Bank investment pools	\$ 29,635,807	A2/P1	Moody's
Bank investment pools	1,531,874	A3/P1	Moody's
U.S. agency securities	21,509,226	AA+	S&P
U.S. Treasury securities	8,978,909	AA+	S&P
Total	<u>\$ 61,655,816</u>		

November 30, 2020

Note 3 - Deposits and Investments (Continued)

Investment	Fair Value	Rating	Rating Organization
Fiduciary Funds			
Corporate bond	\$ 2,013,607	Aaa	Moody's
Corporate bond	80,909	Aa1	Moody's
Corporate bond	466,085	Aa2	Moody's
Corporate bond	150,646	Aa3	Moody's
Corporate bond	1,037,207	A1	Moody's
Corporate bond	1,559,023	A2	Moody's
Corporate bond	2,086,756	A3	Moody's
Corporate bond	9,134,119	Baa1 and below	Moody's
Corporate bond	1,884,030	NR	N/A
Foreign bonds	130,447	Aa1	Moody's
Foreign bonds	105,201	Aa2	Moody's
Foreign bonds	5,348	Aa3	Moody's
Foreign bonds	138,168	A1	Moody's
Foreign bonds	435,114	A2	Moody's
Foreign bonds	189,617	Baa1 and below	Moody's
Foreign bonds	172,465	NR	N/A
U.S. agency securities	7,114,463	NR	N/A
U.S. Treasury securities	4,655,157	Aaa	Moody's
U.S. Treasury securities	71,729	NR	N/A
Collateralized mortgage obligations	3,730,217	Aaa	Moody's
Collateralized mortgage obligations	4,252,135	NR	N/A
Total	<u>\$ 39,412,443</u>		

There are no limitations or restrictions on participant withdrawals for the bank investment pools that are recorded at amortized cost.

Note 4 - Fair Value Measurements

The City categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the assets. Level 1 inputs are quoted prices in active markets for identical assets, Level 2 inputs are significant other observable inputs, and Level 3 inputs are significant unobservable inputs. Investments that are measured at fair value using net asset value (NAV) per share (or its equivalent) as a practical expedient are not classified in the fair value hierarchy below.

In instances where inputs used to measure fair value fall into different levels in the fair value hierarchy, fair value measurements in their entirety are categorized based on the lowest level input that is significant to the valuation. The City's assessment of the significance of particular inputs to these fair value measurements requires judgment and considers factors specific to each asset.

November 30, 2020

Note 4 - Fair Value Measurements (Continued)

The City has the following recurring fair value measurements as of November 30, 2020:

Assets Measured at Fair Value on a Recurring Basis at November 30, 2020				
	Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)	Balance at November 30, 2020
Investments by Fair Value Level				
Debt securities:				
U.S. Treasury securities	\$ 13,705,795	\$ -	\$ -	\$ 13,705,795
Collateralized mortgage obligations	-	7,982,352	-	7,982,352
Corporate bonds	-	18,412,382	-	18,412,382
Foreign bonds and notes	-	1,176,360	-	1,176,360
Government agencies	-	28,623,688	-	28,623,688
Total debt securities	13,705,795	56,194,782	-	69,900,577
Equity securities:				
Common stock	170,101,767	-	-	170,101,767
Foreign stock	5,362,583	-	-	5,362,583
Mutual funds	55,501,363	-	-	55,501,363
ADR	10,248,803	-	-	10,248,803
REIT	2,656,126	-	-	2,656,126
Short-term investments	-	5,776,588	-	5,776,588
Total equity securities	243,870,642	5,776,588	-	249,647,230
Total investments by fair value level	<u>\$ 257,576,437</u>	<u>\$ 61,971,370</u>	<u>\$ -</u>	<u>319,547,807</u>
Investments measured at NAV:				
Real estate funds				18,904,126
CIF - Fixed income				<u>37,088,995</u>
Total investments measured at NAV				<u>55,993,121</u>
Total investments				<u>\$ 375,540,928</u>

Debt and equity securities classified in Level 1 are valued using prices quoted in active markets for those securities.

The fair value of collateralized mortgage obligations, corporate bonds, foreign bonds and notes, government agency securities, and short-term investments at November 30, 2020 was determined primarily based on Level 2 inputs. The City estimates the fair value of these investments using other inputs, such as interest rates and yield curves, that are observable at commonly quoted intervals.

The valuation method for investments measured at net asset value per share (or its equivalent) is presented in the following table.

Investments in Entities that Calculate Net Asset Value per Share

The City holds shares or interests in investment companies where the fair value of the investments is measured on a recurring basis using net asset value per share (or its equivalent) of the investment companies as a practical expedient.

November 30, 2020

Note 4 - Fair Value Measurements (Continued)

As of November 30, 2020, the fair value, unfunded commitments, and redemption rules of those investments are as follows:

	Fair Value	Unfunded Commitments	Redemption Frequency, if Eligible	Redemption Notice Period
Real estate funds	\$ 18,904,126	\$ -	Unlimited	12 months
CIF - Fixed income	37,088,995	-	Unlimited	15 business days
Total investments measured at NAV	<u>\$ 55,993,121</u>	<u>\$ -</u>		

The real estate funds class include the Seminole Equity REIT, the Alidade Capital Fund, and the Valstone Opportunity Fund that invest primarily in U.S. commercial real estate. The fair values of the investments in this class have been estimated using net asset value of the City's ownership interest in partners' capital. As it relates to the Seminole Equity REIT, a plan was approved by the participants to liquidate substantially all of the REIT's assets in January 2021. Net income earned and amounts received from payoffs of investments will be distributed to the participants as cash is available until all funds are distributed.

The CIF - fixed income class includes the Loomis Sayles Senior Loan Fund, which invests primarily in bank loans. The fair values of the investments in this class have been estimated using net asset value of the City's ownership interest in the market value of the total fund.

November 30, 2020

Note 5 - Capital Assets

Capital asset activity of the City's governmental and business-type activities was as follows:

Governmental Activities

	Balance December 1, 2019	Reclassifications	Additions	Disposals and Adjustments	Balance November 30, 2020
Capital assets not being depreciated:					
Land	\$ 34,862,968	\$ -	\$ -	\$ -	\$ 34,862,968
Construction in progress	161,455	(168,592)	440,875	-	433,738
Subtotal	35,024,423	(168,592)	440,875	-	35,296,706
Capital assets being depreciated:					
Infrastructure	157,791,975	-	11,368,830	-	169,160,805
Road rights	21,377,293	-	108,368	-	21,485,661
Buildings and improvements	116,502,637	98,610	895,279	(175,118)	117,321,408
Equipment and vehicles	42,649,464	69,982	2,718,222	(1,596,101)	43,841,567
Subtotal	338,321,369	168,592	15,090,699	(1,771,219)	351,809,441
Accumulated depreciation:					
Infrastructure	67,185,470	-	4,192,698	-	71,378,168
Road rights	11,978,092	-	615,363	(35)	12,593,420
Buildings and improvements	55,524,550	-	2,404,338	(175,118)	57,753,770
Equipment and vehicles	26,067,949	-	2,958,588	(1,238,769)	27,787,768
Subtotal	160,756,061	-	10,170,987	(1,413,922)	169,513,126
Net capital assets being depreciated	177,565,308	168,592	4,919,712	(357,297)	182,296,315
Net governmental activities capital assets	<u>\$ 212,589,731</u>	<u>\$ -</u>	<u>\$ 5,360,587</u>	<u>\$ (357,297)</u>	<u>\$ 217,593,021</u>

November 30, 2020

Note 5 - Capital Assets (Continued)***Business-type Activities***

	Balance December 1, 2019	Reclassifications	Additions	Disposals and Adjustments	Balance November 30, 2020
Capital assets not being depreciated:					
Land	\$ 5,164,436	\$ -	\$ -	\$ -	\$ 5,164,436
Construction in progress	1,364,447	(2,204,354)	9,090,244	-	8,250,337
Subtotal	6,528,883	(2,204,354)	9,090,244	-	13,414,773
Capital assets being depreciated:					
Water and sewer distribution	157,747,427	2,204,354	609,400	-	160,561,181
Buildings and building improvements	10,412,874	-	-	-	10,412,874
Machinery and equipment	2,290,019	-	232,091	-	2,522,110
Vehicles	3,028,163	-	388,695	-	3,416,858
Land improvements	3,039,595	-	-	-	3,039,595
Subtotal	176,518,078	2,204,354	1,230,186	-	179,952,618
Accumulated depreciation:					
Water and sewer distribution	82,012,324	-	3,157,294	-	85,169,618
Buildings and building improvements	5,983,977	-	201,397	-	6,185,374
Machinery and equipment	1,963,724	-	112,683	-	2,076,407
Vehicles	1,615,480	-	404,220	-	2,019,700
Land improvements	2,880,997	-	12,302	-	2,893,299
Subtotal	94,456,502	-	3,887,896	-	98,344,398
Net capital assets being depreciated	82,061,576	2,204,354	(2,657,710)	-	81,608,220
Net business-type activities capital assets	\$ 88,590,459	\$ -	\$ 6,432,534	\$ -	\$ 95,022,993

Capital asset activity for the City's component unit for the year ended November 30, 2020 was as follows:

Component Unit - Plymouth Road Development Authority

	Balance December 1, 2019	Reclassifications	Additions	Disposals and Adjustments	Balance November 30, 2020
Capital assets not being depreciated - Land	\$ 474,448	\$ -	\$ -	\$ -	\$ 474,448
Capital assets being depreciated - Land improvements	12,195,788	-	-	-	12,195,788
Accumulated depreciation - Land improvements	11,370,391	-	256,645	-	11,627,036
Net capital assets being depreciated	825,397	-	(256,645)	-	568,752
Net capital assets	\$ 1,299,845	\$ -	\$ (256,645)	\$ -	\$ 1,043,200

November 30, 2020

Note 5 - Capital Assets (Continued)

Depreciation expense was charged to programs of the primary government as follows:

Governmental activities:	
General government	\$ 511,122
Public safety	1,546,192
Public works	5,902,862
Recreation and culture	2,210,811
Total governmental activities	<u>\$ 10,170,987</u>
Business-type activities:	
Water and Sewer	\$ 3,682,943
Golf Course	33,665
Newburgh and Silver Village	171,288
Total business-type activities	<u>\$ 3,887,896</u>

Construction Commitments

The City has active construction projects at year end. At year end, the City's commitments with contractors are as follows:

	Spent to Date	Remaining Commitment
Street and sidewalk projects	\$ 11,581,079	\$ 2,806,997
Water, drain, and sewer projects	8,823,305	6,394,475
Library improvements	41,925	158,075
Recreation center improvements	284,763	76,177
DPW building improvements	3,599,402	5,453,557

Note 6 - Interfund Receivables, Payables, and Transfers

The composition of interfund balances is as follows:

Receivable Fund	Payable Fund	Amount
Employees Retirement System	General Fund	\$ 155,292
	Nonmajor governmental funds	6,902
	Water and Sewer Fund	10,353
	Total Employees Retirement System	172,547
VEBA	General Fund	65,844
	Nonmajor governmental funds	19,699
	Water and Sewer Fund	29,549
	Total VEBA	115,092
	Total	<u>\$ 287,639</u>

These balances result from the time lag between the dates that goods and services are provided or reimbursable expenditures occur, transactions are recorded in the accounting system, and payments between funds are made.

November 30, 2020

Note 6 - Interfund Receivables, Payables, and Transfers (Continued)

Interfund transfers reported in the fund financial statements are composed of the following:

Paying Fund (Transfer Out)	Receiving Fund (Transfer In)	Amount
General Fund	Nonmajor governmental funds	\$ 5,115,786
	Water and Sewer Fund	1,854,058
	Golf Course Fund	84,300
	Total General Fund	7,054,144
Nonmajor governmental funds	Nonmajor governmental funds	9,326,921
Nonmajor governmental funds	Roads and Sidewalks Fund	7,899,996
	Total	<u>\$ 24,281,061</u>

The transfer from the General Fund to the nonmajor governmental funds is unrestricted resources to finance capital projects and general obligation debt service in accordance with budgetary authorizations. The transfer from the General Fund to the Water and Sewer Fund is unrestricted resources to finance a capital project. The transfer from the General Fund to the Golf Course Fund is unrestricted parks and recreation resources to be used at the golf courses.

The majority of transfers between the nonmajor governmental funds are for gas and weight tax revenue from the Major Streets Fund to the Local Streets Fund in accordance with Act 51. Most of the remaining transfers relate to debt service and capital projects.

The transfer from the nonmajor governmental funds to the Roads and Sidewalks Fund is for gas and weight tax revenue that has been passed through the Local Streets Fund from the Major Street Fund in accordance with Act 51.

Note 7 - Long-term Debt

The City issues bonds to provide for the acquisition and construction of major capital facilities. General obligation bonds are direct obligations and pledge the full faith and credit of the City. County contractual agreements are also general obligations of the City. Special assessment bonds provide for capital improvements that benefit specific properties and will be repaid from amounts levied against those properties benefited from the construction. In the event that a deficiency exists because of unpaid or delinquent special assessments at the time a debt service payment is due, the City is obligated to provide resources to cover the deficiency until other resources (such as tax sale proceeds or a reassessment of the City) are received. Revenue bonds involve a pledge of specific income derived from the acquired or constructed assets to pay debt service.

November 30, 2020

Note 7 - Long-term Debt (Continued)

Long-term debt activity for the year ended November 30, 2020 can be summarized as follows:

Governmental Activities

	Interest Rate Ranges	Principal Maturity Ranges	Beginning Balance	Additions	Reductions	Ending Balance	Due within One Year
Bonds and contracts payable:							
Other debt - Building Authority							
Bonds:							
2015 MBA Refunding Bonds:							
Amount of issue - \$2,050,000		\$160,000 -					
Maturing through 2025	2.47%	\$300,000	\$ 1,010,000	\$ -	\$ (160,000)	\$ 850,000	\$ 165,000
2016 MBA Refunding Bonds:							
Amount of issue - \$6,180,000		\$305,000 -					
Maturing through 2033	4.00%	\$540,000	5,875,000	-	(320,000)	5,555,000	335,000
2017 MBA Refunding Bonds:							
Amount of issue -		\$1,250,000 -					
\$19,980,000							
Maturing through 2030	3.00% - 5.00%	\$1,945,000	17,440,000	-	(1,330,000)	16,110,000	1,370,000
Capital leases			300,737	65,030	(156,890)	208,877	145,090
Unamortized bond premiums			2,339,786	-	(200,311)	2,139,475	200,312
Total bonds and contracts payable			26,965,523	65,030	(2,167,201)	24,863,352	2,215,402
General liability claims, workers' compensation, and health insurance claims (Note 9)			1,522,989	-	(65,524)	1,457,465	-
Net pension liability (Note 11)			11,138,729	-	(1,507,567)	9,631,162	-
Net OPEB liability (Note 13)			90,388,142	-	(10,062,666)	80,325,476	-
Compensated absences			8,561,108	3,597,875	(2,853,217)	9,305,766	3,101,412
Landfill closure and postclosure			683,603	11,838	-	695,441	-
Total governmental activities long-term debt			\$ 139,260,094	\$ 3,674,743	\$ (16,656,175)	\$ 126,278,662	\$ 5,316,814

Compensated absences attributable to the governmental activities will be liquidated primarily by the General Fund. The claims liability will generally be liquidated through the City's self-insurance internal service funds. That fund will finance the payment of those claims by charging the other funds based on management's assessment of the relative insurance risk that should be assumed by individual funds. The net pension and OPEB liabilities will be liquidated from the funds from which the individual employee's salaries are paid, primarily the General Fund.

November 30, 2020

Note 7 - Long-term Debt (Continued)**Business-type Activities**

	Interest Rate Ranges	Principal Maturity Ranges	Beginning Balance	Additions	Reductions	Ending Balance	Due within One Year
Bonds and contracts payable:							
Direct borrowings and direct placements:							
Water Supply and Wastewater System Revenue Bonds:							
2013 State of Michigan Clean Water Program State Revolving Loan:							
Amount of issue - \$3,620,000		\$125,000 - \$220,000					
Maturing through 2034	2.00%		\$ 2,680,730	\$ -	\$ (155,000)	\$ 2,525,730	\$ 160,000
2014 State of Michigan Drinking Water Program Revolving Loan:							
Amount of issue - \$3,552,013		\$145,000 - \$235,000					
Maturing through 2036	2.50%		2,812,013	-	(155,000)	2,657,013	160,000
2015 State of Michigan Drinking Water Program Revolving Loan:							
Amount of issue - \$7,104,415		\$274,415 - \$570,000					
Maturing through 2040	2.50%		5,182,894	-	(250,000)	4,932,894	255,000
2020 State of Michigan Drinking Water Program Revolving Loan:							
Amount of issue - \$9,160,000		\$375,000 - \$550,000					
Maturing through 2040	2.00%		-	2,909,554	-	2,909,554	375,000
Capital lease			-	33,875	(7,585)	26,290	6,010
Total direct borrowings and direct placements principal outstanding			10,675,637	2,943,429	(567,585)	13,051,481	956,010
Other debt - Water Supply and Wastewater System Revenue Bonds -							
2015 Water Supply and Wastewater Refunding Bonds:							
Amount of issue - \$4,170,000		\$835,000 - \$840,000					
Maturing through 2020	1.90%		840,000	-	(840,000)	-	-
Total bonds and contracts payable			11,515,637	2,943,429	(1,407,585)	13,051,481	956,010
Net pension liability (Note 11)			667,081	-	(91,906)	575,175	-
Net OPEB liability (Note 13)			4,420,058	-	(521,847)	3,898,211	-
Compensated absences			485,121	280,561	(239,165)	526,517	241,070
Total business-type activities long-term debt			\$ 17,087,897	\$ 3,223,990	\$ (2,260,503)	\$ 18,051,384	\$ 1,197,080

Revenue Bonds

The City has pledged substantially all revenue of the Water and Sewer Fund, net of operating expenses, to repay the above water and sewer revenue bonds. Proceeds from the bonds provided financing for improvements to the water and sewer system. The bonds are payable solely from the net revenue of the water and sewer system. The remaining principal and interest to be paid on the bonds total approximately \$15.2 million. During the current year, net revenue of the system was approximately \$7.8 million compared to the annual debt requirements of approximately \$1.7 million.

November 30, 2020

Note 7 - Long-term Debt (Continued)***No Commitment Debt***

The City has issued Industrial Development Revenue Bonds and Economic Development Corporation Bonds under state law, which authorizes municipalities under certain circumstances to acquire and lease industrial sites, buildings, and equipment and lease them to third parties. The revenue bonds issued are payable solely from the net revenue derived from the respective leases and are not a general obligation of the City. After these bonds are issued, all financial activity is taken over by the paying agent. The bonds and related lease contracts are not reflected in the City's financial statements. Information regarding the status of each bond issue, including possible default, must be obtained from the paying agent or other knowledgeable source. The aggregate original issue amount was \$83,667,000.

Debt Service Requirements to Maturity

Annual debt service requirements to maturity for the above bonds and note obligations (excluding bond premiums and deferred charges) are as follows:

Years Ending November 30	Governmental Activities			Business-type Activities		
	Other Debt			Direct Borrowings and Direct Placements		
	Principal	Interest	Total	Principal	Interest	Total
2021	\$ 2,015,090	\$ 857,807	\$ 2,872,897	\$ 956,011	\$ 293,772	\$ 1,249,783
2022	1,952,170	798,432	2,750,602	976,371	271,681	1,248,052
2023	2,002,877	737,220	2,740,097	996,752	249,599	1,246,351
2024	2,063,740	673,934	2,737,674	1,027,157	226,982	1,254,139
2025	2,110,000	608,636	2,718,636	1,040,000	203,778	1,243,778
2026-2030	11,030,000	1,676,200	12,706,200	4,334,554	680,947	5,015,501
2031-2035	1,550,000	94,800	1,644,800	3,352,744	230,439	3,583,183
2036	-	-	-	367,894	4,599	372,493
Total	<u>\$ 22,723,877</u>	<u>\$ 5,447,029</u>	<u>\$ 28,170,906</u>	<u>\$ 13,051,483</u>	<u>\$ 2,161,797</u>	<u>\$ 15,213,280</u>

Bond Refunding

In previous years, the City defeased an advance refunding. As of November 30, 2020, there is still \$16,340,000 of bonds outstanding that is considered defeased.

Note 8 - Restricted Assets***Business-type Activities***

In accordance with the provisions of the Water Supply and Wastewater System Revenue Bonds, the City is required to set aside moneys in a bond reserve account. At November 30, 2020, the City set aside \$1,531,874 of cash and cash equivalents to comply with these requirements.

Note 9 - Risk Management

The City is exposed to various risks of loss related to property loss, torts, errors and omissions, and employee injuries (workers' compensation), as well as medical benefits provided to employees. The City has purchased commercial insurance for medical benefits and workers' compensation and participates in the Michigan Municipal Risk Management Authority (the "Authority").

The Michigan Municipal Risk Management Authority risk pool program operates as a claims servicing pool for amounts up to member retention limits and operates as a common risk-sharing management program for losses in excess of member retention amounts. Although premiums are paid annually to the Authority, which it uses to pay claims up to the retention limits, the ultimate liability for those claims remains with the City.

November 30, 2020

Note 9 - Risk Management (Continued)

The City estimates the liability for general liability, workers' compensation, and medical claims that have been incurred through the end of the fiscal year, including claims that have been reported and those that have not yet been reported. These estimates are recorded in the Self-insurance Internal Service Fund. The estimated liability for property loss, general liability, workers' compensation, and medical claims is recorded within the governmental activities column in the statement of net position. Changes in the estimated liability for the past two fiscal years were as follows:

	General Liability		Workers' Compensation		Medical Claims	
	2020	2019	2020	2019	2020	2019
Estimated liability - Beginning of year	\$ 833,658	\$ 671,754	\$ 202,396	\$ 132,198	\$ 486,935	\$ 374,565
Estimated claims incurred, including changes in estimates	2,690,495	1,332,145	288,689	528,899	11,516,429	10,546,328
Claim payments	(2,780,467)	(1,170,241)	(371,623)	(458,701)	(11,409,047)	(10,433,958)
Estimated liability - End of year	<u>\$ 743,686</u>	<u>\$ 833,658</u>	<u>\$ 119,462</u>	<u>\$ 202,396</u>	<u>\$ 594,317</u>	<u>\$ 486,935</u>

The City is subject to various legal proceedings and claims that arise in the ordinary course of its business. The City believes that the amount, if any, of ultimate liability with respect to legal actions will be insignificant or will be covered by insurance.

Note 10 - Defined Contribution Pension Plan

The City of Livonia Employees Retirement System Defined Contribution Plan is administered by the City of Livonia Employees Retirement System and the City of Livonia, Michigan. The plan was established under Section 401(a) of the Internal Revenue Code for the following employees:

- General employee members - All members hired on or after March 17, 1997
- Police lieutenant and sergeant members - All members hired on or after December 8, 1997
- Police officer members - All members hired on or after November 24, 1998
- Firefighter members - All members hired on or after July 1, 1998

In addition, the plan covers all employees electing to transfer from the City's defined benefit pension plan (see Note 11).

In a defined contribution plan, benefits depend solely on amounts contributed to the plan plus investment earnings. As established by the City through collective bargaining agreements, the City contributes a percentage of employees' earnings as follows:

	Employees Transferring from the Defined Benefit Pension Plan		New Employees Hired after the Effective Dates Noted Above	
	Employer Contribution	Employee Contribution	Employer Contribution	Employee Contribution
General*	13.00 %	4.50 %	11.00 %	4.50 %
Police lieutenants and sergeants	13.00	5.21	12.00	5.21
Police	13.00	5.00	12.00	5.00
Fire	13.00	4.50	12.00	4.50

*For general employees, the employee contribution can range from 4.00 to 4.50 percent for employees transferring from the defined benefit pension plan and 4.00 to 4.50 percent for new employees hired after March 17, 1997.

The employee contribution percentages noted above represent the minimum required contribution. Employees are permitted to contribute additional amounts up to the maximum allowed by law.

November 30, 2020

Note 10 - Defined Contribution Pension Plan (Continued)

The City's contributions for each employee are fully vested after four years of service.

In accordance with the above requirements, the City contributed \$3,768,562 during the current year, and employees contributed \$1,511,130.

Note 11 - Pension Plan

Plan Description

The City of Livonia Employees Retirement System administers the City of Livonia Employees Retirement System (the "System"), a single-employer defined benefit pension plan that provides retirement, disability, and death benefits to the following employees of the City unless they elected to transfer to the City's 401(a) defined contribution pension plan (see Note 10):

- General employee members - All members hired prior to March 17, 1997 and their beneficiaries
- Police lieutenant and sergeant members - All members hired prior to December 8, 1997 and their beneficiaries
- Police officer members - All members hired prior to November 24, 1998 and their beneficiaries
- Firefighter members - All members hired prior to July 1, 1998 and their beneficiaries

The financial statements of the pension system are included in these financial statements as a pension and other employee benefits trust fund (a fiduciary fund).

Management of the plan is vested in the System's board of trustees, which consists of five members: the mayor or mayor's designated administrative representative, a member of the City Council to be selected by the Council, a member of the Civil Service Commission, a police or fire member to be elected by the police and fire members, and a member of any retirement plan established by city ordinance who is not a police or fire member to be elected by the members of any retirement plan established by city ordinance other than police and fire members.

Benefits Provided

The System provides retirement, disability, and death benefits as follows:

General Members - Eligible after 30 years of service regardless of age or age 55 with 10 years of service. Permanent part-time general members need only 10 calendar years of membership instead of 10 years of credited service. Pension amount is 2.5 percent of the member's average final compensation (AFC) times years of credited service (maximum is 75 percent of AFC).

Police Officers, Sergeants, and Lieutenants - Eligible after 25 years of service regardless of age or age 52 with 10 years of service. (Age 50 with 10 years but less than 25 years of service - early retirement with reduced benefit of 0.5 percent per month below age 52.) Pension amount is 2.8 percent of the member's average final compensation times the first 24 years of credited service, plus 7.8 percent of AFC for the 25th year of credited service (maximum is 75 percent of AFC).

Police Command - Eligible after 25 years of service regardless of age or age 50 with 10 years of service. (Age 48 with 10 years but less than 25 years of service - early retirement with reduced benefit of 0.5 percent per month below age 50.) Pension amount is 2.8 percent of the member's average final compensation times the years of credited service (maximum is 75 percent of AFC).

Fire Members - Eligible after 25 years of service regardless of age or age 52 with 10 years of service. (Age 50 with 10 years but less than 25 years of service - early retirement with reduced benefit of 0.5 percent per month below age 52.) Pension amount is 2.8 percent of the member's average final compensation times the years of credited service (maximum is 75 percent of AFC).

November 30, 2020

Note 11 - Pension Plan (Continued)

Average final compensation is the average of the highest annual compensation received during any three years of service contained within the 10 years of service immediately preceding retirement, including base salary, longevity, shift differential, paid time off, holiday pay, and payment of accumulated vacation time up to the limits established by the respective bargaining agreements. In addition, merit pay is included for police members, and paramedic/EMT or ALS bonuses are included for firefighters.

Benefit terms provide for annual cost of living adjustments to each member's retirement allowance subsequent to the member's retirement date. The monthly adjustments vary between \$20 and \$375 depending on year of retirement and amount of years past retirement.

Plan members are eligible for disability retirement upon termination of city employment by reason of total and permanent disability after completing at least 10 full years of credited service, except that in the event of a duty disability, the 10-year service requirement is waived. Special age and service requirements apply in the calculation of the disability benefit provided.

Employees Covered by Benefit Terms

The following members were covered by the benefit terms:

Date of member count	November 30, 2020
Inactive plan members or beneficiaries currently receiving benefits	554
Inactive plan members entitled to but not yet receiving benefits	8
Active plan members	42
Total employees covered by the plan	604

Contributions

Article 9, Section 24 of the State of Michigan constitution requires that financial benefits arising on account of employee service rendered in each year be funded during that year. Accordingly, the System's board of trustees retains an independent actuary to determine the annual contribution. The actuarially determined rate is the estimated amount necessary to finance the costs of benefits earned by plan members during the year, with an additional amount to finance any unfunded accrued liability. Contribution requirements of plan members are established and may be amended by the board of trustees in accordance with the city charter, union contracts, and plan provisions. For the year ended November 30, 2020, the average active member contribution rate ranged from 3.21 to 7.30 percent of annual pay. The funding policy provides for periodic employer contributions at actuarially determined rates.

Net Pension Liability

The City has chosen to use November 30, 2020 as its measurement date for the net pension liability. The November 30, 2020 reported net pension liability was determined using a measure of the total pension liability and the pension net position as of that date. The November 30, 2020 total pension liability was determined by an actuarial valuation performed as of that date.

November 30, 2020

Note 11 - Pension Plan (Continued)

Changes in the net pension liability during the measurement year were as follows:

Changes in Net Pension Liability	Increase (Decrease)		
	Total Pension Liability	Plan Net Position	Net Pension Liability
Balance at November 30, 2019	\$ 230,707,147	\$ 218,901,337	\$ 11,805,810
Changes for the year:			
Service cost	908,315	-	908,315
Interest	16,419,283	-	16,419,283
Differences between expected and actual experience	2,210,334	-	2,210,334
Changes in assumptions	2,035,532	-	2,035,532
Contributions - Employer	-	1,019,900	(1,019,900)
Contributions - Employee	-	212,251	(212,251)
Net investment income	-	22,172,808	(22,172,808)
Benefit payments, including refunds	(19,466,578)	(19,466,578)	-
Administrative expenses	-	(232,019)	232,019
Net changes	2,106,886	3,706,362	(1,599,476)
Balance at November 30, 2020	\$ 232,814,033	\$ 222,607,699	\$ 10,206,334

The plan's fiduciary net position represents 95.6 percent of the total pension liability.

Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

For the year ended November 30, 2020, the City recognized pension expense of \$3,103,328.

At November 30, 2020, the City reported deferred inflows of resources related to pensions from the following sources:

	Deferred Inflows of Resources
Net difference between projected and actual earnings on pension plan investments	\$ 8,089,731

Amounts reported as deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Years Ending November 30	Amount
2021	\$ (3,499,960)
2022	202,703
2023	(3,461,000)
2024	(1,331,474)

Actuarial Assumptions

The total pension liability in the November 30, 2020 actuarial valuation was determined using an inflation assumption of 2.50 percent, assumed salary increases (including inflation) of 4.0 to 11.9 percent, an investment rate of return (net of investment expenses) of 7.30 percent, and the Pub-2010 General and Public Safety Public Retirement Plan Mortality Table with MP-2018 Generational Improvement.

The actuarial assumptions used in the November 30, 2020 valuation were based on the results of an actuarial experience study for the period from December 1, 2008 through November 30, 2014.

November 30, 2020

Note 11 - Pension Plan (Continued)***Discount Rate***

The discount rate used to measure the total pension liability was 7.30 percent. The projection of cash flows used to determine the discount rate assumed that employee contributions will be made at the current contribution rate and that city contributions will be made at rates equal to the difference between actuarially determined contribution rates and the employee rate.

Based on those assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Investment Rate of Return

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation.

Asset Class	Long-term Expected Real Rate of Return
Domestic large-cap value stocks	5.80 %
Domestic large-cap growth stocks	5.70
Domestic small-cap value/core stocks	5.90
International stocks	4.70
U.S. core fixed income	1.50
Global fixed income	1.40
High-yield fixed income	3.10
Bank loans	3.10
Real estate (direct)	5.70
Real estate investment trusts	4.70

Sensitivity of the Net Pension Liability to Changes in the Discount Rate

The following presents the net pension liability of the City, calculated using the discount rate of 7.30 percent, as well as what the City's net pension liability (asset) would be if it were calculated using a discount rate that is 1 percentage point lower or 1 percentage point higher than the current rate:

	1 Percentage Point Decrease (6.30%)	Current Discount Rate (7.30%)	1 Percentage Point Increase (8.30%)
Net pension liability (asset) of the City	\$ 32,567,721	\$ 10,206,334	\$ (8,737,089)

Assumption Changes

The discount rate was changed from 7.40 to 7.30 percent. Inflation rate was decreased from 4.00 to 2.50 percent.

November 30, 2020

Note 11 - Pension Plan (Continued)***Investment Policy***

The System's policy in regard to the allocation of invested assets is established and may be amended by the System's board of trustees by a majority vote of its members. It is the policy of the System's board of trustees to pursue an investment strategy that manages risk through the prudent diversification of the portfolio across a broad selection of distinct asset classes. The System's investment policy discourages the use of cash equivalents, except for liquidity purposes, and aims to refrain from dramatically shifting asset class allocations over short time spans. The following was the System's adopted asset allocation policy as of November 30, 2020:

Asset Class	Target Allocation
Cash	2.00 %
Domestic large-cap value stocks	20.00
Domestic large-cap growth stocks	15.00
Domestic small-cap value/core stocks	10.00
International stocks	10.00
U.S. core fixed income	20.00
Global fixed income	5.00
High-yield fixed income	5.00
Bank loans	5.00
Real estate (direct)	4.00
Real estate investment trusts	4.00

Rate of Return

For the year ended November 30, 2020, the annual money-weighted rate of return on pension plan investments, net of pension plan investment expense, was 10.27 percent. The money-weighted rate of return expresses investment performance, net of investment expense, adjusted for the changing amounts actually invested.

Note 12 - Pension Plan Reserves

In accordance with plan documents, the following reserves are required to be set aside within the pension plan:

The pension reserve fund (retiree reserve) is to be computed annually by the actuary as the present value of estimated benefit payments for all current retirees. The amounts reserved may be used solely to pay monthly retiree benefit payments.

The pension savings fund (employee reserve) is credited as employee contributions are received throughout the year; the System maintains a record of the amount contributed by each employee and credits interest annually at a rate of 4 percent. For any employee who terminates before vesting in the pension plan, the employee's balance is returned to the employee; for those who stay until retirement, the balance is transferred into the retiree reserve.

The pension accumulation fund (employer reserve) account is used to account for the residual net position balance in the pension plan after funding the above two reserves.

The balances of the reserve accounts at November 30, 2020 are as follows:

	Required Reserve	Amount Funded
Pension reserve fund	\$ 192,372,842	\$ 192,372,842
Pension savings fund	3,879,443	3,879,443
Pension accumulation fund	-	26,355,414

Note 13 - Other Postemployment Benefit Plan

Plan Description

The board of trustees of the City of Livonia Employees Retirement System administers the City of Livonia Retiree Health and Disability Benefits Plan (the "VEBA"), a multiemployer, cost-sharing defined benefit OPEB plan that is used to provide medical and health care benefits, including hospitalization and disability benefits, for the welfare of eligible retirees and their spouses and eligible dependents of the City of Livonia, Michigan and the Livonia Housing Commission. Most retirees of the defined benefit pension plan and the defined contribution pension plan and their beneficiaries and future retirees who complete 10 years or more of credited service are eligible. Effective December 1, 2009, certain newly hired employees receive a health reimbursement account instead of being eligible for the VEBA. As of November 30, 2012, the plan began to provide Health Reimbursement Savings Accounts (HRSA) to all new hires in lieu of the VEBA medical benefits.

The financial statements of the OPEB plan are included in these financial statements as a pension and other employee benefits trust fund (a fiduciary fund).

Management of the VEBA is vested with the board of trustees of the City of Livonia Employees Retirement System, which consists of five members: the mayor or mayor's designated administrative representative, a member of the City Council to be selected by the City Council, a member of the Civil Service Commission, a police or fire member to be elected by the police and fire members, and a member of any retirement plan established by city ordinance who is not a police or fire member to be elected by the members of any retirement plan established by city ordinance other than police and fire members.

Benefits Provided

The VEBA provides medical and health care benefits, including hospitalization and disability benefits, to eligible retirees and their spouses and eligible dependents. Benefits are provided through a combination of third-party insurers and the City's self-insurance program. Of the total cost of benefits, 100 percent is covered by the VEBA for defined benefit pension plan members, and between 100 and 50 percent of the total cost of the benefits is covered by the VEBA for defined contribution pension plan members, depending on age and service requirements.

Employees Covered by Benefit Terms

The following members were covered by the benefit terms:

Date of member count	November 30, 2020
Inactive plan members or beneficiaries currently receiving benefits	710
Active plan members	582
Total plan members	1,292

Contributions

The obligation to contribute to and maintain the VEBA was established by negotiation with certain bargaining units, including general and administrative employees. The funding policy provides for periodic employer contributions at actuarially determined rates per a funding valuation. For the year ended November 30, 2020, the City's average contribution rate was 16.34 percent of covered-employee payroll. Plan members were required to make a contribution of 2 percent beginning on December 1, 2006.

November 30, 2020

Note 13 - Other Postemployment Benefit Plan (Continued)***Net OPEB Liability***

The City has chosen to use the November 30 measurement date as its measurement date for the net OPEB liability. The November 30, 2020 fiscal year end reported net OPEB liability was determined using a measure of the total OPEB liability and the OPEB net position as of the November 30, 2020 measurement date. The November 30, 2020 measurement date total OPEB liability was determined by an actuarial valuation performed as of that date.

Changes in the net OPEB liability during the measurement year were as follows:

Changes in Net OPEB Liability	Increase (Decrease)		
	Total OPEB Liability	Plan Net Position	Net OPEB Liability
Balance at November 30, 2019	\$ 211,268,799	\$ 115,581,878	\$ 95,686,921
Changes for the year:			
Service cost	2,753,080	-	2,753,080
Interest	15,505,638	-	15,505,638
Differences between expected and actual experience	(13,380,004)	-	(13,380,004)
Changes in assumptions	538,411	-	538,411
Contributions - Employer	-	5,331,203	(5,331,203)
Contributions - Employee	-	389,287	(389,287)
Net investment income	-	10,638,551	(10,638,551)
Benefit payments, including refunds	(9,135,489)	(9,135,489)	-
Administrative expenses	-	(49,673)	49,673
Net changes	(3,718,364)	7,173,879	(10,892,243)
Balance at November 30, 2020	<u>\$ 207,550,435</u>	<u>\$ 122,755,757</u>	<u>\$ 84,794,678</u>

The plan's fiduciary net position represents 59.1 percent of the total OPEB liability.

At November 30, 2020, the City reported a liability of \$84,223,687 for its proportionate share of the net OPEB liability.

OPEB Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB

For the year ended November 30, 2020, the City recognized an OPEB cost recovery of \$7,793,684.

At November 30, 2020, the City reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Difference between expected and actual experience	\$ -	\$ 18,729,915
Changes in assumptions	15,666,070	40,412,921
Net difference between projected and actual earnings on OPEB plan investments	-	678,956
Total	<u>\$ 15,666,070</u>	<u>\$ 59,821,792</u>

November 30, 2020

Note 13 - Other Postemployment Benefit Plan (Continued)

Amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEB will be recognized in OPEB expense as follows:

Years Ending November 30	Amount
2021	\$ (17,337,073)
2022	(16,956,458)
2023	(9,399,817)
2024	(462,374)

Actuarial Assumptions

The total OPEB liability in the November 30, 2020 actuarial valuation was determined using an inflation assumption of 2.50 percent; an investment rate of return (net of investment expenses) of 7.30 percent; a health care cost trend rate of 5.90 percent for 2020, decreasing 0.1 percent per year to an ultimate rate of 5.00 percent for 2030 and later years; and the Pub-2010 General and Public Safety Public Retirement Plan Mortality Table with MP-2018 Generational Improvement. These assumptions were applied to all periods included in the measurement.

Discount Rate

The discount rate used to measure the total OPEB liability at November 30, 2020 was 7.30 percent. This was a change from the discount rate of 7.40 percent used to measure the total OPEB liability at November 30, 2019. The projection of cash flows used to determine the discount rate assumed that city contributions will be made at rates equal to the actuarially determined contribution rates.

Based on those assumptions, the VEBA's fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on OPEB plan investments was applied to periods of projected benefit payments to determine the total pension liability.

Investment Rate of Return

The long-term expected rate of return on OPEB plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of OPEB plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and adding expected inflation.

Asset Class	Long-term Expected Real Rate of Return
Domestic large-cap value stocks	5.80 %
Domestic large-cap growth stocks	5.70
Domestic small-cap value/core	5.90
International stocks	4.70
U.S. core fixed income	1.50
Global fixed income	1.40
High-yield fixed income	3.10
Real estate (direct)	5.70
Real estate investment trusts	4.70

November 30, 2020

Note 13 - Other Postemployment Benefit Plan (Continued)***Sensitivity of the Net OPEB Liability to Changes in the Discount Rate***

The following presents the net OPEB liability of the City, calculated using the discount rate of 7.30 percent, as well as what the City's net OPEB liability would be if it were calculated using a discount rate that is 1 percentage point lower or 1 percentage point higher than the current rate:

	1 Percentage Point Decrease (6.30%)	Current Discount Rate (7.30%)	1 Percentage Point Increase (8.30%)
Net OPEB liability	\$ 110,271,527	\$ 84,794,678	\$ 63,810,539

Sensitivity of the Net OPEB Liability to Changes in the Health Care Cost Trend Rate

The following presents the net OPEB liability of the City, calculated using the health care cost trend rate of 5.9 percent, decreasing to 5.0 percent, as well as what the City's net OPEB liability would be if it were calculated using a health care cost trend rate that is 1 percentage point lower or 1 percentage point higher than the current rate:

	1 Percentage Point Decrease (4.9%, Decreasing to 4.0%)	Current Health Care Cost Trend Rate (5.9%, Decreasing to 5.0%)	1 Percentage Point Increase (6.9%, Decreasing to 6.0%)
Net OPEB liability	\$ 63,775,675	\$ 84,794,678	\$ 110,091,144

Assumption Changes

The discount rate was changed from 7.40 to 7.30 percent. The inflation rate was changed from 4.00 to 2.50 percent since the last measurement date.

Investment Policy

The VEBA's policy in regard to the allocation of invested assets is established and may be amended by the board of trustees of the City of Livonia Employees Retirement System by a majority vote of its members. It is the policy of the board to pursue an investment strategy that reduces risk through the prudent diversification of the portfolio across a broad selection of distinct asset classes. The VEBA's investment policy discourages the use of cash equivalents, except for liquidity purposes, and aims to refrain from dramatically shifting asset class allocations over short time spans. The following was the VEBA's adopted asset allocation policy as of November 30, 2020:

City of Livonia Retiree Health and Disability Benefits Plan

Asset Class	Target Allocation
Cash	2.00 %
Domestic large-cap value stocks	20.00
Domestic large-cap growth stocks	15.00
Domestic small-cap value/core stocks	10.00
International stocks	10.00
U.S. core fixed income	20.00
Global fixed income	5.00
High-yield fixed income	5.00
Bank loans	5.00
Real estate (direct)	4.00
Real estate investment trusts	4.00

November 30, 2020

Note 13 - Other Postemployment Benefit Plan (Continued)**Rate of Return**

For the year ended November 30, 2020, the annual money-weighted rate of return on OPEB plan investments, net of OPEB plan investment expense, was 8.64 percent. The money-weighted rate of return expresses investment performance, net of investment expense, adjusted for the changing amounts actually invested.

Note 14 - Pension and Other Employee Benefits Trust Funds

The following are condensed financial statements for the City's defined benefit plan (see Notes 11 and 12) and the postemployment health care plan (see Note 13). The plans do not issue separate financial statements.

	Employees Retirement System	VEBA
Statement of Net Position		
Cash and investments	\$ 222,745,958	\$ 122,930,741
Other assets	219,778	1,027,870
Liabilities	358,037	1,202,854
Net position	<u>\$ 222,607,699</u>	<u>\$ 122,755,757</u>
Statement of Changes in Net Position		
Investment income	\$ 22,172,808	\$ 10,638,551
Contributions	1,232,151	5,720,490
Benefit payments	(19,466,578)	(9,135,489)
Other decreases	(232,019)	(49,673)
Net change in net position	<u>\$ 3,706,362</u>	<u>\$ 7,173,879</u>

Note 15 - Tax Abatements

The City uses the industrial facilities tax exemption (PA 198 of 1974) to enter into agreements with local businesses to construct new industrial facilities or rehabilitate historical facilities. Under the program, the City grants reductions of 50 percent of the property tax bill for new property (or it can freeze taxable values for rehabilitation properties) for up to 12 years. For the fiscal year ended November 30, 2020, the City abated \$643,082 of taxes under this program. There are no provisions to recapture taxes; however, the abatement may be eliminated if taxes are not paid timely.

The City uses the Commercial Rehabilitation Act exemption (PA 210 of 2005) to provide tax incentives for the rehabilitation of commercial property for the primary purpose and use of a commercial business or multifamily residential facility. The property must be located within an established commercial rehabilitation district. Exemptions are approved for a term of 1 to 10 years, as determined by the City. The property taxes are based upon the previous year's (prior to rehabilitation) taxable value. The taxable value is frozen for the duration of the certificate. For the fiscal year ended November 30, 2020, the City abated \$83,533 of taxes under this program. There are no provisions to recapture taxes.

The City also uses the personal property tax relief in distressed communities exemption (PA 328 of 1998) to abate personal property taxes on new investments made by eligible businesses. Under this program, the City grants reductions of 100 percent of the personal property tax bill. For the fiscal year ended November 30, 2020, the City abated \$387,576 of taxes under the program. There are no provisions to recapture taxes.

November 30, 2020

Note 15 - Tax Abatements (Continued)

Additionally, the Brownfield Redevelopment Authority, a discretely presented component unit, uses brownfield redevelopment agreements under PA 381 of 1996 to reimburse taxpayers that remediate environmental contamination on their properties. As a result of these agreements, the brownfield's tax revenue is reduced. For the fiscal year ended November 30, 2020, the Brownfield Redevelopment Authority abated \$246,152 of taxes under this program. There are no provisions to recapture taxes.

There are no significant abatements made by other governments that reduce the City's tax revenue.

Note 16 - Deferred Inflows of Resources

At the end of the current fiscal year, the various components of the governmental funds' deferred inflows of resources are as follows:

	Governmental Funds
Property taxes, special assessments, and other receivables - Unavailable	\$ 905,647
State sources - Unavailable	814,541
911 surcharge revenue - Unavailable	223,793
Local Community Stabilization Authority - Unavailable	2,748,951
Grant revenue - Unavailable	177,051
Total deferred inflows	\$ 4,869,983

Note 17 - Subsequent Events

Subsequent to November 30, 2020, the City entered into new collective bargaining agreements with the police and fire unions to open a new defined benefit (DB) pension plan. All police and fire employees currently enrolled in the defined contribution (DC) retirement plan will have a one-time irrevocable option to convert to the new DB plan on prospective basis. All future police and fire hires will be automatically enrolled in the new DB plan.

On March 11, 2021, the American Rescue Plan Act of 2021 (ARPA) was signed into law. The City anticipates that it will receive approximately \$8.9 million in funding from the ARPA based upon formulas provided by the U.S. Treasury. Funds are to be distributed in two tranches - the first after the U.S. Treasury certifies the proceeds to each jurisdiction and the second approximately one year later. The City is awaiting formal guidelines from the U.S. Treasury before determining how the funds will be used.

Required Supplemental Information

Required Supplemental Information
Budgetary Comparison Schedule – General Fund

Year Ended November 30, 2020

	Original Budget	Final Budget	Actual	Variance with Final Budget
Revenue				
Property Taxes	\$ 34,064,715	\$ 34,064,715	\$ 34,212,538	\$ 147,823
Licenses and Permits				
Business	193,500	193,500	156,456	(37,044)
Nonbusiness	2,608,000	2,608,000	2,894,339	286,339
Total licenses and permits	2,801,500	2,801,500	3,050,795	249,295
Intergovernmental Revenue				
State and local	11,203,623	11,618,623	11,545,772	(72,851)
Grants	303,690	3,353,511	3,266,476	(87,035)
Total intergovernmental revenue	11,507,313	14,972,134	14,812,248	(159,886)
Charges for Services	4,669,306	4,669,306	4,282,983	(386,323)
Interest and Rents	3,204,664	3,479,664	3,189,096	(290,568)
Fines and Forfeitures	4,303,007	4,303,007	3,023,897	(1,279,110)
Miscellaneous Revenue				
Sale of fixed assets	125,000	125,000	149,206	24,206
Other miscellaneous	1,773,196	1,882,289	856,360	(1,025,929)
Total miscellaneous revenue	1,898,196	2,007,289	1,005,566	(1,001,723)
Total revenue	<u><u>\$ 62,448,701</u></u>	<u><u>\$ 66,297,615</u></u>	<u><u>\$ 63,577,123</u></u>	<u><u>\$ (2,720,492)</u></u>
Expenditures				
General Government				
Legislative:				
City Council	\$ 385,428	\$ 385,428	\$ 357,415	\$ 28,013
City Clerk	597,941	582,521	562,705	19,816
Elections	349,819	365,239	354,127	11,112
Total legislative	1,333,188	1,333,188	1,274,247	58,941
Judicial	3,156,993	3,156,993	2,741,658	415,335
Executive - Mayor's office	573,831	598,831	574,310	24,521
Human resources:				
Labor relations	96,500	96,500	69,919	26,581
Civil service	799,291	799,291	651,024	148,267
Total human resources	895,791	895,791	720,943	174,848

Required Supplemental Information

Budgetary Comparison Schedule – General Fund (Continued)

Year Ended November 30, 2020

	Original Budget	Final Budget	Actual	Variance with Final Budget
Expenditures (Continued)				
General Government (Continued)				
Financial administration:				
Accounting	\$ 238,058	\$ 238,058	\$ 233,089	\$ 4,969
Assessing	549,531	540,531	464,325	76,206
Finance	377,403	383,403	383,263	140
Independent audit	32,707	35,707	35,525	182
Board of review	3,545	3,545	2,433	1,112
Treasurer	571,837	571,837	514,252	57,585
Information systems	984,882	984,882	923,970	60,912
Total financial administration	2,757,963	2,757,963	2,556,857	201,106
Other activities:				
Legal	767,303	801,303	813,791	(12,488)
Utilities and supplies	612,943	487,443	442,931	44,512
Dues and subscriptions	51,000	52,500	52,127	373
Total other activities	1,431,246	1,341,246	1,308,849	32,397
Total general government	10,149,012	10,084,012	9,176,864	907,148
Public Safety				
Police:				
Traffic bureau	1,279,360	1,279,360	927,780	351,580
Administration	2,729,713	2,847,463	2,117,557	729,906
Data processing	960,841	960,841	821,339	139,502
Detective bureau	3,091,443	3,091,443	3,028,508	62,935
Automotive service	556,150	564,134	378,719	185,415
Communications/Records bureau	834,784	834,794	788,241	46,553
Crossing guards	70,723	70,723	31,041	39,682
School liaison	417,455	417,455	398,511	18,944
Office of emergency preparedness	122,616	122,616	104,052	18,564
Reserve police	352,217	352,217	248,412	103,805
Patrol bureau	12,576,226	12,458,476	10,999,961	1,458,515
Intelligence bureau	2,549,019	2,541,035	1,723,176	817,859
Total police	25,540,547	25,540,557	21,567,297	3,973,260
Fire:				
Administration	1,183,585	1,218,372	1,217,187	1,185
Firefighting	13,373,275	13,343,055	12,928,024	415,031
Fire prevention	775,640	771,543	771,239	304
Total fire	15,332,500	15,332,970	14,916,450	416,520

Required Supplemental Information

Budgetary Comparison Schedule – General Fund (Continued)

Year Ended November 30, 2020

	Original Budget	Final Budget	Actual	Variance with Final Budget
Expenditures (Continued)				
Public Safety (Continued)				
Protective inspection:				
Building Code Board of Appeals	\$ 1,431	\$ 1,431	\$ -	\$ 1,431
Inspection	1,515,216	1,514,746	1,341,657	173,089
Total protective inspection	1,516,647	1,516,177	1,341,657	174,520
Other protective - Traffic commission	2,353	2,353	1,216	1,137
Total public safety	42,392,047	42,392,057	37,826,620	4,565,437
Public Works				
Public services - Highways, streets, and maintenance:				
Engineering	20,556	20,556	7,834	12,722
Parks maintenance	1,369,095	1,212,695	1,201,992	10,703
Administration	1,882	8,982	1,674	7,308
Equipment maintenance	157,088	156,788	142,274	14,514
Building maintenance	1,426,602	3,224,560	3,185,442	39,118
Street lighting	205,699	261,699	260,737	962
Maintenance - Streets	343,639	343,339	327,976	15,363
Total public works	3,524,561	5,228,619	5,127,929	100,690
Parks and Recreation and Cultural				
Parks and recreation:				
Administration	394,209	463,709	463,640	69
Recreation facilities	810,081	831,681	831,643	38
Recreation athletics	109,382	58,282	58,231	51
Total parks and recreation	1,313,672	1,353,672	1,353,514	158
Cultural:				
Senior services	472,914	472,214	418,020	54,194
Greenmead and cultural	1,004,100	1,004,800	849,242	155,558
Total cultural	1,477,014	1,477,014	1,267,262	209,752
Total parks and recreation and cultural	2,790,686	2,830,686	2,620,776	209,910
Community and Economic Development				
City Planning Commission	708,047	708,047	610,414	97,633
Zoning Board of Appeals	64,505	64,505	51,344	13,161
Total community and economic development	772,552	772,552	661,758	110,794
Employee Benefits, Insurance, and Other				
Total expenditures	\$ 62,445,263	\$ 68,188,245	\$ 62,228,736	\$ 5,959,509

City of Livonia, Michigan

Required Supplemental Information Budgetary Comparison Schedules - Major Special Revenue Funds Refuse Disposal System

Year Ended November 30, 2020

	Original Budget	Amended Budget	Actual	Variance with Amended Budget
Revenue				
Property taxes	\$ 10,244,037	\$ 10,244,037	\$ 10,284,708	\$ 40,671
State and local revenue	1,128,576	1,128,576	1,286,980	158,404
Charges for services	115,000	115,000	111,223	(3,777)
Interest	200,000	200,000	162,457	(37,543)
Other revenue	25,000	25,000	7,014	(17,986)
Total revenue	11,712,613	11,712,613	11,852,382	139,769
Expenditures - Current services - Public works	11,823,017	12,062,623	11,404,572	658,051
Net Change in Fund Balance	(110,404)	(350,010)	447,810	797,820
Fund Balance - Beginning of year	9,566,877	9,566,877	9,566,877	-
Fund Balance - End of year	<u>\$ 9,456,473</u>	<u>\$ 9,216,867</u>	<u>\$ 10,014,687</u>	<u>\$ 797,820</u>

Required Supplemental Information
Budgetary Comparison Schedules - Major Special Revenue Funds
(Continued)
Roads and Sidewalks

Year Ended November 30, 2020

	Original Budget	Amended Budget	Actual	Variance with Amended Budget
Revenue				
Property taxes	\$ 3,762,823	\$ 3,762,823	\$ 3,776,636	\$ 13,813
State and local revenue	343,181	343,181	391,348	48,167
Interest	75,000	75,000	60,764	(14,236)
Other revenue:				
Transfers in	7,900,000	7,900,000	7,899,996	(4)
Other revenue	-	-	14,996	14,996
Total revenue	12,081,004	12,081,004	12,143,740	62,736
Expenditures - Current services - Public works	12,001,404	12,694,633	10,139,026	2,555,607
Net Change in Fund Balance	79,600	(613,629)	2,004,714	2,618,343
Fund Balance - Beginning of year	1,461,419	1,461,419	1,461,419	-
Fund Balance - End of year	<u><u>\$ 1,541,019</u></u>	<u><u>\$ 847,790</u></u>	<u><u>\$ 3,466,133</u></u>	<u><u>\$ 2,618,343</u></u>

Required Supplemental Information
Schedule of Pension Investment Returns

	Last Seven Fiscal Years Years Ended November 30						
	2020	2019	2018	2017	2016	2015	2014
Annual money-weighted rate of return - Net of investment expense	10.27 %	12.45 %	(1.66)%	17.45 %	6.50 %	1.40 %	9.60 %

*Schedule is built prospectively upon implementation of GASB 68

Required Supplemental Information
Schedule of Changes in the Net Pension Liability (Asset) and Related Ratios

	Last Seven Fiscal Years						
	2020	2019	2018	2017	2016	2015	2014
Total Pension Liability							
Service cost	\$ 908,315	\$ 1,645,242	\$ 1,655,509	\$ 1,721,106	\$ 1,644,915	\$ 1,530,027	\$ 1,647,392
Interest	16,419,283	16,950,423	15,849,006	16,209,241	15,949,081	15,607,024	15,516,271
Changes in benefit terms	-	-	110,794	-	526,875	-	-
Differences between expected and actual experience	2,210,334	(11,621,805)	990,792	(235,377)	3,014,188	(673,125)	401,554
Changes in assumptions	2,035,532	8,335,763	14,813,206	9,009,758	-	4,763,196	-
Benefit payments, including refunds	(19,466,578)	(19,570,956)	(17,886,317)	(18,048,385)	(17,793,928)	(16,223,788)	(16,520,444)
Net Change in Total Pension Liability	2,106,886	(4,261,333)	15,532,990	8,656,343	3,341,131	5,003,334	1,044,773
Total Pension Liability - Beginning of year	230,707,147	234,968,480	219,435,490	210,779,147	207,438,016	202,434,682	201,389,909
Total Pension Liability - End of year	\$ 232,814,033	\$ 230,707,147	\$ 234,968,480	\$ 219,435,490	\$ 210,779,147	\$ 207,438,016	\$ 202,434,682
Plan Fiduciary Net Position							
Contributions - Employer	\$ 1,019,900	\$ 432,885	\$ 558,568	\$ 336,320	\$ 815,291	\$ 2,158,913	\$ 3,634,058
Contributions - Member	212,251	273,901	308,076	345,164	380,988	386,983	400,503
Net investment income (loss)	22,172,808	25,843,649	(1,636,195)	34,908,239	14,021,405	4,353,881	20,367,342
Administrative expenses	(232,019)	(247,666)	(230,600)	(210,695)	(216,924)	(212,335)	(194,367)
Benefit payments, including refunds	(19,466,578)	(19,570,956)	(17,886,317)	(18,048,385)	(17,793,928)	(16,223,788)	(16,520,444)
Net Change in Plan Fiduciary Net Position	3,706,362	6,731,813	(18,886,468)	17,330,643	(2,793,168)	(9,536,346)	7,687,092
Plan Fiduciary Net Position - Beginning of year	218,901,337	212,169,524	231,055,992	213,725,349	216,518,517	226,054,863	218,367,771
Plan Fiduciary Net Position - End of year	\$ 222,607,699	\$ 218,901,337	\$ 212,169,524	\$ 231,055,992	\$ 213,725,349	\$ 216,518,517	\$ 226,054,863
City's Net Pension Liability (Asset) - Ending	\$ 10,206,334	\$ 11,805,810	\$ 22,798,956	\$ (11,620,502)	\$ (2,946,202)	\$ (9,080,501)	\$ (23,620,181)
Plan Fiduciary Net Position as a Percentage of Total Pension Liability	95.62 %	94.88 %	90.30 %	105.30 %	101.40 %	104.38 %	111.67 %
Covered Payroll	\$ 3,997,860	\$ 4,579,558	\$ 6,446,503	\$ 6,682,629	\$ 7,625,911	\$ 9,070,569	\$ 9,312,278
City's Net Pension Liability as a Percentage of Covered Payroll	255.29 %	257.79 %	353.66 %	(173.89)%	(38.63)%	(100.11)%	(253.65)%

*Schedule is built prospectively upon implementation of GASB 68

Required Supplemental Information
Schedule of Pension Contributions
Pension System

Last Ten Fiscal Years
Years Ended November 30

	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011
Actuarially determined contribution	\$ 1,019,901	\$ 432,885	\$ -	\$ 336,320	\$ 815,291	\$ 2,158,913	\$ 3,634,058	\$ 2,082,219	\$ 747,119	\$ -
Contributions in relation to the actuarially determined contribution	1,019,901	432,885	558,568	336,320	815,291	2,158,913	3,634,058	2,082,219	747,119	-
Contribution Excess	\$ -	\$ -	\$ 558,568	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Covered Payroll	\$ 3,997,860	\$ 4,579,558	\$ 6,446,503	\$ 6,682,629	\$ 7,625,911	\$ 9,070,569	\$ 9,312,278	\$ 9,870,211	\$11,282,045	\$12,455,231
Contributions as a Percentage of Covered Payroll	25.51 %	9.45 %	8.66 %	5.03 %	10.69 %	23.80 %	39.02 %	21.10 %	6.62 %	- %

Notes to Schedule of Pension Contributions

Actuarial valuation information relative to the determination of contributions:

Valuation date Actuarially determined contribution rates are calculated as of November 30, two years prior to the end of the fiscal year in which the contributions are reported. Covered-employee payroll is as of November 30 of the current fiscal year.

Methods and assumptions used to determine contribution rates:

Actuarial cost method	Aggregate
Amortization method	N/A
Remaining amortization period	Future working lifetime
Asset valuation method	Five-year smoothed market
Inflation	4.0 percent
Salary increase	4.0 - 11.9 percent, including inflation
Investment rate of return	7.50 percent
Mortality	RP-2000 Combined Healthy Mortality Table projected to 2014

**Required Supplemental Information
Schedule of OPEB Investment Returns**

**Last Four Fiscal Years
Years Ended November 30**

	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>
Annual money-weighted rate of return - Net of investment expense	8.64 %	11.76 %	(2.29)%	16.21 %

*Schedule built prospectively upon implementation of GASB 74/75

Required Supplemental Information

Schedule of Changes in the Net OPEB Liability and Related Ratios

	Last Four Fiscal Years			
	2020	2019	2018	2017
Total OPEB Liability				
Service cost	\$ 2,753,080	\$ 5,782,551	\$ 5,181,469	\$ 4,381,818
Interest	15,505,638	14,135,767	12,715,690	12,061,649
Differences between expected and actual experience	(13,380,004)	(14,440,265)	(14,191,268)	9,974,080
Changes in assumptions	538,411	(74,592,646)	51,279,390	24,668,349
Benefit payments, including refunds	(9,135,489)	(8,075,351)	(7,708,963)	(7,037,118)
Net Change in Total OPEB Liability	(3,718,364)	(77,189,944)	47,276,318	44,048,778
Total OPEB Liability - Beginning of year	211,268,799	288,458,743	241,182,425	197,133,647
Total OPEB Liability - End of year	\$ 207,550,435	\$ 211,268,799	\$ 288,458,743	\$ 241,182,425
Plan Fiduciary Net Position				
Contributions - Employer	\$ 5,331,203	\$ 4,924,890	\$ 4,499,324	\$ 5,087,462
Contributions - Active and inactive plan members not yet receiving benefits	389,287	426,231	473,346	484,737
Net investment income (loss)	10,638,551	12,365,868	(1,556,473)	15,195,332
Administrative expenses	(49,673)	(48,875)	(58,229)	(35,971)
Benefit payments, including refunds	(9,135,489)	(8,075,351)	(7,708,963)	(7,037,118)
Net Change in Plan Fiduciary Net Position	7,173,879	9,592,763	(4,350,995)	13,694,442
Plan Fiduciary Net Position - Beginning of year	115,581,878	105,989,115	110,340,110	96,645,668
Plan Fiduciary Net Position - End of year	\$ 122,755,757	\$ 115,581,878	\$ 105,989,115	\$ 110,340,110
Net OPEB Liability - Ending	\$ 84,794,678	\$ 95,686,921	\$ 182,469,628	\$ 130,842,315
Plan Fiduciary Net Position as a Percentage of Total OPEB Liability	59.15 %	54.71 %	36.74 %	45.75 %
Covered Payroll	\$ 36,744,168	\$ 35,774,188	\$ 36,890,435	\$ 34,729,209
Net OPEB Liability as a Percentage of Covered Payroll	230.77 %	267.47 %	494.63 %	376.75 %

*Schedule is built prospectively upon implementation of GASB 74/75

Required Supplemental Information
Schedule of OPEB Contributions

Last Ten Fiscal Years
Years Ended November 30

	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011
Actuarially determined contribution	\$ 3,251,858	\$ 4,054,515	\$ 4,018,307	\$ 4,517,014	\$ 5,108,040	\$ 5,907,902	\$ 7,066,283	\$ 7,078,024	\$ 7,086,251	\$ 6,647,609
Contributions in relation to the actuarially determined contribution	5,331,203	4,924,890	4,499,324	5,087,462	4,665,664	5,361,926	6,388,086	6,443,612	6,399,781	6,105,568
Contribution Excess (Deficiency)	\$ 2,079,345	\$ 870,375	\$ 481,017	\$ 570,448	\$ (442,376)	\$ (545,976)	\$ (678,197)	\$ (634,412)	\$ (686,470)	\$ (542,041)
Covered Payroll	\$ 36,744,168	\$ 35,774,188	\$ 36,890,435	\$ 34,729,209	\$ 31,408,000	\$ 30,560,000	\$ 30,964,000	\$ 32,871,000	\$ 34,062,000	\$ 36,981,000
Contributions as a Percentage of Covered Payroll	14.51 %	13.77 %	12.20 %	14.65 %	14.86 %	17.55 %	20.63 %	19.60 %	18.79 %	16.51 %

Notes to Schedule of Contributions

Actuarial valuation information relative to the determination of contributions:

Valuation date Actuarially determined contribution rates are calculated as of November 30, two years prior to the end of the fiscal year in which the contributions are reported.

Methods and assumptions used to determine contribution rates:

Actuarial cost method	Entry age
Amortization method	Level percentage of payroll, open
Remaining amortization period	30 years
Asset valuation method	Market value
Inflation	4.0 percent
Health care cost trend rates	6.0 percent for the year of valuation, decreasing 0.1 percent per year to 5.0 percent
Salary increase	4.0 percent
Investment rate of return	7.50 percent
Mortality	RP-2000 Combined Healthy Annuitant Mortality Tables, projected to 2014

November 30, 2020

Reconciliation of Budgeted Amounts to Basic Financial Statements

The budgetary comparison schedules for the General Fund and major special revenue funds are presented on the same basis of accounting used in preparing the adopted budget. The following is a reconciliation of the General Fund budgetary comparison schedule to the governmental funds statement of revenue, expenditures, and changes in fund balances:

	Total Revenue	Total Expenditures
Amounts per operating statement	\$ 63,577,123	\$ 55,174,592
Operating transfers budgeted as expenditures	-	7,054,144
Amounts per budget statement	<u>\$ 63,577,123</u>	<u>\$ 62,228,736</u>

The following is a reconciliation of the Roads and Sidewalks Fund budgetary comparison schedule to the governmental funds statement of revenue, expenditures, and changes in fund balance:

	Total Revenue	Total Expenditures
Amounts per operating statement	\$ 4,243,744	\$ 10,139,026
Operating transfers budgeted as revenue	7,899,996	-
Amounts per budget statement	<u>\$ 12,143,740</u>	<u>\$ 10,139,026</u>

Budgetary Information

Annual budgets are adopted on a basis consistent with generally accepted accounting principles for the General Fund and all special revenue funds, except that operating transfers and debt proceeds have been included in the revenue and expenditures categories, rather than as other financing sources (uses). All annual appropriations lapse at fiscal year end; encumbrances are not included as expenditures. During the year, the budget was amended in a legally permissible manner.

The City follows these procedures in establishing the budgetary data reflected in the financial statements:

1. On or before September 15, the mayor submits to the City Council a proposed operating budget for the fiscal year commencing the following December 1. The operating budget includes proposed expenditures and the means of financing them.
2. Public hearings are conducted to obtain citizen comments.
3. As provided for by the City Charter, no later than November 1, the City Council shall adopt the budget through the passage of a budget resolution and transmit the budget to the mayor. No later than November 15, the mayor shall either approve or disapprove the adopted budget, in whole or in part.
4. The legislative budget is adopted at a functional level for the General Fund and at the fund level for other governmental and proprietary funds. The budget document presents information by fund, function, department, and line items. Management may amend the budget at a detail level within the legislative summary constraints. Appropriations that exceed the summary budget constraints require City Council approval.

November 30, 2020

Pension Information

Changes in Assumptions

In 2020, the discount rate was changed from 7.40 to 7.30 percent and assumed inflation was changed from 4.0 to 2.5 percent.

In 2019, the discount rate was changed from 7.38 to 7.40 percent. The mortality table was updated from the RP-2014 Healthy Annuitant Mortality Table with MP-2017 to the Pub-2010 General and Public Safety Public Retirement Plan Mortality Table with MP-2018 Generational Improvement.

In 2018, the discount rate was changed from 7.50 to 7.38 percent. The mortality table was updated from the RP-2000 Combined Healthy Mortality Table projected to 2014 (Scale AA) to the RP-2014 Healthy Annuitant Mortality Table with MP-2017.

In 2017, the discount rate was changed from 8.00 to 7.50 percent.

In 2015, the mortality table was change from the 1983 Group Annuity Mortality Table to the RP-2000 Combined Healthy Annuitant Mortality Table projected to 2014. The rates of retirement for all participants and the rates of withdrawal for police were changed based on an experience study.

OPEB Information

Changes in Assumptions

In 2020, the discount rate was changed from 7.40 to 7.30 percent, assumed inflation was changed from 4.0 to 2.5 percent, and the beginning health care trend rate was changed from 6.0 to 5.9 percent.

In 2019, the discount rate was changed from 4.92 to 7.40 percent. The mortality table was updated from the RP-2014 Table with MP-2017 to the Pub-2010 General and Public Safety Public Retirement Plan Mortality Table with MP-2018 Generational Improvement.

In 2018, the discount rate was changed from 5.3 to 4.92 percent. The mortality table was updated from the RP-2000 Combined Healthy Mortality Table projected to 2014 (Scale AA) to the RP-2014 Table with MP-2017.

In 2017, the discount rate was changed from 6.16 to 5.3 percent.

Other Supplemental Information

City of Livonia, Michigan

Special Revenue Funds										
	Major Streets	Local Streets	Community Recreation	Grants	SAD Street Lighting	Cable Television	Library	Public Safety Communication	Adjudicated Forfeitures	Community Transit
Assets										
Cash and investments	\$ 2,594,603	\$ 911,488	\$ 5,651,109	\$ 266,053	\$ 761,936	\$ 930,746	\$ 4,844,327	\$ 4,314,353	\$ 2,197,396	\$ 1,002,993
Accounts receivable:										
Property taxes	-	-	9,312	-	-	-	9,588	-	-	5,928
Special assessments	-	-	-	-	-	-	-	-	-	-
Due from other governmental units	1,239,147	470,841	160,074	373,182	-	-	165,878	-	-	105,317
Other	6,994	-	-	154,498	-	-	-	223,793	97,896	26,648
Total assets	\$ 3,840,744	\$ 1,382,329	\$ 5,820,495	\$ 793,733	\$ 761,936	\$ 930,746	\$ 5,019,793	\$ 4,538,146	\$ 2,295,292	\$ 1,140,886
Liabilities										
Accounts payable	\$ 4,709	\$ 34	\$ 142,591	\$ 250,146	\$ -	\$ 3,972	\$ 97,378	\$ 106,328	\$ 5,324	\$ 4,418
Due to other governmental units	-	-	-	-	-	-	-	-	163,160	-
Accrued and other liabilities	-	-	563,874	22,711	-	8,271	84,113	3,079	-	8,621
Unearned revenue	-	-	439,853	354,995	-	-	-	-	-	-
Due to fiduciary funds	-	-	-	-	-	-	26,601	-	-	-
Total liabilities	4,709	34	1,146,318	627,852	-	12,243	208,092	109,407	168,484	13,039
Deferred Inflows of Resources -										
Unavailable revenue	-	-	169,169	175,996	-	-	175,250	223,793	-	107,686
Total liabilities and deferred inflows of resources	4,709	34	1,315,487	803,848	-	12,243	383,342	333,200	168,484	120,725
Fund Balances (Deficit)										
Restricted:										
Streets, roads, and sidewalks	3,836,035	1,382,295	-	-	-	-	-	-	-	-
Adjudicated forfeitures	-	-	-	-	-	-	-	-	2,126,808	-
Capital improvements	-	-	-	-	-	-	-	-	-	-
Community recreation	-	-	4,505,008	-	-	-	-	-	-	-
Street lighting	-	-	-	-	761,936	-	-	-	-	-
Library	-	-	-	-	-	-	4,636,451	-	-	-
Public safety communication	-	-	-	-	-	-	-	4,204,946	-	-
Community transit	-	-	-	-	-	-	-	-	-	1,020,161
Designated purpose	-	-	-	-	-	-	-	-	-	-
Committed:										
Cable access television	-	-	-	-	-	918,503	-	-	-	-
Arts Commission	-	-	-	-	-	-	-	-	-	-
Historical Commission	-	-	-	-	-	-	-	-	-	-
Assigned:										
Capital projects	-	-	-	-	-	-	-	-	-	-
Golf course capital improvements	-	-	-	-	-	-	-	-	-	-
Building improvements	-	-	-	-	-	-	-	-	-	-
Court building improvements	-	-	-	-	-	-	-	-	-	-
Unassigned	-	-	-	(10,115)	-	-	-	-	-	-
Total fund balances (deficit)	3,836,035	1,382,295	4,505,008	(10,115)	761,936	918,503	4,636,451	4,204,946	2,126,808	1,020,161
Total liabilities, deferred inflows of resources, and fund balances (deficit)	\$ 3,840,744	\$ 1,382,329	\$ 5,820,495	\$ 793,733	\$ 761,936	\$ 930,746	\$ 5,019,793	\$ 4,538,146	\$ 2,295,292	\$ 1,140,886

Other Supplemental Information

Combining Balance Sheet

Nonmajor Governmental Funds

November 30, 2020

Special Revenue Funds			Debt Service Funds			Capital Project Funds					Total Nonmajor Governmental Funds
Designated Purpose	Historical Commission	Arts Commission Fund	2015 MBA Refunding	2016 MBA Refunding	2017 MBA Refunding	Golf Course Capital Improvement	Capital Improvement	Special Assessments	Court Building Improvements	Building Improvement Fund	
\$ 454,995	\$ 259,153	\$ 84,063	\$ -	\$ -	\$ -	\$ 187,487	\$ 8,425,471	\$ 1,541,245	\$ 694,666	\$ 3,310,897	\$ 38,432,981
-	-	-	-	-	-	-	-	-	-	-	24,828
-	-	-	-	-	-	-	-	196,767	-	-	196,767
-	-	-	-	-	-	-	-	-	-	-	2,514,439
585	-	-	-	-	-	-	-	-	-	-	510,414
\$ 455,580	\$ 259,153	\$ 84,063	\$ -	\$ -	\$ -	\$ 187,487	\$ 8,425,471	\$ 1,738,012	\$ 694,666	\$ 3,310,897	\$ 41,679,429
\$ 6,580	\$ 5,884	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 183,033	\$ 437,772	\$ -	\$ -	\$ 1,248,169
156,105	20,973	-	-	-	-	-	-	-	-	-	163,160
-	-	-	-	-	-	-	-	-	-	-	867,747
-	-	-	-	-	-	-	-	-	-	-	794,848
-	-	-	-	-	-	-	-	-	-	-	26,601
162,685	26,857	-	-	-	-	-	183,033	437,772	-	-	3,100,525
-	-	-	-	-	-	-	-	166,368	-	-	1,018,262
162,685	26,857	-	-	-	-	-	183,033	604,140	-	-	4,118,787
-	-	-	-	-	-	-	-	-	-	-	5,218,330
-	-	-	-	-	-	-	-	-	-	-	2,126,808
-	-	-	-	-	-	-	7,745,699	1,133,872	-	-	8,879,571
-	-	-	-	-	-	-	-	-	-	-	4,505,008
-	-	-	-	-	-	-	-	-	-	-	761,936
-	-	-	-	-	-	-	-	-	-	-	4,636,451
-	-	-	-	-	-	-	-	-	-	-	4,204,946
292,895	-	-	-	-	-	-	-	-	-	-	1,020,161
-	-	-	-	-	-	-	-	-	-	-	292,895
-	-	84,063	-	-	-	-	-	-	-	-	918,503
-	232,296	-	-	-	-	-	-	-	-	-	84,063
-	-	-	-	-	-	-	-	-	-	-	232,296
-	-	-	-	-	-	-	496,739	-	-	-	496,739
-	-	-	-	-	-	187,487	-	-	-	-	187,487
-	-	-	-	-	-	-	-	-	-	3,310,897	3,310,897
-	-	-	-	-	-	-	-	-	694,666	-	694,666
-	-	-	-	-	-	-	-	-	-	-	(10,115)
292,895	232,296	84,063	-	-	-	187,487	8,242,438	1,133,872	694,666	3,310,897	37,560,642
\$ 455,580	\$ 259,153	\$ 84,063	\$ -	\$ -	\$ -	\$ 187,487	\$ 8,425,471	\$ 1,738,012	\$ 694,666	\$ 3,310,897	\$ 41,679,429

City of Livonia, Michigan

	Special Revenue Funds									
	Major Streets	Local Streets	Community Recreation	Grants	SAD Street Lighting	Cable Television	Library	Public Safety Communication	Adjudicated Forfeitures	Community Transit
Revenue										
Property taxes	\$ -	\$ -	\$ 3,336,249	\$ -	\$ -	\$ -	\$ 3,433,604	\$ -	\$ -	\$ 614,614
Special assessments	-	-	-	-	1,318,858	-	-	-	-	-
Intergovernmental:										
Federal revenue	-	-	-	638,260	-	-	-	-	24,342	-
State and local revenue	7,833,884	2,967,271	524,425	492,896	-	-	653,328	-	-	333,873
Charges for services	-	-	1,183,382	-	-	-	9,986	410,730	-	19,971
Fines and forfeitures	-	-	-	-	-	-	15,884	-	278,009	-
Interest	40,895	18,439	87,646	-	5,412	10,091	59,137	45,253	20,320	11,042
Other revenue	-	-	76,452	-	-	401,970	42,843	-	-	11,756
Total revenue	7,874,779	2,985,710	5,208,154	1,131,156	1,324,270	412,061	4,214,782	455,983	322,671	991,256
Expenditures										
Current services:										
Public safety	-	-	-	708,262	-	-	-	305,019	161,178	-
Public works	1,954,536	2,291,377	-	-	1,147,010	-	-	-	-	-
Community and economic development	-	-	-	829,878	-	-	-	-	-	-
Recreation and culture	-	-	3,765,798	-	-	410,375	3,189,110	-	-	611,660
Capital outlay	-	-	-	-	-	-	-	-	-	-
Debt service:										
Principal retirement	-	-	-	-	-	-	-	-	-	-
Interest and other	-	-	-	-	-	-	-	-	-	-
Total expenditures	1,954,536	2,291,377	3,765,798	1,538,140	1,147,010	410,375	3,189,110	305,019	161,178	611,660
Excess of Revenue Over (Under) Expenditures	5,920,243	694,333	1,442,356	(406,984)	177,260	1,686	1,025,672	150,964	161,493	379,596
Other Financing Sources (Uses)										
Transfers in	-	6,600,000	-	17,591	-	-	-	-	-	-
Transfers out	(6,600,000)	(7,899,996)	(2,177,821)	-	-	-	-	-	-	-
Total other financing (uses) sources	(6,600,000)	(1,299,996)	(2,177,821)	17,591	-	-	-	-	-	-
Net Change in Fund Balances	(679,757)	(605,663)	(735,465)	(389,393)	177,260	1,686	1,025,672	150,964	161,493	379,596
Fund Balances - Beginning of year, as restated	4,515,792	1,987,958	5,240,473	379,278	584,676	916,817	3,610,779	4,053,982	1,965,315	640,565
Fund Balances (Deficit) - End of year	\$ 3,836,035	\$ 1,382,295	\$ 4,505,008	\$ (10,115)	\$ 761,936	\$ 918,503	\$ 4,636,451	\$ 4,204,946	\$ 2,126,808	\$ 1,020,161

Other Supplemental Information

Combining Statement of Revenue, Expenditures, and Changes in Fund Balances

Nonmajor Governmental Funds

Year Ended November 30, 2020

Special Revenue Funds			Debt Service Funds			Capital Projects Funds					Total Nonmajor Governmental Funds
Designated Purpose	Historical Commission	Arts Commission Fund	2015 MBA Refunding	2016 MBA Refunding	2017 MBA Refunding	Golf Course Capital Improvement	Capital Improvement	Special Assessments	Court Building Improvements	Building Improvement Fund	
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,508,717	\$ -	\$ -	\$ -	\$ 8,893,184
-	-	-	-	-	-	-	-	124,037	-	-	1,442,895
-	-	-	-	-	-	-	-	-	-	-	662,602
-	1,659	-	-	-	-	113,744	-	-	-	-	12,805,677
-	-	-	-	-	-	-	-	-	-	-	1,739,472
-	3,175	763	-	-	-	1,422	92,046	33,807	289,767	-	583,660
112,931	15,147	620	-	-	-	-	-	12,838	10,876	14,346	454,670
-	-	-	-	-	-	-	-	-	-	-	674,557
112,931	19,981	1,383	-	-	-	115,166	1,600,763	170,682	300,643	14,346	27,256,717
-	-	-	-	-	-	-	-	-	-	-	1,174,459
-	-	-	-	-	-	-	-	-	-	-	5,392,923
-	-	-	-	-	-	-	-	-	-	-	829,878
122,853	30,889	212	-	-	-	-	-	-	-	-	8,130,897
-	-	-	-	-	-	98,034	2,661,544	149,719	-	-	2,909,297
-	-	-	160,000	320,000	1,330,000	-	-	-	-	-	1,810,000
-	-	-	23,471	229,100	664,350	-	-	-	-	-	916,921
122,853	30,889	212	183,471	549,100	1,994,350	98,034	2,661,544	149,719	-	-	21,164,375
(9,922)	(10,908)	1,171	(183,471)	(549,100)	(1,994,350)	17,132	(1,060,781)	20,963	300,643	14,346	6,092,342
-	-	-	183,471	549,100	1,994,350	-	3,066,238	-	-	2,031,957	14,442,707
-	-	-	-	-	-	-	-	-	(549,100)	-	(17,226,917)
-	-	-	183,471	549,100	1,994,350	-	3,066,238	-	(549,100)	2,031,957	(2,784,210)
(9,922)	(10,908)	1,171	-	-	-	17,132	2,005,457	20,963	(248,457)	2,046,303	3,308,132
302,817	243,204	82,892	-	-	-	170,355	6,236,981	1,112,909	943,123	1,264,594	34,252,510
<u>\$ 292,895</u>	<u>\$ 232,296</u>	<u>\$ 84,063</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 187,487</u>	<u>\$ 8,242,438</u>	<u>\$ 1,133,872</u>	<u>\$ 694,666</u>	<u>\$ 3,310,897</u>	<u>\$ 37,560,642</u>

Other Supplemental Information
Combining Statement of Fiduciary Net Position
Fiduciary Funds

November 30, 2020

	Pension and Other Employee Benefit Trust Funds			Custodial Funds				
	Employees Retirement System	VEBA	Total	Special Trust Fund	Undistributed Tax Fund	Special Operation Team	District Court Fund	Total
Assets								
Cash and cash equivalents	\$ 455,996	\$ 167,866	\$ 623,862	\$ 105,650	\$ 2,635,467	\$ 62,910	\$ 953,457	\$ 3,757,484
Investments:								
U.S. government securities	3,668,602	8,172,747	11,841,349	-	-	-	-	-
Collateralized mortgage obligations	4,428,044	3,554,308	7,982,352	-	-	-	-	-
Common stocks	120,753,838	54,710,512	175,464,350	-	-	-	-	-
Corporate bonds	8,243,863	10,168,519	18,412,382	-	-	-	-	-
Real estate investment trust	3,822,921	760,695	4,583,616	-	-	-	-	-
Foreign bonds	173,708	1,002,652	1,176,360	-	-	-	-	-
Mutual funds	81,198,986	44,393,442	125,592,428	-	-	-	-	-
Accounts receivable	47,231	912,778	960,009	13,000	-	1,525	-	14,525
Due from primary government	172,547	115,092	287,639	-	-	-	-	-
Total assets	222,965,736	123,958,611	346,924,347	118,650	2,635,467	64,435	953,457	3,772,009
Liabilities								
Accounts payable	321,115	1,202,854	1,523,969	16,207	-	-	-	16,207
Due to other governmental units	36,922	-	36,922	-	2,635,467	750	65,280	2,701,497
Bonds and other deposits	-	-	-	102,443	-	-	170,394	272,837
Total liabilities	358,037	1,202,854	1,560,891	118,650	2,635,467	750	235,674	2,990,541
Net Position								
Restricted:								
Pension	222,607,699	-	222,607,699	-	-	-	-	-
Postemployment benefits other than pension	-	122,755,757	122,755,757	-	-	-	-	-
Individuals, organizations, and other governments	-	-	-	-	-	63,685	717,783	781,468
Total net position	\$ 222,607,699	\$ 122,755,757	\$ 345,363,456	\$ -	\$ -	\$ 63,685	\$ 717,783	\$ 781,468

Other Supplemental Information
Combining Statement of Changes in Fiduciary Net Position
Fiduciary Funds

Year Ended November 30, 2020

	Pension and Other Employee Benefit Trust Funds			Custodial Funds				
	Employees		Total	Special Trust Fund	Undistributed Tax Fund	Special Operation Team	District Court Fund	Total
	Retirement System	VEBA						
Additions								
Investment income (loss):								
Interest and dividends	\$ 4,529,686	\$ 2,952,646	\$ 7,482,332	\$ -	\$ 22,699	\$ 951	\$ 2,041	\$ 25,691
Net increase in fair value of investments	18,189,866	7,993,708	26,183,574	-	-	-	-	-
Investment costs	(546,744)	(307,803)	(854,547)	-	-	-	-	-
Net investment income	22,172,808	10,638,551	32,811,359	-	22,699	951	2,041	25,691
Contributions:								
Employer	1,019,900	5,331,203	6,351,103	-	-	-	-	-
Employee	212,251	389,287	601,538	-	-	-	-	-
Total contributions	1,232,151	5,720,490	6,952,641	-	-	-	-	-
Collections for other governments	-	-	-	132,368	143,035,332	77,000	-	143,244,700
Fines and fees	-	-	-	-	-	-	1,026,877	1,026,877
Bond receipts	-	-	-	-	-	-	615,564	615,564
Restitutions, judgments, and other	-	-	-	-	-	-	282,618	282,618
Volunteer work program and civil drug fund	-	-	-	-	-	-	221,655	221,655
Total additions	23,404,959	16,359,041	39,764,000	132,368	143,058,031	77,951	2,148,755	145,417,105
Deductions								
Pension benefit payments	18,823,771	-	18,823,771	-	-	-	-	-
Medical benefit payments	-	8,949,761	8,949,761	-	-	-	-	-
Disability benefit payments	-	185,728	185,728	-	-	-	-	-
Refunds of contributions	642,807	-	642,807	-	-	-	-	-
Administrative expenses	232,019	49,673	281,692	-	-	-	-	-
Disbursements to other governments	-	-	-	132,368	143,058,031	49,527	1,027,214	144,267,140
Bond forfeitures	-	-	-	-	-	-	615,564	615,564
Restitutions, judgments, and other refunds	-	-	-	-	-	-	282,618	282,618
Volunteer work program and civil drug fund	-	-	-	-	-	-	286,497	286,497
Total deductions	19,698,597	9,185,162	28,883,759	132,368	143,058,031	49,527	2,211,893	145,451,819
Net Increase (Decrease) in Fiduciary Net Position	3,706,362	7,173,879	10,880,241	-	-	28,424	(63,138)	(34,714)
Net Position - Beginning of year, as restated	218,901,337	115,581,878	334,483,215	-	-	35,261	780,921	816,182
Net Position - End of year	\$ 222,607,699	\$ 122,755,757	\$ 345,363,456	\$ -	\$ -	\$ 63,685	\$ 717,783	\$ 781,468



City of Livonia, Michigan

End of Audit Communications

Year ended November 30, 2020



May 20, 2021

To the Honorable Mayor,
Members of the City Council,
and Management
City of Livonia, Michigan

We have audited the financial statements of the City of Livonia, Michigan (the "City") as of and for the year ended November 30, 2020 and have issued our report thereon dated May 20, 2021. Professional standards require that we provide you with the following information related to our audit, which is divided into the following sections:

Section I - Required Communications with Those Charged with Governance

Section II - Other Recommendations and Related Information

Section III - Legislative and Informational Items

Section I includes information that current auditing standards require independent auditors to communicate to those individuals charged with governance. We will report this information annually to the mayor, members of the City Council, and management of the City.

Section II presents recommendations related to internal control, procedures, and other matters noted during our current year audit. These comments are offered in the interest of helping the City in its efforts toward continuous improvement, not just in the areas of internal control and accounting procedures, but also in operational or administrative efficiency and effectiveness.

Section III contains updated legislative and informational items that we believe will be of interest to you.

We would like to take this opportunity to thank the City's staff for the cooperation and courtesy extended to us during our audit. Their assistance and professionalism are invaluable.

This report is intended solely for the use of the mayor, members of the City Council, and management of the City and is not intended to be and should not be used by anyone other than these specified parties.

We welcome any questions you may have regarding the following communications, and we would be willing to discuss these or any other questions that you might have at your convenience.

Very truly yours,

Plante & Moran, PLLC

Stacey L. Reeves

Keith Szymanski



Section I - Required Communications with Those Charged with Governance

Our Responsibility Under U.S. Generally Accepted Auditing Standards

As stated in our engagement letter dated February 1, 2021, our responsibility, as described by professional standards, is to express an opinion about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the financial statements does not relieve you or management of your responsibilities. Our responsibility is to plan and perform the audit to obtain reasonable, but not absolute, assurance that the financial statements are free of material misstatement.

As part of our audit, we considered the internal control of the City. Such considerations were solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures specifically to identify such matters.

Our audit of the City's financial statements has also been conducted in accordance with *Government Auditing Standards*, issued by the Comptroller General of the United States. Under *Government Auditing Standards*, we are obligated to communicate certain matters that come to our attention related to our audit to those responsible for the governance of the City, including compliance with certain provisions of laws, regulations, contracts, and grant agreements; certain instances of error or fraud; illegal acts applicable to government agencies; and significant deficiencies in internal control that we identify during our audit. Toward this end, we issued a separate letter dated May 20, 2021 regarding our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements.

Planned Scope and Timing of the Audit

We performed the audit according to the planned scope and timing previously communicated to you in our meeting about planning matters on February 11, 2021.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. In accordance with the terms of our engagement letter, we will advise management about the appropriateness of accounting policies and their application. The significant accounting policies used by the City are described in Note 1 to the financial statements.

During the year, the City implemented Governmental Accounting Standards Board (GASB) Statement No. 84, *Fiduciary Activities*, which is further described in Note 1 to the financial statements.

We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus.

There are no significant transactions that have been recognized in the financial statements in a different period than when the transaction occurred.



Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the financial statements were the value of the alternative investments held by the City's retirement system and VEBA and the net pension and OPEB liabilities.

Management has reported the alternative investments at amounts provided by the various funds. We obtained audited financial statements for the investment funds as of December 31, 2019 and performed various procedures to evaluate the calculations and assumptions used by fund management for the unaudited quarterly reports and member equity statements received since the date of the audit. We also performed limited analytical procedures on the revenue and expenses reported by funds from January 1, 2020 to November 30, 2020. We performed these procedures on the data used by management to develop the estimate to determine that it is reasonable in relation to the financial statements taken as a whole.

The net pension and OPEB liabilities recorded are based on an actuarial valuations that include significant assumptions related to health care costs, projected salary increases, the length of time over which participants will receive benefits, and future rates of return on investments. The net pension asset and liability recorded are based on actuarial valuations performed that include significant assumptions related to life expectancies, projected salary increases, and future rates of return on investments. Based on our review of the actuarial studies performed in connection with these requirements, we noted that the methods and assumptions used in the actuarial studies are reasonable in relation to the financial statements taken as a whole.

The disclosures in the financial statements are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Disagreements with Management

For the purpose of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management considers the fact that no compensated absence liability is recorded related to sick leave for employees not yet vested with 10 years of service and the fact that capital expenditures below the capitalization threshold are not capitalized, even when related items are above the threshold in aggregate, to be immaterial to the financial statements as a whole.



Significant Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, business conditions affecting the City, and business plans and strategies that may affect the risks of material misstatement, with management each year prior to our retention as the City's auditors. However, these discussions occurred in the normal course of our professional relationship, and our responses were not a condition of our retention.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated May 20, 2021.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a second opinion on certain situations. If a consultation involves application of an accounting principle to the City's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.



Section II - Other Recommendations and Related Information

As part of our audit, we offer the following comments in the interest of helping the City in its efforts toward continuous improvement, not just in the areas of internal control and accounting procedures, but also in operational or administrative efficiency and effectiveness.

General Fund

For the year ended November 30, 2020, General Fund revenue exceeded General Fund expenditures by approximately \$1.3 million. Actual spending in the General Fund was approximately \$6.0 million less than the amended budget, while actual revenue in the General Fund was approximately \$2.7 million less than the amended budget.

We commend the City for the swift actions taken following the onset of the COVID-19 pandemic. While the City saw decreases in recreation fees, investment income, and fines and forfeitures, the largest revenue sources - property taxes, state-shared revenue, Act 51 funding for roads, and water and sewer revenue - were not significantly impacted. The General Fund likely would have used fund balance in 2020 if not for the \$2.9 million of CARES Act funds received.

The City will also receive an award from the American Rescue Plan passed by the federal government in March 2021. The funds must be obligated by the end of 2024, and the details regarding how they can be used are expected to be released soon. Given the one-time nature of this award and the limitations on how it can be spent, the City will need to be strategic in planning for its uses.

Legacy Costs - Pension

Legacy costs and the challenge of funding them continue to be a topic of discussion. GASB pronouncements have placed even more focus on the net long-term liability arising from these benefit promises. The City's defined benefit pension system is 95.6 percent funded as of November 30, 2020 based on the GASB Statement No. 68 actuarial valuation. To the extent that you have been able to make some gains in terms of your funded status, the funded status is dependent on a number of assumptions (how long participants live, investment performance, etc.).

For a number of years, employer contributions to the pension system were not actuarially required. In fiscal years 2012 through 2020, the City was required to make contributions to the defined benefit pension plan after having gone without any required contributions since 2003. Total contributions between 2012 and 2020 were approximately \$11.3 million. During fiscal year 2020, the City contributed the actuarially determined amount of approximately \$1 million. The required contributions calculated by the actuary for fiscal year 2021 are approximately \$1.9 million; however, this amount is an estimate based on a funding valuation completed prior to public safety employees becoming eligible for the defined benefit plan once again.

As noted above, because there are a variety of factors that impact the calculation and estimates made by the City's actuary, future contributions by the City may be required and should be considered for budget and long-term financial planning purposes.



Legacy Costs - Retiree Health Care

The City has been actuarially funding the growing liability associated with postemployment health care for many years, ahead of the recent accounting standards and, as a result, has been able to accumulate, as of November 30, 2020, approximately \$122.8 million in net position for these costs. The City's defined benefit postemployment health care system (VEBA) is 59.2 percent funded as of November 30, 2020 based on the GASB Statement No. 75 actuarial valuation. Similar to the pension plan, the funded status is dependent on a number of assumptions (how long participants live, investment performance, actual health care costs, etc.). The net OPEB liability as of November 30, 2020 amounted to \$84.8 million.

The City has been completing actuarial valuations for VEBA funding purposes and making an annual contribution for many years. During fiscal year 2020, the required contribution was approximately \$3.3 million, and the City contributed \$5.3 million. Going forward, the VEBA has instructed the actuary to calculate the contributions required to fully fund the plan within 28 years. As a result of this assumption, required contributions are expected to increase to over \$7 million per year going forward.



Section III - Legislative and Informational Items

COVID-19 Resource Center

Plante & Moran, PLLC has assembled a COVID-19 task force of leaders across the firm to monitor, address, and mitigate risks presented by the virus. We understand the unique challenges our local governments are facing in providing essential services to protect communities during the COVID-19 crisis, while going forward, they face seemingly impossible choices around staffing, capital projects, pension obligations, and dozens of other items in the face of an uncertain revenue outlook. We are sharing our insights within our government COVID-19 resource center at <https://www.plantemoran.com/explore-our-thinking/areas-of-focus/covid-19-government-resource-center>. We will keep you updated with relevant economic analyses, crisis management guidelines, notices of changing regulations, and more to keep the City running as smoothly as possible amidst uncertainty and unprecedented disruption.

We are also sharing Coronavirus Aid, Relief, and Economic Security (CARES) Act-specific insights within our CARES Act COVID-19 resource center at <https://www.plantemoran.com/explore-our-thinking/areas-of-focus/cares-act-resource-center>. Have questions about the CARES Act? Submit them at <https://www.plantemoran.com/campaigns/firm/cares-act> by simply providing your contact information and agreeing to our terms and conditions, and an expert from our task force will contact you within 24 hours.

Want to receive relevant content directly to your email? Subscribe at <https://www.plantemoran.com/subscribe> where you can customize your subscription preferences based on your specific interests and industry selection.

Cybersecurity and Information Technology

Cyberattacks are on the rise across the globe, and the cost of these attacks is ever increasing. Because of these attacks, municipalities stand to lose their reputation, the ability to operate efficiently, and proprietary information or assets. Communities potentially can also be subject to financial and legal liabilities. Managing this issue is especially challenging because even a municipality with a highly mature cybersecurity risk management program still has a residual risk that a material cybersecurity breach could occur and not be detected in a timely manner. We understand that the technology department continues to monitor and evaluate this risk, which are critical best practices. Additionally, periodic assessments of the system in order to verify that the control environment is working as intended are key parts of measuring associated business risk. We encourage administration and those charged with governance to work with the technology team on this very important topic. If we can be of assistance in the process, we would be happy to do so.



Updated Uniform Chart of Accounts

In April 2017, the State released an updated Uniform Chart of Accounts. Originally, local units of government were expected to comply with the changes beginning with June 30, 2018 year ends. However, the State has extended the deadline for compliance. On April 20, 2020, the State issued a memo that sets an implementation date for fiscal years ending on October 31, 2022 and thereafter. The State has committed to releasing various tools to help local units with implementation, including FAQs and clarification on which accounts should be used when implementing GASB 84. A final release of the chart of accounts was issued in November 2020 and is available at this link: https://www.michigan.gov/documents/uniformchart_24524_7.pdf. This final version follows various exposure drafts and revisions in order to comply with changing GASB standards and statutory changes and reformats the document to make it more user-friendly. The Treasury will provide alerts for any guidance and resources, and local units can sign up for alerts at this link:

https://public.govdelivery.com/accounts/MITREAS/subscriber/new?qsp=MITREAS_1.

Revenue Sharing

The fiscal year 2021 governor's budget recommendation includes \$1.4 billion for revenue sharing. Further details of the breakdown of this amount are available at https://www.michigan.gov/treasury/0,,7-121-1751_2197---,00.html.

In order to receive the City, Village, and Township Revenue Sharing (CVTRS) payments in FY 2021, qualified local units will once again need to comply with the same best practices as they did last year as follows:

- A citizen's guide to local finances with disclosure of unfunded liabilities
- Performance dashboard
- Debt service report
- Two-year budget projection

Upcoming Accounting Standard Requiring Preparation

GASB Statement No. 87 - Leases

While there are a number of new standards effective over the coming years, GASB 87 has the potential to be most impactful to the City. This new accounting pronouncement will be effective for fiscal year 2022. This statement requires recognition of certain lease assets and liabilities for leases that previously were classified as operating leases and recognized as inflows of resources or outflows of resources based on the payment provisions of the contract. It establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. Under this statement, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources.

We recommend beginning to accumulate information now related to all significant lease agreements in order to more efficiently implement this new standard once it becomes effective.

Plante & Moran, PLLC will be providing trainings and other resources to our clients in the coming months to help prepare for the implementation of this new standard. In the interim, please reach out to your engagement team for assistance in getting started.

City of Livonia, Michigan

Federal Awards Supplemental Information
November 30, 2020

Independent Auditor's Reports

Report on Schedule of Expenditures of Federal Awards Required by the Uniform Guidance	1
Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i>	2-3
Report on Compliance for Each Major Federal Program and Report on Internal Control Over Compliance Required by the Uniform Guidance	4-5

Schedule of Expenditures of Federal Awards	6-7
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Reconciliation of Basic Financial Statements Federal Revenue with Schedule of Expenditures of Federal Awards	8
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Notes to Schedule of Expenditures of Federal Awards	9
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Schedule of Findings and Questioned Costs	10-11
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Report on Schedule of Expenditures of Federal Awards Required by the Uniform Guidance

Independent Auditor's Report

To the City Council
City of Livonia, Michigan

We have audited the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of City of Livonia, Michigan (the "City") as of and for the year ended November 30, 2020 and the related notes to the financial statements, which collectively comprise the City's basic financial statements. We issued our report thereon dated May 20, 2021, which contained an unmodified opinion on the financial statements. Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements. We have not performed any procedures with respect to the audited financial statements subsequent to May 20, 2021.

The accompanying schedule of expenditures of federal awards and the reconciliation of financial statements federal revenue with schedule of expenditures of federal awards are presented for the purpose of additional analysis, as required by the Uniform Guidance, and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the basic financial statements as a whole.

Plante & Moran, PLLC

May 20, 2021

Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of
Financial Statements Performed in Accordance with *Government Auditing Standards*

Independent Auditor's Report

To Management and the City Council
City of Livonia, Michigan

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Livonia, Michigan (the "City") as of and for the year ended November 30, 2020 and the related notes to the financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated May 20, 2021.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City of Livonia, Michigan's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the City's financial statements will not be prevented, or detected and corrected, on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City of Livonia, Michigan's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

To Management and the City Council
City of Livonia, Michigan

Purpose of This Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Plante & Moran, PLLC

May 20, 2021

Report on Compliance for Each Major Federal Program and Report on Internal Control Over Compliance
Required by the Uniform Guidance

Independent Auditor's Report

To the City Council
City of Livonia, Michigan

Report on Compliance for Each Major Federal Program

We have audited City of Livonia, Michigan's (the "City") compliance with the types of compliance requirements described in the U.S. Office of Management and Budget (OMB) Compliance Supplement that could have a direct and material effect on each of the City's major federal programs for the year ended November 30, 2020. The City's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with federal statutes, regulations, and the terms and conditions of its federal awards applicable to its federal programs.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for each of the City's major federal programs based on our audit of the types of compliance requirements referred to above.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (the "Uniform Guidance"). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the City of Livonia, Michigan's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the City of Livonia, Michigan's compliance.

Opinion on Each Major Federal Program

In our opinion, the City complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of the major federal programs for the year ended November 30, 2020.

Report on Internal Control Over Compliance

Management of the City of Livonia, Michigan is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the City of Livonia, Michigan's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over compliance.

To the City Council
City of Livonia, Michigan

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A material weakness in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A significant deficiency in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

Plante & Moreau, PLLC

May 20, 2021

Schedule of Expenditures of Federal Awards

Year Ended November 30, 2020

Federal Agency/Pass-through Agency/Program Title	CFDA Number	Pass-through Entity Identifying Number	Total Amount Provided to Subrecipients	Federal Expenditures
U.S. Department of Agriculture - Food Distribution Cluster - Passed through the Wayne Metropolitan Community Services Agency - Emergency Food Assistance Program (Food Commodities)	10.569	N/A	\$ -	\$ 63,790
U.S. Department of Housing and Urban Development:				
Community Development Block Grant - Entitlement Grants Cluster:				
Program year 2020	14.218	B05 MC-26-0020	560	261,318
Program year 2019	14.218	B05 MC-26-0019	24,800	294,650
COVID-19 - CDBG Entitlement Grant	14.218	N/A	-	161,617
Total CDBG Entitlement Grants			25,360	717,585
Passed through Wayne County, Michigan - HOME Investment Partnership Program - Program year 2019	14.239	M-19-HOME	-	112,294
Total U.S. Department of Housing and Urban Development			25,360	829,879
U.S. Department of Justice:				
Federal Equitable Sharing Program	16.922	N/A	-	90,925
Bulletproof Vest Partnership Program	16.607	BUBX-16080626	-	2,664
U.S. Marshals - Detroit Fugitive Apprehension Task Force	16.unknown	N/A	-	10,592
Drug Enforcement Agency - Drug Enforcement Task Force	16.unknown	N/A	-	3,583
Federal Bureau of Investigation - Drug Enforcement Task Force	16.unknown	N/A	-	3,708
Federal Bureau of Investigation - Detroit Major Crimes Task Force	16.unknown	88A-DE-C98253	-	11,230
COVID-19 - Coronavirus Emergency Supplemental Funding Program	16.034	N/A	-	22,004
Passed through Wayne County, Michigan - 2017 Edward Byrne Memorial Justice Assistance Grant	16.738	H218636-MI DJ	-	8,996
Total U.S. Department of Justice			-	153,702
U.S. Department of Transportation:				
Highway Safety Cluster - Passed through the Michigan Office of Highway Safety - State and Community Highway Safety - Belt Enforcement	20.600	PT-19-7	-	2,846
Highway Planning and Construction Cluster - Passed through SEMCOG - Highway Planning and Construction	20.205	FHWA-PL112	-	538
Total U.S. Department of Transportation			-	3,384
U.S. Department of Treasury -				
Passed through Michigan Department of Treasury - Coronavirus Aid, Relief, and Economic Security Act:				
COVID-19 - Coronavirus Relief Fund (FRHPPP)	21.019	N/A	-	211,000
COVID-19 - Coronavirus Relief Fund (PSPHPRP)	21.019	N/A	-	2,392,511
COVID-19 - Coronavirus Relief Fund (CRLGG)	21.019	N/A	-	254,860
Total U.S. Department of Treasury			-	2,858,371

City of Livonia, Michigan

Schedule of Expenditures of Federal Awards (Continued)

Year Ended November 30, 2020

Federal Agency/Pass-through Agency/Program Title	CFDA Number	Pass-through Entity Identifying Number	Total Amount Provided to Subrecipients	Federal Expenditures
National Endowment For The Humanities - Passed through the Michigan Department of Education COVID-19 - Grants to States	45.310	N/A	\$ -	\$ 1,054
U.S. Department of Environmental Protection Agency - Passed through the Michigan Department of Environmental Quality - Drinking Water State Revolving Fund Cluster - Capitalization Grants for Drinking Water State Revolving Funds	66.468	7452-01	-	1,068,263
U.S. Election Assistance Commission - Passed through Michigan Department of State - COVID-19 - 2018 HAVA Election Security Grants	90.404	N/A	-	39,396
U.S. Department of Homeland Security - Passed through the Michigan Department of State Police - 2020 Emergency Management Performance Grant	97.042	N/A	-	30,223
Total federal awards			<u>\$ 25,360</u>	<u>\$ 5,048,062</u>

City of Livonia, Michigan

Reconciliation of Basic Financial Statements Federal Revenue with Schedule of Expenditures of Federal Awards

Year Ended November 30, 2020

Revenue from federal sources - As reported on financial statements (includes all funds)	\$ 3,520,973
Program income in excess of expenditures	(27,866)
Add value of noncash assistance	63,790
Federal expenditures in excess of current year revenue	304,447
Funds to be reported on FY 2021 SEFA per the compliance supplement	(58,596)
Add value of loans received	1,068,263
Deferred revenue not reported for year ended November 30, 2020	177,051
Federal expenditures per the schedule of expenditures of federal awards	<u><u>\$ 5,048,062</u></u>

Notes to Schedule of Expenditures of Federal Awards

Year Ended November 30, 2020

Note 1 - Basis of Presentation

The accompanying schedule of expenditures of federal awards (the "Schedule") includes the federal grant activity of the City of Livonia, Michigan (the "City") under programs of the federal government for the year ended November 30, 2020. The information in the Schedule is presented in accordance with the requirements of Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (the "Uniform Guidance"). Because the Schedule presents only a selected portion of the operations of the City, it is not intended to and does not present the financial position, changes in net position, or cash flows of the City.

Note 2 - Summary of Significant Accounting Policies

Expenditures reported in the Schedule are reported on the same basis of accounting as the financial statements with the exception of the expenditures related to CFDA 66.468, *Capitalization Grants for Drinking Water State Revolving Funds (DWSRF) program*. The DWSRF expenditures are reported on cash basis in accordance with the subrecipient reporting guidelines outlined in the 2020 OMB Compliance Supplement for CFDA 66.468.

Such expenditures are recognized following the cost principles contained in Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, wherein certain types of expenditures are not allowable or are limited as to reimbursement, except for expenditures related to CFDA 21.019, *Coronavirus Relief Fund (CRF)*. CRF does not apply the cost principles contained in Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, but rather applies the U.S. Department of Treasury's guidance. Pass-through entity identifying numbers are presented where available.

The City of Livonia, Michigan has elected not to use the 10 percent *de minimis* indirect cost rate to recover indirect costs, as allowed under the Uniform Guidance.

Note 3 - Noncash Assistance

The value of the noncash assistance received was determined in accordance with the provisions of the Uniform Guidance.

The grantee received the following noncash assistance during the year ended November 30, 2020 that is included in the schedule of expenditures of federal awards:

Federal Program	CFDA Number	Description	Amount
U.S. Department of Agriculture - Passed through Wayne Metropolitan Community Services Agency	10.569	USDA Food Distribution	\$ 63,970

Schedule of Findings and Questioned Costs

Year Ended November 30, 2020

Section I - Summary of Auditor's Results

Financial Statements

Type of auditor's report issued:

Unmodified

Internal control over financial reporting:

- Material weakness(es) identified? ☐ Yes ☒ No
- Significant deficiency(ies) identified that are not considered to be material weaknesses? ☐ Yes ☒ None reported
- Noncompliance material to financial statements noted? ☐ Yes ☒ None reported

Federal Awards

Internal control over major programs:

- Material weakness(es) identified? ☐ Yes ☒ No
- Significant deficiency(ies) identified that are not considered to be material weaknesses? ☐ Yes ☒ None reported

Type of auditor's report issued on compliance for major programs:

Unmodified

Any audit findings disclosed that are required to be reported in accordance with Section 2 CFR 200.516(a)?

☐ Yes ☒ No

Identification of major programs:

CFDA Number	Name of Federal Program or Cluster
21.019	U.S. Department of Treasury - COVID-19 - Coronavirus Relief Fund (CRF)
66.468	U.S. Department of Environmental Protection Agency - Drinking Water State Revolving Fund

Dollar threshold used to distinguish between type A and type B programs:

\$750,000

Auditee qualified as low-risk auditee?

☒ Yes ☐ No

Schedule of Findings and Questioned Costs (Continued)

Year Ended November 30, 2020

Section II - Financial Statement Audit Findings

Reference Number	Finding
Current Year	None

Section III - Federal Program Audit Findings

Reference Number	Finding	Questioned Costs
Current Year	None	

PUBLIC SAFETY, HEALTH AND ENVIRONMENT COMMITTEE

MONDAY, JULY 19, 2021

A Public Safety, Health and Environment Committee meeting was held on Monday, July 19, 2021.

Committee Members Present: Laura M. Toy, Chair
Brandon McCullough, Vice Chair
Rob Gjonaj Donovic

Committee Members Absent: None

City Officials and Others Present: Cathy White, Council Member
Tom Goralski, Acting Police Chief
Dave Heavener, Fire Chief
Paul Bernier, City Attorney
LaShawn Thomas, Director of Governmental Affairs
Josh Sabo, Director of Communications
Jim Baringhaus, Chairman Greenleaf Commission
Betsy Calhoun, Greenleaf Commission Member
John Grzebik, Greenleaf Commission Member
Michael Shesterkin, Greenleaf Commission Member

See attached attendee report.

The meeting convened at 7:10 p.m.

1. CR 42-20 Subject matter of urban environment concerns.
--

The meeting was led by Committee Chair, Laura Toy. Beginning discussion took place regarding the EGLE Recycling Partnership Cart Grant. Getting an early start could provide 20% of the grant to use towards recycling, which would need to be completed and submitted by the deadline of August 18, 2021.

Suggestions of grant uses were made:

- Roads and pathways in the Fall of 2022
- Use 64-gallon bins, which are partially made of recycled materials

Councilmember Brandon McCullough mentioned an Innovation grant offered by NextCycle Michigan that could be used toward creating pathways made of recycled materials. He offered a resolution to complete and submit both of the recycling grant applications.

Comments were made that people are ready to move on. The 2015 contract with the recycling company expires in 2 (two) years and we need a process for now and in 2 (two) years from now. Historical data will show where we are and what we need to move forward.

An education session was suggested as an important tool to inform residents of how to properly recycle.

Large discussion took place regarding the repurposing of trees. Money could be available from the State to assist.

The Tree Committee will be discussing a tree ordinance to include tree credits and landmark trees.

The Committee recommends:

- A resolution for the Community Resources and Communications Department along with the Director of Governmental Affairs to complete and submit both recycling grant applications prior to their deadlines.
- Receiving updates regarding environmental concerns as needed.

Note: This item will remain in committee for further discussions

This item is to be placed on the **Regular Meeting Agenda of July 26, 2021**

2. CR 111-18 Subject matter of measures to retain employees within the Police and Fire Divisions of the Department of Public Safety.

Acting Police Chief, Tom Goralski began the discussion, stating that the police force is down by 31 (thirty-one) officers, in addition to the lack of dispatchers and others due to problems with the media along with unemployment assistance that was provided due to COVID.

The budget goal is 189 employees for a full department. The Defined Benefit Plan could supply a larger pool of people for recruitment. On August 1st, they will begin an experiment of using 12-hour shifts.

He is hopeful for more employees by September and is aggressively trying to recruit hire and retain officers. It was noted that 1:7 tend have a background in the military.

The State Police provides an 18-week academy while Livonia provides a 10-week academy for Certified Officers with lateral pay.

Fire Chief Heavener explained that the Fire Department has experienced different challenges. During exit interviews, the employees were going to other Fire Departments with a Defined Benefit Plan. Now that the Defined Benefit Plan is back for the Livonia Fire Department, it has helped, but they are still down by eight (8) employees. Fully staffed should be 82 employees. The applicant pools aren't the same. They are using lateral pay as an initiative for applicants, which offers five (5) steps of pay.

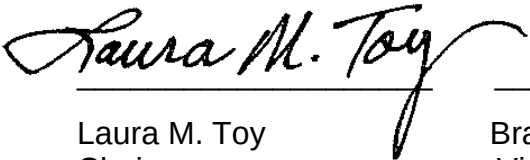
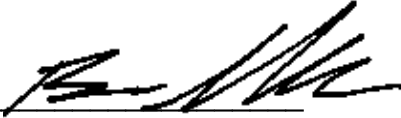
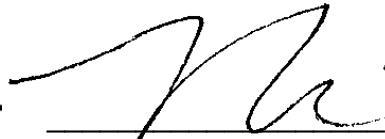
He has a partnership with Schoolcraft College that provides a dual enrollment program. Livonia and Clarenceville students that are 18 years of age can receive 20 (twenty) college credit hours.

Note: This item will remain in committee for further discussions

This item is to be placed on the **Regular Meeting Agenda of July 26, 2021**

The meeting was adjourned at 8:53 p.m.

Respectfully submitted,

		
Laura M. Toy Chair	Brandon McCullough Vice Chair	Rob Gjonaj Donovic Member

cc: City Clerk, City Attorney

Attachment - Attendee List

PLEASE RECORD YOUR ATTENDANCE AT THIS MEETING

MEETING: PUBLIC SAFETY HEALTH & ENVIRONMENT COMMITTEE

DATE: MONDAY, JULY 19, 2021

TIME: 7:00 PM

NAME

ADDRESS

Michael Shestevkin

Betsy Calhoun

Chas ~~St~~

JOHN GAZEBIL

Tom GORDALSKI

DAVE HEAVNER

LaShaun THOMAS

city hall



LETTER TO THE LIVONIA CITY COUNCIL

18.

Council Office
July 20, 2021

MEETING DATE

July 26, 2021

PREPARED BY

Sara Kasprovicz, Council Office Manager,

AGENDA ITEM

CR 42-20 Subject matter of urban environment concerns.

BACKGROUND

Discussion of urban environment concerns

RECOMMENDATION

Report and resolution from committee meeting of July 19, 2021.

FISCAL CONSIDERATION

N/A

ATTACHMENTS

1. R021020 Subject matter urban environment concerns CR 42-20 TO REMAIN IN COMMITTEE

APPROVED BY



LETTER TO THE LIVONIA CITY COUNCIL

Council Office
July 9, 2021

MEETING DATE

July 19, 2021

PREPARED BY

Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

CR 42-20 Subject matter of urban environment concerns to the Public Safety, Health and Environment Committee.

BACKGROUND

To continue discussion of the subject matter of urban environment concerns.

RECOMMENDATION

Report and recommendation from Council

FISCAL CONSIDERATION

N/A

ATTACHMENTS

None

APPROVED BY

2. CR 42-20 Subject matter of urban environment concerns to the Public Safety, Health and Environment Committee.

Discussion took place regarding forestry concerns in the City. Ideas were presented to repurpose wood and to use urban wood waste and mill. This would include assistance from adult residents and students, which could expose them to careers in natural resources and forestry.

Climate change has shifted the use of materials. More wood has been incorporated in to building structures as a substitute for more carbon intensive materials.

Michigan State has a forestry program to involve students in the process of using cross-laminated timber panels and the use sustainable waste.

Discussion on the City's weekly recycle program took place and a suggestion was made to remind and educate residents of what can and cannot be recycled.

An invitation was given to tour the STEM Teaching and Learning Facility at Michigan State University.

The Committee recommends:

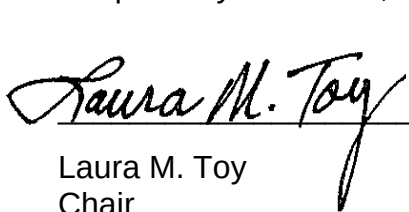
Receiving updates regarding environmental concerns as needed.

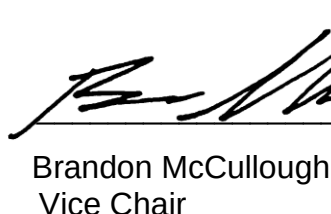
Note: This item will remain in committee for further discussions

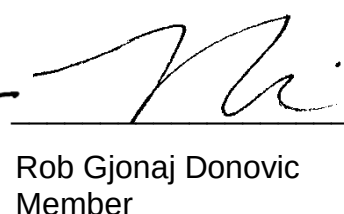
This item is to be placed on the **Regular Meeting Agenda of March 22, 2021**

The meeting was adjourned at 9:42 p.m.

Respectfully submitted,


Laura M. Toy
Chair


Brandon McCullough
Vice Chair


Rob Gjonaj Donovic
Member

cc: City Clerk, City Attorney

Attachment - Attendee Report (Zoom)

Regular Meeting Minutes of February 10, 2020

CITY COUNCIL

Subject matter urban
environment concerns.

**(Refer to the Public
Safety, Health and
Environment Committee)**

#42-20 RESOLVED, that upon the motion by Councilmember Laura Toy, seconded by Council Vice President Scott Bahr, at the Regular Meeting held February 10, 2020, the Council does hereby refer the subject matter of urban environment concerns to the Public Safety, Health and Environment Committee for its report and recommendation.

REGULAR MEETING OF February 10, 2020

Councilmembers Present: Donovic, Jolly, Toy, Bahr, White, McCullough, McIntyre

Councilmember(s) Absent: None

February 10, 2020



LETTER TO THE LIVONIA CITY COUNCIL

18.b.

Council Office
July 20, 2021

MEETING DATE

July 26, 2021

PREPARED BY

Sara Kasprovicz, Council Office Manager,

AGENDA ITEM

CR 111-18 The subject matter of measures to retain employees within the Police and Fire Divisions of the Department of Public Safety.

BACKGROUND

Discussion of the subject matter of measures to retain employees within the Police and Fire Divisions of the Department of Public Safety.

RECOMMENDATION

Report from committee meeting of July 19, 2021.

FISCAL CONSIDERATION

N/A

ATTACHMENTS

1. S031218 Subject of developing a retention program for Public Safety Employees CR 111-18 (POLICE DIV)
2. LTC: PSHE071921

APPROVED BY



LETTER TO THE LIVONIA CITY COUNCIL

Council Office
July 14, 2021

MEETING DATE

July 19, 2021

PREPARED BY

Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

CR 111-18 The subject matter of measures to retain employees within the Police and Fire Divisions of the Department of Public Safety.

BACKGROUND

To discuss the subject matter of measures to retain employees within the Police and Fire Divisions of the Department of Public Safety.

RECOMMENDATION

Report and Recommendation from Council.

FISCAL CONSIDERATION

N/A

ATTACHMENTS

1. S031218 Subject of developing a retention program for Public Safety Employees CR 111-18 (POLICE DIV)

APPROVED BY

*Regular Meeting Minutes of June 4, 2018***POLICE DIV**

Subject of
measures to retain
employees within
the Police and Fire
Divisions.
(CR 111-18)
(Will remain in
Committee)

Brian Meakin, as Chair of the Public Safety, Health and Environment Committee, reported out on the meeting of Wednesday, May 16, 2018 regarding the subject of measures to retain employees within the Police and Fire Divisions of the Department of Public Safety. (CR 111-18)

This item will remain in Committee.

REGULAR MEETING OF JUNE 4, 2018

Councilmembers Present: Kritzman, Bahr, White, Meakin, Jolly, and Toy

Councilmember(s) Absent: McIntyre

PUBLIC SAFETY, HEALTH AND ENVIRONMENT COMMITTEE

WEDNESDAY, MAY 16, 2018

A Public Safety, Health and Environment Committee meeting was held on Wednesday, May 16, 2018, in the Second Floor City Council Chambers, Livonia City Hall, 33000 Civic Center Drive, Livonia, MI 48154.

Committee Members Present: Kathleen E. McIntyre, Chair
Brian Meakin, Vice Chair
Cathy White

Committee Members Absent:

City Officials and Others Present: Council President Laura M. Toy
Councilmember Brandon M. Kritzman
Mayor Dennis Wright
City Attorney Paul Bernier
City Treasurer Lynda L. Scheel
City Clerk Susan Nash
Human Resources Director Denise Maier
Finance Director Mike Slater
Director of Admin. Services Dave Varga
Police Chief, Curt Caid
LPOA, Scott Morgan
LPOA, Branden Grysko
LPOA, Mike Arakelian
Fire Chief, Dave Heavener
LFD, Dave Bostater
LFFU, Rob Domenzain
LPD, Sgt. Ronny Warra
David Veselenak, Livonia Observer

See attached Sign-in Sheet

The meeting convened at 7:04 p.m.

- 
1. **CR 111-18** The subject of measures to retain employees within the Police and Fire Divisions of the Department of Public Safety to committee for its report and recommendation.

Chairperson stated that while the issue of "retention" was put into Committee, the issue really goes to the staffing of our departments. Also, as Council does not negotiate contracts, that is solely the purview of the Administration, purpose of meeting is to increase understanding of staffing challenges.

The Committee asked Police Chief Caid and Fire Chief David Heavener to provide an overview of where the departments are today:

Police Chief Caid

- We just had a Police Academy graduation and promoted 8 PSAs to Police Officers (POs)
- We are budgeted for 107 POs and are at 104
- We have 10 dispatchers (budgeted for 12), 10 PSAs (budgeted at 12), 15 Civilian employees (budgeted at 16)
- The new POs won't count in our numbers until they complete training; department generally loses about 20% of POs, PSAs and Dispatchers between the time they are hired and the time they are ready to start their duties (post-training).
- Currently we are at in the best staffing position in my tenure as Chief
- We anticipate 3 retirements this year and have 10 who have enough time to retire
- Anticipate 8 retirements in 2019 and have 20-23 who are retirement-eligible over the next 2 – 2 ½ years.
- LPD retention was addressed with a proposal in 2012, it was controversial and not approved by Council due to lack of support by community.
- In 2012 we were 40 POs below the budgeted level with retirements looming
- There is concern when we start looking down the road and have addressed concerns with Mayor Wright and Finance Director Slater
- If LPD had best salary and benefits we would have larger pool of applicants, so maybe we can look at what we offer new hires
- There has been a huge decrease in PD applicants; not just in Livonia, but across Michigan and U.S.
- In the past we would have 200-300 applicants for Police Cadet program, now we will have 20 applicants, 5-6 will be qualified and receive offers, after further vetting number will be down to 2.
- Every PD is hiring so there is lots of competition
- Some of our officers may leave because other departments offer Defined Benefit (DB) retirement plans, but you will always have officers who leave and go to other departments.

Fire Chief Heavener

- We are budgeted for 78 fire suppression personnel, 3 prevention, 1 training, 2 admin, 2 mechanics, 1 deputy chief, 1 chief
- We train aggressively so that personnel can be promoted and ready to fill open positions
- We will not lower our hiring standards, which makes it difficult to fill open positions
- We have the same challenges as police department: smaller qualified applicant pool
- The streamlined hiring process has helped, we are always looking for ways to make it even more streamlined
- Very competitive to get the best candidates, we lose them to other communities and to other professions

Questions from Council and subsequent discussion regarding hiring

- Civil Service has worked closely with Police and Fire to streamline the hiring process, there is still room for improvement to be able to get the cream of the crop.
- As soon as Civil Service receives enough applicants, they proceed with the process and hire within approximately two months.

- Working to shorten our hiring process, we still lose some people during the hiring process (and you will always lose some during the process even if it is a very short cycle time).
- LPD waives the 2-year college requirement for candidates who have had active military service, we attend veteran hiring events and have a strong social media presence on sites targeting veterans, but LPD has not been highly successful with hiring veterans (they seem to prefer other careers and opportunities).
- People don't come out of military with qualifications for fire; usually lacking paramedic license.
- LFD relationship with Schoolcraft Fire Academy is good, but enrollment is down. Need to do more front-end recruiting to get people interested and enrolled in Fire Academy.
- Not all Fire Academy graduates have paramedic license, LFD has changed policy that required license at time of hiring and will consider qualified applicants who don't yet have Paramedic license but are in the process of obtaining it (it is two-year process to earn it).
- Tattoo and piercing policy was brought up and both Chiefs stated that it is not an issue. Tattoos are not forbidden: visible ones must be covered. No indication that this policy hurts our ability to hire good candidates. (Piercings are a safety hazard and thus not allowed.)

Discussion regarding the Police Command Staff

Police Chief Caïd

- We have a succession plan.
- I am comfortable that the LPD command staff could replace me. The Mayor makes the Chief's hiring decision, but we have members of the command staff who are trained and ready to fill the Chief's position
- Many are eligible for Captain, but often older Lieutenants don't want it. Captains have an increased workload and because they are salaried they are not eligible for overtime (Lieutenants are O/T eligible).
- The three Captains would be hard to replace, could replace one.
- All five of the command staff (Chief, Deputy Chief and 3 Captains) won't walk out the door at the same time.

Discussion about workload, public perception and general challenges

Police Chief Caïd

- Media indicates that public hates cops, but the true story is, people understand how important law enforcement is and respect it. We have strong support from Livonia community.
- Livonia does a lot of creative things – equipment; training are second to none. There are good Police Departments around us but not as good as we are.
- Officers receive a bonus after 5 years on the job
- If we had the best salary, retirement, healthcare, we would have a deeper pool of recruits, but Livonia is competitive.
- We have been lucky to have excellent rapport with unions even through challenging times.

Fire Chief Heavener

- Five years ago, the Fire Department had 4600 runs and today we have 11,600 runs. We need at some point to look at threshold for additional staffing.
- We have additional demands without showing increase in residents. Nursing homes and college dorms are inspected by the State not by the City, but City is responsible for all the emergency medical and fire (and public safety) needs
- This is a dangerous profession and we have more runs without increasing our staffing levels.
- At the recent state convention, it was clear that recruiting and retention are challenges for almost every department

Concerns from LFFU, LPOA and LSA and subsequent discussion with Council

- #1 problem for firefighter retention is contracted benefits
- Firefighters receive training and skills from premier department [Livonia] then are hired away by other departments who want highly-skilled personnel and can offer better benefits
- When fire and police personnel are eligible to retire they can get hired by places like Schoolcraft where the stress level and job demands are much lower
- Need to be able to offer personnel a carrot to stay beyond time when they are eligible to retire
- Since 2012 only 67% of PSAs and POs hired are still working for LPD
- Good PSA program is the key to PO staffing; LPD pays for 2 years of college and police academy for PSAs
- LPD is at risk of losing a lot of experienced officers, 55% of POs have fewer than 5 years of experience.
- Having new, young LPD supervisors overseeing inexperienced POs is a recipe for disaster, need ways to retain experienced, supervisory level personnel
- Lose a lot of officers because of better benefits at other departments
- Other departments (Northville Township) and Michigan State Police have DROP [programs] to incentivize retirement-eligible officers to stay longer
- Discussed possibility of City hiring officers after they have retired. Currently the Civil Service rules do not allow retired POs to work for the LPD, those that have retired and then hired by the City have returned to civilian positions [very limited number of people have been rehired, done to retain needed, specific skill sets]

The Committee recommends:

- To remain in committee for further discussion.

NOTE: Item will remain in committee

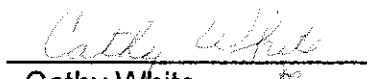
This item is to be placed on the **Regular Meeting Agenda of June 4, 2018**

The meeting adjourned at 8:43 pm

Respectfully submitted,


Kathleen E. McIntyre
Chair


Brian Meakin
Vice Chair


Cathy White

cc: City Clerk
City Attorney

Attachment - Sign-In Sheet

PLEASE RECORD YOUR ATTENDANCE AT THIS MEETING

BY PRINTING YOUR NAME BELOW

MEETING: PUBLIC SAFETY, HEALTH AND ENVIRONMENT COMMITTEE

DATE: WEDNESDAY, MAY 16, 2018

TIME: 7:00 PM

PLEASE PRINT NAME

ADDRESS

Paul BERNIER	LAW
Synda Scheel	Treasurer
Debbie Maurer	HR Dept.
Scott Morgan	LPOA
Brandon Crysko	LPOA
Mike ARAMIAN	LPOA
CURT CAID	LPD
Mike Slater	Fin Dir
Susan Nash	Clerk
Dave Bostater	LFD
Rob Downer	LFFU
David Veseljak	29725 Hudson Dr, Van
Dave Varga	City
James W. West	ALCOA
Sgt. Ramsey	L.P.D.

LLSA (LPD)

HANDOUT RECEIVED
PSH&E COMMITTEE
051618

	Eligible to retire	Potential Years of Service LOST	Potential Unfilled positions
Total # Supervisors w/Administration (38)			
Total Supervisors eligible to retire next 24 months	16 or 42%	456	
Total Supervisors eligible to retire next 36 months	18 or 50%	506	
Total Supervisors eligible to retire next 48 months	19 or 50%	531	
Total Supervisors eligible to retire next 60 months	23 or 61%	631	
Total number of Current PSA/PO Positions (113)			
Total number of positions currently unfilled (6)			
Total PO's eligible to retire next 24 months	8	208	14
Total PO's eligible to retire next 36 months	10	258	16
Total PO's eligible to retire next 48 months	12	308	18
Total PO's eligible to retire next 60 months	19	483	25
Total # of Employees eligible to retire			
24 Months	24	664	35
36 Months	28	764	39
48 Months	31	839	42
60 Months	42	1,114	53
Hired Since (2012)	118 PO's and PSA's		
PO's Hired	28		
PSA's Hired	90		
Retained (79 employees of 118)	67% Retention rate		
* 55% of Police Officers have less then 5 yrs experience			

Regular Meeting Minutes of March 26, 2018

On a motion by White, supported by McIntyre, and unanimously adopted,

it was:

POLICE DIV

(Councilmember Cathy White)

Subject of measures to retain employees within the Police and Fire Divisions.

(Refer to the Public Safety, Health and Environment Committee for its report and recommendation)

#111-18 RESOLVED, that upon the proposal by Councilmember Cathy White at the Study Meeting held March 12, 2018, the Council does hereby refer to the Public Safety, Health and Environment Committee the subject of measures to retain employees within the Police and Fire Divisions of the Department of Public Safety.

UNFINISHED BUSINESS AGENDA ITEMS (Regular Meeting of March 26, 2018)

Motion by: White
Seconded by: McIntyre

ROLL CALL:

Ayes: Kritzman, Bahr, White, McIntyre, Meakin, Jolly, and Toy

Nays: None

Absent: None

**CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MARCH 12, 2018**

Meeting was called to order at 8:17 p.m. by President Toy. Present: Cathy White, Kathleen McIntyre, Brian Meakin, Jim Jolly, Brandon Kritzman, Scott Bahr, and Laura Toy. Absent: None.

Elected and appointed officials present: Don Knapp, City Attorney; Lori L. Miller, Deputy City Clerk; Mark Taormina, Director of Planning and Economic Development; Todd Zilincik, City Engineer; Ted Davis, Superintendent, Parks and Recreation; Linda McCann, Director of Community Resources; Mike Slater, Director of Finance; and Dennis Wright, Mayor.

White offered the resolution referring the subject of police and fire retention of employees incarnate to the Public Safety, Health and Environment Committee for its report and recommendation for the Regular Agenda.

DIRECTION:	REFER SUBJECT OF RETENTION OF POLICE & FIRE EMPLOYEES TO THE PUBLIC SAFETY, HEALTH & ENVIRONMENT COMMITTEE FOR ITS REPORT & RECOMMENDATION	REGULAR
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18.REQUEST TO REFER SUBJECT MATTER OF DEVELOPING A RETENTION PROGRAM FOR PUBLIC SAFETY EMPLOYEES TO THE PUBLIC SAFETY, HEALTH AND ENVIRONMENT COMMITTEE: Councilmember Cathy White, re: to investigate measures to retain employees within the Police and Fire Divisions of Public Safety.

NO BACKGROUND INFORMATION.

July 21, 2021

Mark Taormina
Director Planning & Economic Development
33000 Civic Center Drive
Livonia, MI 48154

Christopher LeBlanc
31545 Grove Drive
Livonia, MI 48154

Re: Proposed Livonia Vision 21 Zoning Ordinance; Keeping of Animals (Fowl, Rabbits, Horses, Cows, etc.) in Rural Urban Farm (RUF) Zoning District and Applicable Permitted Structure(s)

My name is Christopher LeBlanc, located at 31545 Grove Drive, Livonia, MI 48154, and I am writing to comment on the proposed new Livonia Vision 21 zoning ordinance regarding the keeping of animals (fowl, rabbits, horses, cows, etc.) in Rural Urban Farm (RUF) zoning district and applicable permitted structure(s) for the raising/keeping of these animals. In addition to submitting these comments through the planning inquiry portal, I have also disseminated these comments to other departments within the city, which I have been actively communicating with on this topic, including the Law Department and City Council, concerning the current zoning regulations surrounding permitted structures for these animals. Despite the current allowance for structures to raise/keep fowl, rabbits, horses, cows, etc. in RUF zoning, the proposed regulations will prevent such a structure from being permitted. The proposed Livonia Vision 21 Zoning Ordinance cannot be considered for adoption as it's currently written, since it does not accommodate a structure in RUF zoning to raise/keep fowl, rabbits, horses, cows, etc., on a property with a residence. Additionally, the adoption of these updated/re-formatted regulations would directly conflict with the Generally Accepted Agricultural and Management Practices (GAAMP) for the Care of Farm Animals.

According to the proposed regulations, the following animals are permitted in RUF zoning:

Section 6.33 - 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.

Further, according to the proposed regulations, the following structures are permitted in RUF zoning:

Section 7.09 - Residential Accessory Building.

(1) Attached Garage. A garage building attached to the principal building shall comply, in all respects, with the requirements of this Ordinance applicable to the principal building.

(2) Detached Garages and Accessory Buildings.

A) Maximum Height. Shall not exceed sixteen (16) feet in height.

B) Maximum Lot Coverage. Shall not occupy more than twenty (20) percent of the area of any rear yard; provided, however, that the combined total area of all accessory buildings other than a garage shall not exceed three hundred (300) square feet.

C) Maximum Size. Occupying a ground floor area of not to exceed seven hundred twenty (720) square feet, except that on lots which are one-half (½) acre or more, a ground floor area not to exceed nine hundred (900) square feet shall be permitted. Provided, however, that in the event there are no other accessory structures located on the site, and further provided that all other provisions of this Ordinance regarding percent of lot coverage and yard requirements are adhered to, then an attached garage shall not exceed one twelve hundred (1,200) square feet in size.

Further, according to the proposed regulations, the following standards apply in RUF zoning:

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: ...

According to section 7.09, it appears the city is requiring residents to keep fowl, rabbits, horses, cows, etc. in a residential accessory building, such as a private garage and further stating that the combined total area of all accessory buildings other than a garage shall not exceed three hundred (300) square feet. The current RUF zoning regulations (section 5.02(e)) allow for a structure to raise/keep these types of animals and states '**Accessory buildings or structures and uses customarily incidental to any of the above uses when located on the same property...**' and one of the specified permitted uses referenced within section 5.02 is the raising/keeping animals (fowl, rabbits, horses, cows, etc.).

Section 7.23 states that accessory structures in RUF zoning '**Must be customarily incidental to the principal permitted use on the site,**' as opposed to customarily incidental to any of the permitted uses on the property, which is how the current regulations are written. For example, according to the proposed regulations, if the principal use on the site is a residence, then the accessory building must be customarily incidental to that of a residence/housing. However, a structure for the raising/keeping of fowl, rabbits, horses, cows, etc. is not customarily incidental to that of housing. Through previous correspondence with Assistant City Attorney, Michael Fisher, he clearly explained/outlined that a structure utilized to keep these animals is not incidental to housing. Therefore, according to the proposed regulations, there is not a permitted structure (non-residential) for these types of animals.

RUF allows for these types of animals, so there should be regulations explicitly allowing/outlining a permitted structure to raise/keep these animals in accordance with GAAMP for the care of farm animals.

Residences and residential accessory buildings are customarily incidental to that of housing and not intended to raise/keep these types of animals. Otherwise, the proposed regulations are allowing for these types of animals to be kept in a residence and presents the option to build an addition onto a residence or alter a current residence to accommodate such use, but we know this is not the intent and most likely not allowed. In previous correspondence with the Director of the Inspection Department, Jerome Hanna, he explained there would most likely be code violations with keeping these types of animals within a residence.

Additionally, the Livonia Vision 21 agenda has completely overlooked and disregarded the GAAMP for the care of farm animals. In laying out the regulations and criteria for permitted structures to raise/keep fowl, rabbits, horses, cows, etc., it is pertinent to reference the GAAMP in terms of sufficient space to keep these animals. For example, a minimum box stall for a horse would be 10 feet by 10 feet and up to 16 feet by 20 feet, depending on the size horse. Although, stall lengths up to 12 feet are often used. Additionally, there would need to be sufficient space for certain residents to have three horses, numerous fowl, and other animals, as well as room for feed hay, animal care tools, animal pasture care equipment, etc. These items are customarily incidental to raising/keeping these types of animals and, therefore, not customarily incident to that of housing. A separate permitted structure(s) accommodating these animals needs to be clearly defined in the proposed zoning ordinance, similar to the current zoning ordinance.

As the proposed regulations are written, this will cause numerous issues for Livonia residents that currently keep or plan to keep fowl, rabbits, horses, cows, etc. in RUF zoning who want to modify existing structures or build new ones on their property with a residence. This would be a major oversight and have a detrimental effect on RUF land owners. The proposed Livonia Vision 21 Zoning Ordinance **cannot** be considered for adoption as it's currently written. The proposed regulations may have clarified certain parts of the zoning ordinance, but, at the same time, overlooked/omitted structures for permitted uses, including raising/keeping of fowl, rabbits, horses, cows, etc. In previous correspondence with City Council, I understood that regulations concerning structures for keeping these animals should be explicitly defined, similar to the current regulations, but it appears the proposed regulations have disregarded this topic.

In the event I overlooked a section within the proposed regulations, please advise what structure is permitted in RUF zoning that would be utilized to raise/keep fowl, rabbits, horses, cows, etc.

Thanks,

Christopher LeBlanc

CC: City Council
Law Department



LETTER TO THE LIVONIA CITY COUNCIL

19.

Planning
July 15, 2021

MEETING DATE

July 26, 2021

PREPARED BY

Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

LANGUAGE PETITION: Planning Commission, re: Petition 2020-12-06-03, to consider the adoption of an updated and re-formatted LIVONIA VISION 21 Zoning Ordinance and LIVONIA VISION 21 Zoning Map. The proposed LIVONIA VISION 21 Zoning Ordinance provides new definitions, creates several new zoning districts and deletes several existing districts, updates the list of permitted and waiver land uses for each zoning district, provides new requirements and regulations for lot sizes, building setbacks, and lot coverages, off street parking, signs, alternative energy systems, and other regulations for structures and uses, including a new form-based development option for the City's commercial districts.

BACKGROUND

RECOMMENDATION

At the 1,170th Public Hearing and Regular Meeting held by the City Planning Commission on June 1, 2021, the following resolution was unanimously adopted:

#06-27-2021 RESOLVED, That having conducted a Public Hearing with regard to Petition 2020-12-06-03, submitted by the City Planning Commission pursuant to Council Resolution #09-19, in connection with Phase 2 of the Livonia Vision 21 contract involving the preparation of a comprehensive update to the City of Livonia Zoning Ordinance, the Planning Commission does hereby recommend approval of the Livonia Vision 21 Zoning Ordinance, Version 6.0, dated June 1, 2021, prepared by McKenna, and the Livonia Vision 21 Zoning Map, dated June 1, 2021, as prepared by the City of Livonia Planning Commission, for the following reasons:

1. That this comprehensive rewrite of the City's zoning regulations is the culmination of over two (2) years of hard work by the Zoning Ordinance Technical Committee, including several Special Study Meetings of the Planning Commission and a Joint Work Session with City Council and members of the Zoning Board of Appeals.
2. That the Livonia Vision 21 Zoning Ordinance and Livonia Vision 21 Zoning Map are in full compliance with the requirements of the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended.
3. That the overall organization, recodification, and functionality of the Livonia Vision 21 Zoning Ordinance represents a substantial improvement over the existing ordinance and streamlines all of the City's zoning regulations in a more efficient, effective and user-friendly format.

4. Adoption of the Livonia Vision 21 Zoning Ordinance achieves the #1 priority project as identified in the Three-Year Priority Project List in Book 4, Strategic Development, of the Livonia Vision 21 Master Plan, which recommends updating the Zoning Ordinance to jump start Livonia Vision 21 implementation.
5. Adoption of the Livonia Vision 21 Zoning Ordinance and Livonia Vision 21 Zoning Map is consistent with the recommended Revisions to the Zoning Ordinance and Zoning Map as outlined in Book 4, Strategic Development, of the Livonia Vision 21 Master Plan, including:
 - a. Consolidating and simplifying the City's one-family residential zoning districts to reduce the number of non-conforming lots;
 - b. Consolidating and simplifying the City's multiple-family residential zoning districts, and providing new incentives and standards to encourage infill housing and neighborhood investment;
 - c. Consolidating and simplifying the City's commercial zoning districts by eliminating the office districts and incorporating the eligible uses and standards into the corresponding corridor and regional districts;
 - d. Incorporating form-based regulations for the City's Special Planning Areas, Mixed Development Centers, and commercial districts; and
 - e. Providing incentives and standards that will encourage sustainable use of land, materials, energy, and resources.

To be referred to the Law Department to prepare the necessary documents

FISCAL CONSIDERATION

N/A

ATTACHMENTS

1. PH071421 Petition 2020-12-06-03 Livonia Vision 21 MINUTES
2. PH0071421 Petition 2020-12-06-03 DIRECTION
3. PH0701421 Petition 2020-12-06-03 NEW DATA (Received 07-14-21)
4. LTC: PH071421
5. 2020-12-06-03_LV21 Zoning Ordinance_E-COUNCIL Pkt

APPROVED BY

**CITY OF LIVONIA
PUBLIC HEARING**

Minutes of Meeting Held on Wednesday, July 14, 2021

A Public Hearing of the Council of the City of Livonia was held at the Livonia City Hall Auditorium on **Wednesday, July 14, 2021**.

MEMBERS PRESENT: Kathleen E. McIntyre, President
Scott Bahr, Vice President
Brandon McCullough
Jim Jolly
Laura M. Toy
Cathy K. White

MEMBERS ABSENT: Rob Donovic
Brandon McCullough

OTHERS PRESENT: Mark Taormina, Planning and Economic Dev. Director
Mike Fisher, Assistant City Attorney
Sara Kasprovicz, Recording Secretary

The Public Hearing was called to order at 7:03 p.m. with President Kathleen McIntyre presiding. This item is regarding **Petition 2020-12-06-03** submitted by the City of Livonia Planning Commission to consider the adoption of an updated and re-formatted LIVONIA VISION 21 Zoning Ordinance and LIVONIA VISION 21 Zoning Map. The proposed LIVONIA VISION 21 Zoning Ordinance provides new definitions, creates several new zoning districts and deletes several existing districts, updates the list of permitted and waiver land uses for each zoning district, provides new requirements and regulations for lot sizes, building setbacks, and lot coverages, off street parking, signs, alternative energy systems, and other regulations for structures and uses, including a new form-based development option for the City's commercial districts. This item will move to the Regular Meeting of **July 26, 2021**.

The Public Hearing is now open. There were 14 people in the audience.

McIntyre: Mr. Taormina would you like to start?

Taormina: Thank you Madam President. I would. Tonight's public hearing involves consideration of a brand-new zoning ordinance as well as a zoning map. The task of rewriting of the zoning ordinance, as you know, was authorized by Council in 2019 shortly after the official adoption of the Livonia Vision 21 (LV21) Master Plan.

Updating the zoning ordinance was identified as the #1 priority for implementing the LV21 Master Plan.

The master plan outlines several general changes, including consolidating and simplifying the City's many zoning districts; incorporating form-based regulations for the City's Special Planning Areas and Mixed Development Centers; and providing incentives and standards that will encourage sustainable land use, materials, energy, and resources.

The proposed new zoning ordinance and map are officially referred to as the Livonia Vision 21 Zoning Ordinance and the Livonia Vision 21 Zoning Map.

The LV21 Zoning Ordinance has been completely reformatted and recodified. The ordinance has been completely – excuse me. By consolidating the zoning districts and making other organizational changes, the number of Articles that make up the LV21 Zoning Ordinance has been reduced from 31 to 14. Additionally, hundreds of hyperlinked cross-references and dozens of tables and graphics have been incorporated to make the LV21 Zoning Ordinance much easier and efficient to navigate.

The 14 Articles that make up the new ordinance are as follows:

Article I will remain more-or-less as the preamble, and is devoted to the Title, Purpose and Scope of the Zoning Ordinance.

Article II provides Definitions for the various words and terms that are used throughout the Zoning Ordinance.

Article III establishes the Zoning Districts and Map. The big change here is that the total number of districts is being reduced from 26 down to 16, resulting in a much better alignment with the nine (9) land use classifications that are identified on the LV21 Future Land Use Map. In general, the changes include:

Consolidating the six (6) current single-family districts into three (3) new single-family districts: R-1 would become N1, which stands for Neighborhood 1, with minimum lot size of 50' x 120'. The R-2, R-3 and R-4 districts would become the N2 or Neighborhood 2 District, with a minimum lot size of 70' x 120,' and the RUF – oh, excuse me, the R-5 would become RUF, which remains, with minimum lot size of 15,000 square feet.

It also involves consolidating the six (6) multiple-family districts into three (3) new multiple family districts: The R-6, R-7 and R-C districts would become the NM1, which stands for Neighborhood Multi-Family 1; R-8 and R-8C would become NM2; and R-9 would become NM-3.

It involves consolidating the six (6) commercial districts into the four (4) existing districts: C-1, C-2, C-3, and C-4.

All OS-zoned properties would change to C-1.

All PO districts would become C-4.

Finally, the P-L (Public Land), ML (Manufacturing Limited), M-1 and M-2 (Industrial Districts), the P (Parking District), and the Nature Preserve Districts would all remain.

And the AG (Agricultural District) and R-E (Research Engineering Districts) would be eliminated.

Article III also includes Section 3.03, which is Permitted Uses by District. This is best described as a quick-reference table that provides a comprehensive list of land uses and how each is treated within each of the 16 zoning districts – either as permitted, not allowed, or as a waiver use.

Article IV is the Schedule of Regulations, which is another easy-to-use and navigate table that provides the height, the area, bulk, and placement standards for every zoning district.

Article V, Supplemental Zoning District Standards establishes and provides regulations with respect to four (4) unique elements of the Zoning Ordinance that are not specific to any single zoning district. These include, Section 5.01, which is the Special Area Development Control Standards; Section 5.02, the Special Waiver Use Standards for Planned Residential Developments and Planned General Developments; Section 5.03, Single Family Clustering; and Section 5.04, Form-Based Development Option in Commercial Districts.

This last one is probably the most significant. The Form-Based regulations are intended to encourage development consistent with the recommended design principles of the LV21 Master Plan. This section focuses mainly on the three (3) Special Planning Areas: City Center, Former Livonia Mall, and the East Plymouth Road; but it would also be available for any commercially zoned property. Section 5.04 establishes design objectives as well as standards for the location and spacing of buildings, as well as their height, area, bulk, and appearance. Mixed-use developments which include medium to high density housing is encouraged. Important to the success of the Form-Based option is the review procedure. The process would differ depending on the scale of the project and whether it conforms to the form-based development standards. If it does, then a typical site plan review procedure is followed, which is a much more streamlined and predictable process versus a project that does not conform to the standards, in which case the Special Waiver Use Standards of Section 5.02 would apply, requiring a public hearing and affording the Planning Commission as well as the City Council much greater discretion in the decision-making process.

Article VI, Standards Applicable to Specific Uses provides standards and regulations for over 60 different land uses, ranging from Adult-Entertainment to Wireless Communication Facilities. The special rules that apply to many of the uses listed in Section 3.03, are provided in section – or in Article VI and are cross-referenced and hyperlinked to assist the user. One of the great things about this Article is that it eliminates significant redundancy, since—in many instances—the same rules apply to the uses that are permitted in

multiple districts, and unlike the current Zoning Ordinance, are not repeated over and over.

Article VIII, Environmental Performance Standards places all regulations pertaining to environmentally related uses and issues under a single division, including waste and rubbish facilities, noise, odors, soil removal, and dumping. It also includes a section on the City's flood hazard areas.

Article IX, which is Parking, Loading, and Access Management; Article X, Landscaping and Screening; and Article XI, Signs consolidates and puts all the City's rules for these items into separate, easy-to-find chapters, since—in one way or another—they affect nearly all development and redevelopment projects.

A few changes incorporated into the Parking regulations include new standards for shopping centers in an effort to reduce the amount of unused parking spaces, as well as a cap of 20% on the number of spaces in excess of the minimum number of required spaces – in other words, we don't want to overbuild these parking lots. It also includes standards for parking structures; as well as allowances for electric vehicle (EV) charging stations or ports. Changes were also made to the Sign regulations that focused mainly on making sure that they are content-neutral.

Article XII deals with Nonconformities. This was created as a separate category due mainly to the unique nature of the subject matter and the fact that several sections are needed to fully address all the complexities surrounding the issue.

Article XIII is Administrative Procedures, and Article XIV, Violations. These are provisions that are common to all zoning ordinances and typically reside as separate articles or divisions for ease of reference.

Also, under consideration this evening is the LV21 Zoning Map, which designates each and every property in the city into one (1) or more of the 16 zoning districts as established in the Zoning Ordinance. These include the six (6) residential classifications, the four (4) commercial classifications, three (3) industrial classifications, one (1) district for parking, one (1) for public lands, and one (1) for the City's nature preserves.

As mentioned earlier, several districts have been consolidated and renamed, which are reflected on the map. It is important to note that, in reference to the zoning classifications, all single-family residential districts have been retained as single-family; all multiple-family residential has been retained as multi-family residential; all commercial has been retained as commercial; industrial as industrial, and public land has been retained as public land, no changes.

I would like to note one change as it effects the Caregiver Grow Facilities. The draft before you adds a provision that will require a 1,000 ft. separation between facilities. The Planning Commission agrees with this amendment as

a way to curtail the rapidly growing number and concentration of these facilities in the industrial's corridor – I mean industrial corridor.

Should this item move forward, additional minor edits are in the process of being finalized and will be presented to Council for First Reading.

I'd like now to turn this over to Paul Lippens, who has been our consultant throughout this process, and was also instrumental in the development of the LV21 Master Plan. Thank you.

McIntyre: Thank you, Mr. Taormina. Go ahead Mr. Lippens.

Erle: Our televisions aren't turned on so we can't see what you guys are able to see.

McIntyre: Well, we have a technical difficulty this evening that I apologize for. I don't know if we have a work around for it.

Lippens: Would anybody like to move? If anyone in the audience would like to move to a place where you can see it easier, I think that would be a good solution. We apologize, but, at this time, we are not able to get those going for you.

Bahr: Madam President.

McIntyre: Please, Mr. Bahr.

Bahr: Just a quick comment. I do apologize. About two years ago, we specifically made a change so we would be able to see those public hearings, and I know Livonia TV has been doing that, I don't know how it slipped through the cracks tonight, so we'll definitely follow up on that for future public hearings and make sure they fix that, but I apologize for that.

Toy: Can you see it?

McIntyre: Mayor, do you know if we have folding chairs anywhere easily accessible in the building?

Brosnan: Hmm, let me see if we've got some down that side corridor where the Clerk's office is.

McIntyre: Alright.

Brosnan: We had some temporarily located there.

McIntyre: We have one of our outstanding Reserve Officers that could help, or we could help bring them in if needed. So, if you'll just give us a moment. I appreciate your patience, and again it was unanticipated that the monitors would not be working tonight as Mr. Bahr said and he was one of the people that urged this

change. We always like to have the monitors working and they just – you got it going Scott?

Miller: I've got them on, but I don't know if they're working.

Bahr: Oh, perfect.

McIntyre: Alright, thank you everyone for your patience in this delay, it was simply due to I was trying to make sure that everyone who took the time to be here tonight is able to see the TV.

Miller: It's only these two batteries that work.

Taormina: Well, if it had batteries, it would have worked.

Bahr: You just had to go get the chairs first, that's all.

Taormina: I just switched them back, I apologize.

McIntyre: No, no apology necessary. Alright, as soon as Mr. Lippens gets back and the Mayor gets back.

Lippens: Alright, well thanks to Scott for getting the TV's going. That's the solution we wanted for this problem, so and now everybody can see. Good evening Council, it is my pleasure to be here this evening. I think Mark covered the main points of the ordinance. He walked you through all the chapters. I'm going to cover just a little bit tonight about the processes and some of the high points. Michigan Zoning Enabling Act is the authorized Act that creates the opportunities to zone in the state. It is ruling to the Michigan Planning Enabling Act which also governs the rules by which City's plan. So, we have been working on this ordinance now for a little over two years. We were slightly delayed throughout the pandemic, but I think it allowed us to have a little more diligence. We've done a lot of review, had time to outreach with the Technical Committee, several working meetings with Planning Commission, a joint session recently with Council and all that leads up to the required adoption process, which is what we're currently working on now. So, the authority to develop and recommend Zoning Ordinances lies with Planning Commission. Your Planning Commission, in addition to serving as a working group and a body that helps this develop many of the recommendations in this ordinance, they are also required to hold a public hearing. That is required to have a 15-day notice. One of the key elements we want highlight for the Zoning Enabling Act, and this is really designed for when you make changes like adopting an entire zoning ordinance for an entire city. The City is not required to send a notice to every property owner about the process so the notice happens and a paper of record, of course it's been on the City website and advertised the way public meetings are advertised in the City, but since there are more than 11 properties effected, the City did not send out notices to every property effected, and that is in line with State of Michigan requirements for zoning and that's state wide. Planning Commission is charged with making a

recommendation to City Council, City Council is the adopting body, so the charge of adopting this ordinance lies with the City Council and City Council may take action. The state does not require that City Council hold public hearings, so Livonia is going above and beyond in doing additional outreach at the Council level. State does not also require multiple readings. That's another Livonia practice that is making sure that residents and Council does adequate time and takes time to review this ordinance, which was something Council expressed to us when we met earlier this Spring. We wanted to take a process that allow Council to thoroughly review the document. When Council does decide to act on the document, if you choose to adopt the new zoning ordinance, the City is required to publish a notice of that adoption and that notice of adoption, the actual ordinance comes into effect seven (7) days after the notice of adoption. So, that outlines the State of Michigan's required process for zoning amendments and the adoption of new zoning ordinances. For anyone in the audience, if you've had a neighbor or a commercial property near your house, if you got a notice of a rezoning, those amendments also follow the same procedure, so anytime the City gets a petition for an individual to rezone their property this is the procedure that is also followed in those cases as well. So, Mark covered some of the main accomplishments of this plan, I'm going to re-hit on some of those. I think one of the really important things to highlight is that this zoning ordinance was the number one priority project outlined by the Livonia Vision 21 Master Plan. So, the City has been working very diligently during this time to achieve those, and within the master plan you will find some guidelines for what we, the City, intended to achieve with this process. We also did a comprehensive diagnostic review, so we worked with a Technical Committee that included City Board Members, Commission Members, ZBA Members as well as department heads to really dissect the ordinance and the idea was that we would preserve all of the regulations that were working well and understand what wasn't working well and fix it and that was our philosophy that we wanted. We knew that the City worked well, that we had well established development procedures that were effective, we wanted to highlight those procedures, make sure they continued to work, but also fix elements and remove a little bit of the fat, right? We wanted to make it a clear ordinance that was very usable. That was the primary objective. So, we did incorporate those Master Plan recommendations. We also did an evaluation of variances, so we looked at variances for the last five (5) years and looked at them to say are they appropriate variances? Is the ZBA functioning as ZBAs are intended to function or are there things the ZBA is regularly being asked to do that would be better achieved through a zoning amendment. So, we are not asking for the ZBA to grant a variance for something that really, we would want any City similar property in the City to be able to do and so some of the changes we made were to address those types of issues as well. So, some of the accomplishments, district consolidation, usability of tables, hyperlinks. What this means is we've taken some of the information that was hard to reach or understand in the ordinance, and we've put it all together in one place so it's much easier to understand the regulations that applied to districts and that's without changing the regulations. What we've done is we've figured out which regulations are really governing values for districts, and we've put them all in one place. We've reduced non-

conforming lots, created more opportunities for housing and specifically we've done this at in commercial districts of the edges of neighborhoods. This was something that during the master plan was discussed at length. The opportunity to create more housing types including town homes, smaller units, apartments that were not currently being offered by the different residential districts and multi family residential districts in the City and where would be the appropriate places to add these. What the Master Plan Committee, when we were working on the Master Plan decided, was a great way to introduce these types of housing types in the City was actually in commercial districts at the edges of districts. That way we could keep the character and patterns of the neighborhood residential districts intact while we worked to also achieve more housing types in the City. Mark also covered the Form-Based Development option. This is really the way that we've intended for some new residential type development is through Form-Based Development, so anytime in a commercial district, if someone wanted to pursue one of these residential uses, if you're not in an are planned for Form-Based Development you'd have to get a special land use. I'll show you a table, a flow chart that explains that process in a minute. Again, we utilize established City procedure and we preserve what worked well, and what didn't we looked to update.

McIntyre: Paul, excuse me?

Lippens: Yes.

McIntyre: Is there a short way or do you want to wait to address it. There's just, I know this is difficult to encapsulate. I'm sorry, the difference between Form-Based Development option and traditional zoning. Is there a good way to kind of encapsulate what that is?

Lippens: Sure, I would say, when you talk about Form-Based Development Standards, you focus more on the architectural character and design of a site, than you do about the uses of a site. Now, both conventional zoning regulations and Form-Based regulations do regulate use and they also both regulate design. One of the fundamental differences between Form-Based Design Code is the types of regulations are shown graphically, the types of uses can be, multiple uses can be permitted in one building on one site. Also, it's easier to vary the proximity of those uses within a district. So, this Form-Based development option was not something that was not permitted in the City before, but it would have been permitted only through a PUD option. What we've done is we've created a bi-right way for people to do more creative types of development. In that respect, we've maybe facilitated some new development procedures. Now, any place that is not designed, or not designated in the Master Plan for Form-Based Development would have to go through a special land-use procedure in order to use that tool and that would involve public hearings and Council approval.

McIntyre: So, let me see if I got it right and I'm just asking because this is something that, to me, with a background in Planning took a while to get my head around. So, it means that in designated areas where we have this PUD designation, it

gives more flexibility to things that can go in there, but that sort of flexibility is restricted only to the areas that are identified for Form-Based design, right?

Lippens: Correct.

McIntyre: Okay, so it doesn't mean if you've got a residential area, right, that now you can go in and do all these things in there that you couldn't do before. You can only do it where you have Form Based Development identified in specific places in the City.

Lippens: Correct.

McIntyre: Okay.

Lippens: At this time, it can be applied to commercial districts, but there's no neighborhood districts or neighborhood multi-use districts that have been identified for this particular tool.

McIntyre: Thank you.

Lippens: That was the preference of the Master Plan Committee, when we were working with them. So, we've implemented the recommendations that the Master Plan Committee made to Council at that time.

McIntyre: Thank you.

Lippens: Thank you, I appreciate it. Mark covered a little bit about this district consolidation. I think it's easier to see what this means on the map, I'm going to show you in a minute, but this is kind of a powerful stat. There are a lot of non-conforming lots, so one of the things you might think is that all of the residential lots in the City conform to the residential standards of those districts. That would make sense. In actual fact, that's not true. We did an analysis to prove that. So, what we've done is we've eliminated all of those non-conformities. So, if you live in a residential district now you might have a non-conforming lot. With this ordinance, we've made it so you probably will conform with those standards and be able to more easily upgrade, put an addition on your house, do things that you might have been limited to before because of non-conformance with required setbacks, etcetera. So, here's that map. Let me show you. The map on the left is the existing non-conforming lots to the residential requirements. You see all the red on this map are the lots that currently do not conform to the existing residential district that they are in. With the consolidation that we've done we have created the map on the right, which shows great improvement in the number of non-conforming lots. I would say what this really is, that there are regulations that probably were not practical or really utilizing the old code, so what we've done is we've tuned it. We've gone through and looked specifically at the actual lot dimensions; the sizes of the structures and we've created regulations that actually conform and support and protect the neighborhood structure that is there. Having non-

conformities is not really good for a district because it means that nothing can be protected because it's all non-conforming.

Toy: Paul, can you just kind of describe which street is north and south as you're looking at these maps.

Lippens: Well, this is Eight Mile at the top.

Toy: On the very top is Eight Mile, right, but what's down like in the center. Is that Five Mile and up?

Lippens: I'm going to hand it over to Mark. He's much more familiar.

Taormina: So, the City is bounded by Eight Mile Road along the north, which is here at the top part of the maps, both maps. These are identical obviously. On the east side is Inkster Road. On the south is Joy Road and on the west is divided between Haggerty Road and Eckles Road. I-96 Expressway runs generally here on the southern tier of sections in the community, Five Mile, Six Mile, Seven Mile again and Eight Mile. Middlebelt Road here just west of Inkster, a mile to the west of that is Merriman Road. Farmington Road runs through the center, then we have Newburgh Road, Wayne Road, Leven Road, other roads that run north/south through the community.

Toy: Thank you. It just makes it a little bit clearer. Thank you so much.

Lippens: So, I find this map to be really enlightening and we spent a lot of time on this analysis to make sure that we were effectively accomplishing the City's goals. And I, just to tell you, I talk about this with a lot of my clients now. This analysis is something I think is the best practice that should be done in all zoning ordinances. Certainly, it's a practice that I intend to keep doing. Mark mentioned the zoning map. This map also shows I think the consolidation of the land-use patterns of the City. I feel like this map reads. When I read this map and when I read the corresponding future land-use map I can tell that the way the City wants to develop is aligned with this policy. So, I also appreciate that the consolidation doesn't just disambiguate the code, it also disambiguates the vision and I think that's displayed very well on this map.

McIntyre: What's that word Mr. Lippens? I like that word.

Lippens: Disambiguate? That's a Planner's word.

McIntyre: Makes clear, right?

Lippens: Yes.

McIntyre: Yeah, more things that are clearly directed as opposed to open to interpretation?

Lippens: Absolutely.

McIntyre: That's a very good word though.

Lippens: Provides clarity.

McIntyre: Thank you.

Lippens: Provides clarity. So, the Form-Based development option. Mark also covered this a little bit too. So, one of the main things when we were looking at crafting these codes for Livonia is we wanted to create incentives for development. This is not a stick. I think that in five (5) years you might have some success with this option that you might make it requirements in more places, but for now what we've done is we've created the framework. We've put it in there where innovated developers can utilize it and I believe what they'll find if they chose to utilize it is that there's a lot of value in creating these building types and the market is demanding this type of development, so I think that creating this opportunity in Livonia. Again, you're getting this type of development, you're getting people thinking like this, but what we've done is we've made it easier in this zoning ordinance. So, I think the other thing that's important is conventional development in the C-District is still an option. We haven't made any of the types of developments that Livonia residents are interested in seeing and business owners are interested in the development. We haven't made anything that previously was an option in Livonia, not an option anymore. So, we've really focused on creating value. We mentioned that there are special area plans in the Master Plan, the City Center District is one of those special area plans I'm going to show you in a minute, but what this does is it shows consistency in getting that work done up front. So, if the City wants to work on more special area plans to implement, right now we did three (3) with the Master Plan. There are a few more districts on the Master Plan that are highlighted, but if that work's done up front, what it does is it means that any developer that wants to work with you on building that vision they can benefit from those special area plans being done up front and it takes a little bit of the question out of that process as well. We've also created guidelines for adapted re-use or renovation, so when people are renovating properties, we've shown ways to bring those more in line with the Form-Based Code District as well. In other words, most of those standards apply when you're building new, but if you're in the district we also want to provide some guidance on how to develop the buildings you have. So, we found, in the Form-Based Coded world, you talk about hybrid codes, which have elements of conventional zoning and elements of this Form-Based Coding. What we've created is an elegant approach to having both, and one of the main reasons we did this is because we did want to retain so much of the valuable regulation that the City of Livonia's development process is based on.

McIntyre: Mr. Bahr.

Bahr: Quick question Paul. So, it was just going through my mind here, and prior to this Form-Based, do we currently have any zoning districts that allow residential in commercial districts at all? I mean, I know it exists, but the ones

I'm thinking of are all really old, so I thought maybe they were just grandfathered, but -

Taormina: Yeah, Paul I think earlier referred to it as, or maybe the President did as Planned Unit Development. The Livonia Ordinance refers to it as Planned General Development and those regulations will remain and they are integrated into the Form-Based regulations, and what they do effectively is allow for a mix of uses within areas that are approved as Planned General Development. Now, a good example is the Haggerty Center where we have a combination of both retail and high density residential. It could also be done in strictly commercial developments such as Livonia Marketplace, so it's a very flexible tool and it's been, again, intertwined now with the Form-Based regulations to work together.

Bahr: Yes, I understand what it's doing now, I was just trying to figure out is this totally unique from what we've done in the past. So the Haggerty Square, is that what's it's called? I know it's not there now, we know what we're talking about, the apartments on Haggerty. We didn't rezone that to some form of residential?

Taormina: Nope, just strictly commercial.

Bahr: Okay. Alright.

McIntyre: Councilwoman Toy.

Toy: Now this is off the beaten path, but what about in our industrial areas? Has there been any thought in incorporation as we look at those? I know in Lansing they were doing some of that with some of those old factory buildings and things like that. Does any of this apply to possibly that in the future?

Lippens: It could and I'm certainly familiar with this idea. Essentially what we're talking about is retrofitting of commercial districts that were more limited in the types of uses that could be done by right in those districts.

Toy: Right, I heard you say that.

Lippens: Yeah, to create more development options, including housing.

Toy: Right.

Lippens: There are cities that are looking to do that also in industrial district. One of the one client's we're working with is the City of Holland which has a number of industrial districts, which they look to do this type of Form-Based retrofit as well. I would say that that is certainly an option in Livonia. It's not something that came up in our Master Plan process, so it wasn't on the forefront of us as we looked at districts to include. You'll see on the top of the flow chart here, and this is the flow chart for the Form-Based Development option procedure.

It describes that being applied to the C-1, C-2, C-3 and C-4 districts. So, those are your base districts that can be used to apply this loading zone.

Toy: I just wondered how far out we went. That's all.

Lippens: Well, I think it's a good point. I mean, I think if this becomes a tool that is utilized in the C-districts, I think it might be something you would consider down the I-districts. I know that the I-districts are highly functioning and also valuable, is that a good word? Not that the commercial districts aren't, but I would say when you look at areas in here, like these are working great, you don't necessarily look at changing them per se. I would say for the most part that's what we heard about the City's industrial corridor in the Master Plan was that these are highly functioning areas. We talked about the edges of them, to an extent, the Plymouth Road Corridor Plan, which was a commercial district. It does kind of border some of the City's industrial and connects to them.

Toy: Thank you, thank you Madam Chair.

McIntyre: Thank you.

Lippens: For sure. The other thing I wanted to point out on this flow chart here is the right side of this flow chart describes other, right? And the other process essentially what I would say is now, the PUD process for doing these types of developments follows the other project line of this, so you can do them, but there's no specific design standards that would apply to those projects and essentially, you're working with the developer to custom design any site, based on what the needs are through the PUD process. Now what we have is we have these Form-Based Development options with building design standards so we can actually help guide that PUD process towards a design that has been endorsed through the City's Master Plan process. Then you'll see on the left side of this chart, there are mixed-development centers, where there are five (5) of them on the future land-use map, and the City center, which is the area we are in now. In those areas, the idea is, if there is an adopted Special Area Plan, which there are three (3) of in the Livonia Vision 21 Master Plan, those would be eligible to go through a site plan process which City staff determines that the plan being submitted is conforming to the adopted land-use plan in the City's Master Plan. I'll show you one of those right now. This is the adopted Special Area Plan for City center. If you were to get a developer to submit a proposal for any site or one of the City-owned site, even a part of a City-owned site within this district, Planning Commission would be able to consider that proposal, make a determination if it really conforms with the adopted vision of the City center. If it does, consider that development plan through the site plan procedure, as opposed to a special waiver-use procedure. That's what we mean by a carrot not a stick. It's an incentive to follow this plan. I would say, if someone doesn't want to follow the adopted plan, they still have the option to go through a special waiver procedure. That's an important distinction too. People are not forced to conform to these plans, but if they do, they will have a stream-lined process. Here's some photos, or pictures, illustrations of the types of building types that are

included or design-standards that are included in the Form-Based Development option. Row houses, mixed-use apartments, basically, it's traditional urbanism. The idea is to achieve some more walkable places, to encourage commercial development, create new employment opportunities, and to diversify the City's housing opportunities, to accentuate the neighborhoods, which really were the focus of the Master Plan, building on the City's strong neighborhood and park system, employment centers, really building on what works. I have some notes here on some of the revisions that we've made since the first draft was considered at our working session. We have been working on signs to removed content-based regulations. This was a Supreme Court decision, so some of the subsequent changes to the sign section are designed to make sure that the overall time, place and manor, intent of the zoning ordinance is preserved, but that the content-based regulations are removed to align with US Supreme Court decisions. I don't know if I should go through each one of these? We made some more revisions to ordinances since our working session to align both with some of the feedback we got from Planning Commission as well, during this time, Scott has been conduction due-diligence review. If I would not be surprised, a year from now, if you had a handful, six or ten amendments that we didn't discover, but the intent of this review was to make sure we got as many of them as possible. Mark already mentioned that we've added a buffer from care-giver facilities, which aligns with the more recent State Court decision that clarifies the City's ability to regulate these uses. We've added some EV charging stations, these are all good things. I have this next step slide, we are actually on number three here. Planning Commission has made the recommendation to Council to adopt the zoning ordinance. This is the actual scheduled Council meeting to hear it. I believe following this, Council will have the opportunity to schedule two readings prior to making the decision, or do they make the decision at the second reading? So, you can make the decision at the second reading. The ordinance would become effective seven (7) days after that. We are here for questions and thank you very much for the opportunity to present some of these ideas. I think this is really an exciting ordinance and we're exited and thankful to have worked with the City to bring it to this point.

McIntyre: Thank you. Does Council have any questions before I go to those in the audience?

Toy: Yes, thank you, if I may. A couple of things come to mind. When you are talking about now and in the future, obviously, and the world has changed since we began this process, let's face it. Amazon was getting more into people's lives, probably even more so now than ever with people being locked in. Subsequently, I guess my thought is, were we basing a lot of those townhouses with retail underneath them or there's a lot of options there, we looked at that. I remember being over at the library, great response of people coming in, giving us feedback and things like that, but we took a lot of that into consideration, I know you did as you went through it and your committee went through it. Then also battery cars that seem to be coming even stronger as time goes on with the new Administration federally, are really promoting that, environmentally, etcetera. As we adapt into this, that we can be ahead of the

curve as much as possible so that we can allow those kinds of things to happen to keep our community viable, I know Maureen will do that, don't get me wrong, but you know what I'm trying to say to you, so if we can keep ahead of that curve. It's a hard one to judge at times, but I applaud you for a lot of this, it really turned out nice.

Taormina: If I could point out, just as an example, today, Scott Miller, one of our staff members and Stephanie, received calls today for EV charging stations on commercial property. While we don't currently have regulation for that type of use, this ordinance, in fact, will treat it as a permitted use, it provides some easy-to-understand standards, will not hamper in the ability of commercial properties to include those. So, that's a good example of trying to keep current.

Toy: Thank you so much.

McIntyre: Anyone else? All right. Are there members of the public that would like to communicate with us?

Brosnan: Madam Chair?

McIntyre: Oh, please, Mayor.

Brosnan: Just to wrap up the Administration side of this presentation this evening. As I did in the previous meeting, where you met with the Planning Commission. I really want to applaud the work that you've all done in getting us to this point. This is a long-range visioning process that began three (3) years ago. Council President McIntyre and myself, had the good fortune of serving on the Livonia Vision 21 Committee that helped to get us to this point where we actually decided that the number one priority for our community was to advance and change our zoning ordinance. We understood, sitting on that committee that this was going to be a huge, very brave, very bold lift for our community, but it's one that Livonia, being the city of foresight, undertook. When we did it, it was called Livonia Vision 21, very specifically, because it was designed to get to exactly this point in the year 2021. So, despite a pandemic, we managed to get here. As Paul points out, some of the precious time we garnered during the pandemic helped us put some of the finishing touches on the ordinances being presented to the community tonight. I really wanted to take just a moment to step back and look at this from the 5000-foot level, in terms of what a zoning ordinance change like this means for a city like Livonia. There's already a great deal of buzz throughout the County, throughout the State, neighboring communities are looking to us for guidance, we're already setting the standard a lot higher for folks. Our ability to turn around and say to people, 'we know where our city is headed, not just tomorrow, not just three years from now.' This plan looked at what is the city going to look like for my children, who I want to come back to this city, for my grandchildren that I'm hoping continue to live in this city. To Councilmember Toy's point, it not only looks at electric vehicles and charging stations, it looks at how does transit exist, future development of a community. Is there enough flexibility in the way we have zoned our community to allow for the changes that are going to drive our

economy, that are going to drive sustainability, that are going to drive the desire for people to want to come here? We believe strongly that the plan that's before the community tonight, because this in fact, their public hearing, the plan that we have before the community tonight does all of that and so much more. So, I did want to take a moment to step back to thank all of you for your commitment to the process, for your dedication to pushing this timeline through, to Mark Taormina and his team, these folks are genius. When they talk about working with other department heads and working with other commissions and board members, there were a lot of people involved in putting this together. Most importantly, this process began with the people in our community, we didn't just dream this up, as people who sit here regularly on a Wednesday night. This is a plan that came to us from hundreds and thousands of communications with people in our community over a course of close to two years and we got them together face-to-face, we got them together online, we got them together through surveys and all sorts of methodologies so that we have a lot of opinions weighing in on this, so the confidence I have in the zoning ordinance changes that are being brought to you tonight is significant. Driven not only by residents but businesses in our community. Many of you may recall that about a year and a half ago, we had a chance to conceptually introduce this to members of our business community in a bus tour that we did. We rode throughout the city showing the businesses what the changes in our zoning ordinances were going to mean to the future of our city. Trying, early on, to get buy-in, so that people were beginning to get energized around this concept. They were beginning to get excited about it. The call that Mark mentioned today is just one of just many that we get on a very regular basis, from people wanting to know, where is it that we're going to be using this new type of development in our city. They want to know, what are our plans? What are we looking at, what are our visions for this Civic Center campus area? What is it that we envision happening over at the Livonia mall area? What are we, as a city, what do our residents want to see happen on the Eastern side of the Plymouth Road corridor? If we can tell them what that is, if we can articulate what that means for the growth and expansion and development of our community, they will build it here. They will come, it truly is if you build it, they will come. First, we tell people what we would like to build, that's unique. There aren't a lot of communities that are out there right now that are capable of articulating that kind of vision. With your help tonight, with the residents input this evening, I am certain that we are going to be light years ahead of all the competing communities in being able to tell people what we want to see happen in our community, to solidify the future for our children. So, thank you very much for your time tonight.

McIntyre: Thank you, Mayor, very much. Mr. Bahr, go ahead.

Bahr: Thank you, Mayor, you voiced one thing, I'll ask Mark unless the Mayor wants to answer this, but you talked about preparing us for future transit. I don't know if you want to elaborate that, or if Mark, you wanted to? Are you talking about electric charging stations or are you talking about something else, I don't remember that topic coming up in our previous discussions on this? What are we doing drastically different, as far as future transportation in the city?

Lippens: In terms of the plan, the Special Planning Areas, including City center, are designed to create nodes of activity. Certainly, walkability is connected to the creation of transit routes and the transit system. I'd probably link that back to the Future Transportation Plan, which is a part of the Livonia 21 Master Plan, which outlines a number of potential connections to regional transit system and even the local circulator systems have a potential to upgrade those to service more city residents. It also talks about the connection to connect in automated vehicles, which is a part of our transportation services, its really a form of paratransit. In looking at the future land development, the development of land systems, transportation systems are entwined, we know that the decisions we make about transportation and the decisions we make about land-use are linked and connected to one another. That's really what the Future Transportation Plan and the Future Land-Use Plan in the Master Plan look to do, is align the way we look at our transportation systems with the way we look at our land systems. The one piece of that I did mention too, was the Livonia Bike Walk Plan, which was kind of the first plan that looked at mobility systems to enhance the City's mobility network. The Bike Walk Plan also looked at the integration of land-use systems with the destination analysis that was done and even seeing the Bike Walk Plan, how the links between, the fact destination analysis that was done for the City's biking and walking system, was then linked into the land-use plan and carried through in the future land-use plan. I think that when I earlier made the comment that you can tell now how those plans relate to the zoning map, I think that's the link, really that the Mayor was referring to and now updating our land-use regulations to match our land-use vision.

McIntyre: Before, if anyone from the audience would like to speak, I would like to reference some new data that I thought would be most appropriate to read this now. This is a letter from a resident, Mr. Thomas Erle. He expressed that he didn't feel a need for creating a City center at Farmington Road. We would have to dislocate many of the businesses. He said that Bates has been a landmark for decades. What was very interesting when I read that, if we recall the conversations that we had around City center, there was, people not being funny, that is an iconic part of Livonia. I'll have to let him know that he can rest easily knowing that everyone on the committee virtually felt that was not something that you would fool around with. He talked about the Sears building site as a great area for mixed-use and then he talks about what we talked about, missing our middle housing. He talks about it being helpful in building new homes in the space like Sears, where you could buffer between middle market, multi-family housing and residential. The need for senior housing and expressed the general doubt about the benefits of higher density living. I wanted to mention that since he couldn't be here this evening. Is there anyone else that is here this evening that would like to comment. That is what a public hearing is for, its an opportunity for any citizen to communicate with the Council and everyone else that is here tonight.

Campbell: Since no one else is standing, I guess I will.

McIntyre: As every public meeting, we ask that you give your name and address or if people don't want to give their full address, their street and city.

RESIDNET: I put my name up there, do I need to put it here too?

McIntyre: Yes, please. Gale, I'm sorry, if you could just state your name.

Campbell: Ok, Gale Campbell. 14368 Ramblewood Street, Livonia. I guess I wasn't aware of this wonderful Vision 21 Plan, I didn't see any of the ads, I didn't see it in the paper, I didn't know until I saw it on the calendar, I didn't see it anywhere, so, I didn't know until today, for the zoning ordinances. First off, I would like to thank the City Council for holding this public hearing on the new Livonia Vision 21 zoning ordinance and the zoning map. While reviewing the zoning ordinance, it is well laid out and relatively easy to use, though while doing a simple search for residential fence requirements, the document referred me back to check Article 44 of Title 15 of the Livonia Code of Ordinances, as amended. Is this new zoning ordinance meant to replace the older zoning ordinance or to be used as a supplement to it? By not having all of the zoning ordinances in one place, makes it more difficult to find what you are looking for. If this new zoning ordinance completely replaces the old, it was exceedingly difficult to compare the new zoning ordinance to the existing zoning ordinance. The new ordinance is 216 pages. When permanent changes are made to the zoning ordinance, would it be possible to have a list of changes published for residents to review? It would take an enormous amount of time for an individual to compare the two ordinances. Another concern is the potential changes to zoning ordinances within the budget reconciliation infrastructure package that have been proposed by the new HUD Secretary Fudge. According to the provision in the infrastructure package, if a local government does not comply with federal zoning guidelines, including ordinances that ban apartment buildings from certain residential areas, or set a minimum lot size for a single-family home, HUD will cease funding to that city. If this passes Congress, will Livonia be forced to comply and make additional changes to the zoning ordinances? If so, will Livonia citizens be informed of the changes? Being as I wasn't aware of the whole Vision 21 passing two (2) years ago, my only concerns with the actual Master Plan is the statement in the neighborhood section, where it says, to seamlessly incorporate multiple-family housing within established neighborhoods through in-fill development and strong urban design. This type of development is happening in nearby cities and is garnering a strong negative reaction from the residents. I would like to know if any of our existing neighborhoods are currently being targeted for this in-fill development? My other concern is the transportation portion. It states, prepare for the emergence of new transportation technologies by revisioning traditional uses of the transportation network and by investing in innovative mobility strategies and smart infrastructure. It makes an assumption that Livonia residents agree that the one-mode transportation days in the past, ride sharing, walking and riding a bike all sound great, though in the middle of January, how many residents will be out walking to the store or riding their bike? Thank you for the opportunity to speak.

McIntyre: Thank you very much, Ms. Campbell. I've made notes, as I'm sure we all have of the questions you asked. Most of them, I don't think we can give you a specific answer on tonight, but I did want to address just a few things. The question about provisions on the infrastructure bill that is currently being proposed by the President. We asked our Director of Governmental Affairs, LaShawn Thomas, who is here this evening, if she would get in touch with Haley Stevens' office, that we might have a representative her tonight to hear what we're doing, because so many elements of this run against the things, two provisions I know of specifically in the infrastructure. One is, communities and the inability to receive CDBG funds if you're not compliant, but there's one at the State level, that would deny a State's transportation funds if State's don't prohibit in every municipality, the State would say, there's no single-family residential zoning allowed. We were denied a representative here tonight, but we've made Representative Stevens office very much aware of our concerns and LaShawn is going to stay very engaged on behalf of everyone in the city on this issue and represent our position on this. The other thing that I wanted to address was the transportation question you raised, which Scott raised, and if I could paraphrase, Mark, Paul, please tell me if I'm wrong. We don't have anything in this plan that says, we do have a robust Bike Walk Plan and we do keep enhancing that. It is predicated, it is driven by data, where we know people want to ride their bicycles and a strategy that we've laid out on that plan, that's very clear about interconnecting certain things; parks to other parks and some of our residential areas to parks. To Paul's point, and again, I'm never good at paraphrasing Paul, because he knows this a lot more than I do, but in looking at the transportation piece, just to understand that things may be evolved in a way that we can't comprehend right now. To just recognize that as a factor, as we move forward in this. Not anything specific other than a bike walk.

Campbell: That was my concern, that the recommendations might lie with putting high-rise apartment buildings in neighborhoods. All those people, I mean, are we not going to have busses running through? That's the thing, I mean, you put something like that in a neighborhood –

McIntyre: Nothing in the Master Plan says that. Nothing you're hearing tonight comprehends or reflects that.

Toy: If I may hone-in on that just briefly. The way I was thinking of it, is that, let's say, I had a situation in my home where my father and my mother were very ill and I was able to add on something without going through a ton of hoops with the city. I was able to either lift my roof up to accommodate that kind of situation for other family members in that home, and/or to add on to their home, so that they can stay in their home. That's the kind of thing that I think we are talking about. As Paul mentioned, the edges, I think, is where it becomes more apparent. If you remember the way, and I don't mean to compare us, it's not a bad thing, but Detroit. People would walk to the corner store and it became more walkable in those areas. I think we're trying to open up the city so that we can take a look at some of those other types of possibilities as the environment changes, as the climate changes. All those kinds of things we

have to consider as we move forward as a major city in metropolitan Detroit. I don't know if that helps you, nothing is written in stone quite yet.

Campbell: Just so you know, there are no stores within walking distance of my home, so I would need a vehicle. I am not riding my bike to a store.

Toy: Depending on where you live in Livonia, I can walk to the store from my house, but I live in the center part of town, but I hear what you are saying. I'm just saying, there are those kinds of venues. Plymouth Road has a lot of little stores open at one point. I don't know if we're going back to that or if the market is demanding that, or if the entrepreneurs coming in will ask for that.

Campbell: Last year a lot of stores were forced to close, so there are less stores.

Toy: Thank you Madam President.

McIntyre: Vice President Bahr.

Bahr: President McIntyre did a nice job answering a lot of your questions, I think. There was one that I want to address and offer clarification. Your questions if this adds to or replaces the existing ordinance, this is a whole replacement of our current zoning ordinance. I, actually from a resident's perspective, this document is so much cleaner to read, so much easier to find things, so as someone that was on Planning Commission for four (4) years before being on Council and I've spent a lot of time looking at the zoning ordinances, this is such a welcome change. I think in the future, you're going to find it easier to find things.

Campbell: When I was on Zoning Board of Appeals, we changed fence ordinances. So, I just randomly looked up fences and it told me to go to Chapter 44 of Title 15 of the Livonia Code of Ordinances, as amended, it's in this new document. So, that's why I'm like, how many are we going to have?

Bahr: Just from a form perspective, I see this as huge improvement. The one clarification that I think it's the last question, is, while there are some consolidations of the districts here, residential is still residential, commercial is still commercial. The only place where we are talking about some of this mix is in those three districts, City center, East Plymouth Road and the old Livonia Mall area that are identified in Vision 21. Anything beyond that, as they said, would have an approval process and come through Council. You're not going to suddenly see the nature of these neighborhoods changing.

McIntyre: Thank you. Please, you may use either podium.

Erle: My name is Margaret Erle, the letter was from my husband.

McIntyre: I think I captured his points; I hope I did.

Erle: I live at 31545 Pembroke Street. I live in the Spring Lakes Subdivision. I'd like to thank you all, I know you have done a lot of hard work and I know that what you've done is very similar to what many other cities and municipalities are doing. We have a cottage on the west side of the state in South Haven. Some of the things that you alluded to with Holland, is kind of unique. Holland has a process that they developed years ago to keep the sidewalks snow-free, I don't know if you knew that. They never have to shovel the sidewalk in the walking area because they have the mechanics underneath. I also wanted to point out, and I'm so glad I was able to be here because there was a lot of clarification for me. I can only talk from my own personal experience and again, I'm going to go over to the west side of the state, where we have a nice community called St. Joe, it's a very trendy little spot. They closed off their streets, as did Holland for a while, to all motor vehicles, and made it just be a walking area. Now, Holland has a pretty established shopping area and St. Joe also, although theirs is more summer-resort style shops. Both of them, since then, have taken the barriers off and do allow vehicle traffic, because they found that it was more desirable by a lot of the people. They also incorporated parking right on the streets, so that you could park and do your shopping and get back in. So those were a couple of things. When you talk about looking into the future, I want to take you back to how many elementary schools and middle schools Livonia has closed and taken down. At one time, when we looked into the future, we overbuilt bigtime. That is providing a lot of the land that's within communities, neighborhoods that are already established. When it comes to walking to the store, I'm going to tell you a story about my daughter who, after she graduated from Central, went to Virginia in the Hampton area and taught. She was like a block and half from a grocery store. So, one evening, she walked to the grocery store to pick up a few things and she called me and said, "Mom, I got to the check out counter with a case of water and I realized that I had walked here and there was no way I would get that water back home." So, she had to pay for everything, walk back home, get her car, go back to the store and retrieve her water. When you come to the battery charging, I think that a lot of business would find it very appealing to have that capability. I would like the City of Livonia not to be responsible for putting those charging stations up or paying for the electricity that is used. We have a friend that has a cottage behind us, who purchased a resort area, and he has a Tesla, so he was able to contact the company and they were willing to put in a machine there for him and take care of all the powering, because his customers come from Chicago and Indiana, so they need to be able to charge their cars. The last thing I'm going to talk about is the parking. I don't know if you guys have gone to a store like Kroger where you have several handicapped spots. When you go into the store, there are several handicapped spots in the parking area, but there are also a large number of spots that are being used for the employees of the store to run groceries out to put in the cars of people who have shopped online. I think that we will never need the amount of parking that we see by the Sears at Livonia Mall, even at Twelve Oaks. When Twelve Oaks first opened, the employees at Christmas time had to be transported into the store because there were no spots. The expressway was lined up with cars waiting to find a spot. I don't think that after the pandemic, we're ever going to see that again. I think not only are the young

millennials shopping online, a lot of us older people are too, for convenience-sake. Again, I would like to thank you for your hard work. I hope that you will know that we love Livonia, and that we love the motto 'families first.' Thank you.

McIntyre: Thank you, Mrs. Erle, I really appreciate you being here and making sure that your husband knows that his voice was heard. It's nice that you were able to make it. I just want to address a few of the points that you made, thank you for your very thoughtful and relevant comments. Regarding cities that have closed off their commercial districts to vehicles and have gone back. We've seen that, we don't have a commercial district in that nature, so right now, even with our Master Plan, there is no area on this that you would consider cutting off vehicles from. You need vehicles to access most of these places, so I don't think there is anything in our plan that comprehends right now doing that, that's not what this plan is about. I understand your concerns, you point of how it seems like a good idea and then it doesn't turn out to be very viable. Regarding the electric charging stations, you mentioned that a friend of yours has a business and he put them in to accommodate his customers. In Livonia, we'd do the same thing. If a business chooses to put them in, the business pays for that cost and the business pays for their electricity, just like they pay for their electricity for everything else they use. Regarding charging stations in public places, I know that there are different models, and I don't know if we've determined what model we would use. There are some municipalities, I believe, that provide twenty (20) minutes of charging and then it's a fee-basis. Mark and Paul, you are better versed to answer this than I am. I don't know that we have gotten to that level of granular detail. Livonia has a good history of looking at best practices and so it certainly wouldn't be our plan to super subsidize, if you will, people that drove electric vehicles, in other words, rewarding those people and giving them free fuel. There are different models. You made all of your points very well and as someone who moved to Chicago after college, I found myself in that same situation of walking to the Jewell grocery store and then realizing that whatever I had, I had to carry home. A few times I had to call for help, so thank you very much. Your comments are very much appreciated, as are the comments of everyone who has been here this evening. Was there anyone else who would like to speak at this public hearing? Mayor, Paul, Mark, Administration? Anybody have any final thoughts they'd like to offer?

Cleaver: Hi, I am Mary Ann Cleaver. I'm at 15552 Alpine, Coventry West Subdivision. It's more of a comment than a question. I just saw on Facebook tonight about this meeting and I'm probably on Facebook every other day or so, and this is the first time I saw this advertised. I've seen dogs missing and several other things on this site, but if you could give a little more notice. I called a couple of my neighbors to see if they could run down here, because I came home from work and they are busy, but if you could notify the public a little bit more about this.

McIntyre: We do notify the public of all public hearings. You can subscribe to emails from the City that will notify you of meetings. Public hearings, information is always

posted, its in the Observer. Unfortunately, that's the legal vehicle that we use to notify people. I think what you are talking about is Livonia Community page and often times these meetings are publicized on there, but you can subscribe to the City emails and be notified of the meetings, the public hearings. I believe the ability to subscribe to public hearing notices are like with Council meetings, where you can be advised of the meetings. It is a challenge to make people aware, but you can check the City website, which I would say is the best source of information. Your point was well- made, that on the City's Facebook page, that we mention upcoming public hearings.

Cleaver: I mean, six (6) hours before?

McIntyre: It was published.

Cleaver: I understand that it was published somewhere else, but I'm just saying for people, I don't have the Observer and I understand there are other, but if you're going to, it would just be nice a week before maybe. I understand it's different in other areas, but I just didn't know about it and then I thought about the survey from this committee and that it was in all of the publications that would come to the house, so maybe something in our tax bills that come to our address that is residential friendly.

McIntyre: I appreciate your comments, but our tax bills are produced in a way that it would add considerable costs to start putting inserts in. The City website is an outstanding source of information. That said, I do appreciate your comments and we will endeavor to make sure when there are public hearings that we make extra effort to put that information on Livonia Community Facebook, but the meetings are communicated and I'm sorry that you found out about it today. Thank you very much, thank you for coming out tonight and thank you for your comments. Anyone else?

Toy: Madam Chair, just you know, not to beat up the comment, but I'm glad you were able to appear to this, but we also have started this process back in 2018. There have been tons of public input on this. In all sincerity, that's how we got to where we are tonight, with so many of those comments and insight. Our department heads and residents that came out, it was unreal, it was a community effort. It truly was and I'm sorry if you couldn't be part of that, certainly if you have any comments, get ahold of our Council office, any of us are all ears. They Mayor's office is that way as well. Please, you know, don't feel slighted in any way because this is no big secret. We've been at this for a long time and we're just trying to keep this city very viable, and I commend all those that have done that, including all of us. Please, we need your input. If I may, if its appropriate to move this, I would like to give this an approving resolution.

McIntyre: Thank you. All right, anything else? All right, before we close, I would like to note that the Mayor did a nice job summarizing all of the multi-faceted ways we went about this, in collecting information and calling upon every talent and resource we have. I think that a tremendous thank you. It is impossible, really,

to express enough gratitude to our Director of Planning and Economic Development, Mark Taormina. I told him today, and Mark is, and I don't want to embarrass you, but Mark is one of the most humble people you will ever meet. He is an absolute, rock star is an overused statement, but most cities would give their eye teeth to have Mark's knowledge, with Mark's experience, with Mark's work ethic and he knows the city inside and out as he does. We've had a lot of people behind this and working on it and we certainly did, we hired McKenna, our consulting firm, our community development firm, just like every other contract the city has, we go through a very rigorous project of bids and sealed bids and making sure they meet qualifications, and we were very careful and deliberate in how we ended up with McKenna. They have been a tremendous partner to us, but none of this would have happened without a tremendous amount of work above and beyond and Mark driving it. Thank you very much, we all owe you a debt in gratitude.

Taormina: I just want to say thank you for that and also express to the residents to anyone interested. If they have any questions regarding the ordinance, please reach out to the Planning Department directly, we will respond to them and get them the information or answer they are looking for regarding the ordinance. The answer is that they are looking forward to reading the ordinance, so please do not hesitate to reach out.

McIntyre: Thank you to everybody that took the time to come tonight. Again, we are sorry if you haven't found it easy to find information about these meetings, but there is nothing more important than engaged citizens and whether you wanted to say something tonight or whether you are just here to listen and learn, we very much appreciate you being here. We know your time is valuable too, but your presence here means a lot to us and reflects a lot of great things about our city. So, thank you.

Taormina: Just one last thing, that is, the ordinance is available on the website, so they can download a copy of it or view it directly over the internet. That's it.

McIntyre: All right, with that, thank you everyone, the public hearing is closed.

As there were no further questions or comments, the Public Hearing was declared closed at 8:25 p.m.

PUBLIC HEARING DIRECTION

WEDNESDAY, JULY 14, 2021

PETITION 2020-12-06-03 submitted by the City of Livonia Planning Commission to consider the adoption of an updated and re-formatted LIVONIA VISION 21 Zoning Ordinance and LIVONIA VISION 21 Zoning Map. The proposed LIVONIA VISION 21 Zoning Ordinance provides new definitions, creates several new zoning districts and deletes several existing districts, updates the list of permitted and waiver land uses for each zoning district, provides new requirements and regulations for lot sizes, building setbacks, and lot coverages, off street parking, signs, alternative energy systems, and other regulations for structures and uses, including a new form-based development option for the City's commercial districts.

DIRECTION: 1) Approving

**THESE ITEMS ARE TO BE PLACED ON THE AGENDA FOR THE
REGULAR MEETING OF JULY 26, 2021**

July 13, 2021

Dear Kathleen E. McIntyre, Council President:

I will not be able attend the meeting on Wednesday July 14, 2021 about the zoning. After reviewing Livonia's Vision 21 Master Plan that was past by the City Council, I felt that I had to comment on it and the next step – review of zoning guidelines.

My wife and I have raised our family at 31545 Pembroke in Livonia since 1976 We have been very happy here for the last 45 years (good schools, recreation and shopping near us). I love the sign on Farmington Rd. south of Eight Mile Rd.

“Welcome to Livonia Established 1950 Families First!” Whatever we plan for our future this should be our focus.

I don't feel the need for creating a city center at Farmington Rd. and Five Mile Rd. We would have to dislocate many of the business current owners of the properties to do this master plan. The picture on page 31 of Book 2 doesn't match the map on page 29 section “E”. Everything looks wonderful but what about across the street on Five Mile. Bates has been a landmark for decades. I love it! However, it looks like a lot of the businesses on Plymouth Rd. between Inkster and Middlebelt roads. Is your job to decide what stays and what goes? Anybody's?

Where to start? I would explore the Sears building site. First, the site is vacant. Second, a buffer between what is currently around it is easier to complete. Third accessibility is wonderful. Forth, it is great for mix usage plus some other retail is near site. The city would have to lineup many partners for this task but it would be better learning the ropes here then at City Center.

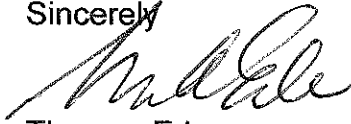
Page 24 of Book 2, defines the characteristics of missing middle housing that can be used in many of our family neighborhoods. Most of single-family housing are in areas with about 3 to 5 per acre. The densities of these other housing units are 16 to 35 per acre. This could be very helpful in building new homes in a space like Sears at Seven Mile and Middlebelt Roads. You need a larger space to create the green area to buffer the space between the mixed uses. I would be against dropping these middle housing units into single-family housing without major buffering.

The need for senior housing is growing. My neighbors have purchased homes near or across the street from their parents or children. We liked where we lived and we wanted to keep an eye on them.

I have my doubts about the benefits of higher density living. Where public transit, retail and services become walkable these could become difficult to maintain. Livonia's current transit system is very good for our senior citizens.

Hope you have a productive meeting.

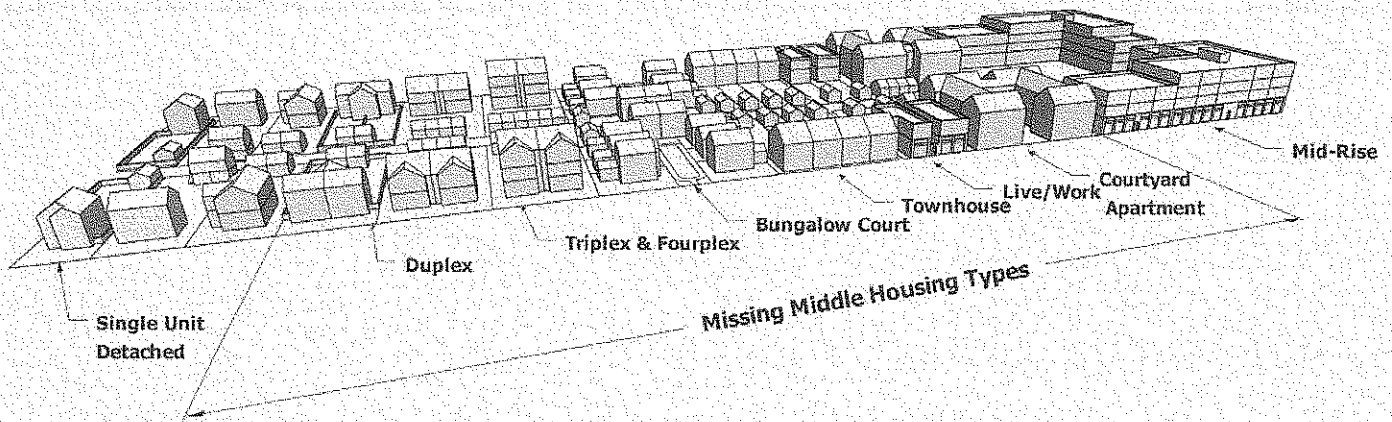
Sincerely



Thomas Erle



DEFINING CHARACTERISTICS OF MISSING MIDDLE HOUSING



According to the Smart Growth Network (SGN), in its *National Conversation on the Future of Our Communities*, these housing types “are classified as missing because very few have been built since the early 1940s due to regulatory constraints, the shift to auto-dependent patterns of development, and the incentivization of single-family home ownership.” The eight defining characteristics of missing middle housing – according to the Smart Growth Network – are as follows:

1. **Walkable communities** – according to SGN, the most important characteristic of missing middle housing is that it must be built in walkable urban areas close to services and amenities such as restaurants, markets, and work.
2. **Medium density but lower perceived densities** – SGN notes that perception and design is key when it comes to the perceived densities of missing middle housing. In short, those missing middle housing is typically medium density (16 dwelling units/acre to 35 dwelling units/acre), context-sensitive design and small building footprints help the densities feel more tenable to existing residents and neighbors.
3. **Small footprint and blended densities** – densities should be blended and small- to medium-sized building footprints maintained for ideal urban infill sites, “even in older neighborhoods that were originally developed for single-family homes but have been planned and often zoned to evolve with slightly higher densities”, according to SGN.
4. **Smaller, well-designed units** – many urban experts believe that a common mistake of architects and builders that has resulted in obsolete denser housing types is the impulse to force typically suburban unit and building types into the urban core. SGN advocates for smaller, better-designed units to help keep costs down and widen the affordability of housing in urban cores.
5. **Off-street parking does not drive the plan** – since missing middle housing is best built in walkable environments, there is often a need for less parking than even zoning standards call for. When large parking areas are built, “the buildings become inefficient from a development potential or yield standpoint and can shift neighborhoods below the 16-dwelling unit/acre density threshold”. The 16-dwelling unit/acre density threshold is the point at which a neighborhood generally can support public transit and streets where walkable services and retail become viable.
6. **Simple construction** – simple construction methods support two important pieces in the missing middle housing equation – profitability to the developer and affordability to the purchaser.
7. **Creating community** – with the common spaces typical of many of the forms of missing middle housing, such as courtyards and bungalow courts, there is the opportunity for neighbor interaction and community-building often greater than with traditional single-family and high-rise apartment development.
8. **Marketability** – the marketability of many of the missing middle housing types is key to their success in a competitive market; adding to the attractiveness of many of the forms is the ability to provide a scale and experience similar to single-family homes. For example, when occupants enter from a front porch with a dedicated entrance, rather than sharing interior common space entrances in typical apartment buildings.

Missing Middle Housing

The Future Land Use Plan for Livonia places importance on neighborhood improvements and the creation of housing opportunities for the families of the future and downsizing options for residents of today. Much of the conversation surrounding the mismatch between current housing stock and demographic trends focuses on the need for “missing middle housing.” A response to limited appeal of traditional multi-family housing types developed in decades past, missing middle housing is those types between single-unit detached homes and mid-rise apartment buildings on the density and typology scale.

The Future Land Use Plan is intended to address the missing middle housing types and provide some flexibility for encouraging walkable infill housing development in Livonia by encouraging adaptive reuse in massing, density, and dimensional requirements in several districts.

Districts where missing-middle is encouraged:

- Medium Density Residential
- High Density Residential
- Corridor Commercial
- Mixed Development Centers
- City Center

Figure 1.1: Missing Middle Housing Types

POTENTIAL TYPES OF MISSING MIDDLE HOUSING FOR LIVONIA:



Duplex Adjacent



Duplex Stacked



Triplex



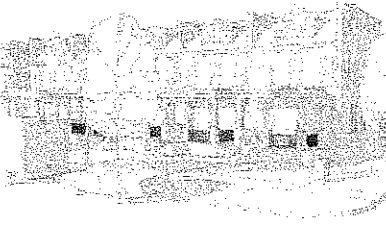
Fourplex



Small Apartment



Live Work



Rowhouses



Accessory Units



Conceptual rendering of the proposed vision for Civic Center. This view is looking west across Farmington Road into the proposed residential neighborhood.

THE VISION for the CITY CENTER

A dynamic mixed-use campus that is recognized as the Livonia entertainment, cultural and event destination.

Figure 17: Conceptual Master Plan of the proposed vision for City Center.

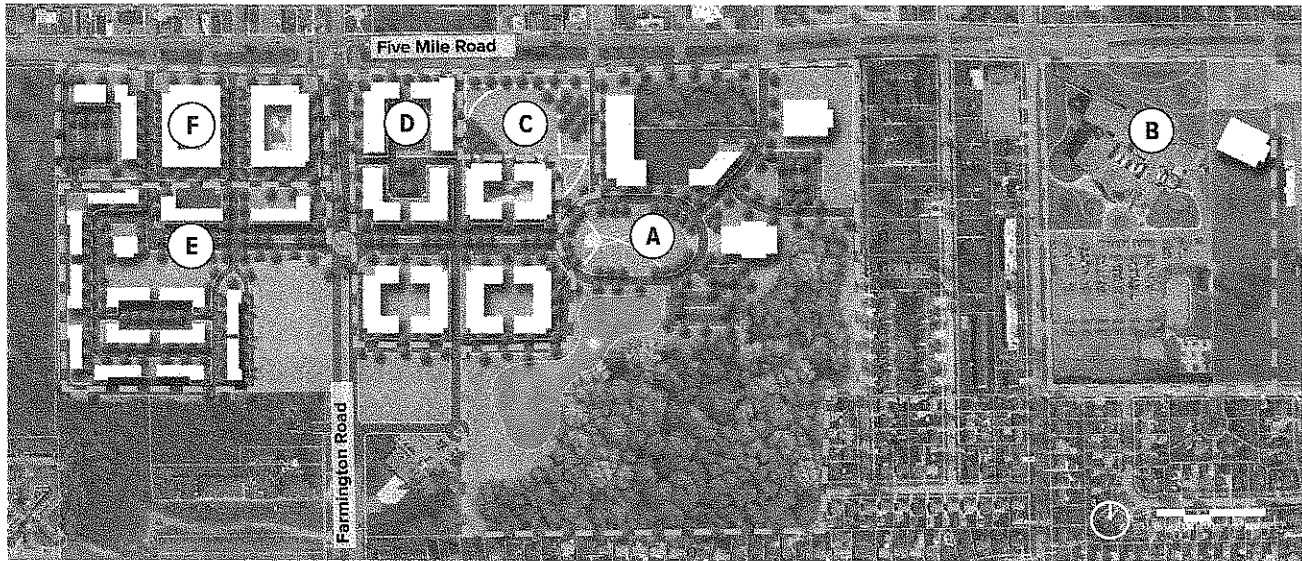


Table 1.10:
City Center – Site Development Data

A. Proposed Civic Campus

- City Hall/ Library
- District Court
- Public Safety (Police Dept., Fire Dept.)
- Community Space/ Amphitheater

B. Recreation Campus

- City Recreation Center
- Senior Center

C. Memorial Park

- +/- 5 acres

D. Mixed-Use Development

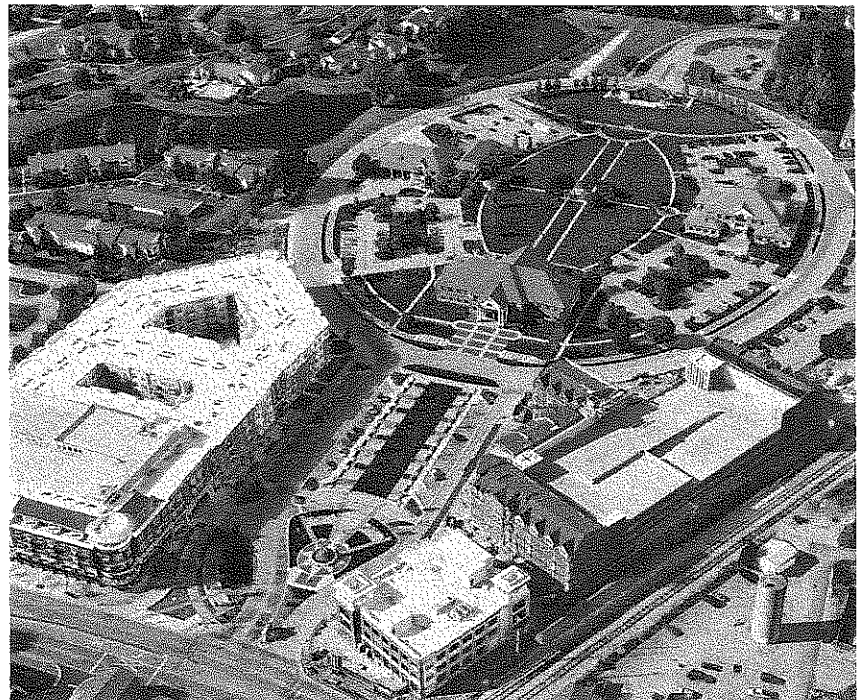
- +/-16 acres
- 22,000-40,000 sq. ft. (retail/office)
- 500 residential units
- 3-4 stories

E. Attached Single-Family Residential

- +/-16 acres
- 126 units

F. Commercial Mixed-Use Development

- +/-7 acres
- 15,000 sq. ft. (retail)
- 180 residential units
- 3-4 stories



The vision / concept for the Civic Center was inspired by civic campus in Fishers, IN shown above.





LETTER TO THE LIVONIA CITY COUNCIL

Planning
June 7, 2021

MEETING DATE

July 14, 2021

PREPARED BY

Stephanie Reece, Program Supervisor,

AGENDA ITEM

Petition 2020-12-06-03 submitted by the City of Livonia Planning Commission to consider the adoption of an updated and re-formatted LIVONIA VISION 21 Zoning Ordinance and LIVONIA VISION 21 Zoning Map. The proposed LIVONIA VISION 21 Zoning Ordinance provides new definitions, creates several new zoning districts and deletes several existing districts, updates the list of permitted and waiver land uses for each zoning district, provides new requirements and regulations for lot sizes, building setbacks, and lot coverages, off street parking, signs, alternative energy systems, and other regulations for structures and uses, including a new form-based development option for the City's commercial districts.

BACKGROUND

RECOMMENDATION

At the 1,170th Public Hearing and Regular Meeting held by the City Planning Commission on June 1, 2021, the following resolution was unanimously adopted:

#06-27-2021 RESOLVED, That having conducted a Public Hearing with regard to Petition 2020-12-06-03, submitted by the City Planning Commission pursuant to Council Resolution #09-19, in connection with Phase 2 of the Livonia Vision 21 contract involving the preparation of a comprehensive update to the City of Livonia Zoning Ordinance, the Planning Commission does hereby recommend approval of the Livonia Vision 21 Zoning Ordinance, Version 6.0, dated June 1, 2021, prepared by McKenna, and the Livonia Vision 21 Zoning Map, dated June 1, 2021, as prepared by the City of Livonia Planning Commission, for the following reasons:

1. That this comprehensive rewrite of the City's zoning regulations is the culmination of over two (2) years of hard work by the Zoning Ordinance Technical Committee, including several Special Study Meetings of the Planning Commission and a Joint Work Session with City Council and members of the Zoning Board of Appeals.
2. That the Livonia Vision 21 Zoning Ordinance and Livonia Vision 21 Zoning Map are in full compliance with the requirements of the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended.
3. That the overall organization, recodification, and functionality of the Livonia Vision 21 Zoning Ordinance represents a substantial improvement over the existing ordinance and streamlines all of the City's zoning regulations in a more efficient, effective and user-friendly format.

4. Adoption of the Livonia Vision 21 Zoning Ordinance achieves the #1 priority project as identified in the Three-Year Priority Project List in Book 4, Strategic Development, of the Livonia Vision 21 Master Plan, which recommends updating the Zoning Ordinance to jump start Livonia Vision 21 implementation.
5. Adoption of the Livonia Vision 21 Zoning Ordinance and Livonia Vision 21 Zoning Map is consistent with the recommended Revisions to the Zoning Ordinance and Zoning Map as outlined in Book 4, Strategic Development, of the Livonia Vision 21 Master Plan, including:
- a. Consolidating and simplifying the City's one-family residential zoning districts to reduce the number of non-conforming lots;
 - b. Consolidating and simplifying the City's multiple-family residential zoning districts, and providing new incentives and standards to encourage infill housing and neighborhood investment;
 - c. Consolidating and simplifying the City's commercial zoning districts by eliminating the office districts and incorporating the eligible uses and standards into the corresponding corridor and regional districts;
 - d. Incorporating form-based regulations for the City's Special Planning Areas, Mixed Development Centers, and commercial districts; and
 - e. Providing incentives and standards that will encourage sustainable use of land, materials, energy, and resources.

FISCAL CONSIDERATION

ATTACHMENTS

1. 2020-12-06-03_LV21 Zoning Ordinance_E-COUNCIL Pkt

APPROVED BY



Mark Taormina, Planning and Economic Development
Director

Date: June 07, 2021



Maureen Miller Brosnan, Mayor

Date: June 17, 2021

PLANNING COMMISSION STAFF NOTES

PUBLIC HEARING

ITEM 1

Petition 2020-12-06-03 submitted by the City of Livonia Planning Commission and the Zoning Ordinance Technical Committee requesting adoption of the **Livonia Vision 21 Zoning Ordinance** and **Livonia Vision 21 Zoning Map**, pursuant to Public Act 110 of 2006 (Michigan Zoning Enabling Act), as amended.

June 1, 2021 Public Hearing:

Approving Resolution: That having conducted a public hearing with regard to Petition 2020-12-06-03, submitted by the City Planning Commission pursuant to Council Resolution #09-19 in connection with Phase 2 of the Livonia Vision 21 contract for the preparation of a comprehensive update to the City of Livonia Zoning Ordinance, the City Planning Commission does hereby recommend approval of the ***Livonia Vision 21 Zoning Ordinance***, Version 6.0, dated June 1, 2021, prepared by McKenna, and the ***Livonia Vision 21 Zoning Map***, dated June 1, 2021, as prepared by the City of Livonia Planning Commission, for the following reasons:

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4. Adoption of the Livonia Vision 21 Zoning Ordinance achieves the #1 priority project as identified in the ***Three-Year Priority Project List*** in Book 4, Strategic Development, of the Livonia Vision 21 Master Plan, which recommends updating the Zoning Ordinance to jump start Livonia Vision 21 implementation.
5. Adoption of the Livonia Vision 21 Zoning Ordinance and Livonia Vision 21 Zoning Map is consistent with the recommended ***Revisions to the Zoning Ordinance and Zoning Map*** as outlined in Book 4, Strategic Development, of the Livonia Vision 21 Master Plan, including:
 - a. Consolidating and simplifying the City's one-family residential zoning districts to reduce the number of non-conforming lots;

- b. Consolidating and simplifying the City's multiple-family residential zoning districts, and providing new incentives and standards to encourage infill housing and neighborhood investment;
- c. Consolidating and simplifying the City's commercial zoning districts by eliminating the office districts and incorporating the eligible uses and standards into the corresponding corridor and regional districts;
- d. Incorporating form-based regulations for the City's Special Planning Areas, Mixed Development Centers, and commercial districts; and
- e. Providing incentives and standards that will encourage sustainable use of land, materials, energy, and resources.

May 25, 2021 Study Meeting:

Based on suggestions stemming from the March 30th Joint Work Session, several changes were made to the proposed new zoning ordinance. A brief description of some of the more significant changes that appear in the latest draft are provided below:

- 1) Under Section 1.01, the official title given to the new zoning ordinance is: ***Livonia Vision 21 Zoning Ordinance***. A similar change was made to Section 3.02 to make the official title of the new zoning map: ***Livonia Vision 21 Zoning Map***.
- 2) Definitions for *Specially Designated Distributor (S.D.D.)* and *Specially Designated Merchant (S.D.M.)* liquor licenses were added to Section 2.01(8).
- 3) A definition for *Exotic Vehicle* was added to Section 2.02(2), and Section 6.33 was created for the purpose of regulating *Internet-Based Exotic Vehicle Sales*, which is proposed to be treated as a permitted use in M-1 and M-2 Districts.
- 4) *Vehicle Tow Yards* have been added as a waiver use in the M-1 and M-2 Districts, subject to the same special requirements that currently apply to Truck Terminals, Truck and Trailer Rental Facilities, Steel Fabricators, and other Special Trade Contractors under Section 6.58.
- 5) A 1,000 ft. separation requirement between *Caregiver Grow Facilities* was added to Section 6.10.
- 6) *Form-Based Development Option* and *Planned Developments* were added to Section 7.17 to allow for taller buildings.
- 7) *Fences*, except where specifically allowed, would be prohibited in all commercial zoning districts pursuant to changes made to Section 7.24.
- 8) Section 9.15 was added allowing for *Electric Vehicle (EV) Charging Stations or Ports* in all zoning districts subject to five (5) special requirements.

March 30, 2021 Update

This Special Study Meeting and Joint Work Session with the Planning Commission and City Council is to introduce and discuss the Version 4 Draft of the New Zoning Ordinance. Since the Commission's last study meeting held on March 16th, additional suggested changes involving the P, Parking district have been incorporated. In the previous draft, the P District was eliminated, which created a potential problem with many P-zoned parcels that either extend into or lie adjacent to residential-zoned

properties. The unanimous consensus was to reinsert the “P” District regulations into the New Zoning Ordinance and have Staff selectively sort through the New Zoning Map to determine where “P” zoning should remain and where it should be replaced with a more appropriate zoning classification. This has been done. Of the total existing 89 P Districts, 21 were changed (mostly to C-1 and C-2) and 68 will remain.

Included in the ePacket is a chart that compares the land area between the 26 current zoning districts and the 16 proposed zoning districts. This chart shows the acreage for each existing zoning district side-by-side with the acreage of each related proposed zoning district. It also shows the difference—whether land was added or subtracted—along with a brief explanation as to the reason for the change. For example, the amount of RUF-zoned land will increase 512.1 acres as a result of combining the existing RUF districts with the R-5 and AG districts, plus the addition of one (1) P, Parking district, and lastly, subtracting 2.9 acres that are being replaced with PL zoning. Another example is the 39.7-acre increase in PL-zoned land attributable to changing the zoning of several City-owned parcels that lie in the Rouge River floodplain which are currently zoned residential. This situation mostly exists in Section 16 adjacent to the Burton Hollow, Idyle Hills, and Coventry Gardens Subdivisions.

The Planning Department, on behalf of the Zoning Ordinance Technical Committee, is pleased to present to the Planning Commission, for its review and consideration, the latest draft of the **New Zoning Ordinance**. This comprehensive rewrite of the City's zoning regulations is the culmination of several months of hard work by the Committee and Staff guided by the City's Planning Consultant, McKenna. Updating the Zoning Ordinance was identified in Book 4 of 4 of **Livonia Vision 21 (LV21)**, Strategic Development, as the No. 1 Priority Project for implementing the Master Plan. Adopted by the Planning Commission in April of 2019, LV21 recommends several revisions to the Zoning Ordinance, including:

- New Zoning Districts that incorporate form-based regulations should be created for the Mixed Development Center and City Center designations.
- The Commercial Districts, C-1, C-2, and C-3 should be simplified and consolidated into a new district corresponding to the development intensity of the corridor commercial designation.
- The Commercial District C-4 should be modified to reflect a regional commercial designation with higher intensity development and traffic that results from its proximity to I-96 and I-275.
- The Office Districts should be eliminated - the eligible uses and standards of OS should be incorporated into a corresponding corridor district and the eligible uses and standards of PO into a regional commercial district.
- The five One-Family Residential Districts should be simplified and consolidated.

- The six Multiple-Family Residential Districts should be simplified and consolidated.
- New incentives and standards for infill housing and neighborhood investment should be developed for districts corresponding to the medium density residential designation. Strategies for affordable housing, accessory dwelling units, and adaptive reuse should be considered.
- The three Planned Unit Development (PUD) Districts should be simplified and consolidated.
- The Zoning Ordinance should be reviewed and edited according to lean-zoning principals. Regulations that do not contribute to the implementation of the Future Land Use Plan should be eliminated or reduced in scope.
- Additional incentives to encourage sustainable use of land, materials, energy, and resources should be developed for all districts.
- The City should consider initiating rezoning of the Mixed Development Centers and the City Center areas.

With the initiation of LV21 Phase 2, the first major assignment of the Zoning Ordinance Technical Committee was completing an inventory and analysis of past zoning variances. This, in turn, contributed to an in-depth Diagnostic Review of the City's current zoning regulations (see attached). The Diagnostic Review outlines a series of changes that were used to help guide in the preparation of the first draft of the **New Zoning Ordinance**. The following describes some of the more significant changes, many of which will have a corresponding impact on the New Zoning Map:

- 1) The six (6) existing single-family zoning districts (R-1, R-2, R-3, R-4, R-5, and RUF) are being consolidated and replaced with three (3) new single-family districts: N1 Neighborhood, N2 Neighborhood, and R-U-F. The N1 District will largely replace the R-1 District and allow for slightly smaller lots: 50' x 120' vs. 60' x 120'. The N2 District will combine the City's R-2, R-3 and R-4 Districts and allow for a minimum lot size of 70' x 120', which is currently the minimum for the R-2 District. And the RUF District will be expanded to include the current R-5 and AG Districts with a reduced minimum lot size of 100' x 150' as opposed to the current one-half acre minimum. In considering whether to reduce the number of single-family residential districts and adjust the lot sizes, the Committee undertook a detailed evaluation of how the changes would affect the degree nonconformity within each of the new residential zoning districts as well as the potential for new land divisions (see attached "District Consolidation – Nonconforming Lot Area Analysis" and "District Consolidation – Lot Split Analysis"). It is important to note that the Lot Split Analysis is based on land area only, and hence not a true determinant of the number of potential divisions. The reason for this is that it is not practical to look at all the possible iterations of how each parcel might be split, including lot width and the location of structures. Instead, Staff performed a GIS analysis using lot area as

the only factor in determining whether a parcel could be subdivided based on the current and proposed zoning.

- 2) The six (6) existing multiple-family housing districts (R-6, R-C, R-7, R-8, R-8C, and R-9) will be consolidated and replaced with three (3) new multi-family districts: NM1 Neighborhood Multifamily, NM2 Neighborhood Multifamily, and NM3 Neighborhood Multifamily. Density would no longer be calculated according to a prescribed minimum land area per unit, but instead become a function of the yard requirements and allowable building height. Of the three (3) multifamily districts, NM1 would be the most restrictive, allowing for one and two-family dwellings and condominiums subject to a height restriction of 35 feet, or 2-1/2 stories. In the NM2 District, multiple dwellings and apartments would be allowed, and building height would be limited to four (4) stories unless one of four “zones” is affixed to the zoning designation (expressed as either I, II, III or IV), in which case building height could increase from between five (5) to twenty (20) stories. A similar methodology would be used to determine building height for the NM3 District, but with a limitation of nine (9) stories. Additionally, the NM3 list of permitted uses include condominium multiple dwellings and housing for the elderly, but not apartments.
- 3) The six (6) existing commercial zoning districts (PO, OS, C-1, C-2, C-3, & C-4) will be replaced with four (4) new commercial districts: C-1, C-2, C-3, and C-4. The OS Districts is being eliminated and replaced with C-1 zoning resulting in an expansion of permitted uses associated mainly under the category of neighborhood-oriented commercial. This change moves the City closer in the direction of form-based zoning regulations, which focuses more on site and building design and less on the separation of land uses. The C-2 District will continue to serve more intensive commercial and highway-oriented uses. The Committee felt that the C-3 District, because of its unique status and extremely limited application (only two parcels in the City are currently zoned C-3), should be retained—primarily for legal reasons—to have a “placeholder” for adult-oriented businesses and avoid the potential for exclusionary zoning. Lastly, the PO District will be replaced with a modified C-4 District to mostly accommodate high-rise commercial, including general and professional offices uses. Combining the two (2) districts results in an overall increase of just under 300 acres of C-4 zoning, much of which is concentrated along the I-275 expressway.
- 4) The P-L, ML, M-1, M-2, P, and NP Districts all remain, while the AG (General Agricultural) and R-E (Research Engineering) Districts get eliminated. All AG-zoned parcels get absorbed under the RUF District, and the R-E District gets replaced by the ML District. As previously noted, the majority of P-zoned parcels remain and—to a lesser extent—the others get replaced by the adjacent associated zoning classification.

With the changes enumerated above, the total number of zoning districts would go from 26 down to 16 resulting in a much better alignment with the nine (9) land use classifications identified on the **LV21 Future Land Use Map**.

Another significant change is a complete restructuring and recodification that reduces the number of Articles from 31 to 14. Below is a list of the new Articles:

Article I: Title, Purpose, and Scope
Article II: Definitions
Article III: Zoning Districts and Map
Article IV: Schedule of Regulations
Article V: Supplemental Zoning District Standards
Article VI: Standards Applicable to Specific Uses
Article VII: General Provisions
Article VIII: Environmental Performance Standards
Article IX: Parking, Loading, and Access Management
Article X Landscaping and Screening
Article XI: Signs
Article XII: Nonconformities
Article XIII: Administrative Procedures
Article XIV: Violations and Penalties

The current zoning ordinance, with only one (1) exception (Article V.- R-1 through R-5 District Regulations), has separate articles for each zoning district that includes a list of the various land uses and whether they are treated as permitted, prohibited or as a waiver use, along with area, height, bulk, placement, and other regulations applicable to the specific district. As a result, significant redundancy exists throughout the current ordinance since—in many instances—the same rules apply to multiple districts. The **New Zoning Ordinance** attempts to streamline the information in a more user-friendly format. **Section 3.03, Permitted Uses by District**, is a single table that provides a comprehensive list of land uses and how each use is treated within each of the 16 zoning districts (i.e., Principally Permitted, Waiver Land Use, or Not Permitted). Additionally, a separate table is provided for each zoning district under **Sections 3.04 - 3.18** that lists the Permitted Uses and Waiver Uses in two (2) separate columns, identifies any Prohibited Uses specific to that district, as well as the applicable Dimension Regulations (i.e., Lot Standards). **Article IV, Schedule of Regulations**, uses a traditional table format that provides the various height, area bulk, and placement standards for each zoning district. For standards that are used in multiple instances or that require additional explanation, hyperlinks are provided to **Section 4.04, Footnotes to Schedule of Regulations**.

Article V, Supplemental Zoning District Standards establishes and provides regulations with respect to four (4) unique elements of the ordinance which are not specific to any single zoning district. They are:

- 1) Section 5.01, Special Area Development Control.
- 2) Section 5.02, Special Waiver Use Standards for Planned Residential Developments and Planned General Developments.
- 3) Section 5.03 Single Family Clustering.
- 4) Section 5.04, Form-Based Development Option in Commercial Districts.

Most of the standards and development options proposed in **Sections 5.01, 5.02, and 5.03** are currently in place pursuant to Articles XVIII (Section 18.47) and XX. Only **Section 5.04** is new to Livonia. It introduces a technique referred to as “Form Based” zoning. The adoption of a form-based code and development option is an important and critical step towards the successful implementation of **LV21**. Like most form-based codes, this part of the **New Zoning Ordinance** is highly technical. It outlines not only the procedural requirements of what is involved with developing under this option, but also establishes the detailed design criteria and architectural standards needed to achieve the desired built environment as envisioned in the **LV21**. (See below for more information on the proposed Form-Based Regulations.)

Article VI, Standards Applicable to Specific Uses deals with several land uses where special requirements apply and that are possible in more than one zoning district. Many are treated as waiver uses and are permitted only upon review and submission of findings by the City Planning Commission and approval by the City Council.

Article VII, General Provisions provides multiple building and use requirements for items that might occur in many of the City’s zoning districts, such as easements, lighting, fences, and walls, etc.

Article VIII, Environmental Performance Standards is intended to consolidate under a single division all the regulations pertaining to environmentally related uses and issues, such as waste and rubbish facilities, noise, odors, soil removal, and dumping. It also includes a section on the City’s flood hazard areas.

Article IX, Parking, Loading, and Access Management; Article X, Landscaping and Screening; and Article XI, Signs consolidates, and puts all the City’s rules for these items into separate, easy-to-find sections, mainly for convenience purposes, since—in one way or another—they affect nearly all development and redevelopment projects.

Article XII, Nonconformities was created due mainly to the unique nature of the subject matter and the fact that multiple sections are needed to fully address the complexities that surround this singular issue.

Article XIII, Administrative Procedures, and Article XIV, Violations are issues common to all Zoning Ordinance and typically reside as separate articles or divisions for many of the same reasons as cited above.

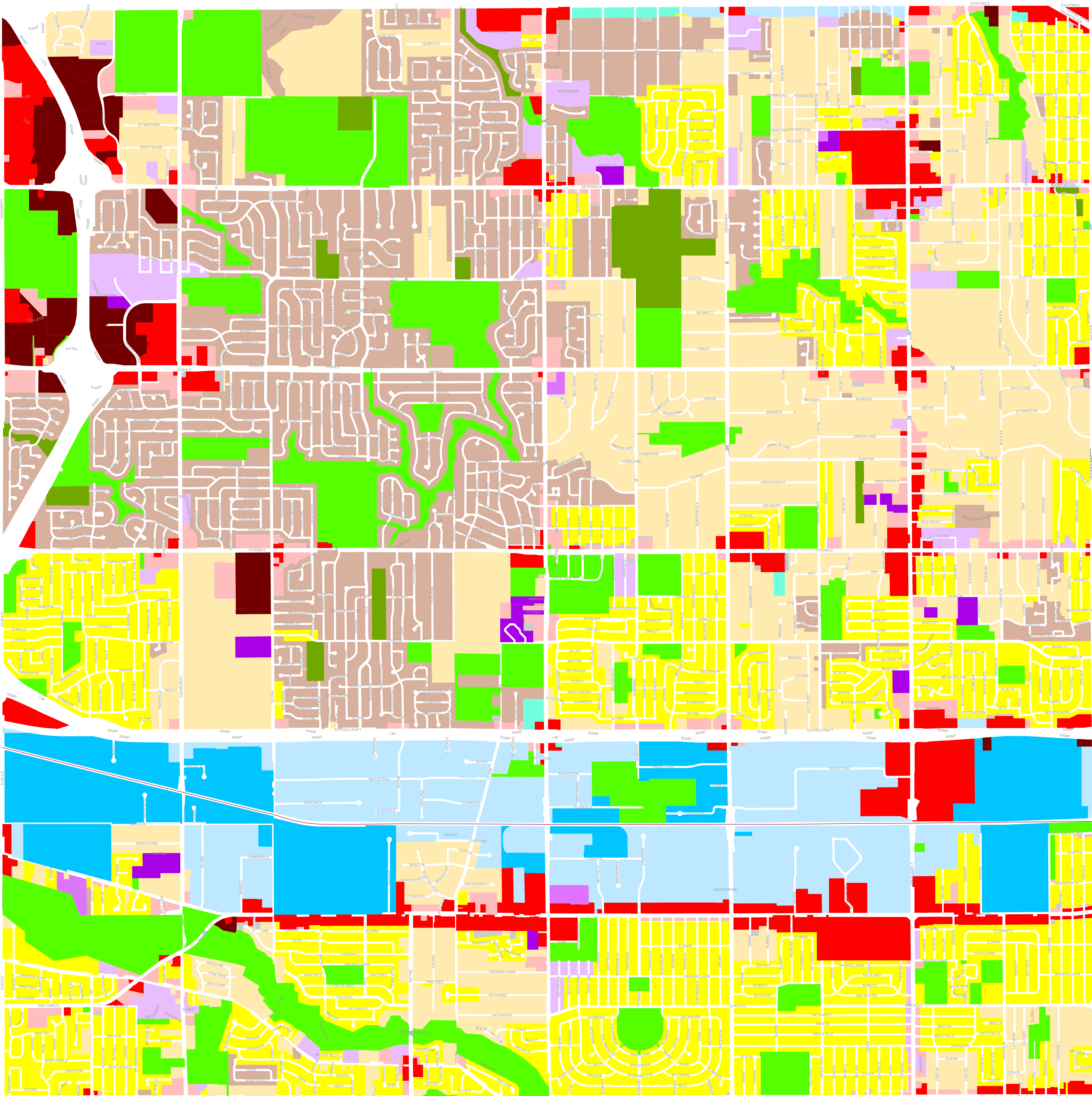
Form-Based Regulations

Probably the most significant change with the New Zoning Ordinance is the addition of a form-based code. This appears under Section 5.04, Form-Based Development Option in Commercial Districts. The primary purpose of Section 5.04 is to encourage development and redevelopment in a manner consistent with the recommended urban

design principles of LV21. Most prominent among these are outlined in the three (3) Special Planning Areas: City Center, Former Livonia Mall (Seven Mile and Middlebelt area), and East Plymouth Road.

As written, the form-based section is not a separate zoning district, but instead a set of standards and review procedures that apply to the C-1, C-2, C-3, and C-4 Districts. The main purpose of Section 5.04 is to guide and incentivize development in a way that adheres to the design objectives of the Master Plan. This includes the location and spacing of buildings, as well as the height, area, bulk, and appearance. Mixed-use with medium-high density housing is encouraged.

The entitlement process will differ depending on the scale of the project and—based upon a determination made at the onset of the review—whether it conforms to the form-based development standards. If it does, then a typical site plan review procedure is followed. Conversely, if the project does not conform to the recommended form-based development standards, then the Special Waiver Use Standards of Section 5.02 apply, requiring a public hearing along with a higher degree of discretion afforded to the Planning Commission and City Council as part of the evaluation. Smaller projects, such as façade renovations and small building additions, are not required to follow the form-based standards.



LIVONIA VISION 21 ZONING MAP

LEGEND

Zoning Districts

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

CERTIFICATION

Planning Commission Approval: June 1, 2021
Resolution No. 06-27-2021

(Chair)

(Secretary)

City Council Approval: _____

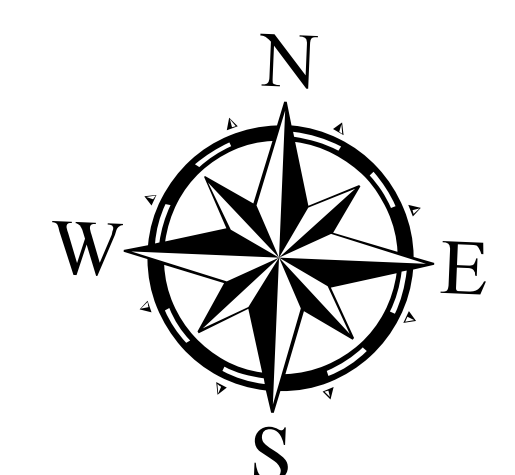
(Council President)

Authenticated by:

(Mayor)

(City Clerk)

This is to certify that this map includes all corrections
and district amendments through and including
amendment number _____.



0 0.5 1
Miles



LIVONIA VISION 21

Zoning Ordinance

City of Livonia, Michigan

PREPARED JUNE 1, 2021 BY



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

Communities for real life.

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*



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.

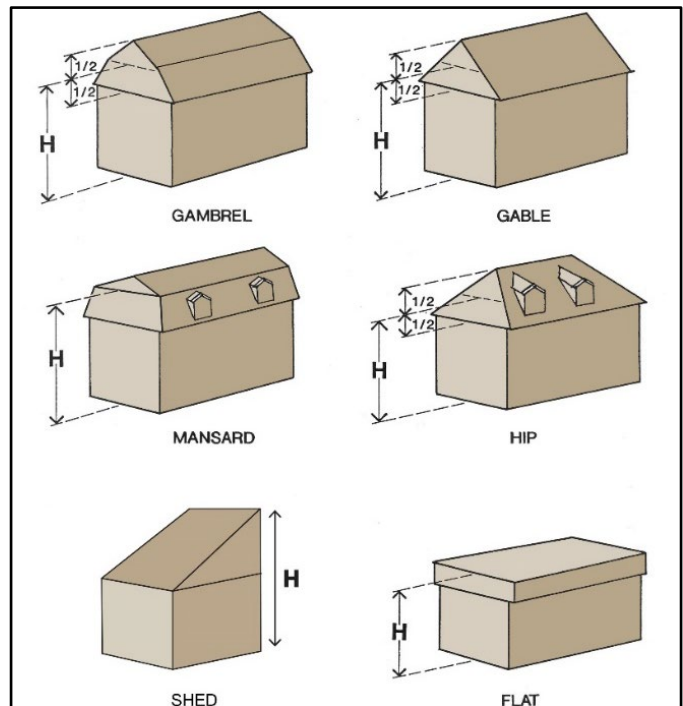
Story, Half. A half story is an uppermost story lying under a sloping roof, the usable floor area of which does not exceed seventy-five (75) per cent of the floor area of the story immediately below it.

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.

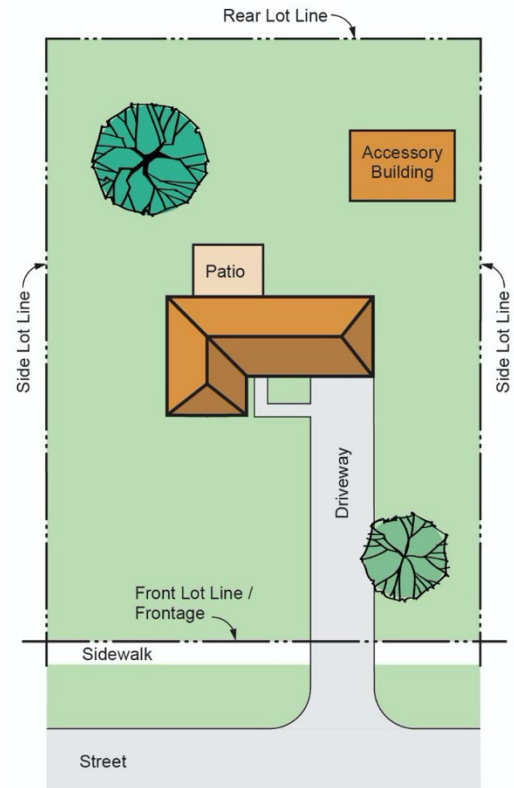
Lot of Record. A lot of record is a lot the dimensions of which are shown on a plat recorded in the office of the Register of Deeds prior to the effective date of this Ordinance, and which actually exists as so shown.

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.

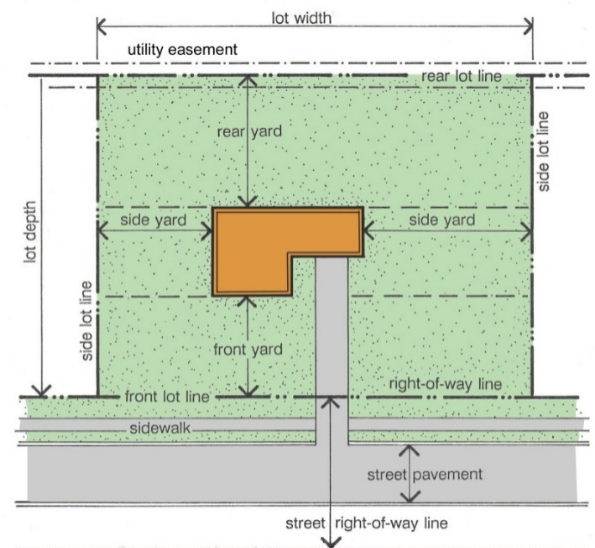
Lot Line, Front. The line abutting a street. On a corner lot the shorter street line shall be considered the front lot line. Where new street lines are established by ordinance or the Future Transportation Map of the City of Livonia, such lines shall be the front lot line. See Figure above.

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.

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.

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.



Banner



Blade Sign

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.

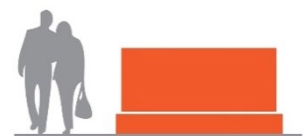
Non-Conforming Sign. Any advertising structure or sign which was lawfully erected and maintained prior to the effective date of this Ordinance, and any amendments thereto, and which fails to conform to all applicable regulations and restrictions of this Ordinance, or a sign for which a permit was previously 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 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 6.33
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
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	P			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 terminal 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 Section 2.01(8) 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 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 X, Section 6.45
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 Section 2.02(2) Section 6.47
Photographic studios							P	P	P	P							
Planned general developments					W		W	W	W	W							Section 5.02
Professional offices							P	P	P	P		P	P	P			Section 2.02 Section 2.02(2)
Retail sales					W	W	P	P	P	P			W				Section 2.01 Section 2.01(8) 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 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 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			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)
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(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

- Accessory structures and uses ([Section 7.09](#), [Section 7.23](#), [Section 7.23\(1\)](#))
- Educational uses ([Section 2.01](#), [Section 2.01\(4\)](#))
- Golf courses, but not including miniature golf courses or golf driving ranges
- Family child care home ([Section 6.11](#))
- Group child care home ([Section 6.12](#))
- Home occupations ([Section 6.28](#))
- One-family dwellings ([Section 6.19](#))
- Parks and outdoor recreational uses ([Section 2.02](#), [Section 2.02\(2\)](#))
- Temporary buildings or structures for uses incidental to the construction of residential dwellings and improvements ([Section 6.56](#), [Section 6.56\(2\)](#))

WAIVER USES

- Bed and breakfast establishments ([Section 6.08](#))
- Public utility buildings and substations
- Single-family clustering ([Section 5.03](#))
- Privately owned and operated recreational uses ([Section 6.48](#))
- 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.
- 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

- Accessory structures and uses ([Section 7.09](#), [Section 7.23](#), [Section 7.23\(1\)](#))
- Educational uses ([Section 2.01](#), [Section 2.01\(4\)](#))
- Golf courses, but not including miniature golf courses or golf driving ranges
- Family child care home ([Section 6.11](#))
- Group child care home ([Section 6.12](#))
- Home occupations ([Section 6.28](#))
- One-family dwellings ([Section 6.19](#))
- Parks and outdoor recreational uses ([Section 2.02](#), [Section 2.02\(2\)](#))
- Temporary buildings or structures for uses incidental to the construction of residential dwellings and improvements ([Section 6.56](#), [Section 6.56\(2\)](#))

WAIVER USES

- Bed and breakfast establishments ([Section 6.08](#))
- Public utility buildings and substations
- Single-family clustering ([Section 5.03](#))
- Privately owned and operated recreational uses ([Section 6.48](#))
- 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.
- 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

- Accessory structures and uses ([Section 7.09](#), [Section 7.23](#), [Section 7.23\(1\)](#))
- Educational uses ([Section 2.01](#), [Section 2.01\(4\)](#))
- Fowl and rabbits for the owner's consumption ([Section 6.33](#))
- Gardening and tree nurseries ([Section 6.24](#))
- Golf courses, but not including miniature golf courses or golf driving ranges
- Family child care home ([Section 6.10](#))
- Group child care home ([Section 6.12](#))
- Home occupations ([Section 6.28](#))
- One-family dwellings ([Section 6.19](#))
- Parks and outdoor recreational uses ([Section 2.02](#), [Section 2.02\(2\)](#))
- Temporary buildings or structures for uses incidental to the construction of residential dwellings and improvements ([Section 6.56](#), [Section 6.56\(2\)](#))
- Universities, colleges, private colleges, including ancillary uses and facilities

WAIVER USES

- Airports, landing fields and platforms, hangars, masts and other facilities for the operation of aircraft
- Bed and breakfast establishments ([Section 6.08](#))
- Carnivals, outdoor circuses or migratory amusement enterprises ([Section 6.56](#), [Section 6.56\(3\)](#))
- Cemeteries
- Dog kennels ([Section 6.34\(3\)](#))
- Fowl and rabbits raised for sale
- Public utility buildings and substations
- Privately owned and operated recreational uses ([Section 6.48](#))
- Religious institutions ([Section 6.50](#))
- Residential homes for mentally or physically handicapped persons ([Section 6.02](#))
- The raising of fur bearing animals ([Section 6.49](#))
- 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.
- 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

- Accessory structures and uses ([Section 7.23](#), [Section 7.23\(1\)](#))
- Condominium multiple dwellings
- One-family dwellings ([Section 6.19](#))
- Parks and outdoor recreational uses ([Section 2.02](#), [Section 2.02\(2\)](#))
- Two-family dwellings ([Section 6.20](#))
- Home occupations ([Section 6.28](#))

WAIVER USES

- Bed and breakfast establishments ([Section 6.08](#))
- Boarding, rooming and lodging houses or tourist homes
- Privately owned and operated recreational uses ([Section 6.48](#))
- Public utility buildings and substations
- 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

- Accessory structures and uses ([Section 7.23](#) [Section 7.23\(1\)](#))
- Condominium multiple dwellings
- Home occupations ([Section 6.28](#))
- Multiple dwellings and apartment houses ([Section 6.04](#), [Section 6.18](#))
- One-family dwellings ([Section 6.19](#))
- Parks and outdoor recreational uses ([Section 2.02](#), [Section 2.02\(2\)](#))
- Two-family dwellings ([Section 6.20](#))

WAIVER USES

- Day care nurseries ([Section 6.13](#))
- Personal service establishments ([Section 2.02](#), [Section 2.02\(2\)](#)) ([Section 6.47](#))
- Planned general developments ([Section 5.02](#))
- 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%
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

- Accessory structures and uses ([Section 7.23](#), [Section 7.23\(1\)](#))
- Condominium multiple dwellings
- Home occupations ([Section 6.28](#))
- Housing for the elderly ([Section 6.31](#))
- Parks and outdoor recreational uses ([Section 2.02](#), [Section 2.02\(2\)](#))

WAIVER USES

- Personal service establishments ([Section 2.02](#), [Section 2.02\(2\)](#)) ([Section 6.47](#))
- 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) • Bakeries • Banks and savings and loans associations • Bed and breakfast establishments (Section 6.08) • Blood and plasma donation centers • Catering establishments • Clubs, lodges, and meeting halls, fraternal and religious • Cultural institutions, such as museums, art galleries and libraries • Data processing and computer centers, including sales, service, and maintenance of electronic data processing equipment • Educational uses (Section 2.01, Section 2.01(4)) • General offices • Indoor recreational uses • Kidney transfusion centers • Limited service and carry-out restaurants with or without outdoor dining areas (Section 6.51, Section 6.51(1)) • Medicine, osteopathy and dentistry (excluding veterinary clinics) • Music, dance, or business academies • Open-air sales of Christmas trees (Section 6.43) • Optometry and chiropractic • Orthopedic and medical supply stores, but not including assembly or manufacturing • 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) • Photographic studios • Physical therapy and health services (not including massage establishments and public baths) • Professional offices (Section 2.02, Section 2.02(2)) • Psychology and podiatry • Public utility uses • Religious institutions (Section 6.50) • Retail sales (Section 2.01, Section 2.01(8)) (Section 6.52) • Schools including, but not limited to dance, music and instrumental, and business/training • Schools - music, dance or business • Temporary buildings for construction purposes, not to exceed the duration of construction • 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)) • 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)) • Brewer, micro brewer, brewpub, and distilleries (Section 6.09) • Convalescent and nursing homes (Section 6.39) • Dairies, creameries, soft drink and bottling plants, and other similar uses (Section 2.01, Section 2.01(8)) • Day care nurseries (Section 6.13) • Establishments having liquor licenses such as Class C, tavern, and club (Section 6.22) • Full-service restaurants with or without outdoor dining areas (Section 6.51, Section 6.51(2)) • Funeral homes and undertaking establishments • Hospitals (Section 6.29) • Massage establishments (Section 6.37) • Open-air business uses (Section 6.42) • Planned general developments (Section 5.02) • S.D.D. and S.D.M. licenses (Section 6.03) • 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.

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	(<i>j</i>)
Front Yard Setback	15 feet
Side Yard Setback	8 feet (<i>p</i>)
Total of two side yard setbacks	16 feet
Rear Yard Setback	8 feet (<i>p</i>)
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)) - Artisan, craftsman, printing and engraving shops other similar uses (Section 2.01, Section 2.01(8)) - Bakeries - Banks and savings and loans associations - Bed and breakfast establishments (Section 6.08) - Blood and plasma donation centers - Catering establishments - Clubs, lodges, and meeting halls, fraternal and religious - Cultural institutions, such as museums, art galleries and libraries - Day care nurseries (Section 6.13) - Data processing and computer centers, including sales, service, and maintenance of electronic data processing equipment - Educational uses (Section 2.01, Section 2.01(4)) - Funeral homes and undertaking establishments - Gardening and tree nurseries (Section 6.24) - General offices - Hotels (Section 6.30) - Indoor recreational uses (Section 2.01 (8)) (Section 6.32) - Kidney transfusion centers - Limited service and carry-out restaurants with or without outdoor dining areas (Section 6.51, Section 6.51(1)) - Medicine, osteopathy and dentistry (excluding veterinary clinics) - Music, dance, or business academies - Nurseries, including sale of garden supplies - Open-air sales of Christmas trees (Section 6.43) - Optometry and Chiropractic - Orthopedic and medical supply stores, but not including assembly or manufacturing - 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) - Photographic studios - Physical therapy and health services (not including massage establishments and public baths) - Professional offices (Section 2.02, Section 2.02(2)) - Psychology and podiatry - Public utility uses - Radio and television towers and broadcasting studios - Religious institutions (Section 6.50) - Retail sales (Section 2.01, Section 2.01(8)) (Section 6.52) - Schools including, but not limited to dance, music and instrumental, and business/ training - Temporary buildings for construction purposes, not to exceed the duration of construction - Temporary Uses and Sidewalk and Tent Sales (Section 6.56(1)) - Wholesale business uses (Section 2.01, Section 2.01(8))	- Ambulance services, local and suburban bus terminal and taxicab terminals (Section 6.57) - Automobile and light truck (one (1) ton gross vehicle weight) repair (Section 6.06) - Auto-wash establishments and auto-wash establishments operated with accessory gasoline pumps (Section 6.07) - 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)) - Brewer, micro brewer, brewpub, and distilleries (Section 6.09) - Carnivals, outdoor circuses or migratory amusement enterprises (Section 6.56, Section 6.56(3)) - Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis (Section 6.54) - Convalescent and nursing homes (Section 6.39) - Dairies, Creameries, Soft Drink and Bottling Plants, and other similar uses (Section 2.01 (8)) - Dance halls and ballrooms (Section 6.14) - Drive-in restaurants and restaurants with either drive-thru or drive-up window facilities; including food trucks (Section 6.51, Section 6.51(3)) - Drive-in theaters - Establishments having liquor licenses such as Class C, tavern, and club (Section 6.22) - Full-service restaurants with or without outdoor dining areas (Section 6.51, Section 6.51(2)) - Gasoline service station (Section 6.26) - Hospitals (Section 6.29) - Massage establishments (Section 6.37) - Motels (Section 6.38) - New and used car lots and showrooms, new or used mobile home sales and automobile rental facilities (Section 6.05) - Open-air business uses (Section 6.42) - Automotive paint Shops (Section 2.01 (8)) - Parking structure (Section 9.09) - Pawn shops (Section 6.45) - Payday lenders (Section 6.46) - Planned general developments (Section 5.02) - S.D.D. and S.D.M. licenses (Section 6.03) - Second-hand stores and rummage shops (Section 6.53) - 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.

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
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(1D)) • Ambulance services, local and suburban bus terminal and taxicab terminals (Section 6.57) • Artisan, craftsman, printing and engraving shops other similar uses (Section 2.01, Section 2.01(8)) • Automobile and light truck (one (1) ton gross vehicle weight) repair (Section 6.06) • Auto-wash establishments and auto-wash establishments operated with accessory gasoline pumps (Section 6.07) • Bakeries • Banks and savings and loans associations • Bed and breakfast establishments (Section 6.08) • Blood and plasma donation centers • 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)) • Brewer, micro brewer, brewpub, and distilleries (Section 6.09) • Carnivals, outdoor circuses or migratory amusement enterprises (Section 6.56, Section 6.56(3)) • Catering establishments • Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis (Section 6.54) • Clubs, lodges, and meeting halls, fraternal and religious • Convalescent and nursing homes (Section 6.39) • Cultural institutions, such as museums, art galleries and libraries • Dance halls and ballrooms (Section 6.14) • Data processing and computer centers, including sales, service, and maintenance of electronic data processing equipment • Day care nurseries (Section 6.13) • Drive-in restaurants and restaurants with either drive-thru or drive-up window facilities; including food trucks (Section 6.51, Section 6.51(3)) • Drive-in theaters • Educational uses (Section 2.01, Section 2.01(4)) • Establishments having liquor licenses such as Class C, tavern, and club (Section 6.22) • Full service restaurants with or without outdoor dining areas (Section 6.51, Section 6.51(2)) • Funeral homes and undertaking establishments • Gardening and tree nurseries (Section 6.24) • Gasoline service station (Section 6.26) • General offices • Hospitals (Section 6.29) • Hotels (Section 6.30) • Indoor recreational uses (Section 2.01, Section 2.01(8)) (Section 6.32) • Kidney transfusion centers • Limited service and carry-out restaurants with or without outdoor dining areas (Section 6.51, Section 6.51(1)) • Massage establishments (Section 6.37) • Medicine, osteopathy and dentistry (excluding veterinary clinics) • Motels (Section 6.38) • Music, dance, or business academies	• Adult businesses (Section 6.01) • Dairies, creameries, soft drink and bottling plants, and other similar uses (Section 2.01(8)) • Automotive paint shops (Section 2.01(8)) • Parking structure (Section 9.09) • Planned general developments Section 5.02 •

PERMITTED USES	WAIVER USES
- New and used car lots and showrooms, new or used mobile home sales and automobile rental facilities (Section 6.05) - Nurseries, including sale of garden supplies - Open-air business uses (Section 6.42) - Open-air sales of Christmas trees (Section 6.43) - Optometry and chiropractic - Orthopedic and medical supply stores, but not including assembly or manufacturing - Parks and outdoor recreational uses (Section 2.02, Section 2.02(2)) - Pawn shops (Section 6.45) - Payday lenders (Section 6.46) - Personal service establishments (Section 2.02, Section 2.02(2)) (Section 6.47) - Photographic studios - Physical therapy and health services (not including massage establishments and public baths) - Professional offices (Section 2.02, Section 2.02(2)) - Psychology and podiatry - Public utility uses - Radio and television towers and broadcasting studios - Religious institutions (Section 6.50) - Retail sales (Section 2.01, Section 2.01(8)) (Section 6.52) - S.D.D. and S.D.M. licenses (Section 6.03) - Second-hand stores and rummage shops (Section 6.53) - Schools including, but not limited to dance, music and instrumental, and business/ training - Temporary buildings for construction purposes, not to exceed the duration of construction - Veterinary clinics, animal clinics and animal hospitals (Section 6.59) - 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
Side Yard Setback	25 feet
Total of two side yard setbacks	50 feet
Rear Yard Setback	((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(1D)) - Artisan, craftsman, printing and engraving shops other similar uses (Section 2.01, Section 2.01(8)) - Bakeries - Banks and savings and loans associations - Bed and breakfast establishments (Section 6.08) - Blood and plasma donation centers - Brewer, Micro Brewer, Brewpub, and Distilleries (Section 6.09) - Catering establishments - Convalescent and nursing homes (Section 6.39) - Cultural service buildings, such as publicly owned museums, art galleries and libraries - Day care nurseries (Section 6.13) - Educational uses (Section 2.01, Section 2.01(4)) - Full service restaurants with or without outdoor dining areas (Section 6.51, Section 6.51(2)) - Funeral homes and undertaking establishments - Gardening and tree nurseries (Section 6.24) - General offices - Hotels (Section 6.30) - Indoor recreational uses (Section 2.01, Section 2.01(8)) (Section 6.32) - Kidney transfusion centers - Limited service restaurant and carry-out restaurants with or without outdoor dining areas (Section 6.51, Section 6.51(1)) - Medicine, osteopathy and dentistry (excluding veterinary clinics) - Motels (Section 6.38) - Museums - Music, dance, or business academies - Nurseries, including sale of garden supplies - Open-air sales of Christmas trees (Section 6.43) - Optometry and chiropractic - Orthopedic and medical supply stores, but not including assembly or manufacturing - 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) - Photographic studios - Physical therapy and health services (not including massage establishments and public baths) - Professional offices (Section 2.02, Section 2.02(2)) - Psychology and podiatry - Public utility uses - Radio and television towers and broadcasting studios - Religious institutions (Section 6.50) - Retail sales (Section 2.01, Section 2.01(8)), (Section 6.52) - Schools including, but not limited to dance, music and instrumental, and business/ training - Universities, colleges, private colleges, including ancillary uses and facilities - Wholesale business uses (Section 2.01, Section 2.01(8)) - Temporary buildings for construction purposes, not to exceed the duration of construction	- Accessory residential use for apartments (Section 7.23, Section 7.23(2)) - Carnivals, outdoor circuses or migratory amusement enterprises (Section 6.56, Section 6.56(3)) - Dairies, creameries, soft drink and bottling plants, and other similar uses (Section 2.01 (8)) - Establishments having liquor licenses such as Class C, Tavern, and Club (Section 6.22) - Heliports (Section 6.27) - Hospitals (Section 6.29) - Massage establishments (Section 6.37) - Automotive paint shops (Section 2.01 (8)) - Parking structure (Section 9.09) - 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
Side Yard Setback	40 feet
Total of two side yard setbacks	80 feet
Rear Yard Setback	40 feet
Max. Ground Coverage by Principal Structure	20%
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 3.14 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)) • Brewer, Micro Brewer, Brewpub, and Distilleries (Section 6.09) • Carnivals, outdoor circuses or migratory amusement enterprises (Section 6.56(3)) • Cultural service buildings, such as publicly owned museums, art galleries and libraries • Educational uses (Section 2.01, Section 2.01(4)) • Establishments having liquor licenses such as Class C, tavern, and club (Section 6.22) • Hospitals (Section 6.29) • Housing for the elderly (Section 6.31) • Municipal or other governmental buildings • Heliports (Section 6.27) • Parking structures (Section 9.09) • Parks and outdoor recreational uses (Section 2.02, Section 2.02(2)) • 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)) - Brewer, micro brewer, brewpub, and distilleries (Section 6.09) - Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis (Section 6.54) - Data processing and computer centers, including sales, service and maintenance of electronic data processing equipment - Establishments for the distribution of, or the packaging, assembling, secondary processing, alteration or repair - Experimental product development and testing including limited manufacturing (Section 6.22(3)) - General offices - Industrial, scientific, or business research development and testing laboratories and offices - Laundry and dry-cleaning establishments - Parks and outdoor recreational uses (Section 2.02, Section 2.02(2)) - Professional offices (Section 2.02, Section 2.02(2)) - Temporary buildings for construction purposes for a period not to exceed the duration of construction - Tool and die shops and pattern making shops - Warehouses (Section 2.01, Section 2.01(8))	- Heliports (Section 6.27) - 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:

- All uses permitted in N1, N2, R-U-F, NM1, NM2, C-1, C-2, and C-3 Districts.
- All waiver uses listed in N1, N2, R-U-F-Districts, NM1, NM2, C-1, C-2, and C-3 Districts.
- Outside storage of trucks, materials, and/or supplies.
- 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)) - Artisan, craftsman, printing and engraving shops other similar uses (Section 2.01 Section 2.01(8)) - Brewer, micro brewer, brewpub, and distilleries (Section 6.09) - Bulk storage of refined petroleum products - Caregiver grow facilities (Section 6.10) - Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis (Section 6.54) - Dairies, creameries, soft drink and bottling plants, and other similar uses (Section 2.01 Section 2.01(8)) - Data processing and computer centers, including sales, service and maintenance of electronic data processing equipment - Establishments for the distribution of, or the packaging, assembling, secondary processing, alteration or repair - Experimental product development and testing including limited manufacturing (Section 6.22(3)) - General offices - Laundry and dry-cleaning establishments - Local and suburban passenger terminals; trucking transportation terminals including maintenance and service facilities (Section 6.36) - Paint shops (Section 2.01 (8)) - Parks and outdoor recreational uses (Section 2.02, Section 2.02(2)) - Professional offices (Section 2.02, Section 2.02(2)) - Public utility uses - Industrial, scientific, or business research development and testing laboratories and offices - Internet-based exotic vehicle sales (Section 6.33) - Industrial plants manufacturing, processing or assembling (Section 2.02, Section 2.02(2)) - Temporary buildings for construction purposes for a period not to exceed the duration of construction - Tool and die shops and pattern making shops - Warehouses (Section 2.01, Section 2.01(8))	- Ambulance services, local and suburban bus terminal and taxicab terminals (Section 6.57) - Garages, repair shops, rustproofing and similar highway services (Section 6.24) - Heliports (Section 6.27) - Indoor recreational uses (Section 2.01, Section 2.01(8)) (Section 6.32) - Outdoor storage of recreational equipment (Section 6.44) - Parking structure (Section 9.09) - Retail sales (Section 2.01, Section 2.01(8)) (Section 6.52) - 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)
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:

- 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.
- 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.
- c) Junk yards and businesses handling junk, waste, trash, or rubbish.
- d) Used auto parts or auto wrecking establishments.
- e) Incubation, raising, or storing of poultry.
- f) Slaughtering of animals.
- g) Use or operation of steam hammers, forging equipment.
- h) Heavy manufacturing drop forging plants, foundries, and boiler works.
- 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)) - Any lawful use of land or buildings not herein expressly provided for or prohibited - Artisan, craftsman, printing and engraving shops other similar uses (Section 2.01, Section 2.01(8)) - Brewer, micro brewer, brewpub, and distilleries (Section 6.09) - Bulk storage of refined petroleum products - Caregiver grow facilities (Section 6.10) - Climate controlled, indoor self-storage used to provide temporary storage needs for businesses and other individuals on a self-service basis (Section 6.54) - Dairies, creameries, soft drink and bottling plants, and other similar uses (Section 2.01 (8)) - Data processing and computer centers, including sales, service and maintenance of electronic data processing equipment - Establishments for the distribution of, or the packaging, assembling, secondary processing, alteration or repair - Experimental product development and testing including limited manufacturing (Section 6.22(3)) - Garages, repair shops, rustproofing and similar highway services (Section 6.24) - General offices - Heavy manufacturing and general industrial plants - Industrial, scientific, or business research development and testing laboratories and offices - Industrial plants manufacturing, processing or assembling (Section 2.02, Section 2.02(2)) - Internet-based exotic vehicle sales (Section 6.33) - Laundry and dry-cleaning establishments - Local and suburban passenger terminals; trucking transportation terminals including maintenance and service facilities (Section 6.36) - Outdoor storage of Recreational Equipment (Section 6.44) - Paint shops (Section 2.01 (8)) - Parking structure (Section 9.09) - Parks and outdoor recreational uses (Section 2.02, Section 2.02(2)) - Professional offices (Section 2.02, Section 2.02(2)) - Public utility uses - Steel fabricators, truck terminals, truck and trailer rental facilities where vehicles, trailers, equipment and material (Section 6.58) - Temporary buildings for construction purposes for a period not to exceed the duration of construction - Tool and die shops and pattern making shops - Warehouses (Section 2.01, Section 2.01(8))	- Ambulance services, local and suburban bus terminal and taxicab terminals (Section 6.57) - Heliports (Section 6.27) - 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:

- 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 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, filling 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](#)).

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.
- 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														
Zoning District	Lot Area, Lot Coverage, and Dwelling/Business Unit Standards						Minimum Yard Setbacks (ft)						Maximum Building Height	
	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%	—	—	—	—	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	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	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	25	50	—	—	(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	40	80	—	—	40	(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 be over two (2) stories in height and not exceeding 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
	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) 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.

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 $\frac{1}{4}$ of Section 25; the Northwest $\frac{1}{4}$ of Section 36; the Northeast $\frac{1}{4}$ of Section 35; and the Southeast $\frac{1}{4}$ 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 $\frac{1}{4}$ of Section 1; the Northwest $\frac{1}{4}$ of Section 12; the Northeast $\frac{1}{4}$ of Section 11; and the Southeast $\frac{1}{4}$ 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 $\frac{1}{4}$ of Section 5; all of Section 6; all of Section 7; the west $\frac{1}{2}$ of Section 8; the Northwest $\frac{1}{4}$ of Section 17; and the North $\frac{1}{2}$ 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 $\frac{1}{2}$ of Section 3; the East $\frac{1}{2}$ of Section 4; the Northeast $\frac{1}{4}$ of Section 9; and the N.W. $\frac{1}{4}$ 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 $\frac{1}{4}$ of Section 27; the Southeast $\frac{1}{4}$ of Section 28; the Northeast $\frac{1}{4}$ of Section 33; and the Northwest $\frac{1}{4}$ 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 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.

(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, 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.

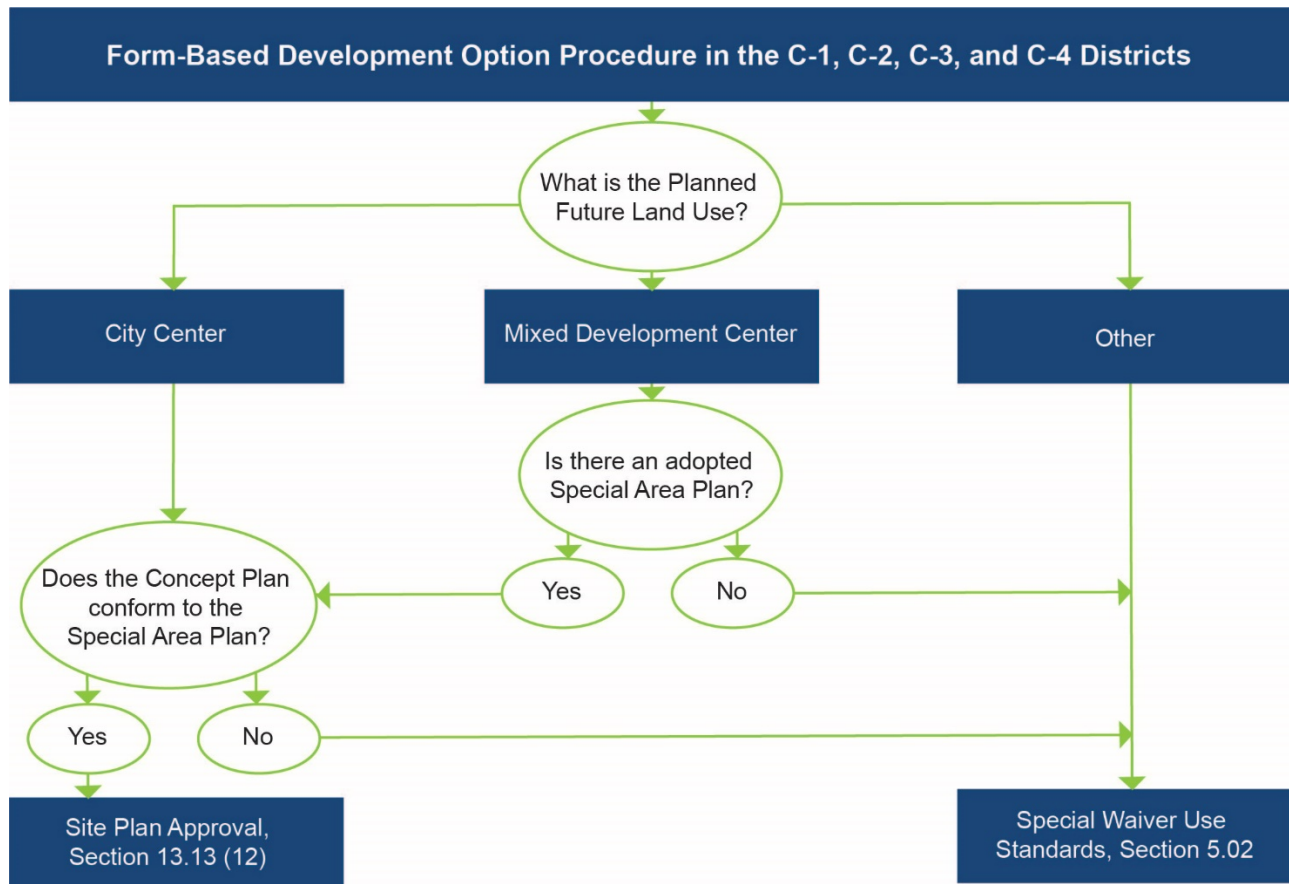
- (1) **Statement of Purpose.** The purpose of the form-based development option is to create clear and simple regulations on the design of new development or redevelopment in Livonia's Commercial Districts of C-1, C-2, C-3, and C-4.

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:

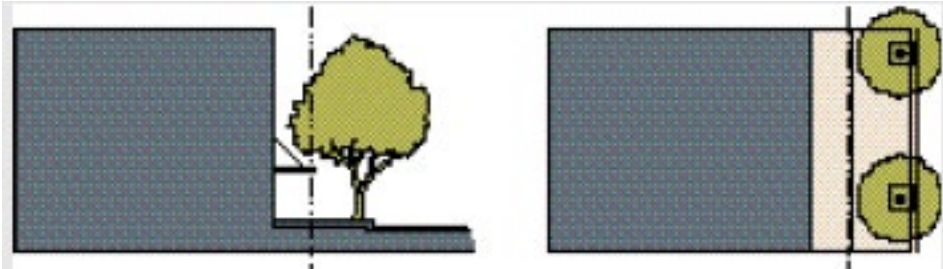
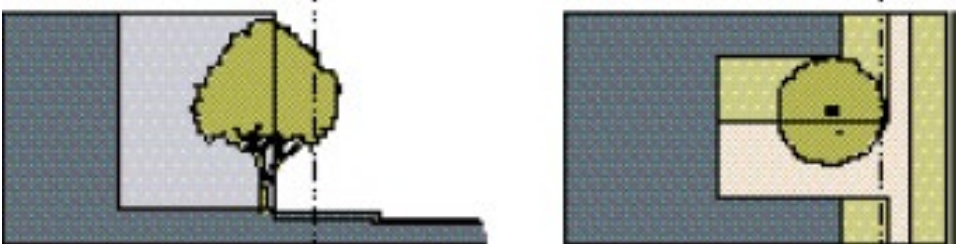
- i) Approval of the modification will not result in development that is incompatible with or will negatively impact existing or potential future development in the vicinity of the property to be developed.
- ii) The requested modification is consistent with the intent and purpose of this Section.

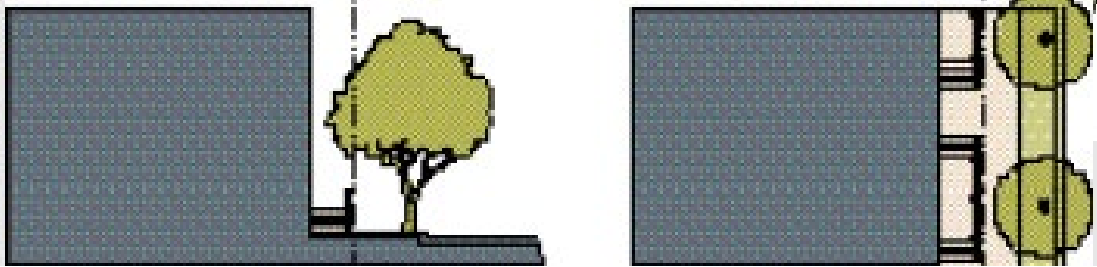
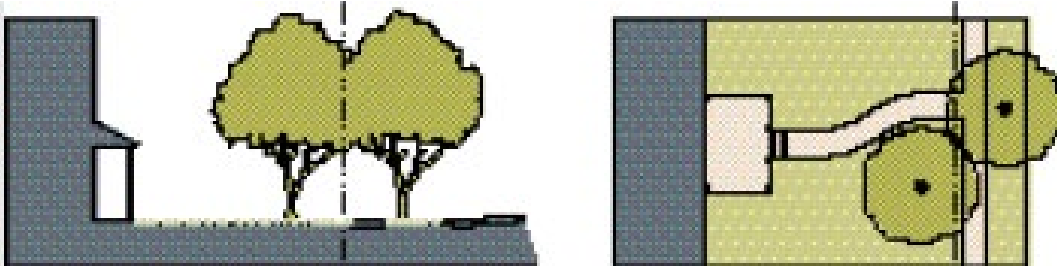
- iii) The modification will result in a superior development when compared with what could be achieved through the strict application of the requirements of this Section.
- iv) A lesser modification will not accomplish the same purpose as the requested modification.
- v) The modification will not negatively 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 C-2 C-3 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 C-2 C-3 C-4	The building shall be set back a maximum of 5 feet from the front lot line. 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 C-2 C-3 C-4	The building shall be set back a minimum of 7 feet from the front lot line. 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 C-2 C-3 C-4	The building shall be set back a minimum of 10 feet from the front lot line. 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.**

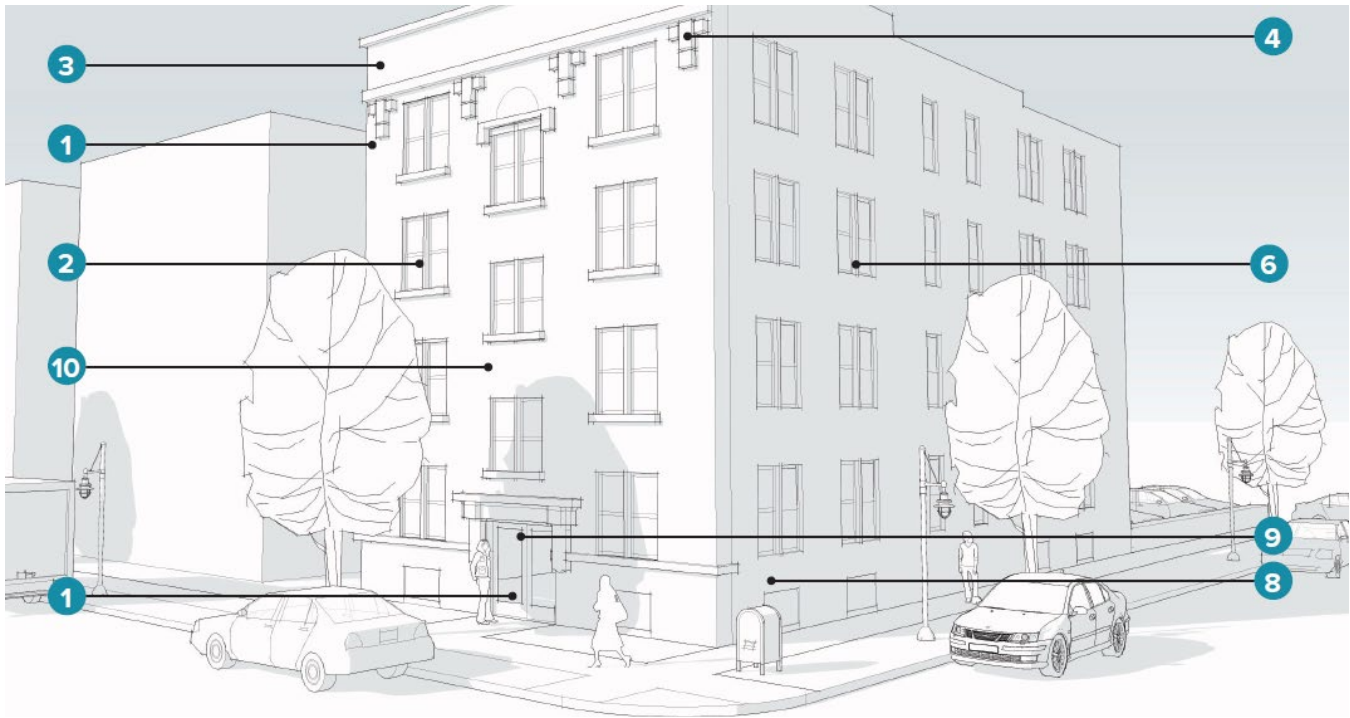
- a) Nonresidential uses. For all buildings in the C-1, C-2, C-3, and C-4 districts and buildings with nonresidential uses on the first floor, the ground floor of the principal entrance shall align with the elevation of the adjacent sidewalk. Sunken terraces or stairways to a basement shall not constitute 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.

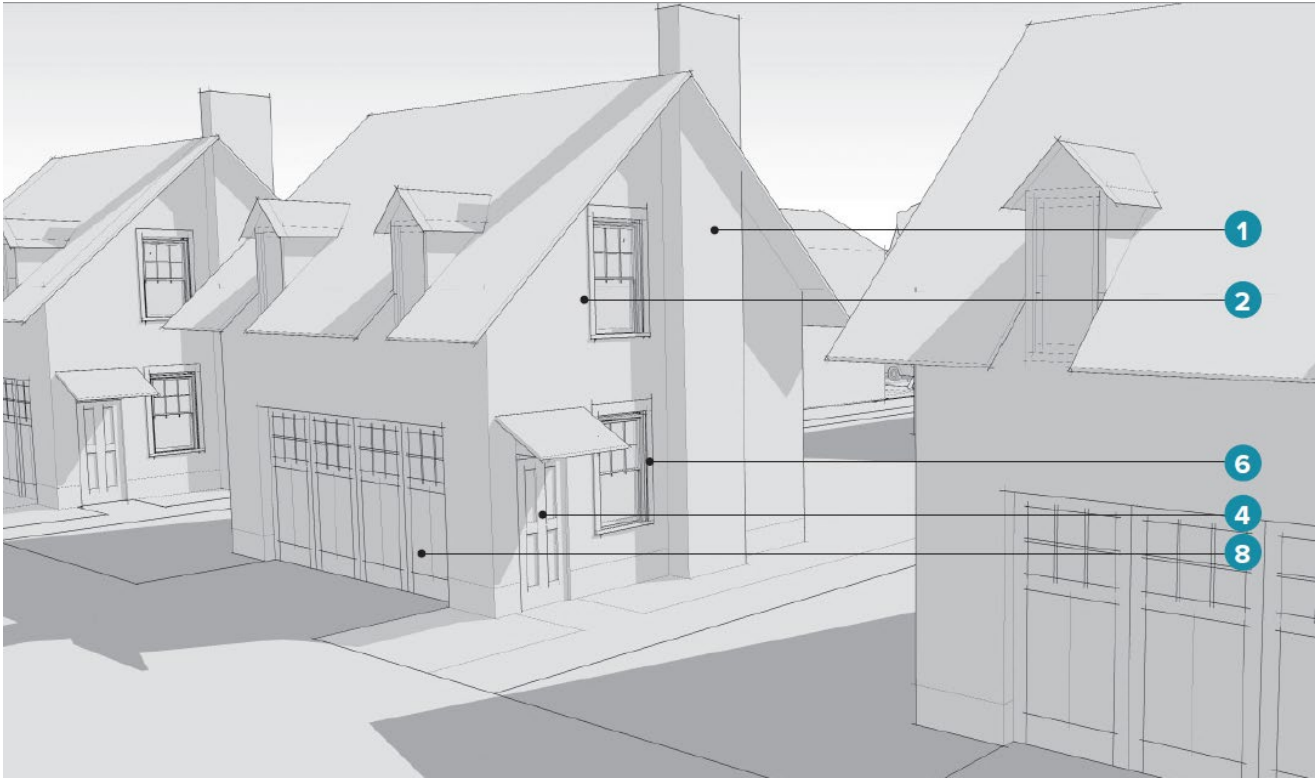


ILLUSTRATED DESIGN STANDARDS: APARTMENTS

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 and can contain a small dwelling unit or similar use. They are often above a garage but can also be at ground level.



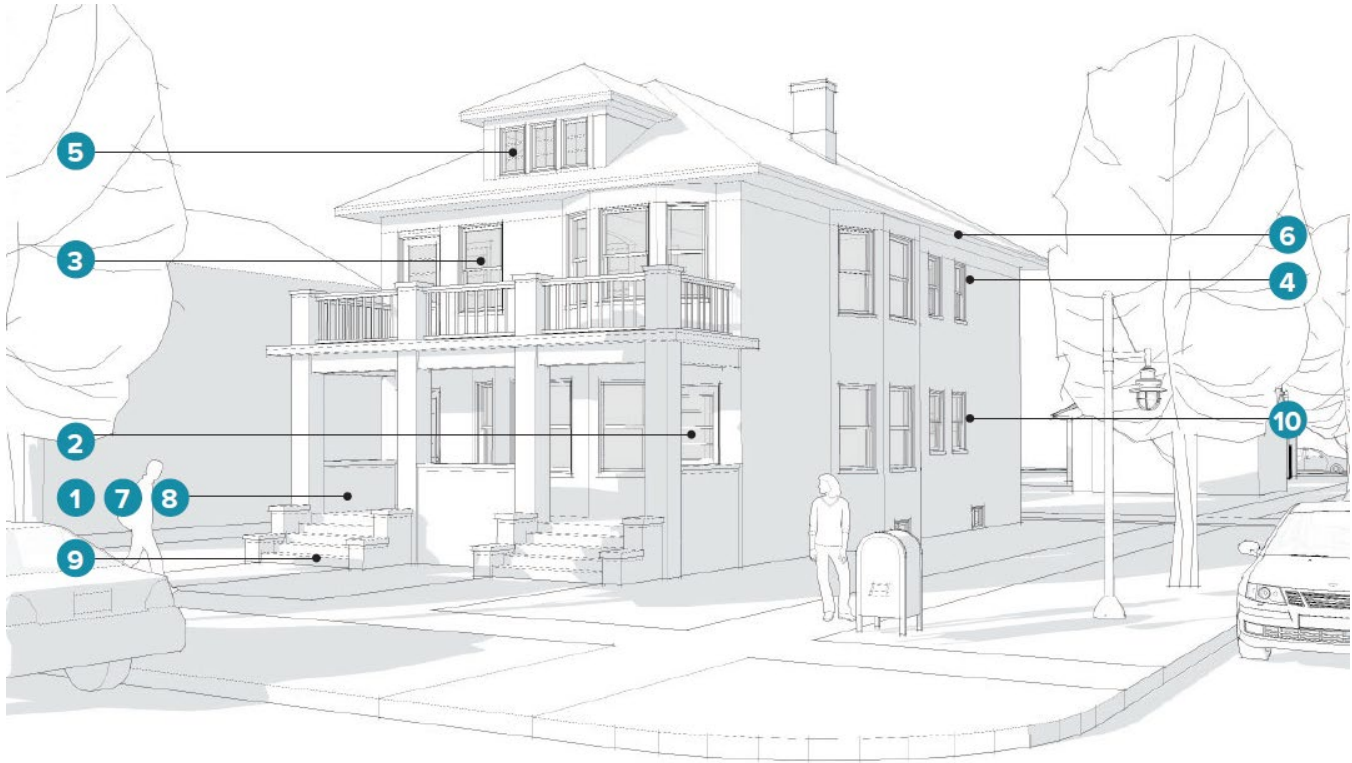
ILLUSTRATED DESIGN STANDARDS: CARRIAGE HOUSE / ACCESSORY DWELLING UNIT

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.

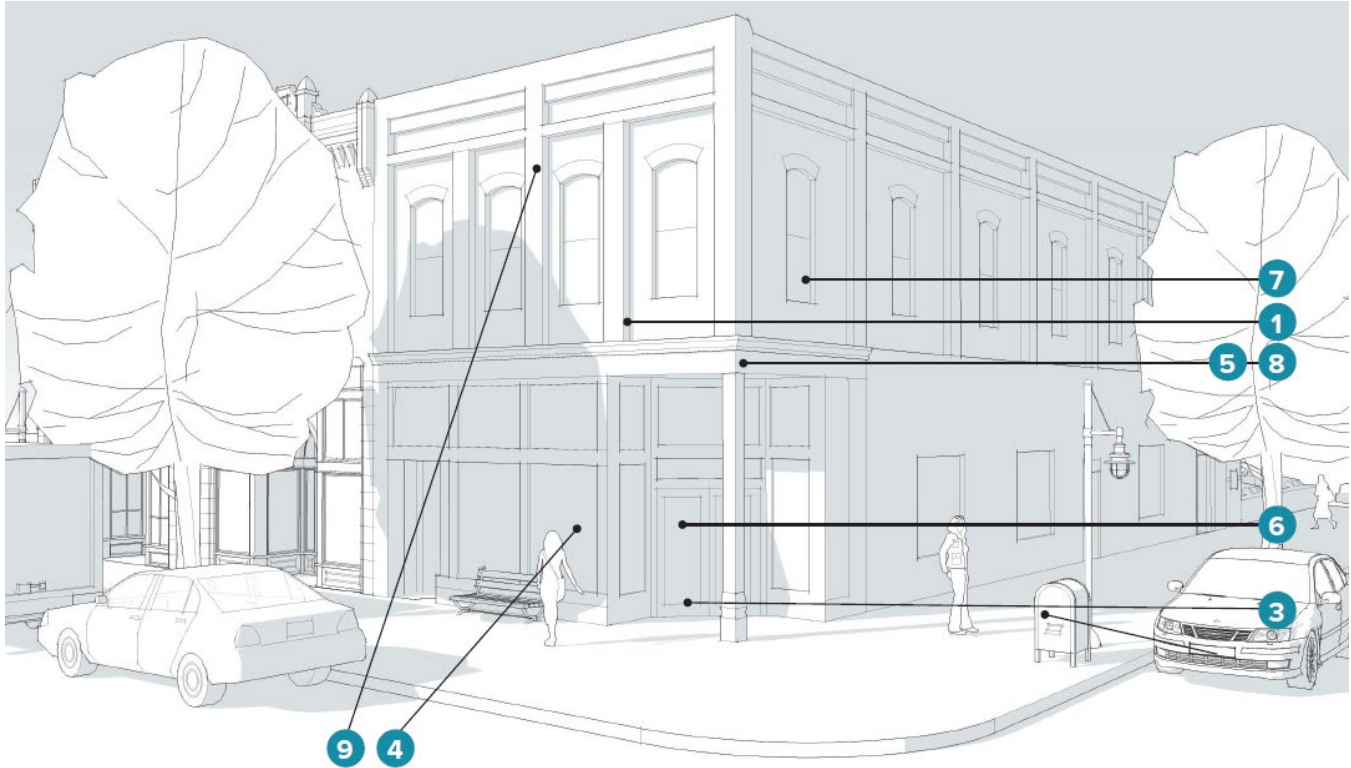
ILLUSTRATED DESIGN STANDARDS: LIVE / WORK UNIT

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 ($\frac{1}{2}$) 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 facility or athletic training school permitted pursuant to 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.

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 condominium 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) **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) **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 Hotel.

- (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.
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- (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 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 Establishment.

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 Establishment.

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.
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- (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 Districts as a waiver use and in the C-3 District as a permitted use.
 - B) **Setbacks.** The front yard shall be at 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 at 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 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 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, the following standards apply in the M-1 District 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 **Veterinarian.**

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 Residential Accessory Building and Recreational Equipment Storage.

- (1) **Attached Garage.** A garage building attached to the principal building shall comply, in all respects, with the requirements of this Ordinance applicable to the principal building.
- (2) **Detached Garages and Accessory Buildings.**
 - A) **Maximum Height.** Shall not exceed sixteen (16) feet in height.
 - B) **Maximum Lot Coverage.** Shall not occupy more than twenty (20) percent of the area of any rear yard; provided, however, that the combined total area of all accessory buildings other than a garage shall not exceed three hundred (300) square feet.
 - C) **Maximum Size.** Occupying a ground floor area of not to exceed seven hundred twenty (720) square feet, except that on lots which are one-half ($\frac{1}{2}$) acre or more, a ground floor area not to exceed nine hundred (900) square feet shall be permitted. Provided, however, that in the event there are no other accessory structures located on the site, and further provided that all other provisions of this Ordinance regarding percent of lot coverage and yard requirements are adhered to, then an attached garage shall not exceed one twelve hundred (1,200) square feet in size.
 - D) **Maximum Number.** No more than one (1) garage per dwelling unit is permitted. No more than three (3) accessory structures (including one garage) are permitted per dwelling unit.
 - E) **Exempt Structures.** Landscaping structures, art displays, and minor structures (dog houses, playgrounds, treehouses, etc.) are not considered accessory structures and are not regulated by this Section.
- (3) **Residential Accessory Building and Storage Therein.** All inoperable or unlicensed vehicles of vehicles bearing visible commercial advertising, equipment, or accessories shall be housed in a garage when not in use.

- (4) **Recreational Equipment Storage.** Unoccupied recreational equipment may be housed in a garage or 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.

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.

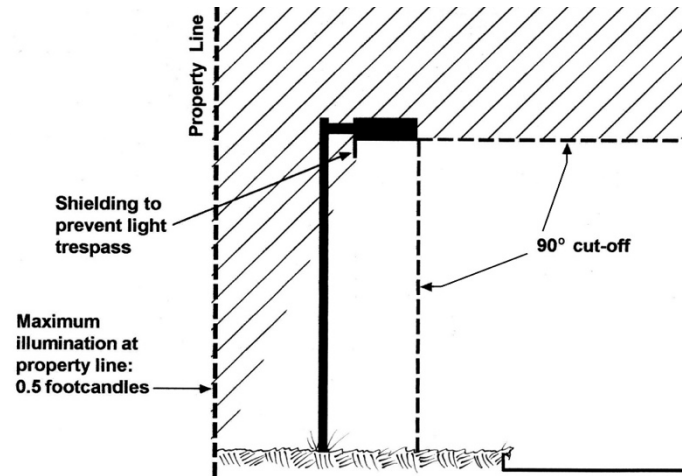
Upon petition by the owner of a parcel of land, the City Council may approve the division of the said parcel in accordance with Act 172 of the Public Acts of 1929 of the State of Michigan, as amended, and the City's Lot Partitioning Ordinance, Chapter 32 of Title 16 of the Livonia Code of Ordinances, as amended. Any nonconformity waived pursuant to the City's Lot Partitioning 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) **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) **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) **Swimming Pools.** Swimming pools may be located in required yard setback subject to the requirements in [Section 6.48](#).
- F) **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.

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.

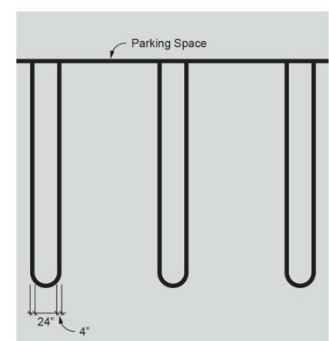
- (6) Traffic Impact Studies.** The City Council may require a traffic impact study (TIS) for all development proposals that it reviews. The TIS shall be accordance with and meet the standards of the City. The TIS shall be submitted by the developer or applicant to determine the potential future traffic 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 ($\frac{1}{2}$) shall be disregarded and fractions over one-half ($\frac{1}{2}$) 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 of 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 parking space and maneuvering lane dimensions as part of Site Plan Review.

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.

USE	PARKING REQUIRED
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.
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.

USE	PARKING REQUIRED
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).
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.

USE	PARKING REQUIRED
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.
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.

USE	PARKING REQUIRED
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.
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

Electric Vehicle (EV) Charging Stations or Ports, when treated as an accessory use, shall be allowed in all zoning districts subject to the following:

- (1) All above-ground equipment associated with the EV Charging Station shall be limited to a height of eight (8) feet including any sign attached to the equipment which shall not exceed two (2) square feet in area.
- (2) No EV Charging Station shall be located in a public right-of-way without the prior written approval of the authority having jurisdiction over the right-of-way.
- (3) 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).
- (4) In any residential district, 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
- (5) In nonresidential zoning districts, no more than ten (10%) percent of the required number of parking spaces shall be dedicated EV Charging Stations.

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 consistent with the provisions of this Section. Furthermore, where landscaping is 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

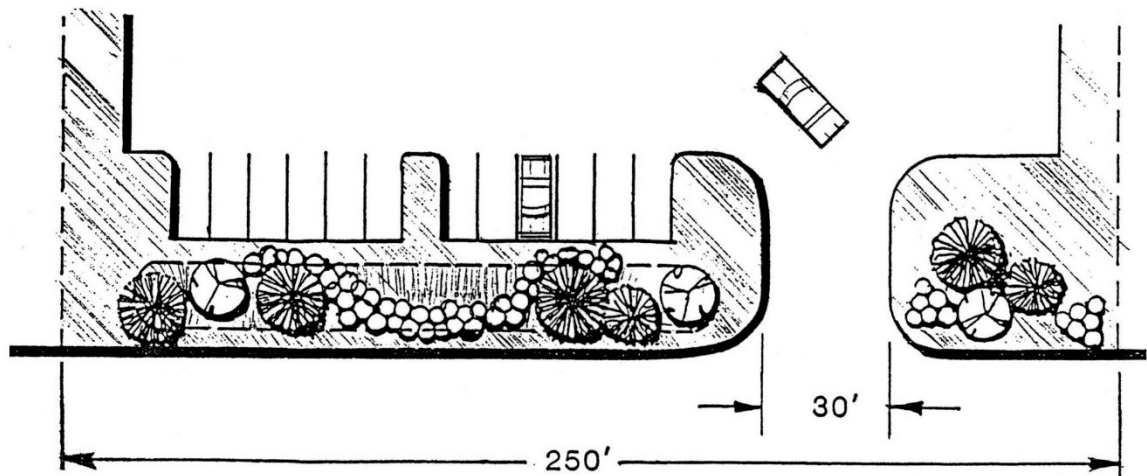
The depth of the frontage landscaping area shall be sufficient to contain the required landscaping and ensure the survivability of plant material. For the purposes of computing length of road frontage, openings for driveways and sidewalks shall not be counted. Trees and shrubs may be planted at uniform 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

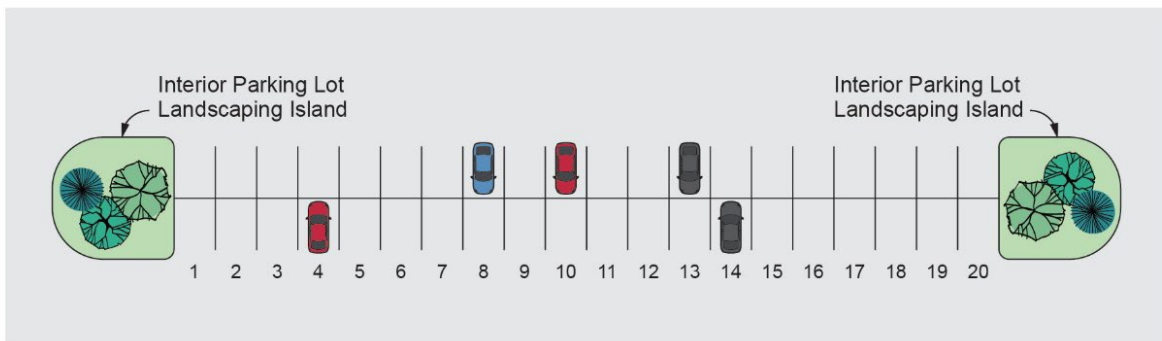
Deciduous or evergreen trees	220 ft./40 ft. = 6 deciduous or evergreen trees
Ornamental trees	220 ft./100 ft. = 3 ornamental trees
Shrubs	(220 ft./40 ft.) x 8 = 48 shrubs
TOTAL	6 deciduous or evergreen trees, 3 ornamental trees, and 48 shrubs



(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) **Greenbelt Buffering.** The intent of 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 greenbelt as specified in the table below shall be provided for all uses requiring Site Plan Review.

Developing Zoning District	Adjacent To			
	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	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 twenty (20) foot wide 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 sixty (60) foot wide 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. 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.
- (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, Ginkgo, 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, Forsythia, 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:

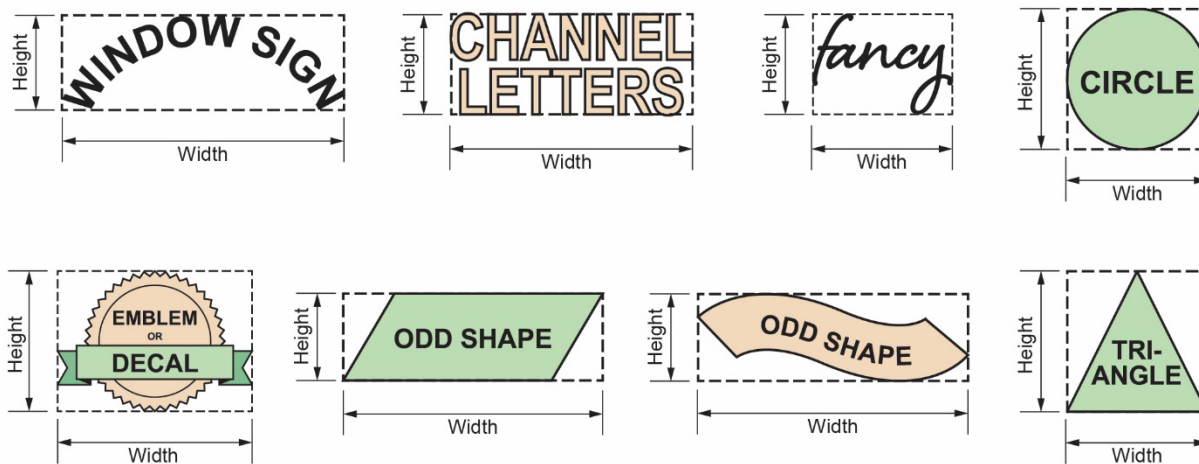
- (1) **Public signs.**
- (2) **Temporary signs.** Provided they meet district regulations of [Section 11.08](#).
- (3) **Flags.** No greater quantity than three (3) per development site. Flagpoles shall be permitted to be located within the minimum required building setback area, provided that the distance 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.

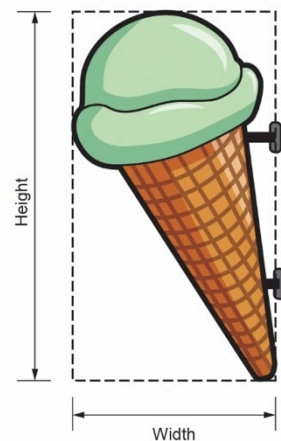
- B) Such home builder signs shall be removed upon cessation of new home marketing within the subdivision or when ninety-five percent (95%) of all lots have been sold by the builder(s) or when the permit expires, whichever occurs first.
- (13) Required announcement signs are permitted in all zoning districts 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. Maximum Height: Five (5) feet. Maximum Area: Twenty (20) sq. ft. 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) <i>Section 11.10</i>	Not Permitted	
Temporary Signs	Maximum Number: Two (2) per residential lot. Maximum Area: Thirty-two (32) sq. ft., total for all signs. Sixteen (16) sq. ft. maximum per sign. Maximum Height: Six (6) feet. Minimum Setback: Ten (10) feet from any property line. 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. Maximum Area: Six (6) sq. ft. Maximum Height: Four (4) feet. 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. Maximum Area: Thirty-two (32) sq. ft. or the area of the permanent sign if temporarily covering the permanent sign. 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). Maximum Area: Thirty (30) sq. ft. 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). Maximum Area: Thirty (30) sq. ft. Maximum Height: Six (6) feet. Maximum Length: Ten (10) feet. Minimum Setback: Ten (10) feet from any right-of-way line.	Maximum Number: One (1). Maximum Area: Twenty (20) sq. ft. Maximum Height: Six (6) feet. Maximum Length: Ten (10) feet. 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) <i>Section 11.10</i>	Maximum Area: Fifteen (15) sq. ft. 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: - On lots of five (5) acres or less, no more than two (2) temporary signs are permitted at any one time. - 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. Maximum Area: Sixteen (16) sq. ft. maximum per sign. Maximum Height: Six (6) feet. 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. Maximum Area: Thirty-two (32) sq. ft. or the area of the permanent sign if temporarily covering the permanent sign. 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). Maximum Area: Thirty (30) sq. ft. 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. Maximum Height: Six (6) feet.	Maximum Area: Forty (40) sq. ft. Maximum Height: Eight (8) feet.	Maximum Area: One Hundred (100) sq. ft. 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. Maximum Length: Ten (10) feet. 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) <i>Section 11.10</i>	Maximum Area: Fifteen (15) sq. ft. 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: - On lots of five (5) acres or less, no more than two (2) temporary signs are permitted at any one time. - 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. Maximum Area: Sixteen (16) sq. ft. maximum per sign. Maximum Height: Six (6) feet. 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. Maximum Area: Thirty-two (32) sq. ft. or the area of the permanent sign if temporarily covering the permanent sign. 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. Maximum Length: Ten (10) feet. Maximum Area: Thirty (30) sq. ft. Maximum Height: Six (6) feet. Minimum Setback: Ten (10) feet from any right-of-way line.		Maximum Number: One (1). Maximum Area: Twenty (20) sq. ft. Maximum Height: Five (5) feet. 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) <i>Section 11.10</i>	Not Permitted
Temporary Signs	Maximum Number: - On lots of five (5) acres or less, no more than two (2) temporary signs are permitted at any one time. - 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. Maximum Area: Sixteen (16) sq. ft. maximum per sign. Maximum Height: Six (6) feet. 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 rehangng 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 (1/2) 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) **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) **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) **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) **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) **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) 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) 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 ($\frac{3}{4}$) 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.

ZONING DISTRICT LAND AREA ANALYSIS

<u>CURRENT</u>	<u>AREA</u> (acres)	<u>PROPOSED</u>	<u>AREA</u> (acres)	<u>DIFFERENCE</u>	<u>REASON</u>
NP	277.3	NP	277.3		
PL	2,548.5	PL	2,588.2	39.7	ADDED CITY-OWNED FLOODPLAIN AREAS
AG	375.4				
R-1	3,639.4	N1	3,668.4	29.0	ADDED 3 LPS PROPERTIES
R-2	1,059.0				
R-3	1,604.7	N2	3,290.9	(65.8)	AREAS ADDED TO PL
R-4	693.0				
R-5	138.6				
R-U-F	3,485.1	R-U-F	3,997.2	512.1	(R-5 + AG +1P) - 2.9 ACRES ADDED TO PL
R-C	58.8				
R-6	27.4	NM1	365.4		
R-7	279.1				
R-8	22.5	NM2	36.7		
R-8C	14.2				
R-9	107.6	NM3	107.6		
P	63.8	P	34.9	(28.9)	AEAS ADDED TO OTHER DISTRICTS
OS	342.7				
C-1	169.5	C-1	516.0	346.6	(C-1 + OS)
C-2	1,056.9	C-2	1,080.1	23.2	ADDED FROM P, PARKING DISTRICT
C-3	2.8	C-3	2.8		
C-4	45.4	C-4	342.0	296.6	(PO + C-4)
PO	296.6				
RE	11.3				
ML	28.2	ML	39.5	11.3	(RE + ML)
M-1	1,428.6	M-1	1,429.4	0.8	ADDED FROM P, PARKING DISTRICT
M-2	1,122.8	M-2	1,122.8		
TOTAL	18,899.2		18,899.2		

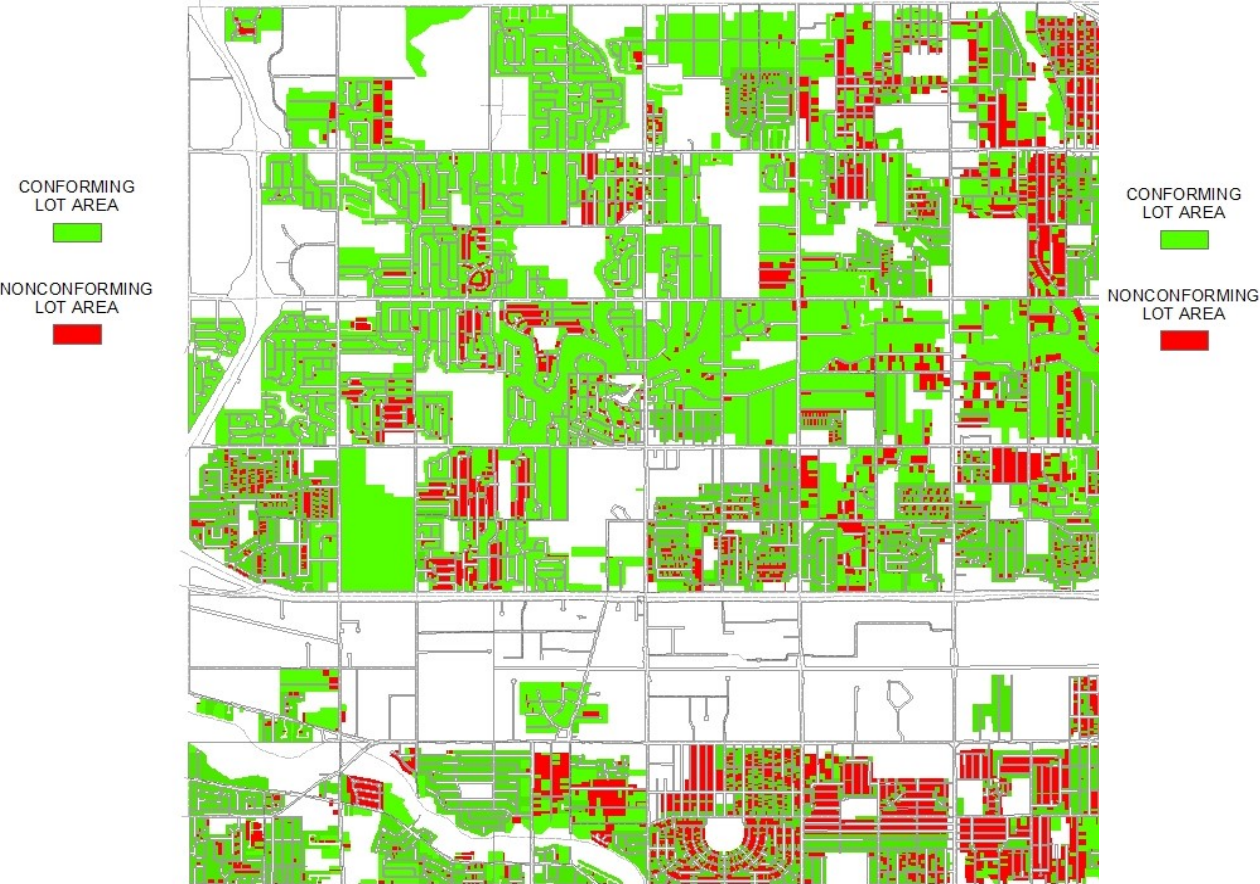
EXISTING DISTRICTS

PROPOSED DISTRICTS

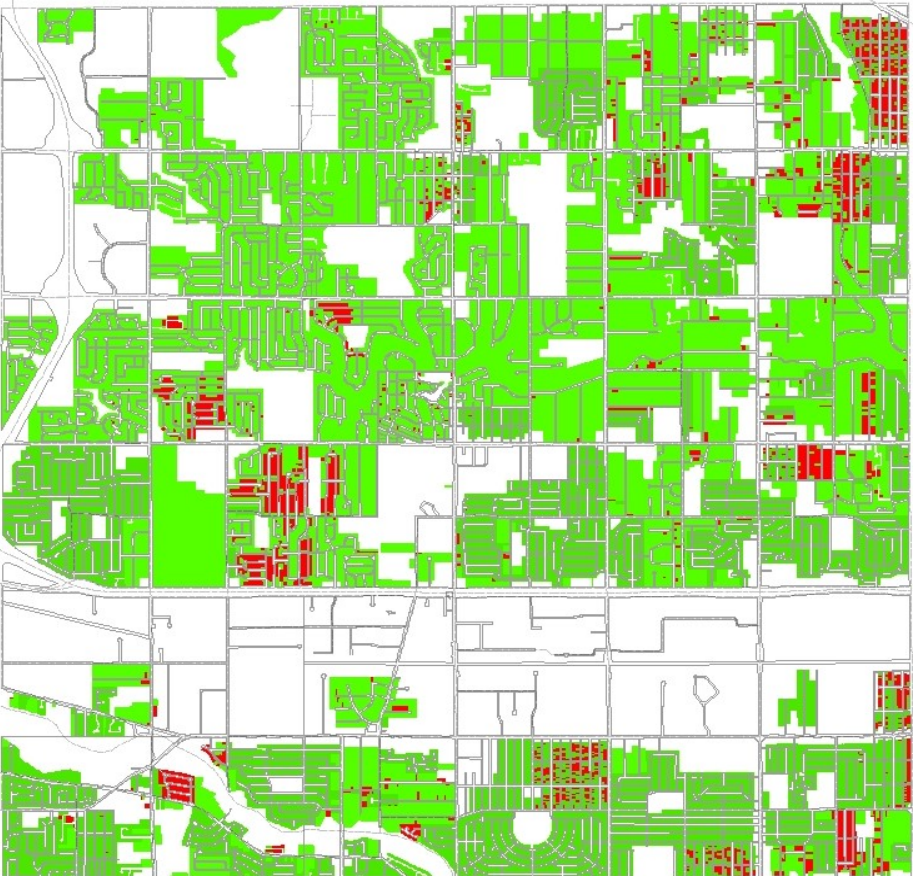
	R-1	R-2	R-3	R-4		R-5	R-U-F		N1	N2	R-U-F
NUMBER OF LOTS	18,773	4,233	5,207	1,714	11,154	245	5,207	5,452	18,773	11,154	5,452
CONFORMING LOT AREA	12,462 66.40%	3,225 76.20%	4,580 88.00%	1,519 88.60%	9,324 83.60%	224 91.40%	2,822 54.20%	3,046 55.90%	17,040 90.80%	9,878 88.60%	4,317 79.20%
NONCONFORMING LOT AREA	6,311 33.60%	1,008 23.80%	627 12.00%	195 11.40%	1,830 16.40%	21 8.60%	2,385 45.80%	2,406 44.10%	1,733 9.20%	1,276 11.40%	1,135 20.80%

	EXISTING
R-1	60' X 120' = 7,200 SQ.FT.
R-2	70' X 120' = 8,400 SQ.FT.
R-3	80' X 120' = 9,600 SQ.FT.
R-4	90' X 130' = 11,700 SQ.FT.
R-5	100' X 150' = 15,000 SQ.FT.
R-U-F	~74' X 295' = 21,780 SQ.FT.

EXISTING RESIDENTIAL DISTRICTS



PROPOSED RESIDENTIAL DISTRICTS



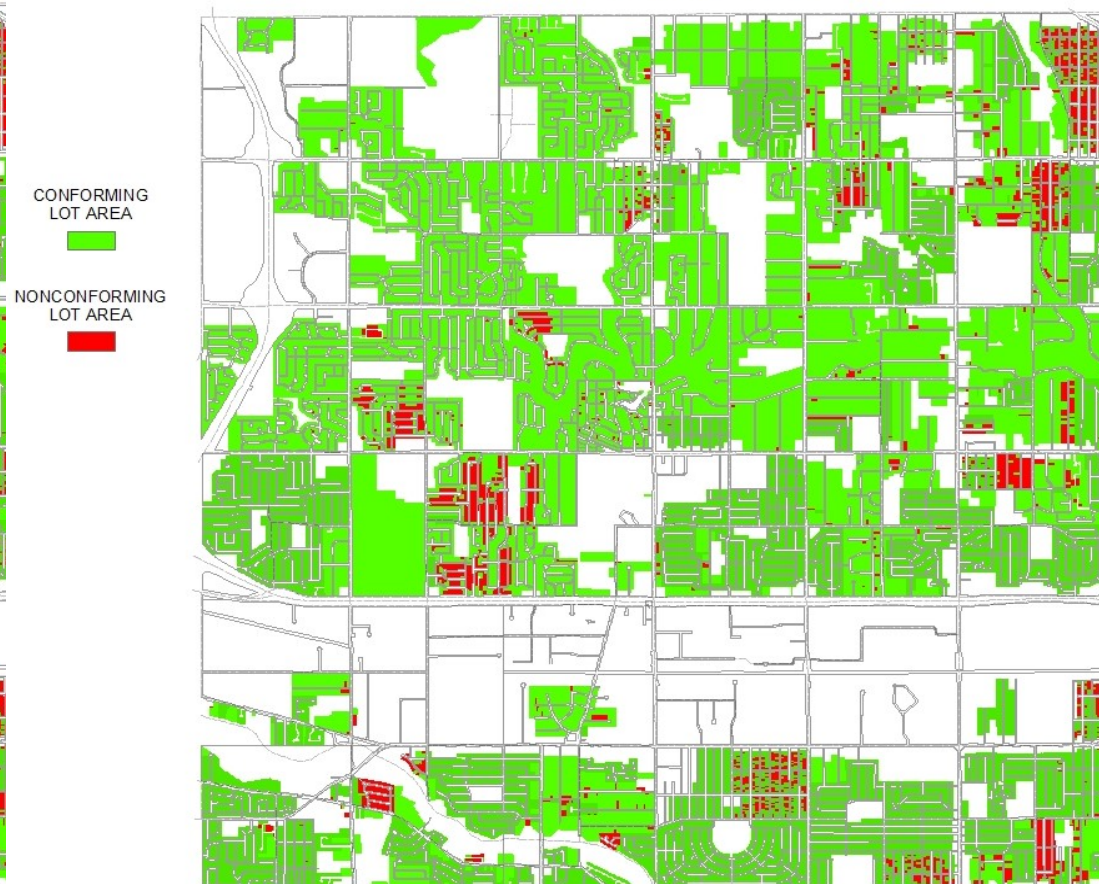
	PROPOSED
N1	50' x 120' = 6,000 SQ.FT.
N2	70' X 120' = 8,400 SQ.FT.
R-U-F	100' X 150' = 15,000 SQ.FT.

PROPOSED DISTRICTS

EXISTING	
R-1	60' X 120' = 7,200 SQ.FT.
R-2	70' X 120' = 8,400 SQ.FT.
R-3	80' X 120' = 9,600 SQ.FT.
R-4	90' X 130' = 11,700 SQ.FT.
R-5	100' X 150' = 15,000 SQ.FT.
R-U-F	~74' X 295' = 21,780 SQ.FT.

PROPOSED	
N1	50' x 120' = 6,000 SQ.FT.
N2	70' X 120' = 8,400 SQ.FT.
R-U-F	100' X 150' = 15,000 SQ.FT.

PROPOSED RESIDENTIAL DISTRICTS



Diagnostic Review of the
City of Livonia
Zoning Ordinance

Prepared for
City of Livonia, Michigan

March 22, 2019

McKenna Associates

235 E. Main Street, Suite 105
Northville, Michigan 48167

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reformat the following topics. Much of the information regarding administrative procedures is under separate subsections of Section 18 through Section 24 of the City of Livonia’s Zoning Ordinance. We propose to pull the all of the administrative information from different parts of the ordinance on the topics discussed below and organize them under the heading “ADMINISTRATIVE PROCEDURES AND STANDARDS” for faster and easier reference.	24
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INTRODUCTION

We have reviewed the City of Livonia Zoning Ordinance, and this Diagnostic Review identifies the strengths, weaknesses, and essential areas of improvement – such as adding tables, charts, and graphics, fixing fragmented, inconsistent, or outdated language, and addressing irrelevant and incorrect cross-references, redundancy, contradictory language, conflicts, and changed laws. With the identified areas of improvement, the City can address the update the Zoning Code in a proactive manner.

The purpose of this Diagnostic Review is not to identify every item in the Zoning Ordinance and other documents that must be amended; rather, this Diagnostic Review identifies major tasks to undertake during the amendment process and recommendations for addressing those tasks. This Diagnostic Review includes topics discussed at the February 22 Kick-off meeting, as well as our findings from the following City documents:

- City of Livonia Zoning Ordinance
- Livonia Vision21 Comprehensive Plan (Adopted 2019)
- Livonia Board of Zoning Appeals case Review August 2008 through January 2019
- Versions of the previous Zoning Code that was attempted.

CLARITY AND SIMPLICITY OF USE

HYPERLINKS AND CROSS-REFERENCES

As the Zoning Ordinance has been amended over time, some of the cross-referenced sections may become incorrect because cross-references are not always updated when sections are added or deleted from the Zoning Ordinance. To remedy this problem and allow users to electronically click on a link to get to a section, we will fix any cross-reference errors and “hyperlink” all cross-referenced sections of the Zoning Code in the electronic document. By properly hyperlinking all sections and cross-references, the cross-references can be automatically updated whenever the Zoning Code is amended.

FORMAT

The Zoning Ordinance would benefit from format changes to make the document more user-friendly. Recommended formatting enhancements would include aspects such as type style and size, bolding, capitalization, indentations.

GRAPHICS

Many areas of the Zoning Ordinance could be enhanced with more and updated illustrations. We recommend adding new graphics where they can enhance the effect of the text. Graphics are especially important to illustrate lot types, building heights, landscaping requirements, aesthetic and architectural requirements, signs, lighting, and corner visibility zones.

EFFECTIVE LANGUAGE

- **Passive vs. Active Language.** To make the Zoning Code an effective document to regulate the use of land and buildings, the regulations must have active language instead of passive language (e.g., “shall” instead of “should,” “must” instead of “may,” etc.).
- **Confusing Text.** In some areas of the Zoning Ordinance, the text is either confusing or contradictory. In many cases, there is more text than is needed to describe a regulation. We will identify these problem areas and recommend more concise, effective text.

ORGANIZATION OF ARTICLES AND SECTIONS

One of the major problems with most zoning ordinances is that they do not organize all of the sections coherently into corresponding articles. This causes the user to sift through several different sections to locate the applicable regulation. We recommend organizing the Zoning Code into the following articles, which are referenced through this Diagnostic Review.

- A. Title, Purpose, and Scope.** This article will include sections for Short Title, Application of the Ordinance, Vested Rights, Relationship to Other Laws, Severability, and Effective Date and Repeal of Prior Ordinance. This article will be very short, and the purpose is to cover some basic legal requirements.
- B. Definitions.**
- C. Zoning Districts and Map.**
- D. Schedule of Regulations.**
- E. Supplemental Zoning District Standards.** Site Condominiums, Subdivisions, and Land Divisions.
- F. Standards Applicable to Specific Uses.**
- G. General Provisions.**
- H. Environmental Performance Standards.**
- I. Parking, Loading, and Access Management.**
- J. Landscaping and Screening.**
- K. Signs.**
- L. Nonconformities.**
- M. Administrative Organization.** Zoning Administrator, City Commission, Planning Commission, and Board of Zoning Appeals.
- N. Administrative Procedures.** Permits, Site Plan Review, Special Land Use Review (Waiver Uses), Variances and Appeals, Amendments, and Public Hearing Procedures.
- O. Violations, Penalties, and Enforcement.**

DEFINITIONS

GENERAL DEFINITIONS

While many definitions will remain the same or have only minor changes, we propose the following changes. Also, as the Zoning Ordinance update proceeds, we will propose new definitions where the new definitions will clarify or support the Zoning Ordinance. Currently the definitions are organized into different categories in the definitions section of the Zoning Ordinance. We recommend consolidating these definitions into one, all-encompassing definition section.

- **Adult Foster Care Facility, Child Care Center or Day Care Center, Family Day Care Home, Group Day Care Home, Foster Home, Foster Family Group Home, Halfway Houses, Spouse Abuse Shelters, Homeless Shelter, Hospital Hospitality Houses, Rooming Houses, and other home-related definitions.** We will review the existing definitions of these types of uses to ensure they are consistent with State Law, and we will propose additional definitions, as needed, to comply with State Law. We will also make sure that the proper State Acts are referenced.
- **Automobile:** We recommend adding a definition for automobiles. Consider defining large vehicles, such as semi-tractors, buses, construction vehicles, etc. Separately so they can be distinguished and regulated separately.
- **Automobile Car Wash Establishment:** We recommend adding a definition for “automobile car wash establishments.”
- **Automobile or Vehicle Dealership:** We recommend adding a definition for “automobile or vehicle dealership.”
- **Automobile or Vehicle Repair Garage:** We recommend adding a definition for “automobile or vehicle repair garage” with **(Vehicle Repair, Minor and Vehicle Repair, Major)** in this definition.
- **Automobile Service Station:** We recommend adding a definition for “automobile.”
- **Basement.** We recommend adding a graphic to support the definition.
- **Bed and Breakfast Establishment, Bed and Breakfast Inn, and Homestay.** We recommend including these 3 definitions under a “Bed and Breakfast” heading so that they are easier to compare to each other.
- **Building, Accessory.** Although the definition of “Building, Accessory” is probably intended to also include Accessory Structures, we recommend making this term “Accessory Buildings and Structures.”
- **Building Height.** This definition should state how “grade” is determined and should be accompanied with graphics that illustrate how height is measured for each type of roof.
- **Building, Residential Accessory.** We find that the definition for “Building, Accessory” satisfies defining accessory buildings and therefore recommend removing the definition for “Building, Residential Accessory”.
- **Bulk Storage.** We recommend adding a definition for “bulk storage.”
- **Church:** Review this definition for compliance with recent court cases and RLUIPA.
- **Dwelling – various definitions:** Review these definitions to improve clarity.
- **Enclosed.** This term is used throughout the Zoning Ordinance but is undefined. Therefore, a definition is needed.
- **Essential Services.** This definition should state that telecommunication towers, solar energy facilities, and wind energy conversion systems are not essential services. However, emergency outdoor warning sirens should be included as essential services.
- **Family.** We will review the definition of “family” and, if needed, propose amendments required to comply with federal fair housing regulations.
- **Garage, Private.** This definition provides regulations for garage sizes. We recommend removing dimensional regulations from the definition and including them in a more appropriate location.
- **Fence.** This term is used throughout the Zoning Ordinance but is undefined. Therefore, a definition is needed.

- **General Office.** We recommend splitting this definition into: “Office, Medical” and “Office, Professional” because these types of offices often have different use and parking standards (medical offices usually require more parking).
- **Grade.** This term is used throughout the Zoning Ordinance but is undefined. Therefore, a definition is needed.
- **Heavy Manufacturing.** This term is used throughout the Zoning Ordinance but is undefined. Therefore, a definition is needed.
- **Housing for the Elderly:** Review for consistency with current state law and administrative rules.
- **Light Manufacturing.** This term is used throughout the Zoning Ordinance but is undefined. Therefore, a definition is needed.
- **Lot.** We recommend clarifying this definition to state that 2 or more parcels may be treated as a single lot only if 1 of the lots, by itself, cannot meet the minimum area, width, setback, lot coverage, or frontage requirements. We also recommend adding graphics of the lot definitions and lot types (e.g., Lot, Corner; Lot, Interior; Lot, Through) to make the definitions easier to interpret and administer. We will also clarify that properties that share a property line with a city street on one side and a limited access highway on the other side are not “Through Lots.”
- **Lot Lines (Front, Rear, and Side) and Lot Width.** We recommend including graphics of these definitions so that these definitions are easier to interpret and administer.
- **Major Street and Minor Street.** This term is used throughout the Zoning Ordinance but is undefined. Therefore, a definition is needed.
- **Mobile Home, Modular Home, and Mobile Home Park.** We will review these definitions in accordance with the applicable State Act and propose amendments as necessary.
- **Mobile Home Site.** We recommend this definition be removed.
- **Nonconforming.** We recommend adding a definition for “Nonconforming” and putting the definitions for “Nonconforming Use” and “Nonconforming Building” under the newly defined “Nonconforming” definition.
- **Off-Street Parking Lot.** We recommend that this definition also state that the surface must be durable and smooth.
- **Parking Space.** This definition should exclude the minimum dimensions, which belong in the Parking, Loading, and Access Management article.
- **Personal-use Heliport, Public-use Heliport, Private-use Heliport, and Temporary Heliport.** We recommend putting these definitions under “Heliport”.
- **Public Utility.** This definition should state that telecommunication towers, solar energy facilities, and wind energy conversion systems are not public utilities.
- **Secondhand and Consignment Stores:** These uses are currently not defined, but they should be defined and regulated so that they are separate from general retail establishments.
- **Setback:** Consider adding a definition as currently only a definition of “Setback Lines” is provided.
- **Service Establishment.** We recommend adding a definition for this land use.
- **Temporary Structure.** We recommend adding a definition for this land use.
- **Temporary Use.** We recommend adding a definition for this land use.
- **Truck Stop or Truck Plaza:** Currently this use is undefined. We recommend that a definition be added.
- **Usable Floor Area:** an illustration of Usable Floor Area to increase clarity.
- **Conditional Use.** Currently, this use is not defined. We recommend adding a definition and changing this term to “Special Land Use” and making the same changes throughout the Zoning Ordinance. While Conditional Uses and Special Land Uses are synonymous, the Michigan Zoning Enabling Act uses the term “Special Land Use.”
- **Street.** We recommend adding text to this definition that includes non-motorized access.
- **Warehousing.** This is a land use in the Zoning Ordinance but is undefined. Therefore, a definition is needed.

- **Yard, Front; Yard, Rear; and Yard, Side.** A graphic should be added that illustrate where the yards are located.
- **Variance.** We recommend renaming this definition to “Zoning Variance”. This definition should also refer to the Michigan Zoning Enabling Act and relevant law.

SIGN DEFINITIONS

We recommend incorporating graphics of the various sign types to make the sign definitions easier to interpret and administer. Furthermore, additional sign definitions should be considered, such as incidental sign, animated sign, temporary sign and others.

- **Area of Sign.** We recommend providing an illustration or graphic to improve clarity for this definition.
- **Banner.** We recommend providing an illustration or graphic to improve clarity for this definition.
- **Height of a Sign.** We recommend providing an illustration or graphic to improve clarity for this definition.
- **Prohibition.** We believe this definition is not needed and can be removed.
- **Pylon Sign.** We recommend providing an illustration or graphic to improve clarity for this definition.

VARIANCE ANALYSIS

We have reviewed approximately ten years of the City’s variance cases from August 2008 through January 2019. During this time 213 of 237 variance petitions brought to the ZBA were granted.

VARIANCE SUMMARY

Variances Pursued	Variances Granted	Subject Matter	Use Type (Variance #)	Comments
11	11	Side Yard Setbacks	Residential	• Building addition encroachment into side yard setback
13	13	Rear Yard Setbacks	Residential	• Dwelling addition encroachment into rear yard setback • Construction of porches/accessory structures resulting in rear yard setbacks deficiencies
21	21	Front Yard Setbacks	Commercial Residential	• Gasoline pump setbacks • Construction of porches/accessory structures resulting in front yard setbacks deficiencies
4	4	Group Day Care	Residential	
48	42	Privacy Fence	Residential	• Excess of permitted fence height • Some were located in the side/front yard which is not permitted • Unable to gain approval from adjoining property owner, which is required • Fence not aligning with the fence on the adjoining property • Double fences are not allowed
1	1	Lot Coverage	Residential	• Addition of detached garage
3	0	Home Occupation	Residential	• Processing and retail sales of firewood • Fire arm sales and distribution

47	41	Excess Garage Area/Height	Residential	Some variances also contained excess number of garages
6	6	Deficient Parking	Commercial	Building addition caused parking shortage
5	5	Single Family dwelling on property which requires an architectural review and approval	Residential	
2	1	Storage of Recreational/Commercial Vehicle	Residential	Outdoor storage of commercial vehicles not permitted in residential districts
2	2	Dog Run/Animal Care Location	Residential	Dog Run not permitted in side yard
1	0	Dumpster Location	Commercial	Dumpster not permitted in front yard
3	3	Garage Location	Residential	Not permitted in the front yard, must be located in rear yard
3	2	Excess Building Area	Residential	
9	9	Deficient Lot Area/Lot Width	Commercial	
1	1	Recreational Vehicle Storage	Residential	Recreational vehicles must be stored in the rear yard
46	43	Excess Wall Signs/Excess Sign Area/Excess Sign Height	Commercial	
3	1	Electronic Message Board	Commercial	
1	1	Deficient Sign Setback	Commercial	
1	1	Deficient distance between ground signs	Commercial	
3	3	Retail Sales in non-permitted district	Industrial	
1	1	Indoor Recreational Facility	Industrial	
1	1	Outdoor Storage	Industrial	
1	0	Nonconforming Use	Residential	

VARIANCE ANALYSIS FINDINGS

Based on the number and subject matter of the variances we find the majority of variances granted to be consistent with the intent of ZBA's authority to grant relief from regulations when finding compliance creates undue hardship or practical difficulty. Four items that should be discussed by reviewed:

Variances Granted	Subject Matter	Zoning Ordinance Section Reference
42	Privacy Fence	Section 15.44.090 of the Livonia Code of Ordinances
41	Excess Garage Area/Height	Section 18.24 of the Livonia Zoning Ordinance
43	Excess Wall Signs/Excess Sign Area/Excess Sign Height	Section 18.50 of the Livonia Zoning Ordinance
Approximately 40	Residential Setbacks	Section 4.05 and Section 4.06 of the Livonia Zoning Ordinance

PHASE 1. ZONING DISTRICTS

PERMITTED USE TABLE

Each zoning district includes a long list of permitted and conditional uses, which makes for several pages of duplicated and unnecessary text. To simplify the list of permitted and special land uses, we recommend incorporating a land use table similar to the table illustrated below. The table would be an excellent organization tool for the City and the public by including all of the uses regulated by the Zoning Code and in what districts those uses are permitted. Also, if the Zoning Code defines uses that are not listed in any zoning district, and the table would help identify and resolve that problem. Finally, each use with specific development standards would have a clickable hyperlink to the section of the Zoning Code that contains the development standard.

Sample Table of Permitted Uses by District

Table 1. Table of Permitted Uses by District

Key:	■ Principal Permitted Use				● Special Land Use				[blank] Use Not Permitted			
USE	RR (A)	R-1 (A)	R-2 (A)	R-3 (A)	PO-1 (F)	C-1 (F)	C-2 (F)	C-3 (F, G)	C-4 (E, H)	I-1 (J)	I-2	DEVELOPMENT STANDARD
RESIDENTIAL USES												
Mixed Use Dwelling Unit						■		■				Section 74-2.424
Low Intensity Multiple Family (3-4 units)			●	■								Section 74-2.425
High Intensity Multiple Family (5+ units)				●								Section 74-2.426
One Family Dwelling Unit	■	■	■	■				■				Section 74-2.427 Section 74-5.105
Townhouse				■				●				Section 74-2.428
Two Family Dwelling Unit			■	■				■				Section 74-5.105
Accessory Dwelling Unit	●	●	●					●				Section 74-2.402
LODGING USES												
Bed & Breakfast	●	●	●	●				■				Section 74-2.407
Boarding or Lodging House				■								
Inn						■	●	■	■			Section 74-2.420
Hotel						■	●		■			Section 74-2.420
OFFICE and SERVICE USES												
Bank or Financial Institution					■	■	■					
Health or Exercise Club or Spa (Small)					■	■	■	■				
Health or Exercise Club or Spa (Large)							●	●				
Office					■	■	■	■				
Personal Service Establishment					■	■	■	■				

ZONING DISTRICT SUMMARIES

In addition to the land use table, each zoning district will have a zoning district summary (usually 1 page per zoning district), which will include the district purpose, permitted and special land uses, dimensional standards from the Schedule of Regulations, and clickable links to general standards sections of the Zoning Code that apply (e.g., landscaping, lighting, signs, etc.). This zoning district summary page will work in tandem with the land use table; users who want to know in what district a particular land use is permitted will refer to the land use table, while users who want to know all of the relevant information about a particular zoning district will refer to the zoning district summary page of the district.

CONSIDERATION OF NEW ZONING DISTRICTS AND DISTRICT CONSOLIDATION

The Master Plan recommends creating new zoning districts for:

In order to meet the goals of this Master Plan, the following revisions to the Zoning Ordinance and Map are recommended:

- **New Form-Based Districts:** New zoning districts that incorporate form-based regulations should be created for the Mixed Development Center and City Center designations.
- **Corridor Commercial Modifications:** The C-1, C-2, and C-3, commercial districts, should be simplified and consolidated into a new district corresponding to the development intensity of the corridor commercial designation. Form-based regulations should be considered in key development areas like the Plymouth Road corridor. Revising the districts is preferable to developing an overlay for transparency and effective administration of the district.
- **Regional Commercial:** The C-4 commercial district should be modified to reflect a regional commercial designation with higher intensity development and traffic that results from its proximity to I-96 and I-275.
- **Office:** The Office Districts should be eliminated - the eligible uses and standards of OS should be incorporated into a corresponding corridor district and the eligible uses and standards of PO into a regional commercial district.
- **One-Family Residential:** The five One-Family Residential Districts should be simplified and consolidated. Consider availability of low/moderate income housing.
- **Multiple-Family Residential:** The six Multiple-Family Residential Districts should be simplified and consolidated.
 - New incentives and standards for infill housing and neighborhood investment should be developed for districts corresponding to the medium density residential designation. Strategies for affordable housing, accessory dwelling units, and adaptive reuse should be considered.
- **RUF District:** Revise the RUF District to make all existing homesites conform to the minimum lot size and eliminate issues where the lots are all too small.
- **PUD Districts:** The three Planned Unit Development (PUD) Districts should be simplified and consolidated.
- **Lean Zoning:** The Zoning Ordinance should be reviewed and edited according to lean-zoning principals. Regulations that do not contribute to the implementation of the Future Land Use Plan should be eliminated or reduced in scope.
- **Sustainability:** additional incentives to encourage sustainable use of land, materials, energy, and resources should be developed for all districts.
 - Solar – priority for both commercial and residential operations
 - Wind – Permit wind turbines
 - Evaluate demand and scale of facilities
- **Parking:** Consider removing or revising the P-District to encourage re-use and redevelopment of sites.

PLANNED UNIT DEVELOPMENT (PUD) DISTRICT

We recommend the following changes to the PUD District:

- Section 20.0 Special Waivers for Planned Residential Development and Planned General Developments
- Clarify whether there are any limits to land use and density in the PUD District. If not, we recommend language stating that the use and density must be consistent with the Master Plan.
- Require a concept submittal to the Planning Commission prior to preliminary site plan review. We recommend listing additional information required on a conceptual plan. While this would require more information submitted by an applicant, the feedback given at conceptual review will better prepare the applicant for the upcoming site plan process.
- Require a performance guarantee, we recommend that this be a requirement a general requirement in the Zoning Code.

- The procedures of the PUD, when relocated within the zoning districts a zoning district, should be cross-referenced to the rezoning procedures so that they are consistent with the general procedures of the Zoning Code.
- Define procedures for minor changes to be approved administratively. Examples of minor changes should be as specific as possible. Examples would include limits on floor area and height increases, limits on additional impervious areas, and limits on the number of feet the location of a structure can change. Also, depending on the project, minor changes could be described in the PUD agreement.
- To encourage preservation of open space and sensitive environmental areas, consider additional cluster options and density bonuses.

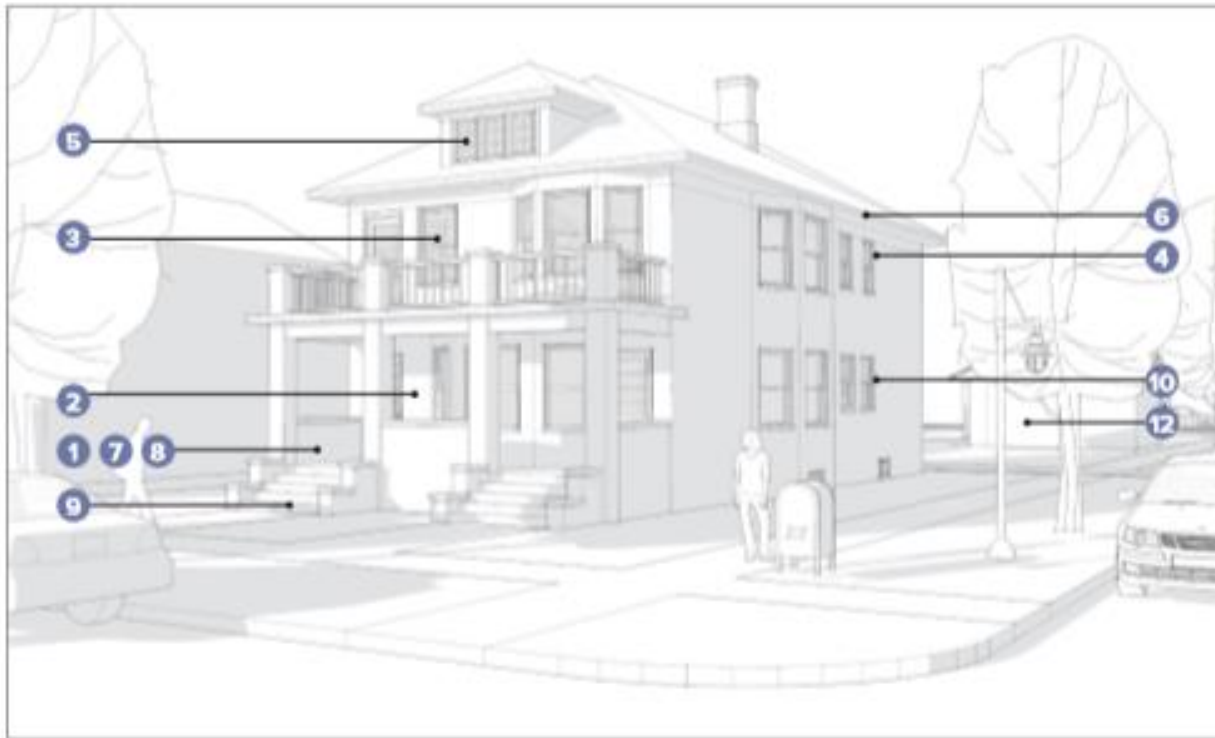
FORM-BASED CODES

As mentioned prior, the Livonia Vision 21 Master Plan recommends creating new form-based districts for Implementing the City Center, and Mixed Development areas. Additionally, form-based modifications are recommended to the commercial districts to implement the corridor recommendations of the Master Plan.

As we develop form-based regulations we will identify if there are any development standards that could have general applicability for the entire city (e.g., landscaping standards, parking standards, lighting standards, sign standards, etc.), we may recommend moving the standards to apply citywide.

The Master Plan also proposes developing standards for building types to encourage infill development of a similar size and scale to surrounding properties and to provide architectural guidance to potential developers. A building type code is an effective tool to reduce subjectivity in design review and facilitate administrative reviews, when applicable:

An example of building type regulations are included on the following pages.

B. ADJACENT DUPLEX**TABLE 4.8.1: ADJACENT DUPLEX – SPECIFIC REQUIREMENTS**

1. Traditionally-styled single-family house form containing two residential units with two main entrances at the front and alternate or service entrances along the sides and/or back.
2. Residential units exist side-by-side 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. 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".
12. Parking pad or detached garage(s) located behind principal structure.
13. Stacked gables limited to two in number and reserved for Craftsman style.

TABLE 4.B.2: ADJACENT DUPLEX – NUMERICAL PARAMETERS

	Width	Height	Height-to-Width Ratio	Depth	Lateral Spacing	Depth of Recess	Extent of Projection
Building Size	32' to 55'	32' (a)	.6 to 1.2	≤ 65'	(b)	n/a	n/a
Window Units - Rectangular	32" to 36" (f)	54" to 72" (m)	1.6 to 2.25 (m)	n/a	(c)	4" (d)	n/a
Window Units - Other Shapes	≤ 36"	≤ 72"	.5 to 2.25	n/a	n/a	4" (d) (e)	n/a
Individual Window Units within Window Groups	20" to 36"	54" to 72" (m)	2 to 3	n/a	3.5" to 4" (f)	4" (d) (e)	n/a
Sills	1" to 4" (g)	(h)	n/a	(i)	n/a	n/a	≤ 2"
Exterior Doors	32" to 48"	80" to 84"	n/a	n/a	≥ 15" (j)	n/a	n/a
Window Casing (Non-masonry structures)	(k)	(k)	n/a	1" to 1.25"	n/a	n/a	n/a
Building Trim (Non-masonry structures)	(k)	(k)	n/a	1" to 1.25"	n/a	n/a	n/a

(a) Refer to Definitions, Article 7.

(b) Refer to Schedule of Regulations, Section 4.05.

(c) Spacing dimension shall either be divisible by one-half (0.5) the width of the exterior wall masonry unit, or by 4".

(d) Applicable to all masonry-clad buildings. Bay windows excepted.

(e) Pollution windows on masonry-clad buildings excepted.

(f) Parameter refers to the casing between window units; windows must not be factory-grouped.

(g) Parameter refers to the extent of sill projection beyond either the side of the window casing or the masonry opening.

(h) Stone or concrete: Either 5.33" or the height of two brick courses; Brick: 3.5" to 4"; Wood: 1.5" to 2".

(i) Depth to meet window unit.

(j) For any one building wall.

(k) Refer to Figure 2.11.

(l) Kitchen and bathroom windows may be narrower.

(m) Kitchen, bathroom, accent, and half-height single-sash windows excepted.

TABLE 4.B.3: ADJACENT DUPLEX – ALLOWABLE MATERIALS

	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 Trim (a)	(b)	X	X	X	X		Cedar
Window Sills (a)	(b)	X	X	X	X		Cedar
Columns	X	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.

TABLE 4.B.4: ADJACENT DUPLEX – ALLOWABLE USES

Residential	
Office	

OTHER DISTRICT REGULATIONS

- **Setbacks.** Based on our review of the ZBA minutes from 2008-2019, there are several recurring setback variance requests in residential districts where the Schedule of Regulations should be amended. Many setback variance requests are on lots where it is impossible to meet setbacks based on nonconforming lot area or lot width. One option is to lower the setbacks; however, lower setbacks would apply to all lots in the district including the lots with conforming lot areas and widths. Alternatively, the City may want to consider a limited sliding scale for unusually small and/or narrow lots. For example, for lots less than the minimum lot width, the minimum side yard setback could be tied to a percentage of the lot width, with narrower lots permitted to have smaller side yard setbacks. Finally, the sliding scale method of establishing minimum setbacks can also help promote infill development in various areas of the city.
- **Parking:** Evaluate how parking is handled in each district and address common parking issues across the City.
 - Address commercial vehicles in residential areas
 - Amount of land dedicated to parking
 - RV parking
 - Revisit parking requirements for businesses. Many Livonia businesses have too much parking.
 - Evaluate material requirements, excess asphalt and concrete surfaces contribute to Global Warming.
 - EV Charging Station ordinances should be developed
- **Accessory Structures:** Address issues with accessory structures in residential districts.
 - Garages and relationship to size of property
 - Revise to accommodate larger vehicles, SUVs, RVs
 - Multiple garages on residential property
 - Awnings on front porches. Allow porches to encroach, but once they are covered, it's a variance – this should be eliminated
 - Eliminate the need for people seeking to cover (not enclose) their front porches to get variances to do
- **Temporary Uses:** Create new temporary use provisions to encourage start-up businesses and entrepreneurship in the City. Specifically,
 - Approach to phased development
 - Food trucks
 - Pop-up markets

PHASE 2. GENERAL DEVELOPMENT REGULATIONS

DEVELOPMENT STANDARDS FOR SPECIFIC LAND USES

Currently, the development standards for specific uses are scattered throughout several areas of the Zoning Ordinance, including in some of the definitions. While defining land uses is essential, the development standards for the use should not be included in the definition. We recommend consolidating all of the development standards for specific uses into one article, with a section for each use. The following are land uses with specific development standards, with their current section(s) in parentheses. Please note that this is not a comprehensive list, as more sections will be added throughout the process. Also, if there are discrepancies in the use standards between two (2) or more zoning districts, those discrepancies can be addressed within the section itself.

- Adult Entertainment (currently Sections 2.08(1), 2.08(2), 2.08(4), 2.08(18), 2.08(22), 18.61, and 30.04(a)). Please note that although it is appropriate to have definitions consolidated into a single article (e.g., Article 2), it might be more appropriate to relocate the definitions related to adult entertainment into the section where adult entertainment uses are regulated.
- Adult Foster Care (currently Section 5.03(f))
- Alcohol Sales (Specially Designated Merchant [SDM] and Specially Designated Distributor [SDD]) (currently Sections 10.03(g) and 11.03(r))
- Alcohol Sales (Class C, Tavern, Club, Class A Hotel, Class B Hotel, Micro Brewers, and Brewpubs) (currently Sections 11.03(h), 15.02(f), and 25.05(c))
- Apartments (currently Section 2.07(1))
- Automobile Sales and Rental and Mobile Home Sales (currently Section 11.03(g))
- Automobile Repair (up to 1 ton GVWR) (currently Section 11.03(m))
- Automobile Repair (including Rustproofing) (currently Section 16.11(a))
- Auto-Wash Establishments (currently Sections 11.03(d) and 30.03(d))
- Bed and Breakfast Establishments (currently Section 4.03(g))
- Child Care, Family Home (currently Section 4.02(h))
- Child Care, Group Home (currently Section 4.11)
- Child Care, Nurseries (currently Sections 8.07(a), 9.03(j), 10.03(d), and 11.02(i))
- Community Buildings (currently Section 4.03(c))
- Concrete and Asphalt Recycling Plants (currently Section 17.09)
- Dance Halls and Ballrooms (currently Section 11.03(j))
- Drive-Up Window Uses (currently Section 10.03(l)). See also, “Restaurant, Drive-Up Window” for additional regulations.
- Dwelling, Accessory Unit (currently Section 18.25)
- Dwelling, Condominium (currently Section 18.34A). The City may want to consider changing “Dwelling, Condominium” to “Dwelling, Attached” because the Condominium Act (P.A. 59 of 1978) prohibits treating a condominium different than any other form of ownership.
- Dwelling, Mobile Homes and Modular Homes (currently Section 18.09). The development standards for mobile homes and modular homes should be the same as those for other single-family dwellings.
- Dwelling, Multi-Family and Apartments (currently Sections 7.05A(d), 8.02(b), and 8.04(d))
- Dwelling, Single-Family (currently Section 18.33)
- Dwelling, Two-Family (currently Section 18.34)
- Facilities for the Detention, Incarceration, Commitment, and/or Rehabilitation of Adults or Minor Children and Psychiatric Hospitals (currently Section 12.03(a))
- Gasoline Service Station (currently Sections 11.03(a), 16.11(a), 25.05(b), and 30.03(b)). The City may want to consider separating gas station uses from service station/automobile repair uses (see also current Section 11.03(m)).
- Heliports (currently Section 18.60).

- Home Occupations (currently Section 4.02(g)(3))
- Hospitals (currently Sections 9.03(h), 10.03(c), and 26.04(b))
- Hotel (currently Section 2.08(9))
- Housing for the Elderly (currently Sections 2.07(9) and 29.04(a))
- Indoor Recreational Facilities, Public or Private (currently Section 16.11(f))
- Keeping of Animals (Fowl, Rabbits, Horses, Cows, etc.) (currently Sections 5.02(d) and 5.03(e)). These regulations should address urban farming for chickens and honeybees.
- Kennels (currently Sections 5.03(e) and 6.02(d))
- Massage Establishment (currently Sections 2.08(14), 9.03(m), 10.03(m), 11.03(u), and 30.04(c))
- Mechanical Amusement Devices (currently Sections 11.03(s), 18.59, and 30.04(b))
- Motel (currently Sections 2.08(17) and 11.03(e))
- Nursing Homes and Convalescent Homes (currently Sections 9.03(g) and 10.03(b))
- Oil and Gas Wells and Storage (currently Sections 18.52 and 18.53).
- Open Air Sales, Display, and/or Rental of Utility Trailers and Recreational Equipment (currently Section 9.03(k)). There may be other outdoor sales uses (e.g., garden centers, lumber yards, etc.) that could be included with these regulations, if appropriate.
- Outdoor Storage of Recreational Equipment (currently Section 16.11(d))
- Pawnshops (currently Section 11.03(v))
- Payday Lenders (a.k.a., Any Business Licensed Pursuant to the Deferred Presentment Service Transactions Act, MCL 487.2121, et. seq.) (currently Section 11.03(w))
- Private Parks and Similar Facilities (currently Section 4.03(b))
- Private Neighborhood, Community, or Club Swimming Pools (currently Section 4.03(d))
- Raising of Fur Bearing Animals (currently Section 6.03(b))
- Religious Institutions (currently Sections 4.03(a) and 10.03(e)). Please note that because of the federal Religious Land Use and Institutionalized Persons Act (RLUIPA), the City cannot impose zoning regulations on a religious land use that are more burdensome than the zoning regulations imposed on a similar non-religious land use. Therefore, religious land uses should be regulated the same as similar non-religious land uses.
- Restaurant (currently Section 30.03(c)(1))
- Restaurant, Carry-Out (currently Section 11.03(c)(5))
- Restaurant, Drive-In (currently Sections 11.03(c)(2) and 30.03(c)(2))
- Restaurant, Drive-Thru (currently Section 11.03(c)(3))
- Restaurant, Drive-Up Window (currently Section 11.03(c)(1)(a))
- Restaurant, Limited Service (currently Section 11.03(c)(4))
- Restaurant, Outdoor Dining (currently Section 10.02(e) (Outdoor Dining Areas))
- Retail Sales (currently Sections 10.03(h), 10.03(i), 10.03(k), 11.02(d), and 11.03(p))
- Retail Accessory to Warehousing (currently Section 16.11(c))
- Secondhand Stores (currently Section 11.03(t))
- Self-Storage, Indoor Climate Controlled (currently Section 11.03(x))
- Skating Rinks, Ice or Roller (currently Section 11.03(i))
- Stables, Riding Stables, and Riding Academies (currently Section 6.02(e))
- Temporary Uses (currently Sections 6.03(d), 10.02(e) (Christmas Tree Sales), 10.02(f) (Sidewalk and Tent Sales), 11.03(l) (Temporary Open Air Businesses, including retail and recreational), and 18.54 (Open-Air Sales of Christmas Trees)). However, depending on the complexity of each Temporary Use, we may want separate sections for certain uses. We will also consider additional temporary uses such as food trucks and pop-up markets. Also, please note that an amendment was recently adopted to the Michigan Fireworks Safety Act that allows certain communities place additional restrictions on temporary structures used in the sale, display, storage, transportation, and distribution of fireworks. Such restrictions include the number of permits issued for a temporary structure and the regulation of the distance required between 2 or more temporary structures. However, the Zoning Ordinance

may not prohibit the temporary storage, transportation, or distribution of fireworks by a consumer fireworks certificate holder at a retail location that is a permanent building or structure.

- Theaters, Drive-In (currently Section 11.03(f))
- Theaters, Indoor (currently Sections 11.03(q) and 30.03(e))
- Terminals, Ambulance Services, Bus, and Taxicab (currently Section 11.03(o))
- Truck Terminals, Truck and Trailer Rental Facilities, Steel Fabricators, and Special Trade Contractors (currently Section 16.11(b))
- Veterinarian (currently Sections 6.02(d), 10.03(f), and 11.03(b))
- Wireless Communication Facilities (currently Sections 12.03(b) and 18.42A). We will review if there are any amendments required to comply with the Michigan Small Wireless Communications Facilities Deployment Act.

We will review the development standards for each use and make recommendations for amendments based on better planning and zoning practices or changes in state or federal law.

PARKING, LOADING, AND ACCESS MANAGEMENT

- **Single Article.** We recommend placing all standards for parking, loading, driveways, and access management into a single article and cross-referencing as necessary. For example, the definition of “Parking Space” (Section 2.09(2)) includes dimensional standards and Sections 13.06, 13.07, 14.07(b), and 15.09(d) include standards for surfacing, curbing, and drainage. These sections can be included in the new Parking, Loading, and Access Management article.
- **Parking Standards for Specific Uses.** Review parking standards for specific uses to ensure they are appropriate based on current parking patterns. Outdated uses will be modified to their current standard and, if necessary, given a definition in the Definitions article.
- **Uses Not Mentioned.** For uses not mentioned in Section 18.37, we recommend adding more uses to make the list more comprehensive. For uses that are not included, Section 18.37(h) allows the parking lot for a similar use to be applied. Additionally, we recommend including a reference to the most recent edition of Parking Generation to guide the City on setting a requirement. Parking Generation is a book that is published by the Institute of Transportation Engineers and periodically updated (the 5th edition was recently published). Parking Generation includes parking demand studies of over 100 land use during different times of the day and week.
- **Shared/Collective Parking.** There are existing shared parking standards in Section 18.37(i) that allow 2 or more buildings to share parking, provided such parking is not less than the sum of the requirements for both uses calculated separately. We recommend allowing the Planning Commission to grant fewer parking spaces for 2 or more uses that share a parking lot if the peak use times are different. We recommend citing the most recent edition of Parking Generation or other acceptable expert study.
- **Parking Space Reductions.** Section 18.37 includes minimum parking standards but does not allow for reductions. Therefore, any reduction would be subject to a variance review by the ZBA. We recommend allowing the Planning Commission to use the most recent edition of Parking Generation, or other acceptable expert study, to modify the parking space requirements for any use where the required parking too much.
- **Parking Space Dimensions.** Section 18.37 requires a minimum parking width of 10 feet, but allows general and professional office uses to be parking space widths of 9 feet. We recommend that the City consider allowing a 9-foot parking space width for all land uses. We also recommend considering reducing the minimum parking space depth from 20 feet to 18 feet.
- **Winter Considerations.** We recommend modifying the parking standards to address snow storage. We recommend that parking lot designs include areas for snow storage, which can often be landscaped areas, stormwater ponds, or surplus parking areas.
- **Conflicting Parking Standards.** Any conflicting parking standards will be resolved.

- **Graphics.** We recommend updating the graphic that illustrates the required layout in Section 18.37 to show different parking angles and dimensions.
- **Cross-Access.** In areas where more dense development is anticipated, we recommend requiring cross-access easement agreements where cross-access would be beneficial to the public, improve traffic flow, and relieve traffic congestion.
- **Loading Zones.** Currently, Section 18.36 requires many nonresidential uses to have a loading space that is 10 feet x 25 feet. In a developed city, this can often be a very difficult standard to meet. We recommend that the Planning Commission be allowed to modify the requirement, which could include a smaller loading area, joint loading areas, or a loading area to take place in a parking area at certain times of the day.
- **Barrier Free Spaces.** Although the number and dimension of barrier free spaces is regulated under the Americans with Disabilities Act, we recommend inserting the standards from the ADA to make the barrier free parking requirements easier to understand and administer. Section 18.37(o) references a State standard, but a table of barrier free parking requirements would be helpful to include in the Zoning Ordinance.
- **Access Management.** We recommend including standards for access management into the site and within the interior of the site. These standards include requiring a traffic impact study for larger projects, including standards for curb cuts and offsets, development and connections to existing pedestrian/path networks where adjacent, bicycle access and parking, appropriate access from the public sidewalk and parking lot to the building, access to adjacent sites, and traffic calming where appropriate. While there may already be separate City requirements in other ordinances, we recommend cross-referencing existing ordinances where appropriate.
- **Illegal Parking of Motor Vehicles.** Current Section 18.51 can either be included in the Parking, Loading, and Access Management Article or included as a section in the General Provisions article.
- **Commercial Vehicle Parking.** While parking large commercial vehicles over a certain GVWR in a residential area is not typically appropriate, in some cases a commercial passenger vehicle is innocuous. We will review the existing standards and work with the City potential changes to allow parking of certain commercial vehicles in residential districts.

LANDSCAPING AND SCREENING

While there are some detailed landscaping requirements in Section 18.45, there are several landscaping and screening standards are scattered throughout various sections of the Zoning Ordinance (e.g., Sections 7.05A(b), 8.04(b), 10.06, 11.06, 14.04, 14.07(c), 15.02(f), 15.06, 16.02(i), 16.06, 17.02, 17.05, 18.45, 25.07, 25.11(b), 26.07, 26.11(b), 27.07(b), 27.06A(b), 29.06(b), and 30.07). We recommend consolidating all of the landscaping standards into the new Landscaping and Screening article and cross-referencing as necessary throughout the Zoning Ordinance. We recommend the following additions and changes to the landscaping regulations:

- **Required Landscaping.** For organizational purposes, we recommend including a section for each of the following landscape design requirements, some of which will be new requirements:
 - Street Trees (i.e., required trees located in a road right-of-way, depending on the road type).
 - Frontage Landscaping (i.e., required trees and shrubs located within the front yard of a site).
 - Buffer and Greenbelt Requirements (i.e., required trees around the perimeter of a site).
 - Parking Lot Landscaping (i.e., required trees on the interior and perimeter of a parking lot as a means of providing shade, lowering micro-temperatures of the parking lot, and breaking up large expanses of pavement).
 - Loading Area Landscaping (i.e., required trees or shrubs to screen loading areas).
 - Garbage and Dumpster Screening (i.e., requirements for a masonry enclosure for dumpsters with solid gates).
 - Landscaping Applicable to Specific Uses.
- By having a section dedicated to each design requirement, the user can easily follow along with the requirements.

- **Graphics.** We recommend including graphics to communicate the standards of the landscape requirements and provide an illustration of how landscaping enhances a site and its surrounding area.
- **Landscape Material Standards.** We recommend adding provisions that address minimum caliper and height standards, planting standards, replacement of dead, dying, or diseased landscaping, irrigation requirements, mechanical equipment screening, and foundation plantings (i.e., shrubs and ornamental trees along wide nonresidential buildings). Although Section 19.06(1)(j) includes provisions for sizes and maintenance, these standards are difficult to locate. We recommend increasing the minimum sizes to: 2.5" caliper for deciduous trees; 1.5" caliper for ornamental trees; 8 feet high for evergreen trees; 5 feet high for upright shrubs; and at least 24" high for shrubs.
- **Buffering and Greenbelt Standards.** Section 18.45 includes provisions for a wall or greenbelt along the perimeter of certain non-residential zoning districts that abut a residential zoning district. We recommend including a table that lists all of the proposed land uses in the left column (e.g., single-family residential, multi-family residential, commercial, office, industrial, etc.) and the abutting zoning district in the top row. Within this table would be specific buffering requirements based on the proposed land use and the district that it abuts. For example, an industrial use abutting a residential district might require wall while an office use abutting a residential district might require a wide buffer with dense screening. This table would condense a large amount of text into a simple, easy-to-understand table for the user. For greenbelt standards, we recommend a staggered double row of 8-foot high evergreen trees spaced 15 feet apart, which is a typical greenbelt standard in many communities.
- **Suggested and Prohibited Species.** The list of suggested and prohibited species in Section 18.45 is very comprehensive and useful in determining required landscape species. We recommend allowing City staff to administratively add and remove suggested and prohibited species based on new insects, diseases, and species in the future.
- **Other Landscape Structures.** We will recommend provisions for other landscape structures, such as retaining walls and garden boxes. Depending on the scope, certain retaining walls could be approved by the Zoning Administrator if they meet grade, height, and engineering standards.

SIGNS

In 2015, the United States Supreme Court decided the case of *Reed v. Town of Gilbert* where it held a municipality's sign ordinance unconstitutional because it violated the First Amendment. While the signs at issue were noncommercial signs (temporary directional signs, ideological signs, and political signs), the Court's decision impacts many other types of signs. To address these concerns, as well as other sign-related issues, we recommend the following:

- **Definitions.** The definitions in Section 18.05A are very comprehensive, and we will propose additional definitions as needed. To make the definitions easier to review, we may recommend separating the definitions into two (2) sections: One (1) section defines signs by their type and one (1) section defines all other terms. This way, the definition of a sign based on its type will be easier to access. The sign type definitions will also be supported with graphics where appropriate.
- **Content Neutrality.** We will limit the standards that regulate the content of signs, which can be a violation of the First Amendment. We will require the City Attorney's opinion regarding the appropriate form of content neutrality, including whether to distinguish between "commercial" and "non-commercial" signage. There are existing content-based, speaker-based, and event-based standards that must be changed, which include signage for real estate, political speech, construction signs, community event signs, churches, residential subdivisions, menu boards, gasoline service stations, hotels and motels, and industrial development. One possible approach is to: (1) separate signage into "commercial" and "non-commercial;" and (2) regulate signage by zoning district (see below) based on sign type and whether it is "commercial" or "non-commercial."
- **Substitution Clause.** Section 18.50D(2) includes a substitution clause, which allows any commercial copy to be substituted with non-commercial copy. We recommend making this a separate section to make it more prominent.

- **Outline Tubing Sign.** The definition of outline tubing sign is very good, and prohibiting these signs can sustain and enhance the community's character. We recommend including LED lights to this definition and adding "rope light" to the description.
- **Illumination.** Section 18.50B includes provisions for illumination. We recommend limiting illumination levels based on the sign's area. The International Sign Association has published illumination standards that have been adopted in many zoning ordinances.
- **Murals.** We work with the City to determine a definition and regulations for murals. One possible definition for murals is: "An original painting or texturing applied to the surface of a wall or window. If the mural depicts commercial, the mural will be considered a wall sign for purposes of this Ordinance."
- **Lighting and Message Changes.** Section 18.50H(o) contains standards for variable electronic message signs, which are only permitted in the C-1, C-2, C-3, and C-4 districts. Currently, 1 message change every 5 seconds is permitted. We recommend considering reducing the change frequency to 1 message change every 8 seconds, which is the change cycle permitted in the Michigan Highway Advertising Act. While the illumination levels based on color are very detailed, the standard is based on nits which is a very difficult standard to enforce. As noted above, the City may want to consider a standard based on maximum footcandles, which are much easier to measure than nits.
- **Exempt and Permitted Signs.** The lists of exempt signs and permitted signs are very comprehensive. We will review possible opportunities to expand these lists and clarify when needed. For example, "street furniture signs" (e.g., signs attached to benches and trash cans) are often prohibited. We will work with the City to properly address any other sign types.
- **Sign Types By Zoning District.** For sign types and areas by zoning district, we recommend developing a table that distills several pages of existing text into a 1-page, easy-to-read table that clearly communicates the signage requirements for each district. This will make it easier to address sign area requirements and clarify them, especially with relation to total sign area. We want to make sure that all sign types are accounted for and that the regulations are clear.
- **Billboards (Off-Premise Advertising Signs).** The current provisions in Section 18.16 should be relocated to the signs article.

ENVIRONMENTAL PERFORMANCE

We recommend creating a new Environmental Performance article and including the following sections in the article:

- **Sound/Noise.** This section would include existing standards from current Sections 2.10(33), 14.07(e),
- **Odors.** This section would include existing standards from current Sections 14.07(d),
- **Waste and Rubbish.** This section would include existing standards from current Section 18.12.
- **Soil Removal, Excavation, and Dumping Soil, Sand, Clay, or Gravel.** This section would include the existing standards from current Sections 18.13, 18.14, and 18.15.
- **Performance Standards for Industrial Uses.** This section would include the existing standards of Section 18.48. Industrial uses that are subject to this standard can include a cross-reference in their use regulations.
- **Special Flood Hazard Areas.** This section will include the existing standards of Article 28.

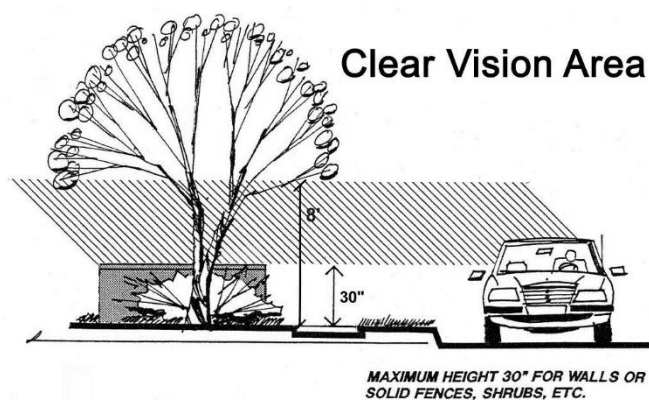
LIGHTING

- **Single Section.** Lighting standards are currently located in Section 13.08. We recommend making this section more prominent and expanding it.
- **Parking Lot Lighting.** We recommend minimum and maximum requirements to illuminate parking areas.
- **Cutoff.** Only full cutoff fixtures should be permitted, and this section should describe what a full cutoff fixture is and include a graphic.

- **Illumination Level.** The regulations should have a maximum illumination level (footcandles) at a property line and other areas on a site, as well as minimum illumination levels along sidewalks and other spaces accessible to the public.
- **Waivers.** While we recommend strict compliance with the lighting requirements, we also recommend a waiver process through the Planning Commission. The purpose of the waiver process would be for temporary events and/or public events, and the intent would be to prohibit negative impacts on neighbors and include limits on time and illumination.

CLEAR VISION AREA

A clear vision zone is a minimum horizontal and vertical area located at road and driveway intersections that is clear of structures and vegetation. We recommend including clear vision zone regulations in the General Provisions article and cross-referencing the section as necessary. We also recommend adding a graphic that illustrates the clear vision zone similar to the graphic below:



ACCESSORY STRUCTURES AND USES

Several sections (including Sections 2.10(5), 4.02(g)(1) & (2), 5.02(e), 7.02(c), 10.02(f), 11.02(h), 18.24, and 25.04(c) regulate accessory structures for different uses and districts. We recommend moving all accessory structure regulations to a new section in the proposed General Provisions article of the Zoning Ordinance, and cross-referencing as needed. In the new section, accessory structure regulations will be addressed for all applicable zoning districts. We will review the following topics based on feedback from the City:

- Whether to revise the maximum size of detached accessory structures to be proportionate to the lot size or the principal structure.
- Whether to allow multiple detached accessory buildings on a residential property.
- Whether to revise the maximum height to allow parking of larger vehicles, RVs, etc.
- Whether to include a list of exempt accessory structures should be considered, which include arbors, landscaping structures, minor structures (dog houses, playgrounds, treehouses, etc.), and art displays.

FENCES AND WALLS

Fences are regulated in Chapter 15.44 of the Code of Ordinances. While no changes are proposed at this time, we can review the regulations and address them during the Zoning Ordinance development process.

ALTERNATIVE ENERGY

We recommend addressing small-scale wind energy and solar energy facilities (e.g., solar panels on a roof or a wind tower in a yard). If the technology and cost-effectiveness of these facilities improves, we can expect them to be more prevalent. While we recommend adopting standards in the General Provisions article to allow property owners to generate electricity, we recommend regulating the location and development of

these facilities to control potential negative impacts and ensure they are aesthetically compatible with the community.

ENCROACHMENTS AND EXEMPT STRUCTURES

The General Provisions article will contain a section on permitted encroachments into yard setbacks and maximum heights (Sections 18.28, 18.41, 18.42, 18.43, and 18.44) to clarify locations, permitted structures, and maximum encroaching distances. Proposed changes may help reduce variance requests by allowing reasonable types of encroachments. Also, while setbacks are typically measured to the nearest part of any structure, we recommend considering certain open porch encroachments into setback areas.

SUBDIVISION AND SITE CONDOMINIUMS

Title 16 of the Code of Ordinance regulates subdivisions and land divisions, and no known changes are proposed at this time. Sections 18.62-18.66 of the Zoning Ordinance includes regulations for site condominiums. The development standards for site condominiums defers to the development standards for subdivisions, which ensures consistency in the standards. We will review the site condominium standards and determine if any additional provisions are necessary.

FEES

In many areas of the Zoning Ordinance, a fee amount is specified. We recommend including as few fee amounts in the Zoning Ordinance as possible because changing a fee requires an amendment to the Zoning Ordinance. Because most fees are based on the City's expenses, which can change from year-to-year, most fees should be adopted on a fee schedule instead of an ordinance.

PHASE 3. ADMINISTRATIVE PROCEDURES AND STANDARDS

REFORMAT THE FOLLOWING TOPICS. Much of the information regarding administrative procedures is under separate subsections of Section 18 through Section 24 of the City of Livonia's Zoning Ordinance. We propose to pull the all of the administrative information from different parts of the ordinance on the topics discussed below and organize them under the heading "ADMINISTRATIVE PROCEDURES AND STANDARDS" for faster and easier reference.

NONCONFORMING USES, BUILDINGS AND LOTS

- **Classifications of Nonconforming Uses.** The Michigan Zoning Enabling Act allows communities to have different classifications of nonconformities. In Livonia, produce markets and nurseries in RUF zoning districts are specifically named as a "Valid Nonconforming Use". We recommend including objective standards for this class of nonconforming uses and structures. If these can be properly defined as a separate class of non-conforming uses, this class would be more defensible if challenged.
- **Nonconforming Uses.** We will thoroughly review Section 22.11 "Certificates of Valid Nonconforming Uses" and all other sections related to nonconforming uses to ensure that they are current with the latest nonconforming use case law.
- **Changes to Nonconforming Structures.** We recommend adding provisions that nonconforming structures can be changed if the changes are completely conforming. Most communities allow their Zoning Administrator to approve a change to a nonconforming structure that is conforming (e.g., no vertical or horizontal expansion in a required setback, no additional height or lot coverage exceeding the maximum, etc.).
- **Reconstruction or Re-Establishment.** The reconstruction or re-establishment of nonconforming uses and structures should be clarified to require additional forms of proof from the applicant with respect to the costs of reconstruction, or at least reference the "Damage to the extent of more than fifty (50) per cent of the assessed value of a building" that is listed as a reason to terminate a nonconforming use in Section 18.18. We will also consider having a consistent percentage of assessed value throughout the nonconforming section.
- **Nonconforming Lots.** We recommend including nonconforming lots adjacent to the subsections with nonconforming uses and structures. We also recommend clarifying that all nonconforming lots can be used pursuant to Livonia's Zoning Ordinance with the exception that certain land uses will require greater minimum lot areas to be established.
- **Reformatting for clarity.** While the City's Ordinance does include many guidelines for nonconformities, we propose to organize them for clarity to nonconforming uses, nonconforming structures and nonconforming lots and place nonconforming uses, structures and lots in their own section instead of a subsection of Section 18 for faster reference.

SITE PLAN REVIEW

- **Consolidated Site Plan Review Requirements.** Currently, site plan review requirements are located throughout the zoning districts. We will consolidate all of the review requirements into a single section with appropriate references to uses (if some of the requirements are varied, depending on the use) and cross reference the landscaping and parking sections.
- **Preliminary Site Plan Review.** Currently, there is no formal process in the Zoning Ordinance for preliminary site plan review. Therefore, the only method for an applicant to obtain an approval from the Planning Commission is via final site plan review where much more information is required. We recommend allowing for preliminary site plan review where the applicant submits less information than a final site plan, but that the information is sufficient enough for the Planning Commission to approve based on the layout. The amount of detail on a preliminary site plan should be sufficient for the Planning Commission to take action on the layout, and the action should provide the applicant enough assurance that a final site plan will be approved if the layout remains the same. By granting preliminary approval for the layout, number of units, square footage, etc., the applicant will be able

to spend the money to prepare the final site plan with more confidence. The final site plan procedures would remain the same. We will add preliminary site plan review references throughout the City's Ordinance.

- **Required Review Based on Activity Proposed.** To simplify which type of review is applicable, we recommend a table that lists all of the possible activities in the left column (re-occupancy, construction over a certain threshold, façade improvement, new building, etc.) and the applicable procedure in the top row (Site Plan Review, Special Land Use Review, Zoning Compliance Permit Review, etc.). This will allow City staff and the applicant to quickly and easily determine the appropriate procedure for reviewing an activity.
- **Required Information Based on Review Required.** To simplify the information required on an application, we recommend a table that lists all of the informational items required in the Zoning Ordinance in the left column and the applicable procedure in the top row (Zoning Compliance Review, Sketch Plan (Conceptual) Review, Preliminary Site Plan Review, Final Site Plan Review, and/or Special Land Use Review). This will eliminate redundancy of listing all of the informational items under each type of review.
- **Phasing.** A multi-phase projects can be beneficial to a developer by allowing part of a project to be developed, with subsequent phases being developed as the previous phases become occupied. However, the City should ensure that each phase can function independently so that the failure to complete subsequent phasing does not jeopardize the previously completed phase(s).
- **Post Site Plan Approval.** We recommend including standards for handling site plans after they have been approved, including provisions for development agreements prior to construction and the submittal of as-built plans after construction.

SPECIAL LAND USES – SECTION 19.06 GENERAL WAIVER REQUIREMENTS (WAIVER USES)

We will review the general standards for waiver uses and recommend any changes. We will clarify that per state law a special land use runs with the land. Also, we will address whether a preliminary site plan review is sufficient in obtaining a special land use permit, subject to final site plan approval.

AMENDMENTS

We will review the provisions and standards for requesting an amendment to the Zoning Ordinance to ensure that standards for approving or denying amendments are current and defensible. The amendment procedures should be updated to comply with the Michigan Zoning Enabling Act.

We also recommend including standards for conditional rezoning, which is authorized under the Michigan Zoning Enabling Act and recommended by the Master Plan. We will propose standards that comply with the Zoning Enabling Act and clarify the required process.

CITY PLANNING COMMISSION

We believe it would be helpful to have the City Planning Commission section included in this section along with other administrative topics such as site plan review, nonconformities, special land uses and zoning amendments, since these are the items for which they make determinations or recommendations.

BOARD OF ZONING APPEALS (BZA)

- **State Law References.** We recommend inserting additional references to the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended) where appropriate.
- **Michigan Zoning Enabling Act Provisions.** The Ordinance will be updated to include any standards of the Michigan Zoning Enabling Act not already included for BZA membership, removal, powers and duties, appeals to the BZA, standards of review, and appeals to Circuit Court.

- **Administrative Organization.** We recommend locating all sections regarding membership, duties, and removal in the proposed Administrative article, as well as all sections regarding procedures and standards of review.

PUBLIC NOTICES

We recommend adding a section in the proposed Administrative Procedures article that describes all of the noticing requirements of the Michigan Zoning Enabling Act. This way, only one section of Livonia's Zoning Ordinance will have to be amended when the noticing requirements of the Act are amended.

ZONING COMPLIANCE REVIEW (A.K.A., ZONING PERMITS)

Livonia's ordinance will be reviewed to determine what types of uses and development should be subject to a Zoning Compliance Review procedure. As noted under "Site Plan Review" comments, we recommend a table that lists all of the informational items required in the Ordinance in the left column and the applicable procedure in the top row (Zoning Compliance Review, Sketch Plan (Conceptual) Review, Preliminary Site Plan Review, Final Site Plan Review, and/or Special Land Use Review). This will eliminate redundancy of listing all of the informational items under each type of review. This will also take several pages of text and condense them into an easy-to-read table. It will also help in adding new items in the future that would be subject to Zoning Compliance Review. For example, the City may want to consider Zoning Compliance Review for minor alterations to non-single-family structures, such as arbors, lean-to's, garden boxes/landscape structures, shade walls, and temporary structures.

PERMITS AND APPLICATION FEE SCHEDULES

We believe a table that lists all of the types of land use permits and fees would simplify and clarify the application process and eliminate redundancy of listing fees under each type of review.

ENFORCEMENT, VIOLATIONS, AND PENALTIES

Several sections of the Zoning Ordinance address enforcement, violations, and penalties. We recommend consolidating all of these sections into a single article. This will eliminate redundancy, and it will be easier to articulate these standards to the public and, if necessary, in court.

PERFORMANCE GUARANTEES

We recommend having one section of the Ordinance that addresses performance guarantees and cross-referencing to the standards as needed. Also, we recommend reviewing the types of bonds that will be acceptable, if any. During the severe recession in the late 2000's, many communities were left with partially-completed developments after a developer abandoned the project and/or went bankrupt. In many cases, the bonds ensuring completion of a project had expired. To address this issue, the City may want to consider only allowing cash, certified check, letter of credit, or similar financial instrument that allows immediate access to cash if the City is required to complete a development.

PHASE 4. ZONING MAP

This phase will include a draft of the Zoning Map that will include the existing zoning districts proposed to remain and, depending on initial Planning Commission review, new proposed zoning districts based on the Future Land Use Plan of the Livonia Vision 21 Comprehensive Plan as follows:

- **New City Center District**
- **New Mixed Development Districts**
- **Consolidations to Residential Districts (Possible)**
- **Consolidations to Commercial Districts**

If the City is not yet ready to rezone properties to these districts, we can at least prepare the text of these districts to be included in the Zoning Code and a Draft Zoning Map. In this scenario, these districts would take effect when properties are re-zoned.



Zoning Ordinance: PC Public Hearing

City of Livonia, Michigan

June 1, 2021





Process and Adoption

MZEA

Adoption Process – Same process as for site rezoning

1. Planning Commission must hold a Public Hearing with 15-day notice
2. When more than 11 properties are effected by a Zoning Amendment the City is not required to send out notifications to individual property owners within 300 feet of subject sites.
3. Planning Commission makes a recommendation on the Zoning Ordinance to City Council
4. City Council is the adopting body
5. City must publish a notice of adoption
6. Ordinance takes effect 7 days after publication



Ordinance Accomplishments



Master Plan 3-year Priority Projects

PRIORITY PROJECTS:

1. **Zoning Ordinance Update:** Update the Zoning Ordinance to jump start LIVONIA VISION 21 implementation.
2. **City Center Development Plan:** Develop a detailed development and feasibility study for City Center. Include City, institutional and school operational needs, development triggers, and phasing.
3. **Plymouth Road Corridor Plan:** Create an urban design framework for Plymouth Road that both unifies and respects the many character shifts from east to west.
4. **Livonia Bike Loop:** Continue efforts to construct the Livonia Bike Loop recommended in the 2015 Bike Walk Livonia Plan.
5. **Transit and Innovative Mobility Study:** Enhance the City's transportation vision by exploring a new vision for transit and shared mobility in Livonia.
6. **Update Capital Improvement Plan (CIP):** Continue the City's efforts to fund priority projects by maintaining its Capital Improvement Plan.
7. **Update Infrastructure Plan:** Update the City's infrastructure plan to stay current with the future development vision for Livonia.

Livonia Vision 21: Diagnostics

Contents

1. Formed the basis of the work complete by the technical committee
2. Incorporated Master Plan recommendations
3. Evaluated variances
4. Assessed the purpose and function of existing ordinance
5. What works was preserved – what didn't was updated

Project Accomplishments

Contents

1. District Consolidation
2. Usability – tables and hyperlinks
3. Reducing non-conforming lots
4. Create more opportunity for housing
5. Create a form-based development option
6. Utilize well established City procedures
 - What works was preserved
 - What didn't was updated

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 LAND USES
• Accessory structures and uses (Section 7.23 Section 7.23(1)) • Educational uses (Section 2.01 Section 2.01(4)) • Golf courses, but not including miniature golf courses or golf driving ranges • Group day care home (Section 6.11) • Home occupations (Section 6.28) • One-family dwellings (Section 6.18) • Parks and outdoor recreational uses (Section 2.02 Section 2.02(2)) • Temporary buildings or structures for uses incidental to the construction of residential dwellings and improvements (Section 6.54 Section 6.54(2))	• Bed and breakfast establishments (Section 6.08) • Family child care home (Section 6.09) (Section 6.11) • Public utility uses • Single-family clustering (Section 5.03) • Privately owned and operated recreational uses (Section 6.46) • Religious institutions (Section 6.46)
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	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.	



Key Update Summary



Key Updates

Contents

1. District Consolidation
23 > 15 ~ 150% reduction
2. Reducing non-conforming lots
10k > 4k ~250% reduction
3. Usability – tables and hyperlinks
4. Create more opportunity for housing
5. Create a form-based development option
6. Utilize well established City procedures

Section 3.04 N1 Neighborhood District.

APPLICATION OF ARTICLE

The regulations set forth in this Article shall apply to all N1 Districts.

PERMITTED USES

- Accessory structures and uses ([Section 7.09](#), [Section 7.23](#), [Section 7.23\(1\)](#))
- Educational uses ([Section 2.01](#), [Section 2.01\(4\)](#))
- Golf courses, but not including miniature golf courses or golf driving ranges
- Family child care home ([Section 6.11](#))
- Home occupations ([Section 6.28](#))
- One-family dwellings ([Section 6.19](#))
- Parks and outdoor recreational uses ([Section 2.02](#), [Section 2.02\(2\)](#))
- Temporary buildings or structures for uses incidental to the construction of residential dwellings and improvements ([Section 6.55](#), [Section 6.55\(2\)](#))

WAIVER LAND USES

- Bed and breakfast establishments ([Section 6.05](#))
- Group day care home ([Section 6.12](#))
- Public utility uses
- Single-family clustering ([Section 5.03](#))
- Privately owned and operated recreational uses ([Section 6.47](#))
- Religious institutions ([Section 6.49](#))

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.
- Non-residential uses, except as set forth in this Section.

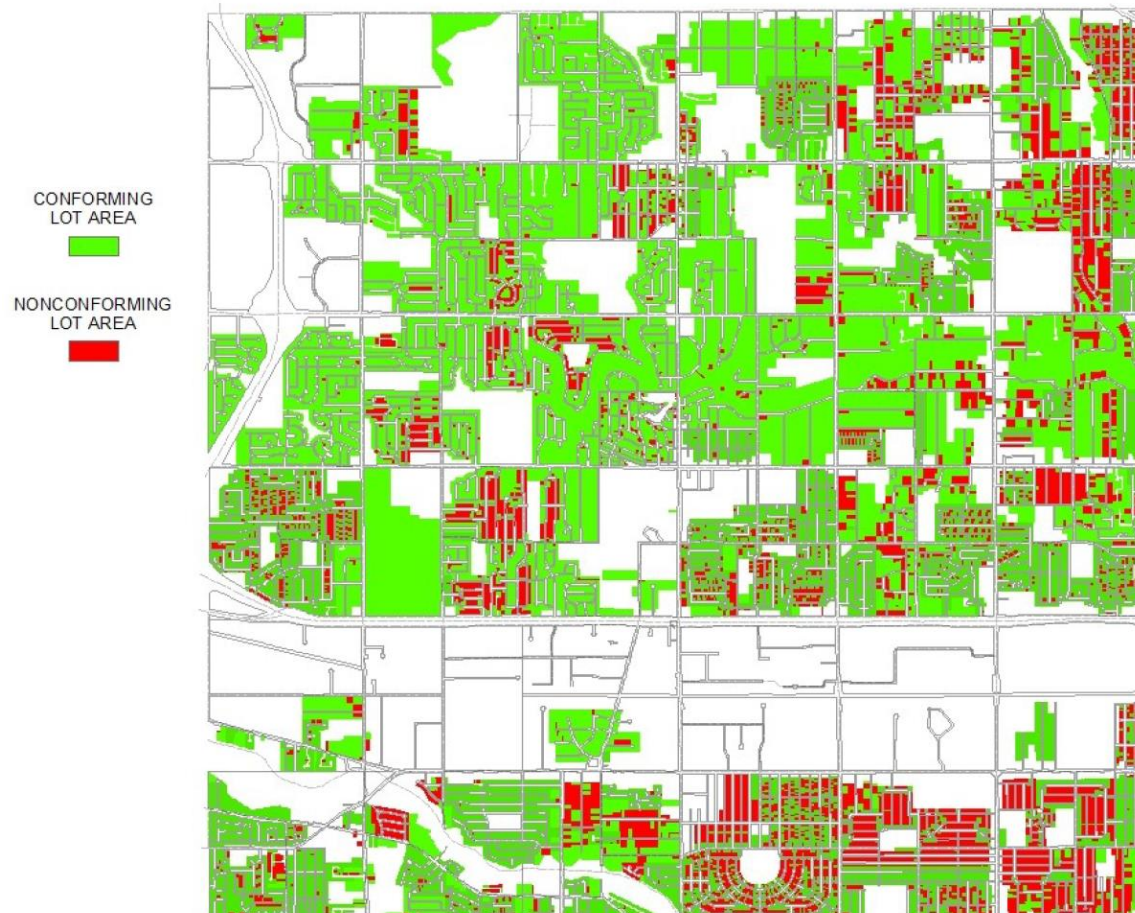
DIMENSION REGULATIONS

Lot Standards	N1
Min. Lot Area (sq. ft.)	6,000
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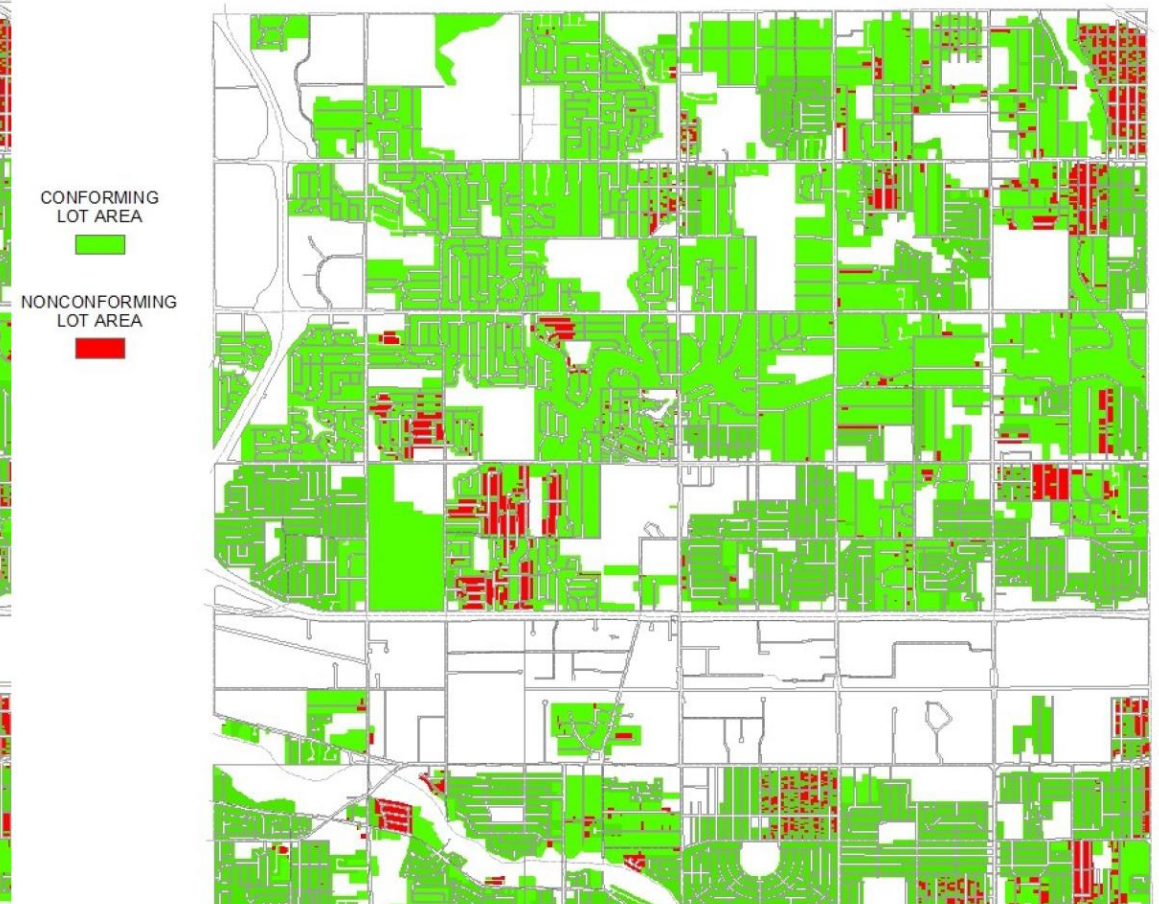
Footnotes: Refer to [Section 4.03](#) wherever a footnote is referenced in parentheses after one of the design regulations. Additionally, some uses have specific standards that overrule these Dimensional Regulations. Refer to [Section 5.04\(1\)](#) for dimensional regulations for specific uses.

District Consolidation – Nonconforming Lots

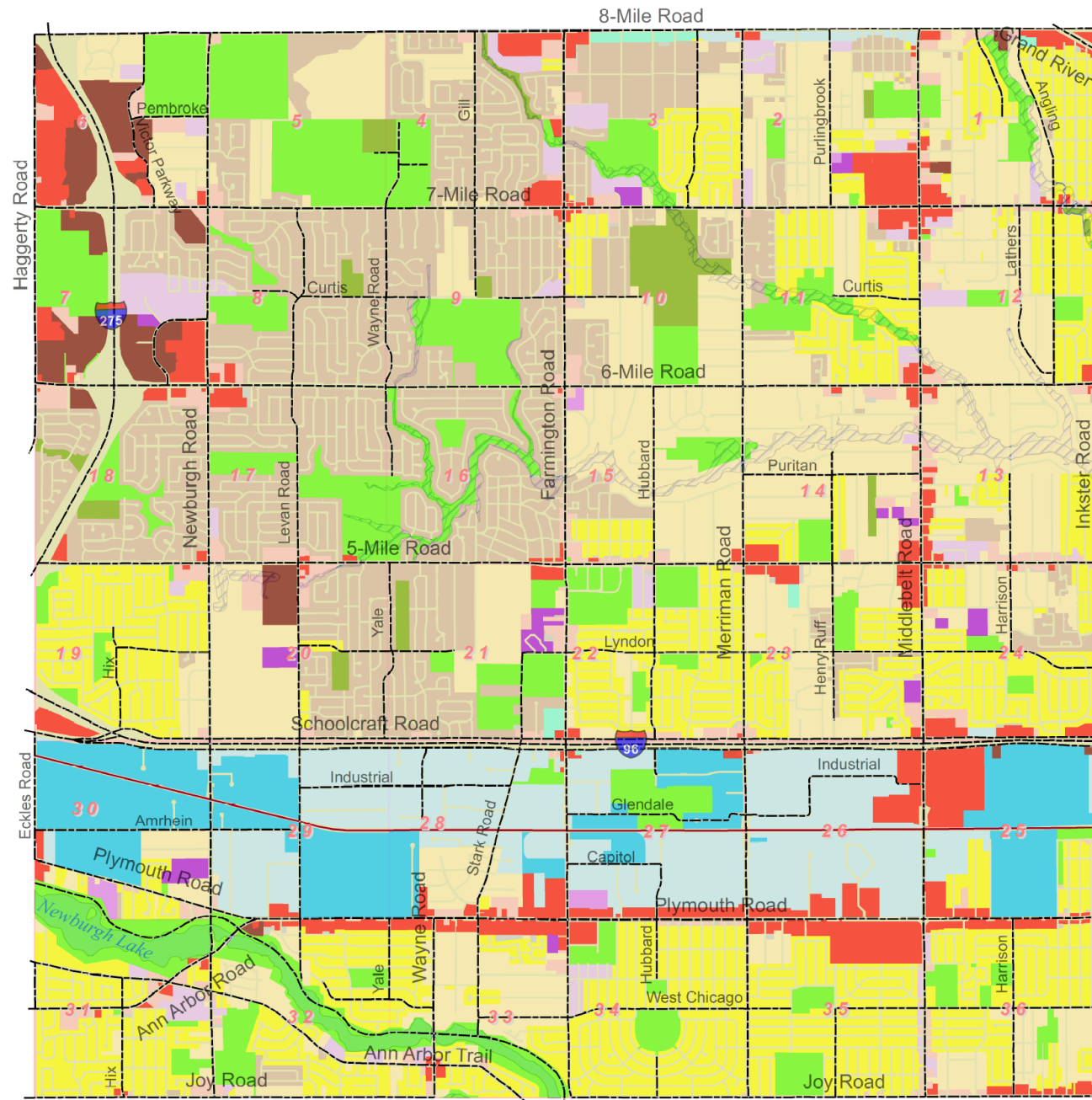
EXISTING RESIDENTIAL DISTRICTS



PROPOSED RESIDENTIAL DISTRICTS



Zoning Map



CITY OF LIVONIA NEW ZONING MAP

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



Prepared by the City of Livonia
Planning Department
March 24, 2021

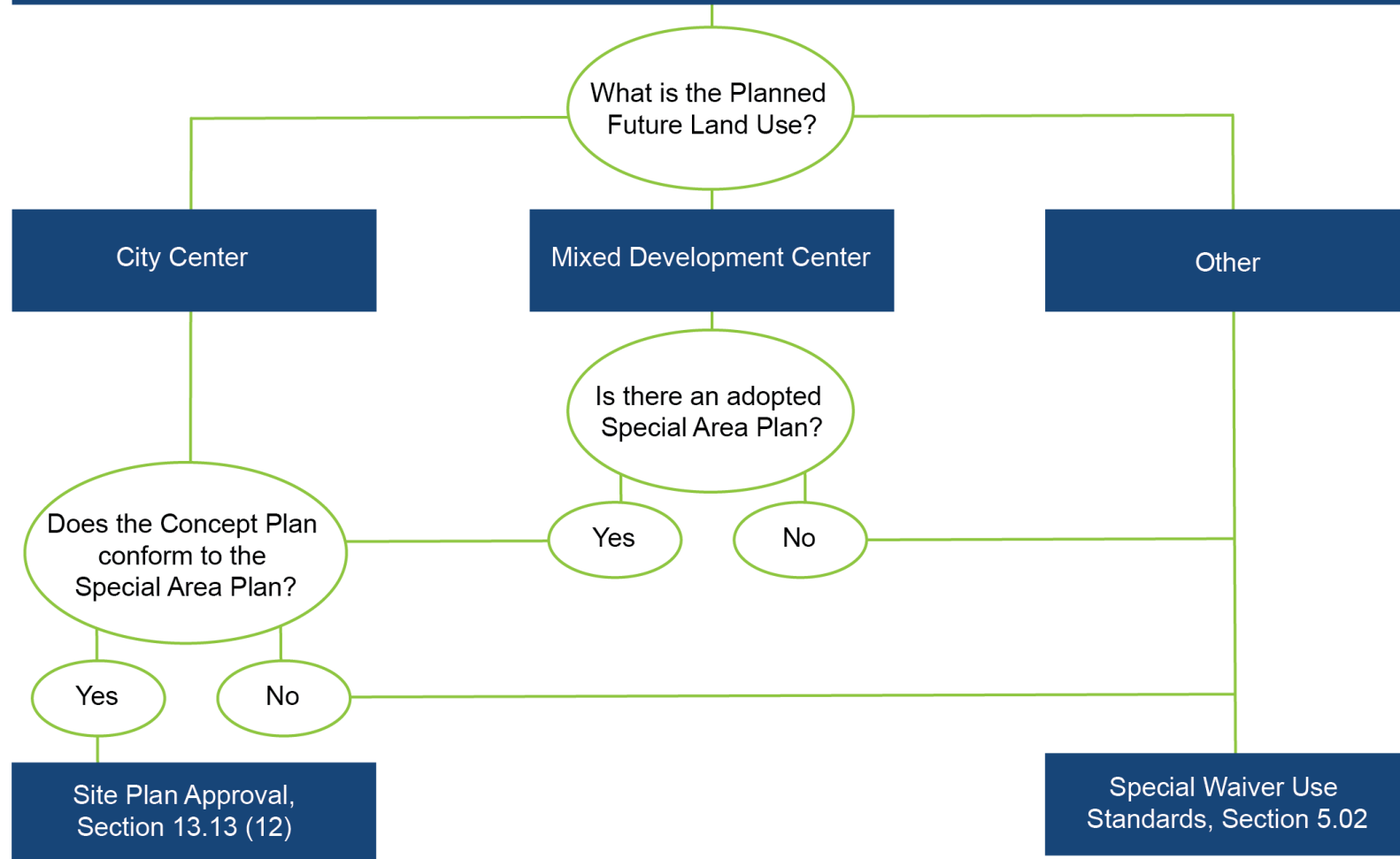
Form-Based Development Option

Approach

1. Carrot not a stick
2. Conventional development in “C” districts is still an option
3. Encourages consistency with adopted Special-Area Plans
 - Get the planning work done up-front!
4. Creates options for more density, housing, and mixed use building types in “C” Districts
5. Guidelines for adaptive reuse “renovation” with design standards
6. Elegant approach to a “hybrid” code

Form-based Development Process

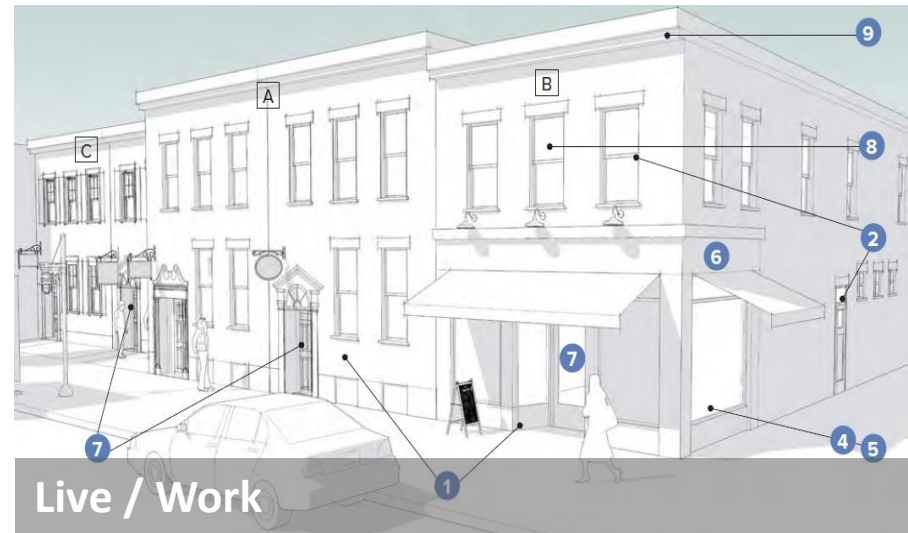
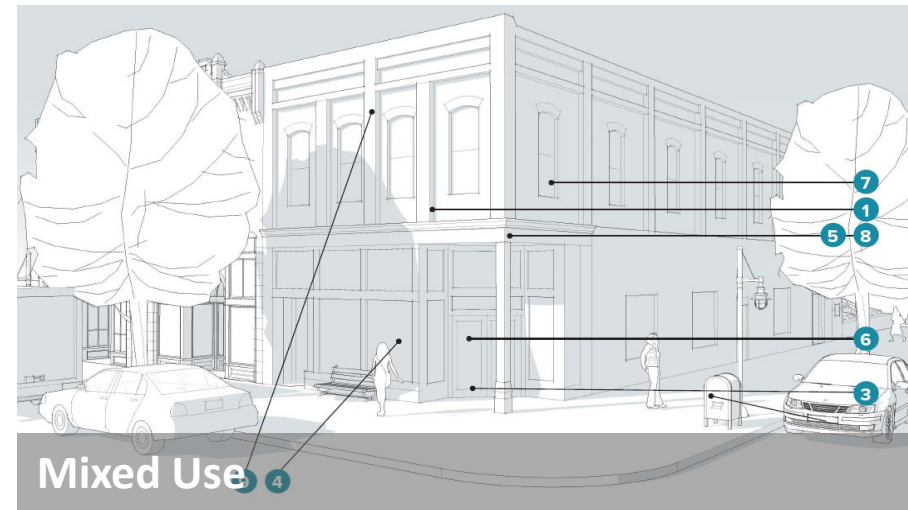
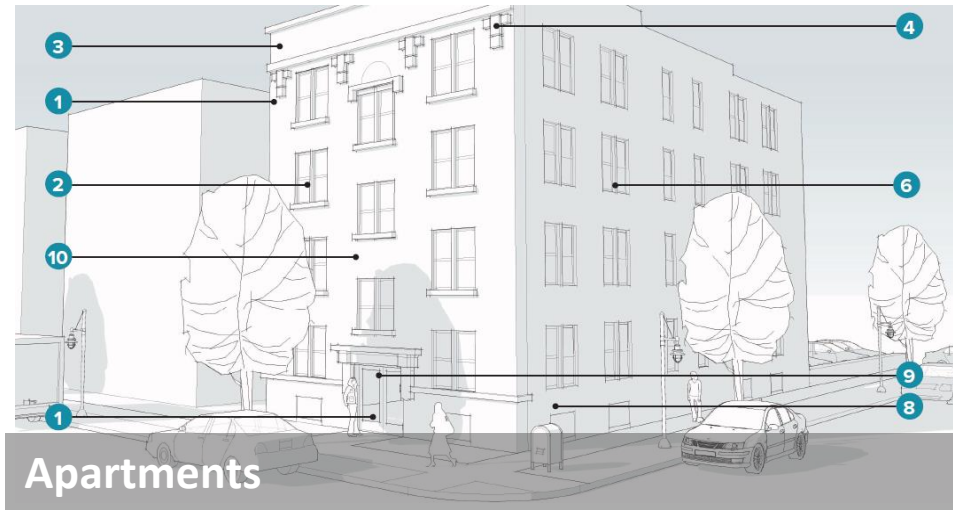
Form-Based Development Option Procedure in the C-1, C-2, C-3, and C-4 Districts



City Center – Special Area Plan



New Building Types / Uses



Signs – revisions pending

Approach

1. Remove content-based regulations – round 2
2. Consistent with US Supreme Court, Reed v. Town of Gilbert decision
 - Reed was a church that placed temporary signs, Town had regulations preventing temporary signs for some uses but not others
 - Supreme Court affirms past cases like *Metromedia* that limited content based regulations
3. Avoid unintended impacts – over signing, sign pollution
4. Keep “look and feel,” regulate time, place, and manner

What does this mean for residents?

Rather than having multiple temporary sign types, now a total sq. ft.

Staff, Council, ZBA, and PC Review

Updates

1. Update Ordinance Title to: Livonia Vision 21 Zoning Ordinance.
2. Definitions for Specially Designated Distributor (S.D.D.) and Specially Designated Merchant (S.D.M.) liquor licenses were added to Section 2.01(8).
3. A definition for Exotic Vehicle was added to Section 2.02(2), and Section 6.33 was created for the purpose of regulating Internet-Based Exotic Vehicle Sales, which is proposed to be treated as a permitted use in M-1 and M-2 Districts.
4. Vehicle Tow Yards have been added as a waiver use in the M-1 and M-2 Districts, subject to the same special requirements that currently apply to Truck Terminals, Truck and Trailer Rental Facilities, Steel Fabricators, and other Special Trade Contractors under Section 6.58.

Staff, Council, ZBA, and PC Review

Approach

5. A 1,000 ft. separation requirement between Caregiver Grow Facilities was added to Section 6.10.
6. Form-Based Development Option and Planned Developments were added to Section 7.17 to allow for taller buildings.
7. Fences, except where specifically allowed, would be prohibited in all commercial zoning districts pursuant to changes made to Section 7.24.
8. Section 9.15 was added allowing for Electric Vehicle (EV) Charging Stations or Ports in all zoning districts subject to five (5) special requirements.



Next Steps

Livonia Vision 21: Next Steps

Process for adoption

1. Planning Commission to make a recommendation to Council following the Public Hearing
2. Planning Conditions recommendation to Council will be scheduled for an upcoming Council Meeting
3. Per MZEA, Council upon adopting a the Zoning Ordinance, the City must publish a notice that the Ordinance was adopted and it will be in effect 7 days after the publication



LIVONIA 21
STARTS NOW

Questions

UNAPPROVED MINUTES

1

MINUTES OF THE 1,170th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, June 1, 2021, the City Planning Commission of the City of Livonia held its 1,170th Public Hearing and Regular Meeting via Zoom Meeting Software.

Mr. Ian Wilshaw, Chairman, called the meeting to order at 7:01 p.m.

Members present: David Bongero Sam Caramagno Glen Long
 Betsy McCue Carol Smiley Peter Ventura
 Ian Wilshaw

Members absent: None

Mr. Mark Taormina, Planning Director, Scott Miller, Planner IV, Jacob Uhazie, Planning & Economic Development Coordinator, 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 #1 PETITION 2020-12-06-03 New Zoning Ordinance

Mr. Caramagno, Secretary, announced the first item on the agenda, Petition 2020-12-06-03 submitted by the City of Livonia Planning Commission to consider the adoption of an updated and re-formatted LIVONIA VISION 21 Zoning Ordinance and LIVONIA VISION 21 Zoning Map. The proposed LIVONIA VISION 21 Zoning Ordinance provides new definitions, creates several new zoning districts and deletes several existing districts, updates

the list of permitted and waiver land uses for each zoning district, provides new requirements and regulations for lot sizes, building setbacks, and lot coverages, off street parking, signs, alternative energy systems, and other regulations for structures and uses, including a new form-based development option for the City's commercial districts.

Mr. Taormina: Tonight's public hearing involves consideration of both the new zoning ordinance and zoning map. The task of rewriting the zoning ordinance was authorized by City Council and initiated in 2019, shortly after the official adoption of the Livonia Vision 21 Master Plan. Updating the city's zoning regulations was identified as the number one priority for implementing the Master Plan. The Master Plan also outlines a few more specific recommendations related to updating the zoning ordinance and zoning map, including consolidating and simplifying the city's zoning districts, incorporating form-based regulations for the city's special planning areas and mixed development centers, and providing incentives and standards that will encourage sustainable use of land, materials, energy, and resources. The proposed new zoning ordinance and map are officially being referred to as Livonia Vision 21 Zoning Ordinance and Livonia Vision 21 Zoning Map. The Livonia Vision 21 Zoning Ordinance has been completely reformatted and recodified. By consolidating the zoning districts and reorganizing the other parts of the ordinance, the number of articles has been reduced from 31 to 14. Additionally, hyperlinks, cross-references, tables, and graphics have been added to make the ordinance much easier and efficient to navigate. A good example is Section 3.03, permitted uses by district. This is a single table that provides a comprehensive list of the land uses and how each is treated within the 16 different zoning classifications. The 14 articles that make up the new ordinance are as follows. Article I is basically the preamble, and is devoted to the Title, Purpose, and Scope of the ordinance. Article II provides definitions for the various words and terms used throughout the ordinance. Article III establishes the zoning districts and map. The big change here is that the total number of zoning districts is being reduced from 26 to 16, resulting in a much better alignment with the 9 land use classifications identified in the Livonia Vision 21 Future Land Use map. In general, the district changes include consolidating the six (6) current single-family districts into three (3) new single-family districts and renaming them: Neighborhood-1, Neighborhood-2 and RUF. Consolidating the six (6) multi-family districts into three (3) new multi-family districts that will be called Neighborhood Multifamily-1,

Neighborhood Multifamily-2, and Neighborhood Multifamily-3. Consolidating the six (6) commercial districts into four (4) existing districts: C-1, C-2, C-3, and C-4. The OS (Office Services), PO (Professional Office), AG (Agricultural), and RE (Research Engineering) districts would all be eliminated. And the PL (Public Land), ML (Manufacturing Limited), M-1 (Light Manufacturing), M-2 (General Manufacturing), P (Parking), and NP (Nature Preserves) districts would be retained. Article IV includes the Schedule of Regulations, another all-inclusive and easy-to-read table that provides the height, area, bulk, and placement standard for every zoning district. Article V, Supplemental Zoning District Standards, establishes and provides regulations with respect to four unique sections of the zoning ordinance which are not specific to any zoning district. These include Section 5.01, Special Area Development Control, Section 5.02, Special Waiver-Use Standards for Planned Residential Developments and Planned General Developments, Section 5.03, Single-family Clustering, and 5.04, Form-based Development Option in Commercial Districts. The last one, Form-based Regulations, is probably the most significant change. The form-based section is designed to encourage development that is consistent with the recommended design principles of the Livonia Vision 21 Master Plan. It focuses on three special planning areas: City Center, the former Livonia Mall area (Seven Mile and Middlebelt), and the east Plymouth Road corridor. The form-based rules can also be applied to any commercial zoning district. Section 5.04 includes design objectives for the location and spacing of buildings, as well as their height, area, bulk, and appearance. Mixed-use and high-density housing is encouraged. In addition, the review procedure would differ depending on the scale of the project and whether it conforms to the form-based development standards. If it does, a typical site-plan review procedure will be followed and conversely if the project does not conform to the recommended form-based standards, then the special waiver-use standards of Section 5.02 would be used, which requires a public hearing. Article VI, Standard Applicable to Specific Uses, provides standards and regulations for 60 different land uses, ranging from Adult Entertainment to Wireless Communication Facilities. The special rules that apply to many of these uses are listed in Section 3.03, Permitted Uses by District, and are included in Article VI and cross-referenced with hyperlinks to assist the user. Article VI eliminates significant redundancy because the rules are housed in one location but may apply to uses in multiple districts. Article VII is the General Provisions. Article VIII are the Environmental Performance Standards

designed to place all the regulations pertaining to environmentally related uses and issues under a single division, including waste and rubbish facilities, noise and odors, soil removal and dumping, as well as the City's flood hazard areas. Article IX is specific to Parking, Loading and Access Management. Article X is Landscaping and Screening. And Article XI is devoted to Signs. The last three (3) articles mentioned consolidate and put all of the city's rules for these items in separate, easy-to-find chapters, since in one way or another, they affect nearly all developments and redevelopment projects. Next is Article XII, Nonconformities. This was created due to the unique nature of the subject matter and the fact that several subsections are needed to fully address all of the complexities that surround this issue. Next is Article XIII, Administrative Procedures and Article XIV, Violations. These are provisions common to all zoning ordinances and typically reside separately as articles or divisions for ease of reference. Also, for your consideration this evening is the Livonia Vision 21 Zoning Map, which divides the city into 16 districts, including six (6) residential classifications, four (4) commercial districts, three (3) industrial classifications, one (1) for parking, one (1) for public lands, and one (1) for the city's nature preserves. I am now going to turn the presentation over to Paul Lippens, the consultant from McKenna, that was hired to help with both the Phase I, Master Plan, and Phase II, new Zoning Ordinance and Zoning Map.

Paul Lippens, 235 East Main Street, Suite 105, Northville, MI. Good evening, Commissioners and members of the public that have come this evening for the public hearing. I am going to quickly share my screen here. I have a short presentation. It is going to cover a few things that most planning commissioners are aware of, but for the benefit of the public I am going to cover a little bit about our process and what our next steps are. The Michigan Zoning and Enabling Act is the act that governs the adoption of zoning ordinances. It requires the Planning Commission to hold a public hearing that we are holding this evening and to do a notice 15 days in advance of the meeting and they did. When more than 11 properties are affected, the city is not required to send out notifications to individual property owners. As Mark said, we are adopting a new zoning map and ordinance that is really for the entire city. This provision of the Michigan Zoning and Enabling Act essentially protects the city from having to endure that cost of sending out individual notices to every property in the city. We have had an extensive public engagement throughout the Master Plan process, and we have

been working on this for more than a year and half at this point. We have had plenty of meetings and really, we have gotten some great feedback. We have certainly been able to engage with the Planning Commission, the Zoning Board of Appeals, the City Council...we are very confident in the draft that we are presenting this evening. Where we are now is the Planning Commission is charged with making a recommendation on the zoning ordinance to the City Council. The City Council is the adopting body. When City Council chooses to act, and should they entertain a motion to adopt, the city then is required to publish a notice, similar to the public hearing, and publish a notice that an amendment has taken place. The ordinance would then take effect seven days after that publication. Mark covered a lot of what our accomplishments are, but I think it really starts here with the Master Plan. The Livonia Vision 21 Master Plan identifies seven priority projects for the city to achieve in regard to its planning and zoning. The zoning ordinance was number one. This is the highest priority planning activity that the city has had going on since the adoption of the zoning ordinance in 2018. I am very happy to say that through a thorough process, we are at a point this evening where the Planning Commission can consider making a recommendation following public comment on the ordinance to City Council. It is exciting. This has been a really big effort for the city. I definitely want to thank everyone on the Planning Commission for your feedback and participation throughout this process. One of the other main things that I want to point out is that we, at the beginning of the zoning ordinance process, conducted a thorough diagnostic analysis. That analysis formed the basis of work that we engaged with a technical group committee that included member of the Planning Commission, members of the Zoning Board of Appeals, the City Attorney's staff, Code Enforcement, Inspection, and the Planning Department. One of the things that I like to remind people of is that what the major course of action for relief from the zoning ordinance is variances. The Zoning Board of Appeals is in charge of hearing those variances. The sum of that work that we did was to go back and evaluate all of the ordinances...recent variances that the city has granted and make sure that the variances that were granted are appropriately handled through the variance procedure and not the type of thing that would be better handled by amending the ordinance. This kind of attests to something that we have consistently gone through. Determining what items we feel are appropriate for the Zoning Board of Appeals to handle through a variance that would be a unique hardship or meet the test for providing a variance versus what things are

better acts for Planning Commission and/or City Council discretion. For those items we created a process for consideration and amended the ordinance to handle. A part of that was assessing every part of the ordinance...what the purpose and function of that was and how the city utilized these procedures to ensure a fair and equitable planning zoning process. The way I summarize this is...what works was preserved and what didn't was updated. We know that the city is dedicated to providing high quality services to residents and business owners. We wanted to understand those procedures and ensure that this ordinance process wasn't disrupting procedures that work. Essentially, where we are now...the Planning Department was ready to hit the ground running with the new ordinance. This time that we have taken, in particular...since we first started talking about this again in December...this last six months we have been doing a lot of going through each individual section, having multiple people, having multiple departments go through and review it and also having individual conversations with planning commissioners, Zoning Board of Appeals, and council members that have those questions so you would be prepared when this ordinance came into effect to do your job and understand how the new ordinance will affect the cases that you hear. Thank you for participating in that process as well. More on our accomplishments, Mark described in detail some of the district consolidation and how that affects the map, but what we really have done there is clean up the regulatory procedures in the city. When I say we have assessed the purpose, with each district we went through and asked ourselves what is the purpose? Is this a district that could be combined? Consolidated? Are the dimensional requirements for each of these lots making sense that we can actually distinguish them from another district? What resulted was a substantive and meaningful consolidation of regulations that I believe result in a more usable framework. Also, we have switched to using more tables, hyperlinks. We did a thorough analysis on non-conformities, which we have discussed at planning commission in the past, and we know we have substantially reduced non-conformities with these new regulations, meaning that more people can develop the types of uses that they want to develop by right without having to seek a variance or seek to be a legal non-conforming use as part of the process. Mark also talked about the form-based development option, but I would just highlight that this form-based development option is a direct implementation process from the master plan to help implement specific sub-area plans that were developed through the master plan process. Again, we are

utilizing well established city procedures. Again, a little bit more about the district consolidation. 150% reduction in districts, and 250% reduction in non-conforming lots. More opportunities for housing. In creating that form-based development option, we have created an opportunity to also include a appropriate housing in the commercial districts as well. That is a major move to implement the State of Michigan's Redevelopment Ready Priority Community Program and to help create missing middle housing opportunities in the City of Livonia. When we started this process back when we started the master plan, we knew that it was important and it has only gotten increasingly more important as we have gone through...essentially, increased housing demand in southeast Michigan. There is demand for more housing if we can create it and we can create those opportunities. Some maps...these maps show the red...the existing non-conforming, the green is what will be non-conforming with the new regulations in place. See, the new regulations, the green...less non-conformities. Mark already showed the zoning map. I really like how this map helps to implement the master plan. If you look at the future land use plan for the city you can visually see a direct correlation between the city's land use planning directive and the zoning ordinance. Something that I am really excited on and this is a really interesting map and I think those of you that know me...I am really interested in the City of Livonia's neighborhoods, the industrial district, the commercial district, the community really functions from a planning perspective in a way that I would say is logical and also speaks to a history of excellent planning. That is something that we have tried to keep going throughout this entire process to honor the city's planning history with this process. The form-based development option...it is a carrot not a stick. What we have created is more ways and more tools for people to develop in ways they couldn't otherwise develop. What we are hoping...by creating this new option that includes with it a lot of value. These are valuable types of properties and valuable types of developments that this incentive will create the types of new active vital walkable developments that the city wants to see. We are hoping that even people outside these area-planned districts see this as a usable option that brings economic vitality to their properties. I am interested in seeing how this gets picked up. It is a really exciting approach to form-based coding. It is, I would say, something that the city can expand on, should it be successful, but also, I think it is the appropriate tool for this time. We spent a lot of time thinking about the right way to do this and the mechanism we chose to advance the form-based development option, I think, are rightly

timed and rightly sized for the City of Livonia in this current planning cycle. The form-based development procedure...Mark showed this when he was flipping through the ordinance, but what this shows is really a simple flow chart, right? If you are in an area that is planned for special areas, what we call the special area plans, you can be fast-tracked essentially to approval. It is a simple site plan approval process. If you have a PUD process, you may also end up in the special waiver just for PUD. Not every site that wants to use the form-based development option will need a PUD. Recognizing that there is some other procedures that could be involved in approval, certainly what we have created is the option to do a site plan process with the form-based development option when there is a special area plan in place. I think that is unique and I think that is what makes this an incentive because we have simplified the procedure on how to use these form-based options with the right plan in place. Now, if there is not a special area plan, I think that is okay too. You can still use the form-based development option in any of the C districts using the special waiver-use standards. I think that makes these options also accessible to the entire city for anyone that has a business and is interested in doing this type of development. We want this option to be available. This is an example of the special area plan for City Center. You can see this is a large area and the type of special area planning, when you start talking about creating city blocks and talking in particular...this is also incorporating a future plan for the City Center and the Civic campus for the City of Livonia. A lot of exciting things and I think the form-based development option is something that makes this now something that could happen should the city attract one developer or multiple developers should any of the private landowners in this area wanted to develop in accordance with this special area plan for City Center. This option is out there now and can be pursued. This is an example of the building types that really are created as options through the form-based development options. Building row houses, building live work units, mixed use buildings, integrating commercial office retail with housing. Building apartments and building these types of uses in close proximity to each other as a traditional neighborhood. These are the types of things created by the form-based development option. I wanted to mention briefly some of the other things that we have done. We have updated the sign ordinance to be consistent with the U.S. Supreme Court ruling of Reed vs. Town of Gilbert. Essentially what we are doing here is we are removing content to comply with the Supreme Court's ruling. Content based regulations are

no longer acceptable in ordinances. What does this mean for residents? I think that we are moving toward a total of square footage rather than defining certain sign types. There is more flexibility in the content, but it is time, place, and manner regulations that we are still focused on. We have tried to keep the time, place, and manner requirements consistent between the last version of the ordinance and the version you are considering. Other updates.... specifically, some work that we have done with staff in the past several months. Mark, I know you have included this in the report, so I am going to just quickly cover some of the newer updates. The city is very excited about the Vision 21 name, so we are including it as the Vision 21 ordinances, which I believe was the intent from the beginning. We wanted to make sure that it was codified as part of the process. We have looked at state regulations specifically with respect to liquor license. We want to make sure that those are defined appropriately. We have done some work with the Zoning Board of Appeals to understand some of the things that the Zoning Board of Appeals has dealt with in the past to make sure that those issues are dealt with in other ways. We have created this exotic vehicle regulation section. Now this is something that will be considered as a permitted use in M-1 and M-2 districts. It will no longer have to go to the Zoning Board of Appeals for consideration. We looked at vehicle tow yards. We looked back at state regulations for the Medical Marijuana Act and how the city is permitted to create separation between the caregivers. We added that to the ordinance to be consistent with what we are allowed to do via Medical Marijuana Act in respect to zoning and limiting the impact of caregivers of the city. We have done some more review of the ordinance to make sure that other sections are consistent with the form-based development requirements. There are sections that have limits. The building heights we wanted to make sure the form-based development option was specifically excluded from those limitations. We looked at fencing and again, some of the newer uses, such as EV charging stations. We wanted to make sure those were permitted and called out. Our findings, I believe, were that they would be permitted but we wanted to specifically list them to encourage these types of uses. Sometimes using the right language helps to encourage, especially innovative uses like EV charging stations. So, again, in summary for next steps, the Planning Commission can hear from any members of the public tonight during this public hearing. Following the public hearing, you can certainly discuss with staff and myself about anything you hear here that you would like us to address by questions. You are able this evening to make a

recommendation to Council, and you are able to table and come back if there is something you hear from the public tonight that you would like to give us something to investigate, and we can come back at an upcoming meeting with an answer for you on anything we hear tonight as well. This is a substantive meeting and we do want to hear from residents tonight. We do want to make sure that the comments that we hear do have some thought and are addressed. Upon making a recommendation, and as I mentioned at the start of my presentation, to Council we would forward this ordinance to Council for their consideration with your recommendation. At that time Council may have additional questions. They certainly have the ability to act with the Planning Commission's recommendation and they could also send back an ordinance with questions for the Planning Commission. They could also act to address questions as well. We want to make sure the Planning Commission is comfortable with the ordinance, that we have heard from the public and that we have addressed any questions that have been raised. When all of that is done, which I think we are well prepared for this evening, City Council can take a vote with Planning Commission's recommendation to adopt the ordinance. If they do, we publish the notice and seven days after that, we have a new ordinance in effect. Thank you again for giving me time to present. I did want to cover two things for the benefit of any public that hasn't attended a prior meeting on this, so they understand the process and all the work that has gone into creating the ordinance that is under consideration this evening. Thank you and I will turn the floor back over to the Chairman.

Mr. Wilshaw: Thank you, Mr. Lippens, for your presentation. It was really informative, and it is something that we discussed a few times here in the past, but it is at this public hearing that we the opportunity for some people who have not heard the presentation before to be able to understand what is going on and why we are making these changes. I also want to thank Mr. Taormina for his background that he presented as well. They were both very excellent presentations. With that, we have heard the presentations about this ordinance. We have had numerous meetings previously to review this ordinance and discuss it. We have had a special meeting that was facilitated by our Mayor so that the Planning Commission could work with the City Council to have the opportunity for them to hear what is coming down the pipe that they are going to have to vote on and see at some point once we approve our recommendation. There have been a number of meetings leading up to this. We

do definitely want to have another opportunity here for both the public and for any of our commissioners to ask questions and make comments and so on. This is going to be a very open meeting. A very free form discussion and there will be a bit of give and take which we don't normally want debates between people, but I don't expect any debate but if there are any questions, we want to make sure that we can get your questions answered right away. We will make sure that our experts and people here are able to answer those questions can do so. Before I go to the commission to see if there are any questions, Mark, were there any comments that you received via email? You or your staff? From any of the public?

Mr. Taormina: We did not receive any written comments.

Mr. Wilshaw: Okay, so there is nothing to read into the record in regard to that. I want to make sure we had that noted. Now I will go to the commission and see if anyone on the commission wishing to speak about this ordinance change and this plan. Anyone from the commission?

Ms. Smiley: Only to say how much I appreciate them consolidating this and simplifying this and I am sure the Zoning Board of Appeals appreciates all the things that ended up being acceptable from the start without all the hassle. I am sure the builders and all the other contractors appreciate it too. What a lot of work. Thank you.

Mr. Wilshaw: That is a great comment. You are right. This is not something that just affects us in the Planning Commission and the City Council, but it is also going to affect the Zoning Board of Appeals, Inspection Department, Building Department, and a number of departments throughout the city. Hopefully it will make everyone's job a bit easier. That is a great comment to make. Any other questions or comments from any of the commissioners? If not, we will give you an opportunity here after we hear from the public as well. Is there anyone in the public wishing to speak to this zoning ordinance change? If you are, we are going to ask that you please click the raise hand button and that way we can recognize you and give you an opportunity to speak and we will get your comments on our record. I am looking to see if anybody in the audience would like to raise their hand. Here we go. We have one person. Let me recognize them. This is Matt Verbaan. Good evening, sir. We ask that you unmute yourself when you are ready, and you

can introduce yourself with your name and address for our record.

Matt Verbaan, 28911 West Seven Mile Road, Livonia, MI. I am not a Livonia resident, but I am a realtor who is representing a property in Livonia. I am not sure who I talked to last week, but that's fine. I am watching this to learn. I appreciate you taking the time. I was told that there was a discussion about eliminating the Office Specialty zoning and going to C-1. I was curious as to how that would affect the breadth of what kind of businesses can go into that new zoning from the old zoning.

Mr. Wilshaw: Great question. Mr. Taormina or Mr. Lippens, did you want to speak to that.

Mr. Taormina: I will speak to that and answer Mr. Verbaan's question. It was me that you spoke to last week, Matt. Matt represents a property and owner on Seven Mile Road. If you drive past this building, your first impression would be that it is a retail shopping plaza, but it is actually zoned OS (Office Services). With the changes proposed and the elimination of the OS zoning district, the zoning of that property would change to C-1 (Local Business). The main difference is that instead of limiting the uses under the OS district primarily to general and medical office uses, C-1 zoning will allow both office uses as well as local retail uses. With the change, general retail would be treated as a permitted use. However, C-1 zoning is not intended to allow highway service uses, such as automotive repair or full-service restaurants. Carry-out and limited-service restaurants would be allowed, and in some cases, subject to the waiver-use process. But general retail would be treated as a use by right. To that extent it will expand the opportunities for the plaza. Does that answer your question?

Mr. Verbaan: Yes. Significantly. I have been tasked with trying to rent this ten-unit place. There are three openings and there is like 14 uses legal right now. I already have seven of them in and it really limits it to who we can rent to. We were trying to find out if we could get some exclusions but now that you are talking about this and if this passes, we wouldn't have to ask for so many exclusions or exceptions. Sorry.

Mr. Wilshaw: Exactly, and I think it has been one of the goals of the ordinance rewrite is to try to broaden, in many cases, each of these areas to some extent so that we have more conforming uses and less special waivers and non-conforming properties throughout the

city. This certainly would help and work for the property that you are representing. We appreciate your comments. Is there anything else, Mr. Verbaan, that you wanted to mention.

Mr. Verbaan: Thank you for saying my name right. It is like 50/50 with most people at best. So, if what I was listening to with the prior gentleman giving the presentation, and this passes you what? You put a seven-day notice unless someone wants to say no, stop the presses, and then it becomes rule or law after that. Is that how it works?

Mr. Wilshaw: Right. So, assuming that we make a resolution tonight, which we will see what the outcome is, we have the option to either table this or discuss this further, or we could make an approving resolution to send this to City Council with a recommendation that it be approved. It would then go to City Council and City Council could...would have an opportunity to go through a study and regular meeting to review this. Sometimes they may send it to committee. They kind of go through their whole process and then once it is eventually finalized by City Council, then is when the seven-day period will occur and it really for publication and it is an opportunity also for the Mayor to veto the Council's action if she chooses to. That is kind of the same process that most of our petitions go through.

Mr. Verbaan: Thank you.

Mr. Wilshaw: Your welcome, sir. Thank you for coming tonight. We are going to let you go back into our audience and continue to watch this meeting as it plays out. Thank you for coming. Is there anyone else in the audience wishing to speak for or against this item? Or speak to it and ask questions? If so, you are welcome to click raise hand. I don't see anyone else raising their hand. Again, I am going to go back to our commissioners and see if there is anybody on the commission wishing to ask any questions or speak to this item.

Mr. Ventura: Mr. Taormina, under the new zoning ordinance, is a form of residential permissible in the C-1 district? It might be another option for Mr. Verbaan.

Mr. Taormina: It is a relatively small property, so the practicality of developing any type of residential use would be very limited. However, your question is a good one as it potentially affects other C-1 or C-2 properties. The answer is yes. With the form-based regulations that Paul went over in some detail, mixed-use

developments consisting of such things as live/work units would be allowed under special requirements. For example, say there is a commercially zoned property that is not located within a special planning area and the owner wanted to take advantage of the form-based regulations and develop a mixed-use project, they could do that. It just would not be through an expedited site plan review process that was mentioned by Paul. It would have to undergo a special waiver-use review process. A mix of uses would be allowed in the commercial zoning districts under the new ordinance. Something we have seen in the past...just a little bit different treatment here with much better guidelines in terms of how those uses could be developed. Does that help?

Mr. Ventura: That is a good explanation, Mr. Taormina. Thank you.

Mr. Wilshaw: Thank you, Mr. Ventura. Any other questions or comments from any of our commissioners?

Mr. Taormina: If I may, just to make sure everyone understands, should the Planning Commission adopt an approving resolution this evening, the City Council office would then schedule a public hearing. After holding the public hearing, the matter would then be placed on a regular meeting agenda for direction. If the direction is approving, then the Law Department would be instructed to prepare the necessary documents for a First Reading. There are two more steps following that. The next would be a Second Reading and Roll Call at a subsequent Regular Meeting. Then finally, publication of the new ordinance. Even under a best-case scenario, we are still looking at probably a couple months of review left in this process. I know this interests Mr. Verbaan, but this is a very deliberate process that is intended to get as much public input as possible.

Mr. Wilshaw: That is a great comment, Mr. Taormina. It is very important that we have that process because it is, as you said, very deliberate and has many steps as it goes forward. There will be many more opportunities for Mr. Verbaan, or anybody else watching this meeting or learning about it through media publications and so on who want to add their comments and to attend those council meetings or any of the other processes to get their input incorporated or questions answered. That is very good. Do we have any other questions or comments from anybody on the commission?

Mr. Caramagno: I think this question is for Mark or Paul. The form-based development program, where else has that been tried. Is there

anyone local that someone else has tried that that you can point to?

Mr. Wilshaw: Mr. Lippens, did you want to comment on that?

Mr. Lippens: Sure. I would actually say including form-based development is the norm. It is a best-practice for any modern ordinance. Some of the ordinances that we looked at and my firm has developed in the past several years were the Tecumseh ordinance that has the form-based section that is based on the Smart Code. The Smart Code is a model code that is put out by the Congress for New Urbanism. It's a good model. It is widely respected. The Tecumseh version or the code is more smart code. We went in another direction which is a buildings type code. It is similar to the form-based development option in the Van Buren code. We also looked at the code that I was a manager for developing a downtown form-based code for the City of Sioux St. Marie. I worked on a form-based development option for the City of Battle Creek. Recently, we have been working through the adoption process with the City of Holland on the west side of the state. We have been doing zoning overhaul with them over the last several years. Those are kind of current projects, and they are projects that I am actually working on. Those are the easiest one for me to tell you about. I am sure there are several that I am not working on also that include the form-base development option. I would say that one of the things we are doing in the State of Michigan is the whole industry and all of our communities are working on redevelopment ready communities. This is one of the major planning initiatives that the State of Michigan been undergoing now for several years. Including a form-based development option is particularly looking at innovative ways to incorporate housing into codes and it is a recommended best-practice from redevelopment ready communities as well. Just to give you a bit of comfort commissioner for where we are going here, this is really a standard practice and the way we have done it for Livonia is tailored for this community and an understanding of your procedures.

Mr. Caramagno: Thank you.

Mr. Wilshaw: Any other questions or comments from any of our commissioners? One more time I am going to go to our audience and make sure there is no one else in our audience wishing to speak on this item. If so, you can click the raise hand. I just want to make sure you have an opportunity to

Speak here. I don't see anyone else clicking raise hand. With that, I believe we can close the public hearing at this point and a motion would be in order.

Mr. Wilshaw:

On a motion by Ventura, seconded by McCue, and unanimously adopted, it was

#06-27-2021 **RESOLVED**, That having conducted a Public Hearing with regard to Petition 2020-12-06-03, submitted by the City Planning Commission pursuant to Council Resolution #09-19, in connection with Phase 2 of the Livonia Vision 21 contract involving the preparation of a comprehensive update to the City of Livonia Zoning Ordinance, the Planning Commission does hereby recommend approval of the ***Livonia Vision 21 Zoning Ordinance***, Version 6.0, dated June 1, 2021, prepared by McKenna, and the ***Livonia Vision 21 Zoning Map***, dated June 1, 2021, as prepared by the City of Livonia Planning Commission, for the following reasons:

1. That this comprehensive rewrite of the City's zoning regulations is the culmination of over two (2) years of hard work by the Zoning Ordinance Technical Committee, including several Special Study Meetings of the Planning Commission and a Joint Work Session with City Council and members of the Zoning Board of Appeals.
2. That the Livonia Vision 21 Zoning Ordinance and Livonia Vision 21 Zoning Map are in full compliance with the requirements of the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended.
3. That the overall organization, recodification, and functionality of the Livonia Vision 21 Zoning Ordinance represents a substantial improvement over the existing ordinance and streamlines all of the City's zoning regulations in a more efficient, effective and user-friendly format.
4. Adoption of the Livonia Vision 21 Zoning Ordinance achieves the #1 priority project as identified in the *Three-Year Priority Project List* in Book 4, Strategic Development, of the Livonia Vision 21 Master Plan, which recommends updating the Zoning Ordinance to jump start Livonia Vision 21 implementation.

5. Adoption of the Livonia Vision 21 Zoning Ordinance and Livonia Vision 21 Zoning Map is consistent with the recommended *Revisions to the Zoning Ordinance and Zoning Map* as outlined in Book 4, Strategic Development, of the Livonia Vision 21 Master Plan, including:

- a. Consolidating and simplifying the City's one-family residential zoning districts to reduce the number of non-conforming lots;
- b. Consolidating and simplifying the City's multiple-family residential zoning districts, and providing new incentives and standards to encourage infill housing and neighborhood investment;
- c. Consolidating and simplifying the City's commercial zoning districts by eliminating the office districts and incorporating the eligible uses and standards into the corresponding corridor and regional districts;
- d. Incorporating form-based regulations for the City's Special Planning Areas, Mixed Development Centers, and commercial districts; and
- e. Providing incentives and standards that will encourage sustainable use of land, materials, energy, and resources.

Mr. Wilshaw: Is there any discussion? If there is no discussion, I just wanted to make a quick comment that this has been a long process, obviously, as Mr. Taormina and Mr. Lippens have mentioned, and the commission is very aware of. It has taken years of work between the Master Plan and this ordinance revision to get to this point. It is not the most exciting stuff in the world to read. We all know that, but it is very important because this is a part of our ordinances that have not been changed...they have been modified throughout the years, but this is a complete beginning from scratch. This is taking everything that we have as Mr. Lippens pointed out, keeping the best of what we have, updating what we need to update so that it is easier and user friendly to the community and to developers and to residents. This has been a lot of work by Mr. Taormina, his staff, Mr. Lippens from McKenna, and his associates that have helped him and many many people throughout the city. We are not going to necessarily get to talk about this a whole heck of a lot more as it goes on to Council. I just wanted to thank everybody that has worked on this and put blood, sweat and tears into getting us to this point. Thank you to everybody for that work. I think this is probably the most exciting and significant thing that we are going to be doing this year. Not only as a commission,

but also as a city as it proceeds. Even though it isn't super exciting looking it is super exciting and important change that we are making today as we make this recommendation. Thank you to everyone for that.

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to City Council with an approving resolution.



LETTER TO THE LIVONIA CITY COUNCIL

20.

City Clerk
July 8, 2021

MEETING DATE

July 12, 2021

PREPARED BY

Lori Miller, Deputy City Clerk

AGENDA ITEM

REQUEST TO WAIVE THE CITY'S NOISE ORDINANCE: Maria Alaouieh, re: to host a party with music at her home located at 37316 Seabrook Drive on Saturday, July 31, 2021, from 3:00 p.m. to 11:00 p.m.

BACKGROUND

Hosting a home party to include music, barbecue, and ice cream cart with approximately 100 guests at home located at 37316 Seabrook Drive.

RECOMMENDATION

Approve as recommended.

FISCAL CONSIDERATION

N/A.

ATTACHMENTS

1. Seabrook Party (07-26-21)

APPROVED BY

(R) 07/26/21

REQUEST FOR BLOCK PARTY and/or BARRICADING OF CITY STREETS

(To be sent to: Livonia City Council, c/o City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097
or hand delivered to the City Clerk's Office at least 8 weeks prior to the planned event)

PLEASE PRINT

Date of Application 7-7-2021

MARIA ALAOUICH
Name of Neighborhood Representative

37316 SEABROOK DR. LIVONIA 48152
Address (please include zip code)

RECEIVED
OFFICE OF THE CITY CLERK
2021 JUL - 7 AM 11:36

Telephone Number: Home 313-820 9992
(please include area code) Office _____

Please circle what is being requested – “BLOCK PARTY” and/or “STREET BARRICADING”

Party 07/31/21
Date of Block Party and/or Barricading

Rain Date _____

3pm - 11 pm
Time of Block Party and/or Barricading
(Ending Time – No Later than 10:00 p.m.) (Be as specific as possible)

Location of Block Party and/or Barricading.
(Be as specific as possible – indicate what streets as well as what boundaries).

Driveway & Backyard

Type of Event (Describe briefly activities planned, i.e. music, barbecue, games, etc.)

Music, BBQ, Ice Cream Cart

Approximate Number Attending: 100

Date of Council Approval/Denial: _____

Council Resolution Number: _____

From: [Pat Zucal](#)
To: [Kasprowicz, Sara](#)
Subject: Sears Carnival - Waiver of Use Application
Date: Thursday, July 22, 2021 4:01:41 PM

Good Afternoon, Sara.

My name is Pat Zucal and I am representing the Livonia AM Rotary Club with regard to the annual carnival fundraiser in Sears parking lot located at the corner of 7-Mile & Middlebelt.

Wade Shows made application (as they have done for the past 9 years) for waiver use to allow us to host the event. Unfortunately, due to labor shortages, they are unable to make it to Michigan this year to provide the midway. However, we are working with a Michigan midway provider, Skerbeck Family Carnival, and they are available the weekend of September 15 - 18th.

We respectfully request, with Wade Shows' approval, that their application for waiver use be transferred to the Livonia AM Rotary Club to allow us to proceed. With the exception of the date and carnival company, all details remain the same, i.e. location, layout, times, etc. We have confirmed with the owner of the property, TF Livonia MI LLC, that they approve of the date and provider change.

Please advise if you need anything further. I will be in attendance at the City Council meeting on Monday to address any questions or concerns that might arise.

Thank you for your assistance.

Pat Zucal
Livonia AM Rotary Club

From: [Pat Zucal](#)
To: [Kasprowicz, Sara](#)
Subject: RE: Sears Carnival - Waiver of Use Application
Date: Friday, July 23, 2021 9:11:59 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Good morning Sara,

My apologies , the carnival would take place from Thursday the 16th to Sunday the 19th. So cleanup would be on the Monday the 20th. Sorry about that.

Thank you,
Pat Zucal
Livonia A.M. Rotary Club

From: Kasprowicz, Sara <skasprowicz@livonia.gov>
Sent: Friday, July 23, 2021 9:04 AM
To: Pat Zucal <pzucal@sbcglobal.net>; joanna@wadeshowsinc.com
Subject: RE: Sears Carnival - Waiver of Use Application

Good Morning,
The Law Department is creating a draft resolution, should Council approve your request.
Based on the new dates provided, is your clean-up day on Saturday, September 18th?
Thank you,
Sara

Sara Kasprowicz
Program Supervisor
City of Livonia | City Council Office
(734) 466-2250
skasprowicz@livonia.gov
www.livonia.gov

From: Kasprowicz, Sara <skasprowicz@livonia.gov>
Sent: Thursday, July 22, 2021 4:04 PM
To: Pat Zucal <pzucal@sbcglobal.net>
Subject: RE: Sears Carnival - Waiver of Use Application

Thank you for the explanation, I will include this email along with the email from Joanna as your request to Council for the change.

From: joanna@wadeshowsync.com
To: [Kasprowicz, Sara](#)
Subject: RE: Livonia AM Rotary Carnival Fundraiser - Sears
Date: Thursday, July 22, 2021 3:42:24 PM
Attachments: [ATT00001.png](#)
[ATT00002.png](#)
[ATT00003.png](#)
[ATT00004.png](#)
[ATT00005.png](#)

Hi Sara -

Yes, the property owner has been contacted and approved both the date and the midway provider.

Let me know if you need anything further.

Appreciate all your help!

Joanna

----- Original Message -----

From: Kasprowicz, Sara [<mailto:skasprowicz@livonia.gov>]
To: "joanna@wadeshowsync.com" <joanna@wadeshowsync.com>
Sent: Thu, 22 Jul 2021 19:20:01 +0000
Subject: RE: Livonia AM Rotary Carnival Fundraiser - Sears

Thank you, Joanna, I will submit the change request to Council as New Data for your item.

Could you please verify that the property owner has been notified and approved the change from Wade Shows?

Just covering all bases!

Thank you,

Sara



Sara Kasprowicz
Program Supervisor
City of Livonia | City Council Office
(734) 466-2250
skasprowicz@livonia.gov
www.livonia.gov



This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential, and/or exempt from disclosure under applicable laws. If the reader of the message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and/or reply to this e-mail message. Thank you.

From: joanna@wadeshowsinc.com <joanna@wadeshowsinc.com>

Sent: Thursday, July 22, 2021 3:09 PM

To: Kasprowicz, Sara <skasprowicz@livonia.gov>

Cc: pzucal@sbcglobal.net; rcarris333@yahoo.com

Subject: Livonia AM Rotary Carnival Fundraiser - Sears

Good Afternoon, Sara.

As we discussed, I'm writing to notify the City of Livonia that Wade Shows is not able to make the move to Michigan in time to conduct the carnival fundraiser for the Livonia AM Rotary Club as we have been unsuccessful in securing the workers necessary to do this. At a time when all businesses are being affected by the labor shortages, we, like many others, have had to make the necessary adjustments. Wade Shows is proud to work with the Rotary Club in helping them to achieve their goal of giving back to the Livonia community and we will continue to do so. Unfortunately, due to circumstances beyond our control, we will have to postpone until next year.

To assist the Rotary Club with their annual fundraiser, we respectfully request that our application for Waiver Use for the annual carnival in the Sears parking lot be transferred to the Livonia AM Rotary to allow them to move forward with their plans to host their carnival September 15 - 18 utilizing another Michigan midway provider.

Wade Shows values the relationship we have with the City of Livonia and we are looking forward to coming back for a great 2022 season!

Thank you,

Joanna G Hardesty

Wade Shows, Inc.



LETTER TO THE LIVONIA CITY COUNCIL

21.

Planning
July 1, 2021

MEETING DATE

July 26, 2021

PREPARED BY

Stephanie Reece, Program Supervisor,

AGENDA ITEM

WAIVER PETITION: Planning Commission, re: Petition 2021-06-02-10 submitted by Livonia AM Rotary Club, to conduct a carnival in the parking lot of Sears, consisting of amusement rides, games, and food concessions from September 16, 2021, through September 20, 2021, inclusive, on property at 29500 Seven Mile Road, located on the northwest corner of Seven Mile and Middlebelt Roads in the Southeast $\frac{1}{4}$ of Section 2.

NEW DATA ITEM 21: Letters from Petitioner

BACKGROUND

RECOMMENDATION

At the 1,172nd Public Hearing and Regular Meeting held by the City Planning Commission on July 13, 2021, the following resolution was unanimously adopted:

#07-34-2021 RESOLVED, That pursuant to a Public Hearing having been held by the City Planning Commission on July 13, 2021, on Petition 2021-06-02-10 submitted by Wade Shows, Inc. requesting waiver use approval pursuant to Section 11.03(l) of the City of Livonia Zoning Ordinance #543, as amended, to conduct a carnival in the parking lot of the former Sears Department store, sponsored by the Rotary Club of Livonia, consisting of amusement rides, games and food concessions from July 30, 2021 through August 9, 2021, inclusive, on property at 29500 Seven Mile Road, located on the northwest corner of Seven Mile Road and Middlebelt Road in the Southeast $\frac{1}{4}$ of Section 2, the Planning Commission does hereby recommend to the City Council that Petition 2021-06-02-10 be approved for the following reasons or subject to the following conditions:

1. That the carnival shall be limited to the dates as specified by Wade Shows, Inc., which are Friday, July 30, 2021, through Sunday, August 8, 2021, inclusive, and closed and dismantled on Monday, August 9, 2021.
2. That the proposed carnival operation shall be confined to the area as illustrated on the aerial layout plan submitted as received by the Planning Commission on June 15, 2021.
3. That all rides, food concessions, booths and all other equipment and apparatus relating to the operation of the carnival shall be located at least sixty feet (60') distant from the Seven Mile and Middlebelt Roads right-of-way lines.
4. That the temporary housing and storage of other trucks and equipment associated with the carnival shall be parked or stored within the extreme southwestern portion of the former Sears

Department store parking lot, but no closer than sixty feet (60') from the Seven Mile Road right-of-way line.

5. That the hours of operation shall be limited to the following: Monday through Friday from 4:00 p.m. to 11:00 p.m.; and on the weekends, Saturday and Sunday, from 12:00 p.m. to 11:00 p.m.; and

6. That appropriate access to fire hydrants shall be provided to the City of Livonia Fire Department.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 19.05 of Zoning Ordinance #543, as amended.

and due to the nature of the timing of the requested event, the petitioner has requested a seven-day waiver as follows:

#07-35-2021 RESOLVED, That the City Planning Commission does hereby determine to waive the provisions of Section 10 of Article VI of the Planning Commission Rules of Procedure, regarding the effective date of a resolution after the seven-day period from the date of adoption by the Planning Commission, in connection with Petition 2021-06-02-10 submitted by Wade Shows, Inc. requesting waiver use approval pursuant to Section 11.03(l) of the City of Livonia Zoning Ordinance #543, as amended, to conduct a carnival in the parking lot of the former Sears Department store, sponsored by the Rotary Club of Livonia, consisting of amusement rides, games and food concessions from July 30, 2021 through August 9 2021, inclusive, on property at 29500 Seven Mile Road, located on the northwest corner of Seven Mile Road and Middlebelt Road in the Southeast ¼ of Section 2

FISCAL CONSIDERATION

ATTACHMENTS

1. 2021-06-02-10_Carnival_E-COUNCIL Pkt

APPROVED BY



Mark Taormina, Planning and Economic Development Director

Date: July 14, 2021



Maureen Miller Brosnan, Mayor

Date: July 15, 2021

Petition 2021-06-02-10 submitted by Wade Shows, Inc.

requesting waiver use approval pursuant to Section 11.03(I) of the City of Livonia Zoning Ordinance #543, as amended, to conduct a carnival in the parking lot of the former Sears Department store, sponsored by the Livonia AM Rotary Club, consisting of amusement rides, games and food concessions from July 30, 2021 through August 8, 2021, inclusive, on property at 29500 Seven Mile Road, located on the northwest corner of Seven Mile Road and Middlebelt Road in the Southeast ¼ of Section 2.

**CITY OF LIVONIA, MICHIGAN
APPLICATION FOR WAIVER USE APPROVAL**

All applications must be presented in triplicate to the City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097. Applications must include property owner's name, address and notarized signature.
Filing fee = \$600.00 plus \$20.00 for each 1,000 sq. ft. of gross floor area of new construction.

Date Filed: 06-11-21 Petition 2021-06-02-10
Site Address: 29500 7-Mile Road Sidwell 008990012000 Zoning of Property _____
Requesting Approval To Host a Carnival Fundraiser / Livonia AM Rotary Club 7/30 - 8/8
Applicant: Wade Shows, Inc./Joanna Hardesty Business/Company: Wade Shows, Inc.
Applicant's Address: P O Box 51730 City: Livonia State: MI Zip Code: 48151
Applicant's Phone # 810,397-9058 Applicant's Email joanna@wadeshowsincl.com
Contact Person: Joanna Hardesty Business/Company: Wade Shows, Inc.
Contact's Address: P O Box 548 City: Hamburg State: MI Zip Code: 48139
Contact's Phone # 810,397-9058 Contact's Email joanna@wadeshowsincl.com

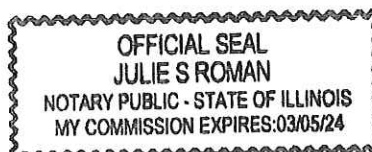
Please provide the following information:

- 1) Site Plan showing:
 - property dimensions, including road right-of-way & building setback lines
 - foot print of building(s), including dimensions & square footage
 - all easements, protective walls, sidewalks & existing trees
 - any significant topographic features (existing or proposed)
 - parking layout, including type of surface material, sizes of spaces & aisles
 - method used in calculating parking requirement
 - location of light standards servicing parking lot & cutout showing type & height
 - location of trash receptacle, including description of screening
 - location of signs
- 2) Detailed Landscape Plan including:
 - listing or labeling of all planted materials as to type and size
 - areas to be fully irrigated
 - percentage of landscaping provided (15% of total site required)
- 3) Building Elevation Plan depicting:
 - architectural quality
 - wall section & detail plan - exterior building materials must be labeled (i.e. brick, thin brick, E.F.I.S.)
 - all visible rooftop mechanical equipment and how they will be screened
- 4) General Floor Plan showing:
 - floor layout
 - entrances & exits
 - restaurants are required to illustrate seating arrangement & capacity
- 5) One (1) set of reduced plans (i.e. site, landscape, elevation, floor), a maximum 11" x 17" in size, or digital file in a .pdf format either on CD or emailed to smiller@ci.livonia.mi.us
- 6) Legal Description of the property to be considered (Clearly Printed)
- 7) Three (3) completed application forms & three (3) sets of full-size drawings

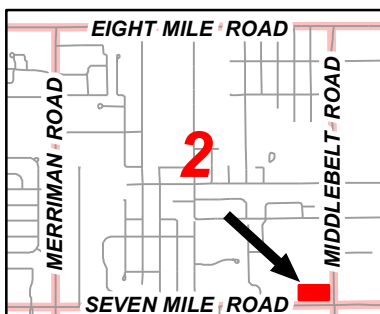
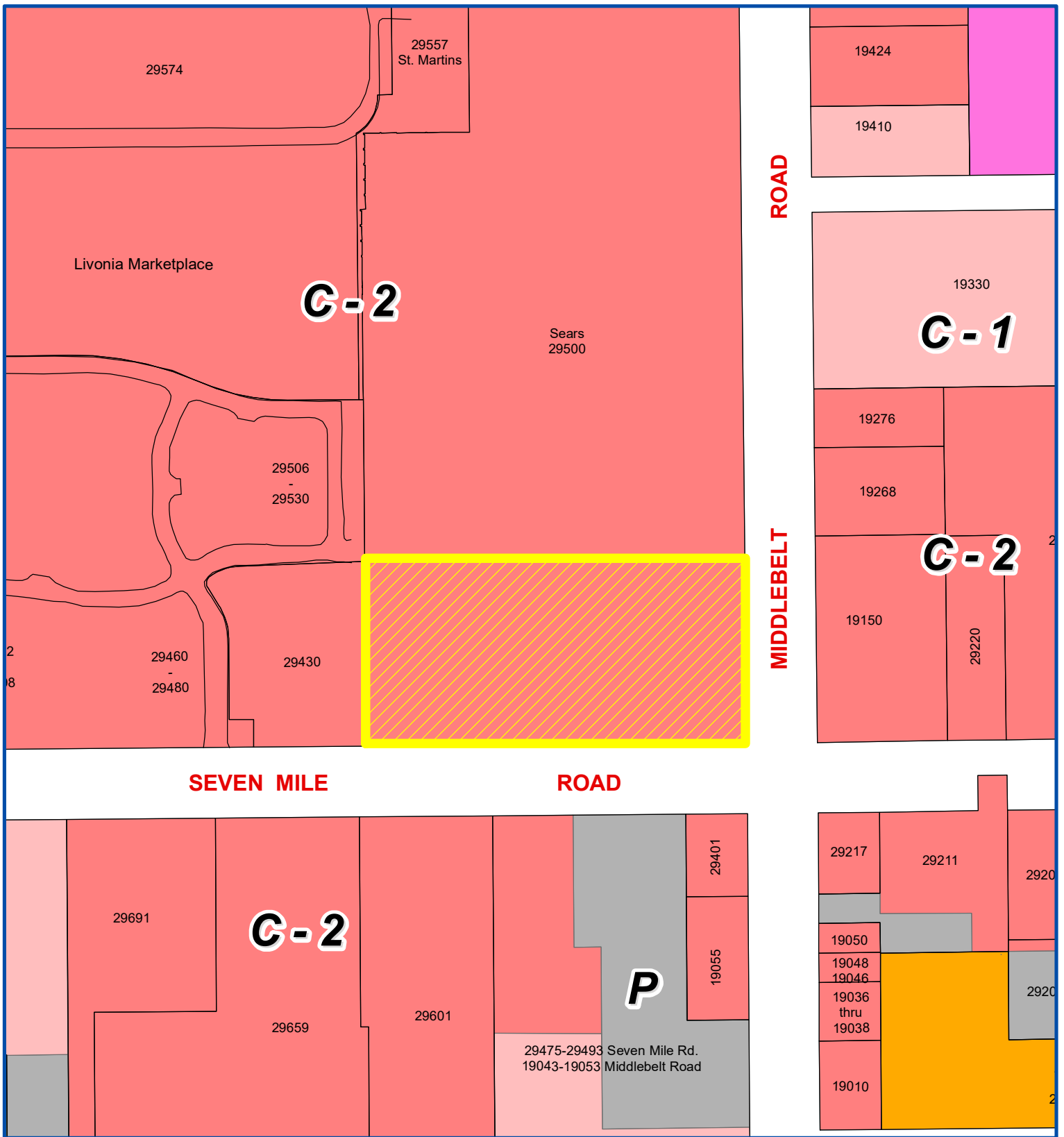
You are invited and encouraged to review your proposal with the Planning Department staff. Only one set of preliminary drawings will be necessary for this analysis.

FEE COMPUTATION	\$600.00
_____ sq. ft. of new construction x \$20.00 per 1,000 sq. ft.	
(NOTE: Round off to nearest 1,000) + _____	
Total Amount Due \$ _____	

Owner of Property: TF Livonia MI LLC
Owner's Address: 3333 Beverly Road, Office Location D3-278B City: Hoffman Estates State: IL Zip Code: 60179
Owner's Phone # 847, 286-8389 Owner's Email Greg.Simross@transformco.com
Signature of Owner: [Signature] Print Name: Gregory L. Simross
Subscribed and sworn to before me, a Notary Public in and for the County of COOK State of IL
on this 14th day of June 2021
Signature of Notary Julie S. Roman My commission expires 03/05/24
Acting in the County of COOK



RECEIVED
JUN 15 2021
CITY OF LIVONIA
PLANNING COMMISSION



Address & Zoning Map

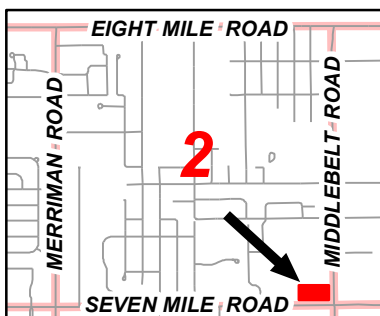
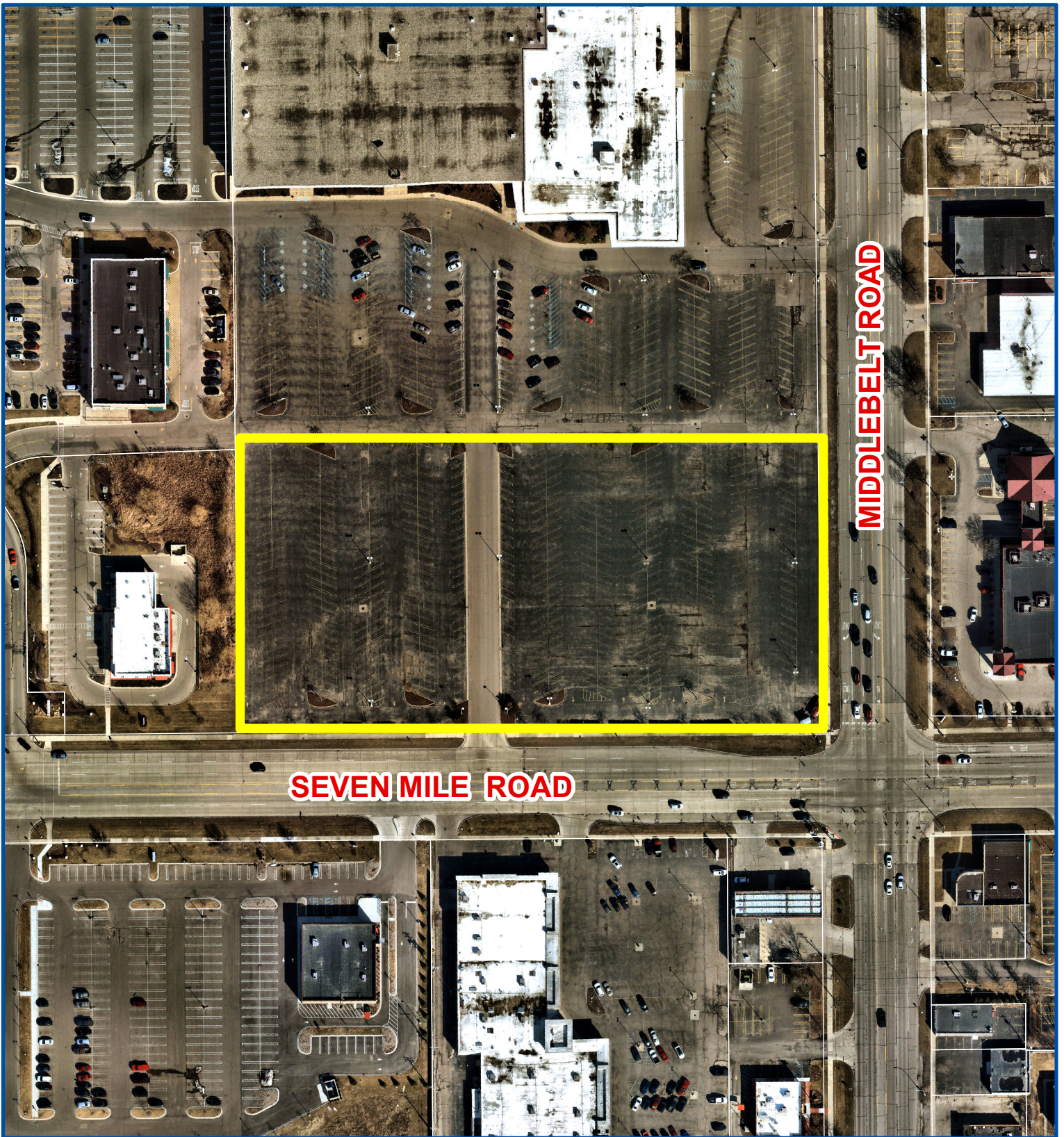
Petition 2021-06-02-10
 Wade Shows
 29500 Seven Mile
 Conduct a Carnival



Not to Scale



City of Livonia
 Planning Department



Aerial Map

Petition 2021-06-02-10
Wade Shows
29500 Seven Mile
Conduct a Carnival



Not to Scale



City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

PUBLIC HEARING

ITEM 3

Petition 2021-06-02-10 submitted by Wade Shows, Inc. requesting waiver use approval pursuant to Section 11.03(l) of the City of Livonia Zoning Ordinance #543, as amended, to conduct a carnival in the parking lot of the former Sears Department store, sponsored by the Livonia AM Rotary Club, consisting of amusement rides, games and food concessions from July 30, 2021, through August 9 2021, inclusive, on property at 29500 Seven Mile Road, located on the northwest corner of Seven Mile Road and Middlebelt Road in the Southeast $\frac{1}{4}$ of Section 2.

June 29, 2021: Study Meeting:

This recurring request for waiver use approval by the Livonia AM Rotary Club is to hold a fundraising carnival in the front parking lot of the former Sears Department store located at the northwest corner of Seven Mile and Middlebelt Roads. Consistent with previous approvals involving this carnival, the operator would be Wade Shows, Inc. The site in question is zoned C-2 (General Business). Last year, because of Covid-19, the carnival was not held.

Bordering the site to the west is Livonia Marketplace. To the north, across St. Martins Avenue, are a number of commercial uses (C-1 & C-2) that front along Middlebelt Road as well as Nottingham Village Condominiums zoned R-C (Condominium Residential). To the east, across Middlebelt Road, are a variety of commercial uses zoned C-2 and C-1 (Local Business). And to the south, across Seven Mile Road, is the Mid-Seven shopping center and several other commercial uses (C-2) that front along Seven Mile and Middlebelt Roads.

The operation of a carnival is allowed with waiver use approval pursuant to Section 11.03(l)(3) of the Zoning Ordinance. Carnivals may be allowed for periods not to exceed two (2) weeks with an option to extend the length for up to two (2) additional weeks subject to the approval of the Director of Public Works. The duration of this proposed carnival is ten (10) days beginning on Friday, July 30th and running through Sunday, August 8th. The hours of operation would be Monday through Friday from 4:00 p.m. to 11:00 p.m., and on the weekends, Saturday and Sunday from 12:00 p.m. to 11:00 p.m. On Monday, August 9th, the carnival would be closed and dismantled.

The site plan submitted in connection with this request shows that the actual carnival grounds would occupy an approximate 660' (E-W) x 320' (N-S) area near the intersection of Seven Mile and Middlebelt Roads. The northern limit would run along the south edge of center drive aisle that extends across the parking lot providing access to both Livonia Marketplace and Middlebelt Road. This drive

PUBLIC HEARING

ITEM 3 Petition 2021-06-02-10 – Livonia AM Rotary Club Carnival Page 2

aisle would remain open. The boundary along the west side would be coterminous along the common property line with Livonia Marketplace.

The submitted plans show the arrangement of the carnival and that it would consist of two (2) main sections: 1) an area in the southwest corner of the parking lot that will be used for “RV Parking” including temporary housing for the workers and the storage of trucks and other equipment associated with the carnival; and 2) an equal sized area in the southeast corner of the parking lot that would comprise the carnival midway, including a variety of games, rides and concessions. This arrangement is similar to the layout used in previous years. The driveway to Middlebelt Road that runs between the two (2) main sections of the carnival would remain open. Prior to 2014, the RV Parking area was located in the extreme northerly portion of the former Sears Department store parking lot, adjacent to St. Martins Avenue. In 2014, the Petitioner moved the RV lot closer to Seven Mile Road in response to complaints from residents located along the north side of St. Martins Avenue.

July 13, 2021: Public Hearing:

Approving Resolution: That this request to conduct a carnival sponsored by the Livonia AM Rotary Club in the parking lot of the former Sears Department store at 29500 Seven Mile Road is hereby approved, subject to City Council approval and the following conditions:

1. That the carnival shall be limited to the dates as specified by Wade Shows, Inc., which are Friday, July 30, 2021, through Sunday, August 8, 2021, inclusive, and closed and dismantled on Monday, August 9, 2021.
2. That the proposed carnival operation shall be confined to the area as illustrated on the aerial layout plan submitted as received by the Planning Commission on June 15, 2021.
3. That all rides, food concessions, booths and all other equipment and apparatus relating to the operation of the carnival shall be located at least sixty feet (60') distant from the Seven Mile and Middlebelt Roads right-of-way lines.
4. That the temporary housing and storage of other trucks and equipment associated with the carnival shall be parked or stored within the extreme southwestern portion of the former Sears Department store parking lot, but no closer than sixty feet (60') from the Seven Mile Road right-of-way line.

PUBLIC HEARING

ITEM 3 Petition 2021-06-02-10 – Livonia AM Rotary Club Carnival Page 3

5. That the hours of operation shall be limited to the following: Monday through Friday from 4:00 p.m. to 11:00 p.m.; and on the weekends, Saturday and Sunday, from 12:00 p.m. to 11:00 p.m.; and
6. That appropriate access to fire hydrants shall be provided to the City of Livonia Fire Department.

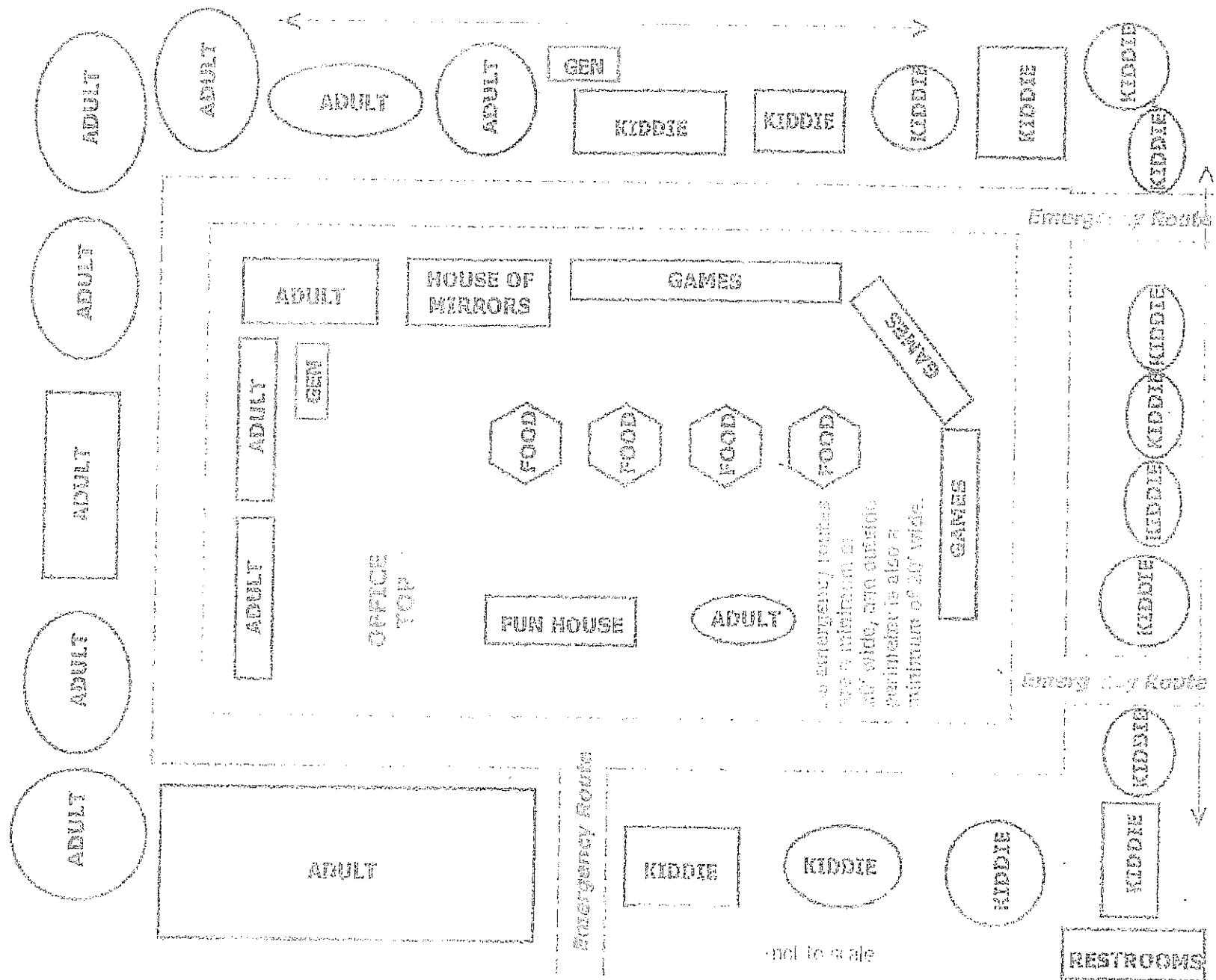


RV PARKING

CARNIVAL MIDWAY AREA

Google Earth

Imagery Date: 4/15/2016 42°25'40.36"N 83°21'44.83"W Elev: 645 ft GCS: 1592 ft







DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.
CITY ENGINEER

DAVID W. LEAR, P.E.
ASST. CITY ENGINEER



MAUREEN MILLER BROSNAN
MAYOR

DONALD R. ROHRAFF
DIRECTOR OF PUBLIC WORKS

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2571
FAX: (734) 466-2195

June 23, 2021

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2021-06-02-10 – Rotary Club Carnival

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced waiver use approval request.

The address of **#29500 Seven Mile Road** is correct for the subject parcel, and should be used in connection with this petition.

We have no objections to the proposed petition, although the following items should be noted:

1. Should the carnival have the need to occupy, or should any of the associated activities impact either of the Seven Mile Road or Middlebelt Road right-of-way, a permit from Wayne County will be required as both roads are under their jurisdiction.
2. All sanitary sewage from the site, recreational vehicles or campers shall be disposed of properly.
3. Should the operators need to have water provided for their facilities, they should contact the City of Livonia Water Department to obtain the proper equipment, including a water meter with backflow preventer.

Should you have any additional questions, or need any additional information on this matter, please feel free to contact either myself at (734) 466-2608, or Todd Zilincik, the City Engineer at (734) 466-2561.

Sincerely,

A handwritten signature in black ink, appearing to read "David W. Lear", is written over a horizontal line.

David W. Lear, P.E.
Asst. City Engineer

cc: 2021 petition File

DEPARTMENT OF PUBLIC SAFETY
LIVONIA FIRE & RESCUE

DAVE HEAVENER
FIRE CHIEF



MAUREEN MILLER BROSNAN
MAYOR

14910 FARMINGTON ROAD
LIVONIA, MICHIGAN 48154-5419
734-466-2444
734-466-2082 fax

DATE: July, 13 2021
TO: Scott O. Miller, Planner IV
FROM: Livonia Fire Prevention Division
SUBJECT: Petition 2021-06-02-10, Rotary Club Carnival, 29500 Seven Mile Rd.

This office has reviewed the site plan submitted in connection with a request to construct a commercial building on property located at the above referenced address.

We have no objections to this proposal.

Sincerely,

Greg Thomas

Greg Thomas
Fire Marshal

**DEPARTMENT OF PUBLIC SAFETY
DIVISION OF POLICE**

CURTIS CAID
CHIEF OF POLICE



MAUREEN MILLER BROSAN
MAYOR

15050 Farmington Road
Livonia, Michigan 48154-5499
(734) 466-2470
FAX: (734) 261-2265

July 13, 2021

Mr. Scott O. Miller
Planning Commission
33000 Civic Center Drive
Livonia, MI 48154

Re: Petition 2021-06-02-10 - Rotary Club Carnival

Dear Mr. Miller,

I have reviewed the plans in connection with the petitions. I have no objections to the proposals.

Please feel free to contact me should you have any questions.

Sincerely,

FOR THE CHIEF OF POLICE

Scott Szczepanski, Sergeant
Traffic Bureau
(734) 466-2107

INSPECTION DEPARTMENT

BUILDING
HEATING
PLUMBING
ELECTRICAL
ZONING
SANITATION
ENVIRONMENTAL PROTECTION
ORDINANCE ENFORCEMENT



MAUREEN MILLER BROSNAN
MAYOR

JEROME A. HANNA
DIRECTOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2580
FAX: (734) 466-2095

Date: July 12, 2021

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2021-06-02-10 – 29500 Seven Mile Road – Rotary Club Carnival

Pursuant to your request, the above referenced Petition has been reviewed.

This Department has no objections to this Petition. I trust this provides the requested information.

Jerome Hanna
Director of Inspection

JH/kdt

DEPARTMENT OF FINANCE

Michael T. Slater
DIRECTOR OF FINANCE

Connie Kumpula
CHIEF ACCOUNTANT



MAUREEN MILLER BROSNAN
MAYOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2260
FAX: (734) 421-1807

June 21, 2021

Mr. Scott O. Miller
Planning Commission
33000 Civic Center Drive
Livonia, MI 48154

Petition 2021-06-02-10 – Rotary Club Carnival/29500 Seven Mile Road/Wade Shows

Dear Mr. Miller,

I have reviewed the address connected with the above noted petition. The following amounts are due to the City of Livonia:

False Alarm delinquent charges (5/31/21):	\$ 983.52
Unpaid water and sewer charges (as of 6/21/21):	<u>2,703.93</u>
(\$1882.92 past due, \$821.01 current)	
Total Due City of Livonia	\$3,687.45

Please contact me if you have any further questions.

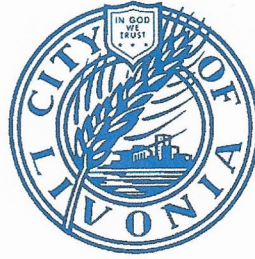
Very truly yours,


Connie Kumpula
Chief Accountant

CK: jw

OFFICE OF THE TREASURER

LYNDA L. SCHEEL
CITY TREASURER



33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3060
(734) 466-2245
FAX: (734) 421-7230

June 16, 2021

Mr. Scott Miller – Planner IV
Planning Commission
City of Livonia

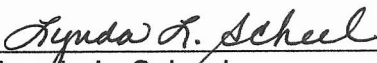
Re: Petition 2021-06-02-10

29500 Seven Mile Road
Rotary Club Carnival

Dear Mr. Miller,

In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time, there are no taxes due, therefore I have no objections to the proposal.

Sincerely,


Lynda L. Scheel
Treasurer, City of Livonia

OTHER ITEMS RELATED TO THE PETITION

July 5, 2021

Dear Board

RECEIVED
JUL 12 2021
CITY OF LIVONIA
PLANNING COMMISSION

Petition 2021-06-02-10

Living at 29619 Nottingham Circle - behind Walmart, I am in favor of the Carnival slated for July 30 - Aug 8.

I think will be great for the business that will take on more customers. Those businesses need a boost after the pandemic. The Smoothie Shop, Koney Island, Thai - they all could use a boost as well as the other stores, eateries, shops.

My only concern is the waste. Making sure the trash doesn't blow everywhere. After a windy day, we get a lot of Walmart trash blown at the condos.

I Michelle Smith is in
favor of Petition 2021-06-02-10.

Thank you board.

Resident
Michelle Smith

UNAPPROVED MINUTES

1

MINUTES OF THE 1,172nd PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, July 13, 2021, the City Planning Commission of the City of Livonia held its 1,172nd Public Hearings and Regular Meeting via Zoom Meeting Software.

Mr. Ian Wilshaw, Chairman, called the meeting to order at 7 p.m.

Members present: David Bongero Sam Caramagno Glen Long
 Betsy McCue Peter Ventura Ian Wilshaw

Members absent: Carol Smiley

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 #3 PETITION 2021-06-02-10

Wade Shows

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2021-06-02-10 submitted by Wade Shows, Inc. requesting waiver use approval pursuant to Section 11.03(I) of the City of Livonia Zoning Ordinance #543, as amended, to conduct a carnival in the parking lot of the former Sears Department store, sponsored by the Rotary Club of Livonia, consisting of amusement rides, games and food concessions from July 30, 2021 through August 8, 2021, inclusive, on property at 29500

UNAPPROVED MINUTES

2

Seven Mile Road, located on the northwest corner of Seven Mile Road and Middlebelt Road in the Southeast ¼ of Section 2

Mr. Taormina: Just very briefly, this is the return of the Livonia AM Rotary Club Carnival, conducted by Wade Shows. It is in the parking lot of the former Sears Department Store at the northwest corner of Seven Mile and Middlebelt Roads. This has been a long-standing operation at this location. The dates were indicated by the Secretary. The only thing to add would be the hours of operation. Monday through Friday would be from 4 p.m. to 11 p.m. and on the weekends, Saturday and Sunday would be from 12 p.m. to 11 p.m. On Monday the 8th, the carnival would be closed and dismantled. With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Yes, please.

Mr. Taormina: The first item is from the Engineering Division, dated June 23, 2021, which reads as follows: *"In accordance with your request, the Engineering Division has reviewed the above referenced waiver use approval request. The address of #29500 Seven Mile Road is correct for the subject parcel, and should be used in connection with this petition. We have no objections to the proposed petition, although the following items should be noted: Should the carnival have the need to occupy, or should any of the associated activities impact either of the Seven Mile Road or Middlebelt Road right-of-way, a permit from Wayne County will be required as both roads are under their jurisdiction. All sanitary sewage from the site, recreational vehicles or campers shall be disposed of properly. Should the operators need to have water provided for their facilities, they should contact the City of Livonia Water Department to obtain the proper equipment, including a water meter with backflow preventer."* The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Livonia Fire & Rescue Division, dated July 13, 2021, which reads as follows: *"This office has reviewed the site plan submitted in connection with a request to construct a commercial building on property located at the above referenced address. We have no objections to this proposal."* The letter is signed by Greg Thomas, Fire Marshal. The next letter is from the Division of Police, dated July 13, 2021, which reads as follows: *"I have reviewed the plans in connection with the petition. I have no objections to the proposal."* The letter is signed by Scott Sczepanski, Sergeant, Traffic Bureau. The next letter is from the Inspection Department, dated July 12, 2021, which reads as follows:

UNAPPROVED MINUTES

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"Pursuant to your request, the above-referenced petition has been reviewed. This Department has no objections to this petition." The letter is signed by Jerome Hanna, Director of Inspection. The next letter is from the Finance Department, dated June 21, 2021, which reads as follows: *"I have reviewed the address connected with the above noted petition. The following amounts are due to the City of Livonia: False Alarm delinquent charges (5/31/21): \$ 983.52 Unpaid water and sewer charges (as of 6/21/21): 2,703.93 (\$1882.92 past due, \$821.01 current) Total Due City of Livonia \$3,687.45."* The letter is signed by Connie Kumpula, Chief Accountant. That is the extent of the correspondence. The next letter is from the Treasurer's Department, dated June 16, 2021, which reads as follows: *"In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time, there are no taxes due, therefore I have no objections to the proposal."* The letter is signed by Lynda Scheel, Treasurer. Lastly, a letter dated July 5, 2021, that reads: *"Living 29619 Knottingham Circle behind Wal-Mart, I am in favor of the carnival slated for July 30, 2021 through August 8, 2021. I think it will be great for the business that will take on more customers. Those businesses need a boost after the pandemic. The smoothie shop, the coney island, Thai, they could all use a boost as well as the other stores, eateries, shops. My only concern is the waste making sure the trash doesn't blow everywhere after a windy day. We get a lot of Wal-Mart trash blown at the condos. I, Michelle Smith, is in favor of petition 2021-06-02-10. Thank you."* That is the extent of the correspondence.

Mr. Wilshaw: Are there any questions of the Planning Director? If not, Ms. Hardesty is in the audience. Good evening, ma'am.

Joanna Hardesty, PO Box 51730, Livonia, Michigan. It is good to be back.

Mr. Wilshaw: This is a routine request that we have seen many years in a row now. Is there anything else you would like to mention about it.

Ms. Hardesty: Nothing is different, except the date.

Mr. Wilshaw: Great. Are there any questions from any of our commissioners?

Mr. Long: I am assuming that a lot of these rides...at the study session we talked about there might be fewer rides at this and I am assuming a lot of these rides have been sitting for quite a long

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time. Can you talk about the maintenance program on them and the inspection that will take place?

Ms. Hardesty: Absolutely. To correct that, they have not been sitting. They are up and running in the southern states. They are in Florida and Alabama, Georgia, Texas, so they have been running. They will be inspected again when they arrive in Michigan for the first time by the State of Michigan, on top of all the inspections that they go through in the other states. Michigan will be inspecting with State Inspectors, as well as our third-party inspectors will be inspecting them as well once they are here and they are set up before they are operational.

Mr. Long: Is there any kind of sanitizing that will take place every night or anything like that?

Ms. Hardesty: As far as the rides, Wade Shows has a COVID-19 program that has been established and in use that will be part of what they do here in Michigan as well. Everything will meet whatever requirements are by the CDC and the Michigan Health Department State Department.

Mr. Long: Thank you.

Mr. Wilshaw: Any other questions for our petitioner? I don't see any other questions. Is there anybody in the audience that wishes to speak for or against this item? Seeing no one coming forward, Ms. Hardesty, is there anything else you would like to say before we make our decision?

Ms. Hardesty: If I could just clarify, Mark read the letter from the Finance Department regarding the outstanding bills. So there is no misconception, Sears does not charge for use of that. They do not charge Wade Shows and they do not charge the Livonia AM Rotary. A donation has been made every year to Sears for use for non-profit purpose, which in the past has been their Christmas Program. It is not that they are making money on this deal. There will be a donation, but it is just that, a donation, not a fee.

Mr. Wilshaw: You are not utilizing the building or the facilities in any way, right?

Ms. Hardesty: Not in any way, shape or form. Just the parking lot.

Mr. Wilshaw: Okay, thank you. If there are no other questions or comments, then a motion would be in order.

On a motion by McCue, seconded by Caramagno, and unanimously adopted, it was

#07-34-2021 **RESOLVED**, That pursuant to a Public Hearing having been held by the City Planning Commission on July 13, 2021, on Petition 2021-06-02-10 submitted by Wade Shows, Inc. requesting waiver use approval pursuant to Section 11.03(I) of the City of Livonia Zoning Ordinance #543, as amended, to conduct a carnival in the parking lot of the former Sears Department store, sponsored by the Rotary Club of Livonia, consisting of amusement rides, games and food concessions from July 30, 2021 through August 8, 2021, inclusive, on property at 29500 Seven Mile Road, located on the northwest corner of Seven Mile Road and Middlebelt Road in the Southeast ¼ of Section 2, the Planning Commission does hereby recommend to the City Council that Petition 2021-06-02-10 be approved subject to the following conditions:

1. That the carnival shall be limited to the dates as specified by Wade Shows, Inc., which are Friday, July 30, 2021, through Sunday, August 8, 2021, inclusive, and closed and dismantled on Monday, August 9, 2021.
2. That the proposed carnival operation shall be confined to the area as illustrated on the aerial layout plan submitted as received by the Planning Commission on June 15, 2021.
3. That all rides, food concessions, booths and all other equipment and apparatus relating to the operation of the carnival shall be located at least sixty feet (60') distant from the Seven Mile and Middlebelt Roads right-of-way lines.
4. That the temporary housing and storage of other trucks and equipment associated with the carnival shall be parked or stored within the extreme southwestern portion of the former Sears Department store parking lot, but no closer than sixty feet (60') from the Seven Mile Road right-of-way line.
5. That the hours of operation shall be limited to the following: Monday through Friday from 4:00 p.m. to 11:00 p.m.; and on the weekends, Saturday and Sunday, from 12:00 p.m. to 11:00 p.m.; and

6. That appropriate access to fire hydrants shall be provided to the City of Livonia Fire Department.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 19.05 of Zoning Ordinance #543, as amended.

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to City Council with an approving resolution.

On a motion by McCue, seconded by Caramagno, and unanimously adopted, it was

#07-35-2021 RESOLVED, That the City Planning Commission does hereby determine to waive the provisions of Section 10 of Article VI of the Planning Commission Rules of Procedure, regarding the effective date of a resolution after the seven-day period from the date of adoption by the Planning Commission, in connection with Petition 2021-06-02-10 submitted by Wade Shows, Inc. requesting waiver use approval pursuant to Section 11.03(I) of the City of Livonia Zoning Ordinance #543, as amended, to conduct a carnival in the parking lot of the former Sears Department store, sponsored by the Rotary Club of Livonia, consisting of amusement rides, games and food concessions from July 30, 2021 through August 9 2021, inclusive, on property at 29500 Seven Mile Road, located on the northwest corner of Seven Mile Road and Middlebelt Road in the Southeast ¼ of Section 2

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to City Council with an approving resolution.