

1. City Council Regular Meeting Agenda

Documents: [12-16-14 FINAL AGENDA2.PDF](#)

2. City Council Regular Meeting Packet

Documents: [12-16-14 COUNCIL PACKET_REDACTED.PDF](#)

3. Zoning Ordinance Draft

Documents: [ZONING ORDINANCE DRAFT DECEMBER 11 2014.PDF](#)

4. 2014 Audit

Documents: [CITY OF YPSILANTI 2014 AUDIT.PDF](#)



**CITY OF YPSILANTI
COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
Tuesday, December 16, 2014
7:00 p.m.**

I. CALL TO ORDER –

II. ROLL CALL –

Council Member Brown	P A	Council Member Robb	P A
Council Member Murdock	P A	Council Member Vogt	P A
Mayor Pro-Tem Richardson	P A	Mayor Edmonds	P A

III. INVOCATION –

IV. PLEDGE OF ALLEGIANCE –

"I pledge allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all."

V. INTRODUCTIONS –

VI. AGENDA APPROVAL –

VII. PRESENTATIONS –

- Audit presentation - Kimberley Alleman, Audit Manager of Abraham & Gaffney, P.C.
- Revised Brownfield Plan – Nathan Voght, Washtenaw County Economic Development Specialist and Bonnie Wessler, Planner II

VIII. AUDIENCE PARTICIPATION –

IX. REMARKS BY THE MAYOR –

X. MINUTES –

Resolution No. 2014-286, approving the minutes of December 2, December 8 and December 9, 2014.

XI. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2014-287, approving Ward 2 Council Member appointment.
(Administration of Oath of Office immediately after approval)
2. **Resolution No. 2014-294, approving the 2014 Brownfield Plan for Water Street Development Area for the property located at 1-216 E. Michigan Avenue, in accordance with Act 381, and as authorized by the Washtenaw County Brownfield Redevelopment Authority and Washtenaw County Board of Commissioners.**
3. Resolution No. 2014-288, approving Ordinance No. 1236, an ordinance to Convey Two City-Owned Parcels to Strong Future LDHA Limited Partnership for rehabilitation and/or redevelopment of existing low-income housing throughout the City. Properties under consideration are 130 S. Grove St. and 928 W. Michigan Ave. *(Second Reading)*
4. Resolution No. 2014-289, approving right of way telecommunications permit for KEPS Technologies, Inc., (d.b.a. ACD.net)
5. Resolution No. 2014-290, supporting funding Legislation and opposing the House Adopted Transportation Funding Legislation
6. Resolution No. 2014-291, denying the requested extension deadline set forth by the December 2012 ordinance entitled, "Conditional Rezoning for 311 S. Grove Street.
7. Resolution No. 2014-292, approving Ordinance No. 1232 adopting a significant amendment to both the zoning map and the zoning text of the Zoning code, in accordance with the recently adopted Master Plan ("Shape Ypsi") *(Second Reading)*

XII. LIASON REPORTS –

- A. SEMCOG Update
- B. Washtenaw Area Transportation Study
- C. Washtenaw Metro Alliance
- D. Urban County
- E. Freight House
- F. Parks and Recreation

XIII. COUNCIL PROPOSED BUSINESS –

XIV. COMMUNICATIONS FROM THE MAYOR –

- Urban County priority projects

XV. COMMUNICATIONS FROM THE CITY MANAGER –

XVI. AUDIENCE PARTICIPATION –

XVII. REMARKS FROM THE MAYOR –

XVIII. ADJOURNMENT -

Resolution No. 2014-293, adjourning the City Council meeting.



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Principals

Dale J. Abraham, CPA
Michael T. Gaffney, CPA
Steven R. Kirinovic, CPA
Aaron M. Stevens, CPA
Eric J. Glashouwer, CPA
Alan D. Panter, CPA
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To the Honorable Mayor and
Members of the City Council
City of Ypsilanti, Michigan

We have audited the financial statements of the governmental activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Ypsilanti, Michigan (the City), for the year ended June 30, 2014. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, *Government Auditing Standards*, and OMB Circular A-133, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated July 8, 2014. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City of Ypsilanti, Michigan, are described in Note 1 to the financial statements. The City adopted Governmental Accounting Standards Board Statement (GASB Statement) No. 67, *Financial Reporting for Pension Plans*, during the fiscal year ended June 30, 2014. Accordingly, the effect of the adoption of GASB Statement No. 67 is increased and substantially different footnote disclosures and additional required supplementary information. We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

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 governmental activities financial statements were:

Management's calculation of depreciation expense for the current period is based on an estimate of the useful lives of the capital assets.

Management's calculation of the pension asset and changes therein was based on actuarial assumptions and the use of a specialist (actuary).

Management's estimate of the net other postemployment and pension benefit obligations (assets) are calculated based on actuarial studies which utilized certain actuarial assumptions.

Management's estimate of the fair value of donated property is based on the current taxable value of the property.

The most sensitive estimate affecting the aggregate remaining fund information and the governmental activities financial statements was:

Management's calculation of the percentages for current and noncurrent compensated absence payments is based on an estimate of the percentage of employees' use of compensated absences.

Management's estimate of the insurance claims incurred but not reported is based on information provided by the City's third-party administrators and subsequent claims activity.

The most sensitive estimate affecting the 2006 General Obligation Fund and the governmental activities financial statements was:

Management's estimate of the book value of property held for resale is based on the lower of cost or market, defined in this case by the aggregate asking price of the individual parcels.

Management's estimate of the liability for environmental remediation of the Water Street Redevelopment area is based on a Brownfield Redevelopment Plan prepared by the Washtenaw County Brownfield Redevelopment Authority. This estimated cost is netted against the total asking price (market value) of the property held for resale.

We evaluated the key factors and assumptions used to develop these estimates in determining that they are reasonable in relation to the financial statements taken as a whole.

The financial statement disclosures 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.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, a disagreement with management is 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.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated December 8, 2014.

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.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to 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 to our retention.

Other Matters

We applied certain limited procedures to the management's discussion and analysis and pension and other postemployment benefits schedules, which are required supplementary information (RSI) that supplement the basic financial statements. Our procedures consisted of inquiries of management regarding 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 did not audit the RSI and do not express an opinion or provide any assurance on it.

We were engaged to report on other supplementary information, which accompanies the financial statements but is not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

We were not engaged to report on the introductory and statistical sections, which accompany the financial statements but are not RSI. We did not audit or perform other procedures on this other information and we do not express an opinion or provide any assurance on it.

Restriction on Use

This information is intended solely for the use of management and members of the City Council of the City of Ypsilanti, Michigan, and is not intended to be, and should not be, used by anyone other than these specified parties.

Abraham & Gaffney, P.C.

ABRAHAM & GAFFNEY, P.C.
Certified Public Accountants

December 8, 2014

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Community Impact Comprehensive Annual Financial Report

Year Ended June 30, 2014

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City of Ypsilanti, Michigan

www.cityofypsilanti.com

Comprehensive Annual Financial Report

For the Year Ended June 30, 2014

Prepared by:

Marilou Uy, Director of Fiscal Services
Rheagan Basabica, Accountant II

CITY OF YPSILANTI, MICHIGAN

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INTRODUCTORY SECTION

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City of Ypsilanti

Finance Department
Accounting Division

December 8, 2014

To the Honorable Mayor, Members of the City Council and Citizens of the City of Ypsilanti

It is my pleasure to submit to you and the citizens of Ypsilanti, the Comprehensive Annual Financial Report (CAFR) of the City of Ypsilanti for the fiscal year ending June 30, 2014. Responsibility for both accuracy of the presented data and the completeness and fairness of the presentation, including all disclosures, rests with the City. The City uses a comprehensive system of internal controls to assure completeness and accuracy of the data presented in this report. These do not include controls whose cost exceeds the benefits to be derived from them, as the objective is to provide reasonable, rather than absolute assurance, that the financial statements are free of any material misstatements. City employees operate under a comprehensive system of internal controls designed to ensure the completeness and accuracy of the data representing the City's activities. The administration believes, and has made its best efforts to ensure, that the data, as presented, is accurate in all aspects and that it is presented in a manner designed to fairly set forth the financial position and results of operations of the City. It was prepared by staff in Fiscal Services, Rehmann Robson and other city departments.

This report has been formulated following the guidelines recommended by the Government Finance Officers Association (GFOA) of the United States and Canada. Meeting the high standards as set forth in the guidelines of the GFOA can only assist us in improving the financial reporting of the City of Ypsilanti.

Wherever possible, the City has made use of grants to help meet the needs of the community. Examples of such grants benefitting the City include road improvements from MDOT, water and sewer pump improvements from capitalization grants (in conjunction with YCUA) and Clean Water State Revolving Funds, CDBG pass-through from Washtenaw County for Harriet Street Corridor Redevelopment, ADA ramps, senior center improvements, Water Street Reforestation Initiative, Community Challenge Planning for Master Plan/Zoning for River's Edge Linear Park, Ypsilanti Heritage Bridge, special program for Aging Title III, Part C from the U.S. Department Health and Human Services, Priority Road Investment Project from MDOT to reconstruct Prospect Road, Assistance to Firefighters Grant, and the 2013 Bulletproof Vest Program.

Abraham & Gaffney, P.C., Certified Public Accountants, have issued an unmodified ("clean") opinion on the City of Ypsilanti's financial statements for the year ended June 30, 2014. The independent auditor's report is located at the front of the financial section of this report.

Management's discussion and analysis (MD&A) immediately follows the independent auditors' report and provides a narrative introduction, overview, and analysis of the basic financial statements. MD&A complements this letter of transmittal and should be read in conjunction with it.

Profile of the Government

The City of Ypsilanti, incorporated in 1858, is located in the southeast region of Michigan's lower peninsula in Washtenaw County, approximately 30 miles west of Detroit, with a population of approximately 20,142. The City is bounded to the north by the Charter Township of Superior and on the west, south and east by the Charter Township of Ypsilanti.

The City is a stable community with many assets - quality residential neighborhoods, good schools, beautiful view of the Huron River, historic downtown and residential neighborhoods, and convenient access to I-94 and Detroit Metropolitan Airport. Annual events and festival and the presence of Eastern Michigan University, all contribute to the City of Ypsilanti's "small town" sense of community.

The City has operated under the council-manager form of government since 1947. The City Council is comprised of the mayor and six members, who are elected by ward, on a staggered basis for four year terms. The Mayor is elected every four years. The City Manager and City Clerk are appointed by and serve at the pleasure of the council.

The City of Ypsilanti provides a full range of services to the community: police, fire, street maintenance, recycling, yard waste removal, elections, emergency preparedness and response, planning, support services and other customer specific services. The City is responsible for the management and financing of these operations. Other services are provided through component units and joint venture entities such as Ypsilanti Downtown Development Authority (YDDA) and Ypsilanti Community Utilities Authority (YCUA).

The City Council is required to adopt a final operating budget prior to the beginning of each fiscal year. This annual budget serves as the foundation for the City of Ypsilanti's financial planning and control. The budget is approved at the fund level, however, budgetary control is exercised at the department level. Expenditures may not exceed budgeted appropriations at the department level. The City Manager has the authority to approve budget transfers between programs within the same fund, but council may authorize transfers between funds. Department Heads may transfer funds between accounts within a specific program under their direction with the exception of personnel and capital expenditures, which must be approved by the City Manager.

The City maintains 96.5 acres of parkland, including a park system running along the Huron River, and parks and tot lots throughout neighborhoods. While the City does not directly provide recreation programming, it has partnered with many dedicated community groups. These partnerships include Friends groups that fundraise for, and operate the pool, the Senior Center and Parkridge Community Center. In addition, there are neighborhoods, churches, schools, and other organizations that assist in providing numerous community gardens, park improvement projects and recreation programming. The City has also worked with the County Public Health Department to make capital improvements to park facilities, and with the County Parks and Recreation Commission to construct part of a regional biking and walking trail network.

The Riverside Art Center operates the City's Riverside Arts Center, which provides theater, gallery, and classroom space. The Center is only a small part of Ypsilanti's cultural picture, however - a wide variety of museums, galleries, and studios work in media ranging from pottery to puppetry to tattoos, and music venues have been recognized as a focal point of southeast Michigan's independent music scene. A similar diversity of events are held annually, with regional (or greater) draws; the long-running Ypsilanti Heritage Festival, Orphan Car Show, Elvisfest and the Michigan Brewers Guild Summer Festival each bring tens of thousands to Riverside Park, while Ypsi Art Fair and MittenFest provide exposure to local artists and musicians.

Local Economy

Local unemployment is around 5.2% percent, and has been consistently at or below the state average (at August 2014, 7.4 percent) and below the national average of 5.9 percent. As the State of Michigan adapts to the challenges of a rapidly globalizing world, community and business leaders have come together like never before to respond. Economic development officials have implemented an aggressive strategy for business growth and expansion within the region offering numerous resources to businesses with financing opportunities. An example of this is the cooperation between members of the Eastern Leaders Group (ELG). These local units of government have collaborated to locate a business incubator in Ypsilanti's downtown Central Business District, as well as make gap financing funds and other microloans available on the eastern side of the county, and region-wide.

The City of Ypsilanti has a population of 20,142 according to current estimates. This is an increase from the census of 2010, which showed a population of 19,435.

The City's state equalized value has decreased 33.36% compared to ten years ago. The City's total equalized value of taxable property for tax year 2014 is approximately \$312 million, an increase of about \$9.3 million, or roughly 3.08% of the prior year.

The City remains in good financial condition, as is demonstrated by the financial statements and schedules included in this report.

Long-term Financial Planning

The City Council and City Manager believe long-term financial planning is essential to ensuring the City's fiscal health. Starting in 2001, the City faced declining revenues and began its cost reduction strategy by deferring capital projects and equipment purchases. This effort continued during 2002 when the Recreation Department was eliminated and other positions and departments were combined. Further staff reductions were implemented during 2008. During fiscal year 2003, the City had a high point of 139.75 full time employees (FTE's). This number declined to 85.09 FTE's for fiscal year 2013 but increased to 89.97 for fiscal 2014.

The City's working relationship with our governmental neighbors and Eastern Michigan University, our largest employer, continued in earnest. The Eastern Leaders Group has continued to meet and formulated new goals related to business development, improving building stock, encouraging Eastern faculty and staff to live in the City, and improving K-12 educational opportunities. In 2014, the City became a founding member of the Eastern Washtenaw Safety Alliance (EWSA). This alliance, consisting of the Washtenaw County Sheriff's Office, the Eastern Michigan University Public Safety Department and the City of Ypsilanti Police Department, pooled police resources from each agency in order to provide even better safety service to the Ypsilanti Metropolitan Area.

Investment continues in the downtown with the renovation of second floor apartments and façades as well as the opening of several first floor retail businesses. 2013 marks the first year in 5 years where the city's taxable value has increased. Automotive Component Holdings (ACH) formerly the City's largest taxpayer ceased operation in December 2008 and Angstrom USA, LLC, has purchased the property and recently agreed to work with the city on adaptive reuse of its buildings.

Our 38-acre redevelopment project, Water Street, bounded by Michigan Avenue on the north and the Huron River on the south and west continues to face formidable challenges due to the economy. The City has successfully committed \$4.3 million in fund balance to pay for the annual debt payments resulting from the sale of bonds to finance acquisition and demolition on this site. Originally, debt retirement was to be paid for by capturing tax increment financing from new development, but the City will now use committed fund balance until TIF capture or revenue from the sale of land is available. The unassigned general fund balance for fiscal year 2014 is \$2,968,261, which is 19.21 % of fiscal year 2013-14 general fund amended expenditures.

The City continues to face escalating financial challenges with increasing costs of employee benefits, particularly for medical and prescription drugs. The City also faces mounting pension and other post-employment benefits costs for current and retired employees. However, this year, the city's required contribution to the Fire and Police pension plan starting FY 2016 decreased based on the actuarial report. The funding ratio improved as the result of benefit changes. The revenue decline, coupled with the rising expenses, pose a significant threat to the City's fiscal structure and a long-term threat to the stability of the City's finances. Substantial cost containment strategies and reductions have been employed to mitigate and reduce future stress on City finances. The City, under the leadership of its City Manager, is working to successfully implement a turn-around plan that will allow the City to provide and maintain a reasonable level of core services for its citizens at a cost that can also be sustained.

Major Initiatives for the Year

Efforts to market and sell parcels in the Water Street redevelopment area continue. Family Dollar broke ground and started construction and should be completed by the end of the year. A purchase agreement has been reached for the Eastern Washtenaw Recreation Center and Herman Kittle, a residential developer. Staff will be working to continue to market the site to additional developers. Fortunately, sufficient funding has been committed in the fund balances to make annual bond indebtedness payments for the next five years.

Additionally, the City has secured funds from the Michigan Natural Resources Fund for the Linear Park and Trail, anticipating construction in 2015. The City has received numerous grants to improve its road network. The biggest of these grants was for \$1.9 million to improve Prospect Street from I-94 to Holmes Road. The City anticipates completely reconstructing Adams Street in concrete between Pearl and Cross. The cost of this project is estimated to be approximately \$500,000.

The City, Downtown Development Association (DDA) and Eastern Leaders Group have continued work on building and façade grants for all the DDA districts, and are expected to continue into 2015. The Eastern Leaders Group and Eastern Michigan University (EMU) are also promoting the Live Ypsi program. This program provides a \$7,500 forgivable loan to EMU faculty and staff to purchase homes in the City limits as primary residences. City staff hopes to work with EMU and the ELG on enhanced promotion of this excellent program during 2015.

Building on the recent installation of LED lights along West Cross, the City has committed to retrofitting all of its street lights to LED lights. This project was completed in calendar year 2014 and expected to save the city \$120,000 per year in energy costs. These retrofits will help reduce overall street lighting expenses, and are part of the broad effort to reduce carbon emissions in the City of Ypsilanti. Also in 2014, the City retrofitted 431 light fixtures in and around City buildings.

The City continues to participate in Vantageport, the regional economic development effort that includes Wayne and Washtenaw counties as well as, the cities of Belleville, Taylor and Romulus, and the townships of Van Buren and Ypsilanti. The concept is to provide economic development opportunities (for business wanting to locate near Detroit Metro and Willow run Airports) in the respective communities by creating a cooperative development strategy for time sensitive manufacturing, e-commerce fulfillment, telecommunications and logistics industries, as well as offices for business people who travel frequently by air.

Major Initiatives in the Future

The City adopted a new master plan in 2014 and is in the process of revising the zoning ordinance, with City Council approval anticipated by the end of 2014.

The cities of Ypsilanti and Ann Arbor and Townships of Pittsfield and Ypsilanti have an informal agreement to operate as a box alarm system. This concept manages resources as one fire service increasing the effectiveness and efficiency of each fire department without additional costs.

One of the City's highest priorities is to attract rail service (commuter Ann Arbor to Detroit and/or inter-city service Pontiac to Chicago) to the City of Ypsilanti. As part of this effort, the City will devote the necessary resources to build a platform that is required so that these services can stop in the City of Ypsilanti in its Depot Town neighborhood.

Acknowledgements

The preparation of this report on a timely basis was made possible by the dedicated services of Fiscal Services accounting staff and other City departments, as well as from the firm of Rehmann Robson. I wish to express my appreciation and acknowledge those who assisted and contributed to the preparation of this report: Marilou Uy, Kimberly Jones, Rheagan Basabica and the interns from the Fiscal Services Department, Bonnie Wessler and Nan Schuette.

My hope is that you will find this document to be a useful tool in evaluating the City's financial health. Helping you and the public obtain a thorough understanding of the City's financial condition is important to us all. Should you have any questions, comments, concerns, or suggestions regarding this document or the information it contains, Marilou Uy and I are available to respond.

Respectfully submitted,

{signature omitted for security}

Ralph A. Lange
City Manager

CITY OF YPSILANTI, MICHIGAN



Government Finance Officers Association

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Michigan**

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

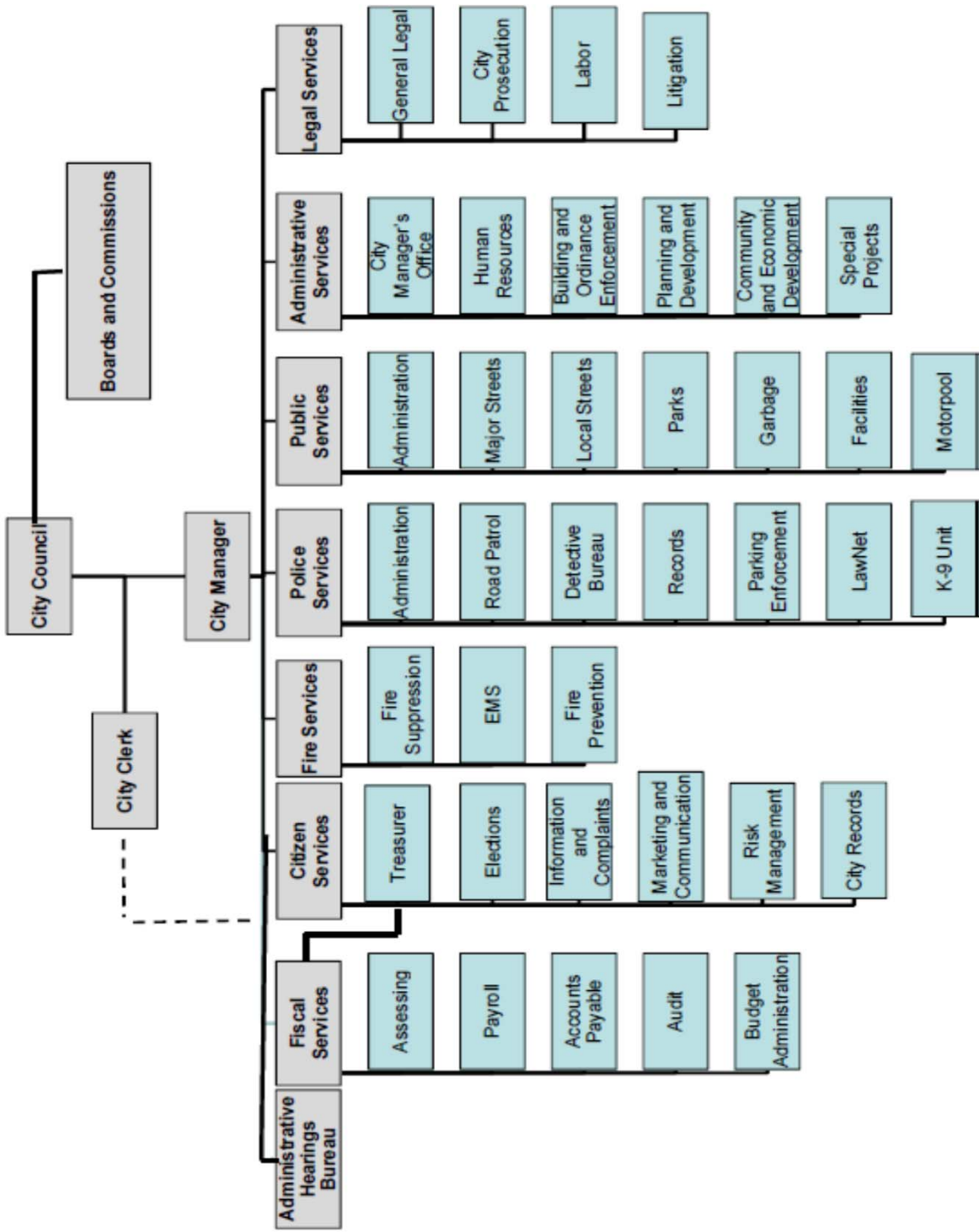
June 30, 2013

A handwritten signature in black ink, appearing to read 'Jeffrey R. Enen', is written in a cursive style.

Executive Director/CEO

CITY OF YPSILANTI, MICHIGAN

Table of Organization



CITY OF YPSILANTI, MICHIGAN

ELECTED OFFICERS

CITY COUNCIL

Paul Schreiber
Mayor

Lois Richardson
Mayor Pro-Tem

Susan Moeller
Peter Murdock
Ricky Jefferson

Daniel Vogt
Brian Robb

Administration - Appointed Officials and Senior Management

Ralph Lange
City Manager

Frances McMullan
City Clerk

Marilou Uy
Director of Fiscal Services

Max Anthouard
Fire Chief

Stan Kirton
Director of Public Services

Tony DeGiusti
Police Chief

Kimberly Teamer
City Treasurer

Courtney Dugger
City Assessor

FINANCIAL SECTION

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Principals

Dale J. Abraham, CPA
Michael T. Gaffney, CPA
Steven R. Kirinovic, CPA
Aaron M. Stevens, CPA
Eric J. Glashouwer, CPA
Alan D. Panter, CPA
William I. Tucker IV, CPA



2601 Cambridge Court
Suite 201
Auburn Hills, MI 48326
(248) 844-2550
FAX: (248) 844-2551

INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor and
Members of the City Council
City of Ypsilanti, Michigan

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Ypsilanti, Michigan (the City), as of and for the year ended June 30, 2014, and the related notes to the financial statements, which collectively comprise the City'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 aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Ypsilanti, Michigan, as of June 30, 2014, and the respective changes in financial position, budgetary comparison for the General Fund, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Change in Accounting Principles

During the year the City implemented GASB Statement No. 67, *Financial Reporting for Pension Plans*. As a result, the pension trust fund now includes substantially different note disclosures and required supplementary information. Our opinions are not modified with respect to this matter.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and pension and other postemployment benefits schedules, as listed 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, who 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 supplementary 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's basic financial statements. The introductory section, combining and individual nonmajor fund financial statements, budgetary comparison information for Special Revenue funds, and statistical section, are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The combining and individual nonmajor fund financial statements and the budgetary comparison information for Special Revenue funds are the responsibility of management and were derived from and relate 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 combining and individual nonmajor fund financial statements and the budgetary comparison information for Special Revenue funds are fairly stated in all material respects in relation to the basic financial statements as a whole.

The introductory and statistical sections have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on them.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated December 8, 2014, on 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, grant agreements, and other matters. The purpose of that report is 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 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's internal control over financial reporting and compliance.

Abraham & Gaffney, P.C.

ABRAHAM & GAFFNEY, P.C.
Certified Public Accountants

December 8, 2014

MANAGEMENT'S DISCUSSION AND ANALYSIS

CITY OF YPSILANTI, MICHIGAN

Management's Discussion and Analysis

As management of the *City of Ypsilanti, Michigan*, we offer readers of the City's financial statements this narrative overview and analysis of the financial activities of the City for the fiscal year ended June 30, 2014. We encourage readers to consider the information presented here in conjunction with additional information that we have furnished in our letter of transmittal, as listed in the table of contents.

Financial Highlights

As discussed in further detail in this discussion and analysis, the following represents the most significant financial highlights for the year ended June 30, 2014.

- The assets of the City exceeded its liabilities at the close of the most recent fiscal year by \$15,516,244 (net positions). This amount is net of a deficit of \$7,848,551 in unrestricted net position. The City has no business-type activities and therefore reports only governmental activities in its government-wide financial statements.
- The government's total net position decreased by \$1,206,290.
- As of the close of the current fiscal year, the City's governmental funds reported combined ending fund balances of \$15,834,333, a decrease of \$1,694,182 in comparison with the prior year. Approximately 18.7 percent of this total amount, or \$2,968,262 is available for spending at the government's discretion (unassigned fund balance).
- At the end of the current fiscal year, unassigned fund balance for the general fund was \$2,968,262 or 20.3% of total general fund expenditures and other financing uses.
- The City total bonded debt decreased by \$2,491,815 during the current year. There was one refunding of revenue bonds during the year that will reduce debt service by \$753,109 and a net present value savings of \$669,849.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-wide financial statements. The *government-wide financial statements* are designed to provide readers with a broad overview of the City's finances, in a manner similar to a private-sector business.

The *statement of net position* presents information on all of the City's assets and liabilities, with the difference between the two reported as *net position*. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The *statement of activities* presents information shows how the government's net assets changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, *regardless of the timing of related cash flows*. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., earned but unused vacation leave).

Both of the government-wide financial statements distinguish functions of the City that are principally supported by taxes and intergovernmental revenues (*governmental activities*). The governmental activities of the City include general government, public safety, public works, highways and streets, culture and recreation and community development.

CITY OF YPSILANTI, MICHIGAN

Management's Discussion and Analysis

The government-wide financial statements include not only the City itself (known as the *primary government*), but also legally separate entities for which the City is financially accountable. Financial information for these *component units* is reported separately from the financial information presented for the primary government itself.

The government-wide financial statements can be found as listed in the table of contents.

Fund financial statements. A *fund* is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the City can be divided into three categories: governmental funds, proprietary funds, and fiduciary funds.

Governmental funds. *Governmental funds* are used to account for essentially the same functions reported as *governmental activities* in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *near-term inflows and outflows of spendable resources*, as well as on *balances of spendable resources* available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between *governmental funds* and *governmental activities*.

The City maintains 30 individual governmental funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balances for the general fund, 2006 general obligation debt service fund and 2013 revenue refunding bond capital projects fund, which are considered to be major funds. Data from the other 27 governmental funds are combined into a single, aggregated presentation. Individual fund data for each of these nonmajor governmental funds is provided in the form of *combining statements* elsewhere in this report.

The City adopts an annual appropriated budget for its general and special revenue funds. Budgetary comparison statements or schedules have been provided herein to demonstrate compliance with those budgets.

The basic governmental fund financial statements can be found as listed in the table of contents.

Proprietary funds. The City has one type of proprietary fund. *Internal service funds* are an accounting device used to accumulate and allocate costs internally among the City's various functions. The City uses internal service funds to account for its motor pool, workers' compensation self-insurance, and retiree benefits. Because these services benefit governmental functions, they have been included within *governmental activities* in the government-wide financial statements.

All of the internal service funds are combined into a single, aggregated presentation in the proprietary fund financial statements. Individual fund data for the internal service funds is provided in the form of combining statements elsewhere in this report.

The basic proprietary fund financial statements can be found as listed in the table of contents.

Fiduciary funds. Fiduciary funds are used to account for resources held for the benefit of parties outside the government. Fiduciary funds are *not* reflected in the government-wide financial statements because the resources of those funds are *not* available to support the City's own programs. The accounting used for fiduciary funds is much like that used for proprietary funds.

CITY OF YPSILANTI, MICHIGAN

Management's Discussion and Analysis

The basic fiduciary fund financial statements can be found as listed in the table of contents.

Notes to the financial statements. The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements can be found as listed in the table of contents.

Other information. In addition to the basic financial statements and accompanying notes, this report also presents certain *required supplementary information*. This is limited to schedules concerning the City's progress in funding its obligation to provide pension benefits to its police and fire employees, pension benefits to employees participating in the MERS plan, and other postemployment benefits. Required supplementary information can be found as listed in the table of contents.

The combined statements referred to earlier in connection with nonmajor, internal service and fiduciary funds are presented immediately following the required supplementary information. Combined and individual fund financial statements and schedules can be found as listed in the table of contents.

Government-wide Financial Analysis

As noted earlier, net assets may serve over time as a useful indicator of a government's financial position. In the case of the City of Ypsilanti, assets exceeded liabilities by \$15,516,244 at the close of the most recent fiscal year as shown in the following table (which shows, in a condensed format, the net position as of fiscal year end 2014 and compared to the prior fiscal year):

	Net Position	
	Governmental Activities	
	2014	2013
Assets		
Current and other assets	\$ 48,532,253	\$ 51,560,599
Capital assets	22,504,392	22,886,305
Total assets	<u>71,036,645</u>	<u>74,446,904</u>
Deferred outflow	<u>66,566</u>	<u>83,208</u>
Liabilities		
Long-term liabilities outstanding	52,984,062	55,067,067
Other liabilities	2,602,905	2,740,511
Total liabilities	<u>55,586,967</u>	<u>57,807,578</u>
Net position		
Net investment in capital assets	16,524,392	15,636,305
Restricted	4,545,511	7,631,866
Unrestricted (deficit)	(5,553,659)	(6,545,637)
Total net position	<u>\$ 15,516,244</u>	<u>\$ 16,722,534</u>

CITY OF YPSILANTI, MICHIGAN

Management's Discussion and Analysis

By far the largest portion of the City's net position (106.5% or \$16,524,392) reflects its investment in capital assets (e.g., land, buildings, vehicles, equipment, systems and infrastructure); less any related debt used to acquire those assets that is still outstanding. The City uses these capital assets to provide services to citizens; consequently, these assets are *not* available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

Additionally, a portion of the City's net assets (44.1% or \$6,840,403) represents resources that are subject to external restrictions on how they may be used. The remaining balance of unrestricted net position (a deficit of \$7,848,551) represents the extent to which accrual basis non-capital liabilities exceed assets after taking into account restrictions.

	Changes in Net Position	
	Governmental Activities	
	2014	2013
Revenue		
Program revenue:		
Charges for services	\$ 3,108,560	\$ 2,618,765
Operating grants and contributions	3,829,486	4,282,348
Capital grants and contributions	692,619	24,258
General revenue:		
Property taxes	10,656,453	10,309,164
Grants and contributions not restricted to specific programs	2,420,667	2,342,612
Other	341,590	(13,260)
Total revenue	21,049,375	19,563,887
Expenses		
General government	1,690,255	2,083,855
Public safety	8,878,722	7,908,177
Public works	5,542,347	4,067,582
Highways, streets and bridges	3,143,348	3,921,320
Culture and recreation	366,668	408,367
Community development	255,416	292,867
Public transportation	275,386	308,564
Interest on long-term debt	2,103,523	2,095,288
Total expenses	22,255,665	21,086,020
Special item		
Change in market value of land held for resale	-	(1,995,335)
Change in net position	(1,206,290)	(3,517,468)
Net position - beginning of year	16,722,534	20,240,002
Net position - end of year	\$15,516,244	\$16,722,534

The City's total net position decreased approximately 7.3% from the prior year. Much of the decrease is attributable to increased public safety and public works expense (\$970,545 and \$1,474,765, respectively) over the prior year because of new hires (some of which were through a new federal grant) and equipment and vehicle purchases.

CITY OF YPSILANTI, MICHIGAN

Management's Discussion and Analysis

Financial Analysis of the City's Governmental Funds

As noted earlier, the City uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

The focus of the City's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the City's financing requirements. In particular, unassigned fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year.

As of the end of the current fiscal year, the City's governmental funds reported combined ending fund balances of \$15,834,333, a decrease of \$1,694,182 in comparison with the prior year. Approximately 18.7% of this total amount (or \$2,968,262) constitutes unassigned fund balance, which is available for spending at the government's discretion. Of the remainder, \$2,248,624 represents nonspendable fund balance, \$4,901,459 is restricted and \$5,715,988 is committed.

The general fund is the chief operating fund of the City. At the end of the current fiscal year, the total fund balance for the general fund was \$7,948,365. Of this amount \$348,324 represents inventory, prepaid items and land held for resale rendering it nonspendable, and \$4,631,779 is committed for vested employee benefits, Water Street bond payments, an energy efficiency project and other uses as seen in the notes to the financial statements. As a measure of the general fund's liquidity it may be useful to compare unassigned fund balance to the total general fund expenditures; \$2,968,262 of the general fund's fund balance is unassigned, which represents 20.3% of total general fund expenditures and other financing uses. Overall, the fund balance of the general fund decreased by \$591,202 for the year, which was \$874,127 less of a decrease than budgeted.

Other factors affecting the general fund financial results for the year include:

- In total, general fund expenditures were \$826,064 under budget. This included significant amounts under budget for police (\$228,152), parks and recreation (\$212,550) and public building maintenance (\$84,424). The primary reasons for these departments finishing under budget were due to timing on certain projects.
- Compared to the prior year actuals, general fund revenue was up approximately \$1.2 million; about \$400,000 of this came from property taxes and \$1.0 was from increases in other revenues, primarily due to a one-time grant for the reconstruction of the community pool. Total actual expenditures compared to the prior year increased approximately \$1.7 million with most of the increases in public safety and public works for new hires and equipment purchases.

The 2006 general obligation fund had an ending fund balance of \$1,910,022, of which \$1,900,300 represents land held for resale (which is therefore reported as nonspendable).

General Fund Budgetary Highlights

The difference between the original and final amended budget for expenditures was approximately \$1 million and was primarily for street lighting to replace old mercury vapor lights with energy efficient LED lights. Other differences between the original and final amended budget for revenues and expenditures were generally distributed across various captions/departments.

The City amended the budget to take into account various events occurring during the year. Revenue was \$130,782 less than the amended budget, primarily because other revenues were under budget by \$120,043 due to optimistic estimates for this line item.

Total expenditures were \$826,064 less than the amended budget as nearly all general fund departments spent less than budget and the three that exceeded budget were for minimal amounts.

CITY OF YPSILANTI, MICHIGAN

Management's Discussion and Analysis

Capital Assets and Debt Administration

Capital Assets. At the end of 2014, the City had \$22,504,392 invested in a broad range of net capital assets including land, land improvements, buildings and improvements, sidewalks, roads, police and fire equipment, vehicles, and other types of equipment.

	Capital Assets (Net of depreciation)	
	Governmental Activities	
	2014	2013
Land	\$ 1,373,105	\$ 760,443
Infrastructure	15,005,856	16,556,224
Buildings and improvements	4,451,215	3,748,543
Vehicles and equipment	1,563,748	1,758,794
Construction in progress	110,468	62,301
Total	\$22,504,392	\$22,886,305

Major capital asset events during the current fiscal year included:

- Reconstruction of community swimming pool (Rutherford Pool) for \$880,000.
- Purchase of equipment (tasers and other items) and vehicles (two police cars).
- Capitalization of land previously reported as being held for resale (i.e., the City will no longer sell certain parcels as they will be used for park land and/or green space).

Additional information on the City's capital assets can be found in the note 8.

Long-term debt. At the end of the current fiscal year, the City had total bonded debt outstanding of \$48,537,720. Of this amount, \$19,925,000 is comprised of debt backed by the full faith and credit of the government. The remainder of the City's bonded debt represents bonds secured solely by specified revenue sources.

	General Obligation and Revenue Bonds	
	Governmental activities	
	2014	2013
General obligation bonds	\$ 19,925,000	\$ 21,640,000
Revenue bonds	28,612,720	29,389,535
Total	\$48,537,720	\$51,029,535

Moody's credit rating on April 10, 2014 for senior lien revenue debt bonds outstanding changed from A1 to A2 and removed the negative outlook.

Standard & Poor's rating on April 11, 2014 for outstanding general obligation limited tax debts was changed from A to AA.

Additional information on the City's long-term debt can be found in note 12.

CITY OF YPSILANTI, MICHIGAN

Management's Discussion and Analysis

Economic Factors and Next Year's Budgets and Rates

Revenues for all funds are budgeted to be \$576,467 lower than the current fiscal year amended budget. The City expects property taxes to increase by 0.87% net of the under \$40,000 taxable value of personal properties. The City continues to look for many option to reduce costs or increase revenues. Some of the things being considered are restructuring the police and fire personnel resulting in reduced overtime pay, dual fuel vehicle that will save fuel cost, a special assessment on the operational cost of street lighting, participate with Munirent to rent out and rent to neighboring city and township's specialized equipment, re-bid trash contract that increased the service and saved cost, conversion of municipal property to LED lightings, and efficient collection of parking tickets. The City continues to comply with the City, Village, and Township Revenue Sharing (CVTRS) program, previously EVIP, to receive full CVTRS payments. The City implemented again the Public Act 52 (SB #7) limiting employer's medical benefit cost by making employees pay 20% of the medical cost.

The City's spending budget for all funds for next fiscal year is \$967,510 less than the current year proposed budget, which includes the use of \$1,309,380 fund balance from the general fund for the Water Street bond payment; \$98,903 from the major streets fund to help finance the design engineering of Prospect road, Prospect bridge and Prospect - Michigan Avenue traffic safety, construction of E & W Cross Streetscape, and non-motorized improvement projects; \$90,046 from local streets fund to pay for traffic calming projects; \$692,500 fund balance from the capital improvement fund to pay for Fire Department's roof replacement, carport for Police Department, truck port for DPS, Freighthouse improvements, urgent road repairs on Cornell, Harriet, N, Huron River Drive, Prospect, Leforge, Adams and Grove Streets; and \$1,109,783 to finance equipment purchases, three dump trucks, two trucks, and bobcat attachment for DPS, one truck packer for environmental services, two police patrol cars.

The percent of general fund revenue used to fund essential services for fiscal year 2012, as required by the Michigan Legislature for budgeting fiscal 2014-15 replacement funding of personal property taxes, was 59.96 percent.

Contacting the City's Management

This financial report is intended to provide our citizens, taxpayers, customers and investors 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 information, you are welcome to contact the clerk's office at (734) 483-1100.

BASIC FINANCIAL STATEMENTS

GOVERNMENT-WIDE FINANCIAL STATEMENTS

CITY OF YPSILANTI, MICHIGAN

Statement of Net Position

June 30, 2014

	Primary Government	
	Governmental Activities	Component Units
Assets		
Cash and cash equivalents	\$ 15,533,099	\$ 766,201
Investments	3,478,195	-
Receivables	27,080,644	515
Prepaid items and other assets	2,336,307	356
Other noncurrent assets - other post-employment benefits asset	104,008	-
Capital assets not being depreciated	1,483,573	107,184
Capital assets being depreciated, net	21,020,819	2,027,787
Total assets	<u>71,036,645</u>	<u>2,902,043</u>
Deferred outflows of resources		
Deferred charge on refunding	<u>66,566</u>	<u>-</u>
Liabilities		
Accounts payable and accrued expenses	2,315,488	40,605
Due to other governments	70,113	84,389
Unearned revenue	217,304	21,500
Long-term liabilities:		
Due within one year	4,387,233	75,227
Due in more than one year	48,596,829	623,647
Total liabilities	<u>55,586,967</u>	<u>845,368</u>
Net position		
Net investment in capital assets	16,524,392	1,438,712
Restricted for:		
Highways and streets	1,782,292	-
Drug law enforcement	38,881	-
Public transportation	11,355	-
Debt service	774,039	-
Capital projects	1,938,944	-
Unrestricted (deficit)	(5,553,659)	617,963
Total net position	<u>\$ 15,516,244</u>	<u>\$ 2,056,675</u>

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Statement of Activities

For the Year Ended June 30, 2014

		Program Revenues			
Functions / Programs	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Net (Expense) Revenue
Primary government					
Governmental activities:					
General government	\$ 1,690,255	\$ 2,320,700	\$ 70,358	\$ 64,411	\$ 765,214
Public safety	8,878,722	786,308	100,654	15,546	(7,976,214)
Public works	5,542,347	-	-	-	(5,542,347)
Highways, streets and bridges	3,143,348	-	1,440,913	-	(1,702,435)
Culture and recreation	366,668	-	257	612,662	246,251
Community development	255,416	1,552	-	-	(253,864)
Public transportation	275,386	-	-	-	(275,386)
Interest on long-term debt	2,103,523	-	2,217,304	-	113,781
Total primary government	\$ 22,255,665	\$ 3,108,560	\$ 3,829,486	\$ 692,619	\$ (14,625,000)
Component units					
Community/economic development	\$ 417,795	\$ -	\$ 6,841	\$ -	\$ (410,954)

continued...

CITY OF YPSILANTI, MICHIGAN

Statement of Activities

For the Year Ended June 30, 2014

	Primary Government	
	Governmental Activities	Component Units
Changes in net position		
Net expense	\$ (14,625,000)	\$ (410,954)
General revenues:		
Property taxes	10,656,453	407,294
Grants and contributions not restricted to specific programs	2,420,667	7,207
Unrestricted investment earnings	341,590	3,462
Total general revenues	13,418,710	417,963
Change in net position	(1,206,290)	7,009
Net position, beginning of year	16,722,534	2,049,666
Net position, end of year	<u>\$ 15,516,244</u>	<u>\$ 2,056,675</u>
		concluded.

The accompanying notes are an integral part of these financial statements.

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FUND FINANCIAL STATEMENTS

CITY OF YPSILANTI, MICHIGAN

Balance Sheet

Governmental Funds

June 30, 2014

	General	2006 General Obligation	2013 Revenue Refunding Bonds	Other Governmental Funds	Total Governmental Funds
Assets					
Cash and cash equivalents	\$ 7,266,439	\$ 178,130	\$ 1,820,730	\$ 3,973,206	\$ 13,238,505
Investments	903,498	-	-	-	903,498
Accounts receivable	243,976	-	11,532	49,006	304,514
Land held for resale	38,644	1,900,300	-	-	1,938,944
Special assessments receivable	54,699	-	-	-	54,699
Due from other funds	-	-	-	102,122	102,122
Due from other governments	538,578	-	-	185,249	723,827
Prepaid items	156,049	-	-	-	156,049
Inventory	153,631	-	-	-	153,631
Total assets	\$ 9,355,514	\$ 2,078,430	\$ 1,832,262	\$ 4,309,583	\$ 17,575,789
Liabilities					
Accounts payable	\$ 106,041	\$ -	\$ -	\$ 58,805	\$ 164,846
Accrued liabilities	652,629	-	-	20,731	673,360
Due to other funds	102,122	-	-	-	102,122
Due to other governments	68,426	-	-	1,687	70,113
Tax refunds payable	222,569	-	-	72,176	294,745
Unearned revenue	36,396	168,408	-	12,500	217,304
Total liabilities	1,188,183	168,408	-	165,899	1,522,490
Deferred inflows of resources					
Unavailable revenue	218,966	-	-	-	218,966
Fund balances					
Nonspendable:					
Prepaid items	156,049	-	-	-	156,049
Inventory	153,631	-	-	-	153,631
Land held for resale	38,644	1,900,300	-	-	1,938,944
Restricted for:					
Major and local streets	-	-	-	1,782,292	1,782,292
Drug law enforcement	-	-	-	38,881	38,881
Public transportation	-	-	-	11,355	11,355
Debt service	-	9,722	-	1,226,947	1,236,669
Committed for:					
Various purposes (Note 13)	4,631,779	-	-	-	4,631,779
Capital projects	-	-	-	1,084,209	1,084,209
Unassigned	2,968,262	-	1,832,262	-	4,800,524
Total fund balances	7,948,365	1,910,022	1,832,262	4,143,684	15,834,333
Total liabilities, deferred inflows of resources and fund balances	\$ 9,355,514	\$ 2,078,430	\$ 1,832,262	\$ 4,309,583	\$ 17,575,789

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Reconciliation

Fund Balances for Governmental Funds
to Net Position of Governmental Activities
June 30, 2014

Fund balances - total governmental funds	\$ 15,834,333
Amounts reported for <i>governmental activities</i> in the statement of net position are different because:	
Capital assets used in governmental activities are not financial resources and therefore are not reported in the funds.	
Capital assets	50,519,398
Accumulated depreciation	(29,381,824)
Special assessment and sale of property receivables are expected to be collected over several years but are not available to pay for current year expenditures.	
	218,966
For a bond refunding, the difference between the reacquisition price and the value of the refunded debt is capitalized and amortized over the shorter of the remaining years on the refunded or refunding bonds.	
Deferred charge on refunding	66,566
An internal service fund is used by management to charge the costs of certain equipment usage, insurance and benefits to individual funds. The assets and liabilities of the internal service fund are included in governmental activities in the statement of net position.	
Net position of governmental activities accounted for in internal service funds	5,635,760
Certain liabilities, such as bonds payable, are not due and payable in the current period and therefore are not reported in the funds.	
Other noncurrent assets - other postemployment benefits	104,008
Bonds and purchase agreements payable	(51,628,070)
Bond premium	(402,709)
Leases receivable from joint venture entity for debt-financed property	25,965,729
Accrued interest on bonds payable	(462,630)
Compensated absences	(953,283)
Net position of governmental activities	<u>\$ 15,516,244</u>

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Statement of Revenues, Expenditures and Changes in Fund Balances

Governmental Funds

For the Year Ended June 30, 2014

	General	2006 General Obligation	2013 Revenue Refunding Bonds	Other Governmental Funds	Total Governmental Funds
Revenues					
Taxes and special assessments	\$ 8,218,060	\$ -	\$ -	\$ 2,438,393	\$ 10,656,453
Licenses and permits	590,784	-	-	58,097	648,881
Intergovernmental	2,582,605	-	156,971	4,111,562	6,851,138
Charges for services	417,906	-	-	-	417,906
Fines and forfeits	414,468	-	-	-	414,468
Investment earnings	150,439	-	11,421	20,806	182,666
Other revenues	1,604,527	-	-	106,416	1,710,943
Total revenues	13,978,789	-	168,392	6,735,274	20,882,455
Expenditures					
Current:					
General government	2,022,813	-	-	265,162	2,287,975
Public safety	7,491,496	-	-	315,132	7,806,628
Public works	1,271,237	681,971	-	1,644,670	3,597,878
Refuse collection	-	-	-	1,017,678	1,017,678
Highways, streets and bridges	-	-	-	1,476,912	1,476,912
Parks and recreation	1,136,746	-	-	-	1,136,746
Community development	23,374	-	-	9,074	32,448
Public transportation	-	-	-	274,846	274,846
Unallocated employee benefits	928,133	-	-	-	928,133
Tax tribunal refunds	8,794	-	-	3,918	12,712
Debt service:					
Principal	-	445,000	-	3,090,000	3,535,000
Interest and fiscal charges	-	897,228	303,892	956,800	2,157,920
Total expenditures	12,882,593	2,024,199	303,892	9,054,192	24,264,876
Revenues over (under) expenditures	1,096,196	(2,024,199)	(135,500)	(2,318,918)	(3,382,421)
Other financing sources (uses)					
Issuance of refunding bonds	-	-	7,490,000	1,503,185	8,993,185
Payment to refunding bond escrow agent	-	-	(7,950,000)	-	(7,950,000)
Premium on refunding bonds	-	-	433,687	-	433,687
Transfers in	21,822	1,341,986	1,994,075	1,570,783	4,928,666
Transfers out	(1,709,220)	-	-	(3,008,079)	(4,717,299)
Total other financing sources (uses)	(1,687,398)	1,341,986	1,967,762	65,889	1,688,239
Net changes in fund balances	(591,202)	(682,213)	1,832,262	(2,253,029)	(1,694,182)
Fund balances, beginning of year	8,539,567	2,592,235	-	6,396,713	17,528,515
Fund balances, end of year	\$ 7,948,365	\$ 1,910,022	\$ 1,832,262	\$ 4,143,684	\$ 15,834,333

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Reconciliation

Net Changes in Fund Balances of Governmental Funds
to Change in Net Position of Governmental Activities
For the Year Ended June 30, 2014

Net change in fund balances - total governmental funds \$ (1,694,182)

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, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense.

Capital outlay expenditures	1,841,305
Depreciation expense	(2,642,752)
Capital contributions	612,662

Bond proceeds provide current financial resources to governmental funds in the period issued, but issuing bonds increases long-term liabilities in the statement of net position. Repayment of bond principal is an expenditure in the governmental funds, but the repayment reduces long-term liabilities in the statement of net position.

Refunding and revenue bond proceeds	(8,993,185)
Payment to refunding bond escrow agent	7,950,000
Premium received on refunding and revenue bonds	(433,687)
Principal payments on long-term liabilities	3,535,000
Change in leases receivable for debt-financed property	(604,924)

An internal service fund is used by management to charge the costs of certain equipment usage, insurance and benefits to individual funds. The net revenue (expense) attributable to those funds is reported with governmental activities.

Operating loss of government internal service funds	(829,189)
Investment income in government internal service funds	162,037
Gain on sale of capital assets in government internal service funds	136,106
Transfers out in governmental internal service funds	(211,367)

Some expenses reported in the statement of activities do not require the use of current financial resources and therefore are not reported as expenditures in the funds.

Change in other noncurrent assets for other postemployment benefits assets	(82,409)
Change in accrued interest payable on bonds	40,060
Change in the accrual for compensated absences	(6,101)
Amortization of bond premium	30,978
Amortization of deferred charge on refunding	(16,642)

Change in net position of governmental activities \$ (1,206,290)

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Statement of Revenues, Expenditures and Changes in Fund Balances

Budget and Actual - General Fund
For the Year Ended June 30, 2014

	Budgeted Amounts		Actual	Actual Over (Under) Final Budget
	Original	Final		
Revenues				
Taxes and special assessments	\$ 8,125,017	\$ 8,237,602	\$ 8,218,060	\$ (19,542)
Licenses and permits	579,492	613,207	590,784	(22,423)
Intergovernmental	2,495,742	2,600,307	2,582,605	(17,702)
Charges for services	451,000	433,840	417,906	(15,934)
Fines and forfeits	476,837	385,000	414,468	29,468
Investment earnings	120,045	115,045	150,439	35,394
Other revenues	1,444,985	1,724,570	1,604,527	(120,043)
Total revenues	13,693,118	14,109,571	13,978,789	(130,782)
Expenditures				
General government:				
City council	99,243	98,080	94,611	(3,469)
City manager	252,606	254,878	240,701	(14,177)
Community services	8,889	8,809	4,138	(4,671)
Elections	61,612	57,868	28,881	(28,987)
Accounting	280,017	315,231	295,741	(19,490)
Assessing	90,791	73,413	72,739	(674)
General legal	52,140	52,140	52,140	-
Ordinance prosecution	105,000	105,000	105,000	-
Litigation and appeals	115,000	125,000	111,468	(13,532)
Personnel legal	25,000	45,000	38,469	(6,531)
City clerk	153,556	154,764	160,113	5,349
Human resources	140,893	204,195	176,334	(27,861)
Treasurer	143,731	133,469	134,714	1,245
Public building maintenance	299,312	360,146	275,722	(84,424)
Planning and development	263,744	294,859	232,042	(62,817)
Total general government	2,091,534	2,282,852	2,022,813	(260,039)
Public safety:				
Police	4,860,494	4,581,912	4,353,760	(228,152)
Fire	2,543,024	2,734,179	2,697,951	(36,228)
Ordinance enforcement	169,352	208,374	199,787	(8,587)
Building inspection	223,940	248,068	239,998	(8,070)
Total public safety	7,796,810	7,772,533	7,491,496	(281,037)

continued...

CITY OF YPSILANTI, MICHIGAN

Statement of Revenues, Expenditures and Changes in Fund Balances

Budget and Actual - General Fund
For the Year Ended June 30, 2014

	Budgeted Amounts		Actual	Actual Over (Under) Final Budget
	Original	Final		
Expenditures (Concluded)				
Public works:				
Public works department	\$ 175,962	\$ 241,620	\$ 201,988	\$ (39,632)
Street lighting	-	1,066,517	1,069,249	2,732
Total public works	175,962	1,308,137	1,271,237	(36,900)
Parks and recreation	1,326,884	1,349,296	1,136,746	(212,550)
Community development	15,983	25,153	23,374	(1,779)
Unallocated employee benefits	849,656	953,686	928,133	(25,553)
Tax tribunal refunds	20,000	17,000	8,794	(8,206)
Total expenditures	12,276,829	13,708,657	12,882,593	(826,064)
Revenues over expenditures	1,416,289	400,914	1,096,196	695,282
Other financing sources (uses)				
Transfers in	(15,300)	(23,608)	21,822	45,430
Transfers out	(1,768,279)	(1,842,635)	(1,709,220)	133,415
Total other financing (uses)	(1,783,579)	(1,866,243)	(1,687,398)	178,845
Net change in fund balance	(367,290)	(1,465,329)	(591,202)	874,127
Fund balance, beginning of year	8,539,567	8,539,567	8,539,567	-
Fund balance, end of year	\$ 8,172,277	\$ 7,074,238	\$ 7,948,365	\$ 874,127

concluded.

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Statement of Net Position

Proprietary Funds - Internal Service Funds
June 30, 2014

	Total
Assets	
Current assets:	
Cash and cash equivalents	\$ 3,373,267
Investments	1,496,024
Accounts receivable	31,875
Inventory	30,918
Prepaid items	56,765
Total current assets	4,988,849
Noncurrent assets - capital assets, net	1,366,818
Total assets	6,355,667
Liabilities	
Current liabilities:	
Accounts payable and accrued liabilities	53,413
Current portion of claims payable	266,600
Total current liabilities	320,013
Noncurrent liabilities - claims payable, net	399,894
Total liabilities	719,907
Net position	
Investment in capital assets	1,366,818
Unrestricted	4,268,942
Total net position	\$ 5,635,760

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Statement of Revenues, Expenses and Changes in Net Position

Proprietary Funds - Internal Service Funds
For the Year Ended June 30, 2014

	Total
Operating revenues	
Charges for services	\$ 2,025,647
Operating expenses	
Salaries, taxes and benefits	195,114
Gas, oil and fuel	169,253
Depreciation	390,017
Operation and maintenance	150,868
Contractual services and fees	239,582
Insurance and other	58,319
Benefits and claims	1,651,683
Total operating expenses	2,854,836
Operating loss	(829,189)
Nonoperating revenues	
Investment income	162,037
Gain on sale of equipment	136,106
Total nonoperating revenues	298,143
Loss before transfers	(531,046)
Transfers out	(211,367)
Change in net position	(742,413)
Net position, beginning of year	6,378,173
Net position, end of year	\$ 5,635,760

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Statement of Cash Flows

Proprietary Funds - Internal Service Funds
For the Year Ended June 30, 2014

	Total
Cash flows from operating activities	
Cash received from interfund services	\$ 2,000,815
Cash payments to employees	(195,114)
Cash payments for claims	(1,394,053)
Cash payments to suppliers for goods and services	(585,323)
Net cash used in operating activities	(173,675)
Cash flows from noncapital financing activities	
Transfer to other funds	(211,367)
Cash flows from capital and related financing activities	
Purchase of capital assets	(196,889)
Proceeds from sale of capital assets	136,106
Net cash used in capital and related financing activities	(60,783)
Cash flows from investing activities	
Redemption of investments	185,350
Investment income	162,037
Net cash provided by investing activities	347,387
Change in cash and cash equivalents	(98,438)
Cash and cash equivalents, beginning of year	3,471,705
Cash and cash equivalents, end of year	<u>\$ 3,373,267</u>

continued...

CITY OF YPSILANTI, MICHIGAN

Statement of Cash Flows

Proprietary Funds - Internal Service Funds
For the Year Ended June 30, 2014

	Total
Reconciliation of operating loss to net cash used in operating activities	
Operating loss	\$ (829,189)
Adjustments to reconcile operating loss to net cash used in operating activities:	
Depreciation	390,017
Changes in:	
Accounts receivable	(24,832)
Inventory	3,406
Prepaid items	3,352
Accounts payable and accrued liabilities	25,970
Claims payable	257,601
Net cash used in operating activities	<u><u>\$ (173,675)</u></u>
	concluded.

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Statement of Fiduciary Net Position

Fiduciary Funds

June 30, 2014

	Police and Fire Retirement System Trust	Current Tax Agency Fund
Assets		
Cash and cash equivalents	\$ 1,722,701	\$ -
Investments:		
U.S. agencies	1,874,591	-
Corporate bonds	4,895,579	-
Domestic equities	15,495,617	-
International equities	1,362,395	-
Mutual funds	5,523,432	-
Exchange traded products	277,182	-
Real estate investment trusts	544,836	-
Money market accounts	539,383	-
Accrued interest receivable	53	-
Total assets	<u>32,235,769</u>	<u>\$ -</u>
Liabilities		
Undistributed receipts	-	\$ -
Accounts payable	638,532	-
Total liabilities	<u>638,532</u>	<u>\$ -</u>
Net position		
Restricted for pension benefits	<u>\$ 31,597,237</u>	

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Statement of Changes in Fiduciary Net Position

Fiduciary Funds - Police and Fire Retirement System Trust Fund
For the Year Ended June 30, 2014

Additions

Investment income:

Net appreciation in fair value of investments	\$ 4,362,837
Interest and dividends	728,007
Less investment management fees	<u>(108,610)</u>

Net investment income	<u>4,982,234</u>
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Contributions:

City of Ypsilanti	1,358,167
Participants	<u>275,422</u>

Total contributions	<u>1,633,589</u>
---------------------	------------------

Total additions	<u>6,615,823</u>
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Deductions

Participant benefits	3,078,288
Administrative expenses	<u>60,012</u>

Total deductions	<u>3,138,300</u>
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Net change to net position restricted for pension benefits	3,477,523
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Net position restricted for pension benefits, beginning of year	<u>28,119,714</u>
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Net position restricted for pension benefits, end of year	<u><u>\$ 31,597,237</u></u>
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The accompanying notes are an integral part of these financial statements.

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COMPONENT UNIT FINANCIAL STATEMENTS

CITY OF YPSILANTI, MICHIGAN

Combining Statement of Net Position

Component Units

June 30, 2014

	Downtown Development Authority	Depot Town Downtown Development Authority	Economic Development Corporation	Totals
Assets				
Cash and cash equivalents	\$ 246,930	\$ 311,607	\$ 207,664	\$ 766,201
Accounts receivable	-	515	-	515
Prepays	-	-	356	356
Capital assets not being depreciated	-	53,984	53,200	107,184
Capital assets being depreciated, net	1,759,030	268,757	-	2,027,787
Total assets	<u>2,005,960</u>	<u>634,863</u>	<u>261,220</u>	<u>2,902,043</u>
Liabilities				
Accounts payable	15,717	12,483	-	28,200
Accrued liabilities	11,744	661	-	12,405
Due to other governments	365	11,860	72,164	84,389
Unearned revenues	11,500	10,000	-	21,500
Long-term liabilities:				
Due within one year	55,952	19,275	-	75,227
Due in more than one year	616,663	6,984	-	623,647
Total liabilities	<u>711,941</u>	<u>61,263</u>	<u>72,164</u>	<u>845,368</u>
Net position				
Investment in capital assets	1,089,030	296,482	53,200	1,438,712
Unrestricted	204,989	277,118	135,856	617,963
Total net position	<u>\$ 1,294,019</u>	<u>\$ 573,600</u>	<u>\$ 189,056</u>	<u>\$ 2,056,675</u>

The accompanying notes are an integral part of the financial statements.

CITY OF YPSILANTI, MICHIGAN

Combining Statement of Activities

Component Units

For the Year Ended June 30, 2014

	Downtown Development Authority	Depot Town Downtown Development Authority	Economic Development Corporation	Totals
Expenses				
Community / economic development	\$ 341,286	\$ 75,261	\$ 1,248	\$ 417,795
Program revenues				
Operating grants and contributions	-	6,841	-	6,841
Net program expense	(341,286)	(68,420)	(1,248)	(410,954)
General revenues				
Property taxes	307,726	99,568	-	407,294
Other revenue	7,007	200	-	7,207
Unrestricted investment earnings	1,317	1,223	922	3,462
Total general revenues	316,050	100,991	922	417,963
Change in net position	(25,236)	32,571	(326)	7,009
Net position, beginning of year	1,319,255	541,029	189,382	2,049,666
Net position, end of year	<u>\$ 1,294,019</u>	<u>\$ 573,600</u>	<u>\$ 189,056</u>	<u>\$ 2,056,675</u>

The accompanying notes are an integral part of the financial statements.

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NOTES TO THE FINANCIAL STATEMENTS

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CITY OF YPSILANTI, MICHIGAN

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CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the City of Ypsilanti, Michigan have been prepared in conformity with generally accepted accounting principles (GAAP) as applied to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The more significant of the City's accounting policies are described below.

Reporting Entity

The City of Ypsilanti is governed by an elected seven-member council. The accompanying financial statements present the City and its component units, entities for which the City is considered to be financially accountable. Although blended component units are legal separate entities, in substance, they are part of the City's operations, whereas discretely presented component units are reported in a separate column in the government-wide financial statements to emphasize that they are legally separate from the City.

The component units discussed below are included in the City's reporting entity because of the significance of their operational or financial relationship with the City. Each blended or discretely presented component unit has a June 30 year end.

Blended Component Units - The City has no blended component units.

Discretely Presented Component Units - Following is a summary of the City's discretely presented component units:

Downtown Development Authority (DDA) - The DDA is responsible for correcting and preventing deterioration in the downtown district, encourages historical preservation and promotes economic growth within the district. The City Council appoints and may remove board members and approves the budget. Separate financials are not prepared.

Depot Town Downtown Development Authority (DDA) - The Depot Town DDA is responsible for promoting development and preservation of the Depot Town DDA district. The City Council appoints and may remove board members and approves the budget. Separate financials are not prepared.

Economic Development Corporation (EDC) - The EDC is responsible for providing means and methods to encourage and assist industrial and commercial development within the City. The City Council appoints and may remove board members and approves the budget. Separate financials are not

Brownfield Redevelopment Authority (BRA) - The BRA is responsible for administering brownfield redevelopment projects. The City Council appoints and may remove board members and approves the budget. Separate financials are not prepared; the BRA had no financial activity for the current year.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Basis of Presentation

Government-wide and Fund Financial Statements

Government-wide Financial Statements. The statements of net position and activities display information on the primary government and its component units. These statements include the financial activities of the overall government, except for fiduciary activities. As a general rule the effect of interfund activity has been removed from the government-wide financial statements, except for payments-in-lieu of taxes and various other functions of the government. Elimination of these charges would distort the direct costs and program revenues reported for the various applicable functions. Although government-wide financial statements generally distinguish between *governmental* and *business-type activities*, the City has no business-type activities and, therefore, only reports governmental activities. Governmental activities generally are financed through taxes and intergovernmental revenues.

The statement of activities presents a comparison between direct expenses and program revenues for each function of the City's governmental activities. Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. Indirect expense allocations that have been made in the funds have been reversed for the statement of activities. Program revenues include (a) charges paid by the recipients of goods or services offered by the programs and (b) grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, including all taxes, are presented as general revenues.

Fund Financial Statements. The fund financial statements provide information about the City's funds, including its fiduciary funds. 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. The emphasis of fund financial statements is on major governmental funds, each displayed in a separate column. All remaining governmental funds are aggregated and reported as nonmajor funds.

Measurement Focus, Basis of Accounting, and Financial Statement Presentation

Government-wide, Proprietary and Fiduciary Fund Financial Statements. The government-wide, proprietary and fiduciary fund financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, except for agency funds, which do not have a measurement focus. Revenue is recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

Proprietary funds distinguish operating revenues 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 City's internal service funds are charges to other funds of the City for various services. Operating expenses for internal service funds include these services, administrative expenses, and depreciation on capital assets. All revenue and expense not meeting this definition are reported as nonoperating revenue and expenses.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Nonexchange transactions, in which the City gives (or receives) value without directly receiving (or giving) equal value in exchange, include property taxes, grants, entitlements and donations. 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.

Governmental Fund Financial Statements. Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. Revenue is considered to be available if it is collected within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the City considers revenues to be available if they are collected within sixty days of the end of the current fiscal period. Property taxes, franchise taxes, licenses and interest are considered to be susceptible to accrual.

Expenditures generally are recorded when a related fund liability is incurred, except for debt service expenditures, compensated absences, and claims and judgments, which are recognized as expenditures to the extent they have matured. General capital asset acquisitions are reported as expenditures in governmental funds. Proceeds from general long-term debt and acquisitions under capital leases, if any, are reported as other financing sources.

Under the terms of grant agreements, the City funds certain programs by a combination of specific cost-reimbursement grants and general revenues. Thus, when an expense is incurred for purposes for which both restricted and unrestricted net assets are available, the City's policy is to first apply restricted resources.

The City reports the following major governmental funds:

The *general fund* is the government's primary operating fund. It accounts for all the financial resources of the general government, except those accounted for and reported in another fund.

The *2006 general obligation capital projects fund* accounts for activity related to the purchase and development of various properties located within the City. Revenues come from various grants and proceeds from sale of land.

The *2013 revenue refunding bond capital projects fund* accounts for activity related to the refunding of certain revenue bonds and new monies for certain capital projects.

Additionally, the City reports the following fund types:

Special revenue funds are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects.

Debt service funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for principal and interest on long-term general obligation debt of governmental funds.

Capital projects funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for capital outlays, including the acquisition or construction of capital facilities and other capital assets that are not being financed by proprietary funds.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Internal service funds are proprietary funds used to account for major machinery and equipment purchases and maintenance, retiree health care, as well as risk management services provided to other departments of the City on a cost reimbursement basis.

The *pension trust fund* is a fiduciary fund that accounts for the activities of the Police and Fire Employees' Retirement System. This fund accumulates resources for pension benefit payments to qualified police and fire employees through the collection of property tax revenues.

Agency funds are custodial in nature and do not present results of operations or have a measurement focus. These funds are used to account for assets that the government holds for others in an agency capacity (such as taxes collected for other governments).

Assets, Liabilities and Equity

Deposits and Investments

State statutes authorize the government to deposit in the accounts of federally insured banks, credit unions, and savings and loan associations, and to invest in obligations of the U.S. Treasury, certain commercial paper, repurchase agreements, bankers' acceptances, and mutual funds composed of otherwise legal investments. The State's Pension Investment Act, as amended, authorizes the pension trust fund to invest in common stocks, real estate, and various other investment instruments, subject to certain limitations.

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. Short-term investments are reported at cost, which approximates fair value. Securities traded on a national or international exchange are valued at the last reported sales price at current exchange rates. Mortgages are valued on the basis of future principal and interest payments, and are discounted at prevailing interest rates for similar instruments. Investments that do not have established market values are reported at estimated fair value. Cash deposits are reported at carrying amounts, which reasonably approximates fair value.

Unrealized appreciation or depreciation on pension trust fund investments due to changes in fair value are recognized each year.

Receivables and Payables

In general, outstanding balances between funds are reported as "due to/from other funds". Activity between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year is referred to as "advances to/from other funds". All trade receivables are shown net of allowance for uncollectible amounts.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Inventory, Prepaid Items and Other Assets

Inventory in the general and internal service funds is valued at cost using the first-in/first-out method, which approximates market value. Inventory of governmental funds is recorded as an expenditure when purchased. Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items, when incurred, in both the government-wide and fund financial statements.

Capital Assets

Capital assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items), are reported in the governmental activities column in the government-wide financial statements. The government defines capital assets as assets with an initial, individual cost of more than \$1,000 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 fair value at the date of donation.

Capital assets of the primary government are depreciated using the straight-line method over the following estimated useful lives:

Assets	Years
Infrastructure	15
Buildings and improvements	5-70
Vehicles and equipment	3-20

Deferred Outflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The government only has one item that qualifies for reporting in this category. It is the deferred charge on refunding reported in the government-wide statement of net position. A deferred charge on refunding results from the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt.

Compensated Absences

It is the government's policy to permit employees to accumulate earned but unused sick and vacation pay benefits. All sick and vacation pay is accrued when incurred in the government-wide financial statements. A liability for these amounts is reported in governmental funds only if they have matured, for example, as a result of employee resignations or retirements.

Long-term Obligations

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities. 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.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

Deferred Inflows of Resources

In addition to liabilities, the statement of financial position and governmental funds balance sheet will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents revenue that applies to one or more future periods and so will not be recognized as an inflow of resources until that time. The governmental funds report unavailable revenues, which arise only under a modified accrual basis of accounting. These amounts are deferred and recognized as an inflow of resources in the period that the amounts become available.

Fund Balances

Governmental funds report nonspendable fund balance for amounts that cannot be spent because they are either not in spendable form or legally or contractually required to be maintained intact. Restricted fund balance is reported when externally imposed constraints are placed on the use of resources by grantors, contributors, or laws or regulations of other governments. Committed fund balance is reported for amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the government's highest level of decision-making authority, the City Council; a formal resolution of the City Council is required to establish, modify, or rescind a fund balance commitment. Assigned fund balance is reported in instances where the City Council has given authority for the making of such assignments to City management; assigned fund balances are neither restricted nor committed. Unassigned fund balance is the residual classification for the general fund.

When the government incurs expenditures for purposes for which various fund balance classifications can be used, it is the government's policy to use restricted fund balance first, then committed, assigned and finally unassigned fund balance.

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 reporting period. Actual results could differ from those estimates.

2. BUDGETARY INFORMATION

Annual budgets are adopted on a basis consistent with generally accepted accounting principles for the general and special revenue funds. All annual appropriations lapse at year end. The annual budget for the next fiscal year is prepared by the City's management by June 1 of each year and adopted by the City Council no later than June 30 of each year (i.e., prior to the start of the next fiscal year); subsequent amendments are approved by the City Council.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Budgetary control is exercised at the fund level although the budget is approved at the fund level; expenditures in excess of amounts appropriated at this level are a violation of Michigan law. The accompanying budget to actual comparisons are presented at a greater level of detail than the adopted budget for management analysis only. Supplemental budgetary appropriations were made during the year, the total of which was not significant in relation to the original appropriations.

Encumbrance accounting, under which purchase orders, contracts and other firm commitments are used for the expenditure of monies, is utilized as an extension of formal budgetary control in the governmental funds. Encumbered amounts lapse at year-end.

3. EXCESS OF EXPENDITURES OVER APPROPRIATIONS

State statutes provide that a local unit shall not incur expenditures in excess of the amounts appropriated. The approved budgets of the City were adopted on a fund level basis. During the year ended June 30, 2014, the government incurred expenditures in excess of the amounts appropriated at the legal level of budgetary control as follow:

	Final Budget	Actual	Over Budget
Nonmajor special revenue funds			
Garbage and rubbish collection fund	\$ 1,014,160	\$ 1,019,607	\$ (5,447)

4. 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. Beginning January 1, 2000, the law requires that collection of these fees be used only for construction costs, including an allocation of estimated overhead costs.

A summary of current year activity and the cumulative shortfall generated since January 1, 2000 is as follows:

Current year building permit revenue	\$ 229,716
Less related expenditures:	
Direct costs	238,574
Estimated indirect costs	<u>33,683</u>
Current year shortfall	(42,541)
Cumulative shortfall, beginning of year	<u>(848,405)</u>
Cumulative shortfall, end of year	<u>\$ (890,946)</u>

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

5. DEPOSITS AND INVESTMENTS

Following is a reconciliation of deposit and investment balances as of June 30, 2014:

	Primary Governments	Component Units	Total
Statement of net position			
Cash and cash equivalents	\$ 15,533,099	\$ 766,201	\$ 16,299,300
Investments	3,478,195	-	3,478,195
Statement of fiduciary net position			
Cash and cash equivalents:			
Pension trust fund	1,722,701	-	1,722,701
Investments - pension trust fund	30,513,015	-	30,513,015
	<u>\$ 51,247,010</u>	<u>\$ 766,201</u>	<u>\$ 52,013,211</u>
Deposits and investments:			
Bank deposits (checking, savings and certificates of deposit)			\$ 18,014,026
Investments in securities, mutual funds and similar vehicles:			
City investment pool			3,478,195
Pension trust fund			30,513,015
Cash on hand			<u>7,975</u>
Total			<u>\$ 52,013,211</u>

Custodial Credit Risk - Deposits. For deposits, custodial credit risk is the risk that, in the event of a bank failure, the City's deposits may not be returned to the government. As of June 30, 2014, \$17,579,612 of the City's total bank balance of \$18,829,612 (total book balance was \$18,014,026) was exposed to custodial credit risk as it was uninsured and uncollateralized.

The City's depository and investment policy does not specifically address this risk, although the City believes that due to the dollar amounts of cash deposits and the limits of FDIC insurance, it is impractical to insure all bank deposits. As a result, the City evaluates each financial institution with which it deposits City funds and assesses the level of risk of each institution; only those institutions with an acceptable estimated risk level are used as depositories.

Custodial Credit Risk - City Investment Pool. The City's investments of \$3,478,195 as of June 30, 2014 consisted of amounts held in a Securities and Exchange Commission registered external local government investment pool (\$1,078,673) and amounts held in securities of U.S. agencies (\$2,399,522). For investments, custodial credit risk is the risk that, in the event of the failure of the counterparty, the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The City's investment policy requires that investment securities be held in third-party safekeeping by a designated institution and that the safekeeping agent follow the procedure of delivery vs. payment. As of June 30, 2014, none of the City's investments were exposed to custodial credit risk as they were held in the City's name by the counterparty.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Credit Risk. As of June 30, 2014, all of the City's investments in securities of U.S. agencies were rated Aaa by Moody's. The City's investment in the external local government investment pool was rated AAA/m by Standard & Poors (S&P). The City's investment policy does not have specific limits in excess of State law on investment credit risk.

Concentration of Credit Risk. At June 30, 2014, the investment portfolio of the City was concentrated 28.6% in securities of the Federal National Mortgage Association and 39.7% in securities of the Federal Home Loan Mortgage Corporation. The City's investment policy does not address concentration of credit risk.

Interest Rate Risk. Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of investments. As of June 30, 2014, maturities of the City's investments in the debt securities of U.S. agencies were more than ten years. The average maturity of the underlying investments in the external local government investment pool was less than 60 days. The City's investment policy does not address interest rate risk.

6. INVESTMENTS - PENSION TRUST FUND

The investments of the Police and Fire Retirement System Trust Fund (the "System") are separate from the City's investments, and are subject to other investment policies and state statutes. Accordingly, the required disclosures for these investments are presented separately.

The Michigan Public Employees Retirement Systems' Investment Act, Public Act 314 of 1965, as amended, authorizes the System to invest in stocks, government and corporate securities, mortgages, real estate, and various other investment instruments, subject to certain limitations. The Retirement Board has the responsibility and authority to oversee the investment portfolio. Various professional investment managers are contracted to assist in managing the System's assets. All investment decisions are subject to Michigan law and the investment policy established by the Retirement Board.

The System's investments are held in a bank-administered trust fund. Following is a summary of the System's investments as of June 30, 2014:

**Investments at fair value, as determined by
quoted market price:**

U.S. agencies	\$ 1,874,591
Corporate bonds	4,895,579
Domestic equities	15,495,617
International equities	1,362,395
Mutual funds	5,523,432
Exchange traded products	277,182
Domestic real estate investment trusts	544,836
Money market accounts	539,383
Total investments	\$ 30,513,015

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Credit Risk. As of June 30, 2014, the System's investments in U.S. agencies were rated Aaa by Moody's Investor Services and its domestic corporate bonds were rated as follows:

Aa3	\$ 330,775
A1	629,914
A2	1,167,979
A3	219,602
Baa1	915,273
Baa2	1,404,780
Baa3	227,256
Totals	<u>\$ 4,895,579</u>

The System's policy regarding credit risk provides that a minimum of 70% of fixed income investments must be in the top three major grades as determined by Moody's and the balance must be in the top four major grades.

Custodial Credit Risk. For investments, custodial credit risk is the risk that, in the event of the failure of the counterparty, the System will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The System's investment policy requires that investment securities be held in trust by a third-party institution in the System's name. As such, although uninsured and unregistered, the System's investments are not exposed to custodial credit risk since the securities are held by the counterparty's trust department in the System's name. Short-term investments in money market funds are not subject to custodial credit risk.

Concentration of Credit Risk. At June 30, 2014, the System did not have any holdings in any one issue greater than 5% of the total investment portfolio.

The System's policy regarding concentration of credit risk does not specify limits regarding concentration of credit risk, although it provides guidelines regarding target maximums for investment types.

Interest Rate Risk. As of June 30, 2014, maturities of the System's debt securities were as follows:

		Investment Maturities (fair value by years)			
	Fair Value	Less Than 1	1-5	6-10	More Than 10
U.S. agencies	\$ 1,874,591	\$ 123,067	\$ 5,320	\$ -	\$ 1,746,204
Corporate bonds	4,895,579	529,189	1,393,562	2,062,130	910,698
	<u>\$ 6,770,170</u>	<u>\$ 652,256</u>	<u>\$ 1,398,882</u>	<u>\$ 2,062,130</u>	<u>\$ 2,656,902</u>

Of the above corporate bonds, \$625,004 of the total is callable.

The System's policy regarding interest rate risk provides that fixed income maturities may not exceed 30 years; the System's holdings comply with this requirement.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Foreign Currency Risk. Foreign currency risk is the risk that significant fluctuations in exchange rates may adversely affect the fair value of an investment. The System's exposure to foreign currency risk is summarized as follows:

Investment / Country	Currency	Fair value (U.S. dollars)
International equities		
Ireland	European euro	\$ 294,827
Great Britain	British pound	151,264
Netherlands	European euro	231,582
Netherlands Antilles	Netherlands Antillean guilder	322,593
Taiwan	Taiwan dollar	205,879
Canada	Canadian dollar	156,250
Total		<u>\$ 1,362,395</u>

In addition to the above, the System's holdings in mutual funds are primarily composed of underlying investments in international equities (approximately 70% of total mutual fund holdings of \$5,523,432), predominately in Japanese, European and other Asian companies. The residual mutual fund underlying investments are in gold, cash and cash equivalents, international bonds and U.S. equities.

The System restricts the amount of investment in foreign currency-denominated investments to 20% of total pension system investment.

7. RECEIVABLES

Receivables in the governmental activities are 95.9% leases (approximately 7.0% of which will be collected in one year), 2.7% due from other governments and 1.4% other receivables.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

8. CAPITAL ASSETS

Capital asset activity of the City's governmental activities was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Governmental activities				
Capital assets not being depreciated:				
Land	\$ 760,443	\$ 612,662	\$ -	\$ 1,373,105
Construction in progress	62,301	891,292	(843,125)	110,468
	<u>822,744</u>	<u>1,503,954</u>	<u>(843,125)</u>	<u>1,483,573</u>
Capital assets being depreciated:				
Infrastructure	39,090,582	843,125	-	39,933,707
Buildings and improvements	6,770,368	887,115	-	7,657,483
Vehicles and equipment	7,759,513	259,788	(761,707)	7,257,594
	<u>53,620,463</u>	<u>1,990,028</u>	<u>(761,707)</u>	<u>54,848,784</u>
Less accumulated depreciation for:				
Infrastructure	22,534,358	2,393,493	-	24,927,851
Buildings and improvements	3,021,825	184,443	-	3,206,268
Vehicles and equipment	6,000,719	454,834	(761,707)	5,693,846
	<u>31,556,902</u>	<u>3,032,770</u>	<u>(761,707)</u>	<u>33,827,965</u>
Total capital assets being depreciated, net	<u>22,063,561</u>	<u>(1,042,742)</u>	<u>-</u>	<u>21,020,819</u>
Governmental activities capital assets, net	<u>\$ 22,886,305</u>	<u>\$ 461,212</u>	<u>\$ (843,125)</u>	<u>\$ 22,504,392</u>

Depreciation expense was charged to programs of the primary government as follows:

Governmental activities	
General government	\$ 53,983
Public safety	94,632
Public works	41,228
Highways, streets and bridges	2,377,340
Culture and recreation	75,570
Capital assets held by the government's internal service funds are charged to the various functions based on their usage of the assets	<u>390,017</u>
Total depreciation expense - governmental activities	<u>\$ 3,032,770</u>

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Capital asset activity of the City's component units was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Component units				
Capital assets not being depreciated:				
Land	\$ 53,200	\$ -	\$ -	\$ 53,200
Construction in progress	-	53,984	-	53,984
	<u>53,200</u>	<u>53,984</u>	<u>-</u>	<u>107,184</u>
Capital assets being depreciated -				
Buildings and improvements	3,639,052	-	-	3,639,052
Less accumulated depreciation for -				
Buildings and improvements	<u>1,486,797</u>	<u>124,468</u>	<u>-</u>	<u>1,611,265</u>
Total capital assets being depreciated, net	<u>2,152,255</u>	<u>(124,468)</u>	<u>-</u>	<u>2,027,787</u>
Component units capital assets, net	<u>\$ 2,205,455</u>	<u>\$ (70,484)</u>	<u>\$ -</u>	<u>\$ 2,134,971</u>

9. PAYABLES

Payables in the governmental activities are 29.1% accrued liabilities, 12.7% property tax refunds, 20.0% interest, 28.8% claims, and 9.4% vendors.

10. INTERFUND RECEIVABLES, PAYABLES AND TRANSFERS

	Due from Other Funds	Due To Other Funds
General fund	\$ -	\$ 102,122
Nonmajor governmental funds	<u>102,122</u>	<u>-</u>
	<u>\$ 102,122</u>	<u>\$ 102,122</u>

Generally, transfers are used to: (1) move revenues from the fund that is required to collect them to the fund that is required or allowed to expend them; (2) move receipts restricted to or allowed for debt service from the funds collecting the receipts to the debt service fund as debt service payments become due; and (3) use unrestricted revenues collected in the general fund to finance various programs accounted for in other funds in accordance with budgetary authorizations. The effect of interfund activity has been eliminated from the government-wide financial statements.

Most significant of the transfers below were transfers between nonmajor governmental funds (i.e., debt service and capital projects funds) related to a bond refunding transaction that affected five prior bond issues.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Transfers In	Transfers Out			Totals
	General Fund	Nonmajor Governmental Funds	Internal Service Funds	
General fund	\$ -	21,822	\$ -	\$ 21,822
2006 general obligation fund	1,341,986	-	-	1,341,986
2013 revenue refunding fund	-	1,994,075	-	1,994,075
Nonmajor governmental funds	367,234	992,182	211,367	1,570,783
	<u>\$ 1,709,220</u>	<u>\$ 3,008,079</u>	<u>\$ 211,367</u>	<u>\$ 4,928,666</u>

11. CONTINGENT LIABILITIES

Amounts received or receivable from grantor agencies are subject to audit and potential adjustment by grantor agencies, principally the federal government. Any disallowed claims, including amounts already collected, may constitute a liability of the applicable funds. The amount, if any, of expenditures which may be disallowed by the grantor cannot be determined at this time although the government expects such amounts, if any, to be immaterial.

The government is a defendant in various lawsuits. Although the outcome of these lawsuits is not presently determinable, it is the opinion of the government's counsel that resolution of these matters will not have a material adverse effect on the financial condition of the government.

The City is currently involved in various tax appeals pending before the Michigan Tax Tribunal. The appeals cover various commercial and industrial properties for the years 2005 through 2013. Due to the large number of appeals currently before the Tribunal, the time frame for resolution of these matters is unknown at this time. An estimate of the City's maximum exposure is approximately \$230,000 dollars. The City is vigorously defending all such litigation.

12. LONG-TERM DEBT

Primary Government

General obligation bonds. The government issues general obligation bonds to provide funds for the acquisition and construction of major capital facilities. General obligation bonds have been issued for governmental activities. The original amount of general obligation bonds issued in prior years for the items listed below was \$26,435,000.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

General obligation bonds are direct obligations that pledge the full faith and credit of the government. These bonds are issued as 10 to 20-year serial bonds with varying amounts of principal maturing each year. General obligation bonds currently outstanding are as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
2010 refunding bonds	\$ 2,605,000	\$ -	\$ (630,000)	\$ 1,975,000	\$ 645,000
2002 capital improvements	165,000	-	(30,000)	135,000	30,000
2006 property remediation	14,730,000	-	(445,000)	14,285,000	505,000
2013 refunding bonds	4,140,000	-	(610,000)	3,530,000	620,000
	<u>\$ 21,640,000</u>	<u>\$ -</u>	<u>\$ (1,715,000)</u>	<u>\$ 19,925,000</u>	<u>\$ 1,800,000</u>

Annual debt service requirements to maturity for general obligation bonds are as follows:

	Principal	Interest
2015	\$ 1,800,000	\$ 957,348
2016	1,860,000	903,228
2017	1,915,000	846,756
2018	1,450,000	794,455
2019	1,455,000	748,141
2020-2024	3,805,000	3,090,278
2025-2029	5,120,000	1,533,864
2030-2031	2,520,000	236,530
	<u>\$ 19,925,000</u>	<u>\$ 9,110,600</u>

Revenue bonds. The City also issues bonds where the income derived from the acquired or constructed assets is pledged to pay debt service. In this instance, the income is derived from Ypsilanti Community Utilities Authority (see *Joint Venture note*), which manages and operates the related water and wastewater systems. The original amount of revenue bonds issued in prior years for the items listed below was \$52,730,000. Revenue bonds outstanding at year-end are as follows:

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
2001 Water/Sewer	\$ 870,000	\$ -	\$ (870,000)	\$ -	\$ -
2002-A Water/Sewer	1,000,000	-	(1,000,000)	-	-
2002-B Water/Sewer (DWRf)	255,000	-	(25,000)	230,000	25,000
2002-C Water/Sewer	3,255,000	-	(3,255,000)	-	-
2003-A Water/Sewer	1,015,000	-	(510,000)	505,000	505,000
2003-B Water/Sewer	1,240,000	-	(1,240,000)	-	-
2003-C Water/Sewer (DWRf)	480,000	-	(40,000)	440,000	40,000
2003-D Water/Sewer (DWRf)	3,235,000	-	(260,000)	2,975,000	265,000
2004-A Water/Sewer	2,200,000	-	(2,200,000)	-	-
2004-B Water/Sewer (DWRf)	4,115,000	-	(305,000)	3,810,000	310,000
2006 Water/Sewer Refunding	9,770,000	-	(25,000)	9,745,000	25,000
2007 Water/Sewer (DWRf)	238,702	-	(15,000)	223,702	15,000
2008 Water/Sewer (DWRf)	359,253	-	(20,000)	339,253	20,000
2009 Water/Sewer (DWRf)	124,029	-	(5,000)	119,029	5,000
2012 Water/Sewer (DWRf)	1,232,551	1,503,185	-	2,735,736	115,000
2013 Water/Sewer Refunding	-	7,490,000	-	7,490,000	540,000
	<u>\$ 29,389,535</u>	<u>\$ 8,993,185</u>	<u>\$ (9,770,000)</u>	<u>\$ 28,612,720</u>	<u>\$ 1,865,000</u>

DWRf = Drinking Water Revolving Fund (State of Michigan)

The City issued \$7,490,000 in revenue refunding bonds during the year to refund \$7,950,000 in bonds (the 2001, 2002-A, 2002-C, 2003-B and 2004-A issues) in order to reduce debt service by \$753,109 and a net present value savings of \$669,849. The refunded bonds were called on September 1, 2013.

Annual debt service requirements to maturity for revenue bonds are as follows:

	Principal	Interest
2015	\$ 1,865,000	\$ 915,970
2016	1,850,000	868,998
2017	1,900,000	817,504
2018	1,945,000	730,189
2019	2,065,000	688,501
2020-2024	11,380,000	2,354,639
2025-2029	6,906,984	593,894
2030-2034	700,736	36,459
	<u>\$ 28,612,720</u>	<u>\$ 7,006,154</u>

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Installment Obligations. The government has entered into various long-term loan and installment payment agreements. Such obligations outstanding at year-end are as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
2003 CDBG loan (noncapital)	\$ 2,750,350	\$ -	\$ -	\$ 2,750,350	\$ -
Biltmore agreement	340,000	-	-	340,000	-
	<u>\$ 3,090,350</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 3,090,350</u>	<u>\$ -</u>

Annual debt service requirements to maturity for installment purchase agreements are as follows:

	Principal	Interest
2015	\$ -	\$ -
2016	150,000	30,000
2017	125,000	54,000
2018	130,000	49,000
2019	140,000	43,800
2020-2024	780,000	131,000
2025-2027	<u>1,425,350</u>	<u>7,000</u>
	2,750,350	314,800
Biltmore agreement	<u>340,000</u>	<u>-</u>
	<u>\$ 3,090,350</u>	<u>\$ 314,800</u>

Repayment of the remaining \$340,000 on the Biltmore agreement is contingent upon certain future events occurring between now and 2030, primary of which is the City's sale of the former Biltmore property. The likelihood of such future sale is presently indeterminable.

Component Units

Component unit general obligation bonds outstanding at June 30, 2014 are as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
Downtown development:					
1994	\$ 80,000	\$ -	\$ (80,000)	\$ -	\$ -
2004-A	720,000	-	(50,000)	670,000	55,000
	<u>\$ 800,000</u>	<u>\$ -</u>	<u>\$ (130,000)</u>	<u>\$ 670,000</u>	<u>\$ 55,000</u>

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Annual debt service requirements to maturity for component unit general obligation bonds are as follows:

	Principal	Interest
2015	\$ 55,000	\$ 28,948
2016	55,000	26,858
2017	60,000	24,685
2018	60,000	22,255
2019	65,000	19,765
2020-2024	375,000	52,745
	<u>\$ 670,000</u>	<u>\$ 175,256</u>

Component unit revenue bonds outstanding at June 30, 2014 are as follows:

	Beginning Balance	Reductions	Ending Balance	Due Within One Year
2000 Depot Town Downtown Development	\$ 44,586	\$ (18,327)	\$ 26,259	\$ 19,275

Annual debt service requirements to maturity for component unit revenue bonds are as follows:

	Principal	Interest
2015	\$ 19,275	\$ 1,237
2016	6,984	177
	<u>\$ 26,259</u>	<u>\$ 1,414</u>

Changes in Long-term Debt. Long-term debt activity for the year ended June 30, 2014, was as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
Primary Government					
General obligation bonds	\$ 21,640,000	\$ -	\$ (1,715,000)	\$ 19,925,000	\$ 1,800,000
Revenue bonds	29,389,535	8,993,185	(9,770,000)	28,612,720	1,865,000
Unamortized premium	-	433,687	(30,978)	402,709	-
Installment obligations	3,090,350	-	-	3,090,350	-
Compensated absences	947,182	723,712	(717,611)	953,283	722,233
	<u>\$ 55,067,067</u>	<u>\$ 10,150,584</u>	<u>\$ (12,233,589)</u>	<u>\$ 52,984,062</u>	<u>\$ 4,387,233</u>
Component Units					
General obligation bonds	\$ 800,000	\$ -	\$ (130,000)	\$ 670,000	\$ 55,000
Revenue bonds	44,586	-	(18,327)	26,259	19,275
Compensated absences	4,112	-	(1,497)	2,615	952
	<u>\$ 848,698</u>	<u>\$ -</u>	<u>\$ (149,824)</u>	<u>\$ 698,874</u>	<u>\$ 75,227</u>

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

For the governmental activities, compensated absences, net pension benefit obligations and net other postemployment benefit obligations, if any, are generally liquidated by the general fund.

13. COMMITTED FUND BALANCE

The components of the committed fund balance in the City's general fund are as follows:

Committed fund balance

Active employees cumulative benefits	\$ 953,283
Water Street project bond payments	3,308,667
Water Street redevelopment professional fees	50,000
Energy efficiency and conservation project	206,312
Peninsular dam inspection study and repair	94,090
MDNR 2011 Recreation Passport Grant (Res # 2011-092)	10,000
Park capital improvements	<u>9,427</u>

Total committed fund balance	<u>\$ 4,631,779</u>
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14. INVESTED IN CAPITAL ASSETS

Net investment in capital assets of the governmental activities were comprised of the following at June 30, 2014:

Capital assets not being depreciated	\$ 1,483,573
Capital assets being depreciated, net	21,020,819
General obligation bonds	(19,925,000)
Revenue bonds	(28,612,720)
Installment obligations	(3,090,350)
Add back debt that did not produce City capital assets:	
General obligation bonds	14,285,000
Revenue bonds	28,612,720
Installment obligations	<u>2,750,350</u>
Net investment in capital assets	<u>\$ 16,524,392</u>

15. 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 claims and participates in the Michigan Municipal League Liability and Property Pool for claims relating to property and general liability; the City is self-insured for workers' compensation claims. Settled claims relating to the commercial insurance have not exceeded the amount of insurance coverage in any of the past three fiscal years.

The Michigan Municipal League risk pool program operates as a common risk-sharing management program for local units of government in Michigan; member premiums are used to purchase commercial excess insurance coverage and to pay member claims in excess of deductible amounts.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

The City estimates the liability for workers' compensation claims that have been incurred through the end of the fiscal year, including claims that have been reported as well as those that have not yet been reported. Changes in the estimated liability for the past two fiscal years were as follows (approximately 40 percent of the total liability is classified as current, the remaining as noncurrent):

	2014	2013
Estimated liability, beginning of year	\$ 408,893	\$ 378,613
Estimated claims incurred, including changes in estimates	461,871	504,413
Claim payments	(204,270)	(474,133)
Estimated liability, end of year	\$ 666,494	\$ 408,893

16. PROPERTY TAXES

The government's property taxes are levied each July 1 on the taxable valuation of property located in the City as of the preceding December 31, the lien date. Property taxes are payable without penalty and interest through September 14; as of February 14 of the succeeding year, unpaid real property taxes are sold to and collected by Washtenaw County. Assessed values, as established annually by the government and subject to acceptance by the County, are equalized by the State at an estimated 50% of current market value. The taxable value of real and personal property in the City for the 2013 levy was \$289,614,595. The government's general operating tax rate for fiscal 2013-14 was 19.0211 mills plus 2.7814 mills for sanitation, 4.7904 mills for streets, 0.9789 for public transit and 8.9229 mills for police and fire pension. Property taxes are recognized in the fiscal year in which they are levied.

Property taxes for the component units are derived from tax increment financing agreements with the various applicable taxing authorities. Under these arrangements, the tax increment finance entities receive the property taxes levied on the increment of current taxable values over the base year values on those properties located within the established tax increment financing district.

17. DEFINED BENEFIT PENSION PLANS

Police and Fire Retirement System

General Information about the Pension Plan

Plan administration. The Police and Fire Retirement System is a single-employer defined benefit pension plan that is administered by the City of Ypsilanti Police and Fire Employees' Retirement System (the "System"); this plan covers all full-time police and fire employees of the City. The System provides retirement, disability, and death benefits to plan members and their beneficiaries. Cost of living adjustments are provided to members and beneficiaries. The plan issues a publicly available financial report that includes financial statements and required supplementary information of the System. That report may be obtained by writing to the System at One South Huron Street, Ypsilanti, Michigan 48197 or on the City's website.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Management of the System is vested in the Retirement Board of the City of Ypsilanti, Michigan Police and Fire Retirement System, which consists of five members: two that are elected (one each representing fire and police employees), two that are appointed by the City Council of the City of Ypsilanti and one that is the Treasurer of the City of Ypsilanti.

The financial statements of the System are prepared using the accrual basis of accounting. Plan member contributions are recognized in the period in which the contributions are due. The City's contributions are recognized when due and a formal commitment to provide the contributions has been made. Benefits and refunds are recognized when due and payable in accordance with the terms of the plans.

Plan investments are reported at fair value. Short-term investments are reported at cost, which approximates fair value. Securities traded on national or international exchanges are valued at the last reported sales price at current exchange rates. Investments that do not have established market values are reported at estimated fair values as determined by the custodian under the direction of the Retirement Board with the assistance of a valuation service. Administrative costs are financed through investment earnings.

Plan membership. At June 30, 2014, membership in the plan consisted of the following:

Retirees and beneficiaries receiving benefits	113
Terminated employee entitled to but not yet receiving benefits	1
Active employees	47
Total	161

Benefits provided. The System provides retirement, disability, and death benefits. Generally, retirement benefits are calculated as a percent of the member's final average compensation (AFC) for a certain number of years times the member's years of service as summarized in the following table:

Eligibility	Amount of Benefit
20 or more years of service (25 years for Fire Chief) regardless of age or age 60 regardless of service.	Straight life pension equals 3.0% of three year AFC times years of service for police and 3.0% of AFC times first 25 years of service plus 1% of AFC times years of service in excess of 25 for fire.
25 or more years of service regardless of age for fire members hired after July 1, 2009.	Straight life pension equals 2.5% of three year AFC times years of service, with a 75% maximum.
25 or more years of service regardless of age for POAM/COAM members hired after July 1, 2009.	Straight life pension equals 2.0% of three year AFC times years of service.
Members hired after July 1, 2012.	Same as members hired after July 1, 2009, except there is no annuity withdrawal option.

Retirees who are receiving benefits below the estimated federal and state poverty levels have their benefits increased up to the poverty level.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Contributions. The obligation to contribute to the System for these employees was established by City ordinances and state statute and requires a contribution from the employees of 10.0% of gross wages for plan members hired prior to July 1, 2009 and 5% of gross wages for plan members hired after July 1, 2009. The funding policy provides for periodic employer contributions at actuarially determined rates; the current rate is 36.51% of covered payroll.

Deferred Retirement Option Program (DROP). In lieu of retiring and receiving a monthly benefit, an eligible participant may elect to participate in the DROP by making an irrevocable election to terminate employment with the City and retire upon ceasing participation in the DROP. The DROP election must specify the future retirement date which must be within the maximum time period permitted (typically 3 to 5 years, based on bargaining unit and hire date). Upon entry in the DROP, the participant ceases to accrue years of service in the defined benefit pension plan. The participant remains an employee of the City for all other purposes, but the retirement benefit payment is calculated and payments commence into a separate, restricted account. These monthly payments, along with interest earnings thereon, are not distributed to the participant until employment has terminated. DROP activity for the year ended June 30, 2014 is as follows:

Beginning Balance	Credits	Interest	Distributions	Adjustments	Ending Balance
\$ 770,635	\$ 244,997	\$ 34,330	\$ (420,094)	\$ -	\$ 629,868

Employer Disclosures under GASB Statement 27

The annual pension cost (APC) for the year ended June 30, 2014 is \$1,358,167. The annual pension cost was equal to the City's required and actual contribution. There was no net pension obligation at the beginning or the end of the fiscal year. The ARC was determined as part of an actuarial valuation as of June 30, 2012, using the entry age cost method.

Three-Year Trend Information

Years Ended June 30,	Annual Pension Cost (APC)	Percentage Contributed	Net Pension Obligation
2012	\$ 1,120,305	100%	\$ -
2013	1,222,085	100%	-
2014	1,358,167	100%	-

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

The funded status of the System as of June 30, 2013, the date of the most recent actuarial valuation, was as follows:

Actuarial accrued liability (AAL)	\$ 44,583,788
Actuarial value of assets	27,649,572
Unfunded AAL (UAAL)	<u>\$ 16,934,216</u>
Funded ratio	<u>62.0%</u>
Covered payroll	<u>\$ 3,187,910</u>
UAAL as % of covered payroll	<u>531.2%</u>

Actuarial valuations of an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment and mortality. Actuarially determined amounts are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future. The schedule of funding progress, presented as required supplementary information following the notes to the financial statements, presents multi-year trend information about whether the actuarial values of plan assets are increasing or decreasing over time relative to the actuarial accrued liabilities for benefits. For purposes of the schedule of funding progress, the actuarial accrued liability value is determined using the entry age actuarial cost method.

The accompanying schedule of employer contributions presents trend information about the amounts contributed to the System by the employer in comparison to the ARC (annual required contribution), an amount that is actuarially determined in accordance with the parameters of GASB Statement 27. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost for each year and amortize any unfunded actuarial liabilities (or funding excess) over a period not to exceed 30 years.

Projections of benefits for financial reporting purposes are based on the substantive plan (the plan understood by the employer and plan members) and include the types of benefits provided at the time of each valuation and the historical pattern of sharing of benefit costs between the employer and plan members to that point. The actuarial methods and assumptions used include techniques that are designed to reduce the effects of short-term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with the long-term perspective of the calculations. GASB Statement 27 required supplementary information is presented after the notes to the financial statements section of this report; additional information as of June 30, 2014, the date of the latest actuarial valuation, includes:

Actuarial cost method	Individual entry age
Amortization method	Level percent open
Remaining amortization period	30 years
Asset valuation method	5-year smoothed market

The actuarial assumptions include: 7.5% investment rate of return; 4.0% projected salary increases including 5.0% inflation; 4.0% assumed rate of payroll growth; and no cost-of-living inflationary adjustments to benefits.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Pension Plan Disclosures under GASB Statement 67

The financial statements of the System are prepared on the accrual basis of accounting. Member contributions are recognized in the period in which they are due. The City's contributions are recognized when due and the employer has made a formal commitment to provide them. Benefits and refunds are recognized when due and payable in accordance with the terms of the plan.

Net pension liability of the City. The components of the net pension liability of the City at June 30, 2014, are as follows:

Total pension liability	\$ 44,839,193
Plan fiduciary net position	(31,597,237)
City's net pension liability	<u>\$ 13,241,956</u>

Plan fiduciary net position as a percentage of the total pension liability	70.47%
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Actuarial assumptions. The total pension liability was determined by an actuarial valuation as of June 30, 2014 and a measurement date of June 30, 2014, using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	4.0 percent
Salary increases	4.0-9.0 percent, average, including inflation
Investment rate of return	7.5 percent, net of pension plan investment expense, including inflation
Mortality rates	RP-2000 Mortality Table

The actuarial assumptions used in the June 30, 2014 valuation were based on the results of an actuarial experience study for the period July 1, 2009 through June 30, 2014.

Investment allocation policy. The System's policy in regard to the allocation of invested assets is established and may be amended by the Retirement Board. The policy pursues an investment strategy that protects the financial health of the System and reduces risk through the prudent portfolio diversification. The adopted asset allocation policy as of June 30, 2014, is presented in the table below.

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 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. Best estimates of arithmetic real rates of return for each major asset class included in the pension plan's target asset allocation as of June 30, 2014 are summarized below:

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Asset Class	Target Allocation	Long-term Expected Real Rate of Return
Domestic equity	50%	7.67%
Domestic fixed income	30%	4.80%
International equity	15%	7.20%
Cash	5%	2.30%
	<u>100%</u>	

Discount rate. The discount rate used to measure the total pension liability was 7.5 percent. The projection of cash flows used to determine the discount rate assumed that plan member 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 member 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 plan members. 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.

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 7.5 percent, as well as what the City's net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (6.5 percent) or 1-percentagepoint higher (8.5 percent) than the current rate:

	1% Decrease (6.5%)	Current Discount (7.5%)	1% Increase (8.5%)
City's net pension liability	\$ 18,130,015	\$ 13,241,956	\$ 9,142,178

Municipal Employees Retirement System of Michigan

The City also participates in the Municipal Employees' Retirement System of Michigan (MERS), an agent multiple-employer defined benefit pension plan that covers all full-time employees of the City not eligible for other retirement systems. The MERS provides retirement, disability, and death benefits to plan members and their beneficiaries. The MERS issues a publicly available financial report that includes financial statements and required supplementary information for the MERS. That report may be obtained by writing to the MERS at 1134 Municipal Way, Lansing, MI 48917.

The obligation to contribute to and maintain the MERS for these employees was established by City ordinances and requires a contribution from the employees of 5.0% of annual compensation. The City was not required to make a minimum City contribution to the plan for the year ended June 30, 2014. This was determined as part of an actuarial valuation at December 31, 2011, using the entry age normal cost method. Similarly, employer contributions were not required the prior five years.

Significant actuarial assumptions used include: (a) an 8.0% investment rate of return; and (b) projected salary increases of 4.5% to 12.9% per year including 4.5% inflation. Both (a) and (b) are determined using techniques that smooth the effects of short-term volatility over a five-year period.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

The funded status of the plan as of December 31, 2013, the date of the most recent actuarial valuation, was as follows:

Actuarial accrued liability (AAL)	\$ 12,834,271
Actuarial value of assets	(18,461,521)
Overfunded AAL (OAAL)	<u>\$ (5,627,250)</u>
Funded ratio	<u>143.8%</u>
Covered payroll	<u>\$ 2,110,665</u>
OAAL as % of covered payroll	<u>-266.6%</u>

Three-Year Trend Information

Years Ended June 30,	Annual Pension Cost (APC)	Percentage Contributed	Net Pension Obligation
2012	\$ -	n/a	\$ -
2013	-	n/a	-
2014	-	n/a	-

The schedule of funding progress, presented as RSI following the notes to the financial statements, presents multiyear trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability for benefits.

18. OTHER POSTEMPLOYMENT BENEFITS

The City participates in the Municipal Employees' Retirement System of Michigan (MERS), an agent multiple-employer other postemployment benefit plan that provides postemployment healthcare benefits to certain retirees and their beneficiaries. The MERS issues a publicly available financial report that includes financial statements and required supplementary information for the MERS. That report may be obtained by writing to the MERS at 1134 Municipal Way, Lansing, MI 48917.

As of December 31, 2012, the date of the latest actuarial valuation, the City had 219 total participants in the plan. This includes 82 active employees, 1 deferred vested participant, and 136 retirees that were eligible and receiving benefits.

The City has no obligation to make contributions in advance of when the insurance premiums or benefits are due for payment; in other words, the plan may be financed on a pay-as-you-go basis. Administrative costs of the plan are paid for by the City's general fund. Plan participants are not required to contribute to the plan.

For the year ended June 30, 2014, the City paid benefits and made contributions to advance-fund the plan totaling \$1,196,034.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

For the year ended June 30, 2014, the City estimated the cost of providing retiree healthcare benefits based on an actuarial valuation as of December 31, 2012. Such a valuation computes an annual required contribution (ARC) that represents a level of funding that, if paid on an ongoing basis, is projected to cover the normal cost each year and amortize any unfunded actuarial liabilities (or funding excess) over a period not to exceed 30 years. The current combined ARC is 27.0% of annual covered payroll.

For fiscal 2014, the components of the City's annual OPEB (other postemployment benefit) cost for the year, the amount actually contributed to the plan (including pay-as-you-go amounts), and changes in the City's net OPEB asset to the plan are as follows:

Annual required contribution	\$ 1,277,408
Interest on net OPEB asset	(14,913)
Adjustment to annual required contribution	15,948
Annual OPEB cost	<u>1,278,443</u>
Contributions made	<u>(1,196,034)</u>
Decrease in net OPEB asset	82,409
Net OPEB asset, beginning of year	<u>(186,417)</u>
Net OPEB asset, end of year	<u>\$ (104,008)</u>

The City's annual OPEB cost, the percentage of annual OPEB cost contributed to the plan, and the net OPEB obligation for the last three years were as follows:

Year Ended	Annual OPEB Cost	Actual Contribution	Percentage of OPEB Cost Contributed	Net OPEB Asset
6/30/2012	\$ 991,286	\$ 1,045,047	105.4%	\$ 326,461
6/30/2013	1,279,218	1,139,174	89.1%	186,417
6/30/2014	1,278,443	1,196,034	93.6%	104,008

Funded Status. The funded status of the plan as of December 31, 2012, the date of the latest actuarial valuation, was as follows:

Actuarial accrued liability (AAL)	\$ 15,935,506
Actuarial value of assets	<u>3,412,331</u>
Unfunded AAL (UAAL)	<u>\$ 12,523,175</u>
Funded ratio	<u>21.4%</u>
Covered payroll	<u>\$ 4,722,802</u>
UAAL as % of covered payroll	<u>265.2%</u>

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Actuarial valuations of an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the healthcare cost trend. Amounts determined regarding the funded status of the plan and the annual required contributions of the employer are subject to continual revision as actual results are compared to past expectations and new estimates are made about the future. The schedule of funding progress, presented as required supplementary information following the notes to the financial statements, presents multiyear trend information that shows whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liabilities for benefits.

Actuarial Methods and Assumptions. Projections of benefits for financial reporting purposes are based on the substantive plan (the plan as understood by the employer and plan members) and include the types of benefits provided at the time of each valuation and the historical pattern of sharing benefit costs between the employer and plan members to that point. The actuarial methods and assumptions used include techniques that are designed to reduce the effects of short-term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with the long-term perspective of the calculations. Significant methods and assumptions were as follows:

Actuarial valuation date	12/31/2012
Actuarial cost method	Entry age normal cost
Amortization method	Level percent of payroll open
Remaining amortization period	30 years
Asset valuation method	Market value
Discount rate	8.0%
Projected salary increases	3.0%
Healthcare inflation rate	9.0% grading to 5.0% ultimately
General inflation rate	2.5%

19. JOINT VENTURE

The City is a member of the Ypsilanti Community Utilities Authority (YCUA), which provides water and wastewater services to the residents of the City, Ypsilanti Township and other adjacent municipalities. The City appoints two of the five members of the joint venture’s governing board. The joint venture does not involve an explicit, measurable equity interest; hence it is not recorded as an asset in the City’s financial statements. Complete financial statements for YCUA can be obtained from its administrative offices at 2777 State Street, Ypsilanti, Michigan.

The City has issued various revenue bonds on behalf of YCUA. Proceeds from the issues are contributed to YCUA for various water and sewer improvements and construction. YCUA reimburses the City annually for debt service payments, with income derived from water and sewer use rates. The City has recorded a lease receivable on its government-wide statement of net position for the principal balance of the bonds drawn to date by YCUA, which is reported net of fund balance amounts in the related debt service funds maintained by the City.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

20. LAND HELD FOR RESALE

The City is currently involved in a redevelopment project referred to as the Water Street Redevelopment Project. As a part of this project, the City has acquired various parcels of land in the Water Street area and is in the process of preparing them for resale and redevelopment. Through June 30, 2014, the City has acquired numerous parcels, which are recorded as land held for resale. Acquisition costs are capitalized as well as other costs (legal, consulting, etc.) that are attributable and necessary for the project. The investment is valued at the lower of cost or market.

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REQUIRED SUPPLEMENTARY INFORMATION

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CITY OF YPSILANTI, MICHIGAN

Required Supplementary Information

Schedule of Funding Progress Police and Fire Retirement System

Actuarial Valuation Date June 30,	Actuarial Value of Assets (1)	Actuarial Accrued Liability (AAL) - Entry Age (2)	Unfunded AAL (UAAL) (1-2)	Funded Ratio (1 / 2)	Covered Payroll (3)	UAAL as a Percentage of Covered Payroll ((1-2) / 3)
2004	\$ 32,569,762	\$ 31,251,133	\$ (1,318,629)	104.2%	\$ 3,891,478	-33.9%
2005	31,180,708	32,774,898	1,594,190	95.1%	4,042,199	39.4%
2006	30,843,790	34,980,132	4,136,342	88.2%	3,996,679	103.5%
2007	34,292,073	36,211,916	1,919,843	94.7%	3,957,733	48.5%
2008	32,934,094	37,869,913	4,935,819	87.0%	3,843,177	128.4%
2009	32,472,100	39,453,312	6,981,212	82.3%	3,889,397	179.5%
2010	31,649,135	42,135,741	10,486,606	75.1%	3,975,109	263.8%
2011	31,577,876	42,667,144	11,089,268	74.0%	3,892,132	284.9%
2012	28,530,067	43,258,880	14,728,813	66.0%	3,412,398	431.6%
2013	27,649,572	44,583,788	16,934,216	62.0%	3,187,910	531.2%

Schedule of Employer Contributions Police and Fire Retirement System

Year Ended June 30,	Annual Required Contributions	Annual Actual Contribution	Percentage Contributed
2005	\$ -	\$ -	100.00%
2006	500,602	500,602	100.00%
2007	730,106	730,106	100.00%
2008	941,417	941,417	100.00%
2009	946,937	946,937	100.00%
2010	968,212	968,212	100.00%
2011	1,018,284	1,018,284	100.00%
2012	1,120,305	1,120,305	100.00%
2013	1,222,085	1,222,085	100.00%
2014	1,358,167	1,358,167	100.00%

CITY OF YPSILANTI, MICHIGAN

Required Supplementary Information

Schedule of Funding Progress Municipal Employees Retirement System of Michigan

Actuarial Valuation Date December 31,	Actuarial Value of Assets (1)	Actuarial Accrued Liability (AAL) - Entry Age (2)	Overfunded AAL (OAAL) (1-2)	Funded Ratio (1 / 2)	Covered Payroll (3)	OAAL as a Percentage of Covered Payroll ((1-2) / 3)
2004	\$ 15,678,721	\$ 10,303,544	\$ (5,375,177)	152.2%	\$ 2,891,747	-185.9%
2005	16,030,936	10,301,827	(5,729,109)	155.6%	2,761,341	-207.5%
2006	16,815,491	11,271,094	(5,544,397)	149.2%	2,250,084	-246.4%
2007	17,454,703	11,905,095	(5,549,608)	146.6%	2,501,910	-221.8%
2008	17,533,524	11,975,264	(5,558,260)	146.4%	2,393,824	-232.2%
2009	17,576,766	11,686,193	(5,890,573)	150.4%	2,289,154	-257.3%
2010	17,795,672	11,787,614	(6,008,058)	151.0%	2,089,039	-287.6%
2011	18,010,045	12,209,422	(5,800,623)	147.5%	2,011,537	-288.4%
2012	18,074,617	12,460,118	(5,614,499)	145.1%	1,946,604	-288.4%
2013	18,461,521	12,834,271	(5,627,250)	143.8%	2,110,665	-266.6%

Schedule of Employer Contributions Municipal Employees Retirement System of Michigan

Year Ended June 30,	Annual Required Contributions	Annual Actual Contribution	Percentage Contributed
2005	\$ 14,448	\$ 14,448	100.00%
2006	33,106	33,106	100.00%
2007	35,247	35,247	100.00%
2008	8,187	8,187	100.00%
2009	-	-	0.00%
2010	-	-	0.00%
2011	-	-	0.00%
2012	-	-	0.00%
2013	-	-	0.00%
2014	-	-	0.00%

CITY OF YPSILANTI, MICHIGAN

Required Supplementary Information

Schedule of Funding Progress Other Postemployment Health Care Benefits

Actuarial Valuation Date December 31,	Actuarial Value of Assets (1)	Actuarial Accrued Liability (AAL) - Entry Age (2)	Unfunded AAL (UAAL) (1-2)	Funded Ratio (1 / 2)	Covered Payroll (3)	UAAL as a Percentage of Covered Payroll ((1-2) / 3)
2008	\$ 1,414,918	\$ 12,430,962	\$ 11,016,044	11.4%	\$ 6,028,949	182.7%
2010	3,019,998	12,121,822	9,101,824	24.9%	5,767,671	157.8%
2012	3,412,331	15,935,506	12,523,175	21.4%	4,722,802	265.2%

Schedule of Employer Contributions Other Postemployment Health Care Benefits

Year Ended June 30,	Annual Required Contributions	Annual Actual Contribution	Percentage Contributed
2009	\$ 1,192,998	\$ 1,483,485	124.3%
2010	1,192,998	1,218,188	102.1%
2011	989,774	949,195	95.9%
2012	989,774	1,045,048	105.6%
2013	1,277,408	1,139,174	89.2%
2014	1,277,408	1,196,034	93.6%

CITY OF YPSILANTI, MICHIGAN
POLICE AND FIRE RETIREMENT SYSTEM

Required Supplementary Information (GASB Statement 67)

Schedule of Investment Returns

Last Two Fiscal Years (ultimately ten years will be displayed)

Fiscal Year Ended	Annual Money- Weighted Rate of Return, Net of Investment Expense
6/30/2013	13.99%
6/30/2014	19.22%

CITY OF YPSILANTI, MICHIGAN

POLICE AND FIRE RETIREMENT SYSTEM

Required Supplementary Information (GASB Statement 67)

Schedule of Changes in the City's Net Pension Liability and Related Ratios

Last Fiscal Year (ultimately ten fiscal years will be displayed)

	2014
Change in total pension liability	
Service cost	\$ 417,399
Interest	3,244,001
Changes of benefit terms	88,956
Differences between expected and actual experience	(212,827)
Changes of assumptions	(203,836)
Benefit payments, including refunds of member contributions	(3,078,288)
Net change in total pension liability	<u>255,405</u>
Total pension liability, beginning	<u>44,583,788</u>
Total pension liability, ending (a)	<u>44,839,193</u>
Change in plan fiduciary net position	
Contributions - employer	1,358,167
Contributions - member	275,422
Net investment income	4,982,234
Benefit payments, including refunds of member contributions	(3,078,288)
Administrative expense	(60,012)
Net change in plan fiduciary net position	<u>3,477,523</u>
Plan fiduciary net position, beginning	<u>28,119,714</u>
Plan fiduciary net position, ending (b)	<u>31,597,237</u>
City's net pension liability, ending (a)-(b)	<u><u>\$13,241,956</u></u>
Plan fiduciary net position as a percentage of the total pension liability	70.47%
Covered-employee payroll	\$ 3,440,059
City's net pension liability as a percentage of covered payroll	384.93%

CITY OF YPSILANTI, MICHIGAN

POLICE AND FIRE RETIREMENT SYSTEM

Required Supplementary Information (GASB Statement 67)

Schedule of City Contributions

Last Fiscal Year (ultimately ten years will be displayed)

Fiscal Year Ended	Actuarially Determined Contribution	Contributions in Relation to the Actuarially Determined Contribution	Contribution Deficiency (Excess)	Covered Payroll	Contributions as a Percentage of Covered Payroll
6/30/2014	\$ 1,347,529	\$ 1,358,167	\$ (10,638)	\$ 3,440,059	39.5%

Notes to Schedule of Contributions

Valuation date June 30, 2014

Notes Actuarially determined contribution rates are calculated as of June 30 that is 12 months prior to the beginning of the fiscal year for which the contributions are reported.

Other information During the year ended June 30, 2014, the plan experienced a change in benefit provisions resulting in a \$88,956 increase in TPL and actuarial assumptions resulting in a \$203,836 decrease in TPL.

Methods and assumptions used to determine contribution rates:

Actuarial cost method	Entry age normal
Amortization method	level percentage of payroll, closed
Remaining amortization period	30 years
Asset valuation method	Open 5-year smoothed market
Inflation	4.0 percent
Salary increases	4.0-9.0 percent, average, including inflation
Investment rate of return	7.5 percent, net of pension plan investment expense, including inflation
Mortality rates	RP-2000 Mortality Table

**COMBINING AND INDIVIDUAL FUND FINANCIAL
STATEMENTS AND SCHEDULES**

CITY OF YPSILANTI, MICHIGAN

Combining Balance Sheet

Nonmajor Governmental Funds

June 30, 2014

	Special Revenue	Debt Service	Capital Projects	Totals
Assets				
Cash and cash equivalents	\$ 1,791,931	\$ 99,257	\$ 2,082,018	\$ 3,973,206
Accounts receivable	17,391	113	31,502	49,006
Due from other funds	-	102,122	-	102,122
Due from other governments	185,249	-	-	185,249
Total assets	\$ 1,994,571	\$ 201,492	\$ 2,113,520	\$ 4,309,583
Liabilities				
Accounts payable	\$ 50,719	\$ 963	\$ 7,123	\$ 58,805
Accrued liabilities	20,731	-	-	20,731
Due to other governments	1,687	-	-	1,687
Tax refunds payable	27,831	44,345	-	72,176
Unearned revenue	-	-	12,500	12,500
Total liabilities	100,968	45,308	19,623	165,899
Fund balances				
Restricted for:				
Major and local streets	1,782,292	-	-	1,782,292
Drug law enforcement	38,881	-	-	38,881
Public transportation	11,355	-	-	11,355
Debt service	-	156,184	1,070,763	1,226,947
Committed for capital projects	61,075	-	1,023,134	1,084,209
Total fund balances	1,893,603	156,184	2,093,897	4,143,684
Total liabilities and fund balances	\$ 1,994,571	\$ 201,492	\$ 2,113,520	\$ 4,309,583

CITY OF YPSILANTI, MICHIGAN

Combining Statement of Revenues, Expenditures and Changes in Fund Balance

Nonmajor Governmental Funds

For the Year Ended June 30, 2014

	Special Revenue	Debt Service	Capital Projects	Totals
Revenues				
Taxes and special assessments	\$ 1,058,450	\$ 1,379,943	\$ -	\$ 2,438,393
Licenses and permits	8,040	-	50,057	58,097
Intergovernmental	1,348,555	1,189,137	1,573,870	4,111,562
Investment earnings	9,122	1,629	10,055	20,806
Other revenues	106,416	-	-	106,416
Total revenues	<u>2,530,583</u>	<u>2,570,709</u>	<u>1,633,982</u>	<u>6,735,274</u>
Expenditures				
Current:				
General government	-	-	265,162	265,162
Public safety	215,162	-	99,970	315,132
Public works	-	-	1,644,670	1,644,670
Refuse collection	1,017,678	-	-	1,017,678
Highways, streets and bridges	1,476,912	-	-	1,476,912
Community development	-	-	9,074	9,074
Public transportation	274,846	-	-	274,846
Tax tribunal refunds	2,469	1,449	-	3,918
Debt service:				
Principal	-	2,305,000	785,000	3,090,000
Interest and fiscal charges	-	265,679	691,121	956,800
Total expenditures	<u>2,987,067</u>	<u>2,572,128</u>	<u>3,494,997</u>	<u>9,054,192</u>
Revenues under expenditures	<u>(456,484)</u>	<u>(1,419)</u>	<u>(1,861,015)</u>	<u>(2,318,918)</u>
Other financing sources (uses)				
Issuance of refunding bonds	-	-	1,503,185	1,503,185
Payment to refunding bond escrow agent	-	-	-	-
Premium on refunding bonds	-	-	-	-
Transfers in	391,175	37,128	1,142,480	1,570,783
Transfers out	(193,289)	(1,744,330)	(1,070,460)	(3,008,079)
Total other financing sources (uses)	<u>197,886</u>	<u>(1,707,202)</u>	<u>1,575,205</u>	<u>65,889</u>
Net changes in fund balances	<u>(258,598)</u>	<u>(1,708,621)</u>	<u>(285,810)</u>	<u>(2,253,029)</u>
Fund balances, beginning of year	<u>2,152,201</u>	<u>1,864,805</u>	<u>2,379,707</u>	<u>6,396,713</u>
Fund balances, end of year	<u>\$ 1,893,603</u>	<u>\$ 156,184</u>	<u>\$ 2,093,897</u>	<u>\$ 4,143,684</u>

CITY OF YPSILANTI, MICHIGAN

Combining Balance Sheet

Nonmajor Special Revenue Funds

June 30, 2014

	Major Streets	Local Streets	Garbage and Rubbish Collection	Police	Public Transportation	Total
Assets						
Cash and cash equivalents	\$ 941,012	\$ 752,119	\$ 38,306	\$ 47,257	\$ 13,237	\$ 1,791,931
Accounts receivable	839	16,262	290	-	-	17,391
Due from other governments	139,477	45,772	-	-	-	185,249
Total assets	<u>\$ 1,081,328</u>	<u>\$ 814,153</u>	<u>\$ 38,596</u>	<u>\$ 47,257</u>	<u>\$ 13,237</u>	<u>\$ 1,994,571</u>
Liabilities						
Accounts payable	\$ 39,331	\$ 1,463	\$ 5,868	\$ 3,862	\$ 195	\$ 50,719
Accrued liabilities	6,725	4,595	4,897	4,514	-	20,731
Due to other governments	-	-	-	-	1,687	1,687
Tax refunds payable	-	-	27,831	-	-	27,831
Total liabilities	<u>46,056</u>	<u>6,058</u>	<u>38,596</u>	<u>8,376</u>	<u>1,882</u>	<u>100,968</u>
Fund balances						
Restricted for:						
Major and local streets	974,197	808,095	-	-	-	1,782,292
Drug law enforcement	-	-	-	38,881	-	38,881
Public transportation	-	-	-	-	11,355	11,355
Committed for projects	61,075	-	-	-	-	61,075
Total fund balances	<u>1,035,272</u>	<u>808,095</u>	<u>-</u>	<u>38,881</u>	<u>11,355</u>	<u>1,893,603</u>
Total liabilities and fund balances	<u>\$ 1,081,328</u>	<u>\$ 814,153</u>	<u>\$ 38,596</u>	<u>\$ 47,257</u>	<u>\$ 13,237</u>	<u>\$ 1,994,571</u>

CITY OF YPSILANTI, MICHIGAN

Combining Statement of Revenues, Expenditures and Changes in Fund Balances

Nonmajor Special Revenue Funds

For the Year Ended June 30, 2014

	Major Streets	Local Streets	Garbage and Rubbish Collection	Police	Public Transportation	Total
Revenues						
Taxes and special assessments	\$ -	\$ -	\$ 783,433	\$ -	\$ 275,017	\$ 1,058,450
Licenses and permits	5,640	2,400	-	-	-	8,040
Intergovernmental	1,070,534	278,021	-	-	-	1,348,555
Investment earnings	5,072	2,589	609	678	174	9,122
Other revenues	3,681	62,991	24,198	15,546	-	106,416
Total revenues	1,084,927	346,001	808,240	16,224	275,191	2,530,583
Expenditures						
Public safety	-	-	-	215,162	-	215,162
Refuse collection	-	-	1,017,678	-	-	1,017,678
Highways, streets and bridges	1,051,263	425,649	-	-	-	1,476,912
Public transportation	-	-	-	-	274,846	274,846
Tax tribunal refunds	-	-	1,929	-	540	2,469
Total expenditures	1,051,263	425,649	1,019,607	215,162	275,386	2,987,067
Revenues over (under) expenditures	33,664	(79,648)	(211,367)	(198,938)	(195)	(456,484)
Other financing sources (uses)						
Transfers in	-	179,808	211,367	-	-	391,175
Transfers out	(193,289)	-	-	-	-	(193,289)
Total other financing sources (uses)	(193,289)	179,808	211,367	-	-	197,886
Net changes in fund balances	(159,625)	100,160	-	(198,938)	(195)	(258,598)
Fund balances, beginning of year	1,194,897	707,935	-	237,819	11,550	2,152,201
Fund balances, end of year	\$ 1,035,272	\$ 808,095	\$ -	\$ 38,881	\$ 11,355	\$ 1,893,603

CITY OF YPSILANTI, MICHIGAN

Schedule of Revenues, Expenditures and Changes in Fund Balances

Budget and Actual - Major Streets Fund

For the Year Ended June 30, 2014

	Budgeted Amounts		Actual	Actual Over (Under) Final Budget
	Original	Final		
Revenues				
Licenses and permits	\$ 6,000	\$ 6,000	\$ 5,640	\$ (360)
Intergovernmental - state	985,718	1,103,285	1,070,534	(32,751)
Investment earnings	4,750	4,750	5,072	322
Other revenues	2,000	4,000	3,681	(319)
Total revenues	<u>998,468</u>	<u>1,118,035</u>	<u>1,084,927</u>	<u>(33,108)</u>
Expenditures				
Highways, streets and bridges:				
Street construction	269,500	271,900	237,226	(34,674)
Routine maintenance	377,762	376,806	348,776	(28,030)
Routine maintenance - bridges	9,000	9,000	121	(8,879)
Traffic services	90,438	113,005	116,833	3,828
Winter maintenance	106,711	145,118	126,476	(18,642)
Administration	47,935	46,360	42,693	(3,667)
Trunkline maintenance	176,048	223,260	179,138	(44,122)
Total expenditures	<u>1,077,394</u>	<u>1,185,449</u>	<u>1,051,263</u>	<u>(134,186)</u>
Revenues over (under) expenditures	(78,926)	(67,414)	33,664	101,078
Other financing sources (uses)				
Transfers out	<u>(176,344)</u>	<u>(179,808)</u>	<u>(193,289)</u>	<u>(13,481)</u>
Net changes in fund balance	<u>(255,270)</u>	<u>(247,222)</u>	<u>(159,625)</u>	<u>87,597</u>
Fund balance, beginning of year	<u>1,194,897</u>	<u>1,194,897</u>	<u>1,194,897</u>	<u>-</u>
Fund balance, end of year	<u>\$ 939,627</u>	<u>\$ 947,675</u>	<u>\$ 1,035,272</u>	<u>\$ 87,597</u>

CITY OF YPSILANTI, MICHIGAN

Schedule of Revenues, Expenditures and Changes in Fund Balances

Budget and Actual - Local Streets Fund

For the Year Ended June 30, 2014

	Budgeted Amounts		Actual	Actual Over (Under) Final Budget
	Original	Final		
Revenues				
Licenses and permits	\$ 2,000	\$ 2,000	\$ 2,400	\$ 400
Intergovernmental - state	267,435	273,155	278,021	4,866
Investment earnings	1,750	2,000	2,589	589
Other revenues	19,200	69,790	62,991	(6,799)
Total revenues	<u>290,385</u>	<u>346,945</u>	<u>346,001</u>	<u>(944)</u>
Expenditures				
Highways, streets and bridges:				
Routine maintenance	330,550	336,713	240,203	(96,510)
Traffic services	29,102	32,907	32,816	(91)
Winter maintenance	108,934	138,598	126,845	(11,753)
Administration	29,935	27,902	25,785	(2,117)
Total expenditures	<u>498,521</u>	<u>536,120</u>	<u>425,649</u>	<u>(110,471)</u>
Revenues (under) expenditures	(208,136)	(189,175)	(79,648)	109,527
Other financing sources				
Transfers in	176,344	179,808	179,808	-
Net changes in fund balance	<u>(31,792)</u>	<u>(9,367)</u>	<u>100,160</u>	<u>109,527</u>
Fund balance, beginning of year	<u>707,935</u>	<u>707,935</u>	<u>707,935</u>	<u>-</u>
Fund balance, end of year	<u>\$ 676,143</u>	<u>\$ 698,568</u>	<u>\$ 808,095</u>	<u>\$ 109,527</u>

CITY OF YPSILANTI, MICHIGAN

Schedule of Revenues, Expenditures and Changes in Fund Balances

Budget and Actual - Garbage and Rubbish Collection Fund

For the Year Ended June 30, 2014

	Budgeted Amounts		Actual	Actual Over (Under) Final Budget
	Original	Final		
Revenues				
Taxes and special assessments	\$ 779,794	\$ 784,572	\$ 783,433	\$ (1,139)
Investment earnings	640	640	609	(31)
Other revenues	26,240	23,685	24,198	513
Total revenues	<u>806,674</u>	<u>808,897</u>	<u>808,240</u>	<u>(657)</u>
Expenditures				
Refuse collection	980,264	1,012,660	1,017,678	5,018
Tax tribunal refunds	1,500	1,500	1,929	429
Total expenditures	<u>981,764</u>	<u>1,014,160</u>	<u>1,019,607</u>	<u>5,447</u>
Revenues (under) expenditures	(175,090)	(205,263)	(211,367)	(6,104)
Other financing sources				
Transfers in	183,643	205,263	211,367	6,104
Net changes in fund balance	8,553	-	-	-
Fund balance, beginning of year	-	-	-	-
Fund balance, end of year	<u>\$ 8,553</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

CITY OF YPSILANTI, MICHIGAN

Schedule of Revenues, Expenditures and Changes in Fund Balances

Budget and Actual - Police Fund

For the Year Ended June 30, 2014

	Budgeted Amounts		Actual	Actual Over (Under) Final Budget
	Original	Final		
Revenues				
Investment earnings	\$ 1,000	\$ 650	\$ 678	\$ 28
Other revenues	10,000	10,325	15,546	5,221
Total revenues	11,000	10,975	16,224	5,249
Expenditures				
Public safety	244,264	220,813	215,162	(5,651)
Net changes in fund balance	(233,264)	(209,838)	(198,938)	10,900
Fund balance, beginning of year	237,819	237,819	237,819	-
Fund balance, end of year	<u>\$ 4,555</u>	<u>\$ 27,981</u>	<u>\$ 38,881</u>	<u>\$ 10,900</u>

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CITY OF YPSILANTI, MICHIGAN

Schedule of Revenues, Expenditures and Changes in Fund Balances

Budget and Actual - Public Transportation Fund

For the Year Ended June 30, 2014

	Budgeted Amounts		Actual	Actual Over (Under) Final Budget
	Original	Final		
Revenues				
Taxes and special assessments	\$ 274,047	\$ 275,829	\$ 275,017	\$ (812)
Investment earnings	765	280	174	(106)
Total revenues	<u>274,812</u>	<u>276,109</u>	<u>275,191</u>	<u>(918)</u>
Expenditures				
Public transportation	274,145	275,609	274,846	(763)
Tax tribunal refunds	500	500	540	40
Total expenditures	<u>274,645</u>	<u>276,109</u>	<u>275,386</u>	<u>(723)</u>
Net changes in fund balance	167	-	(195)	(195)
Fund balance, beginning of year	<u>11,550</u>	<u>11,550</u>	<u>11,550</u>	<u>-</u>
Fund balance, end of year	<u>\$ 11,717</u>	<u>\$ 11,550</u>	<u>\$ 11,355</u>	<u>\$ (195)</u>

CITY OF YPSILANTI, MICHIGAN

Combining Balance Sheet

Nonmajor Debt Service Funds

June 30, 2014

	2001 Revenue Bonds	2002-A Revenue Bonds	2002 General Obligation Bonds
Assets			
Cash and cash equivalents	\$ -	\$ -	\$ -
Accounts receivable	-	-	-
Due from other funds	-	-	-
Total assets	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>
Liabilities			
Accounts payable	\$ -	\$ -	\$ -
Tax refunds payable	-	-	-
Total liabilities	-	-	-
Fund balances			
Restricted for debt service	-	-	-
Total liabilities and fund balances	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>

2002-B Revenue Bonds	2002-C Revenue Bonds	Water Supply and Sewer Refunding	2010 Refunding Bonds Debt Service	2012 Refunding Bonds Debt Service	Total
\$ -	\$ -	\$ -	\$ 31,761	\$ 67,496	\$ 99,257
-	-	-	113	-	113
-	-	-	52,085	50,037	102,122
<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 83,959</u>	<u>\$ 117,533</u>	<u>\$ 201,492</u>
\$ -	\$ -	\$ -	\$ 487	\$ 476	\$ 963
-	-	-	21,893	22,452	44,345
-	-	-	22,380	22,928	45,308
-	-	-	61,579	94,605	156,184
<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 83,959</u>	<u>\$ 117,533</u>	<u>\$ 201,492</u>

CITY OF YPSILANTI, MICHIGAN

Combining Statement of Revenues, Expenditures and Changes in Fund Balances

Nonmajor Debt Service Funds

For the Year Ended June 30, 2014

	2001 Revenue Bonds	2002-A Revenue Bonds	2002 General Obligation Bonds
Revenues			
Taxes and special assessments	\$ -	\$ -	\$ -
Intergovernmental	105,831	144,063	-
Investment earnings	-	-	-
Total revenues	<u>105,831</u>	<u>144,063</u>	<u>-</u>
Expenditures			
Tax tribunal refunds	-	-	-
Debt service:			
Principal	85,000	120,000	30,000
Interest and fiscal charges	20,831	24,063	7,128
Total expenditures	<u>105,831</u>	<u>144,063</u>	<u>37,128</u>
Revenues over (under) expenditures	-	-	(37,128)
Other financing sources			
Transfers in	-	-	37,128
Transfers out	(381,117)	(434,594)	-
Total other financing sources (uses)	<u>(381,117)</u>	<u>(434,594)</u>	<u>37,128</u>
Net changes in fund balances	(381,117)	(434,594)	-
Fund balances, beginning of year	<u>381,117</u>	<u>434,594</u>	<u>-</u>
Fund balances, end of year	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

2002-B Revenue Bonds	2002-C Revenue Bonds	Water Supply and Sewer Refunding	2010 Refunding Bonds Debt Service	2012 Refunding Bonds Debt Service	Total
\$ -	\$ -	\$ -	\$ 701,900	\$ 678,043	\$ 1,379,943
31,063	367,050	541,130	-	-	1,189,137
-	-	-	816	813	1,629
31,063	367,050	541,130	702,716	678,856	2,570,709
-	-	-	703	746	1,449
25,000	295,000	510,000	630,000	610,000	2,305,000
6,063	72,050	31,130	54,175	50,239	265,679
31,063	367,050	541,130	684,878	660,985	2,572,128
-	-	-	17,838	17,871	(1,419)
-	-	-	-	-	37,128
(44,395)	(602,758)	(281,466)	-	-	(1,744,330)
(44,395)	(602,758)	(281,466)	-	-	(1,707,202)
(44,395)	(602,758)	(281,466)	17,838	17,871	(1,708,621)
44,395	602,758	281,466	43,741	76,734	1,864,805
\$ -	\$ -	\$ -	\$ 61,579	\$ 94,605	\$ 156,184

CITY OF YPSILANTI, MICHIGAN

Combining Balance Sheet

Nonmajor Capital Projects Funds
June 30, 2014

	Capital Improvement Reserve	Sidewalk Improvement	2003-D Water Supply and Sewer	2004-A Water	2004-B Water and Sewer	2003-B Water and Sewer
Assets						
Cash and cash equivalents	\$ 749,749	\$ 266,689	\$ -	\$ -	\$ -	\$ -
Accounts receivable	24,772	1,547	-	-	-	-
Total assets	<u>\$ 774,521</u>	<u>\$ 268,236</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Liabilities						
Accounts payable	\$ 7,123	\$ -	\$ -	\$ -	\$ -	\$ -
Unearned revenue	12,500	-	-	-	-	-
Total liabilities	<u>19,623</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Fund balances						
Restricted for debt service	-	-	-	-	-	-
Committed for capital projects	754,898	268,236	-	-	-	-
Total fund balances	<u>754,898</u>	<u>268,236</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total liabilities and fund balances	<u>\$ 774,521</u>	<u>\$ 268,236</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

continued...

2003-C Water and Sewer	Land Revolving Capital Projects	2006 Water and Sewer Refunding	2007 Water and Sewer DWRP	2008 Water and Sewer DWRP	2009 Water and Sewer DWRP	Factory Street Pump Station	Totals
\$ -	\$ 240,874	\$ -	\$ -	\$ -	\$ -	\$ 824,706	\$ 2,082,018
-	-	-	-	-	-	5,183	31,502
<u>\$ -</u>	<u>\$ 240,874</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 829,889</u>	<u>\$ 2,113,520</u>
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,123
-	-	-	-	-	-	-	12,500
-	-	-	-	-	-	-	19,623
-	240,874	-	-	-	-	829,889	1,070,763
-	-	-	-	-	-	-	1,023,134
-	240,874	-	-	-	-	829,889	2,093,897
<u>\$ -</u>	<u>\$ 240,874</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 829,889</u>	<u>\$ 2,113,520</u>

concluded.

CITY OF YPSILANTI, MICHIGAN

Combining Statement of Revenues, Expenditures and Changes in Fund Balance

Nonmajor Capital Projects Funds
For the Year Ended June 30, 2014

	Capital Improvement Reserve	Sidewalk Improvement	2003-D Water Supply and Sewer	2004-A Water	2004-B Water and Sewer	2003-B Water and Sewer
Revenues						
Licenses and permits	\$ -	\$ 50,057	\$ -	\$ -	\$ -	\$ -
Intergovernmental	-	88,677	337,625	116,025	389,203	69,381
Investment earnings (loss)	3,113	842	-	1	-	1
Total revenues	<u>3,113</u>	<u>139,576</u>	<u>337,625</u>	<u>116,026</u>	<u>389,203</u>	<u>69,382</u>
Expenditures						
General government	265,162	-	-	-	-	-
Public safety	99,970	-	-	-	-	-
Public works	-	145,470	-	-	-	-
Community development	-	-	-	-	-	-
Debt service:						
Principal	-	-	260,000	70,000	305,000	45,000
Interest and fiscal charges	-	-	77,625	46,026	84,203	24,382
Total expenditures	<u>365,132</u>	<u>145,470</u>	<u>337,625</u>	<u>116,026</u>	<u>389,203</u>	<u>69,382</u>
Revenues over (under) expenditures	<u>(362,019)</u>	<u>(5,894)</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Other financing sources (uses)						
Issuance of refunding bonds	-	-	-	-	-	-
Payment to refunding bond escrow agent	-	-	-	-	-	-
Premium on refunding bonds	-	-	-	-	-	-
Transfers in	321,765	-	-	-	-	-
Transfers out	-	-	(338,926)	(162,583)	(431,590)	(87,162)
Total other financing sources (uses)	<u>321,765</u>	<u>-</u>	<u>(338,926)</u>	<u>(162,583)</u>	<u>(431,590)</u>	<u>(87,162)</u>
Net changes in fund balances	<u>(40,254)</u>	<u>(5,894)</u>	<u>(338,926)</u>	<u>(162,583)</u>	<u>(431,590)</u>	<u>(87,162)</u>
Fund balances, beginning of year	<u>795,152</u>	<u>274,130</u>	<u>338,926</u>	<u>162,583</u>	<u>431,590</u>	<u>87,162</u>
Fund balances, end of year	<u>\$ 754,898</u>	<u>\$ 268,236</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

continued...

2003-C Water and Sewer	Land Revolving Capital Projects	2006 Water and Sewer Refunding	2007 Water and Sewer DWRP	2008 Water and Sewer DWRP	2009 Water and Sewer DWRP	Factory Street Pump Station	Totals
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,057
51,500	9,074	420,056	19,913	28,731	8,038	35,647	1,573,870
-	909	-	-	-	-	5,189	10,055
51,500	9,983	420,056	19,913	28,731	8,038	40,836	1,633,982
-	-	-	-	-	-	-	265,162
-	-	-	-	-	-	-	99,970
-	-	-	-	-	-	1,499,200	1,644,670
-	9,074	-	-	-	-	-	9,074
40,000	-	25,000	15,000	20,000	5,000	-	785,000
11,500	-	395,056	4,913	8,731	3,038	35,647	691,121
51,500	9,074	420,056	19,913	28,731	8,038	1,534,847	3,494,997
-	909	-	-	-	-	(1,494,011)	(1,861,015)
-	-	-	-	-	-	1,503,185	1,503,185
-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-
-	-	-	-	-	-	820,715	1,142,480
(50,199)	-	-	-	-	-	-	(1,070,460)
(50,199)	-	-	-	-	-	2,323,900	1,575,205
(50,199)	909	-	-	-	-	829,889	(285,810)
50,199	239,965	-	-	-	-	-	2,379,707
\$ -	\$ 240,874	\$ -	\$ -	\$ -	\$ -	\$ 829,889	\$ 2,093,897

concluded.

CITY OF YPSILANTI, MICHIGAN

Combining Statement of Net Position

Internal Service Funds

June 30, 2014

	Motor Pool	Workers' Compensation	Retiree Health Care Benefits	Total
Assets				
Current assets:				
Cash and cash equivalents	\$ 2,315,113	\$ 116,586	\$ 941,568	\$ 3,373,267
Investments	606,722	889,302	-	1,496,024
Accounts receivable	1,483	-	30,392	31,875
Inventory	30,918	-	-	30,918
Prepaid items	-	-	56,765	56,765
Total current assets	2,954,236	1,005,888	1,028,725	4,988,849
Noncurrent assets - capital assets, net	1,366,818	-	-	1,366,818
Total assets	4,321,054	1,005,888	1,028,725	6,355,667
Liabilities				
Current liabilities:				
Accounts payable and accrued liabilities	26,105	26,963	345	53,413
Current portion of claims payable	-	266,600	-	266,600
Total current liabilities	26,105	293,563	345	320,013
Noncurrent liabilities - claims payable, net	-	399,894	-	399,894
Total liabilities	26,105	693,457	345	719,907
Net position				
Investment in capital assets	1,366,818	-	-	1,366,818
Unrestricted	2,928,131	312,431	1,028,380	4,268,942
Total net position	\$ 4,294,949	\$ 312,431	\$ 1,028,380	\$ 5,635,760

CITY OF YPSILANTI, MICHIGAN

Combining Statement of Revenues, Expenses and Changes in Net Position

Internal Service Funds

For the Year Ended June 30, 2014

	Motor Pool	Workers' Compensation	Retiree Health Care Benefits	Total
Operating revenues				
Charges for services	\$ 372,125	\$ 67,486	\$ 1,586,036	\$ 2,025,647
Operating expenses				
Salaries, taxes and benefits	195,054	60	-	195,114
Gas, oil and fuel	169,253	-	-	169,253
Depreciation	390,017	-	-	390,017
Operation and maintenance	149,655	1,213	-	150,868
Contractual services and fees	112,022	127,560	-	239,582
Insurance and other	58,319	-	-	58,319
Benefits and claims	-	455,649	1,196,034	1,651,683
Total operating expenses	1,074,320	584,482	1,196,034	2,854,836
Operating income (loss)	(702,195)	(516,996)	390,002	(829,189)
Nonoperating revenues				
Investment income (loss)	85,634	74,588	1,815	162,037
Gain on sale of equipment	136,106	-	-	136,106
Total nonoperating revenues	221,740	74,588	1,815	298,143
Income (loss) before transfers	(480,455)	(442,408)	391,817	(531,046)
Transfers out	(211,367)	-	-	(211,367)
Change in net position	(691,822)	(442,408)	391,817	(742,413)
Net position, beginning of year	4,986,771	754,839	636,563	6,378,173
Net position, end of year	\$ 4,294,949	\$ 312,431	\$ 1,028,380	\$ 5,635,760

CITY OF YPSILANTI, MICHIGAN

Combining Statement of Cash Flows

Internal Service Funds

For the Year Ended June 30, 2014

	Motor Pool	Workers' Compensation	Retiree Health Care Benefits	Total
Cash flows from operating activities				
Cash received from interfund services	\$ 373,656	\$ 67,486	\$ 1,559,673	\$ 2,000,815
Cash payments to employees	(195,054)	(60)	-	(195,114)
Cash payments for claims	-	(198,048)	(1,196,005)	(1,394,053)
Cash payments to suppliers for goods and services	(479,031)	(104,644)	(1,648)	(585,323)
Net cash provided by (used in) operating activities	(300,429)	(235,266)	362,020	(173,675)
Cash flows from non-capital financing activities				
Transfer to other funds	(211,367)	-	-	(211,367)
Cash flows from capital and related financing activities				
Purchase of capital assets	(196,889)	-	-	(196,889)
Proceeds from sale of capital assets	136,106	-	-	136,106
Net cash used in capital and related financing activities	(60,783)	-	-	(60,783)
Cash flows from investing activities				
Maturity of investments	70,842	114,508	-	185,350
Investment income	85,634	74,588	1,815	162,037
Net cash provided by investing activities	156,476	189,096	1,815	347,387
Net change in cash and cash equivalents	(416,103)	(46,170)	363,835	(98,438)
Cash and cash equivalents, beginning of year	2,731,216	162,756	577,733	3,471,705
Cash and cash equivalents, end of year	\$ 2,315,113	\$ 116,586	\$ 941,568	\$ 3,373,267
Reconciliation of operating income (loss) to net cash provided (used) in operating activities				
Operating income (loss)	\$ (702,195)	\$ (516,996)	\$ 390,002	\$ (829,189)
Adjustments to reconcile operating income (loss) to net cash provided (used) in operating activities:				
Depreciation	390,017	-	-	390,017
Changes in:				
Accounts receivable	1,531	-	(26,363)	(24,832)
Inventory	3,406	-	-	3,406
Prepaid items	-	5,000	(1,648)	3,352
Accounts payable and accrued liabilities	6,812	19,129	29	25,970
Claims payable	-	257,601	-	257,601
Net cash provided by (used in) operating activities	\$ (300,429)	\$ (235,266)	\$ 362,020	\$ (173,675)

CITY OF YPSILANTI, MICHIGAN

Statement of Changes in Assets and Liabilities

Current Tax Agency Fund

For the Year Ended June 30, 2014

	Balance July 1, 2013	Additions	Deletions	Balance June 30, 2014
Assets				
Cash and cash equivalents	\$ 62,771	\$ 31,549,436	\$ 31,612,207	\$ -
Accrued interest receivable	11	-	11	-
Total assets	<u>\$ 62,782</u>	<u>\$ 31,549,436</u>	<u>\$ 31,612,218</u>	<u>\$ -</u>
Liabilities				
Undistributed receipts	<u>\$ 62,782</u>	<u>\$ 31,549,436</u>	<u>\$ 31,612,218</u>	<u>\$ -</u>

CITY OF YPSILANTI, MICHIGAN

Statement of Net Position and Governmental Funds Balance Sheet

Downtown Development Authority Component Unit

June 30, 2014

	General Fund	Capital Projects Fund	Total	Adjustments	Statement of Net Position
Assets					
Cash and cash equivalents	\$ 242,105	\$ 4,825	\$ 246,930	\$ -	\$ 246,930
Capital assets being depreciated, net	-	-	-	1,759,030	1,759,030
Total assets	<u>\$ 242,105</u>	<u>\$ 4,825</u>	<u>\$ 246,930</u>	<u>1,759,030</u>	<u>2,005,960</u>
Liabilities					
Accounts payable	\$ 15,717	\$ -	\$ 15,717	-	15,717
Accrued liabilities	6,919	4,825	11,744	-	11,744
Due to other governments	365	-	365	-	365
Unearned revenue	11,500	-	11,500	-	11,500
Long-term liabilities:					
Due within one year	2,615	-	2,615	53,337	55,952
Due in more than one year	-	-	-	616,663	616,663
Total liabilities	37,116	4,825	41,941	670,000	711,941
Fund balances / net position					
Unassigned	204,989	-	204,989	(204,989)	-
Total liabilities and fund balances	<u>\$ 242,105</u>	<u>\$ 4,825</u>	<u>\$ 246,930</u>		
Net position					
Net investment in capital assets				1,089,030	1,089,030
Unrestricted				204,989	204,989
Total net position				<u>\$ 1,294,019</u>	<u>\$ 1,294,019</u>

CITY OF YPSILANTI, MICHIGAN

Statement of Activities and Governmental Fund Revenues, Expenditures and Changes in Fund Balance

Downtown Development Authority Component Unit

For the Year Ended June 30, 2014

	General Fund	Capital Projects Fund	Total	Adjustments	Statement of Activities
Expenditures/expenses					
Community development	\$ 190,486	\$ -	\$ 190,486	\$ 115,337	\$ 305,823
Debt service:					
Principal	80,000	50,000	130,000	(130,000)	-
Interest and fiscal charges	4,691	30,772	35,463	-	35,463
Total expenditures/expenses	275,177	80,772	355,949	(14,663)	341,286
General revenues					
Property taxes	307,726	-	307,726	-	307,726
Other revenues	7,008	-	7,008	(1)	7,007
Investment earnings	1,317	-	1,317	-	1,317
Total general revenues	316,051	-	316,051	(1)	316,050
Excess of general revenues over (under) expenditures/expenses	40,874	(80,772)	(39,898)	14,662	(25,236)
Other financing sources (uses)					
Transfers in	-	80,772	80,772	(80,772)	-
Transfers out	(80,772)	-	(80,772)	80,772	-
Total other financing sources (uses)	(80,772)	80,772	-	-	-
Net changes in fund balances	(39,898)	-	(39,898)	39,898	-
Change in net position	-	-	-	(25,236)	(25,236)
Fund balance/net position, beginning of year	244,887	-	244,887	1,074,368	1,319,255
Fund balance/net position, end of year	\$ 204,989	\$ -	\$ 204,989	\$ 1,089,030	\$ 1,294,019

CITY OF YPSILANTI, MICHIGAN

Statement of Net Position and Governmental Funds Balance Sheet

Depot Town Downtown Development Authority Component Unit

June 30, 2014

	General Fund	Adjustments	Statement of Net Position
Assets			
Cash and cash equivalents	\$ 311,607	\$ -	\$ 311,607
Accounts receivable	515	-	515
Capital assets not being depreciated	-	53,984	53,984
Capital assets being depreciated, net	-	268,757	268,757
Total assets	<u>\$ 312,122</u>	<u>322,741</u>	<u>634,863</u>
Liabilities			
Accounts payable	\$ 12,483	-	12,483
Accrued liabilities	661	-	661
Due to other governments	11,860	-	11,860
Unearned revenue	10,000	-	10,000
Long-term liabilities:			
Due within one year	-	19,275	19,275
Due in more than one year	-	6,984	6,984
Total liabilities	<u>35,004</u>	<u>26,259</u>	<u>61,263</u>
Fund balances / net position			
Unassigned	<u>277,118</u>	<u>(277,118)</u>	<u>-</u>
Total liabilities and fund balances	<u>\$ 312,122</u>		
Net position			
Net investment in capital assets		296,482	296,482
Unrestricted		<u>277,118</u>	<u>277,118</u>
Total net position		<u>\$ 573,600</u>	<u>\$ 573,600</u>

CITY OF YPSILANTI, MICHIGAN

Statement of Activities and Governmental Fund Revenues, Expenditures

and Changes in Fund Balances

Depot Town Downtown Development Authority Component Unit

For the Year Ended June 30, 2014

	General Fund	Adjustments	Statement of Activities
Expenditures/expenses			
Community development	\$ 120,115	\$ (44,854)	\$ 75,261
Debt service:			
Principal	18,327	(18,327)	-
Total expenditures/expenses	138,442	(63,181)	75,261
Program revenues			
Operating grants and contributions	6,841	-	6,841
Net program (expense) revenue	(131,601)	63,181	(68,420)
General revenues			
Property taxes	99,568	-	99,568
Other revenue	200	-	200
Investment earnings	1,223	-	1,223
Total general revenues	100,991	-	100,991
Net change in fund balance	(30,610)	30,610	-
Change in net position	-	32,571	32,571
Fund balance/net position, beginning of year	307,728	233,301	541,029
Fund balance/net position, end of year	<u>\$ 277,118</u>	<u>\$ 296,482</u>	<u>\$ 573,600</u>

CITY OF YPSILANTI, MICHIGAN

Statement of Net Position and Governmental Funds Balance Sheet

Economic Development Corporation

June 30, 2014

	General Fund	Adjustments	Statement of Net Position
Assets			
Cash and cash equivalents	\$ 207,664	\$ -	\$ 207,664
Prepaid items	356	-	356
Capital assets not being depreciated	-	53,200	53,200
Total assets	<u>\$ 208,020</u>	<u>53,200</u>	<u>261,220</u>
Liabilities			
Due to other governments	\$ 72,164	-	72,164
Fund balances / net position			
Unassigned	<u>135,856</u>	<u>(135,856)</u>	<u>-</u>
Total liabilities and fund balances	<u>\$ 208,020</u>		
Net position			
Investment in capital assets		53,200	53,200
Unrestricted		<u>135,856</u>	<u>135,856</u>
Total net position		<u>\$ 189,056</u>	<u>\$ 189,056</u>

CITY OF YPSILANTI, MICHIGAN

Statement of Activities and Governmental Fund Revenues, Expenditures

and Changes in Fund Balance

Economic Development Corporation

For the Year Ended June 30, 2014

	General Fund	Adjustments	Statement of Activities
Expenditures/expenses			
Community development	\$ 1,248	\$ -	\$ 1,248
General revenues			
Investment earnings	922	-	922
Net changes in fund balances	(326)	326	-
Change in net position	-	(326)	(326)
Fund balance/net position, beginning of year	136,182	53,200	189,382
Fund balance/net position, end of year	<u>\$ 135,856</u>	<u>\$ 53,200</u>	<u>\$ 189,056</u>

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STATISTICAL SECTION

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CITY OF YPSILANTI, MICHIGAN

Statistical Section

This part of the City of Ypsilanti's comprehensive annual financial report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and required supplementary information says about the government's overall financial health

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Financial Trends (schedules 1 thru 4)

These schedules contain trend information to help the reader understand how the government's financial performance and well-being have changed over time.

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Revenue Capacity (schedules 5 thru 8)

These schedules contain information to help the reader assess the government's most significant local sources: property taxes and water and wastewater usage fees.

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Debt Capacity (schedules 9 thru 13)

These schedules present information to help the reader assess the affordability of the government's current levels of outstanding debt and the government's ability to issue additional debt in the future.

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Demographic and Economic Information (schedules 14 and 15)

These schedules offer demographic and economic indicators to help the reader understand the environment within which the government's financial activities take place.

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Operating Information (schedules 16 thru 19)

These schedules contain service and infrastructure data to help the reader understand how the information in the government's financial report relates to the services the government provides and the activities it performs.

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Source: Unless otherwise noted, the information in these schedules is derived from the comprehensive annual financial reports for the relevant year.

CITY OF YPSILANTI, MICHIGAN

Net Position by Component

Last Ten Years

(accrual basis of accounting)

	2005	2006	2007	2008
Governmental activities				
Net investment in				
capital assets	\$ 1,125,536	\$ 12,857,112	\$ 15,049,123	\$ 15,179,422
Restricted	6,452,591	9,093,066	7,108,155	10,909,451
Unrestricted (deficit)	<u>5,570,379</u>	<u>(10,295,576)</u>	<u>(7,045,772)</u>	<u>(9,406,528)</u>
Total governmental activities				
net position	<u>\$ 13,148,506</u>	<u>\$ 11,654,602</u>	<u>\$ 15,111,506</u>	<u>\$ 16,682,345</u>

Source: City of Ypsilanti Finance Department

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2009	2010	2011	2012	2013	2014
\$ 15,117,105	\$ 14,987,983	\$ 16,952,331	\$ 16,911,390	\$ 15,636,305	\$ 16,524,392
10,406,691	10,975,911	11,357,896	11,083,068	7,631,866	4,545,511
(6,404,471)	(6,202,344)	(6,850,753)	(7,091,726)	(6,545,637)	(5,553,659)
<u>\$ 19,119,325</u>	<u>\$ 19,761,550</u>	<u>\$ 21,459,474</u>	<u>\$ 20,902,732</u>	<u>\$ 16,722,534</u>	<u>\$ 15,516,244</u>

CITY OF YPSILANTI, MICHIGAN

Changes in Net Position

Last Ten Years

(accrual basis of accounting)

	2005	2006	2007	2008
Expenses				
General government	\$ 1,532,445	\$ 1,679,364	\$ 2,021,481	\$ 2,212,245
Public safety	7,251,128	8,185,587	9,601,958	9,618,481
Public works	2,092,229	6,423,905	4,470,462	2,084,186
Highways, streets, and bridges	1,921,935	1,736,108	2,022,071	2,562,769
Culture and recreation	1,250,186	1,013,582	784,039	570,113
Community development	878,517	439,851	415,116	340,815
Public transportation	-	-	-	-
Interest on long-term debt	2,958,920	2,866,288	2,514,514	2,834,154
Total expenses	<u>17,885,360</u>	<u>22,344,685</u>	<u>21,829,641</u>	<u>20,222,763</u>
Program revenues				
Charges for services:				
General government	450,699	462,082	544,717	1,097,252
Public safety	420,034	570,059	499,197	720,555
Public works	714,187	538,989	516,539	-
Highways, streets and bridges	-	-	-	-
Culture and recreation	115,362	138,705	87,033	-
Community development	-	-	-	1,250
Operating grants and contributions	2,794,375	2,433,593	2,878,483	3,504,349
Capital grants and contributions	3,727,652	3,087,106	4,891,245	672,269
Total program revenues	<u>8,222,309</u>	<u>7,230,534</u>	<u>9,417,214</u>	<u>5,995,675</u>
Net (expense) / revenue	<u>(9,663,051)</u>	<u>(15,114,151)</u>	<u>(12,412,427)</u>	<u>(14,227,088)</u>
General revenues				
Property taxes	9,735,731	10,560,479	11,310,693	11,503,422
Unrestricted grants and contributions	3,375,034	3,338,792	3,276,430	3,070,879
Unrestricted investment earnings (loss)	1,121,441	(284,207)	1,118,294	1,223,621
Other general revenues	-	5,183	163,914	-
Total general revenues	<u>14,232,206</u>	<u>13,620,247</u>	<u>15,869,331</u>	<u>15,797,922</u>
Special item				
Change in fair value of land held for resale	-	-	-	-
Change in net position	<u>\$ 4,569,155</u>	<u>\$ (1,493,904)</u>	<u>\$ 3,456,904</u>	<u>\$ 1,570,834</u>

Source: City of Ypsilanti Finance Department

Table 2
Unaudited

2009	2010	2011	2012	2013	2014
\$ 2,788,130	\$ 3,075,617	\$ 3,326,238	\$ 2,866,101	\$ 2,083,855	\$ 1,690,255
8,563,993	8,638,877	8,257,558	8,601,201	7,908,177	8,878,722
1,935,048	2,031,833	1,980,913	2,015,694	4,067,582	5,542,347
3,165,639	3,612,341	1,192,916	2,823,389	3,921,320	3,143,348
465,538	435,711	69,221	367,484	408,367	366,668
330,041	229,274	189,050	184,244	292,867	255,416
-	-	-	262,320	308,564	275,386
2,710,134	2,748,116	2,481,838	2,329,834	2,095,288	2,103,523
19,958,523	20,771,769	17,497,734	19,450,267	21,086,020	22,255,665
1,445,822	1,153,950	1,121,010	1,241,641	1,419,828	2,320,700
947,998	959,591	1,098,886	935,124	1,197,437	786,308
-	-	-	-	-	-
-	-	-	93,722	-	-
-	-	-	-	-	-
1,200	1,200	1,200	1,200	1,500	1,552
3,734,396	4,930,921	3,585,313	2,712,064	4,282,348	3,829,486
94,250	110,078	609,256	322,858	24,258	692,619
6,223,666	7,155,740	6,415,665	5,306,609	6,925,371	7,630,665
(13,734,857)	(13,616,029)	(11,082,069)	(14,143,658)	(14,160,649)	(14,625,000)
12,098,938	11,417,456	9,907,455	10,555,401	10,309,164	10,656,453
3,000,840	2,671,507	2,670,643	2,256,140	2,342,612	2,420,667
817,091	169,291	201,895	775,375	(13,260)	341,590
-	-	-	-	-	-
15,916,869	14,258,254	12,779,993	13,586,916	12,638,516	13,418,710
-	-	-	-	(1,995,335)	-
\$ 2,182,012	\$ 642,225	\$ 1,697,924	\$ (556,742)	\$ (3,517,468)	\$ (1,206,290)

CITY OF YPSILANTI, MICHIGAN

Fund Balances - Governmental Funds

Last Ten Years

(modified accrual basis of accounting)

	2005	2006	2007	2008
General fund				
Nonspendable				
Committed				
Unassigned				
Reserved	\$ 99,780	\$ 99,518	\$ 311,238	\$ 284,902
Unreserved, designated	1,990,157	2,457,812	2,198,717	3,995,995
Unreserved, undesignated	1,586,873	1,670,594	3,078,083	2,969,171
Total general fund	<u>3,676,810</u>	<u>4,227,924</u>	<u>5,588,038</u>	<u>7,250,068</u>
All other governmental funds				
Nonspendable				
Restricted				
Committed				
Unassigned (deficit)				
Reserved	10,111,447	9,432,511	8,174,089	6,788,292
Unreserved, designated	-	-	429,428	609,332
Unreserved, undesignated				
reported in:				
Special revenue funds	4,183,232	3,370,274	1,826,258	1,858,287
Debt service funds	1,856,755	1,952,024	1,756,508	1,655,707
Capital projects funds	(769,583)	597,400	796,632	1,169,857
Total all other governmental funds	<u>15,381,851</u>	<u>15,352,209</u>	<u>12,982,915</u>	<u>12,081,475</u>
Total governmental funds	<u>\$ 19,058,661</u>	<u>\$ 19,580,133</u>	<u>\$ 18,570,953</u>	<u>\$ 19,331,543</u>

Source: City of Ypsilanti Finance Department

Table 3
Unaudited

2009	2010	2011	2012	2013	2014
		\$ 269,199	\$ 344,707	\$ 329,819	\$ 348,324
		5,579,241	4,378,434	6,008,192	4,631,779
		3,545,913	3,936,006	2,201,556	2,968,262
\$ 208,839	\$ 206,175	-	-	-	-
6,312,543	6,820,988	-	-	-	-
2,947,235	2,436,793	-	-	-	-
9,468,617	9,463,956	9,394,353	8,659,147	8,539,567	7,948,365
		4,763,817	4,763,817	2,768,482	1,900,300
		5,671,778	4,869,060	5,327,431	3,069,197
		922,301	1,411,547	1,061,201	1,084,209
		-	(23,938)	(168,166)	1,832,262
6,620,715	6,302,934	-	-	-	-
609,332	309,560	-	-	-	-
		-	-	-	-
1,740,343	2,664,551	-	-	-	-
1,773,204	1,787,942	-	-	-	-
824,485	861,140	-	-	-	-
11,568,079	11,926,127	11,357,896	11,020,486	8,988,948	7,885,968
\$ 21,036,696	\$ 21,390,083	\$ 20,752,249	\$ 19,679,633	\$ 17,528,515	\$ 15,834,333

CITY OF YPSILANTI, MICHIGAN

Changes in Fund Balances - Governmental Funds

Last Ten Years

(modified accrual basis of accounting)

	2005	2006	2007	2008
Revenues				
Taxes and special assessments	\$ 9,779,484	\$ 10,559,261	\$ 11,310,662	\$ 11,503,422
Licenses and permits	750,293	617,089	576,436	665,684
Intergovernmental	7,499,981	7,254,893	7,750,482	7,826,046
Charges for services	698,086	931,525	987,433	416,730
Fines and forfeits	225,384	362,432	297,667	394,089
Investment earnings	437,809	(297,092)	932,581	912,077
Other revenues	1,465,233	1,410,678	1,704,958	534,781
Total revenues	20,856,270	20,838,786	23,560,219	22,252,829
Expenditures				
General government	2,888,462	2,300,056	2,375,208	2,409,836
Public safety	7,121,191	8,114,602	9,811,440	8,744,920
Public works	6,969,115	2,659,544	1,954,923	997,305
Refuse collection	963,935	1,016,505	1,079,251	1,171,953
Highways, streets and bridges	1,232,042	1,180,647	1,814,492	1,973,109
Culture and recreation	302,147	206,698	162,189	446,196
Community development	215,156	214,575	179,915	178,636
Public transportation	-	-	-	-
Unallocated employee benefits	739,790	847,947	925,577	1,161,692
Tax tribunal refunds	-	-	-	-
Capital outlay	6,660,712	2,375,227	840,776	-
Debt service:				
Principal	1,718,202	2,299,949	2,665,245	2,501,875
Interest and fiscal charges	4,468,430	3,145,864	2,766,159	2,767,662
Total expenditures	33,279,182	24,361,614	24,575,175	22,353,184
Revenues over (under) expenditures	(12,422,912)	(3,522,828)	(1,014,956)	(100,355)
Other financing sources (uses)				
Transfers in	2,355,341	1,924,858	1,139,551	999,347
Transfers out	(2,373,144)	(1,924,858)	(1,189,551)	(899,683)
Issuance of debt	14,262,866	16,827,648	9,895,000	297,596
Bond premium (discount)	-	-	-	-
Payment to refunding escrow agent	(4,120,988)	(12,783,348)	(9,839,224)	-
Total other financing sources (uses)	10,124,075	4,044,300	5,776	397,260
Special item - change in market value of land held for resale	-	-	-	-
Net change in fund balances	\$ (2,298,837)	\$ 521,472	\$ (1,009,180)	\$ 296,905
Debt service as a percentage of noncapital expenditures	23.2%	24.8%	22.6%	25.1%

Source: City of Ypsilanti Finance Department

Table 4
Unaudited

2009	2010	2011	2012	2013	2014
\$ 12,098,938	\$ 11,417,456	\$ 9,907,455	\$ 10,555,401	\$ 10,309,164	\$ 10,656,453
657,459	530,812	666,586	734,250	748,417	648,881
7,667,265	7,880,092	8,369,061	6,678,576	7,112,100	6,851,138
582,283	533,974	542,669	448,341	733,730	417,906
445,965	475,530	597,265	516,393	499,099	414,468
743,107	35,676	165,346	413,204	(33,737)	182,666
840,477	716,969	541,067	680,652	671,558	1,710,943
23,035,494	21,590,509	20,789,449	20,026,817	20,040,331	20,882,455
2,170,189	2,127,907	2,433,291	2,141,990	2,214,452	2,287,975
8,431,824	8,182,781	8,326,438	8,093,201	7,264,800	7,806,628
1,194,766	912,196	848,754	788,210	2,085,725	3,597,878
1,184,977	1,078,414	1,065,037	1,041,143	1,112,773	1,017,678
1,691,811	1,540,487	1,592,516	1,740,226	1,806,267	1,476,912
358,179	457,372	348,756	300,134	284,251	1,136,746
146,167	544,408	498,817	75,033	92,208	32,448
226,756	158,967	218,000	262,183	308,175	274,846
1,188,986	964,144	878,085	950,627	1,043,139	928,133
-	-	-	397,353	13,735	12,712
-	-	-	-	-	-
2,627,079	2,738,504	2,970,000	3,175,000	3,340,000	3,535,000
2,692,892	2,705,052	2,561,716	2,326,442	2,204,172	2,157,920
21,913,626	21,410,232	21,741,410	21,291,542	21,769,697	24,264,876
1,121,868	180,277	(951,961)	(1,264,725)	(1,729,366)	(3,382,421)
1,219,140	2,300,123	1,639,043	2,122,966	6,759,280	4,928,666
(1,187,059)	(2,214,414)	(1,431,863)	(1,930,857)	(6,470,040)	(4,717,299)
503,958	87,401	3,856,253	-	5,372,551	8,993,185
-	-	-	-	(83,208)	433,687
-	-	(3,749,306)	-	(4,005,000)	(7,950,000)
536,039	173,110	314,127	192,109	1,573,583	1,688,239
-	-	-	-	(1,995,335)	-
\$ 1,657,907	\$ 353,387	\$ (637,834)	\$ (1,072,616)	\$ (2,151,118)	\$ (1,694,182)
25.2%	25.8%	29.9%	27.7%	26.3%	25.4%

CITY OF YPSILANTI, MICHIGAN

Table 5
Unaudited

Assessed and Taxable Value of Property

Last Ten Years

Tax Year	Fiscal Year Ended	Real Property (1)		Personal Property (1)		Total		Total Direct Tax Rate
		Taxable Value	(2) Assessed Value	Taxable Value	(2) Assessed Value	Taxable Value	(2) Assessed Value	
2013	2014	\$271,120,783	\$283,777,190	\$ 18,493,812	\$ 18,493,812	\$289,614,595	\$ 302,271,002	36.4947
2012	2013	273,316,097	283,284,181	17,413,000	17,413,000	290,729,097	300,697,181	35.2060
2011	2012	290,163,934	309,315,255	19,030,100	19,030,100	309,194,034	328,345,355	33.6731
2010	2011	308,955,109	332,212,495	21,038,100	21,038,100	329,993,209	353,250,595	31.5314
2009	2010	339,950,191	380,570,998	30,525,720	30,525,720	370,475,911	411,096,718	30.8592
2008	2009	353,840,502	436,827,206	48,803,200	48,803,200	402,643,702	485,630,406	30.6016
2007	2008	358,621,343	471,237,912	55,108,200	55,215,000	413,729,543	526,452,912	29.5795
2006	2007	340,765,351	446,378,408	55,300,150	55,896,200	396,065,501	502,274,608	29.5299
2005	2006	314,776,856	423,184,122	44,418,300	44,418,300	359,195,156	467,602,422	29.0301
2004	2005	299,731,615	394,903,750	46,307,000	46,307,000	346,038,615	441,210,750	27.9161

(1) Includes properties subject to Industrial Facility Tax exemptions.

(2) Estimated actual value equals the assessed value.

Source: City of Ypsilanti Assessing Division

CITY OF YPSILANTI, MICHIGAN

Table 6
Unaudited

Direct and Overlapping Property Tax Rates (rate per \$1,000 of taxable value)

Fiscal Year Ended June 30,	City	Ypsilanti Public Schools	State Education Tax	Washtenaw Intermediate School District	County	Washtenaw Community College	Ypsilanti District Library	Totals	
								Homestead	Non- Homestead
2014	36.4947	25.0000	6.0000	3.9745	5.7801	3.4576	2.8102	65.5171	83.5171
2013	35.2060	25.0000	6.0000	3.9745	5.7654	3.6376	2.7845	64.3680	82.3680
2012	33.6731	25.0000	6.0000	3.9745	5.7518	3.7176	2.7410	62.8580	80.8580
2011	31.5314	25.0000	6.0000	3.9745	5.7448	3.6856	2.1574	60.0937	78.0937
2010	30.8592	24.2000	6.0000	3.9745	5.7418	3.6856	2.1575	58.6186	76.6186
2009	30.6016	25.0000	6.0000	3.9745	5.7018	3.6856	2.1553	59.1188	77.1188
2008	29.5795	25.0000	6.0000	3.9745	5.6768	3.6956	2.1553	58.0817	76.0817
2007	29.5299	25.0000	6.0000	3.9745	5.6768	3.7082	2.3475	58.2369	76.2369
2006	29.0301	25.0000	6.0000	3.9970	5.5024	3.7249	2.3475	57.6019	75.6019
2005	27.9161	25.0000	6.0000	4.0350	5.5493	3.7748	2.3540	56.6292	74.6292

Components of City Millage Rate							
Fiscal Year Ended June 30,	General Operating	Sanitation	Streets	Public Transport	Police and Fire Pension	YCUA Debt	Total
2014	19.0211	2.7814	4.7904	0.97890	8.9229	-	36.4947
2013	19.0211	2.7814	5.0243	0.97890	7.4003	-	35.2060
2012	19.0211	2.7814	4.5685	0.97890	6.3232	-	33.6731
2011	19.0211	2.7814	4.3933	-	5.3356	-	31.5314
2010	19.0211	2.7814	3.9086	-	5.1481	-	30.8592
2009	19.0211	2.7814	3.7170	-	5.0821	-	30.6016
2008	19.0211	2.7814	3.3376	-	4.4394	-	29.5795
2007	19.0211	2.7814	3.4641	-	3.9850	0.2783	29.5299
2006	19.0211	2.7814	3.7485	-	2.7660	0.7131	29.0301
2005	19.0937	2.7921	3.5967	-	1.7197	0.7139	27.9161

Sources: Annual Apportionment Report of Washtenaw County and City of Ypsilanti Treasury Division

CITY OF YPSILANTI, MICHIGAN

Table 7
Unaudited

Principal Property Tax Payers

Current Year and Ten Years Ago
(amounts expressed in thousands)

Taxpayer	2014			2004		
	Taxable Value	Rank	Percent of Total Taxable Value	Taxable Value	Rank	Percent of Total Taxable Value
Leforge Station II, LLC	\$ 5,132,200	1	1.89%	\$ -	-	-
DTE- Detroit Edison	3,360,000	2	1.24%	4,371,700	2	1.46%
River Drive Apartments	2,921,400	3	1.08%	3,582,470	3	1.20%
Barnes & Barnes Properties, LLC	2,917,824	4	1.08%	-	-	-
Michigan Consolidated Gas Company	2,900,200	5	1.07%	-	-	-
Forest Knoll Apartments	1,848,700	6	0.68%	-	-	-
Khailany Asad	1,811,105	7	0.67%	-	-	-
Fhmc Real Estate, LLC	1,730,486	8	0.64%	-	-	-
Beal Properties, LLC	1,586,891	9	0.59%	-	-	-
Huron View Properties, LLC	1,460,100	10	0.54%	-	-	-
Visteon Corporation	-	-	-	30,482,781	1	10.17%
Forest Health Services, LLC	-	-	-	3,255,000	4	1.09%
DTE- Mich Con	-	-	-	3,157,400	5	1.05%
Aces Held, LLC	-	-	-	2,488,400	6	0.83%
Chatham Capital Corporation	-	-	-	2,218,200	7	0.74%
Barnes & Barnes Properties, LLC	-	-	-	2,184,442	8	0.73%
Ave Maria College	-	-	-	2,022,117	9	0.67%
Riverside Apartments LLC	-	-	-	1,996,703	10	0.67%
	<u>\$25,668,906</u>		<u>9.47%</u>	<u>\$55,759,213</u>		<u>18.60%</u>

Source: City of Ypsilanti Assessing Division

CITY OF YPSILANTI, MICHIGAN

Table 8
Unaudited

Property Tax Levies and Collections

Last Ten Years

(1) Fiscal Year Ended June 30,	(2) Taxes Levied for the Fiscal Year	Collected within the Fiscal Year of the Levy		(3) Delinquent Collections	Total Collections to Date	
		Amount	% of Levy		Amount	% of Levy
2014	\$ 8,066,559	\$ 7,417,171	91.9%	\$ 589,092	\$ 8,006,263	99.3%
2013	7,604,343	6,860,589	90.2%	708,138	7,568,727	99.5%
2012	7,836,628	6,978,910	89.1%	726,765	7,705,675	98.3%
2011	8,042,522	7,020,601	87.3%	899,747	7,920,348	98.5%
2010	8,867,882	7,871,640	88.8%	819,421	8,691,061	98.0%
2009	9,682,649	8,867,407	91.6%	716,759	9,584,166	99.0%
2008	9,710,088	8,824,251	90.9%	798,331	9,622,582	99.1%
2007	9,239,461	8,399,585	90.9%	418,419	8,818,004	95.4%
2006	9,075,900	8,391,389	92.5%	594,060	8,985,449	99.0%
2005	8,394,563	7,870,141	93.8%	335,805	8,205,946	97.8%

(1) Property taxes are levied July 1 of the current fiscal year based on taxable property values as of the preceding December 31. Summer taxes become delinquent as of September 15. Winter Taxes become delinquent as of February 15. The City's delinquent real property taxes are purchased by the Washtenaw County Delinquent Uncollected Tax Revolving Fund. Uncollected Personal property taxes are sent to the Ypsilanti Credit Bureau on June 1 for collection.

(2) Includes Industrial Facility Tax.

(3) Includes settlement from Washtenaw County Delinquent Tax Revolving for purchase of delinquent real property taxes.

Source: City of Ypsilanti Treasury Division

CITY OF YPSILANTI, MICHIGAN

Ratios of Outstanding Debt by Type

Last Ten Years

	2005	2006	2007	2008
Governmental activities				
General obligation bonds	\$ 27,715,000	\$ 29,525,000	\$ 28,660,000	\$ 27,750,000
Revenue bonds	38,825,827	38,003,306	36,945,000	35,797,596
Installment obligations	3,248,526	3,688,747	3,546,808	3,399,933
Amounts available in debt service funds	(1,856,755)	(1,952,024)	(1,756,508)	(1,655,707)
Total outstanding debt	<u>\$ 67,932,598</u>	<u>\$ 69,265,029</u>	<u>\$ 67,395,300</u>	<u>\$ 65,291,822</u>
Total taxable value	\$ 346,038,615	\$ 359,195,156	\$ 396,065,501	\$ 413,729,543
Ratio of total debt to taxable value	19.63%	19.28%	17.02%	15.78%
Total population	21,949	21,767	21,827	20,849
Total debt per capita	\$ 3,095	\$ 3,182	\$ 3,088	\$ 3,132
% of personal income	8.10%	8.23%	7.74%	7.66%
Personal income	\$ 838,693	\$ 841,991	\$ 870,723	\$ 852,828

Source: City of Ypsilanti Finance Department

Details regarding the City's debt can be found in the notes to the financial statements.

Table 9
Unaudited

2009	2010	2011	2012	2013	2014
\$ 26,800,000	\$ 25,805,000	\$ 24,560,000	\$ 23,080,000	\$ 21,640,000	\$ 19,925,000
34,776,554	33,277,955	31,616,984	29,921,984	29,389,535	28,612,720
3,247,854	3,090,350	3,090,350	3,090,350	3,090,350	3,090,350
(1,773,204)	(1,787,942)	(1,766,812)	(1,744,330)	(1,788,071)	(156,184)
<u>\$ 63,051,204</u>	<u>\$ 60,385,363</u>	<u>\$ 57,500,522</u>	<u>\$ 54,348,004</u>	<u>\$ 52,331,814</u>	<u>\$ 51,471,886</u>
\$ 402,643,702	\$ 370,475,911	\$ 329,993,209	\$ 309,194,034	\$ 290,729,097	\$ 289,614,595
15.66%	16.30%	17.42%	17.58%	18.00%	17.77%
20,437	19,201	19,435	19,375	19,621	20,142
\$ 3,085	\$ 3,145	\$ 2,959	\$ 2,811	\$ 2,667	\$ 2,487
7.54%	7.69%	7.69%	7.43%	6.53%	5.92%
\$ 835,975	\$ 785,417	\$ 735,790	\$ 733,518	\$ 800,948	\$ 870,175

CITY OF YPSILANTI, MICHIGAN

Table 10
Unaudited

Ratios of Net General Bonded Debt Outstanding Last Ten Years

Year	General Obligation Bonds	Less: Amounts Restricted to Repaying Principle	Net General Bonded Debt	% of Actual Taxable Value of Property	Per Capita
2014	\$ 19,925,000	\$ -	\$ 19,925,000	6.88%	\$ 989
2013	21,640,000	1,788,071	19,851,929	6.83%	1,012
2012	23,080,000	1,744,330	21,335,670	6.94%	1,108
2011	24,560,000	1,766,812	22,793,188	6.91%	1,173
2010	25,805,000	1,787,942	24,017,058	6.48%	1,251
2009	26,800,000	1,773,204	25,026,796	6.22%	1,225
2008	27,750,000	1,655,707	26,094,293	6.31%	1,252
2007	31,410,350	1,756,508	29,653,842	7.49%	1,359
2006	32,275,350	1,952,024	30,323,326	8.44%	1,393
2005	30,465,350	1,856,755	28,608,595	8.27%	1,303

Source: City of Ypsilanti Finance Department

CITY OF YPSILANTI, MICHIGAN

Table 11
Unaudited

Computation of Net Direct and Overlapping Debt

June 30, 2014

	Gross Amount Outstanding	Self-Supporting or Paid by Benefited Government	Net Amount Outstanding
Direct debt			
General obligation bonds	\$ 19,925,000	\$ -	\$ 19,925,000
General obligation bonds - DDA	670,000	670,000	-
Revenue bonds - YCUA (2)	28,612,720	28,612,720	-
Revenue bonds - Depot Town DDA	26,259	26,259	-
Installment obligations	3,090,350	-	3,090,350
Total direct debt	<u>\$ 52,324,329</u>	<u>\$ 29,308,979</u>	<u>23,015,350</u>
	Net Debt Outstanding	Percentage Applicable to City of Ypsilanti	Share Applicable to City of Ypsilanti
Overlapping debt			
Ypsilanti School District	\$ 80,759,000	100.00%	\$ 26,989,657
Washtenaw County	1,586,648	100.00%	1,791,043
Washtenaw Community College	327,399	100.00%	361,674
Ypsilanti District Library	997,299	100.00%	1,157,166
Total overlapping debt	<u>83,670,346</u>		<u>30,299,540</u>
Total direct and overlapping debt			<u>\$ 53,314,890</u>

(1) Overlapping debt is calculated for an entity, based upon assessed values received from the State of Michigan, which determines the issuer's proportionate share of the debt of other local governmental units that either overlap it (the issuer is located either wholly or partly within the geographic limits of the other units) or underlie it (the other units are located within the geographic limits of the issuer). The debt is apportioned based upon relative assessed values.

(2) These revenue bonds are being repaid from the revenue stream of another government; in this case, Ypsilanti Community Utilities Authority (YCUA) which is a joint venture that the City of Ypsilanti participates in as described in Notes 12 and 19 of the notes to the financial statements.

Source: City of Ypsilanti Finance Department and Municipal Advisory Council of Michigan

CITY OF YPSILANTI, MICHIGAN

Table 12
Unaudited

Legal Debt Margin Last Ten Years

Legal debt margin calculation for 2014

Assessed value (state equalized value)	<u>\$ 302,271,002</u>
Debt limit (10% of assessed value)	<u>\$ 30,227,100</u>
Net debt subject to limitation:	
General obligation bonds	19,925,000
Less unspent bond proceeds in 2013 revenue refunding bonds fund	(1,820,730)
Less amounts available for repayment of general obligation bonds	<u>(156,184)</u>
	<u>17,948,086</u>
Legal debt margin	<u>\$ 12,279,014</u>

	Debt Limit	Net Debt Applicable to Limit	Legal Debt Margin	Ratio
2014	\$ 30,227,100	\$ 17,948,086	\$ 12,279,014	59.38%
2013	30,069,718	19,851,929	10,217,789	66.02%
2012	32,834,536	21,335,670	11,498,866	64.98%
2011	35,325,060	22,793,188	12,531,872	64.52%
2010	41,109,672	24,017,058	17,092,614	58.42%
2009	48,563,041	25,026,796	23,536,245	51.53%
2008	52,645,291	26,094,293	26,550,998	49.57%
2007	50,227,461	29,653,842	20,573,619	59.04%
2006	46,760,242	26,645,475	20,114,767	56.98%
2005	44,121,075	27,695,470	16,425,605	62.77%

Source: City of Ypsilanti Finance Department

Revenue Bond Coverage

Last Ten Years

Fiscal Year Ended August 31,	(1) Gross Revenue	(2) Operating Expenses	Net Revenue Available for Debt Service	(3) Total Debt Service Requirement	Coverage
2013	\$ 34,042,779	\$ 27,922,287	\$ 6,120,492	\$ 5,844,681	104.7%
2012	34,764,666	27,565,394	7,199,272	4,509,206	159.7%
2011	33,586,953	26,167,217	7,419,736	5,683,760	130.5%
2010	31,115,683	25,491,690	5,623,993	6,002,290	93.7%
2009	34,348,642	26,841,880	7,506,762	5,653,810	133.0%
2008	35,548,571	27,925,431	7,623,140	5,368,807	142.0%
2007	37,781,498	26,934,363	10,847,135	5,596,598	193.8%
2006	33,818,172	25,512,868	8,305,304	6,534,757	127.1%
2005	34,602,217	23,178,366	11,423,851	6,108,306	187.0%
2004	33,550,541	21,058,612	12,491,929	5,252,872	238.0%
2003	27,197,424	21,476,377	5,721,047	4,689,848	122.0%

Source: Ypsilanti Community Utilities Authority comprehensive annual financial report.

(Note: YCUA is on a August 31 fiscal year end; as such, the 2014 report is not yet available.)

(1) Includes operating revenue, investment earnings, connect fees and debt service contributions.

(2) Excludes depreciation expense.

(3) Includes bonds and capital leases applicable to YCUA as a whole.

CITY OF YPSILANTI, MICHIGAN

Table 14
Unaudited

Demographic and Economic Statistics

Last Ten Years

Year	(1) Population	(2) Total Personal Income (in thousands)	(2) Per Capita Income	(3) School Enrollment	(4) Unemployment Rate
2014	20,142	\$ 870,175	\$ 43,202	4,148	6.3%
2013	19,621	800,948	40,821	4,525	7.6%
2012	19,375	733,518	37,859	3,678	6.2%
2011	19,435	735,790	37,859	3,175	9.6%
2010	19,201	726,931	37,859	3,896	9.9%
2009	20,437	773,724	37,859	3,881	11.3%
2008	20,849	852,828	40,905	3,864	8.0%
2007	21,827	870,723	39,892	4,005	4.5%
2006	21,767	841,991	38,682	4,071	4.6%
2005	21,949	838,693	38,211	4,141	4.4%

Year	(1) Population	(1) Median Age
2010	19,435	24
2000	22,237	24
1990	24,846	24
1980	24,031	24
1970	29,538	24
1960	20,957	-
1950	18,302	-
1940	12,121	-
1930	10,143	-

- (1) Estimate per SEMCOG and/or U.S. Census Bureau;
<http://www.semco.org/Data/Apps/comprof/people.cfm?cpid=4130>
- (2) Estimate from U.S. Department of Commerce, Bureau of Economic Analysis. (2013/14 data is not available, so used year 2012 data for washtenaw county). (Total personal income=population * per
<http://www.bea.gov/iTable/iTable.cfm?reqid=70&step=1&isuri=1&acrdn=5#reqid=70&step=27&isuri=1&7>
- (3) Data from Ypsilanti Community Schools
http://www.mlive.com/news/ann-arbor/index.ssf/2013/09/enrollment_in_ypsilanti_commun.html
- (4) Labor market information at Michigan.gov (for Ann Arbor, MI Metropolitan Statistical Area)
http://ycharts.com/indicators/ypsilanti_mi_unemployment_rate

CITY OF YPSILANTI, MICHIGAN

Table 15
Unaudited

Principal Employers

Current Year and Nine Years Ago

Employer	2014			2005		
	Employees	Rank	% of Workforce	Employees	Rank	% of Workforce
Eastern Michigan University	2,050	1	18.64%	2,114	2	16.91%
Washtenaw County	1,310	2	11.91%	1,300	3	10.40%
Ypsilanti Public Schools	540	3	4.91%	700	4	5.60%
Bortz Health Care of Ypsilanti	145	4	1.32%	140	7	1.12%
Marsh Plating & Finishing Services	100	5	0.91%	87	9	0.70%
City of Ypsilanti	90	6	0.82%	129	8	1.03%
Forest Health Services	80	7	0.73%	375	5	3.00%
Gene Butman Ford	65	8	0.59%	60	11	0.48%
Fischer Honda	47	9	0.43%	80	10	0.64%
Walgreens	25	10	0.23%	20	13	0.16%
Ford Motor Company	-		-	2,273	1	18.18%
Exemplar Manufacturing	-		-	147	6	1.18%
	<u>4,452</u>		<u>40.47%</u>	<u>7,425</u>		<u>59.40%</u>

Source: Economic Development Department, City of Ypsilanti
Washtenaw County Economic Development & Growth
Manta.com and prior Official Statement for the City of Ypsilanti

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CITY OF YPSILANTI, MICHIGAN

Table 16
Unaudited**Employees by Department**
Last Ten Years

Function/Program	Full-time Equivalent Employees as of June 30,									
	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Mayor and City Council	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
Administrative services										
City Manager (172)	2.00	2.50	2.00	2.10	1.85	1.85	1.85	1.85	1.85	2.60
Human Resources (226)	2.00	2.00	1.80	1.90	1.55	1.55	1.55	1.55	1.55	1.30
Ordinance Enforcement (341)	1.00	1.00	1.00	1.00	1.00	0.50	0.50	0.50	0.50	1.70
Building Inspection (371)	5.00	5.00	5.00	5.00	5.25	3.75	3.58	3.35	3.25	2.20
Planning & Development (801)	5.00	4.50	3.50	3.40	1.65	1.65	1.65	2.38	2.38	2.13
Recreation (707)	1.00	-	-	-	-	-	-	-	-	-
	16.00	15.00	13.30	13.40	11.30	9.30	9.13	9.63	9.53	9.93
Citizen services										
Voters Registration, school and county election (191)	2.00	1.00	1.00	-	-	-	-	-	-	-
City Clerk (215)	2.00	2.00	2.00	2.00	2.00	2.00	2.00	1.95	1.95	1.95
City Treasurer (253)	2.00	2.00	1.80	1.50	1.50	1.50	1.34	1.34	1.34	1.34
	6.00	5.00	4.80	3.50	3.50	3.50	3.34	3.29	3.29	3.29
Administrative Hearing Bureau	-	-	-	-	-	-	-	0.10	0.10	0.15
Fire services										
Administration (337)	2.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Suppression (339)	21.00	21.00	21.00	23.00	21.00	21.00	19.00	18.50	16.00	16.00
	23.00	23.00	23.00	25.00	22.00	22.00	20.00	19.50	17.00	17.00
Fiscal services										
Finance - Accounting (201)	3.00	3.00	2.70	3.20	3.20	3.20	3.03	3.03	3.03	3.03
Finance - Assessor (209)	2.00	2.00	2.00	1.00	1.00	1.00	1.00	0.93	0.33	0.33
	5.00	5.00	4.70	4.20	4.20	4.20	4.03	3.96	3.36	3.36
Police services										
Administration (305)	3.00	3.00	3.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Field Services (307)	42.00	42.00	40.00	41.00	37.00	38.40	28.00	28.00	24.00	28.26
COPS Grant	-	-	-	-	-	-	3.00	3.00	2.00	2.00
Parking Enforcement (311)	6.00	6.00	6.00	4.00	2.00	2.00	2.00	2.00	2.00	2.00
LAWNET Grant (312 & 316)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
School Liaison Contract (317)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	-	-	-
	53.00	53.00	51.00	49.00	43.00	44.40	37.00	36.00	31.00	35.26
Public services										
Parks, streets, building, parking lots, and garbage collection	22.00	23.00	22.00	21.75	19.00	17.00	17.00	17.00	17.00	17.00
Administration (441)	3.75	3.75	3.75	4.00	3.75	3.75	3.88	3.88	3.81	3.88
	25.75	26.75	25.75	25.75	22.75	20.75	20.88	20.88	20.81	20.88
Total full-time employees	128.75	127.75	122.55	120.85	106.75	104.15	94.38	93.36	85.09	89.87
Total council and full-time employees	135.75	134.75	129.55	127.85	113.75	111.15	101.38	100.36	92.09	96.87

Source: City of Ypsilanti Finance Department

CITY OF YPSILANTI, MICHIGAN

Operating Indicators by Function/Program

Last Ten Years

Function/Program	2005	2006	2007	2008
Public Safety				
Police services				
Number of uniform crime reporting	3,946	4,171	4,524	3,087
Number of traffic violations	3,492	3,275	3,269	3,538
Number of arrests	1,327	1,479	1,818	1,484
Number of parking violations	16,954	14,851	11,369	6,818
Fire services				
Number of calls answered	511	478	511	402
Number of inspections conducted	778	785	980	996
Public Services				
Miles of local streets maintained	20.56	20.56	21.22	21.22
Miles of major streets maintained	33.18	33.18	32.52	32.52
Public Utilities				
Miles of water mains	53.74	53.74	53.74	53.74
Number of fire hydrants	663	663	663	663

Source: City of Ypsilanti Police, Fire, and Public Services Departments.

Table 17
Unaudited

2009	2010	2011	2012	2013	2014
3,349	3,295	1,936	2,983	2,913	3,179
7,502	8,458	3,253	3,609	3,024	3,528
2,015	1,864	1,738	1,715	1,698	1,939
9,654	9,611	9,880	10,593	9,223	2,975
553	566	564	600	639	690
1,396	1,464	1,588	400	384	264
21.22	21.22	21.22	21.22	21.22	21.22
32.44	32.44	32.44	32.44	32.44	32.44
53.74	53.74	53.74	58.66	58.66	58.66
663	663	663	663	663	663

CITY OF YPSILANTI, MICHIGAN

Table 18
Unaudited

Capital Asset Statistics by Function/Program Last Ten Years

Function/Program	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Police Services										
Police department building	1	1	1	1	1	1	1	1	1	1
Temporary detention cells	2	2	2	2	2	2	2	2	2	2
Vehicle patrol units:										
Police service automobiles	13	12	12	10	10	10	10	9	9	9
Unmarked police vehicles	8	7	7	7	6	6	7	7	7	7
Parking enforcement	2	2	2	2	2	2	2	2	2	2
Mobile command vehicle	1	1	1	1	1	1	1	1	1	1
Volunteer service vehicle	-	1	1	1	1	1	1	1	1	1
Fire Services										
Emergency services building	1	1	1	1	1	1	1	1	1	1
Vehicle units:										
Pumper truck	3	2	2	2	2	2	2	2	2	2
Pumper ladder truck	2	1	1	1	1	1	1	1	1	1
Rescue truck	1	1	1	1	1	1	-	-	-	-
Jaws of life	1	1	1	1	1	1	1	1	1	1
Chief's city car	1	1	1	1	1	1	1	1	1	1
Trailer	1	1	1	-	-	-	-	-	-	-
Pickup truck	1	1	1	1	1	1	1	2	2	2
Utility van	1	1	1	1	1	1	1	-	-	-
Administrative Services										
Crown Victoria - CH	2	2	2	2	1	1	1	1	1	-
Impala	-	-	-	-	-	-	1	1	1	1
Taurus - CM	-	-	-	-	1	1	1	1	1	1
Building enforcement vehicles	4	4	4	4	2	2	3	3	3	3
Public Services										
Passenger										
Crown Victoria	2	2	2	2	3	4	3	2	2	1
Escape	-	-	-	-	-	-	1	1	1	1
Van	2	2	2	2	1	1	1	-	-	-
Van with Aerial Lift	-	-	-	-	1	1	1	1	1	-
Trucks:										
Pick-up	9	9	9	9	8	9	8	7	7	5
with Aerial Lift	-	-	-	-	3	3	3	1	1	2
Dump	9	9	9	9	9	9	10	11	11	9
with Grapple	-	-	-	-	1	1	1	1	1	1
Stake	7	7	7	7	6	6	6	6	6	3
with Aerial Lift	2	2	2	2	-	-	-	1	1	1
Recycle Truck	1	1	1	1	1	1	1	-	-	-
Packer Truck	3	3	3	3	4	4	4	4	4	3
Brush Chipper	2	2	2	2	3	3	1	1	1	1

CITY OF YPSILANTI, MICHIGAN

Table 18
Unaudited

Capital Asset Statistics by Function/Program Last Ten Years

Function/Program	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Tractors:										
with Front Loader	2	2	2	2	2	2	2	1	1	-
with Front Loader/Rear Plow	1	1	1	1	1	1	1	1	1	1
with Bucket & Backhoe	1	1	1	1	1	1	1	1	1	-
with Drawn Rake	1	1	1	1	1	1	1	1	1	-
with Salt Spreader & Snow Plow	-	-	-	-	1	1	1	1	1	1
Garden	9	9	9	9	9	9	9	7	7	6
Wide Area Mower	-	-	-	-	1	1	1	1	1	1
Loader with Bucket	2	2	2	2	3	3	3	3	3	2
Rear Loader	-	-	-	-	-	-	1	1	1	1
Equipment:										
Gas Tester	1	1	1	1	1	1	1	1	1	1
Arrowboard	2	2	2	2	2	2	2	2	2	2
Pump	-	-	-	-	-	-	2	2	2	2
Snow Blower	4	4	4	4	4	4	4	4	4	3
Traffic Counter	8	8	8	8	8	8	8	8	8	8
Star Drill	1	1	1	1	1	1	1	1	1	1
Flail Mower	1	1	1	1	1	1	-	-	-	-
Trailer	3	3	3	3	4	4	4	4	4	4
Sign Driver	-	-	-	-	-	-	1	1	1	1
Auger	2	2	2	2	2	2	2	2	2	2
Street Sweeper	2	2	2	2	2	2	2	3	3	2
Compactor	1	1	1	1	1	1	1	1	1	1
Cement Mixer	2	2	2	2	2	2	1	1	1	1
Bituminous	1	1	1	1	1	1	1	1	1	1
Hyd. Sewer Cleaner	2	2	2	2	2	2	1	1	1	1
Compressor	1	1	1	1	1	1	-	-	-	2
Concrete Pavement Saw	2	2	2	2	2	2	2	2	2	2
Parking Lot Plow	-	-	-	-	-	-	-	-	-	2
Rear Plow	1	1	1	1	1	1	1	1	1	1
Dual Line Stripper	1	1	1	1	1	1	1	1	1	1
Leaf Blower	3	3	3	3	3	3	3	3	3	3
Weed Eater	9	9	9	9	9	9	11	11	11	11
Weed Eater (brush cutter)	-	-	-	-	-	-	-	1	1	1
Rotary Lawn Mower	1	1	1	1	2	2	2	2	2	1
Bush Hog	1	1	1	1	1	1	1	1	1	1
Generator	2	2	2	2	2	2	2	2	2	2
Compressor	1	1	1	1	1	2	2	2	2	1
Maint. Drawn Tracor Blade	1	1	1	1	1	1	1	1	1	1
Sod Cutter	1	1	1	1	1	1	1	1	1	1
Rotary Tiller	1	1	1	1	1	1	1	1	1	1
Chain Saw	11	11	11	11	11	11	12	12	12	12
Power Pruner	3	3	3	3	4	4	3	3	3	3
Stump Cutter	1	1	1	1	1	1	-	-	-	-
Chipper Box	1	1	1	1	1	1	1	1	1	-

Capital Asset Statistics by Function/Program

Last Ten Years

Function/Program	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Fork Lift	1	1	1	1	1	1	1	1	1	1
Roller	1	1	1	1	1	1	1	1	1	1
Pressure Washer	1	1	1	1	1	1	1	1	1	1
Portable Space Heater	1	1	1	1	1	1	1	1	1	1
Power MIG 255	1	1	1	1	1	1	1	1	1	1
Precision TIG 275	1	1	1	1	1	1	1	1	1	1
Row Boat	1	1	1	1	1	1	1	1	1	1
Sandblaster	-	-	-	-	-	1	1	1	1	1
Weed Eater/Hedge Trimmer	-	-	-	-	-	-	-	1	1	1
Edger/Trimmer/Weed Eater	-	-	-	-	-	-	-	-	-	1
Parks & Recreation										
Parks:										
Active	8	8	8	8	8	8	8	8	8	8
Inactive	2	2	2	2	1	1	1	1	1	1
Tot Lots	2	2	2	2	3	3	3	3	3	3
Park acreage:										
Active parks	81	81	81	81	81	81	81	81	81	81
Inactive	4	4	4	4	2	2	2	2	2	2
Tot Lots	2	2	2	2	2	2	2	2	2	2
Picnic areas	9	9	9	9	9	9	9	9	9	9
Buildings:										
Parkridge Community Center	1	1	1	1	1	1	1	1	1	1
Senior Center	1	1	1	1	1	1	1	1	1	1
Concessions	1	1	1	1	1	1	1	1	1	-
Pavilions	8	8	8	8	8	9	9	9	9	9
Swimming Pool	1	1	1	1	1	1	1	1	1	1
Amphitheater	1	1	1	1	1	1	1	1	1	1
Multiuse Trail	2	2	2	2	-	-	1	1	1	1
Park and Play Area Acreage										
Candy Cane Park	7	7	7	7	7	7	7	7	7	7
Carrie Mattingly Tot Lot	1	1	1	1	1	1	1	1	1	1
Charles Street Tot Lot	0	0	0	0	0	0	0	0	0	0
Edith Hefley Park	1	1	1	1	1	1	1	1	1	1
Frog Island Park	7	7	7	7	7	7	7	7	7	7
Gilbert Park	2	2	2	2	-	-	-	-	-	-
Parkridge Park Community Center	8	8	8	8	8	8	8	8	8	8
Peninsular Park	5	5	5	5	5	5	5	5	5	5
Prospect Park	10	10	10	10	10	10	10	10	10	10
Recreation Park/Pool/Senior Center	17	17	17	17	17	17	17	17	17	17
Riverside Park	14	14	14	14	14	14	14	14	14	14
Waterworks Park	13	13	13	13	13	13	13	13	13	13

CITY OF YPSILANTI, MICHIGAN

Table 18
Unaudited

Capital Asset Statistics by Function/Program Last Ten Years

Function/Program	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Picnic										
Candy Cane Park	1	1	1	1	1	1	1	1	1	1
Edith Hefley Park	1	1	1	1	1	1	1	-	-	-
Frog Island Park	1	1	1	1	1	1	1	-	-	-
Parkridge Park Community Center	1	1	1	1	1	1	1	1	1	1
Peninsular Park	1	1	1	1	1	1	1	1	1	1
Prospect Park	2	2	2	2	2	2	2	2	2	2
Recreation Park/Pool/Senior Center	1	1	1	1	1	1	1	1	1	1
Riverside Park	1	1	1	1	1	1	1	1	1	1
Waterworks Park	1	1	1	1	1	1	1	1	1	1
Pavilions										
Recreation Park/Pool/Senior Center	1	1	1	1	1	1	1	1	1	1
Candy Cane Park	1	1	1	1	1	1	1	1	1	1
Prospect Park	2	2	2	2	2	2	2	2	2	2
Waterworks Park	1	1	1	1	1	1	1	1	1	1
Parkridge Park Community Center	1	1	1	1	1	1	1	1	1	1
Riverside Park	1	1	1	1	1	2	2	2	2	2
Peninsular Park	1	1	1	1	1	1	1	1	1	1
City Attractions										
Eastern Michigan Campus	1	1	1	1	1	1	1	1	1	1
Farmer's Market / Freighthouse	1	1	1	1	1	1	1	1	1	1
Michigan Firehouse Museum	1	1	1	1	1	1	1	1	1	1
Riverside Arts Center	1	1	1	1	1	1	1	1	1	1
RM Classic Cars US Headquarter	1	1	1	1	1	1	1	-	-	-
Ypsilanti Automotive Heritage Collection	1	1	1	1	1	1	1	1	1	1
Ypsilanti District Library	1	1	1	1	1	1	1	1	1	1
Ypsilanti Historical Museum	1	1	1	1	1	1	1	1	1	1
Ypsilanti Water Tower	1	1	1	1	1	1	1	1	1	1
Ypsilanti West Commerce Park	1	1	1	1	1	1	1	1	1	1

Source: City of Ypsilanti Finance Department

CITY OF YPSILANTI, MICHIGAN

Table 19
Unaudited

Schedule of Insurance

As of June 30, 2014

Type of Coverage Name of	Policy Period	Premium	Description
Michigan Municipal League Liability and Property Pool	8/01/13 - 8/01/14	\$ 270,367	Covers general liability, police professional liability and public officials errors & omissions. Limit of liability \$2,000,000.
Michigan Municipal League Liability and Property Pool	8/01/13 - 8/01/14	51,556	Covers equipment and automobiles.
Michigan Municipal League Liability and Property Pool	8/01/13 - 8/01/14	20,682	Covers buildings and attached property.
Meadowbrook Insurance Group	8/30/13 - 8/30/14	2,903	Covers commercial storage tank
Blue Cross - Blue Shield, Assurant, EHIM, Fort Dearborn, MECA, UNUM	7/01/13 - 6/30/14	2,110,680	Employee and retiree benefits: health, dental, prescription, life, vision and long-term disability.
Comp One Administrator and Accident Fund	7/01/13 - 6/30/14	250,677	Workers compensation and employees liability excess insurance policy for self insure combined specific and aggregate agreement. Part one - employer liability \$1,000,000, part two - workers compensation limit \$5,000,000, part two - employer liability \$1,000,000.

Source: City of Ypsilanti Finance Department

**City of Ypsilanti
Washtenaw County, Michigan**

**SUPPLEMENTARY INFORMATION
TO FINANCIAL STATEMENTS
(FEDERAL AWARDS)**

June 30, 2014

CITY OF YPSILANTI, MICHIGAN

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INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR EACH MAJOR FEDERAL PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY OMB CIRCULAR A-133

To the Honorable Mayor and
Members of the City Council
City of Ypsilanti, Michigan

Report on Compliance for Each Major Federal Program

We have audited the City of Ypsilanti, Michigan's compliance with the types of compliance requirements described in the *OMB Circular A-133 Compliance Supplement* that could have a direct and material effect on each of the City of Ypsilanti, Michigan's major federal programs for the year ended June 30, 2014. The City of Ypsilanti, Michigan'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 the requirements of laws, regulations, contracts, and grants applicable to its federal programs.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for each of the City of Ypsilanti, Michigan'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 OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 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 Ypsilanti, 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 Ypsilanti, Michigan's compliance.

Opinion on Each Major Federal Program

In our opinion, the City of Ypsilanti, Michigan, 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 its major federal programs for the year ended June 30, 2014.

Report on Internal Control over Compliance

Management of the City of Ypsilanti, 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 Ypsilanti, 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 OMB Circular A-133, 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 of Ypsilanti, Michigan's internal control over compliance.

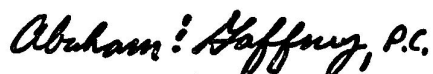
A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement 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 OMB Circular A-133. Accordingly, this report is not suitable for any other purpose.

Report on Schedule of Expenditures of Federal Awards Required by OMB Circular A-133

We have audited the financial statements of the governmental activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Ypsilanti, Michigan, (the City) as of and for the year ended June 30, 2014, and the related notes to the financial statements, which collectively comprise the City's basic financial statements. We issued our report thereon dated December 8, 2014, which contained unmodified opinions on those financial statements. Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by OMB Circular A-133 and is 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 basic financial statements. The 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 schedule of expenditures of federal awards is fairly stated in all material respects in relation to the basic financial statements as a whole.



ABRAHAM & GAFFNEY, P.C.
Certified Public Accountants

December 8, 2014

CITY OF YPSILANTI, MICHIGAN

Schedule of Expenditures of Federal Awards

June 30, 2014

Federal Agency / Cluster / Program Title	CFDA Number	Passed Through	Grant/ Agreement/ Account Number	Federal Expenditures
U.S. Department of Agriculture				
Urban & Community Forestry Program				
GLRI: Water Street Phytoremediation Initiative	10.675	Direct	11-DG-11420004-008	\$ 9,074
U.S. Department of Housing and Urban Development				
Community Development Block Grants (CDBG):				
Value of Loans Outstanding - Prior Year Expenditures	14.228	MEDC	MSC 201017-EDIG	2,750,350
Urban County CDBG:				
ADA Ramps Program	14.228	WC	B-11-UC-26-006	88,677
Senior Center Improvement Program	14.218	WC	CR 42934	5,670
Harriet Street Corridor Redevelopment	14.218	WC	CR 42264	892
Office of Sustainable Housing and Community -				
Community Challenge Planning -				
Community Master Plan & Zoning	14.704	WC	CR 43341	51,017
Total U.S. Department of Housing and Urban Development				<u>2,896,606</u>
U.S. Department of Justice				
Bureau of Justice Assistance -				
2013 Bulletproof Vest Partnership Program	16.607	Direct	2013 Bulletproof	<u>1,095</u>
U.S. Environmental Protection Agency				
Capitalization Grants for Clean Water State Revolving Funds	66.458	MDEQ	5501-01	<u>59,703</u>
U.S. Department of Health and Human Services				
Administration for Community Living				
Special Programs for Aging Title III, Part C	93.045	MDCH	CR 43652	675
Special Programs for Aging Title III, Part C	93.045	MDCH	CR 43924	<u>8,700</u>
Total U.S. Department of Health and Human Services				<u>9,375</u>
U.S. Department of Homeland Security				
Assistance to Firefighters Grant - Staffing for Adequate				
Fire and Emergency Response (SAFER)	97.044	Direct	EMW-2013-FH-00191	<u>94,767</u>
Total expenditures of federal awards				<u><u>\$ 3,070,620</u></u>

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Notes to the Schedule of Expenditures of Federal Awards

1. BASIS OF PRESENTATION

The accompanying schedule of expenditures of federal awards (the "Schedule") includes the federal grant activity of the City of Ypsilanti, Michigan (the "City") under programs of the federal government for the year ended June 30, 2014. The information in this schedule is presented in accordance with the requirements of Office of Management and Budget (OMB) Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. 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.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Schedule expenditures are reported on the modified accrual basis of accounting. Such expenditures are recognized following the cost principles contained in OMB Circular A-87, *Cost Principles for State and Local Governments*, wherein certain types of expenditures are not allowable or are limited as to reimbursement. Pass-through entity identifying numbers are presented where available.

3. PASS-THROUGH AGENCIES

The City receives certain federal grants as subawards from non-federal entities. Pass-through entities, where applicable, have been identified in the Schedule with an abbreviation, defined as follows:

Pass-through Agency Abbreviation	Pass-through Agency Name
MEDC	Michigan Economic Development Corporation
WC	Washtenaw County
MDCH	Michigan Department of Community Health
MDEQ	Michigan Department of Environmental Quality

■ ■ ■ ■ ■

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INDEPENDENT AUDITOR'S 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

To the Honorable Mayor and
Members of the City Council
City of Ypsilanti, Michigan

We have audited, in accordance with the 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 aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Ypsilanti, Michigan (the City), as of and for the year ended June 30, 2014, and the related notes to the financial statements, which collectively comprise the City's basic financial statements and have issued our report thereon dated December 8, 2014.

Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City of Ypsilanti, Michigan's internal control over financial reporting (internal control) to determine the 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'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 determination of financial statement amounts. 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*.

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.

Abraham & Gaffney, P.C.

ABRAHAM & GAFFNEY, P.C.
Certified Public Accountants

December 8, 2014

City of Ypsilanti, Michigan
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
Year Ended June 30, 2014

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	<u> X </u> No
Significant deficiency(ies) identified?	_____ Yes	<u> X </u> None reported
Noncompliance material to financial statements noted?	_____ Yes	<u> X </u> No

Federal Awards

Internal control over major programs:

Material weakness(es) identified?	_____ Yes	<u> X </u> No
Significant deficiency(ies) identified?	_____ Yes	<u> X </u> None reported

Type of auditor's report issued on compliance for major programs: Unmodified

Any audit findings disclosed that are required to be reported by Section 510(a) of Circular A-133? _____ Yes X No

Identification of major programs:

CFDA Number(s)	Name of Federal Program or Cluster
14.228	Community Development Block Grant

Dollar threshold used to distinguish between Type A and Type B programs: \$ 300,000

Auditee qualified as low-risk auditee? _____ Yes X No

Section II - Financial Statement Findings

None noted.

Section III - Federal Award Findings

None noted.

City of Ypsilanti, Michigan
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS
Year Ended June 30, 2014

FINDINGS/NONCOMPLIANCE

Significant Deficiencies and Material Weaknesses Related to Internal Controls over the Financial Statements

None noted.

Findings Related to Compliance with Requirements Applicable to the Financial Statements

None noted.

Findings Related to Compliance with Requirements Applicable to Federal Awards and Internal Control Over Compliance in Accordance with OMB Circular A-133

None noted.

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To the Retirement Board of the
City of Ypsilanti, Michigan
Police and Fire Retirement System
Ypsilanti, Michigan

We have audited the financial statements of the City of Ypsilanti, Michigan, Police and Fire Retirement System (the System) for the years ended June 30, 2014 and 2013. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audits. Professional standards also require that we communicate to you the following information related to our audits.

Our Responsibility under U.S. Generally Accepted Auditing Standards

As stated in our engagement letter dated April 16, 2013, 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 audits of the financial statements does not relieve you or management of your responsibilities.

Generally accepted accounting principles provide for certain required supplementary information (RSI) to supplement the basic financial statements. Our responsibility with respect to the pension schedules, which supplement the basic financial statements, is to apply certain limited procedures in accordance with generally accepted auditing standards. However, the RSI was not audited and, because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance, we have not expressed an opinion and do not provide any assurance on it.

As part of our audits, we considered the internal control of the System. Such considerations were solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

As part of obtaining reasonable assurance about whether the financial statements are free from material misstatement, we performed tests of the System's compliance with certain provisions of laws, regulations, contracts, and grants. However, the objective of our tests was not to provide an opinion on compliance with such provisions.

Our responsibility for the supplementary information accompanying the financial statements, as described by professional standards, is to evaluate the presentation of the supplementary information in relation to the financial statements as a whole and to report on whether the supplementary information is fairly stated, in all material respects, in relation to the financial statements as a whole.

Planned Scope and Timing of the Audit

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit involved judgment about the number of transactions to be examined and the areas to be tested.

Our audits included obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Material misstatements may result from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. We communicated any internal control related matters that were required to be communicated under professional standards.

We performed audit fieldwork in October 2014 and have issued our report on December 8, 2014.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the System are described in Note 2 to the financial statements. The System adopted Governmental Accounting Standards Board Statement (GASB Statement) No. 67, *Financial Reporting for Pension Plans*, during the year ended June 30, 2014. Accordingly, the effect of the adoption of GASB Statement No. 67 is increased and substantially different footnote disclosures and additional required supplementary information. We noted no transactions entered into by the System during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

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:

Management's estimate of the pension benefit obligations (assets) are calculated based on actuarial studies which utilized certain actuarial assumptions.

Investments are carried at fair value, which is defined as the amount that the System could reasonably expect to receive for an investment in a current sale between a willing buyer and a willing seller and is generally measured by quoted market prices.

We evaluated the key factors and assumptions used to develop these accounting estimates in determining that they are reasonable in relation to the financial statements taken as a whole.

The financial statement disclosures 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 audits.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audits, other than those that are clearly trivial, and communicate them to the appropriate level of management. We identified no such misstatements during the performance of our auditing procedures.

Disagreements with Management

For purposes of this letter, a disagreement with management is 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 audits.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated December 8, 2014.

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 System'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.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the System's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to the pension schedules, which are required supplementary information (RSI) that supplement the basic financial statements. Our procedures consisted of inquiries of management regarding 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 did not audit the RSI and do not express an opinion or provide any assurance on it.

Restriction on Use

This information is intended solely for the use of the Retirement Board and management of the City of Ypsilanti, Michigan, Police and Fire Retirement System and is not intended to be, and should not be, used by anyone other than these specified parties.

Abraham & Gaffney, P.C.

ABRAHAM & GAFFNEY, P.C.
Certified Public Accountants

December 8, 2014

**City of Ypsilanti, Michigan
Police and Fire Retirement System**

FINANCIAL STATEMENTS

June 30, 2014 and 2013

CITY OF YPSILANTI, MICHIGAN POLICE AND FIRE RETIREMENT SYSTEM

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INDEPENDENT AUDITOR'S REPORT

To the Retirement Board of the
City of Ypsilanti, Michigan
Police and Fire Retirement System
Ypsilanti, Michigan

Report on the Financial Statements

We have audited the accompanying financial statements of the City of Ypsilanti, Michigan, Police and Fire Retirement System (the System) as of and for the years ended June 30, 2014 and 2013, and the related notes to the financial statements, which collectively comprise the System'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 audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America. 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 misstatements of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the System'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 System'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 opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the City of Ypsilanti, Michigan, Police and Fire Retirement System as of June 30, 2014 and 2013, and the changes in financial position thereof for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Change in Accounting Principles

During the year, the System implemented GASB Statement No. 67, *Financial Reporting for Pension Plans*. As a result, the financial statements now include substantially different note disclosures and required supplementary information. Our opinion is not modified with respect to this matter.

Emphasis of Matter

As discussed in Note 1, the financial statements present only the City of Ypsilanti, Michigan, Police and Fire Retirement System, and do not purport to, and do not, present fairly the financial position of the City of Ypsilanti, Michigan, as of June 30, 2014 and 2013, and the changes in its financial position, or, where applicable, its cash flows thereof and the budgetary comparison schedule for the General Fund for the years then ended in accordance with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

Other Matter

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the historical pension 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, who 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 supplementary 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.

Abraham & Gaffney, P.C.

ABRAHAM & GAFFNEY, P.C.
Certified Public Accountants

December 8, 2014

FINANCIAL STATEMENTS

CITY OF YPSILANTI, MICHIGAN POLICE AND FIRE RETIREMENT SYSTEM

Statements of Plan Net Position

June 30, 2014 and 2013

	2014	2013
Assets		
Investments, at fair value:		
U.S. agencies	\$ 1,874,591	\$ 2,130,052
Corporate bonds	4,895,579	4,730,860
Domestic equities	15,495,617	13,211,266
International equities	1,362,395	868,845
Mutual funds	5,523,432	5,536,015
Exchange traded products	277,182	-
Domestic real estate investment trusts	544,836	489,340
Money market accounts	539,383	553,302
Total investments	30,513,015	27,519,680
Cash and cash equivalents	1,722,701	1,380,434
Accrued interest receivable	53	-
Total assets	32,235,769	28,900,114
Liabilities		
Accounts payable	638,532	780,400
Net position held in trust for pension benefits	<u>\$ 31,597,237</u>	<u>\$ 28,119,714</u>

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN POLICE AND FIRE RETIREMENT SYSTEM

Statements of Changes in Plan Net Position

For the Years Ended June 30, 2014 and 2013

	2014	2013
Additions		
Investment income:		
Net appreciation (depreciation) in fair value of investments	\$ 4,362,837	\$ 2,553,509
Interest and dividends	728,007	751,395
	<u>5,090,844</u>	<u>3,304,904</u>
Total investment income	5,090,844	3,304,904
Less investment management fees	<u>(108,610)</u>	<u>(101,330)</u>
Total net investment income	<u>4,982,234</u>	<u>3,203,574</u>
Contributions:		
Employer	1,358,167	1,222,085
Employees	275,422	303,679
	<u>1,633,589</u>	<u>1,525,764</u>
Total contributions	<u>1,633,589</u>	<u>1,525,764</u>
Total additions	<u>6,615,823</u>	<u>4,729,338</u>
Deductions		
Participant benefits	3,078,288	3,106,675
Participant refunds	-	379,667
Administrative expenses	60,012	74,962
	<u>3,138,300</u>	<u>3,561,304</u>
Total deductions	<u>3,138,300</u>	<u>3,561,304</u>
Change in net position	<u>3,477,523</u>	<u>1,168,034</u>
Net position held in trust for pension benefits, beginning of year	<u>28,119,714</u>	<u>26,951,680</u>
Net position held in trust for pension benefits, end of year	<u>\$ 31,597,237</u>	<u>\$ 28,119,714</u>

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN POLICE AND FIRE RETIREMENT SYSTEM

Notes to Financial Statements

1. PLAN DESCRIPTION

Plan administration. The City of Ypsilanti, Michigan Police and Fire Retirement System (the “System”) is a single-employer defined benefit pension plan that provides retirement, disability and death benefits to all police and fire employees of the City and their beneficiaries. Plan benefit provisions were established and may be amended under the authority of City of Ypsilanti ordinances. Cost of living adjustments are provided to members and beneficiaries. Contribution requirements were established and may be amended subject to collective bargaining agreements and approval by the Retirement Board and City of Ypsilanti City Council. The financial statements of the System are included as a pension trust fund in the City's financial statements.

Management of the System is vested in the Retirement Board of the City of Ypsilanti, Michigan Police and Fire Retirement System, which consists of five members: two that are elected (one each representing fire and police employees), two that are appointed by the City Council of the City of Ypsilanti and one that is the Treasurer of the City of Ypsilanti.

Plan membership. At June 30, membership in the plan consisted of the following:

	2014	2013
Retirees and beneficiaries receiving benefits	113	113
Terminated employee entitled to but not yet receiving benefits	1	1
Active employees	47	39
Total	161	153

Benefits provided. The System provides retirement, disability, and death benefits. Generally, retirement benefits are calculated as a percent of the member's final average compensation (AFC) for a certain number of years times the member's years of service as summarized in the following table:

Eligibility	Amount of Benefit
20 or more years of service (25 years for Fire Chief) regardless of age or age 60 regardless of service.	Straight life pension equals 3.0% of three year AFC times years of service for police and 3.0% of AFC times first 25 years of service plus 1% of AFC times years of service in excess of 25 for fire.
25 or more years of service regardless of age for fire members hired after July 1, 2009.	Straight life pension equals 2.5% of three year AFC times years of service, with a 75% maximum.
25 or more years of service regardless of age for POAM/COAM members hired after July 1, 2009.	Straight life pension equals 2.0% of three year AFC times years of service.
Members hired after July 1, 2012.	Same as members hired after July 1, 2009, except there is no annuity withdrawal option.

CITY OF YPSILANTI, MICHIGAN POLICE AND FIRE RETIREMENT SYSTEM

Notes to Financial Statements

Retirees who are receiving benefits below the estimated federal and state poverty levels have their benefits increased up to the poverty level.

Contributions. Plan members hired prior to July 1, 2009 are required to contribute 10% of their annual covered wages to the System for pension benefits. Plan members hired after July 1, 2009 are required to contribute 5% of their annual covered wages to the System for pension benefits. The City contributes such additional amounts as necessary, based on actuarial determinations, to provide assets sufficient to pay for member benefits. The City's pension contribution for the year ended June 30, 2014 represented 36.51% of the annual covered payroll. The City's pension contribution for the year ended June 30, 2013 represented 29.03% of the annual covered payroll.

Deferred Retirement Option Program (DROP). In lieu of retiring and receiving a monthly benefit, an eligible participant may elect to participate in the DROP by making an irrevocable election to terminate employment with the City and retire upon ceasing participation in the DROP. The DROP election must specify the future retirement date which must be within the maximum time period permitted (typically 3 to 5 years, based on bargaining unit and hire date). Upon entry in the DROP, the participant ceases to accrue years of service in the defined benefit pension plan. The participant remains an employee of the City for all other purposes, but the retirement benefit payment is calculated and payments commence into a separate, restricted account. These monthly payments, along with interest earnings thereon, are not distributed to the participant until employment has terminated. DROP activity for the year ended June 30, 2014 is as follows:

Beginning Balance	Credits	Interest	Distributions	Adjustments	Ending Balance
\$ 770,635	\$ 244,997	\$ 34,330	\$ (420,094)	\$ -	\$ 629,868

2. SIGNIFICANT ACCOUNTING POLICIES

Basis of Accounting. The System's financial statements are prepared on the accrual basis of accounting. Employee contributions are recognized in the period in which they are due. The City's contributions are recognized when due and the employer has made a formal commitment to provide them. Benefits and refunds are recognized when due and payable in accordance with the terms of the plan.

Valuation of Investments and Income Recognition. The System's investments are stated at fair value. Short-term investments are reported at cost, which approximates fair value. Securities traded on a national or international exchange are valued at the last reported sales price at current exchange rates. The fair value of real estate investments, if any, is based on independent appraisals. Investments that do not have established market values are reported at estimated fair value as determined by the custodian under the direction of the Retirement Board with the assistance of a valuation service.

Administration. Administrative costs are financed through the System's earnings.

Use of Estimates. The preparation of financial statements in conformity with generally accepted accounting principles requires management to make significant estimates and assumptions that could affect the reported amounts of assets and liabilities and disclosures of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the reporting period. Actual results could differ from those estimates.

CITY OF YPSILANTI, MICHIGAN POLICE AND FIRE RETIREMENT SYSTEM

Notes to Financial Statements

3. DEPOSITS AND INVESTMENTS

Deposits

The System's cash and cash equivalents consist of amounts deposited in the City's cash management pool of demand deposit accounts and certificates of deposit. As such, it is not practicable to present separate custodial risk disclosures for the System's portion of this pool; accordingly, please refer to the City of Ypsilanti's comprehensive annual financial report for custodial risk disclosures of deposits.

Investments

The Michigan Public Employees Retirement Systems' Investment Act, Public Act 314 of 1965, as amended, authorizes the System to invest in stocks, government and corporate securities, mortgages, real estate, and various other investment instruments, subject to certain limitations. The Retirement Board has the responsibility and authority to oversee the investment portfolio. Various professional investment managers are contracted to assist in managing the System's assets. All investment decisions are subject to Michigan law and the investment policy established by the Retirement Board.

Investment allocation policy. The System's policy in regard to the allocation of invested assets is established and may be amended by the Retirement Board. The policy pursues an investment strategy that protects the financial health of the System and reduces risk through the prudent portfolio diversification. The adopted asset allocation policy as of June 30, 2014, is as follows:

Asset Class	Target Allocation	Long-term Expected Real Rate of Return
Domestic equity	50%	7.67%
Domestic fixed income	30%	4.80%
International equity	15%	7.20%
Cash	5%	2.30%
	<u>100%</u>	

Investment holdings. Following is a summary of the System's investments as of June 30:

	2014	2013
Investments at fair value, as determined by quoted market price:		
U.S. agencies	\$ 1,874,591	\$ 2,130,052
Corporate bonds	4,895,579	4,730,860
Domestic equities	15,495,617	13,211,266
International equities	1,362,395	868,845
Mutual funds	5,523,432	5,536,015
Exchange traded products	277,182	-
Domestic real estate investment trusts	544,836	489,340
Money market accounts	539,383	553,302
Total investments	<u>\$ 30,513,015</u>	<u>\$ 27,519,680</u>

CITY OF YPSILANTI, MICHIGAN POLICE AND FIRE RETIREMENT SYSTEM

Notes to Financial Statements

Credit Risk. The System's investment policy provides that its investments in fixed income securities be limited to those rated BBB or better by a nationally recognized statistical rating organization. The System's investments in U.S. agencies were rated Aaa by Moody's Investor Services at both June 30, 2014 and 2013. The System's investments in corporate securities were rated by Moody's Investor Services as follows at June 30:

Rating	2014	2013
Aa3	\$ 330,775	\$ 328,473
A1	629,914	631,826
A2	1,167,979	1,155,343
A3	219,602	784,837
Baa1	915,273	184,936
Baa2	1,404,780	1,645,445
Baa3	227,256	-
	<u>\$ 4,895,579</u>	<u>\$ 4,730,860</u>

The System's policy regarding credit risk provides that a minimum of 70% of fixed income investments must be in the top three major grades as determined by Moody's and the balance must be in the top four major grades.

Custodial Credit Risk. For investments, custodial credit risk is the risk that, in the event of the failure of the counterparty, the System will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The System's investment policy requires that investment securities be held in trust by a third-party institution in the System's name. As such, although uninsured and unregistered, the System's investments are not exposed to custodial credit risk since the securities are held by the counterparty's trust department in the System's name. Short-term investments in money market funds are not subject to custodial credit risk.

Concentration of Credit Risk. Concentration of credit risk is the risk of loss attributed to the magnitude of the System's investment in a single issuer. The System's policy regarding concentration of credit risk does not specify limits regarding concentration of credit risk, although it provides guidelines regarding target maximums for investment types.

At June 30, 2014 and 2013, the investment portfolio did not have holdings in any one issue greater than 5% of the total investment portfolio.

Interest Rate Risk. Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. The System's investment policy requires a maximum term to maturity of 30 years for any single fixed income security. The System's investment policy does not address weighted average portfolio maturities.

CITY OF YPSILANTI, MICHIGAN POLICE AND FIRE RETIREMENT SYSTEM

Notes to Financial Statements

As of June 30, 2014, maturities of the System's debt securities were as follows:

	Investment Maturities (fair value by years)				
	Fair Value	Less Than 1	1-5	6-10	More Than 10
U.S. agencies	\$ 1,874,591	\$ 123,067	\$ 5,320	\$ -	\$ 1,746,204
Corporate bonds	4,895,579	529,189	1,393,562	2,062,130	910,698
	<u>\$ 6,770,170</u>	<u>\$ 652,256</u>	<u>\$ 1,398,882</u>	<u>\$ 2,062,130</u>	<u>\$ 2,656,902</u>

As of June 30, 2013, maturities of the System's debt securities were as follows:

	Investment Maturities (fair value by years)				
	Fair Value	Less Than 1	1-5	6-10	More Than 10
U.S. agencies	\$ 2,130,052	\$ -	\$ 27,653	\$ -	\$ 2,102,399
Corporate bonds	4,730,860	-	2,185,642	1,723,379	821,839
	<u>\$ 6,860,912</u>	<u>\$ -</u>	<u>\$ 2,213,295</u>	<u>\$ 1,723,379</u>	<u>\$ 2,924,238</u>

Of the above corporate bonds as of June 30, 2014, \$625,004 of the total is callable. The System's policy regarding interest rate risk provides that fixed income maturities may not exceed 30 years; the System's holdings comply with this requirement.

Foreign Currency Risk. Foreign currency risk is the risk that significant fluctuations in exchange rates may adversely affect the fair value of an investment. The System's exposure to foreign currency risk is summarized as follows at June 30:

		Fair value (U.S. dollars)	
Investment/ Country	Currency	2014	2013
International equities			
Cayman Islands	Cayman Island dollar	\$ -	\$ 83,984
Ireland	European euro	294,827	70,258
Great Britain	British pound	151,264	52,307
Netherlands	European euro	231,582	226,752
Netherlands Antilles	Guilder	322,593	96,741
Switzerland	Swiss franc	-	48,854
Taiwan	Taiwan dollar	205,879	176,330
Canada	Canadian dollar	156,250	113,619
Total		<u>\$ 1,362,395</u>	<u>\$ 868,845</u>

In addition to the above, the System's holdings in mutual funds are primarily composed of underlying investments in international equities (approximately 70% of total mutual fund holdings of \$5,523,432), predominately in Japanese, European and other Asian companies. The residual mutual fund underlying investments are in gold, cash and cash equivalents, international bonds and U.S. equities.

CITY OF YPSILANTI, MICHIGAN POLICE AND FIRE RETIREMENT SYSTEM

Notes to Financial Statements

The System restricts the amount of investment in foreign currency-denominated investments to 20% of total pension system investment.

Rate of return. For the years ended June 30, 2014 and 2013, the annual money-weighted rate of return on plan investments, net of investment expenses, was 19.22 and 13.99 percent, respectively. The money-weighted rate of return expresses investment performance, net of investment expense, adjusted for the changing amounts actually invested.

4. ANNUAL REQUIRED CONTRIBUTION (under GASB Statement 25)

The annual required contribution (ARC) for the year ended June 30, 2014 and 2013 was \$1,358,167 and \$1,222,085, respectively. The ARC was made by the City. There was no net pension obligation at the beginning or the end of either fiscal year. The respective ARC was determined as part of an actuarial valuation as of June 30, 2013 and 2012, using the entry age cost method, following the standards presented in GASB Statement 25.

Three-Year Trend Information

Years Ended June 30,	Annual Pension Cost (APC)	Percentage Contributed	Net Pension Obligation
2012	\$ 1,120,305	100%	-
2013	1,222,085	100%	-
2014	1,358,167	100%	-

5. FUNDED STATUS AND FUNDING PROGRESS (under GASB Statement 25)

The funded status of the System as of June 30, 2013, the date of the most recent actuarial valuation, was as follows:

Actuarial accrued liability (AAL)	\$ 44,583,788
Actuarial value of assets	27,649,572
Unfunded AAL (UAAL)	<u>\$ 16,934,216</u>
Funded ratio	<u>62.0%</u>
Covered payroll	<u>\$ 3,187,910</u>
UAAL as % of covered payroll	<u>531.2%</u>

Actuarial valuations of an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment and mortality. Actuarially determined amounts are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future.

CITY OF YPSILANTI, MICHIGAN POLICE AND FIRE RETIREMENT SYSTEM

Notes to Financial Statements

The schedule of funding progress, presented as required supplementary information following the notes to the financial statements, present multi-year trend information about whether the actuarial values of plan assets are increasing or decreasing over time relative to the actuarial accrued liabilities for benefits. For purposes of the schedule of funding progress, the actuarial accrued liability value as shown is determined using the entry age actuarial cost method.

The accompanying schedule of employer contributions presents trend information about the amounts contributed to the System by the employer in comparison to the ARC, an amount that is actuarially determined in accordance with the parameters of GASB Statement 25. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover the normal cost for each year and amortize any unfunded actuarial liabilities (or funding excess) over a period not to exceed 30 years.

Projections of benefits for financial reporting purposes are based on the substantive plan (the plan understood by the employer and plan members) and include the types of benefits provided at the time of each valuation and the historical pattern of sharing of benefit costs between the employer and plan members to that point. The actuarial methods and assumptions used include techniques that are designed to reduce the effects of short-term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with the long-term perspective of the calculations. Additional information as of June 30, 2013, the date of the latest actuarial valuation using the entry age actuarial cost method, includes:

Actuarial cost method	Individual entry age
Amortization method	Level percent open
Remaining amortization period	30 years
Asset valuation method	5-year smoothed market
Actuarial assumptions:	
Investment rate of return	7.5%
Projected salary increases	4.0% - 9.0%
Assume rate of payroll growth	4.0%
Cost-of-living adjustments	None

6. RISK MANAGEMENT

The System's exposure to noninvestment loss is minimal. The System is exposed to various risks of loss related to torts, errors and omissions. The System participates in the Michigan Municipal League risk pool program for all of these exposures.

7. NET PENSION LIABILITY OF THE CITY (under GASB 67)

The components of the net pension liability of the City at June 30, 2014, are as follows:

Total pension liability	\$ 44,839,193
Plan fiduciary net position	(31,597,237)
City's net pension liability	<u>\$ 13,241,956</u>
Plan fiduciary net position as a percentage of the total pension liability	70.47%

CITY OF YPSILANTI, MICHIGAN POLICE AND FIRE RETIREMENT SYSTEM

Notes to Financial Statements

Actuarial assumptions. The total pension liability was determined by an actuarial valuation as of June 30, 2013 (and rollforward to June 30, 2014), using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	4.0 percent
Salary increases	4.0-9.0 percent, average, including inflation
Investment rate of return	7.5 percent, net of pension plan investment expense, including inflation
Mortality rates	RP-2000 Mortality Table

The actuarial assumptions used in the June 30, 2014 valuation were based on the results of an actuarial experience study for the period July 1, 2009 through June 30, 2014.

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 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. Best estimates of arithmetic real rates of return for each major asset class included in the pension plan's target asset allocation as of June 30, 2014 (see the discussion of the System's investment allocation policy) are summarized in the following table:

Asset Class	Long-term Expected Real Rate of Return
Domestic equity	7.67%
Domestic fixed income	4.80%
International equity	7.20%
Cash	2.30%

Discount rate. The discount rate used to measure the total pension liability was 7.5 percent. The projection of cash flows used to determine the discount rate assumed that plan member 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 member 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 plan members. 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.

CITY OF YPSILANTI, MICHIGAN POLICE AND FIRE RETIREMENT SYSTEM

Notes to Financial Statements

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 7.5 percent, as well as what the City’s net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (6.5 percent) or 1-percentage point higher (8.5 percent) than the current rate:

	1% Decrease (6.5%)	Current Discount (7.5%)	1% Increase (8.5%)
City's net pension liability	\$ 18,130,015	\$ 13,241,956	\$ 9,142,178

■ ■ ■ ■ ■

GASB REQUIRED SUPPLEMENTARY INFORMATION

CITY OF YPSILANTI, MICHIGAN POLICE AND FIRE RETIREMENT SYSTEM

Required Supplementary Information (GASB Statement 25)

SCHEDULE OF FUNDING PROGRESS

Actuarial Valuation Date June 30,	(1) Actuarial Value of Assets	(2) Actuarial Accrued Liability (AAL) Entry Age	(3) Unfunded AAL (Overfunded) (UAAL) (2-1)	(4) Funded Ratio (1/2)	(5) Covered Payroll	(6) UAAL as a % of Covered Payroll (3/5)
2004	\$ 32,569,762	\$ 31,251,133	\$ (1,318,629)	104.2%	\$ 3,891,478	-33.9%
2005	31,180,708	32,774,898	1,594,190	95.1%	4,042,199	39.4%
2006	30,843,790	34,980,132	4,136,342	88.2%	3,996,679	103.5%
2007	34,292,073	36,211,916	1,919,843	94.7%	3,957,733	48.5%
2008	32,934,094	37,869,913	4,935,819	87.0%	3,843,177	128.4%
2009	32,472,100	39,453,312	6,981,212	82.3%	3,889,397	179.5%
2010	31,649,135	42,135,741	10,486,606	75.1%	3,975,109	263.8%
2011	31,577,876	42,667,144	11,089,268	74.0%	3,892,132	284.9%
2012	28,530,067	43,258,880	14,728,813	66.0%	3,412,398	431.6%
2013	27,649,572	44,583,788	16,934,216	62.0%	3,187,910	531.2%

SCHEDULE OF EMPLOYER CONTRIBUTIONS

Year Ended June 30,	Annual Required Contribution	Annual Actual Contribution	Percentage Contributed
2005	\$ -	\$ -	100%
2006	500,602	500,602	100%
2007	730,106	730,106	100%
2008	941,417	941,417	100%
2009	946,937	946,937	100%
2010	968,212	968,212	100%
2011	1,018,284	1,018,284	100%
2012	1,120,305	1,120,305	100%
2013	1,222,085	1,222,085	100%
2014	1,358,167	1,358,167	100%

CITY OF YPSILANTI, MICHIGAN POLICE AND FIRE RETIREMENT SYSTEM

Required Supplementary Information (GASB Statement 67)

Schedule of Investment Returns

Last Two Fiscal Years (ultimately ten years will be displayed)

Fiscal Year Ended	Annual Money- Weighted Rate of Return, Net of Investment Expense
6/30/2013	13.99%
6/30/2014	19.22%

CITY OF YPSILANTI, MICHIGAN POLICE AND FIRE RETIREMENT SYSTEM

Required Supplementary Information (GASB Statement 67)

Schedule of Changes in the City's Net Pension Liability and Related Ratios
Last Fiscal Year (ultimately ten fiscal years will be displayed)

	2014
Change in total pension liability	
Service cost	\$ 417,399
Interest	3,244,001
Changes of benefit terms	88,956
Differences between expected and actual experience	(212,827)
Changes of assumptions	(203,836)
Benefit payments, including refunds of member contributions	(3,078,288)
Net change in total pension liability	<u>255,405</u>
Total pension liability, beginning	<u>44,583,788</u>
Total pension liability, ending (a)	<u>44,839,193</u>
Change in plan fiduciary net position	
Contributions - employer	1,358,167
Contributions - member	275,422
Net investment income	4,982,234
Benefit payments, including refunds of member contributions	(3,078,288)
Administrative expense	(60,012)
Net change in plan fiduciary net position	<u>3,477,523</u>
Plan fiduciary net position, beginning	<u>28,119,714</u>
Plan fiduciary net position, ending (b)	<u>31,597,237</u>
City's net pension liability, ending (a)-(b)	<u><u>\$13,241,956</u></u>
Plan fiduciary net position as a percentage of the total pension liability	70.47%
Covered-employee payroll	\$ 3,440,059
City's net pension liability as a percentage of covered payroll	384.93%

CITY OF YPSILANTI, MICHIGAN POLICE AND FIRE RETIREMENT SYSTEM

Required Supplementary Information (GASB Statement 67)

Schedule of City Contributions

Last Fiscal Year (ultimately ten years will be displayed)

Fiscal Year Ended	Actuarially Determined Contribution	Contributions in Relation to the Actuarially Determined Contribution	Contribution Deficiency (Excess)	Covered Payroll	Contributions as a Percentage of Covered Payroll
6/30/2014	\$ 1,347,529	\$ 1,358,167	\$ (10,638)	\$ 3,440,059	39.5%

Notes to Schedule of Contributions

Valuation date June 30, 2014

Notes Actuarially determined contribution rates are calculated as of June 30 that is 12 months prior to the beginning of the fiscal year for which the contributions are reported.

Other information During the year ended June 30, 2014, the plan experienced a change in benefit provisions resulting in a \$88,956 increase in TPL and actuarial assumptions resulting in a \$203,836 decrease in TPL.

Methods and assumptions used to determine contribution rates:

Actuarial cost method	Entry age normal
Amortization method	level percentage of payroll, closed
Remaining amortization period	30 years
Asset valuation method	Open 5-year smoothed market
Inflation	4.0 percent
Salary increases	4.0-9.0 percent, average, including inflation
Investment rate of return	7.5 percent, net of pension plan investment expense, including inflation
Mortality rates	RP-2000 Mortality Table



December 4, 2014

Community and Economic Development Department

To: City Council
From: Megan Masson-Minock, Planning Consultant, Community and Economic Development
Subject: Updated Brownfield Plan for the Water Street Development Area

It is requested that the City Council agenda for December 16, 2014 include consideration of a resolution adopting an updated Brownfield Plan for the Water Street Redevelopment Area. The plan is being updated to incorporate the street framework, infrastructure plan and lot layout incorporated and adopted by the City of Ypsilanti as part of the Shape Ypsilanti 2013 Master Plan. The updated plan needs to be adopted by the end of 2014 in order to capture the tax increment from the Family Dollar development, estimated at \$21,735.

The Water Street Brownfield Plan, which has been drafted and prepared in accordance with Public Act 381 of 1996, provides the basis for the capture and utilization of tax increment revenues to fund work for the redevelopment of the Water Street project area. Specifically, this document provides for “eligible activities” including environmental assessment, demolition, environmental remediation, site preparation and infrastructure support to encourage the redevelopment of facilities (i.e., environmentally contaminated) and functionally obsolete properties in the Water Street project area.

The Brownfield Plan enables this work to be funded through tax increment revenues. Tax increment revenues are generated for a project after the identification of a base value, in this case the current taxable value of properties in the Water Street project area. As redevelopment occurs, the taxable value will increase, and those taxes captured on the difference between the base value and the new redeveloped value will be utilized to financially support the work. This is for a maximum of 30 years, or 5 years after any debt obligation is paid off, whichever comes first. The additional 5 years would be for the creation of a local site revolving loan fund to support future projects.

It is anticipated that tax increment revenues captured by this plan will be used to reimburse developers for eligible activities. The brownfield plan allows for tax increment revenues to go to the Downtown Development Authority once \$41,030,758 has been captured. The DDA tax increment revenues are committed to pay the City’s bond obligations for previous work funded by the City on the Water Street Redevelopment Area.

If the attached Brownfield Plan is adopted, the next phase of this process would consist of the review and approval by the Washtenaw County Brownfield Redevelopment Authority.

Please feel free to contact Nathan Voght at Washtenaw County Office of Community & Economic Development at (734)544-3055 or by email at voghtn@ewashtenaw.org if you would like additional information on the Brownfield Plan in advance of the scheduled meeting.

WASHTENAW COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY

BROWNFIELD PLAN

Water Street Redevelopment Area
1-216 E Michigan Avenue
City of Ypsilanti, Michigan

PREPARED BY

Washtenaw County Brownfield Redevelopment
Authority
415 W. Michigan Avenue
Ypsilanti, MI 48197
Contact Person: Nathan Voght
Email: voghtn@ewashtenaw.org
Phone: 734-544-3055

AKT Peerless
22725 Orchard Lake Road
Farmington, MI 48336
Contact Person: Anne Jamieson
Email: JamiesonA@aktpeerless.com
Phone: (248)-615-1333

PROJECT #

8808b-1-25

REVISION DATE

December 1, 2014

BRA APPROVAL

CITY/COUNTY APPROVAL

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PROJECT SUMMARY

PROJECT NAME	Water Street Redevelopment Area Located at 1-216 E. Michigan Avenue, Ypsilanti, Michigan
DEVELOPER	City of Ypsilanti 1 S. Huron Street Ypsilanti, MI 48197 Ralph A. Lange 734-483-1810 And To be determined Developer(s)
ELIGIBLE PROPERTY LOCATION	The Eligible Property is located at 1-216 E. Michigan Avenue, Ypsilanti, Michigan, and herein referred to the “subject property.” Parcel ID Numbers 11-11-09-170-030 and 11-11-09-170-031.
TYPE OF ELIGIBLE PROPERTY	Facility and Adjacent and Contiguous
SUBJECT PROJECT DESCRIPTION	The project (Project) consists of the redevelopment of the subject property, which is located at 1-216 E. Michigan in the City of Ypsilanti. The City has taken the initiative to redevelop the subject property to eliminate and prevent blight, support economic development, create jobs, create vibrant, walkable neighborhoods, remediate environmental contamination, and increase and enhance public access to the Huron River. The final plans for the redevelopment have not been completed, however a street framework, infrastructure plan, and lot layout plan has been incorporated and adopted by the City as part of the Shape Ypsi Master Plan. The Project will include redeveloping the subject property as a mixed-use commercial, institutional, and residential development. The Project is seeking approval of Tax Increment Financing (TIF) to reimburse Eligible Activities authorized under Act 381. Construction has begun and is expected to occur over the next 15-20 years.

ELIGIBLE ACTIVITIES	Baseline Environmental Assessment (BEA) Activities {Phase I Environmental Site Assessment (ESA), Phase II ESAs, and BEA}, Due Care Activities, Additional Response Activities, Demolition, Site Preparation, Infrastructure Improvements, preparation of a Brownfield Plan and Act 381 Work Plan.
REIMBURSABLE COSTS	\$18,405,820 (Est. Eligible Activities, Contingency, Interest) \$2,287,463 (BRA Administrative Fees) <u>\$2,181,351 (LSRRF)</u> \$22,874,634
DURATION OF BROWNFIELD PLAN	Brownfield Plan expires at the end of 2049
ESTIMATED TOTAL CAPITAL INVESTMENT	~\$84 million
BASE TAXABLE VALUE	\$0

LIST OF ACRONYMS AND DEFINITIONS

Authority	Washtenaw County Brownfield Redevelopment Authority
BEA	Baseline Environmental Assessment (Michigan process to provide new property owners and/or operators with exemptions from environmental liability)
BFP OR PLAN	Brownfield Plan
DEVELOPER	City of Ypsilanti and to be determined Developer(s)
ELIGIBLE PROPERTY	Subject property for which eligible activities are identified under a Brownfield Plan.
ESA	Environmental Site Assessment
LSRRF	Local Site Remediation Revolving Fund
MDEQ	Michigan Department of Environmental Quality
MEDC	Michigan Economic Development Corporation
MSF	Michigan Strategic Fund (agency that approves use of school tax revenue to support non-environmental Brownfield activities)
PHASE I ESA	An environmental historical review and site inspection (no soil and/or groundwater sampling and analysis)
PHASE II ESA	Environmental subsurface investigation (includes soil and/or groundwater sampling and analysis)
SUBJECT PROPERTY	The Eligible Property, located at 1-216 E. Michigan, in the City of Ypsilanti, MI, currently comprises 2 parcels totaling 38 acres, but additional parcels will be sub-divided as the site is redeveloped.
RCC	Residential Cleanup Criteria
TIF	Tax Increment Financing (TIF describes the process of using TIR—i.e., TIF is the use of TIR to provide financial support to a project)
TIR	Tax Increment Revenue (new property tax revenue, usually due to redevelopment and improvement that is generated by a property after approval of a Brownfield Plan)

BROWNFIELD PLAN

Water Street Redevelopment Area, 1-216 E. Michigan Avenue, City of Ypsilanti, Michigan

1.0 Introduction

The County of Washtenaw, Michigan (the “County”), established the Washtenaw County Brownfield Redevelopment Authority (the “Authority”) on May 27, 1999, pursuant to Michigan Public Act 381 of 1996, as amended (“Act 381”). The primary purpose of Act 381 is to encourage the redevelopment of eligible property by providing economic incentives through tax increment financing for certain eligible activities.

The main purpose of this Brownfield Plan is to promote the redevelopment of and investment in certain “Brownfield” properties within the County. Inclusion of Eligible Property within this Brownfield Plan will facilitate financing of environmental response and other eligible activities at eligible properties, and will also provide a redevelopment tool to developers willing to invest in revitalization of eligible sites, commonly referred to as “Brownfields.” By facilitating redevelopment of Brownfield properties, this Brownfield Plan is intended to promote economic growth for the benefit of the residents of the County and all taxing units located within and benefited by the Authority.

The identification or designation of a developer(s) or proposed use(s) for the Eligible Property that is the subject of this Brownfield Plan shall not be integral to the effectiveness or validity of this Brownfield Plan. This Brownfield Plan is intended to apply to the Eligible Property identified in this Brownfield Plan and, if tax increment revenues are proposed to be captured from that Eligible Property, to identify and authorize the eligible activities to be funded by such tax increment revenues. Any change in the proposed developer(s) or proposed use(s) of the Eligible Property shall not necessitate an amendment to this Brownfield Plan, affect the application of this Brownfield Plan to the Eligible Property, or impair the rights available to the Authority under this Brownfield Plan.

This Brownfield Plan is intended to be a living document, which may be modified or amended in accordance with the requirements of Act 381, as necessary to achieve the purposes of Act 381. The applicable sections of Act 381 are noted throughout the Brownfield Plan for reference purposes.

The City of Ypsilanti and Washtenaw County Brownfield Authority previously approved a Brownfield Plan for the Water Street redevelopment area in 2006. This 2006 Plan was in support of a previous redevelopment proposal, and will be terminated concurrently with the adoption of the Plan herein.

This Brownfield Plan contains information required by Section 13(1) of Act 381.

2.0 General Provisions

The following sections detail information required by Act 381.

2.1 Description of Eligible Property (Section 13 (l)(h))

The Eligible Property (“subject property”) is located at 1-216 E. Michigan Avenue, in the northeast ¼ of Section 9 (Township 3 South /Range 7 E) in Ypsilanti, Michigan. The subject property is bordered on the

north by East Michigan Avenue, on the east by Park Street and the west and south by Huron River. The subject property consists of two parcels that contain approximately 38 acres. The subject property is located in the eastern end of the City of Ypsilanti ("City") central business district within the City of Ypsilanti Downtown Development Authority (DDA) Water Street Development Area district. Much of the subject property is currently vacant with commercial properties to the west and north, residential property to the east and the Huron River and a park to the south.

For ease of reference, AKT Peerless has designated each of the Eligible Property parcels with a letter, see table below. These designations have no relevance to legally recorded data about the Eligible Property. See Attachment A, Figure 2 – Eligible Property Boundary Map.

Eligible Property Information

Parcel Letter	Address	Tax Identification Number	Basis of Brownfield Eligibility	Approximate Acreage
A	No address	11-11-09-170-031	Facility	37.15
B	216 E. Michigan Avenue	11-11-09-170-030	Adjacent and Contiguous	0.85

The subject property's current zoning is a combination of General Business District (B4), M1-Lighting Industrial and PL – Public Land. It is anticipated the subject property will be re-zoned to the same zoning as the downtown in the future. The parcels are currently vacant with no existing buildings or structures, however several foundations, parking lots, former roads and vegetative growth are present.

The Water Street Redevelopment Project (Project) consists of the redevelopment of the subject property, which is located at 1-216 E. Michigan in the City of Ypsilanti. The City has taken the initiative to redevelop the subject property to eliminate and prevent blight, support economic development, remediate environmental contamination, and increase and enhance public access to the Huron River.

The final plans for the redevelopment have not been completed, however a street framework, infrastructure plan, and lot layout plan has been incorporated and adopted by the City as part of the Shape Ypsi Master Plan. The Project will include redeveloping the subject property as a mixed-use commercial, institutional, and residential development.

The Project is seeking approval of Tax Increment Financing (TIF) for eligible activities that will be funded by a variety of sources to be determined once development plans have been finalized. Construction activities have begun in 2014 on Parcel B. New development on Parcel A is expected to begin in 2015. Subsequent developments are expected to occur on the subject property throughout the life of the Brownfield Plan.

Attachment A includes site maps of the Eligible Property, refer to: Figure 1, Scaled Property Location Map and Figure 2, Eligible Property Boundary Map (which includes lot dimensions). The legal descriptions of the parcels included in the Eligible Property are presented in Attachment B.

The parcels and all tangible real and personal property located thereon will comprise the Eligible Property.

2.2 Basis of Eligibility (Section 13 (1)(h) , Section 2 (m)), Section 2(r)

The subject property is considered “Eligible Property” as defined by Act 381, Section 2 because: (a) the subject property was previously utilized as a commercial property; (b) it is located within the City of Ypsilanti, a qualified local governmental unit, or “Core Community” under Act 381; (c) one of the parcels comprised by the subject property has been determined to be a “facility;” and (d) the remaining parcel is adjacent and contiguous to the parcel determined to be a “facility.”

Historical operations within the subject property can be traced back as far as 1874. The subject property previously consisted of approximately 40 parcels. The use of the subject property included the following:

- Foundries
- Manufacturing
- Automotive service and repair
- Lumber mills and yards
- Printing
- Dry cleaning
- Coal storage
- Analytical laboratory
- Restaurants
- Residential areas
- Greenspace along the Huron River

Numerous environmental reports and investigations have been completed for the subject property over its long history. Further, significant environmental remediation and soil removal has occurred since the City acquired the subject property in the late 1990s and early 2000s. Contamination still exists on the subject property. The known contamination includes BTEX, volatile organic compounds (VOC) and Lead areas exceeding Michigan Department of Environmental Quality (MDEQ) Cleanup Criteria. The subject property parent parcels were considered eligible property in the previously approved Brownfield Plan in 2006, which will be terminated concurrently with the adoption of the Plan herein. Please refer to Attachment C for Remaining Areas of Contamination.

Most recently, a Phase I Environmental Site Assessment (ESA) was conducted by ASTI Environmental on March 6, 2014 for an approximately 3.14 acre site within the subject property (Parcel A). The Phase I ESA found that the subject property parent parcels were designated as facilities with historic past uses including a lumber yard, automotive factory and fill material. Previous investigations found constituents that exceeded MDEQ Cleanup Criteria which included VOCs, polynuclear aromatic hydrocarbons (PNAs), polychlorinated biphenyls (PCBs), metals and cyanide in soil and/or groundwater. The majority of the soil contamination appeared to be within the upper five feet within fill material, but some areas of impact greater than five below ground surface have been reported. Solvents including trichlorethene, vinyl chloride and xylenes have been reported in groundwater.

ASTI Environmental conducted a Phase II ESA on April 28, 2014 for an approximately 3.14 acre site within the subject property (Parcel A) based on the recognized environmental condition (REC) identified in the Phase I ESA conducted on March 6, 2014. A total of 14 soil samples were collected and submitted for analyses of VOCs, PNAs, PCBs, Michigan 10 metals and cyanide. Groundwater samples were collected from temporary monitoring wells in two soil borings and analyzed for VOCs, PNAs, PCBs and Michigan 10

metals. ASTI also installed three soil gas wells for determination of potential soil gas vapors. Metals, PNAs and PCBs in soil and metals and VOCs in groundwater exceeded applicable MDEQ Generic Residential Cleanup Criteria (GRCC).

Based on previous environmental investigations and the Phase II conducted by ASTI on April 28, 2014 Parcel A meets the definition of a “facility” as defined by Part 201 of NREPA, Michigan PA 451 of 1994, as amended. Parcel B is adjacent or contiguous to a facility (Parcel A). The development of this adjacent and contiguous parcel will increase the captured taxable value of the facility (Parcel A) property.

Therefore, the subject property is considered “Eligible Property” since it has been deemed a “facility,” and is adjacent or contiguous to qualifying parcels and it is located in a qualified local governmental unit.

2.3 Summary of Eligible Activities and Description of Costs (Section 13 (1)(a),(b))

The “eligible activities” that are intended to be carried out at the subject property are considered “eligible activities” as defined by Sec 2 of Act 381, because they include BEA Activities (Phase I ESA, Phase II ESAs, and BEA), due care activities, additional response activities, demolition, site preparation, infrastructure improvements and preparation of Brownfield and Act 381 work plan(s), (see Table 1).

A summary of the eligible activities and the estimated cost of each eligible activity intended to be paid for with Tax Increment Revenues from the subject property is shown in the table below.

Estimated Cost of Reimbursable Eligible Activities

Description of Eligible Activities	Estimated Cost*
MDEQ Eligible Activities	
1. BEA Activities	\$ 390,000
2. Due Care Activities	\$ 3,696,465
3. Additional Response Activities	\$ 542,600
MDEQ Eligible Activities Subtotal	\$ 4,086,465
MSF Non-Environmental Eligible Activities	
4. Demolition	\$ 300,000
5. Site Preparation	\$ 4,883,049
6. Infrastructure Improvements	\$ 3,568,353
MSF Non-Environmental Activities Subtotal	\$ 8,751,402
MDEQ and MSF Eligible Activities Subtotal	\$ 12,837,867
7. 15% Contingency**	\$ 1,925,680
8. Preparation of a Brownfield Plans (2)	\$ 20,000
9. Preparation of Work plan(s) (6 MDEQ and 6 MSF)	\$ 120,000
Subtotal	\$ 14,903,547
10. WCBRA Administrative Fees	\$ 2,287,463
11. Interest***	\$ 3,502,273
12. LSRRF Deposits****	\$ 2,181,351
Total	\$ 22,874,634

*Estimated costs are subject to approval by MSF and MDEQ.

**The contingency is applied to the Subtotal of MDEQ and MSF eligible activities, including the BEA Activities.

***Interest is calculated annually at 2.5% simple interest on unreimbursed eligible activities for 10 years. The rate and time period for interest calculation may change, but will not exceed 5% simple interest on unreimbursed eligible activities.

***LSRRF deposits will occur for 2 years after eligible activities and interest have been reimbursed and will be made in accordance with Act 381.

The eligible activities and the estimated cost of each eligible activity intended to be paid for with Tax Incremental Revenues (TIR) from the subject property are also shown in Attachment D, Table 1.

Development activities have begun in 2014 on Parcel B. New development on Parcel A is expected to begin in 2015. Subsequent developments are expected to occur on the subject property throughout the life of the Brownfield Plan. It is anticipated that Michigan Department of Environmental Quality and Michigan Strategic Fund Act 381 work plan(s) will be developed with each development that would include eligible activities identified above. It is anticipated this Brownfield Plan may be amended.

The City and Developer(s) desire to be reimbursed for the costs of eligible activities. TIR generated by the subject property, which are not being captured by the City of Ypsilanti DDA, will be captured by the Authority and used to reimburse the cost of the eligible activities completed on the subject property after approval of this Brownfield Plan, Act 381 work plan(s) and Reimbursement Agreement(s) with the Authority.

The costs listed in the table above are estimated costs and may increase or decrease depending on the nature and extent of environmental contamination and other unknown conditions encountered on the subject property. The actual cost of those eligible activities encompassed by this Brownfield Plan that will qualify for reimbursement from TIR of the Authority from the subject property shall be governed by Act 381 work plan(s) and terms of a Reimbursement Agreement with the Authority. No costs of eligible activities will be qualified for reimbursement except to the extent permitted in accordance with the terms and conditions of the Brownfield Plan, Reimbursement Agreement(s) and Act 381 work plan(s).

In accordance with this Brownfield Plan, subsequent Act 381 work plan(s), and the associated Reimbursement Agreement(s), if interest is approved on unreimbursed eligible activities, the amount advanced by the City and/or Developer will be repaid by the Authority with interest at the rate not greater than 5% simple interest, solely from the TIR realized from the subject property. Payments will be made to the full extent incremental property tax revenues are or become available for such purpose under Act 381. Based on the projected cost of eligible activities, interest reimbursement in this Brownfield Plan is estimated at 2.5% on unreimbursed eligible activities for 10 years totaling \$3,502,273. However, the rate and term of the simple interest will be outlined in the associated Reimbursement Agreement(s) and Act 381 work plan(s).

Local TIR will first be used to pay or reimburse Administrative Fees, estimated at 10% of total annual TIR, described in the table above. The amount of school tax revenues, which will be used to reimburse the costs of implementing eligible activities at this site, will be limited to the cost of eligible activities eligible for school tax revenue reimbursement without MDEQ approval and approved by the MDEQ and the MSF, together with the interest rate approved, if any, in the Reimbursement Agreement(s). In the event that the use of school tax revenues to reimburse specific eligible activities is not approved by the MDEQ or MSF, these specific activities may be reimbursed with local-only TIF (to the extent available), as determined on a case-by-case basis.

2.4 Estimate of Captured Taxable Value and Tax Increment Revenues (Section 13(1)(c)); Impact of Tax Increment Financing On Taxing Jurisdictions (Section 13(1)(g), Section 2(ee))

This Brownfield Plan anticipates the capture of TIR to reimburse the City and Developer(s) for the costs of eligible activities under this Brownfield Plan, subsequent Act 381 work plan(s), and in accordance with the Reimbursement Agreement(s). A table of estimated TIR to be captured is attached to this Brownfield Plan as Attachment D, Table 2. TIR capture is expected to begin in 2015.

The subject property and several properties to the north of Michigan Avenue were included in the Water Street Development Area Downtown Development District (DDA) in 2001. The Development Plan and Tax Increment Financing Plan established the initial assessed value of real and personal property in this district to be \$2,734,806. The DDA will capture all TIR generated by local taxes based on the assessed value of real and personal property in the district above \$2,734,806, as authorized by the Development Plan and Tax Increment Plan and the DDA Act. The DDA does not capture TIR generated by local taxes based on an assessed value of real and personal property below \$2,734,806 or school taxes (school operating and state education tax millages) and intermediate school district millages (Washtenaw Intermediate School District) based on an assessed value above \$0.

For the purposes of this Brownfield Plan the subject property's base taxable value is \$0 for the 2014 Assessment Roll. The parcels to the north of Michigan Avenue, included in the DDA district, have an assessed value of real and personal property totaling \$804,048. Therefore, TIR generated by local taxes has been estimated based on a taxable value up to \$1,930,758, due to the assessed value of existing real and personal property in the DDA District (other than the subject property). TIR generated by local taxes based on a taxable value of real and personal property up to \$2,734,806 will be captured by the Authority. TIR generated from school tax millages and Washtenaw Intermediate School District millages based on a taxable value of real and personal property above \$0 will be captured by the Authority. Please see the tables below for the millage rates captured by the Authority:

Local Millage Rates Captured by Authority based on Taxable Value from \$0 to \$2,734,806

Local	Millage Rates
City Operating	19.0211
Police and Fire Pension	8.3149
Public Transit	0.9789
Sanitation	2.7814
AAATA	0.7000
City Library	2.8110
Wash. Community College	3.6376
County	5.7801
Local Total - NonHomestead	44.0250

**Local and School Millage Rates Captured by Authority based
on Taxable Value above \$0**

Local	Millage Rates
WISD	3.9745
Local Total – Non-Homestead	3.9745
School	
School Operating	18.0000
State Education*	6.0000
School Total – Non-Homestead	24.0000
Total	27.9745

*3 mills of the 6 is captured for the State Revolving Fund

The following table summarizes the sources of reimbursement for the projected cost of eligible activities and fees:

Reimbursement Sources For Eligible Activities

	Total Reimbursable Expenses: \$22,874,634 (\$18,405,820 MSF/DEQ; \$2,287,463 Administrative; \$2,181,351 LSRRF)	
Reimbursement Source (mills) Up to TV of \$2,734,806	School Operating/SET (21.0000)	Local (47.9995)
Estimated Cost*	\$54,600	\$124,799
Reimbursement Source (mills) Above TV of \$2,734,806	School Operating/SET (21.0000)	Local (3.9745)
Estimated Cost**	\$17,251,521	\$5,443,715
Total Estimated Cost	\$17,306,121	\$5,568,514

*Estimated cost based on a TV of real and personal property above \$1,930,758 as identified in years 1-3 in Attachment D, Table 2

**Estimated cost based on a TV of real and personal property above \$1,930,758 as identified in years 4-30 in Attachment D, Table 2

All reimbursement will be in accordance with subsequent Act 381 Work Plan(s) and associated Reimbursement Agreement(s).

The total estimated cost of the eligible activities and other costs (including administrative fees, contingency, interest, and LSRRF deposits) to be reimbursed through the capture of TIR is projected to be \$22,874,634. The estimated effective initial taxable value for this Brownfield Plan is \$0, based on real and personal property. Redevelopment of the subject property is expected to initially generate incremental taxable value in 2015 with the first significant increase in taxable value of approximately \$350,000 beginning in 2015.

It is estimated that the Authority will capture the 2015 through 2044 TIR to reimburse the cost of the eligible activities, interest, State Brownfield Redevelopment Fund, LSRRF and pay Authority

administrative fees. Authority administrative fees may be paid only out of local tax increment revenue captured by the Authority.

The captured incremental taxable value and associated TIR of this Brownfield Plan are shown in Attachment D, Table 2. Table 2 values are based on the estimated increase in taxable value from all taxable improvements on the subject property and the millage rates levied by the various taxing jurisdictions during each year of the Brownfield Plan. The actual TIR captured by the Authority will be based on taxable value set through the property assessment process by the local unit of government and equalized by the County and the millage rates set each year by the taxing jurisdictions.

2.5 Plan of Financing (Section 13(1)(d)); Maximum Amount of Indebtedness (Section 13(1)(e))

Eligible activities are to be financed by the City and/or the Developer(s). The Authority will reimburse the City and/or Developer for the cost of approved eligible activities, but only from TIR generated from the subject property as available and subject to the subsequent Act 381 Work Plan(s) and Reimbursement Agreement(s).

All reimbursements authorized under this Brownfield Plan shall be governed by the subsequent Act 381 Work plan(s) and approved Reimbursement Agreement(s). The Authority shall not incur any note or bonded indebtedness to finance the purposes of this Brownfield Plan. The inclusion of eligible activities and estimates of costs to be reimbursed in this Brownfield Plan is intended to: (1) authorize the Authority to fund such reimbursements; and (2) does not obligate the Authority to fund any reimbursement or to enter into the Reimbursement Agreement providing for the reimbursement of any costs for which TIR may be captured under this Brownfield Plan, or which are permitted to be reimbursed under this Brownfield Plan. The amount and source of any TIR that will be used for purposes authorized by this Brownfield Plan, and the terms and conditions for such use and upon any reimbursement of the expenses permitted by the Brownfield Plan, will be provided solely under the Reimbursement Agreement contemplated by this Brownfield Plan.

2.6 Duration of Brownfield Plan (Section 13(1)(f))

In no event shall the duration of the Brownfield Plan exceed 35 years following the date of the resolution approving the Brownfield Plan, nor shall the duration of the tax capture exceed the lesser of the period authorized under subsection (4) and (5) of Section 13 of Act 381 or 30 years. Further, in no event shall the beginning date of the capture of tax increment revenues be later than five years after the date of the resolution approving the Brownfield Plan.

2.7 Effective Date of Inclusion in Brownfield Plan

The subject property will become a part of this Brownfield Plan on the date this Brownfield Plan is approved by the Washtenaw County Board of Commissioners. The date of tax capture shall commence during the year construction begins or the immediate following year—as increment revenue becomes available, but the beginning date of tax capture shall not exceed five years beyond the date of the governing body resolution approving the Brownfield Plan amendment.

2.8 Displacement/Relocation of Individuals on Eligible Property (Section 13(1)(i-l))

There are no persons or businesses residing on the Eligible Property, and no occupied residences will be acquired or cleared; therefore there will be no displacement or relocation of persons or businesses under this Brownfield Plan.

2.9 Local Site Remediation Revolving Fund (“LSRRF”) (Section 8, Section 13(1)(m))

The Authority has established a Local Site Remediation Revolving Fund (LSRRF). The Authority will capture incremental local and state school taxes to fund the LSRRF, to the extent allowed by law. The rate and schedule of incremental tax capture for the LSRRF will be determined on a case-by-case basis. Considerations may include, but not be limited to, the following: total capture duration, total annual capture, project economic factors, level of existing LSRRF funding, projected need for LSRRF funds, and amount of school tax capture available in accordance with Act 381.

The amount of tax increment revenue authorized for capture and deposit in the LSRRF, for two years after eligible activities and interest have been reimbursed, is estimated at \$2,181,351.

2.10 Other Information

The tax capture breakdown of tax increment revenues anticipated to become available for use in this Brownfield Plan is summarized below.

There are 71.9995 non-homestead mills available for capture, with school millage equaling 24.0000 mills (33%) and local millage equaling 47.9995 mills (67%) based on a taxable value above \$0, but not exceeding \$2,734,806. There are 27.9745 non-homestead mills available for capture, with school millage equaling 24.0000 mills (86%) and local millage equaling 3.9745 mills (14%) based on a taxable value above \$2,734,806. The requested tax capture for MSF and MDEQ eligible activities breaks down as follows:

Total Tax Capture

State to Local Tax Capture	Eligible Activities, Interest, Contingency
MSF/MDEQ School tax capture (83%)	\$15,368,245
MSF/MDEQ Local tax capture (17%)	\$3,037,575
Total	\$18,405,820

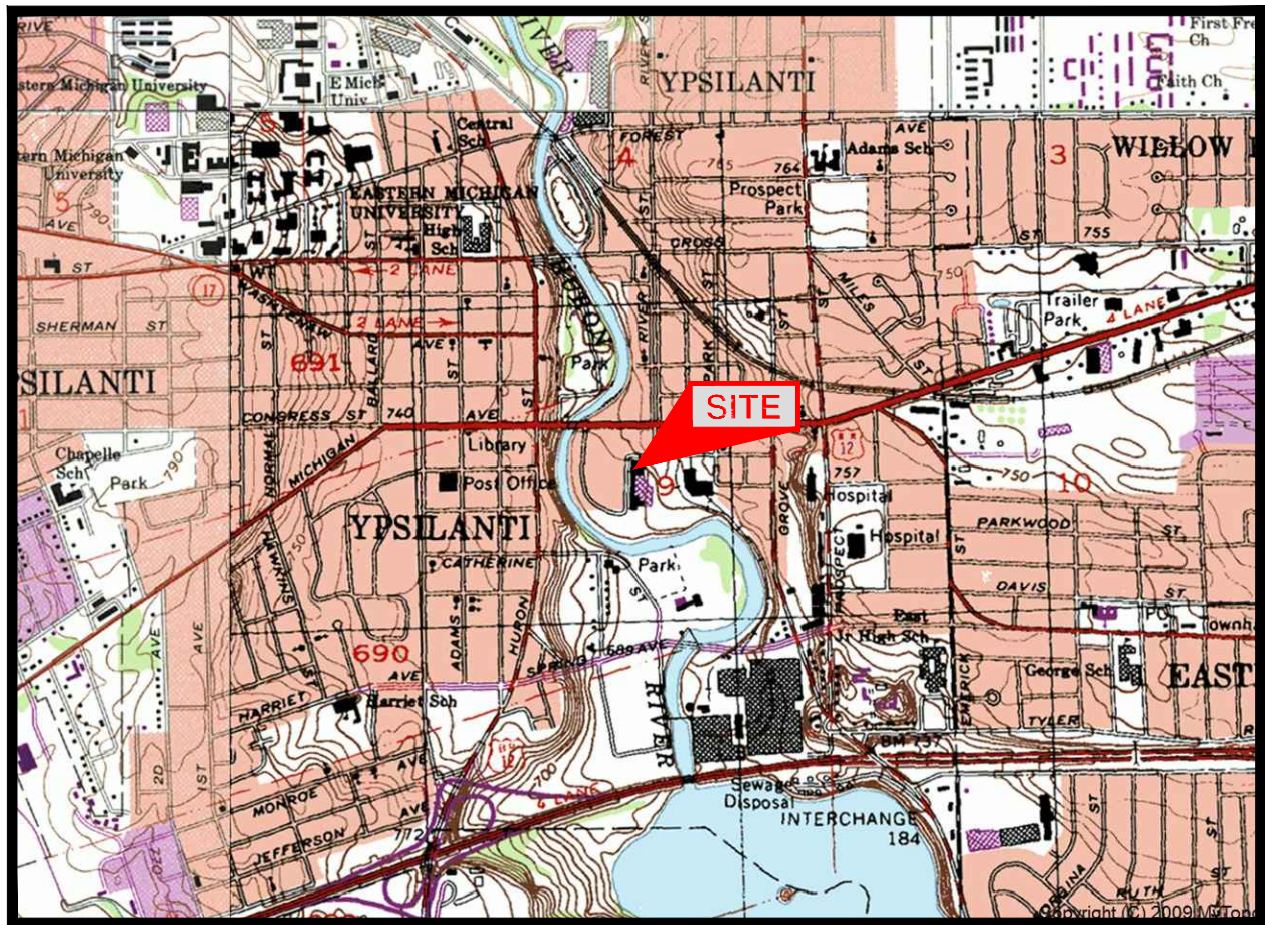
Attachments

Attachment A
Site Maps

YPSILANTI EAST QUADRANGLE

MICHIGAN - WASHTENAW COUNTY

7.5 MINUTE SERIES (TOPOGRAPHIC)



T.3 S.-R.7 E.

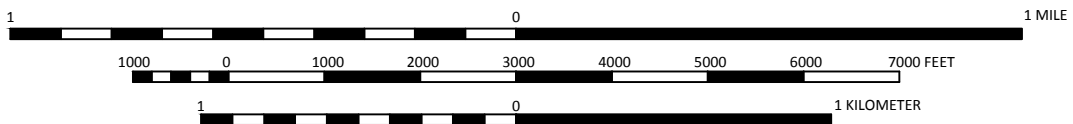
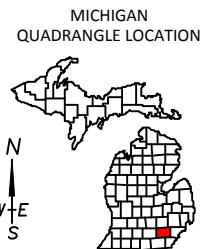


IMAGE TAKEN FROM 1967 U.S.G.S. TOPOGRAPHIC MAP
PHOTOREVISED 1973



ILLINOIS MICHIGAN OHIO GEORGIA
www.aktpeerless.com

SCALED PROPERTY LOCATION MAP

1-216 EAST MICHIGAN AVENUE
YPSILANTI, MICHIGAN
PROJECT NUMBER : 8808B-1-25

DRAWN BY: DDB
DATE: 11/12/2014

FIGURE 1

Attachment B
Legal Descriptions

11-11-09-170-031

OWNER REQUEST YPC 1-1B "WATER STREET REDEVELOPMENT AREA" COM AT E 1/4 COR SEC 9, TH N 02-19-30 W 554.44 FT, TH S 88-46-40 W 111.18 FT, TH N 88-02-00 W 382.04 FT, TH N 87-57-00 W 597.06 FT, TH N 88-04-00 W 33.00 FT, TH S 02-11-58 W 209.50 FT TO A POB, TH CONT S 02-11-58 W 154.70 FT, TH S 02-39-49 W 299.48 FT, TH S 88-01-57 E 78.99 FT, TH S 01-58-03 W 132.00 FT, TH S 88-01-57 E 118.25 FT, TH S 02-17-49 W 107.43 FT, TH S 87-56-41 E 134.33 FT, TH S 02-18-05 W 288.36 FT, TH N 88-01-57 W 2.00 FT TO PT " A ", TH CONT N 88-01-57 W 29.36 FT TO WATER'S EDGE, TH W'LY & N'LY ALNG WATERS EDGE TO S'LY R/W MICHIGAN AVE, TH S 87-53-00 E 9.27 FT TO PT " B " WHICH LIES N 38-47-58 W 309.10 FT, TH N 89-24-13 W 40.73 FT, TH N 58-14-11 W 87.43 FT, TH S 62-35-56 W 353.18 FT, TH S 80-42-51 W 267.16 FT, TH S 65-50-07 W 234.27 FT, TH N 79-19-43 W 219.06 FT, TH N 54-19-29 W 106.32 FT, TH N 54-12-59 W 171.50 FT, TH N 47-45-59 W 148.90 FT, TH N 32-55-29 W 89.12 FT, TH N 33-40-02 W 116.79 FT, TH N 12-47-38 W 51.82 FT, TH N 12-07-20 W 169.77 FT, TH N 02-07-22 W 105.96 FT, TH N 08-15-47 E 50.28 FT, TH N 05-36-02 E 200.01 FT, AND TH N 15-54-30 E 179.31 FT FROM PT " A ", TH S 87-53-00 E 844.06 FT, TH S 88-04-00 E 382.21 FT, TH S 01-56-00 W 160.00 FT, TH S 88-04-00 E 230.00 FT TO THE POB, ALSO ALL LAND BETWEEN TRAVERSE LINE AND WATER'S EDGE. PT OF NE 1/4 SEC 9, T3S-R7E. 37.15 ACRES

SPLIT ON 06/05/2014 FROM 11-11-09-170-029;

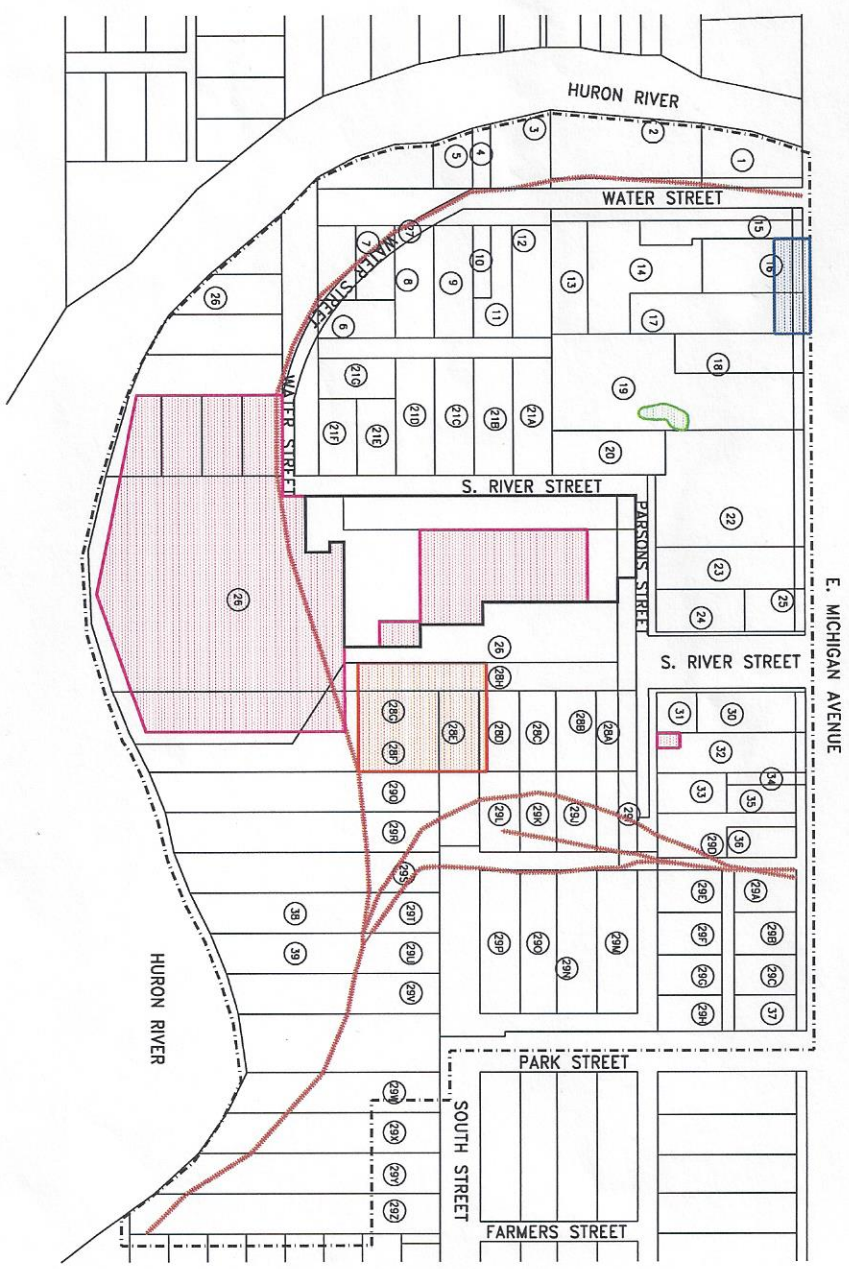
11-11-09-170-030

OWNER REQUEST YPC 1-1A BEG AT NE COR LOT 8, GILBERTS PARK ADDN, TH S 02-11-58 W 160.00 FT, TH N 88-04-00 W 230.00 FT, TH N 01-56-00 E 160.00 FT, TH S 88-04-00 E 230.74 FT TO THE POB. PT OF LOTS 5 THROUGH 12 AND VACATED ALLEY, GILBERTS PARK ADDITION.

SPLIT ON 06/05/2014 FROM 11-11-09-170-029;

Attachment C

Remaining Areas of Contamination



- LEGEND**
- ③ PARCEL IDENTIFICATION NUMBER
 - WATER STREET REDEVELOPMENT AREA
 - FORMER RAILROAD TRACKS
 - REMAINING BTEX AREA ABOVE MDEQ GENERIC RESIDENTIAL SOIL VOLATILIZATION TO INDOOR AIR CRITERIA
 - REMAINING VOC AREA ABOVE MDEQ GENERIC RESIDENTIAL SOIL VOLATILIZATION TO INDOOR AIR CRITERIA
 - REMAINING PCB AREA WITH CONCENTRATIONS DETECTED BELOW MDEQ GENERIC RESIDENTIAL CLEANUP CRITERIA (0-4' BGS)
 - REMAINING LEAD AREA ABOVE MDEQ GENERIC RESIDENTIAL DIRECT CONTACT CRITERIA (0-4' BGS)



**WATER STREET REDEVELOPMENT AREA
REMAINING AREAS OF CONTAMINATION**

Source: THE TRAVERSE GROUP

**EPA CLEANUP GRANTS
AND
HUD NSP GRANT**

ECT
Environmental Consulting & Technology, Inc.
2200 Commonwealth Blvd., Suite 300
Ann Arbor, Michigan 48106
Phone: (734) 769-3004 Fax: (734) 769-5164

Attachment D

Tables

Table 1 Eligible Activities
Water Street Redevelopment Area
1-216 E. Michigan
City of Ypsilanti, MI
AKT Peerles Project No.: 8808b
December 1, 2014

Activity	Estimated Total Cost*
Environmental Eligible Activities (MDEQ)	
BEA Environmental Assessment Activities Total	\$ 390,000
Section 7a Compliance Analysis (Due Care Plan) and Due Care Activities Total	\$ 3,696,465
Total Additional Response	\$ 542,600
Environmental Eligible Activities (MDEQ) Grand Total	\$ 4,086,465
Non-Environmental MSF Eligible Activities	
Demolition Total	\$ 300,000
Site Preparation Total	\$ 4,883,049
Infrastructure Improvements Total	\$ 3,568,353
Non-Environmental MSF Eligible Activities Grand Total	\$ 8,751,402
9000-Brownfield Plan and Act 381 Work Plan Preparation**	
Brownfield Plan	\$ 20,000
Act 381 Work Plan MDEQ	\$ 60,000
Act 381 Work Plan MSF	\$ 60,000
Brownfield Plan and Act 381 Work Plan Preparation Total	\$ 140,000
Eligible Activities Subtotal	\$ 12,977,867
15% Contingency on Eligible Activities***	\$ 1,925,680
LSRRF****	\$ 2,181,351
BRA Administration Fees	\$ 2,287,463
Interest*****	\$ 3,502,273
Eligible Activities Grand Total	\$ 22,874,634
*Estimated costs are subject to approval by MSF and MDEQ.	
**It is assumed that the brownfield plan will be amended once and there will be multiple MDEQ and MSF Act 381 Work Plans based on developments occurring on the Eligible Property	
***The contingency is applied to the Subtotal of MDEQ and MSF eligible activities, including the BEA Activities.	
****LSRRF deposits will occur for 2 years after eligible activities and interest have been reimbursed and will be made in accordance with Act 381.	
*****Interest is calculated annually at 2.5% simple interest on unreimbursed eligible activities for 10 years. The rate and time period for interest calculation may change, but will not exceed 5% simple interest on unreimbursed eligible activities.	

Table 2 - Tax Increment Financing Table

Eligible Expenses for Reimbursement Under Act 381																						
Total Eligible Activities + Contingency + Interest		\$	18,405,820																			
BRA Administrative Fees		\$	2,287,463																			
Local Site Remediation Revolving Fund (LSRRF)		\$	2,181,351																			
SubTOTAL Act 381 TIR REIMBURSEMENT		\$	22,874,634																			
State Brownfield Revolving Fund (BRF)		\$	1,769,516																			
TOTAL Act 381 TIR Reimbursement		\$	24,644,151																			
Total DDA Capture		\$	32,582,363																			
Estimated TV annual Increase Rate:		1.01																				
Project Investment																						
Plan Year		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18			
Actual Year		2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032			
Initial Taxable Value		\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-			
Estimated New TV		\$	350,000	\$	750,000	\$	1,500,000	\$	5,000,000	\$	8,000,000	\$	8,080,000	\$	8,160,800	\$	12,160,800	\$	16,160,800			
Incremental Difference BRA (Developer) Local		\$	350,000	\$	750,000	\$	1,500,000	\$	1,930,758	\$	1,930,758	\$	1,930,758	\$	1,930,758	\$	1,930,758	\$	1,930,758			
Incremental Difference BRA (Developer) ISD and State		\$	350,000	\$	750,000	\$	1,500,000	\$	5,000,000	\$	8,000,000	\$	8,080,000	\$	8,160,800	\$	12,160,800	\$	16,160,800			
Incremental Difference DDA (Local except ISD, above base \$1,930,758)*		\$	-	\$	-	\$	-	\$	3,069,242	\$	6,069,242	\$	6,149,242	\$	6,230,042	\$	10,230,042	\$	14,230,042			
DDA Capture																						
Local Capture		Millage Rate																				
CITY OPERATING		19.0211	\$	-	\$	-	\$	-	\$	58,380	\$	115,444	\$	116,965	\$	118,502	\$	194,587	\$	270,671		
POLICE AND FIRE PENSION		8.3149	\$	-	\$	-	\$	-	\$	25,520	\$	50,465	\$	51,130	\$	51,802	\$	85,062	\$	118,321		
PUBLIC TRANSIT		0.9789	\$	-	\$	-	\$	-	\$	3,004	\$	5,941	\$	6,019	\$	6,099	\$	10,014	\$	13,930		
SANITATION		2.7814	\$	-	\$	-	\$	-	\$	8,537	\$	16,881	\$	17,104	\$	17,328	\$	28,454	\$	39,579		
AAATA		0.7	\$	-	\$	-	\$	-	\$	2,148	\$	4,248	\$	4,304	\$	4,361	\$	7,161	\$	9,961		
CITY LIBRARY OPE		2.811	\$	-	\$	-	\$	-	\$	8,628	\$	17,061	\$	17,286	\$	17,513	\$	28,757	\$	40,001		
WASH. COMMUNITY COLLEGE		3.6376	\$	-	\$	-	\$	-	\$	11,165	\$	22,077	\$	22,368	\$	22,662	\$	37,213	\$	51,763		
COUNTY		5.7801	\$	-	\$	-	\$	-	\$	17,741	\$	35,081	\$	35,543	\$	36,010	\$	59,131	\$	82,251		
Total DDA Capture, annual		38.2449	\$	-	\$	-	\$	-	\$	135,123	\$	267,198	\$	270,720	\$	274,278	\$	450,378	\$	626,478		
Accumulated DDA Capture			\$	-	\$	-	\$	-	\$	135,123	\$	402,322	\$	673,042	\$	947,320	\$	1,397,697	\$	2,024,175		
BRA (Developer) Capture																						
School Capture		Millage Rate																				
State Education Tax (SET, less 3 for BRF)		3.0000	\$	1,050	\$	2,250	\$	4,500	\$	15,000	\$	24,000	\$	24,240	\$	24,482	\$	36,482	\$	48,482		
School Operating Tax		18.0000	\$	6,300	\$	13,500	\$	27,000	\$	90,000	\$	144,000	\$	145,440	\$	146,894	\$	218,894	\$	290,894		
State Education Tax (SET for State Brownfield Fund After YR 25		3.0000	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-		
School Total to Reimbursables		21.0000	\$	7,350	\$	15,750	\$	31,500	\$	105,000	\$	168,000	\$	169,680	\$	171,377	\$	255,377	\$	339,377		
Accumulated School Total to Reimbursables			\$	7,350	\$	23,100	\$	54,600	\$	159,600	\$	327,600	\$	497,280	\$	668,657	\$	924,034	\$	1,263,410		
Local Capture		Millage Rate																				
CITY OPERATING		19.0211	\$	6,657.39	\$	14,265.83	\$	28,532	\$	36,725	\$	36,725	\$	36,725	\$	36,725	\$	36,725	\$	36,725		
POLICE AND FIRE PENSION		8.3149	\$	2,910	\$	6,236	\$	12,472	\$	16,054	\$	16,054	\$	16,054	\$	16,054	\$	16,054	\$	16,054		
PUBLIC TRANSIT		0.9789	\$	343	\$	734	\$	1,468	\$	1,890	\$	1,890	\$	1,890	\$	1,890	\$	1,890	\$	1,890		
SANITATION		2.7814	\$	973	\$	2,086	\$	4,172	\$	5,370	\$	5,370	\$	5,370	\$	5,370	\$	5,370	\$	5,370		
AAATA		0.7	\$	245	\$	525	\$	1,050	\$	1,352	\$	1,352	\$	1,352	\$	1,352	\$	1,352	\$	1,352		
CITY LIBRARY OPE		2.811	\$	984	\$	2,108	\$	4,217	\$	5,427	\$	5,427	\$	5,427	\$	5,427	\$	5,427	\$	5,427		
WASH. COMMUNITY COLLEGE		3.6376	\$	1,273	\$	2,728	\$	5,456	\$	7,023	\$	7,023	\$	7,023	\$	7,023	\$	7,023	\$	7,023		
COUNTY		5.7801	\$	2,023.04	\$	4,335	\$	8,670	\$	11,160	\$	11,160	\$	11,160	\$	11,160	\$	11,160	\$	11,160		
WISD		3.9745	\$	1,391	\$	2,981	\$	5,962	\$	19,873	\$	31,796	\$	32,114	\$	32,435	\$	48,333	\$	64,231		
Local Total to Reimbursables		47.9995	\$	16,800	\$	36,000	\$	71,999	\$	104,874	\$	116,798	\$	117,116	\$	117,437	\$	133,335	\$	149,233		
Accumulated Local Total to Reimbursables			\$	16,800	\$	52,799	\$	124,799	\$	229,673	\$	346,470	\$	463,586	\$	581,023	\$	714,357	\$	863,590		
BRA Administration Fee - Local Capture																						
10% of Total Annual TIR		\$	2,415	\$	5,175	\$	10,350	\$	20,987	\$	28,480	\$	28,680	\$	28,881	\$	38,871	\$	48,861			
Accumulated Local Capture for Admin		\$	2,415	\$	7,590	\$	17,940	\$	38,927	\$	67,407	\$	96,087	\$	124,968	\$	163,839	\$	212,700			
Total State & Local BRA Capture (after Admin.)		\$	21,735	\$	46,575	\$	93,149	\$	188,887	\$	256,318	\$	258,116	\$	259,932	\$	349,840	\$	439,749			
Accumulated State & Local BRA Capture		\$	21,735	\$	68,310	\$	161,459	\$	350,346	\$	606,663	\$	864,779	\$	1,124,712	\$	1,474,552	\$	1,914,301			
Developer Reimbursement for Eligible Activities																						
Annual Reimbursement		\$	21,735	\$	46,575	\$	93,149	\$	188,887	\$	256,318	\$	258,116	\$	259,932	\$	349,840	\$	439,749			
Balance to be Reimbursed (Developer, EAs only)		\$	14,903,547	\$	14,881,812	\$	14,835,238	\$	14,742,088	\$	14,553,202	\$	14,296,884	\$	14,038,768	\$	13,778,835	\$	13,428,995			
Developer Reimbursement for Interest (2.5% of balance, 10 years)																						
Accumulation of Interest		\$	372,045	\$	370,881	\$	368,552	\$	363,830	\$	357,422	\$	350,969	\$	344,471	\$	335,725	\$	324,731			
Interest Reimbursement		\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-			
Balance to be Reimbursed (Developer, Interest only)		\$	3,502,273	\$	372,045	\$	742,926	\$	1,111,478	\$	1,475,308	\$	1,832,731	\$	2,183,700	\$	2,528,171	\$	2,863,896			
State Brownfield Revolving Fund Capture																						
School Capture		Millage Rate																				
State Education Tax (SET)		3.0000	\$	1,050	\$	2,250	\$	4,500	\$	15,000	\$	24,000	\$	24,240	\$	24,482	\$	36,482	\$	48,482		
Accumulated School Capture for State BRF		\$	1,050	\$	3,300	\$	7,800	\$	22,800	\$	46,800	\$	71,040	\$	95,522	\$	132,005	\$	180,487			
LSRRF Capture																						
Annual Deposits to LSRRF		\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-			
Accumulated Deposits		\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-			

Table 2 - Tax Increment Financing Estimates
Water Street Redevelopment Area
1-216 E. Michigan Avenue, City of Ypsilanti, MI
AKT Peerless Project Number 8808b
December 1, 2014

Table 2 - Tax Increment Financing Table

Eligible Expenses for Reimbursement Under Act 381		
Total Eligible Activities + Contingency + Interest	\$	18,405,820
BRA Administrative Fees	\$	2,287,463
Local Site Remediation Revolving Fund (LSRRF)	\$	2,181,351
SubTOTAL Act 381 TIR REIMBURSEMENT	\$	22,874,634
State Brownfield Revolving Fund (BRF)	\$	1,769,516
TOTAL Act 381 TIR Reimbursement	\$	24,644,151
Total DDA Capture	\$	32,582,363

Estimated TV annual Increase Rate:

Project Investment													
Plan Year		19	20	21	22	23	24	25	26	27	28	29	30
Actual Year		2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044
Initial Taxable Value	\$	-	-	-	-	-	-	-	-	-	-	-	-
Estimated New TV	\$	37,480,468	37,855,273	38,233,826	38,616,164	39,002,326	39,392,349	39,786,272	40,184,135	40,585,976	40,991,836	41,401,754	41,815,772
Incremental Difference BRA (Developer) Local	\$	1,930,758	1,930,758	1,930,758	1,930,758	1,930,758	1,930,758	1,930,758	1,930,758	1,930,758	1,930,758	1,930,758	1,930,758
Incremental Difference BRA (Developer) ISD and State	\$	37,480,468	37,855,273	38,233,826	38,616,164	39,002,326	39,392,349	39,786,272	40,184,135	40,585,976	40,991,836	41,401,754	41,815,772
Incremental Difference DDA (Local except ISD, above base \$1,930,758)*	\$	35,549,710	35,924,515	36,303,068	36,685,406	37,071,568	37,461,591	37,855,514	38,253,377	38,655,218	39,061,078	39,470,996	39,885,014

DDA Capture													
Local Capture		Millage Rate											
CITY OPERATING	19.0211	\$	676,195	\$	683,324	\$	690,524	\$	697,797	\$	705,142	\$	712,561
POLICE AND FIRE PENSION	8.3149	\$	295,592	\$	298,709	\$	301,856	\$	305,035	\$	308,246	\$	311,489
PUBLIC TRANSIT	0.9789	\$	34,800	\$	35,167	\$	35,537	\$	35,911	\$	36,289	\$	36,671
SANITATION	2.7814	\$	98,878	\$	99,920	\$	100,973	\$	102,037	\$	103,111	\$	104,196
AAATA	0.7	\$	24,885	\$	25,147	\$	25,412	\$	25,680	\$	25,950	\$	26,223
CITY LIBRARY OPE	2.811	\$	99,930	\$	100,984	\$	102,048	\$	103,123	\$	104,208	\$	105,305
WASH. COMMUNITY COLLEGE	3.6376	\$	129,316	\$	130,679	\$	132,056	\$	133,447	\$	134,852	\$	136,270
COUNTY	5.7801	\$	205,481	\$	207,647	\$	209,835	\$	212,045	\$	214,277	\$	216,532
Total DDA Capture, annual	38.2449	\$	1,565,076	\$	1,581,577	\$	1,598,243	\$	1,615,075	\$	1,632,076	\$	1,649,247
Accumulated DDA Capture		\$	14,240,344	\$	15,821,920	\$	17,420,163	\$	19,035,238	\$	20,667,314	\$	22,316,560

BRA (Developer) Capture													
School Capture		Millage Rate											
State Education Tax (SET, less 3 for BRF)	3.0000	\$	112,441	\$	113,566	\$	114,701	\$	115,848	\$	117,007	\$	118,177
School Operating Tax	18.0000	\$	674,648	\$	681,395	\$	688,209	\$	695,091	\$	702,042	\$	709,062
State Education Tax (SET for State Brownfield Fund After YR 25)	3.0000	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
School Total to Reimbursables	21.0000	\$	787,090	\$	794,961	\$	802,910	\$	810,939	\$	819,049	\$	827,239
Accumulated School Total to Reimbursables		\$	7,496,003	\$	8,290,964	\$	9,093,874	\$	9,904,813	\$	10,723,862	\$	11,551,102

Local Capture		Millage Rate											
CITY OPERATING	19.0211	\$	36,725	\$	36,725	\$	36,725	\$	36,725	\$	36,725	\$	36,725
POLICE AND FIRE PENSION	8.3149	\$	16,054	\$	16,054	\$	16,054	\$	16,054	\$	16,054	\$	16,054
PUBLIC TRANSIT	0.9789	\$	1,890	\$	1,890	\$	1,890	\$	1,890	\$	1,890	\$	1,890
SANITATION	2.7814	\$	5,370	\$	5,370	\$	5,370	\$	5,370	\$	5,370	\$	5,370
AAATA	0.7	\$	1,352	\$	1,352	\$	1,352	\$	1,352	\$	1,352	\$	1,352
CITY LIBRARY OPE	2.811	\$	5,427	\$	5,427	\$	5,427	\$	5,427	\$	5,427	\$	5,427
WASH. COMMUNITY COLLEGE	3.6376	\$	7,023	\$	7,023	\$	7,023	\$	7,023	\$	7,023	\$	7,023
COUNTY	5.7801	\$	11,160	\$	11,160	\$	11,160	\$	11,160	\$	11,160	\$	11,160
WISD	3.9745	\$	148,966	\$	150,456	\$	151,960	\$	153,480	\$	155,015	\$	156,565
Local Total to Reimbursables	47.9995	\$	233,968	\$	235,457	\$	236,962	\$	238,482	\$	240,016	\$	241,567
Accumulated Local Total to Reimbursables		\$	2,893,199	\$	3,128,656	\$	3,365,618	\$	3,604,100	\$	3,844,116	\$	4,085,683

BRA Administration Fee - Local Capture													
10% of Total Annual TIR		\$	102,106	\$	103,042	\$	103,987	\$	104,942	\$	105,907	\$	106,881
Accumulated Local Capture for Admin		\$	1,038,920	\$	1,141,962	\$	1,245,949	\$	1,350,891	\$	1,456,798	\$	1,563,678

Total State & Local BRA Capture (after Admin.)	\$	918,952	\$	927,376	\$	935,885	\$	944,479	\$	953,159	\$	961,925	\$	970,779	\$	1,088,219	\$	1,098,337	\$	1,108,555	\$	1,118,876	\$	1,129,299
Accumulated State & Local BRA Capture	\$	9,350,281	\$	10,277,658	\$	11,213,543	\$	12,158,022	\$	13,111,180	\$	14,073,106	\$	15,043,885	\$	16,132,105	\$	17,230,441	\$	18,338,996	\$	19,457,872	\$	20,587,171

Developer Reimbursement for Eligible Activities																										
Annual Reimbursement		\$	918,952	\$	927,376	\$	935,885	\$	944,479	\$	953,159	\$	961,925	\$	830,441	\$	-	\$	-	\$	-	\$	-	\$	-	
Balance to be Reimbursed (Developer, EAs only)	\$	14,903,547	\$	5,553,266	\$	4,625,889	\$	3,690,004	\$	2,745,525	\$	1,792,367	\$	830,441	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-

Developer Reimbursement for Interest (2.5% of balance, 10 years)																												
Accumulation of Interest																												
Interest Reimbursement		\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	140,338	\$	1,088,219	\$	1,098,337	\$	1,108,555	\$	66,824	\$	-	
Balance to be Reimbursed (Developer, Interest only)	\$	3,502,273	\$	3,502,273	\$	3,502,273	\$	3,502,273	\$	3,502,273	\$	3,502,273	\$	3,502,273	\$	3,361,935	\$	2,273,716	\$	1,175,379	\$	66,824	\$	-	\$	-	\$	-

State Brownfield Revolving Fund Capture													
School Capture		Millage Rate											
State Education Tax (SET)	3.0000	\$	112,441	\$	113,566	\$	114,701	\$	115,848	\$	117,007	\$	118,177
Accumulated School Capture for State BRF		\$	1,070,858	\$	1,184,423	\$	1,299,125	\$	1,414,973	\$	1,531,980	\$	1,650,157
LSRRF Capture													
Annual Deposits to LSRRF		\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
Accumulated Deposits		\$	-	\$	-	\$	-	\$	-	\$	-	\$	-

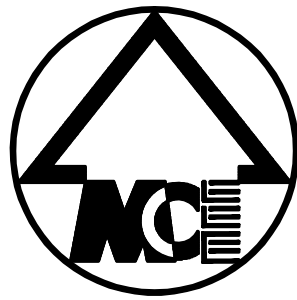
Attachment E

Infrastructure and Street Framework

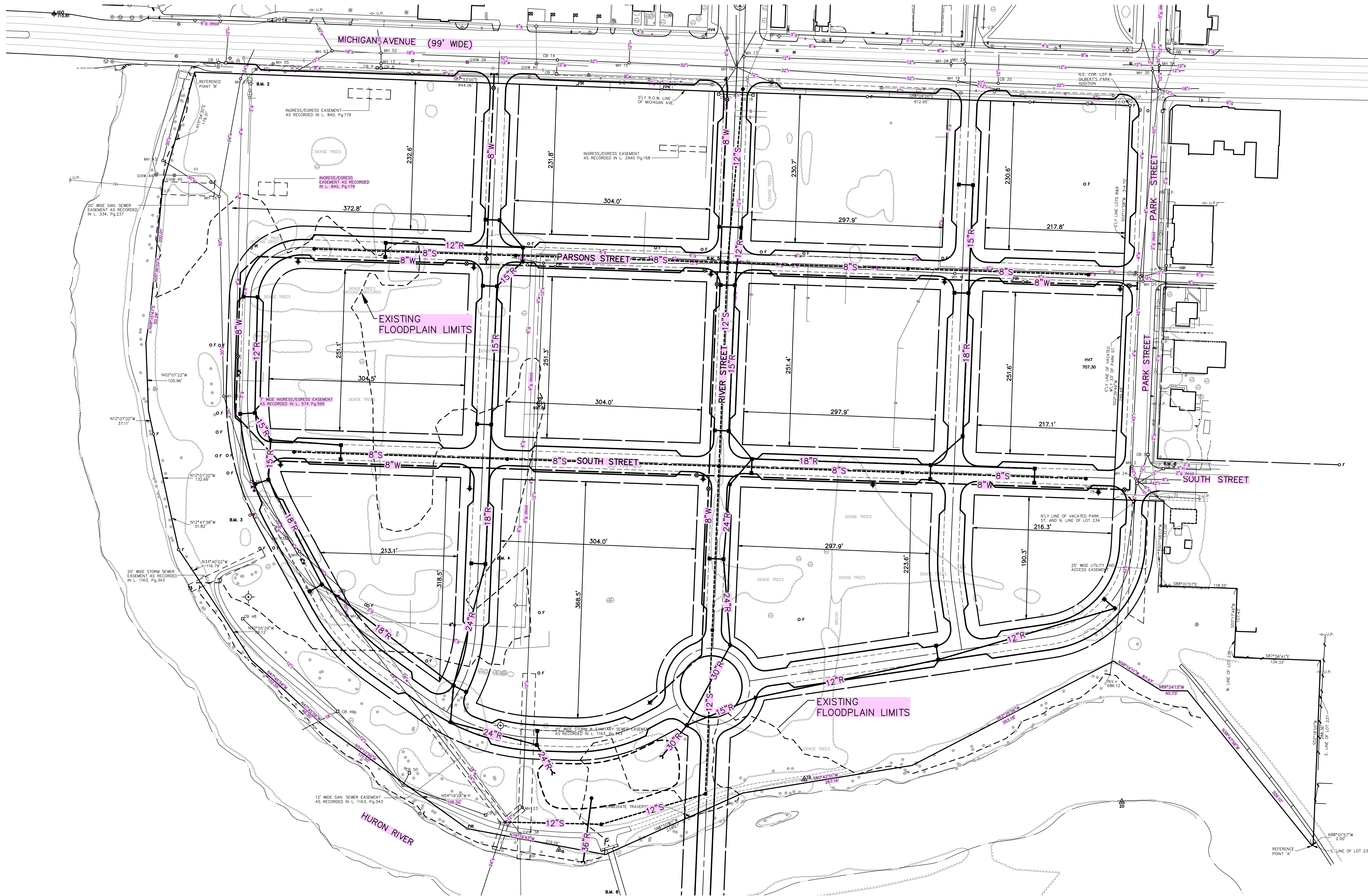
Midwestern Consulting, Inc. 3815 Plaza Drive, Ann Arbor, Michigan 48106
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The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

DRAFT



SCALE: 1" = 60'
0 60 120 180



JOB No.	03162		DATE: 12-04-2013
	SHEET 1 OF 1		
REVISIONS	REV. DATE	APP. ACT.	
	ENG: SWB	DATE: 12/04/2013	
	DATE: 12/04/2013	DATE: 12/04/2013	



Resolution No. 2014 – 286
December 16, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of December 2, December 8 and December 9, 2014 be approved.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



**CITY OF YPSILANTI
COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
Tuesday, December 2, 2014
7:00 p.m.**

I. CALL TO ORDER –

The meeting was called to order at 7:03 p.m.

II. ROLL CALL –

Council Member Brown	Present	Council Member Robb	Present
Council Member Murdock	Present	Council Member Vogt	Absent
Mayor Pro-Tem Richardson	Present	Mayor Edmonds	Present

Mayor Pro-Tem Richardson moved, supported by Council Member Murdock to excuse the absence of Council Member Vogt.

On a voice vote, the motion was approved and the absence was excused.

III. INVOCATION –

The Mayor asked all to stand for a moment of silence.

IV. PLEDGE OF ALLEGIANCE –

"I pledge allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all."

V. INTRODUCTIONS –

Mayor Edmonds introduced the following individuals; youth and staff of 826 Michigan, Police Chief DeGiusti, Assistant City Attorney Jesse O'Jack, Assistant City Attorney Dan DuChene, City Attorney John Barr, City Clerk Frances McMullan, and Housing Commission Director Zach Fosler.

VI. AGENDA APPROVAL –

Council Member Murdock moved, supported by Council Member Brown to approve the agenda as submitted.

On a voice vote, the minutes were approved.

VII. PRESENTATIONS –

VIII. AUDIENCE PARTICIPATION –

1. David Ungaar, 417 Pearl St. apt 2, explained that during Stewart Beal's comments at the November 18th meeting, Council was misled. Mr. Beal's claim that he solicited four bids to repair the roof at 417 Pearl was false. Mr. Ungaar explained the crew to repair his roof consisted of Mr. Beal's employee who cleans his rentals and an \$8 an hour day laborer. Mr. Ungaar said the repairs have taken more than 10 days and the project is still only 20% complete while a roof being repaired at Pearl and Hamilton took 48 hours. Mr. Ungaar said he understands Mr. Beal owns a lot of commercial space in Ypsilanti but he needs to be held accountable and inspections must be more complete.
2. Jamie Gibson, 417 Pearl St., stated she informed Council at the November 18th meeting that her roof has been leaking since August. Ms. Gibson said Mr. Beal said he has known about the issue with the roof for two years which states his negligence. Ms. Gibson said the individuals performing the repairs on the roof are clearly unqualified and the home as it stands would be deemed uninhabitable by State law. Ms. Gibson said the home should have never passed inspection and the City is allowing this to occur.
3. Rayanne, city resident, stated all the lights should be turned on along Washington St.
4. Jennifer Trombley, 25 N. Washington St., stated she is a member of the Ypsilanti Tenant's Rights Association and informed Council of the following undertakings of the association: informing tenants of their rights, researching tenants issues, reaching out to tenants, communicating with landlords on the accessibility of repair forms, and setting up intake hours for tenants to address the association. Ms. Trombley said the association will be meeting every Saturday at the Ypsilanti Library on Michigan Ave, at 1 p.m.
5. Taylor, area resident, stated police should not shoot to kill only to injure.
6. Evelyn Ogden, 417 Pearl #3, stated in September she moved in and already the roof has been patched three times. The issue is not with the patching necessarily but with the mold. Ms. Ogden said she is the mother of two children under the age of five and is concerned with the health issue that can arise from mold. Ms. Ogden stated when she informed Mr. Beal of the issue he paid it little concern.
7. Stewart Beal, Beal Properties, stated Beal Construction Services is a fully licensed contractor which has pulled permits to complete the roof at 417 Pearl. Mr. Beal said the tenants who spoke tonight are not pleased with the time it has taken to complete the job. Mr. Beal concluded his workers are there every day and the job will be completed and upon completion will pass inspection.

IX. REMARKS BY THE MAYOR –

- Stated she has been in contact with the Tenant's Rights Association and has scheduled a meeting to discuss best practices from municipalities across the country.
- Stated Council, through the City Manager, has directed Building Enforcement to take a closer look at certain properties.
- Appreciated the young participants during audience participation and staff who brought them to engage Council.

X. MINUTES –

Resolution No. 2014-275, approving the minutes of November 18, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of November 18, 2014 be approved.

OFFERED BY: Mayor Pro-Tem Richardson

SUPPORTED BY: Council Member Robb

On a voice vote, Resolution No. 2014-275 carried and the minutes were approved.

XI. ORDINANCES – FIRST READING -

Ordinance No.1236

1. Ordinance to Convey Two City-Owned Parcels to Strong Future LDHA Limited Partnership for rehabilitation and/or redevelopment of existing low-income housing throughout the City. Properties under consideration are 130 S. Grove St. and 928 W. Michigan Ave.

- A. Resolution No. 2014-276, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "An ordinance to sell city-owned property to Strong Future LDHA Limited Partnership" is approved on First Reading.

OFFERED BY: Council Member Robb

SUPPORTED BY: Council Member Brown

- B. Open public hearing.

1. Ralph Orwell, EMU Staff, stated this ordinance will allow for more community spacing in this redevelopment which can be utilized for many activities by the community.

- C. Resolution No. 2014-277, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing on an ordinance entitled "An ordinance to sell city-owned property to Strong Future LDHA Limited Partnership" be officially closed.

OFFERED BY: Council Member Robb

SUPPORTED BY: Mayor Pro-Tem Richardson

On a voice vote, the vote to approve Resolution No. 2014-277 carried.

Assistant City Attorney stated the LDHA, or the Ypsilanti Housing Commission, is asking for two properties one that adjoining Paradise Manor and the other adjoining Hallow Creek for the purpose of constructing a community center.

Mayor Pro-Tem Richardson asked what is the plan for the playground at Paradise Manor.

Ypsilanti Housing Director Zach Fosler responded residents stated they would prefer the playground be more centrally located so that children will be in view of their parents. Mr. Fosler added a tot lot will be constructed near the playground.

Mayor Pro-Tem Richardson asked if there would be ample space to build a playground.

Mr. Fosler replied the proposed space is comparable to the one currently in use.

Mayor Edmonds stated that according to her research centrally located playgrounds are the preferred practice.

Mr. Fosler stated the Housing Commission is asking for the transfer of ownership of two parcels in order for the Housing Commission to enhance both Paradise Manor and Hollow Creek by adding a community space that would house social services as well as an on-site property manager.

Mayor Pro-Tem Richardson asked where the community space will be built.

Mr. Fosler answered in the current area of the community garden, which will be relocated.

Mayor Pro-Tem Richardson asked for a guarantee that Ypsilanti contractors will be used in the construction.

Mayor Edmonds asked if the Housing Commission follows the same bidding requirements as the City.

Mr. Fosler responded yes, the Housing Commission follows the same bidding process as the City and low income individuals will be hired.

Mayor Pro-Tem Richardson stated she was not referencing only low income individuals but Ypsilanti based contractors looking for work.

Art Robertson, Chesapeake Community Advisors, explained essentially every project is bid out following the Federal Procurement Requirements, the Request for Proposals (RFP) is published in local newspapers for anyone to respond. The RFP was published during the proposal phase for the prescribed amount of time and produced five bids, none of which were Ypsilanti companies.

Mayor Pro-Tem Richardson asked in what newspaper was the RFP published.

Mr. Fosler responded the RFP was published on MLive.

Mr. Robertson stated the advertisement and the duration of the advertisement can be made available for Council.

Mayor Edmonds asked if a contractor had already been selected.

Mr. Robertson answered yes.

Mayor Pro-Tem Richardson asked when the contractor was selected.

Mr. Robertson responded 90 to 120 days ago.

Council Member Murdock asked where is the contractor located.

Mr. Robertson responded Rohde Construction, is out of Grand Rapids.

Mayor Pro-Tem Richardson stated she and former Council Member Jefferson spoke with Mr. Fosler and asked to be informed once the RFP went out to bid in order to notify the public.

Mr. Robertson stated, at the very minimum, one contractor from Ypsilanti called his office to express interest but could not meet the bonding requirement set forth by the RFP.

Mr. Fosler stated what he and Ms. Richardson and Mr. Jefferson spoke about is subcontractors because the capacity of local contractors would not meet the bonding requirements.

Council Member Murdock asked if the general contractor is willing to hire sub-contractors from the area.

Mr. Robertson stated the Hamilton Crossing Construction cost \$10.3 million with a Section 3 and a MBE plan in place. The goals of that plan were exceeded by around 10.5% of the \$10.3 million spent.

Mayor Pro-Tem Richardson stated that was not the information that was originally presented during meetings with the former Housing Director.

Mr. Robertson stated the goals are the same and Rohde Contractors, the development advisors, as well as the Ypsilanti Housing Commission are meeting if not exceeding those goals if qualified contractors will come forward.

Council Member Murdock asked what the plan is to ensure that the public is made aware when they should bid.

Mr. Robertson responded the drawings should be completed by the beginning of the new year and he will work with Rohde Construction to help screen subcontractors and ensure that goals are met.

Council Member Murdock asked if interested contractors should contact Mr. Robertson.

Mr. Robertson replied they should contact Rohde Construction and he will ensure those contractors are properly vetted. Mr. Robertson said the first goal is to provide a quality product on time and within the budget while delivering a quality product to the citizens of Ypsilanti.

Mayor Pro-Tem Richardson stated during the Hamilton Crossing project she was told to have interested sub-contractors contact the Housing Director and when they did apply they were told the contracts had been filled for over a year.

Vickie Vaughn, Chesapeake Community Advisors explained there is a difference in the selection process used for the Hamilton Crossing project; a pricing round was used and when the project began the sub-contractors had already been selected. Rohde currently has not priced construction nor have any sub-contractors been contacted. At the end of December Rohde will price the project and begin to speak with sub-contractors. Ms. Vaughn stated this was all written into the RFP and it is their goal to hire locally as much as possible.

Mayor Edmonds asked if there is a possibility to form a list of interested local and minority contractors to inform them once the RFP goes live.

Mr. Robertson responded yes, and asked if the City maintains a list of minority contractors.

Mayor Pro-Tem Richardson responded there is a list.

Mayor Edmonds asked Mr. Robertson to help to facilitate this with Rohde Construction. Mayor Pro-Tem Richardson and any other interested parties can provide him with names to include in the list to receive the RFP.

Mr. Robertson replied yes.

City Council Meeting Minutes
December 2, 2014

Mayor Edmonds stated the City should examine best practices for including local preferences in RFPs.

Mayor Pro-Tem Richardson stated she wants to make sure that this is done right and all interested contractors in the City have the opportunity to bid.

Council Member Murdock asked if project is a prevailing wage job.

Mr. Robertson replied yes.

Mayor Pro-Tem Richardson asked if it is a union job.

Mr. Robertson replied a prevailing wage job supersedes a union job, even if it were a union shop working with on the project they would not be working under union rules they would be working under the Davis-Bacon wage determination.

Council Member Murdock asked the City is keeping a portion of the piece of property on Grove St. listed as protected lands.

Mr. Duchene stated whenever a piece of land along the river is conveyed the City asks that an easement be placed 30 ft. along the banks of the river as a protection, or right-of-way easement.

Council Member Murdock stated the piece of property is where the Border to Border trail was planned to exit.

Ms. Vaughn replied it was her understanding the trail exit on the adjacent property.

Mayor Pro-Tem Richardson asked why the property is needed for the project.

Mr. Fosler replied in order to add a management building and some additional parking to improve access for residents living on the other side of the complex as well as a community garden.

Ms. Vaughn added without this property the area held for green space would need to be used for parking.

Council Member Murdock asked if the City would be transferring part of that parcel or all of it.

Mr. Duchene answered the City would be transferring the entire parcel other than the 30 ft. easement along the river.

Council Member Murdock asked where the Border to Border trail head would be located.

Mr. Duchene replied the trail head would be located to the south.

Mr. Robertson stated when asking for this parcel the trail head was kept in mind, and the project was specifically designed to preserve the trail head and is welcomed as a part of the development.

Ms. Vaughn stated as part of the development they are only interested in the front of the parcel.

Mayor Edmonds asked what the mitigation plan is concerning the additional run-off caused by the increased parking.

Ms. Vaughn stated she did not have an answer at this time but their architect will have an answer.

Mayor Edmonds stated it could be an opportunity for some creative alternatives.

City Manager Lange asked for clarification of the 30 ft. easement along the river, stating the Border to Border Trail runs 100 ft. along the river.

Mr. Duchene responded he has already forwarded this information to the planning department and will follow-up to ensure there will not be a conflict.

Council Member Robb asked if the City will be following the 45 day grace period before the conveyance as stated in the Charter.

Mr. Duchene responded yes, the public hearing is being held today, the second reading will be in two weeks and the land will be conveyed 30 days after the second reading.

Mayor Pro-Tem Richardson asked if Council is being asked to vote to transfer the land before the 45 day grace period.

Council Member Murdock responded the conveyance would happen 45 days after the public hearing.

Ms. Vaughn replied the Ypsilanti Housing Commission and the Chesapeake Community Advisors would prefer to transfer all the parcels, including the scattered site parcels, at the same time and that will be complete on February 1st.

Council Member Robb stated the reason for the 45 day grace period is to allow citizens time to petition against the ordinance and this scenario does not follow the spirit of the grace period. However, if the conveyance does not occur until February it will allow time for citizens to collect signatures.

Mr. Duchene stated the agreement can include the stipulation that the conveyance will not occur until February.

Council Member Robb asked if there is currently a payment for this property.

Mr. Duchene responded there is not and if Council wished the ordinance for the second reading can be amended to read the parcel will be conveyed with the remainder of the scatter site parcels.

On a roll call, the vote to approve Resolution No. 2014-276 was as follows:

	Council Member Brown	Yes	Council Member Robb	Yes
	Council Member Murdock	Yes	Mayor Edmonds	Yes
	Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Absent

VOTE:

YES: 5 NO: 0 ABSENT: 1 (Vogt) VOTE: Carried

XII. CONSENT AGENDA –

Resolution No. 2014-278

1. Resolution No. 2014-279, approving *Ordinance No. 1233* to amend the Ypsilanti City Code to add clarifying language and provide rules and procedures for garnishment of penalties, sanctions, and remedies for Blight Violations, to make it an offense for failure to pay fines and costs ordered for certain Blight Violations, and to clarify that all the remedies available in Section 1-15(4) regarding Blight Violations may be used to enforce an Administrative Hearing Officer's Order.
(Second Reading).

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled " AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 1 "GENERAL PROVISIONS," SECTION 1-15 "PENALTIES, SANCTIONS, AND REMEDIES," SUBSECTION (4) "BLIGHT VIOLATION" TO ADD CLARIFYING LANGUAGE AND TO PROVIDE FOR RULES AND PROCEDURES FOR GARNISHMENT; AND TO AMEND CHAPTER 71 "ADMINISTRATIVE HEARINGS BUREAU," ARTICLE II "ADMINISTRATIVE HEARINGS BUREAU," SECTION 71-43 "VIOLATION OF ORDERS" TO ADD AN OFFENSE FOR FAILURE TO PAY A CIVIL FINE AND COSTS, AND TO AMEND SECTION 71-46 "ENFORCEMENT OF ADMINISTRATIVE HEARING OFFICER'S ORDER" TO INCLUDE ALL REMEDIES SET FORTH IN SECTION 1-15(4)" be approved on Second and Final Reading.

2. Resolution No. 2014-280, approving *Ordinance No. 1234* to amend Ypsilanti City Code Chapter 86 "Solid Waste," Article III "Yard Waste," by amending Section 86-87 to a Blight Violation and to make the appeal process consistent with other Sections of the Code; and to amend Chapter 110 "Vegetation," Article IV "Weed Control," by amending Section 110-83 to a Blight Violation and Section 110-86 to make the appeal process consistent with other Sections of the Code; and to simplify the wording in all sections. **(Second Reading)**

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled " AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 86 "SOLID WASTE," ARTICLE III "YARD WASTE," BY AMENDING SECTION 86-87 TO A BLIGHT VIOLATION AND TO MAKE THE APPEAL PROCESS CONSISTENT WITH OTHER SECTIONS OF THE CODE; AND TO AMEND CHAPTER 110 "VEGETATION," ARTICLE IV "WEED CONTROL," BY AMENDING SECTION 110-83 TO A BLIGHT VIOLATION AND SECTION 110-86 TO MAKE THE APPEAL PROCESS CONSISTENT WITH OTHER SECTIONS OF THE CODE; AND TO SIMPLIFY THE WORDING IN ALL SECTIONS" be approved on Second and Final Reading.

3. Resolution No. 2014-281, approving *Ordinance No. 1235* to amend Ypsilanti City Code Chapter 18 "Buildings and Building Regulations," Article III "State Construction Code," by adding Section 18-53 "Eligibility for building permits, certificates of use and occupancy, and variances," to make certain applicants ineligible if the person or owner is delinquent in paying a civil fine, costs, or a justice system assessment imposed by the City of Ypsilanti's Administrative Hearings Bureau. **(Second Reading)**

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 18 "BUILDINGS AND BUILDING REGULATIONS," ARTICLE III "STATE CONSTRUCTION CODE," BY ADDING SECTION 18-53

"ELIGIBILITY FOR BUILDING PERMITS, CERTIFICATES OF USE AND OCCUPANCY, AND VARIANCES," TO MAKE CERTAIN APPLICANTS INELIGIBLE IF THE PERSON OR OWNER IS DELINQUENT IN PAYING A CIVIL FINE, COSTS, OR A JUSTICE SYSTEM ASSESSMENT IMPOSED BY THE CITY OF YPSILANTI'S ADMINISTRATIVE HEARINGS BUREAU" be approved on Second and Final Reading.

OFFERED BY: Council Member Brown

SUPPORTED BY: Mayor Pro-Tem Richardson

On a roll call, the vote to approve Resolution No. 2014-278 was as follows:

	Council Member Brown	Yes	Council Member Robb	Yes
	Council Member Murdock	Yes	Mayor Edmonds	Yes
	Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Absent
VOTE:				
YES:	5	NO: 0	ABSENT: 1 (Vogt)	VOTE: Carried

XIII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2014-282, approving purchase to upgrade current in-car video recording systems, purchase body worn cameras and the server, hardware, software, installation and training to facilitate their use.

RESOLVED BY THE CITY COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti Police Department desires to upgrade the current in-car video recording systems, purchase body worn cameras and purchase the server, hardware, software, installation and training to facilitate their use, and

WHEREAS, the City of Ypsilanti Police Department has been allocated funds in the FY2014-15 Budget, secured a 2014 Byrne Memorial Grant for this purpose and has Drug Forfeiture funds available for this purchase, and

WHEREAS, the City of Ypsilanti Police Department has negotiated pricing with L-3 Mobile-Vision Inc. that is below the State Bid Pricing of \$54,984.45, and is the current provider of recording equipment in use by the department.

THEREFORE BE IT RESOLVED, that the Chief of Police be authorized to sign all necessary documents needed to execute the purchase.

OFFERED BY: Council Member Murdock

SUPPORTED BY: Mayor Pro-Tem Richardson

Police Chief DeGiusti explained during this process the Police Department was focused on four areas of concern; the hardware server, the in-car video cameras which are near the end of life, the DVD work station, and the interest in body cameras for officers. Chief DeGiusti said the goal of the department was to make sure the system is compatible with all the other working parts and make sure it that wasn't confusing,

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misleading, or difficult to manipulate the information needed to provide to others, as well as data storage. After having spoken with several vendors, the department recommends L3 Mobile Vision, the City's current provider, which provided substantial savings in pricing.

Mayor Edmonds asked what is the reason for the low pricing.

Chief DeGiusti responded possibly timing, the company is trying to make its numbers at the end of the year, or possibly because the company has been the City's vendor for in-car cameras and the low pricing is based on that relationship, or possibly a myriad of other reasons.

Council Member Murdock stated this issue was being discussed long before the incident in Ferguson and he is pleased the City is moving forward with this initiative. However, he wants to make sure that the policies and procedures are in-place before the program is implemented. Mr. Murdock stated several examples were listed in a report from the Justice Department.

Chief DeGiusti replied that many of the issues have been addressed as a result of the in-car cameras such as what is accessible and to whom, retention, and what would be redacted. There are some differences in regards to body cameras in scenarios where officers have to enter a private residence. Chief DeGiusti added the concerns raised by the ACLU are being addressed.

Mayor Edmonds asked Chief DeGiusti to bring a draft of the policy for body cameras to Council.

Council Member Brown asked what the timeline is for full implementation.

Chief DeGiusti responded the order will be placed before the end of the year with probably 30 to 60 days before delivery, followed by training so the date of full implementation would be around March 1st.

Council Member Murdock stated the Sheriff's Department plans to implement the same program and asked if our equipment is compatible to theirs.

Chief DeGiusti responded yes he, Chief Clayton (Washtenaw County), and Chief Hayes (EMU) have discussed this and all of them will all be purchasing the same equipment in the exact form.

Council Member Murdock asked if the Eastern Washtenaw County Safety Alliance is involved.

Chief DeGiusti responded yes, and other Washtenaw County chiefs have had discussions regarding body cameras; and regardless of what they decide they use the same vendor, L3 Mobile Vision, and for ease of conversion and management, he assumes they would stay with that vendor.

Mayor Edmonds asked if Chief DeGiusti would examine policies coming out of other jurisdictions in Washtenaw County.

Chief DeGiusti responded his search was broader and he had been in contact with the National Association of Police Chiefs and has examined large quantity of policies used throughout the country for best practices.

Council Member Murdock stated that President Obama announced a program that would fund a grant to finance some of this program and asked if it is still necessary, given the pricing given by L3 Mobile Vision.

Chief DeGiusti responded he thanks the President for his consideration and when the grant is available the City will apply for the grant but the amount of funds available compared to the number of police officers in the country, it is possible the City will not see any of that money.

Council Member Murdock stated he is pleased the City is moving forward with body cameras and said that this initiative began before the incident in Ferguson. Mr. Murdock added that he would like to see a presentation discussing the training officers receive regarding issues such as immigration and anti-profiling.

Mayor Edmonds stated a lot of that information was given at the Public Safety Forum and asked if a truncated version of that presentation could be given to Council.

Chief DeGiusti responded he would be happy to provide Council with that presentation.

Council Member Robb asked why the proposed cameras are not equipped with night vision.

Chief DeGiusti responded the issue with enhanced video is it does not necessarily show what the officer saw and people would perceive that the officer would have seen everything on the video.

City Manager Lange stated the Police Department did an excellent job finding the funding for this program.

Chief DeGiusti had the following announcements; the Police Department will be holding a citizens academy this year; applications will be accepted until January 1st and the applications can be dropped off at the department Monday through Friday from 9 to 5 p.m. The academy will begin on January 15 at SPARK East from 6 to 8 p.m. The academy is eight weeks long and includes a ride along. If an individual has an increased interest in police work they may apply for the volunteer service core which is an additional eight weeks of training. Also, as a part of continuing community outreach, the department will be holding "Coffee with a cop" or "Coffee with the Chief" at the McDonald's at 16 Ecorse which will allow citizens to meet Ypsilanti police officers.

Mayor Pro-Tem Richardson thanked the Chief for providing these services and recommended that Council Members who have not taken part in the citizen's academy to do so.

Council Member Murdock stated January 1st is a holiday and applications are due that day.

Chief DeGiusti responded they are due by January 1st and can be turned in before.

Mayor Edmonds asked if the applications are available on-line.

Chief DeGiusti replied the applications are available only in hard copy but he will work with Assistant to the City Manager Savage to add the application to the website.

On a roll call, the vote to approve Resolution No. 2014-282 was as follows:

	Council Member Brown	Yes	Council Member Robb	Yes
	Council Member Murdock	Yes	Mayor Edmonds	Yes
	Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Absent
VOTE:				

YES: 5 NO: 0 ABSENT: 1 (Vogt) VOTE: Carried

2. Resolution No. 2014-283, approving cost of living adjustments for Non-Union employees.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, during the 2014 budget sessions, City Council removed funds for nonunion employee pay increases from the FY 2014-2015 and 2015-2016 budget; and

WHEREAS, staff was instructed to develop a plan for pay increases that was not based on merit, and included across the board pay increases; and

WHEREAS, City Council also suggested that staff evaluate wage parity among nonunion positions to determine whether pay increases would be warranted and justified within market; and

WHEREAS, staff spent several months conducting a study of comparable cities, and based on the findings it was concluded that a pay increase and/or bonus for nonunion employees is justified and would not place the City above the market trends; and

WHEREAS, nonunion employees have not received a cost of living pay increase since 2007, which places a significant burden on employees and hinders the City's talent recruitment efforts; and

WHEREAS, the City Manager has proposed:

- **A 2% cost of living pay increase be added to the base pay of all permanent, full time, nonunion employees**
- **A one-time \$1500 bonus be given to all permanent, full time, nonunion employees; and**
- **A one-time prorated bonus, based on the number of hours worked, be given to all permanent, part time, nonunion employees.**

NOW, THEREFORE, be it resolved that the Ypsilanti City Council approves a budget amendment to add \$48,944 to the FY 2014-2015 budget for nonunion cost of living pay increases and one-time bonuses.

OFFERED BY: Council Member Brown

SUPPORTED BY: Mayor Pro-Tem Richardson

City Manager Lange stated this item came up during the budget and Council directed staff to develop a plan for pay raises with consideration for eternal equity and treatment of employees. Mr. Lange said every full time non-union employee and the two part-time, non-union employees are incorporated into this plan and it is both equitable and fiscally responsible.

Mayor Pro-Tem Richardson motioned to remove the one time bonus and increase the pay increase from 2% to 3%.

Council Member Brown supported.

Council Member Robb asked if Mayor Pro-Tem Richardson would be willing to table this item until analysis has been completed for a 3% increase.

Mayor Pro-Tem Richardson answered she would be willing to table this item.

Council Member Robb asked that Mayor Pro-Tem Richardson remove her motion and move to table this item.

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Mayor Pro-Tem Richardson withdrew her motion.

Council Member Brown removed her support.

Mayor Pro-Tem Richardson moved to table this item until analysis can be completed regarding a 3% increase.

City Attorney Barr asked if the item would be tabled until the December 16th meeting.

Mayor Pro-Tem Richardson replied yes.

Council Member Brown supported.

Council Member Murdock stated the cost for a 3% increase for the remainder of the year would be roughly \$6,000 more than the proposed \$13,692.

City Manager Lange stated the reason why a one time bonus was selected over a 3% increase is because a raise based on a percentage of salary would benefit those on the top of the pay scale and a bonus is more equitable.

Council Member Murdock stated he does not support the proposed change for the reason that Mr. Lange stated. Mr. Murdock stated three people on this list received raises this year and asked is there a reason why they are scheduled to receive this raise also.

Mr. Lange responded those individuals received pay increases as a part of a promotion and it would dissuade earning a promotion if those employees did not receive this raise.

Council Member Murdock stated he is going to oppose tabling this item and will support the proposal as is. Also, in 2010 Council took a 5% pay cut and now may be the time to increase the salary to the level it was.

On a roll call, the vote to table Resolution No. 2014-283 was as follows:

	Council Member Brown	No	Council Member Robb	No
	Council Member Murdock	No	Mayor Edmonds	No
	Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Absent

VOTE:

YES: 1 NO: 4 (Robb, Brown, Murdock, Edmonds) ABSENT: 1 (Vogt) VOTE: Failed

Mayor Edmonds stated she has spoken with Mr. Lange about the balance of higher tier employees and the equity involved with a percentage increase and at this time the way the resolution is written is the most fair. Mayor Edmonds added she would like to see the increase eventually be around 3% to 4%.

Council Member Brown explained she supported the motion to table this item to hear more discussion and feels that the resolution is sufficient as it stands.

Council Member Murdock moved to restore the Mayor and Council to 1996 salary levels.

City Attorney Barr asked Mr. Lange if he understood the amendment.

Mr. Lange replied yes, and suggested the amendment read "not to exceed \$5,000".

On a roll call, the vote **to amend** Resolution No. 2014-283 was as follows:

Council Member Brown	Yes	Council Member Robb	No
Council Member Murdock	No	Mayor Edmonds	No
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Absent

VOTE:

YES: 2 NO: 3 (Robb, Edmonds, Murdock) ABSENT: 1 (Vogt) VOTE: Failed

Mayor Pro-Tem Richardson asked why the two members of Council voted no and said the amendment would only restore Council to levels from 1996.

Mayor Edmonds responded she would be in support of the increase but feels that staff should be brought to the levels of pay shown in the comparison analysis first.

On a roll call, the vote to approve Resolution No. 2014-283 was as follows:

Council Member Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Absent

VOTE:

YES: 5 NO: 0 ABSENT: 1 (Vogt) VOTE: Carried

XIV. LIASON REPORTS –

- A. SEMCOG Update - None
- B. Washtenaw Area Transportation Study - None
- C. Washtenaw Metro Alliance - None
- D. Urban County – there is an update regarding the guidelines for community development block grants related to changes that came from HUD. There was also discussion of priority projects to allocate funds which will be decided in January.
- E. Freight House - None
- F. Parks and Recreation - None

XV. COUNCIL PROPOSED BUSINESS –

Richardson

- Asked what the proportion of African American police officers is compared to the population.
- Stated when the City contracted the company to handle worker's compensation the awarded company was the same company that wrote the Request for Proposal. The City Attorney said that it is not an illegal practice but it does seem unethical.
- Asked City Attorney Barr if Council was in violation of the charter by not having the goal setting meeting.

City Attorney Barr replied there is nothing in the charter stating when the goal setting meeting should be held.

Council Member Robb stated Council just needs to present the goals to the City Manager by February.

Mayor Pro-Tem Richardson stated in the past the meetings were held in either November or December.

Council Member Robb stated Council was postponing the goal settings meeting until the Ward 2 Council vacancy was filled.

- Stated the City should find a partner to assist in opening a warming center this winter.

Murdock

- Asked that the staff provide a report on how the City will handle snow removal enforcement this winter.
- Asked if the speed bumps that were removed on Holmes would be replaced in the spring

City Manager Lange responded yes.

Council Member Murdock asked that stop signs be placed on Holmes at Stanley and Hemphill.

- Asked if signs for pedestrian crosswalks be placed on Hamilton Street at the crosswalk across from Chidester.

Brown

- Asked what the status was for installing stop signs at Ferris and Middle.

City Manager Lange responded staff was working on it.

Robb

- Asked when the street lights on Washington would be replaced.

City Manager Lange responded DPS Director Kirton has been soliciting bids to remove the street lights and will follow-up with the progress.

XVI. COMMUNICATIONS FROM THE MAYOR –

- Stated she spoke with the Office of Community and Economic Development regarding a warming center and Mary Jo Callan provided with options and techniques of how to facilitate a warming center.
- Requested that Council have questions regarding the zoning ordinance to the planning department as soon as possible so that they have ample time to prepare.
- Asked what dates should the goal setting meetings be held.

City Manager Lange stated Executive Secretary Schuette would be able to handle that task.

- Asked Council how they would like to handle the interviews for the Ward 2 vacancy.

Council Member Brown responded each applicant should be asked the same questions, they should interview one at a time while the others wait outside of Council Chambers.

Mayor Edmonds asked what the length of the interviews should be.

Council Member Robb responded it depends on the questions asked.

Mayor Edmonds asked how the questions should be developed and if there was a consensus of asking each applicant the same questions.

Mayor Pro-Tem Richardson stated she feels that Council should ask the same questions to each applicant but would prefer to take some time to think about the questions and submit them to the Clerk by email.

Mayor Edmonds asked what happens if Council Members submit the same question.

Council Member Brown answered that would count as one question.

Mayor Edmonds stated there will be a maximum of 12 questions asked to each applicant but may be fewer. Mayor Edmonds asked if the Clerk should be given discretion.

City Clerk McMullan stated once the list is compiled it can be distributed to Council for review.

City Attorney Barr stated as format each Council Member will ask one question and rotate until all questions have been asked.

Mayor Pro-Tem Richardson said it does not seem likely that each candidate will be asked 12 questions; the list can be compiled and each Council member can choose a question from that list.

Council Member Brown suggested each Council Member choose one question to ask to each candidate and each Council Member can submit that question to the City Clerk.

Mayor Edmonds stated she prefers to keep the list at 12, it provides Council with the chance to think more regarding the interview.

Mayor Pro-Tem Richardson agreed with Mayor Edmonds that 12 would be a more appropriate amount of questions to ask.

Council Member Brown asked for clarification of the format.

Mayor Edmonds responded each Council Member will submit two questions to Clerk McMullan who will compile the list of questions, and that Council Members will choose one questions to ask each of the applicants.

Council Member Robb asked why Council would only ask each applicant six questions. When Council interviewed applicants for the City Manager, 18 questions were asked.

Mayor Pro-Tem Richardson asked Mr. Robb if he would prefer to ask more questions.

Council Member Robb responded each Council Member should ask two questions, and said it is unlikely that there will be a lot of repeat questions.

Mayor Edmonds stated if each applicant is asked 12 questions and each question takes one minute to answer, each interview should last around 20 minutes.

Council Member Robb responded each applicant should be given an hour, providing them ample time to answer questions the way they feel appropriate.

Council Member Murdock suggested interviews last 50 minutes to allow time in-between interviews.

Mayor Edmonds recommended no more than 30 minutes for each interview.

Mayor Pro-Tem Richardson stated she prefers Mr. Robb's suggestion of a 50 minute format.

Council Member Brown stated if Council allows 50 minutes for each applicant it does not necessarily mean each applicant will take all 50 minutes.

Mayor Edmonds suggested 40 minutes and stated that will allow more than enough time for each applicant.

Mayor Pro-Tem Richardson stated each interview does not need to last 50 minutes. However, Council should allow each applicant enough time to answer each question in the manner they see fit.

Council Member Robb stated each applicant has a 50 minute time limit and if it takes them 50 minutes to answer the first question that is all the time they will have.

Mayor Edmonds asked if each applicant is given 50 minutes does that mean that the applicants should not be scheduled because that could cause large gaps between interviews.

Council Member Robb answered Council will simply wait until the next interview begins.

Council Member Brown stated the interviews are subject to the Open Meetings Act so there may be audience members in attendance and she does not want those individuals to wait for long periods of time between interviews.

Mayor Pro-Tem Richardson responded citizens understand that this process takes time and if the interviews are scheduled from 6 p.m. to 9 p.m. then they should be prepared to be there for that time span.

Council Member Brown stated she was not referencing individuals not being prepared for the length of the meeting she was speaking toward there being large gaps of time without substance.

Mayor Edmonds stated she was in agreement with Council Member Brown.

Council Member Robb stated the third applicant to be interviewed will be present the entire time if each applicant is scheduled at the same time.

Mayor Pro-Tem Richardson replied the interviews held for the City Manager were all scheduled and suggested that Council follow the same format for the Council vacancy.

Mayor Edmonds suggested if Council allow each applicant 50 minutes per interview the first interview should be at 6 p.m., the second one at 6:45 p.m. and the third person at 7:30 p.m.

Council Member Robb asked that the meeting for the interviews begin at 7 p.m. instead of 6 p.m.

City Attorney Barr asked if the scheduled times would be at 7 p.m., 7:30 p.m., and 8 p.m.

Mayor Edmonds asked if the proposed format would require a resolution.

Mr. Barr responded no, but the Clerk does need direction in how to proceed. Mr. Barr stated it seems that each applicant will be asked the same questions and will wait until the end of their interview before sitting in on the remainder of the meeting.

Mayor Pro-Tem Richardson stated it was her understanding that applicants would not be able to sit in on the other interviews.

Mr. Barr stated the meeting is subject to the open meetings act so by law the applicants are allowed to attend, but Council can request that they do not.

Council Member Robb stated if the applicants are allowed to attend the interviews following theirs it may be seen as an act of intimidation.

Mayor Edmonds stated the first interview will begin at 7 p.m., the second at 7:30 p.m., and the third at 8 p.m. and asked Clerk McMullan if Monday morning would be a reasonable deadline for Council to submit questions for the interview.

Ms. McMullan replied Monday morning would allow enough time to compile a list of questions.

XVII. COMMUNICATIONS FROM THE CITY MANAGER –

- Thanked Council for their support of the pay adjustment for the non-union employees and the body cameras for the Police Department.
- Stated that the Police Department is working incredibly hard on community outreach.
- Reported he attended the Mentor to Youth event and thought that is was really worthwhile. Said he has been working with Director Anthony Williamson on a mini-program involving chess.
- The City is trying to continue COPAC, and it has been brought up that the Downtown dedicated police officer does not patrol minority businesses. Mr. Lange stated this didn't make sense because the Downtown dedicated officer patrol is based on the borders of the Downtown Development Authority Downtown District.

- Staff is very committed to community outreach.
- Stated the Border to Border Trail is extremely important to economic development. The City is investigating many different possibilities of lowering costs of this project.
- There is a mobile fire training unit grant team effort involving eight jurisdictions with requires only \$8,000 contribution from Ypsilanti.
- In response to the unsafe building at 16 Washington, the Building Manager Frank Daniels informed him that the City requires warrants to get into the building to see if it is compliance which they have recently received and will be moving forward.
- The new owners of the Smith Furniture building are continuously working to bring that building up to usable value.
- Asked Council to call a special meeting on Thursday, December 4 regarding pending litigation.

Council agreed to the call the special meeting on Thursday, December 4th at 7:30 a.m.

Mayor Edmonds asked Mr. Lange to provide Council with information as soon as possible so they have ample time to review before the meeting.

- Stated the staff is currently working to update the Brownfield Plan which will come before Council soon.

Council Member Murdock asked when Council will be reviewing the Brownfield Plan.

Mr. Lange replied at the December 16th meeting.

Council Member Murdock stated Council has not received a report regarding Water Street in a long time and asked when might that be presented.

Mayor Edmonds stated there are a lot of items on the 16th agenda and asked if the Brownfield Plan must come before Council on the 16th.

Mr. Lange answered yes.

Mayor Edmonds stated on the December 16th meeting Council will be making determinations on the zoning code, the Brownfield Plan, and the Ward 2 vacancy.

Mr. Lange stated the City already has a Brownfield Plan it just needs to be updated.

Mayor Edmonds asked that Council have the Brownfield information as soon as possible for review and asked that the Planning staff submit their memos to Council as soon as they are completed.

- The City is going to go through an aggressive clean-up of the City Hall building.

- The City will be putting some attention into the clean-up of Parkridge Center in the future.
- The City has received the streetlight rebates.

XVIII. AUDIENCE PARTICIPATION –

None

XIX. REMARKS FROM THE MAYOR –

- Stated staff has provided her with Council Goals from 1996 to the present and offered to share those with anyone interested.
- Reported she read Eastern Michigan’s strategic plan which is available on their website. She said it was interesting reading the section on community engagement and would be happy to pass that on to anyone who is interested.

XX. ADJOURNMENT -

Resolution No. 2014-284, adjourning the City Council meeting.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the City Council Meeting be adjourned, on call, by the Mayor or two (2) members of Council.

OFFERED BY: Mayor Pro-Tem Richardson

SUPPORTED BY: Council Member Brown

On a voice vote, the meeting adjourned at 9:37 p.m.



Draft

**CITY OF YPSILANTI
SPECIAL COUNCIL MEETING MINUTES
CITY HALL COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
MONDAY, DECEMBER 8, 2014
7:30 A.M.**

I. CALL TO ORDER –

The meeting was called to order at 7:35 p.m.

II. ROLL CALL –

Council Member Brown	Present	Council Member Robb	Present
Council Member Murdock	Present	Council Member Vogt	Present
Mayor Pro-Tem Richardson (7:37)	Present	Mayor Edmonds	Present

III. INVOCATION –

Mayor Edmonds asked all who are able to stand for a moment of silence.

IV. PLEDGE OF ALLEGIANCE –

"I pledge allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all."

V. AGENDA APPROVAL –

The agenda was approved as submitted.

VI. AUDIENCE PARTICIPATION –

None

VII. REMARKS BY THE MAYOR –

None

VIII. CLOSED SESSION –

Closed Session to discuss pending litigation. OMA 15.268(8)(e)

On a roll call, the vote to adjourn to closed session was as follows:

Council Member Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Council Member Vogt	Yes
Mayor Pro-Tem Richardson	Yes	Mayor Edmonds	Yes

The meeting adjourned to closed session at 7:36 p.m.

The open meeting reconvened at 8:40 a.m.

IX. AUDIENCE PARTICIPATION -

None

X. REMARKS FROM THE MAYOR -

None

XI. ADJOURNMENT –

Resolution No. 2014-285, adjourning the City Council meeting.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the City Council Meeting be adjourned, on call, by the Mayor or two (2) members of Council.

OFFERED BY: Council Member Brown

SUPPORTED BY: Mayor Pro-Tem Richardson

On a voice vote the motion carried and the meeting adjourned at 8:40 a.m.



DRAFT

**CITY OF YPSILANTI
SPECIAL COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS
ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, DECEMBER 9, 2014
7:00 P.M.**

I. CALL TO ORDER –

The meeting was called to order at 7:00 p.m.

II. ROLL CALL –

Council Member Brown	Present	Council Member Robb	Present
Council Member Murdock	Present	Council Member Vogt	Present
Mayor Pro-Tem Richardson	Present	Mayor Edmonds	Present

III. INVOCATION –

Mayor Edmonds asked all to stand for a moment of silence.

IV. PLEDGE OF ALLEGIANCE –

"I pledge allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all."

V. AUDIENCE PARTICIPATION –

1. Sean Stidd, 1122 Pearl St, stated he recommends Council select Beth Bashert for the Ward 2 Vacancy. Mr. Stidd said he has known Ms. Bashert for a number of years and knows her to be a strong advocate for Ypsilanti.
2. Kira Berman, 1122 Pearl St., stated she is here to recommend Council select Beth Bashert for the Council vacancy. Ms. Berman stated Ms. Bashert is a tireless worker for equity in Ypsilanti and a very level headed individual who considers things very carefully.

VI. REMARKS BY THE MAYOR –

- Thanked those who spoke during audience participation.
- Stated the interview process includes three applicants and each applicant will be allowed 30 to 40 minutes to answer questions from Council. Mayor Edmonds asked applicants to judge their answers appropriately to allow themselves time to answer each question. She added that at the end of the interviews there might be some deliberation from Council. If not, Council will discuss the next steps of this process.
- Informed the public, per the City Charter, Council must make its selection by the December 16th meeting.

VII. WARD 2 COUNCIL MEMBER INTERVIEWS -

Beth Bashert

Council Member Robb

1. Why didn't you file for the August election? What piqued your interest for public service since the filing deadline and Ms. Moeller's resignation?

Ms. Bashert stated sitting on City Council has been one of her personal goals. However, at this time she is very busy and mounting a campaign wasn't something that occurred to her. Ms. Bashert said she could have mounted an election but at this time it did not seem opportunistic. Ms. Bashert stated this situation is "low hanging fruit" and possibly an easy way for her to serve without having to do the work.

2. What policy changes would you support to improve the struggling manufacturing sector in Ypsilanti?

Ms. Bashert responded that she is not familiar enough with Ypsilanti's policy structure to answer that question. However, Ms. Bashert stated she does want to bring business and industry to the City but she is not sure if that is all the City needs to be successful.

Mayor Pro-Tem Richardson

3. What is your attitude about Water Street (something vs. waiting)?

Ms. Bashert responded she wants Water Street to be successful, but does not want to see perfect stand in the way of good enough. Ms. Bashert said she does not believe Ypsilanti needs to beg or give the property away to create interest in development. Ms. Bashert stated she is in support of subsidized housing and not entirely unhappy regarding the construction of the Dollar Store. Ms. Bashert stated Water Street should contain business that will cater to all citizens of Ypsilanti.

4. Thompson Block - will you be willing to wait or push for quick resolution?

Ms. Bashert responded she is not certain that there are any really good answers developed to date. The Thompson Block has been a headache for the City for years, but she stated she does not have enough information to provide a complete answer. Ms. Bashert said she has heard that several businesses have submitted letters of intent but whether or not that will materialize into actual businesses is yet to be seen. Ms. Bashert added the project cosmetically looks good and could move forward and she would love to see it vibrant as it would extend the footprint of Depot Town. Ms. Bashert concluded saying that it is not really an "either or" situation

Ms. Bashert added that there will be questions asked that she does not have all the information necessary to answer completely. Ms. Bashert stated she suspects that no matter who is selected the learning curve will be intense.

Mayor Edmonds

5. Talk about your experience developing, managing, analyzing, and cutting budgets; and how you would apply this experience to City Council decision making.

Ms. Bashert responded she has run a number of campaigns, formed organizations, and has been a fund organizer for a number of organizations and in those positions budgets are very important. Ms. Bashert stated she is very good at sticking to budgets and when she sets a budget she meets it. Ms. Bashert said

however, it is important to know a budget is not set in stone and line items can be altered. Ms. Bashert stated if situations change Council would need to adapt and she is not afraid to cut things or add revenue. Ms. Bashert said she is aware the City is facing budget constraints and she would rather not make decisions that would cause massive changes for little gain. Ms. Bashert stated she would rather look for sensible changes, as has been the City's strategy for some time. Ms. Bashert stated the first thing she does when she starts a campaign is write a budget and as every plan is executed the budget is examined, if you don't have money you can't spend it.

6. Where do you feel the city's opportunities are in economic development are (what sector, market, type of development, etc.) and why, and what would you do to support them?

Ms. Bashert responded there are two types of development the City needs; one is bringing more business and industry and the other is to grow the residential base. Ms. Bashert said in a City that develops almost all revenue exclusively on property tax this is crucial. Ms. Bashert stated she sees Michigan Ave. as having a lot of opportunity and new business are moving in and progress is being made, but there still are empty store fronts she would like to fill. Ms. Bashert stated she would like to fill the empty store fronts with local businesses to keep money in Ypsilanti. Ms. Bashert stated Ypsilanti is becoming a funky edgy town with a lot of art and culture and those are the type of businesses needed in downtown. Michigan has not had a lot of growth in the manufacturing sector, it has had some movement, but she is not sure where that would go in Ypsilanti. Ms. Bashert concluded saying downtown business development would be most interesting to her.

Council Member Brown

7. What do you anticipate being most challenging for you?

Ms. Bashert responded the learning curve of the process, the nuts and bolts of the budget and goals, and being able to participate fully. Ms. Bashert stated she is not afraid to ask questions, but she does not want to slow down the process. Ms. Bashert added it would not be hard to overcome, just that it would take some time.

8. What do you feel are the greatest barriers to effective policy making in the city right now?

Ms. Bashert answered she is not sure what barriers are effecting policy at the moment or if any exist. Ms. Bashert stated if there are; communication and looking at the bigger picture are the most useful tools. Ms. Bashert said sometimes people get caught in their own world, but being on Council means setting aside individual perspective and looking from the perspective of the City. Ms. Bashert said she feels she is a big picture person and so that mindset would be comfortable for her.

Council Member Vogt

9. Excluding economic development, what are your ideas for how the city can improve tax revenues and/or cut expenses? What would you do to support them?

Council Member Vogt stated he would like the applicant to respond to both question in a single answer rather than individually.

Ms. Bashert answered it is tricky being landlocked and having so much of the City involved in Non-profits and respects the economic development occurring especially regarding Water Street. Ms. Bashert said increasing our population would create higher levels of tax revenue not restricted in the way her taxes are as a 20 year resident. Ms. Bashert said if business is increased higher tax revenue will be achieved and the addition of loft apartments in the Downtown will result in higher revenues. Ms. Bashert stated

cuts in spending are very tricky and the City has made significant cuts and the suggestions she has are minimal, such as; changing to every other week trash pick-up, going to fee based for some of the services. Ms. Bashert said that in the anti-tax environment the country is in currently, fees are taking on bigger roles. Ms. Bashert stated she was in support of the proposed income tax, which was voted down so new ideas need to be created in order to solve the problem.

10. Excluding economic development, what are the 3 main areas that you feel the city must address to resolve its long term budgetary shortages?

Ms. Bashert responded one is image; she is incredibly proud of Ypsilanti and does not believe the image that it has is accurate. Ms. Bashert stated safety is becoming an issue and it is becoming more acute than in the past. Ms. Bashert stated she lives in a safe neighborhood but over the past few years that perception has changed and that affects the image. Ms. Bashert said the third issue of economic development is regarding the Downtown she would like to see Michigan Ave. full of businesses that are open six days a week. The improved walkability of the Downtown has helped and now the Downtown needs more destination businesses.

Council Member Murdock

11. What skills or perspective do you bring to city council that is new or complementary—or even contrary—to what we already have?

Ms. Bashert responded she brings humor and optimism. Ms. Bashert said she is in car sales and you have to be optimistic to sell cars. Ms. Bashert stated she possess the ability to hear areas of commonality, even when they are disagreeing, and when there is an area of commonality there is something to build upon.

12. Describe your approach to problem solving and working as a team on Council, especially with contentious issues.

Ms. Bashert responded she is incredibly pragmatic. Ms. Bashert stated she is not invested in perfect, although she likes to see it when possible, but she is okay with good enough. Ms. Bashert said she is willing to work hard to get above “good enough” and willing to put conflict aside to solve problems. Ms. Bashert stated she has very clear boundaries, meaning one issue is one issue and bring clarity to those issues.

Mayor Edmonds informed those in the audience that the candidates were asked to not be in chambers during the interviews of the other candidates.

Gail Wolkoff

Mayor Edmonds informed Ms. Wolkoff that the interview includes 12 questions with each Council Member asking two. Mayor Edmonds stated that each applicant will be asked the same questions.

Council Member Brown

1. What do you anticipate being most challenging for you?

Ms. Wolkoff answered learning, listening, and watching what the community wants and needs compared to what is possible. Also, balancing what she does know and what she doesn’t, and learning how her skill set can be used to accomplish City goals.

2. What do you feel are the greatest barriers to effective policy making in the city right now?

Ms. Wolkoff responded having all the voices at the table; listening to what the Community needs and balancing that with what can be done. Ms. Wolkoff suggested if the Community is having problems getting to Council meetings than Council meetings could be held throughout the City. Ms. Wolkoff stated Council should take the initiative to ensure that the Community be heard.

Council Member Vogt

3. Excluding economic development, what are your ideas for how the city can improve tax revenues and/or cut expenses? What would you do to support them?
4. Excluding economic development, what are the 3 main areas that you feel the city must address to resolve its long term budgetary shortages?

Ms. Wolkoff responded Ypsilanti is filled with incredibly talented individuals and Council should understand how to tap into that human capital. Ms. Wolkoff stated regarding three main areas to address to resolve budgetary shortages are; the City needs to entice people to stay in Ypsilanti, get people to want to educate their children in Ypsilanti, and keep their children here by any cost, because if people chose schools for their children outside of Ypsilanti they are more likely to shop outside of Ypsilanti. Ms. Wolkoff stated if the education system is repaired, and she realizes City Council doesn't have jurisdiction over the school system, but those jurisdictions need to combine efforts to solve this problem. Ms. Wolkoff stated the second issue that needs to be addressed is Ypsilanti needs more community activities that will draw more people to the City; this will help to create more business. Ms. Wolkoff said third, she would like to remove the imaginary boundaries and repair the disjointedness of the community. All of those items would add to the budget and no cuts would be necessary.

Council Member Murdock

5. What skills or perspectives do you bring to City Council that are new or complementary—or even contrary—to what we already have?

Ms. Wolkoff responded she has a sense of humor, she listens well, and she is connected with a lot of different communities, and that she is trusted in the community. Ms. Wolkoff stated she does not know the skill sets of the other Council Members and is not sure what she offers that isn't already present. Ms. Wolkoff stated she has lived here for a number of years, raised her family here, and is present in the community often speaking with citizens of Ypsilanti. Ms. Wolkoff stated she is a very divergent thinker and is a person who accomplishes things rather than a person who talks about accomplishing things.

6. Describe your approach to problem solving and working as a team on Council, especially with contentious issues.

Ms. Wolkoff responded she would use humor during contentious issues. Ms. Wolkoff stated she is able to detach herself from the emotional aspect of an issue in order to understand a person's perspective and affirm what the person is saying to work toward coming to an understanding.

Council Member Robb

7. Why didn't you file for the August election? What piqued your interest for public service since the filing deadline and Ms. Moeller's resignation?

Ms. Wolkoff answered serving on Council is something she has been thinking about and once she heard Ms. Moeller was stepping down she thought about it more seriously. Ms. Wolkoff said she put herself in Ms. Moeller shoes and the hard decision of balancing her life and being the child of elderly people.

8. What policy changes would you support to improve the struggling manufacturing sector in Ypsilanti?

Ms. Wolkoff responded due to lack of information she is unable to answer the question at this time.

Mayor Pro-Tem Richardson

9. What is your attitude about Water Street (something vs. waiting)?

Ms. Wolkoff responded something needs to happen soon the City needs that problem solved in order to move forward.

10. Thompson Block - will you be willing to wait or push for quick resolution?

Ms. Wolkoff replied quick is never good, but a resolution does need to happen because it is a blemish on the City. Also, the location of the Thompson Block in Depot Town has the ability to draw many different types of people to the district.

Mayor Edmonds

11. Talk about your experience developing, managing, analyzing, and cutting budgets; and how you would apply this experience to City Council decision making.

Ms. Wolkoff replied personally she has not had that experience, however, budget cuts put people on a defense and when something is cut it creates a hole. Ms. Wolkoff stated her skill of facilitating connections between individuals in the City can be useful to solve these problems. Ms. Wolkoff concluded if there is a cut the next question is how it is going to be filled.

12. Where do you feel the city's opportunities are in economic development are (what sector, market, type of development, etc.) and why, and what would you do to support them?

Ms. Wolkoff replied the City has a plethora of opportunity for economic development; currently the City is very dependent on car transportation and alternative transportation could be examined. Ms. Wolkoff stated the City needs to examine what the 20 to 30 year old demographic wants in a City and adapt Ypsilanti to fit that mold.

Anne Brown

Council Member Murdock

1. What skills or perspective do you bring to City Council that are new or complementary—or even contrary—to what we already have?

Ms. Brown answered she brings a wealth of knowledge regarding public policy, implementation of that policy, and writing of that policy. Ms. Brown stated she has knowledge of the constituency and the community, having lived in Ward 2 for 14 years and in Ypsilanti for 30 years. Ms. Brown stated skills that she possesses that are complementary to Council are; consensus and coalition builder and she is an independent thinker, which helps her to assess situations. Ms. Brown explained her job involves reviewing policies and working with constituents to access that policy.

2. Describe your approach to problem solving and working as a team on Council, especially with contentious issues.

Ms. Brown responded she performs that on a daily basis as District Manager for State Representative Rutledge, a policy position. Ms. Brown stated as an independent citizen she would assess a situation and discover needed steps, resources, and partners to find the solution. Ms. Brown stated the steps of the solution need to be prioritized, and to do that conversation between all the stakeholders is necessary to negotiate the steps of that process.

Council Member Robb

3. Why didn't you file for the August election? What piqued your interest for public service since the filing deadline and Ms. Moeller's resignation?

Ms. Brown replied she did not want to challenge her Ward 2 colleague and at that time she was involved in an election for Representative Rutledge. Ms. Brown stated it is her practice to set goals for herself and one goal was to run for election in 2016. Ms. Brown explained by that time her daughter would be out of high school and she would have more time to devote to a campaign.

4. What policy changes would you support to improve the struggling manufacturing sector in Ypsilanti?

Ms. Brown responded one of the things she looked at over the last year is full inclusion and that is making sure every sector has access to economic opportunities. Ms. Brown said one business type increasing in Ypsilanti is small manufacturing and policies need to be in place to support that. Ms. Brown added this will help the City increase revenue but the City must not overtax keeping business owners from earning enough to support their business.

Mayor Pro-Tem Richardson

5. What is your attitude about Water Street (something vs. waiting)?

Ms. Brown responded as a long term resident it is distressing seeing Water Street sit vacant. Ms. Brown stated she knows there is a lot of contention surrounding the Family Dollar and what people consider affordable housing. Ms. Brown stated that she feels the City should not wait; Ypsilanti has to understand what the base population is, what their income level is, and who the users of the Family Dollar would be and she feels Ypsilanti fits that demographic. Ms. Brown said she understands people's concern with overabundance of affordable housing, but having the opportunity to talk with the developer and review the process and materials she was persuaded it was a good project. Ms. Brown said the City needs to go ahead and use that land and reduce the tax burden on the City.

6. Thompson Block - will you be willing to wait or push for quick resolution?

Ms. Brown responded the City needs a quick resolution and take the necessary steps as a Council Member to make those decisions and stand by those decisions for the best interest of the citizens. Ms. Brown stated she is of the mindset that when the data points indicate how something will benefit the City and the residents Council should act. Ms. Brown said Council needs to move forward, once you head down a direction you need to continue on that path.

Mayor Edmonds

7. Talk about your experience developing, managing, analyzing, and cutting budgets; and how you would apply this experience to City Council decision making.

Ms. Brown replied at one time she was the executive director of a non-profit and at that position she was responsible for developing and implementing a budget. Ms. Brown stated the non-profit was a hybrid including the City of Detroit, the non-profit's budget was \$6.2 million and the City's budget was about \$15 million. Ms. Brown stated this fits with the City Council position because she knows how to develop and understand a budget.

8. Where do you feel the city's opportunities are in economic development (what sector, market, type of development, etc.) and why, and what would you do to support them?

Ms. Brown responded operating with the mindset of full inclusion. Ms. Brown stated the City needs to tap into the EMU School of Business ideas generated by graduates, and utilize SPARK East to facilitate economic development. Ms. Brown said when she says full inclusion she means any business. Ms. Brown said the City needs to support businesses even if it means providing office space for a few months. Ms. Brown stated the things that concern her is that when students graduate there is nothing for them in Ypsilanti that will support their ideas for businesses.

Council Member Brown

9. What do you anticipate being most challenging for you?

Ms. Brown replied she is a patient person and does not see what would be a challenge for her other than getting into the flow of being a Council Member. Ms. Brown stated she has always been a behind the scenes person, working to make sure that the process and practices are in place and this would be a role reversal for her as she is not used to being out front.

10. What do you feel are the greatest barriers to effective policy making in the city right now?

Ms. Brown replied that it may be communication issues with residents and Council itself.

Council Member Vogt

11. Excluding economic development, what are your ideas for how the city can improve tax revenues and/or cut expenses? What would you do to support them?
12. Excluding economic development, what are the 3 main areas that you feel the city must address to resolve its long term budgetary shortages?

Ms. Brown answered one thing is that such a high amount of tax revenue comes from rental properties and that is something that needs to be restructured. Ms. Brown stated the three areas to resolve budgetary shortages would be; restructuring tax code on rental properties, a contract for computer/technology, and restructuring the budget in terms of line-items.

VII. AUDIENCE PARTICIPATION –

1. Andrew Fanta, 1221 West Moorland Blvd, stated he would be proud to have any of the three applicants as a Council Member for Ward 2. Mr. Fanta stated he ranked the applicants in this order; Beth Bashert, Ann Brown, then Gail Wolkoff. Mr. Fanta liked Ms. Bashert's concern for image and has felt for years that the promotion of the City should be a greater concern. Mr. Fanta stated he thinks Ms. Bashert is an

eternal optimist, pragmatic and that she would bring clarity to the discussion. He liked Anne Brown a great deal; however, he is worried about how her skill set would mesh with Council. Mr. Fanta stated he liked her comments regarding moving the Thompson Block forward. Mr. Fanta stated he liked Ms. Wolkoff and thought she has strengths but overall she did not get down to the questions Council would face.

2. Ricky Jefferson, 113 Devonshire Ypsilanti Township, stated he was pleased how the process went and felt that Council asked very good questions. Mr. Jefferson asked if the applicants had the opportunity to address Council on a one-on-one basis.
3. Jamie Berlin, 21 N. Normal, echoed the comments of Mr. Fanta.

VIII. REMARKS BY THE MAYOR –

- Addressed Mr. Jefferson's question stating candidate have chosen individually if they want to reach out to Council via phone and she that she has spoken with two candidates. Mayor Edmonds stated Council has had time to review each candidate's applications, which are also available on the City's website.

IX. COUNCIL DISCUSSION –

Mayor Edmonds asked Council for suggestions for next steps in the decision making process.

Council Member Murdock responded to put it at the front of the December 16th agenda along with a resolution and discuss it.

Mayor Edmonds asked how Mr. Murdock suggests Council make the final selection.

Council Member Murdock responded the resolution will be blank and the Council Member who reads the resolution will fill in the blank following the protocol for selecting Mayor Pro-Tem and we discuss while the resolution is on the floor.

Mayor Edmonds stated many communities across the country use a ranking system for appointed candidates. Mayor Edmonds asked if Council would prefer a resolution and then discuss the pros and cons of each applicant.

Council Member Vogt responded that since Council is down to three applicants a simpler process will work and whoever is nominated, in the manner Mr. Murdock suggested, is just the nominal nomination if there are still thoughts of other applicants that will be a part of the consideration. Mr. Vogt stated he is in support of Mr. Murdock's proposal.

Mayor Pro-Tem Richardson stated she is thinking about the hiring of the City Manager and how each Council Member listed their choice.

Council Member Robb stated Council did not list a choice for City Manager. Mr. Robb stated Council will discuss this with one another and will know who the selected applicant will be, that is how the City Manager was selected.

Mayor Edmonds asked Clerk McMullan for clarification.

City Clerk McMullan responded the candidates were given a number and Council decided who would be interviewed for a second time, and then a motion to approve selection was made.

Council Member Robb stated in an ideal world hopefully each Council Member will know who has the best chance of being selected and there will be a unanimous vote. He added he would hate to see the candidate selected have anyone vote against them.

Mayor Pro-Tem Richardson stated she does not particularly like that option stating that it is forcing Council to choose someone they may not support.

Council Member Murdock responded that they can offer an amendment to the resolution.

Council Member Vogt stated he thinks Mr. Robb's point is that after discussion the obvious will become obvious.

Council Member Brown asked what happens if in those conversations the obvious does not become obvious then Council Members may vote against a certain individual.

Council Member Murdock stated then the obvious is not obvious.

City Attorney Barr stated Council can discuss this individually but Council can't caucus to make a decision, it must be done in open session.

Mayor Edmonds asked what level of conversation should be in public.

Council Member Murdock stated pretty much all of Council knows the three applicants to some degree and each Council Member may have a preference as of today, so what you are considering transparency is really a sham, this matter should just be put up for a vote and six of us will decide who will fill the vacancy.

Council Member Robb stated that on any given issue there may not be discussion, how you act at the Council table is how constituents will judge your performance and he does not think this issue is different than any other issue brought before Council. Mr. Robb stated he thinks all three applicants are wonderful and is excited to review his notes.

Mayor Edmond asked if Council is comfortable with voting on a resolution and if the resolution fails discuss another resolution with another name.

Mayor Pro-Tem Richardson stated she is not comfortable with the idea of discussing people openly.

Council Member Vogt stated Council does not have to have any further conversation, this is a political choice and more discussion is not required.

Mayor Pro-Tem Richardson stated according to Mr. Murdock there will be a discussion.

Council Member Murdock stated Council can choose to have discussion, but are not required.

Mayor Pro-Tem Richardson asked Mr. Vogt if Council should speak to each other one on one before the decision.

Council Member Vogt responded either way Council should discuss this one on one before the decision is made, whether there is further public discussion or not.

Mayor Edmonds stated as a part of the parliamentary process, if a motion is made and supported discussion can happen to the extent needed.

Council Member Robb stated this procedure is similar to that of nominating Council Members as liaisons and that procedure is to use blank resolutions.

Council Member Brown stated she is not fully comfortable with the procedure but it does make sense.

Mayor Pro-Tem Richardson stated the resolution system as described will be uncomfortable but sufficient.

Mayor Edmonds invited citizens to read the minutes and inform Council on their opinions.

Council Member Murdock stated whoever wants to speak again may during audience participation.

XI. ADJOURNMENT –

Council Member Vogt moved, supported by Council Member Brown, to adjourn the meeting.

On a voice vote, the motion passed and the meeting adjourned at 8:42 p.m.



Resolution No. 2014 – 287
December 16, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That _____ be appointed as Ward 2 Council
Member, term ending November 2016.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



REQUEST FOR LEGISLATION

December 15, 2014

FROM: Bonnie Wessler, Temporary Planner II

SUBJECT: Water Street Brownfield Plan Adoption

SUMMARY & BACKGROUND:

It is requested that the City Council agenda for December 16, 2014 include consideration of a resolution adopting a Brownfield Plan for the Water Street Redevelopment Area. This plan will replace the previous 2006 Water Street brownfield plan. The new plan will include the new street framework, infrastructure plan and lot layout incorporated and adopted by the City of Ypsilanti as part of the Shape Ypsilanti 2013 Master Plan. The updated plan needs to be adopted before the new 2015 assessment role is established in late March 2015 in order to capture the tax increment revenues from the Family Dollar development, estimated at \$21,735.

The Water Street Brownfield Plan, which has been drafted and prepared in accordance with Public Act 381 of 1996, provides the basis for the capture and utilization of tax increment revenues to fund work for the redevelopment of the Water Street project area. Specifically, this document provides for "eligible activities" including environmental assessment, demolition, environmental remediation, site preparation and infrastructure support to encourage the redevelopment of Facilities (i.e., environmentally contaminated) and functionally obsolete properties in the Water Street project area.

The Brownfield Plan enables this work to be funded through tax increment revenues. Tax increment revenues are generated for a project after the identification of a base value, in this case the current taxable value of properties in the Water Street project area. As redevelopment occurs, the taxable value will increase, and those taxes captured on the difference between the base value and the new redeveloped value will be utilized to financially support the work. This is for a maximum of 30 years, or 5 years after any debt obligation is paid off, whichever comes first. The additional 5 years would be for the possible collection of additional revenues to contribute to the county-wide local site revolving loan fund to support future brownfield projects.

It is anticipated that tax increment revenues captured by this plan will be used to reimburse developers for eligible activities. The brownfield plan allows for all available local and state tax increment revenues to go to reimburse eligible activities on a taxable value up to \$1,930,758, with only state tax increment revenues being available once the taxable value exceeds \$1,930,758. The Downtown Development Authority will capture all the local taxes (except the Intermediate School District) on taxes generated above the \$1,930,758 taxable value. The DDA tax increment revenues are committed to pay the City's bond obligations for previous work funded by the City on the Water Street Redevelopment Area.

If the attached Brownfield Plan is adopted, the next phase of this process would consist of the review and approval by the Washtenaw County Brownfield Redevelopment Authority, and then finally by the Washtenaw County Board of Commissioners.

Please feel free to contact Nathan Voght at Washtenaw County Office of Community & Economic Development at (734)544-3055 or by email at voghtn@ewashtenaw.org if you would like additional information on the Brownfield Plan in advance of the scheduled meeting.

RECOMMENDED ACTION:

It is recommended that the City Council adopt the resolution as proposed.

ATTACHMENTS: Resolution of determination regarding the Brownfield Plan
 Water Street Brownfield Plan

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2014-294
December 16, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Washtenaw County established the Washtenaw County Brownfield Development Authority (WCBRA) in accordance with the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act") to encourage redevelopment of contaminated, functionally obsolete or blighted property by providing economic incentives; and

WHEREAS, the property located at 1-216 E. Michigan Avenue (the "Property") was previously utilized as a commercial property; is located within the City of Ypsilanti, a qualified local governmental unit, or "Core Community" under Act 381; one of the parcels comprised by the subject property has been determined to be a "facility;" and the remaining parcel is adjacent and contiguous to the parcel determined to be a "facility., thus the property is considered to be an eligible property as defined in the Act; and

WHEREAS, a previous plan was adopted in 2006 between the City of Ypsilanti and the Washtenaw County Brownfield Authority; and

WHEREAS, The new Brownfield Plan for the Water Street Redevelopment Area (the "Plan") has been created to facilitate the redevelopment of the Property in accordance with the street framework, infrastructure plan and lot layout incorporated and adopted by the City of Ypsilanti as part of the Shape Ypsilanti 2013 Master Plan;

WHEREAS, The Brownfield Plan for the Water Street Development Area (the "Plan") has been created to facilitate the redevelopment of the Property of approximately 38 acres for an overall increased taxable value estimated at \$41.816 million over 30 years;

WHEREAS, the Plan will allow reimbursement of up to \$22,874,634 in eligible activities to assist in the redevelopment;

WHEREAS, the Plan must be approved by the City of Ypsilanti, before the WCBRA and Washtenaw County Board of Commissioners will consider the plan for approval; and

WHEREAS, neither Washtenaw County nor the Washtenaw County Brownfield Redevelopment Authority will incur a financial note or bonded indebtedness for any eligible expenses related to this Property ;

NOW THEREFORE BE IT RESOLVED, That the Ypsilanti City Council approve The 2014 Brownfield Plan for Water Street Development Area for the property located at 1-216 E. Michigan Avenue, in accordance with Act 381, and as authorized by the Washtenaw County Brownfield Redevelopment Authority and Washtenaw County Board of Commissioners.

AND MAY IT FURTHER BE RESOLVED, That the City of Ypsilanti recommends termination of the 2006 Water Street Development Area Brownfield Plan, contingent on final approval of this Plan by the Washtenaw County Board of Commissioners.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



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William F. Anhut ~ Of Counsel – Retired
Jennifer A. Healy ~ Legal Assistant

MEMORANDUM

TO: Mayor Edmonds and Members of City Council

FROM: John M. Barr, Ypsilanti City Attorney

DATE: December 12, 2014

SUBJECT: Conveyance of 130 S. Grove Street

At Tuesday's meeting, City Council considered the conveyance of this parcel, which is adjacent to Hollow Creek, to the Strong Future LDHA Limited Partnership as part of the plan to perform rehabilitation work on all existing city-owned public housing except Parkridge (which is planned as a similar project, but separate from "Strong Future"). This conveyance, along with 928 W. Michigan Avenue, was approved on first reading at this meeting. However, there were two items in particular that Council wanted addressed concerning this parcel in particular.

The first concern was whether or not this conveyance would interfere with the planned Border 2 Border Trail running along the Huron River. As Mr. DuChene explained at the meeting, my office had previously discussed the matter with the Planning Department and that we were not informed of any conflict but would talk to them again to be sure. This has been completed and there is no such conflict. Please find an email from Bonnie Wessler attached, together with a map and sketch of the project area.

The second concern was whether this conveyance was compliant with Section 11.03 of the City Charter. This provision of the City Charter was discussed relative to the Michigan Avenue parcel in the original RFP, but not relating to the Grove Street parcel. It is my opinion that the proposed conveyance of this parcel is not the sale or disposition of protected land under the City Charter. There are two reasons for this opinion. The first is the reservation of an easement for all land within 30 feet of the Huron River and its banks. Particularly, this easement preserves the character and use of the land adjacent to the Huron River. The second reason is this parcel was acquired by the City after protected lands were designated under the Charter.

cc: City Manager

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1236\1- Memo for second reading of S Grove conveyance 120414.doc



However, to address Council's concerns the ordinance has been revised to provide that the parcel is not to be deeded to the LDHA until after February 1, 2015. This provides at least 60 days between the public hearing held on Tuesday and the ultimate conveyance of the parcel, which is well beyond the 45 days that would otherwise be required under this section of the Charter.



Resolution No. 2014-288
December 16, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "An ordinance to sell city-owned property to Strong Future LDHA Limited Partnership" be approved on Second and Final Reading.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

City of Ypsilanti
Ordinance No. 1236

An Ordinance to Convey Two City-owned Parcels to Strong Future LDHA Limited Partnership

WHEREAS on February 4, 2014, City Council for the City of Ypsilanti adopted Ordinance No. 2014-1210, which authorized the Mayor and City clerk to enter into an Option to Purchase Land Agreement with Strong Future LDHA Limited Partnership; and

WHEREAS the purpose of this Option to Purchase was to show site control by the limited partnership in order that their application for tax credits from the Michigan State Housing Development Authority be approved;

WHEREAS the Option to Purchase was contingent upon on the approval of this application; and

WHEREAS the application was so approved and the limited partnership has submitted site plans to redevelop or rehabilitate the various parcels throughout the City; and

WHEREAS these site plans anticipate the construction of two new buildings for the purposes of housing management and social services in addition to other purposes; and

WHEREAS in order to construct these two new buildings, the limited partnership requires two additional parcels that are currently owned by the City; and

WHEREAS the first parcel is adjacent to Paradise Manor, currently under the control of the Ypsilanti Housing Commission, and is operated as Ometha Smith Memorial Park (928 W. Michigan Avenue, Parcel ID #11-11-39-145-030); and

WHEREAS the second parcel is adjacent to Hollow Creek, undeveloped, and unused (130 S. Grove Street, Parcel ID #11-11-09-170-024); and

WHEREAS the City anticipates conveying these parcels to the limited partnership at the time of closing for the properties that are under the Option to Purchase; and

WHEREAS the City, in its 2012 Master Plan has defined its guiding values to include, "Anyone, no matter what age or income, can find a place to call home in Ypsilanti: Housing options should match the needs of the people. Those needs will change as residents age and move. The need for safe, quality, affordable homes for all should be factored into decisions;" and

WHEREAS the City desires to sell such properties to further these goals;

NOW THEREFORE:

1. THE CITY OF YPSILANTI ORDAINS: The Mayor and City Clerk are authorized to execute the attached quitclaim deeds to convey the above-identified properties to Strong Future LDHA Limited Partnership.

2. THE CITY OF YPSILANTI FURTHER ORDAINS: The attached quitclaim deeds are to be so executed at the closing of the properties described in the option to purchase land approved by City Council on February 4, 2014 by Ordinance No. 2014-1210 or, in any event, no earlier than February 1, 2015.

3. Copies to be available. Copies of the Ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours.

4. Publication and Effective Date. The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published by printing the same in the Ypsilanti Courier. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS _____ DAY OF _____, 2014.

Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. _____ was published in *Washtenaw Now* on the _____ day of _____, 2014.

Frances McMullan, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the _____ day of _____, 2014.

Frances McMullan, City Clerk

Notice Published: November 20, 2014

First Reading: December 2, 2014

Second Reading: December 16, 2014

Published: _____

Effective Date: _____

Dan Duchene

From: Bonnie Wessler [wesslerb@cityofypsilanti.com]
Sent: Thursday, December 04, 2014 2:36 PM
To: Ralph Lange
Cc: Dan Duchene
Subject: Hollow Creek/YHC and the B2B trail
Attachments: Pages from WASP0059_Plan_Set.pdf; Bonnie_working.pdf
Mr Lange;

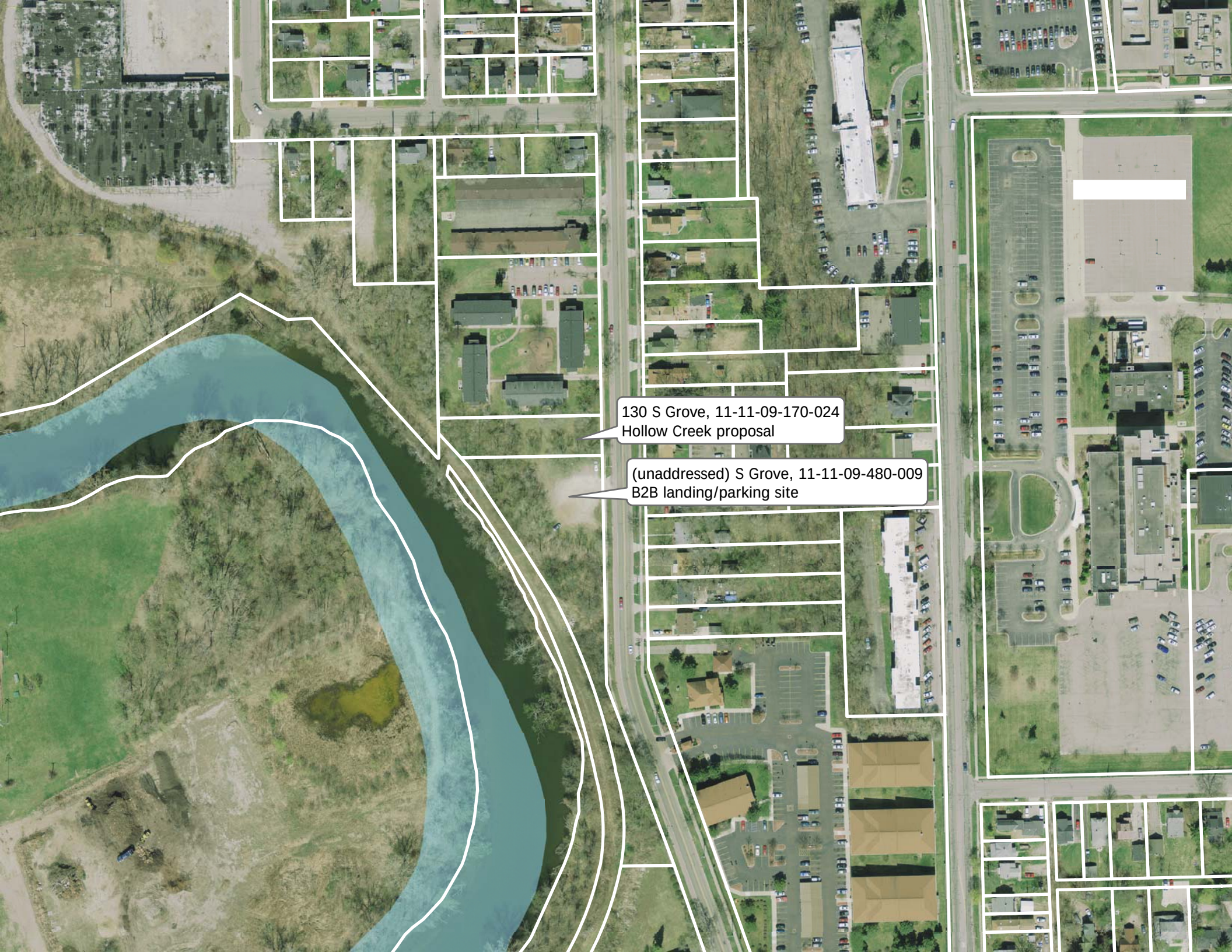
Dan asked me today to confirm that the border-to-border trail construction proposed on S Grove will be unaffected by the YHC transfer of 130 S Grove. That is indeed the case. 130 S Grove is to the north of the parking area. Please see the relevant page of the planset prepared by Mannik & Smith; property lines are shown. See also the map with property lines highlighted in white and the two parcels called out.

Please let me know if this answers your concerns.

Thanks,
Bonnie

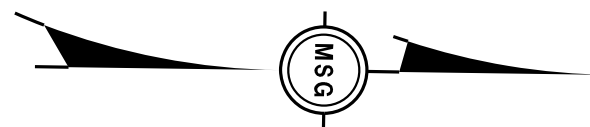
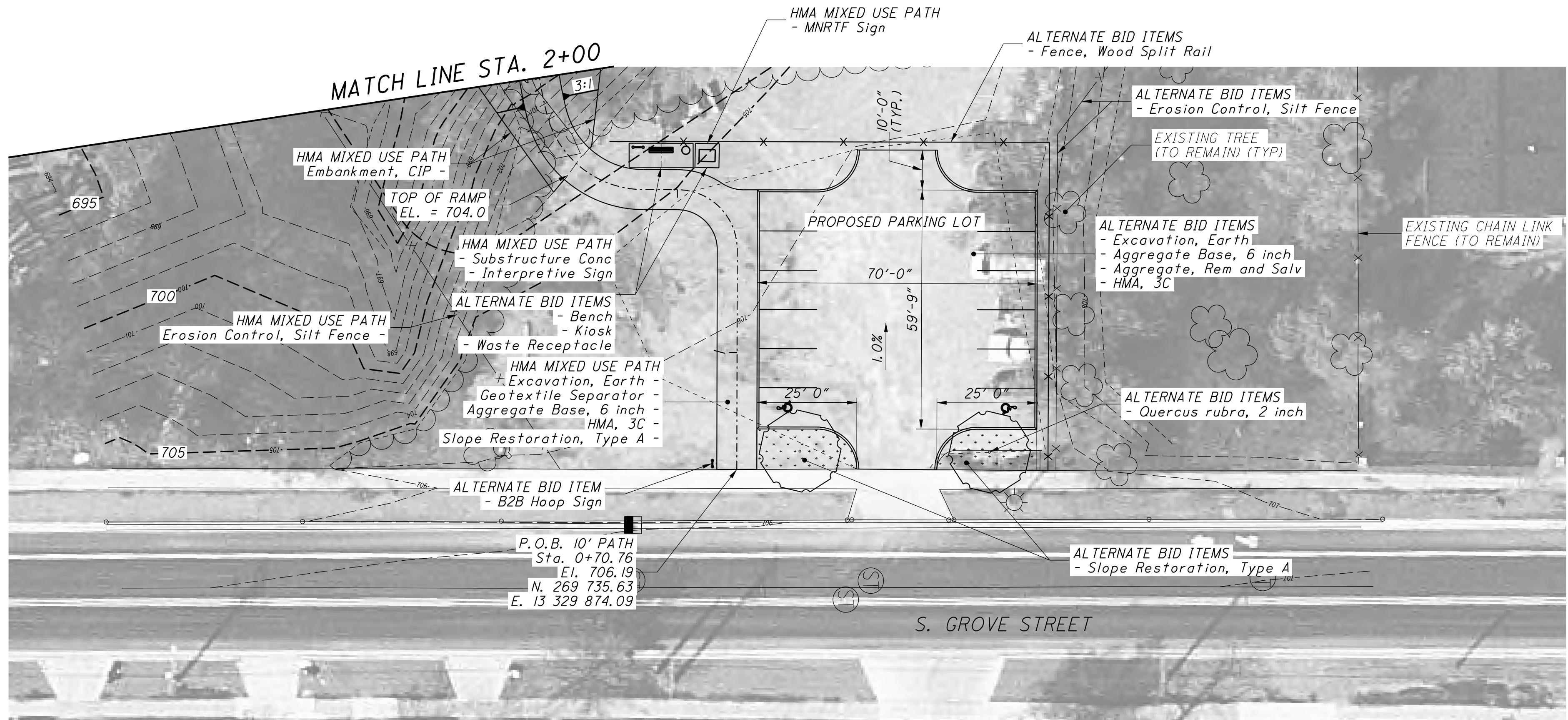
Bonnie Wessler
Community Development Division, City of Ypsilanti
734/483.9646 (office)
734/483.7260 (fax)
wesslerb@cityofypsilanti.com

12/4/2014

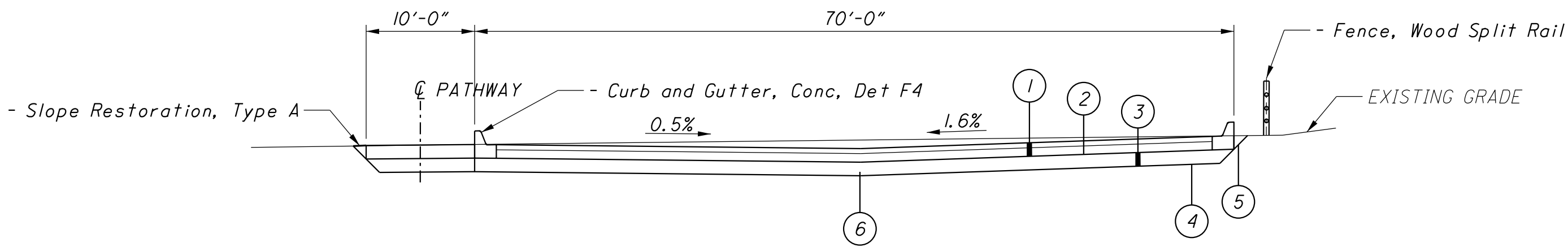
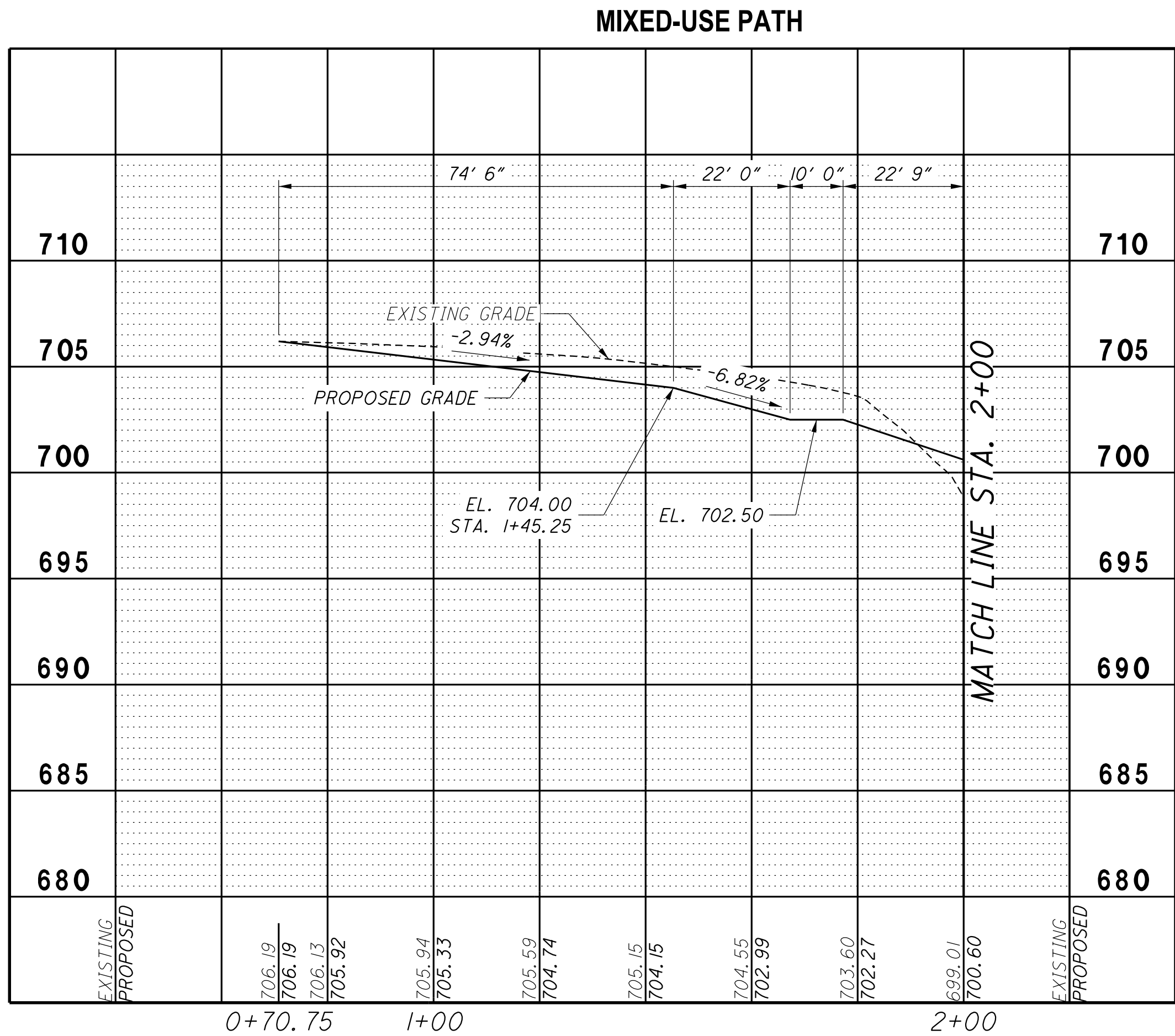


130 S Grove, 11-11-09-170-024
Hollow Creek proposal

(unaddressed) S Grove, 11-11-09-480-009
B2B landing/parking site



ESTIMATED QUANTITIES THIS SHEET			
ITEM CODE	QUANTITY	UNIT	DESCRIPTION
PART B1 (TF12-120) - PATHWAY SOUTH OF MICHIGAN AVENUE & FISHING PIER #2			
2050010	25	Cyd	Embankment, CIP
2050016	23	Cyd	Excavation, Earth
2080036	150	Ft	Erosion Control, Silt Fence
3020016	111	Syd	Aggregate Base, 6 inch
3080005	111	Syd	Geotextile, Separator
5010031	24	Ton	HMA, 3C
7060100	2	Cyd	Substructure Conc
8157050	1	Ea	MNRTF Sign
8157050	1	Ea	Interpretive Sign
8160100	67	Syd	Slope Restoration, Type A
PART B2 - ALTERNATE BID ITEMS			
2050016	173	Cyd	Excavation, Earth
2080036	105	Ft	Erosion Control, Silt Fence
3020016	519	Syd	Aggregate Base, 6 inch
3057011	732	Syd	Aggregate, Rem and Salv
5010031	170	Ton	HMA, 3C
8020038	244	Ft	Curb and Gutter, Conc, Det F4
8087001	192	Ft	Fence, Wood Split Rail
8153126	2	Ea	Quercus rubra, 2 inch
8157050	1	Ea	B2B Hoop Sign
8157050	1	Ea	Bench
8157050	1	Ea	Kiosk
8157050	1	Ea	Waste Receptacle
8160100	51	Syd	Slope Restoration, Type A



PARKING LOT DETAIL

- 1 MDOT ITEM 501 2 LIFTS 2 1/4" & 3 3/4" HMA, 3C
- 2 MDOT ITEM 501 BITUMINOUS PRIME COAT (0.35 GAL./SQ. YD.)
- 3 MDOT ITEM 302 6" STONE AGGREGATE BASE, 21AA OR SALVAGED AGGREGATE (2 EQUAL LAYERS)
- 4 MDOT ITEM 205 SUBGRADE COMPACTION
- 5 MDOT ITEM 205 EXCAVATION
- 6 REMOVE, SALVAGE AND RE-USE EXISTING AGGREGATE



**Barr,
Anhut &
Associates, P.C.**
ATTORNEYS AT LAW

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John M. Barr
Karl A. Barr
Daniel J. DuChene

Jesse O'Jack ~ Of Counsel
William F. Anhut ~ Of Counsel – Retired
Jane A. Slider ~ Legal Assistant

REQUEST FOR LEGISLATION

DATE: December 12, 2014

FROM: John M. Barr, Ypsilanti City Attorney

SUBJECT: METRO Act Application – KEPS Technologies, Inc. (d.b.a. ACD.net)

SUMMARY/BACKGROUND

Companies that desire to use the right of way in the City must obtain a permit and pay for the use. The State of Michigan passed the METRO Act that requires companies to file an application for a permit with the local municipality on an approved form, including a map of the use.

The companies have to pay an annual fee of five cents a foot of the length of the right of way. The fee is paid to the state and the state sends most of the money back to the municipality.

KEPS Technologies, Inc. (d.b.a. ACD.net) has filed an application for a permit. The application and map are attached hereto. The municipality must approve or deny the permit within 45 days of the application. The complete permit application was filed with this office on November 10, 2014.

I have reviewed the application and discussed the matter with the company representative. The right of way use will be above-ground where possible, but may be transitioned underground where necessary. The application is in proper legal form and I recommend approval.

ATTACHMENTS: Proposed Resolution
Application
Map

RECOMMENDED ACTION: Adoption of the resolution

DATE RECEIVED: _____ AGENDA ITEM NO. _____



**Barr,
Anhut &
Associates, P.C.**
ATTORNEYS AT LAW

December 12, 2014
Page 2

CITY MANAGER COMMENTS:

FOR AGENDA OF: _____ FINANCE DIR. APPROVAL

COUNCIL ACTION TAKEN:



Resolution No. 2014-289
December 16, 2014

RESOLUTION TO APPROVE RIGHT OF WAY
TELECOMMUNICATIONS PERMIT FOR
KEPS TECHNOLOGIES, INC. (D.B.A. ACD.NET)

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas KEPS Technologies, Inc. (d.b.a. ACD.net) has, on November 10, 2014 filed an application with the City of Ypsilanti applying for a Right of Way Telecommunications Permit pursuant to the Metro Act, Act 48 of 2002; and

Whereas KEPS Technologies, Inc. (d.b.a. ACD.net) has paid the required \$500 application fee to the City; and

Whereas the application meets all the requirements of the said Metro Act;

NOW THEREFORE, the said Telecommunications Permit for KEPS Technologies, Inc. (d.b.a. ACD.net) is approved, and the Mayor and City Clerk are authorized to sign said permit, for and on behalf of the City of Ypsilanti.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



**Barr,
Anhut &
Associates, P.C.**
ATTORNEYS AT LAW

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John M. Barr
Karl A. Barr
Daniel J. DuChene

Jesse O'Jack ~ Of Counsel
William F. Anhut ~ Of Counsel – Retired
Jennifer A. Healy ~ Legal Assistant

MEMORANDUM

TO: Marilou Uy, Finance Director
FROM: John M. Barr, Ypsilanti City Attorney
DATE: December 12, 2014
SUBJECT: ACD.net METRO Act permit application fee

Enclosed is check #77703 payable to the City of Ypsilanti from ACD.net (Fifth Third Bank) to pay the application fee for a METRO Act right-of-way permit application. I have reviewed the application. Please process and deposit this check accordingly.

Feel free to contact me if you have any questions, comments, or concerns.

cc: City Manager

S:\Clerk's Office\CITY COUNCIL MEETINGS\CITY COUNCIL MEETINGS\2014 City Council Meetings\12-16-2014\Metro Permit\3- Memo to Marilou with permit app check 120414.doc

**METRO Act
Unilateral Form
Revised 12/06/02**

**RIGHT-OF-WAY
TELECOMMUNICATIONS PERMIT**

This permit issued this ____ day of _____, 20__ by _____ City of Ypsilanti.

1 Definitions

- 1.1 Date of Issuance shall mean the date set forth above.
- 1.2 Manager shall mean Municipality's Manager or his or her designee.
- 1.3 METRO Act shall mean the Metropolitan Extension Telecommunications Right-of Way oversight Act, Act No. 48 of the Public Acts of 2002, as amended.
- 1.4 Municipality shall mean City of Ypsilanti, a Michigan municipal corporation.
- 1.5 Permit shall mean this document.
- 1.6 Permittee shall mean ACD Telecom organized under the laws of the State of Michigan whose address is 1800 N. Grand River Avenue Lansing MI 48906.
- 1.7 Public Right-of-Way shall mean the area on, below, or above a public roadway, highway, street, alley, easement, or waterway, to the extent Municipality has the ability to grant the rights set forth herein. Public Right-of-Way does not include a federal, state, or private right-of-way.
- 1.8 Telecommunications Facilities or Facilities shall mean the Permittee's equipment or personal property, such as copper and fiber cables, lines, wires, switches, conduits, pipes, and sheaths, which are used to or can generate, receive, transmit, carry, amplify or provide telecommunication services or signals. Telecommunication Facilities or Facilities do not include antennas, supporting structures for antennas, equipment shelters or houses, and any ancillary equipment and miscellaneous hardware used to provide federally licensed commercial mobile service as defined in Section 332(d) of Part I of Title III of the Communications Act of 1934, Chapter 652, 48 Stat. 1064, 47 U.S.C. 332 and further defined as commercial mobile radio service in 47 CFR 20.3, and service provided by any wireless, two-way communications device.
- 1.9 Term shall have the meaning set forth in Part 7.

2 Grant

- 2.1 Municipality hereby issues a permit under the METRO Act to Permittee for access to and ongoing use of the Public Right-of-Way identified on Exhibit A to construct, install and maintain Telecommunication Facilities on the terms set forth herein.
 - 2.1.1 Exhibit A may be modified by Manager upon written request by Permittee.
 - 2.1.2 Any decision of Manager on a request by Permittee for a modification may be appealed by Permittee to Municipality's legislative body.
- 2.2 Overlapping. Permittee shall not allow the wires or any other facilities of a third party to be overlapped to the Telecommunication Facilities without Municipality's prior written consent. Municipality's right to withhold written consent is subject to the authority of the Michigan Public Service Commission under Section 361 of the Michigan Telecommunications Act, MCL § 484.2361.
- 2.3 Nonexclusive. The rights granted by this Permit are nonexclusive. Municipality reserves the right to approve, at any time, additional permits for access to and ongoing usage of the Public Right-of-Way by telecommunications providers and to enter into agreements for use of the Public Right-of-Way with and grant franchises for use of the Public Right-of-Way to telecommunications providers, cable companies, utilities and other providers.

3 Contacts, Maps and Plans

- 3.1 Permittee Contacts. The names, addresses and the like for engineering and construction related information for Permittee and its Telecommunication Facilities are as follows:
 - 3.1.1 The address, e-mail address, phone number and contact person (title or name) at Permittee's local office (in or near Municipality) is Phil Brown, 1800 N. Grand River Avenue, Lansing, Michigan 48906. Phone: (517)999-3213 Fax: (517)999-3993 Email: brown.phil@acd.net.
 - 3.1.2 If Permittee's engineering drawings, as-built plans and related records for the Telecommunication Facilities will not be located at the preceding local office, the location address, phone number and contact person (title or department) for them is Phil Brown, 1800 N. Grand River Avenue, Lansing, Michigan 48906. Phone: (517)999-3213 Fax: (517)999-3993 Email: brown.phil@acd.net..
 - 3.1.3 The name, title, address, e-mail address and telephone numbers of

Permittee's engineering contact person(s) with responsibility for the design, plans and construction of the Telecommunication Facilities is Russell Allswede, 1800 N. Grand River Avenue, Lansing, Michigan 48906. Phone: (517)899-5609 Fax: (517)999-3993 Email: Allswede.Russell@acd.net.

3.1.4 The address, phone number and contact person (title or department) at Permittee's home office/regional office with responsibility for engineering and construction related aspects of the Telecommunication Facilities is Russell Allswede, 1800 N. Grand River Avenue, Lansing, Michigan 48906. Phone: (517)899-5609 Fax: (517)999-3993 Email: Allswede.Russell@acd.net.

3.1.5 Permittee shall at all times provide Manager with the phone number at which a live representative of Permittee (not voice mail) can be reached 24 hours a day, seven (7) days a week, in the event of a public emergency is (517)999-9999 option #1.

3.1.6 Permittee shall immediately notify Municipality in writing as set forth in Part 12 of any inaccuracies or changes in the preceding information.

3.2 Route Maps. Within ninety (90) days after the substantial completion of new Facilities in a Municipality, a provider shall submit route maps showing the location of the Telecommunication Facilities to both the Michigan Public Service Commission and to the Municipality, as required under Section 6(7) of the METRO Act, MCLA 484.3106(7).

3.3 As-Built Records. Permittee, without expense to Municipality, shall, upon forty-eight (48) hours notice, give Municipality access to all "as-built" maps, records, plans and specifications showing the Telecommunication Facilities or portions thereof in the Public Right-of-Way. Upon request by Municipality, Permittee shall inform Municipality as soon as reasonably possible of any changes from previously supplied maps, records, or plans and shall mark up maps provided by Municipality so as to show the location of the Telecommunication Facilities.

4 Use of Public Right-of-Way

4.1 No Burden on Public Right-of-Way. Permittee, its contractors, subcontractors, and the Telecommunication Facilities shall not unduly burden or interfere with the present or future use of any of the Public Right-of-Way. Permittee's aerial cables and wires shall be suspended so as to not endanger or injure persons or property in or about the Public Right-of-Way. If Municipality reasonably determines that any portion of the Telecommunication Facilities constitutes an undue burden or interference, due to changed circumstances, Permittee, at its sole expense, shall modify the Telecommunication Facilities or take such other actions

as Municipality may determine is in the public interest to remove or alleviate the burden, and Permittee shall do so within a reasonable time period. Municipality will attempt to require all occupants of a pole or conduit whose facilities are a burden to remove or alleviate the burden concurrently.

- 4.2 No Priority. This Permit does not establish any priority of use of the Public Right-of-Way by Permittee over any present or future permittees or parties having agreements with Municipality or franchises for such use. In the event of any dispute as to the priority of use of the Public Right-of-Way, the first priority shall be to the public generally, the second priority to Municipality, the third priority to the State of Michigan and its political subdivisions in the performance of their various functions, and thereafter as between other permit, agreement or franchise holders, as determined by Municipality in the exercise of its powers, including the police power and other powers reserved to and conferred on it by the State of Michigan.
- 4.3 Restoration of Property. Permittee, its contractors and subcontractors shall immediately (subject to seasonal work restrictions) restore, at Permittee's sole expense, in a manner approved by Municipality, any portion of the Public Right-of-Way that is in any way disturbed, damaged, or injured by the construction, installation, operation, maintenance or removal of the Telecommunication Facilities to a reasonably equivalent (or, at Permittee's option, better) condition as that which existed prior to the disturbance. In the event that Permittee, its contractors or subcontractors fail to make such repair within a reasonable time, Municipality may make the repair and Permittee shall pay the costs Municipality incurred for such repair.
- 4.4 Marking. Permittee shall mark the Telecommunication Facilities as follows: Aerial portions of the Telecommunication Facilities shall be marked with a marker on Permittee's lines on alternate poles which shall state Permittee's name and provide a toll-free number to call for assistance. Direct buried underground portions of the Telecommunication Facilities shall have (1) a conducting wire placed in the ground at least several inches above Permittee's cable (if such cable is nonconductive); (2) at least several inches above that, a continuous colored tape with a statement to the effect that there is buried cable beneath; and (3) stakes or other appropriate above ground markers with Permittee's name and a toll-free number indicating that there is buried telephone cable below. Bored underground portions of the Telecommunication Facilities shall have a conducting wire at the same depth as the cable and shall not be required to provide the continuous colored tape. Portions of the Telecommunication Facilities located in conduit, including conduit of others used by Permittee, shall be marked at its entrance into and exit from each manhole and handhole with Permittee's name and a toll-free telephone number.
- 4.5 Tree Trimming. Permittee may trim trees upon and overhanging the Public

Right-of-Way so as to prevent the branches of such trees from coming into contact with the Telecommunication Facilities, consistent with any standards adopted by Municipality. Permittee shall dispose of all trimmed materials. Permittee shall minimize the trimming of trees to that essential to maintain the integrity of the Telecommunication Facilities. Except in emergencies, all trimming of trees in the Public Right-of-Way shall have the advance approval of Manager.

- 4.6 Installation and Maintenance. The construction and installation of the Telecommunication Facilities shall be performed pursuant to plans approved by Municipality. The open cut of any Public Right-of-Way shall be coordinated with the Manager or his designee. Permittee shall install and maintain the Telecommunication Facilities in a reasonably safe condition. If the existing poles in the Public Right-of-Way are overburdened or unavailable for Permittee's use, or the facilities of all users of the poles are required to go underground then Permittee shall, at its expense, place such portion of its Telecommunication Facilities underground, unless Municipality approves an alternate location. Permittee may perform maintenance on the Telecommunication Facilities without prior approval of Municipality, provided that Permittee shall obtain any and all permits required by Municipality in the event that any maintenance will disturb or block vehicular traffic or are otherwise required by Municipality.
- 4.7 Pavement Cut Coordination. Permittee shall coordinate its construction and all other work in the Public Right-of-Way with Municipality's program for street construction and rebuilding (collectively "Street Construction") and its program for street repaving and resurfacing (except seal coating and patching) (collectively, "Street Resurfacing").
- 4.7.1 The goals of such coordination shall be to encourage Permittee to conduct all work in the Public Right-of-Way in conjunction with or immediately prior to any Street Construction or Street Resurfacing planned by Municipality.
- 4.8 Compliance with Laws. Permittee shall comply with all laws, statutes, ordinances, rules and regulations regarding the construction, installation, and maintenance of its Telecommunication Facilities, whether federal, state or local, now in force or which hereafter may be promulgated. Before any installation is commenced, Permittee shall secure all necessary permits, licenses and approvals from Municipality or other governmental entity as may be required by law, including, without limitation, all utility line permits and highway permits. Permittee shall comply in all respects with applicable codes and industry standards, including but not limited to the National Electrical Safety Code (latest edition adopted by Michigan Public Service Commission) and the National Electric Code (latest edition). Permittee shall comply with all zoning and land use ordinances and historic preservation ordinances as may exist or may hereafter be

amended.

- 4.9 Street Vacation. If Municipality vacates or consents to the vacation of Public Right-of-Way within its jurisdiction, and such vacation necessitates the removal and relocation of Permittee's Facilities in the vacated Public Right-of-Way, Permittee shall, as a condition of this Permit, consent to the vacation and remove its Facilities at its sole cost and expense when ordered to do so by Municipality or a court of competent jurisdiction. Permittee shall relocate its Facilities to such alternate route as Municipality, applying reasonable engineering standards, shall specify.
- 4.10 Relocation. If Municipality requests Permittee to relocate, protect, support, disconnect, or remove its Facilities because of street or utility work, or other public projects, Permittee shall relocate, protect, support, disconnect, or remove its Facilities, at its sole cost and expense, including where necessary to such alternate route as Municipality, applying reasonable engineering standards, shall specify. The work shall be completed within a reasonable time period.
- 4.11 Public Emergency. Municipality shall have the right to sever, disrupt, dig-up or otherwise destroy Facilities of Permittee if such action is necessary because of a public emergency. If reasonable to do so under the circumstances, Municipality will attempt to provide notice to Permittee. Public emergency shall be any condition which poses an immediate threat to life, health, or property caused by any natural or man-made disaster, including, but not limited to, storms, floods, fire, accidents, explosions, water main breaks, hazardous material spills, etc. Permittee shall be responsible for repair at its sole cost and expense of any of its Facilities damaged pursuant to any such action taken by Municipality.
- 4.12 Miss Dig. If eligible to join, Permittee shall subscribe to and be a member of "MISS DIG," the association of utilities formed pursuant to Act 53 of the Public Acts of 1974, as amended, MCL § 460.701 et seq., and shall conduct its business in conformance with the statutory provisions and regulations promulgated thereunder.
- 4.13 Underground Relocation. If Permittee has its Facilities on poles of Consumers Energy, Detroit Edison or another electric or telecommunications provider and Consumers Energy, Detroit Edison or such other electric or telecommunications provider relocates its system underground, then Permittee shall relocate its Facilities underground in the same location at Permittee's sole cost and expense.
- 4.14 Identification. All personnel of Permittee and its contractors or subcontractors who have as part of their normal duties contact with the general public shall wear on their clothing a clearly visible identification card bearing Permittee's name, their name and photograph. Permittee shall account for all identification cards at all times. Every service vehicle of Permittee and its contractors or subcontractors

shall be clearly identified as such to the public, such as by a magnetic sign with Permittee's name and telephone number.

5 Indemnification

- 5.1 Indemnity. Permittee shall defend, indemnify, protect, and hold harmless Municipality, its officers, agents, employees, elected and appointed officials, departments, boards, and commissions from any and all claims, losses, liabilities, causes of action, demands, judgments, decrees, proceedings, and expenses of any nature (collectively "claim" for this Part 5) (including, without limitation, attorneys' fees) arising out of or resulting from the acts or omissions of Permittee, its officers, agents, employees, contractors, successors, or assigns, but only to the extent such acts or omissions are related to the Permittee's use of or installation of facilities in the Public Right-of-Way and only to the extent of the fault or responsibility of Permittee, its officers, agents, employees, contractors, successors and assigns.
- 5.2 Notice, Cooperation. Municipality will notify Permittee promptly in writing of any such claim and the method and means proposed by Municipality for defending or satisfying such claim. Municipality will cooperate with Permittee in every reasonable way to facilitate the defense of any such claim. Municipality will consult with Permittee respecting the defense and satisfaction of such claim, including the selection and direction of legal counsel.
- 5.3 Settlement. Municipality will not settle any claim subject to indemnification under this Part 5 without the advance written consent of Permittee, which consent shall not be unreasonably withheld. Permittee shall have the right to defend or settle, at its own expense, any claim against Municipality for which Permittee is responsible hereunder.

6 Insurance

- 6.1 Coverage Required. Prior to beginning any construction in or installation of the Telecommunication Facilities in the Public Right-of-Way, Permittee shall obtain insurance as set forth below and file certificates evidencing same with Municipality. Such insurance shall be maintained in full force and effect until the end of the Term. In the alternative, Permittee may satisfy this requirement through a program of self-insurance, acceptable to Municipality, by providing reasonable evidence of its financial resources to Municipality. Municipality's acceptance of such self-insurance shall not be unreasonably withheld.
- 6.1.1 Commercial general liability insurance, including Completed Operations Liability, Independent Contractors Liability, Contractual Liability coverage, railroad protective coverage and coverage for property damage from perils of explosion, collapse or damage to underground utilities,

commonly known as XCU coverage, in an amount not less than Five Million Dollars (\$5,000,000).

- 6.1.2 Liability insurance for sudden and accidental environmental contamination with minimum limits of Five Hundred Thousand Dollars (\$500,000) and providing coverage for claims discovered within three (3) years after the term of the policy.
 - 6.1.3 Automobile liability insurance in an amount not less than One Million Dollars (\$1,000,000).
 - 6.1.4 Workers' compensation and employer's liability insurance with statutory limits, and any applicable Federal insurance of a similar nature.
 - 6.1.5 The coverage amounts set forth above may be met by a combination of underlying (primary) and umbrella policies so long as in combination the limits equal or exceed those stated. If more than one insurance policy is purchased to provide the coverage amounts set forth above, then all policies providing coverage limits excess to the primary policy shall provide drop down coverage to the first dollar of coverage and other contractual obligations of the primary policy, should the primary policy carrier not be able to perform any of its contractual obligations or not be collectible for any of its coverages for any reason during the Term, or (when longer) for as long as coverage could have been available pursuant to the terms and conditions of the primary policy.
- 6.2 Additional Insured. Municipality shall be named as an additional insured on all policies (other than worker's compensation and employer's liability). All insurance policies shall provide that they shall not be canceled, modified or not renewed unless the insurance carrier provides thirty (30) days prior written notice to Municipality. Permittee shall annually provide Municipality with a certificate of insurance evidencing such coverage. All insurance policies (other than environmental contamination, workers' compensation and employer's liability insurance) shall be written on an occurrence basis and not on a claims made basis.
- 6.3 Qualified Insurers. All insurance shall be issued by insurance carriers licensed to do business by the State of Michigan or by surplus line carriers on the Michigan Insurance Commission approved list of companies qualified to do business in Michigan. All insurance and surplus line carriers shall be rated A+ or better by A.M. Best Company.
- 6.4 Deductibles. If the insurance policies required by this Part 6 are written with retainages or deductibles in excess of \$50,000, they shall be approved by Manager in advance in writing. Permittee shall indemnify and save harmless Municipality from and against the payment of any deductible and from the payment of any

premium on any insurance policy required to be furnished hereunder.

- 6.5 Contractors. Permittee's contractors and subcontractors working in the Public Right-of-Way shall carry in full force and effect commercial general liability, environmental contamination liability, automobile liability and workers' compensation and employer liability insurance which complies with all terms of this Part 6. In the alternative, Permittee, at its expense, may provide such coverages for any or all its contractors or subcontractors (such as by adding them to Permittee's policies).
- 6.6 Insurance Primary. Permittee's insurance coverage shall be primary insurance with respect to Municipality, its officers, agents, employees, elected and appointed officials, departments, boards, and commissions (collectively "them"). Any insurance or self-insurance maintained by any of them shall be in excess of Permittee's insurance and shall not contribute to it (where "insurance or self-insurance maintained by any of them" includes any contract or agreement providing any type of indemnification or defense obligation provided to, or for the benefit of them, from any source, and includes any self-insurance program or policy, or self-insured retention or deductible by, for or on behalf of them).

7 Term

- 7.1 Term. The term ("Term") of this Permit shall be until the earlier of:
- 7.1.1 5 years from the Date of Issuance; or
 - 7.1.2 When the Telecommunication Facilities has not been used to provide telecommunications services for a period of one hundred and eighty (180) days by Permittee or a successor or an assignee of Permittee; or
 - 7.1.3 When Permittee, at its election and with or without cause, delivers written notice of termination to Municipality at least one-hundred and eighty (180) days prior to the date of such termination; or
 - 7.1.4 Upon either Permittee or Municipality giving written notice to the other of the occurrence or existence of a default by the other party under Sections 4.8, 6, 8 or 9 of this Permit and such defaulting party failing to cure, or commence good faith efforts to cure, such default within sixty (60) days (or such shorter period of time provided elsewhere in this Permit) after delivery of such notice; or
 - 7.1.5 Unless Manager grants a written extension, one year from the Date of Issuance if prior thereto Permittee has not started the construction and installation of the Telecommunication Facilities within the Public Right-of-Way and two years from the Date of Issuance if by such time

construction and installation of the Telecommunication Facilities is not complete.

8 Performance Bond or Letter of Credit

- 8.1 Municipal Requirement. Municipality may require Permittee to post a bond (or letter of credit) as provided in Section 15(3) of the METRO Act, as amended [MCL § 484.3115(3)].

9 Fees

- 9.1 Establishment; Reservation. The METRO Act shall control the establishment of right-of-way fees. The parties reserve their respective rights regarding the nature and amount of any fees which may be charged by Municipality in connection with the Public Right-of-Way.

10 Removal

- 10.1 Removal; Underground. As soon as practicable after the Term, Permittee or its successors and assigns shall remove any underground cable or other portions of the Telecommunication Facilities from the Public Right-of-Way which has been installed in such a manner that it can be removed without trenching or other opening of the Public Right-of-Way. Permittee shall not remove any underground cable or other portions of the Telecommunication Facilities which requires trenching or other opening of the Public Right-of-Way except with the prior written approval of Manager. All removals shall be at Permittee's sole cost and expense.

10.1.1 For purposes of this Part 10, "cable" means any wire, coaxial cable, fiber optic cable, feed wire or pull wire.

- 10.2 Removal; Above Ground. As soon as practicable after the Term, Permittee, or its successor or assigns at its sole cost and expense, shall, unless waived in writing by Manager, remove from the Public Right-of-Way all above ground elements of its Telecommunication Facilities, including but not limited to poles, pedestal mounted terminal boxes, and lines attached to or suspended from poles.

- 10.3 Schedule. The schedule and timing of removal shall be subject to approval by Manager. Unless extended by Manager, removal shall be completed not later than twelve (12) months following the Term. Portions of the Telecommunication Facilities in the Public Right-of-Way which are not removed within such time period shall be deemed abandoned and, at the option of Municipality exercised by written notice to Permittee as set forth in Part 12, title to the portions described in such notice shall vest in Municipality.

- 11 Assignment. Permittee may assign or transfer its rights under this Permit, or the persons or entities controlling Permittee may change, in whole or in part, voluntarily, involuntarily, or by operation of law, including by merger or consolidation, change in the ownership or control of Permittee's business, or by other means, subject to the following:
- 11.1 No such transfer or assignment or change in the control of Permittee shall be effective under this Permit, without Municipality's prior approval (not to be unreasonably withheld), during the time period from the Date of Issuance until the completion of the construction of the Telecommunication Facilities in those portions of the Public Right-of-Way identified on Exhibit A.
- 11.2 After the completion of such construction, Permittee must provide notice to Municipality of such transfer, assignment or change in control no later than thirty (30) days after such occurrence; provided, however,
- 11.2.1 Any transferee or assignee of this Permit shall be qualified to perform under its terms and conditions and comply with applicable law; shall be subject to the obligations of this Permit, including responsibility for any defaults which occurred prior to the transfer or assignment; shall supply Municipality with the information required under Section 3.1; and shall comply with any updated insurance and performance bond requirements under Sections 6 and 8 respectively, which Municipality reasonably deems necessary, and
- 11.2.2 In the event of a change in control, it shall not be to an entity lacking the qualifications to assure Permittee's ability to perform under the terms and conditions of this Permit and comply with applicable law; and Permittee shall comply with any updated insurance and performance bond requirements under Sections 6 and 8 respectively, which Municipality reasonably deems necessary.
- 11.3 Permittee may grant a security interest in this Permit, its rights thereunder or the Telecommunication Facilities at any time without notifying Municipality.

12 Notices

- 12.1 Notices. All notices under this Permit shall be given as follows:
- 12.1.1 If to Municipality, to 1 S Huron St, Ypsilanti, MI 48197 with a copy to same.
- 12.1.2 If to Permittee, to Kevin Schoen, ACD Telecom, Inc., 1800 N. Grand River Avenue, Lansing, Michigan 48906 Phone: (517) 999-9999 Fax: (517) 999-3993 Email: Schoen.kevin@acd.net.

- 12.2 Change of Address. Permittee and Municipality may change its address or personnel for the receipt of notices at any time by giving notice thereof to the other as set forth above.

13 Other items

- 13.1 No Cable, OVS. This Permit does not authorize Permittee to provide commercial cable type services to the public, such as "cable service" or the services of an "open video system operator" (as such terms are defined in the Federal Communications Act of 1934 and implementing regulations, currently 47 U.S.C. §§ 522 (6), 573 and 47 CFR § 76.1500).
- 13.2 Effectiveness. This Permit shall become effective when Permittee has provided any insurance certificates and bonds required in Parts 6 and 8, and signed the acknowledgement of receipt, below.
- 13.3 Authority. This Permit satisfies the requirement for a permit under Section 5 of the METRO Act [MCL 484.3105].
- 13.4 Interpretation and Severability. The provisions of this Permit shall be liberally construed to protect and preserve the peace, health, safety and welfare of the public, and should any provision or section of this Permit be held unconstitutional, invalid, overbroad or otherwise unenforceable, such determination/holding shall not be construed as affecting the validity of any of the remaining conditions of this Permit. If any provision in this Permit is found to be partially overbroad, unenforceable, or invalid, Permittee and Municipality may nevertheless enforce such provision to the extent permitted under applicable law.
- 13.5 Governing Law. This Permit shall be governed by the laws of the State of Michigan.

City of Ypsilanti

By: _____

Its: _____

Date: _____

Acknowledgement of Receipt: Permittee acknowledges receipt of this Permit granted by Municipality.

KEPS Technologies, Inc dba ACD.net



77703

ACD.NET, INC.
1800 N. GRAND RIVER AVE.
LANSING, MI 48906-3905



LANSING,
MICHIGAN

NUMBER 77703

74-5/724

Five Hundred and 00/100 Dollars

DATE

Oct 20, 2014

AMOUNT

500.00

PAY
TO THE
ORDER
OF

CITY OF YPSILANTI
1 SOUTH HURON ST
YPSILANTI, MI 48917

VOID

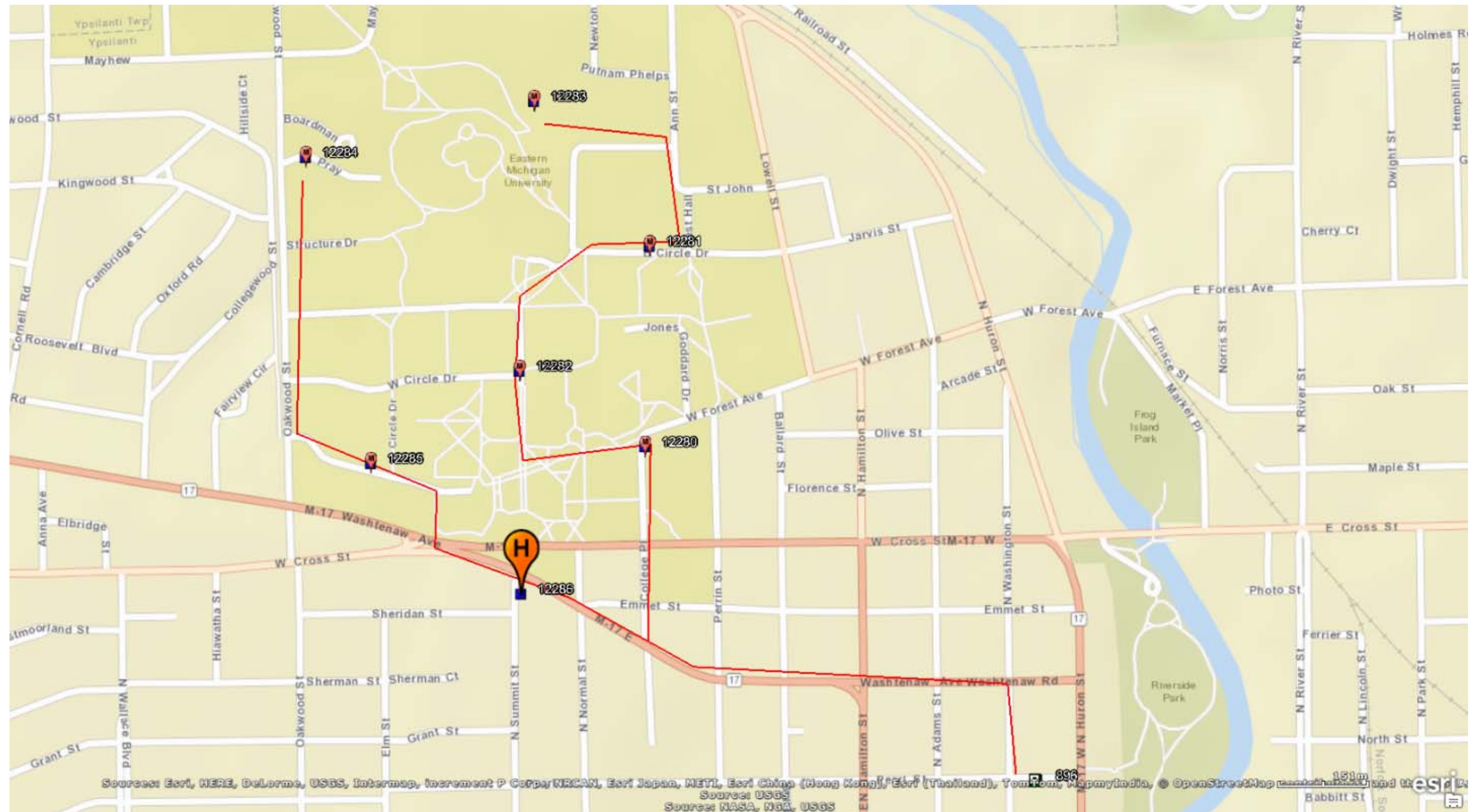
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Security Features Included.



Ypsilanti Preliminary





Resolution No. 2014-290
December 16, 2014

Funding Legislation and to Oppose the House Adopted Transportation Funding Legislation

WHEREAS, SEMCOG represents counties, cities, villages, townships, Intermediate School Districts, and Community Colleges within the seven-county Southeast Michigan region;

WHEREAS, state gas tax revenue does not increase over time because the tax is based on consumption rather than cost;

WHEREAS, the state gas tax has remained unchanged since 1997;

WHEREAS, federal-aid-eligible roads within the SEMCOG region have gone from a situation where 4 percent of the roads were determined to be in "poor" condition in 2004 to a point where 43 percent of the roads evaluated this year were categorized as "poor";

WHEREAS, roads in poor condition cost vehicle owners additional expense in repairs and endanger those who travel on the roads;

WHEREAS, local road agencies have reduced winter plowing and salting activities due to budget constraints, further endangering those who travel;

WHEREAS, state transit share funding sources have remained unchanged since 1987;

WHEREAS, the SEMCOG region's transit systems are currently considered deficient when compared to other major metropolitan regions in the country;

WHEREAS, SEMCOG supports increased funding for road and transit needs implemented over the quickest possible timeframe;

WHEREAS, SEMCOG opposes efforts to divert existing revenue sources that fund local government and local public schools in order to fund transportation needs.

NOW THEREFORE BE IT RESOLVED THAT, the City of Ypsilanti supports the Senate-passed package of bills to enhance transportation funding based on their ability to generate significant new revenue for our roads and transit systems phased-in over a reasonable period of time and containing provisions that will allow the funding to grow in future years;

BE IT FURTHER RESOLVED THAT, the City of Ypsilanti opposes the House-passed package of bills impacting transportation funding because they fail to generate enough revenue to reverse the deterioration of our roads, offer no relief for the immediate problems of underfunding, cripple our transit systems, divert a significant existing revenue stream from public schools and divert significant revenues from local governments.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



REQUEST FOR LEGISLATION
December 10, 2014

From: Bonnie Wessler, Temporary Planner II

Subject: Extension 2: Conditional Rezoning Request 311 S. Grove – B2 to Conditional B4

Background - On December 4, 2012, City Council granted a conditional rezoning to 311 S. Grove street to allow for automotive sales in addition to minor auto repair subject to all improvements being completed by December 31, 2013. This conditional rezoning was extended in December of 2013 for an additional year.

The original applicant, Ayad Jacksi, the owner of Complete Auto Service Center at 311 S. Grove St. contacted staff to request an extension. They have a conditionally approved site plan, but have yet been unable to begin work. As a reminder, they also plan to purchase the land immediately to the north of the property and have planned for it to be part of their project. However, they have been unable to produce an adequate survey to such end. They plan to complete the survey work and generation of the legal description of the property they wish to purchase over the winter, with work to begin in the spring.

The conditional rezoning would allow B4 permitted and special uses held in common with B2 zoning with the addition of auto sales as indicated in 122-412 (6), plus proposed conditions by the applicant. The Commission discussed that this was an improved option as the list of permitted and special uses would be minimal. They also noted the remaining incongruity with the master plan, but ultimately voted to recommend the approval of the conditional rezoning.

Recommendation: Staff recommends denial of the extension. To continue the extension a second time, for a third year, would be incompatible with the draft of the zoning ordinance currently under consideration by the Council. In addition, under the proposed ordinance, the applicant would be able to apply for auto sales as a special use; this would not necessarily preclude this project going forward.

ATTACHMENTS:

- Conditional B4 rezoning text and conditions with extension date modified per applicant request
- Approved site plan
- Resolution



Resolution No. 2014-291
December 11, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the owners of the property located at 311 South Grove, have requested that the City rezone the property "Conditional B4" in December 2012; and

WHEREAS, the applicant freely offered conditions on the rezoning; and

WHEREAS, the applicant has been unable to satisfy those conditions; and

WHEREAS, the City has developed a proposal as part of the implementation of the Shape Ypsi Master Plan to rezone the property "General Corridor;"

WHEREAS, the proposed zoning designation does not preclude the applicant's desired use, nor does it preclude the applicant's ability to apply for such use in the future;

NOW THEREFORE:

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

The requested extension of the deadline set forth by the December 2012 ordinance entitled "Conditional Rezoning 311 S. Grove St" be denied.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



December 2, 2014

Community and Economic Development Department

To: City Council
 From: Bonnie Wessler, Planner II, Community and Economic Development
 Subject: Proposed Zoning Ordinance – Living Arrangement in Houses, Detached Accessory Structures in Residential Zones, and changes since the first reading.

City Council had several questions about living arrangements possible in houses and how detached accessory structures would be regulated in the proposed zoning ordinance. The following memorandum gives an overview of both subjects.

Living Arrangements in Houses

The proposed zoning ordinance allows the five types of living arrangements in houses. Definitions and proposed changes are explained in the table below. As a reminder, SLU stands for Special Land Use, which requires a public hearing in front of Planning Commission, to which all neighbors are invited to attend. Special Land Uses are subject to a higher standard of review, and run with the land. They can be revoked if the applicant fails to meet any conditions placed upon them, however, it is a lengthy process and not frequently done in practice.

<i>Type</i>	<i>Simple definition</i>	<i>Proposed Change in New Ordinance</i>
Single Family	Group related by blood, 1-3 unrelated persons (except in MD, up to 4 people)	<i>None</i> Single family is a permitted use the same zones (R-1, CN-SF, CN-Mid, CN & HC) Changes to the definition of family must be made in conjunction with the City Attorney due to case law.
Group homes or adult foster family care homes	24-hour care for up to 6 adults. The license holder must live in the house	<i>None</i> Permitted in same zones as single-family (R-1, CN-SF, CN-Mid, CN, HC, HHS) Section 206 of the Michigan Zoning Enabling Act requires group homes be allowed in the same manner as single-family homes.
Small group homes & adult congregate facilities	24-care for 7 or more adults	<i>Proposed Change</i> Current: Permitted in RC SLU in R4, RO Proposed: Permitted in HHS SLU in MD, CN & CN-Mid

Group residence	4 or more unrelated people living as a group	<i>Proposed Change</i>	
		Current:	Fraternalities & sororities SLU in R4, Student Overlay No allowances for cooperative living
		Proposed:	6 or less residents: permitted in CN & HHS 7 or more residents: SLU in CN & HHS, not within 200 feet of R1 & CN-SF & nor access through those districts
Roominghouse	3 or more unrelated persons not living as a group	<i>Proposed Change</i>	
		Current:	SLU in R3, R4
		Proposed:	SLU in CN (CN was mostly R3 & R4 previously)

Detached Accessory Structures (Sheds, Garages & Hoop Houses)

Sheds, garages, hoop houses or any building not attached to a house are called detached accessory structures. The amount of area they can cover on a residential lot is limited the following:

- Setbacks (required distance from a property line)
- Lot coverage (the percentage of the property covered by all buildings)
- Limitations on square footage, in the R-1 zoning district only

During your first reading, a number of questions were asked about how these limitations would apply to actual lots. We have two visual examples below on the following pages. We will be happy to further explain these at your meeting on December 16, 2014.

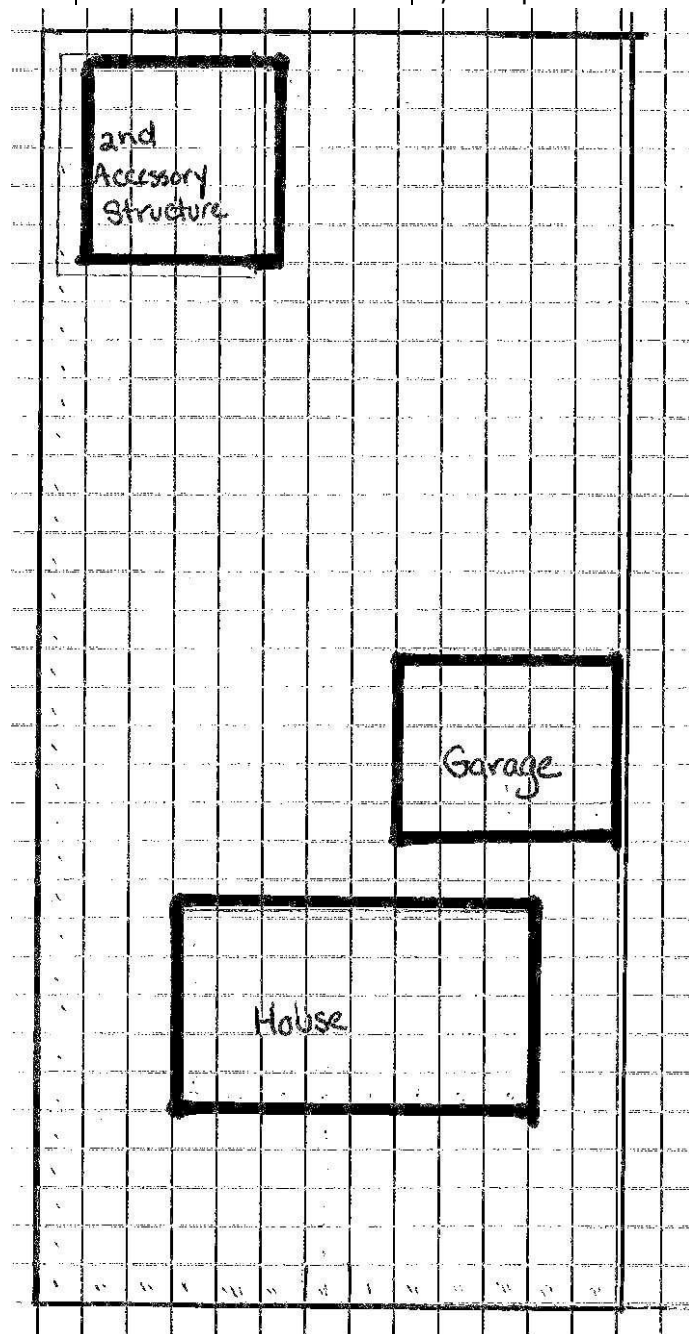
Example 1: 10,890 square foot lot on Miles with existing house and garage

Statistics

Item	Dimensions	Area
Lot	66 feet by 165 feet	10,890 square feet
Lot coverage allowed	0.35 x 10,890	3,811 square feet
Existing house 1st floor	40 feet by 26 feet	1,040 square feet
Existing 2-car garage	24 feet by 24 feet	576 square feet
Square footage by lot coverage for 2nd building	3,811-(1,040 +576)	2,195 square feet
Square footage by limitation of 1st floor area	1,040-576	464 square feet
Proposed 2nd accessory building	20 feet by 23.2 feet	464 square feet
Total accessory building area	576+464	1,040 square feet

One square equals 25 square feet.

The example abides by all setbacks. Note the 464 square foot building in the rear could be divided into multiple structures. Also, the exception for hoop houses does not apply since more than 200 square feet is allowed after subtracting the existing garage square footage from the square footage of the first floor of the house.



Example 2: 7,200 square foot lot on Small with existing house (proposed garage & hoop house)

Statistics

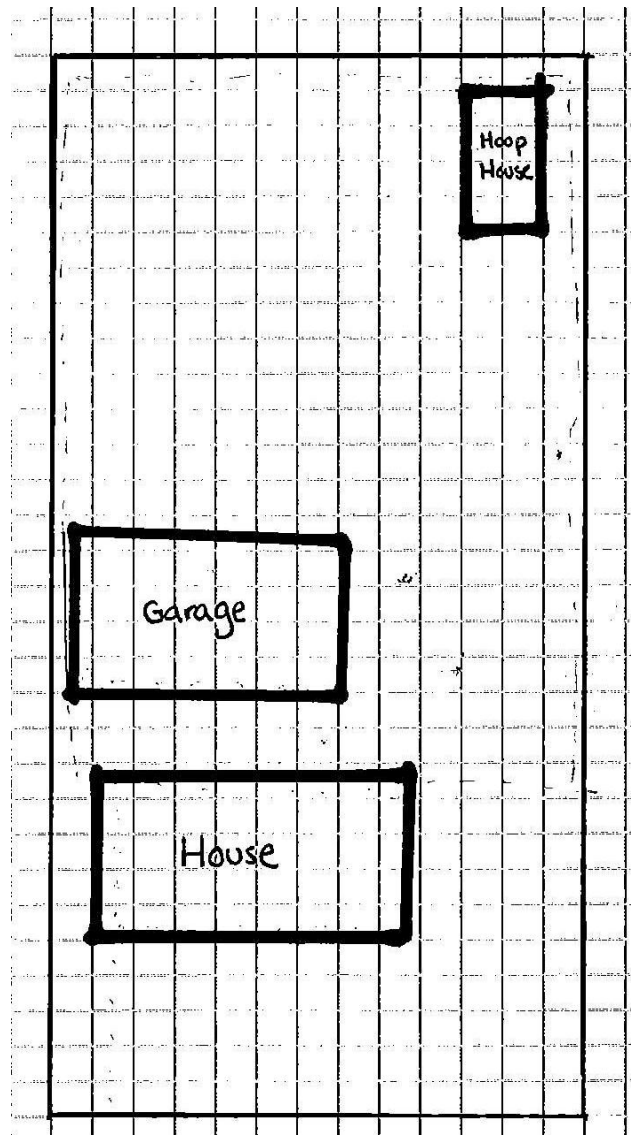
Item	Dimensions	Area
Lot	60 feet by 120 feet	7,200 square feet
Lot coverage allowed	0.35 x 7,200	2,520 square feet
Existing house 1st floor	37 feet by 29 feet	1,073 square feet
Square footage by lot coverage for acc. buildings	2,520-1,073	1,447 square feet
Square footage by limitation of 1st floor area	1,073 square feet	
Proposed garage	37 feet by 29 feet	1,073 square feet
Hoop house proposed after garage built	10 feet by 20 feet	200 square feet
Total accessory building area	1,073+200	1,273 square feet

One square equals 25 square feet.

The example abides by all setbacks.

The hoop house proposed after the garage is compliant with the overall lot coverage.

If council members would like specific information presented, please contact Bonnie Wessler at wesslerb@cityofypsilanti.com or 734-483-9646.



Changes in the Zoning Ordinance since the previous draft

City Council members requested the Planning Department revisit the draft zoning ordinance on two specific issues: correct cross references in general with specific attention to 122-207 and input on solar energy regulations. The changes noted below have been made. The updated draft can be found at <http://www.cityofpysilanti.com/ZoningUpdate2014>. No changes have been made to the proposed zoning map.

Cross-References

At the time of this memo, several updates have been made to correct cross-references.

Solar Energy – Section 122-788 (1) Photovoltaic Production

Per Council Member Murdock's request, we incorporated in the following suggestions from Dave Strenski on the proposed regulations on solar energy.

- *Eliminated 20 kilowatt limitation for attached solar panels.* As panels become more efficient, this standard will become irrelevant and ultimately an unnecessary limitation.
- *Changed height limits on roof mounted panels to no more than 10 feet above allowed height.* Mr. Strenski noted the height limitations above roof peaks would make some existing installations nonconforming. We have changed the maximum height to no more than 10 feet above the allowed maximum height for the building type or zoning district. Therefore, the limitation on the height of a roof-mounted solar panel would be the same as for an antenna or a chimney.
- *Added snow load and wind load requirements.* Per Mr. Strenski's suggestion, we added a requirement for attached solar panels to meet snow and wind loads per the Building Department.

Mr. Strenski also suggested the abandonment clause might be unnecessary but, since it only refers to solar farms and not accessory solar installations, we chose to maintain this clause recommended by the sample zoning language for Solar Ready Communities by the Clean Energy Coalition.

"Servants" versus "Domestic Workers"

The word "servants" in the definition for "Family" has been replaced with the words "Domestic Workers."

Detached Accessory setbacks in the Form-Based Districts.

Setbacks in the form-based districts were slightly altered to better fit what currently exists in those areas, thus reducing potential dimensional nonconformities.

Planned Unit Developments

The text for existing and proposed Planned Unit Developments were inadvertently omitted from your previous packet, but were shown on the map. These texts have been included.



Resolution No. 2014 - 292
December 16, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, The City of Ypsilanti has adopted a comprehensive Master Plan, "Shape Ypsi;" and

Whereas, the City of Ypsilanti is desirous of fulfilling the goals of the Master Plan; and

Whereas, the Zoning Ordinance will help to implement those goals of creating a safe, sustainable, and diverse Ypsilanti;

Now therefore be it resolved that the Ypsilanti City Council approve the amendments to Chapter 122 of the City's Code of Ordinances on SECOND AND FINAL READING.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:

Zoning Ordinance Draft Text

Document is too large to print (298 pgs.). See Clerk's Office for hard copy or follow the link below.

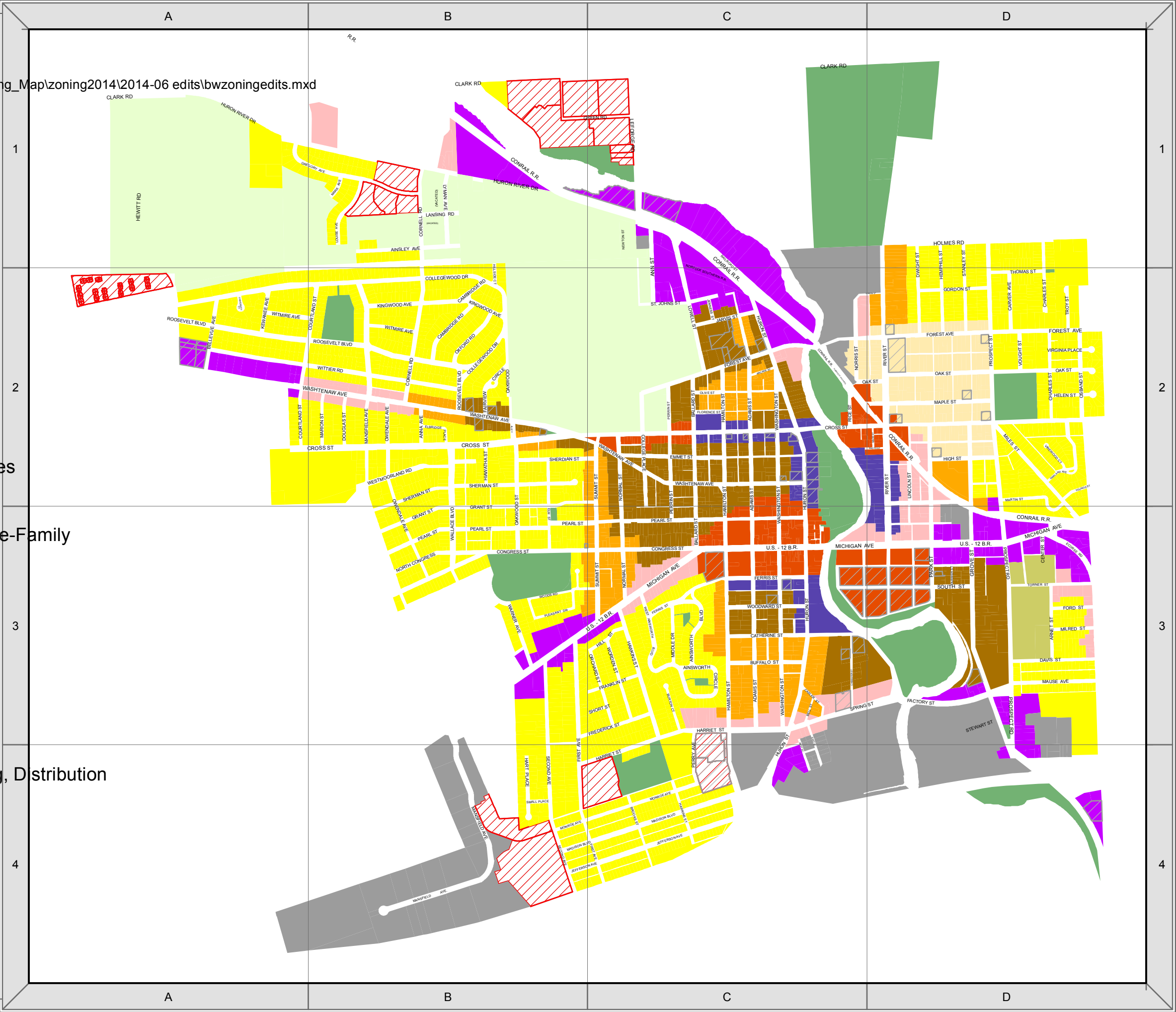
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OVERVIEW PAGE

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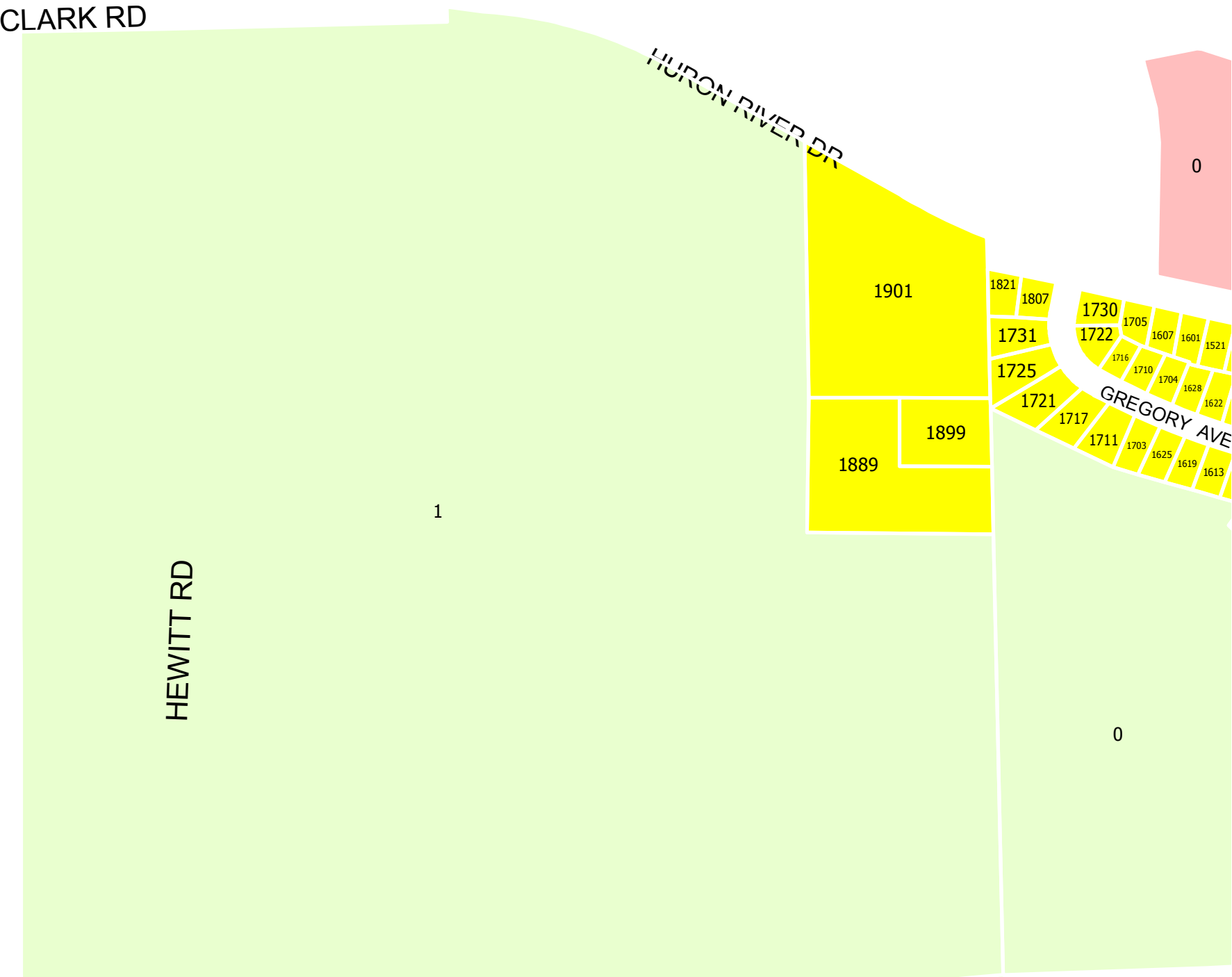
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PAGE A-1

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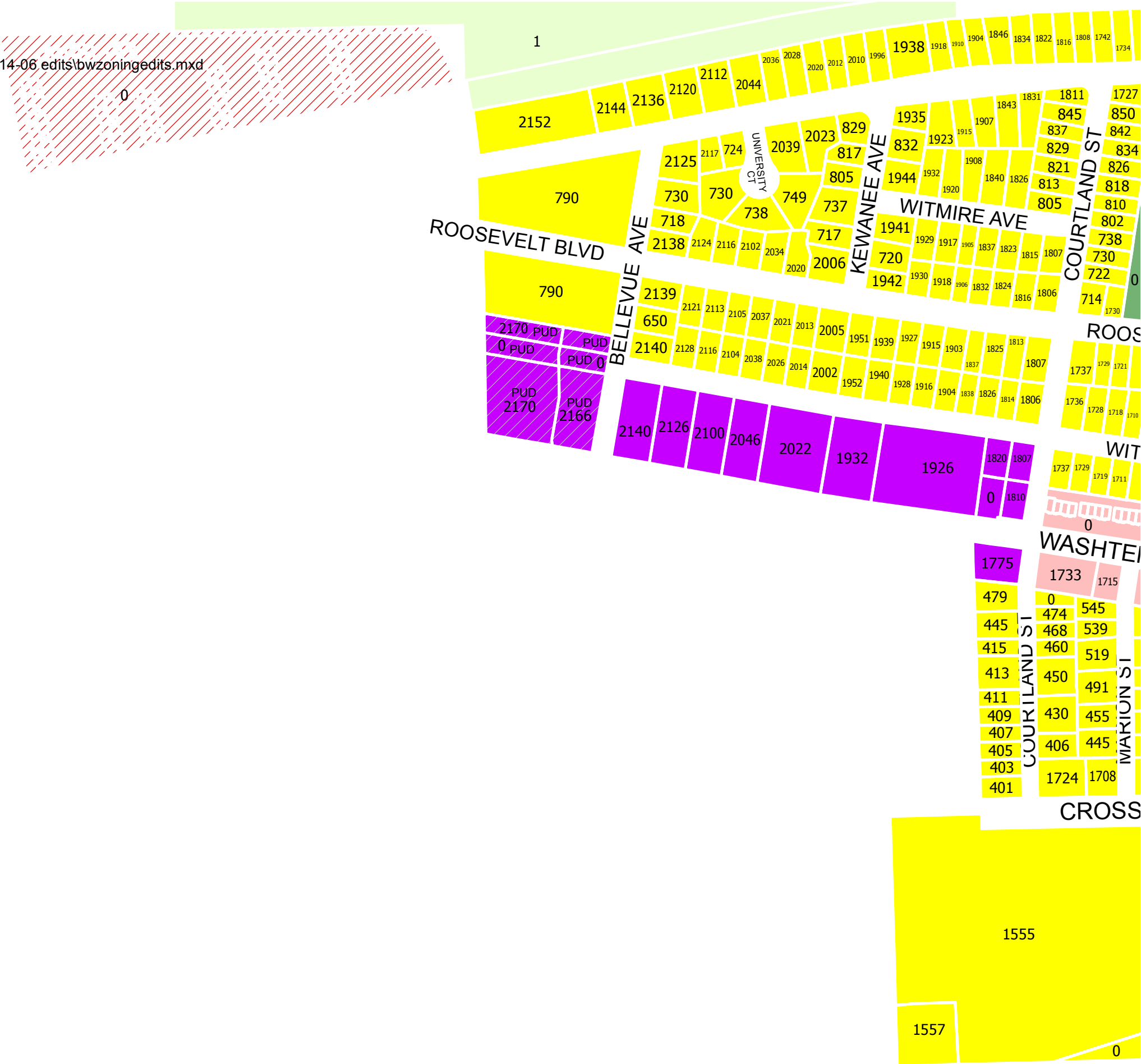
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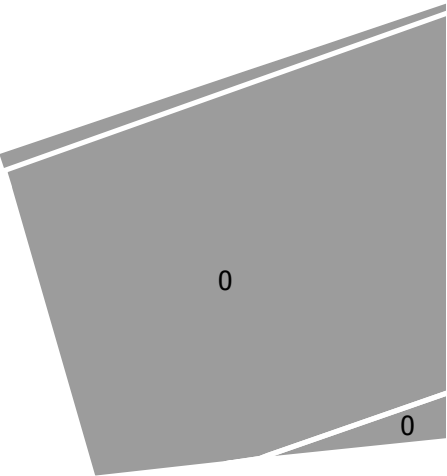
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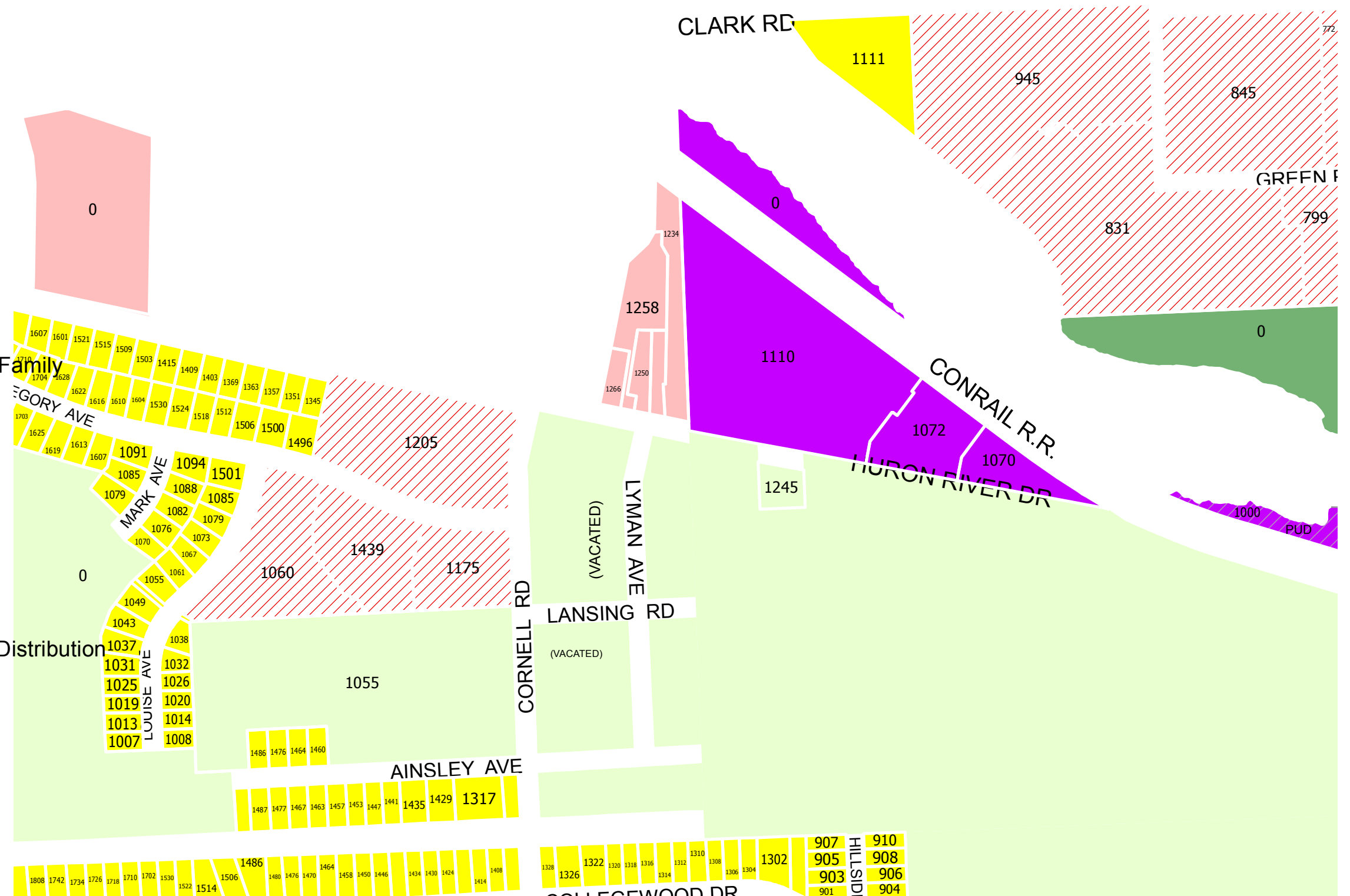
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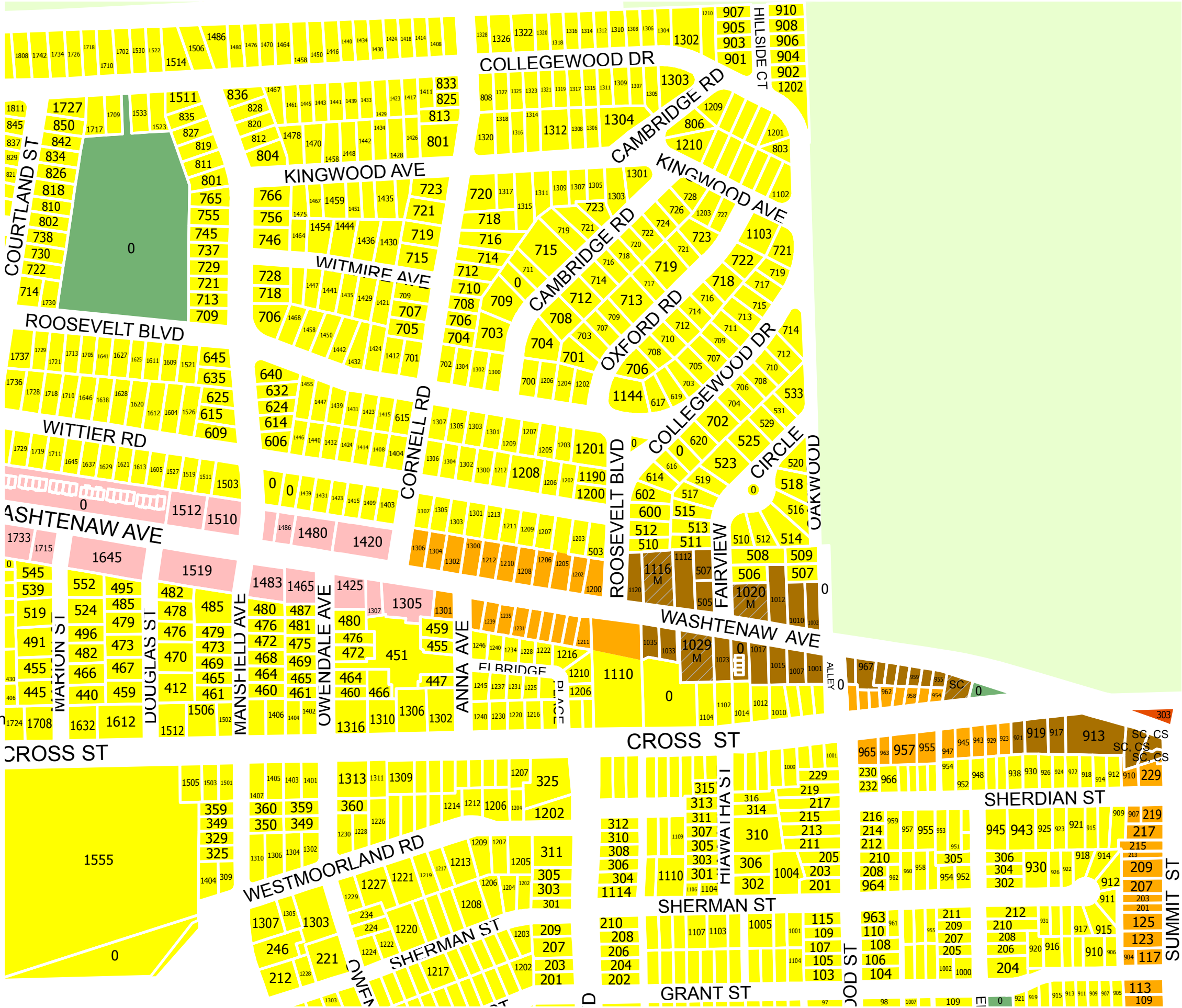
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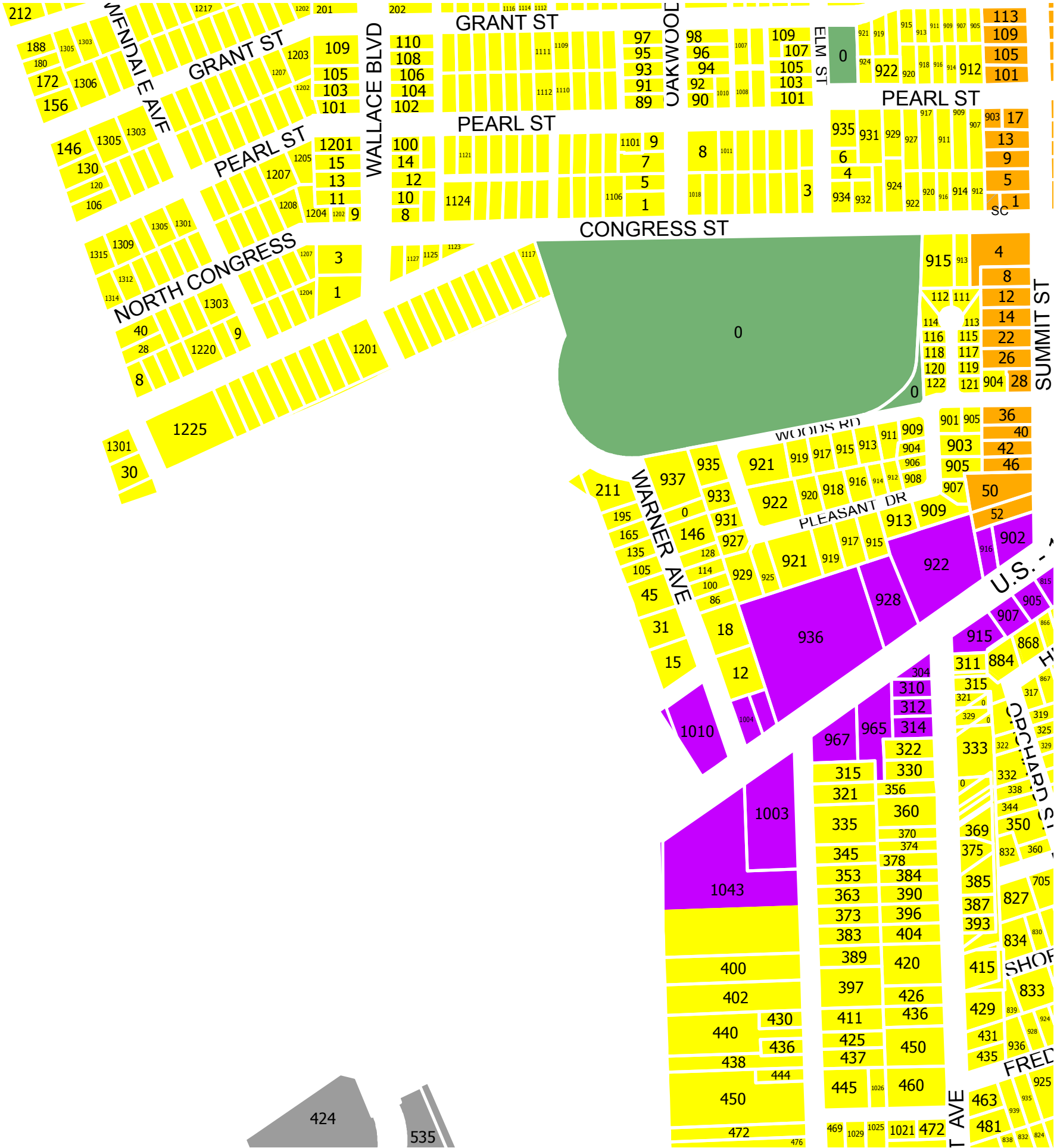
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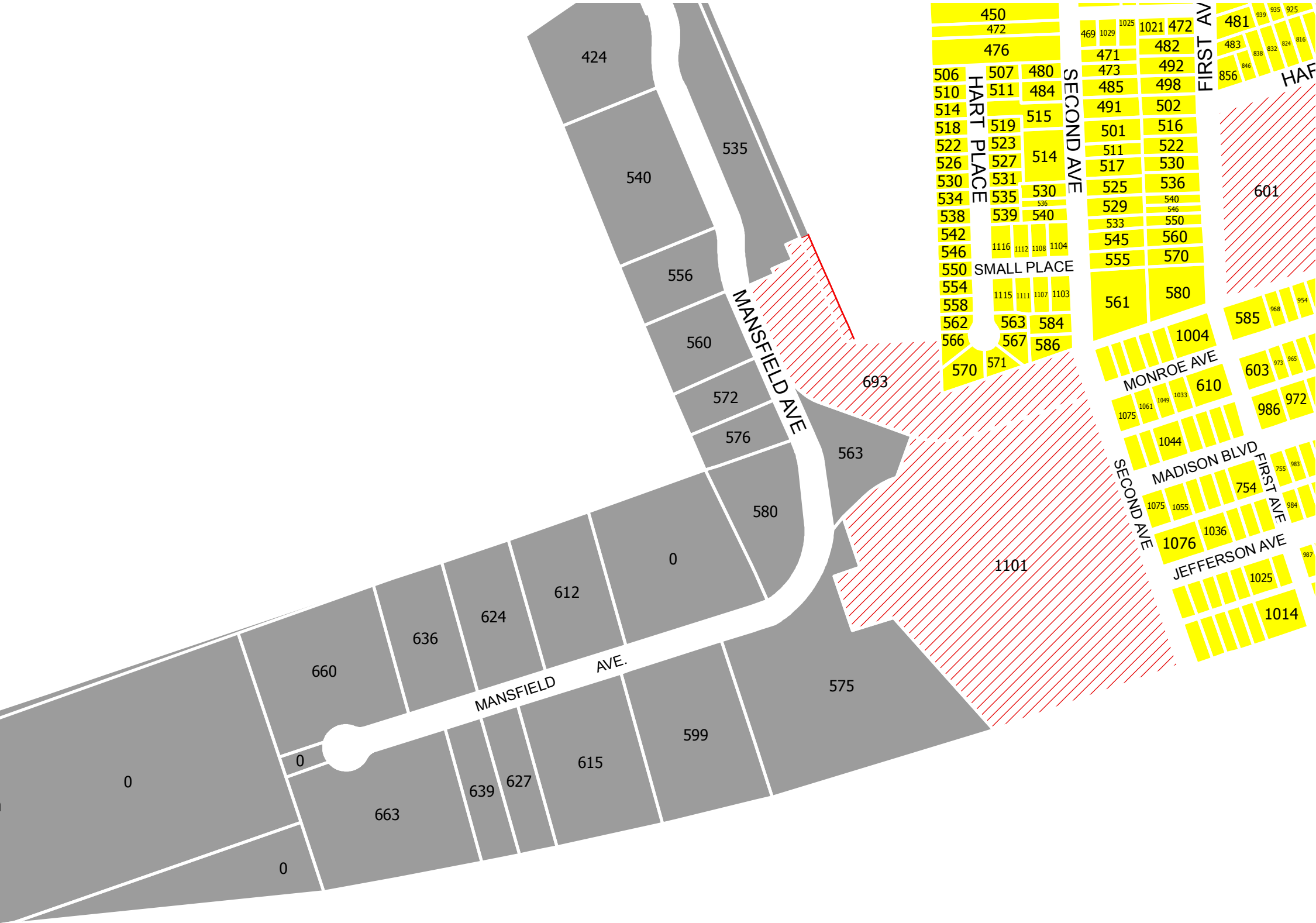
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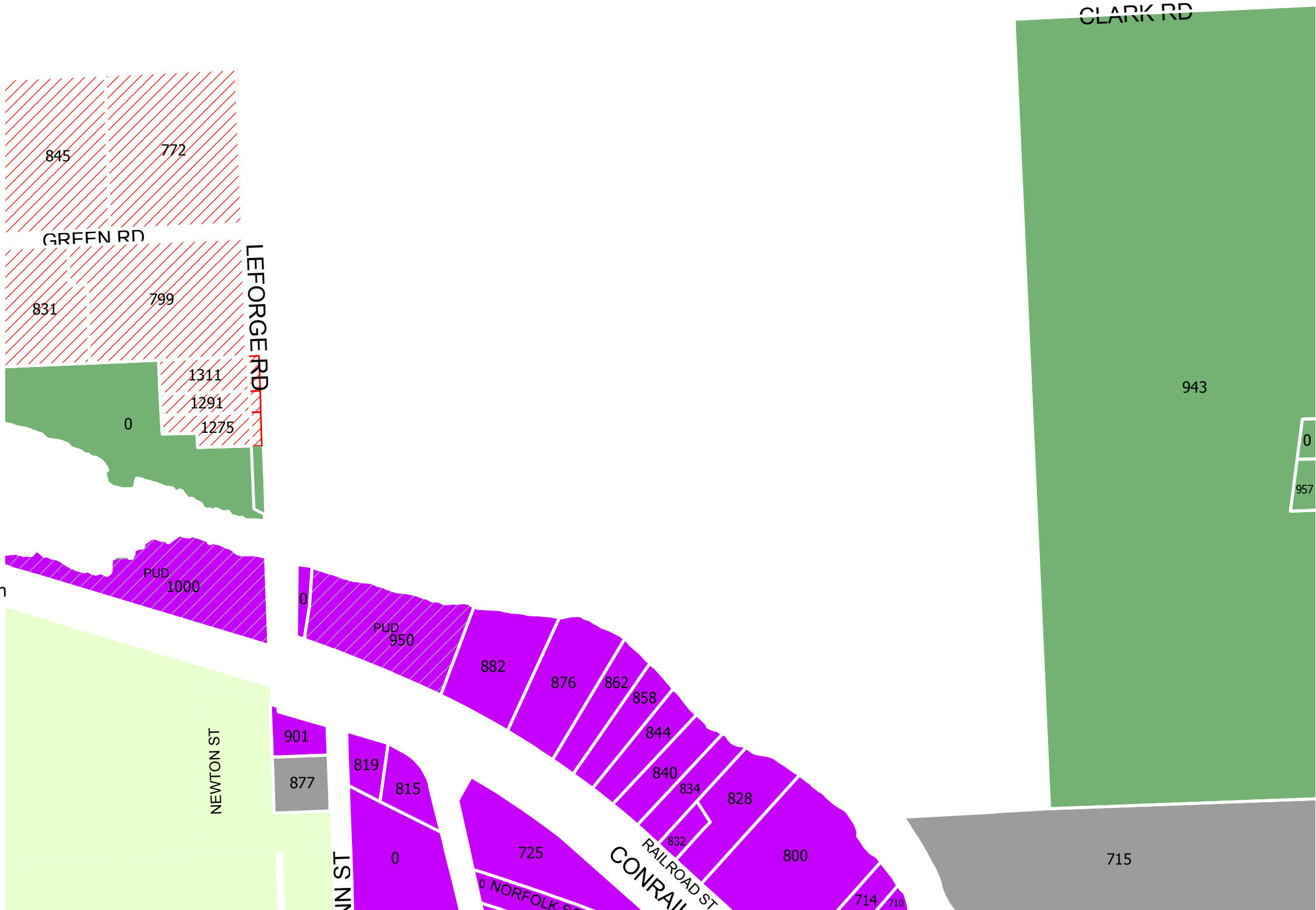
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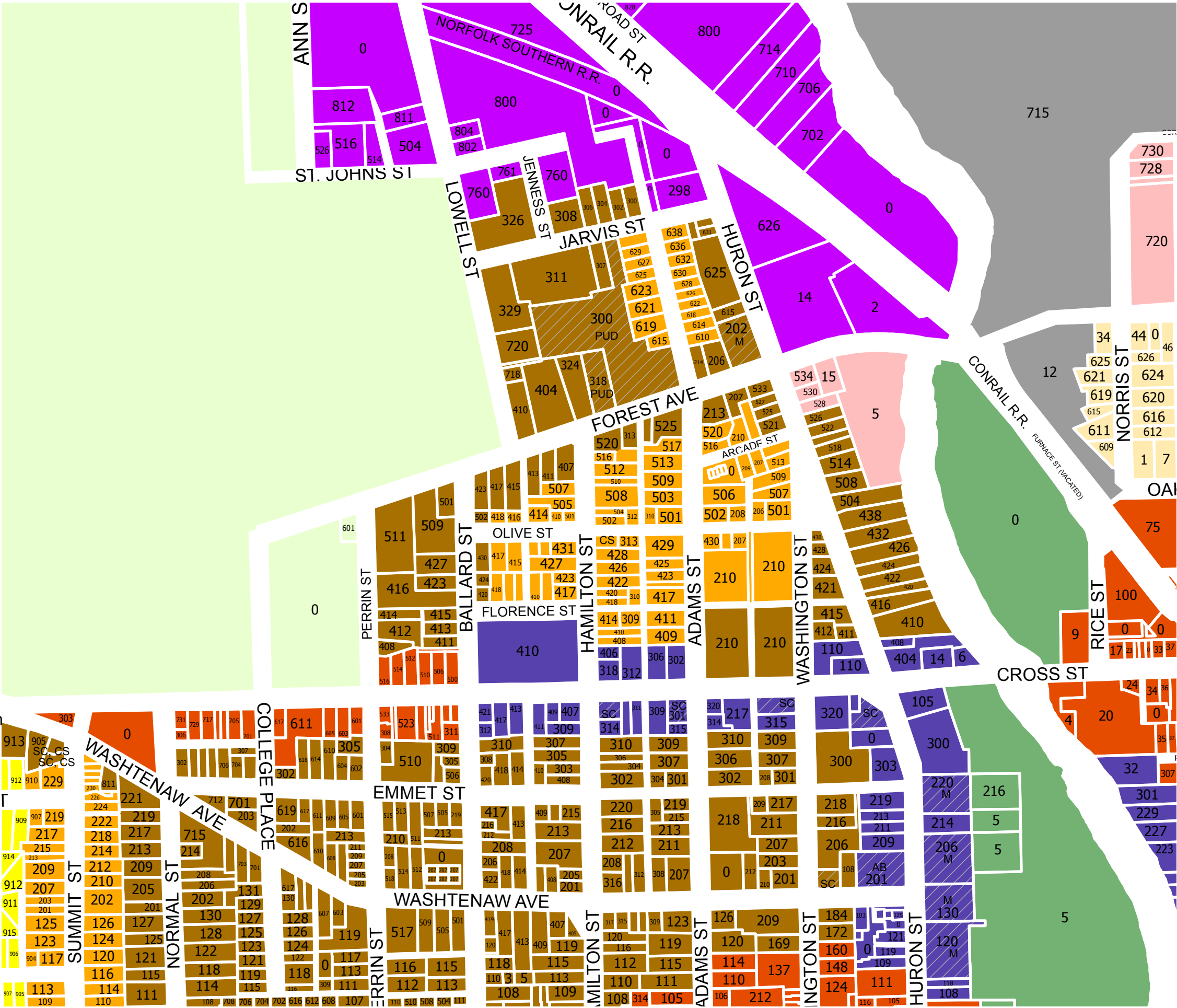
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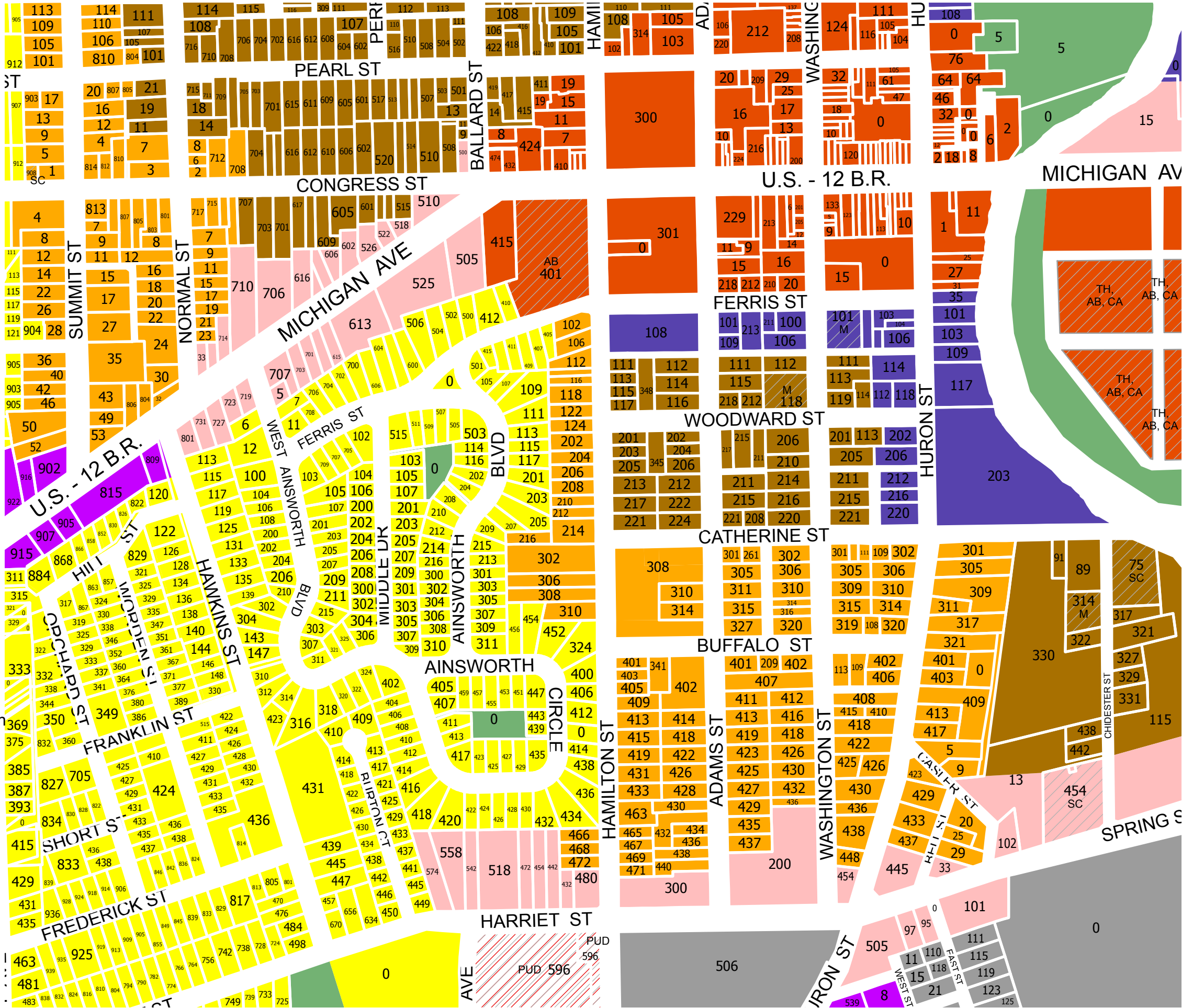
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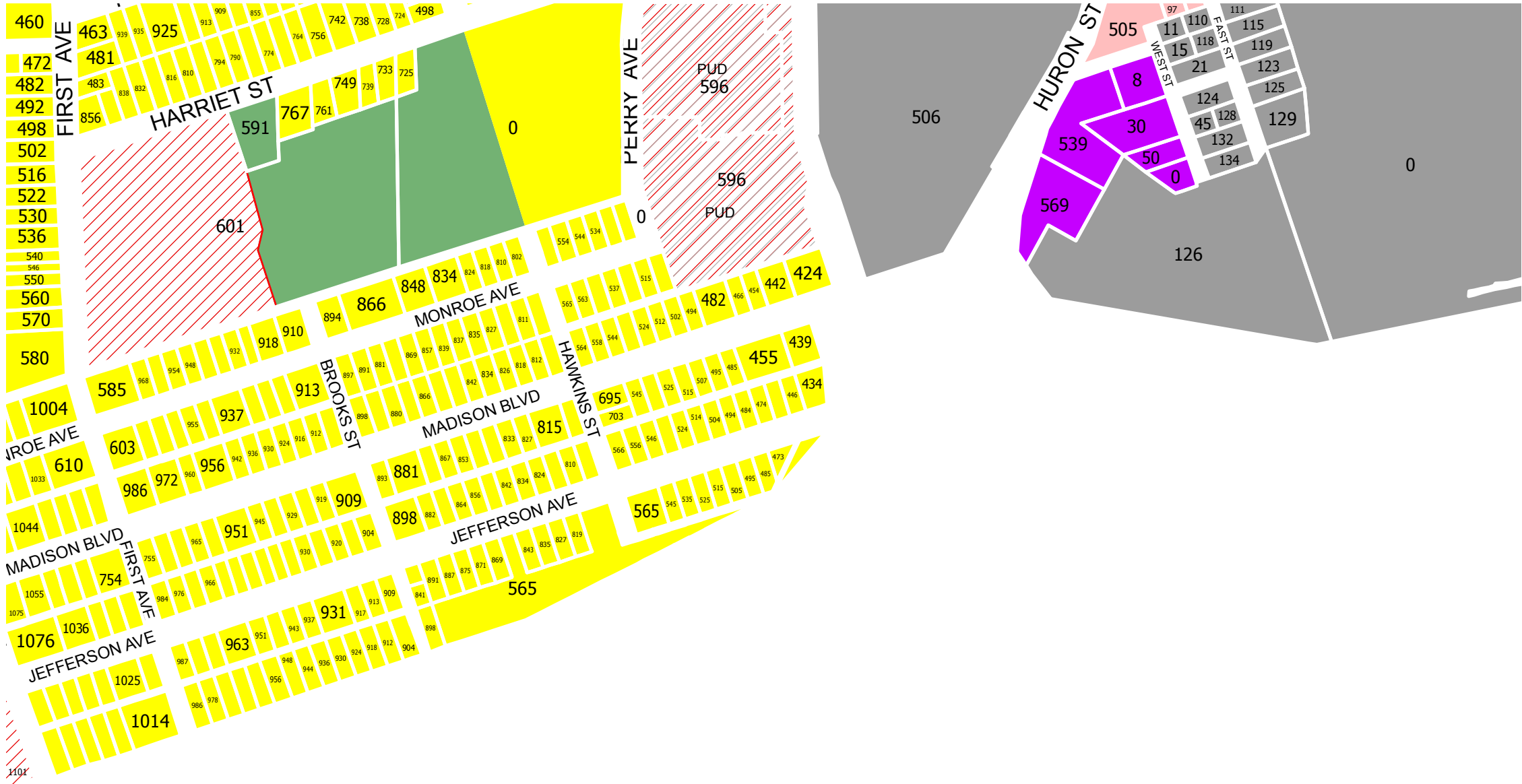


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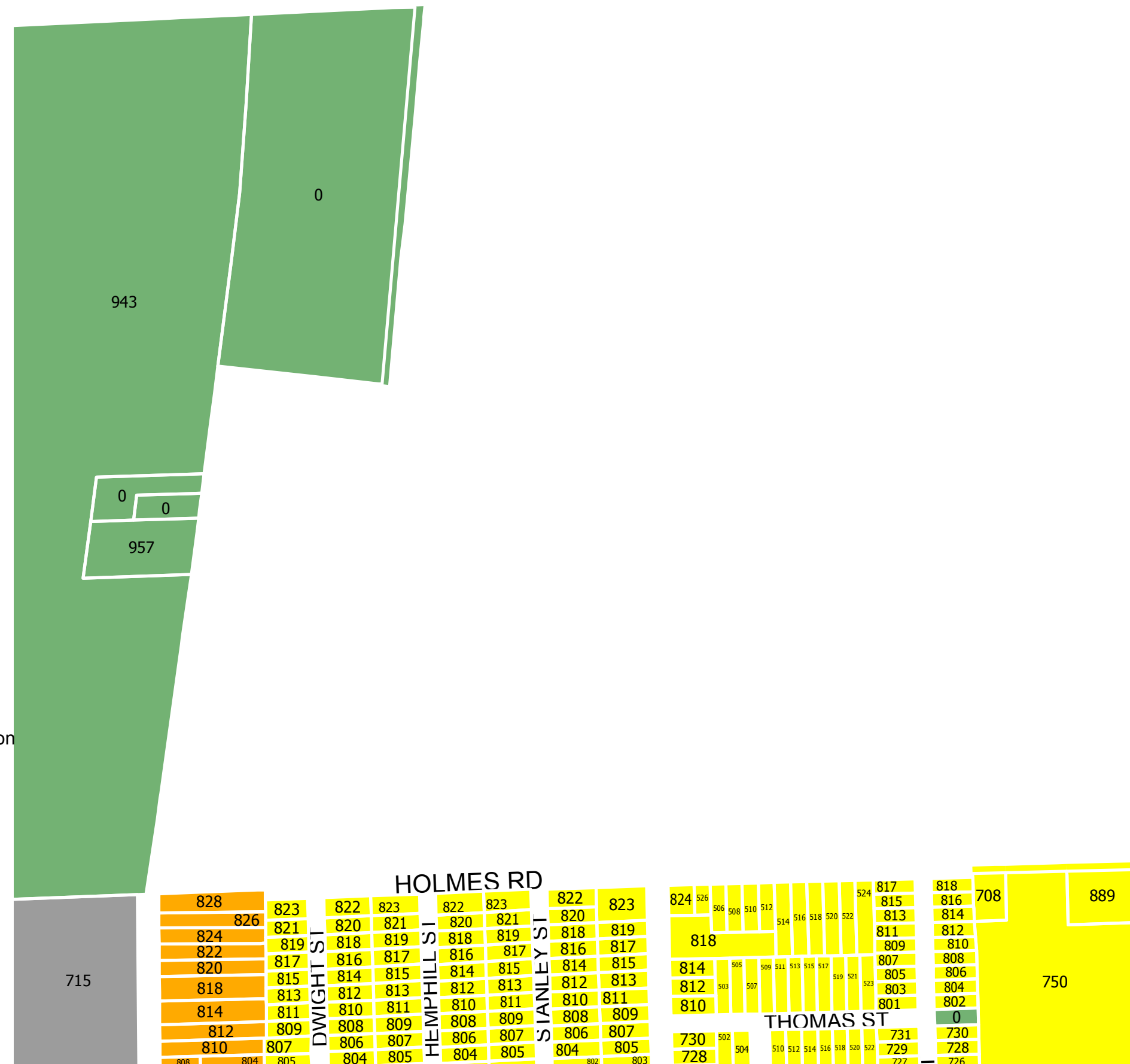
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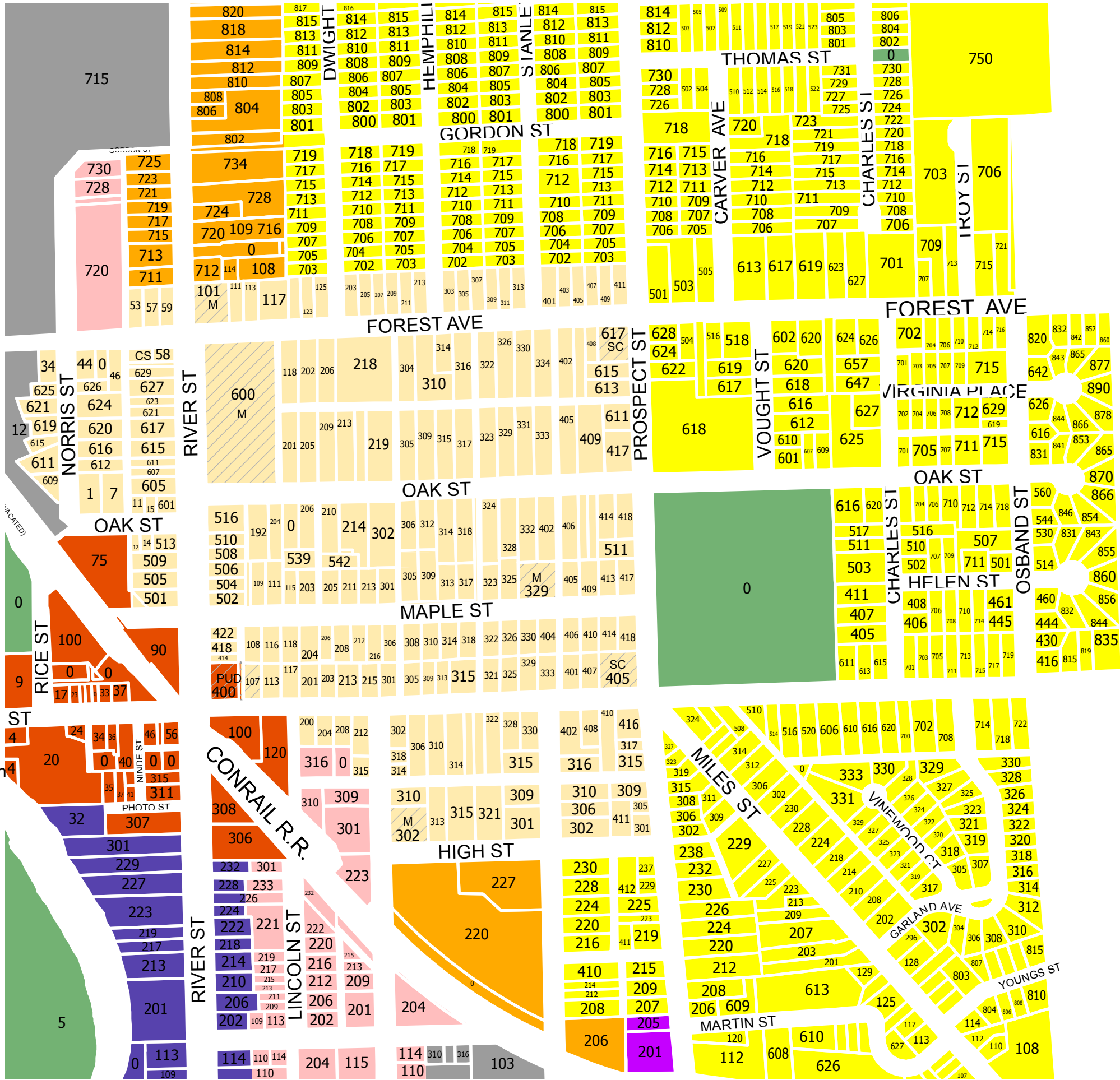
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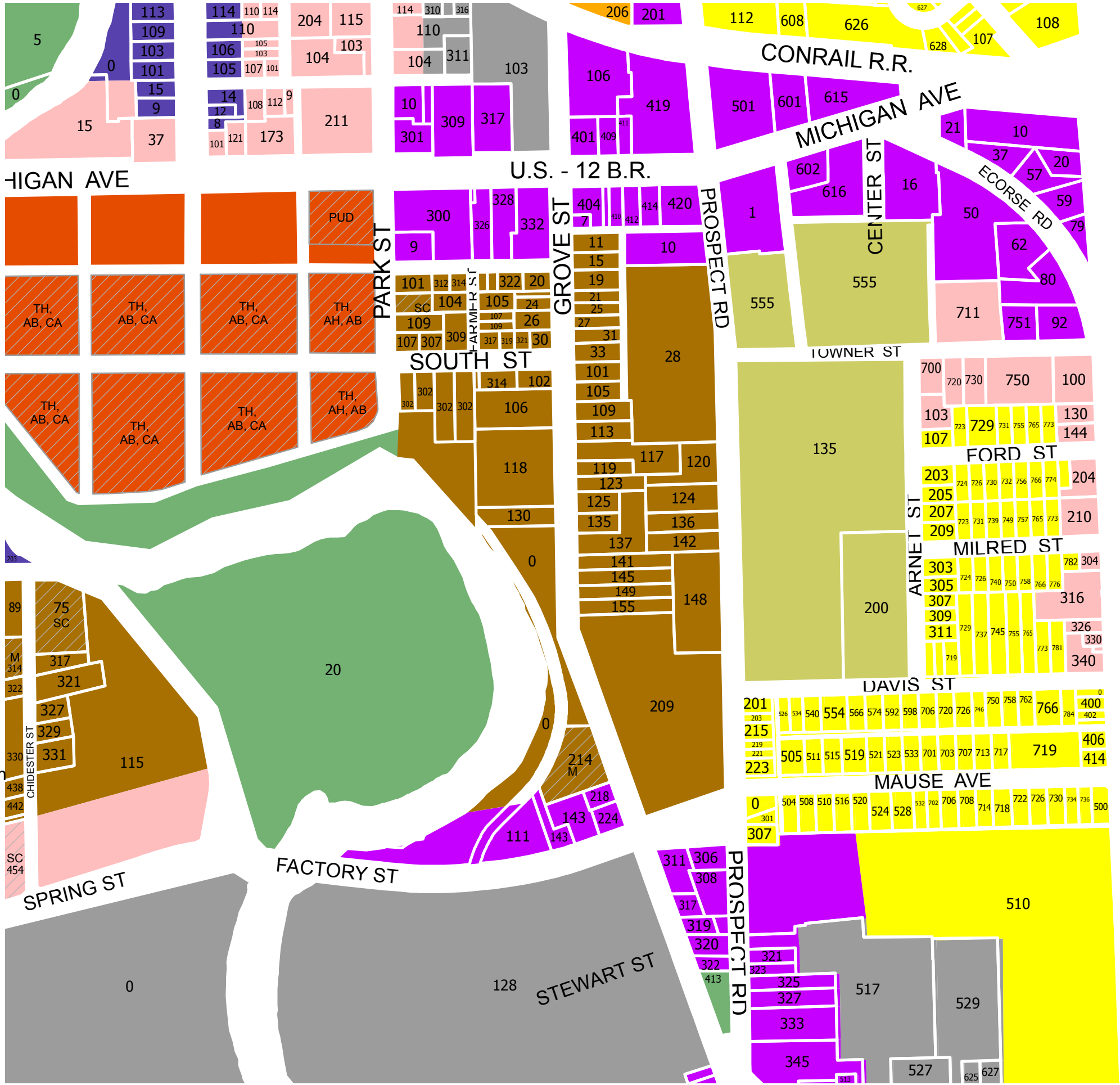
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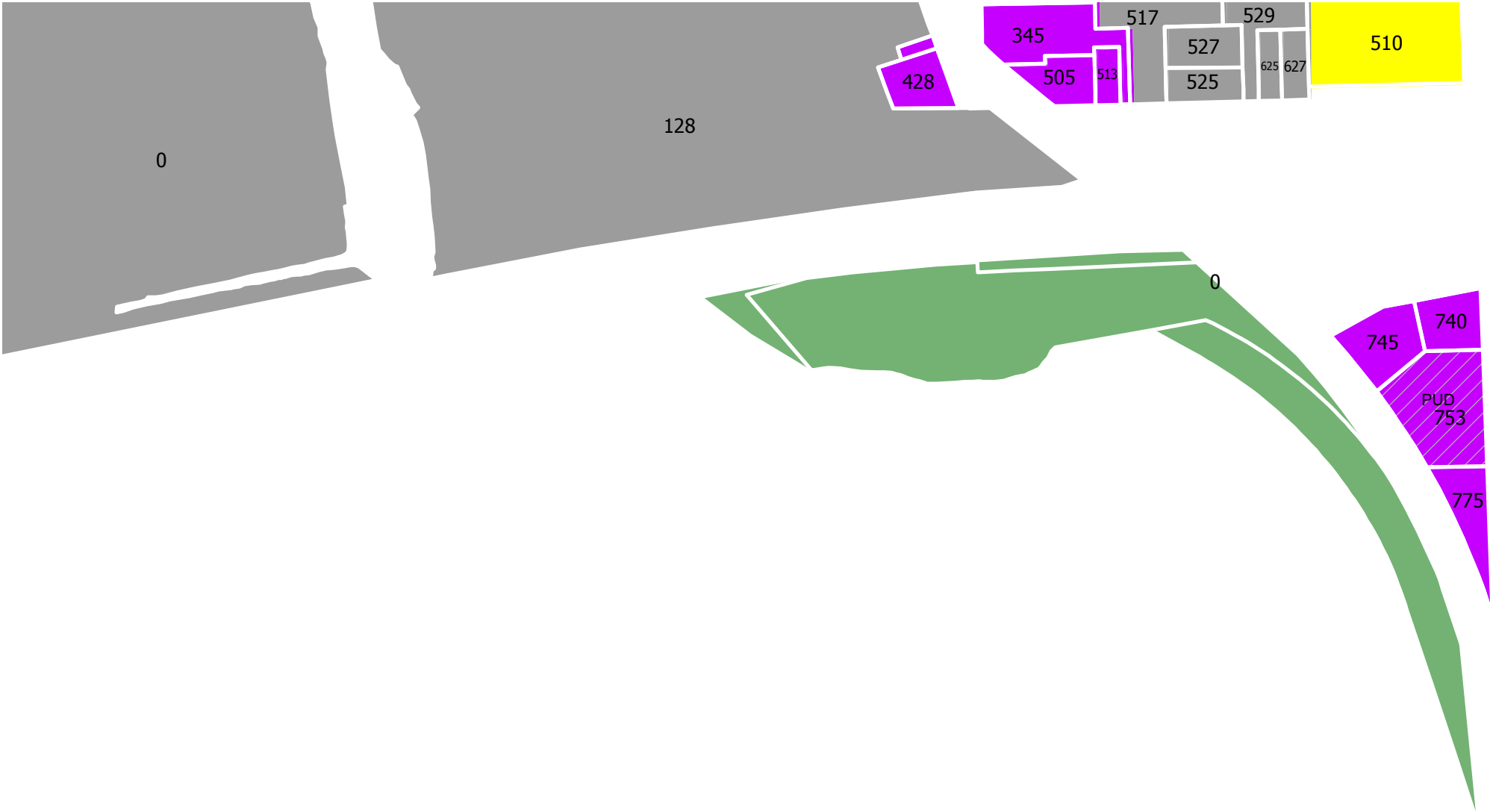
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Legend

- HHS - Health and Human Services
- R-1 Single Family Residential
- CN-SF Core Neighborhood Single-Family
- CN-Mid Core Neighborhood Mid
- CN - Core Neighborhood
- NC - Neighborhood Corridor
- HC - Historic Corridor
- GC - General Corridor
- C - Center
- PMD - Production, Manufacturing, Distribution
- MD - Multi-Dwelling
- Eastern Michigan University
- P - Park
- Limited Building Type or PUD



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Legend

- HHS - Health and Human Services
- R-1 Single Family Residential
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December 12, 2014

Dear Mayor and City Council Members:

I am requesting that you oppose approval of the revised zoning ordinance as it is now written.

I appreciate that there has been a tremendous amount of work done on this document and I think that many of the changes will help our city to move forward in a positive direction. It is also a complicated document and unfortunately I did not review it thoroughly until recently. When I did, I noticed certain problems that the staff addressed, but only partially. I think that there are still problems that need to be corrected.

The severe up-zoning in the new NC designation should not be approved without careful consideration on an independent basis by City Council of the likely negative effects. Therefore, I urge you not to merely to defer to the staff and planning commission but thoroughly review whether the changes I point out will accomplish the goals set out in the proposed Zoning Ordinance or whether these changes will cause further problems. The proposed zoning is a drastic shift away from the previous zoning update. The current zoning law reflects the downzoning that was hard-fought for, while the current proposal "up-zones", at least in the NC district, to an even more intense uses than were allowed prior to the previous downzoning. My concern is that this up-zoning is contrary to the stated goals and intent of the zoning law and will not provide improved, stable, attractive and affordable housing options for residents. Instead, it will merely encourage more transient, more intense, less well-maintained, although cheap, housing in the NC district which will lose the diverse range of uses in the area.

The proposed Zoning Ordinance creates a new category of residential housing called "Group Residence" which is a "Principal" use, that is, a use that is by right without requiring any approval or special permit in the newly created "Core Neighborhood" district. Group Residences are defined as "a residence by a group of persons who are not a family on a *weekly* (emphasis added) or longer basis. Typical uses include cooperatives, sororities and fraternities."

The "Core Neighborhood" has effectively replaced the R-3 and R-4 districts which currently only allow fraternities and sororities under a special use permit. Therefore, the Core Neighborhood is undergoing a significant "up-zoning" by allowing fraternities and sororities as a matter of right, adding a general group residence of up to 6 unrelated individuals as a matter of right ("informal frats"), and adding cooperatives.

Further, under current zoning, a fraternity or sorority will only be granted a permit, in part, if is sponsored by a recognized organization and be registered with the office of campus life or equivalent administrative office at the university (Sec. 122-787). Those requirements are removed in the proposed zoning ordinance. The reason given by City staff is that the new category of Group Residence allows up to 6 individuals in a single residence as a matter of right, and therefore a group of students need not form a sorority or fraternity in order to live together, so there is no point in requiring that they be

registered with an organization or the university. The result is a loss of accountability and control. The existing fraternities and sororities already contribute to reduced green space and more traffic, trash, and noise problems than other types of uses. Under the current zoning, at least the City can turn to the greater organization of the sorority or fraternity, or the university to address problems with a group of students. Another loss is many national chapters encourage or require community service and outreach, which provides a benefit to the City and helps the student residents become connected with the City and its other residents.

The planning staff has stated that the Group Residence designation was created in response to requests from students that they would like to be able to live together in a group setting and would have purchased a home to do just that if they were not prevented from doing so under the current zoning. This is simply not the case. A "family" is allowed to live in one residence and the definition of family is broad: it includes "a collective number of individuals living together in one dwelling unit, whose relationship is of a continuing, nontransient, domestic character, and who are cooking and living as single, nonprofit housekeeping unity. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization, or group of students or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited duration of a school terms or other similar determinable period." It seems to me that buying a house will go a long way in demonstrating a long-term commitment.

In the alternative, a homeowner can have two unrelated persons plus two "servants" (presumably two people doing household chores and/or repairs/yard work in exchange or partial exchange for rent). This allows five unrelated people in a household (or six if a married couple are the owner/occupants).

Either of these provides enough flexibility for anyone who wants to live in a group without creating a housing designation that is transient and unstable as a matter of right, and likely to be rented out by landlords who are seeking maximum profits with little investment. It seems to me that we have enough of that category of housing already. The zoning law limits "transient", unstable housing because it impacts the quality of life in the City of its residents, and in particular the quality of life for those who end up in "transient" housing. What should be encouraged in the zoning law is stable housing for all residents and provide "meaningful choices in living arrangements" (proposed Sec. 122-1 (2)(a). Allowing, as a matter of right, up to six people who do not meet the definition of "family" to reside together in transient housing (as little as week-by-week) merely provides more low-quality, unstable housing in approximately 20% of the City (a rough estimate based upon the colored map provided by the City). This is not something that the City should welcome with open arms in such large number of houses.

This brings me to my concern that this up-zoning is inconsistent with the stated goals in Sec. 122-1 to "limit the inappropriate overcrowding of land and congestion of population and transportation systems" without actually fulfilling the purported goal of "providing meaningful choices in living arrangements". At the November 18, 2014 City Council Meeting, numerous residents spoke about their frustration with the poor quality of housing provided by certain landlords and their desire to have higher quality, safe, and functioning homes to live in our city. One resident in particular spoke eloquently about the

economic facts of the current job market for young people who are earning \$12-\$15 per hour and implored the City to work to provide affordable housing options. These people were not requesting more transient, unstable housing and the City should not engage in an experiment in creating a new housing designation that is not designed to meet the needs of its residents.

However, the Group Residence designation does include cooperatives, which is the only type of group residence that has the capacity to provide stable, quality, affordable housing options for residents. A cooperative is defined in the proposed zoning ordinance as “a multiple dwelling unit owned by a corporation which leases its units to stockholders/shareholders on a proprietary lease agreement”. Residents own a share of the home they reside in, and therefore have a stake in the community they live in, and have been an affordable option in other cities and towns. This provides the opportunity for stable housing that the City should be encouraging.

The City staff has asserted that they were advised by consultants that the Group Residence would not be used by many people because many of the houses are already divided into multiple units and that it would be too costly to tear out kitchens and open walls in order to make the structure into one-unit residences. First, I think that it is poor lawmaking to make that kind of assumption and make the designation “of right” because if the assumption is wrong (which I think it is) the City has absolutely no recourse to address problems (except to propose new zoning updates again which is a long-term process).

There is an assumption that the Core Neighborhood will continue to have this broad-range mix of housing from single-family to group residences, and everything in between. The fact is that the group residences will overshadow the less-intense uses. Long term residents in single family homes and duplexes are less likely to stay and/or invest in their property knowing that the houses next door, across the street, and behind them can become frat houses, or even worse, informal frat houses without any requirement of accountability to a national organization or the university.

During the last zoning ordinance update, we heard from numerous real estate agents that stated unequivocally that families looking to purchase homes will not look in these areas and encouraged the downzoning that went through. Since then, despite the housing crisis that interfered with the success of those goals, I have seen more families buying houses in my neighborhood. I am concerned that this trend will stop because individual homeowners are not going to buy a house in a neighborhood where every house can be a frat house or an informal frat house. So, the current single-family and duplex homeowners are more likely to want to get out, the new buyers are less likely to be buying a single family or duplex in the neighborhood, so the houses will sell to investors who can turn it into an informal frat, and so it snowballs and the “assumption” of a continued diverse housing district disappears.

Second, I think it is likely that in many houses, kitchens will be torn out to create these informal frats when the economics make it worthwhile and that very soon it will be worthwhile for many landlords. Tearing out kitchens and taking down walls is relatively inexpensive. It is not done by investors generally because they can earn higher rents in multiple units. However, many of the multi-unit houses are operating with a single furnace and current code requires that upon replacement of the furnace, the

building must have one furnace and separate ducting for each unit. Installing two, three or four furnaces each with its own separate ducting requires a large investment by the property owner and there are a lot of very old furnaces on their last legs that are going to require replacement over the next few years. Most of these property owners are going to choose the cheapest option and tear out the kitchens, and this will contribute further to the "snowball effect" I described above.

Finally, city staff has asserted that the proposed zoning ordinance puts in an additional protection by requiring that each group residence have a "responsible party for management on file with the city". First, it is already a current requirement of roominghouses and does not appear to be an effective tool to deal with problems at roominghouses. Second, the responsible party is not required to actually be a resident as the term is undefined in the current and the proposed zoning law. In effect, it is no different than contacting the property owner who may not reside in the property or even in the city. Therefore provides no additional protection or accountability whatsoever.

Based upon all of these problems and the prospect of unintended consequences, I again urge City Council to oppose approval of the zoning law at the second reading on December 16, 2014 and request the following changes:

1. Limit the Group Residence allowed as a "primary" use in the Core Neighborhood to Cooperatives only.
2. Require special use permits for fraternity and sororities in the Core Neighborhood.
3. Remove the new, general group residence of up to six unrelated people. In the alternative, allow it only as a special use in the Core Neighborhood.
4. Add back in current Sec. 122-787 requiring fraternities and sororities to be sponsored by a national, regional, or recognized local organization and registration with Campus Life or its equivalent.
5. Define Resident Manager and include the requirement that the person actually reside in the property being managed.

Thank you for your service,

Roberta Wojcik-Andrews

7 North Normal Street (aka "the Estate")

Ypsilanti, MI 48197



Resolution No. 2014-293
December 16, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the City Council Meeting be adjourned, on call, by the Mayor or two (2) members of Council.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



ZONING ORDINANCE

City of Ypsilanti, Michigan

Draft Revised Zoning Ordinance December 11, 2014

Chapter 122

ZONING

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Sec. 122-4	Interpretation and Conflict
Sec. 122-5	Rule of Construction
Sec. 122-6	Administrative Liability
Sec. 122-7	Vested right
Sec. 122-8	Violations and Penalties
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Secs. 122-66-122-90	Reserved

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ARTICLE I. IN GENERAL

Sec. 122-1. Intent

In the interpretation and application of this chapter, the provisions of this chapter shall be held to be minimum requirements for the promotion of the public health, safety and welfare. The provisions of this chapter are intended to **create a safe and sustainable city; to** meet the needs of the city's residents for food, fiber, energy and other natural resources; the location of places of residence, recreation, industry, trade, service and other uses of land; to ensure that uses of the land shall be situated in appropriate locations and relationships; to limit the inappropriate overcrowding of land and congestion of population and transportation systems and other public facilities; to facilitate adequate and efficient provision for transportation systems, sewage disposal, water energy, education, recreation and other public service and facility needs; and for those purposes, divide the city into districts and within those districts designate the uses for which buildings or structures may be erected or altered; **what type of building may be erected**, provide regulations for land uses, activities, or special uses which may be permitted subject to approval and regulation; establish the height and bulk of buildings, the area of yards, courts and other open spaces; restrict the maximum number of families which may be housed in dwellings; and impose regulations for land prone to flooding.

The intent and purpose of this Code is to enable, encourage and qualify the implementation of the following policies:

(1) The block and the building

- a. That buildings and landscaping should contribute to the physical definition of streets as civic places.
- b. That development should create complete streets that adequately accommodate automobiles while respecting the pedestrian and the spatial form of public areas.
- c. That the design of streets and buildings should reinforce safe environments, but not at the expense of accessibility.
- d. That architecture and landscape design should grow from local climate, topography, history, and building practice.
- e. That buildings should provide the community with a clear sense of geography and climate through energy efficient methods.
- f. That Institutional Buildings and public gathering places should be provided as locations that reinforce - community identity.
- g. That Institutional Buildings should be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the city.
- h. That the preservation and renewal of historic buildings should be facilitated, to affirm the continuity and evolution of society.
- i. That the harmonious and orderly evolution of urban areas should be secured through codes that regulate both building type and land use.

(2) The districts

- a. That neighborhoods should provide meaningful choices in living arrangements as manifested by distinct physical environments.
- b. That the District descriptions in Article VII shall constitute the Intent of this Code with regard to the general character of each of these environments.

Sec. 122-42. Interpretation of language.

For the purpose of this chapter, the following rules of interpretation shall apply to the text of this chapter:

- (1) The particular shall control the general.
- (2) In the case of any difference of meaning or implication between the text of this chapter and any caption or illustration, the text shall control.
- (3) The word "shall" is always mandatory and not discretionary. The word "may" is permissive and discretionary.
- (4) Words used in the present tense shall include the future. Words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- (5) A "building" or "structure" includes any part thereof.

- (6) The phrase "used for" includes "arranged for," "designed for" "intended for," "maintained for," or "occupied for."
- (7) The word "person" includes an individual, a corporation, a partnership, a public utility, firm, an incorporated association, or any other similar entity.
- (8) Unless the context clearly indicates the contrary, or a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and," "or," "either . . . or," the conjunction shall be interpreted as follows:
 - a. "And" indicates that all the connected items, conditions, provisions, or events shall apply.
 - b. "Or" indicates that the connected items, conditions, or provisions, or events may apply singly or in any combination.
 - c. "Either . . . or" indicates that the connected items, conditions, or provisions, or events may apply singly or in any combination.
- (9) Terms not defined in this chapter shall have the meaning customarily assigned to them.

Sec. 122-23. Definitions.

The following words, terms and phrases when used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandon means, in relation to nonconformities, to refer to uses, businesses, or establishments which have ceased to operate or exist; or to buildings, structures, or properties which have ceased to be occupied or used or for which no owner can be found, for a period of 365 consecutive days where there is an intent demonstrated by the property owner to abandon the nonconforming use by action consistent with §122-204(5) or 122-205(5).

Accessory dwelling unit means Living or sleeping quarters, temporary or permanent, in an accessory building. Accessory dwelling units are prohibited in travel trailers, motor homes or other recreation vehicle, auto chassis, boat or portable building.

Accessory use, building or structure means a use, building, or structure which is clearly incidental to, customarily found in connection with, subordinate to, and is located on the same zoning lot as the principal use or structure to which it is exclusively related. ~~Where an accessory structure is attached to and made a part of the principal building (excluding breezeways or canopies), such accessory structure shall comply in all respects with the requirements of this chapter applicable to the principal building.~~

Adjacent. See "Lot, adjacent."

Administrative officer means an employee of the city who is charged with administering a department or major function of the city, such as city manager, city clerk, city treasurer, city assessor, police chief, fire chief, city planner, community and economic development director, building inspection supervisor.

Adult drop-in center means a facility offering counseling, recreation, supervision, education or a place to pass the day to physically, mentally, or emotionally impaired adult individuals who may stop at any time and stay an unspecified period of time during its business hours.

Adult foster care facility. A governmental or nongovernmental establishment having as its principle function the receiving of adults, 18 years of age or older, for foster care in accordance with Act No. 218 of the Public Acts of Michigan of 1979, and the adult foster care administrative rules as administered by the state department of social services. It includes facilities and foster care family homes for adults who are aged, emotionally disturbed, developmentally disabled, or physically handicapped who require continuous supervision on an ongoing basis but who do not require continuous nursing care. The following four types of adult foster care homes are provided for by these rules:

- (1) *Adult foster care family home.* A private residence with the approved capacity to receive not more than six adults who shall be provided foster care for five or more days a week and for two or more consecutive weeks. The adult foster care family home licensee shall be a member of the household and an occupant of the residence.
- (2) *Adult foster care small group home.* An adult foster care facility with the approved capacity of not more than 12 adults who shall be provided foster care. Conformance to local zoning is required only if seven or more residents will live in the home.

- (3) *Adult foster care large group home.* An adult foster care facility with the approved capacity to receive at least 13 but not more than 20 adults who shall be provided foster care. Conformance to local zoning is required.
- (4) *Adult foster care congregate facility.* An adult foster care facility with the approved capacity to receive more than 20 adults who shall be provided foster care. Conformance to local zoning is required.

Adult regulated uses. The following definitions shall apply to adult uses as regulated in section 122-774:

- (1) *Adult book or supply store* means an establishment having 20 percent or more of its stock in trade or its sales devoted to the distribution, display, or storage of books, magazines, and other periodicals and/or photographs, drawings, slides, films, video tapes, recording tapes, and/or novelty items which are distinguished or characterized by their emphasis on matters depicting, describing, or relating to specified sexual activities or specified anatomical areas. Such establishment or the segment or section devoted to the sale or display of such material in an establishment is customarily not open to the public generally but only to one or more classes of the public, excluding any minor by reason of age.
- (2) *Adult mini-motion picture theater* means an enclosed building with a capacity for less than 50 persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, for observation by patrons therein. Such establishment is customarily not open to the public generally, but only to one or more classes of the public, excluding any minor by reason of age.
- (3) *Adult motel/hotel* means a building in which lodging is provided or offered to the public for compensation and which is open to transient guests where the room charge is made by the hour, and/or in which books, magazines and other periodicals or materials which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, may be sold or rented, or where motion pictures or video tapes with an emphasis on specified sexual activities or specified anatomical areas are available for viewing on an in-room viewing screen or television monitor.
- (4) *Adult motion picture theater or adult live stage performing theater* means an enclosed building with a capacity of 50 or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein. Such establishment is customarily not open to the public generally, but only to one or more classes of the public, excluding any minor by reason of age.
- (5) *Cabaret* means an establishment which features any of the following: topless dancers and/or bottomless dancers, ~~go-go dancers~~, strippers, ~~male and/or female impersonators or similar entertainers~~, or topless and/or bottomless waitpersons or employees or any other form of nude or partially nude service or entertainment.
- (6) *Massage parlor or massage establishment* means 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 massage therapist, physician, osteopath, or chiropractor; a registered or practical nurse operating under a physician's directions; or, registered physical or occupational therapists or speech pathologists who treat patients referred by a licensed physician and operate only under such physician's direction. A massage establishment may include, but is not limited to, establishments commonly known as massage parlors, health spas, sauna baths, turkish bathhouses, and steam baths. Massage establishments shall not include properly-licensed hospitals, offices of a duly licensed massage therapist, medical clinics, or nursing homes, or beauty salons or barbershops in which massages are administered only to the scalp, the face, the neck or the shoulders; or other establishments that offer massages performed by a duly licensed massage therapist.
- (7) *Specified anatomical areas* means portions of the human body defined as follows:
 - a. Less than completely and opaquely covered human genitals, pubic region, buttocks, or female breast below the point immediately above the top of the areola; and
 - b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
- (8) *Specified sexual activities* means the explicit display of one or more of the following:
 - a. Human genitals in a state of sexual stimulation or arousal.
 - b. Acts of human masturbation, sexual intercourse, or sodomy.
 - c. Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breast.

~~Alcohol treatment facility.~~ See "Substance abuse treatment facility."

Alley means a public right-of-way which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

Alteration means any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as walls, partitions, stairways, columns, beams, girders; any change in the width or number of exits; any substantial changes in the roof or exterior walls; any change in the location of a building; any change in the number of off-street parking spaces or loading areas or means of egress and ingress to the site; or any change which may be referred to as "altered" or "reconstructed" or "change of use."

Alternative paving means alternatives to traditional impervious asphalt or concrete paving techniques that save energy, decrease the heat island effect, and/or increase stormwater infiltration. This includes pervious paving and pavers and geogrid installations, but does not include loose gravel.

~~Animal hospital.~~ See "Veterinary clinic or hospital."

Antenna means the arrangement of wires or metal rods used in the sending and receiving of electromagnetic waves.

Antenna support structure means any mast, pole, tripod, tower, or similar structure used to support an antenna.

Antenna system means the combination of an antenna and antenna support structure.

~~Apartment.~~ See "Dwelling, multiple apartment."

~~Arcade~~ means any establishment which provides on its premises four or more coin-operated amusement devices which upon the insertion of a coin or slug may be operated for use as a game, contest, or amusement of any description, not including musical devices. (Also see "Coin-operated amusement device.")

~~Arts and crafts studios and schools~~ means facilities that are used as work space for an artist or crafter or a learning place for the study of an art or craft. Arts uses shall include, but are not limited to, the fine arts such as music, dance, film (except for adult regulated uses), and photography. Craft uses include the handmade production of articles other than food, such as pottery, glass items, neon sculpture, jewelry, silk screening, needle work, stone and wood work, metalworking or casting, and similar items.

Auction house means a permanent facility where items of merchandise are sold and physically conveyed to the highest bidder in an enclosed facility. This does not include on-line auction activities or temporary auctions.

Automobile means, unless specifically indicated otherwise, any vehicle including cars, trucks, pickups, vans, commercial vehicles, motorcycles, and the like.

Automobile repair means ~~major or minor~~ repair of automobiles defined as follows: **including (1) — Minor — repair** means engine tune-ups and servicing of brakes, air conditioning, exhaust systems; oil change or lubrication; wheel alignment or balancing; or similar servicing, ~~rebuilding or repairs that normally do not require significant disassembly or storing the automobiles on the premises overnight.~~ (2) — **Major repair** means engine and transmission rebuilding, reconditioning or general repairs; collision service such as body, frame or fender straightening or repair; steam cleaning, undercoating and rustproofing; painting and similar exterior detailing; machining; and similar servicing, rebuilding or repairs ~~that normally do require significant disassembly or storing the automobiles on the premises overnight.~~

~~Automobile repair garage~~ means primarily used for general automobile repair wholly within enclosed buildings, which may include minor or major repair of automobiles or a combination thereof, and which does not offer the sale and dispensing of automobile fuels.

Automobile service station/automobile filling station means any building, structure or land used for the retail sale of fuels, lubricants, and automobile accessories and the making of minor repairs to vehicles or parts thereof totally enclosed within a building. An automobile **service filling** station shall not include **engine and transmission rebuilding, reconditioning or general repairs; collision service such as body, frame or fender straightening or repair; steam cleaning, undercoating and rustproofing; painting and similar exterior detailing; machining; and similar servicing, rebuilding or repairs that normally require significant disassembly or storing the automobiles on the premises overnight.** ~~major repair work.~~ Automobile service stations may also incorporate a convenience store operation as an accessory use. Parking requirements for service station/convenience store operations shall be computed by adding together the parking space requirements for each separate use.

Automobile Share Organization means a membership-based car-share service to the public and manages, maintains and insures motor vehicles for shared use 24-hours a day by individual and group members. This definition does not include automobile rental services where vehicles are leased by the day and vehicles are stored, washed and/or repaired in the same facility.

Automobile Share Parking means a parking space or spaces which it is located and dedicated for use by any automobile share organization through a deed restriction, condition of City approval, or license agreement.

Automobile or car wash means any building or premises or portions thereof used for washing and/or detailing automobiles and includes automatic, self-service and hand wash facilities.

Awning means a structure generally constructed so as to shade a window or door opening on a building, which is made of nonrigid materials stretched over a frame attached to a building and which may or may not be constructed so as to be raised or retracted to a position against the building when not in use.

Bar/lounge means an establishment which is operated primarily for the dispensing of alcoholic beverages, although the sale of prepared food or snacks may also be permitted. If an establishment includes a bar or lounge and a separate dining facility, the establishment shall be considered a bar/lounge if more than 50 percent of the usable floor area of the entire establishment is used for the bar/lounge. *Brewpubs, as defined and licensed by the State of Michigan, shall be considered a bar/lounge.*

Base flood means the flood having a one percent probability of being equaled or exceeded in any given year as determined by the Federal Insurance Administration and/or the U.S. Army Corps of Engineers; also referred to as the 100-year flood.

Base flood elevation means the height of the base flood in relation to the National Geodetic Vertical Datum of 1929.

Basement means that portion of a building wholly or partly below grade. Except that a basement shall be considered a story above grade where the finished surface of the floor above the basement is:

- (1) More than six feet (1,829 mm) above grade plane;
- (2) More than six feet (1,829 mm) above the finished ground level for more than 50 percent of the total building perimeter; or
- (3) More than 12 feet (3,658 mm) above the finished ground level at any point. (Refer to Figure 1.)

~~*Bed and breakfast inn.*~~ See "*Inn.*"

Bed and breakfast lodging means a structure ~~in a residential area~~ which was constructed for and is used for single-family residential purposes occupied by the owner but which may have as an accessory use a temporary lodging for travelers/guests where bedrooms are rented on a nightly basis with breakfast included in the price of the room, subject to the limitations outlined in this chapter.

Bedroom means any private room in a dwelling unit suitable for regular use for sleeping purposes, as defined in the housing code. Bedrooms can include rooms designated on development floor plans as dens, studies, or libraries but not living rooms, family rooms, dining rooms, kitchens, bathrooms, laundry rooms, and mud rooms. Any room designated as other than a bedroom but which in the judgment of the city planner and the building official or planning commission could normally be usable for sleeping purposes shall be considered a bedroom. Any bedroom designed for occupation shall have minimum space requirements as established by the city housing code for existing structures or as established by the building code adopted by the this Code for new construction, additions or repairs.

~~*Berm.*~~ See "*Landscaping.*" *Berm* means a continuous, raised earthen mound with a flattened top and sloped sides, capable of supporting live landscaping materials, and with a height and width that complies with the requirements of this chapter.

Board of appeals means the zoning board of appeals of the city, created pursuant to the provisions of Act No. 110 of the Public Acts of Michigan of 2006 (MCL 125.3101 et seq.), as amended.

Boardinghouse. See "*Roominghouse.*"

BOCA Code means codes currently adopted by the city which are promulgated by the Building Officials and Code Administrators International, Incorporated.

Body art facility means any location that provides, as a principle function, tattooing, branding, body-piercing, or similar body modification for a non-medical purpose. Body art facilities shall be regulated as required by State

of Michigan Act 149 of the Public Acts of 2007, as amended, and shall comply with all inspections, licensing, and other procedures required by that act or by regulations established by Washtenaw County.

Brewer/distiller/ wine maker means a facility in which beer, wine or other alcoholic beverages are brewed, fermented, or distilled and then packaged and stored for distribution and, if allowed by licenses and zoning, consumption; and for possesses the appropriate license(s) from the State of Michigan and the federal government. Accessory uses to the facility, if allowed by the state license, such as direct to consumer sales, tasting rooms and restaurants are regulated by zoning district.

Building means any temporary or permanent structure, having a roof or other covering, used or built for the support, enclosure, shelter, or protection of persons, animals, chattel or property of any kind, ~~including but not limited to tents, awning, carports; and also semi-trailers, vehicles, mobile homes, or premanufactured or precut structures, erected on-site, above or below ground,~~ designed primarily for shelter rather than as a means of conveyance. A building shall not include such structures as signs, fences or smokestacks, ~~but shall include structures such as storage tanks, grain elevators, coal bunkers or similar structures.~~

~~*Building, accessory.* See "Accessory use, building, or structure."~~

Building code means chapter 18, article III of this Code.

Building, completely enclosed means a building separated on all sides from the adjacent open space or from other building or structures by a permanent roof and exterior walls having only window and normal entrance or exit doors.

Building height means the vertical distance from the established grade of the center of the front of the building to the highest point of the roof surface of a flat roof; to the deck line of mansard roof; to the mean height level between the eaves and ridge for a hip, gambrel or gabled roof; and 75 percent of the height of "A" frame. (Refer to Figure 3.) Chimneys, spires, antenna, and similar projections other than signs shall not be included in calculating building height.

Building line means a line parallel to the front lot line that separates all parts of a building from the open spaces adjacent thereto on the same lot. (Refer to Figure 4.) For the purposes of this chapter, a minimum building line is the same as a required front yard setback line.

Building, principal means a building or group of buildings in which is conducted the main or principal use of the lot on which the building is situated. See "Accessory use, building, or structure" and "Use, principal."

Building, temporary means a building which is not permanently affixed to the property, and is permitted to exist for a specific reason for a specific period of time. An example of temporary building is a trailer used on a construction site.

Bulk means a composite characteristic of a given building as located upon a given lot; not definable as a single quantity, but involving all of the following characteristics:

- (1) Size and height of the building;
- (2) Location of exterior walls at all levels in relation to lot lines, streets, or to other buildings;
- (3) Gross floor area of the building in relation to lot area;
- (4) All open spaces allocated to the building; and
- (5) Amount of lot area provided per dwelling unit.

Canopy means a roof-like structure, other than an awning, made of rigid and durable materials with frames attached to and made a part of the building and further supported by a frame to the ground or sidewalk; or in the case of an automobile filling station or automobile repair garage ~~that which~~ sells fuels, a canopy is a roof-like structure ~~that which~~ is supported mainly by vertical support beams and not walls, ~~it~~ may or may not be attached to the principal building, and is designed to shelter the fuel pumps.

Carport means a structure consisting of a roof supported by posts which is otherwise open to the elements on at least three sides, which is mainly used for storage of automobiles.

~~*Carriage house* means a secondary structure normally at the rear or side of the main building on a site, that is or was used to house horses and horse drawn vehicles or automobiles, and may be 1½ to 2½ stories in height. Typical carriage houses have garage doors or carriage openings on the first floor and storage or living space on the~~

~~upper floor or floors. This designation would also include larger garages, tack houses and barns. Structures must be older than the date of the historic district ordinance to be eligible.~~

Change of Use constitutes the conversion of an existing structure from one permitted use to another. Such a change may not include exterior building alterations, but due to a use intensity, requires additional off-street parking and modification to interior circulation or landscaping. (Ord. No. 918, 8-4-2000)

Child care organizations mean as follows:

~~(1) *Family day care home* means a private home in which one but less than seven minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Family day care home includes a home that gives care to an unrelated minor child for more than four weeks during a calendar year.~~

means a private home, licensed by the state, in which one but less than seven minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Family day care home includes a home that gives care to an unrelated minor child for more than four weeks during a calendar year.

~~(2) *Group day care home* means a private home in which more than six but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. Group day care home includes a home that gives care to an unrelated minor child for more than four weeks during a calendar year.~~

(3) *Group day care home* means a private home, licensed by the state, in which more than six but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. Group day care home includes a home that gives care to an unrelated minor child for more than four weeks during a calendar year.

~~(4)~~

Child care center or day care center means a commercial facility, ~~other than a private residence~~ licensed by the state, receiving one or more children for care for periods of less than 24 hours a day, and where the parents or guardians are not immediately available to the child. Child care center or day care center includes a facility which provides care for not less than two consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. Child care center or day care center does not include a Sunday school, a vacation Bible school, or a religious instructional class that is conducted by a religious organization where children are in attendance for not more than three hours per day for an indefinite period or not more than eight hours per day for a period not to exceed four weeks during a 12-month period, or a facility operated by a religious organization where children are cared for not more than three hours while persons responsible for the children are attending religious services. **State law reference(s)**--Child care organizations, defined, MCL 722.111, MSA 25.358(11).

~~(4) *Foster family home*. See "State licensed residential facility."~~

~~(5) *Foster family group home*. See "State licensed residential facility."~~

~~*Church, synagogue or mosque* means any structure wherein persons regularly assemble for religious activity or worship, including such uses normally accessory thereto, such as a fellowship hall, Sunday School classrooms, parsonages or rectories, and offices. Where a group of persons, who are affiliated with a religious organization, reside together within a dwelling which is the principal building on a site, such dwelling shall not be considered a church or synagogue.~~

Cisterns means storage containers that capture a larger volume of runoff stormwater than a rain barrel.

City means the City of Ypsilanti, Washtenaw County, Michigan.

City council means the city council of Ypsilanti, Washtenaw County, Michigan.

~~Clinic, dental or medical.~~ See "Medical or dental clinic."

~~Club, health~~ means any establishment providing physical or health services, including health clubs, racquetball or tennis clubs, reducing salons, or tanning salons.

Club or lodge, private means a nonprofit association of persons who are bona fide members paying dues which owns or leases premises, the use of which is restricted to members and their guests. The facilities owned or used by such organization may be referred to as a "club" or "lodge" in this chapter.

Coin-operated amusement device means any mechanical or electrical device which provides amusement or entertainment which may be operated or set in motion upon the insertion of a coin or token, or payment of a fee. This definition shall not include juke boxes, music machines, telephone devices, machines which dispense merchandise or machines or devices that provide film or video tape presentations to a customer/user who is merely a passive spectator of such presentation. This exclusion shall not be deemed to exclude any machines or devices in which the customer/user is engaged in a form of competition against the machine or another customer/user.

~~Collector street.~~ See "Street, collector."

Commercial vehicle means a truck or motor vehicle with cab and chassis and with a stake, rack, body, dump body, wrecker body, tanker body or any other body, the mounted height of which exceeds the height of the cab roof more than eight inches. Any truck or motor vehicle which has a commercial license plate and is designed to accommodate a body length in excess of nine feet. Commercial vehicles shall not include motor homes or recreational vehicles, but shall include construction equipment such as backhoes, power shovels, bulldozers, earth moving equipment, semi trucks, tractors and trailers.

Commission means the planning commission of the City of Ypsilanti, Michigan.

Communication device means an apparatus such as an antenna system or satellite dish stations of which the principal function is to send or receive television, radio, or data microwave signals.

~~Conditional use.~~ See "Special use."

Condominium means ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all of the occupants, such as yards, foundations, basements, floors, walls, hallways, stairways, elevators and all other related common elements, together with individual ownership in fee of a particular dwelling unit in such building. Condominiums shall be subject to the regulations set forth in Act No. 59 of the Public Acts of Michigan of 1978 (MCL 559.101 et seq., MSA 26.50(101) et seq.), as amended.

~~Convalescent home.~~ See "Nursing home."

~~Co-op (cooperative)~~ *Cooperative housing* means a multiple dwelling owned by a corporation which leases its units to stockholders/shareholders on a proprietary lease arrangement.

Correctional institution facility means a place of confinement for persons who have broken the law, are awaiting trial, and/or have been convicted of criminal offenses. ~~and are regarded as capable of being reformed.~~

~~Council.~~ See "City council."

~~Cul de sac.~~ See "Street, cul de sac."

~~Cultural exhibit and performance venues~~ includes public assembly facilities such as museums, libraries, art galleries, theaters, concert halls, and planetariums, excluding adult regulated uses. ~~These facilities may include accessory uses such as administrative offices, rehearsal rooms, scene shops, and arts and crafts studios. All activities shall occur within a completely enclosed building.~~

Curb cut means the entrance to or exit from a property provided for vehicular traffic to or from a public or private thoroughfare.

Craft Manufacturing means establishments manufacturing and/or assembling products primarily by hand or with hand tools and/or domestic mechanical equipment. Items produced may include, but are not limited to, custom furniture and woodworking, ceramics and glass, items intended for consumption, personal care products, candle making, jewelry making, custom textile manufacturing and crafts production.

Department of community and economic development means the city department which reviews site plans, variance applications, proposed planned unit developments, and other applications associated with this chapter in order

to provide information and recommendations that will assist the planning commission and zoning board of appeals in their determinations.

District means a portion of the city within which, on a uniform basis, certain uses of land and/or buildings are permitted and within which certain regulations and requirements apply under the provisions of this chapter, such as **building type**, building height, building setback, and intensity of use.

Dormitory means those facilities used for housing students, which are owned and controlled by an educational institution and which are to be distinguished from hotels, motels, and boardinghouses. The terms "dormitory" and "residence hall" are to be used synonymously.

Drive-through service means a business activity so developed that its retail or service character provides a driveway approach and waiting spaces for motor vehicles so as to serve patrons while seated in their motor vehicle. An automatic teller machine or similar device shall not be included in this definition, provided that the device is not staffed and does not use any type of amplification device.

~~*Drug treatment facility.* See "Substance abuse treatment facility."~~

~~*Dumpster enclosure* means any type of approved screening which encloses trash receptacles.~~

Dwelling means a building or portion thereof, containing sleeping, kitchen, and bathroom facilities designed for and occupied by one family, excluding hotels, motels, and inns. In no case shall a travel trailer, motor home, automobile, tent, or other portable building defined as a recreational vehicle be considered a dwelling. In the case of mixed occupancy where a building is occupied in part as a dwelling unit, the part so occupied shall be deemed a dwelling unit for the purposes of this chapter.

Dwelling, manufactured (also known as a "mobile home") means a vehicular, portable structure built on a chassis and designed to be used without a permanent foundation as a dwelling when connected to required utilities and which is, or is intended to be, attached to the ground, to another structure, or to a utility system on the same premises for more than 30 consecutive days. The unit shall be labeled as prescribed under the provisions of the Mobile Homes Construction Safety Standards as promulgated by the United States Department of Housing and Urban Development being 24 CFR 3280. Recreational vehicles as described and regulated shall not be considered "mobile homes" for the purpose of this chapter. Also refer to "Dwelling, one-family or single-family."

Dwelling, premanufactured means an assembly of materials or products intended to comprise all or part of a building or structure, and that is assembled, at other than the final location of the unit of the building or structure, by a repetitive process under circumstances intended to ensure uniformity of quality and material content. The unit shall be labeled as prescribed in R408.31137 of the Michigan Department of Labor, Construction Code Commission Administrative Rules Part 11. See also "Dwelling, one-family or single-family."

Dwelling, multiple ~~apartment~~ means a building designed for and occupied by three or more families living independently with separate housekeeping, cooking, and bathroom facilities for each. Multiple ~~apartment~~ dwelling units include the following:

- (1) *Apartment.* An apartment is an attached dwelling unit with party walls, contained in a building with other apartment units which are reached from a common stair landing or walkway, or are accessed directly from the outside. ~~Apartments are typically rented by the occupants.~~
- (2) *Efficiency unit or studio apartment.* An efficiency unit or studio apartment is a type of multiple-family or apartment unit consisting of one principal room with sleeping facilities, plus bathroom and kitchen facilities, hallways, closets, and/or a dining alcove located directly off the principal room. Sleeping facilities may also be separated from the principal living space by dividers or lofts. ~~Efficiency units and studio apartments are typically rented by the occupants.~~

Dwelling, one-family or single-family means a detached building containing not more than one dwelling unit designed for residential use. ~~provided:~~

- ~~(1) It has a minimum width across front, side and rear elevations of 24 feet and complies in all respects with the city building code, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction and where such standards or regulations for construction are different than those imposed by the city building code, then such federal or state standards or regulations shall apply. The provision of this section shall not have the effect of~~

~~making one family dwellings, which exist as of the effective date of the ordinance from which this chapter is derived, nonconforming.~~

~~(2) In the event that the dwelling is a mobile home, such dwelling shall comply with the provisions of the Mobile Homes Construction and Safety Standards as promulgated by the United States Department of Housing and Urban Development being 24 CFR 3280, and as from time to time such amendments may be amended. In addition, mobile homes shall be installed pursuant to the manufacturer's setup instructions and shall be secured to the premises by an anchoring system or device complying with the rules and regulations of the state mobile home commission and shall have a perimeter wall as required. Each mobile home shall be installed with the wheels and towing mechanism removed. No dwelling shall have any exposed undercarriage or chassis.~~

~~(3) The dwelling complies with all pertinent building and fire codes.~~

~~(4) All construction required shall be commenced only after a building permit has been obtained in accordance with the applicable building code provisions and requirements.~~

Dwelling, two-family or duplex means a detached building, designed exclusively to be occupied by two families living independently of each other, with separate housekeeping, cooking, and bathroom facilities for each.

Dwelling unit, single-family attached or townhouse means an attached single-family dwelling unit with party walls, designed as part of a series of three or more dwellings, with its own front door which opens to the outdoors at front level, and typically with its own basement utility connections, and front and rear yards. A townhouse may be located on its own lot, or may be located on land commonly owned by a condominium association or similar association. Townhouses are also commonly known as rowhouses.

Easement means a grant of one or more of the property rights by the property owner to and/or for the use by the public, a corporation, or another person or entity. The term "easement" often applies to public or private rights-of-way and to "utility easements" which give utility companies the right to use land for the construction and maintenance of utilities.

Efficiency unit. See "Dwelling, multiple apartment."

~~*Emergency Shelter for the Homeless* means a facility which provides congregate style temporary lodging with or without meals and supportive services on the premises to primarily the homeless for more than four (4) weeks in any calendar year. An emergency shelter does not provide such lodging to any individual (1) who is required because of age, mental disability or other reason to reside either in a public or private institution or (2) who is imprisoned or otherwise detained pursuant to either federal or state law. An emergency shelter for the homeless shall be considered a different land use than adult foster care facilities, supportive housing, nursing homes, temporary emergency shelters, or warming centers. (Ord. No. 988, 12-25-03)~~

Encroachment means any construction, structure, filling grading, or deposition of materials in, upon, across or projecting into a floodplain, channel, or floodway.

Erected means built, constructed, reconstructed, moved upon, or any physical operations on land required for the building. Excavations, fill, drainage, and installation of utilities shall be considered part of erection.

Essential services means the erection, construction, alteration, or maintenance by public utilities or municipal departments or city licensed cable television companies or underground, surface, or overhead gas, steam, electrical, fuel or water systems for the purposes of transmission, distribution, collection, communication, supply or disposal; including towers, poles, boxes, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants, and similar equipment, which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general health, safety, and welfare of the public. The location, size, and intensity of essential services shall be regulated by the standards of this chapter. ~~Essential services located within residential districts shall not include storage yards, sales or business offices, commercial buildings or activities, sanitary landfills, or water or sewage treatment plants.~~ Essential services shall also not include communication providers when there is more than one entity servicing a geographic area and which are not regulated by the state public service commission.

Excavation means the removal or movement of soil, sand, stone, gravel, or fill dirt, except for common household gardening, farming, and general ground care.

Factory built housing. See "Dwelling, manufactured."

Family means:

- (1) One individual;
- (2) A group of two or more persons related by blood, marriage or adoption, together with foster children; together with:
 - a. No more than two ~~servants~~ **domestic workers** of the principal occupants;
 - b. No more than two additional unrelated persons occupying the unit as boarders, roomers, or guests;
 All of whom are domiciled together as a common, domestic, household in a single dwelling unit;
- (3) A group of persons, none of whom are related to each other by blood, marriage, or adoption, who reside together in a single dwelling unit, provided that the total number of occupants in such group shall not exceed three, except in the **R4 MD** district and in any permitted residential uses in any **commercial corridor** or **manufacturing** district the total number of occupants in this group shall not exceed four, unless otherwise provided for in this chapter; or
- (4) A collective number of individuals living together in one dwelling unit, whose relationship is of a continuing, nontransient, domestic character, and who are cooking and living as a single, nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization, or group of students or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited duration of a school term or terms or other similar determinable period.

Family day care home. See "~~State licensed residential facility.~~" See "**Child Care**".

Farmers' market means an indoor or outdoor market open to the public offering for sale at retail vegetables, produce, other farm products, and value-added food products, occurring in a pre-designated area, where the vendors are individuals who have grown or produced the food products or have taken the same on consignment for retail sale.

FBFM means the flood boundary and floodway map, used as a floodplain management map that depicts, based on detailed analyses, the boundaries of the 100-year and SOO-year floods and the 100-year floodway. For the purposes of this chapter, the FBFM is the map titled Flood Insurance Rate Map(s) (FIRMS) Washtenaw County (All Jurisdictions) panel number(s) of 26161C; 00269E, 0288E, 0407E, and 0426E dated 4/3/12. (*ord 1170-A, 2012*)

Fence means a permanent or temporary unroofed barrier enclosing or bordering a plot of land or portion thereof composed of wood, shrubs or suitable manmade materials for the purpose of preventing or controlling entrance, confining within, screening, or marking a boundary.

Fill means the deposit or dumping of any matter onto or into the ground, except for common household gardening, farming, and general ground care.

FIRM means the flood insurance rate map titled Flood Insurance Rate Map(s) (FIRMS) Washtenaw County (All Jurisdictions) panel number(s) of 26161C; 00269E, 0288E, 0407E, and 0426E dated 4/3/12. (*ord 1170-A, 2012*)

Flood means a temporary increase in the stage of a river or stream resulting in the inundation of lands not normally covered by water.

Flood insurance study means the engineering study performed by FEMA to identify flood-prone areas, insurance risk zones, and other flood data and contained in a document titled, Flood Insurance Study, Washtenaw County (All Jurisdictions) Community Number 260216, dated April 3, 2012. (*ord 1170-A, 2012*)

Floodplain means that area of land adjoining a river or stream which will be inundated by a 100-year flood.

Floodway means the channel of a river, stream, creek, or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. In the city, the floodway includes the Huron River and Paint Creek along with the adjoining land, as shown on the Federal Emergency Management Agency insurance maps.

Floor area, gross means the total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage, not including any uncovered or unenclosed porches, patios, or decks.

Floor area, usable nonresidential means the sum of the horizontal areas of each floor, measured from the interior faces of the exterior walls, including all areas used for, intended to be used for, and accessible for the sale of merchandise, provision of services, or service to patrons, clients or customers. Floor area which is used for or

intended to be used for the storage or processing of merchandise, or for utilities shall be excluded from the computations of usable nonresidential floor area. If precise floor plans are not available for calculations, usable nonresidential floor area shall be 80 percent of gross nonresidential floor area.

Floor area, usable residential means the gross floor area minus area in basements, unfinished attics, attic floor area with less than five feet vertical distance from floor to finished ceiling, attached garages, uncovered or enclosed porches, patios, terraces, carports, breezeways, decks, or verandas.

~~Foster care home.~~ See "State licensed care facility."

Foster family home. A private residence, licensed by the state, that houses four or fewer foster children, up to age 19, under constant child care and supervision. Under Act No. 116 of the Public Acts of Michigan of 1973 (MCL 722.111 et seq., MSA 25.358(11) et seq.), a foster family home does not require local zoning approval before being licensed by the state department of social services.

Foster family group home. A private residence, licensed by the state, that houses five or six foster children, up to age 19, under constant care and supervision. Under Act No. 116 of the Public Acts of Michigan of 1973 (MCL 722.111 et seq., MSA 25.358(11) et seq.), a foster family group home shall be considered a residential use of property for the purposes of zoning and permitted use in all residential zones and is not subject to a special use permit or procedure different from those required for other dwellings of similar density in the same zone.

Fraternity or sorority house means a building, rented, occupied or owned by a national or local chapter of some regularly organized college fraternity or sorority which is officially recognized by a college or university, or by or on its behalf by a building corporation or association composed of members of such fraternity or sorority, as a place of residence.

~~Front lot line.~~ See "Lot line, front."

~~Front yard.~~ See "Yard, front."

~~Garage, commercial~~ means any building or premises, other than a junkyard, where more than one motor vehicle is stored for compensation, but with no public repair services.

~~Garage, community~~ means a building for the storage only of noncommercial vehicles of occupants in the same block or abutting blocks and providing no service to vehicles stored therein.

Garage, private means an accessory building or portion of a principal building used or designed to be used primarily for the storage of motor vehicles, boats, or trailers owned and used by the occupants of the building to which it is accessory. Private garages shall not have public repair facilities.

~~Garage, repair.~~ See "Automobile repair garage."

Garden/Community Garden means land used to grow and harvest food or non-food crops for personal or group use. The products of gardens/community gardens may or may not be for commercial purposes.

Gas station. See "Automobile service station/automobile filling station."

Geothermal Energy means power extracted from heat stored in the earth. Geothermal resources include: all products of geothermal processes embracing indigenous steam, hot water and hot brines; steam and other gases, hot water and brines resulting from water, other fluids or gas artificially introduced into geothermal formations; heat or other associated energy found in geothermal formations, including any artificial stimulation or induction thereof; and, any mineral or minerals, exclusive of fossil fuels and helium gas, which may be present in solution or in association with geothermal steam, water or brines.

Grade means the average level of the finished surface of the ground adjacent to the exterior walls of the building or structure.

~~Greenbelt.~~ See "Landscaping." *Greenbelt* means a strip of land of definite width and location reserved for the planting of a combination of shrubs, trees, and ground cover to serve as an obscuring screen or buffer for noise or visual enhancement, in accordance with the requirements of this chapter.

~~Group homes.~~ See "State licensed residential facility."

Greenhouse, Commercial means a space, building, structure, or combination thereof, where live trees, shrubs, and other plants used in gardening and landscaping are propagated, stored, and/or offered for sale on the premises. If business is conducted primarily outdoors, see "Open air business."

Group residence means a building used as a residence by a group of persons who are not a family on a weekly or longer basis. Typical uses include cooperatives, sororities and fraternities. This definition does not include boarding houses, rooming houses or other group living more specifically defined in this Chapter, specifically any group living or care facility licensed by the State of Michigan.

Ground cover means low-growing plants that form a dense, extensive growth after one complete growing season, and tend to prevent weeds and soil erosion.

~~*Harmful interference* means causing an increased stage or change in direction of flow of a river or stream which causes, or is likely to cause, any of the following:~~

- ~~(1) Damage to property.~~
- ~~(2) A threat to property.~~
- ~~(3) A threat of personal injury.~~
- ~~(4) Pollution, impairment or destruction of water or other natural resources.~~

~~*Health Club* means any establishment providing physical or health services, including health clubs, racquetball or tennis clubs, reducing salons, or tanning salons.~~

Hedge means a row of closely planted shrubs or low-growing trees which form a continuous visual screen, boundary, or fence.

~~*Height, building.* See "Building height."~~

Home occupation means an occupation or profession carried on by a member or members of the immediate family residing on the premises which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes; does not change the character thereof; which does not endanger the health, safety, and welfare of any other persons residing in that area by reason of noise, noxious odors, unsanitary or unsightly conditions, fire hazards and the like; and which meets the requirements of section 122-669. ~~Day care centers, tea rooms, veterinarian's offices, clinics or hospitals, kennels, millinery and other apparel shops, barbershops and beauty shops with more than one chair and one barber or beautician, among others, shall not be deemed to be home occupation.~~

Homeless Shelter means a facility which provides congregate style temporary lodging with or without meals and supportive services on the premises to primarily the homeless for more than four (4) weeks in any calendar year. An ~~emergency~~ shelter does not provide such lodging to any individual (1) who is required because of age, mental disability or other reason to reside either in a public or private institution or (2) who is imprisoned or otherwise detained pursuant to either federal or state law. An ~~emergency~~ shelter for the homeless shall be considered a different land use than adult foster care facilities, supportive housing, nursing homes, temporary emergency shelters, or warming centers. (Ord. No. 988, 12-25-03)

Hospital means an institution which is licensed by the state department of health to provide in-patient and out-patient medical and major surgical services for the sick and injured, and which may include such related facilities as laboratories, medical testing services, central service facilities, and staff offices.

Hotel or motel means a building in which lodging is provided and offered to the public for compensation, which is open to transient guests generally on a per-day basis and not for long-term lodging, in distinction from a roominghouse, bed and breakfast lodging, or inn. Hotels or motels customarily provide services such as desk service, maid service, laundering of linens, the use of furniture, etc. No kitchen or cooking facilities are to be provided, with the exception of units for use of the manager or caretaker; unless approved by the planning commission as a special use.

~~*House trailer.* See "Dwelling, mobile home."~~

Housing code means article V of chapter 18, as amended.

Ingress and egress means, and is generally used in reference to a driveway which allows vehicles to enter or leave a parcel of property, or to a sidewalk or entranceway which allows pedestrians to enter or leave a parcel of property, a building, or another location.

Indoor recreation means recreation uses occurring entirely inside a building including bowling alleys, gymnasiums or court sports facilities, tennis clubs, roller or ice skating rinks, recreation centers, personal fitness centers, and similar recreation use.

~~*Inn* means a structure located in a commercial district, originally constructed for residential purposes and used as temporary lodging for travelers and guests where bedrooms are rented on a nightly basis and managed either by an owner/occupant or resident manager subject to the limitations as outlined in this chapter. Breakfast may be included in the price of the room.~~

Junk means any motor vehicles, machinery, appliances, products or merchandise with parts missing, or other scrap materials that are damaged, deteriorated, or are in a condition which prevents their use for the purpose for which the product was manufactured.

Junkyard means an area where waste and used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled, or handled including, but not limited to: junk, scrap iron, metals, paper, rags, tires, bottles, and automobiles.

Kennel means any lot or premises on which four or more dogs, cats, or other domestic animals six months or older are kept, either permanently or temporarily, either for sale, breeding, boarding, training, hobby, protection, grooming or as pet; and may offer provision for minor medical treatment, including animal shelters.

Laboratory means a place devoted to experimental, routine, or basic study such as testing and analytical operations and in which the manufacturing of products, except prototypes, is not performed.

Landscaping means the treatment of the ground surface with live plant materials such as, but not limited to, grass, ground cover, trees, shrubs, vines, edible plants, and flowers. A landscape design may include other decorative manmade materials such as wood chips, crushed stone, boulder, raised garden beds, or mulch. Structural features such as fountains, pools, statues, and benches may also be considered a part of landscaping, but only if provided in combination with live plant material. Artificial plant materials shall not be counted towards meeting the requirements for landscaping. Various landscaping related terms are defined as follows:

- ~~(1) *Berm* means a continuous, raised earthen mound with a flattened top and sloped sides, capable of supporting live landscaping materials, and with a height and width that complies with the requirements of this chapter.~~
- ~~(2) *Greenbelt* means a strip of land of definite width and location reserved for the planting of a combination of shrubs, trees, and ground cover to serve as an obscuring screen or buffer for noise or visual enhancement, in accordance with the requirements of this chapter.~~
- ~~(3) *Ground cover* means low growing plants that form a dense, extensive growth after one complete growing season, and tend to prevent weeds and soil erosion.~~
- ~~(4) *Hedge* means a row of closely planted shrubs or low growing trees which form a continuous visual screen, boundary, or fence.~~
- ~~(5) *Screen or screening* means a wall, wood fence, or combination of plantings of sufficient height, length, and opacity to form a visual barrier. If the screen is composed of nonliving material, such material shall be compatible with materials used in construction of the main building but in no case shall include wire fencing.~~
- ~~(6) *Shrub* means a self supporting, deciduous or evergreen woody plant, normally branched near the base, bushy, and less than 15 feet in height.~~
- ~~(7) *Tree* means a self supporting woody, deciduous or evergreen plant with a well defined central stem which normally grows to a mature height of 15 feet or more in the county.
 - a. *Deciduous tree* means a variety of tree that has foliage that is shed at the end of the growing season.
 - b. *Evergreen tree* means a variety of tree that has foliage that persists and remains green throughout the year.~~

Loading space, off-street means an off-street space of definite size and dimensions in accordance with the requirements of this chapter, which is safely and conveniently located on the same lot as the building or buildings being served, for the temporary parking of delivery vehicles while loading and unloading merchandise and materials.

~~*Local street.* See "Street, local or minor."~~

~~*Lodginghouse.* See "Roominghouse."~~

Lot (or zoning lot or parcel) means a piece of land under one ownership and control that is at least sufficient in size to meet the minimum requirements for use, coverage, area, setbacks, parking, and open space as required by this chapter. A lot shall have frontage on a street. A lot may consist of the following:

- (1) A single lot of record (See "Lot of record").
- (2) A portion of a lot of record.
- (3) A combination of complete lots of record, or portion thereof.
- (4) A piece of land described by metes and bounds.

Lot, abutting means lots which share a common interior lot line and which are not separated by a public or private right-of-way or easement.

Lot, adjacent means lots which adjoin each other or which are separated only by a public or private right-of-way or easement.

Lot, contiguous means lots adjoining each other.

Lot, corner means a lot of which at least two adjacent sides abut their full length upon a street, provided that such two sides intersect at an angle of not more than 135 degrees. Where a lot is on a curve, if the tangents through the extreme point of the street lines of such lot make an interior angle of not more than 135 degrees, it shall be considered a corner lot. In the case of a corner lot with a curved street line, the corner is that point on the street lot line nearest to the point of intersection of the tangents described above. Tangents are straight lines extended from the outer edges of a curve which intersect to form a corner. (Refer to Figure 7.)

Lot, double frontage means a lot other than a corner lot having frontage on two more or less parallel streets. Also called a through lot. In the case of a row of double frontage lots, one street shall be designated as the front street for all lots in the plat. If there are existing buildings in the same block fronting on one or both of the streets, the required minimum front yard setback shall be observed on the street where buildings presently front.

Lot, interior means a lot other than a corner lot.

Lot area means the total horizontal area within the lot lines of a lot, exclusive of any abutting public street right-of-way or private road easements, or the area of any lake, except that any lot which abuts an alley, may include the area of half the width of such alley where it abuts the lot in determining the total area of that lot.

Lot coverage means the part or percent of the lot that is occupied by buildings or structures.

Lot depth means the horizontal distance between the front and rear lot lines, measured along the midpoint between the side lot lines.

Lot line means any line separating a parcel of land from another. Lot lines are further defined as follows:

- (1) *Front lot line* means, in the case of an interior lot abutting on one public or private street, the line separating the lot from such street right-of-way. In the case of a corner or double frontage lot, the front lot line shall be that line separating such lot from the street which is designated as the front street in the plat and/or in the request for a building permit.
- (2) *Rear lot line* means the lot line which is opposite and most distant from the front lot line. In the case of irregular, triangular, wedge shaped, or lots that are pointed in the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten feet in length, lying farthest from the front lot line and wholly within the lot.
- (3) *Side lot line* means any lot line other than the front or rear lot lines. A side lot line separating a lot from a street is a street side lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.
- (4) *Interior lot line* means any lot line which does not separate a lot from a street right-of-way. A lot line which separates a lot from an alley right-of-way shall be considered an interior lot line.

Lot of record means a lot or parcel of land, the deed of which has been recorded in the office of the registrar of deeds of the county.

Lot split or consolidation means the dividing or uniting of lots by virtue of changes in the deeds in the office of the county registrar of deeds and/or the city treasurer. ~~The division of lots shall take place in accordance with the land division act, Act No. 288 of the Public Acts of Michigan of 1967 (MCL 560.101 et seq., MSA 26.430(101) et seq.), as amended.~~

Lot, through see lot, double-frontage.

Lot width means the straight line distance between the side lot lines, measured at the two points where the minimum front yard setback line intersects the side lot lines.

Major street or thoroughfare. See "Street, major."

Manufactured housing. See "Dwelling, manufactured."

Massage parlor or massage establishment ~~see Adult Regulated Uses.~~ means 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 massage therapist, physician, osteopath, or chiropractor, a registered or practical nurse operating under a physician's directions; or, registered physical or occupational therapists or speech pathologists who treat patients referred by a licensed physician and operate only under such physician's direction.

~~A massage establishment may include, but is not limited to, establishments commonly known as massage parlors, health spas, sauna baths, Turkish bathhouses, and steam baths. Massage establishments shall not include properly licensed hospitals, offices of a duly licensed massage therapist, medical clinics, nursing homes, beauty salons or barbershops in which massages are administered only to the scalp, the face, the neck, or the shoulders; or other establishments that offer massages performed by a duly licensed massage therapist.~~

Massage therapist means an office where massage is performed for financial compensation only by individuals who satisfy the requirements of the Massage Therapy Licensing Act (PA 471 of 2008) as amended.

Master plan means a document which is prepared under the guidance of the city planning commission and consists of graphic and written materials which indicate the general location for streets, parks, schools, public buildings, and all physical development of the city. The master plan is intended as a guide for all development within the city, and shall be used to guide the zoning board of appeals and the planning commission in all decisions before those bodies. The master plan is to be updated periodically.

Medical or dental clinic means an office of five or more physicians, dentists, massage therapists, or similar professionals or which is staffed on a rotational basis with personnel from an area hospital, where persons are examined or treated on an outpatient basis only, **including outpatient surgery**. ~~Medical laboratory work is permitted as a principal use within a clinic and may be performed for persons not examined or treated at the site. A pharmacy may be permitted as an accessory use; however, only prescription and nonprescription drugs and similar health-related items may be sold from the premises. A medical or dental clinic may be owned by a group of doctors or by a nearby hospital.~~

Medical or dental office means the ~~private~~ office of not more than four physicians, dentists, massage therapists, or similar professionals, where persons are examined or treated on an outpatient basis only, **including outpatient surgery**. ~~Minor laboratory tests shall be permitted as an accessory use only, and may be performed only for patients receiving medical attention within the office.~~

Medical marijuana dispensary means a facility, including a membership club, where primary caregivers who are legally registered by the Michigan Department of Community Health (MDCH) may lawfully assist qualifying patients to whom the primary caregiver is connected through the state registration process and who are also legally registered by the MDCH with the medical use of marijuana in accordance with the Michigan Medical Marijuana Act, as amended. A use which purports to have engaged in the medical use of marijuana either prior to enactment of said Act, or after enactment of said Act but without being legally registered by the MDCH, shall be deemed to not be a legally established use, and therefore not entitled to legal nonconforming status under the provisions of this Ordinance and/or State Law.

(State Law reference(s))--Michigan Medical Marihuana Act, Initiated Law 1 of 2008, MCL §333.264 et seq)

Medical Marijuana Growing/Manufacturing Facility. A facility for the cultivation and processing of medical marijuana into a usable form by primary caregivers who are legally registered by the Michigan Department of Community Health (MDCH) in accordance with the Michigan Medical Marijuana Act, as amended. A use which purports to have engaged in the cultivation and processing of medical marijuana into a usable form either prior to enactment of said Act, or after enactment of said Act but without being legally registered by the MDCH, shall be deemed to not be a legally established use, and therefore not entitled to legal nonconforming status under the provisions of this Ordinance and/or State Law. A maximum of five (5) primary caregivers may operate at a medical marijuana growing/manufacturing facility, provided all applicable zoning ordinance standards can be met.

(State Law reference(s))--Michigan Medical Marihuana Act, Initiated Law 1 of 2008, MCL §333.264 et seq)

Medical Marijuana Home Occupation means the cultivation of medical marijuana by a registered primary caregiver as defined in Sec. 3 of the Act, MCL §333.26423(g), in compliance with the General Rules of the Michigan Department of Community Health, the Michigan Medical Marijuana Act, Initiated Law 1 of 2008, MCL §333.26423(e), within a single family dwelling that is the registered primary caregiver's primary residence and which cultivation is in conformity with the restrictions and regulations contained in the Act and in the State Regulations developed by the Michigan Department of Community Health (MCDH). Medical Marijuana Home Use does not include any multi-family dwelling.

(State Law reference(s))--Michigan Medical Marihuana Act, Initiated Law 1 of 2008, MCL §333.264 et seq)

Mezzanine means an intermediate level or levels between the floor and ceiling of any story with an aggregate floor area of not more than one-third of the floor area of the story in which the level or levels are located. A mezzanine shall be deemed a full story if the vertical distance from the next floor below the mezzanine to the next floor above is 24 feet or more. (Refer to Figure 2.)

Microbrewer/small distiller/small wine maker means a facility in which a limited amount beer, wine or other alcoholic beverages, defined by the State of Michigan Liquor Control Commission, are brewed, fermented, or distilled and then packaged and stored for distribution and, if allowed by licenses and zoning, consumption; and possesses the appropriate license(s) from the State of Michigan and the federal government. Accessory uses to the facility, if allowed by the state license, such as direct to consumer sales, tasting rooms and restaurants are regulated by zoning district.

Minor street. See "Street, local or minor."

Mobile home. See "Dwelling, manufactured."

~~*Mobile home park* means a parcel or tract of land under the control of a person upon which three or more mobile homes are located on a continual nonrecreational basis and which if offered to the public for that purpose regardless of whether a charge is made, together with any building, structure, enclosure, street, equipment, or facility used or intended for use as temporary park, subject to conditions set forth in the state mobile home commission rules and Act No. 96 of the Public Acts of Michigan of 1987 (MCL 125.2301 et seq., MSA 19.855(101) et seq.), as amended.~~

~~*Mobile home lot* means an area within a mobile home park which is designated for the exclusive use of the occupants of a specific mobile home.~~

Motel. See "Hotel or motel."

Motor home means a motorized vehicular unit primarily designed for travel and/or recreational usage, which may also contain facilities for overnight lodging. This term does not apply to mobile homes.

Municipality means the city.

Nonconforming lot means a lot which was lawfully in existence at the effective date of the ordinance from which this chapter is derived, or amendments thereto, and which does not now conform to the lot size, lot width, or other provisions of this chapter for the zoning district in which it is located.

Nonconforming structure means a building or structure which was lawful on the effective date of adoption or amendment of this chapter, but which does not conform to the new chapter regulations for lot area, lot area per dwelling unit, lot width, lot coverage, floor area, height, greenbelts or screening, off-street parking, loading space, yard, or other requirements of the zoning district in which it is located. (Ord. No. 970, 1-2-03)

Nonconforming use means a use which was lawfully in existence at the effective date of the ordinance from which this chapter is derived, or amendment thereto, and which does not now conform to the use regulations of this chapter for the zoning district in which it is now located. A nonconforming use may include a use that requires a Special Use Permit under current regulations contained in this chapter, where under previous regulations a Special Use Permit was not required or granted. (Ord. No. 970, 1-2-03)

Nuisance means any offensive, annoying, or disturbing practice or object, which prevents the free use of one's property, or which renders its ordinary use or physical occupation uncomfortable. A nuisance commonly involves continuous or recurrent acts which give offense to the senses, violate the laws of decency, obstruct reasonable and comfortable use of property, or endanger life and health.

Nursery, day nursery, or nursery school. See "Child care center."

~~Nursery, plant means a space, building, structure, or combination thereof, where live trees, shrubs, and other plants used in gardening and landscaping are propagated, stored, and/or offered for sale on the premises. Also see "Open air business."~~

Nursing home, convalescent home, or rest home means a home for the care of the aged, infirm, or those suffering from physical or mental disorders, wherein two or more persons are housed or lodged and furnished with nursing care. Such facilities are licensed in accordance with Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.20101 et seq., MSA 14.15(20101) et seq.), as amended.

Occupancy, change of means an abandonment of an existing use and the substitution of a use of a different kind or class, or the expansion of a use.

Occupied means used in any way at the time in question.

~~*Off-street parking space.* See "Parking space" and "Parking, off-street."~~

~~*Office support services* means any business or enterprise which provides office administrative support to outside firms, businesses, government agencies, or other entities, including but not limited to typing, photocopying, bookkeeping, telephone answering, dispatching, document processing, business writing or researching. Office support services shall not include the selling of goods or services at retail from or the distribution or repair of office machines or equipment on the premises.~~

Open air business means any business that is conducted primarily out-of-doors. unless otherwise specified, open air businesses shall include, but are not limited to:

- (1) Retail sales of garden supplies and equipment, including but not limited to: trees, shrubbery, plants, flowers, seed, topsoil, trellises, and lawn furniture.
- (2) Roadside stands for the sale of agricultural products, including fruits, vegetables, and Christmas trees.
- (3) Outdoor display and sale of model garages, swimming pools, playground equipment, and similar uses.

Open space means that part of a ~~zoning~~ lot, including courts and/or yards, which is open and unobstructed from its lowest level to the sky, and is accessible to all occupants upon the zoning lot.

Ownership, change in means whenever the title to the property is transferred to another person, including purchase by land contract.

Parcel. See "Lot."

Parking garage means a building for the storage only of noncommercial vehicles of occupants in the same block or abutting blocks and providing no service to vehicles stored therein.

Parking lot, community means a parking lot on public or privately-owned property which provides parking with or without compensation for uses located in the general area in which it is situated.

Parking, off-street means an area not located within a public right-of-way which provides vehicular parking spaces along with adequate drives and aisles for maneuvering so as to provide for safe and convenient ingress and egress to the parking area, in accordance with the provisions of article XIII of this chapter.

Parking space means an area, enclosed or unenclosed, of definite length and width as designated in this chapter, to store one automobile or other vehicle which is fully accessible by a driveway connecting the parking space with a street, road or alley and permitting ingress and egress of an automobile. The term "parking space" is exclusive of the access drives and aisles thereto.

Party wall means a wall starting from the foundation and extending continuously through all stories to or above the roof that separates one building from another and that is in joint use by each building.

Passive solar structure is a building that collects, stores, and distributes solar energy to grow plants; it does not have a foundation or electrical utilities. It may also be called a hoophouse.

Performance standard means a criteria or limit relating to nuisance elements which a particular use or operation may not exceed. Performance standards are typically established to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, glare, heat, or other effects.

Person means an individual, trustee, executor, fiduciary, corporation, firm, partnership, association, organization, sole proprietor, or other legal entity acting as a unit.

~~Planned redevelopment project means a project involving any number of contiguous lots and uses, as specified in article VII, division 14, of this chapter, the object of which is to allow for redevelopment and/or adaptive re-use of existing structures within an area which may be characterized as "blighted" or an area where the regulations regarding nonconforming structures make it difficult or impossible to rehabilitate existing structures, for the purpose of making such properties or areas productive and increasing the value and aesthetics of the planned redevelopment area.~~

Planned unit development (PUD) means an area of minimum contiguous size, as specified in article IX of this chapter, to be planned and developed as a single entity containing one or more residential clusters or planned unit residential developments or one or more public, quasi-public, commercial or industrial areas.

Planning commission means the city planning commission, created pursuant to the provision of Act No. 110 of the Public Acts of Michigan of 2006 (MCL 125.3101 et seq.).

Porous paving means systems that allow water to pass freely through interstitial space ingrained throughout the paving matrix, thereby transforming traditionally impervious surfaces such as pervious concrete and asphalt, interlocking pavers, reinforced gravel and grass paving.

Principal use. See "Use, principal."

Private street or road. See "Street."

Public utility means any persons, firm, corporation, municipal department, or board, duly authorized through government rate regulation (such as by the state public utilities commission or the city) to furnish to the public under government regulations any of the following: electricity, gas, steam, communications services, cable television services, transportation services, water, sewer service, or sewage treatment.

Premises means a lot or property together with all buildings or structures thereon.

~~*Rear lot line.* See "Lot line, rear."~~

Rain-gardens means landscaped depressions that can be built to any size or shape. Also known as 'bio-retention cells', they are designed to allow water to settle and infiltrate into the soil.

Recreational vehicle means a boat, snowmobile, off-road vehicle, camper travel trailer, motor home, pick-up camper, trailer which is designed for private recreational or recreational travel use. Any trailer which is principally used for transporting any of the above shall also be considered a recreational vehicle.

Recycling center means an enclosed area or storage facility where area residents can drop off recyclable household wastes such as newspapers, cans, bottles, plastics, and cardboard which may be sorted and stored for short periods of time on the site until hauled away to another location for processing, reuse, or safe disposal.

Religious Institution means any structure wherein persons regularly assemble for religious activity or worship, including such uses normally accessory thereto, such as a fellowship hall, Sunday School classrooms, parsonages or rectories, and offices. Where a group of persons, who are affiliated with a religious organization, reside together within a dwelling which is the principal building on a site, such dwelling shall not be considered a religious institution.

~~*Residential districts* means the R1, R2, R3, R4, and RO districts.~~

Refuse means the miscellaneous waste materials resulting from housekeeping, mercantile enterprises, trades, manufacturing and office, including other waste matter such as slag, stone, broken concrete, fly ash, sashes, tin cans, glass, scrap metal, rubber, paper, rags, chemicals, or any similar or related combinations thereof.

Research Use means facilities for scientific research, and the design, development and testing of electrical, electronic, magnetic, optical and computer and telecommunications components in advance of product manufacturing, and the assembly of related products from parts produced offsite, where the manufacturing activity is secondary to the research and development activities, and includes pharmaceutical, chemical, and biotechnology research and development.

Restaurant means any establishment whose principal business is the sale of food and beverages to the customer in a ready-to-consume state, and whose method of operation is characteristic of a carry-out, drive-in, drive-through, fast food, or sit-down restaurant, as defined below. Any restaurant which combines elements of two or more of the following types of restaurants shall be subject to the regulations of the most restrictive restaurant type employed:

- (1) *Restaurant, carry-out.* A restaurant whose method of operation involves the sale of food, beverages, and/or frozen desserts in disposable or edible containers or wrappers in a ready-to-consume state for consumption off the premises, typically from a counter or window inside the building. Indoor seating for consumption on the premises is not permitted.
- (2) *Restaurant, drive-in.* A restaurant whose method of operation involves delivery of prepared food so as to allow its consumption in a motor vehicle or elsewhere on the premises, but outside of an enclosed building.
- (3) *Restaurant, drive-through.* A restaurant whose method of operation involves the delivery of the prepared food to the customer in a motor vehicle, typically through a drive-through window, for consumption off the premises. Indoor seating for consumption on the premises is not permitted.
- (4) *Restaurant, fast food.* A restaurant whose method of operation involves minimum waiting for delivery of ready-to-consume food to the customer at a counter for consumption at tables, booths, or stands inside the structure or out, or for consumption off the premises, but not in a motor vehicle at the site.
- (5) *Restaurant, sit-down.* A restaurant whose method of operation involves either:
 - a. The delivery of prepared food by servers (waitpersons) to customers seated at tables within a completely enclosed building; or
 - b. The prepared food is acquired by customers at a cafeteria line or ordering counter and is subsequently consumed by the customers at tables within a completely enclosed building.

Right-of-way means a right-of-way dedicated to or owned by a public body and available for use by the general public. In the case of public streets, the right-of-way often includes curbs, lawn strips (also referred to as the margin or parkway), sidewalks, and lighting and drainage facilities.

Room, is for the purpose of determining lot area requirements, and density in a multi-family district, means a living room, dining room, or bedroom, and any other room equal to at least eighty (80) square feet in area. A room shall not include the area in kitchen, sanitary facilities, utility provisions, corridors, hallways and storage.

Roominghouse means a building, other than a hotel or motel, bed and breakfast lodging, or inn, where for compensation or by prearrangement for definite periods of time, lodging or lodging and meals are provided for three or more unrelated persons, **not living as group or household**. The term "unit" as it refers to a roominghouse shall mean sleeping room, or a room which may be used as a sleeping room. (See "Sleeping room.") ~~A roominghouse shall provide kitchen facilities for the use of the residents therein. Single structures containing a combination of any number of apartments and sleeping rooms shall be considered roominghouses. A boardinghouse or lodginghouse shall be deemed a roominghouse for the purposes of this chapter.~~

Satellite antenna means an accessory structure which at its widest dimension is in excess of 36 inches, capable of receiving signals from orbiting satellites and other extraterrestrial sources, together with other equipment related to such purposes.

~~Screen or screening.~~ See "Landscaping." **Screen or screening means a wall, non-wire fence, or combination of plantings of sufficient height, length, and opacity to form a visual barrier**

Self-storage facility means a building or group of buildings in a controlled access compound that contains individual compartmentalized and controlled access stalls or lockers of no more than 500 square feet each for the dead storage of customers' goods or wares in enclosed buildings. ~~No storage of volatile materials is permitted. A self-storage facility may be combined with a vehicle storage facility.~~

~~*Senior citizen's housing* means a residential establishment or institution other than a hospital, hotel, or nursing home which provides room and board predominantly to individuals 55 years of age or older and to individuals who, due to illness or disability, require care similar to that provided to persons of age 55 or older, all of whom are not related to the proprietor or manager or the spouse of the proprietor or manager within the second degree and who compensate the proprietor or manager for their care with some valuable consideration.~~

Setback means the distance between a front, side, or rear lot line and the nearest supporting member of a structure on the lot. The "minimum required setback" is the minimum distance between a front, side, or rear lot line and the nearest supporting member of a structure (including, but not limited to, the foundation, bay windows or similar architectural features at the ground floor level supported by the building or the ground, and porches which are enclosed) in order to conform to the required yard setback provisions of this chapter.

Shrub means a self-supporting, deciduous or evergreen woody plant, normally branched near the base, bushy, and less than 15 feet in height.

~~Side lot line.~~ See "Lot line, side."

Sign means any visual or graphic device designed through the use of words, number, characters, or symbols to inform or attract attention and which is designed to be visible from outside any building or structure in which, upon which, or attached to which it may be located. Various types of signs and sign related terms are defined in section 122-863.

Site plan means a plan showing all features of a proposed development as required in article IV of this chapter so that it may be evaluated to determine whether it meets the provisions of this chapter.

Sleeping room means a single room within a roominghouse which is usually individually rented and the entry door to the room is individually locked requiring the use of a key to gain access, and which is primarily used for sleeping purposes. The occupants may have direct access within the building to sanitary facilities, kitchen facilities and dining facilities or may share these facilities in common with other residents. See "Roominghouse."

Solar Collector means a device, substance, or element that relies upon sunshine to absorb and transform direct solar radiation through a medium to generate energy that can be used to heat or cool a building, heat or pump water, or generate electricity or other application that would otherwise require the use of a non-renewable energy source.

Solar Farm means large areas of land with several photovoltaic modules and inverters, or parabolic troughs placed on them for large scale energy generation.

Solar Roof Paneling means roof paneling that uses the sun's light to create electricity directly through photovoltaic cells.

Sorority house. See "Fraternity or sorority house."

Special use means a use that would be detrimental to other uses permitted in the same zoning district unless carefully controlled as to the number, area, size, exterior design, location, or relation to the adjacent properties and to the neighborhood or city as a whole and may be permitted if the proper safeguards are taken. Such uses may be permitted in a zoning district after a public hearing and approval by the planning commission, if specific provision is made in this chapter. Formerly called conditional use.

State equalized valuation means the value shown on the city assessment roll as equalized through the process of state and county equalization.

~~*State licensed residential facility* means any structure constructed for residential purposes that is licensed by the state, pursuant to the adult foster care facility act, Act No. 218 of the Public Acts of Michigan of 1979 (MCL 400.701 et seq., MSA 16.610(51) et seq.) or Act No. 116 of the Public Acts of Michigan of 1973 (MCL 722.111 et seq., MSA 25.358(11) et seq.). These acts provide for the following types of residential structures:~~

- ~~(1) *Adult foster care facility.* A governmental or nongovernmental establishment having as its principle function the receiving of adults, 18 years of age or older, for foster care in accordance with Act No. 218 of the Public Acts of Michigan of 1979, and the adult foster care administrative rules as administered by the state department of social services. It includes facilities and foster care family homes for adults who are aged, emotionally disturbed, developmentally disabled, or physically handicapped who require continuous supervision on an ongoing basis but who do not require continuous nursing care. The following four types of adult foster care homes are provided for by these rules:~~
 - ~~a. *Adult foster care family home.* A private residence with the approved capacity to receive not more than six adults who shall be provided foster care for five or more days a week and for two or more consecutive weeks. The adult foster care family home licensee shall be a member of the household and an occupant of the residence.~~
 - ~~b. *Adult foster care small group home.* An adult foster care facility with the approved capacity of not more than 12 adults who shall be provided foster care. Conformance to local zoning is required only if seven or more residents will live in the home.~~
 - ~~c. *Adult foster care large group home.* An adult foster care facility with the approved capacity to receive at least 13 but not more than 20 adults who shall be provided foster care. Conformance to local zoning is required.~~
 - ~~d. *Adult foster care congregate facility.* An adult foster care facility with the approved capacity to receive more than 20 adults who shall be provided foster care. Conformance to local zoning is required.~~

(2) ~~Foster family home.~~ A private residence that houses four or fewer foster children, up to age 19, under constant child care and supervision. Under Act No. 116 of the Public Acts of Michigan of 1973 (MCL 722.111 et seq., MSA 25.358(11) et seq.), a foster family home does not require local zoning approval before being licensed by the state department of social services.

(3) ~~Foster family group home.~~ A private residence that houses five or six foster children, up to age 19, under constant care and supervision. Under Act No. 116 of the Public Acts of Michigan of 1973 (MCL 722.111 et seq., MSA 25.358(11) et seq.), a foster family group home shall be considered a residential use of property for the purposes of zoning and permitted use in all residential zones and is not subject to a special use permit or procedure different from those required for other dwellings of similar density in the same zone.

Story means that portion of a building included between the upper surface of any floor and the upper surface of the next floor above it, or any portion of a building between the topmost floor and the roof having a usable floor area which exceeds two-thirds of the usable floor area of the floor immediately below it. (See Figure 2.) Mezzanines and basements shall be deemed full stories as specified within their definitions.

- (1) A mezzanine shall be deemed a full story when it covers more than one-third of the area of the story underneath such mezzanine, or if the vertical distance from the floor next below the mezzanine to the floor next above it is 24 feet or more.
- (2) A basement shall be considered a story above grade where the finished surface of the floor above the basement is:
 - a. More than six feet (1,829 mm) above grade plane;
 - b. More than six feet (1,829 mm) above the finished ground level for more than 50 percent of the total building perimeter; or
 - c. More than 12 feet (3,658 mm) above the finished ground level at any point.

Story, first means the lowest story of the ground story of any building that is not a basement (see Figure 4) except that any basement or cellar used for residential purposes shall be deemed the first story.

Story, half means a partial story under a gable, hip or gambrel roof, the usable floor area which does not exceed two-thirds of the floor area of the uppermost full story. ~~The usable floor area of a half story shall be at least 160 square feet with a minimum clear height of seven feet six inches.~~

Street means a public or private street, road, or thoroughfare intended primarily to provide vehicular circulation and access to abutting property. Various types of streets are defined as follows:

- (1) *Collector street* means a street whose principal function is to carry traffic between local or minor streets and major streets but may also provide direct access to abutting properties.
- (2) *Cul-de-sac* means a street that terminates in a vehicular turnaround.
- (3) *Local or minor street* means a street whose function is to provide access to abutting properties.
- (4) *Major thoroughfare* means a street that carries high volumes of traffic and serves as a main avenue through or around the city. Major thoroughfares may also be referred to as major streets or arterial streets. For the purposes of this chapter, major thoroughfares shall include those streets designated as "state trunkline," "county primary," or "major street" on the most recently approved City of Ypsilanti Act 51 map (P.A. 1951).

Street line means a dividing line between a street and a lot, also known as the right-of-way line.

Street, private means a street or road under private ownership which has been constructed for the purposes of providing access to adjoining property and which is normally open to the public so that persons other than the occupants of adjoining property may travel thereon, but which has not been accepted for maintenance by the city, county, state, or federal government.

Street, public means a street or road, the right-of-way and improvements of which have been accepted for maintenance by the city, county, state or federal government.

Structure means anything constructed or erected, ~~the use of which requires permanent location in, on, over or below the ground or attachment to something having permanent location on the ground.~~ All buildings are structures, however, not all structures are buildings. Structures include, but are not limited to, principal and accessory buildings, tower, decks, fences, privacy screens, wall, antennae, swimming pools, and sign structures.

Structure, accessory. See "Accessory use, building, or structure."

Subdivision plat means the division of a tract of land into two or more lots, building sites, or other divisions for the purpose of sale or building development, in accordance with the land division act, Act No. 288 of the Public Acts of Michigan of 1967 (MCL 560.101 et seq., MSA 26.430(101) et seq.), as amended.

Substance abuse treatment facility means:

- (1) *Boarding.* Any facility providing substance abuse treatment or preventive or addictive counseling, including the dispensing of or distribution of drugs as part of the treatment, where individuals receiving the treatment live on the premises for a period of time, including overnight stays.
- (2) *Walk-in.* Any facility providing substance abuse treatment or preventive or addictive counseling, including the dispensing or distribution of drugs as part of the treatment plan, where no one resides on the premises overnight.

Supportive Housing means a facility that provides housing for twenty-four (24) hours per day and supportive services designed to assist residents with improving daily living skills, securing employment, rehabilitation, or obtaining permanent, independent housing. Supportive housing is not intended for short-term, emergency housing and care, but rather longer periods ranging from a few months to a few years. Supportive housing is distinguished from a hospital or other health care environment, and facilities regulated by the State of Michigan as State licensed residential facilities. This definition shall not include fraternities, sororities, dormitories, adult foster care facilities, group homes, nursing homes, substance abuse treatment facilities, emergency shelters, individuals utilizing tenant-based or homeownership-based voucher funding through the U.S. Department of Housing and Urban Development, community correctional facilities, and housing for the rehabilitation of former occupants of correctional facilities.

Supportive Services are services provided to residents of supportive housing for the purpose of facilitating the independence of residents, and may be provided on the premises, or off-site. Some examples are case management, medical or psychological counseling and supervision, child care, transportation, and job training.

Swale, Vegetated/Rock means a densely vegetated or rock lined drainage ways with low-pitched side slopes that detain, evaporate, and/or infiltrate the runoff associated with a storm event.

Swale, Biofiltration means a shallow drainage ways that employ landscaping to stabilize the soil while providing water quality treatment. They are designed to remove silt and sediment-associated pollutants before discharging to storm sewers and to reduce volume if soils allow for infiltration.

Swimming pool means any structure or container located either above or below grade designed to hold water to a depth of greater than two feet when filled, and intended for swimming, bathing, or aquatic recreation. A swimming pool does not include plastic, canvas, or rubber portable pools temporarily erected upon the ground holding less than 300 gallons of water nor decorative pools with less than two feet of water depth.

Temporary use or building. See "Building, temporary" or "Use, temporary."

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

Townhouse. See "Dwelling unit, single-family attached or townhouse."

Toxic or hazardous waste means waste or a combination of waste and other discarded material including solid, liquid, semi-solid or contained gaseous material which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to the following if improperly treated, stored, transported, disposed of, or otherwise managed:

- (1) An increase in mortality;
- (2) An increase in serious irreversible illness;
- (3) Serious incapacitating, but reversible illness; or
- (4) Substantial present or potential hazard to human health or the environment.

Trailer. See "~~Dwelling, manufactured~~"; "~~Motor home~~" and "~~Recreational vehicle~~."

Tree means a self-supporting woody, deciduous or evergreen plant with a well-defined central stem which normally grows to a mature height of 15 feet or more in the county.

- a. *Deciduous tree* means a variety of tree that has foliage that is shed at the end of the growing season.

b. *Evergreen tree* means a variety of tree that has foliage that persists and remains green throughout the year.

Unclassified use means a use permitted only after review of an application by the planning commission, such review being necessary because the provisions of this chapter do not specifically or implicitly address a particular use due to emerging technologies or omissions within this chapter. Such uses are so differentiated from uses or categories specified in this chapter that the standards of this chapter cannot be reasonably applied to them. Eligibility of a particular use for an unclassified use shall be determined by the planning commission. Such uses shall be allowed only after a public hearing and approval by the planning commission, subject to the standards in section 122-651.

Use means the purpose for which land, lots, or building thereon is designed, arranged, or intended, or for which it is occupied, maintained, or leased.

Use, accessory. See "Accessory use, building, or structure."

Use, nonconforming. See "Nonconforming use."

Use, permitted means a use which may be lawfully established in a particular district or districts provided it conforms with all requirements, regulations, and standards of such district.

Use, principal means the principal use is the main use of land and buildings and the main purpose for which land and buildings exist.

Use, special. See "Special use."

Use, temporary means a use permitted to exist during a specified period of time under conditions and procedures as provided in this chapter.

~~*Utility room* means a room in a dwelling, the use of which is primarily used for storage, for housing a heating unit, or for laundry purposes.~~

Variance means a modification of the literal provisions of this chapter in accordance with the provisions of this chapter in cases where strict enforcement would cause undue hardship as a result of special circumstances affecting an individual property that do not generally affect other properties in the same zoning district. ~~The crucial points of variance are: (1) undue hardship, (2) unique circumstances, and (3) applying to property. A variance is not justified unless all three elements are present in the case. Hardships based solely on economic considerations are not grounds for a variance.~~

Vehicle storage facility means a building or portion thereof or an outdoor controlled-access compound, designed or used exclusively for long-term or seasonal storage of four or more automobiles, trucks, tractors, boats, mobile homes, recreational vehicles and trailers, and other types of vehicles. A vehicle storage facility may be combined with a self-storage facility.

Vegetated Roof means the roof of a building that is partially or completely covered with vegetation, including for food production, and a growing medium, planted over a waterproofing membrane.

Veterinary clinic or hospital means a place for the care, diagnosis, and treatment of sick or injured animals, or those in need of medical or minor surgical attention. A veterinary clinic or hospital may include customary pens, animal runs, or cages enclosed within the walls of the clinic building.

Warehouse means an enclosed building used for the storage of commercial goods or wares which are intended for sale, transfer or processing, ~~wherein any individual storage compartment or room exceeds 500 square feet in area.~~

Yard means an open space between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided in this chapter. The minimum required setback is the minimum depth of a front, rear, or side yard necessary to conform to the required yard setback provision of this chapter. (See Figure 5.)

(1) *Yard, front* means a yard extending across the front of a lot and being the minimum horizontal distance between the street line and the principal building or any projections thereof other than projection of uncovered steps, unenclosed balconies or unenclosed porches.

(2) *Yard, rear* means a yard extending across the full width of the lot between the rear lot line and the nearest point of the principal building. On all lots, the rear yard shall be opposite the front yard.

- (3) *Yard, side* means a yard between a principal building and the side lot line, extending from the front yard to the rear yard, the width of which shall be the horizontal distance from the nearest point of the side lot line to the nearest point on the principal building.
- (4) *Yard, street side* means a yard between the principal building and the street side lot line on a corner lot, extending from the front yard rearward to the rear lot line, the width of which shall be the horizontal distance of the side lot line to the nearest point on the principal building.

Zoning map means the zoning map of the city together with all amendments subsequently adopted.

(Ord No 1183A, 4/2013)

Definitions

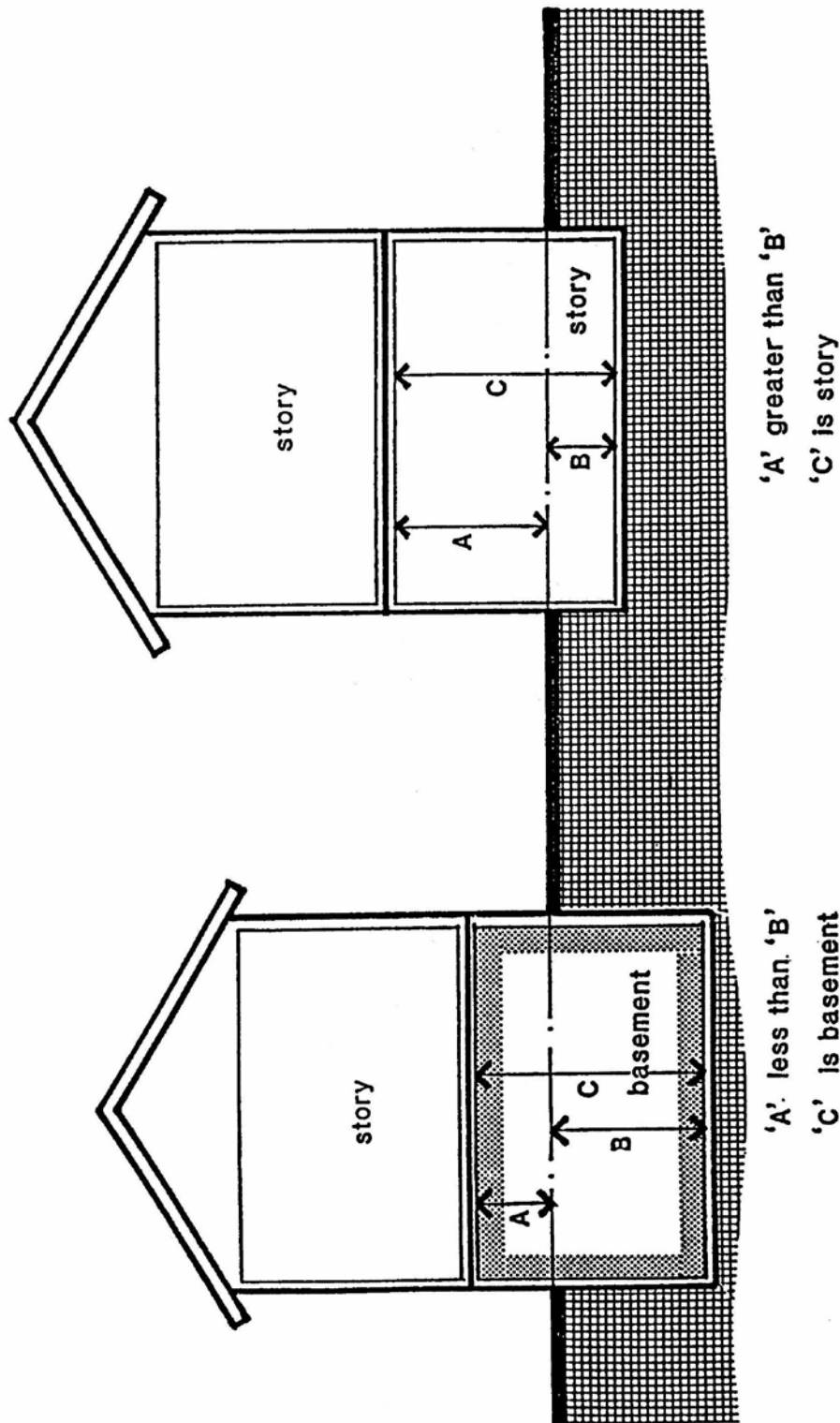
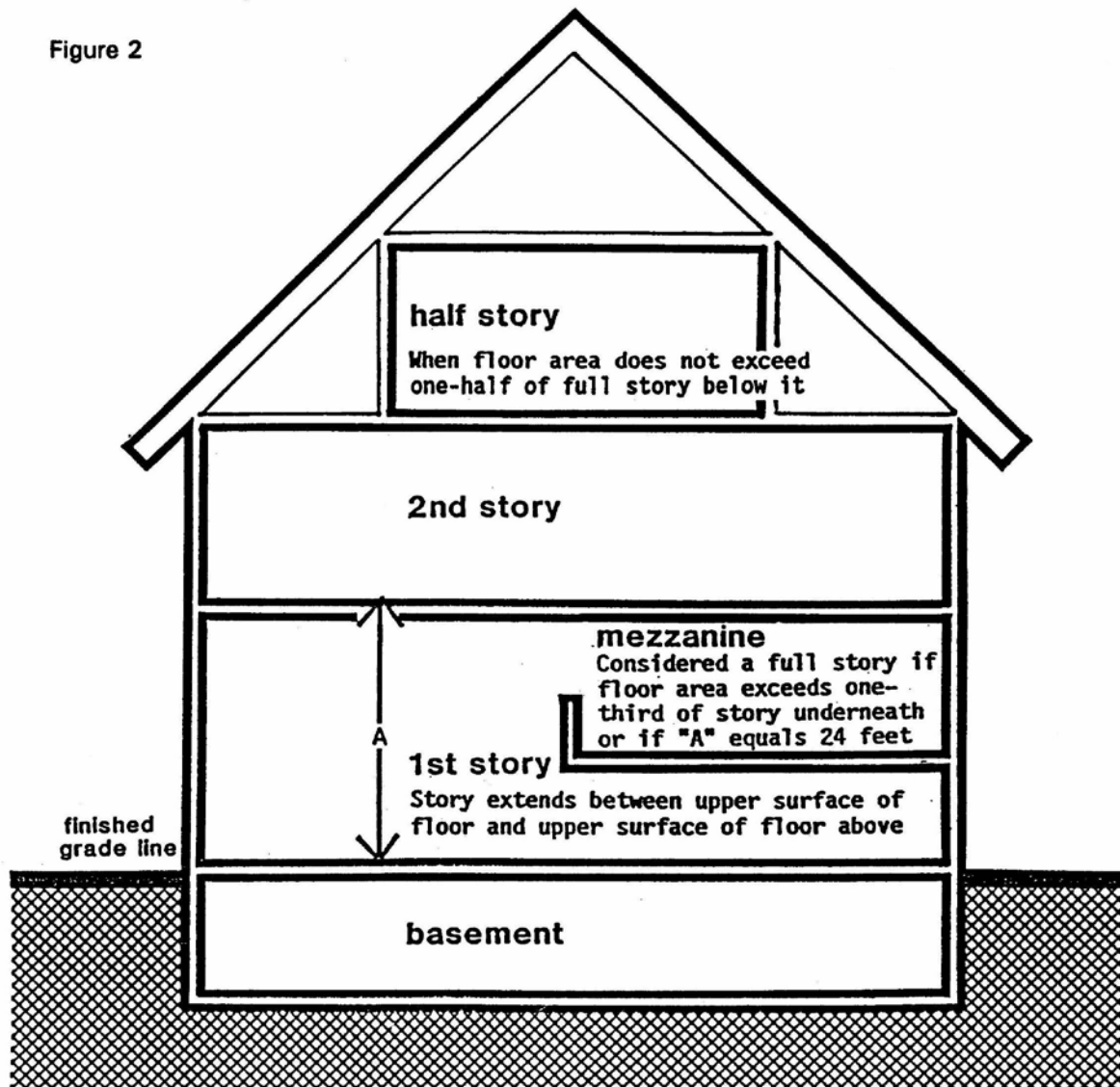


Figure 1

basement and story

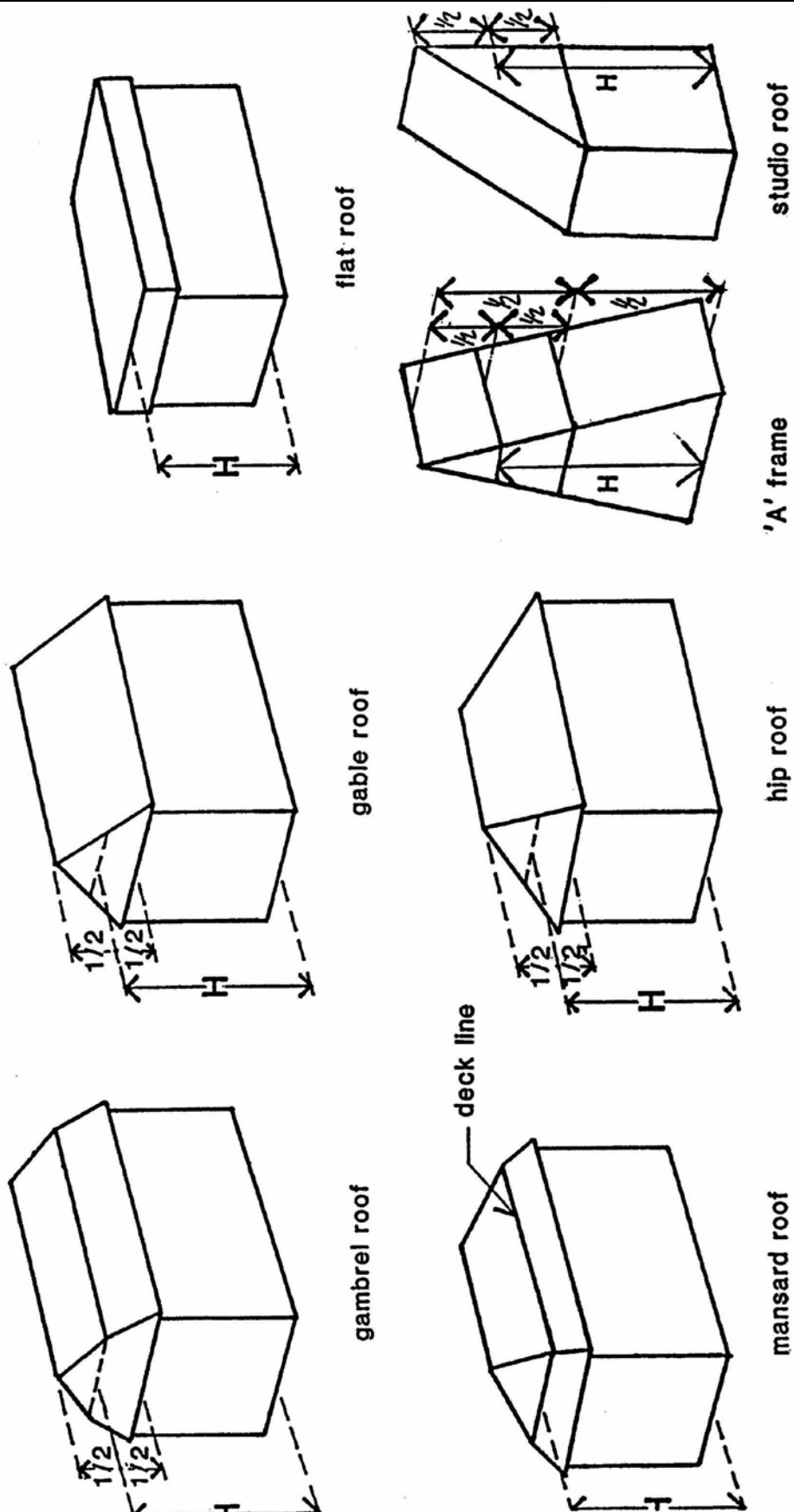
Figure 2



basic structural terms

Definitions

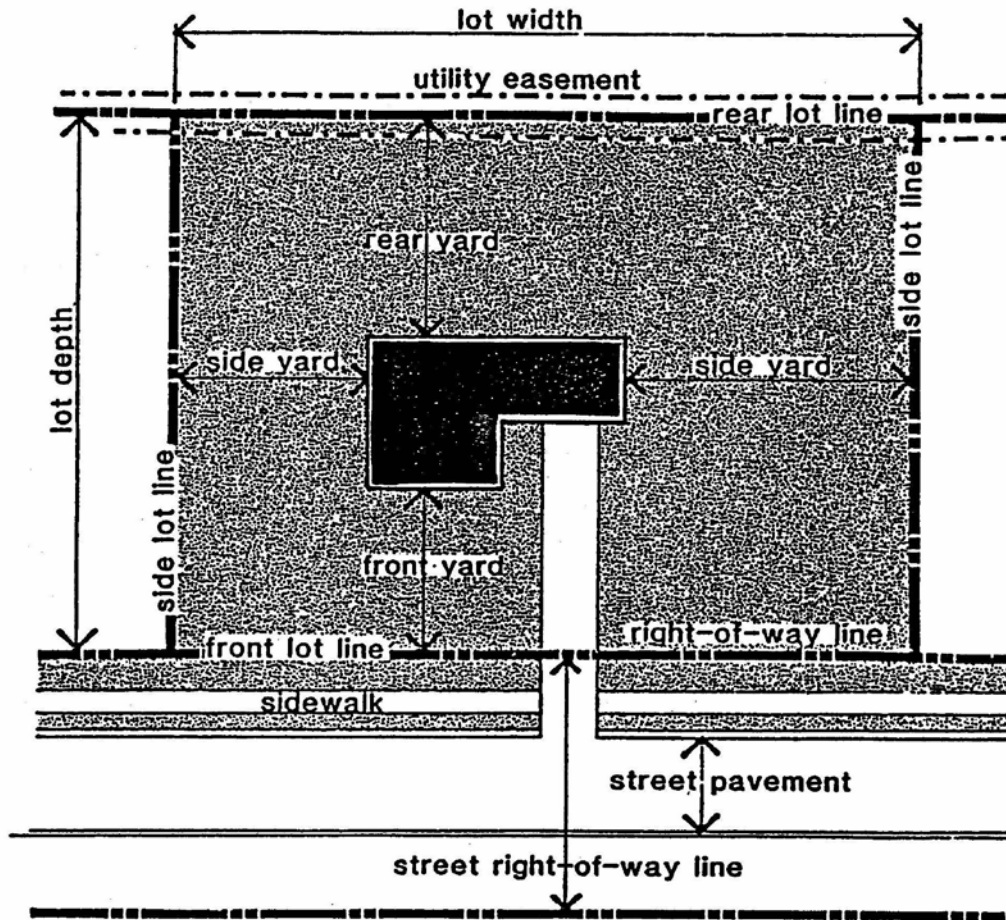
Figure 3



building height requirements

H: height of building

Figure 4



yard terms

Definitions

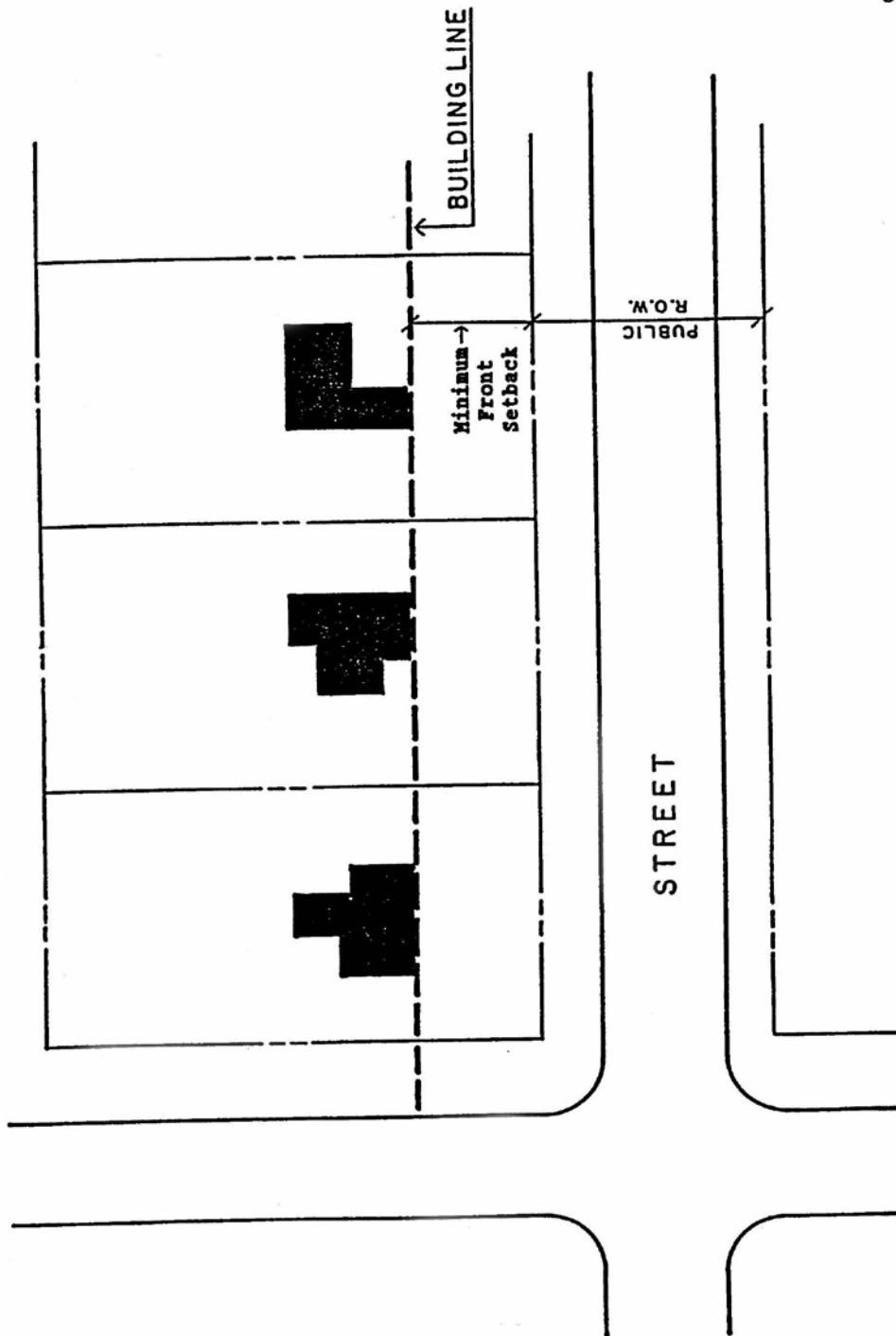
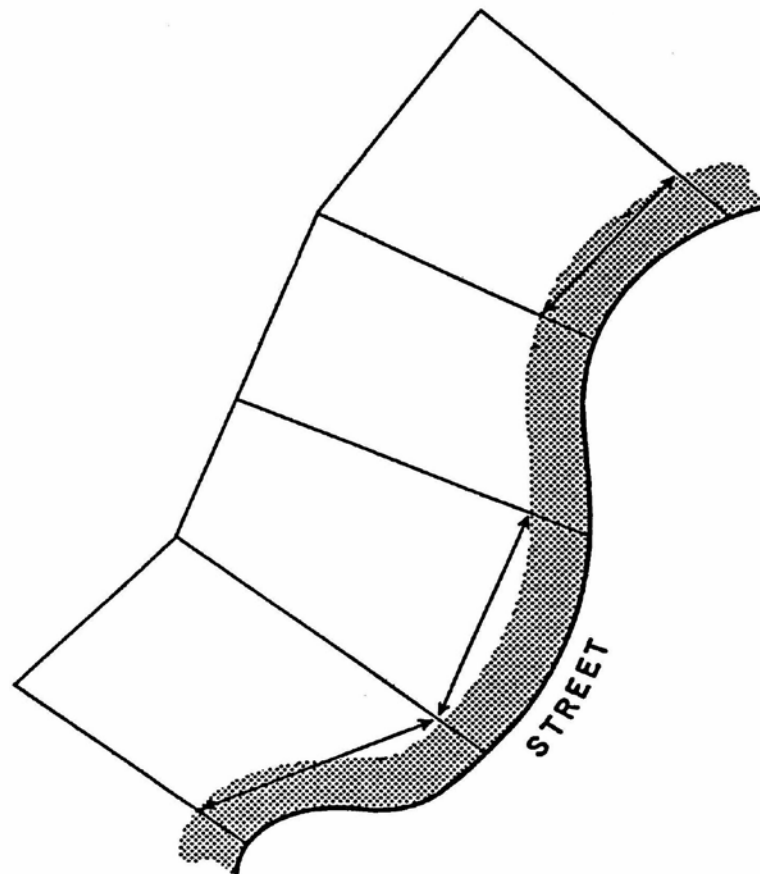


Figure 5

building line

Figure 6



←→ LOT WIDTH

■ MINIMUM SETBACK

lot width and setbacks

Definitions

Figure 7

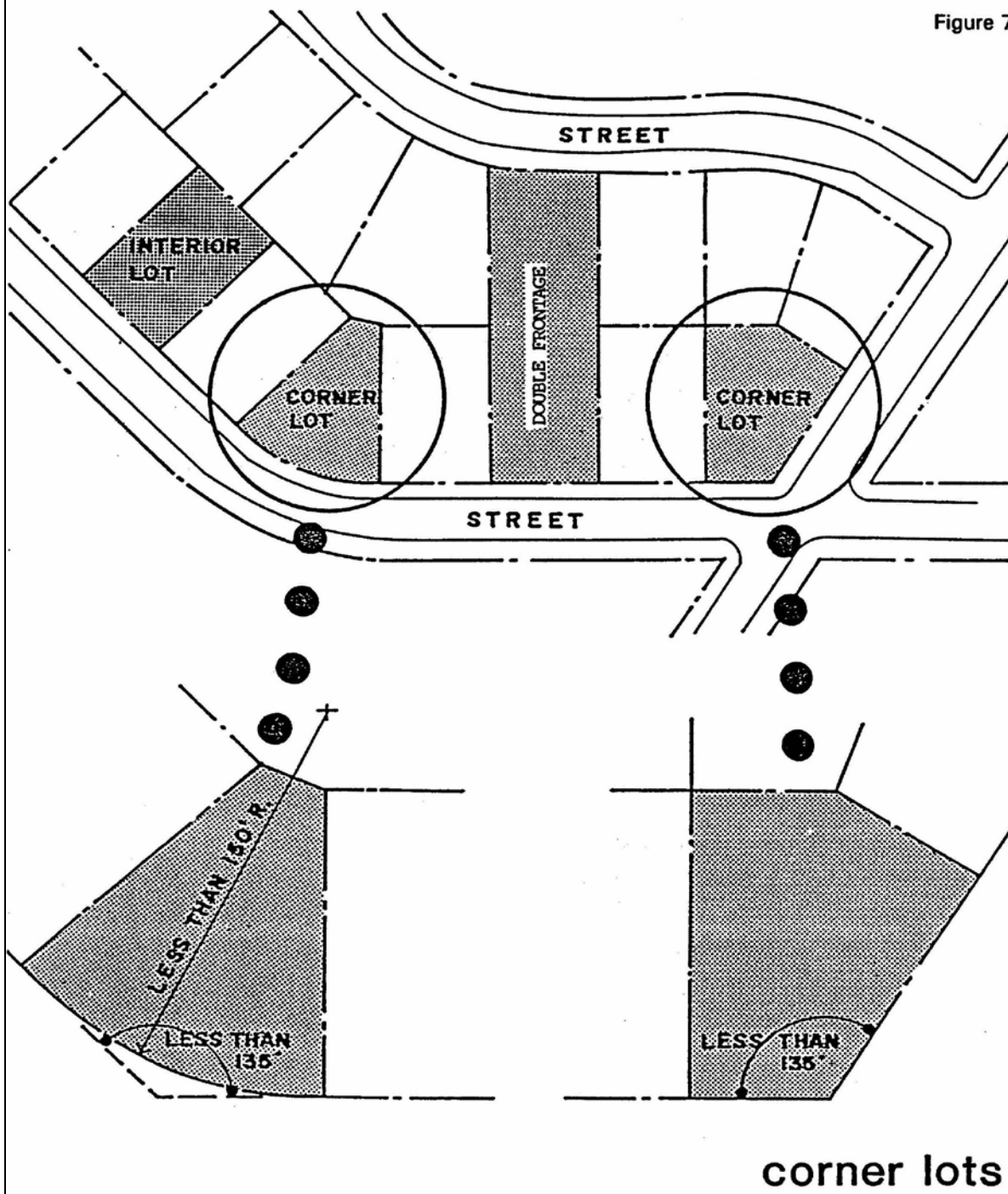
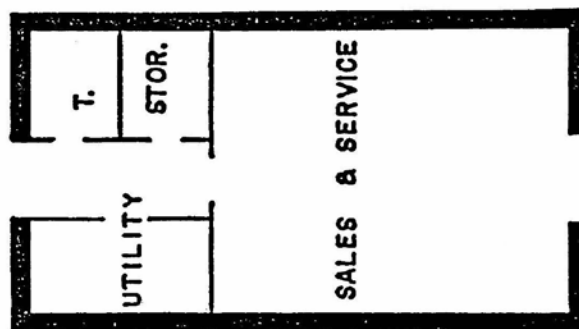
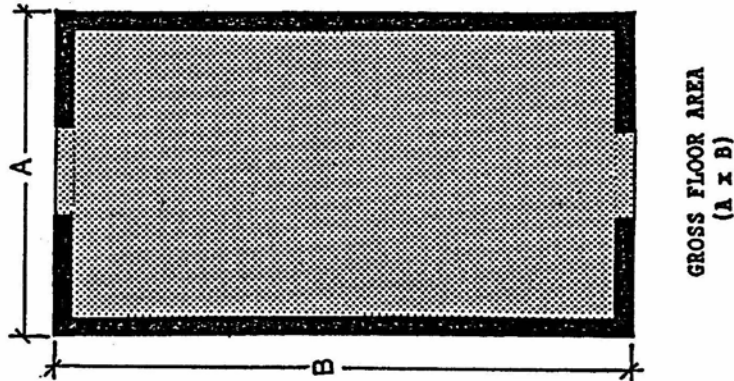
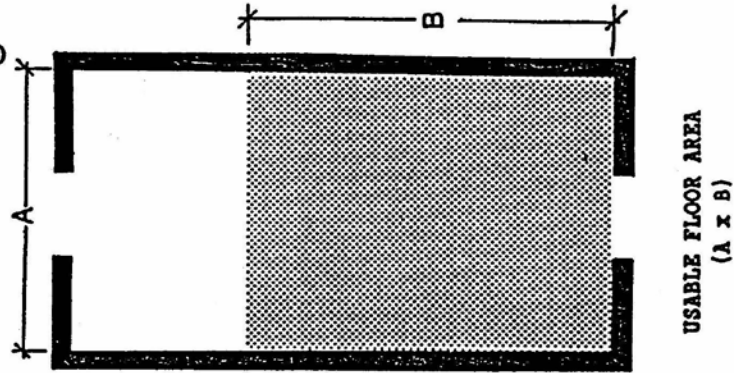


Figure 10



Definitions

floor area

FLOOR AREA OF
COMMERCIAL, OFFICE AND SIMILAR NON-RESIDENTIAL USES

Cross reference(s)--Definitions generally, § 1-2.

Sec. 122-3. Purpose. ~~Reserved.~~

Sec. 122-4. Interpretation and conflict.

- (a) In interpreting and applying the provisions of this chapter, such provisions shall be held to be the minimum requirements adopted for the promotion of the public health, morals, safety, comfort, convenience, prosperity, and general welfare.
- (b) It is not intended by this chapter to repeal, abrogate, annul or in any way to impair or interfere with any existing provision of any law or ordinance other than the above described zoning ordinance, or with any rules, regulations, or permits previously adopted or issued or which shall be adopted or issued pursuant to the law relating to the use of the buildings or premises; provided, however, that where this chapter imposes a greater restriction than is required by an existing ordinance or by rules, regulations or permits, the provisions of this chapter shall control.

Sec. 122-5. Rule of construction.

The rule that a penalty statute is to be strictly construed shall not apply to this chapter or any of the provisions thereof. All provisions of this chapter shall be construed according to the fair import of their terms, to promote justice, and to effect the objectives of this chapter.

Sec. 122-6. Administrative liability.

No officer, agent, employee, or member of the city council, planning commission, or zoning board of appeals shall render himself personally liable for any damage that may accrue to any person as the result of any act, decision, or other consequence or occurrence arising out of the discharge of his duties and responsibilities pursuant to this chapter.

Sec. 122-7. Vested right.

It is hereby expressly declared that nothing in this chapter shall be interpreted or construed to give or grant to any person, firm or corporation any vested right, license, or privilege in the continuation of any particular use, zoning classification or any permissible activities therein. Such provisions are hereby declared to be subject to subsequent amendment, change or modification as may be necessary for the preservation or protection of public health, safety and welfare.

Sec. 122-8. Violations and penalties.

- (a) *Public nuisance.* Any building or structure which is erected, altered, converted, or used, or any use of premises or land which is begun or changed subsequent to the passage of this chapter and in violation of any of the provisions of this chapter is hereby declared to be a public nuisance per se, and may be abated by order of the city council, subject to appeal to any court of competent jurisdiction.
- (b) *Municipal civil infraction.* A person who violates any provision of this chapter is responsible for a municipal civil infraction, subject to payment of a civil fine as set forth in section 70-38. Repeat offenses under this article shall be subject to increased fines as set forth in section 70-38.
- (c) *Owner responsibility.* The owner of any building, structure or premises or part thereof, where any condition in violation of this chapter shall exist or shall be created, and who has assisted knowingly in the commission of such violation, shall be guilty of a separate offense and upon conviction thereof shall be liable for the fines provided in this chapter.
- (d) *Each day separate offense.* Each and every day during which a violation of this chapter shall exist shall constitute a separate offense.
- (e) *Rights and remedies are cumulative.* The rights and remedies provided in this chapter are cumulative and are in addition to any other remedies provided by law.
- (f) *Rights and remedies preserved, no waiver.* Any failure or omission to enforce the provisions of this chapter, and any failure or omission to prosecute any violations of this chapter, shall not constitute a waiver of any rights and remedies provided by this chapter or by law, and shall not constitute a waiver of nor prevent any further prosecution of violations of this chapter.
- (g) *Money received from penalties.* All money received from penalties assessed shall be placed in the city's general fund.

Sec. 122-9. Eligibility for zoning authorization.

- (a) If a person is delinquent in paying a civil fine, costs, or a justice system assessment imposed by the City of Ypsilanti's Administrative Hearings Bureau, that person is not eligible to apply for any zoning authorization under the City of Ypsilanti's Zoning Ordinance, including but not limited to, the following zoning authorizations:
- (1) A zoning amendment under Article II "Administration," Division 3 "Amendments."
 - (2) A variance under Section 122-94 "Variances."
 - (3) Site plan review or amendment to an approved site plan under Article IV "Site Plan Review."
 - (4) A special use permit or to amend a special land use under Article V "Special Land Use Review."
 - (5) A planned unit development under Article IX "Planned Unit Development."
 - (6) A site condominium subdivision project under Article X "Site Condominium Subdivisions."
 - (7) An application for occupation, construction or substantial improvement in a floodplain under Article XV "Flood Damage Prevention."
- (b) Subsection (a) above does not apply if:
- (1) If the applicant for zoning authorization became the owner of the property by foreclosure or by taking a deed in lieu of foreclosure and is one (1) of the following:
 - (i) A government-sponsored enterprise. As used in this subsection, "government-sponsored enterprise" means the term as defined in 2 USC 622(8), or the Michigan state housing development authority created under the state housing development authority act of 1966, 1966 PA 346, MCL 125.1401 to 125.1499c.
 - (ii) A financial institution. As used in this subsection, "financial institution" means that term as defined in section 4(c) of the Michigan strategic fund act, 1984 PA 270, MCL 125.2004.
 - (iii) A mortgage servicer. As used in this subsection, "mortgage servicer" means that term as defined in section 1a of the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1651a, that is subject to the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1651 to 445.1684.
 - (iv) A credit union service organization that is organized under the laws of this state or the United States.
 - (2) If the application for zoning authorization will correct, in whole or in part, the blight violation that was the subject of the delinquent payment referred to in subsection (a).

Secs. 122-10--122-30. Reserved.

ARTICLE II. ADMINISTRATION*

*Cross reference(s)--Administration, ch. 2.

DIVISION 1. GENERALLY

Sec. 122-31. Establishment of administrative officers.

The provisions of this chapter shall be administered and enforced by the city manager or by such person or persons, such as the city planner or building inspector, that the city manager may delegate to enforce the provisions of this chapter. All departments, officials and public employees of the city vested with the duty or authority to issue permits or licenses, shall conform to the provisions of this chapter.

Sec. 122-32. Duties and enforcement powers.

Typical duties and powers of the city manager, or such person or persons the city manager may delegate to act as building inspector, city planner or other agents to enforce this chapter, shall include, but not be limited, to the following:

- (1) The building inspector, or such person or persons as the city manager may delegate, shall have the power to:
 - a. Make inspections of buildings and premises necessary to carry out the duties of enforcement of this chapter.
 - b. Issue building permits.
 - c. Issue certificates of occupancy.
 - d. Conduct surveillance and issue notices of violation pursuant to this chapter.
- (2) Adequate records of permits and applications issued, inspections, violations, nonconformities, variances, construction plans, fees collected, etc., shall be maintained. Public notices shall be published as necessary.
- (3) Persons who have zoning questions shall be assisted, and when applicable, such questions shall be brought before the planning commission or zoning board of appeals.
- (4) Advice may be provided to the city council, planning commission or zoning board of appeals on petitions and applications that come before these bodies.
- (5) It shall be unlawful for the city manager, or his delegate to approve any permits or certificates of occupancy for any excavation or development proposal until such plans have been inspected in detail and found to conform with this chapter, or when applicable, site plan approval has been obtained.
- (6) Under no circumstances shall the city manager or his delegate be permitted to make changes to this chapter nor vary the terms of this chapter in carrying out duties in administering and enforcing this chapter.
- (7) The city manager or his delegate shall not refuse to issue a permit when the conditions imposed by this chapter are complied with by the applicant, despite violations of any contract such as covenants or private agreements which may occur upon granting of such permit.

Sec. 122-33. Building permits.

- (a) *Permit requirement.* No building or structure within the city shall hereafter be erected, moved, repaired, altered or razed, nor shall any work be started to erect, move, repair, alter, or raze until a building permit has been issued in accordance with the building regulations of this Code. No building permit shall be issued unless it is in conformity with the provisions of this chapter and all amendments hereto.
- (b) *Application requirements.* All applications for building permits shall be submitted to the building department. The application shall be accompanied by a site plan approved by the planning commission (or city planner) when required under article IV of this chapter.

- (c) *Cancellation of permits.* The building department shall have the power to revoke and cancel any permit in the event of failure or neglect to comply with all of the terms and provisions of this chapter.
- (d) *Expiration of permit.* All building permits shall expire ~~one year~~ **six months** from their date of issuance if construction has not been begun and diligently pursued. The building department may, upon a showing of due cause, extend the permit for one additional time as the building department determines to be reasonably necessary for completion. Thereafter, the applicant shall file a new building permit application, accompanied by the required fee.

Sec. 122-34. Certificate of occupancy.

- (a) *Certificate required.* No dwelling, building, structure or land shall be occupied or used until a certificate of occupancy has been issued for such occupancy or use, which occupancy or use shall be in compliance with this chapter (including approved site plans as applicable). No structure or land shall be occupied by a changed use or occupancy until a certificate of occupancy for the changed use has been issued.
- (b) *Temporary certificate of occupancy.* If the applicant can show prior substantial compliance with this chapter and can demonstrate need, the building department may issue a temporary certificate of occupancy for a period of not more than six months.

Sec. 122-35. Temporary use permits.

The building department may issue temporary use permits for the uses listed below, after determining that such uses will meet the standards under subsection (9) of this section **and review standards for that specific use included in this section.** A second temporary use permit may be issued by the building department at the end of such time limit for good cause shown. A third temporary special use permit may only be authorized by the planning commission as a special use under the procedures of article V of this chapter. The building department, at its discretion, may refer any request for a temporary use permit to the planning commission.

- (1) *Temporary dwellings.* An individual mobile home, private garage, basement, or other temporary structure may be used as temporary living quarters for up to 60 days while a dwelling or structure is being constructed on the same premises. A temporary use permit must be issued prior to any such use.
- (2) *Construction buildings.* Temporary buildings for uses incidental to construction work may be authorized for a period of up to 12 months. Such buildings shall be removed within 15 days after completion or abandonment of construction work.
- (3) *Signs and supplies.* The storage of building supplies and machinery; temporary storage buildings; the assembly of materials and customary trade; and contractor, architect, and identification signs in connection with a construction project may be authorized by the building department for a period of up to 12 months. All signs shall meet the provisions under article XIV of this chapter.
- (4) *Seasonal uses.* The building department may authorize a temporary special permit for up to 30 days for seasonal or unusual nonrecurrent temporary uses and signs.
- (5) *Parking areas.* Temporary special permits may be issued by the building department for the use of unimproved parking areas for a period of up to 30 days.
- (6) *Sales office for subdivision.* Temporary special permits may be issued by the building department for a period of up to six months for a temporary office which is both incidental and necessary for the sale or rental of property in a new subdivision or housing project.
- (7) **Food Concession Sales.** The provisions of this section are intended to allow food vending opportunities that can add vitality to vacant parking lots and underutilized sites and provide food access, employment and entrepreneurship opportunities while preventing predatory practices on brick-and-mortar restaurants. These provisions shall apply to businesses engaged in the cooking, preparation, and distribution of food or beverage on properties located outside of the public right-of-way. This section does not apply to mobile vendors that move from place to place and are stationary in the same location for no more than thirty (30) minutes at a time or special event vendors. Temporary concession sales, including those conducted outdoors, or in stands, trailers, wagons, or vehicles shall be permitted subject to the following requirements:
 - a. **Districts Allowed.** Food concessions are only allowed as temporary uses in the following districts: Center, Parks, General Corridor, Neighborhood Corridor, and Health and Human Services.

- b. Principal Use. Concession sales as a principal use on a vacant lot or as part of a group of retail business buildings approved under a single approved plan shall be subject to Special Land Use approval in the Center, General Corridor, and Health and Human Services Districts.
- c. Accessory Use. Temporary concession sales may be permitted as an accessory use to the principal permitted use and business on the lot, approved by the City Planner per item s of this sub-section.
- d. Co-Location. Where concession sales have been approved on a lot as a principal use, the Planning Commission may allow locating additional concession sales on the same lot with a ~~site plan or~~ sketch plan meeting the requirements of item q of this sub-section.
- e. Approvals. In addition to satisfying the requirements of this section, evidence of approval from the Washtenaw County Health Department and/or Michigan Department of Agriculture and Rural Development, as applicable, shall be provided for all concession sales. A Transient Merchant License or a Special Peddler's license must also be obtained from the Office of the City Clerk, as applicable.
- f. Outdoor Cooking. With the exception of the Center District, outdoor food preparation and cooking is prohibited within two hundred (200) feet of a first-floor residential use.
- g. Active Use. Any stand, trailer, wagon, or vehicle that is located on a property for the purposes of concession sales shall maintain regular business hours at least two days a week so long as the premises is occupied. If the business closes, ceases to operate, or fails to keep regular business hours then the temporary use permit may be revoked and the stand, trailer, wagon or vehicle shall be immediately removed from the property.
- h. Maximum Duration. Permits may be issued for no more than two hundred (200) consecutive days over a period of twelve (12) calendar months. Permits will be issued annually upon application.
- i. Placement. Concession sales shall be located within the building envelope for the district in which it is located.
- j. Parking Area. The area occupied by accessory concession sales shall be no more than twenty (20) percent of any required parking spaces or area. Sufficient on-site or district parking shall be provided for each stand, trailer, wagon, or vehicle on a lot; this shall be in addition to any other required parking for retail business buildings located on the same parcel.
- k. Pedestrian Space. A minimum pedestrian clear space of five (5) feet is required along all public walkways
- l. Traffic Visibility. Concession sales shall not be located in the public right-of-way or on public property unless otherwise approved, and shall be outside of traffic visibility areas in compliance with Section 122-649.
- m. Outdoor Seating: If provided, all outdoor seating must be in compliance with Section 122-799. Outdoor cafes, restaurants and beer gardens.
- n. Sanitary Facilities. Sanitary facilities shall be provided if seating is present for the convenience of guests. The City Planner may waive this requirement if alternative arrangements are made and documentation is provided.
- o. Hours of Operation. Operating hours shall be no later than 10 p.m. Sunday through Thursday and 11:00 p.m. on Friday and Saturday, unless otherwise approved by the Planning Commission.
- p. Sound. No outdoor amplified music, sound, or noise shall be permitted. Outdoor generators that provide power shall be identified; such generators may be prohibited if it is anticipated that such an operation will create a nuisance to neighbors due to noise, exhaust or vibration.
- q. Required Site Information. A sketch plan shall be submitted that includes:
 - i. location and dimensions of any stand, trailer, wagon or vehicle, and any other outdoor activity associated with concession sales;
 - ii. site dimensions of any existing buildings on the lot including building setbacks;
 - iii. existing public improvements, such as fire hydrants, bus shelters, trees and tree grates and parking meters;
 - iv. surface type of the lot (e.g. unimproved/paved);

- v. a parking plan, including traffic circulation patterns;
- vi. location of trash receptacles;
- vii. location of on-site water, generator, and/or electric utilities that will serve concession vendor(s);
- viii. location of sanitary facilities;
- ix. map identifying existing restaurants located within buildings, as well as other concession sales locations within three-hundred (300) feet;
- x. Photographs of the area
- xi. Required Concession Sales Facilities Information. A narrative with elevation drawings shall be submitted that describe/show: the nature of proposed concession sales, include food and/or beverage types; vehicle or structure type; site signage; duration that sales will occur on the site; and hours of operation.
- r. Food Concession Sales Permit Required. A temporary use permit shall be obtained by each concession sales vendor on a property. The vendor shall adhere to all regulations and requirements of this section and any conditions imposed by the Planning Commission. The Planning Director shall apply the Review Standards of this section to insure that the proposed concession sales will not be in conflict with these standards in the issuance of a temporary use permit.
- s. Permit Approval and Administration. The City Planner will review and approve food concession sales permits if all requirements of this sub-section and Section 122-35(9) are met.
- t. Review Standards. The following considerations shall be used by the Planning Commission and the City Planner in the deliberation and approval of a concession sales request for the site and/or vendor(s):
 - i. Will the use contribute to the vitality and experience of the surrounding area?
 - ii. Will the use support or draw new attention to existing brick and mortar establishments?
 - iii. Is there an appropriate separation distance between temporary and permanent uses so as to not impair the long-term viability of nearby businesses?
 - iv. Will the use add variety to the types of food or beverage offerings in the district?
 - v. Will the proposed stand, trailer, wagon or vehicle contribute to the general aesthetic of the business district?
- (8) *Temporary Businesses in Vacant Storefronts:* In the Center, General Corridor and Neighborhood Corridor Districts, the City Planner may authorize a temporary use permit for a business to occupy a vacant storefront for less than 3 months if the following standards are met:
 - a. The proposed use is a permitted use in that district. Special uses shall not be given temporary use permits.
 - b. All building and fire code requirements are met.
 - c. The standards in Section 122-35(9) are met.
- (9) ~~(7)~~ *Standards.* No temporary use permit shall be authorized until the following standards are met:
 - a. The location and erection of any temporary structure shall conform to all of the regulations of the zoning district in which it is situated and all other applicable regulations of this chapter.
 - b. The location of such use shall not be injurious to adjacent properties or the surrounding neighborhood.
 - c. The water supply and sanitary facilities of any temporary dwelling shall conform to all applicable requirements of the state health department, the county health department and city codes and other regulations.
 - d. The following shall be taken into consideration:
 - 1. The reasons and necessity for the temporary use or structure.
 - 2. The nature of the use or structure.
 - 3. The proposed location of the use or structure.
 - e. **If not required above,** the building department, **City Planner** or Planning Commission may request a plot

plan, drawn to scale no smaller than one inch equals 50 feet, showing the location of the temporary use in relation to the lot lines and other structures.

- f. Reasonable conditions may be required with the approval of a temporary special permit by the building department or planning commission. The conditions may include, but are not limited to, conditions necessary to ensure that public services and facilities are not adversely affected, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.

(10)(9) A fee for a temporary use permit shall be paid in accordance with a fee schedule established by the city council.

Secs. 122-36--122-45. Reserved.

DIVISION 2. PLANNING COMMISSION*

*Cross reference(s)--Boards and commissions, § 2-111 et seq.

State law reference(s)--Municipal planning, MCL 125.31 et seq., MCL 125.38 et seq.

Sec. 122-46. Authority.

This ordinance is adopted pursuant to the authority granted the city council under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801 *et seq.*, and the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101 *et seq.*, as amended, to establish a planning commission with the powers, duties and limitations provided by those Acts.

Sec. 122-47. Purpose.

The purpose of this ordinance is for the city council to confirm the establishment, under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801 *et seq.*, of the city planning commission, formerly established under the Municipal Planning Act, MCL 125.31 *et seq.*, to establish the appointments, terms, and membership of the planning commission; to identify the officers and the minimum number of meetings per year of the planning commission; and to prescribe the authority, powers and duties of the planning commission as provided in and subject to the terms and conditions of this ordinance.

Sec. 122-48. Establishment.

There shall be a city planning commission in accordance with the Michigan Planning Enabling Act, Public Act 33 of 2008, as amended, with the powers and duties as therein set forth and as hereinafter provided.

Sec. 122-49. Reserved

Sec. 122-50. Zoning board of appeals member of the planning commission.

(c) As provided in the Michigan Zoning Enabling Act, MCL 125.3601, one member of the planning commission may be appointed by the city council to serve on the zoning board of appeals, with the term of that appointment to correspondence to that member's term as a planning commission member.

Sec. 122-51. Procedures of the planning commission.

- (a) The planning commission shall adopt bylaws for the transaction of business and shall keep a public record of its resolutions, transactions, findings, and determinations.
- (b) The planning commission's procedures shall be in conformity with applicable ordinances, resolutions and policies adopted by the city council.

Sec. 122-52. Meetings of the planning commission.

- (a) The planning commission shall hold not less than four (4) regular meetings each year. At its first meeting of the calendar year, the planning commission shall adopt and provide notice of its regular meetings for the ensuing year in accordance with the Open Meeting Act, Public Act 267 of 1976, as amended; provided, however, that a meeting need not be held if pending matters do not warrant a meeting.
- (b) Special meetings may be called by the chairperson or upon written request to the secretary by at least two members of the planning commission. Unless the planning commission bylaws provide otherwise, the secretary shall send written notice of a special meeting to planning commission members not less than 48 hours before the meeting. All costs of special meetings held to consider requests of applicants for approvals under the zoning ordinance (or for such other purposes as may be necessary) shall be paid by the applicant for such requests.
- (c) The business that the planning commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act, Public Act 267 of 1976, as amended.

Sec. 122-53. Duties and responsibilities of the planning commission.

The members of the planning commission shall have the following principal duties and responsibilities, among others:

- (a) Prepare, review and update a master plan as a guide for development within the city's planning jurisdiction.
- (b) Take such action on petitions, staff proposals and city council requests for amendments to the zoning ordinance as required.

- (c) In accordance with the Michigan Planning Enabling Act, Public Act 33 of 2008, as amended, consider, no less frequently than every five (5) years, whether a revision of the master plan or updated amendments in the master plan are needed and prepare, consider and approve any such revisions or amendments.
- (d) Take such actions as are required by the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, and the Michigan Planning Enabling Act, Public Act 33 of 2008, as amended.
- (e) Review subdivision and condominium proposals and recommend appropriate actions to the city council.
- (f) Prepare special studies and plans, as deemed necessary by the planning commission or city council for which appropriations of funds have been approved by the city council, as needed.
- (g) Prepare an annual written report to the city council concerning its operations and the status of planning activities, including recommendations regarding actions by the city council related to planning and development, with the report to be presented within 90 days of the beginning of each calendar year.
- (h) Promote understanding of and interest in the master plan and the city zoning ordinance.
- (i) The Commission shall review and advise upon plans for capital improvements, such as construction, expansion, removal, or vacating of public lands, buildings, or right-of-ways. This review should focus on consistency with adopted plans of the City and other governmental units. This may be done by an annual review of the City's Capital Improvement Plan prior to adoption by City Council, rather than of each project individually.
- (i) Carry out other duties and responsibilities as set forth in the Michigan Planning Enabling Act, Public Act 33 of 2008.

Sec. 122-54. Approval, ratification and reconfirmation.

All official actions taken by the city planning commission preceding the planning commission established by this ordinance are hereby approved, ratified, and reconfirmed. Any project, review, or process taking place at the effective date of this ordinance shall continue with the planning commission created by this ordinance, subject to other requirements of this ordinance, and shall be deemed a continuation of any previous city planning commission. This ordinance shall be in full force and effect from and after its adoption and publication.

(Ord. No. 1165, 2011)

Secs. 122-55--122-60. Reserved.

DIVISION 3. AMENDMENTS*

*State law reference(s)--Amendment of zoning ordinance, MCL 125.584, MSA 5.2934.

Sec. 122-61. General requirements.

- (a) The city council shall have authority to amend, supplement, or change zoning district boundaries or the provisions and regulations of this chapter, pursuant to the authority and procedures set forth in Act No. 110 of the Public Acts of Michigan of 2006 (MCL 125.3101 et seq.), as amended.
- (b) Text amendments to this chapter may be initiated by a motion of the city council or the planning commission, or by the filing of an application by any interested person or organization. Changes in district boundaries may be initiated by a motion of the city council or the planning commission, or by the filing of an application by any person having a freehold interest in the subject property or by such person's designated agent.
- (c) The owner of land who has filed an application for changes in district boundaries may voluntarily offer with conditions relating to the use and/or development of land, either at the time the application is filed or may be made at a later time during the approval process. The city council may establish a period of time during which the conditions apply to the land. No employee or official of the City of Ypsilanti shall not require an owner to offer conditions as a requirement for rezoning. The lack of an offer of conditions shall not affect an owner's rights under this Ordinance.
- (d) All proposed amendments shall be referred to the planning commission for a public hearing, review and recommendation, before action may be taken thereon by the city council.

Sec. 122-62. Amendment procedures.

- (a) *Application.* Applications for amendments to this chapter shall be filed with the city planner's office on an appropriate form provided by the city and accompanied by the required fee. No fee shall be required if a proposed amendment was initiated by the city council or planning commission. All applications for amendments to this chapter shall, at a minimum, include the following:
 - (1) The applicant's name, address, and interest in the application; and the name, address, and interest of every person having a legal or equitable interest in any land which is to be rezoned. The application shall be signed by both the landowner and the applicant, if not the same.
 - (2) The nature and effect of the proposed amendment.
 - (3) If the proposed amendment would require a change in the zoning map, a boundary change and/or a change in building type allowed on a site designated on the zoning map, a fully dimensioned map showing the boundaries of land which would be affected by the proposed amendment, a legal description of the entire land area, a legal description of each subarea owned by a different person or organization, the present zoning of the land, the zoning of all adjacent lands, existing uses and structures on the subject property and adjacent properties, and all public and private rights-of-way and easements bounding or intersecting the land to be rezoned.
 - (4) If the proposed zoning map amendment includes voluntary conditions set forth by the owner of the property, a written statement of those voluntary conditions shall be included. The "Statement of Conditions" shall:
 - (a) Be in a form recordable with the Washtenaw County Register of Deeds or, in the alternative, be accompanied by a recordable Affidavit or Memorandum prepared and signed by the owner giving notice of the "Statement of Conditions" in a manner acceptable to the City Attorney.
 - (b) Contain a legal description of the land to which it pertains.
 - (c) Contain a statement acknowledging that the "Statement of Conditions" runs with the land and is binding upon successor owners of the land.
 - (d) Incorporate by attachment or reference any site plan, diagram, or other documents submitted or approved by the owner that are necessary to illustrate the implementation of the "Statement of Conditions". If any such documents are incorporated by reference, the reference shall specify where the document may be examined.
 - (e) Contain a statement acknowledging that the "Statement of Conditions" or an Affidavit or Memorandum giving notice thereof may be recorded by the Township with the Washtenaw County Register of Deeds.

- (f) Contain the notarized signatures of all of the owners of the subject land preceded by a statement attesting to the fact that they voluntarily offer and consent to the provisions contained within the “Statement of Conditions”.
 - (5) If the application is for an amendment to this chapter text, a description of the proposed change, with a detailed explanation as to why the proposed amendment is needed.
 - (6) All other circumstances, factors, and reasons which the petitioner offers in support of the proposed amendment.
- (b) *Public hearing.*
- (1) At least one public hearing on a proposed amendment shall be held by the planning commission. Notice of such public hearing shall be published at least once in a newspaper of general circulation in the city, not less than 15 days prior to the date set for the public hearing. The contents of the notice shall include the following.
 - (2) Time and place of the public hearing.
 - (3) A description of the proposed amendment.
 - (4) The street address and legal description of any property for which a zoning change is requested, the present zoning of that property, and the proposed new zoning designation. If 11 or more adjacent properties are proposed for rezoning, individual addresses and legal descriptions are not required.
 - (5) Not less than 15 days' notice of the public hearing shall be given by mail to each public utility company and railroad company owning or operating any public utility or railroad within the zoning district affected by the proposed amendment that registers its name and address with the city for the purpose of receiving such notice.
 - (6) If an individual property or up to 10 adjacent properties are proposed for rezoning, written notice of the public hearing shall be given the owner of the property in question, and to all owners of real property and occupants of structures within 300 feet of the property in question. The notice shall be mailed or delivered not less than 15 days before the public hearing.
 - (7) Any notices served by mail require an affidavit of mailing to be filed with the planning commission prior to the public hearing.
- (c) *Planning commission recommendation.* Following the public hearing, the planning commission shall prepare a report of its recommendations regarding the proposed amendment, and transmit such report to the city council. The planning commission may recommend changes in the amendment in order to reflect objections raised at the hearing or to correct typographical or grammatical errors. The planning commission may reduce the area of land to be rezoned as described in the public hearing notice, but may not enlarge the area of land to be rezoned.
- (d) *City council action.* After the planning commission has held a public hearing and has made a written report to the city council indicating their recommendation on the proposed amendment, the city council may adopt the proposed amendment, decline to adopt the proposed amendment, or may adopt it in whole or part with or without additional changes. The city council may also hold a public hearing on the proposed amendment or refer the proposed amendment back to the planning commission for further study and review or for additional public hearings. Upon the presentation of a protest petition meeting the requirements of section-4 403 of Act No. 110 of the Public Acts of Michigan of 2006 (MCL 125.3101 et seq.) an amendment to this chapter or zoning map which is the object of such petition shall be passed by an affirmative vote of not less than two-thirds members of the city council.
- (e) *Publication.* Following adoption of an amendment to this chapter by the city council, a notice of adoption shall be published in a newspaper of general circulation in the city within 15 days after adoption. The notice shall include the following information:
- (1) Either a summary of the regulatory effect of the amendment including the geographic area affected, or the text of the amendment.
 - (2) The effective date of the amendment.
 - (3) The place and time where a copy of the amendment may be purchased or inspected.

Sec. 122-63. Standards for Amendments

1. *Text Amendment.* For a change to the text of the Zoning Ordinance, the Planning Commission shall consider and the City Council may consider, whether the proposed amendment meets the following standards:
 - (1) The proposed amendment is consistent with the guiding values of the Master Plan; and
 - (2) The rezoning is consistent with description and purpose of the proposed district, and.
 - (3) The proposed amendment consistent with the intent of this Zoning Ordinance; and
 - (4) The proposed amendment will enhance the functionality, transportation network or character of the future development in the City; and
 - (5) The proposed amendment will preserve the historic nature of the surrounding area and of the City; and
 - (6) The proposed amendment will enhance the natural features and environmental sustainability of the City; and
 - (7) The proposed amendment will protect the health, safety, and general welfare of the public; or
 - (8) The proposed amendment is needed to correct an error or omission in the original text; or
 - (9) The proposed amendment will address a community need in physical or economic conditions or development practices; and
 - (10) The proposed amendment will not result in the creation of significant nonconformities in the City.
2. *Zoning Map Amendment.* For a change in the zoning map, the Planning Commission shall consider and the City Council may consider, whether the proposed rezoning meets the following standards:
 - (1) The rezoning is consistent with the policies, guiding values and City Framework (Future Land Use Map) of the Master Plan, including any subarea or corridor studies. If conditions have changed since the current Master Plan was adopted, the consistency with recent development trends in the area.
 - (2) The rezoning sustains the site's physical, geological, hydrological and other environmental features with the potential uses allowed in the proposed zoning district.
 - (3) The property proposed to be re-zoned can accommodate the requirements of the proposed zoning district.
 - (4) All the potential uses and building types allowed in the proposed zoning district are compatible with surrounding uses, buildings, and zoning in terms of land suitability, impacts on the environment, impacts on the transportation network, density, nature of use, aesthetics, infrastructure and potential influence on property values.
 - (5) The capacity of City infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety, sustainability and welfare of the City.
 - (6) The rezoning will not be detrimental to the financial stability and economic welfare of the City.
 - (7) The rezoning not would negatively impact the condition of any nearby parcels considering existing vacancy rates, current per-square-foot lease or sale rates, and other impacts.
 - (8) The rezoning is consistent with the trend of development in the neighborhood or surrounding area.
 - (9) The property in question was improperly zoned or classified when this Chapter was adopted or amended.
 - (10) Where a rezoning is reasonable given the above criteria, a determination shall be made that the requested zoning district is more appropriate than another district or than amending the list of permitted or special land uses within a district.
- 3- *Building Type Designation on Zoning Map.* For a change in building type designation on the zoning map, the Planning Commission shall consider and the City Council may consider, whether the proposed amendment meets the following conditions:
 - (1) The building type change is consistent with the policies, guiding values and City Framework (Future Land Use Map) of the Master Plan, including any subarea or corridor studies. If conditions have changed since the current Master Plan was adopted, the building type change is consistent with recent development trends in the area.
 - (2) The building type sustains the site's physical, geological, hydrological and other environmental features with the potential uses allowed on the proposed property and surrounding property.
 - (3) The building type change is consistent with the size, scale and character desired within the zoning district.
 - (4) The property can accommodate the requirements of the proposed building type change.
 - (5) The building type change is compatible with surrounding uses, buildings, and zoning in terms of land suitability, impacts on the environment, impacts on the transportation network, density, nature of use, aesthetics, infrastructure and potential influence on property values.
 - (6) The capacity of City infrastructure and services sufficient to accommodate the building type change on the property in question without compromising the health, safety, sustainability and welfare of the City.
 - (7) The building type change will not be detrimental to the financial stability and economic welfare of the City.
 - (8) The building type change will not would negatively impact the condition of any nearby parcels considering existing vacancy rates, current per-square-foot lease or sale rates, and other impacts.
 - (9) The building type change is consistent with the trend of development in the neighborhood or surrounding

area.

(10) The building type change on the property in question is consistent with the description and purpose of the district of the property.

(11) In cases where requested building type is designed to accommodate commercial uses on the first floor in Neighborhood district, the parcel must be located on a corner.

4. *Conditional Zoning Map Amendment.* For a change in the zoning map with a conditional site plan, the Planning Commission shall consider and the City Council may consider, whether the proposed rezoning and voluntary conditions meet the following conditions:

(1) The rezoning and voluntary conditions are consistent with the policies, guiding values and City Framework (Future Land Use Map) of the Master Plan, including any subarea or corridor studies. If conditions have changed since the current Master Plan was adopted, the consistency with recent development trends in the area.

(2) The rezoning and voluntary conditions are consistent with the description and purpose of the district of the property.

(3) The rezoning and voluntary conditions sustains the site's physical, geological, hydrological and other environmental features with the potential uses allowed in the proposed zoning district.

(4) The property proposed to be re-zoned can accommodate the requirements of the proposed zoning district and voluntary conditions.

(5) All the potential uses and building types allowed in the proposed zoning district under the voluntary conditions are compatible with surrounding uses, buildings, and zoning in terms of land suitability, impacts on the environment, impacts on the transportation network, density, nature of use, aesthetics, infrastructure and potential influence on property values.

(6) The capacity of City infrastructure and services sufficient to accommodate the uses permitted in the requested district under the voluntary conditions without compromising the health, safety, sustainability and welfare of the City.

(7) The rezoning and voluntary conditions will not be detrimental to the financial stability and economic welfare of the City.

(8) The rezoning and voluntary conditions will not would negatively impact the condition of any nearby parcels considering existing vacancy rates, current per-square-foot lease or sale rates, and other impacts.

(9) The rezoning and voluntary conditions is consistent with the trend of development in the neighborhood or surrounding area.

(10) The voluntary conditions bear a reasonable and rational relationship to the property for which rezoning is requested.

Sec. 122-634. Protests.

(a) In case a protest against a proposed rezoning is presented, duly signed by the owners, or part owners, of 20 percent of the area of land proposed to be altered, or by the owners of at least 20 percent of the area of land included with the area extending outward 100 feet from any point on the boundary of the land included in the proposed change, such amendment shall not be passed except by a two-thirds vote of the city council. The protest petition shall be presented to the city council before final city council action on the amendment.

(b) For purposes of the protest, publicly-owned land shall be excluded in calculating the 20 percent land area requirement.

Sec. 122-65. Conditional Zoning Map Amendment Administration.

(a) *Zoning Map.* Upon a conditional zoning map amendment taking effect, the Zoning Map shall be amended to reflect the new zoning classification along with a designation that the land was rezoned with a "Statement of Conditions". The Planning Department shall maintain a listing of all lands rezoned with a "Statement of Conditions".

(b) *Statement of Conditions.* The approved "Statement of Conditions" shall be approved by the City Attorney and then filed by the City of Ypsilanti with the Washtenaw County Register of Deeds. If a time period for compliance with conditions has been required by City Council, the time period must be included in the document approved and filed with the Washtenaw County Registrar of Deeds. The City Council shall have authority to waive this requirement if it determines that, given the nature of the conditions and/or the time frame within which the conditions are to be satisfied, the recording of such a document would be of no material benefit to the City or to any subsequent owner of the land.

- (c) *Compliance with Conditions.* Upon a conditional zoning map amendment taking effect, the use of the land shall conform thereafter to all of the requirements regulating use and development within the new zoning district as modified by any more restrictive provisions contained in the “Statement of Conditions”. Any person who establishes a development or commences a use upon land that has been rezoned with conditions shall continuously operate and maintain the development or use in compliance with all of the conditions set forth in the “Statement of Conditions”. Any failure to comply with a condition contained within the “Statement of Conditions” shall constitute a violation of this Ordinance. Additionally, any such violation shall be deemed a nuisance per se and subject to judicial abatement as provided by law. No permit or approval shall be granted under this Ordinance for any use or development that is contrary to an applicable “Statement of Conditions”.
- (d) *Time period for conditions.* If approved with a time period for conditions, the City of Ypsilanti shall not add or alter the conditions during that time period. The landowner may request an extension of the time period from the city council. Except if an extension is granted, the land shall revert to its former zoning classification if conditions are not satisfied within the approved time period.

Sec. 122-646. Resubmitted amendments.

No petition for an amendment which has been disapproved by the city council shall be resubmitted for a period of one year from the date of disapproval, except as may be permitted by the planning commission after new and significant facts or conditions have been offered which might result in favorable action upon resubmission.

Secs. 122-657--122-90. Reserved.

ARTICLE III. ZONING BOARD OF APPEALS*

*Cross reference(s)--Boards and commissions, § 2-111 et seq.

State law reference(s)--Board of appeals, MCL 125.585 et seq., MSA 5.2935 et seq.

Sec. 122-91. Establishment and membership.

- (a) *Established.* There is hereby established a zoning board of appeals, which shall perform its duties and powers in accordance with Act No. 110 of the Public Acts of Michigan of 2006 (MCL 125.3101 et seq.), as amended, and in such a way that the objectives of this chapter shall be observed, public safety secured, and substantial justice done.
- (b) *Membership.* The zoning board of appeals shall consist of five members appointed by the mayor with the city council's consent. The members of the zoning board of appeals shall be residents of the city. No employee or contractor of the city council may sit on the zoning board of appeals. One member of the zoning board of appeals shall also sit on the city planning commission. Each member of the zoning board of appeals shall hold office for a term of three years. Terms shall be staggered to provide for as nearly as possible the appointment of an equal number of members each year. Those persons now serving as members of the zoning board of appeals shall serve the balance of the terms for which they were appointed. All vacancies for unexpired terms shall be filled for the remainder of the term.
- (c) *Officers.* The zoning board of appeals shall annually elect its own chairperson and vice-chairperson. The terms of the chairperson and vice-chairperson shall be for a period of one year.
- (d) *Alternate members.* The mayor, with the city council's consent, shall appoint two alternate members for the zoning board of appeals to sit as regular members of the zoning board of appeals in the absence of a regular member. If a regular member is absent from or unable to attend one or more consecutive meetings of the zoning board of appeals or for a period of more than 30 consecutive days, then alternate members may be called on a rotating basis to serve in the place of a regular member. For the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest, an alternate member may also be called. The alternate member having been appointed shall serve in the case until a final decision has been made. The alternate member shall have the same voting rights as a regular member of the zoning board of appeals.
- (e) *Meetings.* All meetings of the zoning board of appeals shall be held at the call of the chairperson and at such times as the zoning board of appeals may determine. All hearings conducted by the zoning board of appeals shall be open to the public. Minutes shall be kept of each meeting and the zoning board of appeals shall record into the minutes all findings, conditions of approval, facts, and other relevant factors, and all its official actions. The vote of each member upon a question, or absence or abstention, shall be recorded into the minutes of the meeting.
- (f) *Rules and procedures.* The zoning board of appeals shall adopt general rules and regulations governing its procedure and may make rules for the filing of appeals and other matters requiring its attention which shall not cause reasonable delays in the transaction of its business.
- (g) *Abstention.* A member of the zoning board of appeals shall abstain from voting on any question on which he has a conflict of interest. Failure of a member to abstain in such cases shall constitute misconduct of office.
- (h) *Resignations.* When zoning board of appeals members propose to resign, if reasonably feasible, they shall give notice of their intent in writing to the chairperson, and make the date of resignation effective in such a manner as to allow time for appointment of replacements. Failure to attend three consecutive regular meetings, or three of seven consecutive meetings, without recorded consent of the chairperson shall be construed as resignation from the zoning board of appeals by absence. When a member dies or resigns (including resignation by absence), the chairperson shall promptly notify the mayor that a vacancy exists.

Sec. 122-92. Powers and duties.

- (a) The board of appeals shall hear and decide all questions and decisions regarding the following:
 - (1) Interpretation of the official zoning map, including the interpretation of the location of zoning district boundaries when in doubt.
 - (2) The interpretation of the language of this chapter when its meaning is unclear, or when there is uncertainty as to whether the language applies to a particular situation.

- (3) The hearing of requests for **nonuse** variances from the strict application of the provisions of this chapter in accordance with section 122-94.
- (4) The hearing of requests for appeals from any order, requirement, decisions, or determination made by an administrative body or official charged with the enforcement of this chapter in accordance with section 122-95.
- (5) Hear and decide on any other matters referred to the zoning board of appeals or upon which the zoning board of appeals is required to pass under the terms of this chapter.
- (b) The zoning board of appeals shall not change the zoning district classification of any property or make any change in the terms of this chapter, and shall not take any action which would, as a result, make legislative changes in or negate any provisions of this chapter.
- (c) The zoning board of appeals shall not have authority to hear appeals on decisions made by the planning commission or city council regarding planned unit developments.
- (d) The zoning board of appeals shall not (have the authority to grant a use variance.**

Sec. 122-93. General procedures.

- (a) *Hearings.* The zoning board of appeals shall hold a public hearing on each question submitted to it for decision. Such hearing shall be set within a reasonable time, not to exceed 45 days from the filing date of an appeal or variance request. Written notice of such hearing including the date, time, and place of the public hearing; the nature of the appeal; and a description of any property in question; shall be given to the appellant, if different than owner(s) of the property, to persons to whom real property is assessed within 300 feet of the boundary of the property subject to the request, regardless of whether the property or occupant is located within the boundaries of the City of Ypsilanti, and to the occupants of all structures within 300 feet of the premises. The notice shall be delivered personally or by mail, addressed to the respective owners and tenants at the address given in the last assessment roll. If a tenant's name is not known, the term "occupant" may be used. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses, or organizations, one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure. The notice shall also be published in a newspaper of general circulation in the city. All notices shall be given at least 15 days prior to the public hearing. An affidavit of mailing shall be filed with the zoning board of appeals prior to the public hearing. The zoning board of appeals may recess a hearing to gather additional information, to make site inspections, or to engage in other activities as may be necessary to make a proper decision. The zoning board of appeals shall reconvene the hearing within 35 days of the original hearing date. The reconvened hearing date shall be announced at the original hearing and this announcement shall constitute proper public notification.
- (b) *Decisions by the board of appeals.* The concurring vote of a majority of the entire membership of the zoning board of appeals (three votes) shall be necessary to reverse any order, requirement, or decision of any administrative official; to effect any variance in the non-use terms of this chapter; or to decide any matter upon which the zoning board of appeals is required to pass by this chapter. The concurring vote of two-thirds of the entire membership of the zoning board of appeals (four votes) shall be necessary to effect any variance from uses of the land permitted in this chapter.
- (c) *Time limit.* The zoning board of appeals shall decide upon all matters within 90 days from the filing date. The time limit may be extended by written agreement between the applicant or appellant and the zoning board of appeals.
- (d) *Representation.* Any person may appear on his own behalf at a hearing or may be represented by an agent or attorney.
- (e) *Conditions of approval.* The zoning board of appeals may attach conditions to any affirmative action as it deems reasonable to minimize any detrimental effects of its decisions and to promote the purposes of this chapter. Such conditions shall be in accordance with section 122-167 and Act No. 110 of the Public Acts of Michigan of 2006 (MCL 125.3101 et seq.), as amended. A performance guarantee may be required as a condition of an affirmative action when in accordance with section 122-133~~4~~.
- (f) *Official record.* The decisions and orders of the zoning board of appeals in disposing of an appeal or a request for a variance, along with any conditions attached, shall be entered into the official record for each case. Such

record shall include the reasons for a determination, a summary of the evidence introduced, and the reasons for any conditions imposed.

Sec. 122-94. Variances.

- (a) *Application.* An application for a variance to the provisions of this chapter shall be filed with the city planner's office by the record owner of the property in question or by a person authorized to act on the record owner's behalf. The application shall consist of a completed application form, fee, and the following information:
- (1) Name, address, and telephone number of the applicant and property owner; and the interest of the applicant in the property.
 - (2) Legal description, address, and tax parcel number of the subject property.
 - (3) An accurate, scaled drawing of the property, showing all property lines and dimensions correlated with the legal description; the location and dimensions of all existing and proposed structures and uses on the property; any roads, alleys, easements, drains, or waterways which traverse or abut the property; and the lot area and setback dimensions necessary to show compliance with the regulations of this chapter. In most cases, a site plan or ~~plot sketch~~ plan will meet this requirement (see ~~subsection 122-33(b) and~~ Section 122-126 for site plan requirements and subsection 122-126(19) for sketch plan).
 - (4) Other reasonable information deemed necessary by the zoning board of appeals in order to make a proper decision.
- (b) *Standards for variances.* A variance from the literal enforcement of this chapter may be granted by the zoning board of appeals only if all of the following standards are met:
- (1) Literal enforcement of this chapter will pose practical difficulties to the applicant because of special conditions or circumstances which are unique to the specific property such as: exceptional shallowness or shape of the property, exceptional topographic conditions, extraordinary situation of a building or structure, use or development of an adjacent property, or difficulties relating to construction or structural changes on the site. Mere inconvenience or a desire to attain higher financial return shall not itself be deemed sufficient to warrant a variance.
 - (2) Such variance is necessary for the preservation and enjoyment of a substantial property right enjoyed by other property owners in the same district under the terms of this chapter. Granting of the variance shall not confer upon the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.
 - (3) The alleged practical difficulties on which the variance request is based have not been created by any person presently having an interest in the property.
 - (4) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
 - (5) The allowance of the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the zoning board of appeals to grant the variance, and the rights of others whose property would be affected by the allowance of the variance.
 - (6) A variance granted shall be the minimum variance that will make possible a reasonable use of the land, buildings, or structure.
 - ~~(7) Variances from uses of land permitted in this chapter shall also meet all of the following standards:~~
 - ~~a. The property in question cannot be put to reasonable use without unnecessary hardship if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.~~
 - ~~b. The variation, if granted, will not alter the essential character of the area or neighborhood.~~
 - ~~c. The conditions upon which the petition for a variance is based is not applicable to other property within the same zoning classification.~~
- (c) *Variances; reapplication.* An application for a variance which has been denied wholly or in part by the zoning board of appeals shall not be resubmitted for a period of ~~365 days~~ **one year** from the date of denial, except on grounds of new evidence of changed conditions found by the zoning board of appeals to be valid. The zoning board of appeals shall review any subsequent application for a variance on the conditions and circumstances which exist at the time of the subsequent application.

- (d) *Variance to run with land.* A variance shall run with the land and shall not become void if property is sold to a new owner. However, a variance shall become null and void if no building permit or no construction is started within one year of the approval date of the variance (see section 122-97).

Sec. 122-95. Appeals.

- (a) *Questions first go to administrative official.* All questions concerning administrative decisions under this chapter shall first be presented to the applicable city official or agency. Such questions shall be presented to the zoning board of appeals only on appeal from the decisions of the applicable city official or agency.
- (b) *Filing appeal.* Appeals may be commenced by a person aggrieved or by any officer, department, board, agency, or bureau of the city, county, state, or federal governments by filing a notice of appeal with the city planner's office. The notice of appeal shall be signed, shall specify the requirement or decision from which the appeal is made, and shall state the specific grounds on which the appeal is based. The applicable fee shall be submitted with the notice of appeal; such fee shall be nonrefundable. Appeals shall be filed within 60 days of the decision in question.
- (c) *Stay of action.* An appeal stays all proceedings in the furtherance of the action appealed from unless the building department certifies to the zoning board of appeals after the notice is filed that, by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the zoning board of appeals or by circuit court, following written request, notice to the officer or body from whom the appeal is taken, and due cause shown.
- (d) *Power to subpoena.* The zoning board of appeals shall have the power to subpoena witnesses; administer oaths; compel testimony; and require the production of reports, papers, files, and other evidence pertinent to the matters before it.
- (e) *Decisions regarding appeals.* The zoning board of appeals may, so long as such action is in conformity with the terms of this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination from which an appeal is sought. To that end, the zoning board of appeals shall have the powers of the public official or body from whom the appeal is taken.

Sec. 122-96. Decisions final.

All decisions of the zoning board of appeals are final. However, a person having an interest aggrieved by a decision may appeal to the circuit courts, as provided in Act No. 110 of the Public Acts of Michigan of 2006 (MCL 125.3101 et seq.), as amended. Such an appeal must be filed within 30 days after the zoning board of appeals certifies its decision in writing or approves the minutes of its decision.

Sec. 122-97. Time limitations.

If a variance or other requested action is granted or authorized, the necessary permits shall be obtained and any authorized actions shall be begun within one year following the date of such variance or authorization and shall be completed as authorized by the permit or elsewhere in this chapter. Should the applicant/appellant fail to obtain such permits or fail to commence work within such subsequent period, it shall be presumed that the applicant/appellant has waived, withdrawn, or abandoned his appeal; and all permissions, authorizations, variances, and permits shall be deemed to be rescinded.

Sec. 122-98. Fees.

The city council may prescribe and amend by resolution a reasonable schedule of fees to be charged to applicants for appeals or variances requested from zoning board of appeals. Fees shall be paid at the time of application and shall be nonrefundable. Fees shall be placed in the general revenue fund of the city.

Secs. 122-99--122-120. Reserved.

ARTICLE IV. SITE PLAN REVIEW*

*State law reference(s)--City may require the submission and approval of a site plan before authorization of a land use or activity regulated by a zoning ordinance, MCL 125.584d, MSA 5.2934(4).

Sec. 122-121. Purpose.

- (a) The purposes of site plan review are as follows:
- (1) To determine compliance with the provisions of this chapter;
 - (2) To promote the orderly development of the city, to prevent the depreciation of land values through uses or structures which do not give proper attention to site or area protection; and
 - (3) To provide consultation and cooperation between the applicant and the city in order to accomplish the developers objectives in harmony with the spirit and intent of this chapter.
- (b) The site plan review procedures and standards in this article are intended to provide a consistent and uniform method of review of proposed development plans. Through the application of these regulations, the attainment of the city master plan will be assured, and the city will develop (or redevelop) in an orderly fashion.

Sec. 122-122. Requirement for Zoning Compliance Review

- (a) Zoning compliance review shall be required for the activities or uses listed in the table below. Zoning compliance is required for certain site or building activities not complicated enough to warrant site plan review. Zoning compliance review shall be approved by the city planner or designee.

Activity/Use	Regulations
New Construction	
Building permit for single & 2 family dwelling on individual lot, except if limited building type	Zoning district regulations
Building permit for accessory dwelling unit	Zoning district regulations
Expansion/Modification to Existing Principal or Residential Buildings	
Building permit for building expansion of single or two family dwelling on individual lot	Zoning district regulations
Building permit for building expansion of accessory dwelling unit	Zoning district regulations
Change in Use	
Reuse of an existing building where no building expansion is proposed and the City Planner determines the new use is similar or less intense in terms of parking, traffic generation, drainage, utility needs, noise, aesthetics and other external effects	Zoning district regulations
Temporary uses, buildings & structures	Section 122-35
Accessory Structures & Site Improvements	
Accessory buildings, structures, and off-street parking for single- and two-family dwelling units on individual lots	Zoning district regulations
Accessory buildings less than 250 square feet	Zoning district regulations
Expand/modify parking lot with existing or proposed ten (10) or less spaces that does not result in drainage alterations, changes in circulation patterns or access, or addition or replacement of base or subgrade with no requests for exceptions allowed in this Chapter	Article XIII
Community Garden	Section 122-815
Infrastructure and paving improvements including sidewalks, bicycle facilities and pathways	Section 122-647
Construction, relocation or erections of signs, screening walls, trash receptacles, fences, walls, lights, poles, cooling/heating or other mechanical equipment	Signs must comply with Article XIV; screening wall, fences and walls with Section 122-713; trash receptacles with Section 122-650
Swimming pools	Section 122-668

Sec. 122-123. Requirement for and Authority to Review Site Plans

- (a) Site plan review shall be required for the activities or uses listed in the table below. The city planner, planning commission or city council shall have the authority to review and to approve, approve with conditions, or deny site plan applications as provided in this Ordinance, when an “X” is in the table below. Any decision made by the city council shall be based upon recommendation by the planning commission.

Activities or uses	City Council	Planning Commission	City Planner
New Construction			
Site plan for essential services, electrical substations, private utilities and similar uses			X
New construction with no requests for exceptions allowed by this Chapter and not a limited building type			X
Site plan for new construction where the building encroaches into the required setback from a planned easement for a street		X	
Site plan for new construction with request for exceptions allowed by the Chapter		X	
Site plan for new construction of limited building types in a zoning district		X	
Special Land Use		X	
Subdivisions (site condominiums & plats)	X	Recommend	
Conditional Rezoning	X	Recommend	
Planned Unit Development (PUDs)	X	Recommend	
Expansion/Modification to Existing Principal or Residential Buildings			
Site plan for building expansion with no requests for exceptions allowed by the Chapter			X
Site plan for building expansion where the building encroaches into the required setback from a planned easement for a street		X	
Site plan for building expansion with request for exception allowed by this Chapter		X	
Expansion/intensification of a special land use		X	
Change in Use			
Reuse of an existing building where no building expansion is proposed and the City Planner determines the new use is similar or less intense in terms of parking, traffic generation, drainage, utility needs, noise, aesthetics and other external effects			X
Change of land or building to a more intensive use, as determined by the City Planner that may involve substantial change in parking, traffic flow, hours of operation, public services, effluent discharge, or substantial alteration of the physical character of the site and no requests for exceptions under this Chapter			X
Change of land or building to a more intensive use, as determined by the City Planner that may involve substantial change in parking, traffic flow, hours of operation, public services, effluent discharge, or substantial alteration of the physical character of the site, with request for exception allowed by this Chapter		X	
Change in use to special land use		X	
Accessory Structures & Site Improvements			
Accessory buildings, except for those uses noted above, 250 square feet or more			X
New parking lot and/or garage with no requests for exceptions			X

Activities or uses	City Council	Planning Commission	City Planner
allowed in this Chapter			
Modify parking lot that results drainage alterations, changes in circulation patterns or access, or addition or replacement of base or subgrade with no requests for exceptions allowed in this Chapter			X
Expand/modify parking lot to with existing or proposed 11spaces or more with no requests for exceptions allowed in this Chapter			X
New parking lot and or garage, or expand/modify existing parking lot with requests for exceptions allowed in this Chapter		X	

(b) *Deferral to planning commission.* The city planner may defer approval of any site plan to the planning commission.

(c) *Planning commission review.* The planning commission in its entirety may review and approve site plans, or the planning commission may designate a subcommittee of no less than three of its members to review and/or approve site plans.

(a) ~~Submission of a site plan shall be required for any of the following:~~

- ~~(1) Any proposal to construct, move, relocate, convert, or structurally alter a building. A structural alteration shall be defined as one that changes the location of the exterior walls and/or the area of the building.~~
- ~~(2) Any change and/or conversion of use as permitted and regulated by this ordinance which may require additional off street parking and modification of interior circulation or landscaping.~~
- ~~(3) Any proposal to expand an off street parking lot or to when construction includes, drainage alterations, changes in circulation patterns or access, or addition or replacement of base or subgrade.~~
- ~~(4) Any development or use for which submission of a site plan is elsewhere required by this chapter.~~

~~(b) Submission of a site plan shall not be required for the following:~~

- ~~(1) Single and two family dwelling units on individual lots.~~
- ~~(2) Buildings, structures, and off street parking accessory to single and two family dwelling units on individual lots.~~
- ~~(3) Existing parking lots, of which the majority of the surface area is paved, being modified to 15 proposed spaces or less.~~
- ~~(4) Existing gravel or paved parking lots being modified to 10 proposed spaces or less.~~
- ~~(5) Change or conversion of uses on the ground floor, or conversion of above ground floors to residential dwellings, in the B3, Central Business District.~~
- ~~(6) New accessory buildings/structures or additions thereto not exceeding a total of 250 square feet.~~

Sec. 122-124. Authority to approve site plans. Site Plan Review Checklist

(a) *Site Plan Review Checklist Development.* The city planner shall draft a site plan review checklist, which shall be reviewed and approved by the planning commission. The city planner shall update the site plan review checklist at least once every three (3) years or earlier, if deemed necessary. All changes shall be approved by the planning commission.

(b) *Transmission to planning commission.* The review checklist for all site plans shall be transmitted to the planning commission, no matter which body is the approving authority, in accordance the process procedure in Section 122-125. ~~(a) Planning commission.~~ Except as specified under subsection (b) of this section, the planning commission shall have authority to grant final approval of the site plans in accordance with section 122-126. The planning commission in its entirety may review and approve site plans, or the planning commission may designate a subcommittee of no less than three of its members to review and/or approve site plans.

~~(b) *City planner.* The city planner shall have authority to review and approve site plans for the following uses in accordance with section 122-126.~~

~~(1) A multiple family dwelling containing not more than four dwelling units located in an existing building.~~

~~(2) Accessory buildings and structures, for uses other than single or two family units on individual lots.~~

~~(3) Any change or alteration to an existing parking lot containing 25 or less parking spaces when not part of a development or use for which site plan approval by the planning commission is required, or addition or replacement of base or subgrade of an existing parking lot of 25 parking spaces or less. A change or alteration may include small expansions of the lot up to 20%, provided total resulting spaces does not exceed 25.~~

~~(4) Principal building additions that do not exceed 25% of the existing total gross floor area of the building (up to a maximum 5,000 square feet), or 500 square feet, whatever is greater.~~

~~(c) *Deferral to planning commission.* The city planner may, in his best judgment, defer approval of any site plan to the planning commission.~~

Sec. 122-125. Application procedure; contents.

(a) An application for site plan review shall be made to the city planner along with a fee as required by the city council. The application shall, at a minimum, contain the following information:

(1) The applicant's name, address and phone number.

(2) Proof that the applicant is the owner of the property or has a legal or financial interest in the property, such as a purchase agreement.

(3) The name, address and phone number of the owner of record if different from the applicant.

(4) The address and/or parcel number of the property.

(5) Brief project description, including number of structures and dwelling units, square footage of each building, number of parking spaces, estimated number of employees, and any unique features of the site or proposed development.

(6) Area of the parcel in acres, excluding street rights-of-way.

(7) A site plan for the project containing all of the information listed in section 122-126⁵. **See item b of this sub-section for type and number of copies.**

(b) For all site plan submittals, four (4) paper copies drawn at a minimum scale of one inch equals 200 feet and one (1) electronic copy of the site plan shall be submitted. Depending on whether or not If the site plan will go to the planning commission for review, the city planner may require that up to 12 folded paper copies at a smaller scale than required above on a minimum size of 11 inch by 17 of the site plan be provided by the applicant.

(c) The city planner shall review all application materials. If such materials are incomplete, they shall be returned to the applicant.

Sec. 122-126. Site plan content.

Each site plan submitted for review under this chapter shall be drawn at a minimum scale of one inch equals 200 feet and shall contain the following information:

(1) Name of development, scale, north arrow, date of original drawing and any revisions, and general location map showing major thoroughfares and site location.

(2) Name, address and phone number of the site owner, developer and plan designer, and the professional seal of the designer.

(3) The area of the site in square feet and acres, excluding all existing and proposed rights-of-way. Property lines, dimensions, and building setback distances and dimensions of all structures and lot lines within 50 feet of the site shall also be indicated. If the parcel is a part of a larger parcel, boundaries of the total land holding shall be shown.

(4) Existing zoning of the site and all adjacent properties.

(5) Direction of stormwater drainage, ground elevations of all existing buildings, drives and parking lots, and any unusual surface conditions shall be provided. Indicate any areas located within floodplains.

- (6) Location of existing and proposed buildings; their intended use; the length, width and height of each building; and the square footage of each building. The location and dimensions of any open air uses shall also be provided, such as recreational fields, outdoor cafes, or open air sales areas.
- (7) Location of abutting streets, existing and proposed rights-of-way, service drives, curb cuts, and access easements serving the site, as well as driveways opposite the site and all driveways within 100 feet of the site. The centerline of road rights-of-way shall be shown.
- (8) Proposed parking areas and access drives, showing the number and size of spaces, aisles, loading areas, and handicapped access ramps. Also, the proposed method of surfacing such areas shall be noted.
- (9) Building floor plans and architectural wall elevations. The height of all buildings or structures shall be indicated.
- (10) Landscape plan in accordance with article XI, division 5, of this chapter, which indicates type and size of all plant material, including all areas to be sod or seeded for grass. Cross sections of all proposed berms shall be provided. Existing vegetation which is to be retained on the site shall be illustrated.
- (11) Location of all proposed accessory structures, including fences or walls, outdoor lighting fixtures (including photometric study to demonstrate compliance with section 122-641), outdoor communication devices, flagpoles, storage sheds, transformers, dumpsters or trash removal areas, and signs. Also show the location of all sidewalks or pathways, fire hydrants, existing and proposed utility poles, utility easements, and drainways.
- (12) Location of all outdoor storage areas for materials and the manner in which materials shall be screened and/or covered.
- (13) Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well as any containment structures or clear zones required by this chapter or other state or federal agencies.
- (14) If phased construction is to be used, each phase must be noted and each phase must stand on its own.
- (15) Notation of any variances or special use permits which are required, any legal nonconforming uses or structures, and any state or federal permits which have been secured or may be necessary to secure.
- (16) Locations of all planned easements for non-motorized pathways in the City of Ypsilanti's Non-Motorized Plan, a 50 to 100 foot conservation and /or access easement along any Huron River frontage and any planned road easement expansions approved by City Council.
- (17) For proposals in the CN, CN-SF, CN-Mid, C, HC, NC, GC, HHS districts, the following information shall be provided:
 - a) *Circulation Plan Requirements.* For proposed development less than three acres in size, a circulation plan shall be submitted which identifies potential cross-and joint-access to adjacent parcels, the existing block layout. The block shall be defined as lots and/or all contiguous lots shall be considered to be part of a block for this purpose. Pedestrian accommodations and alternative transportation modes shall be reflected in the submitted circulation plan, as required by Section 122-647. The street trees, as required by Section 122-704 will also be required to be applied to existing streets.
 - b) *Block Plan Requirements.* When a proposed development is three acres or greater, a block plan shall be submitted. The block plan must show the street layout, proposed parking areas and access drives, showing the number and size of spaces, aisles, loading areas, and handicapped access ramps. The proposed method of surfacing such areas shall be noted.
 - c) the building type
 - d) the building lot configuration
 - e) the parking location
- (18) Other data which the planning commission, city planner, or consulting engineer may deem reasonably necessary for adequate review.
- (19) The approving body, planning commission or city planner, may grant waivers of data requirements when specific data is deemed unnecessary in determining compliance of a site plan with the regulations or standards of this chapter. For zoning compliance reviews or site plans approved by the City Planner, the City Planner may allow a sketch plan, defined as a scaled drawing based on a legal survey containing less information than

a site plan; drawn in compliance with this Ordinance but not required to be prepared by a licensed professional. Sketch plans shall contain the following information:

- (a) Name of development, scale, north arrow, date of original drawing and any revisions,
- (b) Name, address and phone number of the site owner, developer and/or plan designer,
- (c) The area of the site in square feet or acres.
- (d) Existing zoning of the site and all adjacent properties.
- (f) Location and setbacks of existing and proposed buildings; their intended use; the length, width and height of each building; and the square footage of each building. The location and dimensions of any open air uses shall also be provided, such as recreational fields, outdoor cafes, or open air sales areas.
- (g) Location of abutting streets, existing rights-of-way, service drives, curb cuts, and access easements serving the site, as well as driveways opposite the site.
- (h) Parking areas and access drives, showing the number and size of spaces, aisles, loading areas, and handicapped access ramps.
- (i) Landscape plan in accordance with article XI, division 5, of this chapter, which indicates type and size of all plant material, including all areas to be sod or seeded for grass. Existing vegetation which is to be retained on the site shall be illustrated.
- (j) Location of all proposed and existing accessory structures, including fences or walls, outdoor lighting fixtures, outdoor communication devices, flagpoles, storage sheds, transformers, dumpsters or trash removal areas, and signs. Also show the location of all sidewalks or pathways, fire hydrants, and utility poles.
- (k) Location of all outdoor storage areas for materials and the manner in which materials shall be screened and/or covered.
- (l) Notation of any variances or special use permits which are required, any legal nonconforming uses or structures, and any state or federal permits which have been secured or may be necessary to secure.
- (m) For proposals in the CN, CN-SF, CN-Mid, C, HC, NC, GC, HHS districts, the following information shall be provided:
 - 1) *Circulation Plan Requirements.* For proposed development less than three acres in size, a circulation plan shall be submitted which identifies potential cross-and joint-access to adjacent parcels, the existing block layout. The block shall be defined as lots and/or all contiguous lots shall be considered to be part of a block for this purpose. Pedestrian accommodations and alternative transportation modes shall be reflected in the submitted circulation plan, as required by Section 122-647. The street trees, as required by Section 122-704, will also be required to be applied to existing streets.
 - 2) the building type
 - 3) the building lot configuration
 - 4) the parking location
- (n) Other data which the planning commission, city planner, or consulting engineer may deem reasonably necessary for adequate review.

Sec. 122-127. Review procedure and authorization.

All site plans required under this article shall be subject to review as follows:

- (1) *Pre-application conference required for new construction.* For any new construction, the applicant/property owner must attend a pre-application conference to be coordinated by the city planner. This meeting may include the building official, city attorney, city engineer, fire inspector, police chief, city manager, economic development official, planning commission member(s) and city council member(s) and any other government official deemed applicable. The city planner may consult with any of the above offices and share input at the conference. The applicant shall not be bound by the plan reviewed in a pre-application conference, nor shall the any approving authority be bound by any such conference.

- (2) *Distribution of plans/department of community and economic development.* Upon submission of all required application materials, the site plan proposal shall, when applicable, be placed on the planning commission agenda for review. Before the planning commission meeting, the site plan and application shall be reviewed for comment by the city department of community and economic development and any other city officials deemed necessary. The plan may also be submitted to the city engineer or city attorney for review.
- (3) *Authorization.* The ~~city planner~~ ~~planning commission~~, or when applicable the ~~planning~~ ~~city planner~~ (as per section 122-123), shall have the power to approve, approve subject to conditions, or deny any site plan submitted to it under this chapter. The planning commission may also table consideration of a site plan until a later meeting. The applicant shall be advised of any action in writing. A building permit shall not be issued until a site plan has been approved as required in this chapter.
- (4) *Review period.* The ~~planning commission or city planner~~ ~~city planner or planning commission~~ shall render a decision on a site plan within 65 days of its initial review of the site plan, unless an extension of time is agreed to by the ~~planning commission or city planner~~ ~~city planner or planning commission~~ and the applicant.
- (5) *Review standards.* The ~~planning commission or the city planner~~ ~~city planner or planning commission~~ shall review each site plan according to the standards for site plan review as contained in section 122-127~~8~~ and any other applicable regulations of this chapter. In addition, the ~~planning commission or city planner~~ ~~city planner or planning commission~~ shall consider the findings and recommendations of the department of community and economic development, and is empowered to seek the review and recommendation of appropriate county, state or federal agencies, or other professionals, consultants, or agencies deemed necessary to assist in the review.
- (6) *Signature of approval.* Upon approval of a site plan, three ~~paper~~ copies of the plan and one electronic copy shall be signed and dated by the ~~chair of the planning commission or the city planner~~ ~~city planner or the chair of the planning commission~~. If approval is subject to conditions, such conditions shall also be written on each of the ~~three~~ site plans. One ~~paper~~ copy of the plan shall be retained by the applicant, one ~~paper~~ copy of the plan shall be retained by the city planner's office, and one ~~paper and one electronic~~ copy of the plan shall be submitted to the building department as part of the building permit review process.
- (7) *Effect of approval.* Approval of a site plan authorizes issuance of a certificate of zoning compliance and issuance of a building permit, provided all other requirements for a building permit have been met. In the case of uses without buildings or structures, approval of a final site plan authorizes issuance of a certificate of zoning compliance and issuance of a certificate of occupancy, provided all other requirements for such certificates have been met.
- (8) *Expiration of approval.* Approval of a site plan shall expire and be of no effect unless a building permit shall have been issued within ~~six months~~ ~~one (1) year~~ of the date of the site plan approval. Approval of a site plan shall expire and be of no effect two years following the date of approval unless construction has begun on the property and is diligently pursued to completion in conformance with the approved site plan.

Sec. 122-128. Standards for site plan review.

Site plans shall be reviewed for compliance with the following general standards:

- (1) The applicant is eligible to legally apply for site plan review, and all required information has been provided.
- (2) The proposed site plan conforms with all the provisions and requirements, as well as the spirit and intent of this chapter and the Master Plan. The proposed development will meet all the regulations of the zoning district in which it is located.
- (3) All elements of the site plan shall be harmoniously and efficiently organized in relation to the character of the proposed use, the size and type of lot, the size and type of buildings, and the character of the adjoining property. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter.
- (4) With respect to vehicular and pedestrian circulation on the site, including walkways, interior drives, and parking; ~~circulation shall to the extent possible create potential cross-and joint-access to adjacent parcels and the existing block layout.~~ Special attention shall be given to the location, number and spacing of ingress and egress points; general interior circulation including turnaround areas; adequate provisions for delivery of services (trash removal, school buses, mail and parcel delivery); separation of pedestrian and vehicular traffic; avoidance of building corners next to access drives; identification of addresses; storage of plowed snow; and arrangement of parking areas that are safe and convenient, and insofar as practicable, do not detract from the design of the proposed buildings and structures, neighboring properties, ~~pedestrian and bicyclist safety, access~~

to transit and flow of traffic on adjacent streets. All buildings or groups of buildings shall be so arranged as to permit adequate access by emergency vehicles as required by the city building code.

- (5) Streets are designed in context with the urban form and continue the established pattern of the surrounding area.
- (6) Adequate services and utilities including sanitary sewers shall be available or provided, with sufficient capacity to properly serve the development. Appropriate measures will be taken to ensure that site drainage will not adversely affect adjoining properties or the capacity of the public storm drainage system, or nearby bodies of water. Provisions shall be made to accommodate stormwater and prevent soil erosion. All stormwater management facilities, including but not limited to storm sewers and detention/retention facilities, shall be designed in accordance with the “Rules of the Washtenaw County Water Resources Commissioner,” together with any special provisions established by the city.
- (7) Natural resources will be protected to the maximum feasible extent. The proposed development will not cause soil erosion or sedimentation problems, and will respect floodways or floodplains on or in the vicinity of the subject property.
- (8) The site plan shall provide reasonable visual and sound privacy for all dwelling units on or adjacent to the property. Fences, walks, barriers, and landscaping shall be used, as appropriate, for protection and enhancement of the property. All outdoor storage of materials, loading and unloading areas, and refuse containers shall be screened or located so as not to be a nuisance. Outdoor lighting shall be shielded so as to not adversely affect neighboring properties or traffic on adjacent streets.
- (9) Separate phases of development shall be in logical sequence, and each phase shall stand alone so that no one phase will depend upon a subsequent phase for adequate access, public utility services, drainage, or other improvements.
- (10) Site plans shall conform to all applicable requirements of state and federal statutes, including health and pollution laws, fire or explosion hazards, toxic and hazardous materials, and barrier-free requirements. Site plan approval may be conditioned on the applicant receiving necessary county, state, or federal permits before a local building permit or occupancy permit is granted.
- (11) An objective of site plan review shall be to protect and promote public health, safety, sustainability and general welfare. It is also the intent of site plan review to improve the quality of existing developments as they are expanded, contracted, or redeveloped in keeping with sound site development standards of this chapter and city master plan.

Sec. 122-129. Issuance of building permit.

The building department shall, upon receipt of notice of approval from the planning commission or city planner and upon application by the applicant, issue a building permit provided all other applicable city regulations have been met.

Sec. 122-130. Amendment of approved site plan.

- (a) A site plan may be amended upon application and in accordance with the procedures and requirements provided in section 122-125~~6~~.
- (b) Minor changes to a site plan may be made without following the procedures of section 122-125~~6~~ at the discretion of the city planner. The ~~planning commission or city planner~~ original approving body shall have the authority to determine if a proposed change is minor or major and if such change requires an amendment to an approved site plan. A sketch plan, meeting the requirements of Section 122-126 (19), may be allowed by the original approving body for submission for review for a minor or major revision.
- (c) Major revisions would include, but not be limited to, increases in scope or density of use, land area, or building size; the addition of uses not authorized by the original site plan approval; the rearrangement or relocation of buildings or structures; changes in the character or function of drives, parking areas, and landscaping; or changes in the concept of the development.
- (d) A record of such determinations and reasons for allowing any minor amendment shall be recorded in writing. In the case of minor changes to an approved site plan, two paper copies and one electronic copy of the revised site plan or sketch plan drawing shall be submitted by the applicant showing such minor changes for purposes of city record.

Sec. 122-131. Modification of plan during construction.

All site improvements shall conform to the approved site plan. If the applicant makes any changes during construction in the development in relation to the approved site plan, such changes shall be made at the applicant's risk, without any assurance that the planning commission or city planner will approve the changes. It shall be the responsibility of the applicant to notify the city building department and the city planner of any changes. The building department, the city planner, or the planning commission, whichever is applicable, may require the applicant to correct the changes so as to conform to the approved site plan.

(Ord. No. 626A, § 5.265, 7-15-1994)

Sec. 122-132. As-built drawings.

Upon completion of the installation of required improvements as shown on an approved site plan, the property owner shall submit to the building department an **electronic and paper** "as-built" site plan, certified by an engineer or architect, at least one week prior to the anticipated occupancy of any building. A certificate of occupancy shall be withheld by the building department in any case where the site plan and major conditions as approved by the planning commission or city planner have not been complied with and a performance guarantee has not been issued for incomplete improvements in accordance with 122-133~~4~~.

Sec. 122-133. Phasing of development.

- (a) The applicant may divide the proposed development into two or more phases. In such case, the site plan shall show the entire property involved and shall clearly indicate the location, size, and character of each phase. However, complete site plans for all phases of a project need not be provided at once. Subsequent site plans may be submitted for review and approval for each phase as the project proceeds.
- (b) Each phase of a project shall stand on its own. No phase shall rely on the completion of any subsequent phases of the project for parking, utilities, landscaping, or any other element required by this chapter.

Sec. 122-134. Performance guarantee.

- (a) *Purpose.* To ensure faithful compliance with the provisions of this chapter and any conditions imposed thereunder, a performance guarantee may be required by city staff, the planning commission, or when appropriate the city council to be deposited with the city. Improvements for which a performance guarantee may be required include, but are not limited to, landscaping, berms, screening, lighting, surfacing of drives, parking, traffic control devices, water or sewer line expansions, sidewalks, drainage, and other improvements.
- (b) *General requirements.* A performance guarantee may be in the form of a bond, irrevocable bank letter of credit, cash deposit, or other form of security. Such guarantee shall be provided to the city clerk, and shall be provided any time after a site plan has been approved.
- (c) *Amount.* The amount of the performance guarantee shall be ~~200%~~ **100%** of the cost of the improvements associated with the performance guarantee. Accordingly, the applicant shall provide an itemized cost estimate of the improvements, and such estimate shall be verified by the building department. The form of the guarantee shall be approved by the city attorney.
- (d) *Failure to complete improvements.* If the applicant should fail to provide any of the site improvements according to the approved site plans within the time period specified in the guarantee, the performance guarantee shall be forfeited. The city shall rebate a proportional share of cash deposits only when requested by the depositor, based on the percent of improvements completed, as attested to by the depositor and verified by the building department. In cases where the provisions of this article have not been met, the amount of the aforementioned performance guarantee shall be used by the city to complete the required improvements and the balance, if any, shall be returned to the applicant.

Sec. 122-135. Fees.

Fees for the review of site plans and inspections as required by this article shall be established and may be amended by resolution of the city council.

Sec. 122-136. Record of approval.

An approved site plan shall become part of the record of approval, and subsequent action relating to a site in question shall be consistent with the approved site plan, unless the ~~planning commission~~ **city planner** (or ~~city planner~~ **planning commission**, as applicable) agrees to such changes as provided in this article. Any violation of the provisions of this article, including any improvement not in conformance with the approved final site plan, shall be deemed a violation of this chapter and shall be subject to all penalties therein.

Secs. 122-137--122-160. Reserved.

ARTICLE V. SPECIAL LAND USE REVIEW*

*State law reference(s)--Special land uses, MCL 125.584a, MSA 5.2934(1).

Sec. 122-161. Statement of intent.

- (a) The formulation and execution of this chapter is based upon the division of the city into districts, within each of which certain specified, mutually compatible uses are permitted by right, and the bulk and location of buildings and structures are substantially uniform. It is recognized, however, that there are certain uses which, because of their unique characteristics, cannot be properly classified in any particular district without special consideration. Such uses are essential or desirable for the welfare of the community and are essentially appropriate and not incompatible with the uses permitted by right in a zoning district; but not at every location therein, or without restrictions or conditions being imposed by reason of special problems presented by the use or its particular location in relation to neighboring properties.
- (b) This article requires special approval of such uses. The procedures and standards in this article are intended to provide a consistent and uniform method for review of proposed plans for special land uses.

Sec. 122-162. Authority to grant permits.

The city planning commission shall have the authority to approve special uses and to attach conditions to any approved special use. Only those uses specifically listed as special uses in this chapter shall be considered for special use review and approval, except as provided for unclassified uses in Section 122-651.

Sec. 122-163. Application; contents.

- (a) An application for a special use permit shall be made by filing an application form, the required information, and fee with the city planner's office. The fee shall be set by resolution of the city council. No part of the fee shall be returnable to the applicant. An application for a special use permit shall contain the following information:
 - (1) The applicant's name, address, and telephone number; and the names and addresses of all record owners and proof of ownership.
 - (2) The applicant's interest in the property and, if not the fee simple owner, a signed authorization from the owner for the application.
 - (3) Legal description and address of the property.
 - (4) Reference to the section of this chapter under which the special land use permit is sought.
 - (5) A description of the proposed use of the property.
 - (6) A site plan, which shall include all of the information required by this chapter in section 122-126~~5~~. *For special land uses to occupy an existing building with no building additions, the City Planner may allow a sketch plan, defined as a scaled drawing based on a legal survey containing less information than a site plan; drawn in compliance with this Ordinance but not required to be prepared by a licensed professional with the minimum requirements in as defined in Section 122-126 (19).*
- (b) A public hearing by the planning commission shall be scheduled for within 65 days of the filing date of an application for a special use permit. The applicant or designated representative shall be present at the public hearing and any other scheduled review meetings on the proposal. Otherwise, consideration of the proposal may be tabled due to lack of representation.

Sec. 122-164. Public hearing.

- (a) *Notification requirements.* A notice of a public hearing shall be published in a newspaper of general circulation in the city and shall be sent by mail or personal delivery to the owners of property for which approval is being considered, to all persons to whom real property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet. The notice shall be given not less than 15 days before the date of the public hearing. If the name of an occupant is not known, the term "occupant" may be used in making notification. Notification need not be given to more than one occupant of a structure, except if a structure contains more than one dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses, or organizations, one occupant of each unit or spatial area shall receive notice. In case of a single structure containing more than four dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses, or organization, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure.

(b) *Contents of notification.* The notice shall include the following:

- (1) Description of the nature of the special use request.
- (2) A legal description or address of the property which is the subject of the special use request.
- (3) Statement of when and where the public hearing will be held.
- (4) Statement of when and where comments will be received concerning the request.

Sec. 122-165. Standards for reviewing special use requests.

(a) Following the public hearing, the planning commission shall review the application for the special land use proposal, together with the public hearing findings and any reports or recommendations of the city planner, department of community and economic development, city attorney, city building inspector, or other reviewing agencies.

(b) Approval of a special land use permit shall be based on the determination that ~~the proposed use will comply with all requirements of this chapter, including all site plan review criteria (section 122-127) and the applicable site development standards for the specific use. In addition,~~ the following standards shall be met:

- (1) ~~The proposed use conforms with all the provisions and requirements of this chapter, including site plan review standards (section 122-128) and the applicable site development standards for the specific use, as well as the spirit and intent of this chapter and the Master Plan.~~ The location, scale, and intensity of the proposed use shall be compatible with adjacent uses and the zoning of the land. ~~Height, location and size of buildings shall be compatible with uses and buildings on adjacent properties. The intensity of the proposed use, such as volume, frequency and times of operation, and its compatibility shall be considered.~~
- (2) The proposed use shall promote the use of land in a socially and economically ~~desirable~~ **sustainable** manner and shall not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property or public welfare. ~~Noise, odor, smoke and potential contamination of air, soil and water and its potential effect on neighboring uses, persons and property, as well as public welfare, shall be considered.~~
- (3) The proposed special land use shall be designed, constructed, operated and maintained to assure long-term compatibility with surrounding land uses. Consideration shall be given to the placement, bulk, and height of structures; materials used in construction; location and screening of parking areas, driveways, outdoor storage areas, outdoor activity areas, and mechanical equipment; nature of landscaping and fencing; and hours of operation.
- (4) The proposed special land use shall not present unreasonable adverse impacts on ~~traffic circulation~~ **the transportation system**. Consideration shall be given to the estimated ~~pedestrian, bicycle and vehicular~~ **pedestrian, bicycle and vehicular** traffic generated by such use, ~~access to transit~~, proximity to major thoroughfares, proximity to intersections, required vehicular turning movements, and provisions for pedestrian ~~and bicycle~~ **pedestrian and bicycle** traffic.
- (5) The proposed use shall not create additional requirements at public cost for public facilities and services that will be detrimental to the economic ~~welfare~~ **sustainability** of the community.
- ~~(7) Within the MD district, the proposed special land use will help to allow residents to access everyday needs by foot, if a similar service is not currently provided within a quarter mile walking distance.~~

~~The location of the proposed use shall not result in a small residential area being substantially surrounded by nonresidential development, nor a small nonresidential area being substantially surrounded by incompatible uses.~~

Sec. 122-166. Planning commission action.

The planning commission must approve, approve with conditions, or deny a special use permit application. The planning commission's decision, the basis for the decision, and all conditions imposed, must be described in a written statement which must be made a part of the record of the meeting.

Sec. 122-167. Conditions of approval.

(a) Reasonable conditions may be required in conjunction with an approval. The conditions may include conditions necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to conserve natural

resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed must do all of the following:

- (1) Be designed to protect natural resources, the health, safety, and welfare, as well as the social and economic well-being.
 - (2) Be related to the valid exercise of police power and purposes which are affected by the proposed use or activity.
 - (3) Be necessary to meet the intent and purposes of this chapter, be related to standards established in this chapter, and be necessary to ensure compliance with those standards.
- (b) Failure by an applicant to comply with any such conditions must be considered a violation of this chapter and grounds for Special Use Permit revocation. Conditions of approval must remain unchanged except upon mutual consent of the city planning commission and the landowner. Any such changes must be recorded in the minutes of the city planning commission meeting at which the action occurred.

Sec. 122-168. Duration of special use approval.

- (a) Approval of a special use permit must expire and be of no effect unless a building permit ~~shall have~~ **has** been issued within six months of the date of approval, and unless construction has begun within two years of the date of approval and diligently pursued to completion in conformance with all approved plans and conditions attached thereto. Expiration of a special use permit may be extended one time by the planning commission for a period of six months; otherwise, a new application for an expired special use permit must be filed.
- (b) Once a special use is established, special use permits must run with the land and must not be issued for specified periods, unless the use is clearly temporary or time-related in nature. Special Use Permits may be revoked by the planning commission in accordance with Section 122-170.

Sec. 122-169. Amendments to special land uses.

When an application is received to expand the use, change the traffic pattern, or otherwise alter elements of a special land use, the application must be subject to the same procedures followed for an original special approval of land use.

Sec. 122-170. Revocation of special land use approval.

Approval of a special land use permit may be revoked by the planning commission if construction is not in conformance with the approved plans, or if compliance with Special Use Permit conditions has not been consistently demonstrated. In such case, the issue must be placed on the agenda of the planning commission for consideration. Written notice must be given to the applicant not less than ten days prior to the meeting. The applicant must be given the opportunity to present information to the planning commission and answer questions. The planning commission may revoke the special use permit if it finds that a site plan or special use permit violation exists and has not been remedied prior to the meeting.

Sec. 122-171. Appeals.

Any decision of the planning commission regarding a special use permit must not be appealed to the city zoning board of appeals. Such appeals must be taken to the circuit court.

Sec. 122-172. Reapplication.

No application for a special use permit which has been denied wholly or in part by the planning commission must be resubmitted for a period of 365 days from the date of such denial, except on grounds of new evidence or proof of changed conditions found by the planning commission to be valid.

Secs. 122-173--122-200. Reserved.

ARTICLE VI. NONCONFORMING USES, BUILDINGS, STRUCTURES OR LOTS*

*State law reference(s)--Nonconforming uses and structures, MCL 125.583a, MSA 5.2933(1).

Sec. 122-201. Description and purpose.

Certain existing lots, structures, buildings and uses of lots and structures were lawful before this chapter was adopted, but have become nonconformities under the terms of this chapter and its amendments. It is the intent of this chapter to permit such nonconformities to remain until they are abandoned or removed, but not to encourage their survival or, where abandonment or removal is not feasible, to gradually upgrade such nonconformities to conforming status. Nonconformities must not be enlarged, expanded, or extended, except as provided in this chapter and must not be used as grounds for adding other structures and uses of lots and structures which are prohibited. Nonconformities are declared by this chapter to be incompatible with the structures and uses permitted in the various districts.

Sec. 122-202. Authority to continue nonconforming uses and structures.

Any nonconforming use, building, structure, or lot which existed lawfully at the time of the adoption of the ordinance from which this chapter derives and which remains nonconforming and any such use, building, structure or lot which must become nonconforming upon the adoption of this article, or of any subsequent amendments thereto, may be continued, subject to the regulations in this article.

Sec. 122-203. Nonconforming lots.

A nonconforming lot is a lot of record or a lot described in a deed or land contract existing at the effective date of the ordinance from which this chapter derives that does not meet the minimum area or lot dimensional requirements of the district in which the lot is located. The following regulations must apply to any nonconforming lot:

- (1) *Use of nonconforming lot.* Any nonconforming lot must be used only for a use permitted in the district in which it is located.
- (2) *Single lot of record.* A principal structure and customary accessory structures may be erected on any single lot of record at the effective date of adoption or amendment of this chapter, notwithstanding limitations imposed by other provisions of this chapter. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision must apply even though such lot fails to meet the requirements for area or width or both, that are generally applicable in the district, provided that yard setback dimensions and requirements other than those applying to area or width of the lot must conform to the regulations for the district in which such lot is located. However, no more than one dwelling unit must occupy any lot except in conformance with the provisions of this chapter for required lot area for each dwelling unit.
- (3) *Variance from yard or other requirements.* If the use of a legal nonconforming lot requires a variation from any yard or other requirements, other than lot area or width, then such variance must be obtained only through action by the zoning board of appeals.
- (4) *Contiguous lots in same ownership.* When two or more contiguous nonconforming lots or parts of nonconforming lots are in a single ownership at the time of, or subsequent to the adoption or amendment of this chapter, such lots must be considered to be a single lot for the purposes of this chapter, and no portion of such lot must be used, occupied, divided, or sold in any manner which would diminish compliance with minimum lot width and area requirements of this chapter.

Sec. 122-204. Nonconforming use of land.

- (a) A nonconforming use of land occurs when property is used for a purpose or in a manner which was lawfully in existence before this chapter was adopted, but has become nonconforming under the terms of this chapter or its amendments.
- (b) The nonconforming use of land not involving a building or structure, or in connection with which any building or structure thereon is incidental or accessory to the principal use of the land, may be continued subject to the regulations which follow:
 - (1) *Change.* The nonconforming use of land must not be changed to any other use except to a use permitted in the district in which the land is located.
 - (2) *Expansion.* A nonconforming use of land must not be expanded or extended beyond the area it occupies.
 - (3) *Moving.* No such nonconforming use must be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this chapter.

- (4) *Change in occupancy of ownership.* A change in occupancy or ownership must not constitute a change in use.
- (5) *Abandonment.* If the nonconforming use of land is abandoned for a period of 365 consecutive days, where there is an intent demonstrated by the property owner to abandon the nonconforming use, it must not thereafter be renewed, and any subsequent use of the land must conform to the regulations of the district in which the land is located. A nonconforming use must be determined to be abandoned if the use has ceased and one (1) or more of the following conditions exist, that said condition(s) being deemed to demonstrate intent on the part of the property owner to abandon the nonconforming use:
- (a) One (1) or more utility meters, such as water, gas and electricity to the property, have been removed;
 - (b) The property, buildings and/or grounds are unsafe or unsanitary, as described in Chapter 18, Article V;
 - (c) Cessation of business operations;
 - (d) Receipt of a written declaration by the property owner.
 - (e) Signs or other indications of the existence of the nonconforming use have been removed;
 - (f) Removal of equipment or fixtures that are necessary for the operation of the nonconforming use;
 - (g) Failure to maintain current licenses, certificates, permits, registrations or other appropriate documentation for the nonconforming use;
 - (h) Bank or tax foreclosure;
 - (i) Operation or maintenance of a permitted use at the property; or
 - (j) Other actions or omissions, which in the opinion of the Planning or Building Department(s), evidence an intention of the part of the property owner to abandon the nonconforming use.

Sec. 122-205. Nonconforming uses of buildings or structures.

The nonconforming use of a building or structure, or structure and lot in combination, may be continued subject to the following provisions:

- (1) *Change in use.* The nonconforming use of a building or structure may not be changed to a different use unless the new use is permitted in that same district. Any structure, or structure and lot in combination, in or on which a nonconforming use is replaced by a permitted use, must thereafter conform to the regulations of the district in which it is located and the nonconforming use may thereafter not be resumed.
- a. A building or structure used for residential purposes which is nonconforming due to the number of dwelling units contained therein may only be changed so that the number of dwelling units is decreased, or so that the use is brought into conformity with this chapter.
 - b. Notwithstanding the above, a nonconforming use of a building or structure may be changed to another nonconforming use so that the degree of nonconformity is lessened when authorized by the planning commission after a public notice and hearing in accordance with section 122-164. In considering such authorization, the planning commission must consider the following:
 - 1. Whether the proposed use is equally or more appropriate than the present nonconforming zoning district in which the building, structure or land is located. No change to a less appropriate use may be authorized by the planning commission.
 - 2. Whether the proposed use will interfere with the use of adjoining lands or other properties in the surrounding neighborhood for the uses for which they have been zoned pursuant to the provisions of this chapter.
 - 3. The effect of the proposed use on adjoining lands and the surrounding neighborhood.
 - 4. In permitting such change, the planning commission may require appropriate conditions and safeguards in accord with the purpose and intent of this chapter.
 - 5. Where a nonconforming use of a structure, or structure and land, is hereafter changed to a more conforming use, it must not thereafter be changed to a less conforming use.
- (2) *Expansion of nonconforming use.*

- a. The nonconforming use of any part of a building or structure must not be expanded or extended into any other portion of such building or structure.
 - b. No visible structural alteration must be made to the building or structure devoted to a nonconforming use, except repairs and maintenance work which are required to keep such building in sound condition or as required by law.
 - c. An existing structure containing a nonconforming use must not be enlarged, constructed, reconstructed, moved or structurally altered or extended, unless the use is changed to a use which is permitted in the district in which the structure is located.
- (3) *Change in occupancy or ownership.* A change of occupancy or ownership must not constitute a change in use.
- (4) *Removal or destruction.* If a building or structure in which a nonconforming use is being conducted is removed, destroyed, or severely damaged to the extent that the cost of restoration of the structure exceeds 100 percent of the state equalized value (SEV) or 50 percent of a higher value established by the most recent appraisal of the structure exclusive of the foundation and land, the nonconforming use must not be renewed, and any subsequent use of the premises must conform to the use regulations of the district in which the premises are located. Single-family homes on individual lots that are considered a non-conforming use in the ~~B-1~~ **Neighborhood Corridor** Zoning District must be allowed to be rebuilt regardless of the amount of damage done to the structure.

For the purpose of calculating a fair and equitable cost of restoration regulated by this section, the average of two bid estimates from licensed contractors must be used. All work requiring permits under state and local regulations, and materials necessary to bring the structure up to current code must be included. Clean up costs, demolition, furnishings, appliances, and site work, i.e. landscaping, fencing, paving, must not be included. The actual repair and reconstruction may be done by the owner or contractor of his or her choice.

- (5) *Abandonment.* If the nonconforming use of land is abandoned for a period of 365 consecutive days, where there is an intent demonstrated by the property owner to abandon the nonconforming use, it must not thereafter be renewed, and any subsequent use of the land must conform to the regulations of the district in which the land is located. A nonconforming use must be determined to be abandoned if the use has ceased and one (1) or more of the following conditions exist, that said condition(s) being deemed to demonstrate intent on the part of the property owner to abandon the nonconforming use:
- (a) One (1) or more utility meters, such as water, gas and electricity to the property, have been removed;
 - (b) The property, buildings and/or grounds are unsafe or unsanitary, as described in Chapter 18, Article V;
 - (c) Cessation of business operations;
 - (d) Receipt of a written declaration by the property owner.
 - (e) Signs or other indications of the existence of the nonconforming use have been removed;
 - (f) Removal of equipment or fixtures that are necessary for the operation of the nonconforming use;
 - (g) Failure to maintain current licenses, certificates, permits, registrations or other appropriate documentation for the nonconforming use;
 - (h) Bank or tax foreclosure;
 - (i) Operation or maintenance of a permitted use at the property; or
 - (j) Other actions or omissions, which in the opinion of the Planning or Building Department(s), evidence an intention of the part of the property owner to abandon the nonconforming use.

Sec. 122-206. Nonconforming buildings or structures.

- (a) A nonconforming building or structure is a structure which was lawful on the effective date of adoption or amendment of this chapter, but which does not conform to the new chapter regulations for **building type**, lot area, lot area per dwelling unit, lot width, lot coverage, floor area, height, greenbelts or screening, off-street parking, loading space, yard, or other requirements of the zoning district in which it is located.
- (b) **Nonconforming buildings and structures may be re-used and occupied by new owners or tenants if all requirements of this Chapter are met and the restrictions below are met.**
- (c**b**) Nonconforming buildings and structures must be subject to the following restrictions:

- (1) *Expansion.* Nonconforming structures may be expanded only in compliance with the following regulations:
 - a. All nonconforming structures, in any zoning district, may only be expanded in such a way that does not increase a non-conforming characteristic. All expansions must meet all requirements of the zoning district in which it is located, including lot coverage, heights, yard requirements, and off-street parking.
A non-conforming building type may not be expanded.
- (2) *Alterations.* A nonconforming structure may be altered to decrease its nonconformity.
- (3) *Moving.* A nonconforming structure which is moved within a site or to another site must thereafter conform to the regulations of the district in which it is located.
- (4) *Damage and removal.* A nonconforming structure which is damaged by any means may be restored to its original conditions and location prior to such damage, provided such construction is completed within 18 months of the date of damage and is diligently pursued to completion. Failure to complete reconstruction must result in the loss of legal, nonconforming status.
- (5) *Restoration or repair.*
 - a. All repairs and maintenance work required to keep a nonconforming building or structure in sound condition may be made, but such building or structure must not be structurally altered in a way inconsistent with the description and purpose of this article.
 - b. If a nonconforming structure or a structure housing a nonconforming use becomes physically unsafe or unlawful or poses a threat to the public health, safety, and welfare due to a lack of repairs or maintenance, the structure must be declared by the building department to be unsafe or unlawful by reason of physical condition. Such structure must not thereafter be restored, repaired, or rebuilt except in conformity with the provisions of this chapter.
- (6) *Restoration of Historic Structures.* Restoration may be permitted of a legal nonconforming structure, designated as historic by the Ypsilanti Historic District Commission, which has been destroyed or abandoned (as defined in section 122-205) provided the planning commission finds all of the following provisions are met:
 - a. The approved design of the restored building maintains the same design and historical character it had prior to the destruction or abandonment; or, in the case of a building that had been altered prior to destruction or abandonment, that the restored building more closely parallels the design of the original historic structure.
 - b. All reasonable attempts at eliminating or reducing the nonconforming nature of the structure have been considered and will be implemented in the restoration project.

Sec. 122-207. Acquisition of nonconformities.

The city may acquire private property to remove a nonconformity, as provided in Act No. 207 of the Public Acts of Michigan of 1921 (MCL 125.581 et seq., MSA 5.2931 et seq.), as amended.

Sec. 122-208. Building or structure under construction on effective date of the ordinance from which this chapter is derived.

Any building or structure must be considered existing and lawful for the purposes of this article if, on the effective date of the ordinance from which this chapter is derived, a building permit has been obtained therefore, if required; or if no building permit is required, a substantial start has been made toward construction and construction is thereafter pursued diligently to conclusion.

Sec. 122-209. Unlawful nonconformities.

- (a) No nonconformity must be permitted to continue in existence if it was unlawful at the time it was established.
- (b) The city must maintain records of nonconforming uses and structures as accurate as is feasible for determining legal nonconforming uses and structures in existence on the effective date of the ordinance from which this chapter is derived. However, failure on the part of a property owner to provide the city with necessary information to determine legal nonconforming status may result in denial of a required or requested permit.

Secs. 122-211--122-230. Reserved.

ARTICLE VII. DISTRICT REGULATIONS

DIVISION 1. GENERALLY

Sec. 122-231. Establishment of districts.

Ypsilanti's Master Plan classified the City into neighborhoods, corridors, centers, and special districts. These classifications are the basis for the regulation of these areas. Outlying neighborhoods (outlying residential and multiple-family) and special districts (parks and production, manufacturing and distribution) are areas where regulation by use and intensity remain appropriate. Core neighborhoods, corridors, and centers were classified as walkable urban places, where the regulations must go beyond use or intensity to reinforce the context of the built environment through form and scale. The office district has been included as an Neighborhoods, Centers, Corridors and Health and Human Services area because it is surrounded by Neighborhoods, Centers, Corridors and Health and Human Services areas and has underlying street network and mixture of uses for an Neighborhoods, Centers, Corridors and Health and Human Services area.

For the purposes of this chapter, the city is hereby divided into the following zoning districts having the names and symbols here shown:

R1 Single-family residential district

MD Multiple dwelling residential district

~~R2 One and two family residential district~~

~~R3 Multiple family medium density residential district~~

~~R4 Multiple family high density residential district~~

~~RO Residential office district~~

~~RC Residential Commercial district~~

Neighborhoods, Centers, Corridors and Health and Human Services Districts:

CN Core Neighborhood

CN-SF Core Neighborhood Single Family

CN-Mid Core Neighborhood Mid

C Center

HC Historic Corridor

NC Neighborhood Corridor

GC General Corridor

HHS Health and Human Services

P Parks

PMD Production, Manufacturing and Distribution

Commercial:

~~B1 Neighborhood business district~~

~~B2 Community business district~~

~~B3 Central business district~~

~~B4 General business district~~

~~CI Commercial Industrial district~~

Manufacturing:

~~WS Workshop/studio district~~

~~M1 Light manufacturing district~~

~~M2 General manufacturing district~~

Overlay:

~~H Historic preservation overlay district~~

~~S Student overlay district~~

~~RCO Residential Commercial overlay district~~

~~Entryway overlay district~~

Public Uses:

~~PL Public land district~~

Sec. 122-232. Zoning map.

- (a) The locations and boundaries of the zoning districts are hereby established as shown on a map adopted by the city council. The map must be entitled the "Zoning Map, City of Ypsilanti, Washtenaw County, Michigan," and must bear the date adopted or amended. It must be the duty of the city mayor and clerk to authenticate such records by placing their official signatures thereon. Such map with all accompanying explanatory matter is hereby made a part of this chapter as if the matters and information set forth thereon were all fully described in this chapter.
- (b) **In Neighborhoods, Centers, Corridors, and Health and Human Services Districts, the zoning map must contain notations on property where building types noted in Section 122-274 are allowed in certain areas and required street construction or connections.**
- (b) A copy of the zoning map must be available for sale or distribution to the public. The zoning map must be updated regularly.

Sec. 122-233. Application of chapter.

- (a) Land uses are permitted specifically in the various zoning districts of this chapter. Where not specifically permitted, uses are thereby specifically prohibited unless construed to be similar to a use expressly permitted.
- (b) Except as otherwise provided in this chapter, erection of buildings and uses of land must conform to the specific provisions for the zoning districts involved. No land must be redeveloped or a use commenced, expanded or continued within the city except as specifically, or by necessary implication, authorized by this chapter.
- (c) Lawful nonconforming structures and uses existing at the time of passage of this chapter are specifically governed by article VI of this chapter and generally governed by this chapter.

Sec. 122-234. Interpretation of district boundaries.

Where uncertainty exists with respect to the boundaries of the various districts as shown on the zoning map, the following rules must apply:

- (1) Boundaries indicated as approximately following lot lines, the centerlines of streets or alleys, and city limits must be construed as following such lines.
- (2) Boundaries indicated as parallel to or extension of features indicated in subsection (1) of this section must be so construed. Distances not specifically indicated on the official zoning map must be determined by the scale of the map.
- (3) Where physical or natural features existing on the ground are at variance with those shown on the zoning map, or in other circumstances not covered above, the zoning board of appeals must interpret the district boundaries.
- (4) Where one parcel is divided into two or more portions by reason of different zoning district classifications, each of these portions must be used independently of the others in respective zoning classifications; and for the purposes of applying the regulations of this chapter, each such portion must be considered as if in separate and different ownership. However, if the zoning board of appeals finds that any portion of a lot so divided is inadequate in area for a viable use, such portion may be combined with an adjacent lot and/or rezoned as appropriate.

Sec. 122-235. Uses permitted as a right.

Permitted uses, as identified in the divisions covering each district, are recognized as uses of land and buildings in certain districts which are harmonious with other such uses which may lawfully exist within the same district. A permitted use is subject to the general provisions, parking regulations, district intent, permit, certificate and site plan requirements found elsewhere in this chapter, but otherwise is considered to be a lawful use not requiring special or extraordinary controls or conditions, unless otherwise indicated in this chapter.

Sec. 122-236. Uses permitted under special approval.

The uses identified as special uses in divisions covering each district are recognized as possessing characteristics of such unique and special nature (relative to location, off-site impacts, design, size, public service and utilities needs, and other similar characteristics) as necessitating individual standards and conditions in order to safeguard the general health, safety and welfare of the community. Article V of this chapter, regarding procedure and requirements for special uses, must apply to these uses.

Sec. 122-237. Zoning of vacated land.

Vacated streets or alleys, or the divided portions thereof, must automatically be given the same zoning classification as the private property to which they are attached upon vacation.

Sec. 122-238. Zoning of annexed land.

Property duly annexed to the city will be zoned R1, single-family residential, upon annexation. However, the city council may, in the annexation ordinance, designate an appropriate zoning designation upon annexation, based upon existing use of the property, the city's adopted master plan, or the use of surrounding properties.

Secs. 122-240--122-250. Reserved.

DIVISION 2.
R1 SINGLE-FAMILY RESIDENTIAL DISTRICTS

Sec. 122-251. Description and purpose.

The R1 single-family district is designed to provide an environment of predominantly low-density, single-family detached dwellings, along with other related facilities such as schools and ~~churches~~ religious institutions. The purpose of the R1 single-family residential district to encourage the preservation and the continuation of the long-standing residential fabric in existing neighborhoods of predominantly single-family dwellings. Multiple-family, business, or industrial uses which would substantially interfere with the development or continuation of single-family dwellings in the district are prohibited.

Sec. 122-252. Permitted uses.

The following uses are allowed in the R1 single-family residential district.

P=Principal, A=Accessory, S=Special Land Use

Uses	R1	Notes & Other Regulations for Use
RESIDENTIAL		
Single-Family Detached Dwelling	P	Manufactured and premanufactured dwellings may be located and installed according to same standards that would apply to a site-built single-family dwelling on the same lot.
Home Occupation	A	Section 122-669
Family Child Care Home	A	1-6 children, day care and 24 hour care Section 122-779
Adult foster care family homes	A	1-6 adults, day care and 24 hour care, excludes facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional facilities. Section 122-773
Group Child Care Home	S	6-12 children, day care only Section 122-779
RECREATION, EDUCATION & PUBLIC ASSEMBLY		
Park	P	
Primary & Secondary Schools (public & private)	S	Section 122-805
Post-secondary educational institutions (public & private)	S	Section 122-805
Religious institution	S	Section 122-780
Municipal, county, regional & state service uses	S	Section 122-795
SERVICES		
Bed & Breakfast or Inn	S	Section 122-778
Farmers' Market	A	When accessory to a nonresidential use.
INFRASTRUCTURE		
Essential Services	P	Section 122-637
Communication Devices	A	Article XI, division 3
Alternative Energy	A	Section 122-788
Stormwater Control	A	Section 122-789
GARDENS/COMMUNITY GARDENS		
Community Gardens	P	Exempt from area regulations in Section 122-253, subject to Section 122-815

P=Principal, A=Accessory, S=Special Land Use

Uses	R1	Notes & Other Regulations for Use
Toolhouses, sheds and other similar buildings for the storage of domestic supplies	A	Must meet accessory structure regulations for lot coverage and maximum floor area. Rear or side yard only.
Passive solar structure (greenhouse, hoophouse, etc.)	A	Must meet accessory structure regulations for lot coverage. Rear or side yard only. Maximum floor area must meet regulations in Section 122-253, with an exception for an up to 200 square foot passive solar structure if floor area of existing detached accessory structures are less than 200 square feet or equal to the gross floor area of the ground floor of the principal structure.

Sec. 122-253. Schedule of Regulations.

(a) All principal structures and attached accessory structures must comply with the following regulations in the R-1 single-family residential zoning district:

Regulations	R1	Notes
Minimum Lot Width		
Lot width for all buildings	45 ft.	
Minimum Lot Size		
Single-family detached dwelling	5,000 sq. ft.	
Minimum Setbacks (Residential Uses)		
		Where an existing front yard setback line has been established by existing residential dwellings occupying 50 percent or more of the frontage within the same block on the same side of the street, the depth of the front yard must not be less than the average depth of the front yards of the existing buildings on each side
Front yard	25 feet	
Side yard	4 feet	
Side yards (combined)	12 feet	
Street Side yard	8 feet	
Rear yard	25 feet	
Minimum Setbacks (Non-Residential Uses)		
	25 feet	Where an existing front yard setback line has been established by existing residential dwellings occupying 50 percent or more of the frontage within the same block on the same side of the street, the depth of the front yard must not be less than the average depth of the front yards of the existing buildings on each side
Front yard		
Side yard	8 feet	
Side yards (combined)	Equal to the height of the structure or the setbacks required for residential uses, whichever is greater	
Street side yard	8 feet	
Rear yard	25 feet	
Parking Setbacks (other than single-family dwellings)		
Front & side street yard	Not allowed	
Side and rear yards	10 feet	
Height		
Maximum height	30 feet or 2.5 stories	Chimneys, flagpoles, church spires, belfries, cupolas, domes, or other similar architectural embellishments; roof mounted communication devices

Regulations	R1	Notes
		antennas; water towers, observation towers, power transmission towers, radio towers, masts, smokestacks, ventilators, skylights, derricks, conveyors, cooling towers, and other similar and necessary mechanical appurtenance pertaining to the permitted uses; provided that they do not exceed the maximum height by more than ten feet.

Minimum Floor Area

Dwelling unit	500 sq. ft.	
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Maximum Lot Coverage

Residential Uses	35%
Non-residential Uses	50%

(b) All detached accessory structures must meet the following standards

Regulations	R1	Notes
Minimum Setbacks (Accessory to Residential Uses)		
Front yard	Not allowed	
Side yard	3 feet	1 foot if lot line abuts an alley
Street Side yard	8 feet	
Rear yard	3 feet	1 foot if lot line abuts an alley, 12 feet for a through lot
Distance from principal structure	7 feet	Minimum distance to comply with fire regulations and/or building code, if greater than minimum listed. An attached enclosure or roof over a pathway between structures on a lot, such as a breezeway, is exempt from this setback provided it is 8 feet or less in width and 15 feet or less in height.

Minimum Setbacks (Accessory to Non-Residential Uses)

Front yard	Not allowed	
Side yard	3 feet	1 foot if lot line abuts an alley
Street Side yard	8 feet	
Rear yard	3 feet	1 foot if lot line abuts an alley, 12 feet for a through lot
Distance from principal structure	5 feet	Minimum distance to comply with fire regulations and building code, if greater than setback listed.

Height

Maximum height	15 feet	
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Size of Accessory Buildings

Maximum Floor Area	Floor area of all accessory buildings must not exceed gross floor area of the ground floor of the principal structure and must not cause lot coverage regulations for all buildings and paved surfaces on-site to be exceeded.
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Secs. 122-254--122-260. Reserved.

DIVISION 3.
MD MULTIPLE DWELLING RESIDENTIAL DISTRICTS

Sec. 122-261. Description and purpose.

The MD multiple-family residential district is designed to allow a multiple-family residential development, rental or owner-occupied, designed specifically for apartments, townhouses, and/or other housing types. The multiple-family residential district is located adjacent to high traffic generators and major thoroughfares and corridors, and can serve as zones of transition between nonresidential districts and neighborhoods. The multiple-family residential district is designed to insure sound development policies for areas having a concentration of multifamily units, while assuring an adequate supply of multiple-family living units in the housing mix of the city overall. Recreation, services and retail uses are allowed as special land uses to allow residents to access everyday needs by foot, if they are not already within walking distance on a corridor or in a center.

Sec. 122-262. Permitted uses.

The following uses are allowed in the MD multiple-family residential district.

P=Principal, A=Accessory, S=Special Land Use

Uses	MD	Notes & Other Regulations for Use
RESIDENTIAL		
Two-Family Dwelling	P	Manufactured and premanufactured dwellings may be located and installed according to same standards that would apply to a site-built two-family dwelling on the same lot.
Multiple Family Dwellings, maximum of 6 units per building	P	Includes senior housing, student housing, and co-housing. Responsible party for management must be on file with the City.
Multiple Family Dwellings, more than 6 units per building	S	Includes senior housing, student housing, and co-housing. Responsible party for management must be on file with the City.
Home Occupation	A	Section 122-669
Family Child Care Home	A	1-6 children, day care and 24 hour care Section 122-779
Adult foster care family homes	A	1-6 adults, day care and 24 hour care, excludes facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional facilities. Section 122-773
Group Child Care Home	S	6-12 children, day care only Section 122-779
GROUP LIVING		
Group living with support staff, not licensed by State of Michigan	S	Includes supportive housing, rehabilitation housing, or dormitories.
Adult foster care small & group homes, adult congregate facilities	S	7 or more adults, licensed by State of Michigan Section 122-773
Adult foster care facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional-facilities.	S	
RECREATION, EDUCATION & PUBLIC ASSEMBLY		
Park	P	
Outdoor recreation areas	A	Section 122-802
Social facility for multiple dwelling residents and their guests	A	Subject to detached accessory structure regulations.
Primary & Secondary Schools	S	Section 122-805

P=Principal, A=Accessory, S=Special Land Use

Uses	MD	Notes & Other Regulations for Use
(public & private)		
Post-secondary educational institutions (public & private)	S	Section 122-805
Religious institution	S	Section 122-780
Municipal, county, regional & state service uses	S	Section 122-795
SERVICES		
Bed & Breakfast or Inn	S	Section 122-778
Child care centers and day care centers	S	Section 122-779
Nursing homes	S	Section 122-796
Medical or Dental Offices	S	
Financial services, including banks	S	Drive through facilities are not allowed in MD
Personal service establishments	A	
COMMERCIAL		
Food stores, excluding sale of alcohol, less than 15,000 square feet	S	
Farmers' Market	A	
RESTAURANTS		
Carry-out and/or delivery restaurant	S	Drive through facilities are not allowed in MD
Café or coffee shop	S	Drive through facilities are not allowed in MD
INFRASTRUCTURE		
Essential Services	P	Section 122-637
Communication Devices	A	Article XI, division 3
Alternative Energy	A	Section 122-788
Stormwater Control	A	Section 122-789
Automobile Share Parking	A	
GARDENS/COMMUNITY GARDENS		
Community Gardens	P	Exempt from area regulations in 122-263, subject to 122-815
Toolhouses, sheds and other similar buildings for the storage of domestic supplies	A	Must meet accessory structure regulations for lot coverage and maximum floor area. Rear or side yard only.
Passive solar structure (greenhouse, hoophouse, etc.)	A	Must meet accessory structure regulations for lot coverage and maximum floor area. Rear or side yard only.

Sec. 122-263. Schedule of Regulations.

(a) All principal structures must comply with the following regulations in the MD multiple-family residential district:

Regulations	MD	Notes
Minimum Lot Width		

Regulations	MD	Notes								
Lot width for all buildings	45 ft.									
Minimum Lot Size										
Two-family dwelling	6,000 sq. ft.									
Group living	6,000 sq. ft.									
Multiple-family	8,000 sq. ft.									
Ratio of Lot Sizes to Number of Units										
		The total number of rooms in a multiple apartment dwelling structure must not be more than the area of the parcel in square feet divided by 1,400 square feet. The required minimum floor area per unit type is as follows: <table><tr><td>Unit Type</td><td>Required Min. Square Footage</td></tr><tr><td>1 Bedroom</td><td>600</td></tr><tr><td>2 Bedroom</td><td>800</td></tr><tr><td>3+ Bedroom</td><td>1,000</td></tr></table>	Unit Type	Required Min. Square Footage	1 Bedroom	600	2 Bedroom	800	3+ Bedroom	1,000
Unit Type	Required Min. Square Footage									
1 Bedroom	600									
2 Bedroom	800									
3+ Bedroom	1,000									
Minimum Setbacks (Residential Uses)										
Front yard	25 feet	Where an existing front yard setback line has been established by existing residential dwellings occupying 50 percent or more of the frontage within the same block on the same side of the street, the depth of the front yard must not be less than the average depth of the front yards of the existing buildings on each side								
Side yard	4 feet	For buildings with more than 4 units, 6 feet or, if lot directly abuts R1 district, 25 feet.								
Side yards (combined)	12 feet	For buildings with more than 4 units, 14 feet								
Street Side yard	8 feet	For buildings with more than 4 units, 15 feet								
Rear yard	25 feet									
Distance between buildings	20 feet									
Minimum Setbacks (Non-Residential Uses)										
Front yard	25 feet									
Side yard	6 feet									
Side yards (combined)	14 feet									
Street side yard	15 feet									
Rear yard	25 feet									
Parking Setbacks (other than single-family dwellings)										
Front & side street yard	Not allowed									
Side and rear yards	10 feet									
Height										
Maximum height	65 feet or 6 stories	Chimneys, flagpoles, church spires, belfries, cupolas, domes, or other similar architectural embellishments; roof mounted communication antennas; water towers, observation towers, power transmission towers, radio towers, masts, smokestacks, ventilators, skylights, derricks, conveyors, cooling towers, and other similar and necessary mechanical appurtenance pertaining to the permitted uses; provided that they do not exceed the maximum height by more than ten feet								
Minimum Floor Area										
Dwelling unit	See Section 122-794									

Regulations	MD	Notes
Bedrooms in Group Residence	See Section 122-804	

Outdoor Space

A total of one hundred thirty (130) square feet of outdoor living space must be provided for each bedroom or studio/efficiency unit. Porches, balconies and improved roof areas may count toward the required outdoor living space, provided no such area is less than five (5) feet in width. Such outdoor areas must be buffered from streets and parking lots. Off-street parking areas, driveways, and accessory uses must not be counted as required open space.

(b) All detached accessory structures must meet the following standards

Regulations	MD	Notes
Minimum Setbacks (Accessory to Residential Uses)		
Front yard	Not allowed	
Side yard	3 feet	1 foot if lot line abuts an alley
Street Side yard	8 feet	
Rear yard	3 feet	1 foot if lot line abuts an alley, 12 feet for a through lot
Distance from principal structure	7 feet	Minimum distance to comply with fire regulations and/or building code, if greater than 7 feet. An attached enclosure or roof over a pathway between structures on a lot, such as a breezeway, is exempt from this setback provided it is 8 feet or less in width and 15 feet or less in height.

Minimum Setbacks (Accessory to Non-Residential Uses)

Front yard	Not allowed	
Side yard	3 feet	1 foot if lot line abuts an alley
Street Side yard	8 feet	
Rear yard	3 feet	1 foot if lot line abuts an alley, 12 feet for a through lot
Distance from principal structure	5 feet	Minimum distance to comply with fire regulations, if greater than 7feet

Height

Maximum height	15 feet	
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Size of Accessory Buildings

Maximum Floor Area	No limitations other than maximum impervious surface lot coverage
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(c) All structures (principal and accessory) and paved surfaces must meet the following standards:

Regulations	MD
Maximum Impervious Surface Lot Coverage	
Residential Uses	45%
Non-residential Uses	50%

~~Secs. 122-254–122-260. Reserved.~~

~~Secs 122-264-122-270. Reserved~~

DIVISION 4.

NEIGHBORHOODS, CENTERS, CORRIDORS AND HEALTH AND HUMAN SERVICES DISTRICTS

Sec. 122-271. Description and purpose.

In Ypsilanti's Master Plan, core neighborhoods, corridors, and centers were classified as walkable urban places, where the regulations must go beyond use or intensity to reinforce the context of the built environment through form and scale. The Health and Human Services district is included due to its location and character.

These districts are places where a person can walk, bike or ride transit to work and to fulfill most shopping and recreation needs. These environments allow for the use of automobiles but do not require the use of a vehicle to accommodate most daily needs.

These districts were primarily developed prior to the 1940's. Such places were developed in a pattern where a person could live with limited reliance on the automobile and were conducive to destination walking and cycling. They are largely supported through a network of interconnected, tree-lined streets, a diversity of housing choices and a mix of appropriate commercial and residential uses in a compact form. These areas also support public transit due to their compact nature.

1. *Core Neighborhoods.* Core neighborhoods are built on a grid street network connected to the adjacent business districts. They border center districts or other core neighborhoods. These neighborhoods have a range of residential building types, with religious institutions, schools, stores and automobile filling stations intermixed. There are three types of core neighborhoods:
 1. *CN Core Neighborhoods.* These neighborhoods directly border center districts and have a variety of housing types, ranging from cottages to group living to apartment buildings. This district also affords opportunities for accessibly-placed walkable, neighborhood businesses.
 2. *CN-Mid Core Neighborhood Mid.* These neighborhoods generally abut the Core Neighborhoods, and offer a less dense and less intense residential area with opportunities for accessibly-placed low-intensity walkable, neighborhood businesses. Housing types range from mansions to cottages, with multiple-family and single-family uses. This zoning may also be used as a transition zone between single-family districts and mixed used districts.
 3. *CN-SF Core Neighborhood Single Family.* These neighborhoods are east of Depot Town and north of Michigan Avenue, known as the historic eastside. Housing types include mansions, estates, houses, and cottages. Residential uses are restricted to single-family; neighborhood businesses are limited.
- (b) *C Center.* These are mixed-use areas with historic buildings. These are the places where people shop, go to school, live, come to work, visit, drop by City Hall, eat, gather and have fun. They host events that bring thousands of visitors each year and bring the City together as a community. The intent of the zoning district is preserve the urban form, walkable nature and vibrant mix of uses in these areas.
- (c) *Corridors.* Corridors are mixed-use and commercial areas located along the arteries of the City, such as Washtenaw, Huron, Hamilton, Michigan, Harriet, and River.
 - (1) *HC Historic Corridor.* Historic corridors are located entirely in the Historic District and are on Cross Street, Huron Street, Hamilton Street, and River Street. These corridors are lined with historic buildings and are integrated into the adjacent neighborhoods and centers. The intent of this district is to preserve the walkability, character and historic nature of these streets, while allowing for adaptive re-use of historic buildings ranging from single-family to multiple-dwelling to office uses.
 - (2) *NC Neighborhood Corridor.* Neighborhood corridors have a linear land pattern and are adjacent to residential neighborhoods. The size, form and scale of buildings and the type and intensity of uses should be complementary to abutting single-family or core neighborhoods, including less intense multiple-family residential building types and uses.
 - (3) *GC General Corridor.* General corridors are located along roads with heavy traffic and have commercial establishments, restaurants, offices, and other businesses that are geared toward automobile traffic. Multiple-family residential building types and uses are appropriate in this district.
- (d) *HHS Health and Human Services.* The Health and Human Services district is located on either side of Towner between Prospect and Arnet Streets. A cluster of office, health and human service uses are in this district. The intent of the district is to provide regulations to require a more urban form through redevelopment of parking

lots and reconnecting the street grid and circulation system.

Sec. 122-272. Permitted uses.

(a) Core Neighborhoods

The following uses are allowed in CN, CN-Mid, and CN-SF districts:

P=Principal, A=Accessory, S=Special Land Use, -- = Not Permitted

Uses	CN	CN-Mid	CN-SF	Notes & Other Regulations for Uses
RESIDENTIAL				
Single-Family Detached Dwelling	P	P	P	
Accessory Dwelling Unit	A	A	--	
Two-family dwelling units	P	P	--	
Multiple Family Dwellings, maximum of 4 units per building	P	S	--	
Multiple Family Dwellings, more than 4 units per building	S	--	--	
Apartments located above ground floor of permitted nonresidential uses	P	--	--	
Home Occupation	A	A	A	Section 122-669
Family Child Care Home	A	A	A	1-6 children, day care and 24 hour care Section 122-779
Adult foster care family homes	A	A	A	1-6 adults, day care and 24 hour care Section 122-773
Group Child Care Home	S	S	S	6-12 children, day care only Section 122-779
GROUP LIVING				
Group residence, maximum of 6 residents	P	--	--	Responsible party for management must be on file with the City. Section 122-804
Group residence with 7 or more residents	S	--	--	Responsible party for management must be on file with the City. Section 122-804
Group living with support staff, not licensed by State of Michigan	S	--	--	Includes supportive housing, rehabilitation housing or dormitories.
Roominghouse	S	--	--	Section 122-804
Adult foster care small & group homes, adult congregate facilities	S	S	--	Licensed by State of Michigan for 7 or more adults. Section 122-773
Adult foster care facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional facilities.	S	--	--	
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES				
Park	P	P	P	
Outdoor recreation	A	--	--	Section 122-802
Primary & Secondary Schools (public & private)*	S	S	S	Section 122-805

P=Principal, A=Accessory, S=Special Land Use, -- = Not Permitted

Uses	CN	CN-Mid	CN-SF	Notes & Other Regulations for Uses
Post-secondary educational institutions (public & private)	S	S	S	Section 122-805
Religious institution	S	S	S	Section 122-780
Private assembly, banquet hall allowed	S	--	--	
Municipal, county, regional, & state service uses	S	S	S	Section 122-795
Public Art	A	A	A	
SERVICES				
Bed & Breakfast or Inn	S	S	S	Section 122-778
Funeral Homes	S	S	--	
Nursing Homes	S	S	--	Section 122-796
Medical or Dental Offices	S	S	--	
COMMERCIAL				
Arts & crafts studios	S	--	--	
Food stores, excluding sale of alcohol, less than 15,000 square feet	S	S	S	
Farmers' Market	A	A	A	When accessory to a non-residential use
RESTAURANTS				
Carry-out and/or delivery restaurant	S	--	--	
Café or coffee shop	S	--	--	
AUTO-ORIENTED				
Automobile Filling Station - no repair	S	S	S	Section 122-776
Automobile Share Parking	A	--	--	
INFRASTRUCTURE				
Essential Services	P	P	P	Section 122-637
Communication Devices	A	A	A	Article XI, division 3
Alternative Energy	A	A	A	Section 122-788
Stormwater Control	A	A	A	Section 122-789
GARDENS/COMMUNITY GARDENS				
Community gardens	P	P	P	Section 122-815
Passive solar structure (hoophouse, greenhouse, etc.)	A	A	A	Must meet accessory building regulations for building type
Toolhouses, sheds and other similar buildings for the storage of domestic supplies	A	A	A	Must meet accessory building regulations for building type

(b) Corridors

The following uses are allowed in the HC, NC and GC districts:

P=Principal, A=Accessory, S=Special Land Use, -- = Not Permitted

Uses	HC	NC	GC	Notes & Other Regulations for Uses
RESIDENTIAL				
Single-Family Detached Dwelling	P	--	--	
Accessory Dwelling Unit	A	--	--	
Two-family dwelling units	P	P	P	
Multiple Family Dwellings, maximum of 4 units per building	P	P	P	
Multiple Family Dwellings, more than 4 units per building	S	S	P	Section 122-794
Apartments located above ground floor of permitted nonresidential uses	P	P	P	
Home Occupation	A	A	A	Section 122-669
Family Child Care Home	A	A	A	1-6 children, day care and 24 hour care Section 122-779
Adult foster care family homes	A	A	A	1-6 adults, day care and 24 hour care Section 122-773
Group Child Care Home	A	A	A	6-12 children, day care only Section 122-779
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES				
Parks	P	P	P	
Outdoor recreation	--	S	P	Section 122-802
Museums & libraries, less than 15,000 square feet	P	P	--	
Museums & libraries 15,000 square feet or more	S	S	--	
Primary & Secondary Schools (public & private)	S	S	--	Section 122-805
Post-secondary educational institutions (public & private)	S	S	--	Section 122-805
Religious institution	S	S	--	Section 122-780
Private assembly, banquet hall allowed	S	S	--	
Indoor recreation less than 15,000 square feet	--	P	P	
Indoor recreation 15,000 square feet or more	--	--	P	
Municipal, county, regional & state service uses	S	P	P	Section 122-795
Public Art	A	A	A	
SERVICES				
Business and professional offices less than 15,000 square feet	P	P	P	
Business and professional offices, 15,000 square feet or more	--	S	P	

P=Principal, A=Accessory, S=Special Land Use, -- = Not Permitted

Uses	HC	NC	GC	Notes & Other Regulations for Uses
Financial services, including banks, less than 15,000 square feet	P	P	P	Drive through or drive-up facilities require special land use
Financial services, including banks, 15,000 square feet or more	--	S	P	Drive through or drive-up facilities require special land use
Homeless Shelter	--	--	P	Section 122-785
Personal service establishments, less than 15,000 square feet	P	P	P	
Personal service establishments, 15,000 square feet or more	--	--	P	
Body art facilities	--	--	P	
Offices for skilled trade services including but not limited to plumbing, electric, heating, and painting establishments	--	S	P	Section 122-797
Printing services, including but not limited to: publishing, engraving, photo development, lithographing, silk screening and three-dimensional printing	--	S	S	Section 122-810
Bed & Breakfast or Inn	P	S	--	Section 122-778
Hotels & motels	--	--	P	
Child Care Centers	S	P	P	Section 122-779
Funeral homes	S	S	S	
Laundromats and dry cleaners, less than 15,000 square feet	--	P	P	No dry cleaning on premises
Laundromats and dry cleaners, 15,000 square feet or more	--	--	P	No dry cleaning on premises
Nursing Homes	S	--	S	Section 122-796
Medical or dental offices	P	P	P	No more than 4 practitioners
Medical or dental clinics	S	S	P	5 or more practitioners
Veterinary hospitals and clinics	--	S	S	Section 122-809
Kennels, commercial	--	--	S	Section 122-791
Substance abuse treatment facilities	--	--	S	Section 122-808
Catering services, less than 15,000 square feet	P	P	P	
Catering services, 15,000 square feet or more	--	--	P	
Self-storage	--	--	P	Section 122-806
COMMERCIAL				
Retail stores, less than 15,000 square feet	S	P	P	
Retail stores, greater than 15,000 square feet	--	--	P	
Resale stores	--	P	P	
Arts & crafts studios	P	P	P	
Food stores, excluding sale of alcohol, less than 15,000 square feet	S	P	P	
Food stores, with sale of alcohol, less	--	S	P	

P=Principal, A=Accessory, S=Special Land Use, -- = Not Permitted

Uses	HC	NC	GC	Notes & Other Regulations for Uses
than 15,000 square feet				
Food stores greater than 15,000 square feet with or without sale of alcohol	--	--	P	
Commercial Greenhouse			P	
Farmers' market and other organized markets	--	P	P	
Outdoor retail sales	--	S	S	Section 122-800
RESTAURANTS				
Carry-out and/or delivery restaurant	--	P	P	
Café or coffee shop	P	P	P	
Sit-down, with seating limit of 50 seats	P	P	P	
Sit-down, no seating limit	--	--	P	
Bar/Lounge	--	S	P	
Tasting room and accessory to microbrewer/ small distiller/ small wine maker	--	S	P	Carry-out sales allowed with proper licenses
Fast Food	--	S	P	Must be located on major thoroughfare; Drive through or drive-up facilities require special land use
Drive through restaurant of any type	--	--	S	Section 122-783
Outdoor cafes	A	A	A	Section 122-799
AUTO-ORIENTED				
Parking lot (as primary use)	--	--	S	Section 122-782
Parking Garage	--	--	S	Section 122-781
Automobile Sales	--	--	S	
Automobile Filling Station - no repair	--	S	S	Section 122-776
Automobile Filling Station with repair	--	--	S	Sections 122-775 and 122-776
Automobile Wash & Detailing	--	--	S	
Automobile Repair	--	--	S	Section 122-775
Automobile Share Parking	A	A	A	
Automobile rental or share organization (parking, storage, wash & repair)	--	--	S	
Vehicle, Recreational Vehicle, Storage and Towing	--	--	S	
RESEARCH				
Laboratories	--	--	S	
Research & Development	--	--	S	
PRODUCTION, MANUFACTURING & DISTRIBUTION				
Craft production, clothing production or food production, less than 16,000 square feet	--	P	P	

P=Principal, A=Accessory, S=Special Land Use, -- = Not Permitted

Uses	HC	NC	GC	Notes & Other Regulations for Uses
Craft production, clothing production or food production, 16,000 square feet or greater	--	--	S	
Microbrewer/ small distiller /small wine maker, less than 16,000 square feet	--	P	P	
Microbrewer/ small distiller /small wine maker, 16,000 square feet or greater	--	--	S	Carry-out sales allowed with proper licenses
Wholesale or distribution facility with total gross floor area of less than 16,000 square feet	S	S	P	
Wholesale or distribution facility with total gross floor area 16,000 square feet or greater	--	--	S	
Medical Marijuana Growing/Manufacturing Facility	--	--	S	
TEMPORARY USES				
Temporary permitted use in vacant storefront	--	P	P	Section 122-35 (8)
Food concession sales	--	P	P	Section 122-35 (7)
INFRASTRUCTURE				
Essential Services	P	P	P	Section 122-637
Communication Devices	A	A	A	Article XI, division 3
Alternative Energy	A	A	A	Section 122-788
Stormwater Control	A	A	A	Section 122-789
GARDENS/COMMUNITY GARDENS				
Passive solar structure (greenhouse, hoophouse, etc.)	A	A	A	Must meet accessory structure regulations for building type
Community gardens	--	A	A	Section 122-815
PERFORMANCE OR STRUCTURES REQUIRING SPECIAL LAND USE				
Operation between 2 a.m. and 6 a.m. during any 24-hour period	--	S	S	
Drive through facilities	--	S	S	Section 122-784
Ongoing outdoor retail sales or display	--	S	S	Section 122-800
Outdoor storage	--	S	S	Section 122-801

- (c) Centers
The following uses are allowed in C districts:

P=Principal, A=Accessory, S=Special Land Use

Uses	C	Notes & Other Regulations for Uses
RESIDENTIAL		
Multiple Family Dwellings	P	
Apartments located above ground floor of permitted nonresidential uses	P	
Home Occupation	A	Section 122-669
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES		
Museums & libraries	P	
Parks	P	
Public Art	A	
Indoor recreation	P	
Performance venues/theaters	P	
Municipal, county, regional & state service uses	P	Section 122-795
Post-secondary educational institutions (public & private)	P	Section 122-805
INFRASTRUCTURE		
Essential Services	P	Section 122-637
Communication Devices	A	Article XI, division 3
Alternative Energy	A	Section 122-788
Stormwater Control	A	Section 122-789
Public & Private Transportation Passenger Terminals	S	Section 122-786
SERVICES		
Business and professional offices and services	P	
Financial services, including banks	P	No drive through or drive-up facilities are permitted in C
Personal service establishments	P	
Body Art Facilities	P	
Printing services, including but not limited to: publishing, engraving, photo development, lithographing, silk screening and three-dimensional printing	S	
Hotels & motels	P	
Child Care Centers	P	Section 122-779
Laundromats and dry cleaners	P	No dry cleaning on premises

P=Principal, A=Accessory, S=Special Land Use

Uses	C	Notes & Other Regulations for Uses
Medical or dental offices	P	No more than 4 practitioners
Medical or dental clinics	P	5 or more practitioners
Medical Marijuana Dispensary	P	Section 122-813
Catering services	A	
Self-storage	S	Section 122-806
COMMERCIAL		
Retail stores	P	
Resale stores	P	
Arts & crafts studios	P	
Food stores, excluding sale of alcohol	P	
Food stores less than 15,000 square feet, with sale of alcohol	S	
Food stores greater than 15,000 square feet with sale of alcohol	P	
Farmers' market and other organized markets	P	
Auction houses	P	Section 122-812
RESTAURANTS		
Carry-out and/or delivery restaurant	P	
Café or coffee shop	P	
Sit-down	P	
Bar/Lounge	P	
Tasting room and/or restaurant	A	Carry-out sales allowed with proper licenses
Outdoor cafes	A	Section 122-799
Fast Food	P	No drive through or drive-up facilities are permitted in C
AUTO-ORIENTED		
Parking lot (as principal use)	S	Section 122-782
Parking Garage	S	Section 122-781
Automobile Share Parking	A	
PRODUCTION, MANUFACTURING & DISTRIBUTION		
Microbrewer/ small distiller /small wine maker	P	Carry-out sales allowed with proper licenses
TEMPORARY USES		
Temporary permitted use in vacant storefront	P	Section 122-35 (8)
Food concession sales	P	Section 122-35 (7)
PERFORMANCE OR STRUCTURES REQUIRING SPECIAL LAND USE		
Operation between 2 a.m. and 6 a.m. during any 24-	P	

P=Principal, A=Accessory, S=Special Land Use

Uses	C	Notes & Other Regulations for Uses
hour period		
Sale of alcoholic beverages for consumption off the premises	S	

- (d) Health and Human Services
The following uses are allowed in the HHS district:

P=Principal, A=Accessory, S=Special Land Use

Uses	HHS	Notes & Other Regulations for Uses
RESIDENTIAL		
Two-family dwelling	P	
Multiple Family Dwellings, maximum of 6 units per building	P	
Multiple Family Dwellings, more than 6 units per building	S	Section 122-794
Apartments located above ground floor of permitted nonresidential uses	P	
Home Occupation	A	Section 122-669
Group living with support staff, not licensed by State of Michigan	P	Includes supportive housing (see Section 122-811), rehabilitation housing or dormitories.
Family Child Care Home*	A	1-6 children, day care and 24 hour care Section 122-779
Adult foster care family homes*	A	1-6 adults, day care and 24 hour care, excludes facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional facilities. Section 122-773
Group Child Care Home*	A	6-12 children, day care only Section 122-779
GROUP LIVING		
Group residence, maximum of 6 residents	P	Responsible party for management must be on file with the City. Section 122-804
Group residence with 7 or more residents	S	Responsible party for management must be on file with the City. Section 122-804
Roominghouse	S	Section 122-804
Adult foster care small & group homes, adult congregate facilities	P	7 or more adults, licensed by State of Michigan Section 122-773
Adult foster care facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional facilities.	S	
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES		
Parks	P	
Public Art	A	
Indoor recreation	P	

P=Principal, A=Accessory, S=Special Land Use

Uses	HHS	Notes & Other Regulations for Uses
Municipal, county, regional & state service uses	P	Section 122-795
Post-secondary educational institutions (public & private)	S	Section 122-805
Outdoor recreation	A	Section 122-802
INFRASTRUCTURE		
Essential Services	P	Section 122-637
Communication Devices	A	Article XI, division 3
Alternative Energy	A	Section 122-788
Stormwater Control	A	Section 122-789
SERVICES		
Business and professional offices and services	P	
Financial services, including banks	P	Drive through or drive-up facilities require special land use
Adult drop-in center	P	Section 122-793
Homeless Shelter	P	Section 122-785
Personal service establishments	P	
Child Care Centers	P	Section 122-779
Funeral homes	S	
Nursing Homes	P	Section 122-796
Medical or dental offices	P	No more than 4 practitioners
Medical or dental clinics	P	5 or more practitioners
Hospitals	P	
Substance abuse treatment facilities	S	Section 122-808
Catering services	P	
COMMERCIAL		
Retail stores less than 15,000 square feet	P	
Food stores, excluding sale of alcohol	P	
Farmers' market and other organized markets	P	
RESTAURANTS		
Carry-out and/or delivery restaurant	P	
Café or coffee shop	P	
Cafeteria	A	
AUTO-ORIENTED		
Parking Garage	S	Section 122-781
Automobile Share Parking	A	
RESEARCH		
Laboratories	P	
TEMPORARY USES		
Food concession sales	P	Section 122-35 (7)
URBAN AGRICULTURE		

P=Principal, A=Accessory, S=Special Land Use

Uses	HHS	Notes & Other Regulations for Uses
Community gardens	A	Exempt from area regulations in 122-274, subject to 122-815
Toolhouses, sheds and other similar buildings for the storage of domestic supplies	A	Must meet accessory structure regulations for building type
Passive solar structure (greenhouse, hoophouse, etc.)	A	Must meet accessory structure regulations for building type
PERFORMANCE OR STRUCTURES REQUIRING SPECIAL LAND USE		
Operation between 2 a.m. and 6 a.m. during any 24-hour period	S	

Sec. 122-273. Circulation Standards.

Circulation Standards will apply to redevelopment and new development of parcels within the walkable urban districts.

(a) General

1. Streets are intended for use by vehicular and pedestrian traffic and to provide access to lots and open spaces.
2. Streets must generally consist of vehicular lanes and public frontages.
3. Streets must be designed in context with the urban form and desired design speed of the districts through which they pass. The public frontages of streets that pass from one district to another must be adjusted accordingly or, alternatively, the district may follow the alignment of the street to the depth of one lot, retaining a single public frontage throughout its trajectory.
4. Within all the CN, CN-SF, CN-Mid, C, HC, NC, GC, HHS Districts, pedestrian comfort must be a primary consideration of the street. Design conflict between vehicular and pedestrian movement generally must be decided in favor of the pedestrian.
5. The street network must be designed to define blocks as established by district. The perimeter must be measured as the sum of lot frontage lines. Block perimeter at the edge of the development parcel must be subject to approval by the Planning Commission.
6. All streets must terminate at other streets, forming a network. Internal streets must connect wherever possible to those on adjacent sites. Cul-de-sacs must be subject to approval by the Planning Commission to accommodate specific site conditions only.
7. Each lot must front a street, pedestrian passage, and/or civic space, such as a park. An entrance to the building with required frontage must face the street or, if a street is not present, the planning commission may approve an entrance on the pedestrian passage or civic space.
8. All circulation and block plans must include the easements for non-motorized pathways in the City of Ypsilanti's Non-Motorized Plan, the ReImagine Washtenaw Corridor Improvement Study and any planned road easement expansions approved by city council.

(b) *Circulation plan required with site plan for proposal less than 3 acres.* For proposed development that is less than three acres in size, a circulation plan must be submitted which identifies potential cross-and joint-access to adjacent parcels, the existing Block Layout. The Block must be defined as lots and/or all contiguous lots must be considered to be part of a block for this purpose. Pedestrian accommodations and alternative transportation modes must be reflected in the submitted circulation plan. The streetside zone parameters, as outlined Article XI, Division 4 of this Ordinance will also be required to be applied to existing streets. The measurement of the streetside zone, must be from the edge of curb.

(c) *Block plan required with site plan for proposal greater than 3 acres.* When a proposed development is three acres or greater, a block plan must be required as part of the proposed development which requires the proposed development to construct a block assembly as part of the development as outlined in sub-section d of this Section: Circulation standards for new streets. An applicant must submit the block length, block perimeter and the street type that will be constructed for the development. Streets must be designed to allow for adjacent parcels to connect to existing streets.

(d) *Circulation standards.*

1. Streets are intended for use by vehicular and pedestrian traffic and to provide access to lots and open spaces.
2. Circulation standards must generally consist of vehicular lanes, parking, bicycle lanes, landscape, sidewalks, and outdoor seating.
3. Streets must be designed in context with the urban form and desired design speed of the districts through which they pass. Circulation that pass from one districts to another must be adjusted accordingly or, alternatively, the district may follow the alignment of the street to the depth of one lot, retaining a single public frontage throughout its trajectory.
4. Within all the CN, CN-SF, CN-Mid, C, HC, NC, GC, HHS districts, pedestrian comfort must be a primary consideration of the street. Design conflict between vehicular and pedestrian movement generally must be decided in favor of the pedestrian.
5. *Block Perimeter and Block Size.* The street network must be designed around a series of blocks. In order to create a system of land subdivision and development which links one area to another, land should be organized by development blocks to the maximum extent feasible given the topography and physical characteristics of each individual site. A block perimeter must be measured as the sum of lot frontages. Each district is regulated by a varying block size and perimeter:
 - a. Centers and Core Neighborhoods (C, CN, CN-SF, CN-Mid): Block perimeter must not exceed a total length of 1600 feet and the maximum block length must generally be 400 feet.
 - b. Corridors and Health and Human Services (HC, NC, GC, HHS): Block perimeter must not exceed a total length of 2,000 feet and the maximum block length must generally be 500 feet.
6. All Streets must terminate at other streets, in order to form a network. Internal streets must connect wherever possible to those on adjacent sites. Cul-de-sacs must be subject to approval by the Planning Commission to accommodate specific site conditions only.
7. Each lot must front a street, pedestrian passage, or civic space.
8. A continuous network of rear and side alleys or lanes, must serve as the primary means of vehicular ingress to individual lots, when possible within Center Districts. Alley or lane entrances should generally align so as to provide ease of ingress for service vehicles.

(e) *Vehicular access for infill and new development*

1. *New development and redevelopment for joint use driveways and cross access easements.* A system of joint use driveways and cross access easements must be established wherever feasible and the building site must incorporate the following:
 - a. A continuous service drive or cross access extending the entire length of each parcel served to provide for driveway separation consistent with access management classification system and standards.
 - b. Stub-outs and other design features to make it visually obvious that the butting properties may be tied in to provide cross access via a service drive;
 - c. A unified access and circulation system plan that includes coordinated or shared parking areas is encouraged wherever feasible.

(f) *Access for outparcels and phased development plans*

1. In the interest of promoting unified access and circulation systems, development sites under the same ownership or consolidated for the purposes of development and comprised of more than one building site must not be considered separate properties in relation to the access standards of this code. The number of connections permitted must be the minimum number necessary to provide reasonable access to these properties, not the maximum permitted for that frontage. All necessary easements, agreements, and stipulations required under joint use driveways and cross access easements must be met. This must also apply to phased development plans.
2. All access to outparcels must be internalized using the shared circulation system of the principal development. Access to outparcels must be designed to avoid excessive movement across parking aisles and queuing across surrounding parking and driving aisles.

Sec. 122-274. Building Types.

Building types are permitted by Core Neighborhoods, Centers, Corridors and Health and Human Services District(s) as identified in Sec. 122-271 when any new and/or redevelopment occurs on any parcel within these Districts. The building typologies are consistent with the size, scale and character desired within each Neighborhoods, Centers, Corridors and Health and Human Services District.

- (a) *Building Types by Neighborhoods, Centers, Corridors and Health and Human Services District.* The following building types are allowed in Neighborhoods, Centers, Corridors and Health and Human Services districts as shown in the table below. “P” stands for permitted building types, “L” stands for building types allowed in special locations shown on the zoning map.

Building Type		CN	CN-Mid	CN-SF	C	HHS	HC	NC	GC
MA	Mansion	L	L	L	--	--	L	--	--
ES	Estate	P	P	P	--	--	P	P	--
HS	House	P	P	P	--	P	P	P	--
CO	Cottage	P	P	P	--	--	--	--	--
TH	Townhouse	P	P	--	L	--	--	P	--
AH	Apartment House	P	P	--	P	P	P	P	--
CA	Courtyard Apartment	P	--	--	L	--	P	P	P
AB	Apartment Building	P	--	--	L	--	L	P	P
CS	Commercial/Mixed-Use Small	L	--	--	P	--	P	P	P
CM	Commercial/Mixed Use Medium	--	--	--	P	--	P	P	P
CL	Commercial/Mixed Use Large	--	--	--	P	P	--	--	P
SC	Single Story Commercial Building	L	L	L	--	--	L	P	P
LS	Large Single Story Commercial Building	--	--	--	--	P	--	--	P
MB	Multiple Story	--	--	--	P	P	--	--	P
IT	Institutional	P	P	P	P	P	P	P	P

- (b) *New Construction of Limited Building Types requires Site Plan Approval by Planning Commission.* All new construction of limited building types must be subject to site plan review with approval by the Planning Commission per Section 122-123.
- (c) *Categories for Building Types.* The following categories are included in the table provided for each building type. Each standard is labeled by a letter (A, example) which directly relates to the table provided on each building type. The categories are described as follows:
1. *Lot requirements.* Provisions for minimum and maximums; lot depth, lot size and the permitted lot coverage.
 2. *Building envelope.* Provisions for the minimum and maximum setbacks permitted by front, side, and rear yards. There are minimum and maximum setback for each lot type. The maximum and minimum frontage refers to the proportion of the lot width along which the primary building façade must be within the minimum and maximum front setback.
 3. *Accessory Structure Envelope.* Provides the setbacks and maximum building footprints permitted for accessory structures.

1. **Building height:** Provisions for permitted heights in stories. The minimum height for all first floors is twelve (12) feet. The maximum height for first floor residential development must be fourteen (14) feet and twenty (20) feet for nonresidential. Institutional building types may receive a waiver from the planning commission (see IT institutional building type and Section 122-780). The minimum height for second story and higher is ten (10) feet. The maximum height for second story and higher must not exceed twelve (12) feet. Each building lot typology provides the range of height appropriate for the building type. Height must be measured from finished floor.
2. **Parking provisions:** The amount of parking must be determined by Article XIII of this Chapter. Parking provisions provide zones where parking is permitted. The parking zone refers to any uncovered parking area located on the parcel. Driveways are permitted in any zone provided the frontage requirements have been met as required by provided the frontage requirements have been met as required by building type. The diagram illustrates a Primary and Secondary street.

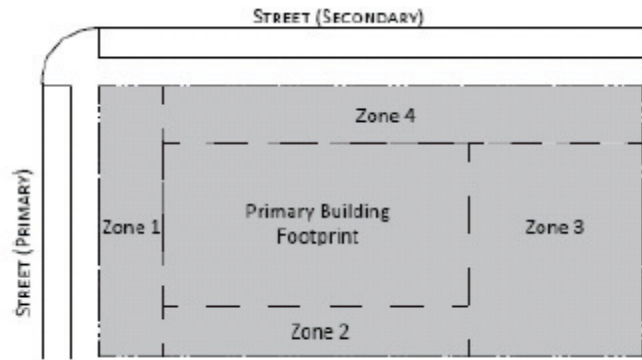
Primary streets are streets that are addressed to the parcel of land. Secondary streets may or may not have access to the parcel. Zones are defined and illustrated by the lot area between the principal building frontage and:

Zone 1: the right-of-way of any primary street.

Zone 2: any common interior lot line.

Zone 3: any rear lot line.

Zone 4: the right-of-way of any secondary street.



3. **Private frontages,** refers to the area that is attached or integrated into the primary building. The building types are either required or preferred. If there are multiple frontages provided in the table, the applicant may choose what private frontage to provide per building. The private frontage area may count towards the calculation of the frontage build out requirement under the “Building Envelope” category.
- (d) **Building Type Parameters.** The **diagrams and text that follow** provide the building parameters by building type. Building types must be consistently applied by District and not permitted a variance or waiver to increase in lot size.

1. **Lot Size determines Building Types.** The size of the lot determines what type of building may be placed on a lot. For instance, a cottage or a house building type may be constructed on 5,000 square foot lot, since all of the those building types fit within the allowed lot size for those building types, but an estate building type is not allowed. **Maximum lot depth and width do not determine building types, but all building types must meet the minimum lot width, depth and size.**
2. **Infill and Redevelopment.** Additions, renovations and new buildings on existing built parcels, will require the assembly of building types. The building types are outlined by lot size and will not necessarily need to be replatted or divided to meet the standards. For instance, an addition to an existing building that meets the setbacks in the following table but is on a lot larger than the maximum size does not need to adjust lot lines.
3. **Lot Requirements For New And Infill Development.** Lot requirements for parcels that may fit more than one building type or several buildings of the same type are permitted. There is no requirement to plat or divide land to create lots on the existing parcel site. However, the building type’s lot requirements as outlined in the table below must be met. For example, a multiple-story building and a commercial mixed use building can be built on the same parcel, without any changes to the lot line locations or a lot split, as long as the other lot requirements for the district can be met. In terms of buildings of a single type, two rows of rental townhouses can be built on a single parcel, without changes or splits of the lot, as long as the width of each unit met the lot requirements and the distance between the two buildings met the side or rear yard setback for both buildings, whichever is applicable.

In the event an existing building exceeds the lot requirements, the Planning Director must determine if a waiver can be granted or require a review by the Planning Commission. A waiver can be issued if the existing and or proposed additions do not exceed the District’s block area and perimeter defined in subsection 122-273(d)5.

4. If the proposed additions to an existing building exceed the block requirements, the applicant may be subject to review by the Planning Commission.
5. *Exceptions to Setbacks.* The following exceptions apply to setbacks for all building types:
 - (a) *Historic Structure Front and Rear Yard.* With planning commission approval, a structure, if deemed historic by the Ypsilanti Historic District Commission, may encroach up to within five feet within a required front or rear yard or within three feet within a side yard in order to allow the re-use of an existing historic structure or to enhance the authenticity of an historic site; provided that no part of any structure is located on or over any adjacent property.
 - (b) *Accessory Structure Adjacent to Alley or Railroad.* Any setback for an accessory structure adjacent to an alley or railroad right-of-way is one foot.
6. *Double Frontage Lots.* In the case of a row of double frontage lots, one street must be designated as the front street for all lots in the row, with rear setbacks applying to the yards fronting the other street. If there are existing buildings in the same block fronting on one or both of the streets, the required minimum front yard setback must be observed on the street where buildings presently front.

MA

MANSION

Very large buildings originally built as residences, they are located on very large lots that distinguish the building from others nearby with expansive yards. They generally have a single primary entrance. This building type is only permitted by the Planning Commission.

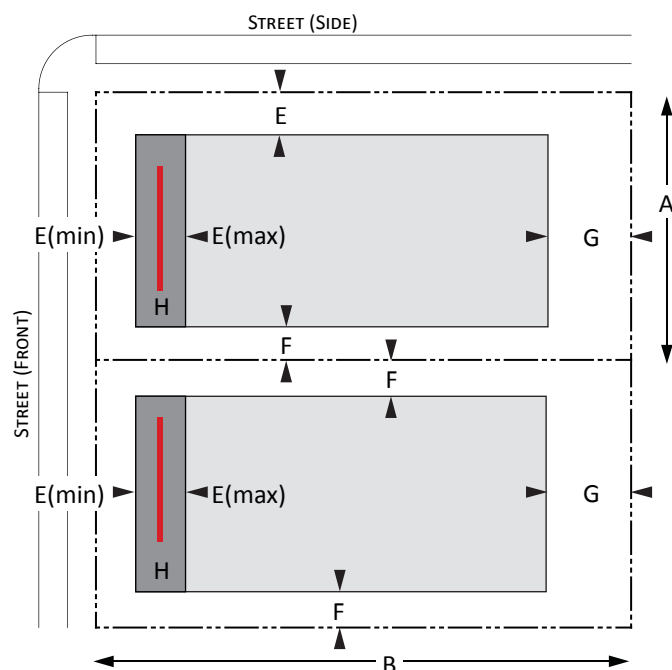
LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	120	--
B - Lot Depth (ft)	120	--
C - Lot Size (sf)	14,440	--
D - Lot Coverage (%)	--	30
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	30 ⁽¹⁾	--
F - Side Setback (ft)	25	--
G - Rear Setback (ft)	40	--
H - Frontage Buildout (%)	--	--
ACCESSORY BUILDING ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	--
J - Side Setback (ft)	5	--
K - Rear Setback (ft)	5	--
L - Building Footprint (sf)	--	1200
Note: There is a maximum of two accessory buildings.		
BUILDING HEIGHT	MIN	MAX
M - Principal Building (st)	1	3
N - Accessory Structure(s) (ft)	--	15
PARKING PROVISIONS		
Location	Front, Side, street-side yard, and rear yards	

⁽¹⁾ The street setback will be determined by the average of the front yards of existing buildings on the same street side and block in which the new building is being proposed.

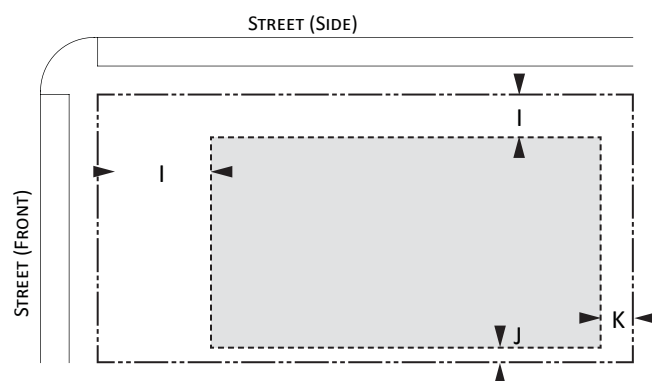


EXAMPLE

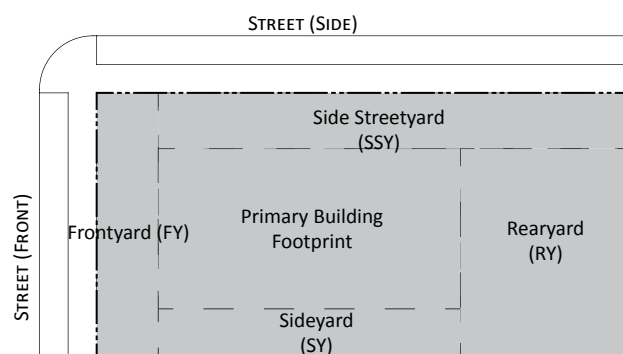
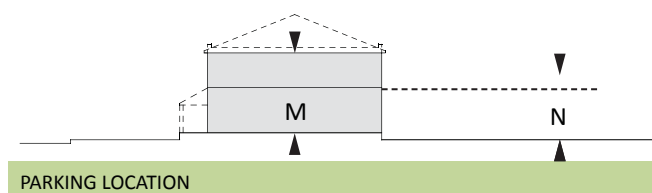
LOT REQUIREMENTS AND BUILDING ENVELOPE



ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



Large buildings, built as residences, they are located on large lots that accommodate large yards. They generally have distinguishing architectural features and one primary entrance.

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	80	120
B - Lot Depth (ft)	120	--
C - Lot Size (sf)	9,600	21,780
D - Lot Coverage (%)	--	30
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	20 ⁽¹⁾	--
F - Side Setback (ft)	10	--
G - Rear Setback (ft)	25	--
H - Frontage Buildout (%)	--	80
ACCESSORY BUILDING ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	--
J - Side Setback (ft)	5	--
K - Rear Setback (ft)	5	--
L - Building Footprint (sf)	--	950
Note: There is a maximum of two accessory buildings.		
BUILDING HEIGHT	MIN	MAX
M - Principal Building (st)	1	3
N - Accessory Structure(s) (ft)	--	15
PARKING PROVISIONS		

Location Side, street-side yard, and rear yards

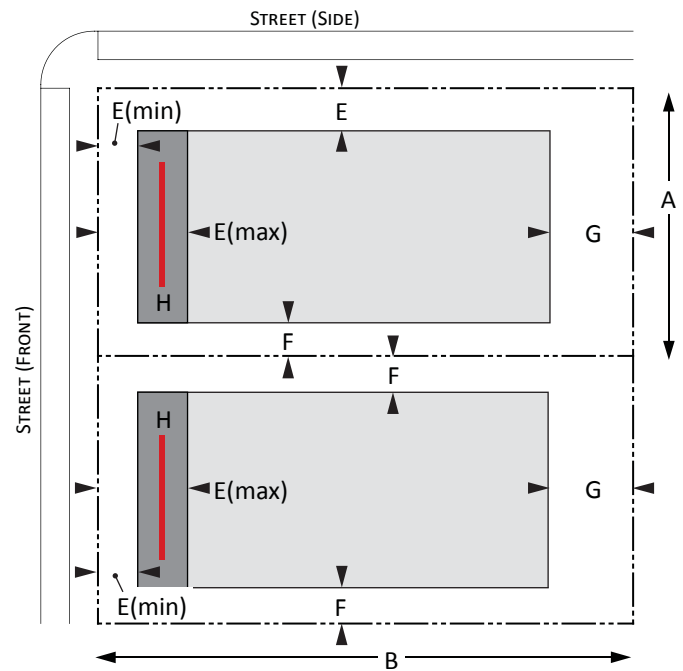
PRIVATE FRONTAGES Required:

⁽¹⁾ The street setback will be determined by the average of the front yards of existing buildings on the same street side and block in which the new building is being proposed in residential districts only.

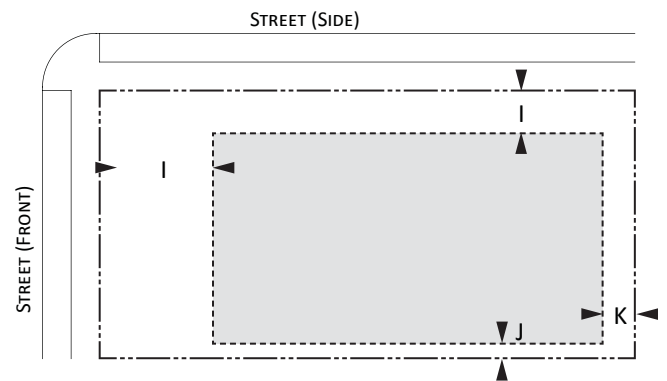


EXAMPLE

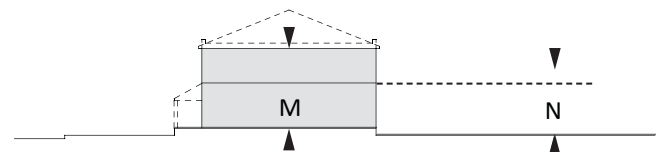
LOT REQUIREMENTS AND BUILDING ENVELOPE



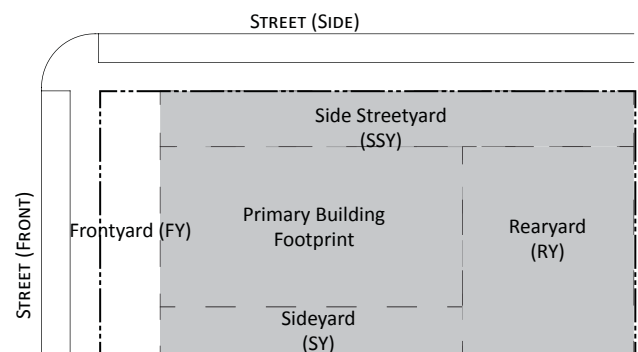
ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



PARKING LOCATION



Detached residential buildings built for a single dwelling unit. They are located on lots that accommodate a detached primary building with small side yards and relatively large rear or front yards. They generally have one primary entrance.

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	35	80
B - Lot Depth (ft)	100	--
C - Lot Size (sf)	4,000	12,000
D - Lot Coverage (%)	--	60
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	15 ⁽¹⁾	25
F - Side Setback (ft)	5	--
G - Rear Setback (ft)	20	--
H - Frontage Buildout (%)	60	80
ACCESSORY BUILDING ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	--
J - Side Setback (ft)	5	--
K - Rear Setback (ft)	5	--
L - Building Footprint (sf)	--	800
Note: There is a maximum of two accessory buildings		
BUILDING HEIGHT	MIN	MAX
M - Principal Building (st)	1	3
N - Accessory Structure(s) (ft)	--	15
PARKING PROVISIONS		
Location	Side, street-side yard, and rear yards	
PRIVATE FRONTAGES	Required:	

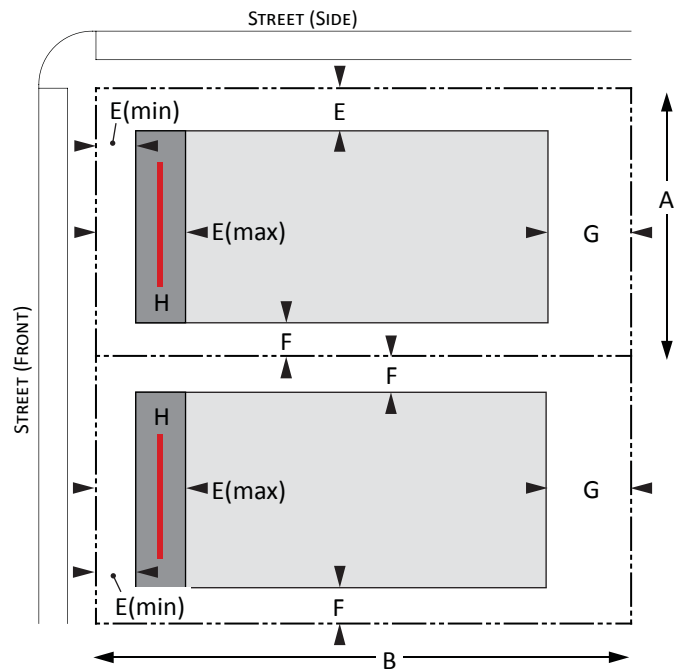
Porch or Stoop

⁽¹⁾ The street setback will be determined by the average of the front yards of existing buildings on same street side and block in which the new building is being proposed in residential districts only.

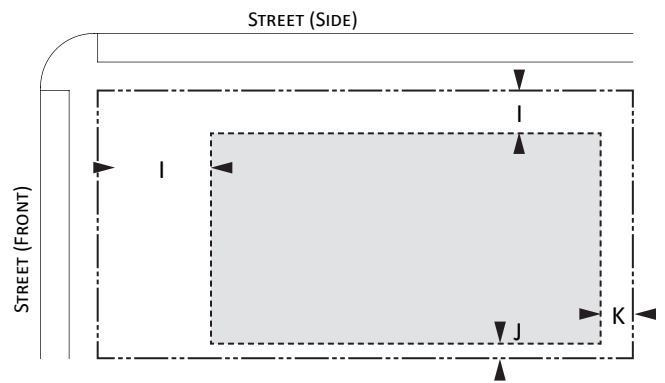


EXAMPLE

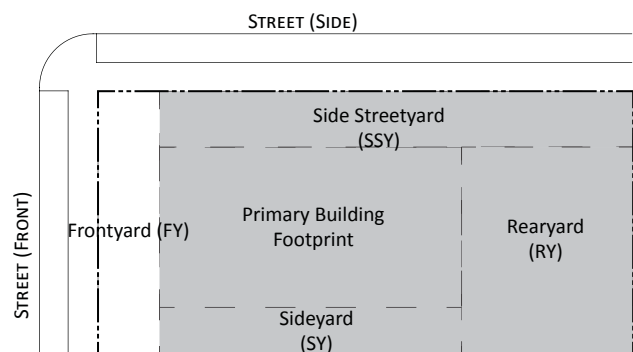
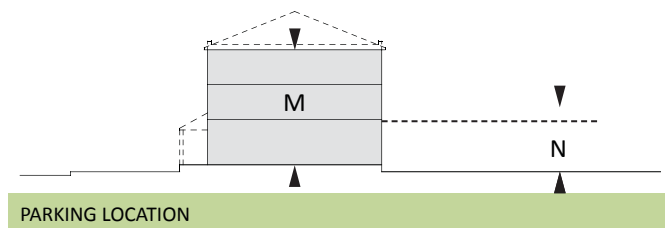
LOT REQUIREMENTS AND BUILDING ENVELOPE



ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



Small residential buildings, sized for a single dwelling. They are located on lots that accommodate a detached primary building with small yards. They are generally a single-story building or bungalow with a single primary entrance.

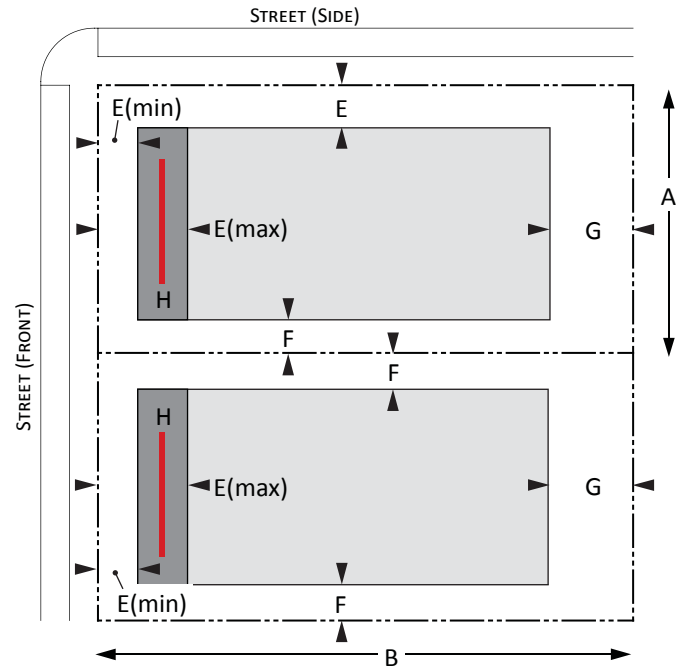
LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	25	35
B - Lot Depth (ft)	50	150
C - Lot Size (sf)	2,500	6,300
D - Lot Coverage (%)	--	70
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	10 ⁽¹⁾	20
F - Side Setback (ft)	3	--
G - Rear Setback (ft)	10	--
H - Frontage Buildout (%)	70	90
ACCESSORY BUILDING ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	--
J - Side Setback (ft)	3	--
K - Rear Setback (ft)	5	--
L - Building Footprint (sf)	--	500
Note: There is a maximum of two accessory buildings		
BUILDING HEIGHT	MIN	MAX
M - Principal Building (st)	1	2
N - Accessory Structure(s) (ft)	--	15
PARKING PROVISIONS	Location	
	Side, street-side yard, and rear yards	
PRIVATE FRONTAGES	Required:	

⁽¹⁾ The street setback will be determined by the average of the front yards of existing buildings on the same street side and block in which the new building is being proposed in residential districts only.

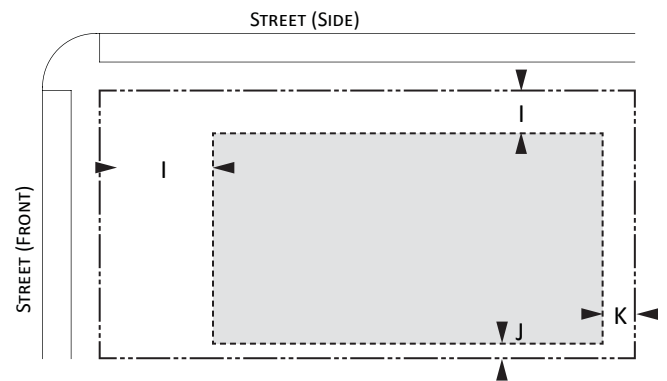


EXAMPLE

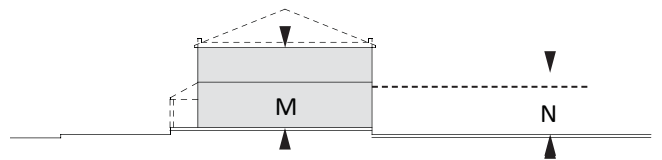
LOT REQUIREMENTS AND BUILDING ENVELOPE



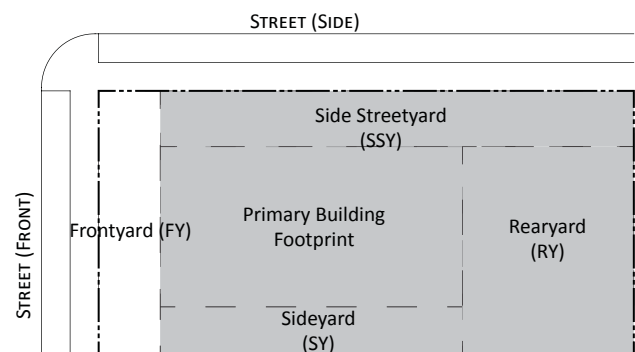
ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



PARKING LOCATION



A row of attached residential buildings. They are located on lots which accommodate a building of two or more units with party walls and a private back yard. Each dwelling has its own entrance to the street.

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	15	25 (2)
B - Lot Depth (ft)	80	120
C - Lot Size (sf)	1,200	3,000
D - Lot Coverage (%)	--	60
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	10 ⁽¹⁾	20 ⁽¹⁾
F - Side Setback (ft)	0 ⁽²⁾	--
G - Rear Setback (ft)	15	--
H - Frontage Buildout (%)	90	100
Note: A maximum of 6 units may be provided in a row		
ACCESSORY BUILDING ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	--
J - Side Setback (ft)	3	--
K - Rear Setback (ft)	5	--
L - Building Footprint (sf)	--	800
Note: There is a maximum of two accessory buildings.		
BUILDING HEIGHT	MIN	MAX
M - Principal Building (st)	1	3
N - Accessory Structure(s) (ft)	--	15
PARKING PROVISIONS		
Location	Rear Yard	
PRIVATE FRONTAGES	Required:	
	Porch or Stoop	

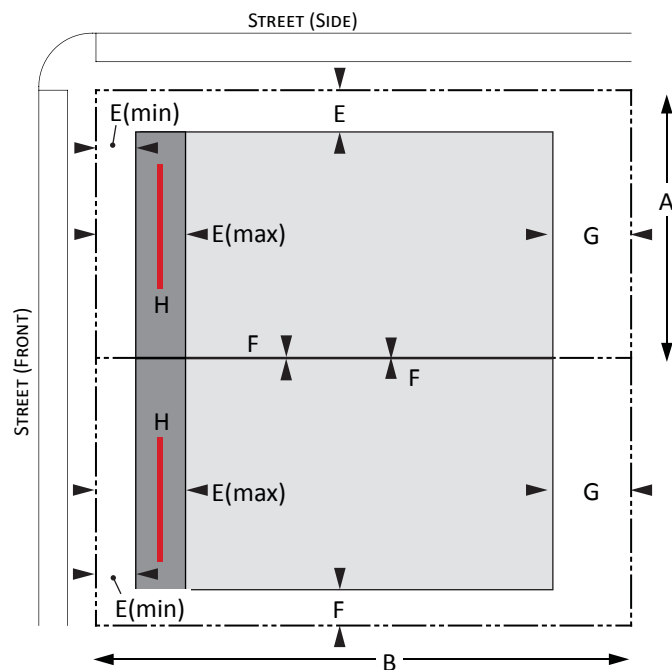
⁽¹⁾ If located on Washtenaw Avenue must build no more than 10 ft from future right-of-way line

⁽²⁾ End unit lot may be up to 10' larger.

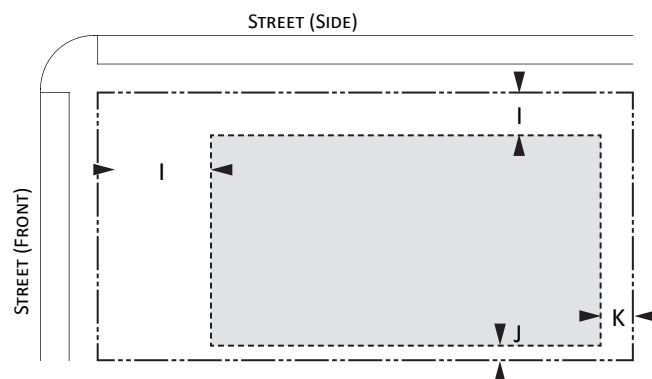


EXAMPLE

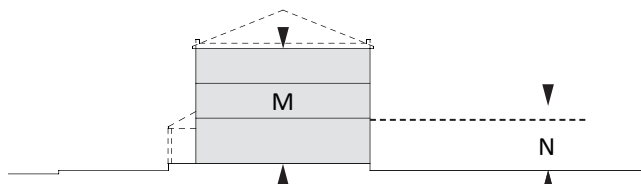
LOT REQUIREMENTS AND BUILDING ENVELOPE



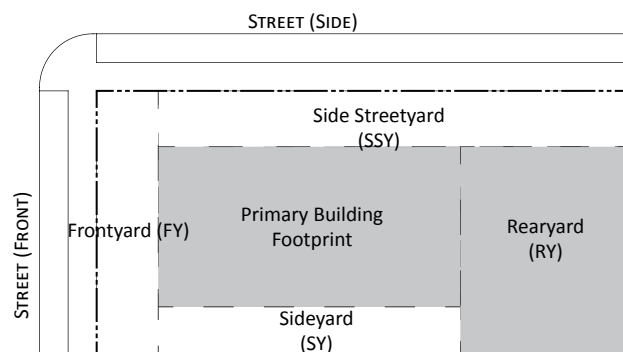
ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



PARKING LOCATION



Detached residential buildings converted to contain two or more dwelling units. They are located on lots that accommodate the associated parking and outdoor living areas for several dwellings. Each may have its own entrance.

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	40	120
B - Lot Depth (ft)	100	150
C - Lot Size (sf)	4,000	18,000
D - Lot Coverage (%)	--	50
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	15 ⁽¹⁾⁽²⁾	25
F - Side Setback (ft)	5	--
G - Rear Setback (ft)	20	--
H - Frontage Buildout (%)	60	80
ACCESSORY BUILDING ENVELOPE	MIN	MAX
I - Street Setback (ft)	30 (1)	--
J - Side Setback (ft)	5	--
K - Rear Setback (ft)	5	--
L - Building Footprint (sf)	--	800
Note: There is a maximum of two accessory buildings.		
BUILDING HEIGHT	MIN	MAX
M - Principal Building (st)	1	3
N - Accessory Structure(s) (ft)	--	15
PARKING PROVISIONS	Location Side, street-side yard, and rear yards	
PRIVATE FRONTAGES	Required:	
	Porch or Stoop	

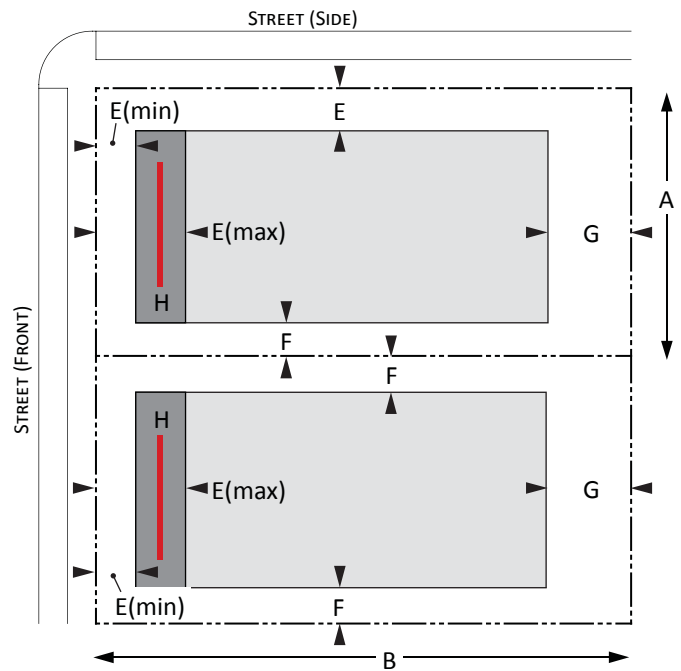
⁽¹⁾ If located on Washtenaw Avenue must build no more than 10ft from future right-of-way line

⁽²⁾ The street setback will be determined by the average of the front yards of existing buildings on the same street side and block in which the new building is being proposed in residential districts only.

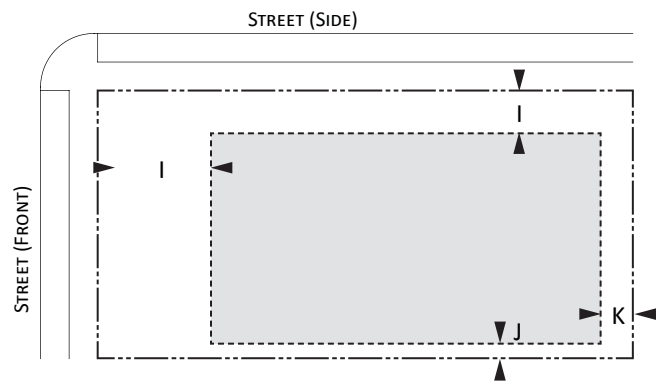


EXAMPLE

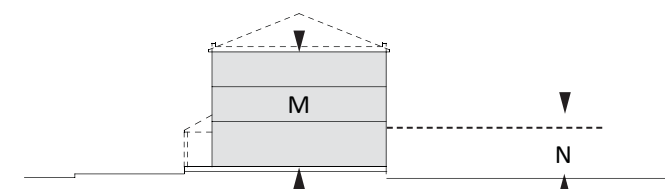
LOT REQUIREMENTS AND BUILDING ENVELOPE



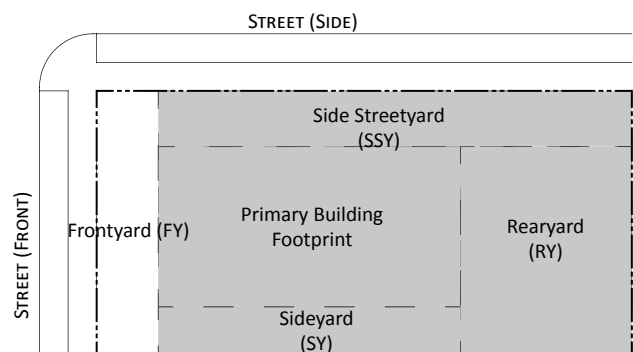
ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



PARKING LOCATION



A grouping of buildings, containing multiple dwellings each, arranged around and fronting on a central courtyard that may be partially or wholly open to the street. The lot also accommodates the associated parking and outdoor living areas. Each dwelling may have its own entrance.

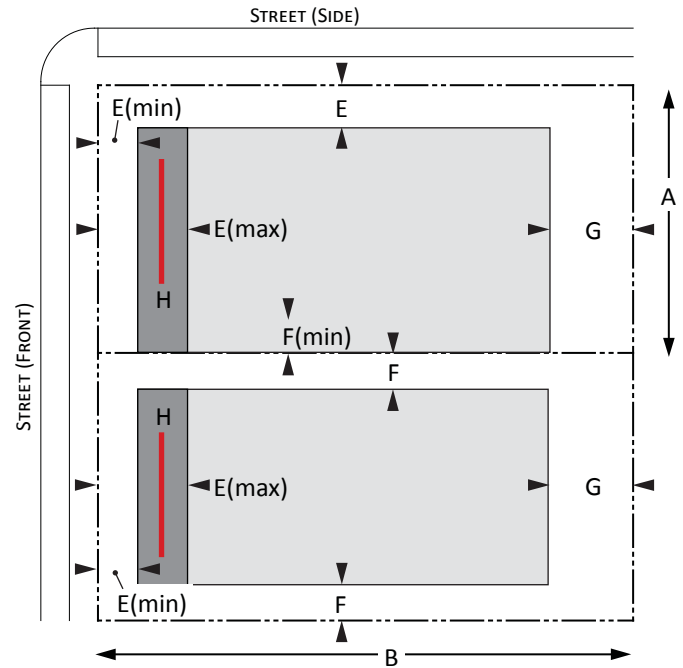
LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	80	200
B - Lot Depth (ft)	80	180
C - Lot Size (sf)	6,400	20,000
D - Lot Coverage (%)	--	80
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	10 ⁽¹⁾	20
F - Side Setback (ft)	0	10
G - Rear Setback (ft)	10	--
H - Frontage Buildout (%)	50	75
ACCESSORY BUILDING ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	
J - Side Setback (ft)	10	--
K - Rear Setback (ft)	10	--
L - Building Footprint (sf)	--	800
BUILDING HEIGHT	MIN	MAX
M - Principal Building (st)	2	4
N - Accessory Structure(s) (ft)	--	15
PARKING PROVISIONS		
Location	Side and Rear Yards	
PRIVATE FRONTAGES	Required:	
	Forecourt	

⁽¹⁾ If located on Washtenaw Avenue must build no more than 10ft from future right-of-way line

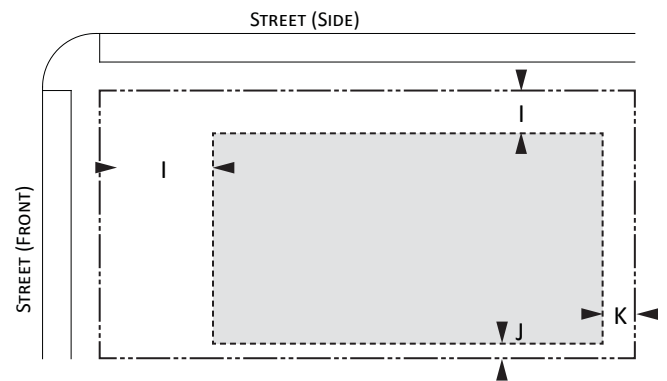


EXAMPLE

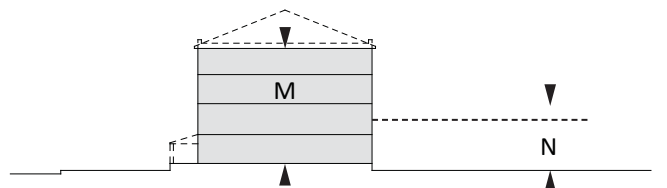
LOT REQUIREMENTS AND BUILDING ENVELOPE



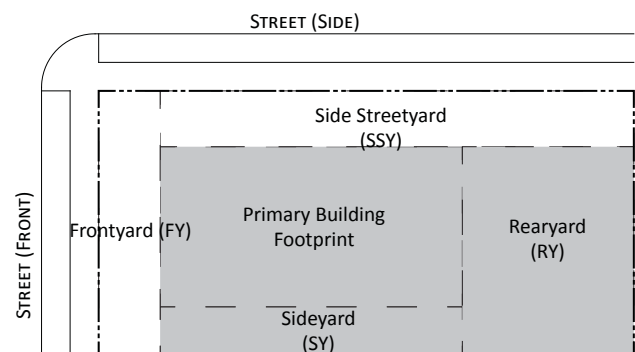
ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



PARKING LOCATION



AB

APARTMENT BUILDING

Multiple-story buildings, designed for multifamily residential use. They are located on lots that may be as large as a city block and can accommodate two or more dwellings as well as the associated parking, waste disposal, and outdoor living areas.

LOT REQUIREMENTS		MIN	MAX
A - Lot Width (ft)		40	300
B - Lot Depth (ft)		100	300
C - Lot Size (sf)		4,000	90,000
D - Lot Coverage (%)		--	80
BUILDING ENVELOPE		MIN	MAX
E - Street Setback (ft)		10 ⁽¹⁾	25 ⁽¹⁾
F - Side Setback (ft)		5	--
G - Rear Setback (ft)		15 ⁽²⁾	--
H - Frontage Buildout (%)		60	80
ACCESSORY BUILDING ENVELOPE		MIN	MAX
I - Street Setback (ft)		30	--
J - Side Setback (ft)		10	--
K - Rear Setback (ft)		10	--
L - Building Footprint (sf)		--	800
BUILDING HEIGHT		MIN	MAX
M - Principal Building (st)		2	6
N - Accessory Structure(s) (ft)		--	15
PARKING PROVISIONS			
Location	Side and Rear Yards		
PRIVATE FRONTAGES		Required:	
		Porch, Forecourt or Stoop	

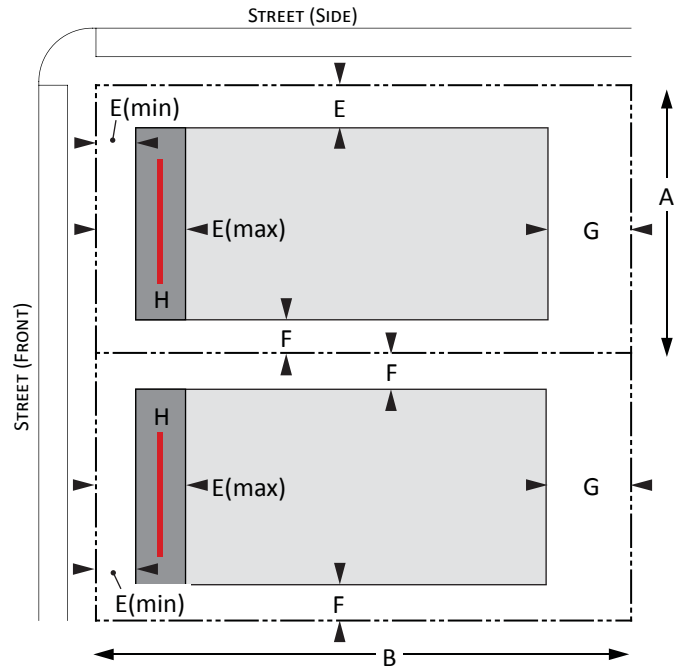
⁽¹⁾ If located on Washtenaw Avenue must build no more than 10ft from future right-of-way line

⁽²⁾ When adjacent to existing single family residential detached homes, the rear setback shall be 25'.

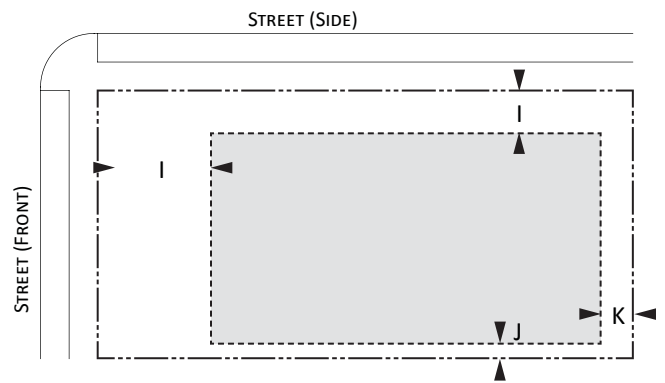


EXAMPLE

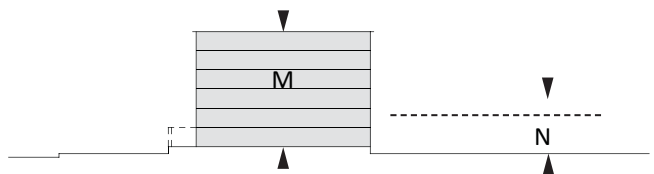
LOT REQUIREMENTS AND BUILDING ENVELOPE



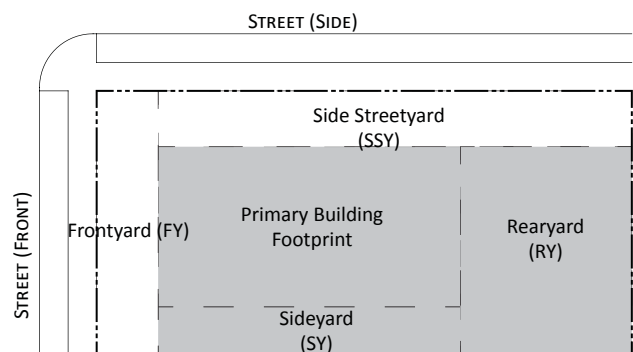
ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



PARKING LOCATION



Small multiple-story buildings, often designed for commercial or office uses on the ground floor and dwellings or offices above. They are located on lots that can accommodate a building that is less than 20% of a city block width.

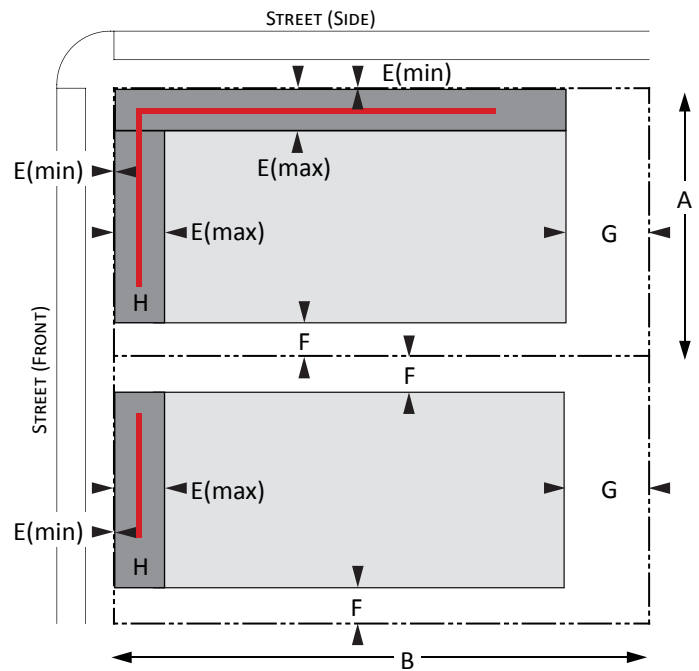
LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	15	60
B - Lot Depth (ft)	80	120
C - Lot Size (sf)	1,800	7,200
D - Lot Coverage (%)	--	90
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	0 ⁽¹⁾	15 ⁽¹⁾
F - Side Setback (ft)	0	--
G - Rear Setback (ft)	5	--
H - Frontage Buildout (%)	80	100
ACCESSORY BUILDING ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	
J - Side Setback (ft)	3	--
K - Rear Setback (ft)	10	--
L - Building Footprint (sf)	--	800
BUILDING HEIGHT	MIN	MAX
M - Principal Building (st)	2	4
N - Accessory Structure(s) (ft)	--	15
PARKING PROVISIONS		
Location	Side and Rear Yards	
PRIVATE FRONTAGES	Required:	
	Commercial	

⁽¹⁾ If located on Washtenaw Avenue must build no more than 10ft from future right-of-way line

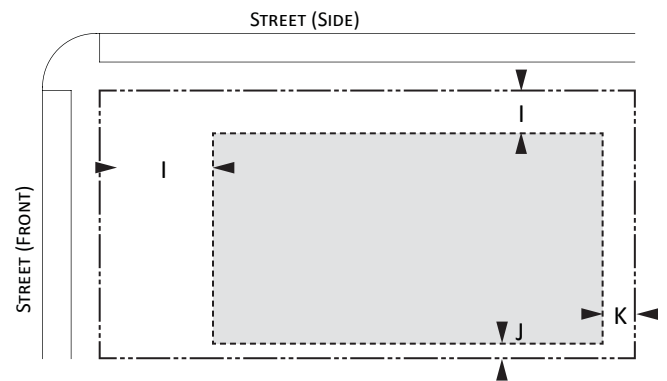


EXAMPLE

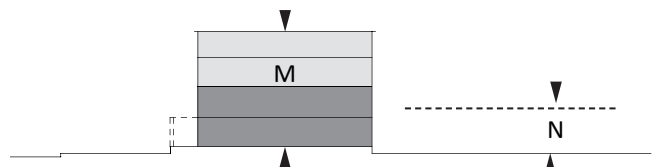
LOT REQUIREMENTS AND BUILDING ENVELOPE



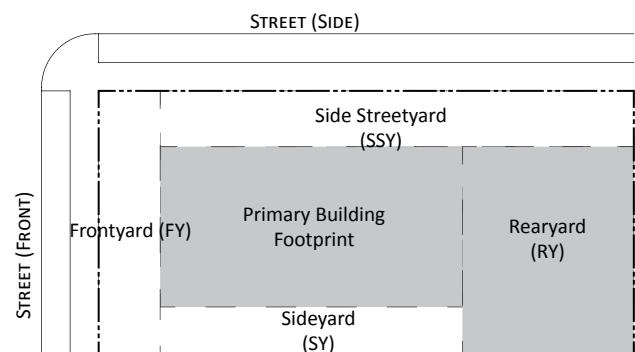
ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



PARKING LOCATION



Average-sized multiple-story buildings, often designed for commercial or office uses on the ground floor and dwellings or offices above. They are located on lots that can accommodate a building that spans 20-40% of a city block width.

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	60	120
B - Lot Depth (ft)	--	500
C - Lot Size (sf)	--	60,000
D - Lot Coverage (%)	--	90
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	0 ⁽¹⁾	15 ⁽¹⁾
F - Side Setback (ft)	0	--
G - Rear Setback (ft)	10 ⁽²⁾	--
H - Frontage Buildout (%)	90	100
ACCESSORY BUILDING ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	--
J - Side Setback (ft)	10	--
K - Rear Setback (ft)	10	--
L - Building Footprint (sf)	--	800
BUILDING HEIGHT	MIN	MAX
M - Principal Building (st)	2	5
N - Accessory Structure(s) (ft)	--	15
PARKING PROVISIONS		
Location	Side and Rear Yards	
PRIVATE FRONTAGES	Required:	
	Commercial	

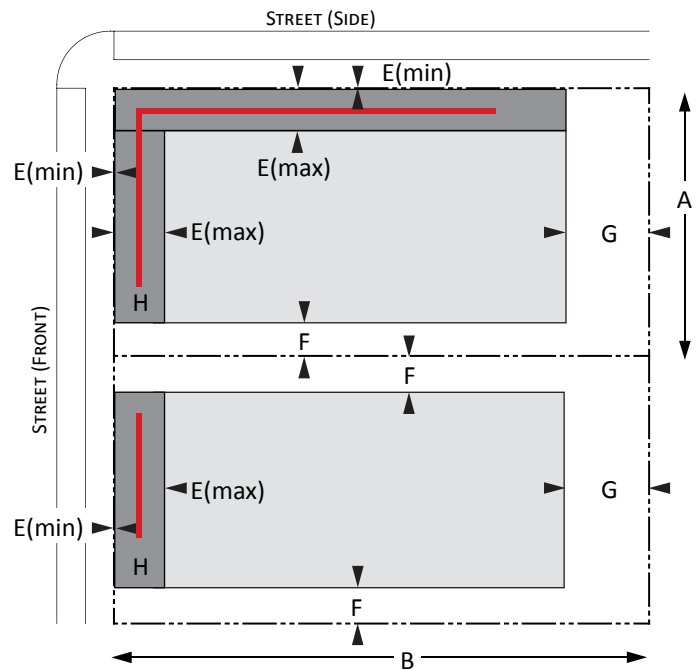
⁽¹⁾ If located on Washtenaw Avenue must build no more than 10ft from future right-of-way line

⁽²⁾ When adjacent to existing single family residential detached homes, the rear setback shall be 25'.

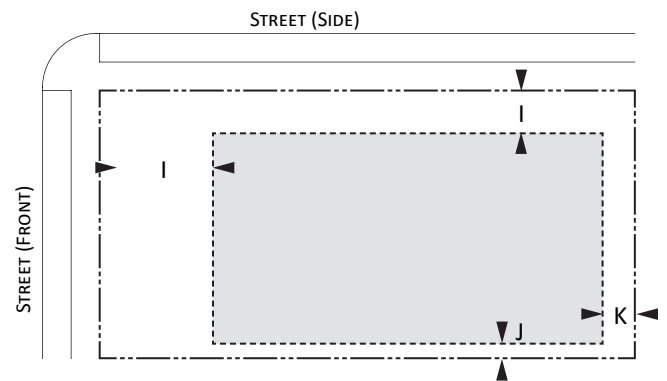


EXAMPLE

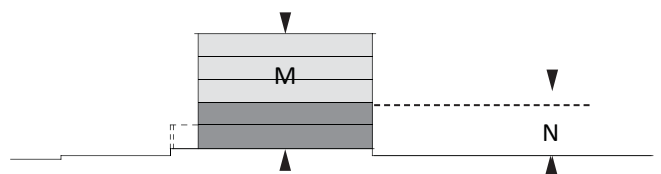
LOT REQUIREMENTS AND BUILDING ENVELOPE



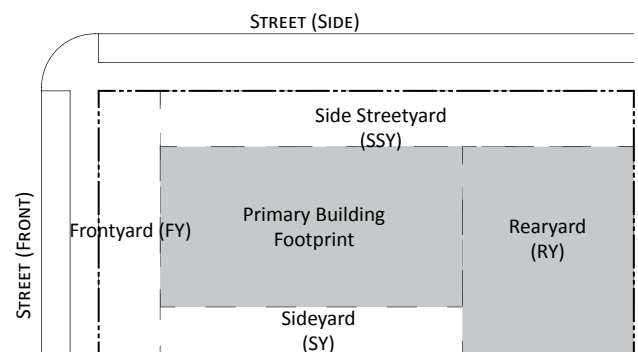
ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



PARKING LOCATION



Large multiple-story buildings, often designed for commercial or office uses on the ground floor and dwellings or offices above. They are located on lots that can accommodate a building that spans up to an entire city block width. .

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	120	300
B - Lot Depth (ft)	--	500
C - Lot Size (sf)	--	150,000
D - Lot Coverage (%)	--	90
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	0 ⁽¹⁾	15 ⁽¹⁾
F - Side Setback (ft)	0	--
G - Rear Setback (ft)	10 ⁽²⁾	--
H - Frontage Buildout (%)	90	100
ACCESSORY BUILDING ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	--
J - Side Setback (ft)	10	--
K - Rear Setback (ft)	10	--
L - Building Footprint (sf)	--	800
BUILDING HEIGHT	MIN	MAX
M - Principal Building (st)	2	8
N - Accessory Structure(s) (ft)	--	15
PARKING PROVISIONS		
Location	Side and Rear Yards	
PRIVATE FRONTAGES	Required:	
	Commercial	

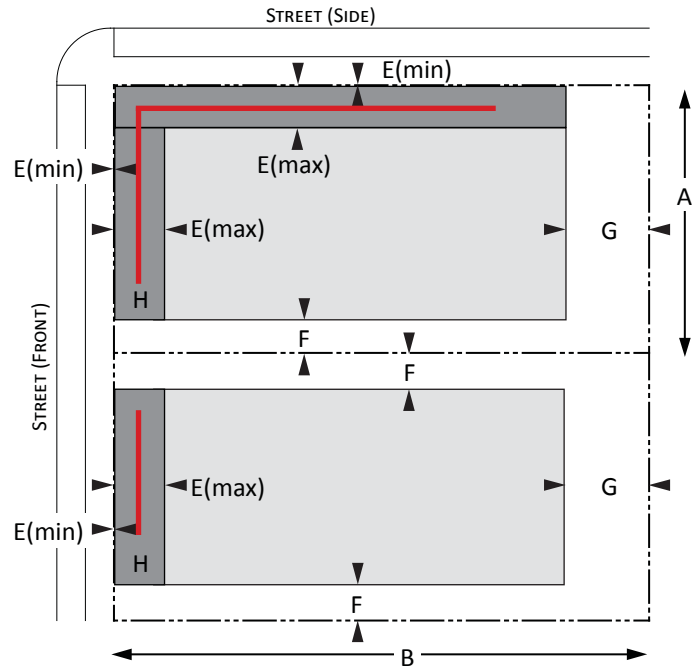
⁽¹⁾ If located on Washtenaw Avenue must build no more than 10ft from future right-of-way line

⁽²⁾ When adjacent to existing single family residential detached homes, the rear setback shall be 25'.

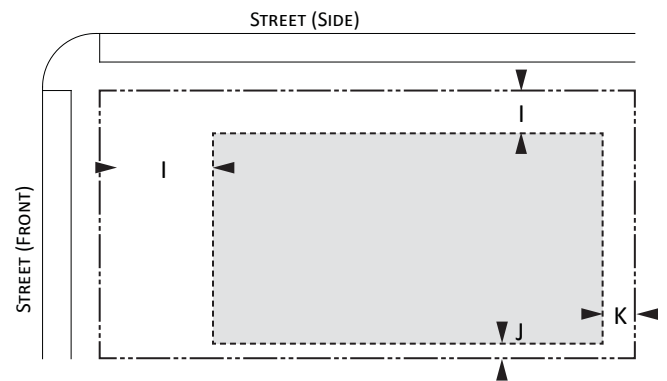


EXAMPLE

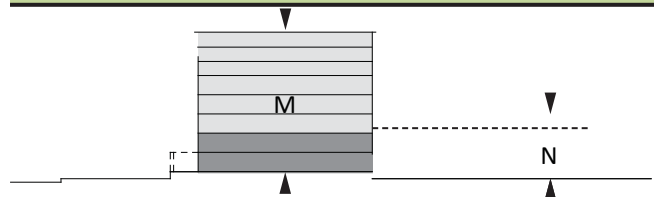
LOT REQUIREMENTS AND BUILDING ENVELOPE



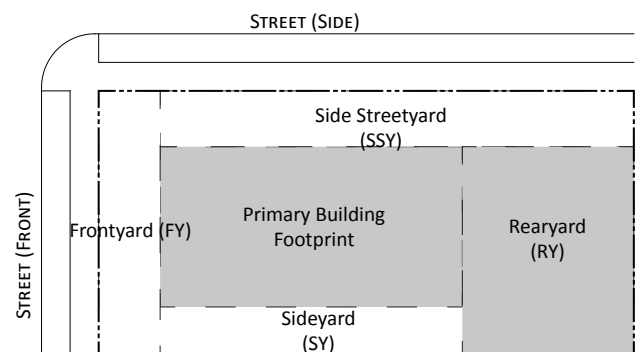
ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



PARKING LOCATION



SC

SINGLE STORY COMMERCIAL BUILDING

A single-story building, designed for non-residential use. They are located on lots that accommodate a detached primary building with the associated parking, loading, and waste disposal areas. A single use is generally located in each building.

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	50	300
B - Lot Depth (ft)	100	300
C - Lot Size (sf)	7,500	90,000
D - Lot Coverage (%)	--	60
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	5 ⁽¹⁾	15 ⁽¹⁾
F - Side Setback (ft)	0	--
G - Rear Setback (ft)	15 ⁽²⁾	--
H - Frontage Buildout (%)	50	100
ACCESSORY BUILDING ENVELOPE	MIN	MAX
I - Street Setback (ft)	30 ⁽¹⁾	--
J - Side Setback (ft)	10	--
K - Rear Setback (ft)	10 ⁽¹⁾	--
L - Building Footprint (sf)	--	800
BUILDING HEIGHT	MIN	MAX
M - Principal Building (st)	1	1
N - Accessory Structure(s) (ft)	--	15
PARKING PROVISIONS		
Location	Side, Street-Side and Rear Yards	
PRIVATE FRONTAGES	Permitted:	
	Commercial	

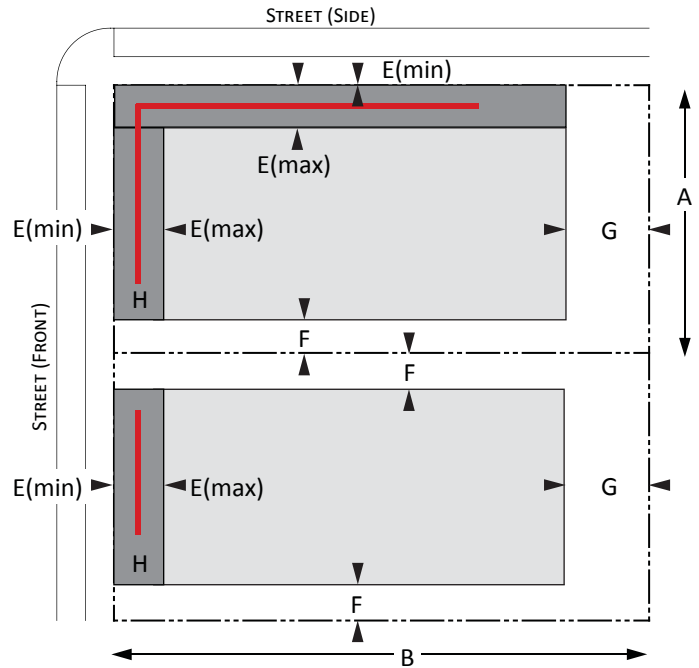
⁽¹⁾ If located on Washtenaw Avenue must build no more than 10ft from future right-of-way line

⁽²⁾ When adjacent to existing single family residential detached homes, the rear setback shall be 25'.

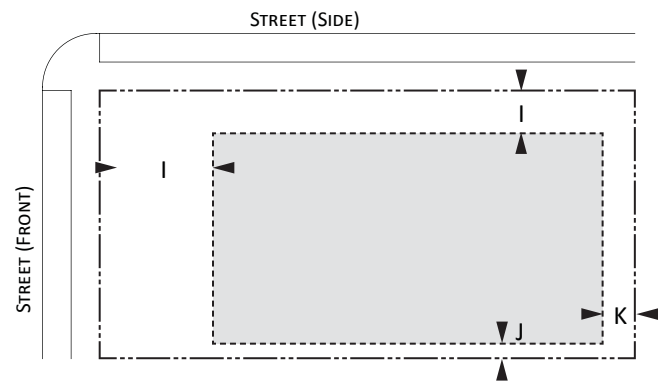


EXAMPLE

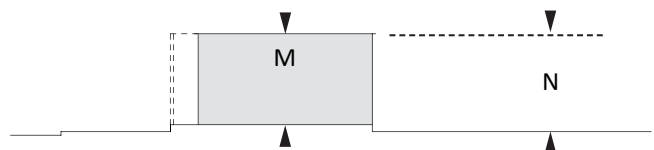
LOT REQUIREMENTS AND BUILDING ENVELOPE



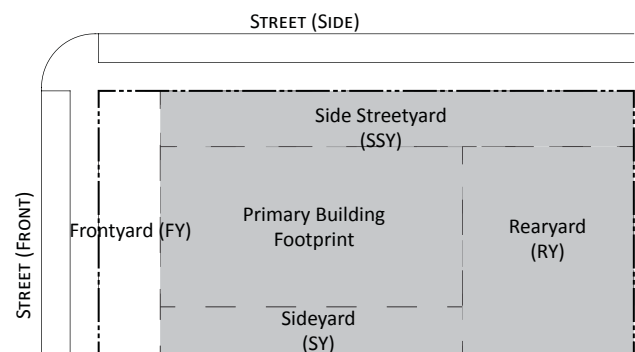
ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



PARKING LOCATION



LF

LARGE SINGLE STORY COMMERCIAL BUILDING

Large one-story buildings that contain one or more uses. They are located on lots that accommodate the building and its associated parking, loading, and waste disposal areas. Each unit may have its own entrance to the street.

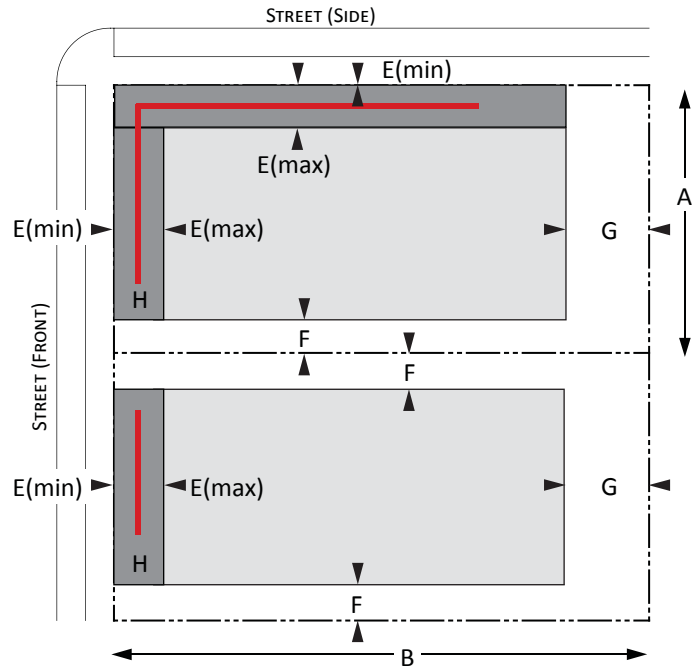
LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	300	Block
B - Lot Depth (ft)	300	Block
C - Lot Size (sf)	90,000	--
D - Lot Coverage (%)	45	80
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	5 ⁽¹⁾	15 ⁽¹⁾
F - Side Setback (ft)	0	--
G - Rear Setback (ft)	10 ⁽²⁾	--
H - Frontage Buildout (%)	50	100
ACCESSORY BUILDING ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	--
J - Side Setback (ft)	10	--
K - Rear Setback (ft)	10	--
L - Building Footprint (sf)	--	800
BUILDING HEIGHT	MIN	MAX
M - Principal Building (st)	1	1
N - Accessory Structure(s) (ft)	--	15
PARKING PROVISIONS		
Location	Side and Street-Side and Rear Yards	
PRIVATE FRONTAGES	Permitted:	
	Commercial	

⁽¹⁾ If located on Washtenaw Avenue must build no more than 10ft from future right-of-way line

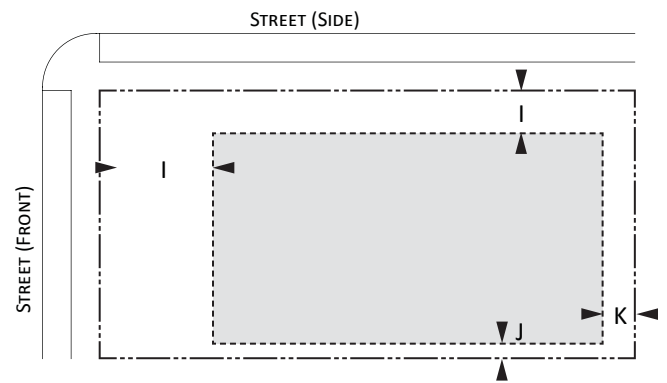
⁽²⁾ When adjacent to existing single family residential detached homes, the rear setback shall be 25'.



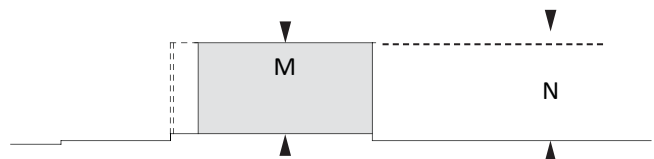
LOT REQUIREMENTS AND BUILDING ENVELOPE



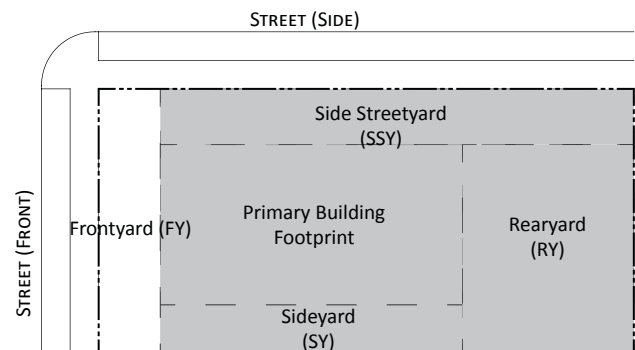
ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



PARKING LOCATION



EXAMPLE

MB

MULTIPLE STORY BUILDING

Large multiple-story buildings, designed for a single type of commercial use, such as office. They are located on lots that can accommodate a building that spans up to an entire city block width.

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	120	310
B - Lot Depth (ft)	--	500
C - Lot Size (sf)	--	150,000
D - Lot Coverage (%)	--	90
BUILDING ENVELOPE	MIN	MAX
E - Front Setback (ft)	5 ⁽¹⁾	25 ⁽¹⁾
F - Side Setback (ft)	0	--
G - Rear Setback (ft)	10 ⁽²⁾	--
H - Frontage Buildout (%)	50	100
ACCESSORY BUILDING ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	--
J - Side Setback (ft)	10	--
K - Rear Setback (ft)	10	--
L - Building Footprint (sf)	--	800
BUILDING HEIGHT	MIN	MAX
M - Principal Building (st)	2	6
N - Accessory Structure(s) (ft)	--	15
PARKING PROVISIONS		
Location	Side, Street-Side and Rear Yards	
PRIVATE FRONTAGES	Permitted:	
	Commercial	

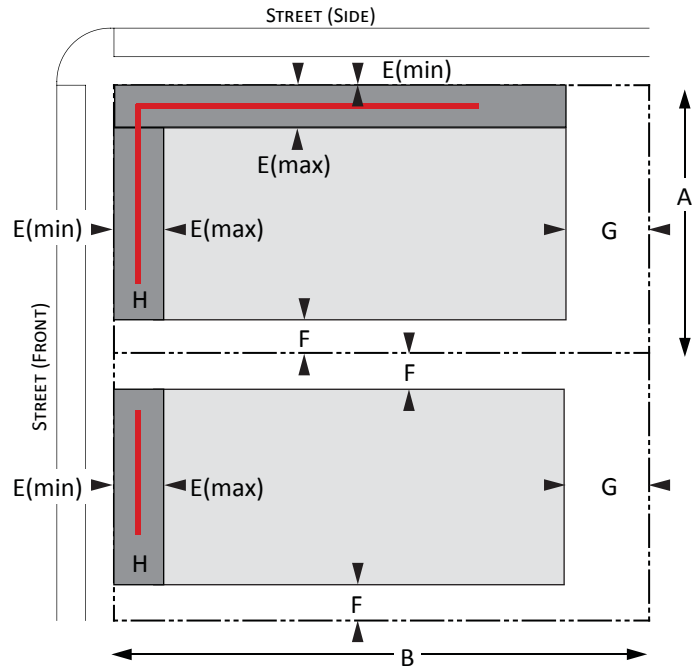
⁽¹⁾ If located on Washtenaw Avenue must build no more than 10ft from future right-of-way line

⁽²⁾ When adjacent to existing single family residential detached homes, the rear setback shall be 25'.

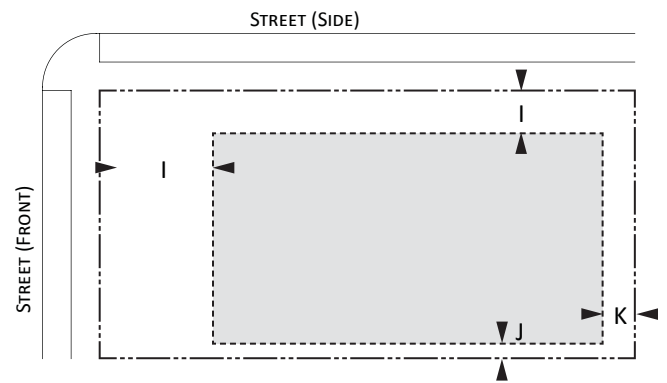


EXAMPLE

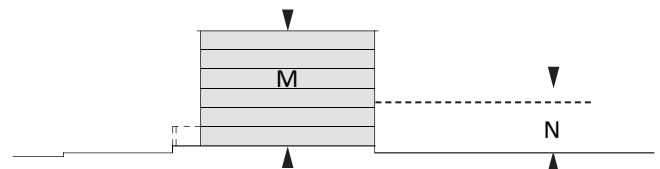
LOT REQUIREMENTS AND BUILDING ENVELOPE



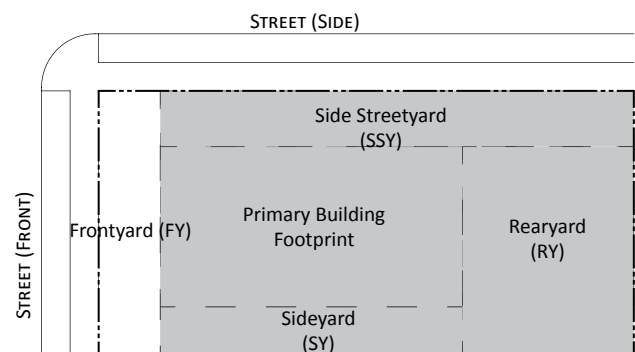
ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



PARKING LOCATION



Buildings originally designed to house government, assembly, or institutional uses. They are located on lots that can accommodate the primary building, associated parking, loading, waste disposal areas, and outdoor living areas, as applicable.

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	50	Block Max
B - Lot Depth (ft)	100	Block Max
C - Lot Size (sf)	5,000	--
D - Lot Coverage (%)	--	60
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	15 ⁽¹⁾	--
F - Side Setback (ft)	0	--
G - Rear Setback (ft)	15	--
H - Frontage Buildout (%)	50	100
ACCESSORY BUILDING ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	--
J - Side Setback (ft)	10	--
K - Rear Setback (ft)	10	--
L - Building Footprint (sf)	--	800
BUILDING HEIGHT	MIN	MAX
M - Principal Building (st)	1	4 ⁽²⁾
N - Accessory Structure(s) (ft)	--	15
PARKING PROVISIONS		
Location	Side, Street Side and Rear Yards,	
PRIVATE FRONTAGES	Required:	
	No specific frontage required	

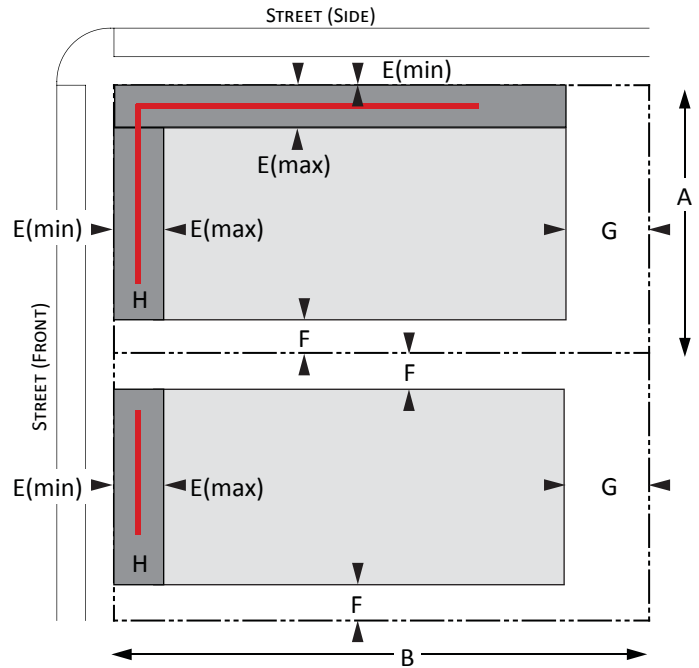
⁽¹⁾ If located on Washtenaw Avenue must build no more than 10ft from future right-of-way line

⁽²⁾ Additional height may be granted by the Planning Commission if the Commission finds the additional height to be consistent within that district.

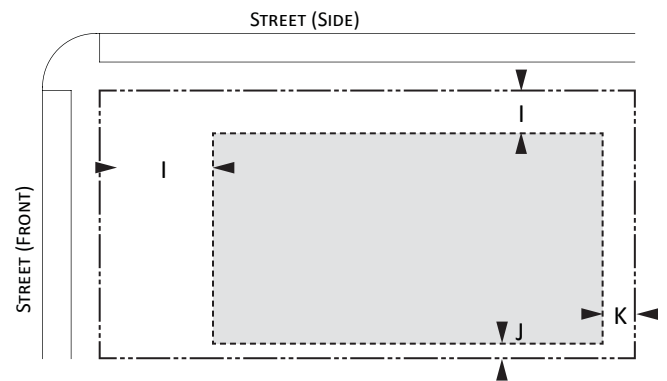


EXAMPLE

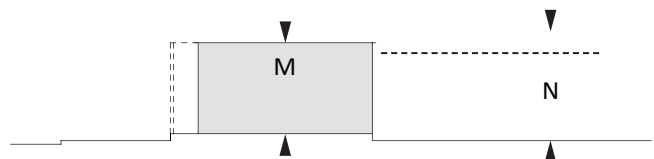
LOT REQUIREMENTS AND BUILDING ENVELOPE



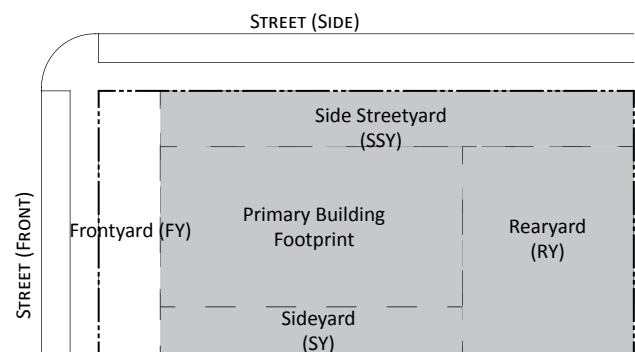
ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



PARKING LOCATION

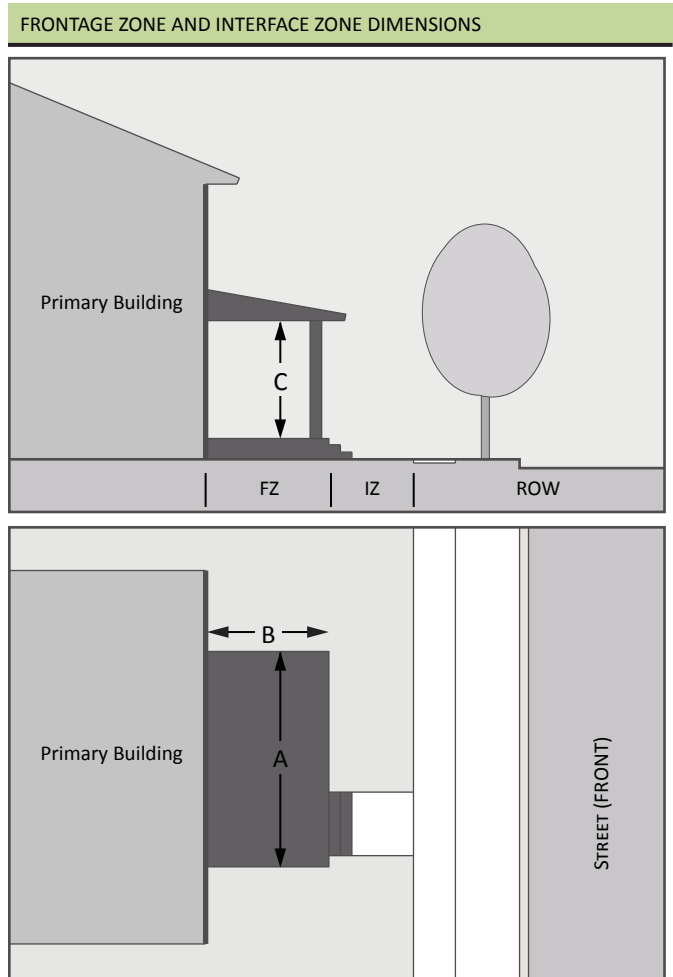


P

PORCH

The façade is set back from the front lot line per applicable street setback requirements. The façade includes an attached front porch structure. A wide variety of porch designs are possible.

FRONTAGE ZONE (FZ)	MIN	MAX
Porch structure requirements:		
A - Width (clear) (ft)	10	--
B - Depth (clear) (ft)	5	--
C - Height (clear) (ft)	7	--
INTERFACE ZONE (IZ)		
Landscape with path (3' wide min) from sidewalk to structure		
OTHER REQUIREMENTS		
Refer to Historic Guidelines when developing within the Historic District.		

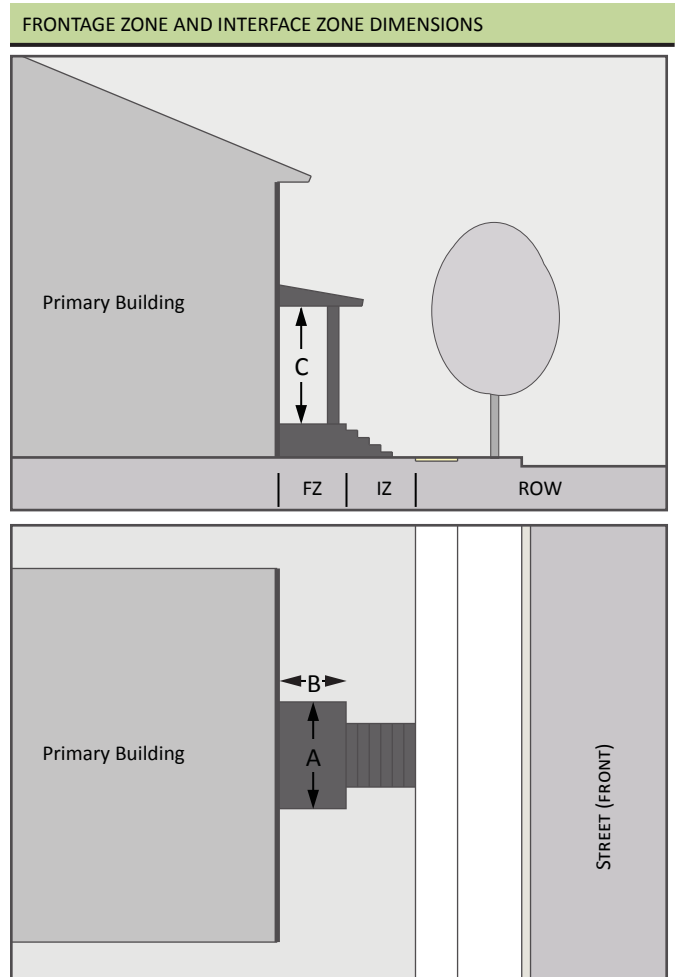


S

STOOP

The façade is set back from the front lot line per applicable street setback requirements. The façade includes an attached entry stoop (an elevated landing with stairs) that is placed at or near the front lot line. The ground floor is elevated to provide privacy. The stoop may include a roof.

FRONTAGE ZONE (FZ)	MIN	MAX
Stoop structure requirements:		
A - Width (clear) (ft)	5	8
B - Depth (clear) (ft)	3	8
C - Height (clear) (ft)	7	--
INTERFACE ZONE (IZ)		
Landscape with path (3' wide min) from sidewalk to structure		
OTHER REQUIREMENTS		
Refer to Historic Guidelines when developing within the Historic District.		



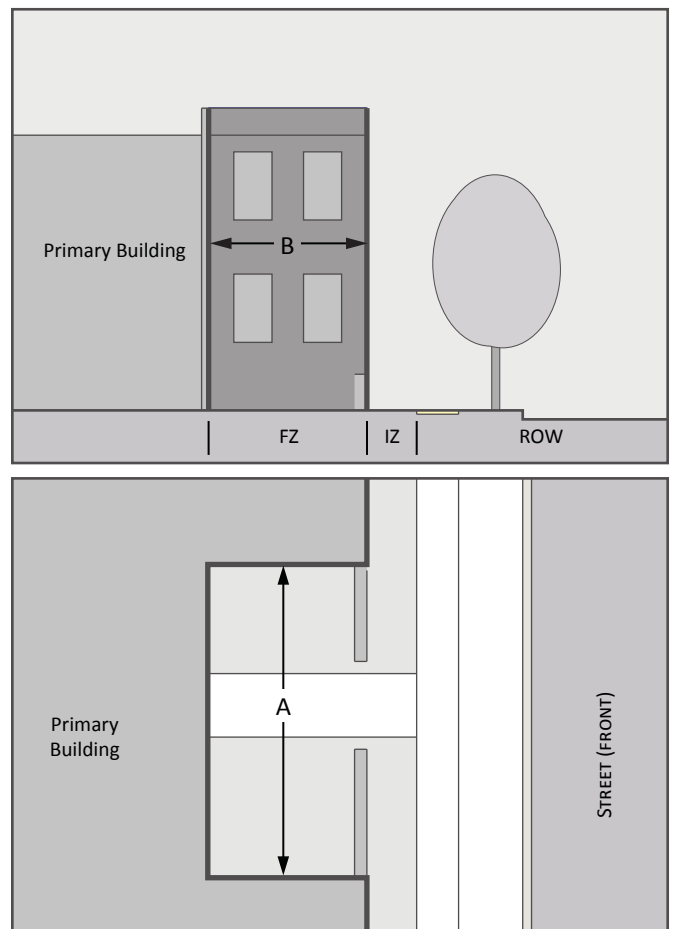
F

FORECOURT

The façade is set back from the front lot line per applicable street setback requirements. A portion of the façade is recessed to form an uncovered court. The court is suitable for outdoor dining, gardens, vehicle drop-offs, formal entries etc.. A fence or wall may be used to define the private space of the court. The court may be elevated behind a retaining wall at or near the front lot line with entry steps to the court.

FRONTAGE ZONE (FZ)	MIN	MAX
Courtyard requirements:		
A - Width (clear) (ft)	12	--
B - Depth (clear) (ft)	12	50
INTERFACE ZONE (IZ)		
Landscape with path (6' wide min) from sidewalk to structure		
OTHER REQUIREMENTS		
Refer to Historic Guidelines when developing within the Historic District.		

FRONTAGE ZONE AND INTERFACE ZONE DIMENSIONS



The façade is set back from the front lot line per applicable street setback requirements, typically at or near the front lot line with the entrance at sidewalk grade. The façade may include an awning, shed roof, or gallery (a lightweight colonnade with no habitable building space above it) that covers the sidewalk and may extend into the right-of-way. The façade has a substantial amount of glazing at the sidewalk level. Recessed entrances are acceptable.

FRONTAGE ZONE (FZ)	MIN	MAX
Building facade requirements:		
A - Distance between openings (ft)	--	2
B - Door recess (ft)	--	5
C - Ground floor transparency (%)	60	--
D - Height to bottom of window (ft)	--	2.5

INTERFACE ZONE (IZ)

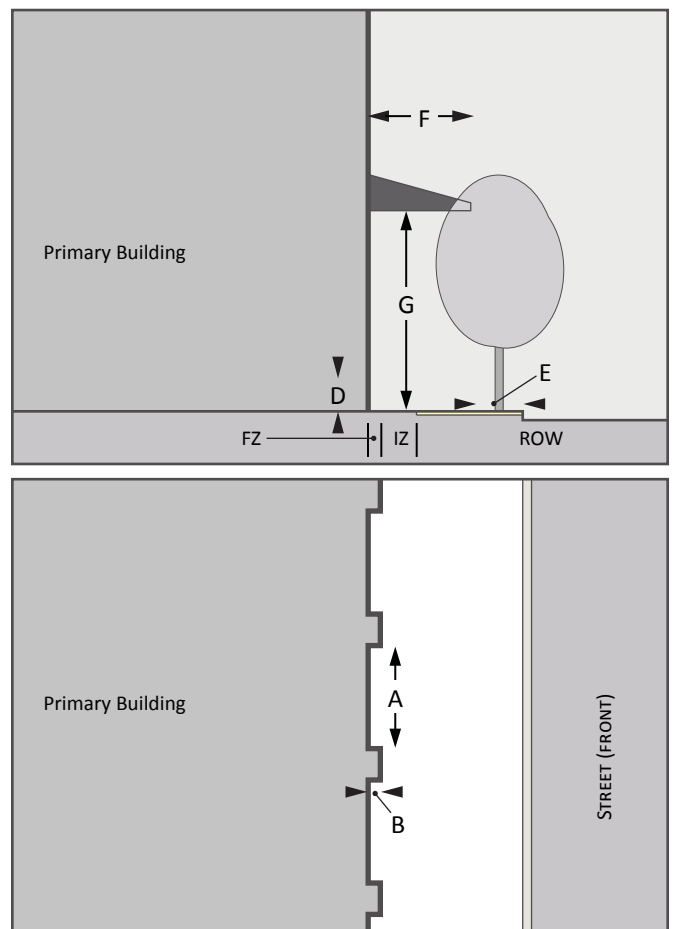
Extended sidewalk from right-of-way edge to structure

OPTIONAL ELEMENTS	MIN	MAX
AWNING or GALLERY		
E - Setback from curb (ft)	2	--
F - Depth (clear) (ft) (Gallery min 8')	4	10
G - Height (clear) (ft)	8	--

OTHER REQUIREMENTS

Refer to Historic Guidelines when developing within the Historic District.

FRONTAGE ZONE AND INTERFACE ZONE DIMENSIONS



Sec. 122-275. Reserved.**Sec. 122-276. Number of detached accessory buildings**

No more than two detached accessory buildings are permitted on a lot in the CN, CN-SF, CN-Mid, C, HC, NC, GC, HHS districts.

Sec. 122-277. Steps for Use of Regulations for CN, CN-SF, CN-Mid, C, HC, NC, GC, HHS districts

The following illustrates the steps a user would follow for projects in the CN, CN-SF, CN-Mid, C, HC, NC, GC, HHS districts. This is illustrative only and is not intended to set forth the administration and procedures, which are set in Article IV.

Quick Code Guide: CN, CN-SF, CN-Mid, C, HC, NC, GC, HHS Districts – Projects 3 acres or more

Step	Instructions	Section	Title
(1)	Find the district for your parcel	Sec. 122-232	Zoning Map
(2)	Confirm proposed use(s) is allowed in district	Sec. 122-272	Permitted Uses
(3)	Create a Block Plan that complies with the circulation standards of these districts	Sec. 122-126 17 (b)	Block Plan Requirements
		Sec. 122-273	Circulation Standards
(4)	If the project requires division of property, follow procedures and comply with the requirements for land division or site condominiums	Article X	Site Condominiums
		Sec. 122-756	Land Division
(5)	Comply with parking and landscaping requirements	Article XI, Division 4	Landscaping and Screening
		Article XIII	Off-Street Parking and Loading Requirements
(6)	Follow Procedures for Project 3 acres or less	See following table	

Quick Code Guide: CN, CN-SF, CN-Mid, C, HC, NC, GC, HHS Districts – Project 3 acres or less

Step	Instructions	Section	Title
(1)	Find the district for your parcel	Sec. 122-232	Zoning Map
(2)	Confirm proposed use(s) is allowed in district	Sec. 122-272	Permitted Uses
(3)	Determine if your site is within a Historic Designation. If so, see step	Chapter 54 of City Code of Ordinances	Historic District
(4)	Create circulation plan that complies with Circulation Standards	Sec. 122-273	Circulation Standards
(5)	Chose building type(s) for your site	Sec. 122-274	Building Lot Typologies
(6)	Comply with the Building Parameters by Building Type	Sec. 122-274	Building Lot Typologies
(7)	Comply with parking, landscaping and sign regulations	Article XI, Division 4	Landscaping and Screening
		Article XIII	Off-Street Parking and Loading Requirements
		Article XIV	Signs
(8)	Follow procedures and comply with the requirements for permit application		Article IV
(9)	If within Historic Designation, apply for Historic District Work Application	Chapter 54 of City Code of Ordinances	Historic District

~~Secs. 122-277–122-290. Reserved.~~**Secs. 122-278-122-290. Reserved**

~~DIVISION 4.~~ DIVISION 5.
PRODUCTION, MANUFACTURING AND DISTRIBUTION DISTRICT

Sec. 122-291. Description and purpose.

The PMD Production, Manufacturing and Distribution district is designed to create and sustain jobs and industry producing, manufacturing, storing and distributing goods. These districts should be located where buildings can be on large plots of contiguous land, serviced by railroad lines or major thoroughfares, and adequately served by required utilities, and services. All operations must be fully contained within well-designed buildings, with adequate off-street parking and loading areas, and with property screening around outside storage areas. Uses are expected to generate waste, noise, odor and truck traffic. Principal uses should produce minimal external impacts that are detrimental in any way to other uses in the district or to properties in adjoining districts. Special uses are expected to produce external impacts and should, therefore, be located only where such impacts will not be detrimental to other uses in the PMD district or to properties in adjoining districts.

Sec. 122-292. Permitted uses.

The following uses are allowed in the PMD district. Any other use which must be determined by the city council after recommendation from the planning commission, to be of the same general character as the below permitted or special uses. The city council may impose any required setback and/or performance standards above and beyond the requirements of this chapter so as to insure public health, safety and general welfare.

P=Principal; A=Accessory; S/Res= Special Land adjacent to R-1, CN, CN-Mid, CN-SF & MD zoning, otherwise permitted; S=Special Land Use

Uses	PMD	Notes
INFRASTRUCTURE		
Essential Services	P	Section 122-637
Communication Devices	A	Article XI, division 3
Radio & Television Studios or Stations	P	
Radio and television towers, public utility microwaves, and public utility television transmitting towers, mobile communications towers, cellular phone towers and their accessory facilities	S	Section 122-687
Utility buildings including electric and gas service buildings and yards, telephone exchange buildings, electrical transformer stations and substations, gas regulator stations, and water and propane tank holders.	S	
Railroad yards not including manufacture and repair	S/Res	
Energy, electricity and heat generation plants	S	Includes solar farms and geothermal plants; see Sec 122-788
Landfill	S	May include anaerobic digester.
Water or sewage treatment plant	S	
Biofiltration Facility	P	
Alternative Energy	A	Section 122-788
Stormwater Control	A	Section 122-789
SERVICES		
Business and professional offices and services, 15,000 square feet or greater	P	
Business and professional offices and showrooms ancillary to the primary use	P	These uses may not exceed 25% of the gross floor area
Kennels, commercial	S/Res	Section 122-791
Offices for skilled trade services including but not limited to plumbing, electric, heating, and painting establishments	P	
Repair of appliances, machines or vehicles	P	

P=Principal; A=Accessory; S/Res= Special Land adjacent to R-1, CN, CN-Mid, CN-SF & MD zoning, otherwise permitted; S=Special Land Use

Uses	PMD	Notes
Self-storage facilities	P	
Printing services, including but not limited to: publishing, engraving, photo development, lithographing, silk screening and three-dimensional printing	P	Section 122-810
Construction and Landscape Contractors, contractor's yards, equipment and materials storage	S	
Recycling centers	S	
AUTO-ORIENTED		
Automobile Wash & Detailing	P	
Automobile Share Parking	A	
Truck Wash	S	
Automobile Repair	P	Section 122-775
Automobile rental (parking, storage, wash & repair)	P	
Vehicle, Recreational Vehicle, Storage and Towing	S/Res	
Vehicle Wrecking, Salvage, Storage of Inoperable Vehicles	S	
RESEARCH		
Laboratories	S/Res	
Development & Research	S/Res	
PRODUCTION, MANUFACTURING & DISTRIBUTION		
Manufacture or processing of food products including brewing & distilling	P	
Craft manufacturing	P	
Medical Marijuana Growing/Manufacturing Facility	S	Section 122-814
Storage, warehousing and wholesale distribution	S/Res	Outdoor storage is a special land use subject to section 122-801
Junkyards	S	Section 122-790
Central dry cleaning plants	S	
Clothing production	P	
Software, film, music, television and radio, and video game development & physical production	S/Res	Adult regulated uses are special land uses
Assembly and production, from prefabricated parts, of household appliances, electronic products, hardware products, and similar products	S/Res	
Processing or assembling of parts for production of finished equipment	S/Res	
Dry cleaning plants or laundries	S	
Manufacturing, Compounding, Processing, packing or treatment of such products as candy, cosmetics, drugs, perfumes, pharmaceuticals, and toiletries, except the rendering or refining of fats and oils	S/Res	
Manufacturing of alcohol; ammonia; bleaching powder or chlorine; asphalt, including refining; brick, tile or terra cotta; chemicals; concrete or cement products; lampblack; oil cloth or linoleum; paint, oil, shellac, turpentine, lacquer or varnish; petroleum products; plastics; soap; sodium compounds; tar distillation or tar products	S	
Manufacturing of machine tools, machinery, vehicles of all types, machine or vehicle components or that requires metal	S	

P=Principal; A=Accessory; S/Res= Special Land adjacent to R-1, CN, CN-Mid, CN-SF & MD zoning, otherwise permitted; S=Special Land Use

Uses	PMD	Notes
plating or galvanizing, plastic extrusion or molding or similar process		
Metal Foundry or fabricating plant and heavyweight casting	S	
Manufacture of construction materials	S	
Manufacturing of textiles, rubber or synthetic treated products	S	
Manufacture and repair of train cars, locomotives and track	S	
Animal slaughter and processing	S	Except aquaculture and aquaponics
Ethanol, petroleum and fuel production, refining and storage	S	
Passive solar structure (greenhouse, hoop house, etc.)	P	
Hydroponics, aquaculture and aquaponics and similar raising of food	P	All activities must take place indoors.
PERFORMANCE OR STRUCTURES REQUIRING SPECIAL LAND USE		
Adult regulated uses	S	Section 122-774
Outdoor storage	S/Res	Section 122-801
Storage of liquid and solid fuels	S	Section 122-807
Any other use as determined by the city council after recommendation from the planning commission, to be of the same general character as the above permitted or special uses. The city council may impose any required setback and/or performance standards above and beyond the requirements of this chapter so as to insure public health, safety and general welfare.	S	

Sec. 122-293. Area Regulations.

All principal structures must comply with the following regulations in the special zoning districts:

Regulations	PMD	Notes
Minimum Lot Width		
Determined by the use and the required off-street parking, loading, screening and yard setbacks		
Minimum Lot Size		
Determined by the use and the required off-street parking, loading, screening and yard setbacks		
Minimum Setbacks		
Front yard	25 feet	Minimum setbacks must increase by one foot for each foot a building or structure exceeds 30 feet in height.
Side yard	15 feet	
Street Side yard	15 feet	
Rear yard	20 feet	
From adjacent R-1, CN-SF, CN-Mid, CN, MD, HHS districts	25 feet	Screen required per section 122-703.
Parking Setbacks		
Front & street side yard	10 feet	In PMD, greenbelt required per subsection 122-835(11)

Regulations	PMD	Notes
Side and rear yards	10 feet	
From adjacent residential zoning district	15 feet	No storage is permitted in setback from residential zoning district
Height		
Maximum height	60 feet	Chimneys, flagpoles, church spires, belfries, cupolas, domes, or other similar architectural embellishments; roof mounted communication antennas; water towers, observation towers, power transmission towers, radio towers, masts, smokestacks, ventilators, skylights, derricks, conveyors, cooling towers, and other similar and necessary mechanical appurtenance pertaining to the permitted uses; provided that they do not exceed the maximum height by more than ten feet

Section 122-294. Performance Standards for PMD District.

- (a) *Deleterious operations.* No activity, operation, or use must be permitted on any property which by reason of the emission of odor, fumes, smoke, vibration, radiation, heat, glare, dust, soot, noise, or disposal of waste is deleterious to other permitted activities in the zoning district or is obnoxious or offensive to uses permitted in neighboring districts, or is harmful to the general health, safety, or welfare, of the community.
- (b) *Enclosed buildings.* All manufacturing, compounding, assembling, processing, packaging, or other industrial or business activity in must be conducted within a completely enclosed building, except as otherwise specified.

Sec. 122-295-300. Reserved.

~~DIVISION 5.~~ DIVISION 6.
PARK DISTRICT

Sec. 122-301. Description and purpose.

The P Park district is designed to preserve publicly and privately owned green space, including parks and cemeteries. When embedded in R-1, CN-SF, CN-Mid, CN, MD and HHS districts, the district is intended provide the essential green space for urban neighborhoods. When on the outskirts of the city, the district maintains large green spaces, such as cemeteries. Along the Huron River, the district provides recreation as well as environmental protections. Temporary uses may be allowed to encourage use and vitality of these areas.

Sec. 122-302. Permitted uses.

The following uses are allowed in the park districts.

P=Principal, A=Accessory, S=Special Land Use, -- = Not Permitted

Uses	P	Notes
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES		
Park	P	
Outdoor and indoor education areas	P	
Outdoor recreation areas such as swimming pools, tennis courts, and performance venues	P	Privately owned
Conservation areas, wildlife preserves, forests preserves, arboreta, botanical or zoological gardens, public tree or plant nurseries	P	
Privately owned or operated uses accessory to City parks	S	Includes but is not limited to permanently affixed concession stands, canoe or bicycle liveries
INFRASTRUCTURE		
Essential Services	P	Section 122-637
Alternative Energy	A	Section 122-788
Stormwater Control	A	Section 122-789
SERVICES		
Cemetery	p	All principal buildings and accessory buildings must be set back at least 75 feet from all property lines.
Crematory	S	
TEMPORARY USES		
Food concession sales	P	Section 122-35 (7)
URBAN AGRICULTURE		
Community Gardens	P	Subject to 122-815
Passive solar structure (greenhouse, hoophouse, etc.)	P	

Sec. 122-303. Area Regulations.

All principal structures must comply with the following regulations in the special zoning districts:

Regulations	P	Notes
Minimum Lot Width		
Determined by the use and the required off-street parking, loading, screening, and yard setbacks		
Minimum Lot Size		
Determined by the use and the required off-street parking, loading, screening, and yard setbacks		
Minimum Setbacks		

Regulations	P	Notes
Front yard	Equal to that of adjacent zoning district or building type along the same street. If different setbacks abut, the largest setback is required	
Side yard		
Street Side yard		
Rear yard		
Parking Setbacks		
Front & side street yard	10 feet	
Side and rear yards	10 feet	
Height		
Maximum height	Equal to that of adjacent zoning district or building type along the property line. If different heights abut, the largest setback is required	Chimneys, flagpoles, church spires, belfries, cupolas, domes, or other similar architectural embellishments; roof mounted communication antennas; water towers, observation towers, power transmission towers, radio towers, masts, smokestacks, ventilators, skylights, derricks, conveyors, cooling towers, and other similar and necessary mechanical appurtenance pertaining to the permitted uses; provided that they do not exceed the maximum height by more than ten feet

Sec. 304-570. Reserved.

DIVISION 2.

R1 SINGLE FAMILY RESIDENTIAL DISTRICT

Sec. 122-251. Description and purpose.

- ~~(a) The R1 single family residential district is designed to provide an environment of predominantly low density, single family detached dwellings, along with other related facilities such as schools and churches.~~
- ~~(b) It is the purpose of the R1 single family residential district to encourage the preservation and the continuation of the long standing residential fabric in existing neighborhoods of predominantly single family dwellings. Multiple-family, business, or industrial uses which would substantially interfere with the development or continuation of single family dwellings in the district are prohibited.~~

Sec. 122-252. Permitted uses.

(Ord. No. 626A, § 5-24, 7-15-1994; Ord. No. 1183A, 4/2013))

~~In R1 districts, no uses shall be permitted except the following:~~

- ~~(1) Essential services.~~
- ~~(2) Manufactured housing located and installed according to the same standards that would apply to a site built, single-family dwelling on the same lot.~~
- ~~(3) Single family detached dwelling units.~~
- ~~(4) Gardens/community gardens, exempt from area regulations in section 122-255, but subject to the requirements in section 122-816.~~

Sec. 122-253. Permitted accessory uses.

(Ord. No. 626A, § 5-25, 7-15-1994; Ord. No. 1050, 5-1-2007)

~~In R1 single family residential districts, uses or structures accessory to and customarily incidental to any permitted or special uses shall be permitted subject to the restrictions of the district regarding lot coverage, height and setbacks, and the restrictions in article XI, division 2 of this chapter regarding accessory structures and uses, including but not necessarily limited to:~~

- ~~(1) Communication devices, subject to the provisions of article XI, division 3 of this chapter.~~
- ~~(2) Family day care homes, adult foster care family homes, foster family homes, and foster family group homes, as defined by and subject to the provisions of section 122-773.~~
- ~~(3) Garages and carports. A maximum of one private garage, the capacity of which shall not exceed three automobiles; and/or one carport, the capacity of which shall not exceed three automobiles; provided that the total combined capacity of all garages and carports may not exceed four automobiles.~~
- ~~(4) Home occupations, as defined by and subject to the provisions of section 122-669.~~
- ~~(5) Permitted signs, private off-street parking facilities, fences, walls, or privacy screens, subject to the provisions of this chapter.~~
- ~~(6) Swimming pools, tennis courts, and other similar uses for the exclusive use of residents and their guests.~~
- ~~(7) Toolhouses, sheds, and other similar buildings for the storage of domestic supplies.~~

Sec. 122-254. Special uses.

(Ord. No. 626A, § 5-26, 7-15-1994; Ord. No. 881, 7-21-1998; Ord. No. 970, 12-3-2002; Ord. No. 1033, 3-21-2006)

~~The following uses may be permitted in R1 single family residential districts subject to the conditions specified for each use, review, and approval of the planning commission, the imposition of special conditions which in the opinion of the planning commission are necessary to fulfill the purposes of this chapter, and the procedures set forth in article V of this chapter:~~

- ~~(1) Bed and breakfast lodgings, subject to the specific provisions in section 122-778.~~
- ~~(2) Group day care homes (not including dormitories), subject to the specific provisions in section 122-779.~~
- ~~(3) Churches, synagogues, and other religious buildings, facilities and services customarily incidental thereto, subject to the specific provisions in section 122-780.~~

- ~~(4) Municipal, county, regional, and state service buildings and uses, subject to the specific provisions in section 122-795.~~
- ~~(5) Private noncommercial recreational areas or social facilities, institutional or community recreational centers, and nonprofit swimming pool or tennis club, subject to the specific provisions in section 122-802.~~
- ~~(6) Public and private educational institutions of post-secondary education, subject to the specific provisions of section 122-805.~~
- ~~(7) Restoration or replacement of legal non-conforming two family and multiple apartment and/or roominghouse structures after removal, destruction, or severe damage of such structure pursuant to section 122-205 (5). Planning Commission shall consider standards of 122-165 and the specific provisions of section 122-812 in reviewing such application to restore a legally non-conforming two family or multiple apartment dwelling. All Site Plan Review standards shall be applied to the fullest extent possible in the interest of improving compliance with current standards~~
- ~~(8) Schools: Elementary, junior and senior high schools, public, parochial, and private, subject to the specific provisions in section 122-805. However, it is not intended that a special use permit be required for the home education of children belonging to the family living on the premises.~~

~~Sec. 122-255. Area regulations.~~

~~No building or structure nor any enlargement thereof in an R1 single-family residential district shall be erected except in conformance with the following lot area, yard, and building coverage requirements:~~

- ~~(1) Lot area and width. In the R1 district, no lot shall have a width of less than 50 feet or contain less than 6,500 square feet of lot area. Lots with nonparallel sides shall not be less than 50 feet wide measured at 25 and 50 feet from the front lot line.~~
- ~~(2) Front yard. There shall be a front yard of not less than 25 feet as measured from the front lot line. Where an existing front yard setback line has been established by existing residential dwellings occupying 50 percent or more of the frontage within the same block on the same side of the street, the depth of the front yard shall not be less than the average depth of the front yards of the existing buildings on each side.~~
- ~~(3) Side yards. No side yard shall be less than five feet, with a minimum total of 14 feet for both side yards.~~
- ~~(4) Street side yard. Where a side yard abuts a street, the minimum width of such street side yard shall be eight feet.~~
- ~~(5) Rear yard. There shall be a rear yard of not less than 25 feet.~~
- ~~(6) Other yard requirements. For all uses permitted other than single family residential, all yard setbacks shall equal the height of the structure or the setback required under subsections (2) through (5) of this section, whichever is greater.~~
- ~~(7) Maximum lot coverage. The maximum coverage by all structures on the ground level shall not exceed 30 percent of the lot area.~~

~~Sec. 122-256. Height regulations.~~

~~No building or structure in an R1 single family residential district shall exceed 30 feet in height or 2 ½ stories. See section 122-640 for exceptions to height regulations.~~

~~Sec. 122-257. Minimum floor area.~~

~~Each single family dwelling in an R1 single family residential district shall have a minimum usable floor area of 900 square feet.~~

~~Sec. 122-258. Development standards.~~

(Ord No 1183A, 4/2013)

- ~~(a) Site plan review. In R1 single family residential districts site plan review and approval is required for all uses except detached single family residential uses and garden/community garden uses in accordance with article IV of this chapter.~~
- ~~(b) General standards. Buildings and uses in R1 single family residential districts shall be subject to all applicable standards and requirements set forth in this chapter, including nonconformities, general provisions, off street parking requirements, signs, and flood damage prevention.~~

~~Secs. 122-259 – 122-270. Reserved.~~

DIVISION 3. R2 ONE AND TWO FAMILY RESIDENTIAL DISTRICT

Sec. 122-271. Description and purpose.

The R2 one and two family residential district is designed as an intermediate density zoning district that allows for a variety of housing types, including two family attached dwellings occupying a single lot. The regulations are intended to stabilize and protect existing neighborhoods and promote a suitable environment for family life. The R2 one and two family residential district shall provide most of the desirable residential characteristics of the R1 district, except for the slightly higher density.

Sec. 122-272. Permitted uses.

(Ord. No. 626A, § 5.34, 7-15-1994; Ord. No. 1183A, 4/2013))

In R2 one and two family residential districts, no uses shall be permitted except the following:

- (1) Essential services.
- (2) Manufactured housing located and installed according to the same standards that would apply to a site built, single or two family dwelling on the same lot.
- (3) Single family detached dwelling units.
- (4) Two family dwellings.
- (5) Gardens/community gardens, exempt from area regulations in section 122-275 but subject to the requirements in section 122-816.

Sec. 122-273. Permitted accessory uses.

(Ord. No. 626A, § 5.35, 7-15-1994; Ord. No. 1059, 5-1-2007)

In R2 one and two family residential districts, uses or structures accessory to and customarily incidental to any permitted or special uses shall be permitted subject to the restrictions of the district regarding lot coverage, height and setbacks, and the restrictions in article XI, division 2 of this chapter regarding accessory structures and uses, including but not necessarily limited to:

- (1) Communication devices, subject to the provisions of article XI, division 3 of this chapter.
- (2) Family day care homes, adult foster care family homes, foster family homes, and foster family group homes, as defined by and subject to the provisions of section 122-773.
- (3) Garages and carports: A maximum of one private garage, the capacity of which shall not exceed three automobiles; and/or one carport, the capacity of which shall not exceed three automobiles; provided that the total combined capacity of all garages and carports may not exceed four automobiles.
- (4) Home occupations, as defined by and subject to the provisions of section 122-669.
- (5) Permitted signs, private off-street parking facilities, fences, walls, or privacy screens, subject to the provisions of this chapter.
- (6) Swimming pools, tennis courts, and other similar uses for the exclusive use of residents and their guests.
- (7) Toolhouses, sheds, and other similar buildings for the storage of domestic supplies.

Sec. 122-274. Special uses.

(Ord. No. 626A, § 5.35, 7-15-1994; Ord. No. 1059, 5-1-2007)

The following uses may be permitted in R2 one and two family residential districts, subject to the conditions specified for each use, review, and approval of the planning commission, the imposition of special conditions which in the opinion of the planning commission are necessary to fulfill the purposed of this chapter, and the procedures set forth in article V of this chapter:

- (1) Bed and breakfast lodgings, subject to the specific provisions in section 122-778.
- (2) Cemeteries on parcels of three acres or larger. All principal buildings and accessory buildings shall be set back at least 75 feet from all property lines.
- (3) Child care centers and group day care homes (not including dormitories), when not operated in conjunction with a private or public school or church/synagogue, subject to the specific provisions in section 122-779.

- ~~(4) Churches, synagogues, and other religious buildings, facilities and services customarily incidental thereto, subject to the specific provisions in section 122-780.~~
- ~~(5) Municipal, county, regional, and state service buildings and uses, subject to the specific provisions in section 122-795.~~
- ~~(6) Private noncommercial recreational areas or social facilities, institutional or community recreational centers, and nonprofit swimming pool or tennis club, subject to the specific provisions in section 122-802.~~
- ~~(7) Public and private educational institutions of post secondary education, subject to the specific provisions in section 122-805.~~
- ~~(8) Nursing homes, convalescent homes, and rest homes, subject to the specific provisions in section 122-796.~~
- ~~(9) Restoration or replacement of legal non-conforming multiple apartment and/or roominghouse structures after removal, destruction, or severe damage of such structure pursuant to section 122-205 (5). Planning Commission shall consider standards of 122-165 and the specific provisions of section 122-812 in reviewing such application to restore a legally non-conforming multiple apartment dwelling. All Site Plan Review standards shall be applied to the fullest extent possible in the interest of improving compliance with current standards.~~
- ~~(10) Schools: Elementary, junior and senior high schools, public, parochial, and private, subject to the specific provisions in section 122-805. This regulation shall not apply to home education of children belonging to the family residing on the premises.~~

~~Sec. 122-275. Area regulations.~~

~~No building or structure nor any enlargement thereof in an R2 one and two family residential district shall be erected except in conformance with the following lot area, yard, and building coverage requirements:~~

- ~~(1) Lot area and width. In R2 one and two family residential districts, no lot shall have a width less than 45 feet nor contain less than 5,000 square feet for a single family dwelling, nor less than 6,000 square feet for a two family dwelling. Lots having nonparallel sides shall not be less than the minimum width at 25 and 50 feet from the front lot line.~~
- ~~(2) Front yard. There shall be a front yard of not less than 25 feet as measured from the front lot line. Where an existing front yard setback line has been established by existing residential dwellings occupying 50 percent or more of the frontage within the same block on the same side of the street, the depth of the front yard shall not be less than the average depth of the front yards of the existing buildings on each side.~~
- ~~(3) Side yards. No side yard shall be less than four feet, with a minimum total of 12 feet for both side yards.~~
- ~~(4) Street side yard. Where a side yard abuts a street, the minimum width of such street side yard shall be eight feet.~~
- ~~(5) Rear yard. There shall be a rear yard of not less than 25 feet.~~
- ~~(6) Other yard requirements. For all uses permitted other than single or two family residential, all yard setbacks shall equal the height of the structure or the setback required under subsections (2) through (5) of this section, whichever is greater.~~
- ~~(7) Maximum lot coverage. The maximum coverage by all structures on the ground level shall not exceed 35 percent of the lot area.~~

~~Sec. 122-276. Height regulations.~~

~~No building or structure in an R2 one and two family residential district shall exceed 30 feet in height or 2 ½ stories. See section 122-640 for exceptions to height regulations.~~

~~Sec. 122-277. Minimum floor area.~~

~~Each dwelling unit in an R2 one and two family residential district, whether a single family structure or within a duplex, shall have a minimum usable floor area of 720 square feet.~~

~~Sec. 122-278. Development standards.~~

(Ord No 1183A, 4/2013)

- ~~(a) Site plan review. Site plan review and approval is required for all uses in the R2 one and two family residential district except detached single and two family residential uses and garden/community garden uses in accordance with article IV of this chapter.~~

~~(b) *General standards.* Buildings and uses in the R2 one and two family residential district shall be subject to all applicable standards and requirements set forth in this chapter, including nonconformities, general provisions, off-street parking requirements, signs, and flood damage prevention.~~

~~**Secs. 122-279 – 122-290. Reserved.**~~

DIVISION 4.

R3 MULTIPLE FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT

Sec. 122-291. Description and purpose.

The R3 multiple family medium density residential district is designed to allow medium density residential development, or more specifically four plexes, or single family dwellings in clusters or groups, commonly referred to as "townhouses" or "row houses." The intent of the R3 multiple family medium density residential district is to address the varied housing needs of city residents by providing locations for development of housing at a higher density than is permitted in the single and two family districts. The R3 multiple family medium density residential district will generally serve as a zone of transition between lower density residential districts and downtown high density residential and business uses. As such, multiple family housing in this district should be designed to be compatible with nearby single or two family housing.

Sec. 122-292. Permitted uses.

(Ord. No. 626A, § 5.44, 7-15-1994)

In R3 multiple family medium density residential districts, no uses shall be permitted except the following:

- (1) Essential services.
- (2) Manufactured housing located and installed according to the same standards that would apply to a site built, single or two family dwelling on the same lot.
- (3) Multiple apartment dwellings of not more than four dwelling units. (Refer to the definition of "dwelling, multiple apartment" in section 122-2.)
- (4) Single family detached dwelling units.
- (5) Two family dwellings.

Sec. 122-293. Permitted accessory uses.

(Ord. No. 626A, § 5.45, 7-15-1994; Ord. No. 1059, 5-1-2007; Ord. No. 1183A, 4/2013)

In R3 multiple family medium density residential districts, uses or structures accessory to and customarily incidental to any permitted or special uses shall be permitted subject to the restrictions of the district regarding lot coverage, height and setbacks, and the restrictions in article XI, division 2 of this chapter regarding accessory structures and uses, including but not necessarily limited to:

- (1) Communication devices, subject to the provisions of article XI, division 3 of this chapter.
- (2) Family day care homes, group day care homes, adult foster care family homes, foster family homes, and foster family group homes, as defined by and subject to the provisions of section 122-773.
- (3) Garage and/or carport, provided that:
 - a. For each detached single family use, a maximum of one garage and/or one carport, with a capacity of no more than three automobiles per garage or carport; provided that the total combined capacity of all garages and carports may not exceed four automobiles.
 - b. For each two family or multiple apartment use, the capacity of all garages and/or carports shall not exceed two automobiles per each efficiency/studio unit, one bedroom or two bedroom dwelling unit; or three automobiles per each dwelling unit with three or more bedrooms.
 - c. For each roominghouse use, the capacity of all garages and/or carports shall not exceed one automobile per sleeping room.
- (4) Home occupations, as defined by and subject to the provisions of section 122-669.
- (5) Permitted signs, private off street parking facilities, fences, walls, or privacy screens, subject to the provisions of this chapter.
- (6) Swimming pools, tennis courts, and other similar uses for the exclusive use of residents and their guests.
- (7) Toolhouses, sheds, and other similar buildings for the storage of domestic supplies.
- (8) Gardens/community gardens.

Sec. 122-294. Special uses.

(Ord. No. 626A, § 5.46, 7-15-1994; Ord. No. 988, 12-2-2003; Ord. No. 1024, 12-6-2005; Ord. No. 1033, 3-21-2006)

The following uses may be permitted in an R3 multiple family medium density residential districts, subject to the conditions specified for each use, review, and approval of the planning commission, the imposition of special conditions which in the opinion of the planning commission are necessary to fulfill the purposes of this chapter, and the procedures set forth in article V of this chapter:

- (1) ~~Bed and breakfast lodgings, subject to the provisions in section 122-778.~~
- (2) ~~Child care centers and day care centers (not including dormitories), when not operated on the grounds of a private or public school or church/synagogue, subject to the provisions in section 122-779.~~
- (3) ~~Churches, synagogues, and other religious buildings, facilities and services customarily incidental thereto, subject to the provisions in section 122-780.~~
- (4) ~~Community garages, subject to the provisions in section 122-781.~~
- (5) ~~Community parking lots, subject to the provisions in section 122-782.~~
- (6) ~~Dormitories, convents or similar uses serving a permitted use on the same or contiguous lot, provided that such facilities shall have minimum side yard setbacks of ten feet.~~
- (7) ~~General hospitals, subject to the provisions in section 122-788.~~
- (8) ~~Medical or dental offices or clinics.~~
- (9) ~~Senior citizen's housing, including efficiency units and common services such as central dining rooms, recreation rooms, and central lounges or workshops, subject to the specific provisions in section 122-789.~~
- (10) ~~Multiple apartment dwellings of more than four but not more than six dwelling units.~~
- (11) ~~Municipal, county, regional, and state service buildings and uses, subject to the specific provisions in section 122-795.~~
- (12) ~~Nursing homes, convalescent homes, and rest homes, subject to the specific provisions in section 122-796.~~
- (13) ~~Private noncommercial recreational areas or social facilities, institutional or community recreational centers, and nonprofit swimming pool or tennis club, subject to the specific provisions in section 122-802.~~
- (14) ~~Restoration or replacement of legal non-conforming multiple apartment and/or roominghouse structures after removal, destruction, or severe damage of such structure pursuant to section 122-205 (5). Planning Commission shall consider standards of 122-165 and the specific provisions of section 122-812 in reviewing such application to restore a legally non-conforming multiple apartment dwelling. All Site Plan Review standards shall be applied to the fullest extent possible in the interest of improving compliance with current standards.~~
- (15) ~~Public and private educational institutions of post-secondary education, subject to the specific provisions in section 122-805.~~
- (16) ~~Roominghouses containing no more than six units, subject to the specific provisions of section 122-804.~~
- (17) ~~Schools: Elementary, junior and senior high schools, public, parochial, and private, subject to the specific provisions in section 122-805. It is not intended that a special use permit be required for the home education of children belonging to a family living on the premises.~~
- (18) ~~Supportive Housing, subject to the special provisions in section 122-811.~~

~~Sec. 122-295. Area regulations.~~

~~No building or structure nor any enlargement thereof in an R3 multiple family medium density residential district shall be erected except in conformance with the following lot area, yard, and building coverage requirements:~~

- (1) ~~*Lot area and width.* In an R3 district, no lot shall have a width of less than 45 feet. Lots with nonparallel sides shall not be less than the minimum width at 20 and 50 feet from the front lot line. No lot shall contain less than the minimum area in accordance with the following requirements:~~
 - a. ~~Single family dwelling: 4,500 square feet.~~
 - b. ~~Two family dwelling and roominghouses with four or fewer units: 6,000 square feet.~~
 - c. ~~Multiple apartment dwellings and roominghouses with more than four units: 8,000 square feet.~~
- (2) ~~*Front yard.* There shall be a front yard of not less than 20 feet as measured from the front lot line. Where an existing front yard setback line has been established by existing residential dwellings occupying 50 percent or more of the~~

~~frontage within the same block on the same side of the street, the depth of the front yard shall not be less than the average depth of the front yards of the existing buildings on each side.~~

- ~~(3) *Side yards.* For single and two family dwellings and roominghouses with four or fewer units, no side yard shall be less than four feet, with a minimum total of 12 feet for both side yards. For multiple apartment dwellings and roominghouses with more than four units and for nonresidential uses, no side yard shall be less than six feet with a minimum total of 14 feet for both sides; provided that the minimum side yard requirements shall be increased one foot for every two feet the structure exceeds 30 feet in height.~~
- ~~(4) *Street side yard.* Where a side yard abuts a street, the minimum width of such street side yard shall be eight feet.~~
- ~~(5) *Rear yard.* There shall be a rear yard of not less than 25 feet.~~
- ~~(6) *Maximum lot coverage.* The maximum coverage by all structures on the ground level shall not exceed 40 percent of the lot area.~~

~~Sec. 122-296. Height regulations.~~

~~No building or structure in the R3 multiple family medium density residential district shall exceed 40 feet in height or three stories, whichever is less. See section 122-640 for exceptions to height regulations.~~

~~Sec. 122-297. Minimum floor area.~~

- ~~(a) *Dwelling units.* Each dwelling unit in the R3 multiple family medium density residential district shall have the minimum usable floor area as follows:~~

Dwelling Unit	Minimum Usable Floor Area Per Unit (Square Feet)
Single family dwelling	720
Two family dwelling	720
Efficiency/studio unit	350
One bedroom unit	450
Two bedroom unit	650
Three bedroom unit	850
Plus 150 square feet per bedroom over 3 bedrooms.	

- ~~(b) *Sleeping rooms.* The floor area of sleeping rooms and common areas within a roominghouse are subject to the specific standards in section 122-804.~~

~~Sec. 122-298. Development standards.~~

- ~~(a) *Site plan review.* In the R3 multiple family medium density residential district, site plan review and approval is required for all uses except detached single family and two family residential uses in accordance with article IV of this chapter.~~
- ~~(b) *General standards.* Buildings and uses in the R3 multiple family medium density residential district shall be subject to all applicable standards and requirements set forth in this chapter, including nonconformities, general provisions, off street parking requirements, signs, and flood damage prevention.~~

~~Secs. 122-299 – 122-310. Reserved.~~

**DIVISION 5.
R4 MULTIPLE FAMILY HIGH DENSITY
RESIDENTIAL DISTRICT**

Sec. 122 311. Description and purpose.

The R4 multiple family high density residential district is designed to allow a high density residential development designed specifically for apartments, condominiums, and townhouses. The R4 multiple family high density residential district is often located adjacent to high traffic generators and major thoroughfares, and will generally serve as zones of transition between nonresidential districts and lower density residential uses. The R4 multiple family high density residential district is designed to insure sound development policies for areas having a concentration of multifamily units, while assuring an adequate supply of apartments.

Sec. 122 312. Permitted uses.

(Ord. No. 626A, § 5.54, 7-15-1994)

In R4 multiple family high density residential districts, no uses shall be permitted except the following:

- ~~(1) Essential services.~~
- ~~(2) Manufactured housing located and installed according to the same standards that would apply to a site built, single- or two family dwelling on the same lot.~~
- ~~(3) Multiple apartment dwellings of not more than six dwelling units (Refer to the definition of "dwelling, multiple apartment" in section 122 2.)~~
- ~~(4) Single family detached dwelling units.~~
- ~~(5) Two family dwellings.~~

Sec. 122 313. Permitted accessory uses.

(Ord. No. 626A, § 5.55, 7-15-1994; Ord. No. 1059, § 1-2007; Ord No 1183A, 4/2013)

In R4 multiple family high density residential districts, uses or structures accessory to and customarily incidental to any permitted or special uses shall be permitted subject to the restrictions of the district regarding lot coverage, height and setbacks, and the restrictions in article XI, division 2 of this chapter regarding accessory structures and uses, including but not necessarily limited to:

- ~~(1) Clubhouse or similar social facility for apartment complexes with 25 units or more, provided that such clubhouse is located at least 50 feet from any property located in an R1 or R2 district.~~
- ~~(2) Communication devices, subject to the provisions of article XI, division 3 of this chapter.~~
- ~~(3) Family day care homes, group day care homes, adult foster care family homes, foster family homes, and foster family group homes, as defined by and subject to the provisions of section 122 773.~~
- ~~(4) Garage and/or carport, provided that:~~
 - ~~a. For each detached single family use, a maximum of one garage and/or one carport, with a capacity of no more than three automobiles per garage or carport; provided that the total combined capacity of all garages and carports may not exceed four automobiles.~~
 - ~~b. For each two family or multiple apartment use, the capacity of all garages and/or carports shall not exceed two automobiles per each efficiency, one bedroom or two bedroom dwelling unit; or three automobiles per each dwelling unit with three or more bedrooms.~~
 - ~~c. For each roominghouse use, the capacity of all garages and/or carports shall not exceed one automobile per sleeping room.~~
- ~~(5) Home occupations, as defined by and subject to the provisions of section 122 669.~~
- ~~(6) Permitted signs, private off street parking facilities, fences, walls, or privacy screens, subject to the provisions of this chapter.~~
- ~~(7) Swimming pools, tennis courts, and other similar uses for the exclusive use of residents and their guests.~~
- ~~(8) Toolhouses, sheds, and other similar buildings for the storage of domestic supplies.~~
- ~~(9) Gardens/community gardens.~~

Sec. 122 314. Special uses.

The following uses may be permitted in the R4 multiple family high density residential district, subject to the conditions specified for each use, review, and approval of the planning commission, the imposition of special conditions which in the opinion of the planning commission are necessary to fulfill the purposed of this chapter, and the procedures set forth in article V of this chapter:

- ~~(1) Adult foster care small and large group homes, and adult foster care congregate facilities, subject to the specific provisions in section 122-773.~~
- ~~(2) Bed and breakfast lodgings, subject to the specific provisions in section 122-778.~~
- ~~(3) Child care centers and day care centers (not including dormitories), when not operated on the grounds of a private or public school or church/synagogue, subject to the specific provisions in section 122-779.~~
- ~~(4) Churches, synagogues, and other religious buildings, facilities and services customarily incidental thereto, subject to the specific provisions in section 122-780.~~
- ~~(5) Community garages, subject to the specific provisions in section 122-781.~~
- ~~(6) Community parking lots, subject to the specific provisions in section 122-782.~~
- ~~(7) Dormitories, convents or similar uses serving a permitted use on the same or contiguous lot, provided that such facilities shall have minimum side yard setbacks of ten feet.~~
- ~~(8) Fraternities or sororities, when not operated as a business or for profit, subject to the specific provisions in section 122-787.~~
- ~~(9) General hospitals, subject to the specific provisions in section 122-788.~~
- ~~(10) Medical or dental offices or clinics.~~
- ~~(11) Senior citizen's housing, including efficiency units and common services such as central dining rooms, recreation rooms, and central lounges or workshops, subject to the specific provisions in section 122-789.~~
- ~~(12) Multiple apartment dwellings of more than six dwelling units, subject to the specific provisions in section 122-794.~~
- ~~(13) Municipal, county, regional, and state service buildings and uses, subject to the specific provisions in section 122-795.~~
- ~~(14) Nursing homes, convalescent homes, and rest homes, subject to the specific provisions in section 122-796.~~
- ~~(15) Private noncommercial recreational areas or social facilities, institutional or community recreational centers, and nonprofit swimming pool or tennis club, subject to the specific provisions in section 122-802.~~
- ~~(16) Public and private educational institutions of post secondary education, subject to the specific provisions in section 122-805.~~
- ~~(17) Roominghouses, subject to the specific provisions of section 122-804.~~
- ~~(18) Schools: Elementary, junior and senior high schools, public, parochial, and private, subject to the specific provisions in section 122-805. However, it is not intended that a special use permit be required for the home education of children belonging to the family living on a premises.~~
- ~~(19) Supportive Housing, subject to the special provisions in section 122-811.~~

~~Sec. 122-315. Area regulations.~~

~~No building or structure nor any enlargement thereof in the R4 multiple family high density residential district shall be erected except in conformance with the following lot area, yard, and building coverage requirements:~~

- ~~(1) Lot area and width. In an R4 district, no lot shall have a width of less than 45 feet. Lots with nonparallel sides shall not be less than the minimum width at 25 and 50 feet from the front lot line. No lot shall contain less than the minimum area in accordance with the following requirements:~~
 - ~~a. Single family detached dwelling: 4,500 square feet.~~
 - ~~b. Two family dwellings and roominghouses containing four or fewer units: 6,000 square feet.~~
 - ~~c. Multiple apartment dwellings containing three or more units and roominghouses containing greater than four units: The minimum lot size for these uses shall be the greater of:~~

1. ~~Eight thousand square feet; or~~
2. ~~Computed on the following basis:~~
 - i. ~~Each sleeping room, efficiency or studio apartment, or one bedroom apartment shall have 1,000 square feet of lot area;~~
 - ii. ~~Each apartment with two or more bedrooms shall have 1,500 square feet of lot area;~~
 - iii. ~~Apartment or roominghouse floor plans showing a "den," "library," or other extra room which includes a closet or built in storage drawers, not a book case, shall be considered a bedroom or sleeping room and shall count such extra room as a bedroom or sleeping room for the purpose of computing density.~~
- (2) ~~Maximum lot coverage.~~ The maximum coverage of all structures on the ground level shall not exceed 45 percent of the lot area.
- (3) ~~Front yard.~~ There shall be a front yard of not less than 25 feet as measured from the front lot line; however, for property located on land which was originally subdivided prior to December 15, 1953, and where an existing front yard setback line has been established by existing residential dwellings occupying 50 percent or more of the frontage within the same block on the same side of the street, the depth of the front yard shall not be less than the average depth of the front yards of the existing buildings on each side.
- (4) ~~Side yards.~~ For single and two family dwellings, and for roominghouses with four or fewer units, no side yard shall be less than four feet, with a minimum total of 12 feet for both side yards. For multiple apartment dwellings, for roominghouses containing more than four units, and for nonresidential uses; no side yard shall be less than six feet, with a minimum total of 14 feet for both sides; provided that the minimum side yard requirements shall be increased by one foot for every two feet the structure exceeds 30 feet in height.
- (5) ~~Street side yard.~~ Where a side yard abuts a street, the minimum depth of such street side yard for single and two-family dwellings shall be eight feet, and for all other uses shall be 15 feet.
- (6) ~~Distance between buildings.~~ The minimum distance between two multiple-family dwellings on a single lot or on contiguous property under the same ownership shall be 20 feet, plus one additional foot for every two feet the building exceeds 20 feet in height.
- (7) ~~Rear yard.~~ There shall be a rear yard of not less than 25 feet.
- (8) ~~Setback from R1 and R2 district.~~ Unless a stricter setback is provided for elsewhere in this chapter, a minimum setback of 25 feet shall be maintained along all property lines where a multiple apartment, roominghouse, or nonresidential use abuts directly upon an R1 or R2 zoned district. Such requirement does not apply if the site is separated from an R1 or R2 district by a public street.

Sec. 122-316. Height regulations.

No building or structure in the R4 multiple family high density residential district shall exceed 65 feet in height or six stories, whichever is less. See section 122-640 for exceptions to height regulations.

Sec. 122-317. Minimum floor area.

- (a) ~~Dwelling units.~~ Each dwelling unit in the R4 multiple family high density residential district shall have the minimum usable floor area as follows:

Dwelling Unit	Minimum Usable Floor Area Per Unit (Square Feet)
Single family dwelling	720
Two family dwelling	720
Efficiency/studio unit	350
One bedroom unit	450
Two bedroom unit	650
Three bedroom unit	850
Plus 150 square feet per bedroom over 3 bedrooms.	

- (b) ~~Sleeping rooms.~~ The floor area of sleeping rooms and common areas within a roominghouse are subject to the specific standards in section 122-804.

Sec. 122-318. Development standards.

- ~~(a) *Site plan review.* In R4 multiple family high density residential districts, site plan review and approval is required for all uses except detached single and two family residential uses in accordance with article IV of this chapter.~~
- ~~(b) *General standards.* Buildings and uses in R4 multiple family high density residential districts shall be subject to all applicable standards and requirements set forth in this chapter, including nonconformities, general provisions, off-street parking requirements, signs, and flood damage prevention.~~

~~**Secs. 122-319 – 122-330. Reserved.**~~

DIVISION 6

RO RESIDENTIAL OFFICE DISTRICTS

~~Sec. 122-331. Description and purpose.~~

- ~~(a) The RO residential office district is designed to allow a transition zone from strictly residential areas to strictly business areas. The RO residential office district is designed to protect the city's residential neighborhoods while at the same time encouraging expansion of compatible businesses.~~
- ~~(b) It is the further intent of the RO residential office district to aid in the preservation and stabilization of property values. To this end, it is the intention that new buildings or the conversion and alteration of existing buildings be compatible by means of landscaping, open space, and architectural treatment with neighboring residences.~~

Sec. 122-332. Permitted uses.

(Ord. No. 626A, § 5.64, 7-15-1994; Ord. No. 1114, 11-17-2009)

~~In RO residential office districts, no uses shall be permitted except the following:~~

- ~~(1) Arts and crafts studios and schools.~~
- ~~(2) Business and professional offices and services, not including manufacturing, warehousing, retail sales, or display. Such uses may include, but are not limited to:~~
 - ~~a. Business offices of a public utility, transportation authority, advertising, real estate, insurance, travel agencies, or commercial or industrial establishments.~~
 - ~~b. Offices for legal, engineering, architectural, consulting, accounting, auditing, and bookkeeping services and similar professions.~~
 - ~~c. Governmental administrative offices.~~
 - ~~d. Business services such as consumer credit bureaus and office support services.~~
 - ~~e. Offices of health professionals, but not including medical or dental clinics or veterinary clinics. (See definition of "Medical or dental clinic" in section 122-2.)~~
 - ~~f. Administrative offices of nonprofit organizations, such as professional membership organizations, labor unions, civic, social, and fraternal associations, political organizations and religious organizations, not including social services, drug or alcohol treatment facilities.~~
- ~~(3) Essential services.~~
- ~~(4) Manufactured housing located and installed according to the same standards that would apply to a site built, single- or two-family dwelling on the same lot.~~
- ~~(5) Multiple apartment dwellings of not more than six dwelling units (Refer to the definition of "dwelling, multiple apartment" in section 122-2.)~~
- ~~(6) Single-family detached dwelling units.~~
- ~~(7) Two-family dwellings.~~

Sec. 122-333. Permitted accessory uses.

(Ord. No. 626A, § 5.65, 7-15-1994; Ord. No. 1059, 5-1-2007; Ord. No. 1183A, 4/2013)

~~In RO residential office districts, uses or structures accessory to and customarily incidental to any permitted uses in section 122-332 shall be permitted, including but not necessarily limited to:~~

- ~~(1) Clubhouse or similar social facility for apartment complexes with 25 units or more, provided that such clubhouse is located at least 50 feet from any interior lot line which abuts property located in an R1 or R2 district.~~
- ~~(2) Communication devices, subject to the provisions of article XI, division 3 of this chapter.~~
- ~~(3) Family day care homes, adult foster care family homes, foster family homes, and foster family group homes, as defined by and subject to the provisions of section 122-773.~~
- ~~(4) Garage and/or carport, provided that:~~

- a. ~~For each detached single family use, a maximum of one garage and/or one carport, with a capacity of no more than three automobiles per garage or carport; provided that the total combined capacity of all garages and carports may not exceed four automobiles.~~
- b. ~~For each two family or multiple apartment use, the capacity of all garages and/or carports shall not exceed two automobiles per each efficiency, one-bedroom or two-bedroom dwelling unit; or three automobiles per each dwelling unit with three or more bedrooms.~~
- c. ~~For each roominghouse use, the capacity of all garages and/or carports shall not exceed one automobile per sleeping room.~~
- d. ~~For each nonresidential use, the number and size of garages and/or carports shall be limited to the setback and lot coverage requirements of this division.~~
- (5) ~~Home occupations, when carried on within a structure which is principally used as a residence, as defined by and subject to the provisions of section 122-669.~~
- (6) ~~Permitted signs, private off street parking facilities, fences, walls, or privacy screens, subject to the provisions of this chapter.~~
- (7) ~~Swimming pools, tennis courts, and other similar uses for the exclusive use of residents and their guests.~~
- (8) ~~Toolhouses, sheds, and other similar buildings for the storage of domestic supplies.~~
- (9) ~~Gardens/community gardens.~~

Sec. 122-334. Special uses.

(Ord. No. 626A, 5-5-66; 7-15-1994; Ord. No. 833, 3-18-1996; Ord. No. 851, 2-18-1997; Ord. No. 1059, 5-1-2007; Ord. No. 1078, 2-5-2008; Ord. No. 1114, 11-17-2009; Ord. No. 1117, 6-1-2010)

~~The following uses may be permitted in RO residential office districts, subject to the conditions specified for each use, review, and approval of the planning commission, the imposition of special conditions which in the opinion of the planning commission are necessary to fulfill the purposed of this chapter, and the procedures set forth in article V of this chapter:~~

- (1) ~~Adult drop in centers.~~
- (2) ~~Adult foster care small and large group homes, and adult foster care congregate facilities, subject to the specific provisions in section 122-773.~~
- (3) ~~Bed and breakfast lodgings, subject to the specific provisions in section 122-778.~~
- (4) ~~Child care centers and day care centers (not including dormitories), when not operated on the grounds of a private or public school or church/synagogue, subject to the specific provisions in section 122-779.~~
- (5) ~~Churches, synagogues, and other religious buildings, facilities and services customarily incidental thereto, subject to the specific provisions in section 122-780.~~
- (6) ~~Community garages, subject to the specific provisions in section 122-781.~~
- (7) ~~Community parking lots, subject to the specific provisions in section 122-782.~~
- (8) ~~Cultural exhibit and performance venues.~~
- (9) ~~Dormitories, convents or similar uses serving a permitted use on the same or a contiguous lot, provided that such facilities shall have minimum side yard setbacks of ten feet.~~
- (10) ~~Funeral or mortuary establishments, provided that adequate assembly area is provided off street for vehicles to be used in funeral processions~~
- (11) ~~General hospitals, subject to the specific provisions in section 122-788.~~
- (12) ~~Housing for the elderly, including efficiency units and common services such as central dining rooms, recreation rooms, and central lounges or workshops, subject to the specific provisions in section 122-789.~~
- (13) ~~Medical or dental clinics or counseling centers, subject to the provisions in section 122-793.~~
- (14) ~~Multiple apartment dwellings of more than six dwelling units, subject to the specific provisions in section 122-794.~~
- (15) ~~Municipal, county, regional, and state service buildings and uses, subject to the specific provisions in section 122-795.~~

- (16) ~~Nursing homes, convalescent homes, and rest homes, subject to the specific provisions in section 122-796.~~
- (17) ~~Private clubs or lodges, not including bar/lounge facilities or banquet facilities.~~
- (18) ~~Private educational institutions of post-secondary education, subject to the specific provisions in section 122-805.~~
- (19) ~~Private noncommercial recreational areas or social facilities, institutional or community recreational centers, and nonprofit swimming pool or tennis club, subject to the specific provisions in section 122-802.~~
- (20) ~~Schools: Elementary, junior and senior high schools, public, parochial, and private (not including home education of children belonging to the family residing on the premises), subject to the specific provisions in section 122-805.~~
- (21) ~~Substance abuse treatment facilities subject to the specific provisions in section 122-808.~~

~~Sec. 122-335. Area regulations.~~

~~No building or structure nor any enlargement thereof in the RO residential office district shall be erected except in conformance with the following lot area, yard, and building coverage requirements:~~

- (1) ~~*Lot area and width.* In an RO residential office district, no lot shall have a minimum width of less than 45 feet. Lots with nonparallel sides shall not be less than the minimum width at 20 and 50 feet from the front lot line. No lot shall contain less than the minimum area in accordance with the following requirements:~~
 - a. ~~Single family dwelling: 4,500 square feet.~~
 - b. ~~Two family dwellings and roominghouses containing four or fewer units: 6,000 square feet.~~
 - c. ~~Multiple apartment dwellings containing three or more units and roominghouses containing more than four units: The minimum lot size for these uses shall be the greater of:~~
 - 1. ~~Eight thousand square feet; or~~
 - 2. ~~Computed on the following basis:~~
 - i. ~~Each sleeping room, efficiency or studio apartment, or one bedroom apartment shall have 1,000 square feet of lot area;~~
 - ii. ~~Each apartment with two or more bedrooms shall have 1,500 square feet of lot area;~~
 - iii. ~~Apartment or roominghouse floor plans showing a "den," "library," or other extra room which may be used as a bedroom or sleeping room shall count such extra room as a bedroom or sleeping room for the purpose of computing density.~~
 - d. ~~The minimum lot size for nonresidential uses, unless otherwise specified in this chapter, shall be limited by the restrictions governing lot coverage, setbacks, screening, and parking requirements.~~
- (2) ~~*Lot coverage.* The total area of all structures at the ground floor level shall not exceed 45 percent of the lot area.~~
- (3) ~~*Front yard.* There shall be a front yard of not less than 20 feet as measured from the front lot line.~~
- (4) ~~*Side yards.* For single and two family dwellings and roominghouses containing four or fewer units, no side yard shall be less than four feet, with a minimum total of 12 feet for both side yards. For multiple apartment dwellings and for roominghouses containing more than four units and for nonresidential uses, no side yard shall be less than six feet, with a minimum total of 14 feet for both sides, provided that the minimum side yard requirements shall be increased by one foot for every two feet the structure exceeds 30 feet in height.~~
- (5) ~~*Street side yard.* Where a side yard abuts a street, the minimum depth of such street side yard shall be 15 feet.~~
- (6) ~~*Distance between buildings.* The minimum distance between two multiple family dwellings on a single lot or on contiguous property under the same ownership shall be 20 feet, plus four additional feet for every story or fraction thereof that the building exceeds 2 ½ stories.~~
- (7) ~~*Rear yard.* There shall be a rear yard of not less than 25 feet.~~
- (8) ~~*Setback from R1 and R2 district.* Unless a stricter setback is provided elsewhere in this chapter, a minimum setback of 25 feet shall be maintained along all property lines where a multiple apartment, roominghouse, or nonresidential use abuts directly upon an R1 or R2 zoned district. Such requirement does not apply if the site is separated from an R1 or R2 district by a public street.~~

~~Sec. 122-336. Height regulations.~~

No building or structure in an RO residential office district shall exceed 65 feet in height or six stories, whichever is less. See section 122-640 for exceptions to height regulations.

Sec. 122-337. Minimum floor area.

- (a) ~~Dwelling unit.~~ Each dwelling unit in an RO residential office district shall have the minimum usable floor area as follows:

Dwelling Unit	Minimum Usable Floor Area Per Unit (Square Feet)
Single-family dwelling	720
Two-family dwelling	720
Efficiency/studio unit	350
One-bedroom unit	450
Two-bedroom unit	650
Three-bedroom unit	850
Plus 150 square feet per bedroom over 3 bedrooms.	

- (b) ~~Sleeping rooms.~~ The floor area of sleeping rooms and common areas within a roominghouse are subject to the specific standards in section 122-804.

Sec. 122-338. Development standards.

- (a) ~~Site plan review.~~ In the RO residential office district site plan review and approval is required for all uses except detached single- and two-family residential uses in accordance with article IV of this chapter.
- (b) ~~General standards.~~ Buildings and uses in the RO residential office district shall be subject to all applicable standards and requirements set forth in this chapter, including nonconformities, general provisions, off-street parking requirements, signs, and flood damage prevention.

Secs. 122-339 – 122-350. Reserved.

DIVISION 7.

B1 NEIGHBORHOOD BUSINESS DISTRICT*

*Cross reference(s)–Businesses, ch. 22.

Sec. 122-351. — DESCRIPTION AND PURPOSE.

The Neighborhood Business District is intended to provide for the convenience shopping of persons living in nearby neighborhood residential areas and for general uses and activities of a retail and personal service character. Only those uses which are necessary to satisfy the local needs, and which occur so frequently as to require commercial facilities in proximity to residential areas, should be permitted. In addition, low intensity business and professional offices may be allowed. Each use within this district shall be no larger than 3,000 square feet for a single business occupant development and no larger than a total of 5,000 square feet for a multi tenant business development. The Planning Commission shall be authorized to allow an additional 1,000 square feet of building size for projects consistent with the character and intent of the section.

Sec. 122-352. Permitted Uses.

(Ord. No. 626A, § 5.74, 7-15-1994; Ord. No. 918, 7-18-2000; Ord. No. 1070, 9-4-2007; Ord. No. 1114, 11-17-2009; Ord. No. 1183A, 4/2013)

In the B1 District no use shall be permitted except the following:

- (1) ~~Antique, consignment and resale stores.~~
- (2) ~~An apartment house of not more than four (4) apartments located in an existing building originally constructed for residential purposes. Rooming houses are not permitted. Refer to Section 122-295 through 122-298 for area, height, floor area and development standards~~
- (3) ~~Apartments located above the ground floor of permitted business, office or other uses; provided that the apartment units meet the minimum floor area requirements of Section 122-317, and adequate parking for apartments is provided in addition to the required parking for business as provided under Article XIII.~~
- (4) ~~Arts and crafts studios and schools.~~
- (5) ~~Business and professional offices and services, not including manufacturing or warehousing. Such uses may include, but are not limited to:~~
 - (a) ~~Business offices of an advertising, real estate, insurance or travel agency, and other similar business offices.~~
 - (b) ~~Offices for legal, engineering, architecture, consulting, accounting, auditing, tax preparation, bookkeeping services, and similar professions.~~
 - (c) ~~Governmental administrative offices.~~
 - (d) ~~Business services such as consumer credit bureaus and office support services.~~
 - (e) ~~Administrative offices of non-profit organizations, such as professional membership organizations, labor unions, civic, social, and fraternal associations, political organizations and religious organizations.~~
- (6) ~~Computer sales/services.~~
- (7) ~~Essential services.~~
- (8) ~~Financial institutions, including banks, credit unions and savings and loan associations, provided that no drive-through facilities are permitted.~~
- (9) ~~Laundry and dry cleaning customer outlets (no dry cleaning is permitted on the premises), coin-operated Laundromats, self serve dry cleaning establishments, and similar operations, provided that all services performed on the premises shall be sold at retail on the same premises.~~
- (10) ~~Medical or dental offices or clinics.~~
- (11) ~~Personal service establishments such as a tailor, barber, beauty, shoe repair, locksmith, small appliance repair without installation, or similar personal service shops.~~
- (12) ~~Restaurants. The following types of restaurants (or any combination thereof), as defined in Section 122-2, are permitted:~~
 - (a) ~~Carryout and/or delivery, with no drive through facilities.~~
 - (b) ~~Sit down, with a total seating capacity of not more than fifty (50) seats, and drive through facilities.~~

~~(13) Retail businesses which supply commodities on the premises for persons residing in adjacent residential areas, such as:~~

- ~~(a) Food stores, grocery stores, food cooperatives, meats, dairy products, baked goods, ice cream, and similar food products, excluding the sale of alcohol. Retail sale of poultry, fish, and game (provided no slaughtering is allowed). The manufacture of food products, such as baked goods or ice cream is permitted provided that a minimum of fifty (50) percent of the products are sold at retail from the same building, and that all activities and storage occur within a completely enclosed building.~~
- ~~(b) Retail stores which sell personal use items such as drugs, health care, dry goods, notions, hardware, books, magazines, periodicals, stationary and school supplies, florists shops, artist's supplies, gifts, antiques, jewelry, small household articles, tobacco products, toilet articles, toys, and similar products.~~

~~(14) Video rental and sales establishments.~~

~~(15) Accessory uses customarily incidental and clearly ancillary to the above permitted uses when in accordance with Article XI, Division 2.~~

~~Sec. 122-353. Special Uses.~~

~~(Ord. No. 626A, 5-75, 7-15-1994; Ord. No. 833, 3-19-1996; Ord. No. 851, 2-18-1997; Ord. No. 918, 7-19-2000; Ord. No. 1038, 4-18-2006; Ord. No. 1117, 6-1-2010; Ord. No. 1183A, 4/2013)~~

~~The following uses may be permitted, subject to the conditions specified for each use, review, and approval of the Planning Commission, the imposition of special conditions which in the opinion of the Planning Commission are necessary to fulfill the purposes of this Ordinance, and the procedures set forth in Article V.~~

- ~~(1) Any establishment intending to operate between 12 a.m. and 6 a.m. during any 24 hour period.~~
- ~~(2) Gas stations and automotive service stations which provide minor repair only as defined in Section 122-2, subject to the standards in Section 122-776, and located along a designated major thoroughfare; provided, however, that quick oil change facilities are not permitted.~~
- ~~(3) Catering services and the manufacture of food products including brewing and distilling.~~
- ~~(4) Child care or day care centers (not including dormitories), licensed by the State of Michigan, subject to the specific provisions in Section 122-779.~~
- ~~(5) Churches, Synagogues, and other Religious Facilities and Services, subject to Specific Provisions of Section 122-780.~~
- ~~(6) Funeral or mortuary establishments, provided that adequate assembly area is provided off street for vehicles to be used in funeral processions.~~
- ~~(7) Personal service establishments such as a photocopy services and photo developing centers.~~
- ~~(8) Private non-commercial recreational areas or social facilities, institutional or community recreational centers, subject to the Specific Provisions in Section 122-802.~~
- ~~(9) Restaurants. Sit down restaurants with more than fifty (50) seats, provided that the establishment has access to a major thoroughfare in accordance with Section 122-642, and does not have a drive through facility.~~
- ~~(10) Retail businesses which sell alcoholic beverages, but not including alcoholic beverages for consumption on the premises.~~
- ~~(11) Veterinary hospitals and clinics, subject to Specific Provisions of Section 122-809.~~

~~Sec. 122-354. Area regulations.~~

~~No building or structure nor any enlargement thereof in a B1 neighborhood business district shall be erected except in conformance with the following lot area, yard, and building coverage requirements:~~

- ~~(1) Lot area, width and building coverage. The minimum lot area and width and the maximum percent of building coverage shall be determined by the use and the required off street parking, loading, screening, and yard setbacks as provided in this chapter for the respective uses and use districts.~~
- ~~(2) Front yard. Where all frontage on the same side of a street between two intersecting streets is located entirely within business zoning districts and where a setback has been established by 50 percent of such frontage, then this established setback shall determine the required front yard. In all other cases, there shall be a front yard of not less than 20 feet. In the B1 district, except as otherwise provided in this chapter, off street parking may be permitted in any required or nonrequired yard areas, provided that such parking lot is located no closer than ten feet to any street~~

~~right of way line and that a greenbelt is maintained between any parking lot and street right of way in accordance with subsection 122-835(11) b.~~

- ~~(3) *Side yards.* No side yards are required along the interior side lot lines if building walls are built of fire retardant construction, except as otherwise specified in the building code. If walls of structures, facing such interior side lot lines, contain windows or other openings, side yards of not less than three feet shall be provided.~~
- ~~(4) *Street side yard.* On a corner lot, the street side yard setback shall conform to the requirements for a front yard in the B1 district. A minimum four foot six inch wide greenbelt shall be maintained along a side yard street bordering a residential district in accordance with section 122-835 (11) b.~~
- ~~(5) *Courtyards.* Courts starting at the ground floor level may be substituted for side yards opposite windows along an interior lot line, but not opposite exits, and shall be not less than five feet in depth for a one-story building, eight feet for a two-story building, plus two feet for each additional story.~~
- ~~(6) *Rear yards.* There shall be a rear yard of not less ten feet. If a building is used in part as a dwelling, a minimum rear yard of 25 feet shall be provided and maintained and shall start at the floor level first used as a dwelling. Rear yards abutting an alley may be measured from the centerline of the alley, if no wall or fence is constructed along the rear property line.~~
- ~~(7) *Abutting a residential district.* Notwithstanding the above, no principal building or accessory structure associated with a business use shall be located closer than 25 feet to any adjacent residential district, unless the adjacent residential district is separated by a street right of way. In addition, an obscuring fence or greenbelt shall be provided and maintained on those sides or rear of the property abutting land zoned residential, as per section 122-703.~~

~~Sec. 122-355. Height regulations.~~

~~No building or structure in a B1 neighborhood business district shall exceed 30 feet or two stories, whichever is less. See section 122-640 for height exceptions.~~

~~Sec. 122-356. Development standards.~~

- ~~(a) *Site plan review.* Site plan review and approval are required for uses in the B1 neighborhood business district, in accordance with article IV of this chapter.~~
- ~~(b) *General standards.* Buildings and uses in the B1 neighborhood business district shall be subject to all applicable standards and requirements set forth in this chapter, including nonconformities, general provisions, off street parking requirements, signs, and flood damage prevention.~~

~~Secs. 122-357 – 122-370. Reserved.~~

DIVISION 8: B2 COMMUNITY BUSINESS DISTRICT*

***Cross reference(s)**—Businesses, ch. 22.

Sec. 122-371. Description and purpose.

The Community Business District is intended to provide for major retail shopping areas outside the downtown area. These districts include commercial property existing along the major streets and thoroughfares of the city, and may contain building areas which are generally larger in size than what is allowed in the B1 zoning district. The uses permitted are intended to accommodate both the general retail consumer and the needs and services of the automobile traveling consumer, and are to be limited in hours of operation.

Sec. 122-372. Permitted Uses.

(Ord. No. 626A, § 5-82, 7-15-1994; Ord. No. 833, 3-18-1996; Ord. No. 843, 8-7-1996; Ord. No. 918, 7-18-2000; Ord. No. 1038, 4-18-2006; Ord. No. 1114, 11-17-2009; Ord. No. 1134, 10-5-2010; Ord. No. 1137, 10-7-2010; Ord. No. 1183A, 4/2013)

In the B2 District no uses shall be permitted except the following:

- ~~(1) Adult drop in centers~~
- ~~(2) Antique, consignment and resale stores.~~
- ~~(3) An apartment house of not more than four (4) apartments located in an existing building originally constructed for residential purposes. Rooming houses are not permitted. Refer to Section 122-295 through 122-298 for area, height, floor area and development standards.~~
- ~~(4) Apartments located above the ground floor of permitted business, office or other uses; provided that the apartment units meet the minimum floor area requirements of Section 122-317, and adequate parking for apartments is provided in addition to the required parking for business use as provided under Article XIII.~~
- ~~(5) Arts and crafts studios and schools.~~
- ~~(6) Auction house, subject to the specific provisions in section 122-813.~~
- ~~(7) Bars/lounges, provided that all service occurs within a completely enclosed building, with the exception of outdoor cafes which are subject to the provisions of Section 122-799.~~
- ~~(8) Business and professional offices and services, not including manufacturing or warehousing. Such uses may include, but are not limited to:~~
 - ~~(a) Business offices of a public utility, transportation authority, advertising, real estate, insurance, travel agencies or commercial or industrial establishments.~~
 - ~~(b) Offices for legal, engineering, architecture, consulting, accounting, auditing, tax preparation, bookkeeping services, and similar professions.~~
 - ~~(c) Governmental administrative offices.~~
 - ~~(d) Business services such as consumer credit bureaus and office support services.~~
 - ~~(e) Offices of health professionals.~~
 - ~~(f) Administrative offices of non profit organizations, such as professional membership organizations, labor unions, civic, social, and fraternal associations, political organizations and religious organizations.~~
- ~~(9) Business, trade and professional schools~~
- ~~(10) Community garages and community parking lots, as defined in Section 122-2, subject to the provisions of Sections 122-781 and 122-782 respectively.~~
- ~~(11) Essential services.~~
- ~~(12) Financial institutions, including banks, credit unions, and savings and loan associations, provided that no drive-through facilities are permitted except as provided in Section 122-784.~~
- ~~(13) Funeral and mortuary establishments, provided that adequate assembly area is provided off street for vehicles to be used in funeral processions.~~
- ~~(14) Health and physical fitness centers, provided they are licensed.~~
- ~~(15) Inns, hotels or motels, as defined in Section 122-2, and subject to the Specific Provisions of Section 122-778.~~

- ~~(16) Laundry and dry cleaning customer outlets (no dry cleaning is permitted on the premises), coin-operated Laundromats, self-serve dry cleaning establishments, and similar operations, provided that all services performed on the premises shall be sold at retail on the same premises.~~
- ~~(17) Medical or dental offices, clinics, or laboratories.~~
- ~~(18) Medical Marijuana Dispensary, subject to the specific provisions in section 122-814.~~
- ~~(19) Offices and showrooms of a plumber, electrician, upholsterer, caterer, decorator or similar trade, subject to the Specific Provisions in Section 122-797.~~
- ~~(20) Outdoor cafes, outdoor fast food or sit-down restaurants, and beer gardens, subject to the Specific Provision of Section 122-799.~~
- ~~(21) Personal service establishments such as a tailor, barber, beauty, shoe repair, locksmith, photocopy services, photo developing centers and photography studios.~~
- ~~(22) Personal service and retail establishments: electronics repair shops, postal centers, small appliance sales and repair, and similar special retail establishments.~~
- ~~(23) Private service clubs, lodges, fraternal organizations, banquet halls and meeting halls.~~
- ~~(24) Private non-commercial recreational areas or social facilities, institutional or community recreational centers, and non-profit pool or tennis club, subject to the Specific Provisions in Section 122-802.~~
- ~~(25) Radio and television studios.~~
- ~~(26) Restaurants. The following types of restaurants (or any combination thereof), as defined in Section 122-2, are permitted:~~
- ~~(a) Carryout and/or delivery: drive-through facilities are not permitted except as provided in Section 122-784.~~
- ~~(b) Fast Food, provided that the establishment fronts along a major thoroughfare, as defined in Section 122-642. Drive-through facilities are not permitted except as provided in Section 122-784.~~
- ~~(c) Sit-down: Drive-through facilities are not permitted except as provided in Section 122-784.~~
- ~~(27) Retail businesses and shopping centers which are intended to supply commodities on the premises for regional customers, such as:~~
- ~~(a) Food stores: grocery stores, food cooperatives, meats, dairy products, alcoholic beverages, baked goods, ice cream, and similar food products. Retail sale of poultry, fish and game (provided no slaughtering is allowed). The manufacture of food products, such as baked goods or ice cream, is permitted provided that fifty (50) percent or more of the products are sold at retail from the same building, and all activities and storage occur within a completely enclosed building. The sale of alcoholic beverages for consumption on the premises is prohibited.~~
- ~~(b) Retail stores which sell personal use items such as drugs, dry goods, notions, hardware, books, magazines, periodicals, stationary and school supplies, artist's supplies, gifts, jewelry, records and video cassette sales, flowers, shoes, small household articles, tobacco products, toilet articles, wearing apparel, toys, and similar products.~~
- ~~(c) Retail stores which offer comparison goods for retail completely within a fully enclosed building, such as home appliances (including service and repair), automotive supply stores (not including on-site automotive repair or installation of parts sold the premises) camera and photography supplies, sporting goods, electronics, furniture, mattresses, optical items, bicycle sales, home supply centers, paint or wallpaper stores, carpet, rug and linoleum/tile stores, lawn care products and machinery, pets and pet supplies (provided that no animals are boarded except for sale and that all animals are boarded inside a building), hobby and craft stores, and similar specialty goods stores.~~
- ~~(28) Veterinary hospitals and clinics, subject to the Specific Provisions in Section 122-809.~~
- ~~(29) Video rental establishments.~~
- ~~(30) Accessory uses customarily incidental and clearly ancillary to the above permitted uses when in accordance with Article XI, Division 2.~~

Sec. 122-373. Special Uses.

(Ord. No. 626A, § 5.83, 7-15-1994; Ord. No. 833, 3-18-1996; Ord. No. 843, 8-7-1996; Ord. No. 851, 2-18-1997; Ord. No. 918, 7-18-2000; Ord. No. 1117, 6-1-2010; Ord. No. 1182A, 4/2013)

~~The following uses may be permitted, subject to the conditions specified for each use, review, and approval of the Planning Commission, the imposition of special conditions which in the opinion of the Planning Commission are necessary to fulfill the purposes of this Ordinance, and the procedures set forth in Article V.~~

- ~~(1) Any establishment intending to operate between 2 a.m. and 6 a.m. during any 24 hour period.~~
- ~~(2) Automotive service stations which provide minor repair only, as defined in Article 2, subject to the standards in Section 122-776, and located along a designated major thoroughfare; provided, however, that quick oil change facilities are not permitted.~~
- ~~(3) Auto rental operations, including parking, storage, washing and repair facilities.~~
- ~~(4) Catering services and the manufacture of food products including brewing and distilling.~~
- ~~(5) Child care or day care centers (not including dormitories), licensed by the State of Michigan, provided that minor children are cared for periods not longer than four (4) hours, subject to the specific provisions in Section 122-779.~~
- ~~(6) Child drop off centers, licensed by the State of Michigan, where minor children are not cared for longer periods than four (4) hours.~~
- ~~(7) Churches, Synagogues, and other Religious Facilities and Services, subject to Specific Provisions of Section 122-780.~~
- ~~(8) Coin operated amusement arcades, and pool and billiard halls.~~
- ~~(9) Drive in and drive-through restaurants, and any type of restaurant which provides a drive-through window, subject to the Specific Provisions in Section 122-784.~~
- ~~(10) Drive through facilities in combination with any kind of store, financial institution, or personal service business, subject to the Specific Provision of Section 122-784.~~
- ~~(11) Emergency shelters for the homeless, subject to the Specific Provisions in Section 122-785.~~
- ~~(12) Express and passenger terminals and express transfer facilities, subject to the Specific Provisions of Section 122-786.~~
- ~~(13) Government and community service buildings.~~
- ~~(14) Hospitals and specialty clinics.~~
- ~~(15) Outdoor retail sales and display, subject to the specific provisions in Section 122-800.~~
- ~~(16) Substance abuse treatment facilities subject to the Specific Provisions in Section 122-808.~~
- ~~(17) Wholesale/warehouse sales facilities.~~
- ~~(18) Printing shops subject to the Specific Provisions in Section 122-810.~~

~~Sec. 122-374. Area regulations.~~

~~No building or structure nor any enlargement thereof in a B2 community business district shall be erected except in conformance with the following lot area, yard, and building coverage requirements:~~

- ~~(1) Lot area, width, and building coverage. The minimum lot area and width and the maximum percent of building coverage shall be determined by the use and the required off street parking, loading, screening walls and yard setbacks as provided in this chapter for the respective uses and use districts.~~
- ~~(2) Front yard. Where all frontage on the same side of a street between two intersecting streets is located entirely within business zoning districts and where a setback has been established by 50 percent of such frontage, then this established setback shall determine the required front yard. In all other cases, there shall be a front yard of not less than 20 feet. In the B2 district, except as otherwise provided in this chapter, off street parking may be permitted in any required or nonrequired yard areas, provided that such parking lot is located no closer than ten feet to any street right of way line and that a greenbelt is maintained between any parking lot and street right of way in accordance with subsection 122-835(11) b.~~
- ~~(3) Side yards. No side yards are required along the interior side lot lines if building walls are built of fire retardant construction, except as otherwise specified in the building code. If walls of structures, facing such interior side lot lines, contain windows or other openings, side yards of not less than three feet shall be provided.~~

- ~~(4) *Street side yard.* On a corner lot, the street side yard setback shall conform to the requirements for a front yard in the B2 district. A minimum four foot six inch wide greenbelt shall be maintained along a side yard street bordering a residential district in accordance with section 122-835 (11) b.~~
- ~~(5) *Courtyards.* Courts starting at the ground floor level may be substituted for side yards opposite windows along an interior lot line, but not opposite exits, and shall be not less than five feet in depth for a one-story building, eight feet for a two-story building, plus two feet for each additional story.~~
- ~~(6) *Rear yards.* There shall be a rear yard of not less than ten feet. If a building is used in part as a dwelling, a minimum rear yard of 25 feet plus five feet for each story in excess of two stories shall be provided, starting at the floor level first used as a dwelling. Rear yards abutting an alley may be measured from the centerline of an alley, provided no wall or fence is constructed along the rear property line.~~
- ~~(7) *Abutting a residential district.* Notwithstanding the provisions of this section, no principal building or accessory structure associated with a business use shall be located closer than 25 feet to any adjacent residential district. In addition, an obscuring fence or greenbelt shall be provided and maintained on those sides or rear of the property abutting land zoned residential, as provided by section 122-703.~~

~~Sec. 122-375. Height regulations.~~

~~No building or structure in a B2 community business district shall exceed four stories or 50 feet in height, whichever is less. See section 122-640 for height exceptions.~~

~~Sec. 122-376. Development standards.~~

- ~~(a) *Site plan review.* Site plan review and approval are required for uses in the B2 district, in accordance with article IV of this chapter.~~
- ~~(b) *General standards.* Buildings and uses in the B2 district shall be subject to all applicable standards and requirements set forth in this chapter, including nonconformities, general provisions, off street parking requirements, signs, and flood damage prevention.~~

~~Secs. 122-377 – 122-390. Reserved.~~

DIVISION 9. B3-CENTRAL-BUSINESS-DISTRICT*

*Cross reference(s)–Businesses, ch. 22; residential parking in B3 zoning district, § 102-131 et seq.

Sec. 122-391. Description and purpose.

- ~~(a) The B3 central business district is designed to promote the orderly development, redevelopment, and continued maintenance of city's downtown and depot town commercial areas. These areas serve the comparison, convenience, service, and cultural needs of the entire municipal area as well as areas beyond the municipal limits.~~
- ~~(b) It is the intent of the B3 central business district to promote the development of a pedestrian accessible mixed use district, consisting of a variety of retail, office, and service uses. Because of the variety of uses permitted in the B3 district, special attention must be focused on site layout, building design, vehicular circulation, and coordination of site features between adjoining sites. Permitted uses should be complementary to each other, and should not have an adverse impact on street capacity, public utilities and services, or the overall image and function of the district.~~
- ~~(c) The B3 central business district provides incentives to encourage the development of public spaces, parking arrangements, and innovative combinations of permitted uses which allow for the rehabilitation of existing structures. Parking facilities should be designed to serve the area instead of individual businesses. Automotive related services and other uses which tend to interfere with the continuity of retail frontage and hinder pedestrian circulation are prohibited.~~

Sec. 122-392. Permitted Uses.

~~(Ord. No. 626A, § 5-90, 7-15-1994; Ord. No. 833, 3-18-1996; Ord. No. 843, 8-7-1996; Ord. No. 1091, 2-3-2009; Ord. No. 1114, 11-17-2009; Ord. No. 1134, 10-5-2010; Ord. No. 1183A, 4/2013)~~

In B3 central business districts, no uses shall be permitted except the following:

- ~~(1) Adult drop in centers.~~
- ~~(2) Antique, resale, and consignment shops.~~
- ~~(3) Apartments located above the ground floor of permitted business uses, provided that the apartments meet the minimum floor area requirements of section 122-317. On site parking shall be provided for all residential uses unless the apartment unit meets the requirements for a fee in lieu of parking described in section 122-841.~~
- ~~(4) Arts and crafts studios and schools.~~
- ~~(5) Auction House, subject to the specific provisions in section 122-813.~~
- ~~(6) Bars/lounges, provided that all service occurs within a completely enclosed building.~~
- ~~(7) Body art facilities.~~
- ~~(8) Child care drop off centers, licensed by the state, where minor children are not cared for longer periods than four hours.~~
- ~~(9) Community garages or community parking lots, subject to the provisions in sections 122-781 and 122-782 respectively.~~
- ~~(9) Cultural exhibit and performance venues.~~
- ~~(10) Essential services.~~
- ~~(11) Financial institutions, including banks, credit unions, and savings and loan associations, provided that no drive-through facilities are permitted except as provided in subsection 122-393(4).~~
- ~~(12) Health and physical fitness centers.~~
- ~~(13) Hotels and motels.~~
- ~~(14) Laundry and dry cleaning customer outlets (no dry cleaning is permitted on the premises), coin-operated laundromats, self serve dry cleaning establishments and similar operations, provided that all services performed on the premises shall be sold at retail on the same premises.~~
- ~~(15) Medical Marijuana Dispensary, subject to the specific provisions in section 122-814.~~
- ~~(16) Municipal, county or state service buildings without storage yards; and community buildings such as libraries, museums, post offices, and recreational, educational, and human service centers.~~

- ~~(17) Newspaper offices and printing shops.~~
- ~~(18) Office buildings and uses, including offices for administrative services, accounting, clerical, drafting, education, executive, insurance, tax preparation, professional real estate, research, sales agent, attorney, stock broker, technical training, stenographic, writing, medical and dental offices, and similar professional office uses.~~
- ~~(19) Organized markets such as a farmers' market.~~
- ~~(20) Outdoor cafes, outdoor fast food or sit down restaurants, and beer gardens, subject to the specific provisions of section 122-799.~~
- ~~(21) Personal service shops, such as a tailor, barber, beauty, shoe repair, locksmith, photocopy services, photo processing, or similar personal service shop.~~
- ~~(22) Private and community service clubs, lodges, banquet halls, and meeting halls.~~
- ~~(23) Public or commercial schools and colleges and other such institutions of learning offering courses in general or technical training, such as business and technical schools, and similar schools, not including dormitories.~~
- ~~(24) Restaurants: The following types of restaurants, or any combination thereof, are permitted:~~
 - ~~a. Carry out and/or delivery, with no facilities for consumption on the premises. Drive through facilities are not permitted.~~
 - ~~b. Fast food: Drive through facilities are not permitted.~~
 - ~~c. Sit down: Drive through facilities are not permitted. A bar/lounge is permitted as an accessory use.~~
- ~~(25) Retail businesses which are intended to supply commodities on the premises for regional customers in a central business location, such as:~~
 - ~~a. Food stores: grocery stores, food cooperatives, meats, dairy products, alcoholic beverages, baked goods, ice cream, and similar food products. Retail sale of poultry, fish, and game (provided o slaughtering is allowed). The manufacture of food products, such as baked goods or ice cream, is permitted provided that fifty (50) percent or more of the products are sold at retail from the same building, and all activities and storage occur within a completely enclosed building. The sale of alcoholic beverages for consumption on the premises is prohibited.~~
 - ~~b. Retail stores which sell personal use items such as drugs, dry goods, notions, hardware, books, magazines, periodicals, stationery and school supplies, artist's supplies, gifts, jewelry, records and video cassette sales, flowers, shoes, small household articles, tobacco products, toilet articles, wearing apparel and personal accessories, toys, and similar products.~~
 - ~~c. Retail stores which offer comparison goods completely within a fully enclosed building such as home appliances (including service and repair), camera and photography supplies, sporting goods, electronics, furniture, optical items, bicycle sales, home supply centers, paint and wallpaper stores, carpet, rug, and linoleum/tile stores, lawn care products and machinery, pets and pet supplies (provided that no animals are boarded except for sale and that all animals are boarded inside a building), hobby and craft stores, and similar specialty goods stores. The manufacture of sporting goods, small household items, and crafts is permitted provided that 50 percent or more of the products are sold at retail from the same building, and all activities and storage occur within a completely enclosed building.~~
 - ~~d. Variety and department stores which sell a large variety of comparison goods, such as personal and specialty items, at retail.~~
- ~~(26) Video rental establishments.~~
- ~~(27) Accessory uses customarily incidental and clearly ancillary to the above permitted uses when in accordance with article XI, division 2 of this chapter.~~

Sec. 122-393. Special Uses.

(Ord. No. 6264, § 5.91, 7-15-1994; Ord. No. 843, 8-7-1996; Ord. No. 1001, 2-3-2009)

The following uses may be permitted in B3 central business districts, subject to the conditions specified for each use, review, and approval of the planning commission, the imposition of special conditions which in the opinion of the planning commission are necessary to fulfill the purposes of this chapter, and the procedures set forth in article V of this chapter:

- ~~(1) Coin operated amusement arcades, and pool and billiard halls.~~

- ~~(2) Emergency shelters for the homeless, located above the ground floor of permitted business uses, subject to the specific provisions in section 122-785.~~
- ~~(3) Express and passenger terminals and express transfer facilities, subject to the specific provisions in section 122-786.~~
- ~~(4) Financial institutions which provide drive through facilities, subject to the specific provisions in section 122-784.~~
- ~~(5) General hospitals, subject to the specific provisions in section 122-788.~~
- ~~(6) Housing for the elderly, including efficiency units and common services such as central dining rooms, recreation rooms, and central lounges or workshops, subject to the specific provisions in section 122-789.~~

~~Sec. 122-394. Area regulations.~~

~~No building or structure nor any enlargement thereof in a B3 central business district shall be erected except in conformance with the following lot area, yard, and building coverage requirements:~~

- ~~(1) Lot area and width. The minimum lot area and width and the maximum percent of building coverage shall be determined by the use and the required off-street parking, loading, screening walls and yard setbacks as provided in this chapter for the respective uses and use districts.~~
- ~~(2) Front yard. Where all frontage on the same side of a street between two intersecting streets is located entirely within business zoning districts and where a setback has been established by 50 percent of such frontage, then this established setback shall determine the required front yard. In all other cases, there shall be a front yard of not less than five feet.~~
- ~~(3) Side yards. No side yards are required along the interior side lot lines if building walls are built of fire retardant construction, except as otherwise specified in the building code. If walls of structures, facing such interior side lot lines, contain windows or other openings, side yards of not less than three feet shall be provided.~~
- ~~(4) Street side yard. In the B3 central business district the street side yard setback on a corner lot shall follow the requirements of subsection (2) of this section.~~
- ~~(5) Courtyards. Courts starting at the ground floor level may be substituted for side yards opposite windows along an interior lot line, but not opposite exits, and shall be not less than five feet in depth for a one-story building, eight feet for a two-story building, plus two feet for each additional story.~~
- ~~(6) Rear yards. There shall be a rear yard of not less than ten feet. If a building is used in part as a dwelling, a minimum rear yard of 25 feet plus five feet for each story in excess of two stories shall be provided, starting at the floor level first used as a dwelling. Rear yards abutting an alley may be measured from the centerline of an alley, provided no wall or fence is constructed along the rear property line.~~
- ~~(7) Abutting a residential district. Notwithstanding the above, no principal building or accessory structure associated with a business use shall be located closer than 25 feet to any adjacent residential district. In addition, an obscuring fence or greenbelt shall be provided and maintained on those sides or rear of the property abutting land zoned residential, as per section 122-703.~~

~~Sec. 122-395. Height regulations.~~

~~No building or structure in a B3 central business district shall exceed six stories or 75 feet in height, whichever is less. See section 122-640 for height exceptions.~~

~~Sec. 122-396. Development standards.~~

- ~~(a) Site plan review. Site plan review and approval are required for uses in the B3 district in accordance with article IV of this chapter.~~
- ~~(b) General standards. Buildings and uses in the B3 district shall be subject to all applicable standards and requirements set forth in this chapter, including nonconformities, general provisions, off-street parking requirements, signs, and flood damage prevention.~~

~~Secs. 122-397 – 122-410. Reserved.~~

DIVISION 10. B4-GENERAL BUSINESS DISTRICT*

*Cross reference(s)--Businesses, ch. 22.

Sec. 122-411. Description and purpose.

- (a) ~~The B4 general business district is designed to provide for a variety of commercial uses, including more intensive commercial uses not permitted in the B1, B2, and B3 districts and which can be incompatible with pedestrian movement. The B4 general business district is intended to permit commercial establishments that cater to the convenience and comparison shopping needs of the entire city and a substantial area of surrounding region beyond the municipal limits and, therefore, are located so as to serve passing traffic.~~
- (b) ~~Because of the variety of business types permitted in the B4 general business district, special attention must be focused on site layout, building design, vehicular circulation, and coordination of site features between adjoining sites. General commercial facilities should be compatible in design with adjacent commercial development.~~

Sec. 122-412. Permitted uses.

~~(Ord. No. 626A, § 5-98, 7-15-1994; Ord. No. 833, 3-18-1996; Ord. No. 843, 8-7-1996; Ord. No. 918, 7-18-2000; Ord. No. 1091, 2-3-2009; Ord. No. 1114, 11-17-2009; Ord. No. 1134, 10-5-2010; Ord. No. 1137, 10-7-2010; Ord. No. 1183A, 4/2013)~~

In B4 general business districts, no uses shall be permitted except the following:

- (1) ~~Adult drop in centers.~~
- (2) ~~Antique, consignment, and resale stores.~~
- (3) ~~An apartment house of not more than four apartments located in an existing building originally constructed for residential purposes; provided, however, that the building originally constructed for residential purposes which has been totally converted to a commercial use may not be reconverted to residential use, in whole or in part. Rooming houses are not permitted. Refer to Section 122-295 through 122-298 for area, height, floor area and development standards. (Ord. No. 918, 8-4-2000)~~
- (4) ~~Arts and crafts studios and schools.~~
- (5) ~~Auction House, subject to the specific provisions in section 122-813.~~
- (6) ~~Automobile sales: showrooms, salesrooms, or offices for new and used automobiles, trucks and tractors, boats, mobile homes, recreation vehicles and trailer sales, including automobile repair shops providing minor repair. Major repair is not permitted except as provided in subsection 122-413(5). The outdoor display of vehicles is regulated by subsection 122-413(11).~~
- (7) ~~Automobile service stations and repair garages which provide minor repair only, subject to the specific standards in section 122-776.~~
- (8) ~~Bar/lounge, provided that all service occurs within a completely enclosed building.~~
- (9) ~~Body art facilities.~~
- (10) ~~Catering services and the manufacture of food products including brewing and distilling.~~
- (11) ~~Child care centers (not including dormitories), subject to the specific provisions in section 122-779.~~
- (12) ~~Child care drop-off centers, licensed by the state, where minor children are not cared for longer periods than four hours.~~
- (13) ~~Community garages or community parking lots, subject to the specific provisions in sections 122-781 and 122-782 respectively.~~
- (14) ~~Essential services.~~
- (15) ~~Financial institutions, including banks, credit unions, and savings and loan associations. Drive through facilities are permitted, subject to the specific provision in section 122-784.~~
- (16) ~~Funeral and mortuary establishments, provided that adequate assembly area is provided off street for vehicles to be used in funeral processions.~~
- (17) ~~Health and physical fitness centers.~~
- (18) ~~Hotels and motels.~~

- (19) ~~Indoor recreation uses, such as bowling alleys, billiard halls, gymnasium or court sports facilities, tennis clubs, roller or ice skating rinks, personal fitness centers, and similar recreation uses, provided that public access to the site shall be located at least 75 feet from any intersection (as measured from the nearest right of way line to the edge of such access) and that the main and accessory buildings shall be located a minimum of 100 feet from any residential district or use.~~
- (20) ~~Laundry and dry cleaning customer outlets (no dry cleaning is permitted on the premises), coin operated laundromats, self serve dry cleaning establishments, and similar operations, provided that all services performed on the premises shall be sold at retail on the same premises.~~
- (21) ~~Medical Marijuana Dispensary, subject to the specific provisions in section 122-814.~~
- (22) ~~Medical or dental offices, clinics, or laboratories.~~
- (23) ~~Offices for business and professional offices and services, not including manufacturing or warehousing. Such uses may include, but are not limited to the following:~~
- ~~a. Business offices of a public utility, transportation authority, advertising, real estate, insurance, travel agencies, or commercial or industrial establishments.~~
 - ~~b. Offices for legal, engineering, architectural, consulting, accounting, auditing, and bookkeeping services and similar professions.~~
 - ~~c. Governmental administrative offices.~~
 - ~~d. Business services such as consumer credit bureaus and office support services.~~
 - ~~e. Administrative offices of nonprofit organizations, such as professional membership organizations, labor unions, civic, social, and fraternal associations, political organizations and religious organizations, not including provision of social services or substance abuse treatment facilities.~~
- (24) ~~Offices and showrooms of a plumber, electrician, upholsterer, caterer, decorator or similar trade, subject to the specific provisions in section 122-797.~~
- (25) ~~Outdoor cafes, outdoor fast food or sit down restaurants, and beer gardens, subject to the specific provisions of section 122-799.~~
- (26) ~~Personal service shops such as a tailor, barber, beauty, shoe repair, locksmith, photocopy services, photo processing, or similar personal service shop.~~
- (27) ~~Private noncommercial recreational areas or social facilities, institutional or community recreational centers, and nonprofit swimming pool or tennis club, subject to the specific provisions in section 122-802.~~
- (28) ~~Private service clubs, lodges, banquet halls, and meeting halls.~~
- (29) ~~Radio and television studios.~~
- (30) ~~Refreshment stands.~~
- (31) ~~Restaurants, including carry out or delivery, sit down, or fast food, or any combination thereof. Drive through facilities are permitted subject to the provisions in section 122-783.~~
- (32) ~~Retail businesses which are intended to supply commodities on the premises for regional customers, such as:~~
- ~~a. Food stores: grocery stores, food cooperatives, meats, dairy products, alcoholic beverages, baked goods, ice cream, and similar food products. The retail sale of poultry, fish, and game is permitted, provided no slaughtering is allowed. The manufacture of food products, such as baked goods or ice cream, is permitted provided that 50 percent or more of the products are sold at retail from the same building, and all activities and storage occur within a completely enclosed building. The sale of alcoholic beverages for consumption on the premises is prohibited.~~
 - ~~b. Retail stores which sell personal use items such as drugs, dry goods, notions, hardware, books, magazines, periodicals, stationery and school supplies, artist's supplies, gifts, jewelry, records and video cassette sales, flowers, shoes, small household articles, tobacco products, toilet articles, wearing apparel and personal accessories, toys, and similar products.~~
 - ~~c. Retail stores which offer comparison goods completely within a fully enclosed building such as home appliances (including service and repair), camera and photography supplies, sporting goods, electronics, furniture, optical items, bicycle sales, home supply centers, paint and wallpaper stores, carpet, rug, and~~

~~linoleum/tile stores, lawn care products and machinery, building materials, pets and pet supplies (provided that no animals are boarded except for sale and that all animals are boarded inside a building), hobby and craft stores, and similar specialty goods stores. The manufacture of sporting goods, small household items and crafts is permitted provided that 50 percent or more of the products are sold at retail from the same building and all activities and storage occur within a completely enclosed building.~~

- ~~d. Variety and department stores which sell a large variety of comparison goods, such as personal and specialty items, at retail.~~

~~(33) Single family and two family residences, provided that such uses are located in a structure originally constructed for residential use.~~

~~(34) Video rental establishments.~~

~~(35) Veterinary hospitals and clinics, subject to the specific provisions in section 122-809.~~

~~(36) Accessory uses customarily incidental and clearly ancillary to the above permitted uses when in accordance with article XI, division 2 of this chapter.~~

Sec. 122-413. Special uses.

~~(Ord. No. 626A, § 5-99, 7-15-1994; Ord. No. 832, 3-18-1996; Ord. No. 843, 8-7-1996; Ord. No. 851, 2-19-1997; Ord. No. 1091, 2-3-2000; Ord. No. 1117, 6-1-2010; Ord. No. 1183A, 4/2013)~~

~~The following uses may be permitted in B4 general business districts, subject to the conditions specified for each use, review, and approval of the planning commission, the imposition of special conditions which in the opinion of the planning commission are necessary to fulfill the purposes of this chapter, and the procedures set forth in article V of this chapter:~~

- ~~(1) Adult regulated uses regulated under section 122-774.~~
- ~~(2) Any establishment intending to operate between the hours of 2:00 a.m. and 6:00 a.m. in any 24 hour period.~~
- ~~(3) Automobile, trailer, and truck rental outlets; provided that rental vehicles do not exceed 10,000 pounds in gross weight.~~
- ~~(4) Automobile or car wash establishments, subject to the specific provisions in section 122-777.~~
- ~~(5) Automobile service stations and automobile repair garages, standing alone or in combination with an automobile sales outlet, which provide major or minor repairs, subject to the specific standards in section 122-776.~~
- ~~(6) Coin-operated amusement arcades, and pool and billiard halls.~~
- ~~(7) Emergency shelter for the homeless, subject to the specific provisions in section 122-785.~~
- ~~(8) Express and passenger terminals and express transfer facilities, subject to the specific provisions in section 122-786.~~
- ~~(9) Inns, subject to the specific standards in section 122-778.~~
- ~~(10) Open front or open air businesses; outdoor commercial recreation or amusement facilities; or outdoor sales of new or used automobiles, trucks, tractors, boats, mobile homes, recreation vehicle and trailers, subject to the specific provisions in section 122-798.~~
- ~~(11) Outdoor retail sales of plant materials, lawn furniture, playground equipment, and home garden supplies, subject to the specific provisions in section 122-800.~~
- ~~(12) Substance abuse treatment facilities subject to the specific provisions in section 122-808.~~

Sec. 122-414. Area regulations.

~~No building or structure nor any enlargement thereof in a B4 general business district shall be hereafter erected except in conformance with the following lot area, yard, and building coverage requirements:~~

- ~~(1) Lot area, width, and building coverage. The minimum lot area and width and the maximum percent of building coverage shall be determined by the use and the required off-street parking, loading, screening walls and yard setbacks as provided in this chapter for the respective uses and use districts.~~
- ~~(2) Front yard. Where all frontage on the same side of a street between two intersecting streets is located entirely with business zoning districts and where a setback has been established by 50 percent of such frontage, then this established setback shall determine the required front yard. In all other cases, there shall be a front yard of not less than 30 feet. In the B4 district, except as otherwise provided in this chapter, off street parking may be permitted in any required or nonrequired yard areas, provided that no parking lot is located closer than ten feet to any street right-~~

of way line and that a greenbelt is maintained between any parking lot and street right of way in accordance with subsection 122-835(11).

- (3) ~~Side yards.~~ No side yards are required along the interior side lot lines if building walls are built of fire retardant construction, except as otherwise specified in the building code. If walls of structures, facing such interior side lot lines, contain windows or other openings, side yards of not less than three feet shall be provided.
- (4) ~~Street side yards.~~ In the B4 general business district, the street side yard setback on a corner lot shall follow the requirements of subsection (2) of this section. A minimum four foot six inch wide greenbelt shall be maintained along a side yard street bordering a residential district in accordance with section 122-835 (11) b.
- (5) ~~Courtyards.~~ Courts starting at the ground floor level may be substituted for side yards opposite windows along an interior lot line, but not opposite exits, and shall be not less than five feet in depth for a one-story building, eight feet for a two-story building, plus two feet for each additional story.
- (6) ~~Rear yards.~~ There shall be a rear yard of not less than ten feet. If a building is used in part as a dwelling, a minimum rear yard of 25 feet plus five feet for each story in excess of two stories shall be provided, starting at the floor level first used as a dwelling. Rear yards abutting an alley may be measured from the centerline of an alley, provided no wall or fence is constructed along the rear property line.
- (7) ~~Abutting a residential district.~~ Notwithstanding the above, no principal building or accessory structure associated with a business use shall be located closer than 25 feet to any adjacent residential district. In addition, an obscuring fence or greenbelt shall be provided and maintained on those sides or rear of the property abutting land zoned residential, as provided in section 122-703.

~~Sec. 122-415. Height regulations.~~

No building or structure in the B4 general business district shall exceed six stories or 75 feet in height, whichever is less. See section 122-640 for height exceptions.

~~Sec. 122-416. Development standards.~~

- (a) ~~Site plan review.~~ Site plan review and approval are required for uses in the B4 district in accordance with article IV of this chapter.
- (b) ~~General standards.~~ Buildings and uses in the B4 district shall be subject to all applicable standards and requirements set forth in this chapter, including nonconformities, general provisions, off street parking requirements, signs, and flood damage prevention.

~~Secs. 122-417 – 122-430. Reserved.~~

DIVISION 11: WS WORKSHOP STUDIO DISTRICT*

*Cross reference(s)--Businesses, ch. 22.

Sec. 122-431. Description and purpose.

The WS workshop studio district is designed to allow the production of handicrafts and products which are primarily handmade or requiring a minimum of industrial machinery and often employing the skills of trained craftsmen or artisans; along with studios and limited retail and wholesale activities, which have minimal undesirable impacts. The WS workshop studio district is intended to allow for a transition zone between strictly business areas to strictly manufacturing areas. The WS workshop studio district may be used in blocks which contain old vacant commercial structures, mixed land uses, under-utilized structures or other deficiencies in older neighborhood business areas.

Sec. 122-432. Permitted uses.

(Ord. No. 626A, § 5-113, 7-15-1994; Ord. No. 1114, 11-17-2009; Ord. No. 1134, 10-5-2010; Ord. No. 1183A, 4/2013)

In WS workshop studio districts, no uses shall be permitted except the following, provided all activities and storage are wholly conducted within a completely enclosed building except for parking and loading, and all business shall be conducted in such a manner that no noise, smoke, dust, noxious odors, vibration, or any other like nuisance shall exist to affect adjoining properties:

- (1) ~~Apartments located above the ground floor of permitted uses, provided that the apartment units meet the minimum floor area requirements of section 122-317, and adequate parking for apartments is provided in addition to the required parking for business or manufacturing use as provided under article XIII of this chapter.~~
- (2) ~~Arts and crafts studios and schools.~~
- (3) ~~Auction House, subject to the specific provisions in section 122-813.~~
- (4) ~~Cinema production or development, except for adult regulated uses.~~
- (5) ~~Cultural exhibit and performance venues.~~
- (6) ~~Custom fabrication of small parts, provided that no emissions are a byproduct of such fabrication, and provided that all noise related to such fabrication is not audible beyond the premises.~~
- (7) ~~Food cooperatives, nonprofit.~~
- (8) ~~Manufacture of handicraft products, statuary and art goods, pottery and ceramic products, cosmetics and toiletries, jewelry, clothing and garments, perfumes, electrical appliances and fixtures, draperies, novelty articles, advertising display, notions, smoking tobacco products, gauges, jigs, optical goods, luggage and leather products, toys and household supplies, personal accessories, paper, wood, plastic, or rubber molded products.~~
- (9) ~~Offices, showrooms and work spaces of a plumber, electrician, upholsterer, display designer, decorator, horticulturist, or similar trade, provided that no more than 25 percent or less of the floor area of such activity is used as a showroom.~~
- (10) ~~Personal service shops such as a tailor, barber, beauty, shoe repair, locksmith, carpenter, photocopy services, photo processing, or similar personal service shop.~~
- (11) ~~Printing services, including but not limited to: photocopying, printing, publishing, engraving, photo engraving, photo development, lithographing, and blueprint production.~~
- (12) ~~Radio and television stations.~~
- (13) ~~Repair of appliances, provided that the retail sale of new merchandise, other than service parts and accessories shall not be permitted.~~
- (14) ~~Residential uses: single family, two family, and multiple apartment residences of not more than four apartments, located in an existing building originally constructed for residential purposes.~~
- (15) ~~Wholesaling: small scale wholesaling or mail order enterprises which occupy a total gross floor area of not more than 16,000 square feet.~~
- (16) ~~Catering services and the manufacture of food products including brewing and distilling.~~
- (17) ~~Accessory uses customarily incidental and clearly ancillary to the above permitted uses when in accordance with article XI, division 2 of this chapter.~~

Sec. 122-433. Special uses.

(Ord. No. 626A, § 5-114, 7-15-1994; Ord. No. 851, 2-18-1997; Ord. No. 1114, 11-17-2009; Ord. No. 1117, 6-1-2010)

~~The following uses may be permitted, subject to the conditions specified for each use, review, and approval of the planning commission, the imposition of special conditions which in the opinion of the planning commission are necessary to fulfill the purposes of this chapter, and the procedures set forth in article V of this chapter:~~

- ~~(1) Clubs: private service clubs, fraternal organizations but not including residential uses, banquet halls, and meeting halls, provided that such structures shall not be located within 200 feet of an R1 or R2 district.~~
- ~~(2) Community garages or community parking lots, subject to the specific provisions in sections 122-781 and 122-782 respectively.~~
- ~~(3) Theaters, when completely enclosed.~~

Sec. 122-434. Area regulations.

~~No building or structure nor any enlargement thereof shall be erected in the WS district except in conformance with the following lot area, yard, and building coverage requirements:~~

- ~~(1) Lot area and width. The minimum lot area and width and the maximum percent of building coverage shall be determined by the use and the required off-street parking, loading, screening walls and yard setbacks as provided in this chapter for the respective uses and use districts.~~
- ~~(2) Front yard. Where all frontage on the same side of a street between two intersecting streets is located entirely within business and/or manufacturing zoning districts and where a setback has been established by 50 percent of such frontage, then this established setback shall determine the required front yard. In all other cases, there shall be a front yard of not less than 20 feet.~~
- ~~(3) Side yards. No side yards are required along the interior side lot lines if building walls are built of fire retardant construction, except as otherwise specified in the building code. If walls of structures, facing such interior side lot lines, contain windows or other openings, side yards of not less than three feet shall be provided.~~
- ~~(4) Street side yard. On a corner lot there shall be provided on the street side yard a minimum setback of 20 feet. A minimum four foot six inch wide greenbelt shall be maintained along a street bordering a residential district in accordance with section 122-835 (11) b.~~
- ~~(5) Courtyards. Courts starting at the ground floor level may be substituted for side yards opposite windows along an interior lot line, but not opposite exits, and shall be not less than five feet in depth for a one-story building, eight feet for a two-story building, plus two feet for each additional story.~~
- ~~(6) Rear yards. There shall be a rear yard of not less than ten feet. If a building is used in part as a dwelling, a minimum rear yard of 25 feet plus five feet for each story in excess of two stories shall be provided, starting at the floor level first used as a dwelling. Rear yards abutting an alley may be measured from the centerline of an alley, provided no wall or fence is constructed along the rear property line.~~
- ~~(7) Abutting a residential district. Notwithstanding subsections (5) and (6) of this section, no principal building or accessory structure associated with a business use shall be located closer than 25 feet to any adjacent residential district. In addition, an obscuring fence or greenbelt shall be provided and maintained on those sides or rear of the property abutting land zoned residential, as provided in section 122-703.~~

Sec. 122-435. Height regulations.

~~No building or structure in the WS workshop-studio district shall exceed two stories or 30 feet in height, whichever is less. See section 122-640 for height exceptions.~~

Sec. 122-436. Development standards.

- ~~(a) Site plan review. Site plan review and approval is required for uses in the WS district in accordance with article IV of this chapter.~~
- ~~(b) General standards. Buildings and uses in the WS district shall be subject to all applicable standards and requirements set forth in this chapter, including nonconformities, general provisions, off-street parking requirements, signs and flood damage prevention.~~

Secs. 122-437 – 122-450. Reserved.

DIVISION 12. M1 LIGHT MANUFACTURING DISTRICT*

*Cross reference(s)--Businesses, ch. 22.

Sec. 122-451. Description and purpose.

- (a) ~~The M1 light manufacturing district is designed to provide locations for wholesale activities, warehouses, and industrial operations which produce minimal external impacts that are detrimental in any way to other uses in the district or to properties in adjoining districts. Permitted uses in the M1 light manufacturing district should be compatible with surrounding residential or commercial uses.~~
- (b) ~~Accordingly, permitted manufacturing, distribution, warehousing, and light industrial uses permitted in this district should be fully contained within well designed buildings, with adequate off street parking and loading areas, and with property screening around outside storage areas. Truck traffic, loading and unloading operations are expected to be part of this district. New dwellings are not permitted in the M1 light manufacturing district.~~

Sec. 122-452. Permitted uses.

(Ord. No. 626A, § 5.121, 7-15-1994; Ord. No. 836, 5-21-1996; Ord. No. 1114, 11-17-2009; Ord. No. 1183A, 4/2013)

~~In M1 light manufacturing districts, no use shall be permitted except the following:~~

- (1) ~~Automobile repair garages which provide minor repairs, subject to the specific standards in section 122-775.~~
- (2) ~~Automobile, trailer, and truck rental outlets.~~
- (3) ~~Central dry cleaning plants or laundries.~~
- (4) ~~Cinema production or development, except for adult regulated uses.~~
- (5) ~~Development and research: any use charged with the principal function of basic research, design, and pilot or experimental project development when conducted within a completely enclosed building.~~
- (6) ~~Financial institutions, including banks, credit unions, and savings and loan associations. Drive through facilities are permitted, subject to the specific provisions in section 122-784.~~
- (7) ~~Greenhouses.~~
- (8) ~~Kennels, commercial, subject to the specific provisions in section 122-791.~~
- (9) ~~Laboratories: experimental, film, or testing.~~
- (10) ~~Machine, sheet metal, carpentry, wood working, tool, die and welding shops.~~
- (11) ~~Manufacture, compounding, assembling, or treatment of articles or merchandise from previously prepared materials such as, but not limited to: bone, canvas, cellophane, cloth, cork, elastomers, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, rubber, precious or semi-precious metals or stone, sheet metal, shell, textiles, tobacco, wax, wire, wood and yarns; custom plating or galvanizing.~~
- (12) ~~Manufacture, compounding, processing, washing and cleaning, packaging, or treatment of such products as, but not limited to; cosmetics, powders, toiletries, and pharmaceutical products; household chemicals and cleaning products; and hardware and cutlery.~~
- (13) ~~Manufacture of handicraft products, statuary and art goods, pottery and ceramic products, cosmetics and toiletries, jewelry, clothing and garments, perfumes, electrical appliances and fixtures, draperies, novelty articles, advertising display, notions, smoking tobacco products, gauges, jigs, optical goods, luggage and leather products, toys and household supplies, personal accessories, paper, wood, plastic, or rubber molded products.~~
- (14) ~~Offices, showrooms and work spaces of a plumber, electrician, upholsterer, decorator, or similar trade, provided that no more than 25 percent or less of the floor area of such activity is used as a showroom.~~
- (15) ~~Printing services, including but not limited to: photocopying, printing, publishing, engraving, photo engraving, photo development, lithographing, and blueprint production.~~
- (16) ~~Production, fabrication, treatment or assembly of sheet metal products, not heavier than number 14 U.S. gauge, not elsewhere classified, which does not involve blooming, forging, hammer or foundry work; or wire metal products not elsewhere classified which does not involve cold heating or upset on wire more than one quarter inch in diameter.~~

- ~~(17) Public buildings and utilities including necessary structures, storage yards and other related uses; but not including heating and electric generation plants and water supply and sewage treatment plants.~~
- ~~(18) Radio and television stations.~~
- ~~(19) Self storage facilities and mini-warehouses subject to the provisions of section 122-806.~~
- ~~(20) Storage facilities for building materials, asphalt, tar, grain, fertilizer, lumber, machinery, contractors' equipment and supplies, provided such is enclosed within a building. Outdoor storage of materials is permitted after special use approval, subject to the provisions of subsection 122-453(4).~~
- ~~(21) Trade or industrial schools.~~
- ~~(22) Warehousing and wholesale establishments and trucking facilities, including cold storage and the packaging, crating, and boxing of manufactured products.~~
- ~~(23) Catering services and the manufacture of food products including brewing and distilling.~~
- ~~(24) Manufacture and processing of food products not elsewhere classified but not including slaughtering, sugar refining, and similar processes.~~

Sec. 122-453. Special uses.

(Ord. No. 626A, § 5-122, 7-15-1994; Ord. No. 918, 7-18-2000; Ord. No. 1137, 10-7-2010; Ord. No. 1183A, 4/2013)

The following uses may be permitted in M1 light manufacturing districts, subject to the conditions specified for each use, review, and approval of the planning commission, the imposition of special conditions which in the opinion of the planning commission are necessary to fulfill the purposes of this chapter, and the procedures set forth in article V of this chapter:

- ~~(1) Adult regulated uses, as regulated in section 122-774.~~
- ~~(2) Automobile repair garages providing major repair, and undercoating shops, subject to the specific provisions in section 122-775.~~
- ~~(3) Automobile or car wash establishments, subject to the specific provisions in section 122-777.~~
- ~~(4) Medical Marijuana Growing/Manufacturing Facility, subject to the specific provisions in section 122-815.~~
- ~~(5) Outdoor storage of raw materials and supplies or finished or semi finished products, subject to the specific provisions in section 122-801.~~
- ~~(6) Radio and television towers, public utility microwaves, and public utility television transmitting towers, mobile communications towers, cellular phone towers and their attendant facilities are subject to the specific provisions in Section 122-687. (Ord. No. 918, 8-4-2000)~~
- ~~(7) Recycling centers for discarded items, subject to the specific provisions in section 122-803.~~
- ~~(8) Retail uses which have an industrial character in terms of either their outdoor storage requirements or activities such as lumber yards, building material outlets, upholsterer and cabinet maker shops and sale of agricultural implements. Any outdoor storage shall meet the requirements of section 122-801.~~
- ~~(9) Storage within enclosures of liquid and solid fuels, subject to the specific provisions in section 122-807.~~
- ~~(10) Slaughtering, sugar refining, and other similar processes.~~

Sec. 122-454. Area regulations.

No building or structure nor any enlargement thereof in the M1 light manufacturing district shall be hereafter erected except in conformance with the following lot area, yard, and building coverage requirements:

- ~~(1) Lot area and width. The minimum lot area and width and the maximum percent of building coverage shall be determined by the use and the required off street parking, loading, screening and yard setbacks as provided in this chapter for the respective uses and use districts.~~
- ~~(2) Front yard. There shall be a front yard of not less than 25 feet as measured from the front lot line. In the M1 district, except as otherwise provided in this chapter, off street parking may be permitted in any required or nonrequired yard areas, provided that no parking lot is located closer than ten feet to any street right of way line and that a greenbelt is maintained between any parking lot and street right of way in accordance with subsection 122-835(11).~~
- ~~(3) Side yards. A minimum side yard of 15 feet shall be provided and maintained on all sides of the site that abut a business district. Except for the above, no side yards are required along the interior lot lines if building walls are~~

~~built of fire retardant construction, except as otherwise specified in the building code. If walls of structures, facing such interior side lot lines, contain windows or other openings, side yards of not less than three feet shall be provided.~~

~~(4) *Street side yard.* On a corner lot there shall be provided on the street side yard a minimum setback of 15 feet. A minimum four foot six inch wide greenbelt shall be maintained along a street bordering a residential district in accordance with subsection 122-835(11).~~

~~(5) *Rear yards.* A minimum rear yard of not less than 20 feet shall be provided and maintained on every lot.~~

~~(6) *Abutting a residential district.* Notwithstanding subsections (3) and (5) of this section, no principal building or accessory structure associated with any manufacturing use shall be located closer than 25 feet to any adjacent residential district. In addition, an obscuring fence or greenbelt shall be provided and maintained along those sides or rear of the property adjacent to land zoned residential, as provided in section 122-703.~~

~~Sec. 122-455. Height regulations.~~

~~No building or structure in the M1 light manufacturing district shall exceed two stories or 30 feet in height, whichever is less. See section 122-640 for height exceptions.~~

~~Sec. 122-456. Development standards.~~

~~(a) *Deleterious operations.* No activity, operation, or use shall be permitted on any property in the M1 light manufacturing district which by reason of the emission of odor, fumes, smoke, vibration, radiation, heat, glare, dust, soot, noise, or disposal of waste is deleterious to other permitted activities in the zoning district or is obnoxious or offensive to uses permitted in neighboring districts, or is harmful to the general health, safety, or welfare of the community.~~

~~(b) *Enclosed buildings.* All manufacturing, compounding, assembling, processing, packaging, or other industrial or business activity shall be conducted within a completely enclosed building, except as otherwise specified. Outdoor storage is permitted only when in compliance with section 122-801.~~

~~(c) *Site plan review.* Site plan review and approval is required for uses in the M1 district in accordance with article IV of this chapter.~~

~~(d) *General standards.* Buildings and uses in the M1 district shall be subject to all applicable standards and requirements set forth in this chapter, including nonconformities, general provisions, off street parking requirements, signs, and flood damage prevention.~~

~~Secs. 122-457 – 122-470. Reserved.~~

DIVISION 13. M2 GENERAL MANUFACTURING DISTRICT*

*Cross reference(s)--Businesses, ch. 22.

Sec. 122-471. Description and purpose.

- (a) ~~The M2 general manufacturing district is designed to provide locations for general or heavy industrial activities such as those which involve the use of heavy machinery, extensive amounts of contiguous land, service by railroad lines or major thoroughfares, processing of chemicals or raw materials, assembly of quantities of parts from several locations, generation of industrial waste, noise, odor or traffic problems or similar characteristics. Nearly all their raw materials or finished products are shipped to and from the plant by railroad or large trucks.~~
- (b) ~~It is expected that permitted activities or operations will produce external impacts and should, therefore, be located only where such impacts will not be detrimental to other uses in the M2 general manufacturing district or to properties in adjoining districts. It is intended that industrial uses permitted in the M2 general manufacturing district be located where they can be adequately served by required roads, utilities, and services.~~
- (c) ~~New dwellings are not permitted in the M2 general manufacturing district.~~

Sec. 122-472. Permitted uses.

(Ord. No. 626A, § 5-129, 7-15-1994; Ord. No. 1114, 11-17-2009; Ord. No 1183A, 4/2013)

In M2 general manufacturing districts, no use shall be permitted except the following:

- (1) ~~Automobile repair garages which provide minor repairs, subject to the specific standards under section 122-775.~~
- (2) ~~Automobile, trailer, and truck rental outlets.~~
- (3) ~~Central dry cleaning plants or laundries.~~
- (4) ~~Cinema production or development, except for adult regulated uses.~~
- (5) ~~Development and research: any use charged with the principal function of basic research, design, and pilot or experimental project development when conducted within a completely enclosed building.~~
- (6) ~~Electric and gas service buildings and yards, telephone exchange buildings, electrical transformer stations and substations, gas regulator stations, and water and propane tank holders.~~
- (7) ~~Greenhouses.~~
- (8) ~~Industrial clinics.~~
- (9) ~~Kennels, commercial, subject to the specific provisions in section 122-791.~~
- (10) ~~Laboratories: experimental, film, or testing.~~
- (11) ~~Machine shops; metal galvanizing, buffing, plating and polishing shops; metal and plastic molding and extrusion shops; carpentry and woodworking shops; millwork and planing mills; tool and die shops; painting and sheet metal shops; undercoating and rustproofing shops; welding shops; enameling, painting and lacquering; japanning; spinning and weaving, and powder production and cooperage.~~
- (12) ~~Manufacture and processing of food products not elsewhere classified but not including slaughtering, sugar refining, and similar processes~~
- (13) ~~Manufacture, compounding, assembling, or treatment of articles or merchandise from previously prepared materials such as, but not limited to: bone, canvas, cellophane, cloth, cork, elastomers, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, rubber, precious or semi-precious metals or stone, sheet metal, shell, textiles, tobacco, wax, wire, wood and yarns; custom plating or galvanizing.~~
- (14) ~~Manufacture, compounding, processing, washing and cleaning, packaging, or treatment of such products as, but not limited to: cosmetics, powders, toiletries, and pharmaceutical products; household chemicals and cleaning products; and hardware and cutlery.~~
- (15) ~~Manufacture of adhesives, alcohol, bleaching products, calcimine, candles and chemicals not elsewhere classified. The manufacture of ink, glue and sizing, paint, lacquers, shellac, varnish and reducers and removers, tanning materials, and allied products, tar products except distillation.~~
- (16) ~~Manufacture of agricultural implements and machinery, aircraft, automobiles and automobile parts, and boats; metal products not elsewhere classified and not involving blooming, drop hammer or foundry work, fire arms, stoves,~~

~~ranges and wire fencing; cigars and cigarettes; electrical fixtures, batteries and other electrical apparatus and hardware; lime gypsum, plaster of Paris, and similar materials; and general assembly operations similar to the above.~~

- ~~(17) Manufacture of bedding, carpets, draperies, yarns, threads, cordage, rubber and synthetic treated products, wool washing and scouring, tanning, and allied processes.~~
- ~~(18) Manufacture of brick, refractories and clay products not elsewhere classified, ammonia, acetylene, carbide, caustic soda, cellulose, fertilizer, fish oils and meals, hydrogen, carbon black, nitrates, plastics, synthetic resins, oxygen, potash, proxylene, turpentine, starch, sauerkraut and chemicals not elsewhere classified, boilers, hair felt, jute hemp, sisal and rubber products, cement and plaster.~~
- ~~(19) Manufacture of concrete, clay, glass, cement and graphite products except when coal fired. The manufacture of monuments and architectural stone, wall and plaster board, building insulation and composition flooring, and other construction materials.~~
- ~~(20) Manufacture of handcraft products, statuary and art goods, pottery and ceramic products, cosmetics and toiletries, jewelry, clothing and garments, perfumes, electrical appliances and fixtures, novelty articles, advertising display, notions, smoking tobacco products, gauges, jigs, optical goods, luggage and leather products, toys and household supplies, personal accessories, paper, wood, plastic, or rubber molded products.~~
- ~~(21) Manufacture of molded or pressed pulp products.~~
- ~~(22) Offices, showrooms and work spaces of a plumber, electrician, upholsterer, decorator, or similar trade, provided that no more than 25 percent or less of the floor area of such activity is used as a showroom.~~
- ~~(23) Planing mills, bulk proportioning plants and freight terminals.~~
- ~~(24) Printing services, including but not limited to: photocopying, printing, publishing, engraving, photo engraving, photo development, lithographing, and blueprint production.~~
- ~~(25) Production, fabrication, treatment or assembly of sheet metal products, not heavier than number 14 U.S. gauge, not elsewhere classified, which does not involve blooming, forging, hammer or foundry work; or wire metal products not elsewhere classified which does not involve cold heating or upset on wire more than one quarter inch in diameter.~~
- ~~(26) Public buildings and utilities including necessary structures, storage yards and other related uses; but not including heating and electric generation plants and water supply and sewage treatment plants.~~
- ~~(27) Radio and television stations.~~
- ~~(28) Railroad yards, locomotive and railroad care, manufacture and repair.~~
- ~~(29) Self storage facilities and mini warehouses, provided that the facility is enclosed with an eight foot fence, and that adequate security is provided and maintained. A single residential unit not exceeding 1,500 square feet in floor area for an on-site manager is permitted.~~
- ~~(30) Storage facilities for building materials, asphalt, tar, grain, fertilizer, lumber, machinery, contractors' equipment and supplies, provided such is enclosed within a building. Outdoor storage of materials is permitted subject to the provisions of section 122-801.~~
- ~~(31) Trade or industrial schools.~~
- ~~(32) Warehousing and wholesale establishments and trucking facilities, including cold storage and the packaging, crating, and boxing of manufactured products.~~
- ~~(33) Catering services and the manufacture of food products including brewing and distilling.~~

Sec. 122-473. Special uses.

(Ord. No. 626A, § 5.130, 7-15-1994; Ord. No. 918, 7-18-2000; Ord. No. 1137, 10-7-2010)

The following uses may be permitted in M2 general manufacturing districts, subject to the conditions specified for each use, review, and approval of the planning commission, the imposition of special conditions which in the opinion of the planning commission are necessary to fulfill the purposes of this chapter, and the procedures set forth in article V of this chapter:

- ~~(1) Adult regulated uses, as regulated in section 122-774.~~
- ~~(2) Automobile repair garages providing major repair, and undercoating shops, subject to the specific provisions in section 122-775.~~

- ~~(3) Automobile or car wash establishments, subject to the specific provisions in section 122-777.~~
- ~~(4) Forging, drop hammering, heat treating and production foundries.~~
- ~~(5) Heating and electric generation plants.~~
- ~~(6) Junkyards: storage of inoperable vehicles, scrap metal, old iron, paper, rags, and junk; auto salvage and metal reclamation yards; and ore and coal dumps; subject to the specific provisions in section 122-790.~~
- ~~(7) Medical Marijuana Growing/Manufacturing Facility, subject to the specific provisions in section 122-815.~~
- ~~(8) Petroleum production, refining, and storage.~~
- ~~(9) Radio and television towers, public utility microwaves, and public utility television transmitting towers, mobile communications towers, cellular phone towers and their attendant facilities are subject to the specific provisions in Section 122-687.~~
- ~~(10) Recycling centers for discarded items, subject to the specific provisions in section 122-803.~~
- ~~(11) Retail uses which have an industrial character in terms of either their outdoor storage requirements or activities such as lumber yards, building material outlets, upholsterer and cabinet maker shops and sale of agricultural implements. Any outdoor storage shall meet the requirements of section 122-801.~~
- ~~(12) Slaughtering, sugar refining, and other similar processes.~~
- ~~(13) Storage within enclosures of liquid and solid fuels, subject to the specific provisions in section 122-807.~~
- ~~(14) Any other use which shall be determined by the city council after recommendation from the planning commission, to be of the same general character as the above permitted or special uses. The city council may impose any required setback and/or performance standards above and beyond the requirements of this chapter so as to insure public health, safety and general welfare.~~

~~Sec. 122-474. Area regulations.~~

~~No building or structure nor any enlargement thereof shall be erected in M2 general manufacturing districts except in conformance with the following lot area, yard, and building coverage requirements:~~

- ~~(1) Lot area and width. The minimum lot area and width and the maximum percent of building coverage shall be determined by the use and the required off-street parking, loading, screening walls and yard setbacks as provided in this chapter for the respective uses and use districts.~~
- ~~(2) Front yard. There shall be a front yard of not less than 25 feet as measured from the front lot line.~~
- ~~(3) Side yards. A minimum side yard of 15 feet shall be provided and maintained on all sides of the site that abut a business district. Except for the above, no side yards are required along the interior lot lines if building walls are built of fire retardant construction, except as otherwise specified in the building code. If walls of structures, facing such interior side lot lines, contain windows or other openings, side yards of not less than three feet shall be provided.~~
- ~~(4) Street side yard. On a corner lot there shall be provided on the street side yard a minimum setback of 15 feet. A minimum four foot six inch wide greenbelt shall be maintained along a street bordering a residential district in accordance with subsection 122-835(11).~~
- ~~(5) Rear yard. There shall be a minimum rear yard of 30 feet.~~
- ~~(6) Abutting a residential district. Notwithstanding subsections (3), (4) and (5) of this section, no principal building or accessory structure associated with any manufacturing use shall be located closer than 25 feet to any adjacent residential district. A minimum 15 foot wide open space shall be maintained along all interior lot lines which abut a residential district, in which no buildings, parking areas, or storage are permitted. In addition, an obscuring fence or landscaped greenbelt shall be provided and maintained along all sides or rear of the property adjacent to land zoned residential, as provided by section 122-703.~~

~~Sec. 122-475. Height regulations.~~

~~The height of any building or structure in the M2 general manufacturing district shall not exceed 100 feet. Provided, however, that the minimum required front, side, and rear yard setbacks of a building or structure shall be increased by one foot for each foot the building or structure exceeds 30 feet in height. See section 122-640 for exceptions to height regulations.~~

~~Sec. 122-476. Development standards.~~

- ~~(a) *Deleterious operations.* No activity, operation, or use shall be permitted on any property in the M2 general manufacturing district which by reason of the emission of odor, fumes, smoke, vibration, radiation, heat, glare, dust, soot, noise, or disposal of waste is deleterious to other permitted activities in the zoning district or is obnoxious or offensive to uses permitted in neighboring districts, or is harmful to the general health, safety, or welfare, of the community.~~
- ~~(b) *Enclosed buildings.* All manufacturing, compounding, assembling, processing, packaging, or other industrial or business activity in the M2 general manufacturing district shall be conducted within a completely enclosed building, except as otherwise specified.~~
- ~~(c) *Outside storage.* Outside storage which is clearly accessory to a permitted use in the M2 general manufacturing district shall allowed be subject to the provisions of section 122-801.~~
- ~~(d) *Site plan review.* Site plan review and approval is required for uses in the M2 district in accordance with article IV of this chapter.~~
- ~~(e) *General standards.* Buildings and uses in the M2 district shall be subject to all applicable standards and requirements set forth in this chapter, including nonconformities, general provisions, off street parking requirements, signs, and flood damage prevention.~~

~~**Secs. 122-477 – 122-490. Reserved.**~~

DIVISION 14. PL PUBLIC LAND DISTRICT*

*Cross reference(s)–Parks and public property, ch. 78; streets, sidewalks and other certain public places, ch. 94.

Sec. 122-491. Description and purpose.

The PL public land district is designed to classify publicly owned uses and permits the normal principal and incidental uses required to carry out governmental functions and services. It is the intent of the PL public land district to encourage the development of attractive public spaces which are conducive to community interaction, including innovative parking arrangements, combinations of permitted uses, and rehabilitation of existing structures.

Sec. 122-492. Permitted uses.

(Ord. No. 626A, § 5.137, 7-15-1994; Ord. No. 1114, 11-17-2009; Ord. No 1103A, 4/2013)

In the PL public land district, no uses shall be permitted except the following:

- (1) Cultural exhibit and performance venues.
- (2) Educational services such as public primary and secondary schools and public schools of higher education.
- (3) Government offices, courts, and police and fire headquarters.
- (4) Open space areas such as conservation areas, wildlife preserves, forests preserves, arboreta, botanical or zoological gardens. No structure shall be erected on dedicated open space areas which is not clearly incidental to the principal use of the land.
- (5) Outdoor publicly owned recreational uses such as parks, playgrounds, play fields, golf courses, boating areas, fishing sites, camping sites, and parkways. No structure shall be erected or maintained upon dedicated parkland which is not clearly incidental to the principal use of the land.
- (6) Public service institutions such as hospitals, orphanages, sanatoria, or correctional institutions, when publicly owned.
- (7) Community gardens.

Sec. 122-493. Special uses.

(Ord. No. 626A, § 5.138, 7-15-1994)

The following uses may be permitted in the PL public land district, subject to the conditions specified for each use, review, and approval of the planning commission, the imposition of special conditions which in the opinion of the planning commission are necessary to fulfill the purposes of this chapter, and the procedures set forth in article V of this chapter. For-profit service facilities such as concessioners, shuttle services, boat liveries, or other similar services, subject to the following conditions:

- (1) Such use shall be clearly incidental and supportive of the principal use of the land.
- (2) Such use shall not compete directly with existing commercial establishments operating in nearby commercial districts.
- (3) Such use shall not be located within 100 feet of any residentially zoned or used property.
- (4) The location, size, and architectural design of such facility shall be such so as not to detract from the principal uses of the land.
- (5) The vendor or service provider shall be insured in an amount determined by the city attorney to be adequate to cover any liability which the city may incur as a result of the operation of the concession or similar service; further, that the city shall be named on such insurance as an additional named insured.

Sec. 122-494. Area regulations.

No building or structure nor any enlargement thereof in the PL public land district shall be erected except in conformance with the following lot area, yard, and building coverage requirements:

- (1) *Lot area and width.* The minimum lot area and width and the maximum percent of building coverage shall be determined by the use and the required off street parking, loading, screening, and yard setbacks as provided in this chapter for the respective uses and use districts.

- ~~(2) *Front yard.* The required front yard shall be equal to that of adjacent zoning districts along the same street. In the case where the land abuts two zoning districts, the required front yard shall be equal to the greater requirement of the abutting districts.~~
- ~~(3) *Side and rear yards.* The required side and rear yards shall be equal to that of adjacent zoning districts along a given property line. In the case where the land abuts two or more zoning districts along a given property, the required yard shall be equal to the greater requirement.~~
- ~~(4) *Abutting a residential district.* Notwithstanding subsection (3) of this section, no principal building or accessory structure shall be located closer than 25 feet to any adjacent residential district. An obscuring fence or greenbelt shall be provided and maintained on those sides or rear of the property directly abutting land zoned residential as provided in section 122-703. For parks, open space areas, and all recreational facilities and structures, a 50-foot yard shall be maintained along any lot line which abuts residentially zoned land.~~

~~Sec. 122-495. Height regulations.~~

~~The maximum permitted building height in the PL public land district shall be equal to that of adjacent zoning districts along the same street. In the case where land abuts two zoning districts the maximum permitted building height shall be that of the greater of the two zoning districts. See section 122-640 for exceptions to height regulations.~~

~~Sec. 122-496. Development standards.~~

- ~~(a) *Site plan review.* Site plan review and approval is required for uses in the PL district in accordance with article IV of this chapter.~~
- ~~(b) *General standards.* Buildings and uses in the PL district shall be subject to all applicable standards and requirements set forth in this chapter, including nonconformities, general provisions, off street parking requirements, signs, and flood damage prevention.~~

~~Secs. 122-497–122-509. Reserved.~~

DIVISION 15. RC RESIDENTIAL COMMERCIAL DISTRICT

Sec. 122-510. Description and Purpose.

The Mixed Residential/Commercial District is intended to provide for a mixture of residential and low intensity commercial uses. The commercial uses are intended to be compatible with various residential densities and housing types, and are to be of a small scale neighborhood commercial nature. For the purpose of establishing relative intensity and potential impacts, the intensity for residential or commercial uses is based upon the number of units or commercial building size.

Sec. 122-511. Permitted uses.

(Ord. No. 918, 7-18-2000; Ord. No. 1114, 11-17-2009; Ord. No 1183A, 4/2013)

Each permitted use within this district shall be no larger than 3,000 square feet per single business occupant developments or 5,000 for multi tenant business occupant developments, nor contain more than twelve (12) residential units. Those uses shall include the following:

- (1) Apartments located above the ground floor of permitted business, office or other uses; provided that the apartment units meet the minimum floor area requirements of Section 122-794, and adequate parking for apartments is provided in addition to the required parking for business us as provided under Article XIII. Refer to Section 122-295 through 122-298 for area, height, floor area and development standards.
- (2) Adult Foster Care Small and Large Group Homes, Adult Foster Care Congregate Facilities, and Foster Family Group Homes, as defined under Section 122-773, and subject to the specific provisions in Section 122-773.
- (3) Arts and crafts studios and schools.
- (4) Bed and Breakfast Lodgings, subject to the Specific Provisions in Section 122-778.
- (5) Business offices of a public utility, transportation authority, commercial or industrial establishments, and governmental administrative offices.
- (6) Business and professional offices and services, such as real estate, insurance, travel agencies, legal, architecture, accounting, advertising, engineering, consulting, auditing, tax preparation, bookkeeping services, non profit organizations, fraternal associations, political organizations and religious organizations.
- (7) Child Care Centers and Day Care Centers (not including dormitories), when not operated on the grounds of a private or public school or church/ synagogue, subject to the Specific Provisions in Section 122-779.
- (8) Child drop off centers, licensed by the State of Michigan, where minor children are not cared for longer periods than four (4) hours.
- (9) Churches, Synagogues, and other Religious Facilities and Services, including mortuaries, subject to Specific Provisions of Section 122-780.
- (10) Dormitories, Convents, or similar uses.
- (11) Elementary, junior and senior high schools, public, parochial, and private schools, subject to the Specific Provisions in Section 122-805.
- (12) Essential services.
- (13) Financial institutions, including banks, credit unions and savings and loan associations, provided that no drive-through facilities are permitted.
- (14) Funeral or mortuary establishments, provided that adequate assembly area is provided off street for vehicles to be used in funeral processions.
- (15) Health and physical fitness centers, provided they are licensed.
- (16) Indoor restaurants, as defined in Section 122-2, for sit down, carryout, and delivery, providing there are no more than thirty (30) seats and no drive-through facilities.
- (17) Inns, hotels or motels, as defined in Section 122-2, and subject to the specific provisions of Section 122-778.
- (18) Medical or dental offices or clinics.
- (19) Multiple apartment dwellings of up to twelve (12) units inclusive.

- ~~(20) Offices and showrooms of a plumber, electrician, upholsterer, caterer, decorator or similar trade, subject to the Specific Provisions in Section 122-797.~~
- ~~(21) Outdoor cafes, subject to the specific provision of Section 122-799.~~
- ~~(22) Personal service establishments such as a tailor, barber, beauty, shoe repair, locksmith, small appliance repair without installation, or similar personal service shops, providing not more than ten (10) persons shall be employed.~~
- ~~(23) Private non-commercial recreational areas or social facilities, institutions or community recreational centers, and non-profit swimming pools, or tennis clubs, subject to the Specific Provisions in Section 122-802.~~
- ~~(24) Private service clubs, lodges, fraternal organizations, banquet halls and meeting halls.~~
- ~~(25) Retail businesses, such as food stores, grocery stores, food cooperatives, meats, dairy products, baked goods, ice cream, personal use items (drugs, health care, dry goods, notions, hardware, books, magazines, periodicals, stationary and school supplies), florists shops, hobby and craft stores, gifts, antiques, jewelry, small household articles, tobacco products, toilet articles, wearing apparel and personal accessories, toys, and similar products.~~
- ~~(26) Single family detached dwelling units.~~
- ~~(27) Two family dwellings.~~
- ~~(28) Video rental and sales establishments.~~
- ~~(29) Accessory uses customarily incidental and clearly ancillary to the above permitted uses when in accordance with Article XI, Division 2.~~

Sec. 122-512. Special uses.

(Ord. No. 918, 7-18-2000; Ord. No. 1114, 11-17-2000; Ord. No. 1183A, 4/2013)

The following uses may be permitted, subject to the conditions specified for each use, review, and approval of the Planning Commission, the imposition of special conditions which in the opinion of the Planning Commission are necessary to fulfill the purposes of this Ordinance, and the procedures set forth in Article 28. Commercial uses with a special use designation may be up to 5,000 square feet for a single business occupant development or up to 7,000 square feet for a multi-tenant business development. Residential uses with a special use designation may contain up to twenty-four (24) units. The special uses shall include the following:

- ~~(1) All permitted uses of greater than three thousand (3,000) square feet for single business-occupant developments and greater than five thousand (5,000) square feet for multi-business-occupant developments.~~
- ~~(2) Multiple apartment dwellings of greater than twelve (12) units inclusive.~~
- ~~(3) Adult Drop-in Centers~~
- ~~(4) Laundry and dry-cleaning customer outlets (no dry-cleaning is permitted on the premises), coin-operated Laundromats, self-serve dry-cleaning establishments, and similar operations, provided that all services performed on the premises shall be sold at retail on the same premises.~~
- ~~(5) Automotive service station which provide minor repair only, as defined in Article 2, subject to the standards in Section 122-776, and located along a designated major thoroughfare; provided, however, that quick oil-change facilities are not permitted.~~
- ~~(6) Community service buildings.~~
- ~~(7) Veterinary clinics and hospitals.~~
- ~~(8) Cultural exhibit and performance venues.~~
- ~~(9) Self-contained photo-copy shops consisting of a self-operated and/or service-oriented business.~~
- ~~(10) Catering services and the manufacture of food products including brewing and distilling.~~

Sec. 122-513. Area regulations.

Upon the change of use as defined in Section 122-205, no building or structure nor any enlargement thereof shall be hereafter erected except in conformance with the following lot area, yard, and building coverage requirements:

- ~~(1) Lot Area and Width. In the RC District, no lot shall have a minimum width of less than forty five (45) feet. Lots with non-parallel sides shall not be less than the minimum width at twenty (20) and fifty (50) feet from the front lot line.~~
~~No lot shall contain less than the minimum area in accordance with the following requirements:~~

- ~~(a) Existing single and two family residential dwelling units: Four thousand five hundred (4,500) square feet for dwellings containing up to four (4) units.~~
- ~~(b) Multiple apartment dwellings containing four (4) or more units shall be the greater of the following:
 - ~~(i) A minimum lot size of six thousand (6,000) square feet; or~~
 - ~~(ii) A minimum of one thousand four hundred (1,400) square feet per unit.~~~~
- ~~(c) The minimum lot size for non residential uses, unless otherwise specified in this Ordinance, shall be limited by the restrictions governing lot coverage, setbacks, screening, and parking requirements.~~
- ~~(2) Lot Coverage. The total area of all structures at the ground level shall not exceed forty five (45) percent of the lot area.~~
- ~~(3) Front Yard. There shall be a front yard of not less than twenty (20) feet as measured from the front lot line. Where all frontage on the same side of a street between two (2) intersection streets is located entirely within a commercial or residential /commercial zoning district and where a setback has been established by fifty (50) percent of such frontage, then this established setback shall determine the required front yard.~~
- ~~(4) Side Yard. For residential uses containing four (4) or fewer units, no side yard shall be less than six (6) feet. For all other non residential uses, the side yard shall be a minimum of twelve (12) feet unless adjacent to a residential use or zone for which a minimum of a twenty five (25) foot setback is required. When abutting a street, the side yard shall be not less than a minimum of twelve (12) feet for all uses.~~
- ~~(5) Distance between Buildings. The minimum distance between two (2) multiple family dwellings on a single lot or on contiguous property under the same ownership shall be twenty (20) feet, plus four (4) additional feet for every story or fraction thereof that the building exceeds two and one half (2 1/2) stories.~~
- ~~(6) Rear Yards. There shall be a rear yard setback of not less than twenty five (25) feet.~~
- ~~(7) Abutting a Residential District. Unless a stricter setback is provided elsewhere in this Ordinance, a minimum setback of twenty five (25) feet shall be maintained along all property lines where a multiple family (greater than 4 units) or a nonresidential use abuts a single family use or zoning district. Such requirement does not apply if the site is separated from the single family residential use or zone by a public street.~~

~~Sec. 122-514. Height regulations.~~

~~No building or structure shall exceed three (3) stories or forty (40) feet in height. See Section 122-640 for height exceptions.~~

~~Sec. 122-515. Development Standards.~~

~~Buildings and uses in the RC District shall be subject to all applicable standards and requirements set forth in this Ordinance.~~

DIVISION 16. ~~CI COMMERCIAL—INDUSTRIAL DISTRICT~~

Sec. 122-516. Description and Purpose.

~~The Mixed Commercial/Industrial District is intended to provide for a mixture of general commercial and less intensive industrial uses. The industrial uses are intended to be compatible with various commercial intensities and use types, and are to have a commercial nature and/or component to their business. These districts include commercial and industrial property existing along the major streets and thoroughfares of the city. The uses permitted are intended to accommodate both the general retail consumer and the needs and services of the commercial retailer.~~

~~Because of the variety of business types permitted in the CI, Mixed Commercial/Industrial District, special attention must be focused on site layout, building design, vehicular circulation, and coordination of site features between adjoining sites. Additionally, all uses shall be compatible in design and intensity with adjacent residential developments, while permitting only less intensive uses to be located within one hundred (100) feet of established residential neighborhoods.~~

Sec. 122-517. Permitted uses.

~~(Ord. No. 918, 7-18-2000; Ord. No. 1025, 12-6-2005; Ord. No. 1114, 11-17-2009; Ord. No. 1134, 10-5-2010; Ord. No. 1183A, 4/2013)~~

~~In the CI, Mixed Commercial/Industrial Districts, no use shall be permitted except the following:~~

- ~~(1) Arts and crafts studios and schools.~~
- ~~(2) Auction House, subject to the specific provisions in section 122-813.~~
- ~~(3) Automobile sales: showrooms, salesrooms or offices for new and used automobiles, trucks and tractors, boats, mobile homes, recreation vehicles and trailer sales, including automobile repair shops providing minor repair. Major repair is not permitted except as provided in subsection 122-413(5). The outdoor display of vehicles is regulated by subsection 122-413(11).~~
- ~~(4) Automobile service stations which provide minor repair only, subject to the specific provisions in Section 122-776.~~
- ~~(5) Bars and establishments serving alcohol.~~
- ~~(6) Business and professional offices. Such uses may include, but are not limited to:~~
 - ~~(a) Business offices of a public utility, transportation authority or accessory to an industrial establishment.~~
 - ~~(b) Offices for engineering, consulting, bookkeeping services, and similar professions.~~
 - ~~(c) Administrative offices of non profit organizations, such as professional membership organizations, labor unions, and fraternal associations.~~
- ~~(7) Business, trade and professional schools.~~
- ~~(8) Catering services and the manufacture of food products including brewing and distilling.~~
- ~~(9) Cinema production or development, except for adult regulated uses.~~
- ~~(10) Community garages and community parking lots, as defined in Section 122-2, subject to the provisions of Sections 122-781 and 122-782 respectively.~~
- ~~(11) Essential services.~~
- ~~(12) Greenhouses.~~
- ~~(13) Food stores: grocery stores, food cooperatives, meats, dairy products, alcoholic beverages, baked goods, ice cream, and similar doog products. Retail sale of poultry, fish, and game (provided no slaughtering is allowed). The Manufacture of food products, such as baked goods or ice cream, is permitted provided that fifty (50) percent or more of the products are sold at retail from the same building, and all activities and storage occur within a completely enclosed building. The sale of alcoholic beverages for consumption on the premises is prohibited.~~
- ~~(14) Health and physical fitness centers, provided they are licensed.~~
- ~~(15) Laundry and dry cleaning customer outlets (no dry cleaning is permitted on the premises), coin-operated Laundromats, self-serve dry cleaning establishments, and similar operations, provided that all services performed on the premises shall be sold at retail on the same premises.~~
- ~~(16) Outdoor cafes, subject to the specific provisions of Section 122-799.~~

- ~~(17) Printing services, including but not limited to: photocopying, printing, publishing, engraving, photo engraving, photo development, lithographing, and blue print production.~~
- ~~(18) Private service clubs, lodges, fraternal organizations, banquet halls and meeting halls.~~
- ~~(19) Private non-commercial recreational areas or social facilities, institutional or community recreational centers, and non-profit pool or tennis club, subject to the Specific Provisions in Section 122-802.~~
- ~~(20) Public buildings and utilities including necessary structures, storage yards and other related uses; but not including heating and electric generation plants and water supply and sewage treatment plants.~~
- ~~(21) Radio and television studios.~~
- ~~(22) Repair of appliances, provided that the retail sale of new merchandise, other than service parts and accessories shall not be permitted.~~
- ~~(23) Restaurants, including carry-out or delivery, sit-down, or fast food, or any combination thereof. Drive-thru facilities are permitted subject to the provisions in Section 122-783.~~
- ~~(24) Retail stores which offer comparison goods for retail completely within a fully enclosed building, such as home appliances (including service and repair), automotive supply stores (not including on-site automotive repair or installation of parts sold the premises) camera and photography supplies, furniture, mattresses, home supply centers, carpet, rug and linoleum/tile stores, lawn care products and machinery, and similar specialty goods stores.~~
- ~~(25) Self-storage facilities and mini-warehouses, provided that the facility is enclosed with an eight-foot fence, and that adequate security is provided and maintained. A single residential unit not exceeding 1,500 square feet in floor area for an on-site manager is permitted.~~
- ~~(26) Veterinary hospitals and clinics, subject to the Specific Provisions in Section 122-809.~~
- ~~(27) Accessory uses customarily incidental and clearly ancillary to the above permitted uses when in accordance with Article XI, Division 2.~~
- ~~(28) Manufacture and processing of food products not elsewhere classified but not including slaughtering, sugar refining, and similar processes.~~
- ~~(29) Manufacture, compounding, processing, washing and cleaning, packaging, or treatment of such products as, but not limited to: bakery goods, candy, beverages, coffee, tea, spices, and other food products; cosmetics, powders, toiletries, and pharmaceutical products; household chemicals and cleaning products; and hardware and cutlery.~~

Sec. 122-518. Special uses.

(Ord. No. 918, 7-18-2000; Ord. No. 970, 12-3-2002; Ord. No. 1114, 11-17-2009; Ord. No. 1137, 10-7-2010; Ord. No. 1183A, 4/2013)

The following uses may be permitted, subject to the conditions specified for each use, review, and approval of the Planning Commission, the imposition of special conditions which in the opinion of the Planning Commission are necessary to fulfill the purposes of this Ordinance, and the procedures set forth in Article V.

- (1) Any establishment intending to operate between 2 a.m. and 6 a.m. during any 24 hour period.
- (2) Automobile, trailer, and truck rental outlets, including parking, storage, washing and repair facilities; provided that rental vehicles do not exceed 10,000 pounds in gross weight.
- (3) Automobile or car wash establishments subject to the specific provisions in Section 122-777.
- (4) Automobile service stations, standing alone or in combination with an automobile sales outlet, which provide major or minor repairs, subject to the specific provisions in Section 122-776.
- (5) Automobile repair garages providing major repair, and undercoating shops, subject to the specific provisions in section 122-775.
- (6) Central dry cleaning plants or laundries.
- (7) Custom fabrication of small parts, provided that no emissions are a byproduct of such fabrication, and provided that all noise related to such fabrication is not audible beyond the premises.
- (8) Development and research: any use charged with the principal function of basic research, design, and pilot or experimental project development when conducted within a completely enclosed building.
- (9) Kennels, commercial, subject to the specific provisions in section 122-791.
- (10) Laboratories: experimental, film, or testing.

- (11) ~~Manufacture of handicraft products, statuary and art goods, pottery and ceramic products, cosmetics and toiletries, jewelry, clothing and garments, perfumes, electrical appliances and fixtures, draperies, novelty articles, advertising display, notions, smoking tobacco products, gauges, jigs, optical goods, luggage and leather products, toys and household supplies, personal accessories, paper, wood, plastic, or rubber molded products.~~
- (12) ~~Machine shops; metal galvanizing, buffing, plating and polishing shops; metal and plastic molding and extrusion shops; carpentry and woodworking shops; millwork and planing mills; tool and die shops; painting and sheet metal shops; undercoating and rust proofing shops; welding shops; enameling, painting and lacquering; japanning; spinning and weaving, and powder production and cooperage.~~
- (13) ~~Manufacture, compounding, assembling, or treatment of articles or merchandise from previously prepared materials such as, but not limited to: bone, canvas, cellophane, cloth, cork, elastomers, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, rubber, precious or semiprecious metals or stone, sheet metal, shell, textiles, threads, tobacco, wax, wire, wood, wool and yarns; custom plating or galvanizing.~~
- (14) ~~Manufacture of concrete, clay, glass, cement and graphite products only when baked by an electrical or gas kiln.~~
- (15) ~~Manufacture of molded or pressed pulp products.~~
- (16) ~~Medical Marijuana Growing/Manufacturing Facility, subject to the specific provisions in section 122-815.~~
- (17) ~~Newspaper offices and printing shops.~~
- (18) ~~Offices, showrooms and workspaces of a plumber, electrician, upholsterer, display designer, decorator, horticulturist, or similar trade, subject to the Specific Provisions in Section 122-797, and providing that no more than 25 percent of the floor area of such activity is used as a showroom.~~
- (19) ~~Open front or open air business; outdoor commercial recreation or amusement facilities; or outdoor sales of new or used automobiles, trucks, tractors, boats, mobile homes, recreation vehicle and trailers, subject to the specific provisions in section 122-798.~~
- (20) ~~Outdoor retail sales of plant materials, lawn furniture, playground equipment, and home garden supplies, subject to the specific provision in Section 122-800.~~
- (21) ~~Outdoor storage of raw materials and supplies or finished or semi-finished products, subject to the specific provisions in section 122-801.~~
- (22) ~~Planing mills, bulk proportioning plants and freight terminals.~~
- (23) ~~Private operative automobile storage facilities, provided all storage occurs within a completely enclosed building.~~
- (24) ~~Production, fabrication, treatment or assembly of sheet metal products, not heavier than number 14 U.S. gauge, not elsewhere classified, which does not involve blooming, forging, hammer or foundry work; or wire metal products not elsewhere classified which does not involve cold heating or upset on wire more than one quarter inch in diameter.~~
- (25) ~~Radio and television towers, public utility microwaves, and public utility television transmitting towers.~~
- (26) ~~Recycling centers for discarded items, subject to the specific provisions in section 122-803.~~
- (27) ~~Retail uses which have an industrial character in terms of either their outdoor storage requirements or activities such as lumber yards, building material outlets, upholsterer and cabinet maker shops and sale of agricultural implements. Any outdoor storage shall meet the requirements of section 122-801.~~
- (28) ~~Trade, business, professional or industrial schools.~~
- (29) ~~Wholesale/warehouse sales facilities.~~

Sec. 122-519. Area regulations.

Upon the change of use as defined in Section 122-205, no building or structure nor any enlargement thereof shall be hereafter erected except in conformance with the following lot area, yard, and building coverage requirements:

- (1) ~~*Lot Area and Width.* In the CI District, all residential lots shall consist of no less than five thousand (5,000) square feet in area and have a minimum width of less than forty five (45) feet. Minimum lot area and width for non-residential uses shall be restricted by setbacks, screening and parking requirements. Lots with non-parallel sides shall not be less than the minimum width at twenty (20) and fifty (50) feet from the front lot line.~~
- (2) ~~*Front Yard.* There shall be a front yard of not less than twenty-five (25) feet as measured from the front lot line. Where all frontage on the same side of a street between two (2) intersection streets is located entirely within a~~

~~commercial or commercial/industrial zoning district and where a setback has been established by fifty (50) percent of such frontage, then this established setback shall determine the required front yard.~~

- ~~(3) *Side Yard.* For residential uses containing four (4) or fewer units, no side yard shall be less than twelve (12) feet. For all other non residential uses, the side yard shall be a minimum of three (3) feet unless adjacent to a residential use or zone for which a minimum of a fifteen (15) foot setback is required. When abutting a street, the side yard shall be not less than a minimum of fifteen (15) feet for all uses.~~
- ~~(4) *Distance between Buildings.* The minimum distance between two (2) multiple family dwellings on a single lot or on contiguous property under the same ownership shall be twenty five (25) feet, plus four (4) additional feet for every story or fraction thereof that the building exceeds two (2) stories.~~
- ~~(5) *Rear Yards.* There shall be a rear yard setback of not less than twenty (20) feet.~~
- ~~(6) *Abutting a Residential District.* Unless a stricter setback is provided elsewhere in this Ordinance, a minimum setback of twenty five (25) feet shall be maintained along all property lines where a multiple family (greater than 4 units) or a nonresidential use abuts a single family use or zoning district. Such requirement does not apply if the site is separated from the single family residential use or zone by a public street.~~
- ~~(7) *Abutting the Huron River.* There shall be a setback of no less than fifty (50) feet from the high water mark of the River. Planning Commission shall also encourage the creation of dedicated public access to the River.~~

~~Sec. 122-520. Height regulations.~~

~~No building or structure shall exceed two (2) stories or thirty (30) feet in height. See Section 122-640 for height exceptions.~~

~~Sec. 122-521. Development standards.~~

~~Buildings and uses in the CI District shall be subject to all applicable standards and requirements set forth in this Ordinance.~~

ARTICLE VIII. OVERLAY DISTRICTS

DIVISION 1. GENERALLY

~~Secs. 122-522 – 122-530. Reserved.~~

DIVISION 2. H HISTORIC PRESERVATION OVERLAY DISTRICT*

*Cross reference(s) – Historical preservation, ch. 54.

~~Sec. 122-531. Description and purpose.~~

~~The historic preservation overlay district is located as described and designated in section 54-33 of Chapter 54 of the City Code, Historical Preservation. The intent of the H historic preservation overlay district is to safeguard the heritage of the city by preserving a district which reflects elements of its cultural, social, economic, political, and architectural history and natural environment. Further objectives are as follows:~~

- ~~(1) To stabilize and improve property values in such district.~~
- ~~(2) To foster civic beauty and pride.~~
- ~~(3) To strengthen the economy of the city.~~
- ~~(4) To promote the use of historic buildings for the culture, prosperity, education, and general welfare of the people of the city and visitors to the city.~~
- ~~(5) To encourage new buildings and development which will be harmonious with the existing historic buildings and neighborhoods such that each succeeding generation may build with the quality and sensitivity of past generations.~~

~~Sec. 122-532. Scope.~~

~~The provisions and restrictions of this division shall apply in addition to, and where applicable, take precedence over the provisions and restrictions of the underlying zoning districts shown on the official zoning map, as amended, sufficient to fulfill the purpose and intent of this division.~~

~~Sec. 122-533. General standards.~~

~~Within the H historic preservation overlay district, the following standards shall apply:~~

- ~~(1) Uses permitted in the H historic preservation overlay district shall be those permitted by the property's underlying zoning district classification as shown on the official zoning map, as amended.~~
- ~~(2) Except as otherwise specified in this division, all dimensional requirements, such as lot area and width, yard setbacks, parking areas, and minimum floor area provisions required by the underlying zoning district classification as shown on the official zoning map, as amended, shall apply.~~
- ~~(3) Detached accessory structures such as garages, carriage houses, and similar outbuildings, whether existing or proposed, shall be permitted to have a maximum height of 25 feet.~~

~~Sec. 122-534. Discretionary standards.~~

~~(a) After receiving a recommendation from the historic district commission, and after holding a public hearing for which notices have been published and sent by mail to property owners and residents within 300 feet of the property in accordance with section 122-164, and after determining that such proposal will meet the standards in subsection (a)(2) of this section, the planning commission may approve the following:~~

- ~~(1) An historic structure to encroach up to within five feet within a required front or rear yard or within three feet within a side yard in order to allow the re use of an existing historic structure or to enhance the authenticity of an historic site; provided that no part of any structure is located on or over any adjacent property.~~
- ~~(2) Restoration may be permitted of a legal nonconforming structure which has been destroyed or abandoned (as defined in section 122-206, nonconformities) provided all of the following provisions are met:~~

- ~~a. The structure is of historic importance to the historic district.~~
- ~~b. The approved design of the restored building maintains the same design and historical character it had prior to the destruction or abandonment; or, in the case of a building that had been altered prior to destruction or abandonment, that the restored building more closely parallels the design of the original historic structure.~~
- ~~c. All reasonable attempts at eliminating or reducing the nonconforming nature of the structure have been considered and will be implemented in the restoration project.~~
- ~~(3) An existing carriage house which functions as an accessory structure to the main structure in the residential zoning districts underlying the historic preservation overlay district, may be used for residential dwelling units provided that the use of such would not exceed the maximum density per lot as permitted by the underlying zoning district. Use of existing carriage houses would be subject to the minimum square footage requirements set forth by section 122-297 and all applicable zoning regulations and building codes.~~
- ~~(b) Before the planning commission approves any proposal under subsection (a)(1) or (a)(3) of this section, it shall determine all of the following to be true:~~
 - ~~(1) Such proposal shall not have any detrimental effect on adjacent properties; present a fire or safety hazard; impede safe traffic circulation nor the vision of motorists, or pedestrians; nor otherwise be detrimental or hazardous to the public health, safety, and welfare.~~
 - ~~(2) Such proposal shall not impose an undue burden on public services and utilities.~~
 - ~~(3) Such proposal shall further the intent of the H historic preservation overlay district as described in subsections 122-531(1) through (5).~~

~~Sec. 122-535. Development standards.~~

- ~~(a) Site plan review. In addition to review by the historic district commission as required in chapter 54, site plan review and approval are required for uses in the H overlay district in accordance with article IV of this chapter.~~
- ~~(b) General standards. Buildings and uses in the H district, as in all other zoning districts, shall be subject to all applicable standards and requirements set forth in this chapter, including nonconformities, general provisions, off street parking requirements, signs, flood damage prevention and fences.~~

~~Secs. 122-536 – 122-545. Reserved.~~

DIVISION 3. S STUDENT OVERLAY DISTRICT

~~Sec. 122-546. Description and purpose.~~

~~The intent of the S student overlay district is to provide areas in the vicinity of the Eastern Michigan University campus which are conducive to student living, recognizing that the needs and lifestyle of students vary from those of families and other household types. It is further recognized that a higher density of development in student areas is appropriate given the large number of students who wish to live in close proximity to the university campus and the necessity of students to walk or otherwise use nonautomotive transportation thereby reducing the overall number of off street parking that is needed. To allow greater flexibility within the S district, "relaxed requirements" are permitted for some land uses. However, strict adherence to these "relaxed requirements" is strongly recommended.~~

~~Sec. 122-547. General standards.~~

~~Within the S student overlay district, the following standards shall apply:~~

- ~~(1) The provisions of this division shall apply in addition to, and where applicable, take precedence over the provisions and restrictions of the underlying zoning districts shown on the official zoning map, as amended, sufficient to fulfill the purpose and intent of this division.~~
- ~~(2) Uses permitted to be made of property in the S student overlay district shall be those uses permitted by the property's underlying zoning district classification as shown on the official zoning map, as amended.~~
- ~~(3) Except as otherwise specified in this division, all dimensional requirements, such as lot area and width, yard setbacks, parking areas, minimum floor area, and other provisions required by the underlying zoning district classification as shown on the official zoning map, as amended, shall apply.~~

~~Sec. 122-548. Special conditions and standards.~~

~~Within the S student overlay district, fraternities and sororities shall be permitted after special approval subject to all of the provisions of section 122-787, except that the following relaxed requirements shall apply:~~

- ~~(1) Within the S student overlay district, fraternities and sororities may be located within an underlying R3, R4, B2, or B3 district.~~
- ~~(2) The lot area may have a minimum of 5,750 square feet.~~
- ~~(3) The requirement that 15 percent of the total square feet of the side and rear yards be retained in open landscaped areas shall not be required.~~
- ~~(4) Notwithstanding the provisions for senior citizen housing parking under the residential category of section 122-836, a minimum of one off street parking space for each two occupants, plus one off street parking space for each employee, shall be required.~~
- ~~(5) No property line may be located within 200 feet of an R2 district.~~

~~Sec. 122-549. Development standards.~~

- ~~(a) *Site plan review.* Site plan review and approval are required for uses in the S student overlay district in accordance with article IV of this chapter.~~
- ~~(b) *General standards.* Buildings and uses in the S district, as in all other zoning districts, shall be subject to all applicable standards and requirements set forth in this chapter, including nonconformities, general provisions, off street parking requirements, signs and flood damage prevention.~~

DIVISION 4. RCO RESIDENTIAL COMMERCIAL OVERLAY DISTRICT

Sec. 122-550. Description and purpose.

The Residential/Commercial Overlay District is intended to minimize land use conflicts within mixed use areas, while creating sufficient buffering to maintain a compatibility of uses. The underlying zoning district regulations remain as the default requirements for unidentified regulations within this district.

Sec. 122-551. General standards.

Within the RCO Residential Commercial Overlay District, the following standards shall apply:

- (1) The provisions of this Article shall apply, and where applicable, take precedence over the provisions and restrictions of the underlying zoning districts shown on the official Zoning Map, as amended, sufficient to fulfill the purpose and intent of this Article.
- (2) Uses permitted in the RCO Residential Commercial Overlay District shall be those uses permitted by the property's underlying zoning district classification as shown on the official Zoning Map, as amended.

Sec. 122-552. Special conditions and standards.

Within the RCO Residential Commercial Overlay District, the following standards shall apply to all non-residential and multiple family uses of greater than three (3) units:

- (1) All sites shall be landscaped and screened as follows, with the specifics of each found in Division 4, Landscaping, Greenbelts and Screening:
 - (a) All commercial or multi-family uses adjacent to a property zoned or used for single family uses shall provide one of the following types of screens/buffers on all abutting sides:
 - i. A solid wall with planting strip.
 - ii. Screening mounds or berms.
 - iii. Evergreen screen.
 - iv. A combination of the above.
 - (b) All off street parking areas containing greater than twenty (20) spaces shall provide the following landscape provisions:
 - i. Total interior landscape area, including landscape parking lot islands, of not less than five (5) percent of the total paved parking lot area.
 - ii. Landscape island areas shall be no less than one hundred and fifty (150) square feet.
 - iii. At least one (1) deciduous tree shall be planted within the landscape island area, along with a combination of shrubs and ground cover/grass.
 - iv. Planning Commission may at their discretion modify the off street parking area landscape requirements.
 - (c) A minimum of ten (10) percent of the site (exclusive of the parking areas) shall be landscaped with a combination of trees, shrubs and ground cover/grass, unless modified by Planning Commission. The minimum requirements may be met through the use of existing vegetation provided the following standards are satisfied for both new and existing vegetation:
 - i. Deciduous shade trees shall be a minimum of two (2) inches in caliper when planted.
 - ii. Deciduous ornamental trees shall be a minimum of one and one half (1 1/2) inches in caliper when planted.
 - iii. Evergreen trees shall be a minimum of six (6) feet tall when planted.
 - iv. Shrubs and hedges shall be a minimum of two (2) feet tall when planted.

- ~~v. Grass areas shall be planted in species normally grown as permanent lawns in Washtenaw County. Grass may be plugged, sprigged, seeded or sodded, and shall be clean and free of weeds, noxious pests and diseases.~~
- ~~(2) All freestanding signs shall be no taller than ten (10) feet, unless modified or waived at the discretion of Planning Commission.~~
- ~~(3) Pylon style signs shall be prohibited.~~
- ~~(4) Planning Commission may request that adjoining uses share an access drive in the following cases:
 - ~~(a) When the driveway could potentially interfere with traffic operations at an existing or potential traffic signal location.~~
 - ~~(b) The site is along a portion of roadway where there is congestion or a relatively high number of accidents.~~
 - ~~(c) The property frontage has limited sight distance.~~
 - ~~(d) The fire department recommends a second means of emergency access.~~
 - ~~(e) Required by the Michigan Department of Transportation.~~~~
- ~~(5) Parking shall be provided in the rear of the building, unless modified or waived at the discretion of Planning Commission.~~
- ~~(6) All light poles shall be no taller than sixteen (16) feet.~~
- ~~(7) A photometric study, which includes the foot candles of all lighting sources, shall be required for all lighting, unless waived at the discretion of Planning Commission.~~
- ~~(8) Planning Commission shall encourage architectural compatibility with adjacent existing structures.~~
- ~~(9) Where feasible, Planning Commission shall require that overhead utility lines be buried beginning at the property line.~~

~~Sec. 122-553. Area regulations.~~

~~Upon the submission of a site plan, as required in Section 122-122, the following lot area, yard, and building coverage requirements:~~

- ~~(1) **Lot Coverage.** The total area of all structures at the ground level shall not exceed forty (40) percent of the lot area.~~
- ~~(2) **Front Yard.** There shall be a front yard of not less than ten (10) feet as measured from the front lot line.~~
- ~~(3) **Rear Yards.** There shall be a rear yard setback of not less than thirty five (35) feet.~~
- ~~(4) **Distance between Buildings.** The minimum distance between buildings on a single lot or on contiguous property under the same ownership shall be fifteen (15) feet, plus four (4) additional feet for every story or fraction thereof that the building exceeds two and one-half (2 1/2) stories.~~

~~Sec. 122-554. Height regulations.~~

~~Unless a stricter height provision is provided elsewhere in this Ordinance, no building or structure shall exceed three (3) stories or forty (40) feet in height. See Section 122-640 for height exceptions.~~

~~Sec. 122-555. Development standards.~~

~~Buildings and uses in the RCO District shall be subject to all applicable standards and requirements set forth in this Ordinance.~~

DIVISION 5. ENTRYWAY OVERLAY DISTRICT

~~Sec. 122-556. Description and purpose.~~

~~The Entryway Overlay District is intended to minimize land use conflicts, enhance transportation circulation patterns, create uniform aesthetics/image, inter relate with existing historic structures, and create a tie with focal points within the City, through uniform dimensional, architectural and environmental provisions. The underlying zoning district regulations remain as the default requirements for unidentified regulations within this district.~~

~~Sec. 122-557. General standards.~~

~~Within the Entryway Overlay District, the following standards shall apply:~~

- ~~(1) The provisions of this Article shall apply, and where applicable, take precedence over the provisions and restrictions of the underlying zoning districts shown on the official Zoning Map, as amended, sufficient to fulfill the purpose and intent of this Article.~~
- ~~(2) Uses permitted in the Entryway Overlay District shall be those uses permitted by the property's underlying zoning district classification as shown on the official Zoning Map, as amended.~~

~~Sec. 122-558. Special conditions and standards.~~

~~Within the Entryway Overlay District, the following standards shall apply to all applicable uses within the District:~~

- ~~(1) All sites shall be landscaped and screened as follows, with the specifics of each found in Division 4, Landscaping, Greenbelts, and Screening.~~
 - ~~(a) All uses shall provide no less than a ten (10) foot landscaped greenbelt along all parcel boundaries. The greenbelt shall be landscaped with no less than one (1) tree per every thirty (30) lineal feet, but may be clustered on the site.~~
 - ~~(b) All commercial or multi-family uses adjacent to a property zoned or used for single family uses shall provide one of the following types of screens/buffers on all abutting sides:~~
 - ~~i. A solid wall with planting strip.~~
 - ~~ii. Screening mounds or berms.~~
 - ~~iii. Evergreen screen.~~
 - ~~iv. A combination of the above.~~
 - ~~(c) All off street parking areas containing greater than twenty (20) spaces shall provide the following landscape provisions:~~
 - ~~i. Total interior landscape area, including landscape parking lot islands, of not less than five (5) percent of the total paved parking lot area.~~
 - ~~ii. Landscape island areas shall be no less than one hundred and fifty (150) square feet.~~
 - ~~iii. At least one (1) deciduous tree shall be planted within the landscape island area, along with a combination of shrubs and ground cover/grass.~~
 - ~~iv. Planning Commission may at their discretion modify the off street parking area landscape requirements.~~
 - ~~(d) A minimum of ten (10) percent of the site (exclusive of the parking areas) shall be landscaped with a combination of trees, shrubs and ground cover/grass, unless modified by Planning Commission. The minimum requirements may be met through the use of existing vegetation, and the required greenbelt plantings, provided the following standards are satisfied for both new and existing vegetation:~~
 - ~~i. Deciduous shade trees shall be a minimum of two (2) inches in caliper when planted.~~
 - ~~ii. Deciduous ornamental trees shall be a minimum of one and one half (1 1/2) inches in caliper when planted.~~

- iii. ~~Evergreen trees shall be a minimum of six (6) feet tall when planted.~~
 - iv. ~~Shrubs and hedges shall be a minimum of two (2) feet tall when planted.~~
 - v. ~~Grass areas shall be planted in species normally grown as permanent lawns in Washtenaw County. Grass may be plugged, sprigged, seeded or sodded, and shall be clean and free of weeds, noxious pests and diseases.~~
- (2) ~~Pole style signs shall be prohibited.~~
 - (3) ~~Planning Commission may request that adjoining uses share an access drive and/or parking in the following cases:~~
 - (a) ~~When the driveway could potentially interfere with traffic operations at an existing or potential traffic signal location.~~
 - (b) ~~The site is along a portion of roadway where there is congestion or a relatively high number of accidents.~~
 - (c) ~~The property frontage has limited sight distance.~~
 - (d) ~~The fire department recommends a second means of emergency access.~~
 - (e) ~~Required by the Michigan Department of Transportation.~~
 - (f) ~~Uses are contiguous and/or occupy a very small lot.~~
 - (4) ~~Parking shall be provided in the rear of the building, unless modified or waived at the discretion of Planning Commission.~~
 - (5) ~~All light poles shall be no taller than sixteen (16) feet.~~
 - (6) ~~A photometric study, which includes the foot candles of all lighting sources, shall be required for all lighting, unless waived at the discretion of Planning Commission.~~
 - (7) ~~All developments shall have an interrelated pedestrian and motorized vehicle network with pedestrian linkages to the Downtown and Depot Town where applicable. The pedestrian network includes sidewalks along all abutting streets.~~
 - (8) ~~All development shall be oriented towards the major thoroughfare, not the side streets.~~
 - (9) ~~Planning Commission shall encourage architectural compatibility with adjacent existing structures, with special attention given to adjacent residential uses.~~
 - (10) ~~Where feasible, Planning Commission shall require that overhead utility lines be buried beginning at the property line.~~

~~Sec. 122-559. Area regulations.~~

~~Upon the submission of a site plan, as required in Section 122-122, the following lot area, yard, and building coverage requirements apply:~~

- (1) ~~*Lot Coverage.* The total area of all structures at the ground level shall not exceed forty (40) percent of the lot area.~~
- (2) ~~*Front Yard.* There shall be a front yard of not less than ten (10) feet as measured from the front lot line.~~
- (3) ~~*Rear Yards.* There shall be a rear yard setback of not less than thirty-five (35) feet.~~
- (4) ~~*Distance between Buildings.* The minimum distance between buildings on a single lot or on contiguous property under the same ownership shall be fifteen (15) feet, plus four (4) additional feet for every story or fraction thereof that the building exceeds two and one-half (2 1/2) stories.~~

~~Sec. 122-560. Height regulations.~~

~~Unless a stricter height provision is provided elsewhere in this Ordinance, no building or structure shall exceed three (3) stories or forty (40) feet in height. See Section 122-640 for height exceptions.~~

~~Sec. 122-561. Development standards.~~

~~Buildings and uses in the Entryway District shall be subject to all applicable standards and requirements set forth in this Ordinance.~~

~~Secs. 122-562–122-570. Reserved~~

ARTICLE IX. PLANNED UNIT DEVELOPMENT*

*State law reference(s)--Planned unit development, MCL 125.584b, MSA 5.2934(2).

Sec. 122-571. Description and purpose.

- (a) It is the purpose of this article to provide guidelines for development or redevelopment which is planned as a unit. Toward this end, it is the intent of these regulations to allow flexibility in the regulation of land development; encourage innovation in land use and variety in design, layout, and type of structures constructed; achieve economy and efficiency in the use of land, energy, public services, and utilities; encourage useful open space; provide better housing, employment, shopping opportunities, compatibility of design, and use between neighboring properties; facilitate the preservation and reuse of historic structures; and encourage development that is consistent with the city's master land use plan.
- (b) The approval of a planned unit development application ~~shall~~ requires an amendment to this chapter to revise the zoning map and designate the subject property as "PUD, planned unit development." An approval granted under this article, including all aspects of the final site development plan and conditions imposed on it, ~~shall~~ constitutes an inseparable part of this chapter.
- (c) The provisions of this article are not intended as a device for ignoring this chapter, the specific standards set forth in this chapter, or the planning upon which it has been based. Provisions of this article are intended to result in land development substantially consistent with the zoning standards generally applied to the proposed uses, allowing for modifications and departures from generally applicable standards in accordance with the guidelines of this article to insure appropriate, fair, and consistent decision-making.

Sec. 122-572. Permitted uses.

In a planned unit development, the principal uses which ~~shall be~~ are permitted ~~shall be~~ are based on the underlying zoning district. City Council may also consider, upon Planning Commission recommendation, the City of Ypsilanti Master Plan as a basis for principal uses permitted in a planned unit development.

Underlying Zoning District	Permitted Uses under Planned Unit Development
R1, R2, CN-Mid, CN-SF, P	Planned unit developments, excepting adaptive reuse, shall are not be permitted in these districts, except as provided for under 122-574.
R3, R4 CN, MD	Any combination of uses permitted in the R3 and R4 CN and MD zoning districts. Limited commercial, service, and office uses must be permitted if in combination with and related to residential uses.
RO, B1, B2, B3 or RC HHS, HC, NC, C	Any combination of uses permitted in the RO, B1, B2, B3 or RC (Ord. No. 918, 8-4-2000) HHS, HC, NC or C zoning districts. Residential uses must be permitted only if in combination with such commercial or office uses.
B4, WS or CI GC	All commercial, service, and office uses or any combination of such uses must be permitted. Limited light industrial uses must be permitted if in combination with such commercial or office uses. However, the CI district shall permit a stand-alone light industrial use. (Ord. No. 918, 8-4-2000)
M1, M2 PMD	All industrial and office uses and any combination of such uses. Limited commercial and service uses must be permitted if in combination with industrial uses. Residential uses must not be permitted.

Sec. 122-573. Requirements for planned unit developments.

The following requirements must apply to all planned unit developments:

- (1) *Unified control.* The proposed development must be under single ownership or control such that there is a single person or entity having responsibility for completing the project in conformity with this chapter. The applicant must provide legal documentation of a single ownership or control in the form of agreements, contracts, covenants, and deed restrictions which indicate that the development can be completed as shown on the plans, and further, that all portions of the development that are not to be maintained or operated at public expense will continue to be operated and maintained by the developers or their successors.

- (2) *Minimum size.* The minimum size of a planned unit development must be 43,560 square feet (one acre) of contiguous land. The city council may approve a planned unit development for a parcel as small as 21,780 square feet (one-half acre) if the proposal involves the preservation and/or adaptive reuse of a historically significant structure. The historical significance must be determined by the city historic district commission.
- (3) *Applicable base regulations.* Unless waived or modified in accordance with the procedures and standards set forth in this article, the yard, bulk, parking, loading, landscaping, lighting, general provisions, and all other standards set forth in this chapter for the uses listed below must be applicable for uses proposed as part of a planned unit development:
 - a. Multiple-family residential uses must comply with the regulations applicable in the ~~R4 MD~~ multiple-family dwelling residential district.
 - b. Commercial and office uses must comply with the regulations applicable in the ~~B3 central business~~ Center C district.
 - c. Manufacturing uses must comply with the regulations applicable in the ~~M2 light manufacturing~~ PMD district.
 - d. Mixed uses must comply with the regulations applicable for each individual use, as outlined above, except that if conflicts exist between provisions, the regulations applicable to the most dominant use must apply.
 - e. To encourage flexibility and creativity in development consistent with the planned development concept, departures from compliance with the base regulations may be granted by the city council, upon recommendation of the planning commission, as a part of the approval of the planned development. For example, such departures may include modifications of lot dimensional standards, setback requirements, density standards, parking and landscaping requirements, and similar requirements. Such departures may be approved only on the condition that they will result in a higher quality of development than would be possible using conventional zoning standards.
- (4) *Street access.* Each lot, main building, and principal use within a planned development district must have vehicular access to a public street. Adequate provision must be made for dedications of land for streets and essential services.
- (5) *Usable open space.* The proposed development must contain at least as much open space as would otherwise be required by the existing underlying zoning.
- (6) *Landscaping and maintenance of common areas.* All required yards and common areas must be landscaped and adequately and permanently maintained by the property owner, tenant, or organization responsible for maintaining common areas. Through an irrevocable conveyance, such as deed restrictions or covenants that run with the land, the developer must assure that all yards and common areas will be developed in accordance to the site plan and not changed to another use.
- (7) *Additional considerations.* During review of a proposed planned development, the planning commission must take into account the following considerations which may be relevant to a particular project: perimeter setbacks and screening; thoroughfares, drainage, as provided for in best management practices as appropriate, and utility design; underground installation of utilities; insulating pedestrian circulation from vehicular thoroughfares and ways; achievement of an integrated development with respect to signage, lighting, landscaping and building materials; and noise reduction mechanisms, particularly in cases where nonresidential uses adjoin off-site residentially-zoned property.

Sec. 122-574. Planned adaptive reuse projects.

A planned unit development that involves adaptive reuse of an existing structure that is located in a residential zoning district, but that was originally constructed for non-residential use, may be reviewed as a planned adaptive reuse project at the request of the applicant. The following requirements must apply to a planned adaptive reuse project in addition to the requirements applied to all planned unit developments:

- (1) *Eligibility.* The project must involve the reuse of an existing structure that is located in a residential zoning district, that was constructed for non-residential use.
- (2) *Minimum size.* Notwithstanding Sec. 122-573(2), no minimum size is required for a planned adaptive reuse project.

- (3) *Permitted uses.* Notwithstanding Sec. 122-572, a planned adaptive reuse project may include any uses determined by the City Council, upon Planning Commission recommendation, to be appropriate for the site and compatible with adjacent uses and zoning districts, with the master plan, and with any subarea plans.

Sec. 122-575. Application requirements.

An application for a planned unit development must contain the following:

- (1) Cover letter signed by the applicant and owner holding an equitable interest in the property.
- (2) Legal description showing the location and acreage of the property.
- (3) General description of proposed development, including a timetable of development and a list of departures from the regulations of this chapter which will be required.
- (4) Site plan at a scale of one inch equals 50 feet or larger, prepared in accordance with section 122-126~~5~~. Additional information on the site plan must include:
 - a. A schedule of total land areas devoted to each type of use, useable floor areas, density calculations, number and types of units, and building ground coverage.
 - b. Open space areas, indicating the proposed uses and improvements for such areas.
 - c. Architectural sketches showing building heights, external wall finishes, location of building entry ways, lighting elements, and other architectural features.
 - d. Copy of agreements, covenants, or deed restrictions which will assure that the development will be completed and maintained as shown on the plans by the developer and successive owners.
 - e. Other information deemed pertinent to the proposed development by the planning commission or city council.
- (5) A fee for the processing of the planned development application, as established by the city council.

Sec. 122-576. Review procedures.

The review and approval process for planned unit developments must be as follows:

- (1) *Preapplication conference.*
 - a. In order to facilitate review of a planned unit development proposal in a timely manner, the applicant may request an informal preapplication conference with city staff. The purpose of such a conference is to exchange information and provide guidance to the applicant that will assist in preparation of application materials.
 - b. The applicant must present at such a conference, at a minimum, a ~~sketch~~ **concept** plan of the proposed planned unit development (drawn to scale), a legal description of the property in question, the total land areas of the project, the approximate number of residential units to be constructed, the floor area of nonresidential uses, and areas to be designated as common areas or open space.
 - c. No formal action must be taken at a preapplication conference. There must be no fee for a preapplication conference. Statements made at the preapplication conference must not be legally binding commitments.
- (2) *Public hearing.* After a formal application has been filed for a planned unit development, it must be reviewed by the city planner and planning and development department for completeness and submitted to the planning commission. A public hearing on the proposed planned unit development must be scheduled. Notice of the public hearing must be published in a newspaper of general circulation in the city, and sent by mail or personal delivery to the owners of property for which approval is being considered, to all persons to whom real estate property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet. Such notice must be given not less than 15 days before the public hearing scheduled. Such notification must contain the following information:
 - a. Nature of the planned unit development project requested.
 - b. Boundaries of the property which is the subject of the request.
 - c. Date and time of the public hearing.
 - d. Location and times that written comments will be received concerning the request.

- (3) *Planning commission recommendations.* Within a reasonable time not to exceed 90 days following the public hearing, the planning commission must make its final consideration of the request, and must recommend to the city council denial, approval, or approval with conditions, of the request. The planning commission must have prepared a report stating its conclusions, the basis for its recommendations, and any conditions relating to an affirmative recommendation.
- (4) *City council action.*
 - a. The city council must be provided with a copy of the planning commission's report, a summary of comments received at the public hearing, minutes of all proceedings, and all documents related to the planned unit development. Within a reasonable time, not to exceed 60 days, after the action of the planning commission, the city council must deny, approve, or approve with conditions, the request.
 - b. The city council may require that a performance guarantee be deposited with the city to insure faithful completion of improvements, in accordance with section 122-133~~4~~. Unapproved deviations or delays in construction may result in a loss of all or a portion of the performance guarantee.
 - c. The city council may also impose other conditions to ensure that a planned unit development is constructed in an orderly manner, consistent with the spirit and intent of this chapter; and that the planned unit approach is not used as a means of circumventing restrictions on the location or quantity of certain types of land uses.
- (5) *Effect of approval.*
 - a. Approval of a planned unit development proposal must constitute an amendment to this chapter. All improvements to and use of the site must be in conformity with the approved planned unit development site plan and any conditions imposed.
 - b. Within three business days of official approval of the application and site plan by the city council, the city clerk must attest the planned unit development designation for the land in question on the zoning map.
 - c. Notice of the adoption of the planned unit development designation must be published in a newspaper of general circulation within the city within 15 days after approval in accordance with section 122-62.
- (6) *Recorded with register of deeds.* The applicant must record with the county register of deeds within ten days of approval of the application the following: a legal description of the project site, the approved site plan and an affidavit declaring that all future improvements will be made in accordance with the approved planned unit development.

Sec. 122-577. Standards for approval.

In considering any application for a planned unit development, the planning commission and city council must make their determinations based on the standards for site plan approval in section 122-127~~8~~ and the following standards:

- (1) *Conformance with the planned development concept.* The overall design and all uses proposed in connection with a planned unit development must be consistent with and promote the intent of this article, as well as with specific project design standards set forth in this chapter.
- (2) *Recognizable benefits.* The planned development will result in recognizable and substantial benefits to the ultimate users of the project and to the community in general where such benefits would otherwise be unfeasible or unlikely to be achieved.
- (3) *Compatibility with adjacent uses.* The proposed planned unit development must be designed with due regard to its relationship with development on surrounding properties and uses thereon, including building heights, setbacks, density, parking, circulation, landscaping, views, and other layout features. In particular, consideration must be given to the following:
 - a. The bulk, placement, architecture, and types of materials used in construction of proposed structures.
 - b. The location and screening of vehicular circulation and parking areas in relation to surrounding development.
 - c. The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.
 - d. The hours of operation of the proposed uses.

- e. Landscaping, preservation of historic features, and other site amenities.
- (4) *Impact of traffic.* The planned development must be designed to minimize any adverse impact of traffic generated by the proposed development. Consideration must be given to the following:
 - a. Estimated traffic to be generated by the proposed development.
 - b. Access to major thoroughfares.
 - c. Proximity and relation to intersections.
 - d. Adequacy of driver sight distances.
 - e. Location of and access to off-street parking.
 - f. Required vehicular turning movements.
 - g. Provisions for pedestrian traffic.
 - h. Access to loading and unloading areas.
- (5) *Public services.* The proposed type and density of use must not result in a material increase in the need for public services, facilities, and utilities; including but not necessarily limited to water and sewer services, public roads, fire and police protection, and schools. The proposal must not place an undue burden upon the subject or surrounding land or property owners and occupants or the natural environment.
- (6) *Compatibility with master plan and this chapter.* The proposed development must be compatible with the adopted city master plan and with the spirit and intent of this chapter.
- (7) *Economic impact.* The proposed development must not result in an unreasonable negative economic impact upon surrounding properties.
- (8) *Compliance with applicable regulations.* The proposed development must be in compliance with all applicable federal, state, county, and local laws and regulations.
- (9) *Phasing.* Where a project is proposed for construction in phases, the project must be so designed that each phase, when completed, must be capable of standing on its own in terms of the presence of services, facilities, and open space; and must contain the necessary components to ensure protection of natural resources and the health, safety, and welfare of the users of the planned unit development and the occupants of the surrounding area.

Sec. 122-578. Expiration of approval.

- (a) Approval of the planned unit development must expire and be of no effect unless construction must have commenced within one year of the date of the approval. An extension for a specified period may be granted by the city council upon good cause shown, if such request is made to the city council prior to the expiration period.
- (b) In the event an approved planned unit development has expired, the city council may rezone the property in any reasonable manner following planning commission recommendation and a public hearing in accordance with article III of this chapter. If, at the discretion of the city council, the property remains classified as a planned unit development, a new application must be required and must be reviewed in light of the prevailing conditions, applicable laws, and ordinance provisions.

Sec. 122-579. Revision of approved plans.

- (a) *General revisions.* Approved final plans for a planned unit development may be revised in accordance with the procedures set forth in section 122-576⁵. Major revisions would include, but must not be limited to, increases in scope or density of use, land area, or building size; the addition of uses not authorized by the original planned unit development approval; the rearrangement of lots or building tracts; changes in the character or function of drives; or changes in the concept of the development.
- (b) *Minor changes.* Notwithstanding subsection (a) of this section, minor changes may be permitted by the planning commission following normal site plan review procedures outlined in article IV of this chapter, subject to its finding of the following:
 - (1) Such changes will not adversely affect the initial basis for granting approval; and

- (2) Such minor changes will comply with all applicable requirements of this chapter and other local, state, and federal laws; and will not adversely affect the overall planned unit development in light of the intent and purpose of such development as set forth in this article.

Sec. 122-580. Appeals and variances.

The zoning board of appeals is without jurisdiction to accept appeals or grant variances with respect to an approved planned unit development.

Secs. 122-581--122-600. Reserved.

ARTICLE X. SITE CONDOMINIUM SUBDIVISIONS*

*State law reference(s)--Condominium act, MCL 559.101 et seq., MSA 26.50(101) et seq.

Sec. 122-601. Purpose and scope.

Site condominium subdivisions are developments utilizing the technique of land division on the basis of condominium ownership. As such, site condominium subdivisions are not subject to the provisions of the land division act, Act No. 288 of the Public Acts of Michigan of 1967 (MCL 560.101 et seq.), MSA 26.430(101) et seq.), as amended. This section requires the submittal and review of site condominium subdivision plans under this chapter to ensure that such developments are accomplished with the same results as if the improvements were being proposed pursuant to the land division act, including, without limitation, conformance with all requirements of the applicable regulations contained in this chapter. Site condominium subdivision projects may be approved in any zoning district as a special use under the provisions of article IV of this chapter, or where divergence from the use, height, area, and placement regulations of this chapter is desired, the provisions of article IX of this chapter.

Sec. 122-602. Definitions.

The following terms are defined both in the context of the condominium act and in a manner intended to make comparison possible between the terms of this chapter and other current or future land subdivision and utility extension regulations adopted by the city.

Condominium act means Act No. 59 of the Public Acts of Michigan of 1978 (MCL 559.101 et seq., MSA 26.50(101) et seq.), as amended.

Condominium structure or building envelope means the principle building or structure intended for or constructed upon a lot or building site, together with any attached accessory structures. For example, in a residential development, the condominium structure or building envelope would refer to the house and any attached garage.

Condominium unit means that portion of the condominium project designed and intended for separate ownership and use, as described in the master deed, regardless of whether it is intended for residential, office, industrial, business, or recreational use as a time-share unit, or any other type of use.

Lot means the same as building site and is that portion of the condominium project designed and intended for separate ownership and/or exclusive use, as described in the master deed. Lot must be further defined as:

- (1) A condominium unit consisting of the area under a building envelope and the contiguous area around the building envelope which, by itself, meets the minimum area and yard requirements for lots within each zoning district.
- (2) The contiguous limited common element under and surrounding a condominium unit that is or must be assigned to the owner of the condominium unit, for the owner exclusive use, and which, together with the condominium unit, meets the minimum area and yard requirements for lots within each zoning district.

Master deed means the legal document prepared and recorded pursuant to Act No. 59 of the Public Acts of Michigan of 1978 (MCL 559.101 et seq., MSA 26.50(101) et seq.), as amended, to which is attached as exhibits and incorporated by reference the approved bylaws for the project and the approved condominium subdivision plan for the project.

Mobile home condominium project means a condominium project in which mobile homes are intended to be located upon separate sites which constitute individual condominium units.

Setback, front, side and rear yard means the distance measured from the respective front, side, and rear yard area lines associated with the lot to the respective front, side, and rear of the condominium structure/building envelope.

Sec. 122-603. Zoning compliance.

All site condominium subdivisions and structures therein must comply with all the use, size, height, area, setback, sign, and all other regulations of the zoning district in which the subdivision is located unless modified through the provisions of article IX of this chapter regarding planned unit developments.

Sec. 122-604. Review and approval procedures.

Application for review and approval of site condominium subdivision projects must be made pursuant to the provisions of article V or article IX of this chapter.

Sec. 122-605. Effect of approval.

Approval of a site condominium subdivision project must serve as authorization to proceed with the division of the land on the basis of condominium ownership and the construction of required improvements to the land. However, unless specifically addressed and authorized, site condominium subdivision approval must not serve as the authorization of land uses on individual lots within the subdivision. All uses must be subject to the provisions of this chapter otherwise applicable to the specific zoning district and use in question.

Sec. 122-606. Site plans.

The site plan submitted for a site condominium subdivision must be consistent with the requirements outlined in section 122-126~~5~~ showing the location, size, shape, area, and width of all lots, all general and limited common elements, and street and utility layout. In addition, the following must be included as part of the application for special land use approval:

- (1) The use and occupancy restrictions as will be contained in the master deed.
- (2) A "consent to submission of real property to condominium project" listing all parties which have ownership interest in the proposed site condominium subdivision, or evidence of authority or right that the developer has a legal option to purchase the subject property from the owner of record.

Sec. 122-607. Layout, design and required improvements.

Site condominium subdivision plans must conform to the design, layout, and improvement standards as may be promulgated by the city council by ordinance. Any such standards and regulations are hereby incorporated by reference in this article.

- (1) *Streets*. If a site condominium subdivision is proposed to have public streets, the streets must be paved and developed to the minimum design, construction, inspection, approval, and maintenance requirements for public streets as adopted by the city.
- (2) *Utilities*. Extension and provision of utilities must be provided as may be required by the city as conditions of approval.
- (3) *Drainage*. Procedures and design criteria for drainage must be as provided in the rules of the county drain commissioner, pursuant to section 105(c) of Act No. 288 of the Public Acts of Michigan of 1967 (MCL 560.101(c), MSA 26.430(101), (c)), as amended.

Sec. 122-608. Master deed contents.

All provisions of the site condominium plans which are approved by the city pursuant to this article must be incorporated, as approved, in the master deed for the site condominium subdivision. Any proposed changes to the approved site condominium plans must be received and approved by the city pursuant to the procedure set forth in section 122-604 for the approval of site condominium plans. A copy of the master deed as filed with the county register of deeds for recording must be provided to the city clerk within ten days after such filing with the county.

Secs. 122-609--122-630. Reserved.

STATE OF MICHIGAN

COUNTY OF WASHTENAW

CITY OF YPSILANTI

AGREEMENT FOR THE SCHOOL PICTURES PROJECT PLANNED UNIT
DEVELOPMENT

This Planned Unit Development (PUD) Agreement is by and between **David 1, LLC** (Developer), whose address is 300 W. Forest, Ypsilanti, Michigan 48197, and **City of Ypsilanti**, a Michigan municipal corporation (City), whose address is One South Huron Street, Ypsilanti, Michigan 48197.

RECITATIONS

Developer is the fee owner of the property described on the attached and incorporated Property Descriptions provided in Exhibit A (the Property), located in the City of Ypsilanti and County of Washtenaw, Michigan.

Developer voluntarily proposed rezoning and development of the Property as an Adaptive Reuse Planned Unit Development (PUD) allowing for reuse of a Historically Significant Structure. Accordingly, Developer has applied for approval of an amendment to the Ypsilanti Zoning Ordinance granting a rezoning of the Property to PUD, with the zoning on the Property to be known as the **School Pictures Project Planned Unit Development**. Developer is the developer and proprietor of the **School Pictures Project Planned Unit Development** (sometimes also referred to as the Development).

For the purpose of confirming the rights and obligations in connection with the development, and other obligations to be undertaken on the Property once it has been rezoned to the **School Picture Project Planned Unit Development**, the parties have entered into this Development Agreement to be effective on the effective date of the City's Zoning Ordinance amendment granting rezoning of the Property to the **School Pictures Project Planned Unit Development**.

Now, therefore, as an integral part of the grant of the rezoning of the Property and approval of the Development on the Property, and for other good and valuable

consideration, the receipt and sufficiency of which are acknowledged, it is agreed as follows:

A. **Development as PUD.** The Property shall be developed and improved only in accordance with the following (referred to collectively as the PUD Documents):

1. Article **IX** of the Ypsilanti Zoning Ordinance, as amended, in particular the classification and qualification of preservation and/or adaptive reuse of a historically significant structure.
2. The approved site plans, previously approved by the Ypsilanti City Planning Commission dated April 4, 2008, for the **School Pictures Project Planned Unit Development**, as attached to this agreement in Appendix B and as approved by the Ypsilanti City Council (PUD Site Plan). All buildings on 300 W. Forest must abide by the locations shown on the site plan and may only expand in a fashion that reduces their nonconformity with the setbacks for Institutional Building Type requirements set forth in 122-274 of the Ypsilanti City Zoning Ordinance. The maximum building height for all buildings on 300 W. Forest is two stories or 35 feet, excluding appurtenances. All buildings on 318 W. Forest must abide by the regulations for the applicable permitted Building Type allowed in the Core Neighborhood Zoning District in Section 122-274 of the Ypsilanti City Zoning Ordinance.
3. This Agreement for the **School Pictures Project Planned Unit Development**.
4. All applicable City ordinances of City, of which this PUD is a part, except for the following items, which have been approved as part of the PUD Plan approval:
 1. Revision of the landscaping plan for approval by the City Planner as substantially similar or an improvement within 6 months of this agreement. The landscape plan approved and installed must address the following:
 - a. A greenbelt consisting of four evergreen shrubs and one deciduous tree along the north property line at Jarvis St.
 - b. Three ornamental trees in front of the main building (300 W Forest/Building A),
 - c. Three trees to satisfy off-street parking landscaping requirements.
 - d. Eight shrubs to satisfy the off-street parking lot screening at the Adams Street parking lot entrance.
 - e. Twelve shrubs along the east side of the smaller building (302 W. Forest/Building B).
 - f. Six foot solid opaque buffer along the property line shared with 307 Jarvis, replacing, in part, the existing chain-link fence.

6. Any and all conditions of the approval of the Ypsilanti City Council and Planning Commission pertaining to the Development as reflected in the official minutes of such meetings.

7. Recordation with the Washtenaw County Register of Deeds office of an affidavit by the owner of the Property on the effective date of the rezoning, approved by the City Attorney, containing the legal description of the entire project, specifying the date of approval of the **School Pictures Project Planned Unit Development**, and declaring that all future development of the Property has been authorized, restricted, and required to be carried out only in accordance with the Ordinance Granting the **School Pictures Project Planned Unit Development** and the PUD Documents referenced in that Ordinance.

8. The Ordinance Granting the **School Pictures Project Planned Unit Development**.

9. **Approval Duration.** Developer shall construct all improvements to and within the Property in accordance with the plans that have been approved by the City. Purchaser shall commence construction of such improvements within six (6) months from this zoning approval and shall complete such improvements within twenty four (24) months said date. For purposes of the foregoing, commencement of construction shall mean that Purchaser has obtained all permits and approvals necessary for the construction of such improvements have been installed.

Furthermore, all development, use, and improvement of the Property shall be subject to and in accordance with all applicable City ordinances, and shall also be subject to and in accordance with all other approvals and permits required under applicable City ordinances, the PUD Documents, and state laws for the respective components of the Development. To the extent that there are conflicts or discrepancies between respective provisions of the PUD Documents, or between provisions of the PUD Documents and City ordinances, interpretation shall be based on the more strict regulation of the Property and interpretation shall be subject to the reasonable discretion of the Ypsilanti City Council.

B. Effect of PUD Approval. The Ordinance Granting the **School Pictures Project Planned Unit Development** reclassifies the zoning of the Property to PUD and constitutes the land use authorization for the Property, and all use and improvement of the Property shall be in conformity with such Ordinance and the PUD Documents referenced in the Ordinance.

C. Land Use. Within the Development, all buildings and site amenities shall be laid out, situated, and designed as described on the approved PUD Plan and corresponding site plans upon approval. The permitted land uses are described in detail in Exhibit C of this agreement and in the Ordinance Granting the **School Pictures Project Planned Unit Development**.

D. City Enforcement. In the event there is a failure to timely perform any obligation or undertaking required under or in accordance with the PUD Documents, City may serve written notice on Developer setting forth such deficiencies and a demand that the deficiencies be cured within a stated reasonable time period, and the date, time, and place for a hearing before the City Council, or such other Council, body, or official delegated by the City Council, to allow Developer an opportunity to be heard as to why City should not proceed with the correction of the deficiency or obligation that has not been undertaken or properly fulfilled. At any such hearing, the time for curing and the hearing itself may be extended and/or continued to a date certain. The foregoing notice and hearing requirements shall not be necessary in the event City determines in its discretion that an emergency situation exists requiring immediate action. If, following the hearing described above, the City Council, or the other Council, body, or official designated to conduct the hearing, determines that the obligation has not been fulfilled or failure corrected within the time specified in the notice, or if an emergency circumstance exists as determined by City in its discretion, City shall then have the power and authority, but not the obligation, to take any or all of the following actions, in addition to any actions authorized under City ordinances and/or state laws:

1. Enter the Property, or cause its agents or contractors to enter the Property, and perform such obligation or take such corrective measures as reasonably found by City to be appropriate. The cost and expense of making and financing such actions by City, including notices by City and legal fees incurred by City, plus an administrative fee in an amount equivalent to 25 percent of the total of all such costs and expenses incurred, shall be paid by Developer within 30 days of a billing to Developer. The payment obligation under this Section shall be secured by a lien against the Property, which lien shall be deemed effective as of the date of the initial written notice of deficiency provided to Developer pursuant to this Section or, in emergency circumstances, the date at which City incurred its first cost or expense in taking corrective action. Such security shall be realized by placing a billing that has been unpaid by Developer for more than 30 days on the delinquent tax rolls of City relative to such portion of the Property, to accumulate interest and penalties, and to be deemed and collected, in the same manner as for collection of delinquent real property taxes. In the discretion of City, such costs and expenses may be collected by suit initiated against Developer and, in such event; Developer shall pay all court costs and attorney fees incurred by City in connection with such suit if City prevails in collecting funds.

2. Initiate legal action for the enforcement of any of the provisions, requirements, or obligations set forth in the PUD Documents. Except in emergency circumstances, Developer shall be provided notice of the deficiencies from City and shall be afforded an opportunity to timely correct. In the event City obtains any relief as a result of such litigation, Developer shall pay all court costs and attorney fees incurred by City in connection with such suit.

3. Issue a stop work order as to any or all aspects of the Development, deny the issuance of any requested building permit or certificate of occupancy within any part or all of the Development, regardless of whether Developer is the named applicant for such permit or certificate of occupancy, and suspend further inspections of any or all aspects of the Development.

E. Enforcement; Severability. Any failure or delay by City to enforce any provision contained in this Agreement shall in no event be deemed, construed, or relied on as a waiver or estoppel of the right to eventually do so in the future. This Agreement is intended to establish zoning ordinance regulations applicable to the Development and shall not be enforceable as a contract with contract remedies. Each provision and obligation contained in this Agreement shall be considered to be an independent and separate covenant and agreement and, in the event one or more of the provisions and/or obligations shall for any reason be held to be invalid or unenforceable by a court of competent jurisdiction, all remaining provisions and/or obligations shall nevertheless remain in full force and effect.

F. Agreement Jointly Drafted. Developer has negotiated with City the terms of the PUD Documents and such documentation represents the product of the joint efforts and mutual agreements of Developer and City. Developer fully accepts and agrees to the final terms, conditions, requirements, and obligations of the PUD Documents, and Developer shall not be permitted in the future to claim that the effect of the PUD Documents results in an unreasonable limitation on uses of all or a portion of the Property or claim that enforcement of the PUD Documents causes an inverse condemnation, other condemnation, or taking of all or any portion of the Property. Furthermore, it is agreed that the improvements and undertakings described in the PUD Documents are necessary and roughly proportional to the burden imposed, and are necessary in order to (1) ensure that public services and facilities necessary for and affected by the Development will be capable of accommodating the development on the Property and the increased service and facility loads caused by the Development; (2) protect the natural environment and conserve natural resources; (3) ensure compatibility with adjacent uses of land; (4) promote use of the Property in a socially, environmentally, and economically desirable manner; and (5) achieve other legitimate objectives authorized under the Michigan Zoning Enabling Act, MCL 125.3101 et seq. It is further agreed and acknowledged that all such improvements, both on-site and off-site, are clearly and substantially related to the burdens to be created by the development of the Property and all such improvements without exception are clearly and substantially related to City's legitimate interests in protecting the public health, safety, and general welfare.

G. Ambiguities and Inconsistencies. Where there is a question with regard to applicable regulations for a particular aspect of the Development or with regard to clarification, interpretation, or definition of terms or regulations, and there are no apparent express provisions of the PUD Documents that apply, City, in the reasonable exercise of its discretion, shall determine the regulations of City's Zoning Ordinance,

as that Ordinance may have been amended, or other City ordinances that are applicable, provided such determination is not inconsistent with the nature and intent of the PUD Documents. In the event of a conflict or inconsistency between two or more provisions of the PUD Documents, or between the PUD Documents and applicable City ordinances, the more restrictive provision, as determined in the reasonable discretion of City, shall apply.

H. Warranty of Ownership. Developer warrants that it is the owner in fee simple of the Property described on the attached Property Description Exhibit.

I. Running with the Land; Governing Law. This Development Agreement shall run with the land constituting the Property and shall be binding on and inure to the benefit of City and its successors, Developer, all future owners, developers, and builders of any part of the Development, all undersigned parties, and all of their respective heirs, successors, assigns, and transferees. An affidavit providing notice of the rezoning of the Property, the PUD Documents, this Development Agreement, and the general obligations relating to the PUD shall be executed by the property owners and may be recorded by any of the undersigned parties following the execution of this Agreement. This Development Agreement shall be interpreted and construed in accordance with Michigan law and shall be subject to enforcement only in Michigan courts. The parties understand and agree that this Development Agreement is consistent with the intent and provisions of the Michigan and U.S. Constitutions and all applicable law.

J. Single Ownership and/or Control of PUD Property. Developer represents and warrants to City that the single ownership and/or control of the Property has been vested solely in Developer in accordance with and for all purposes necessary to satisfy Section 122-573. of City Zoning Ordinance, and Developer is fully authorized and empowered to rezone and develop the Property in accordance with and pursuant to the PUD Documents and all other documents, agreements, plans, dedications, ordinances, and recordings applicable to the **School Pictures Project Planned Unit Development** as submitted to and as approved by the Ypsilanti City Council. This representation may be relied on and enforced by the City of Ypsilanti.

This Agreement was executed by the respective parties on the date specified with the notarization of their signatures and shall be considered to be dated on the date of the City Council's adoption of the Ordinance Granting the **School Pictures Project Planned Unit Development** , and shall take effect on the effective date of City's Ordinance Granting **School Pictures Project Planned Unit Development** rezoning.

WITNESS:

/s/_____

DEVELOPER:

[David 1, LLC

By: /s/_____

Stewart B. Cerier: Managing Member

WITNESS:

/s/_____

STATE OF MICHIGAN)

WASHTENAW_____)

COUNTY

Acknowledged before me in Washtenaw County, Michigan, on _____ by Stewart B. Cerier, Managing Member of David 1, LLC a Michigan corporation, on behalf of the corporation.

/s/_____

Notary public, State of Michigan, County of Washtenaw.

My commission expires

WITNESS:

/s/_____

Name of Witness

CITY:

Ypsilanti, a Michigan municipal corporation

WITNESS:

/s/_____

By: /s/_____

Amanda Maria Edmonds

Mayor of Ypsilanti

Name of Witness

STATE OF MICHIGAN)
WASHTENAW)
COUNTY

By: /s/_____

Frances McMullan

Ypsilanti City Clerk

Acknowledged before me in Washtenaw County, Michigan, on _____ by **[name of officer or agent, title of officer or agent]**, of **[name of corporation acknowledging]**, a **[state or place of incorporation]** corporation, on behalf of the corporation.

/s/_____

[Notary public's name, as it appears on application for commission]

Notary public, State of Michigan, County of **[county]**.

My commission expires **[date]**.

[If acting in county other than county of commission: Acting in the County of [county].]

Drafted by:

[Firm name]

By: /s/_____

[Typed name of attorney (P____)]

[Address, telephone]

When recorded return to:

[Name], Clerk

City of **[city]**

[Address, telephone]

Exhibit A

Insert property descriptions for 300 & 318 W. Forest

That property in the State of Michigan, County of Washtenaw, City of Ypsilanti, BEG AT NW COR ADAMS & FOREST AVE, TH S 72-57-00 W 252.46 FT, TH N 11-00-00 W 222.64 FT, TH S 82-04-00 W 231.99 FT, TH N 11-00-00 W 201.74 FT, TH N 83-33-01 E 232.39 FT, TH N 11-00-00 W 18.27 FT, TH N 78-50-05 E 86.11 FT, TH N 10-59-34 W 176.00 FT, TH N 78-50-05 E 55.00 FT, TH S 10-59-34 E 176.00 FT, TH S 78-50-05 W 21.11 FT, TH S 11-00-00 E 210.55 FT, TH N 72-57-00 E 45.00 FT, TH S 10-13-58 E 50.00 FT, TH N 79-33-52 E 87.00 FT, TH S 10-59-34 E 153.70 FT TO THE POB. PT OF WILLIAM JARVIS ADD,N & SCOVILL & TUTTLE SUBD'N. commonly known as 300 West Forest

And

That property in the State of Michigan, County of Washtenaw, City of Ypsilanti, LOT 2 WM. JARVIS ADD. EXC THAT PT NLY OF A LINE THAT COM ON W LINE LOT 2, 235.76'NLY OF SW COR LOT 2 & RUNS TO E LINE LOT 2 AT A PT 214.29' SLY OF NE COR LOT 2, commonly known as 318 W FOREST

Exhibit B

Site Plan – attach approved site plan dated 4/9/2008

Exhibit C

Permitted land uses are listed below by parcel with the associated approval process.

A. 300 West Forest Avenue: The following land uses were negotiated as part of the School Pictures Project PUD:

1. The following uses are permitted by right and subject to zoning compliance review by the City Planner:
 - a. Apartments located above the ground floor of permitted uses, provided that the apartment units meet the minimum floor area requirements, and adequate parking for apartments is provided in addition to the required parking for business or manufacturing use as provided under article XIII of this chapter.
 - b. Arts and crafts studios and schools;
 - c. Auction House, subject to the specific provisions in section 122-813.
 - d. Cinema production or development, except for adult regulated uses.
 - e. Cultural exhibit and performance venues;
 - f. Custom fabrication of small parts, provided that no emissions are a byproduct of such fabrication, and provided that all noise related to such fabrication is not audible beyond the premises;
 - g. Food cooperatives, nonprofit.
 - h. Manufacture of handicraft products, statuary and art goods, pottery and ceramic products, cosmetics and toiletries, jewelry, clothing and garments, perfumes, electrical appliances and fixtures, draperies, novelty articles, advertising display, notions, smoking tobacco products, gauges, jigs, optical goods, luggage and leather products, toys and household supplies, personal accessories, paper, wood, plastic, or rubber molded products;
 - i. Offices, showrooms and work spaces of a plumber, electrician, upholsterer, display designer, decorator, horticulturist, or similar trade, provided that no more than 25 percent or less of the floor area of such activity is used as a showroom;
 - j. Personal service shops such as a tailor, barber, beauty, shoe repair, locksmith, carpenter, photocopy services, photo processing, or similar personal service shop;
 - k. Printing services, including but not limited to: photocopying, printing, publishing, engraving, photo engraving, photo development, lithographing, and blueprint production;
 - l. Radio and television stations.
 - m. Repair of appliances, provided that the retail sale of new merchandise, other than service parts and accessories shall not be permitted;
 - n. Wholesaling: small-scale wholesaling or mail-order enterprises which occupy a total gross floor area of not more than 16,000 square feet;

- o. Storage, steam cleaning, sorting and shipping of clothing for short-term rental;
- p. Any permitted principal use in the Core Neighborhood Zoning District;
- q. Accessory power generation; and
- r. Accessory uses customarily incidental and clearly ancillary to the above permitted uses
- s. Accessory uses allowed in the Core Neighborhood Zoning District

B. 318 West Forest Avenue: The following land uses were negotiated as part of the School Pictures Project PUD:

1. The following uses are permitted by right and subject to zoning compliance review by the City Planner:
 - a. Offices;
 - b. Residence;
 - c. Day care center;
 - d. Any principal use in the Core Neighborhood Zoning District
 - e. Accessory uses customarily incidental and clearly ancillary to the above permitted uses
 - f. Accessory uses allowed in the Core Neighborhood Zoning District.
2. The following uses may be permitted with as a special land use approval for the School Pictures PUD: any special use listed in the Core Neighborhood Zoning District.

ARTICLE XI. SUPPLEMENTARY DISTRICT REGULATIONS

DIVISION 1. GENERALLY

Sec. 122-631. Scope.

The provisions of this chapter must apply to all lots and parcels of land and to every building, structure, or use, and extends vertically. No lot, building, structure, or part thereof, must hereafter be located, erected, altered, occupied, or used except in conformity with the provisions of this chapter. The general provisions of this article must apply unless specifically stated otherwise.

Sec. 122-632. Control of heat, glare, fumes, dust, noise, etc.

Every use must be so conducted and operated that it is not obnoxious or dangerous by reason of heat, glare, fumes, dust, noise, radiation, vibration, or odors beyond the lot on which the use is located. Furthermore, it shall be unlawful for any person to create, assist in creating, permit, continue, or permit the continuance of any public nuisance as defined and regulated under article II of chapter 42.

Sec. 122-633. Damaged or destroyed buildings.

- (a) The owner of any building or structure which has been damaged or destroyed by fire, windstorm, or other casualty must repair such damage within six months after its occurrence. However, nonconforming buildings and structures must only be repaired when in conformance with the subsection 122-206(c)(4).
- (b) In the event the building or structure is damaged beyond repair, or repairs are not permitted by the terms of this chapter, then any part left standing after such damage or destruction must be demolished within six months of its occurrence pursuant to a permit granted by the city building department.

Sec. 122-634. Dumping on land prohibited.

The use of land for the dumping or disposal of scrap metal, junk, junk cars, parts of automobiles, trucks, and boats, tires, garbage, rubbish, or other refuse or of ashes, slag or other wastes or by-products, must not be permitted in any zoning district.

Cross reference(s)--Solid waste, ch. 86.

Sec. 122-635. Dwelling on rear of lot.

- (a) No building on the same lot and in the rear of a principal building must be used as a dwelling, nor must any building be located in front of a building used as a dwelling on the same lot, except as provided by this chapter ~~in the R3 and R4 zoning districts~~ or within an approved planned unit development.
- (b) The only exceptions to this requirement are dormitories, rectories, convents, or similar living quarters operated and maintained in connection with a ~~church~~ **religious institution**, school, hospital, or similar institution.

Sec. 122-636. **Rights of Way and Easements.**

- (a) **Construction of Permanent Structure Over Right of Way or Easement Unlawful.** It is unlawful for any person to install, erect, cause or permit the installation of a permanent structure (such as a garage, building, swimming pool, fence, or tree) on or across an easement of record which will prevent or interfere with the free right or opportunity to use or make accessible such easement for its proper use.
- (b) **Building Entrance must face Street.** No ~~residential~~ **principal** building can be placed on a lot unless the building is situated in such a manner that the front entry into the building faces the street to which the property is addressed.
- (c) **Planned Easements.** All site plans must show planned easements for non-motorized pathways in the City of Ypsilanti's Non-Motorized Plan, a 50 to 100 foot conservation and /or access easement along any Huron River frontage, the ReImagine Washtenaw Corridor Improvement Study and any planned road easement expansions approved by City Council. A proposed expansion of a structure or new building where the building or structure encroaches from the required setback from a planned easement for a street must be approved by the Planning Commission.

Sec. 122-637. Essential services.

- (a) *General provisions.* Essential services which are located underground or involve the customary placing of utility poles in public rights-of-way or public easements or the placing of utility boxes in the rear of private properties, and which are reasonably necessary for the furnishing of adequate services for the public health,

safety, or welfare must be permitted as authorized and regulated by law and other ordinances of the city in any zoning district.

- (b) *Public utility buildings.* The planning commission may authorize the erection, maintenance, and use of a building, or an alteration or addition to an existing building by a public utility as a special use and after site plan review in any zoning district, including a building with a height greater than otherwise permitted in the zoning district; provided that the planning commission finds that such building is necessary at a selected location, will not be injurious to the surrounding neighborhood, and is not contrary to the spirit or purpose of this chapter. Where possible, such buildings must be located in a commercially or industrially zoned district rather than in residential districts.

Sec. 122-638. Depositing or burying garbage; excavation or filling.

- (a) The deposit or burying of garbage anywhere in the city is expressly prohibited.
- (b) The removal or filling of topsoil, sand, gravel or other material from or on the land is not permitted in any zoning district unless a site plan for such excavation or filling has first been approved by the planning commission and a permit is issued by the building department. Before approving such plan, the planning commission must determine that such removal will not cause standing water to collect or, at the expiration date of such permit, leave the surface of the land in an unsuitable condition or unfit for other land uses permitted in the district in which the removal or filling occurs; and that such fill or removal will not cause water or other materials to encroach on any public street, sidewalk, or adjacent property not owned by the applicant. When appropriate, the city may require that such fill or excavation areas are protected with fencing, rail guards, and warning signs.
- (c) This section must not apply to the normal removal or filling of soil for the construction of an approved building or structure when such plans have received site plan approval and a permit for such construction has been issued by the building department.
- (d) This section is also not intended to regulate common household gardening or general ground care.

Cross reference(s)--Solid waste, ch. 86.

Sec. 122-639. Grades; elevation differentials.

The grading of all building lots must be such as to divert water away from buildings and to prevent standing water and soil saturation detrimental to structures, lot use, and surrounding property.

Sec. 122-640. Height exceptions. Steep Slopes Protection.

This section is intended to protect resources in environmentally sensitive areas to ensure that development does not result in erosion and in flooding during site preparation and the development process. All uses and activities established after the effective date of this Ordinance must comply with the following standards. Site alterations, re-grading, filling or the clearing of vegetation, or any other activity deemed detrimental to any environmentally sensitive area or resource prior to the submission of plans for subdivision or land development are a violation of this Ordinance.

- (a) *General Design Standards.* Structures must be designed in a manner that requires a minimum amount of alternation to the steep slope and that otherwise complies with the grading standards in item b of this section. Except where a geologic hazard investigation report recommends otherwise, multi-level building design and/or terracing must be used. Otherwise, structures must be sited on existing level areas of the site. Particular caution must be taken to prevent increases in the rate of stormwater runoff and erosion downslope of any steep slope development site.
- (b) *Specific Design Standards.* The following specific design standards must be met on sites with steep slopes:
 - 1. Any site disturbance of slopes exceeding twelve (12%) percent must be minimized.
 - 2. No site disturbance must be allowed on slopes exceeding fifteen (15%) percent, except under the following circumstances.
 - a. Grading for a portion of a driveway accessing a single family dwelling when it can be demonstrated that no other routing which avoids slopes exceeding fifteen (15%) percent is possible.
 - b. Upon submission of a report by a certified soil or geotechnical engineer indicating that the steep slope may be safely developed and execution of a provision agreeing to hold the City of Ypsilanti harmless from any claims of damages due to approval of such development. If development is allowed to

proceed under this subsection, no more than (15%) percent of such areas must be developed and/or regraded or stripped of vegetation.

3. Finished slopes of all cuts and fills must not exceed three-to-one (3:1), unless the applicant can demonstrate that steeper slopes can be stabilized and maintained adequately.

- (a) ~~The height requirements of all zoning districts may be exceeded by chimneys, flagpoles, church spires, belfries, cupolas, domes, or other similar architectural embellishments; roof mounted communication antennas when in compliance with article XI, division 3 of this chapter; water towers, observation towers, power transmission towers, radio towers, masts, smokestacks, ventilators, skylights, derricks, conveyors, cooling towers, and other similar and necessary mechanical appurtenance pertaining to the permitted uses of the districts in which they are located; provided that they do not exceed the maximum permitted height for buildings in a given district by more than ten feet.~~
- (b) ~~In the M2 district, chimneys, cooling and fire towers, elevator buildings, parapets, roof storage tanks, communication towers and other necessary appurtenances are permitted to heights greater than ten feet above the maximum permitted building height; provided such appurtenances are located at least the same distance from any adjoining property line as their height.~~

Sec. 122-641. Outdoor lighting.

- (a) All outdoor lighting must be so designed and arranged so as not to shine on adjacent properties or occupied dwellings, or adversely impact vehicular or pedestrian traffic on nearby streets, drives, walkways, or general rights-of-way. Outdoor lighting originating on a site must not exceed one-half (0.5) footcandle at the lot line. Proposed light fixtures must be ~~down directed and shielded where necessary. The source of the illumination (luminaire) must not be visible from adjacent properties.~~ Dark Sky compliant. Lights may be required to be full cutoff where they may impact residential uses.
- (b) Outdoor lighting fixtures must not exceed a height of 30 feet in height or the height of the principal building on the site, whichever is less. For development sites abutting ~~properties~~ lots used or zoned for one and two-family residential uses, lights must not exceed a height of 16 ft. The planning commission may modify the height restrictions in commercial and industrial districts, based on consideration of the following: the position and height of buildings, the character of the proposed use; and the character of surrounding land use.
- (c) Where outdoor lighting is required by this chapter, the light intensity provided at ground level must be a minimum of 0.3 footcandle anywhere in the area to be illuminated. Light intensity must average a minimum of 0.5 footcandle over the entire area, measured five feet above the surface.

Cross reference(s)--Traffic and vehicles, ch. 102.

Sec. 122-642. Direct access to major thoroughfare.

Whenever this chapter requires that direct access to a major thoroughfare be provided, one of the following provisions must be met:

- (1) Direct driveway ingress and egress is provided from the site directly to a major thoroughfare.
- (2) Access to the site from a major thoroughfare does not traverse through or abut any land zoned R1, ~~R2, R3, or R4~~ MD, CN-SF, CN-Mid, and CN.

Sec. 122-643. Moving of buildings or structures.

The moving of a building or structure to a different location must be considered as the erection of a new building and all provisions, regulations, and requirements relative to the erection of a new building must be applicable thereto. A performance guarantee may be required prior to such moving as provided in section 122-133~~4~~.

Sec. 122-644. Porches, decks, balconies, fire escapes, and barrier-free access ramps.

(a) *Porches, decks, terraces and balconies.*

- (1) An open or unenclosed porch or terrace may project into a front yard for not more than ten feet, unless otherwise regulated within this chapter.
- (2) Open, unenclosed or uncovered porches, decks, terraces, and walkways over nine inches in height must meet all side and rear yard setback requirements.
- (3) Unenclosed balconies may project into a front yard for not more than ten feet, but must meet all side and rear yard requirements.

- (4) All enclosed porches, decks or balconies are an integral part of a building and must meet all yard setback requirements of that structure.
- (b) *Fire escapes.* No fire escape can be located within any front yard. All fire escapes must meet all side and rear yard setback requirements.
- (c) *Barrier-free access ramps.* Barrier-free access ramps may be located within any front, side or rear yard, provided that no portion of the ramp which exceeds over 36 inches in height is located within any required minimum yard setback area. This provision may be waived by the building department for a temporary barrier-free access ramp to a single- or two-family dwelling, provided that the building department finds that such proposed ~~handicapped~~ **barrier-free** ramp will not pose a fire or safety hazard, and will not obstruct traffic vision. A temporary barrier-free access ramp must be removed within 14 days after the ~~handicapped~~ person **needing the ramp** ceases to occupy a dwelling.
- (d) *Architectural features.* Window sills, cornices, eaves, bay windows, and other architectural features may project into a required side yard not more than two inches for each one foot of width of such side yard; and may extend into any front or rear yard not more than three feet.

Sec. 122-645. Public service access.

All buildings and structures must be provided with adequate access for fire, police, sanitation and public works vehicles. The planning commission may require paved turnaround areas to allow adequate maneuverability for public service vehicles on a site.

Sec. 122-646. Retaining walls.

Retaining walls in excess of one foot in height require a building permit. All retaining walls must be designed and built so as to safely resist lateral pressures of soil behind them and be safely supported by soil beneath them. Additionally, retaining walls must be maintained in structurally sound and safe repair and must not impair drainage or create negative impacts on any other lot.

Sec. 122-647. Sidewalks.

- (a) For all development projects, either a new public sidewalk or if necessary the reconstruction of existing sidewalks, must be provided along the perimeter of the lot which abuts any street. New or reconstructed sidewalks must be aligned with existing or proposed sidewalks and must be constructed to city standards **and subject to Chapter 94 of the City Code of Ordinances.**
- (b) This requirement may be modified by the Planning Commission as follows:
 - (1) A shared-use path may be provided in lieu of a sidewalk, upon a finding that any portion of the perimeter of a lot is planned to be part of an area-wide non-motorized network that requires such a facility.
 - (2) A fee in lieu of construction may be provided by the development in the amount of 100% of the construction cost, upon a finding that any portion of the perimeter of a lot is included in a transportation project programmed in the City's 5-year Capital Improvement Plan. Any fee paid for this purpose must be reserved for non-motorized improvements as a part of the identified transportation project.
 - (3) Any easement required for the construction, maintenance, or operation of a modified facility must be included on the site plan at the time the modification is requested.

Sec. 122-648. Street frontage requirements.

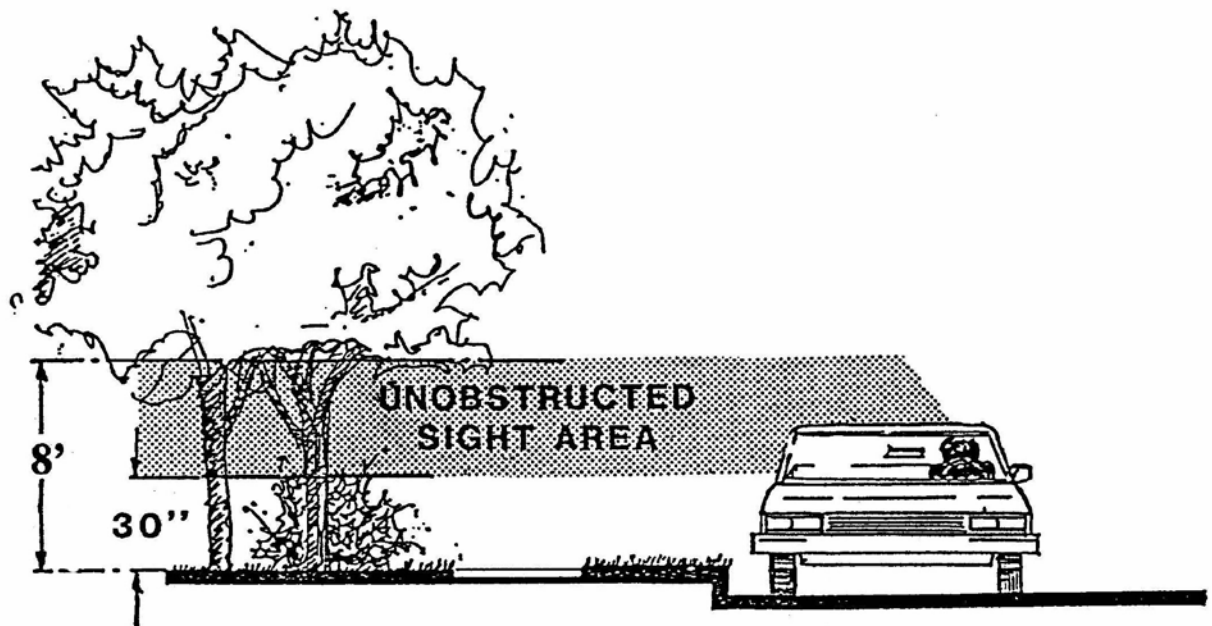
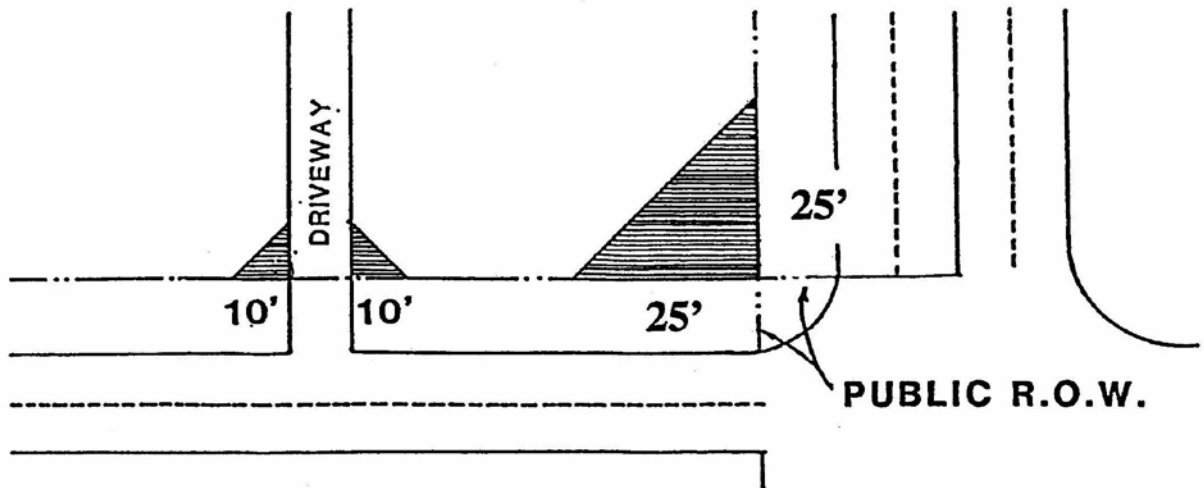
No lot can contain any building used in whole or in part for any purpose unless such lot abuts ~~for at least 50 feet~~ **the minimum lot width of the building type or zoning district** on at least one street; or unless it has an exclusive, unobstructed private easement of access or right-of-way of at least 50 feet wide to a street. There must not be more than one single-family dwelling or one nonresidential land use for such frontage or easement.

Sec. 122-649. Traffic visibility.

- (a) No structure, wall, fence, vehicle, shrubbery, or trees can be erected, parked, planted or maintained on any lot which will obstruct the view of the driver of a vehicle approaching an intersection or maneuvering from a driveway. Provided, shrubbery and low fences or walls not exceeding 30 inches in height above the curb level and branches of trees not less than eight (8) feet above the street level will be permitted.
- (b) This means, in the case of an intersection, that there must be provided an unobstructed triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the pavement edge lines, or in the case of a rounded corner, from the intersection of the street property lines extended. In the case

of a driveway, there must be provided an unobstructed triangular area formed by the street right-of-way line, the edge of the driveway, and a line connecting them at points ten (10) feet from the intersection of the street right-of-way line and driveway edge. (Refer to the traffic visibility illustration on the next page.)

General Provisions



TRAFFIC VISIBILITY

Sec. 122-650. Trash receptacles and dumpsters.

Any new or altered commercial use, including residential uses with three or more units, which requires zoning compliance review or site plan review under article IV of this chapter and has an outdoor trash storage area must comply with the following requirements:

- (1) No outdoor trash storage area may be located in any front yard or any required side yard setback which is adjacent to a street, unless there is no alternative as established by the city planner or the Planning Commission. In no instance may any trash receptacle or dumpster be located within or block a designated parking space.
- (2) Any outdoor trash storage area must be limited to normal refuse which is collected on a regular basis and must be maintained in a neat, orderly and sanitary condition. This maintenance is the responsibility of the owner of the premises on which the containers are placed.
- (3) Adequate vehicular access must be provided to such containers for truck pickup either via a public alley or vehicular access aisle which does not conflict with the use of off-street parking spaces or entrances to or exits from principal buildings nearby.
- (4) All trash storage areas must be located in a rear yard or be so located and arranged so as to minimize its visibility from adjacent streets and uses, on a concrete pad, and must be screened with an enclosure at least one (1) foot taller than the dumpster. The enclosure must be of a solid brick or masonry wall on three sides with an 80% opacity swing door on the fourth side.
- (5) At the discretion of Planning Commission, landscaping may be required around the perimeter of a refuse container in order to soften its appearance from adjacent residential uses. (Ord. No. 918, 8-4-2000)

Cross reference(s)--Solid waste, ch. 86.

Sec. 122-651. Unclassified uses.

Uses which have not been specifically mentioned within any district may be processed under the special use permit procedure, in accordance with article V of this chapter. The planning commission must approve such special use permit only after it determines that it will have no adverse effect upon adjacent property, that the use is similar to other uses in the district in which it is proposed to be placed, and the spirit and intent of this chapter and master plan are not impaired by permitting such use at the proposed location.

Sec. 122-652. Voting place.

The provisions of this chapter must not be so construed as to interfere with the temporary use of any property as a voting place in connection with a public election. A temporary use permit must not be required for such voting place.

Secs. 122-653--122-665. Reserved.

DIVISION 2. ACCESSORY STRUCTURES AND USES

Sec. 122-666. Purpose and intent.

The intent of this division is to regulate accessory structures and uses in order to preserve adequate open spaces and separation between uses which may impact adjacent properties. Accessory uses and structures are generally permitted uses in their respective zoning districts, subject to the provisions of the this division.

Sec. 122-667. General standards for ~~detached~~ accessory structures.

- (1) *Attached Accessory Structures.* Where an accessory structure is attached to and made a part of the principal building (excluding breezeways or canopies), such accessory structure must comply in all respects with the requirements of this chapter applicable to the principal building.
- (2) *Detached Accessory Structures.* The following standards, unless otherwise stated in this chapter, govern all detached accessory structures. A "detached accessory structure" is one which is not attached to the principal structure; however, a breezeway or other enclosed or roofed over connecting way may connect the principal structure to an accessory structure provided that such breezeway or connecting way does not exceed eight feet in width and does not exceed the height of the accessory structure. Detached accessory structures include, but are not limited to, garages, sheds, toolhouses, swimming pools, tennis or basketball courts or other recreational equipment.
 - a. *Building permit.* No accessory structure may be erected, moved, altered, or razed until a building permit has been obtained from the building department.
 - b. *Height.* The maximum height for a detached accessory structure must be 15 feet; except in the ~~PMD~~^{M2} district, in which accessory structures may be constructed equal to the permitted maximum height of structures in such district, subject to planning commission review and approval.
 - c. *Location.* All detached accessory structures must be located in rear yards or side yards. On corner lots, detached accessory structures must not be located in the required street side yard setback. In no instance may an accessory structure be located within a dedicated easement.
 - d. *Setback and ground coverage requirements.* All detached accessory structures must meet the setback and ground coverage regulations for the underlying zoning district and, if applicable, building type.
 1. ~~From principal structure.~~ A detached accessory structure shall be located no closer than seven (7) feet to any principal structure used for residential purposes, five feet from any principal structure used only for nonresidential purposes; or in any case, the minimum distance to comply with fire safety regulations, whichever is greater.
 2. ~~From rear or side lot lines.~~ Unless regulated otherwise under the area regulations for each district, detached accessory structures shall be constructed a minimum of three feet from a rear or side lot line, and a minimum of one foot from any lot line which abuts an alley. However, on a through lot, the minimum setback from a rear lot line shall be 12 feet.
 3. ~~Attached to a principal building.~~ When an accessory building or structure is structurally attached to a principal building, it shall be subject to all of the regulations of this chapter applicable to the principal building.
 - e. *Ground coverage.* The total ground coverage of all detached accessory structures may occupy no more than 30 percent of the total rear yard area; provided that in a residential district, the ground coverage of accessory buildings shall not exceed the ground floor area of the principal building. This regulation shall not prohibit the construction of a garage with a minimum gross floor area of 720 in a rear yard when all minimum setback requirements are met.
 - f. ~~Single family lot.~~ On any one single family residential lot, no more than one private garage and one storage shed shall be erected.
 - g. *Architecture/siding.* The architectural character of all accessory buildings must be compatible with that of the principal building. All accessory buildings in all zones except the ~~M2~~^{PMD} district, must be sided and roofed with materials which are compatible with the principal building and adjacent principal buildings.

- h. *Sleeping quarters.* The use of any accessory building for the overnight housing of persons is prohibited, unless expressly permitted by this chapter or this Code.
- i. *Mobile homes.* Mobile homes are not permitted as an accessory use to a permitted principal use.
- j. *Subdivision of lots.* No parcel or lot may be subdivided unless and until all detached accessory buildings comply with this chapter with respect to allowable size and setback requirements for the proposed lot on which the buildings are to be located.

Sec. 122-668. Swimming pools.

Prior to the issuance of a building permit for the construction of an outdoor swimming pool in any zoning district, the following provisions must be satisfied:

- (1) An application for a building permit must be accompanied by a complete and detailed set of plans and specifications for the swimming pool, including type of construction, size, location on lot in relation to lot lines and buildings on the site, fencing, and related equipment, which show that the following minimum standards will be met.
- (2) The swimming pool must be located no closer than ten feet to any side or rear lot line, and no part of any pool may be constructed within a front yard or required side yard setback adjacent to a street.
- (3) Swimming pools must be located a minimum of four feet from any building on the same parcel and a minimum of 25 feet from any dwelling on an adjoining lot which is located within an R1, MD, CN-SF, CN-Mid, or CN or R2 district.
- (4) All pool associated wiring and wiring in, around, over or under the pool must comply with the latest edition of the National Electrical Code as adopted by this Code.
- (5) All swimming pools must be enclosed by a fence of a type not readily climbed by children which must be at least five feet in height from the ground level. However, if the entire yard of the residence is enclosed, then this provision may be waived by the building department upon inspection and approval of the yard's enclosure; or if the pool is of a portable or above ground type, with a wall height of at least five feet above the surrounding ground surface, and of such construction as not to be readily climbed by children, then the ends of the fence may be attached to the pool structure and the fence need be erected only around the immediate area of the ladder and other means of access to the pool. Gates must be of self-closing latch type with the latch on the inside of the gate, not readily available for children to open. Gates must be securely locked when the pool is not in use. Pools must be enclosed by such fence before water is placed in pool. All fences must be subject to the requirements of article XI, division 4 of this chapter.
- (6) Water retained in any pool regardless of depth must be maintained clean and sanitary as provided in the BOCA National Building Code, water treatment standards.
- (7) The building department has the right at any reasonable hour to inspect any swimming pool for the purpose of determining that all the provisions of this chapter are fulfilled and complied with. Any outdoor swimming pool installed, operated or maintained in violation of the provision of this section constitutes a nuisance, and the city may, in addition to the penalties set forth in section 122-8, maintain any proper action for the abatement of such nuisance.

Sec. 122-669. Home occupations.

- (a) *Prohibited home occupations.* The following are not be permitted as home occupations: animal grooming establishments, barber shops or beauty parlors with more than one stylist or chair, clinics or hospitals, commercial stables, day care centers, kennels, real estate offices, restaurants, vehicle repair or painting, retail or wholesale sales of any items stocked on the premises, landscape installation and maintenance businesses, construction contractors, snow removal, funeral homes, nursing homes, antique shops, bed and breakfast establishments, private clubs, or trailer rentals, adult regulated uses, millinery and other apparel shops, veterinarian's office, clinic or hospital. However, this section is not intended to prohibit offices related to the administration of construction contracting, landscaping, maintenance, or snow removal businesses.
- (b) *Permitted home occupations.* Any home occupation that is not specifically prohibited by subsection (a) of this section must be permitted if it meets the following standards:
 - (1) All home occupations must obtain a business license from the City Assessor; if the occupant is not the owner of the premises then consent must be obtained from the property owner to ensure the owner's knowledge of the use.

- (2) The home occupation must not change the outside appearance of the dwelling nor alter the residential character of the structure.
 - (3) The home occupation must not be visible from the street.
 - (4) The home occupation must be owned and operated only by a member or members of the immediate family residing on the premises.
 - (5) No more than one other person may be employed or involved with such activity on premises other than a member of the immediate family residing in the dwelling unit.
 - (6) All wholesale, jobbing or retail business must be conducted entirely by mail, telephone, electronically or by delivery.
 - (7) Services and transactions must be conducted by appointment only, walk-in trade is prohibited.
 - (8) The maximum area for home occupations must be calculated as 25 percent of the usable residential floor area of a dwelling unit or 300 feet whichever is less. Areas designated for home occupations may be located in any useable area of the home, the basement, or any accessory building.
 - (9) No motor power other than electrically operated motors may be utilized. No single electrical motor used in the home occupation may exceed one horsepower. All electrical motors and equipment used in the conduct of the home occupation must be shielded so as not to cause radio or television interference for adjoining properties.
 - (10) A home occupation must not create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazards, or any other hazard or nuisance to any greater or more frequent extent than would normally be generated in the zoning district in which it is located.
 - (11) Signage must be limited to a nameplate which must not exceed one square foot in area.
 - (12) In no case may a home occupation be open to the public earlier than 7:00 a.m. nor later than 9:00 p.m.
 - (13) There must be no deliveries to or from the home occupation with a vehicle having more than two axles.
 - (14) No merchandise or articles for sale may be displayed on the lot used for the home occupation.
 - (15) The home occupation may increase vehicular traffic flow and parking by no more than two additional vehicles at a time.
- (c) Medical Marijuana Home Occupation. In addition to the requirements in Section 122-669 (b), Medical marijuana home occupations must be subject to the following requirements:
- (1) The medical use of marijuana must comply at all times and in all circumstances with the Michigan Medical Marihuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time.
 - (2) A registered primary caregiver operating a medical marijuana home occupation must not be located within 1,000 feet of a school, as measured from the outermost boundaries of the lot or parcel on which the home occupation and school is located.
 - (3) Not more than one (1) primary caregiver per parcel may be permitted to grow or cultivate medical marijuana.
 - (4) Not more than five (5) qualifying patients may be assisted with the medical use of marijuana within any given calendar week.
 - (5) All medical marijuana must be contained within an enclosed, locked facility inside a primary or accessory building.
 - (6) All necessary building, electrical, plumbing and mechanical permits must be obtained for any portion of the building in which electrical wiring, lighting and/or watering devices that support the cultivation, growing or harvesting of marijuana are located.
 - (7) If a room with windows is utilized as a growing location, any lighting methods that exceed usual residential periods between the hours of 11pm and 7am must employ shielding methods, without alteration to the exterior of the residence, to prevent ambient light spillage that may create a distraction for adjacent residential properties.

- (8) That portion of the building where energy usage and heat exceeds typical residential use, such as grow room, and the storage of any chemicals such as herbicides, pesticides, and fertilizers must be subject to inspection and approval by the Ypsilanti Fire Department to insure compliance with the Michigan Fire Protection Code.
- (9) The premises must be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.

(Ord 1137, 2011)

Cross reference(s)--Businesses, ch. 22.

Sec. 122-670. Garage sales, rummage sales, and owner-made craft sales.

- (a) *Duration.* Each occasion may not take place for a period of time longer than 12 hours per day for a maximum of three consecutive days.
- (b) *Number.* There must be no more than three occasions per year on any premises.
- (c) *Hours.* All articles or property that are offered for sale must be totally enclosed within a lawful structure or building between the hours of dusk to dawn.
- (d) *Removal of signs.* All signs that may have been used to advertise the sale must be removed upon completion of the sale.

Secs. 122-671--122-680. Reserved.

DIVISION 3.

COMMUNICATION DEVICES*

*Cross reference(s)--Telecommunications, ch. 98.

Sec. 122-681. Intent.

It is the intent of this division to provide reasonable regulations for the mounting of private communication antennas. The objectives of this division are to promote safety and prevent injury to persons and property, to maintain and promote the aesthetic and architectural quality of properties, to preserve property values, to balance the city's authority and duty to regulate the placement of communication devices in relation to the right to construct and use communication devices without reasonable restrictions, and to conditionally exclude from regulation by this division certain VHF and UHF television antennas meeting the criteria of subsection 122-683(1).

Sec. 122-682. General standards.

- (a) *Permits.* All applicants proposing to erect any communication device in any zoning district, except as excluded under subsection 122-683(1), must be required to obtain a building permit and make payment of required fees.
- (b) *Plot plan and mounting detail.* Prior to issuance of a building permit for the erection of a communication device in any zoning district, the applicant must submit a plot plan showing to scale the precise proposed location of the communication device; its relative location to buildings on the site, adjoining properties, roads, landscaping, and natural features; the height and design of the structure; and foundation and/or mounting detail as appropriate for the building department to determine safety and building code compliance.
- (c) *Standards.* All communication devices must be installed, maintained, and grounded according to the standards as stated in the building code and must also meet wind and ice loads as specified in the building code.
- (d) *Restrictions.* All communication devices must be subject to the following restrictions:
 - (1) *Protrusion.* Communication devices must not protrude or overhang in any way over any public right-of-way or adjoining property.
 - (2) *Location.* Communication devices must not be located in front yards or in the street side yard of corner lots.
 - (3) *Advertising, symbols, lighting.* No portion of any communication device may display any advertising message or other graphic representation other than a manufacturer's logo or nameplate or warning signs; provided such logo or letters are of a size and character that is not legible from adjacent properties. Except as required by the Federal Communications Commission, no communication device may be illuminated by direct or indirect lighting.
 - (4) *Color and texture.* All communication devices must be of a color and texture so as not to be conspicuous and to promote its visual blending into the adjacent background.
 - (5) *Wood construction prohibited.* Communications devices must not be constructed of wood.
 - (6) *Ground mounted devices.* All communication devices not mounted on a principal or accessory building must be permanently anchored to a foundation located on the ground. No ground mounted device may be located closer to a property line than its height as measured from the ground elevation at the base of the antenna structure.
 - (7) *Roof mounted devices.* All communication devices mounted on the roof of a building must be located on that portion of the building located adjacent to the rear of the property, unless it can be demonstrated that an alternative location is as safe or safer, and the visibility of the antenna from the adjacent properties and by pedestrian or vehicular passers-by is reduced or equal in comparison to a rear yard orientation/location.

Sec. 122-683. Antenna systems.

In addition to the foregoing general standards of this division, the following standards must apply to antenna systems:

- (1) Conventional VHF and/or UHF television antennas which have width and height dimensions of not more than 135 inches and ten feet respectively, which are situated on the portion of the roof adjacent to the rear yard on the property, and which do not extend higher than ten feet above the ridge and/or peak of the roof, must be exempt from the requirements of applying for and receiving approval under this division. Exemption of such VHF and UHF television antennas from this division is based upon the following findings: there is relatively small concern for wind and snow load issues, there has been a long demonstrated safety record, there has been an historical acceptance of such facilities from an architectural and aesthetic standpoint, and the cost of

compliance with the procedure for application and review would be great in relation to the cost of purchasing and installing such antennas.

- (2) Antenna systems which do not meet the criteria and condition of subsection (1) of this section must be regulated as follows:
 - a. The antenna system must be located in a fenced or walled enclosure, so as to deter any person from climbing the tower, except for service or repair.
 - b. The antenna system must be of a self-supporting design.
 - c. Proof of liability insurance in the amount of \$100,000.00 must be submitted indicating protection of all adjacent property owners within a radius equal to $1\frac{1}{2}$ times the height of the tower. This must include any city-owned property or right-of-way.
 - d. The antenna system must be used only for legal, amateur or commercial receiving and transmitting, as licensed by the Federal Communications Commission.

Sec. 122-684. Satellite dish stations.

In addition to the general standards of section 122-682, the following must apply to all satellite dish antennas:

- (1) Permit applications must contain the following additional information:
 - a. In the case of a satellite dish proposed to be mounted on a roof in a commercial or manufacturing district, a detailed plan showing the exact location of the antenna on the roof.
 - b. A picture, sketch, or catalog cut of the proposed installation, including the proposed coloration of the satellite dish.
 - c. Proof of liability insurance in a minimum amount of \$100,000.00.
 - d. Such other pertinent information as may be required by the building department.
- (2) No more than one satellite dish installation may be permitted on any single lot of record.
- (3) The satellite dish and all structural supports must be of noncombustible and corrosive resistant material.
- (4) Each satellite dish installation must be designed to withstand a wind force of 75 miles per hour without the use of any supporting guide wires.
- (5) Any driving motor must be limited to 100-volt maximum power design and be encased in protective guards. Any motor with operating voltage of more than 50-volt A.C. nominal must comply with Article 430 of the National Electrical Code.
- (6) A satellite dish antenna must be permanently mounted. A satellite dish antenna may only be on wheels or temporarily installed when used to demonstrate and/or test the feasibility of use.

Sec. 122-685. Communication devices in residential districts.

In addition to the foregoing provisions, the following requirements apply to all communication devices in the R1, ~~R2, R3, R4, and RO~~ MD, CN, CN-Mid, CN-SF and HHS zoning districts:

- (1) *Antenna systems.*
 - a. *Ground mounted restrictions.* Ground mounted antenna systems must not exceed a height of 75 feet, or a height equal to the distance from the base of the antenna system to the nearest property line whichever is less. There must be no more than one ground mounted antenna system on a single zoning lot.
 - b. *Roof mounted height restrictions.* Roof mounted antenna systems must not exceed in height the lesser of the height of the roof plus ten feet, or the distance from the base of the antenna tower system (at its connection point with the roof) to the nearest property line.
- (2) *Satellite dish stations.*
 - a. *Height.* No part of any satellite dish station may exceed 12 feet in height.
 - b. *Size.* The diameter or any exterior dimension of any satellite dish station must not exceed ten feet.

- c. *Location.* All satellite dish stations in residential districts must be located in a rear yard and comply with the minimum distance requirements for detached accessory structures, as stated in section 122-667, however, a satellite dish station may be located on the roof of a building under the following conditions:
 1. In the R1, ~~CN-SF~~ and ~~R2 CN-Mid~~ zoning district, a satellite dish station may be located on the roof of a building associated with nonresidential use (i.e. school, ~~church~~, religious institution or public service building), provided that the satellite dish station is located toward the rear of the building and is entirely screened from view from any public streets, pedestrian rights-of-way, or adjoining properties.
 2. In the ~~R3, R4, or RO~~ MD, or CN zoning districts, a satellite dish station may be located on any roof; provided the satellite dish station is located toward the rear of the building, no portion of the dish station extends higher than four feet above the ridge or peak of the building's roof, and the dish station is entirely screened from view from any public street or pedestrian right-of-way.
- d. *Screening.* A greenbelt or fence must be installed around a ground mounted satellite dish antenna so as to reasonably conceal the view of the satellite dish antenna from adjacent public rights-of-way.

Sec. 122-686. Communication devices in C, O, HC, NC and GC districts.

The following requirements must apply to all communication devices in the ~~B1, B2, B3, and B4~~ C, O, HC, NC, and GC zoning district.

- (1) *Antenna systems.*
 - a. *Ground mounted height restrictions.* Ground mounted antenna systems must not exceed in height the lesser of 75 feet, or the distance from the base of the antenna system to the nearest property line.
 - b. *Roof mounted height restrictions.* Roof mounted antenna systems must not exceed in height the lesser of the height of the roof plus 40 feet, or the distance from the base of the antenna tower system (at its connection point with the roof) to the nearest property line.
- (2) *Satellite dish stations.*
 - a. *Ground mounted height restrictions.* No part of any ground mounted satellite dish station may exceed 15 feet above ground level.
 - b. *Roof mounted height restrictions.* Roof installations are permitted only on a building where the height of the roof surface where the satellite dish is to be mounted is at least 15 feet in height. No part of any satellite dish station may exceed higher than four feet above the ridge or peak of the building's roof, unless enclosed by an opaque screen not less in height than the satellite dish station. The design of the screening device must be compatible with the architectural design of the building upon which it is located.
 - c. *Size.* The diameter or any exterior dimension of any satellite dish station must not exceed 15 feet.
 - d. *Location.* All ground mounted satellite dish stations must be located in rear yards and comply with minimum distance requirements for accessory structures, as stated in section 122-667.
 - e. *Screening.* A greenbelt or fence must be installed around a ground mounted satellite dish antenna so as to reasonably conceal the view of the satellite dish antenna from public rights-of-way.

Sec. 122-687. Communication devices in industrial the PMD zoning districts.

- (1) *Intent.* The intent of this Section is to permit the location of mobile communication facilities within the ~~M1 and M2~~ PMD zoning districts and while protecting the safety and character of nearby residential areas and the City. It is further the intent of this Section to require co-location of transmission and receiving apparatus on existing structures or facilities, unless it can be demonstrated by the applicant that co-location is not technically feasible.
- (2) *Definitions.*
 - (a) **Mobile Communication Facilities** mean and include all structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals. This may include, but not be limited to, cellular telephone towers, radio towers, television towers, telephone devices and exchanges, micro-wave relay towers, telephone transmission equipment building and commercial mobile radio service facilities. Not included within this definition are: citizen band radio facilities; short wave facilities; ham, amateur radio facilities; satellite dishes; and, governmental facilities which are subject to state or federal law or regulations which preempt municipal regulatory authority.

- (b) **Attached Mobile Communications Facilities** means mobile communication Facilities that are affixed to existing structures, such as existing buildings, towers, water tanks, utility poles, and the like. A wireless communication support structure proposed to be newly established shall not be included within this definition.
- (d) **Mobile Communication Support Structures** means structures erected or modified to support wireless communication antennas. Support structures within this definition include, but not be limited to, monopoles, lattice towers, light poles, wood poles and guyed towers, or other structures which appear to be something other than a mere support structure.
- (e) **Co-location** means the location by two or more wireless communication providers of mobile communication towers on a common structure, tower, or building, with the view toward reducing the overall number of structures required to support wireless communication antennas within the community.

(3) Locational Factors.

- (a) The applicant must demonstrate the need for the proposed facility to be located as proposed based upon the presence of one or more of the following factors:
 - (i) Proximity to a major thoroughfare.
 - (ii) Areas of population concentration.
 - (iii) Concentration of commercial, industrial, and/or other business centers.
 - (iv) Areas where signal interference has occurred due to tall buildings, masses of trees, or other obstructions.
 - (v) Topography of the proposed facility location in relation to other facilities with which the proposed facility is to operate.
- (b) It is the policy of the City to minimize the overall number of newly established locations for mobile communication Facilities and encourage the use of existing structures.
 - (i) Co-location must be deemed to be "feasible" for purposes of this section where all of the following are met:
 - The wireless communication provider entity under consideration for co-location will undertake to pay market rent or other market compensation for co-location.
 - The site on which co-location is being considered, taking into consideration reasonable modification or replacement of a facility, is able to provide structural support.
 - The co-location being considered is technologically reasonable, e.g., the co-location will not result in unreasonable interference, given appropriate physical and other adjustment in relation to the structure, antennas, and the like.
 - The height of the structure necessary for co-location will not be increased beyond a point deemed to be permissible by the City, taking into consideration the standards set forth in this section.
 - (ii) Requirements for Co-location:
 - Approval for the construction and use of a new wireless communication facility must not be granted unless and until the applicant demonstrates that a feasible co-location is not available for the coverage area and capacity needs.
 - All new and modified mobile communication facilities must be designed and constructed so as to accommodate co-location.
 - If a party who owns or otherwise controls a facility fails or refuses to alter a structure so as to accommodate a proposed and otherwise feasible co-location, such facility will thereupon and thereafter be deemed to be a nonconforming structure and use, and must not be altered, expanded or extended in any respect.

(4) Application Requirements.

- (a) A site plan prepared in accordance with Article IV. The site plan must also include a detailed landscaping plan illustrating screening and aesthetic enhancement for the structure base, accessory buildings and enclosure.
 - (b) The application must include a signed certification by a State of Michigan licensed professional engineer with regard to the manner in which the proposed 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 facilities.
 - (c) The application must include a description of security to be posted at the time of receiving a building permit for the facility to ensure removal of the facility when it has been abandoned or is no longer needed (see Section 122-687(6)). In this regard, the security must, at the election of the applicant, be in the form of: (1) cash; (2) surety bond; (3) letter of credit; or, (4) an agreement in a form approved by the City Attorney and recordable at the office of the Register of Deeds, establishing a promise of the applicant and owner of the property to timely remove the facility as required under this section of the ordinance, with the further provision that the applicant and owner must be responsible for the payment of any costs and attorneys fees incurred by the City in securing removal.
 - (d) The application must include a map showing existing and known proposed mobile communication facilities within the City, and further showing existing and known proposed mobile communication facilities within areas surrounding the borders of the City in the location, and in the area, which are relevant in terms of potential co-location or in demonstrating the need for the proposed facility. If and to the extent the information in question is on file with the community, the applicant is required only to update as needed. Any proprietary information may be submitted with a request for confidentiality in connection with the development of governmental policy, in accordance with MCL 15.243(1)G.. This ordinance serves as the promise to maintain confidentiality to the extent permitted by law. The request for confidentiality must be prominently stated in order to bring it to the attention of the City.
 - (e) The name, address and phone number of the person to contact for engineering, maintenance and other notice purposes. This information must be continuously updated during all times the facility is on the premises.
- (5) General Regulations.
- (a) Towers must not exceed 140 feet in height when measured at grade level. This requirement may be waived in the sole discretion of the City based upon a consideration of the following standards.
 - (i) The tower is to be used by no less than one additional co-locator.
 - (ii) The topography of the site in relationship to the immediate surrounding area necessitates a tower of increased height.
 - (iii) The screening capabilities of the site provide adequate mitigation of the obtrusive visual effects of the tower.
 - (iv) The land use characteristics of the area surrounding the subject site are compatible with a tower of increased height.
 - (v) There is no feasible and prudent alternative to a tower of increased height based upon the opinion of an independent expert.
 - (b) The accessory building contemplated to enclose switching equipment must be limited to fifteen (15) feet in height.
 - (c) The setback of the support structure from any residential district must be no less than double the height of the structure. The setback of the support structure from an existing or proposed rights-of-way or other publicly traveled roads must be no less than the height of the structure.
 - (d) Where the proposed support structure abuts a parcel of land zoned from other than residential purposes, the minimum setback of the structure and accessory structures must be in accordance with the required setbacks from the main or principal buildings as provided in the schedule of regulations for the zoning district in which the support structure is located.
 - (e) There must be an unobstructed paved access drive to the support structure for operation, maintenance, repair and inspection purposes, which may be provided through or over an easement. This access drive must be a minimum of fourteen (14) feet in width.

- (f) Where a wireless communication facility is proposed on a roof of a building, the equipment enclosure is not be permitted as a roof appliance or penthouse on the building. The equipment enclosure may be located within the principal building or may be an accessory building, providing that as an accessory building it conforms with all district requirements for principal buildings, including yard setback and building height.
- (g) The support structure must be constructed in accordance with all applicable building codes and must include the submission of a soils report from a soils engineer, licensed in the State of Michigan. This soils report must include soil borings and statements indicating the suitability of soil conditions for the proposed use. The clearance requirements of the Federal Aviation Administration and Federal Communications Commission must be noted.
- (h) No wireless communication tower may be located within three thousand (3,000) feet of another wireless communication tower. This requirement may be waived at the sole discretion of the City if one of the following conditions are met:
 - (i) The communication apparatus is located on an existing tower or other structure capable of accommodating such apparatus.
 - (ii) The tower/facility is of an exceptional design so as to create a positive architectural and/or environmental feature which is compatible with the character of the surrounding area and community.
 - (iii) The tower is intended to serve solely a governmental agency.
- (i) The tower and appurtenant apparatus building must be secured by fencing a minimum of six (6) feet in height. Landscape screening of the fencing and apparatus building must be provided in accordance with Article XI, Supplemental District Regulations, Division 4, Landscaping, Greenbelts and Screening.
- (j) The applicant must submit details of tower lighting approved by the Federal Aviation Administration.
- (k) A maintenance plan must be presented as part of the site plan for the proposed facility.
- (l) The name, address and phone number of the person to contact for engineering, maintenance and other notice purposes must be posted on the perimeter fencing, and must be continuously updated during all times the facility is on the premises.
- (m) The proposed tower or wireless communication facility must be located within 500 feet of the Interstate 94 right-of-way. This does not apply to collocation of wireless communication antenna on existing towers, buildings, or other existing structure.

(6) Removal.

- (a) The City reserves the right to request evidence of ongoing operation at any time after the construction of an approved tower.
- (b) A condition of every approval of a wireless communication facility must be adequate provision for removal of all or part of the facility by users and owners when the facility has not been used for 180 days or more.
- (c) The situations in which removal of the facility is required, the removal of antennas or other equipment from the facility, or the cessation of operations (transmission and/or reception of radio signals) must be considered as the beginning of a period of nonuse.
- (d) Upon the determination that a facility must be removed, the property owner or persons who had used the facility must 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 Zoning Administrator.
- (e) If the required removal of a facility 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, the City may remove or secure the removal of the facility or required portions thereof, with its actual cost and reasonable administrative charge to be drawn or collected from the security posted at the time application was made for establishing the facility.

Secs. 122-688--122-700. Reserved.

DIVISION 4.

LANDSCAPING, GREENBELTS AND SCREENING

Sec. 122-701. Intent.

The intent of this section is to:

- (1) Protect and preserve the appearance, character, and value of the community.
- (2) Minimize noise, air, soil, groundwater, surface water and visual pollution.
- (3) Minimize soil erosion and runoff, provide protection from wind and sun, **mitigate the heat island effect** and promote energy conservation.
- (4) Improve the overall aesthetics and appearance, divide the expanse of pavement, and define parking areas and vehicular circulation within off-street parking lots and other off-street parking facilities.
- (5) **Buffer** ~~Require buffering of~~ residential areas **and lower-intensity land uses** from more intense land uses.
- (6) Encourage an appropriate mixture of plant material, such as evergreen and deciduous trees and shrubs, to protect against disease infestation and produce a more aesthetic and cohesive design.
- (7) Encourage the integration of existing vegetation in landscape plans and preservation of specimen trees.

Sec. 122-702. Landscape plan requirements.

A separate detailed landscape/tree protection plan at a scale of not greater than 1"=50' must be submitted to the City as part of the site plan review or tentative preliminary plat review. The landscape/tree protection plan must demonstrate that all requirements of this Section are met and must include, but necessarily be limited to, the following items:

- (1) Location, spacing, size (caliper), root type (shallow or deep) and descriptions for each plant type (deciduous, conifer, annual, or perennial) to be planted.
- (2) **Location, size (caliper), root type (shallow or deep), health and species name of all trees and plants to remain on the site. If trees or plants are proposed to be remain, information showing how these trees and plants will be protected during construction must be shown.**
- (3) Typical straight cross section including slope, height, and width of berms.
- (4) Typical construction details to resolve specific site conditions, such as landscape walls and tree wells used to preserve existing trees or maintain natural grade.
- (5) Details in either text or drawing form to ensure proper installation and establishment of proposed plant materials as prescribed by the American **Standard for Nursery Stock**. ~~Nurseryman Standards.~~
- ~~(6) Identification, location and description of existing trees and vegetable cover to be preserved, relocated or removed (including common name, species and diameter).~~
- (7) Identification and description of grass and other ground cover to be planted and method of planting (sod, plugs, sprigs or seeds).
- (8) Identification of landscape maintenance program in accordance with Section 122-712

Sec. 122-703. Screening between land uses.

- a. Upon any improvement for which a site plan is required, a visual screen at least six (6) feet in height ~~landscape buffer~~ **screen** ~~shall must~~ be constructed ~~to create~~ along all ~~adjoining~~ boundaries. **If the screen is composed of nonliving material, such material must be compatible with materials used in construction of the main building but in no case may include wire fencing. Such screen is required** when: ~~required between either a conflicting non-residential or conflicting residential land use residentially zoned or used property.~~ A landscape buffer may consist of evergreen trees and shrubbery or a combination of evergreen plantings with earthen berms so as to maintain a minimum opacity of at least eighty (80) percent. ~~To achieve effective screening, landscape materials shall be planted in a staggered manner meeting the minimum opacity standard based upon reasonably anticipated growth over a period of three (3) years.~~

1. **Required elsewhere in this Chapter;**
2. **When a PMD zoning district abuts any other zoning district;**

3. When a HHS, HC, NC or GC zoning district abuts a R-1, CN-SF, CN-Mid, CN, MD zoning district;
4. When a non-residential use abuts a property where a residential use occupies the first floor of the principal structure;
5. Any multiple-dwelling use abuts an R-1, CN-SF, CN-Mid, or CN zoning district.

~~b. Where there is a need to provide a greater noise or dust barrier or to screen more intense development, a solid wall or fence be required by the Planning Commission. Such wall or fence shall be a minimum of six (6) feet in height as measured on the side of the proposed wall having the higher grade. The Planning Commission shall approve the construction materials of the wall or fence which may include face brick, poured in place simulated face brick, precast brick face panels having simulated face brick, stone or wood. A required wall shall be located on the lot line except where underground utilities interfere and except in instances where this Zoning Ordinance requires conformity with front yard setback requirements. Upon review of the landscape plan, the Planning Commission may approve an alternate location of a wall.~~

- b. Screens must be a wall, fence or landscape buffer. A wall or fence must be 80% opaque and may be constructed of face brick, poured-in-place simulated face brick, precast brick face panels having simulated face brick, stone or wood.

A landscape buffer must consist of evergreen trees and shrubbery to maintain a minimum opacity of at least eighty (80) percent and be no more than four (4) feet in width. To achieve effective screening, landscape materials must be planted in a staggered manner meeting the minimum opacity standard based upon reasonably anticipated growth over a period of three (3) years. The Planning Commission may approve a waiver when the design and placement of the screen meets the intent of the zoning district. A required screen must be located on the lot line except where underground utilities interfere and except in instances where this Zoning Ordinance requires conformity with front yard setback requirements; the Planning Commission may approve a waiver for an alternate location in such instances.

- c. *PMD district.* In the PMD zoning district, where there is a need to provide a greater noise or dust barrier or to screen more intense development, a solid wall or fence be required by the city planner or planning commission. The wall or fence must be constructed of face brick, poured-in-place simulated face brick, precast brick face panels having simulated face brick, stone or wood.

~~Sec. 122-704. Off street parking area landscaping.~~

- a. ~~Intent. Separate landscape areas shall be provided within parking lots so as to break up the broad expanse of pavement, mitigate heat island effect, support storm water management, and guide the circulation of vehicular and pedestrian traffic.~~
- b. ~~Required landscaping within off street parking areas. Separate landscape areas shall be provided within off street parking areas in accordance with the following requirements:~~
 1. ~~There shall be a minimum of one (1) tree for every eight (8) parking spaces, provided that a landscape island shall be provided for no more than sixteen (16) continuous spaces.~~
 2. ~~Landscape islands must meet the following size requirements:~~
 - (a) ~~Landscape islands containing a tree shall be a minimum of 160 square feet and a minimum of nine (9) feet wide.~~
 - (b) ~~Landscape islands containing a pedestrian pathway shall be a minimum of eleven (11) feet wide, with a pathway of a minimum width of five (5) feet and minimum three (3) feet wide landscape area on both sides.~~
 2. ~~The ends of all parking isles and corners shall be protected with a landscaped island. If islands are not used for storm water infiltration, the City Planner or the Planning Commission may require that the islands be raised and curbed.~~
 3. ~~A minimum distance of three (3) feet from the backside of the curb and the proposed landscape plantings shall be provided. Where vehicles overhang a landscape island or strip, a minimum distance of five (5) feet from the backside of the curb and the proposed landscape plantings shall be provided.~~
 4. ~~Shrubs and/or ground covers which will not impede vehicular visibility in accordance with this Ordinance may also be included in the landscape plan.~~

- c. ~~Required Landscaping at the Perimeter of Off Street Parking Areas. Separate landscape areas shall be provided at the perimeter of off street parking areas in accordance with the following requirements:~~
1. ~~Off street parking areas in the side and rear yard which abut a R-1, MD, CN, CN-Mid, CN-SF zoning district are considered to be a conflicting land use as defined by this Section shall meet the screening requirements set forth in Section 122-703. Solid wood fences may be permitted where necessary to cross easements or to protect existing vegetation. Landscaped berms may also be used in lieu of the buffer wall if approved by the Planning Commission.~~
 2. ~~All off street parking areas shall be screened from view with a landscaped berm solid wall or landscape planting achieving at least 80% opacity year round at least three (3) feet in height but no more than four (4) feet in height along the perimeter of those sides which are visible from a public road. The Planning Commission, at their discretion, may approve alternative landscape plantings or a solid wall in lieu of a landscape berm or vegetated swale.~~
 3. ~~All land between a parking lot and any street right of way shall be kept free from refuse and debris and shall be landscaped. The ground area shall be planted in lawn or other live ground covering. All such landscaping and plantings shall be maintained in a healthy, growing condition, neat and orderly in appearance.~~
- d. ~~Landscaped areas, walls, structures, and walks shall be properly protected from vehicular encroachment or overhang through appropriate wheel stops or curbs.~~

Sec. 122-704. Street Trees

The frontage of all public or private streets for any new or altered use which requires site plan review must be landscaped with street trees as follows:

- a. A minimum of one (1) tree for every thirty (30) lineal feet on of frontage (the frontage measurement includes proposed or existing access drives). Such street trees must meet the minimum size and spacing requirements set forth in 122-711(e). Existing trees in good health to be preserved may count towards the street tree requirements.
- b. The street trees must be centered between the sidewalk and the back of street curb.
- c. When potential tree planting site or sites within the right of way has been identified by the City, street trees must be planted in accordance with the Urban Forestry Plan. If additional street trees are required, the thirty foot measurement for other planting locations must be taken from the potential tree planting site(s).
- d. All street tree species must be listed on the Approved Trees List maintained by the City of Ypsilanti.

Sec. 122-705. Front greenbelts

A greenbelt, ~~the equivalent of the front yard setback, where required, shall be provided within the front yard setback, where required, and~~ must be landscaped in accordance with the following requirements:

- a. The greenbelt must be landscaped with a minimum of one (1) tree for every thirty (30) lineal feet of frontage abutting a public road right-of-way.
- b. ~~In the PMD district, If ornamental deciduous trees are may be substituted for either non-ornamental deciduous trees or evergreen trees, if they shall be provided at a minimum of one (1) tree for every twenty (20) lineal feet of frontage abutting a public road right of way is provided.~~
- c. In addition to the required trees within the greenbelt, the remainder of the greenbelt shall must be landscaped in grass, ground cover, shrubs and other natural landscape materials.
- d. Access drives from public rights-of-way through required greenbelts must be permitted, but such drives may not be subtracted from the lineal dimension used to determine the minimum number of trees required.

Sec. 122-707. Foundation landscaping.

Foundation plantings must be provided in the MD and PMD zoning districts and the Single Story Commercial Building and Large Footprint Single Story Commercial Building building types. They must meet the following standards:

- a. **Location:** Foundation plantings must be provided along the front or sides of any buildings which face a public road and/or is adjacent to a parking lot or other area which provides access to the building(s) by the

general public. Foundation planting areas must be integrated into the sidewalk system (between the front or sides of the building and the parking area and/or associated driveways) adjacent to the building.

- b. Foundation planting areas must contain a minimum of ~~one (1) ornamental tree~~ and six (6) shrubs per thirty (30) lineal feet of applicable building frontage. Individual planting areas must be a minimum of six (6) feet in width.
- c. **Planting Area Width.** Individual planting areas must be a minimum of six (6) feet in width. At the discretion of the Planning Commission, the minimum width requirements may be reduced.

Sec. 122-708. Site landscaping.

Inclusive of any landscape greenbelt and/or off-street parking area landscaping required by this section, at least ten (10) percent of the site area, excluding existing public rights-of-way, must be landscaped. Such site area landscaping may include a combination of the preservation of existing tree cover, planting of new trees and plant material, landscape plazas, gardens, **vegetated roofs**, and ~~building foundation planting~~ **foundation landscaping** beds. Site area landscaping must be provided to screen potentially objectionable site features such as, but not limited to, retention/detention ponds, transformer pads, air-conditioning units, storage and loading areas.

Sec. 122-709. Residential development landscaping.

Landscaping for residential development projects must be provided in accordance with the following requirements:

- a. **Street Trees.** The frontage of all internal public or private streets must be landscaped **in compliance with Section 122-704** ~~with a minimum of one (1) tree for every thirty (30) lineal feet on both sides of said street. Such street trees shall meet the minimum size and spacing requirements set forth in this Ordinance.~~
- b. **Screening Between Land Uses.** ~~Where a conflicting land use exists,~~ The screening requirements set forth in Section 122-703 must be met.
- c. **Other Site Improvements.** A landscape plan for a subdivision or site condominium development must also include landscaping details of the entrance to the development, provisions for maintaining the natural water run-off, storm water retention and/or detention areas, community buildings and other recreational areas, and any other site improvement which would be enhanced through the addition of landscaping.

~~Sec. 122-710. Screening of refuse and recyclable containers.~~

- ~~a. Outside refuse disposal and recyclable containers shall be screened on three sides with a durable six (6) foot or higher masonry enclosure, and wooden gate at least as high as the container, so as not to be visible from adjacent lots or sites, neighboring properties or streets. The enclosure shall also be constructed so as to be compatible with the architectural styles used in the site development. Planning Commission may at their discretion require a higher screen if deemed necessary due to the proximity to conflicting land uses.~~
- ~~b. Containers shall be consolidated to minimize the number of collection sites, and located so as to reasonably equalize the distance from the building they serve.~~
- ~~c. Containers and enclosures shall be located away from public view insofar as possible, and at the maximum distance possible from all residential uses.~~
- ~~d. Containers and enclosures shall be situated so that they do not cause excessive nuisance or offense to occupants of nearby buildings.~~
- ~~e. Concrete pads of appropriate size and construction shall be provided for containers or groups of containers.~~
- ~~f. At the discretion of Planning Commission, landscaping may be required around the perimeter of a refuse container in order to soften its appearance from adjacent residential uses.~~

Sec. 122-710. Screening of exterior electrical equipment and transformers.

- a. Transformers that may be visible from any primary visual exposure area must be screened with either plantings or a durable non-combustible enclosure which are unified and harmonious with the overall architectural theme, and meet utility provider standards for location and maintenance.
- b. Exterior-mounted electrical equipment must be mounted on the interior of a building wherever possible, or must be located where it is substantially screened from public view.

Sec. 122-711. Landscape elements.

The following minimum standards must apply:

- a. Quality. Plant materials must be of generally acceptable varieties and species **that are not invasive**, free from insects and diseases, hardy to Washtenaw County, conform to the current minimum standard of the American Association of Nurserymen **Standard for Nursery Stock**, and must have proof of any required governmental regulations and/or inspections.
- b. Composition. A mixture of plant material, such as evergreen deciduous trees and shrubs, is recommended as a protective measure against insect and disease infestation. A limited mixture of hardy species is recommended rather than a large quantity of different species to produce a more aesthetic, cohesive design and avoid a disorderly appearing arrangement.
- c. Berms. Berms must be constructed with slopes not to exceed a 1:3 gradient. Berm slopes must be protected with sod, seed, or other form of natural ground cover. **Creativity in berm design is encouraged so long as the average dimensions complies with the Section 122-704 c. 2. requirements.**
- d. ~~Existing Trees~~ **Credit for Existing Vegetation.** The preservation and incorporation of existing **shrubs and trees** is encouraged. ~~Where Existing shrubs and trees are~~ **may be** used to satisfy the requirements of this section, **if all of** the following requirements ~~shall~~ apply:
 1. Paving, or other site improvements, must not encroach upon the drip line of the existing tree(s) to be preserved.
 2. If existing plant material is labeled "To Remain" on site plans by the applicant or required by the City, protective techniques, must be installed during construction. No vehicle or other construction equipment may be parked or stored within the drip line of any plant material intended to be saved.
 3. **The shrubs and/or trees are in good health.** In the event that healthy **shrubs or** trees which are used to meet the minimum requirements of this Ordinance or those labeled to remain are cut down, destroyed, damaged, or excavated at the drip line, as determined by the City, the contractor must replace them with trees which meet Ordinance requirements.
 4. **The trees or shrubs proposed for credit are not a species that is invasive, brittle, susceptible to disease and insects, has a root structure that will interfere with underground utilities, drops excessive litter or other undesirable characteristics. Species include but are not limited to: Ash (Fraxinus), Black Locust (Robinia spp.), Black Walnut (Juglans nigra), Siberian Elm (Ulmus pumila); Box Elder (Acer negundo), and Ginkgo Female (Ginkgo biloba).**
 5. **The shrubs and/or trees meet the following minimum sizes and must receive credit based on size shown in the table below:**

Shrub or Tree Type	Minimum Size	Size	Credit
Trees	2.5" in caliper	2.5"-8"	1
		8"-12"	2
		12"-20"	3
		Over 20"	5
Shrubs	24" in height	All sizes	1

- e. Minimum Size and Spacing Requirements. Where landscaping is required the following schedule sets forth minimum size and spacing requirements; for representative landscape materials:

	Small Trees	Medium Trees	Large Trees
Mature Height	10'-25'	25'-50'	> 50'
Growing Space	4'	6'-8'	8'+

Spacing Apart	20'	30'	40'
Distance from Existing Trees on Abutting Lots	30'	30'	30'
Distance from Street Corners	35'	35'	35'
Distance from Driveway Cuts and Alleys	15'	15'	15'
Distance from Overhead Utilities	None	20'-40'	40'+
Distance from Street Lights	15'	15'	15'

The following trees are representative:	Minimum-Size Allowable			
	Height		Caliper	
TREES	6'	3'-4'	1.75"	2.5"
Evergreen Trees:				
Fir	✓			
Spruce	✓			
Pine	✓			
Hemlock	✓			
Douglas Fir	✓			
Narrow Evergreen Trees:				
Red Cedar		✓		
Arborvitae		✓		
Juniper (selected varieties)		✓		
Large Deciduous Canopy Trees:				
Oak				✓
Maple				✓
Beech				✓
Linden				✓
Ash				✓
Ginko (male only)				✓
Honeylocust (seedless, thornless)				✓
Birch				✓
Sycamore				✓
Small Deciduous Ornamental Trees				
Flowering Dogwood			✓	
Flowering Cherry, Pear			✓	
Hawthorn			✓	
Redbud			✓	
Magnolia			✓	
Flowering Crabapple			✓	
Serviceberry			✓	
Hornbeam			✓	

The following shrubs are representative:	Minimum-Size Allowable
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	Height/Spread			
	6'	3'-4'	24"-36"	18"-24"
SHRUBS				
Evergreen Shrubs:				
Pyramidal Yew		✓		
Hicks Yew				✓
Brown's Spruce Ward			✓	
Alberta Spruce		✓		
Chinensis Juniper Varieties			✓	
Sabina Juniper				✓
Mugho Pine				✓
Horizontal Juniper Varieties				✓
Boxwood				✓
Euonymous varieties				✓
Deciduous Shrubs:				
Honeysuckle			✓	
Lilae			✓	
Sumac			✓	
Pyracantha				✓
Weigela			✓	
Flowering Quince			✓	
Cotoneaster			✓	
Dogwood			✓	
Viburnum varieties			✓	
Spirea				✓
Fragrant Sumae				✓
Cotonester				✓
Potentilla				✓

- d. **Tree Species.** All trees must a species on the Approved Trees List maintained by the City of Ypsilanti, with the exception of fruit-bearing trees. Fruit-bearing trees are allowed in yard areas where they do not overhang sidewalks, walkways or parking lots. The Planning Commission may allow species not on the Approved Trees List, with a finding that the species is appropriate to the circumstance.

Sec. 122-712. Installation, maintenance, and completion.

- a. All landscaping required by this Ordinance must be planted before obtaining a Certificate of Occupancy or the appropriate financial guarantee, as set forth in Section 122-133~~4~~, must be placed in escrow in the amount of the cost of landscaping to be released only after landscaping is completed.
- b. All landscaping and landscape elements must be planted, and earth moving or grading performed, in a sound workmanlike manner, according to accepted planting and grading procedures.
- c. All plant material must be maintained in good condition so as to present a healthy, neat and orderly appearance and must be trimmed or pruned in such a manner so as to not alter their natural growth potential.
- d. The owner of property required to be landscaped by this Ordinance must maintain such landscaping in a strong and healthy condition, free from physical damage or injury arising from lack of water, chemical damage insects, diseases, blight or other causes.

All materials used to satisfy the requirements of this Ordinance which become unhealthy or dead must be replaced within six (6) months of damage or death or the next appropriate planting period, whichever comes first.

- e. All landscaped areas must be provided with a readily available and acceptable water supply. Underground sprinkler systems may be installed, utilized and maintained in order to insure the proper watering of all plant materials on the sites.

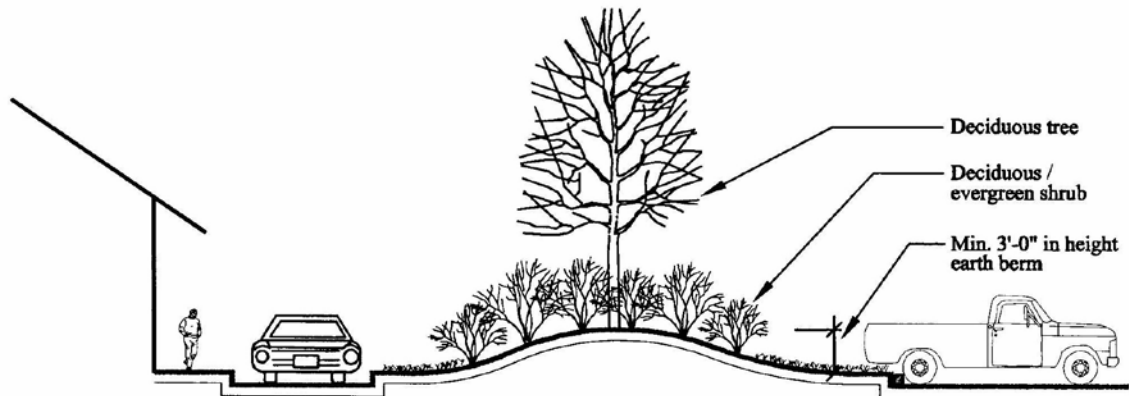
Sec. 122-713. Fences, hedges, walls, berms, and screening.

Except as otherwise required by this Ordinance, the following regulations must apply:

- a. In a ~~residential~~ **P, R-1, CN-SF, CN-Mid, CN, MD** district, fences must not exceed six (6) feet in height. However, fences in the required front yard must not exceed four (4) feet in height and fifty (50%) percent opacity. Opacity is the degree to which a fence is impervious to rays of light. This condition is measured by the observation of any two (2) square yard area of fence between one (1) foot above the ground level and the top of the fence. The observation is from a direction perpendicular to the place of the fence.
- b. In a ~~commercial, industrial, or residential office~~ **HHS, HC, NC, GC or PMD** district, no fence, wall, or other screening structure must exceed ten (10) feet in height, and must be constructed in the side or rear yard. Fences a maximum of six (6) feet in height may be permitted in the front yard, in accordance with corner visibility standards, when required by this chapter to screen residential used or zoned property. In such cases, the required front setback for the fence must be the same as for the structure or use which it is intended to buffer.
- c. The use of barbed wire, spikes, nails, or any other sharp point or instrument of any kind on top or on the sides of any fence is prohibited. Barbed wire cradles may be placed on top of fences enclosing public utility buildings or wherever deemed necessary in the interests of public safety.
- d. No fence may be constructed or maintained which is charged or connected with an electrical current.
- e. Retaining walls must be designed and constructed in accordance with applicable Building Code requirements.
- f. Temporary construction fences and fences required for protection around excavations must comply with the Building Code. Such fences must not remain in place for a period greater than a year.

Sec. 122-714. ~~Planning Commission~~ Modifications or exceptions to requirements.

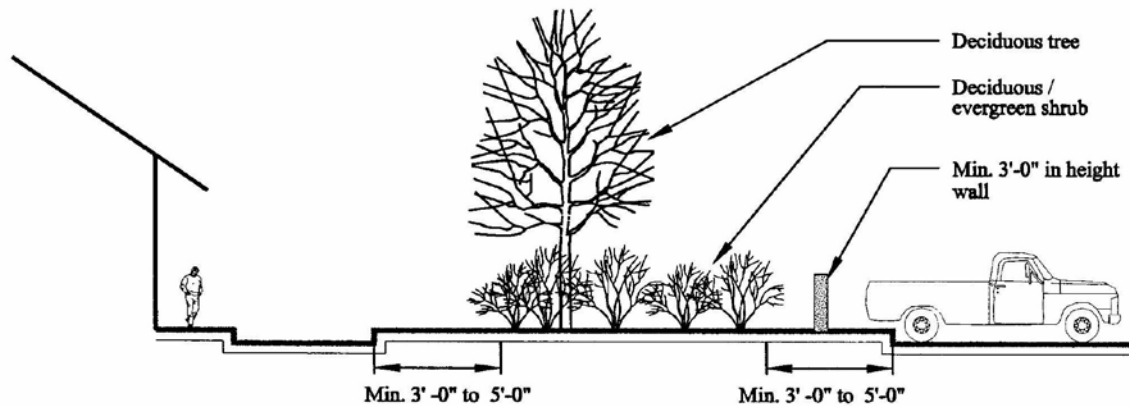
- a. Buildings Abutting Property Lines. Required screening may be omitted along any lot line where a building wall exists immediately abutting the lot line.
- b. Location Adjustments. Where property line screening is required, the location may be adjusted at the discretion of the Planning Commission so that the screening may be constructed at or within the setback ~~line~~ **area**, provided the areas between the screening and the property lines are landscaped, ~~or in rural areas~~, retain their natural vegetative state.
- c. Planning Commission Modifications. Any other requirements of this Section may be waived or modified through site plan approval, provided the Planning Commission first makes a finding:
 - i. That the topographic features or special characteristics of the site create conditions so that the strict application of the provisions of this Section will result in less effective screening and landscaping than alternative landscape designs.
 - ii. That the public benefit intended to be secured by this Section will exist with less than the required landscaping or screening.
 - iii. The historic district designation on the property precludes the ability to require any or all of the landscape requirements.



BERM OPTION

Sec. 122- _____. Standards

- * Minimum three (3) feet in height landscape berm along perimeter of those sides visible from a public road.



LANDSCAPE PLANTINGS / WALL OPTION

May 2000

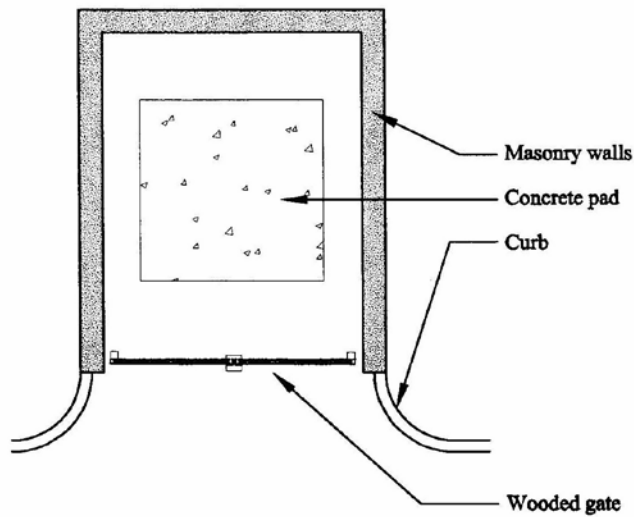
Sec. 122- _____. Standards

- * Minimum distance of three (3) feet between backside of curb and proposed landscape plantings.
- * Minimum of five (5) feet minimum distance between backside of curb and the proposed landscape plantings where vehicles overhang.
- * Shrubs and/or ground covers shall impede vehicular visibility.

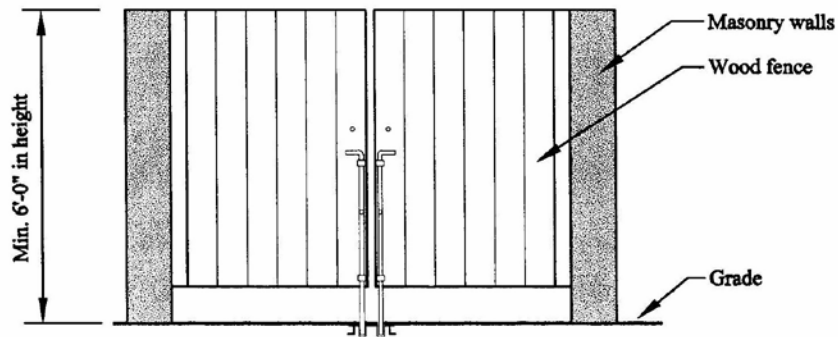
OFF-STREET PARKING AREA LANDSCAPING- PERIMETER PARKING LOT

City of Ypsilanti, Michigan

Prepared By:
Cartisle / Wortman Associates, Inc.
Community Planners and Landscape Architects
Ann Arbor, Michigan



PLAN VIEW



ELEVATION

May 2000

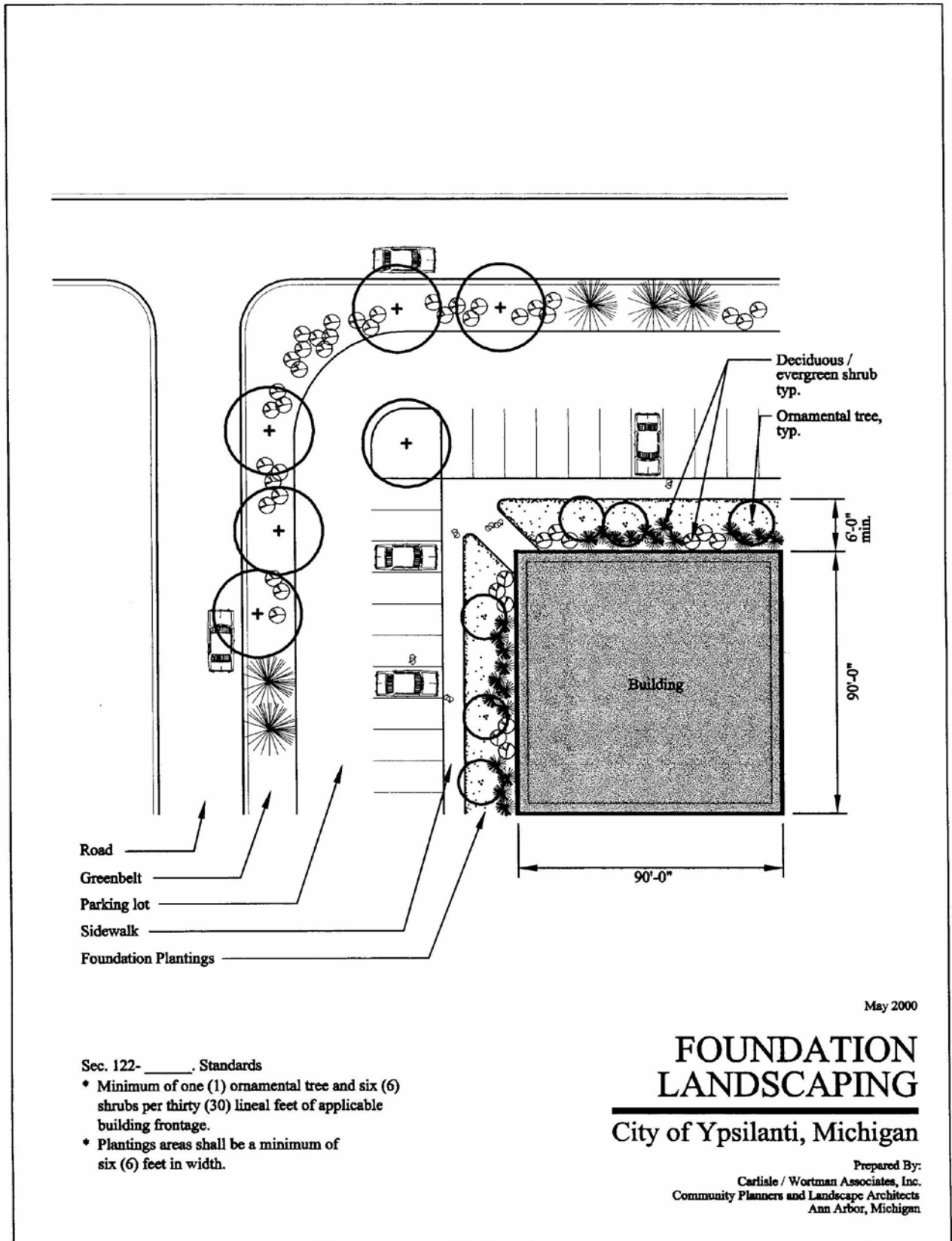
Sec. 122-_____. Standards

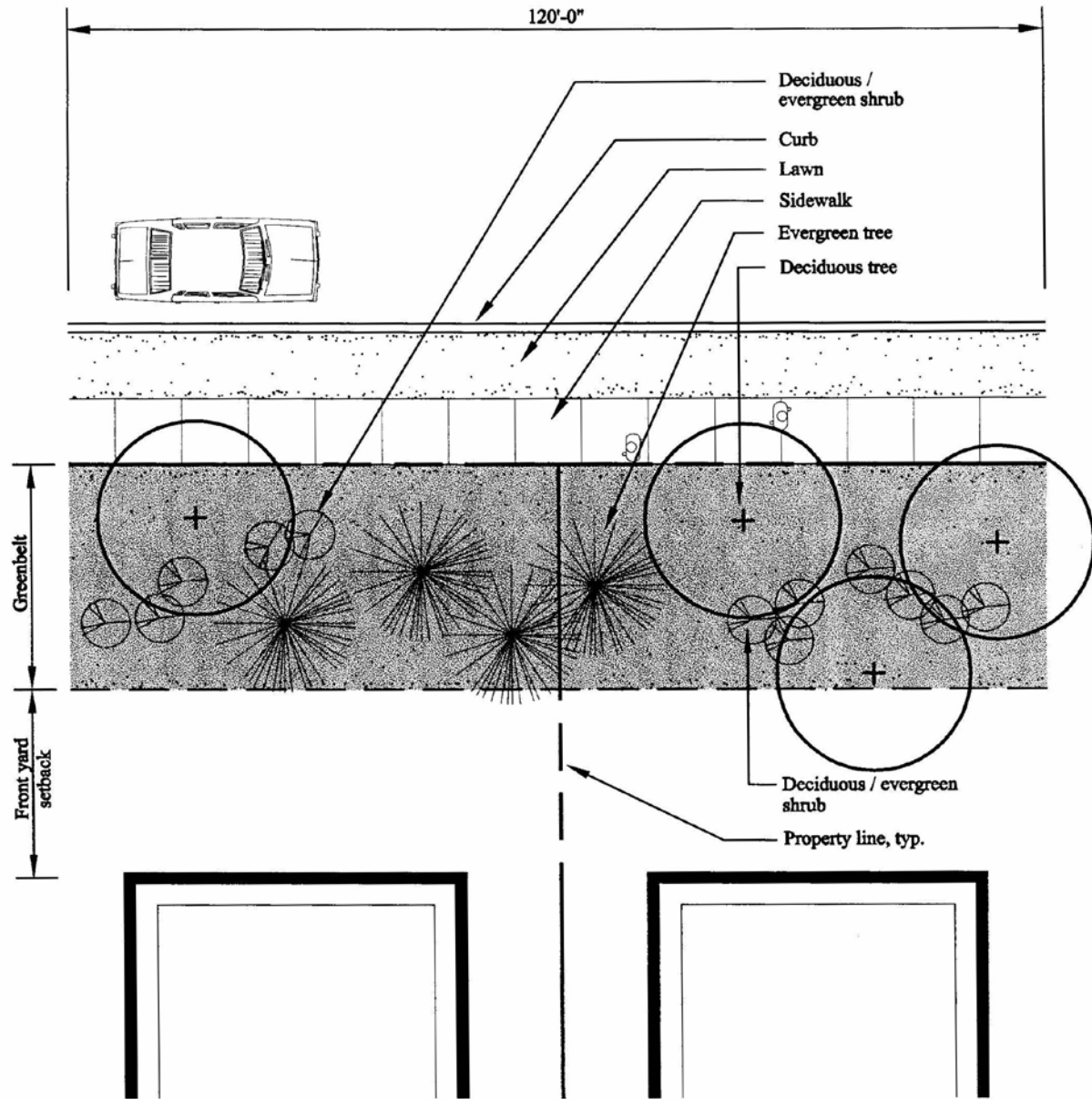
- * Minimum of three (3) sides screened with a durable six (6) foot or higher masonry enclosure, and wooden gate at least as high as the container.

REFUSE / RECYCLE CONTAINER SCREENING

City of Ypsilanti, Michigan

Prepared By:
Carlisle / Wortman Associates, Inc.
Community Planners and Landscape Architects
Ann Arbor, Michigan





Sec. 122-_____. Standards

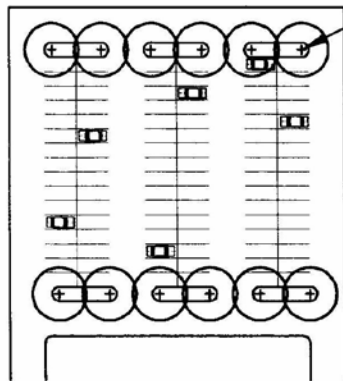
- * Minimum of one (1) tree for every thirty (30) lineal feet of frontage abutting a public road right-of-way.
- * Ornamental deciduous trees require a minimum of one (1) tree for every twenty (20) lineal feet of frontage abutting a public road right-of-way.
- * Remainder of greenbelt shall be landscaped with grass, ground cover, shrubs, and other natural landscape materials.

May 2000

FRONT GREENBELTS

City of Ypsilanti, Michigan

Prepared By:
Carlisle / Wortman Associates, Inc.
Community Planners and Landscape Architects
Ann Arbor, Michigan



Deciduous tree, typ.

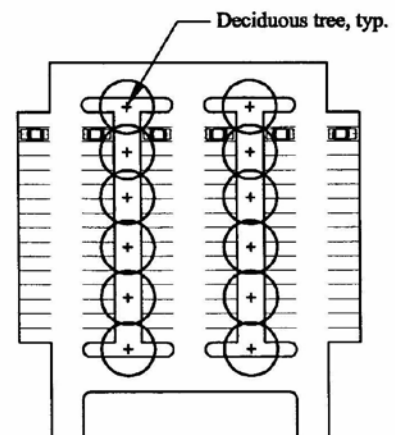
Sec. 122- _____. Standards

- * Minimum of one (1) tree for every eight (8) parking spaces.
- * No more than sixteen (16) continuous parking spaces.
- * Ends of parking isles and corners shall be protected with island.

TREES IN END ISLANDS

Sec. 122- _____. Standards

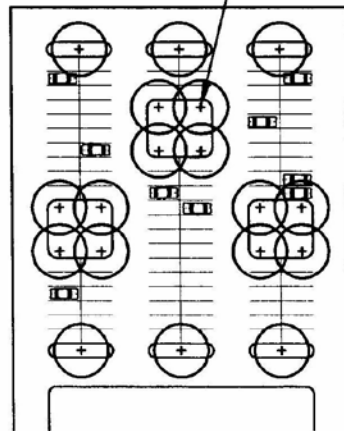
- * Minimum of one (1) tree for every eight (8) parking spaces.
- * No more than sixteen (16) continuous parking spaces.
- * Ends of parking isles and corners shall be protected with island.



Deciduous tree, typ.

LANDSCAPE MEDIAN

Deciduous tree, typ.



LANDSCAPE ISLANDS

Sec. 122- _____. Standards

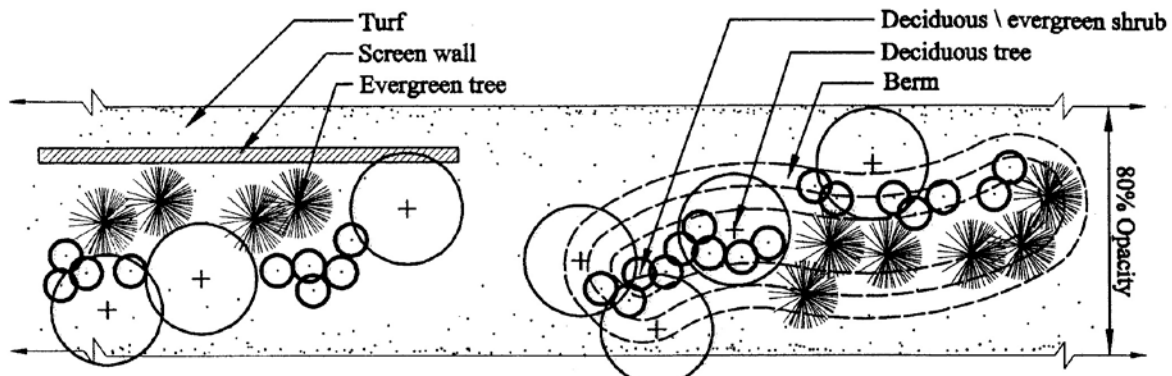
- * Minimum of one (1) tree for every eight (8) parking spaces.
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May 2000

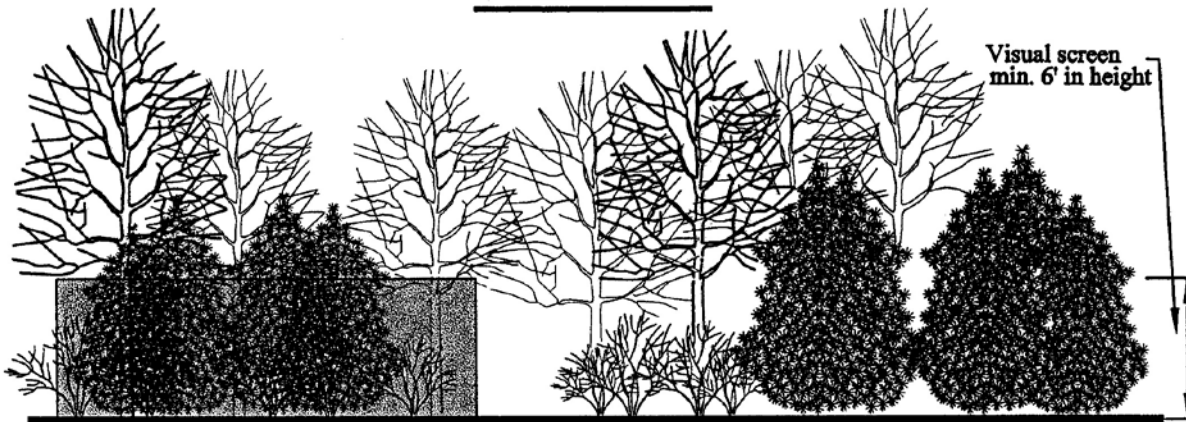
DESIGN OPTIONS FOR OFF-STREET PARKING AREA LANDSCAPING- INTERIOR PARKING AREAS

City of Ypsilanti, Michigan

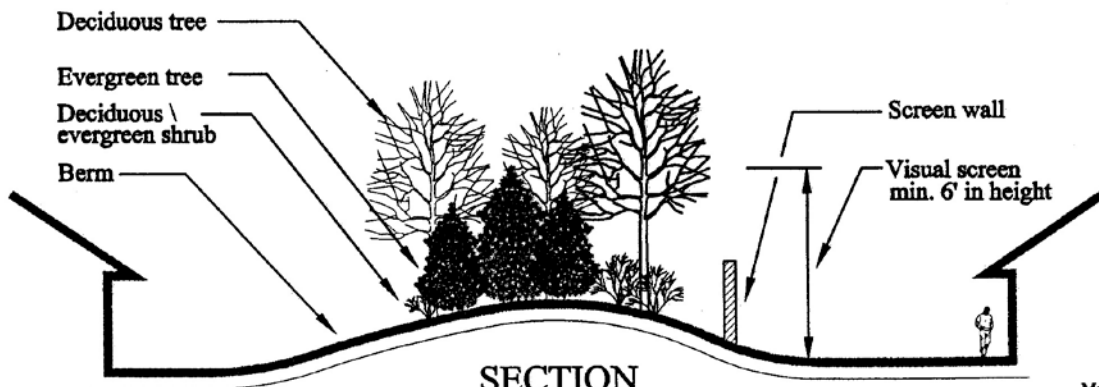
Prepared By:
Carlisle / Wortman Associates, Inc.
Community Planners and Landscape Architects
Ann Arbor, Michigan



PLAN VIEW



ELEVATION



SECTION

May 2000

Sec. 122-_____. Standards

- Screening options

* Landscape buffer

* Earth berm

* Wall

* Combination of the above

SCREENING BETWEEN CONFLICTING LAND USES

City of Ypsilanti, Michigan

Prepared By:
Carlisle / Wortman Associates, Inc.
Community Planners and Landscape Architects
Ann Arbor, Michigan

DIVISION 5.
Reserved

Secs. 122-715—122-730. Reserved.

DIVISION 6.
STORAGE OF VEHICLES*

*Cross reference(s)--Traffic and vehicles, ch. 102.

Sec. 122-731. General prohibition.

Except as otherwise provided in this chapter, no vehicles may be parked or stored on any residentially-zoned lot except for operable passenger automobiles, pickup trucks, vans, or motorcycles which are personally owned by the persons residing on the premises, or their guests.

Sec. 122-732. Commercial vehicles in residential areas.

The parking or storage of a commercial vehicle over a two ton capacity is prohibited on any residential lot. However, this section does not apply to commercial vehicles temporarily parked less than eight hours in a residential area in conjunction with maintenance or service to a residential property.

Sec. 122-733. Recreational vehicles.

- (a) The parking or storage of recreational vehicles, whether or not the recreational vehicle is mounted upon or hitched to another vehicle, including vacant mobile homes, antique or racing automobiles, or any other vehicles of a similar nature and related equipment, is prohibited on any lot in an R1, ~~R2, R3, R4~~, **CN-SF, CN-Mid, CN, MD** or HHS zoning district unless parked within a completely enclosed building or within a rear or side yard other than within a required yard setback area. Such vehicles stored in a side yard must be screened from view from the street and the adjacent property by an acceptable fence or landscaped screen, in accordance with article XI, division 4 of this chapter. Notwithstanding the above, no recreational vehicle may be parked or stored on any indoor or outdoor parking space which is required to meet the minimum parking space requirement in an ~~R3, R4~~, **CN, MD** or HHS district.
- (b) No more than two recreational vehicles per dwelling unit may be stored outdoors at one time. The size of recreational vehicles kept or stored outdoors may not exceed eight feet in width, ten feet in height, or 32 feet in length.
- (c) Trailer coaches, motor homes, and other vehicles or equipment designed or adaptable for sleeping purposes must remain unoccupied and must not be connected to sanitary sewer facilities, or to electricity, water, or gas.

Sec. 122-734. Unlicensed, untitled, and inoperable motor vehicles, and disassembled parts of motor vehicles.

No unlicensed, untitled, or inoperable motor vehicles, or disassembled parts of motor vehicles may be kept on any property within the city except as follows:

- (a) Contained entirely within a completely enclosed building so long as any indoor parking spaces, necessary for meeting minimum space requirements, must not be used for the storage of unlicensed or inoperable vehicles and so long as the storage is not otherwise prohibited.
- (b) The storage of vehicles as is specifically authorized in ~~M2 and CI~~ **PMD and GC** districts.
- (c) Minor repairs, such as changing flat tires, of vehicles where the repairs will be completed within 24 hours.

As used in this subsection:

“Enclosed building” means a garage or other permanent structure which has four walls, a roof, and a means of access for ingress and egress, i.e., doors large enough to accommodate ingress and egress, and is constructed in compliance with the applicable building codes. The placement of a tarpaulin or other covering over such vehicle does not meet the criteria for being within an enclosed building.

“Inoperable vehicle” means any motor vehicle which, by reason of dismantling, disrepair, or other causes, is incapable of being propelled under its own power or any motor vehicle which meets any of the three (3) of the following requirements:

- 1. Has any missing or broken windows
- 2. Has a missing hood.
- 3. Has a missing door.

4. Has missing or flat tires.
5. Has missing trunk lid.
6. Has a missing engine, or any substantial part thereof.
7. Is inoperable because of missing or defective steering mechanism.
8. Does not have any or all of the following: operable head lights, parking lights, clearance lights, tail lights, stop lights.

“Motor vehicle” means any wheeled vehicle which is self-propelled or intended to be self-propelled.

“Unlicensed vehicle” means any motor vehicle that does not have lawfully affixed to it a valid, unexpired license plate.”

“Untitled vehicle” means any motor vehicle which has not been titled in accordance with the law.

Sec. 122-735. Reserved

Sec. 122-736. Responsibility for violations.

In any proceeding for violation of any provision of this division, both the person to whom a vehicle is registered as determined from the registration plate displayed on such motor vehicle, and the owner of the property on which the vehicle is stored, will be presumed to be persons who committed the violation charged. In the case of unlicensed vehicles, the owner of the property on which the vehicle is located will be considered to be the person responsible for the violation charged.

Secs. 122-737--122-750. Reserved.

DIVISION 7.

YARD, AREA AND LOT REQUIREMENTS

Sec. 122-751. Altered land parcel.

No lot or parcel of land may be divided, altered or reduced by sale, gift, or other disposition so that the yards, parking area, or other open spaces, or the land area thereof is less than the minimum requirements of this chapter. No lot, parcel of land, parking area, or other open space may be reduced so as to increase its noncompliance with the minimum requirements of this chapter.

Sec. 122-752. Area requirements.

In determining lot, land, yard, parking area or other open space requirements, no area may serve to meet such requirements for more than one principal building or use, and no area necessary for compliance with the space requirements for one principal building or use be included in the calculation of the space requirements for any other building, structure, or use.

Sec. 122-753. Corner lots.

- (a) **In the R-1 and MD districts, for corner lots** platted or of record after August 8, 1984, the front yard regulations apply to each street side of the corner lot. The rear yard requirements for a corner lot apply to the open space which is opposite and most distant from the front lot line as designated in the plat and/or in the request for a building permit.
- (b) **In the R-1 and MD districts, on corner lots** platted or of record prior to August 8, 1984, the front yard regulations apply only along the front lot line as designated in the plat and/or in the request for a building permit. The yard along the second street must meet the requirements for side yards on corner lots as specified in the district regulations.

Sec. 122-754. Lots adjoining alleys.

In calculating the area of a lot that adjoins an alley for the purpose of applying lot area requirements of this chapter, one-half the width of such alley abutting the lot is considered as part of such lot.

Sec. 122-755. Determinations by zoning board of appeals.

When yard regulations cannot reasonably be complied with, or where their application cannot be determined on lots of peculiar shape, topography or due to architectural or site arrangement, such regulations may be modified or determined by the zoning board of appeals.

Sec. 122-756. Land division.

- (a) **Lot split or consolidation.** The division of lots must take place in accordance with the land division act, Act No. 288 of the Public Acts of Michigan of 1967 (MCL 560.101 et seq., MSA 26.430(101) et seq.), as amended. Pursuant to the authority granted the city to regulate the division of a lot or parcel of land in a recorded plat, the division of a lot or other parcel of land in a recorded plat is prohibited unless first approved by the city assessor and city planner in accordance with the land division act, Act No. 288 of the Public Acts of Michigan of 1967 (MCL 560.101 et seq., MSA 26.430(101) et seq.).
- (b) **Subdivision plats.** The subdivision of a tract of land into two or more lots, building sites, or other divisions for the purpose of sale or building development, must take place in accordance with the land division act, Act No. 288 of the Public Acts of Michigan of 1967 (MCL 560.101 et seq., MSA 26.430(101) et seq.), as amended.

Secs. 122-757--122-770. Reserved

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ARTICLE XII. SPECIFIC STANDARDS FOR CERTAIN USES*

*Cross reference(s)--Businesses, ch. 22.

Sec. 122-771. Purpose.

It is recognized that there are certain uses that, due to size, location, use, or intensity, may adversely impact surrounding properties if not regulated. Such uses are generally listed within this chapter as special uses within specified zoning districts. This article states specific standards for approval of such uses in order to eliminate or mitigate any potential adverse impacts these uses may have on surrounding properties.

Sec. 122-772. Compliance with article.

The uses in sections 122-773--122-782~~830~~, whether specifically allowed as permitted uses, permitted accessory uses, or special uses in any zoning district, may only be approved, established, operated, used, expanded or enlarged in accordance with the specific provisions listed in this article.

Sec. 122-773. Adult foster care small and large group homes, adult foster care congregate facilities and foster family group homes.

Adult foster care small and large group homes, adult foster care congregate facilities and foster family group homes must be permitted subject to the conditions hereinafter imposed:

- (1) All such facilities must be registered with or licensed by the state and must comply with the minimum state standards for such facilities and the city housing code.
- (2) For each adult cared for, ~~there shall be provided and maintained a minimum of 150 square feet~~ **the square footage of outdoor recreation or relaxation area required by the Building Code and licensing agency must be provided** ~~of outdoor recreation or relaxation area. Such outdoor space shall have a total minimum area of not less than 3,000 square feet,~~ and must be fenced and screened from any adjacent lot located within a residential district.
- (3) At least one off-street parking space must be provided for each care giver working at the facility.
- (4) A resident manager must be employed or appointed if the owner does not live in the house.
- (5) Uses other than family day care homes, adult foster care family homes, foster family homes and foster family group homes, must not be located within 200 feet of property zoned R1 or ~~R2~~ **CN-Mid and CN-SF**.

Sec. 122-774. Adult regulated uses.

- (a) In the development and execution of this section, it is recognized that there are certain uses, which by their very nature are recognized as having serious objectionable operational characteristics (particularly when several of them are concentrated in a small area), thereby having a deleterious effect on surrounding neighborhoods. Regulation of the location of these uses is necessary to ensure that the adverse effects of such businesses will not cause or contribute to the blighting or downgrading of the city's residential neighborhoods or commercial centers. It is the intent of this section to provide reasonable regulations for the establishment of adult regulated uses in a viable, accessible location where the adverse impact of their operations may be minimized. Uses subject to these regulations and the requirements of article V of chapter 10 are as follows:
 - (1) Adult: Adult book or supply store, adult hotels or motels, adult motion picture theater/adult live stage performing theater, and adult mini-motion picture theater.
 - (2) Cabarets.
 - (3) Massage parlors and massage establishments.
 - (4) Pawnshops.
- (b) No adult regulated use may be permitted within 1,000 feet of any other adult regulated use. Measurement of the 1,000-foot radius must be made from the outermost boundaries of the lot or parcel on which the adult regulated use is proposed. The planning commission may waive this requirement for pawnshops if the following findings are made that:
 - (1) The proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this article is observed.
 - (2) The proposed regulated use will not enlarge or encourage the development of a "skid-row" or blighted area.
 - (3) The establishment of an additional adult regulated use in the area will not be contrary to any program of neighborhood conservation nor will it interfere with any program of urban revitalization.
 - (4) All applicable regulations of this chapter will be observed.

The planning commission may not waive this locational requirement for adult uses, cabarets, massage parlors, or massage establishments.

- (c) No adult regulated use may be permitted within 500 feet of any R1, ~~R2, R3, R4, or HHS~~, **P, MD, CN, CN-Mid and CN-SF** district; nor may any adult regulated use be permitted within 500 feet of any school, park, library, playground, movie theater, ~~coin-operated amusement arcade~~, licensed child care facility, or any other area or use where minor children are likely to congregate; nor may any adult regulated use be permitted within 500 feet of any ~~church, convent, monastery, synagogue, or similar place of religious worship~~ **religious institution**. Measurement must be from the outermost boundaries of the lot or parcel on which the adult regulated use is proposed to be located. This prohibition may be waived if the planning commission is presented with a validated petition requesting such waiver, signed by two-thirds of all persons owning, residing in, or doing business in the area within 500 feet of the proposed adult regulated use. The circulator of the petition must sign an affidavit attesting that the circulator personally witnessed the signatures and the signatures were affixed to the petition by the person whose name appears thereon. The signatures must be validated by the community economic development department. The planning commission cannot consider the waiver of the locational requirements until the required petition has been duly filed and verified. Pawnshops are not be subject to these locational requirements.
- (d) The building and premises must be designed and constructed so that material depicting, describing, or relating to specified sexual activities or specified anatomical areas, cannot be observed by pedestrians or from vehicles on any public right-of-way. This provision must apply to any display, decoration, sign, show window, or other opening.
- (e) No person may reside in or permit any person to reside in the premises of an adult regulated use.
- (f) Such uses must comply with all applicable federal, state, and local licensing regulations. Initial and annual proof of such compliance must be a condition of special use approval and the continuance thereof.
- (g) Upon finding that any condition, safeguard, or requirement has been breached, the building department can revoke any occupancy permit. All operations must cease 14 days following such notification of revocation by the building department, unless such violations are corrected. Also, if violations are not corrected within 14 days, reinstatement of a revoked permit must require a new special use application and approval thereof.

Sec. 122-775. Automobile ~~service or repair garages providing major repair; undercoating shops.~~

Automobile **service and** repair ~~garages providing major repair, alterations, and undercoating shops~~ are permitted subject to the conditions hereinafter imposed:

- (1) **All lubrication equipment, hoists, and pits must be enclosed entirely within a building.** All repair operations must take place within a completely enclosed building, and such building must not be located within 100 feet of any interior lot line abutting a residentially zoned district.
- (2) The entire lot, excluding areas occupied by landscaping and building, must be hard-surfaced with concrete or plant-mixed bituminous material. Curbs of at least six inches in height must be installed around the perimeter of all surfaced areas. Drainage must be provided in accordance with subsection 122-835(6).
- (3) The storage, sale or rental of new or used automobiles, trucks, trailers, and any other vehicles on the premises is prohibited. Vehicles awaiting repair, or inoperable, wrecked, or partially dismantled vehicles, must not be stored or parked outside for a period exceeding seven days.
- (4) **Quick oil change and similar facilities where permitted must provide off-street waiting spaces of at least three automobiles per bay, in addition to the required off-street parking spaces as provided in sections 122-836 and 122-838.**

Sec. 122-776. Automobile ~~service~~ **filling stations and ~~repair garages.~~**

Automobile ~~service~~ **filling** stations and ~~repair garages~~ where permitted within business districts are permitted subject to the conditions hereinafter imposed:

- (1) The curb cuts are not permitted at such locations that will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances must be no less than 25 feet from a street intersection (measured along the road right-of-way). Drives must be no less than 20 feet wide, nor wider than 30 feet at the right-of-way line. No more than one such drive or curb opening may be permitted for every 75 feet of frontage along any street or in accordance with county or state requirements, whichever is greater.
- (2) The entire lot, excluding areas occupied by landscaping and building, must be hard-surfaced with concrete or plant-mixed bituminous material. Curbs of at least six inches in height must be installed around the perimeter of all surfaced areas. Drainage must be provided in accordance with subsection **122-835(6).**
- (3) ~~All lubrication equipment, hoists, and pits shall be enclosed entirely within a building.~~ All fuel pumps must be located not less than 15 feet from any lot line; provided however, that fuel pumps may not be located less than 40 feet from

any interior lot line which abuts residentially zoned property, nor closer than 100 feet from any ~~church~~ **religious institution**, theater, hall, or other place of public assembly.

- (4) A rigid canopy which covers the fuel dispensing area is permitted provided that the lowest edge of such canopy must be a minimum of 14 feet above grade. For service stations located within a ~~B1 or B2~~ **NC** zoning district, the nearest edge of any canopy must be set back a minimum of ten feet from any lot line. For service stations located within a ~~B4~~ **GC** zoning district, the nearest edge of any canopy must be set back a minimum of 15 feet from any lot line. All support structures for canopies must be located so as not to obscure the vision of motorists using any nearby streets, driveways, or maneuvering aisles.
- (5) The storage, sale, or rental of new or used automobiles, trucks, trailers, or any other vehicles on the premises is prohibited. Inoperable, wrecked or partially dismantled vehicles must not be stored or parked outside for a period exceeding two days.
- ~~(6) Quick oil change and similar facilities where permitted shall provide off street waiting spaces of at least three automobiles per bay, in addition to the required off street parking spaces as provided in sections 122-836 and 122-838.~~
- (6) All outdoor lighting must comply with section 122-641.

Sec. 122-777. Automobile or car wash establishments.

Automobile or car wash establishments are permitted subject to the conditions hereinafter imposed:

- (1) All washing activities must be carried out within a building. Vacuuming activities may be permitted outdoors, provided such activities are located at least 50 feet from adjacent ~~residentially zoned~~ **R1, P, MD, CN, CN-Mid and CN-SF districts** or ~~used~~ property **with first-floor residential uses**.
- (2) The entire lot, excluding areas occupied by landscaping and building, must be hard surfaced with concrete or plant-mixed bituminous material. Curbs of at least six inches in height must be installed around the perimeter of all surfaced areas. Drainage must be provided in accordance with subsection 122-835(6).
- (3) Sufficient space must be provided on the lot so that vehicles do not enter or exit the wash building directly from an adjacent street or alley. All maneuvering areas, stacking lanes, and exit aprons must be located on the car wash parcel itself. Streets and alleys may not be used for maneuvering or parking by vehicles to be serviced by the automobile wash.

Sec. 122-778. Bed and breakfast lodgings and inns.

Bed and breakfast lodgings and inns are permitted subject to the conditions hereinafter imposed:

- (1) The structure to be used as a bed and breakfast lodging must be the principal residence of the owner/operator and such owner/operator must live on the premises when the bed and breakfast lodging is in operation. In the case of an inn, the owner may reside elsewhere so long as a resident manager is employed and lives on the premises. A minimum of 450 square feet of living space must be preserved for the owner/operator's quarters.
- (2) Rooms used for sleeping must have a minimum of 100 square feet for two occupants, plus an additional 50 square feet for each additional occupant. Rooms must be designed to accommodate no more than four occupants.
- (3) Food may only be served to guests staying at the bed and breakfast lodging. There may not be separate cooking facilities for the bed and breakfast lodging other than those which serve the principal residence. An inn may operate a restaurant on the premises, provided that all requirements of this chapter related to restaurants, as well as any other applicable regulations, are met; and provided that no expansion of the residential building in order to accommodate a restaurant is permitted.
- (4) Two off-street parking spaces must be provided plus one additional space per room to be rented. An inn which operates a restaurant must also meet the parking requirements for the restaurant, in addition to the above requirement.
- (5) Changes to the building structure must not be made that would prevent the structure from being reverted in the future to any residential use permitted in the zoning district. Bed and breakfast lodgings or inns may not be converted to a roominghouse unless a special use permit is approved by the planning commission in accordance with article V of this chapter.
- (6) Bed and breakfast lodgings and inns are subject to city licensing provisions, and must be inspected every two years for compliance with this chapter and the city building code.

Sec. 122-779. Child care centers; **child drop-off centers, and group day care homes.**

Child care centers, **child drop-off centers** or group day care homes (not including dormitories) are permitted subject to the conditions hereinafter imposed:

- (1) All child care centers, **child drop-off centers** and group day care homes must be registered with or licensed by the state department of social services and must comply with the minimum state standards for such facilities.
- (2) ~~For each child or adult cared for, there~~ **The square footage of outdoor recreation required by the Building Code and licensing agency** must be provided and maintained ~~a minimum of 150 square feet of outdoor recreation area.~~ Such space must ~~have a total minimum area of not less than 3,000 square feet, and shall be fenced and screened from any adjoining lot in any residential district.~~
- (3) At least one off-street parking space for each care giver must be provided. Additional off-street or on-street spaces must be made available for the safe drop-off and pick-up of persons being cared for at the facility. Such drop-off-sites must not obstruct the flow of traffic along any public thoroughfare.

(4) Child drop-off centers care for minor children for longer periods than four (4) hours.

Sec. 122-780. ~~Churches, synagogues, and other religious facilities~~ **Religious Institutions and Services.**

~~Churches, synagogues, and other religious facilities~~ **Religious institutions** and services, including accessory offices, rectories or parsonages, meeting rooms, and classrooms for religious instruction only are permitted subject to the conditions hereinafter imposed:

- (1) For religious ~~facilities~~ **institutions** located within ~~a residential district~~ **the R-1 and MD districts**, parking areas must be prohibited in the required front yard or street side yard setback areas. Parking areas which are located behind the required setback area adjacent to a street right-of-way must be screened in accordance with subsection 122-835(11)b.
- (2) Buildings of greater than the maximum height allowed in the zoning district may be permitted **by exception approved by the planning commission** provided that the front, side, and rear yards are increased beyond the minimum required yards by one foot for each foot of building height that exceeds the maximum height allowed. **In the CN, CN-SF, CN-Mid, C, HC, NC, GC, HHS districts, the Planning Commission may grant exceptions based on maximum compliance possible with the IT institutional building type.**
- (3) Related uses such as social centers, social service centers, child care centers, and rental banquet facilities are prohibited unless the planning commission finds that any adverse impacts on surrounding properties and traffic will be mitigated.

Sec. 122-781. ~~Community~~ **Parking garages.**

~~Community~~ **Parking** garages are permitted subject to the conditions hereinafter imposed:

- (1) Such use must not be located within 100 feet of an R1, **CN-Mid or CN-SF** or ~~R2~~ district.
- (2) The architectural style and facade of the structure must be in keeping with the character of surrounding residential and business uses.
- (3) All areas not used for parking or vehicular maneuvering must be landscaped and maintained in good condition.
- ~~(4) For community garages located in residential districts, vehicular entranceways into such garages shall not face toward the front yard of the lot.~~
- (4) The vehicle entrances to structured parking should be from side streets and/or access roads. No access from a major thoroughfare is permitted.**
- (5) Direct pedestrian access from parking garages to any adjacent street must be provided.**
- (6) The exterior facades of all parking garages fronting on any street must be designed to achieve an architectural unity with the block.**
- (7) Parking garages must comply with all building design standards for building façade, scale, building features and lighting, compatibility, and placement on the site when located in the Historic District.**
- (8) The parking garage must have shelter bicycle and motorcycle parking areas within 25 feet of the vehicular entrance.**
- (9) The City may approve other design alternatives, such as liner buildings around the outer edge of the garage.**

Sec. 122-782. ~~Community~~ **Parking lot as principal use.**

A ~~community~~ parking lot **as a principal** is permitted subject to the conditions hereinafter imposed:

- (1) If the lot is located on or adjacent to a permitted or special use which it is intended to serve, the minimum number of parking spaces intended to serve that use must be provided.
- (2) A lighting plan must be submitted for lots which contain more than 20 spaces, which must be approved by the planning commission during site plan review.

- (3) ~~Community~~ Parking lots must meet all requirements for off-street parking in accordance with article XIII of this chapter.

Sec. 122-783. Drive-in and drive-through restaurants.

Drive-in and drive-through restaurants, or any restaurant which provides a drive-through window, as defined under "restaurant" in section 122-23 are permitted subject to the conditions hereinafter imposed:

- (1) Principal and accessory buildings and structures must be located no closer than 60 feet from any residential district. Canopies and support structures or portions thereof must meet all yard setback requirements. The lowest edge of a canopy must be at least 12 feet above grade.
- (2) Drive-through windows or other facilities must be located no closer than 100 feet to a residential district. The sound from amplification equipment must not be audible beyond the boundaries of the site.
- (3) In addition to any required off-street parking for employees and sit-down restaurant facilities, stacking spaces for each drive-through window must be provided in accordance with section 122-84038.
- (4) All drive-in and drive-through restaurants must have direct access to a major thoroughfare in accordance with section 122-642. No ingress or egress curb cuts may be located closer than 60 feet from the intersection of two streets.

Sec. 122-784. Drive-through facilities.

Drive-through facilities in combination with any kind of store, financial institution, or personal service business are permitted subject to the conditions hereinafter imposed:

- (1) Drive-through windows or other facilities and stacking spaces must not be located within 50 feet of a residentially-zoned district. Off-street stacking spaces must be provided in accordance with section 122-84038. Canopies and support structures associated with drive-through facilities must meet all minimum yard setback requirements.
- (2) All drive-in facilities must have direct access to a major thoroughfare in accordance with section 122-642. Ingress and egress curb cuts to the site must be located at least 60 feet from the intersection of any two streets, measured along the nearest right-of-way line.
- (3) Devices for the transmission of voices must not be audible beyond the boundaries of the site.

Sec. 122-785. ~~Emergency shelter for the homeless.~~ Homeless Shelter.

Emergency shelters for the homeless are permitted subject to the conditions hereinafter imposed:

- (1) The facility must be operated by a recognized human service agency, incorporated by the state and which is not for profit.
- (2) Resident manager and support services must be provided.
- (3) No such facility may be located within 1,000 feet of a similar facility.

Sec. 122-786. Express and passenger terminals.

Express and passenger terminals and express transfer facilities are permitted subject to the conditions hereinafter imposed:

- (1) All ticket booths, waiting areas, and other passenger facilities must be wholly contained within an enclosed building.
- (2) Stopping and stacking spaces for buses or taxis must not encumber traffic nor present a safety hazard for vehicles or pedestrians on public rights-of-way.
- (3) Curb cuts must not be permitted at such locations that will tend to create traffic hazards in the streets immediately thereto. No drives may be wider than 30 feet at the right-of-way line, and no more than one such drive or curb cut may be permitted for every 50 feet of frontage along any street.

Sec. 122-787. ~~Fraternities or sororities.~~ Reserved.

~~Fraternities or sororities shall be permitted subject to the conditions hereinafter imposed:~~

- ~~(1) The fraternity or sorority shall be sponsored by a national, regional, or recognized local organization. Registration shall be made with the office of campus life or equivalent administrative office at the post secondary school which its members attend.~~
- ~~(2) The usable floor area of the structure shall exceed 2,200 square feet, or a minimum of 200 square feet of usable floor area per occupant, whichever is greater. Attics, cellars, and basements are not included as usable floor area; however, these areas may be occupied if all building and housing codes are met.~~

- ~~(3) The lot area shall have a minimum of 10,000 square feet or 350 square feet in area per occupant, whichever is greater. A minimum of 15 percent of the total square feet of the rear and side yard areas shall be retained in open landscaped areas and not used for parking.~~
- ~~(4) No off street parking areas shall be located in a front yard.~~
- ~~(3) No more than one sign, stating the name or letters identifying the organization, is permitted. Such sign may not exceed three square feet in gross area.~~
- ~~(6) Access to and from the site shall be directly to a major street or to a major street through an R3, R4, RO, or nonresidential district. In no event shall access be through an R1 or R2 district.~~
- ~~(7) No property line may be located within 500 feet from an R1 or R2 district.~~

Sec. 122-788. General hospitals. *Alternative Energy.*

(1) Photovoltaic Production

(a)-Attached accessory photovoltaic structures are permitted in all zoning districts when meeting the following requirements:

- i. *Positioning.* All attached photovoltaic structures positioning and attachment must meet Building Department requirements for snow loads and wind loads.
- ii. *Height.* All attached photovoltaic structures must meet the following height regulations by type:
 - a. *Maximum.* The maximum height of photovoltaic roof paneling installed on a sloped roof or flat roof of a building is ten feet above the maximum building height allowed for that zoning district or building type . Photovoltaic panels attached to the side of a structure must not project vertically above the building height allowed for that zoning district or building type.

(b) *Detached accessory photovoltaic structures*, when mounted top-of-pole for outdoor lights, are permitted in all zoning districts. In no instance may such panels exceed 20 feet in height.

(c) *Solar farms.* On sites where the primary use is photovoltaic energy production, all structures must meet the height requirement of the zoning district.

- i. *Abandonment.* Any freestanding *photovoltaic system* which is not used for six (6) months will be deemed to be abandoned. The applicant/permit holder will be so notified in writing by the municipality and requested to dismantle the site and return it to its original state. If there are mitigating circumstances as to why the site has not been used, the applicant/permit holder may contact the municipality and request a three-month extension. If a site has been deemed abandoned and no request for an extension is received, the applicant/permit holder will again be notified to dismantle the site and return it to its original state. If the applicant/permit holder does not do this, the municipality will have the removal and restoration done at the owner/applicant's expense. Removal will include removing posts, equipment, panels, foundations and other items so that the ground is restored to its preconstruction state and is ready for development as another land use.

(2) *Solar water heating.* Attached accessory solar water heating systems are permitted in all zoning districts. Solar collectors installed on a sloped roof of a building must not project vertically above the peak of the roof. Solar collectors attached to a flat roof must not project vertically more than 10 feet above the roof. Solar panels attached to the side of a structure must not project vertically above the building height allowed for that zoning district or building type.

(3) *Wind energy production.* Attached accessory wind energy production structures are permitted in all zoning districts, subject to height limitations.

(4) *Geothermal energy production.* Attached accessory geothermal energy production systems are permitted in all zoning districts.

- (5) *Other methods:* Other methods of alternative energy production may be submitted to the City Planner and, at their discretion, may be approved, approved subject to another City department(s) review, approved subject to Planning Commission review, or denied.

~~General hospitals shall be permitted subject to the conditions hereinafter imposed:~~

- ~~(1) All ingress and egress from such site shall have direct access to a major thoroughfare, as provided in section 122-642.~~
- ~~(2) In residential districts, off street parking shall be prohibited in the front setback area and within ten feet of the rear or side property lines. Where any off street parking, ambulance, or delivery areas abut any residential district, screening shall be provided as per section 122-703.~~

- ~~(3) Buildings of greater than the maximum height allowed in the zoning district may be allowed provided that the front, side, and rear yards are increased beyond the minimum required yards by one foot for each foot of building height that exceeds the maximum height allowed.~~
- ~~(4) Hospitals shall be constructed, maintained, and operated in conformance with applicable state and federal laws, including the provisions of the hospital survey and construction act, Act No. 299 of the Public Acts of Michigan of 1947 (MCL 331.501 et seq., MSA 14.1201 et seq.), as amended.~~

Sec. 122-789. Senior citizen housing. ~~Attached or detached accessory stormwater control features~~

- (1) Swales: both biofiltration and vegetated/rock swales as defined in 122-3 are permitted in all districts.
- (2) Pervious paving: permitted in all districts subject to 122-(site plan review), where required, and 122 -(parking lot design).
- (3) Rain Gardens: as defined in 122-3, rain gardens are permitted in all districts subject to 122-(site plan review), where required. Rain gardens installed accessory to one- or two-family uses in the R-1 district or the Townhouse, Cottage, or House building types in the CN, CN-Mid, CN-SF districts do not require engineering review.
- (4) Rain Barrels or Cisterns: permitted in all districts subject to 122-(site plan review), where required.
 - a. Underground cisterns or rain barrels are subject to engineering review and constructed in accordance with the State Building Code.
 - b. Aboveground rain barrel or cistern systems in excess of 250 gallons accessory to the Mansion, Estate, Apartment House, Courtyard Apartment, Apartment Building, Commercial/Mixed-Use Small, Commercial/Mixed-Use Medium, Commercial/Mixed-Use Large, Single-story Commercial Building, Large Footprint Single Story Commercial Building, Multiple Story, or Institutional building types; or in excess of 250 gallons and located in the R-1 district not accessory to a single-family use; or in excess of 250 gallons and located in the MD or PMD districts, must conform to the accessory building standards in place for those building types and be subject to engineering review and constructed in accordance with the State Building Code.
- (5) Vegetated roofs: vegetated roof systems are permitted in all districts in accordance with the State Building Code.
- (6) Other methods: Other methods of onsite stormwater control may be submitted to the City Planner and, at their discretion, may be approved, approved subject to another City department(s) review, approved subject to Planning Commission review, or denied.

~~Senior citizen housing (not including nursing homes) including efficiency units and common services such as central dining rooms, recreation rooms, and central lounges or workshops shall be permitted subject to the conditions hereinafter imposed:~~

- ~~(1) Off street parking shall be prohibited in the front setback area and within ten feet of the rear or side property lines. In case any off street parking area abuts a lot in any residential district, an obscuring fence or greenbelt shall be provided as provided in section 122-703.~~
- ~~(2) Total coverage of all the buildings, including dwelling units and related service buildings, shall not exceed 30 percent of the total site exclusive of any dedicated public right-of-way.~~
- ~~(2) All units shall have at least 300 square feet of floor area not including kitchen and sanitary facilities.~~

Sec. 122-790. Junkyards.

Junkyards are permitted subject to the conditions hereinafter imposed:

- (1) The minimum lot size must be one acre.
- (2) A minimum setback of 50 feet must be maintained between the front property line and the portion of the property on which junk materials are placed or stored. Outdoor storage areas must also conform to all other setback requirements for principal buildings. No junkyard may be located within 300 feet of a residential **R1, HHS, P, MD, CN, CN-Mid and CN-SF** district.
- (3) All outdoor storage areas for junkyards must be screened by a six- to eight-foot obscuring wall constructed of masonry, concrete or other similar material.
- (4) All roads, driveways, parking lots, and loading and unloading areas must be paved or treated in a manner approved by the city building department so as to confine any wind-borne dust to within the boundaries of the site.
- (5) Proper access to all parts of the storage areas must be provided for fire and emergency services, as required by the city building code and BOCA code.

Sec. 122-791. Commercial kennels.

Commercial kennels are permitted subject to the conditions hereinafter imposed:

- (1) Any such kennel must be subject to all permit and operational requirements established by city, county, and state regulatory agencies.
- (2) Buildings in which animals are kept, animal runs, and exercise areas must not be located in any required yard setback areas, and must be located at least 300 feet from any dwellings and 100 feet from any buildings used by the public.
- (3) All outdoor animal runs or exercise areas must be fenced and secured at all times so that no animal contained therein may escape such enclosure.

Sec 122-792: reserved.

Sec. 122-793. ~~Medical clinics~~ Adult drop-in centers or neighborhood counseling centers.

~~Medical clinics~~ Adult drop-in centers or neighborhood counseling centers are permitted subject to the conditions hereinafter imposed:

- ~~(1) Substance abuse treatment facilities, adult drop in centers, or boarding facilities are prohibited in any residential district.~~
- ~~(21) Access to and from the site must be directly to a major street as defined in section 122-642, or to a major street through an HHS or a nonresidential district. In no event may access be through an R1, MD, CN, CN-Mid, or CN-SF R2, R3, or R4 district.~~
- ~~(3) The facility shall be located within 300 feet of a commercially zoned district.~~
- (42) Social services, such as food and/or clothing distribution or other similar services, are permitted only if the planning commission should find that adequate ingress and egress, parking, and indoor waiting and storage areas are provided.

Sec. 122-794. Multiple-family dwellings containing seven or more units in R4 or HHS district.

Multiple family dwellings containing seven (7) or more units ~~in an R4 or RO district:~~

- (1) Access to the site from a major thoroughfare must not traverse through or abut an R1, CN-SF or CN-Mid ~~R2 district~~, unless access is directly from a major thoroughfare.
- (2) Access drives, parking areas, and maneuvering lanes must be located to minimize their conflict with buildings and outdoor living areas and to encourage pedestrian and vehicular safety and convenience. Sidewalks for convenient pedestrian flow between buildings, parking areas, outdoor living areas, and public rights-of-way must be provided. **In the Neighborhoods, Centers, Corridors and Health and Human Services zoning districts, all circulation standards must be met.**
- (3) The required parking spaces must be as conveniently located in close proximity to the dwellings they are intended to serve as is practicable. In no case may any parking space be located further than three hundred (300) feet from the nearest entrance to the building.
- (4) All dwelling units must be readily accessible by fire and emergency vehicles. Fire lanes must be paved and posted as required in the Building Code adopted by the City of Ypsilanti. Emergency vehicle turn-around areas must be provided where there is no driveway outlet.
- (5) All parking areas, building entrances, and sidewalks must be illuminated for safety and security.
- (6) **The following regulations apply to the MD district only:**
 - a. A total of one hundred thirty (130) square feet of outdoor living space must be provided for each bedroom or studio/efficiency unit. Porches, balconies and improved roof areas may count toward the required outdoor living space, provided no such area is less than five (5) feet in width. Such outdoor areas must be buffered from streets and parking lots. Off-street parking areas, driveways, and accessory uses may not be counted as required open space.
 - b. The total number of rooms in a multiple apartment dwelling structure must not be more than the area of the parcel in square feet divided by 1,400 square feet. The required minimum floor area per unit type is as follows:

Unit Type	Required Min. Square Footage
1 Bedroom	600
2 Bedroom	800
3+ Bedroom	1,000

~~(8) The maximum Impervious Surface Ratio (ISR) for multiple apartment dwelling structures is 0.45, resulting in no more than 45% of the parcel being covered by an impervious surface such as asphalt, concrete or buildings~~

Sec. 122-795. Municipal, county, regional, and state service buildings and uses.

Municipal, county, regional, and state service buildings and uses are permitted subject to the conditions hereinafter imposed:

- (1) For such uses proposed to be located within an R1, ~~R2, R3, or R4~~ MD, CN, CN-SF, CN-Mid district, operating requirements must necessitate that the facility be located within that district in order to serve the immediate vicinity. Where possible such facilities must be located in an HHS or a nonresidential district. Storage yards, sales or business offices, commercial buildings or activities, sanitary landfills, or water or sewage treatment plants are prohibited in the R1, MD, CN, CN-SF, and CN-Mid districts.
- (2) Public buildings and utility uses must not include any outdoor storage of materials or vehicles, unless as permitted within ~~an M1 or M2~~ the PMD district.
- (3) The architecture and construction materials must be in character with the surrounding residential area.

Sec. 122-796. Nursing homes, convalescent homes and rest homes.

Nursing homes, convalescent homes, and rest homes are permitted subject to the conditions hereinafter imposed:

- (1) Such facilities must be constructed, maintained, and operated in conformance with applicable state and federal laws.
- (2) Off-street parking is prohibited in the front and street-side setback area. In case any off-street parking area abuts a lot in any residential district, ~~an obscuring fence or greenbelt~~ screening must be provided as provided in section 122-703.
- (3) Such facility must provide ~~the square footage of outdoor open space required by the Building Code and licensing agency~~ 150 square feet of outdoor open space for every bed used or intended to be used, and at a minimum 3,000 square feet of outdoor open space. The open space must be landscaped, buffered from streets and parking lots, and include places for walking and sitting. Off-street parking areas, driveways, and accessory uses or areas may not be counted as required open space.

Sec. 122-797. Offices and showrooms ~~for certain trades within business district.~~ for skilled trade services.

Offices and showrooms ~~of a skilled trade service of a plumber, electrician, upholsterer, decorator or similar trade located within a business district~~ are permitted subject to the conditions hereinafter imposed:

- (1) ~~Seventy five percent of all Services performed on the premises, including Any fabrication, repair, cleaning or other processing of goods, shall be sold at retail on the premises where produced shall~~ must conform to fire ~~and~~ building code.
- (2) Those areas of the ground floor which face upon or are visible from any adjacent streets must be used only for entrances, offices, sales, or display.
- (3) There must be no outside storage of materials or goods of any kind.
- (4) Storage of commercial and other vehicles inside the building is permitted, pursuant to building and fire code.

Sec. 122-798. Open-front or open-air businesses; outdoor recreation/amusement facilities; outdoor sales of new or used automobiles, trucks and tractors, boats, etc.

Open-front or open-air businesses; outdoor recreation/amusement facilities; and outdoor sales of new or used automobiles, trucks and tractors, boats, mobile homes, recreational vehicles and trailers are permitted subject to the conditions hereinafter imposed:

- (1) All loading and parking areas for open air businesses shall be confined within the boundaries of the site, and shall not be permitted to spill over onto adjacent public rights-of-way. Curbs or wheel stops shall separate parking areas from all sidewalks.
- (2) All areas of a front yard or street side yard which are not landscaped, shall be provided with a concrete or plant-mixed bituminous surface, and shall be graded and drained so as to dispose of all surface water accumulated within the area.
- (3) Driveway access to the outdoor business area shall be at least 50 feet from the intersection of any two streets.
- (4) The location, layout, design, or operation of the outdoor business shall not impair the continued enjoyment, use, and future development of nearby properties. The use shall not generate excessive noise, odors, dust, or other impacts. The planning commission may specify hours of operation and stricter screening mechanisms to assure compatibility with adjacent uses.
- (5) No major repair or major refinishing is permitted on the outdoor sales lot.
- (6) All lighting shall be shielded from adjacent residential properties and public rights-of-way.

Sec. 122-799. Outdoor cafes, restaurants and beer gardens.

Outdoor cafes, restaurants and beer gardens shall be permitted subject to the conditions hereinafter imposed:

- (1) All outdoor seating areas at grade level must be accessory to business which provides indoor seating **or food concession**. All storage, preparation and cooking of food and all vending machines shall be within an enclosed building **or food concession**.
- (2) The outdoor seating area shall be separated from all parking areas by means of a minimum three-foot high planting, ~~obscuring greenbelt~~, wall or other architectural feature **delineating the space**.
- (3) The outdoor seating area shall not be located within 50 feet of any properties zoned R1, ~~R2, R3, or R4~~ **MD, CN, CN-Mid, or CN-SF**.
- (4) All outdoor seating areas shall be kept clean and void of litter at all times.

(see also 94-192 for outdoor cafés in the ROW)

Sec. 122-800. Outdoor retail sales of plant materials, lawn furniture, playground equipment, garden supplies, etc.

Outdoor retail sales of plant materials, lawn furniture and decorations, playground equipment, and home and garden supplies shall be permitted subject to the conditions hereinafter imposed:

- (1) Plant storage and display areas shall comply with all minimum setback requirements for the zoning district.
- (2) The storage of soil, fertilizer, and similar loosely packaged materials shall be contained and covered to prevent it from blowing onto adjacent properties.

Sec. 122-801. Outdoor storage of raw materials, supplies and products.

Outdoor storage of raw materials and supplies or finished or semi-finished products shall be permitted subject to the conditions hereinafter imposed:

- (1) All such storage shall be located within a rear yard and screened with fencing in accordance with section 122-703. No material shall be stored above the height of the screening.
- (2) All storage areas shall conform to all district setback requirements for principal uses, but in no case shall outside storage be located closer than 50 feet to residentially zoned property.
- (3) Property access to all parts of the storage areas shall be provided for fire and emergency services as provided in the city building code.
- (4) All loosely packed materials such as sand, topsoil, dirt, etc., shall be covered and contained to prevent them from being blown or washed off of the site.
- (5) No materials which give off noxious odors shall be stored outdoors.

Sec. 122-802. Private noncommercial recreational areas or social facilities; institutional or community recreational centers; nonprofit swimming pool or tennis club.

Private noncommercial recreational areas or social facilities, institutional or community recreational centers, and nonprofit swimming pool or tennis club shall be permitted subject to the conditions hereinafter imposed:

- (1) If the proposed use would attract persons from, or is intended to serve areas beyond the immediate neighborhood, the site shall have direct access to a major thoroughfare in accordance with section 122-642.
- (2) **Except in the Neighborhoods, Centers, Corridors and Health and Human Services districts**, front, side, and rear yards shall be at least eight feet wide, and shall be landscaped in trees, shrubs, and grass. All such landscaping shall be maintained in a healthy condition. **In the Neighborhoods, Centers, Corridors and Health and Human Services districts, any buildings shall comply with the IT institutional building type.**
- (3) The planning commission may reduce the number of off-street parking spaces required as specified in section 122-837~~6~~ in those instances where it is specifically determined that the users will originate from the immediately adjacent areas and will therefore be pedestrian.

Sec. 122-803. Recycling centers.

Recycling centers for discarded items shall be permitted subject to the conditions hereinafter imposed:

- (1) Such use shall be located no closer than 300 feet to residentially zoned property.
- (2) All separation and storage areas shall conform to the setback requirements for buildings in the ~~M2~~ **PMD** district and screened with fencing in accordance with section 122-703.
- (3) Access to such site shall not be through or abut residentially-zoned property.
- (4) Proper access to all parts of the storage areas shall be provided for fire and emergency access as provided by the city building code.

- (5) Recycling drop-off centers shall not occupy more than 6,000 square feet of area; shall not handle vegetative yard wastes (grass clippings, leaves, brush, etc.) or industrial, toxic, or liquid wastes; and shall not be involved in the compounding, washing or cleaning, treating, or composting of any materials.

Sec. 122-804. Roominghouses and Group Residences.

Roominghouses and group residences are permitted subject to the following conditions hereinafter imposed:

- (1) A roominghouse of any size or group residence containing four or more units shall not be located within 200 feet of an R1 or CN-SF R2 district.
- (2) The minimum usable floor area of the structure, size of common interior living space, and kitchen facilities shall exceed 2,000 square feet. There shall be common interior living space, not counting hallways and bathrooms, of not less than 360 square feet for all persons living in the house. Kitchen facilities shall be provided on the premises for the residents therein.
- (3) Rooms for sleeping shall have a minimum square footage as required by the housing code adopted by this Code.
- (4) A resident manager shall be employed or appointed by the property owner, if the owner does not live in the house or complex. The property owner must provide the name and contact information of the resident manager upon request by the City of Ypsilanti.
- (3) The lot area shall have a minimum of 10,000 square feet or 350 square feet in area per occupant, whichever is greater. A minimum of 15 percent of the total square feet of the rear and side yard areas shall be retained in open landscaped areas and not used for parking.
- (4) No off street parking areas shall be located in a front yard.
- (5) For rooming houses of any size or group residences with 6 or more residents access to and from the site shall be directly to a major street or to a major street through an R3, R4, RO, a CN, CN-M or nonresidential district. In no event shall access be through an R1 or CN-SF R2 district.

Sec. 122-805. Schools Primary, Secondary and Post-Secondary Schools (public & private).

Elementary, junior, senior high, and post-secondary schools, public and private schools (but not regulating home schooling as defined by the state department of education) shall be permitted subject to the conditions hereinafter imposed:

- (1) Staff and curriculum must meet the educational qualifications established by the state.
- (2) All buildings must meet the building and fire safety qualifications as established by the state.
- (3) Except in the CN, CN-SF, CN-Mid, C, HC, NC, GC, and HHS districts, the minimum lot area shall be 13,000 square feet. In the CN, CN-SF, CN-Mid, C, HC, NC, GC, and HHS districts, the minimum lot area is determined by the IT institutional building type.
- (4) The site shall have direct access to a major thoroughfare, as provided in section 122-642.
- (5) Except in the CN, CN-SF, CN-Mid, C, HC, NC, GC, HHS districts, buildings of greater than the maximum height allowed within a given zoning district may be allowed provided that the front, side, and rear yards are increased above the minimum required yards by one foot for each foot of building height that exceeds the maximum height allowed. In the CN, CN-SF, CN-Mid, C, HC, NC, GC, HHS districts, the maximum height is determined by the IT institutional building type.
- (6) Except in the CN, CN-SF, CN-Mid, C, HC, NC, GC, HHS districts, off-street parking shall be prohibited in the required front yard setback area. In the CN, CN-SF, CN-Mid, C, HC, NC, GC, HHS districts, parking location is determined by the IT institutional building type. In the case any off-street parking area abuts a lot in any residential district, an obscuring fence or greenbelt shall screening must be provided as provided in section 122-703.
- (7) For primary and secondary schools, the developer of the site shall document that a minimum of two off-street or on-street parking spaces shall be available for drop-off and pick-up of children, plus one additional drop-off/pick-up space for each 100 children that the facility has in attendance.
- (8) If bus transportation is to be provided, documentation that adequate ingress and egress for bus traffic to the site shall be provided. If public bus transportation is utilized, a bus drop-off point within 250 feet of the school shall be available.
- (9) Athletic fields and playgrounds accessory to educational facilities shall be shown on the approved site plan and may not be altered unless approved by the planning commission shared with the city.

Sec. 122-806. Self-storage facilities and vehicle storage facilities.

Self-storage facilities and vehicle storage facilities shall be permitted subject to the conditions hereinafter imposed:

- (1) ~~In the C, NC and GC districts, self-storage and vehicle storage facilities must comply with the regulations for building types. In all other districts,~~ the facility shall be surrounded by a six-foot high solid obscuring fence, except for entrance gates. Required fencing near ingress and egress driveways may be lowered to permit adequate sight distances for vehicles entering and exiting the facility.
- (2) No single storage space shall exceed 500 square feet, except for vehicle storage facilities.
- (3) Only vehicles may be stored in vehicle storage facilities.
- (4) Adequate security shall be provided and maintained.
- (5) A single residential unit, to be occupied only by a residential manager and his family, with a floor area not exceeding 1,500 square feet, is permitted.

Sec. 122-807. Enclosed storage of liquid and solid fuels.

Storage within enclosures of liquid and solid fuels shall be permitted subject to the conditions hereinafter imposed:

- (1) All storage tanks and the handling of all flammable liquids shall be in compliance with the building code as adopted by this Code.
- (2) Below-ground storage tanks shall be located no closer than 50 feet from any property line and, when required, shall be registered with the state fire marshal.

Sec. 122-808. Substance abuse treatment facilities.

Substance abuse treatment facilities shall be permitted subject to the conditions hereinafter imposed:

- (1) Such facilities shall have direct access to a major thoroughfare, in accordance with section 122-642.
- (2) Such uses shall not be located within 1,000 feet of an R1 ~~or R2~~, CN-Mid, or CN-SF district or of another such facility.

Sec. 122-809. Veterinary hospitals and clinics.

Veterinary hospitals and clinics shall be permitted subject to the conditions hereinafter imposed:

- (1) All principal use activities, including animal boarding, shall be conducted within a totally enclosed building.
- (2) Buildings used for such purposes within 500 feet of a residential zoning district shall construct those indoor areas used for animal boarding an exercise in accordance with the soundproofing guidelines for dwelling units set forth in Section 1207.2 of the Michigan Building Code (2006).
- (3) A veterinary hospital or clinic shall be subject to the requirements, limitations, and regulations listed in Sec 14-132.

Sec. 122-810. Printing ~~shops~~ services.

Printing ~~shops~~ services shall be permitted subject to the conditions hereinafter imposed:

- (1) All principal use activities, including storage of equipment and chemicals, shall be conducted within a totally enclosed building.
- (2) No exterior windows shall be oriented towards single-family residential uses.
- (3) Such uses shall not create a nuisance to adjacent residences through excessive noises or the smell of chemicals.

Sec. 122-811. Supportive Housing.

Supportive Housing where listed in residential districts shall be permitted after Special Use review and approval, and shall be subject to the conditions hereinafter imposed:

- (1) Supportive Housing shall be located at least 750 feet from all existing supportive housing, measured in a radius from the outermost boundaries of the lot or parcel on which the use is proposed, as well as all of the following uses:
 - a. State licensed residential facility, not including all home-based facilities serving 6 or fewer individuals and Day Care Group Homes serving 12 or fewer individuals.
 - b. Nursing homes
 - c. Substance Abuse Treatment Facility
 - d. ~~Emergency~~ Homeless Shelter
 - e. Drop-in center
 - f. Correctional ~~institution~~ facility
- (2) Site Plan Review in accordance with article IV shall be required.

- (3) A minimum lot area of 8,000 square feet shall be provided.
- (4) The maximum number of persons served per the facility shall not exceed 8.
- (5) On-site services shall be for residents of the facility only.
- (6) All new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, and exterior building materials shall be harmonious with other buildings in the neighborhood.
- (7) Screening in accordance with 122-703 shall be provided along all boundaries between the proposed use and property either zoned or used for single-family and two-family purposes.

~~Sec. 122-812. Restoration of legal non-conforming multiple apartment structures in the R1, One Family, R-2, One and Two Family, and R3, Multiple Family District.~~

~~Purpose and Intent: The intent of the Zoning Ordinance is to allow lawful non-conformities to remain until they are discontinued or removed, but not to encourage their survival or, where abandonment or removal is not feasible, to upgrade such nonconformities to conforming status. In order to fulfill this objective, Article VI applies certain conditions to nonconformities that achieve compliance over time. The following regulations are consistent with the above objective. In the rare event of removal or destruction of a non-conforming multiple apartment and/or roominghouse structure in the R2 or R3 districts, or a non-conforming two family or multiple apartment and/or roominghouse structure in the R1, R2 and R3 districts, these provisions allow renewal of the use provided an overall improvement is made in the instant. Should renewal of the use pursuant to this section be approved, the use shall still be classified as non-conforming, however by virtue of this section, to a lesser degree.~~

~~All structures containing a non-conforming multiple apartment use with three or more units (including a non-conforming two family use if in the R1 district) that have been removed, destroyed or severely damaged to the extent that the non-conforming use is not permitted to be renewed pursuant to 122-205 (5) may be allowed to restore or reconstruct said use, subject to the following criteria. All current Zoning Ordinance standards shall be applied, however, only to the extent that will achieve the criteria outlined below. Restoration of legal non-conforming multiple apartment structures/roominghouses (and non-conforming two family use if in the R1 district) may be permitted subject to the conditions hereinafter imposed:~~

- ~~(1) The Planning Commission shall find that the renewal of the non-conforming use complies with the Special Use standards of 122-165.~~
- ~~(2) Any structure used in whole or part as a roominghouse shall be converted to an apartment or dwelling.~~
- ~~(3) The Planning Commission shall further find that the restoration or reconstruction of the structure containing the non-conforming use complies with two or more of the following criteria:~~
 - ~~(a) An improvement in existing non-conforming parking ratio per bedroom is provided through an increase in number of off street parking spaces.~~
 - ~~(b) One or more non-conforming dimensional characteristic of the property or structure is materially improved or made conforming, such as lot area or width, yard setbacks, lot coverage, parking setbacks, maneuvering lanes or access, height of structure, separation distance between buildings, etc.~~
 - ~~(c) The proposed size of one or more of the apartments is made conforming to Zoning Ordinance minimum standards of 122-297, where previously non-conforming. Conversion of the structure, or parts thereof, from a roominghouse to apartment shall not satisfy this requirement.~~

~~Sec. 122-813. Auction House.~~

- ~~(a) The applicant shall provide a use statement with the following information:~~
 - ~~1. The maximum capacity of the facility~~
 - ~~2. Number and frequency of the auctions~~
 - ~~3. Method for providing parking during auctions~~
- ~~(b) Any outdoor activities are subject to the requirements for open-front or open-air businesses (section 122-798) and are only permitted in those districts that permit open-front businesses as a permitted or special use subject to the standards for those districts.~~

~~Sec. 122-814. Medical Marijuana Dispensaries~~

~~The intent of the Zoning Ordinance is to regulate medical marijuana dispensaries and growing/manufacturing facilities by providing for regulations and fees in a manner that promotes and protects the public health, safety and welfare, mitigates potential impacts on surrounding properties and persons, and that conforms with the policies and requirements of the Michigan Medical Marijuana Act, MCL 333.26421, et seq (hereinafter "Act"). Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as~~

granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marijuana not in strict compliance with the Act or the General Rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law. The Act does not protect users, caregivers or the owners of properties on which the medical use of marijuana is occurring from Federal Prosecution, or from having their property seized by Federal authorities under the Federal Control Substances Act.

The following Standards for Medical Marijuana Dispensaries

- (1) The medical use of marijuana shall comply at all times and in all circumstances with the Michigan Medical Marijuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time;
- (2) The dispensary shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the dispensary and school are located;
- (3) The dispensary shall not be located within a five hundred (500) feet of a lawfully existing medical marijuana dispensary or growing/manufacturing facility as measured from the outermost boundaries of the lot or parcel on which the proposed dispensary and lawfully existing dispensary or growing/manufacturing facility is located;
- (4) Smoking and/or use of medical marijuana shall be prohibited at the dispensary;
- (5) All activity related to the dispensary shall be done indoors;
- (6) The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
- (7) Quarterly inspections may be made by the City Official's designee to confirm the dispensary or growing/manufacturing facility is operating in accordance with applicable laws including, but not limited to, State Law and City Ordinances;
- (8) Any medical marijuana dispensary shall maintain a log book and/or database identifying by date the amount of medical marijuana on the premises for each qualifying patient/caregiver, keeping the qualifying patient and caregiver information confidential. This log shall be available to law enforcement personnel to confirm that the medical marijuana dispensary does not have more medical marijuana than authorized at the location and shall not be used to disclose more information than is reasonably necessary to verify the lawful amount of medical marijuana at the facility. The facility shall maintain the confidentiality of qualifying patients in compliance with the Michigan Medical Marijuana Act, as amended.
- (9) If the dispensary ceases operation for a length of time of sixty (60) days or greater, the permit shall expire;
- (10) Dispensary drive-through facilities shall be prohibited;
- (11) All medical marijuana shall be contained within the main building in an enclosed, locked facility in accordance with the Michigan Medical Marijuana Act, as amended;
- (12) Application for a Medical Marijuana Dispensary License shall be made to the City Clerk upon application forms provided by the Clerk for Medical Marijuana Dispensary and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council;
- (13) The police department shall review the proposed application to operate a dispensary regarding public health, safety, and welfare concerns of the proposal;
- (14) Growing or cultivation of medical marijuana in a dispensary is prohibited;

Sec. 122-815~~4~~. Medical Marijuana Growing/Manufacturing Facility

The intent of the Zoning Ordinance is to regulate medical marijuana dispensaries and growing/manufacturing facilities by providing for regulations and fees in a manner that promotes and protects the public health, safety and welfare, mitigates potential impacts on surrounding properties and persons, and that conforms with the policies and requirements of the Michigan Medical Marijuana Act, MCL 333.26421, et seq (hereinafter "Act"). Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marijuana not in strict compliance with the Act or the General Rules,. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law. The Act

does not protect users, caregivers or the owners of properties on which the medical use of marijuana is occurring from Federal Prosecution, or from having their property seized by Federal authorities under the Federal Control Substances Act.

A. The following Standards for Medical Marijuana Growing/Manufacturing Facilities Shall Apply:

- (1) The medical use of marijuana shall comply at all times and in all circumstances with the Michigan Medical Marijuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time;
- (2) The growing/manufacturing facility site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the growing/manufacturing facility and school are located;
- (3) The growing/manufacturing facility site shall not be located within a five hundred (500) feet of a lawfully existing medical marijuana dispensary and/or lawfully existing growing/manufacturing facility as measured from the outermost boundaries of the lot or parcel on which the proposed growing/manufacturing facility and lawfully existing dispensary or growing/manufacturing facility is located;
- (4) Smoking and/or use of medical marijuana shall be prohibited at the growing/manufacturing facility;
- (5) All activity related to the growing/manufacturing facility shall be done indoors;
- (6) The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
- (7) Quarterly inspections may be made by the City Official's designee to confirm the growing/manufacturing facility is operating in accordance with applicable laws including, but not limited to, State Law and City Ordinances;
- (8) Any medical marijuana growing/manufacturing facility shall maintain a log book and/or database identifying by date the amount of medical marijuana on the premises for each qualifying patient/caregiver, keeping the qualifying patient and caregiver information confidential. This log shall be available to law enforcement personnel to confirm that the medical marijuana dispensary or growing/manufacturing facility does not have more medical marijuana than authorized at the location and shall not be used to disclose more information than is reasonably necessary to verify the lawful amount of medical marijuana at the facility. The facility shall maintain the confidentiality of qualifying patients in compliance with the Michigan Medical Marijuana Act, as amended.
- (9) If the growing/manufacturing facility ceases operation for a length of time of sixty (60) days or greater, the permit shall expire;
- (10) Growing/manufacturing facility drive-through facilities shall be prohibited;
- (11) All medical marijuana shall be contained within the main building in an enclosed, locked facility in accordance with the Michigan Medical Marijuana Act, as amended;
- (12) All necessary building, electrical, plumbing and mechanical permits shall be obtained for any portion of the structure in which electrical wiring, lighting and/or watering devices that support the cultivation, growing or harvesting of marijuana are located;
- (13) That portion of the structure where the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Ypsilanti Fire Department to insure compliance with the Michigan Fire Protection Code;
- (14) Application for a Medical Marijuana Growing/Manufacturing Facility License shall be made to the City Clerk upon application forms provided by the Clerk for Medical Marijuana Growing/Manufacturing Facility License and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council;
- (15) The police department shall review the proposed application to operate a dispensary or growing/manufacturing facility regarding public health, safety, and welfare concerns of the proposal;
- (16) The dispensing of medical marijuana at the medical marijuana growing/manufacturing facility shall be prohibited.
- (17) There shall be no other accessory uses permitted within the same building.

Sec. 122-8165. Gardens/Community Gardens

(Ord. No. 1183A, 4/2013)

The goal of this standard is to clarify within existing districts that gardening is allowed as an accessory use and to allow for interim or long term low-intensity gardens and/or community gardens on vacant lots in R1 and R2 CN, CN-Mid, and CN-SF

districts as long as the use provides minimal impacts to residential character, and minimal increase in traffic in and around related parcels.

Furthermore, the City of Ypsilanti is an urban environment, and while these provisions are intended to support the local food system, it is not the intent of these standards to create agricultural districts within the City. Additionally, if any gardening or related use invokes the State Right-to-Farm Act, then this section and related sections in this division are to become null and void.

- (1) All principal use gardens/community gardens in R1 ~~and R2~~ **CN, CN-Mid, and CN-SF** districts must maintain a 3 foot setback on street frontages as well as meet traffic visibility regulations detailed in Sec 122-649. Further, they shall not encroach onto adjacent parcels or sights-of-way.
- (2) Sale of goods grown in a garden/community garden is prohibited on garden sites in residential districts. Sales of goods from greenhouse in business or other districts are subject to underlying district requirements.
- (3) The property shall be maintained in an orderly and neat condition and shall not be detrimental to the physical environment or to public health and general welfare, and remains subject to compliance with the property maintenance code, noise ordinance, and related ordinances.
- (4) The property shall be maintained so as to prevent the free flow of storm water, irrigation water, chemicals, dirt, or mud across or onto adjacent lots, properties, public streets, or alleys.
- (5) Motorized equipment within a residential zoning district or residential planned unit development district shall be restricted to hours beginning at 8:00 p.m. and ending at 8:00 a.m.
- (6) Compost piles may only be used for waste generated on site, and are subject to setbacks.
- (7) Gardens shall utilize integrated pest management techniques and best practices in accordance with Chapter 110, Act II of this Ordinance.

Secs. 122-816--122-830. Reserved

ARTICLE XIII. OFF-STREET PARKING AND LOADING REQUIREMENTS*

*Cross reference(s)--Traffic and vehicles, ch. 102.

Sec. 122-831. Description and purpose.

The purpose of this article is to recognize that ~~automobile and~~ motor vehicles, while ~~necessary to~~ **part of** the social and economic well-being of the community, can cause conditions and problems of parking and storage which can have a negative impact on the safety, appearance, health and welfare of the community. It is the intent of this article to provide ~~minimum~~ standards for the parking and storage of motor vehicles in order to ensure that off-street parking facilities are in harmony with the use of surrounding properties **and all modes of transportation; maintain barrier-free pedestrian access**, ensure adequate accessibility to the off-street parking facilities from city street; and to set standards for design and construction of parking facilities compatible with the health, safety and general welfare of the community.

Sec. 122-832. Scope.

The conditions and requirements of this article ~~are minimal and~~ shall apply to all zoning districts. In all zoning districts, off-street parking facilities shall be provided for the storage and parking of motor vehicles and ~~automobiles~~ **bicycles** for the use of occupants, employees, and patrons of all buildings, structures, residences, businesses, or establishments erected, altered, constructed, changed in use, or commenced after the effective date of the ordinance from which this chapter derives. Such space (or spaces) shall be maintained and not be encroached upon ~~so long as the building, structure, business, or enterprise remains~~, unless an equivalent number of such spaces are provided elsewhere, in conformance with this chapter.

- (1) *New or altered buildings.* No building or structure shall hereafter be erected, and no existing structure may be so altered that it is increased in size or intensity of use, unless adequate parking space, as required by the provisions of this article, is provided for the entire building or structure as erected or altered.
- (2) *Change in use.* The use of any building or structure shall not be changed if additional parking space would be required as a result of the change in use, unless the minimum parking space as required by the provisions of this article is provided for the entire building.
- (3) *Areas excepted.* The provisions of this article shall not apply to uses and structures in the **C B3 central business district**, except those spaces required for **upper-story** dwellings. A fee in lieu of providing off-street parking for ~~apartment units above ground floor commercial uses~~ **upper-story units** in the ~~B3~~ **C** zoning district is permitted in accordance with section 122-843~~1~~.
- (4) *Planning Commission Authority.* ~~The Planning Commission shall have the authority to reduce the number of required off street parking spaces by up to 20% of those required. Such an action must be based on a special circumstance that particularly relates to the size of an existing parcel and building in combination, and/or character of the proposed use.~~

Sec. 122-833. General requirements.

Any person, organization, or establishment who has any ownership interest in or the control of any real estate within the city is required to provide and maintain, ~~permanently and continuously~~ in a usable condition off-street parking spaces as follows:

- (1) *Off-street parking for one- and two-family dwellings.* Off-street parking facilities required for one- and two-family dwellings shall consist of a parking strip, apron, driveway, garage, carport, or combination thereof and shall be located on the premises they are intended to serve subject to the provisions of section 122-667. Further, parking areas serving one- and two-family dwellings shall be subject to the following:
 - a. *Driveways.* On lots used for one-family or two-family residential purposes, maneuvering or backing of vehicles into a street or alley is permitted. Driveways may cross the required front yard, or the required street side yard on a corner lot, provided that the total area of the driveway do not exceed 30 percent of the area of such required yard.
 - b. *Ingress and egress.* No individual curb cut **to a street or alley** for a single driveway shall exceed 20 feet in width. The total width of all curb cuts shall not exceed 35 feet on all property lines. On lots with a lot width of 60 feet or less, no more than one curb cut **to a single street** is permitted. **All curb cuts accessing Washtenaw Avenue (M-17) must comply with the Michigan Department of Transportation M-17 Access Management Plan.**
 - c. *Surfacing.* Parking areas and driveways shall be surfaced with crushed limestone or similar gravel material, or shall be hard surfaced with asphalt, concrete, or similar bonded material. **Porous paving is also allowed.** However, parking areas which are designed for five or more spaces must meet the requirements of subsection 122-835(5). That portion of the driveway between the lot line and the public way, shall be paved with concrete a minimum of six inches thick for residential occupancies and eight inches thick for commercial occupancies. Curb cuts along state trunk lines shall comply with the requirements of the state department of transportation. All other curb cuts shall comply with adopted standards of the Department of Public Works.

- d. *Parking in yards.* No parking shall be permitted in the required front yard, or in the required street side yard on a corner lot, except on a driveway which leads to a parking area that is beyond the front line of the structure and the space is in compliance with section 122-834.
- (2) *Off-street parking for multiple-family and nonresidential uses.* Off-street parking facilities required for multiple-family and nonresidential uses shall be located on the same lot or parcel as the building or use they are intended to serve, or within 300 feet of such building or use, measured from the nearest point of the building to the nearest point of the off-street parking lot. ~~Ownership of a use easement, duly recorded with the county register of deeds, shall be shown for all land areas intended for use as parking by the applicant.~~ A shared parking agreement or use easement for the land intended for shared parking must be on file with the county register of deeds, in order for the shared parking spaces to satisfy requirement parking.
- (3) *Setback from street.* ~~Unless a greater setback is required elsewhere in this chapter, no part of any public or private off-street parking area, regardless of number of spaces provided, shall be located closer than ten feet to any street right-of-way line. In addition, in all residential districts (R1, R2, R3, R4, and RO), no parking shall be permitted within any required minimum front yard area or any required street side yard on a corner lot, unless on a driveway which leads to an approved parking space.~~ Parking lot setbacks are required by the setbacks and building types of the zoning district in which they are located. An allowed exception to this regulation are circular drives, which may be located in a required minimum front yard or street side yard, provided that such drives shall be designed so that no parking space is located closer than 25 feet to any street right-of-way line.
- (4) *Designated parking areas.* Any area once designated as required off-street parking shall never may not be changed to any other use, unless or until equal facilities are provided elsewhere. ~~It shall be unlawful for any person to discontinue, dispense with or render unusable or to cause or to permit anyone to discontinue, dispense with or render unusable any vehicle parking space required by this article. Any real estate which has all or part of the parking spaces required by this article upon its effective date or any subsequent time must be maintained and kept at the highest degree of compliance reached.~~
- (5) *Collective off-street parking.* Two or more buildings or uses, or mixed uses in the same building, may collectively provide the required off-street parking; ~~in which case, the required number of parking spaces shall not be less than the sum of the requirements for the individual uses computed separately.~~
- (6) *Nonoverlapping operating hours.* In the instance of land uses requiring off-street parking spaces where operating hours of the uses do not overlap, the zoning board of appeals the City Planner may grant exception to the individual parking requirements of section 122-836.
- (7) *Use of parking lots for storage.*
- Except as provided under subsection (7)b of this section, a parking lot may not be used for the storage or parking of trailers, mobile homes, travel trailers, boats, boat trailers, or junked or wrecked vehicles of any type; for the storage of merchandise or industrial equipment or materials; or as a dump for refuse of any description.
 - The parking out-of-doors of motor vehicles which are used as part of a permitted commercial or industrial use, including automobiles, trucks, or trailers, are permitted on off-street parking lots outside normal business hours of such commercial or industrial use; provided no more than a total of five automobiles and three commercial trucks or trailers each weighing less than 10,000 pounds shall be permitted. The outdoor storage of more than five automobiles and three trucks or trailers shall be permitted only after special use approval by the planning commission in accordance to the provisions of article V of this chapter.
- (8) *Repair prohibited.* No repairs or service to vehicles shall be permitted on areas designated as required off-street parking. ~~An exception to this regulation would be the replacement of a windshield.~~
- (9) *Display of vehicles for sale.* The parking of motor vehicles, recreational vehicles, and trailers which are possessed expressly and solely for sale by persons or businesses licensed by the state for such sales is permitted only when in accordance with the requirements of each respective zoning district and the specific provisions of section 122-798 regarding the outdoor sales of vehicles. Otherwise, the display of vehicles for sale in designated off-street parking areas is prohibited.
- (10) *Use of loading space.* Loading spaces, as required under section 122-841~~39~~, shall not be counted or used for required parking.
- (11) *Usable floor area and gross floor area.* For the purpose of computing the number of parking spaces required, the definitions for "usable floor area" and "gross floor area" in section 122-~~23~~ shall apply.
- (12) *Fractional requirements.* When units or measurements determining number of required parking spaces result in requirement of a fractional space, any fraction up to one-half shall be disregarded and fractions including and over one-half shall require one parking space.
- (13) *Uses not specified.* For those uses not specifically mentioned under section 122-836, the requirements for off-street

parking facilities shall be in accord with a use which the ~~planning commission~~ **City Planner** considers similar in type.

Sec. 122-834. Parking dimensions.

All off-street parking facilities required by this chapter shall be of adequate size and design to provide safe and reasonably direct ingress and egress from an alley or street. All parking spaces shall be adequate for parking a motor vehicle with room for opening doors on both sides.

- (1) **Parking spaces required by this Article shall be at least 9 feet wide and 18 feet long (16 feet long if 2 feet of overhang is provided when parking against a curb). Spaces directly adjacent to a fence, wall or enclosure shall be increased by 1 foot in width. Barrier free parking spaces must be designated as required by and in conformity with state law.**
- (2) **Up to 20% of the parking spaces may be designated as small car spaces, which shall be at least 8 feet wide and 16 feet long and clearly signed for "compact cars."**
- (3) **Up to 10% of the parking spaces may be designated as motorcycle spaces, which shall be at least 5 feet wide and clearly signed for "motorcycles."**
- (4) **Minimum Standards.** The minimum standards for parking spaces and aisles are indicated in the table below (refer to parking layout diagram):

Standard Vehicle Parking Dimensions:

Parking Patterns (Degrees)	Parking Space Width (Feet)	Parking Space Length (Feet)	Maneuvering Lane Width (Feet)	Total Width of One Tier of Spaces Plus Maneuvering Lane (Feet)	Total Width of Two Tiers of Spaces Plus Maneuvering Lane (Feet)
0 (parallel)	9	22	12	20 one-way 32 two-way	28 one-way 40 two-way
30 to 53	9	20 18	13	36	53
54 to 74	9	20 18	16	38	59
75 to 90	9	20 *18	22	42	62

* In the interest of providing additional landscape opportunities and recognizing the dimensional constraints of many city lots, 75 to 90 degree parking space depth may be reduced to 18 ft. at the discretion of Planning Commission (or City Planner). This option shall be based on the need for additional landscape island or maneuvering lane width due to dimensional limitations on the site.

Compact Vehicle Parking Dimensions

Parking Patterns (Degrees)	Parking Space Width (Feet)	Parking Space Length (Feet)	Maneuvering Lane Width (Feet)	Total Width of One Tier of Spaces Plus Maneuvering Lane (Feet)	Total Width of Two Tiers of Spaces Plus Maneuvering Lane (Feet)
0 (parallel)	8'	18'	12	20 one-way 32 two-way	28 one-way 40 two-way
30 to 53	8'	17'	13	36	53
54 to 74	8'	17' 5"	16	38	59
75 to 90	8'	16'	22	42	62

Motorcycle Vehicle Parking Dimensions

All motorcycle parking spaces shall be a minimum of five feet by eight feet.

Sec. 122-835. Parking layout and construction.

Off-street parking facilities shall be designed, constructed, and maintained in accordance with the following requirements.

- (1) **Review and approval requirements.** Except for off-street parking accessory to single- or two-family dwelling units, ~~site plan~~ review and approval is required for off-street parking areas in accordance with article IV of this chapter.
 - a. Plans for parking lots shall be drawn at scale, showing existing and proposed grades, drainage, sewers, type of surfacing, proposed parking layout, striping, signage, and related landscaping or screening.
 - ~~b. A building permit shall be required for the construction of new spaces or altering of existing spaces of a parking lot, unless such construction is part of a larger project requiring a building permit.~~

- b. Upon completion of construction, a parking lot must be inspected and approved by the building department before a certificate of occupancy can be issued for the parking lot or for the building or use for which the parking is intended to serve.
 - c. In the event that required parking cannot be constructed because of cold or inclement weather, a temporary certificate of occupancy may be issued by the building department, provided the applicant first deposits a performance guarantee with the city in accordance with section 122-1334.
- (2) *Access.* All parking spaces shall be provided adequate access by **pedestrians and vehicles**:
- a. **Walkways in Parking Lots.** Paved walkways a minimum of 5 feet in width shall be provided for access to adjacent parks, commercial areas, transit stops, anticipated walkways and institutions. Pedestrian movement shall be accommodated within parking lots through raised walkways, marked crosswalks or similar methods.
 - b. **Vehicular Access.** All parking spaces must be accessible to vehicles by means of maneuvering aisles. Except for one- and two-family uses, maneuvering or backing from a parking space directly onto a street or walkway shall be prohibited, and all parking spaces shall be designed so that any motor vehicle may be parked or unparked without moving another vehicle.
- (3) *Ingress and egress.* For parking lots containing five or more spaces, adequate ingress and egress to such parking lot shall be provided by means of clearly defined and limited drives having a minimum **width of 20 feet, with a maximum of 30 feet**. All such drives shall be located so as to minimize traffic congestion. All curb cuts and approaches to such parking lots shall comply with adopted city standards for curb cuts. Ingress and egress for the parking area in an area zoned ~~for other than one- or two-family residential uses~~ **CN-Mid, CN, HC, NC, GC, C, HHS, PMD** shall not cross land zoned for ~~one- or two-family residential use~~ **P, R1 or CN-SF**. Parking lot driveways shall be situated so as to minimize vehicle headlights from shining on residential dwellings. Where possible, curb cuts shall be located across from any existing curb cuts on the opposite side of the street, or shall be offset from any opposite-side curb cuts by at least 25 feet. No curb cut for a parking lot may be closer than 50 feet to the intersection of any two streets as measured along the street right-of-way line. However, **the Planning Commission may allow** a curb cut for a parking lot situated on a small land parcel ~~may be located no closer than 20 feet to the intersection of any two streets, upon finding no other access points in compliance with City Ordinances is possible due to the size of the parcel. after a variance has been obtained from the zoning board of appeals.~~
- (4) *Internal maneuvering drives.* Each driveway providing access to an off-street parking lot containing five or more parking spaces shall be a minimum of ten feet in width. Where a turning radius is necessary, it shall be an arc that allows unobstructed vehicle flow.
- (5) *Surfacing.* All parking and loading facilities and access drives shall be paved with ~~a concrete, plant-mixed bituminous, or other equally durable bonded material~~ in accordance with accepted engineering standards. Alternative surfacing materials may be considered in order to minimize impervious surface and stormwater runoff, employ environmental and other best practices, and achieve low impact design. Use of pervious alternative surfaces is encouraged in proximity to the Huron River. Paving materials proposed to improve aesthetics may also be considered by the **City Planner and the Planning Commission**. Alternative surfaces proposed shall be reviewed by the City's consulting engineer. Consideration of alternative surfacing in accordance with best management practices will be given by the planning commission for off-street parking lots of five to ten parking spaces serving residential uses. In **R-1, CN-SF, CN-Mid, and CN**, paving shall not be required for off-street parking areas of four spaces or less, in which case the spaces shall be surfaced with gravel or similar material and so laid out as to clearly indicate that the spaces are reserved for parking of motor vehicles.
- (6) *Drainage.* All off-street parking and loading areas shall be graded and drained to public storm sewers. As an alternative, if in the opinion of the ~~building official~~ **City's consulting engineer**, the soils are of a type which will allow for efficient drainage, the use of drywells, ~~or~~ infiltration trenches, **swales, bio-retention** or other best management practices for controlling urban runoff quality ~~shall be~~ **are** permitted. No surface water shall be permitted to drain onto adjoining properties, unless there is a common engineered drainage system shared with the adjoining property or an appropriate watershed easement has been obtained. No surface water drainage from an off-street parking lot shall be permitted to drain across a public sidewalk.
- (7) *Striping.* For parking lots containing five or more spaces, all spaces shall be outlined with three-inch wide strips of white or yellow paint, except that ~~handicapped-accessible~~ **barrier-free** spaces shall be blue, with a symbol of compliance in blue. An exception to this requirement are parking lots which are surfaced with gravel for historic preservation purposes in accordance with article VIII, division 2, of this chapter.
- (8) *Wheel stops.* For parking lots containing five or more spaces, wheel stops or curbing shall be provided for all parking spaces to prevent any vehicle from projecting beyond the parking lot area, bumping any wall or fence, or encroaching upon any landscaping. In all cases where parking lots abut public or private sidewalks, continuous concrete curbing or bumper stops, at least six inches high, shall be placed so that a motor vehicle cannot be driven or parked on, or hang over, any part of any sidewalk. ~~In the interest of providing additional landscape opportunities and recognizing the~~

~~dimensional constraints of many city lots, 75 to 90 degree parking space depth may be reduced to 18 ft. at the discretion of Planning Commission (or City Planner). This option should be based on the need for additional landscape island or maneuvering lane width due to dimensional limitations on the site.~~

(9) *Lighting.* With the exception of facilities for one- and two-family dwellings and for multiple-family dwellings on individual lots containing no more than four units, parking and loading facilities utilized during night-time hours shall be artificially illuminated. All such outdoor lighting shall meet the requirements of section 122-641.

(10) *Signs.* Accessory directional signs shall be permitted in parking areas in accordance to article XIV of this chapter

(11) *Screening ~~fences or greenbelts, and landscaping.~~*

~~a. Except when accessory to one or two family dwellings, each off street parking area containing five or more spaces which directly abuts any R1, R2, R3, R4 or RO zoning district, shall be provided with a continuous and obscuring fence, wall, or greenbelt in accordance with the requirements of section 122-703.~~

~~b. Where a parking lot containing five or more spaces is located within a front yard or a street side yard, a 30 inch high obscuring fence, wall, or hedge shall be provided.~~

~~c. All land between a parking lot and any street right-of-way shall be kept free from refuse and debris and shall be landscaped. The ground area shall be planted in lawn or other live ground covering. All such landscaping and plantings shall be maintained in a healthy, growing condition, neat and orderly in appearance.~~

a. *Intent.* Separate landscape areas shall be provided within parking lots so as to break up the broad expanse of pavement, mitigate heat island effect, support storm water management, and guide the circulation of vehicular and pedestrian traffic.

b. *Required landscaping within off-street parking areas.* Separate landscape areas shall be provided within off-street parking areas in accordance with the following requirements:

1. There shall be a minimum of one (1) tree for every eight (8) parking spaces, provided that a landscape island shall be provided for no more than sixteen (16) continuous spaces.

2. Landscape islands must meet the following size requirements:

(a) Landscape islands containing a tree shall be a minimum of 160 square feet and a minimum of nine (9) feet wide.

(b) Landscape islands containing a pedestrian pathway shall be a minimum of eleven (11) feet wide, with a pathway of a minimum width of five (5) feet and minimum three (3) feet wide landscape area on both sides.

(c) If landscaped islands are not used for storm water infiltration, the islands must be raised and curbed.

3. The ends of all parking isles and corners shall be protected with a curbed island.

4. A minimum distance of three (3) feet from the backside of the curb and the proposed landscape plantings shall be provided. Where vehicles overhang a landscape island or strip, a minimum distance of five (5) feet from the backside of the curb and the proposed landscape plantings shall be provided.

5. Shrubs and/or ground covers which will not impede vehicular visibility in accordance with this Ordinance may also be included.

c. *Required Landscaping at the Perimeter of Off-Street Parking Areas.* Separate landscape areas shall be provided at the perimeter of off-street parking areas in accordance with the following requirements:

1. Off-street parking areas in the side and rear yard which abut a R-1, MD, CN, CN-Mid, CN-SF zoning district are considered to be a conflicting land use as defined by this Section shall meet the screening requirements set forth in be screened in accordance with Section 122-703. ~~Solid wood fences may be permitted where necessary to cross easements or to protect existing vegetation.~~ Landscaped berms may also be used in lieu of the screening ~~buffer wall~~ if approved by the Planning Commission.

2. All off-street parking areas shall be screened from view with a ~~landscaped berm~~ solid wall or landscape planting achieving at least 80% opacity year-round at least three (3) feet in height but no more than four (4) feet in height along the perimeter of those sides which are visible from a public road. The Planning Commission, at their discretion, may approve a ~~alternative landscape plantings or a solid wall in lieu of a landscape berm or vegetated swale.~~

3. All land between a parking lot and any street right-of-way shall be kept free from refuse and debris and must be landscaped. The ground area shall be planted in lawn or other live ground covering. All such landscaping and plantings shall be maintained in a healthy, growing condition, neat and orderly in appearance.

- d. Landscaped areas, walls, structures, and walks shall be properly protected from vehicular encroachment or overhang through appropriate wheel stops or curbs.

(12) *Maintenance.* All off-street parking areas, including striping, shall be maintained in good usable condition, and when necessary shall be treated to prevent dust or other nuisances. Such parking areas and drives shall also be kept free of litter, debris, and refuse.

(13) *Additional requirements.* In addition to the above requirements, parking areas shall comply with additional requirements or conditions which may be deemed as reasonably necessary by the planning commission for the protection of abutting ~~properties~~ **lots**.

Sec. 122-836. ~~Table of required~~ Minimum and maximum number of parking spaces.

- (1) *Minimum.* The minimum number of off-street parking spaces by type of use in all zoning district shall be determined in accordance with the following schedule.

Use	Spaces Per Unit of Measure & Exception
RESIDENTIAL:	
Residential, One family and two family dwellings, including manufactured homes Single-family detached dwellings and two-family dwellings	1 space per unit Garage and driveways may meet this requirement
Residential, Multiple-family dwellings, including townhouses	1 for each efficiency or studio unit, 1½ for each 1-bedroom unit, 2 for each 2-bedroom unit, and 3 for each 3 or more bedroom units 1.5 for each dwelling unit, plus 1 for each 10 dwelling units for guest parking
Upper-story residential units in C, HC, NC, GC, and HHS districts	1 for each dwelling unit
Senior citizen housing	1 for each dwelling unit plus 1 for each employee. If units revert to general occupancy, then the provisions regarding multiple family residential uses above shall apply
Dormitories Group living with support staff, not licensed by State of Michigan	1 for each 3 beds, plus 1 per employee on the largest an average employment shift
Residential clubs, fraternities and sororities	1 for each 1½ occupants of normal capacity, plus 1 for each employee on the largest employment shift
Group residence & roominghouse	1 for each bedroom or sleeping room, plus 1 for each employee or the largest employment shift
Adult Foster Care	1 for each 3 beds, plus 1 for each employee an average employment shift
Accessory Dwelling Unit	1 for each dwelling unit Garage and driveways may meet this requirement
Family Child Care Home	Minimum of 1 and a maximum of 3 child-care dropoff spaces, plus 1 for the principal dwelling unit
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES	
Churches, temples, or synagogues Religious institutions	1 for each 5 seats or 10 feet of linear pew space, based on the maximum seating capacity in the main unit of worship
Hospitals	1 for each 4 patient beds, plus 1 for every 150 200 square feet of out-patient service area
Elementary and junior high schools Primary Schools (public and private)	1 for each 1 teacher, employee or administrator, plus 1 for each 10 students, in addition to the requirements for the auditorium, if provided
Senior high schools Secondary Schools (public and private)	1 for each teacher, employee or administrator and 1 for each 10 students, in addition to the requirements for the auditorium and stadium, if provided
Colleges, trade schools, and technical training centers Post-secondary educational institutions (public & private)	1 for each teacher, employee or administrator and 1 for each 5 students, in addition to the requirements for the auditorium and stadium, if provided

Use	Spaces Per Unit of Measure & Exception
Private assembly clubs or lodge halls	1 for each 3 persons allowed within the maximum occupancy load as established by local, county, or state fire, building, or health codes, whichever is greater
Arts & crafts studios	1 per 1,000 square feet plus 1 per classroom
Theaters and auditoriums Performance venues/Theaters	1 for each 4 5 seats or 8 10 linear feet of bench space, plus 1 for each 2 employees on the largest an average employment shift
Libraries, museums, cultural centers, community centers or similar facilities	1 for each 400 square feet of gross usable floor area, excluding area devoted to storage including stacks
Municipal, county, regional & state service uses	1 for each 300-1,000 square feet of usable floor area
Nursery, day care, or Child care centers	1 for each 250 square feet of usable floor space-1 off-street parking space per caregiver required to staff facility at the state-licensed capacity, plus 1 space for every 20 children the facility is licensed to care for.
Softball, baseball fields- Outdoor recreation and fields	20 for each playing field-1 for each 1,000 square feet of recreation space
Bowling establishments	3 for each lane
Dance halls, banquet halls, meeting rooms, health spas, pool or billiard parlors, skating rinks- Indoor recreation	1 for each 3 persons who may be legally admitted at one time based on the occupancy load established by local, county, or state fire, building, or health codes, plus 1 for each employee on the largest an average employment shift
Football and soccer fields	25 for each field
Stadiums, sports arenas, or similar places of outdoor assembly	1 for each 4 seats or 8 feet of linear bench space
Swimming pools	1 for each 4 persons who may be legally admitted at one time based on occupancy load established by local codes
INFRASTRUCTURE	
Radio & Television Studios or Stations	1 per each 500 square feet of gross floor area
Utility buildings	1 for each employee on an average employment shift
Energy, electricity and heat generation or sewage plants	1 for each employee on an average employment shift
SERVICES	
Bed & Breakfasts or Inns	1 per occupancy unit plus 1 per employee on an average employment shift
Motels, hotels or other commercial lodging establishments	1 for each 1 occupancy unit plus 1 for each 1 employee on the largest shift; 1 per occupancy unit plus 1 per employee on an average employment shift ; plus extra spaces for dining rooms, ballrooms, or meeting rooms as required
Business or professional offices	1 per 300 square feet of usable floor area
Funeral homes	1 per 50 square feet of assembly room, parlor and slumber room
Laundromats and coin-operated dry cleaners	1 per 3 washing machines
Banks, savings and loan offices, credit unions, or similar financial institutions- Financial service, including banks	1 per 200-300 square feet of usable floor area, plus 4 2 stacking spaces for each drive-in or drive-through transaction station as specified in section 122-838.
Sanitariums, homes for the elderly, convalescent homes, foster care group homes, and children's homes Nursing Homes	1 per 3 beds
Medical or dental clinics and professional offices of doctors, dentists, or similar professions or clinics, substance abuse treatment facilities	1 for each 200 300 square feet of usable floor area in waiting rooms, plus 1 for each examining room, dental chair, or similar use area
Beauty parlor or barbershops, Hair cutting/beauty salon Personal service establishments	2 spaces for each of the first 2 beauty or barber chairs, and 1 1/2 spaces for each additional chair, or 1 for each 300 square feet of useable floor area whichever is greater
Self-storage facilities	1 per 200 storage units, plus 1 per 300 square feet of usable floor area of office space, plus 1 for residence, if provided.
Catering service	1 per 600 square feet of usable floor area

Use	Spaces Per Unit of Measure & Exception
All other retail or service uses not elsewhere specified	1 for each 200 300 square feet of gross floor area
COMMERCIAL	
Furniture and appliances, household equipment; repair shops; showrooms of a plumber, decorator, electrician or similar trade; and other similar uses	1 for each 600 square feet of usable floor area
Open air businesses	1 for each 600 square feet of lot area used for open air business, plus extra spaces for indoor sales or office space as required
Shopping centers, supermarkets, department stores, or clustered commercial centers over 100,000 square feet in gross floor area	1 for every 100 square feet of usable floor area in the basement and on the first floor used for retail sales, 1 for each 400 square feet of floor area on the second floor used for retail sales, 1 for each 600 square feet of floor area on the third floor used for retail sales, and 1 for each 800 square feet of floor area on any additional floors used for retail sales 1 for each 300 square feet of gross floor area
All other retail or service uses not elsewhere specified	1 for each 200 250 square feet of gross floor area
RESTAURANTS	
Café, coffee shop, restaurants, grills, taverns, tasting rooms or bar/lounge, and other establishments where food, beverages, or refreshments are sold primarily for consumption on the premises	1 for each 100 square feet of usable floor area, or 1 for each 3 persons allowed within the maximum occupancy load as established by local, county, or state fire, building or health codes; whichever is greater
Restaurant, carry-out	1 for each 30 square feet of customer waiting area plus 1 for each employee in the largest employment shift
Restaurant, fast food, drive-in or drive-through	1 for each 50 square feet of customer waiting and eating areas, plus 1 for each employee in the largest employment shift, plus 8 stacking spaces for each drive-in or drive-through transaction station as required by section 122-838
AUTO-ORIENTED	
Automobile service filling stations	2 for each service bay, lubrication stall, rack or pit; and 1 for each employee in the largest employment shift 1 for each employee, plus spaces required for other uses within the station, such as the retail floor area, carryout restaurants, subtracted by one half space for each automobile fueling position
Quick oil change facilities Automobile repair	1 for each employee in the largest employment shift, plus 1 space for each auto service stall . In addition, stacking spaces for automobiles awaiting entrance to a service station service stall shall be provided as required by section 122-840 38
Automobile or car or truck wash establishments and detailing, automatic	1 for each employee in the largest employment shift. In addition, stacking spaces for automobiles awaiting entrance to the auto wash shall be provided as required by section 122-840 38
Motor vehicle sales and service establishments, trailer sales and rental, and boat showrooms	1 for each 200 500 square feet of usable floor space of sales room, plus 1 for every 500 square feet of outdoor sales area, plus 1 for each 1 auto service stall in service areas, plus 1 space per employee on the largest employment shift
Automobile rental (parking, storage, wash & repair)	1 for 300 square feet of office space, plus 1 space per employee on the largest employment shift
Vehicle, Recreational Vehicle, Storage and Towing	
RESEARCH	
Industrial Laboratories or research establishments	5 plus 1 for every 1 1/2 employees in the largest working shift; or 1 space per each 1,000 square feet of gross floor area for storage areas, and 1 space per 300 square feet of office area; whichever is greater.
PRODUCTION, MANUFACTURING & DISTRIBUTION	
Craft production	1 per 1,000 square feet
Wholesale or distribution facility	5 plus 1 for every 1 employee in the largest working shift; or 1 for every 1,700 square feet of gross floor area, plus 1 for each 300 square feet of office area; whichever is greater . Spaces shall also be provided for any retail or service area shall be in addition to the above

Use	Spaces Per Unit of Measure & Exception
Assembly, processing or manufacturing	5 plus 1 for every 1½ employees in the largest working shift; or 1 space per each 1,000 square feet of gross floor area for assembly, processing and manufacturing and storage areas, and 1 space per 300 square feet of office area; whichever is greater.
URBAN AGRICULTURE	
Community garden	None
Hydroponics, aquaculture and aquaponics and similar raising of food	5 plus 1 for every 1 employee in the largest working shift; or 1 for every 1,700 square feet of gross floor area, plus 1 for each 300 square feet of office area. Spaces shall also be provided for any retail or service area shall be in addition to the above

- (2) *Maximum.* The number of off-street parking spaces must not exceed one hundred and twenty percent of the required parking spaces. The Planning Commission may grant an exception based on a special circumstance that particularly relates to the size of an existing parcel and building in combination, and/or character of the proposed use.

Sec. 122-837. Reductions in Parking Requirements

Off-street parking requirements may be reduced based the following regulations:

- (a) *Transit.* Parking requirements may be reduced by up to 20 percent for buildings, structures or uses, within three hundred (300) feet of a commuter rail station or bus transit center or within one hundred (100) feet of a transit stop. A traffic study may be required to demonstrate that a sufficient number of vehicle drivers would immediately opt for transit, and therefore would not result in adverse parking impacts on surrounding properties. The Ride shall verify that the transit station or transit stop is in a is not scheduled to move in the 5-year plan for the Ride.
- (b) *Alternative Vehicles.* Parking spaces reserved, signed, and enforced for car-sharing services, may count as four (4) regular parking spaces. Electric car spaces shall include a power outlet for use by the parked car. Such spaces should be closest to the main entrance (exclusive of barrier-free spaces). Parking spaces reserved, signed, and enforced for carpooling or vanpooling services may count as two (2) regular parking spaces.
- (c) *Bicycle.* Parking requirements may be reduced by one (1) space for every four (4) covered, secure bicycle parking spaces are provided on site. Parking requirements may be further reduced by four (4) spaces where free showers are available for employee use within the building.
- (d) *Planning Commission Authority.* The Planning Commission shall have the authority to reduce the number of required off-street parking spaces, inclusive of the reductions above, by up to 20% of those required. Such an action must be based on a special circumstance that particularly relates to the size of an existing parcel and building in combination, and/or character of the proposed use.

Sec. 122-838. Required Bicycle Parking

Any development requiring vehicle parking spaces shall be required to provide bicycle parking. Off-street parking areas shall contain at least one (1) bicycle parking space for every five (5) spaces provided for motor vehicles, or fraction thereof, with a minimum of two (2) bicycle parking spaces provided. Bicycle facilities provided in the public right-of-way may be used in parking calculations.

Sec. 122-839. ~~Off-street parking for physically handicapped persons.~~ Barrier-free parking spaces

Off-street parking facilities as required under this chapter shall include parking spaces which are reserved for physically handicapped persons in accordance with the state barrier free design requirement of the state building code.

Sec. 122-83840. Off-street stacking spaces for drive-through facilities.

- (a) *Drive-in or drive-through windows.* On the same premises with every building, structure, or part thereof, erected or occupied for the purpose of serving customers in their automobiles by means of a service window or similar arrangement, such as drive-in banks, restaurants, or cleaning establishments, there shall be provided four off-street stacking spaces for each service window or transaction station in compliance with subsection (c) of this section. Eight off-street stacking spaces shall be provided for each drive-through transaction station of a restaurant.
- (b) *Automobile servicing.* Self-service automobile and car wash establishments shall provide three off-street stacking spaces for each washing stall. Quick oil change facilities shall provide three off-street stacking spaces per each oil change service bay. Automobile and car wash establishments, other than self-service, shall provide stacking spaces equal in number to four times the maximum capacity of the motor vehicle wash for automobiles awaiting entrance. The term "maximum capacity" shall mean the greatest number of possible of automobiles undergoing some phase of washing at the same time.

- (c) *Stacking space dimensions.* Each stacking space shall be a minimum dimension of ten feet in width and 20 feet in length.

Sec. 122-839.41. Off-street loading space requirements.

With the exception of uses located within the B3 central business district, there shall be provided and maintained on the same premises with every building, structure, or part thereof involving the receipt or distribution of vehicles or materials or merchandise, including but not limited to retail stores, wholesale stores, markets, hotels, hospitals, offices, and laundries, adequate space for standing, loading, and unloading in order to avoid undue interference with public use of dedicated rights-of-way and vehicular circulation on the site.

- (1) Such off-street loading spaces shall be provided as specified in the table below. The planning commission may modify these requirements upon making the determination that another standard would be more appropriate because of the number or type of deliveries experienced by a particular business or use.

	Gross Floor Area (In Square Feet)	Loading and Unloading Spaces	
		10' X 25' Space	10' X 50' Space
Office	0--99,999	--	--
	100,000--149,000	--	1
	150,000 and over	--	2
Commercial/Industrial/ Institutional	0--1,999	--	--
	2,000--4,999	1	--
	5,000--19,999	--	1
	20,000--49,999	--	2
	50,000--79,999	--	3
	80,000--99,999	--	4
	100,000--149,999	--	5
	150,000 and over	--	5*

*One additional space for each 50,000 square feet of floor area in excess of 150,000 square feet.

- (2) All loading spaces shall be located within a nonrequired rear yard, or a nonrequired side yard which does not abut or lie across a street from a residential zoning district; but in no case shall loading spaces be permitted in a front yard. All minimum side and rear yard setback requirements shall be met.
- (3) No loading space shall be located closer than 50 feet to any ~~residentially zoned~~ **R1, MD, CN-SF, CN-Mid, CN or HHS** district, unless located within a completely enclosed building or enclosed on all sides facing the ~~residential zoning~~ district by a solid concrete or masonry wall not less than six feet in height.
- (4) Loading space areas shall be provided with a paved surface having an asphaltic or Portland cement binder so as to provide a permanent, durable and dustless surface. All loading spaces shall have a minimum 14-foot high clearance.
- (5) Loading areas shall not utilize any area required for the maneuvering of vehicles into parking spaces or block general vehicular circulation on a site.

Sec. 122-840.2. Special assessment districts.

When a property is located within a special assessment district created for the purpose of constructing a municipal parking lot or structure, and an assessment has been levied against the entire building site, the owner of such property may petition the planning commission for approval of substituting such public parking for all or a portion of the required off-street parking spaces. The planning commission shall determine that the petitioner's property is adequately served by the public parking facility in such a way that the objectives and intent of this article shall be secured. To accomplish this end, the planning commission shall have the power to require such conditions as deemed appropriate. The planning commission shall consider the assessment of benefits in the special assessment district in determining the adequacy of service by the public facility.

Sec. 122-841.3. Fee in lieu of providing off-street parking.

- (a) *Intent.* The intent of the fee in lieu of providing off-street parking is to encourage the development of apartment units above ground floor commercial uses, in existing buildings, in the ~~B3 C business~~ district. It is recognized that many structures in these business districts were constructed at zero lot lines. Often the structure covers the lot completely. Therefore, parking on the lot or contiguous to the lot cannot be provided. For those building

owners who cannot provide parking, pursuant to this chapter and whose upper floor space has not been legally occupied within one year of their application for payment of such a fee in lieu of parking, they shall be charged a fee according to the number of bedrooms in the residential units. Upon payment of this fee, the owner or applicant will be permitted to develop or rehabilitate these residential units without providing the parking required by this chapter. The fee will be held by the city for parking capital improvements, which will be used to provide increased parking **and transportation infrastructure such as transit stops, bicycle facilities and pedestrian pathways** for the areas where these buildings are located.

(b) *Condition for allowing payment of fee in lieu of providing off-street parking.* Property owners who meet all of the following requirements shall be entitled to apply for payment of fee in lieu of providing off-street parking:

- (1) They are the owner, or have permission of the owner, of a building which can provide residential units above ground floor commercial uses.
- (2) The building is located in a ~~B3~~ C zoning district within the city.
- (3) The property, by virtue of its construction, cannot meet parking requirements in the district.
- (4) The residential unit or units have not been legally occupied within one year prior to making application.

(c) *Application.*

(1) An application for permission to use such payment in lieu of providing off-street parking shall be made as part of an application to the City Planner.

(2) The permit shall contain the following information:

- a. Name, address and phone number of property owner and name, address and phone number of applicant, if different than owner.
- b. Address of property requiring fee in lieu of providing off-street parking.
- c. Plan showing the layout of the proposed residential units, including size of rooms and identification of bedroom space.
- d. Description of commercial use on ground floor level.
- e. A site plan which shall include:
 1. Dimensions and size of parcel.
 2. Location of structure on parcel.
 3. If any parking is available on the site, its location must be indicated, including access, stall size, etc.
 4. Surrounding land use and zoning.
 5. Description of location of parking to be used by tenants.

(3) Application fee. An application fee shall be paid at the time of submitting the application to the city planner.

(d) *Approval procedures.*

(1) The City Planner shall consider the following in making his/her determination:

- a. Whether the owner can provide on-site parking that meets ordinance standards.
- b. Whether the owner can modify available parking space, or loading space, located on-site to meet ordinance standards.

(2) If the City Planner determines that the owner cannot provide on-site parking to meet ordinance standards, or can only provide partial on-site parking to meet ordinance standards, and the other requirements of this article are met, then he/she shall make a specific finding regarding the number of spaces which are required for the residential units, which shall allow the City Treasurer to compute the amount of fee in lieu of parking.

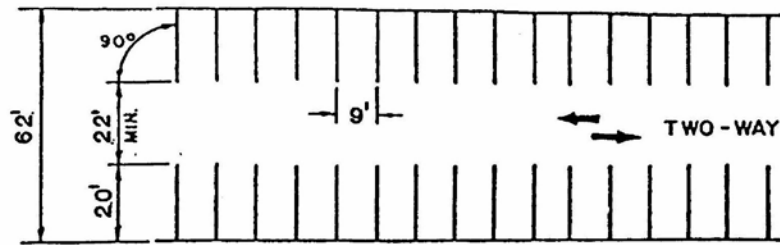
(e) *Condition.* The off-street parking requirement satisfied by fee in lieu of parking shall run with the land. If any subsequent change in use should occur, which requires additional parking, then the owner shall make a new application to the city pursuant to this chapter for such additional parking. An additional application fee shall be

paid when such application is submitted. An additional fee shall be due prior to the issuance of a building permit to allow the additional modifications.

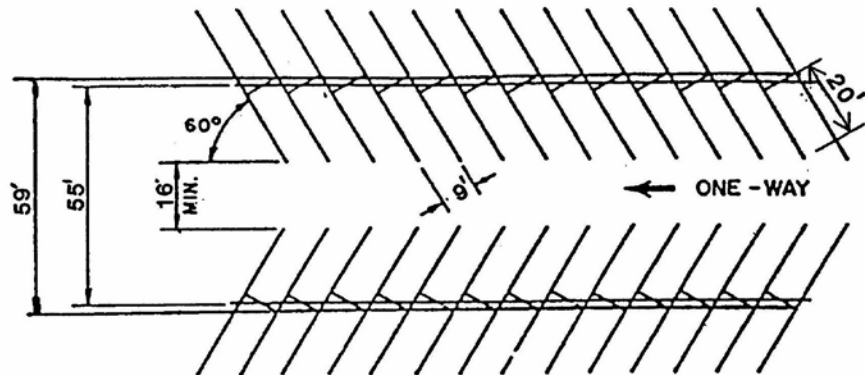
- (f) *Penalty for violation.* Violation of this section shall be deemed a misdemeanor which is punishable by a maximum of 90 days in jail and/or a fine of \$500.00, in the discretion of the court.

Off-Street Parking and Loading Requirements

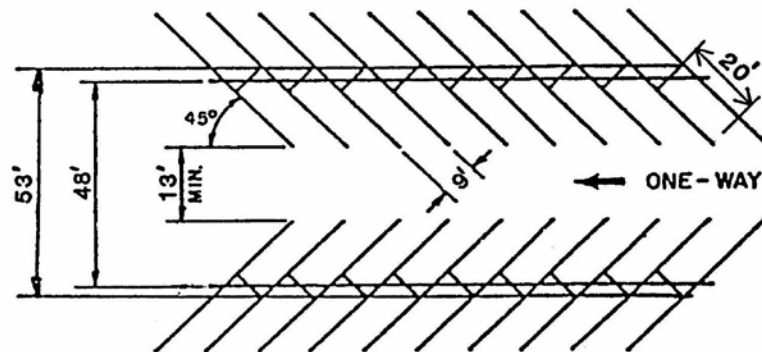
75 to 90
degree



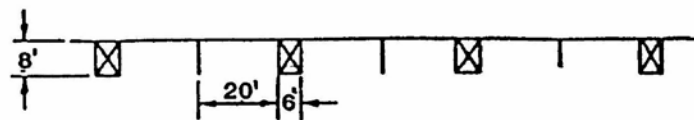
54 to 74
degree



30 to 53
degree



parallel



parking layout

**ARTICLE XIV.
SIGNS***

*Cross reference(s)--Businesses, ch. 22.

Sec. 122-861. Purpose.

The purpose of this article shall be to permit such signs as will not, by reason of their size, location, construction or manner of display, endanger life or limb, confuse or mislead traffic, obstruct vision necessary for traffic safety or otherwise endanger the public morals, health or safety.

It is further the intent of this article to:

- (a) Maintain and enhance the aesthetic value of the City.
- (b) Encourage free expression of ideas and dissemination of messages, regardless of content, using signs that are compatible with their surroundings and legible under the circumstances in which they are seen.
- (c) Enhance pedestrian and vehicular traffic safety.
- (d) Minimize the adverse effects of signs on nearby public and private property.
- (e) Minimize driver distraction.
- (f) Protect and enhance economic vitality by assuring aesthetic appeal for residents and visitors.
- (g) Preserve property values.
- (h) Enhance the effectiveness of permitted signs and directional and warning signs.
- (i) Seek the removal of illegal signs and encourage the replacement or removal of nonconforming signs that are incompatible with the purpose of this Article.

Sec. 122-862. General Requirements.

- (a) *Building Permit Required.* Except as provided in this, Article XIV, no sign shall be constructed or erected prior to the issuance of a permit by the building department, and approval from other applicable reviewing bodies.
- (b) *Historic District Approval.* Signs to be located in the Historic District need approval by the Historic District Commission, excluding temporary signs.
- (c) *Accessory to Principal Use.* All signs shall be accessory to the primary use of the lot where the sign is located and shall comply with the applicable design standards set forth herein, with the exception of any sign specifically permitted by Section 122-866(d)(2).
- (d) *Public Rights-of-Way.* Signs shall be expressly prohibited from locating in all public rights-of-way and dedicated public easements except as otherwise provided for in this ordinance, and as follows:
 - (1) Signs erected by the City or other governmental entities for public purposes are permitted.
 - (2) Building mounted signs may project over a public **right-of-way** or easement provided they comply with the applicable design standards for the specific type of sign and that they maintain a minimum clearance of eight feet.
 - (3) Overhead banners
 - (4) Sidewalk signs
- (e) *Construction requirements.*
 - (1) All signs shall conform to the city building code unless more stringent requirements are specified in this article. Signs and sign structures shall be designed and constructed to resist wind and seismic forces as specified in this section. All bracing systems shall be designed and constructed to transfer lateral forces to the foundation. For signs on building the dead and lateral loads shall be transmitted through the structural frame of the building to the ground in such a manner as not to overstress any of the elements thereof.
 - (2) The overturning movement produced from lateral forces shall in no case exceed two-thirds of the deadload resisting movement. Uplift due to overturning shall be adequately resisted by proper anchorage to the ground or the structural frame of the building. The weight of earth imposed over footings may be used in

determining the dead-load resisting movement. Such earth shall be carefully placed and thoroughly compacted.

- (3) *Wind loads.* 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 20 pounds per square foot for those portions less than 60 feet above the ground.
- (4) *Allowable stresses.* The design of wood, concrete or steel members shall conform to the requirements of the most recently adopted version of the Michigan Building Code, and loads, vertical and horizontal, exerted on the soil shall not produce stresses exceeding those specified therein. The working stresses of wire rope and its fastenings shall not exceed 25 percent of the ultimate strength of the rope or fasteners. Working stresses for wind or seismic loads combined with deadloads may be increased as specified in the Michigan Building Code.
- (5) *Supports.* The supports for all signs or sign structures shall be placed in or upon private property and shall be securely built, constructed and erected in conformance with the requirements of this chapter.
- (6) *Fastenings.* Signs attached 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. Anchors which attach signs to masonry surfaces shall be inserted into mortar joints.
- (f) *Traffic and Pedestrian Hazards.* The placement, size, content, coloring or manner of illumination of signs shall not create traffic or pedestrian hazards. No sign shall make use of the words “stop,” “look,” “danger” or other word, phrase or symbol in a manner that is confusing or misleading. No sign or flashing light shall be erected or maintained in any manner which, by reason of its size, location, context, coloring or manner of illumination, shall constitute a traffic hazard or which shall interfere with the visibility of any traffic control device.
- (g) *Substitution.* Notwithstanding anything herein to the contrary, noncommercial copy may be substituted for commercial copy on any lawful sign structure, and any sign permitted by this Article may contain a non-commercial message.
- (h) *Obstruction Prohibited.* No sign shall be placed so as to obstruct any fire escape, required exitway, window, or door opening used as a means of passage or as access for firefighting purposes.
- (i) *Obstruction to ventilation.* A sign shall not be attached in any form, shape or manner which will interfere with any opening required for ventilation by the building code; except that such signs may be erected in front of and may cover transom windows when not in violation of the provisions of this chapter.
- (j) *Maintenance.* All signs, sign frames, sign copy area, panels, structural elements, lamps and electrical hardware shall be maintained in good repair and working order, so as to present a neat and orderly appearance. Non-galvanized or corrosion-resistant materials shall be painted when necessary to prevent corrosion.
- (k) *Authorized sign contractors.* Every person before engaging or continuing in the business of constructing, repairing or dismantling signs, poster boards or other display signs in the city, shall first furnish the city a public liability insurance policy, approved by the city attorney, with minimum limits of \$300,000.00 combined single limit bodily injury and/or property damage, and the contractor agrees to indemnify the city from all damage suits or actions of every nature brought or claimed against the contractor for or on account of injuries to persons or damages to property received or sustained by any person or person through any act of omission or negligence of such erector, agents or employees in the erection, repair or dismantling of any sign, poster board or other display sign. Such policy shall contain a clause whereby such policy cannot be canceled until after a written notice of intention to cancel has been filed with the city clerk at least 30 days prior to the date of cancellation.
- (l) *Master Sign Plan* in HHS, ~~RC, B1, B2, B3, B4, CI, WS, M1, M2, PL~~ **HC, NC, GC, C, PMD, P** districts and for non-residential uses in ~~residential~~ **R1, CN-SF, CN-Mid, CN, MD** districts.

All non-residential buildings shall submit a master sign plan as part of their sign permit application. The master sign plan shall identify size, location, and lighting of all existing and proposed signs located or to be located on the building.

- (m) *Modification of standards:* Upon receipt by of an application for a permit that includes a request to modify any of the standards in this Chapter, the Planning Commission may, at any regular meeting or any special meeting duly called for that purpose, consider whether the proposed sign, if erected, will achieve the purposes of this Chapter. The applicant shall demonstrate the following to the satisfaction of the Planning Commission:

- (1) Whether the structure, dimensions and placement of the proposed sign generally conform to the character of signs in the neighborhood or business district;
- (2) Whether the proposed sign achieves the purposes of this Chapter as described in Section 122-861;
- (3) Whether the proposed sign achieves another public purpose consistent with the purpose of this Chapter or the City's Master Plan;
- (4) Whether the proposed sign achieves innovation and variety in design and compatibility;
- (5) The proposed sign shall be designed, constructed, operated and maintained to assure long-term compatibility with surrounding uses, buildings, and signs. Consideration shall be given to the placement, bulk, height and materials used in construction.
- (6) The proposed sign shall promote the use of signage in a socially and economically desirable manner and not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property or public welfare.
- (7) Appeals from the decision of the Planning Commission shall be heard by the zoning board of appeals.

Sec. 122-863. Definitions.

The following words, terms and phrases when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned sign means a sign which directs attention to an object, product, place, activity, person, institution, organization or business which is no longer currently existing and is not maintained in accordance with the standards set forth in this chapter and contains or exhibits broken panels, visible rust, visible rot, damaged support structures, missing letters or which is otherwise dilapidated, unsightly, unkempt and for which the business or property owner is not accepting maintenance responsibility where such acts evidence an intent to abandon. Signs of local historical significance may not be considered abandoned

Building frontage means the outside perimeter measurements of the building wall on which wall the sign shall be placed.

Clearance. The vertical distance between the surface grade beneath the sign and the lowest point of the sign, including framework and embellishments.

Damaged sign means a sign or supporting structure which is torn, defaced, dented, smashed, broken, vandalized or destroyed.

Display surface means the sign area measured in square feet. Superficial ornamentation, trim or simple type appendages of non-message-bearing character shall not be included in determining display surfaces so long as they do not exceed 20 percent of sign area. The square footage of a two-, three- or four-faced sign shall mean the square footage of the largest face of the sign.

Flag means a flag bearing the official design of a nation, state, municipality, educational institution or organization.

Mechanical Sign means any signs that have any visible moving parts, mechanical movement or other apparent visible movement achieved by electrical or mechanical means or action of normal wind currents.

Mural means a design or representation painted, drawn, or otherwise attached to the exterior surface of a structure that does not advertise a business, product, service or commercial activity.

Nameplate means a sign identifying only the name, occupation, or profession and address of the business or occupant of the lot where the sign is placed.

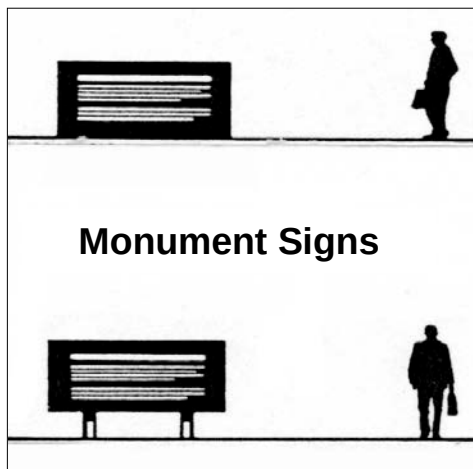
Nonconforming sign means a sign which complied with the provisions of the chapter in effect at the time that it was erected but which does not conform to this article.

Seasonal display means decorations that do not convey a commercial message. These shall not be considered signage, and shall not require a permit.

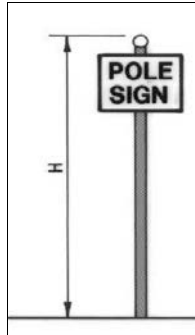
Sign means a name, identification, description, announcement, display, illustration or insignia which is affixed to or painted or represented directly or indirectly upon a building, structure or piece of land, which directs attention to an object, product, place, authority, person, institution, organization or business and which is visible from any public street, right-of-way, sidewalk, alley, park or other places open to the public.

- (1) *Address sign* means a numerical address with numbers no greater than eight inches in height.

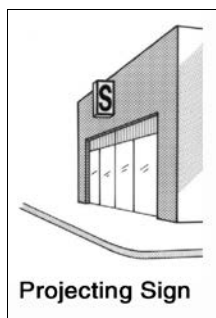
- (2) *Animated sign* means a sign that uses light emitting elements including but not limited to light bulbs, fixtures, LEDs, fiber optic lighting to create a continuously scrolling, flashing, or animated effect on any sign visible from the exterior of the building.
- (3) *Awning sign* means a sign that is painted on, attached to, or an integral part of an awning or canopy.
- (4) *Banner* means a sign, including inflatables, consisting of a large piece of cloth or similar flexible material, in public view, in front of a building or entranceway.
- (5) *Banner, overhead*, means a sign consisting of a large piece of cloth or similar flexible material suspended by wires in public view across a street or other public space.
- (6) *Billboard* means an off-premises sign.
- (7) *Building directory* means a sign identifying multiple tenants in a single building located above the street level façade (such as a multiple-story office or commercial building).
- (8) *Building-Mounted Sign* means a display sign that is painted on, adjacent to or attached to a building wall, door, window or related architectural feature. Such signs include, but are not limited to awning, projecting, wall and window signs.
- (9) *Directional sign* means a sign not exceeding two square feet which contain only noncommercial messages including designation of restrooms, telephone locations, restrictions on smoking, door openings, private control on premises vehicle or bicycle traffic and parking.
- (10) *Election sign* means a sign advocating or opposing a candidate for public office or a position on an issue to be determined at an election, but does not advertise any products, goods, services or businesses.
- (11) *Electronically illuminated message sign* means a sign with a message displayed on a surface with an electronically illuminated changeable copy area (often composed of LEDs).
- (12) *Ground sign* means any freestanding sign, not attached to a building, including monument or pole signs.
- (13) *Hanging sign* means a sign suspended under an awning, canopy, or marquee.
- (14) *Historical sign* means a sign designating a building as a historical structure, names of buildings, dates of construction, and other historic information.
- (15) *Illuminated sign* means a sign that provides artificial light directly or through transparent or translucent material from a source connected to or within such a sign, on which is illuminated by a light so shielded as to prevent direct rays from being visible from the public right-of-way.
- (16) *Inflatable sign* means a temporary sign that is intended to be expanded by air or other gas for its proper display or support.
- (17) *Marquee sign* means a projecting sign that accommodates changeable copy.
- (18) *Monument sign* means a freestanding sign supported by a pedestal or base, with permanent attachment to the ground.



- (19) *Off-premises sign* means a sign not relating to the premises on which such sign is located.
- (20) *On-premises sign* means a sign related to the premises on which such sign is located.
- (21) *Opinion sign* means a sign advocating or opposing an opinion or point of view, but does not advertise any products, goods, services or businesses.
- (22) *Pole sign* means a sign which is erected on a single freestanding mast or pole, not attached to a building.



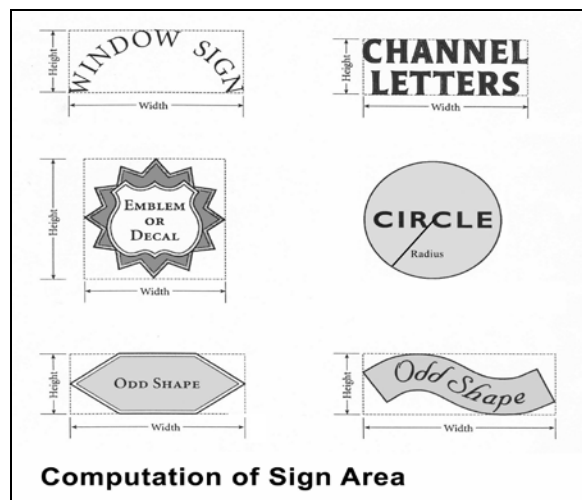
- (23) *Portable sign* means a sign of a temporary nature, not securely anchored to the ground or to a building or structure, excluding sidewalk signs.
- (24) *Projecting sign* means a sign which is attached directly to the building wall, and which extends more than 18 inches from the face of the wall. A projecting sign shall project not more than four feet from the wall of a building and shall not project above the front wall of the building.



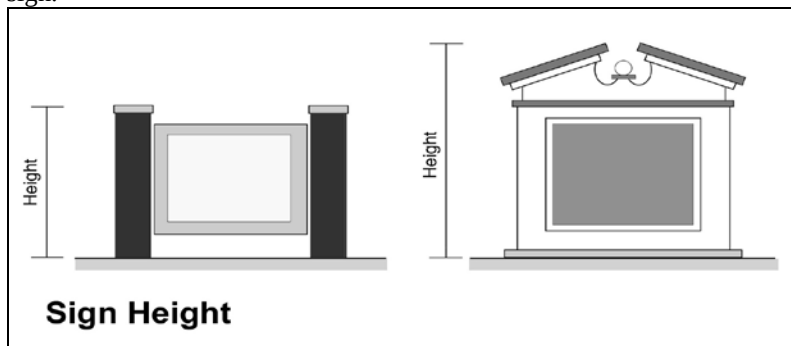
- (25) *Public signs* means a traffic or other governmentally erected notices, railroad crossing, danger and other temporary emergency signs, location of transit line, a railroad station or other public carrier or other non-advertising signs.
- (26) *Residential entry feature or sign* means an architectural feature with signage at each entrance to a residential subdivision, neighborhood, apartment community, condominium development, or mobile home park **condominium project**.
- (27) *Roof sign* means a sign which is constructed and maintained upon or above the roof of a building, marquee, or parapet wall and which is wholly or partially supported by such building.
- (28) *Sidewalk sign* means a temporary sign placed within the right-of-way. These types of signs may include "A" Frame, "T" Frame or other temporary styles, which are not permanently affixed to the ground.
- (29) *Special Event Sign* means banners, pennants, balloons or festoons associated with a specific event and displayed for a specified and limited period of time, including commercial store sales, etc.
- (30) *Temporary Sign* means display signs, banners, balloons, festoons or other advertising devices constructed of cloth, canvas, fabric, plastic or other light temporary material, with or without a structural frame, or any other sign intended for a limited period of display, but not including decorative displays for holidays or public demonstration.
- (31) *Wall sign* means a sign which is painted on or attached directly to the surface of masonry, concrete, frame or other approved building walls, and which extends not more than 18 inches from the face of the wall and which does not extend above the parapet, eaves or building facade.

(32) *Window sign* means any sign within a building placed within 12 inches of a window or upon a window pane and that is visible from the exterior of the building not including merchandise located in a window.

Sign Area. The gross surface area within a single continuous perimeter enclosing the extreme limits of all sign copy or surface of any internally-illuminated sign, awning or canopy. Such perimeter shall not include any structural or framing elements lying outside the limits of such sign and not forming an integral part of the display. Where a sign has two (2) or more faces, the sign area shall equal the total area of all sign faces, except where two (2) faces are placed back to back and are at no point more than three feet (3') apart, the sign area shall equal the area of the larger single sign face.



Sign Height. The vertical distance measured from the average grade at the sign location to the highest point of the sign.



Sign Structure. Anything constructed or erected for the purpose of supporting a sign, the use of which requires permanent location on the ground or attachment to something having permanent location on the ground.

Sec. 122-864. Sign permit requirements.

a. Schedule of sign permit requirements

It shall be unlawful for any persons to erect, alter or relocate within the city any sign or other advertising structure without first obtaining a permit as indicated in the following schedule:

Type of Sign*	Permit Required	Sign Standards
Animated	Prohibited	---
Barber Pole	N	---
Building Mounted Signs		122-866 (b)
• Address Number/Nameplate	N	---
• Awning, Canopy	Y	122-866(b)(6)
• Building Directory	Y	122-866(b)(9)
• Menu	Y	122-866 (b)(8)
• Projecting	Y	122-866(b)(7)
• Wall	Y	122-866(b)(5)

Type of Sign*	Permit Required	Sign Standards
• Window	N	122-866(b)(10)
Directional	N	122-866(a)(6)
Flags	N	---
Ground (pole and monument)	Y	122-865(a)
• Billboards	Y	122-866d)(2)
• Residential Entry Sign	Y	122-866(a)(8)
Historic Designation	N	---
Mural	Y	--
Opinion	N	122-866(c)(6)
Off-premises signs (except billboard)	Prohibited	---
Portable (except sidewalk signs)	Prohibited	---
Public	N	---
Roof	Prohibited	---
Temporary Signs		122-866(c)
• Banner	Y	122-866(c)(3)
• Overhead Banner	Y	122-866(c)(4)
• Construction – R1, R2, R3, R4, RO, and RC, MD, CN-SF, CN-Mid, CN and HHS	N	122-866(c)(1)
• Construction – All other districts	Y	122-866(c)(1)
• Election Sign	N	122-866(c)(5)
• For Sale, For Lease – Non-Residential	N	122-866(c)(1)
• For Sale, For Lease - Residential	N	122-866(c)(1)
• Garage Sale	N	---
• Inflatables	Y	122-866(c)(3)
• Special Events	Y	122-866(c)(1)
Sidewalk	Y	122-866(d)(3)
Traffic Control	N	---
Vehicle	N	---

(b) **Application for permits; contents.**

- (1) Application for sign permits shall be made upon forms provided by the building department.
- (2) Applications for signs other than overhead banners shall contain or have attached thereto the following information:
 - a. Name, telephone number and address of applicant.
 - b. Name, address and telephone number of owner or lessee of the premises upon which the sign is to be erected.
 - c. A written statement signed by the owner or lessee of the premises upon which the sign is to be erected, indicating his consent thereto, or the signed contract between the parties.
 - d. The address of the premises upon which the sign is to be attached or erected.
 - e. One set of plans showing the dimensions, materials, height and method of anchorage of the sign.
 - f. Position of the sign in relation to nearby buildings, structures and property lines.
 - g. Insurance policy or proof of financial security as required in section 122-862(k).
 - h. On electrical signs, certification by Underwriters Laboratory or some other recognized testing laboratory. Electrical sign installations shall comply with Article 600 of the National Electrical Code.
 - i. Such other information as deemed necessary to show compliance with this article.
- (3) Application for overhead banners shall contain or have attached thereto, the following information:
 - a. The name of organization or group sponsoring the banner.
 - b. A statement as to purpose of the banner.
 - c. Phrase on the banner, and/or sketch of the content

- d. Location where banner is to be erected.
- e. The dates the banner will be hung.
- f. The name, address and telephone number of the applicant.
- g. Insurance policy or proof of financial security as required in section 122-862 (k).
- h. Such other information as deemed necessary to show compliance with this article and with Act No. 200 of the Public Acts of Michigan of 1969 (MCL 247.321 et seq., MSA 9.140(21) et seq.), and R247.271--R247.279 of the Michigan Administrative Code, 1979.

(4) Application for sidewalk signs shall include a sidewalk occupancy permit application.

Sec. 122-865. Unsafe and Prohibited signs

The following signs are prohibited in all zoning districts:

- (a) Notice of unsafe and prohibited signs. When any sign or sign structure becomes insecure, in danger of falling, or otherwise unsafe, or if any sign or sign structure shall be unlawfully installed, erected, or maintained in violation of any of the provisions of this chapter, or prohibited signs, it shall be considered a nuisance per se. The owner or lessee shall, upon receipt of written notice of the building official, immediately in the case of an unsafe sign, and in any case within not more than ten days, make such sign conform to the provisions of this article or shall remove it. If, after ten days, the notice is not complied with, the building official may remove such sign at the expense of the owner or lessee after having obtained an order from the administrative hearings bureau. The cost, including actual attorney fees, shall be assessed against the property as provided in article VIII of the City Charter.
- (b) *Prohibited signs.*
 - (1) *Abandoned signs.*
 - (2) *Signs not complying with sign schedules.* Signs not complying with the requirements as set forth in schedules or tables contained in sections 122-866 and 122-868 respectively.
 - (3) *Signs not specifically permitted.* Signs which are not specifically permitted under the sections of this chapter.
 - (4) *Signs located near overhead electrical conductors.* Signs located with less than six feet horizontal clearance or 12 feet vertical clearance from overhead electrical conductors which are energized in excess of 250 volts.
 - (5) *Animated signs.*
 - (6) *Portable signs, not including sidewalk signs.*
 - (7) *Roof signs*
 - (8) *Obscene Material.* Display of obscene material upon any sign is prohibited.
 - (9) *Mechanical Signs.*
 - (10) *Electronically illuminated message sign*

Sec. 122-866. Sign Design Standards.

(a) *Ground Signs*

Zoning District	Maximum		Sign Setback Requirements
	Sign Area	Sign Height	
R1 ¹ , CN-SF ¹	16 sq. ft	6 ft.	Front yard – at least 3 feet from front property line. 10 feet from side or rear lot lines
R2 ¹ , R3 ¹ , CN-Mid ¹ , CN ¹	16 sq. ft	8 ft.	Front yard – at least 3 feet from front property line. 10 feet from side or rear lot lines
R4MD ¹ , HHS, RCHC	32 sq. ft	8 ft.	Front yard – at least 3 feet from front property line. 10 feet from side or rear lot lines
B1, B2, WSN ¹	40 sq. ft	10 ft.	Front yard – at least 3 feet from front property line. 10 feet from side or rear lot lines
B4GC	100 sq. ft	10 ft.	Front yard – at least 3 feet from front property line. 10 feet from side or rear lot lines

B3	Prohibited	Prohibited	--
M1, M2, CL, PLP, PMD	100 sq. ft	35 ft	Front yard – at least 3 feet from front property line. 10 feet from side or rear lot lines
¹ For non-residential uses only			

- (1.) *Number of Signs.* If permitted in a district, one monument or pole sign shall be allowed per lot or parcel. Lots that have more than 100 feet of frontage on two or more public streets shall be permitted one ground sign for each street frontage. A second ground signs shall have a maximum area of 50% of that otherwise permitted for a ground sign in the district .
- (2.) *Height requirement* – no monument sign shall exceed 10 feet in height.
- (3.) *Corner Clearance.* Signs shall be located outside of any corner clearance area as described in Section 122-649 of this Ordinance.
- (4.) *Materials.* Ground or pole signs shall be constructed out of decorative materials that complement the design of principal buildings within the development. Natural materials such as stone, decorative masonry, wood, or metal are preferred sign construction materials.
- (5.) *Landscaping.* Low level landscaping shall be provided around the base of the ground sign, but shall not obscure any part of the sign message.
- (6.) *Directional Signs.* Shall not exceed 2 square feet of sign area
- (7.) *Drive-Through Signs.* Any use that includes a drive-through is permitted to have signs that relate to the drive-through facility, such as menu order board signs or information signs. The drive-through signs may have a maximum height of six feet and a maximum area of 32 sq. ft. per drive-through use, and shall not be included in the computation of total sign area for the parcel unless such signs are legible from a point of observation off the premises.
- (8.) Residential entry signs shall be subject to the following standards
 - a. Maximum of one (1) sign on each side of the entrance from a major street.
 - b. May not exceed the maximum area permitted for a ground sign in the applicable district.
- (b) *Building Mounted Signs.* Building mounted signs, including wall, awning, projecting and window signs shall comply with the following requirements:
 - (1.) *Location.*
 - a. Building mounted signs may be located on any façade that faces a street, parking area, or vehicle circulation area that provides access to more than one parcel, or on a façade where a public entrance is located.
 - b. Upper story tenants may only have window signs, except as allowed for in subpart d.
 - c. Illuminated building mounted signs may not be located on a façade that faces a property line that abuts a residential zoning district unless the sign is set back at least 200 feet from the property line or screening is provided that will completely obscure the view of the sign from the adjacent residential district.
 - d. In the case of a building that contains two or more businesses each business that is directly accessible from the exterior of the building may have a building mounted sign on the façade where the primary or main customer entrance is located. For the purposes of calculating sign area in such multi-tenant buildings, the frontage controlled by each tenant on the façade where the entrance is located shall be used to calculate linear frontage.
 - (2.) *Sign Area.*
 - a. The total area of all building mounted signs, including wall, awning, projecting and window signs, shall not exceed three square feet for each one linear foot of building frontage on the side of the building the sign(s) are located on.
 - (3.) *Minimum Height.* Awning and projecting signs shall maintain a minimum clearance of 8 feet between the grade level below the sign and the lowest part of the sign (including sign support devices).
 - (4.) *Materials.*

- a. Building mounted signs shall incorporate exterior materials, finishes and colors that are the same, similar, or complementary to those used on the principal building.
- b. Building mounted signs shall be professionally constructed using high-quality materials such as metal, stone, hard wood, or brass. The use of exposed neon tubing in conjunction with other types of materials to emphasize the business name or logo is permitted; however, neon tubing outlining windows or other architectural features is prohibited.
- c. Internally lit box signs are prohibited.
- d. External illumination of signs shall be limited to fully-shielded light fixtures with a maximum of 900 lumens. Such fixtures shall be mounted above the sign face with all light directed downward and concentrated on the area of the sign to prevent glare upon the street or adjacent property.
- e. To minimize damage to masonry, all mounting and supports should be inserted into mortar joints and not into the face of the masonry.

(5.) *Wall Signs.*

- a. No surface of a wall sign may project beyond or overhang any wall or permanent architectural feature by more than eighteen inches.
- b. In non-residential districts wall signs cannot exceed 1 square foot for each linear foot of building frontage, or 100 square feet, whichever is less.
- c. In residential districts, residential uses including multiple family dwelling containing 3 or more units, sorority, or fraternity houses, wall signs cannot exceed .5 square feet for each linear foot of building frontage, or 12 square feet.
- d. In residential districts, for non-residential uses, wall signs cannot exceed 1 square foot for each linear foot of building frontage or 100 square feet whichever is less.

(6.) *Awning Signs.*

- a. Sign lettering or logos may comprise up to 35% of the total exterior surface of an awning.
- b. A minimum vertical clearance of 8 feet shall be provided between the lowest point of the awning and the sidewalk.
- c. Internal illumination of awning signs is permitted where the permitted awning sign area is illuminated through semi-opaque material and the remainder of the awning consists of opaque material.

(7.) *Projecting Signs.*

- a. Projecting signs shall be secured to the building by metal anchors, bolts, supports, rods or braces.
- b. Projecting signs are limited to 24 square feet of sign area per sign face.
- c. A minimum vertical clearance of eight feet shall be provided between the lowest point of the sign and the sidewalk.

(8.) *Menu Signs.* Menu signs shall be located in a permanently mounted display box on the surface of the building adjacent to the entry, and may have a maximum area of 3 square feet.

(9.) *Building Directory Signs.*

- a. The building directory sign shall be separate from any permitted signs accessory to the uses occupying the street level façade.
- b. The maximum sign area of the building directory sign shall be equal to five percent (5%) of the total permitted building mounted sign area.

(10.) *Window Signs.* May not occupy more than twenty-five percent (25 %) of the total transparent area of any individual window.

(c) *Temporary Signs.*

(1.) Schedule of regulations for temporary signs:

<i>Temporary Signs</i>	<i>Maximum Size (Square Feet)</i>	<i>Maximum Duration</i>
Banners	122-866(c)(3)	Two (2) permits allowed per calendar year. Each permit expires after 30 days.
Overhead Banners	122-866(c)(4)	30 days
Construction signs, residential and office properties R1-R4 , CN-SF, CN-Mid, CN, MD and HHS and RC	12	The earliest of the following: to issuance of certificate of occupancy, final inspection of permit, or 7 days after completion of work.
Construction all other zones	64	Within 7 days after completion of construction
Special Event signs -	6	Three (3) permits allowed per calendar year. Each permit expires after 3 days.
For sale, for rent, for lease, pertaining to real estate, residential properties (no permit required)	12	3 days after purpose of sign fulfilled
For sale, for rent, for lease, signs relating to real estate, nonresidential zones	64	10 days after purpose of sign fulfilled
Election signs (no permit required)	Maximum size allowed by district by sign type	10 days after final election

(2.) *Temporary signs general.* Temporary signs may be constructed of materials other than those specified in the chapter, with or without structural frames. Temporary signs not regulated by the Schedule contained in section 122-866 (above) or which are listed in Schedule and exceed 20 square feet in total size must conform to all standards that apply to permanent signs in the zoning district which the temporary sign is erected with the exception of the material specifications.

- a. The permit shall specify the time period for which the temporary sign is authorized.
- b. Sizes of temporary signs shall conform to specifications in the Schedule (c) (1) above.
- c. The advertising message or copy contained on any permitted temporary sign shall pertain only to the business being currently conducted, or to be conducted on or within the premises on which such sign is erected or maintained. This provision does not apply to signs of a civic nature.

(3.) *Banners.* Banner requirements shall be as follows:

- a. The banner must be made of nonflammable material that will not shred and has adequate air holes. For banners hanging overhead across a street, roadway or highway the banner must contain at least three air holes for every 40 feet.
- b. The building department shall be permitted to inspect the banner or a sample of material prior to it being erected.
- c. The banner must be securely attached, sufficient to withstand storms, including strong gusts of wind and continuous pounding by the elements. The manner of attachment shall first be submitted to the building department.
- d. If a banner becomes partially unsecured, it shall be immediately reattached or removed by the entity which erected it.
- e. If a banner begins to shred, it shall be immediately repaired or removed by the entity which erected it.
- f. If the entity which erected the banner fails to comply with is the standards of section(c)(3) or fails to remove the banner by the time the permit expires, the city shall remove the banner and shall charge the cost thereof to the entity erecting the banner.
- g. Any banner permit may be canceled by the city if the installation becomes dangerous to motorists or pedestrians, unduly interferes with free movement of traffic or otherwise endangers the health, safety or welfare of persons in the city.

- h. No banners shall be erected unless a permit having a maximum duration of 30 days is first obtained from the building department. Only two permits may be issued per year.
- i. Banners or inflatables shall be attached to the premises to which the message contained thereon pertains.
- j. Banners or inflatables may not be strung overhead across roads, streets or highways.
- k. A banner shall not have displayed thereon any legion or symbol which is or purports to be an imitation of or resembles, or which may be mistaken for a traffic control device or which attempts to direct the movement of traffic.
- l. Banners or inflatables may not exceed 32 square feet.

(4.) *Overhead banners.* Requirements for overhead banners shall be as follows:

- a. An overhead banner shall be permitted for city approved events or other city or governmental sponsored messages
- b. The design, method of installation, and location of overhead banners shall not endanger persons using roads, streets or highways or unduly interfere with the free movement of traffic.
- c. An overhead banner shall have a minimum bottom height of 18 feet above the pavement, and shall not be placed closer than ten feet on either side of traffic signals, and shall not be placed so as to obstruct a clear view of traffic signals or other traffic control devices.
- d. An overhead banner shall:
 - 1. Not exceed 2.5 feet in height.
 - 2. Contain a snap top to permit a one-fourth-inch cable to run across the top.
- e. There shall be no more than two overhead banners placed at any time on a public road, street or highway with the exact location of such banners to be approved by the city building department, police department and the department of public works. When the banner shall be hung over a state trunkline, prior approval from the state department of transportation must be obtained.
- f. All overhead banners permits shall have a maximum duration of 30 days.

(5.) Election signs shall be subject to the following requirements

- a. At polling places, on Election Day only, erected no less than 100 feet from the entrance of the polling place. Such signs may be located on the city right-of-way (margin)
- b. Such signs shall not be located on any city right-of-way except as permitted in subsection (5) of this section.

(d) *Other Signs.*

~~(1) Electronically illuminated message sign change cycle. The message displayed on electronic message signs may change a maximum of once every 60 seconds.~~

(1) *Billboards.* Outdoor advertising billboards may be erected in **PMD zoning district** and use zones **M1**, adjacent to and visible from I-94, and **M2**, adjacent to and visible from I-94, subject to the following regulations:

- a. Billboards are permitted in the adjacent area along I-94 as defined by the Highway Advertising Act of 1972, and may be the principal or primary use on the parcel in which it is located, notwithstanding Sec 122-862 (c).
- b. Billboards must be located and oriented in such a fashion as to be visible from I-94.
- c. New billboard permits will be issued only in the following cases:
 - 1. For non-digital billboards, when one non-conforming billboard is removed
 - 2. For digital billboards, when two non-conforming billboards are removed.
- d. Digital billboards - The message displayed on electronic message billboards may change a maximum of once every 6 seconds (an exemption from Sec. 122-866 (d) (1)).

- e. Billboard structures shall not exceed 65 feet in height . All billboards must provide a setback from any adjacent residential zoning district equal to the height of the billboard.
- f. Billboard structures which have two or more panels stacked, one above the other, are not permitted.
- g. Double-faced billboard structures (two panels mounted on the same structure back-to-back) are permitted.
- h. Spacing between billboards shall be 1,000 feet as provided in the Highway Advertising Act of 1972, as amended.
- i. No more than the 672 square feet billboard shall be permitted regardless of land use zone, except when adjacent to a limited access highway and permitted by applicable state law.
- j. All billboard structures shall be of steel. No wood or other combustible material shall be permitted to support such signs.
- k. Billboards supported or maintained on the roof of a building are prohibited.
- l. Billboard structures shall be restricted to and used only with respect to interstate highways, freeways or primary highways as set forth in the highway advertising act, Act No. 106 of the Public Acts of Michigan of 1972 (MCL 252.301 et seq., MSA 9.391(101) et seq.).

(2.) Sidewalk Signs.

- a. Sidewalk Signs may have a maximum area of 6 square feet per side.
- b. Sidewalk signs may be located on the sidewalk adjacent to the use to which they are accessory. Sidewalk signs shall be located such that they will not impede pedestrian traffic on the sidewalk, and such that they will not present a hazard to vehicular traffic.
- c. Sidewalk signs may not be permanently affixed to any object, structure, or the ground.
- d. Sidewalk signs may only be displayed during business hours and shall be removed when the business to which the sign is accessory is closed.
- e. Each business may have a maximum of one sidewalk sign.
- f. Sidewalk signs shall be made of durable materials with a finished appearance.
- g. Sidewalk signs made of decorative wood or decorative metal, that are architecturally compatible with the style, composition, materials, colors and details of the building may be increased to a maximum of 8 square feet.

Sec. 122-867. Nonconforming signs.

- (a) Nonconforming signs shall be permitted to continue as such until removed or altered, provided that such signs are maintained in accordance with the following requirements:
 - (1) Expansion or relocation prohibited. Nonconforming signs shall not be expanded or relocated.
 - (2) Servicing. Painting, servicing, cleaning, minor repairs, or changes in sign copy panel area (sign face changes) to a nonconforming sign structure shall be permitted, provided that the sign is restored to its original design and all work is in compliance with applicable structural and electrical codes and the requirements for all signs specified above.
 - (3) Alterations. Alterations or changes to the sign structure of a nonconforming sign shall be subject to the following conditions:
 - a. The sign shall be brought into compliance with the requirements for all signs specified above.
 - b. The sign shall be brought into compliance with all applicable sign height and sign area standards for the type of sign, as specified above.
 - c. Nonconformities caused by inadequate ground sign setback at a ground sign's current location may be permitted to continue so that the existing support structure and wiring may be re-used, provided that permitted alterations will not increase this nonconformity, and provided that the ground sign is located entirely outside of all street rights-of-way and corner clearance areas.
 - d. Approval of appropriate permits by the Building Official.

(b) *Signs of local historical significance.* Non-conforming signs located in the Historic District may be repaired, reconstructed, or relocated pursuant to the provisions of Section 122-534(2). For the purpose of this section, the applicant shall be required to provide the information under Section 122-864 for review by the Planning Commission.

(1.) The City Council may approve and or amend a list of existing non-conforming signs deemed to be of local historical significance by the Historic District Commission. Signs deemed historically significant may be repaired, reconstructed, or relocated, subject to review by the Building Official.

(c) *Repair of signs.* This section shall not be construed to prevent the repair or restoration to a safe condition of any part of any existing, conforming or nonconforming sign when damaged by storm or other accidental emergency. Such repair or restoration shall be affected within 60 days of the event which causes the damage, unless an extension has been obtained in advance from the building department.

(d) *Relocating signs.* Any sign that is moved to another location on the same or other premises shall be considered a new sign, and a permit shall be secured for any work performed in connection therewith when required by this article.

Sec. 122-868. Table of allowable signage

Type of Sign	Zoning Districts	Area	Height
Animated	Prohibited	--	---
Billboards	M1, M2 PMD	--	35 ft
Building Mounted		3sf/1lf of building frontage	
• Awning / Canopy	HHS, HC, NC, GC, C, P, PMD RC, B1, B2, B3, B4, WS, CI, PL, M1, M2	35% of canopy/awning area	8 ft. min clearance
• Address Number/ nameplate	All	2 sf	---
• Building Directory	HHS, HC, NC, GC, C, P, PMD RC, B1, B2, B3, B4, WS, CI, PL, M1, M2	5% of building mounted sign area	---
• Menu	HHS, HC, NC, GC, C, P, PMD RC, B1, B2, B3, B4, WS, CI, PL, M1, M2	3 sf	---
• Projecting	HHS, HC, NC, GC, C, P, PMD RC, B1, B2, B3, B4, WS, CI, PL, M1, M2	24 sf per sign face	8 ft. min clearance
• Wall – residential	Residential	.5 sf/1f of building frontage or 12 sf	---
• Wall – non-residential	HHS, HC, NC, GC, C, P, PMD RC, B1, B2, B3, B4, WS, CI, PL, M1, M2	1 sf/1f or 100 sf	—
• Window	HHS, HC, NC, GC, C, P, PMD RC, B1, B2, B3, B4, WS, CI, PL, M1, M2	25% of individual window area	--
Changeable Copy	HHS, HC, NC, GC, C, P, PMD RC, B1, B2, B3, B4, WS, CI, PL, M1, M2	part of sign area	--
Directional	All	2	4
Election	All	Maximum size allowed in district by sign type	

Type of Sign	Zoning Districts	Area	Height
Flags	All	--	--
Ground			
	R1, CN-SF	16 sf	6 ft
	R2, R3 CN-Mid, CN	16 sf	8 ft
	R4, MD, HHS, RC	32 sf	8 ft
	B1, B2, WS, HC, NC	40 sf	10 ft
	B4 GC	100 sf	10 ft
	B3 C	Not Permitted	---
	CI, PL, M1, M2 P, PMD	100 sf	35 ft
Historic	All	--	--
Opinion	All	Maximum size allowed in district by sign type	
Public	All	--	--
Portable	Prohibited	--	--
Residential Entry Sign	R1, CN-SF	16 sf	6 ft
	R2, R3 CN-Mid, CN	16 sf	8 ft
	R4, MD, HHS, RC	32 ft	8 ft
Roof	Prohibited	--	--
Temporary Sign	All	122-866(c)(1)	
Traffic Control	All	--	--

(Ord. No. 1160, adopted 16 Aug 2011)

Secs. 122-869--122-910. Reserved.

ARTICLE XV. FLOOD DAMAGE PREVENTION*

*Cross reference(s)--Businesses, ch. 22; vehicles for hire, ch. 114.

Ord 1170-A, adopted 15 May 2012

Sec. 122-911. Flood hazard findings.

The flood hazard areas of the city are subject to periodic inundation which may result in safety hazards, loss of life, property and health, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and welfare. The flood losses are caused by the cumulative effects of obstructions in floodplains causing increased flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, floodproofed or otherwise protected from flood damages.

Sec. 122-912. Purpose.

It is the purpose of this article to protect the general public and all land within the city subject to flood losses by provisions designed to do the following:

- (1) Restrict or prohibit uses which are dangerous to health, safety and property in times of flood or which cause excessive increases in flood flow heights or velocities.
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.
- (3) Control the alteration of natural floodplains, stream channels and natural protective barriers which are involved in the accommodation of floodwaters.
- (4) Control filling, grading, dredging and other development which may increase erosion or flood damage.
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

Sec. 122-913. Scope.

This article shall apply to all flood hazard areas. The boundaries of the flood hazard areas shall coincide with the boundaries of the areas indicated as within the limits of the 100 year flood in the report entitled *Flood Insurance Study*, Washtenaw County (All Jurisdictions) Community Number 260216, dated April 3, 2012, with accompanying Flood Insurance Rate maps and Flood Boundary and Floodway maps. Within the flood hazard area zone, a regulatory floodway shall be designated. The boundaries of the regulatory floodway shall coincide with the floodway boundaries indicated on the flood boundary and floodway maps. The study and accompanying maps are adopted by reference, appended, and declared to be a part of this chapter. The term flood hazard area, as used in this chapter, shall mean flood hazard area zone and the term floodway, shall mean the designated regulatory floodway.

- (1) AGENCY DESIGNATED. Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, the Building Official of the City of Ypsilanti is hereby designated as the enforcing agency to discharge the responsibility of the City of Ypsilanti under Act 230, of the Public Acts of 1972, as amended, State of Michigan. The City of Ypsilanti assumes responsibility for the administration and enforcement of said Act throughout the corporate limits of the community adopting this ordinance.
- (2) CODE APPENDIX ENFORCED. Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the enforcing agency within the City of Ypsilanti.
- (3) DESIGNATION OF REGULATED FLOOD PRONE HAZARD AREAS. The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) Entitled Washtenaw County, Michigan (All Jurisdictions) and dated April 3, 2012 and the Flood Insurance Rate Map(s) (FIRMS) panel number(s) of 26161C; 00269E, 0288E, 0407E, and 0426E dated April 3, 2012 are adopted by reference for the purposes of administration of the Michigan Construction Code, and declared to be a part of Section 1612.3 of the Michigan Building Code, and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.

Sec. 122-914. Regulation of uses in floodplain areas.

Any proposed occupation, structure, excavation, fill, extraction, grading or scraping and any substantial improvement to an occupation, structure or area shall be reviewed and approved by the planning commission. "Substantial improvement" means any repair, reconstruction or improvement of an occupation, structure or area, the cost of which equals or exceeds 50 percent of the market value of the structure either, (i) before the improvement or repair is started or (ii) if the occupation, structure or area has been damaged and is being restored, before the damage occurred. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural member commences, whether or not that alteration affects the external dimensions of the structure or area. The term does not, however, include either (i) any project for improvement of a structure to comply with state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or (ii) any alteration of a structure listed on the National Register of Historic Places or state register of historic places.

- (1) *Permitted uses.* The following uses may be permitted in those portions of the floodplain which are not a floodway, to the extent that they are allowed uses within a given zoning district and subject to the construction standards of building code in effect for the city at the time of construction:
- a. Residential and nonresidential structures provided that the building official certifies to the planning commission that the proposed provisions for flood resistant construction, flood proofing or elevation meet or exceed the standards set forth in the city's building code.
 - b. Recreational uses such as parks, swimming areas, picnic grounds, ball fields, hiking or biking trails, and wildlife and nature preserves.
 - c. Residential support uses such as lawns, gardens, play areas, and parking areas which do not result in the filling in of floodplain areas.
 - d. Industrial and commercial support uses which are open in nature such as loading areas or parking areas which do not result in the filling in of any floodplain areas.
 - e. Utility facilities such as power plants, transmission lines, pipelines not crossing a lake or waterway, lighting facilities, and navigational and drainage aids.
 - f. Piers, boat ramps, bridges, and other such water related uses subject to approval by the water resources commission of the state department of natural resources.
 - g. Fencing of any type, provided that such fencing shall not be located in that portion of the floodplain that is a floodway or other areas essential to the conveyance of floodwaters.
 - h. Sidewalks, driveways, patios, and similar structures when constructed at grade.
 - i. Fill or removal of topsoil, sand, and gravel or other extraction operations, in that portion of a floodplain which is not a floodway provided the following conditions are met:
 - 1. Proof that proper long term maintenance will be provided so that the flood-carrying capacity is not diminished.
 - 2. Any fill or excavated area shall be protected from erosion during and after operations by rip-rap, vegetative cover, bulk-heading, or other approved means.
 - 3. The proposed filling in of land, provided that material equal to 110 percent of the fill volume is removed elsewhere from such premises and adjusted to be capable of storing floodwaters. Structures and parking areas may be permitted on such filled land provided the elevation of the filled land is at least one foot above the base flood elevation. A permit issued by the state department of natural resources under the state's floodplain regulatory authority, Act No. 451 of the Public Acts of Michigan of 1994 (MCL 324.3101 et seq., MSA 13A.3101 et seq.), shall be obtained prior to the filling of land in the floodplain. A copy of the state department of natural resources permit shall be provided to the city building inspection division prior to the issuance of a building permit..
 - j. Streets, railroads, and other rights-of-way.
 - k. Pavilions, open amphitheaters, detached garages, raised patios and decks, and other accessory structures provided they are properly anchored and made flood resistant and are not located in a floodway or other area essential to the conveyance of floodwaters.
 - l. Facilities for the storage and detention/retention of stormwater.
 - m. Storage yards for heavy equipment, materials, or machinery.

(2) *Prohibited uses.* The following uses are not allowed in a floodplain area under any circumstances:

- a. New residential construction or occupation, including mobile homes, manufactured homes or pre-manufactured homes, are specifically prohibited in that portion of the floodplain that is a floodway. Other types of construction and occupation may be allowed in that portion of the floodplain that is a floodway; however, a hydraulic analysis shall be required which demonstrates that occupation and resulting obstruction of the floodway will not restrict the flood carrying capacity of the watercourse.
- b. A landfill, dump, junkyard, recycling center or hazardous waste storage or treatment facility are expressly prohibited in a floodplain area.
- c. The storage or processing of materials which in time of flooding become buoyant, flammable, explosive or otherwise injurious to public health, is expressly prohibited within a floodplain area.
- d. On-site sewage disposal systems shall be permitted within a floodplain area.
- e. Any encroachment which would cause any increase in the base flood level.

Sec. 122-915. Review procedures.

(a) *Site plan review.* All development, construction, occupation or substantial improvement proposals located within a floodplain area shall be reviewed by the **City Planner or** planning commission in accordance with the site plan review procedures of article IV of this chapter, and the "Rules of the Washtenaw County Water Resources Commissioner." The **City Planner or** planning commission, when reviewing an application for occupation, construction or substantial improvement in a floodplain, shall consider the following standards before rendering a decision:

- (1) Any possible danger to life and property as a result of increased flood heights or velocities caused by encroachments on the floodplain.
- (2) The danger that materials may be swept to other lands or downstream to the injury or property loss of others.
- (3) The susceptibility of the proposed development and its contents to flood damage.
- (4) The importance of the services provided by the development to the community.
- (5) The requirement of the proposed development for a waterfront location and the availability of alternate locations not subject to flooding.
- (6) The compatibility of the proposed use with existing and anticipated development of the surrounding area and the floodplain management program of the area.
- (7) The safety of access to the property in times of flood for ordinary and emergency vehicles.
- (8) The measures taken to assure adequate drainage so as to reduce exposure to flood hazards.
- (9) The planning commission may attach certain conditions to an approval such as limitations on period of use and operation; imposition of operational controls, deed restrictions, performance bonds, and covenants; or requirements for construction of dikes, levees, and other protection measures.

(b) *Building official's responsibility.* Prior to site plans being submitted to the planning commission the building official shall:

- (1) Certify that the proposed construction, occupation or substantial improvement complies with the city building code adopted in chapter 18.
- (2) Where permits are required by other state or federal agencies, a copy of the approved permit shall be provided, by the applicant, prior to review by the planning commission.
- (3) Cause to be verified and recorded on the site plan and building plans, the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures.
- (4) Cause to be verified and recorded on the site plan and building plan, the actual elevation (in relation to mean sea level) to which the new or substantially improved structures have or will be floodproofed.
- (5) Require that all site plans and building plans for occupation, construction or substantial improvement within the floodplain have been prepared under the supervision of a registered professional engineer or architect. All site plans and building plans shall be signed by the registered professional engineer or architect.

- (6) Certify that notification has been made to adjacent communities and the state flood control coordinator of a proposed development, construction, occupation, substantial improvement alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration and the planning commission.
- (7) Be available at the meeting of the planning commission when such plans are reviewed to answer any questions relative to the floodplain or construction standards.

Sec. 122-916. Building permit requirements.

No occupation, building or structure within a floodplain area shall be erected, moved, repaired, altered, or razed until a building permit shall have been obtained from the building official in accordance with the customary building permit requirements under chapter 18. For structures located within a floodplain, the following additional information shall be included with the building permit, and shall become a condition of the permit. All plans, specifications and conditions approved by the planning commission. The plans shall include all of the information required by section 122-915~~2~~.

Sec. 122-917. Appeals, variances.

The zoning board of appeals shall hear and decide appeals and requests for variances from the requirements of this article, In accordance with the procedures and conditions set forth in this article. Prior to hearing of the appeal, the city planner shall certify to the zoning board of appeals that notices as required under this article have been made. Further, the city planner shall certify to the zoning board of appeals that the immediate downstream community's chief elected official and the state flood control coordinator have been notified of the request for appeals or variance and of the public hearing. Appeals or variances relating to the construction standards as set forth in the building code, shall be heard by the construction board of appeals as outlined in chapter 18. In addition, the following conditions shall be applied to variances granted from the floodplain regulations of this article:

- (1) Variances shall be issued upon a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, public nuisances, or cause fraud on or victimization of the public.
- (2) Any applicant to whom a variance is granted shall be given a written notice specifying the difference between the base flood elevation and the elevation at which a structure is being built, and a statement that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- (3) All such variances to this article shall be maintained in a record and reported to the Federal Insurance Administration and the state flood control coordinator upon request.

Sec. 122-918. Disclaimer of liability.

The degree of flood protection required by this article is considered the minimum necessary and reasonable for regulatory purposes. Larger floods may occur at any time, and excessive floodwater heights may be experienced due to manmade and natural causes. This article does not imply that areas outside the special flood hazard areas, or uses permitted within such areas, shall remain free from flooding or flood damages. This article shall not create a liability on the part of the city or any officer or employee thereof for any flood damage that results from compliance with or reliance upon this article or any administrative decision lawfully made thereunder.

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Community Impact Comprehensive Annual Financial Report

Year Ended June 30, 2014

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City of Ypsilanti, Michigan

www.cityofypsilanti.com

Comprehensive Annual Financial Report

For the Year Ended June 30, 2014

Prepared by:

Marilou Uy, Director of Fiscal Services
Rheagan Basabica, Accountant II

CITY OF YPSILANTI, MICHIGAN

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INTRODUCTORY SECTION

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City of Ypsilanti

Finance Department
Accounting Division

December 8, 2014

To the Honorable Mayor, Members of the City Council and Citizens of the City of Ypsilanti

It is my pleasure to submit to you and the citizens of Ypsilanti, the Comprehensive Annual Financial Report (CAFR) of the City of Ypsilanti for the fiscal year ending June 30, 2014. Responsibility for both accuracy of the presented data and the completeness and fairness of the presentation, including all disclosures, rests with the City. The City uses a comprehensive system of internal controls to assure completeness and accuracy of the data presented in this report. These do not include controls whose cost exceeds the benefits to be derived from them, as the objective is to provide reasonable, rather than absolute assurance, that the financial statements are free of any material misstatements. City employees operate under a comprehensive system of internal controls designed to ensure the completeness and accuracy of the data representing the City's activities. The administration believes, and has made its best efforts to ensure, that the data, as presented, is accurate in all aspects and that it is presented in a manner designed to fairly set forth the financial position and results of operations of the City. It was prepared by staff in Fiscal Services, Rehmann Robson and other city departments.

This report has been formulated following the guidelines recommended by the Government Finance Officers Association (GFOA) of the United States and Canada. Meeting the high standards as set forth in the guidelines of the GFOA can only assist us in improving the financial reporting of the City of Ypsilanti.

Wherever possible, the City has made use of grants to help meet the needs of the community. Examples of such grants benefitting the City include road improvements from MDOT, water and sewer pump improvements from capitalization grants (in conjunction with YCUA) and Clean Water State Revolving Funds, CDBG pass-through from Washtenaw County for Harriet Street Corridor Redevelopment, ADA ramps, senior center improvements, Water Street Reforestation Initiative, Community Challenge Planning for Master Plan/Zoning for River's Edge Linear Park, Ypsilanti Heritage Bridge, special program for Aging Title III, Part C from the U.S. Department Health and Human Services, Priority Road Investment Project from MDOT to reconstruct Prospect Road, Assistance to Firefighters Grant, and the 2013 Bulletproof Vest Program.

Abraham & Gaffney, P.C., Certified Public Accountants, have issued an unmodified ("clean") opinion on the City of Ypsilanti's financial statements for the year ended June 30, 2014. The independent auditor's report is located at the front of the financial section of this report.

Management's discussion and analysis (MD&A) immediately follows the independent auditors' report and provides a narrative introduction, overview, and analysis of the basic financial statements. MD&A complements this letter of transmittal and should be read in conjunction with it.

Profile of the Government

The City of Ypsilanti, incorporated in 1858, is located in the southeast region of Michigan's lower peninsula in Washtenaw County, approximately 30 miles west of Detroit, with a population of approximately 20,142. The City is bounded to the north by the Charter Township of Superior and on the west, south and east by the Charter Township of Ypsilanti.

The City is a stable community with many assets - quality residential neighborhoods, good schools, beautiful view of the Huron River, historic downtown and residential neighborhoods, and convenient access to I-94 and Detroit Metropolitan Airport. Annual events and festival and the presence of Eastern Michigan University, all contribute to the City of Ypsilanti's "small town" sense of community.

The City has operated under the council-manager form of government since 1947. The City Council is comprised of the mayor and six members, who are elected by ward, on a staggered basis for four year terms. The Mayor is elected every four years. The City Manager and City Clerk are appointed by and serve at the pleasure of the council.

The City of Ypsilanti provides a full range of services to the community: police, fire, street maintenance, recycling, yard waste removal, elections, emergency preparedness and response, planning, support services and other customer specific services. The City is responsible for the management and financing of these operations. Other services are provided through component units and joint venture entities such as Ypsilanti Downtown Development Authority (YDDA) and Ypsilanti Community Utilities Authority (YCUA).

The City Council is required to adopt a final operating budget prior to the beginning of each fiscal year. This annual budget serves as the foundation for the City of Ypsilanti's financial planning and control. The budget is approved at the fund level, however, budgetary control is exercised at the department level. Expenditures may not exceed budgeted appropriations at the department level. The City Manager has the authority to approve budget transfers between programs within the same fund, but council may authorize transfers between funds. Department Heads may transfer funds between accounts within a specific program under their direction with the exception of personnel and capital expenditures, which must be approved by the City Manager.

The City maintains 96.5 acres of parkland, including a park system running along the Huron River, and parks and tot lots throughout neighborhoods. While the City does not directly provide recreation programming, it has partnered with many dedicated community groups. These partnerships include Friends groups that fundraise for, and operate the pool, the Senior Center and Parkridge Community Center. In addition, there are neighborhoods, churches, schools, and other organizations that assist in providing numerous community gardens, park improvement projects and recreation programming. The City has also worked with the County Public Health Department to make capital improvements to park facilities, and with the County Parks and Recreation Commission to construct part of a regional biking and walking trail network.

The Riverside Art Center operates the City's Riverside Arts Center, which provides theater, gallery, and classroom space. The Center is only a small part of Ypsilanti's cultural picture, however - a wide variety of museums, galleries, and studios work in media ranging from pottery to puppetry to tattoos, and music venues have been recognized as a focal point of southeast Michigan's independent music scene. A similar diversity of events are held annually, with regional (or greater) draws; the long-running Ypsilanti Heritage Festival, Orphan Car Show, Elvisfest and the Michigan Brewers Guild Summer Festival each bring tens of thousands to Riverside Park, while Ypsi Art Fair and MittenFest provide exposure to local artists and musicians.

Local Economy

Local unemployment is around 5.2% percent, and has been consistently at or below the state average (at August 2014, 7.4 percent) and below the national average of 5.9 percent. As the State of Michigan adapts to the challenges of a rapidly globalizing world, community and business leaders have come together like never before to respond. Economic development officials have implemented an aggressive strategy for business growth and expansion within the region offering numerous resources to businesses with financing opportunities. An example of this is the cooperation between members of the Eastern Leaders Group (ELG). These local units of government have collaborated to locate a business incubator in Ypsilanti's downtown Central Business District, as well as make gap financing funds and other microloans available on the eastern side of the county, and region-wide.

The City of Ypsilanti has a population of 20,142 according to current estimates. This is an increase from the census of 2010, which showed a population of 19,435.

The City's state equalized value has decreased 33.36% compared to ten years ago. The City's total equalized value of taxable property for tax year 2014 is approximately \$312 million, an increase of about \$9.3 million, or roughly 3.08% of the prior year.

The City remains in good financial condition, as is demonstrated by the financial statements and schedules included in this report.

Long-term Financial Planning

The City Council and City Manager believe long-term financial planning is essential to ensuring the City's fiscal health. Starting in 2001, the City faced declining revenues and began its cost reduction strategy by deferring capital projects and equipment purchases. This effort continued during 2002 when the Recreation Department was eliminated and other positions and departments were combined. Further staff reductions were implemented during 2008. During fiscal year 2003, the City had a high point of 139.75 full time employees (FTE's). This number declined to 85.09 FTE's for fiscal year 2013 but increased to 89.97 for fiscal 2014.

The City's working relationship with our governmental neighbors and Eastern Michigan University, our largest employer, continued in earnest. The Eastern Leaders Group has continued to meet and formulated new goals related to business development, improving building stock, encouraging Eastern faculty and staff to live in the City, and improving K-12 educational opportunities. In 2014, the City became a founding member of the Eastern Washtenaw Safety Alliance (EWSA). This alliance, consisting of the Washtenaw County Sheriff's Office, the Eastern Michigan University Public Safety Department and the City of Ypsilanti Police Department, pooled police resources from each agency in order to provide even better safety service to the Ypsilanti Metropolitan Area.

Investment continues in the downtown with the renovation of second floor apartments and façades as well as the opening of several first floor retail businesses. 2013 marks the first year in 5 years where the city's taxable value has increased. Automotive Component Holdings (ACH) formerly the City's largest taxpayer ceased operation in December 2008 and Angstrom USA, LLC, has purchased the property and recently agreed to work with the city on adaptive reuse of its buildings.

Our 38-acre redevelopment project, Water Street, bounded by Michigan Avenue on the north and the Huron River on the south and west continues to face formidable challenges due to the economy. The City has successfully committed \$4.3 million in fund balance to pay for the annual debt payments resulting from the sale of bonds to finance acquisition and demolition on this site. Originally, debt retirement was to be paid for by capturing tax increment financing from new development, but the City will now use committed fund balance until TIF capture or revenue from the sale of land is available. The unassigned general fund balance for fiscal year 2014 is \$2,968,261, which is 19.21 % of fiscal year 2013-14 general fund amended expenditures.

The City continues to face escalating financial challenges with increasing costs of employee benefits, particularly for medical and prescription drugs. The City also faces mounting pension and other post-employment benefits costs for current and retired employees. However, this year, the city's required contribution to the Fire and Police pension plan starting FY 2016 decreased based on the actuarial report. The funding ratio improved as the result of benefit changes. The revenue decline, coupled with the rising expenses, pose a significant threat to the City's fiscal structure and a long-term threat to the stability of the City's finances. Substantial cost containment strategies and reductions have been employed to mitigate and reduce future stress on City finances. The City, under the leadership of its City Manager, is working to successfully implement a turn-around plan that will allow the City to provide and maintain a reasonable level of core services for its citizens at a cost that can also be sustained.

Major Initiatives for the Year

Efforts to market and sell parcels in the Water Street redevelopment area continue. Family Dollar broke ground and started construction and should be completed by the end of the year. A purchase agreement has been reached for the Eastern Washtenaw Recreation Center and Herman Kittle, a residential developer. Staff will be working to continue to market the site to additional developers. Fortunately, sufficient funding has been committed in the fund balances to make annual bond indebtedness payments for the next five years.

Additionally, the City has secured funds from the Michigan Natural Resources Fund for the Linear Park and Trail, anticipating construction in 2015. The City has received numerous grants to improve its road network. The biggest of these grants was for \$1.9 million to improve Prospect Street from I-94 to Holmes Road. The City anticipates completely reconstructing Adams Street in concrete between Pearl and Cross. The cost of this project is estimated to be approximately \$500,000.

The City, Downtown Development Association (DDA) and Eastern Leaders Group have continued work on building and façade grants for all the DDA districts, and are expected to continue into 2015. The Eastern Leaders Group and Eastern Michigan University (EMU) are also promoting the Live Ypsi program. This program provides a \$7,500 forgivable loan to EMU faculty and staff to purchase homes in the City limits as primary residences. City staff hopes to work with EMU and the ELG on enhanced promotion of this excellent program during 2015.

Building on the recent installation of LED lights along West Cross, the City has committed to retrofitting all of its street lights to LED lights. This project was completed in calendar year 2014 and expected to save the city \$120,000 per year in energy costs. These retrofits will help reduce overall street lighting expenses, and are part of the broad effort to reduce carbon emissions in the City of Ypsilanti. Also in 2014, the City retrofitted 431 light fixtures in and around City buildings.

The City continues to participate in Vantageport, the regional economic development effort that includes Wayne and Washtenaw counties as well as, the cities of Belleville, Taylor and Romulus, and the townships of Van Buren and Ypsilanti. The concept is to provide economic development opportunities (for business wanting to locate near Detroit Metro and Willow run Airports) in the respective communities by creating a cooperative development strategy for time sensitive manufacturing, e-commerce fulfillment, telecommunications and logistics industries, as well as offices for business people who travel frequently by air.

Major Initiatives in the Future

The City adopted a new master plan in 2014 and is in the process of revising the zoning ordinance, with City Council approval anticipated by the end of 2014.

The cities of Ypsilanti and Ann Arbor and Townships of Pittsfield and Ypsilanti have an informal agreement to operate as a box alarm system. This concept manages resources as one fire service increasing the effectiveness and efficiency of each fire department without additional costs.

One of the City's highest priorities is to attract rail service (commuter Ann Arbor to Detroit and/or inter-city service Pontiac to Chicago) to the City of Ypsilanti. As part of this effort, the City will devote the necessary resources to build a platform that is required so that these services can stop in the City of Ypsilanti in its Depot Town neighborhood.

Acknowledgements

The preparation of this report on a timely basis was made possible by the dedicated services of Fiscal Services accounting staff and other City departments, as well as from the firm of Rehmann Robson. I wish to express my appreciation and acknowledge those who assisted and contributed to the preparation of this report: Marilou Uy, Kimberly Jones, Rheagan Basabica and the interns from the Fiscal Services Department, Bonnie Wessler and Nan Schuette.

My hope is that you will find this document to be a useful tool in evaluating the City's financial health. Helping you and the public obtain a thorough understanding of the City's financial condition is important to us all. Should you have any questions, comments, concerns, or suggestions regarding this document or the information it contains, Marilou Uy and I are available to respond.

Respectfully submitted,

{signature omitted for security}

Ralph A. Lange
City Manager

CITY OF YPSILANTI, MICHIGAN



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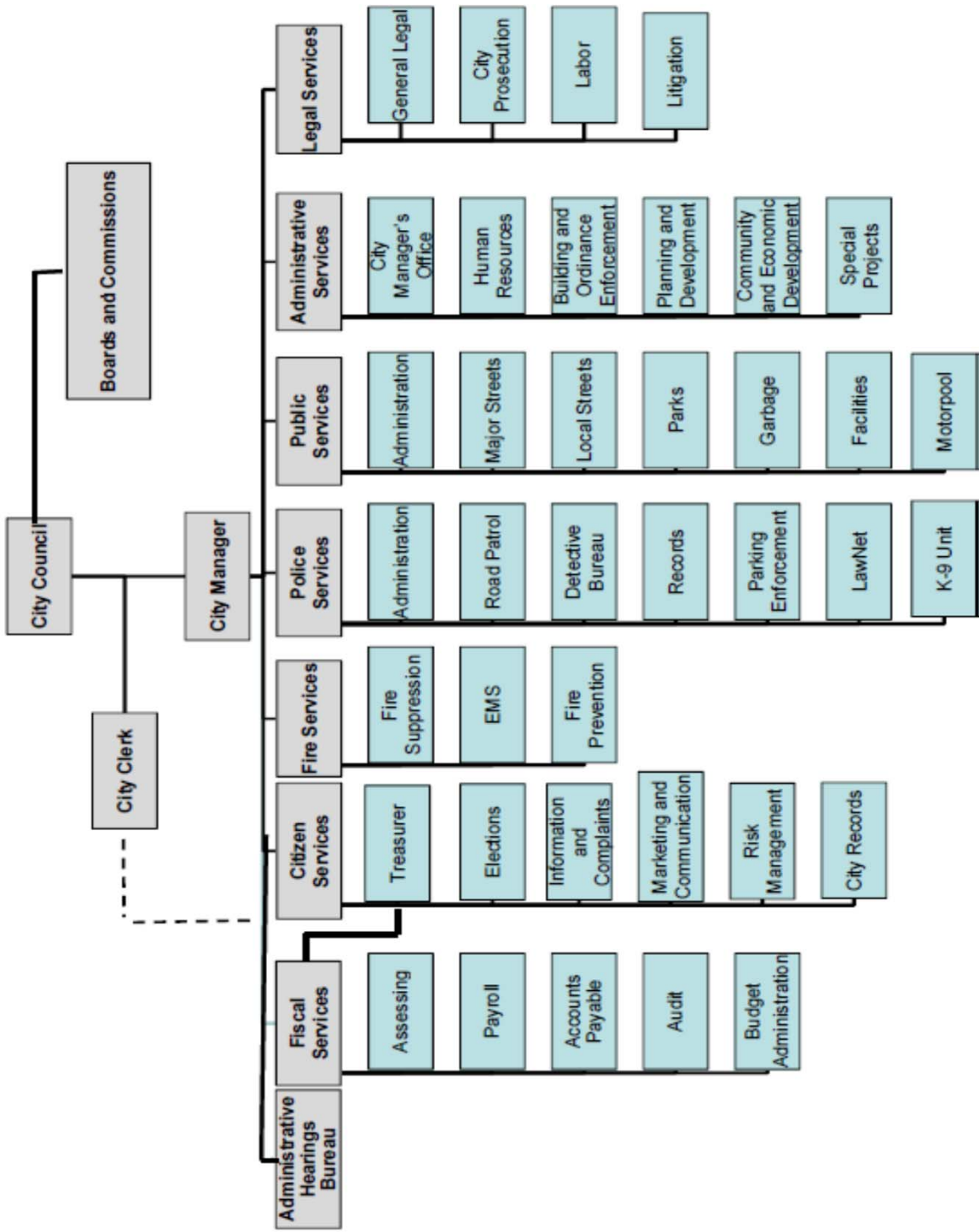
June 30, 2013

A handwritten signature in black ink, appearing to read 'Jeffrey R. Enen', is written in a cursive style.

Executive Director/CEO

CITY OF YPSILANTI, MICHIGAN

Table of Organization



CITY OF YPSILANTI, MICHIGAN

ELECTED OFFICERS

CITY COUNCIL

Paul Schreiber
Mayor

Lois Richardson
Mayor Pro-Tem

Susan Moeller
Peter Murdock
Ricky Jefferson

Daniel Vogt
Brian Robb

Administration - Appointed Officials and Senior Management

Ralph Lange
City Manager

Frances McMullan
City Clerk

Marilou Uy
Director of Fiscal Services

Max Anthouard
Fire Chief

Stan Kirton
Director of Public Services

Tony DeGiusti
Police Chief

Kimberly Teamer
City Treasurer

Courtney Dugger
City Assessor

FINANCIAL SECTION

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Principals

Dale J. Abraham, CPA
Michael T. Gaffney, CPA
Steven R. Kirinovic, CPA
Aaron M. Stevens, CPA
Eric J. Glashouwer, CPA
Alan D. Panter, CPA
William I. Tucker IV, CPA



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INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor and
Members of the City Council
City of Ypsilanti, Michigan

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Ypsilanti, Michigan (the City), as of and for the year ended June 30, 2014, and the related notes to the financial statements, which collectively comprise the City'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 aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Ypsilanti, Michigan, as of June 30, 2014, and the respective changes in financial position, budgetary comparison for the General Fund, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Change in Accounting Principles

During the year the City implemented GASB Statement No. 67, *Financial Reporting for Pension Plans*. As a result, the pension trust fund now includes substantially different note disclosures and required supplementary information. Our opinions are not modified with respect to this matter.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and pension and other postemployment benefits schedules, as listed 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, who 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 supplementary 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's basic financial statements. The introductory section, combining and individual nonmajor fund financial statements, budgetary comparison information for Special Revenue funds, and statistical section, are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The combining and individual nonmajor fund financial statements and the budgetary comparison information for Special Revenue funds are the responsibility of management and were derived from and relate 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 combining and individual nonmajor fund financial statements and the budgetary comparison information for Special Revenue funds are fairly stated in all material respects in relation to the basic financial statements as a whole.

The introductory and statistical sections have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on them.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated December 8, 2014, on 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, grant agreements, and other matters. The purpose of that report is 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 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's internal control over financial reporting and compliance.

Abraham & Gaffney, P.C.

ABRAHAM & GAFFNEY, P.C.
Certified Public Accountants

December 8, 2014

MANAGEMENT'S DISCUSSION AND ANALYSIS

CITY OF YPSILANTI, MICHIGAN

Management's Discussion and Analysis

As management of the *City of Ypsilanti, Michigan*, we offer readers of the City's financial statements this narrative overview and analysis of the financial activities of the City for the fiscal year ended June 30, 2014. We encourage readers to consider the information presented here in conjunction with additional information that we have furnished in our letter of transmittal, as listed in the table of contents.

Financial Highlights

As discussed in further detail in this discussion and analysis, the following represents the most significant financial highlights for the year ended June 30, 2014.

- The assets of the City exceeded its liabilities at the close of the most recent fiscal year by \$15,516,244 (net positions). This amount is net of a deficit of \$7,848,551 in unrestricted net position. The City has no business-type activities and therefore reports only governmental activities in its government-wide financial statements.
- The government's total net position decreased by \$1,206,290.
- As of the close of the current fiscal year, the City's governmental funds reported combined ending fund balances of \$15,834,333, a decrease of \$1,694,182 in comparison with the prior year. Approximately 18.7 percent of this total amount, or \$2,968,262 is available for spending at the government's discretion (unassigned fund balance).
- At the end of the current fiscal year, unassigned fund balance for the general fund was \$2,968,262 or 20.3% of total general fund expenditures and other financing uses.
- The City total bonded debt decreased by \$2,491,815 during the current year. There was one refunding of revenue bonds during the year that will reduce debt service by \$753,109 and a net present value savings of \$669,849.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-wide financial statements. The *government-wide financial statements* are designed to provide readers with a broad overview of the City's finances, in a manner similar to a private-sector business.

The *statement of net position* presents information on all of the City's assets and liabilities, with the difference between the two reported as *net position*. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The *statement of activities* presents information shows how the government's net assets changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, *regardless of the timing of related cash flows*. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., earned but unused vacation leave).

Both of the government-wide financial statements distinguish functions of the City that are principally supported by taxes and intergovernmental revenues (*governmental activities*). The governmental activities of the City include general government, public safety, public works, highways and streets, culture and recreation and community development.

CITY OF YPSILANTI, MICHIGAN

Management's Discussion and Analysis

The government-wide financial statements include not only the City itself (known as the *primary government*), but also legally separate entities for which the City is financially accountable. Financial information for these *component units* is reported separately from the financial information presented for the primary government itself.

The government-wide financial statements can be found as listed in the table of contents.

Fund financial statements. A *fund* is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the City can be divided into three categories: governmental funds, proprietary funds, and fiduciary funds.

Governmental funds. *Governmental funds* are used to account for essentially the same functions reported as *governmental activities* in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *near-term inflows and outflows of spendable resources*, as well as on *balances of spendable resources* available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between *governmental funds* and *governmental activities*.

The City maintains 30 individual governmental funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balances for the general fund, 2006 general obligation debt service fund and 2013 revenue refunding bond capital projects fund, which are considered to be major funds. Data from the other 27 governmental funds are combined into a single, aggregated presentation. Individual fund data for each of these nonmajor governmental funds is provided in the form of *combining statements* elsewhere in this report.

The City adopts an annual appropriated budget for its general and special revenue funds. Budgetary comparison statements or schedules have been provided herein to demonstrate compliance with those budgets.

The basic governmental fund financial statements can be found as listed in the table of contents.

Proprietary funds. The City has one type of proprietary fund. *Internal service funds* are an accounting device used to accumulate and allocate costs internally among the City's various functions. The City uses internal service funds to account for its motor pool, workers' compensation self-insurance, and retiree benefits. Because these services benefit governmental functions, they have been included within *governmental activities* in the government-wide financial statements.

All of the internal service funds are combined into a single, aggregated presentation in the proprietary fund financial statements. Individual fund data for the internal service funds is provided in the form of combining statements elsewhere in this report.

The basic proprietary fund financial statements can be found as listed in the table of contents.

Fiduciary funds. Fiduciary funds are used to account for resources held for the benefit of parties outside the government. Fiduciary funds are *not* reflected in the government-wide financial statements because the resources of those funds are *not* available to support the City's own programs. The accounting used for fiduciary funds is much like that used for proprietary funds.

CITY OF YPSILANTI, MICHIGAN

Management's Discussion and Analysis

The basic fiduciary fund financial statements can be found as listed in the table of contents.

Notes to the financial statements. The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements can be found as listed in the table of contents.

Other information. In addition to the basic financial statements and accompanying notes, this report also presents certain *required supplementary information*. This is limited to schedules concerning the City's progress in funding its obligation to provide pension benefits to its police and fire employees, pension benefits to employees participating in the MERS plan, and other postemployment benefits. Required supplementary information can be found as listed in the table of contents.

The combined statements referred to earlier in connection with nonmajor, internal service and fiduciary funds are presented immediately following the required supplementary information. Combined and individual fund financial statements and schedules can be found as listed in the table of contents.

Government-wide Financial Analysis

As noted earlier, net assets may serve over time as a useful indicator of a government's financial position. In the case of the City of Ypsilanti, assets exceeded liabilities by \$15,516,244 at the close of the most recent fiscal year as shown in the following table (which shows, in a condensed format, the net position as of fiscal year end 2014 and compared to the prior fiscal year):

	Net Position	
	Governmental Activities	
	2014	2013
Assets		
Current and other assets	\$ 48,532,253	\$ 51,560,599
Capital assets	22,504,392	22,886,305
Total assets	<u>71,036,645</u>	<u>74,446,904</u>
Deferred outflow	<u>66,566</u>	<u>83,208</u>
Liabilities		
Long-term liabilities outstanding	52,984,062	55,067,067
Other liabilities	2,602,905	2,740,511
Total liabilities	<u>55,586,967</u>	<u>57,807,578</u>
Net position		
Net investment in capital assets	16,524,392	15,636,305
Restricted	4,545,511	7,631,866
Unrestricted (deficit)	(5,553,659)	(6,545,637)
Total net position	<u>\$ 15,516,244</u>	<u>\$ 16,722,534</u>

CITY OF YPSILANTI, MICHIGAN

Management's Discussion and Analysis

By far the largest portion of the City's net position (106.5% or \$16,524,392) reflects its investment in capital assets (e.g., land, buildings, vehicles, equipment, systems and infrastructure); less any related debt used to acquire those assets that is still outstanding. The City uses these capital assets to provide services to citizens; consequently, these assets are *not* available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

Additionally, a portion of the City's net assets (44.1% or \$6,840,403) represents resources that are subject to external restrictions on how they may be used. The remaining balance of unrestricted net position (a deficit of \$7,848,551) represents the extent to which accrual basis non-capital liabilities exceed assets after taking into account restrictions.

	Changes in Net Position	
	Governmental Activities	
	2014	2013
Revenue		
Program revenue:		
Charges for services	\$ 3,108,560	\$ 2,618,765
Operating grants and contributions	3,829,486	4,282,348
Capital grants and contributions	692,619	24,258
General revenue:		
Property taxes	10,656,453	10,309,164
Grants and contributions not restricted to specific programs	2,420,667	2,342,612
Other	341,590	(13,260)
Total revenue	21,049,375	19,563,887
Expenses		
General government	1,690,255	2,083,855
Public safety	8,878,722	7,908,177
Public works	5,542,347	4,067,582
Highways, streets and bridges	3,143,348	3,921,320
Culture and recreation	366,668	408,367
Community development	255,416	292,867
Public transportation	275,386	308,564
Interest on long-term debt	2,103,523	2,095,288
Total expenses	22,255,665	21,086,020
Special item		
Change in market value of land held for resale	-	(1,995,335)
Change in net position	(1,206,290)	(3,517,468)
Net position - beginning of year	16,722,534	20,240,002
Net position - end of year	\$15,516,244	\$16,722,534

The City's total net position decreased approximately 7.3% from the prior year. Much of the decrease is attributable to increased public safety and public works expense (\$970,545 and \$1,474,765, respectively) over the prior year because of new hires (some of which were through a new federal grant) and equipment and vehicle purchases.

CITY OF YPSILANTI, MICHIGAN

Management's Discussion and Analysis

Financial Analysis of the City's Governmental Funds

As noted earlier, the City uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

The focus of the City's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the City's financing requirements. In particular, unassigned fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year.

As of the end of the current fiscal year, the City's governmental funds reported combined ending fund balances of \$15,834,333, a decrease of \$1,694,182 in comparison with the prior year. Approximately 18.7% of this total amount (or \$2,968,262) constitutes unassigned fund balance, which is available for spending at the government's discretion. Of the remainder, \$2,248,624 represents nonspendable fund balance, \$4,901,459 is restricted and \$5,715,988 is committed.

The general fund is the chief operating fund of the City. At the end of the current fiscal year, the total fund balance for the general fund was \$7,948,365. Of this amount \$348,324 represents inventory, prepaid items and land held for resale rendering it nonspendable, and \$4,631,779 is committed for vested employee benefits, Water Street bond payments, an energy efficiency project and other uses as seen in the notes to the financial statements. As a measure of the general fund's liquidity it may be useful to compare unassigned fund balance to the total general fund expenditures; \$2,968,262 of the general fund's fund balance is unassigned, which represents 20.3% of total general fund expenditures and other financing uses. Overall, the fund balance of the general fund decreased by \$591,202 for the year, which was \$874,127 less of a decrease than budgeted.

Other factors affecting the general fund financial results for the year include:

- In total, general fund expenditures were \$826,064 under budget. This included significant amounts under budget for police (\$228,152), parks and recreation (\$212,550) and public building maintenance (\$84,424). The primary reasons for these departments finishing under budget were due to timing on certain projects.
- Compared to the prior year actuals, general fund revenue was up approximately \$1.2 million; about \$400,000 of this came from property taxes and \$1.0 was from increases in other revenues, primarily due to a one-time grant for the reconstruction of the community pool. Total actual expenditures compared to the prior year increased approximately \$1.7 million with most of the increases in public safety and public works for new hires and equipment purchases.

The 2006 general obligation fund had an ending fund balance of \$1,910,022, of which \$1,900,300 represents land held for resale (which is therefore reported as nonspendable).

General Fund Budgetary Highlights

The difference between the original and final amended budget for expenditures was approximately \$1 million and was primarily for street lighting to replace old mercury vapor lights with energy efficient LED lights. Other differences between the original and final amended budget for revenues and expenditures were generally distributed across various captions/departments.

The City amended the budget to take into account various events occurring during the year. Revenue was \$130,782 less than the amended budget, primarily because other revenues were under budget by \$120,043 due to optimistic estimates for this line item.

Total expenditures were \$826,064 less than the amended budget as nearly all general fund departments spent less than budget and the three that exceeded budget were for minimal amounts.

CITY OF YPSILANTI, MICHIGAN

Management's Discussion and Analysis

Capital Assets and Debt Administration

Capital Assets. At the end of 2014, the City had \$22,504,392 invested in a broad range of net capital assets including land, land improvements, buildings and improvements, sidewalks, roads, police and fire equipment, vehicles, and other types of equipment.

	Capital Assets (Net of depreciation)	
	Governmental Activities	
	2014	2013
Land	\$ 1,373,105	\$ 760,443
Infrastructure	15,005,856	16,556,224
Buildings and improvements	4,451,215	3,748,543
Vehicles and equipment	1,563,748	1,758,794
Construction in progress	110,468	62,301
Total	\$22,504,392	\$22,886,305

Major capital asset events during the current fiscal year included:

- Reconstruction of community swimming pool (Rutherford Pool) for \$880,000.
- Purchase of equipment (tasers and other items) and vehicles (two police cars).
- Capitalization of land previously reported as being held for resale (i.e., the City will no longer sell certain parcels as they will be used for park land and/or green space).

Additional information on the City's capital assets can be found in the note 8.

Long-term debt. At the end of the current fiscal year, the City had total bonded debt outstanding of \$48,537,720. Of this amount, \$19,925,000 is comprised of debt backed by the full faith and credit of the government. The remainder of the City's bonded debt represents bonds secured solely by specified revenue sources.

	General Obligation and Revenue Bonds	
	Governmental activities	
	2014	2013
General obligation bonds	\$ 19,925,000	\$ 21,640,000
Revenue bonds	28,612,720	29,389,535
Total	\$48,537,720	\$51,029,535

Moody's credit rating on April 10, 2014 for senior lien revenue debt bonds outstanding changed from A1 to A2 and removed the negative outlook.

Standard & Poor's rating on April 11, 2014 for outstanding general obligation limited tax debts was changed from A to AA.

Additional information on the City's long-term debt can be found in note 12.

CITY OF YPSILANTI, MICHIGAN

Management's Discussion and Analysis

Economic Factors and Next Year's Budgets and Rates

Revenues for all funds are budgeted to be \$576,467 lower than the current fiscal year amended budget. The City expects property taxes to increase by 0.87% net of the under \$40,000 taxable value of personal properties. The City continues to look for many option to reduce costs or increase revenues. Some of the things being considered are restructuring the police and fire personnel resulting in reduced overtime pay, dual fuel vehicle that will save fuel cost, a special assessment on the operational cost of street lighting, participate with Munirent to rent out and rent to neighboring city and township's specialized equipment, re-bid trash contract that increased the service and saved cost, conversion of municipal property to LED lightings, and efficient collection of parking tickets. The City continues to comply with the City, Village, and Township Revenue Sharing (CVTRS) program, previously EVIP, to receive full CVTRS payments. The City implemented again the Public Act 52 (SB #7) limiting employer's medical benefit cost by making employees pay 20% of the medical cost.

The City's spending budget for all funds for next fiscal year is \$967,510 less than the current year proposed budget, which includes the use of \$1,309,380 fund balance from the general fund for the Water Street bond payment; \$98,903 from the major streets fund to help finance the design engineering of Prospect road, Prospect bridge and Prospect - Michigan Avenue traffic safety, construction of E & W Cross Streetscape, and non-motorized improvement projects; \$90,046 from local streets fund to pay for traffic calming projects; \$692,500 fund balance from the capital improvement fund to pay for Fire Department's roof replacement, carport for Police Department, truck port for DPS, Freighthouse improvements, urgent road repairs on Cornell, Harriet, N, Huron River Drive, Prospect, Leforge, Adams and Grove Streets; and \$1,109,783 to finance equipment purchases, three dump trucks, two trucks, and bobcat attachment for DPS, one truck packer for environmental services, two police patrol cars.

The percent of general fund revenue used to fund essential services for fiscal year 2012, as required by the Michigan Legislature for budgeting fiscal 2014-15 replacement funding of personal property taxes, was 59.96 percent.

Contacting the City's Management

This financial report is intended to provide our citizens, taxpayers, customers and investors 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 information, you are welcome to contact the clerk's office at (734) 483-1100.

BASIC FINANCIAL STATEMENTS

GOVERNMENT-WIDE FINANCIAL STATEMENTS

CITY OF YPSILANTI, MICHIGAN

Statement of Net Position

June 30, 2014

	Primary Government	
	Governmental Activities	Component Units
Assets		
Cash and cash equivalents	\$ 15,533,099	\$ 766,201
Investments	3,478,195	-
Receivables	27,080,644	515
Prepaid items and other assets	2,336,307	356
Other noncurrent assets - other post-employment benefits asset	104,008	-
Capital assets not being depreciated	1,483,573	107,184
Capital assets being depreciated, net	21,020,819	2,027,787
Total assets	<u>71,036,645</u>	<u>2,902,043</u>
Deferred outflows of resources		
Deferred charge on refunding	<u>66,566</u>	<u>-</u>
Liabilities		
Accounts payable and accrued expenses	2,315,488	40,605
Due to other governments	70,113	84,389
Unearned revenue	217,304	21,500
Long-term liabilities:		
Due within one year	4,387,233	75,227
Due in more than one year	48,596,829	623,647
Total liabilities	<u>55,586,967</u>	<u>845,368</u>
Net position		
Net investment in capital assets	16,524,392	1,438,712
Restricted for:		
Highways and streets	1,782,292	-
Drug law enforcement	38,881	-
Public transportation	11,355	-
Debt service	774,039	-
Capital projects	1,938,944	-
Unrestricted (deficit)	(5,553,659)	617,963
Total net position	<u>\$ 15,516,244</u>	<u>\$ 2,056,675</u>

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Statement of Activities

For the Year Ended June 30, 2014

		Program Revenues			
Functions / Programs	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Net (Expense) Revenue
Primary government					
Governmental activities:					
General government	\$ 1,690,255	\$ 2,320,700	\$ 70,358	\$ 64,411	\$ 765,214
Public safety	8,878,722	786,308	100,654	15,546	(7,976,214)
Public works	5,542,347	-	-	-	(5,542,347)
Highways, streets and bridges	3,143,348	-	1,440,913	-	(1,702,435)
Culture and recreation	366,668	-	257	612,662	246,251
Community development	255,416	1,552	-	-	(253,864)
Public transportation	275,386	-	-	-	(275,386)
Interest on long-term debt	2,103,523	-	2,217,304	-	113,781
Total primary government	\$ 22,255,665	\$ 3,108,560	\$ 3,829,486	\$ 692,619	\$ (14,625,000)
Component units					
Community/economic development	\$ 417,795	\$ -	\$ 6,841	\$ -	\$ (410,954)

continued...

CITY OF YPSILANTI, MICHIGAN

Statement of Activities

For the Year Ended June 30, 2014

	Primary Government	
	Governmental Activities	Component Units
Changes in net position		
Net expense	\$ (14,625,000)	\$ (410,954)
General revenues:		
Property taxes	10,656,453	407,294
Grants and contributions not restricted to specific programs	2,420,667	7,207
Unrestricted investment earnings	341,590	3,462
Total general revenues	13,418,710	417,963
Change in net position	(1,206,290)	7,009
Net position, beginning of year	16,722,534	2,049,666
Net position, end of year	<u>\$ 15,516,244</u>	<u>\$ 2,056,675</u>
		concluded.

The accompanying notes are an integral part of these financial statements.

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FUND FINANCIAL STATEMENTS

CITY OF YPSILANTI, MICHIGAN

Balance Sheet

Governmental Funds

June 30, 2014

	General	2006 General Obligation	2013 Revenue Refunding Bonds	Other Governmental Funds	Total Governmental Funds
Assets					
Cash and cash equivalents	\$ 7,266,439	\$ 178,130	\$ 1,820,730	\$ 3,973,206	\$ 13,238,505
Investments	903,498	-	-	-	903,498
Accounts receivable	243,976	-	11,532	49,006	304,514
Land held for resale	38,644	1,900,300	-	-	1,938,944
Special assessments receivable	54,699	-	-	-	54,699
Due from other funds	-	-	-	102,122	102,122
Due from other governments	538,578	-	-	185,249	723,827
Prepaid items	156,049	-	-	-	156,049
Inventory	153,631	-	-	-	153,631
Total assets	\$ 9,355,514	\$ 2,078,430	\$ 1,832,262	\$ 4,309,583	\$ 17,575,789
Liabilities					
Accounts payable	\$ 106,041	\$ -	\$ -	\$ 58,805	\$ 164,846
Accrued liabilities	652,629	-	-	20,731	673,360
Due to other funds	102,122	-	-	-	102,122
Due to other governments	68,426	-	-	1,687	70,113
Tax refunds payable	222,569	-	-	72,176	294,745
Unearned revenue	36,396	168,408	-	12,500	217,304
Total liabilities	1,188,183	168,408	-	165,899	1,522,490
Deferred inflows of resources					
Unavailable revenue	218,966	-	-	-	218,966
Fund balances					
Nonspendable:					
Prepaid items	156,049	-	-	-	156,049
Inventory	153,631	-	-	-	153,631
Land held for resale	38,644	1,900,300	-	-	1,938,944
Restricted for:					
Major and local streets	-	-	-	1,782,292	1,782,292
Drug law enforcement	-	-	-	38,881	38,881
Public transportation	-	-	-	11,355	11,355
Debt service	-	9,722	-	1,226,947	1,236,669
Committed for:					
Various purposes (Note 13)	4,631,779	-	-	-	4,631,779
Capital projects	-	-	-	1,084,209	1,084,209
Unassigned	2,968,262	-	1,832,262	-	4,800,524
Total fund balances	7,948,365	1,910,022	1,832,262	4,143,684	15,834,333
Total liabilities, deferred inflows of resources and fund balances	\$ 9,355,514	\$ 2,078,430	\$ 1,832,262	\$ 4,309,583	\$ 17,575,789

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Reconciliation

Fund Balances for Governmental Funds
to Net Position of Governmental Activities
June 30, 2014

Fund balances - total governmental funds	\$ 15,834,333
Amounts reported for <i>governmental activities</i> in the statement of net position are different because:	
Capital assets used in governmental activities are not financial resources and therefore are not reported in the funds.	
Capital assets	50,519,398
Accumulated depreciation	(29,381,824)
Special assessment and sale of property receivables are expected to be collected over several years but are not available to pay for current year expenditures.	
	218,966
For a bond refunding, the difference between the reacquisition price and the value of the refunded debt is capitalized and amortized over the shorter of the remaining years on the refunded or refunding bonds.	
Deferred charge on refunding	66,566
An internal service fund is used by management to charge the costs of certain equipment usage, insurance and benefits to individual funds. The assets and liabilities of the internal service fund are included in governmental activities in the statement of net position.	
Net position of governmental activities accounted for in internal service funds	5,635,760
Certain liabilities, such as bonds payable, are not due and payable in the current period and therefore are not reported in the funds.	
Other noncurrent assets - other postemployment benefits	104,008
Bonds and purchase agreements payable	(51,628,070)
Bond premium	(402,709)
Leases receivable from joint venture entity for debt-financed property	25,965,729
Accrued interest on bonds payable	(462,630)
Compensated absences	(953,283)
Net position of governmental activities	<u>\$ 15,516,244</u>

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Statement of Revenues, Expenditures and Changes in Fund Balances

Governmental Funds

For the Year Ended June 30, 2014

	General	2006 General Obligation	2013 Revenue Refunding Bonds	Other Governmental Funds	Total Governmental Funds
Revenues					
Taxes and special assessments	\$ 8,218,060	\$ -	\$ -	\$ 2,438,393	\$ 10,656,453
Licenses and permits	590,784	-	-	58,097	648,881
Intergovernmental	2,582,605	-	156,971	4,111,562	6,851,138
Charges for services	417,906	-	-	-	417,906
Fines and forfeits	414,468	-	-	-	414,468
Investment earnings	150,439	-	11,421	20,806	182,666
Other revenues	1,604,527	-	-	106,416	1,710,943
Total revenues	13,978,789	-	168,392	6,735,274	20,882,455
Expenditures					
Current:					
General government	2,022,813	-	-	265,162	2,287,975
Public safety	7,491,496	-	-	315,132	7,806,628
Public works	1,271,237	681,971	-	1,644,670	3,597,878
Refuse collection	-	-	-	1,017,678	1,017,678
Highways, streets and bridges	-	-	-	1,476,912	1,476,912
Parks and recreation	1,136,746	-	-	-	1,136,746
Community development	23,374	-	-	9,074	32,448
Public transportation	-	-	-	274,846	274,846
Unallocated employee benefits	928,133	-	-	-	928,133
Tax tribunal refunds	8,794	-	-	3,918	12,712
Debt service:					
Principal	-	445,000	-	3,090,000	3,535,000
Interest and fiscal charges	-	897,228	303,892	956,800	2,157,920
Total expenditures	12,882,593	2,024,199	303,892	9,054,192	24,264,876
Revenues over (under) expenditures	1,096,196	(2,024,199)	(135,500)	(2,318,918)	(3,382,421)
Other financing sources (uses)					
Issuance of refunding bonds	-	-	7,490,000	1,503,185	8,993,185
Payment to refunding bond escrow agent	-	-	(7,950,000)	-	(7,950,000)
Premium on refunding bonds	-	-	433,687	-	433,687
Transfers in	21,822	1,341,986	1,994,075	1,570,783	4,928,666
Transfers out	(1,709,220)	-	-	(3,008,079)	(4,717,299)
Total other financing sources (uses)	(1,687,398)	1,341,986	1,967,762	65,889	1,688,239
Net changes in fund balances	(591,202)	(682,213)	1,832,262	(2,253,029)	(1,694,182)
Fund balances, beginning of year	8,539,567	2,592,235	-	6,396,713	17,528,515
Fund balances, end of year	\$ 7,948,365	\$ 1,910,022	\$ 1,832,262	\$ 4,143,684	\$ 15,834,333

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Reconciliation

Net Changes in Fund Balances of Governmental Funds
to Change in Net Position of Governmental Activities
For the Year Ended June 30, 2014

Net change in fund balances - total governmental funds \$ (1,694,182)

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, the cost of those assets is allocated over their estimated
useful lives and reported as depreciation expense.

Capital outlay expenditures	1,841,305
Depreciation expense	(2,642,752)
Capital contributions	612,662

Bond proceeds provide current financial resources to governmental funds in the period
issued, but issuing bonds increases long-term liabilities in the statement of net position.
Repayment of bond principal is an expenditure in the governmental funds, but the
repayment reduces long-term liabilities in the statement of net position.

Refunding and revenue bond proceeds	(8,993,185)
Payment to refunding bond escrow agent	7,950,000
Premium received on refunding and revenue bonds	(433,687)
Principal payments on long-term liabilities	3,535,000
Change in leases receivable for debt-financed property	(604,924)

An internal service fund is used by management to charge the costs of certain
equipment usage, insurance and benefits to individual funds. The net revenue (expense)
attributable to those funds is reported with governmental activities.

Operating loss of government internal service funds	(829,189)
Investment income in government internal service funds	162,037
Gain on sale of capital assets in government internal service funds	136,106
Transfers out in governmental internal service funds	(211,367)

Some expenses reported in the statement of activities do not require the use of current
financial resources and therefore are not reported as expenditures in the funds.

Change in other noncurrent assets for other postemployment benefits assets	(82,409)
Change in accrued interest payable on bonds	40,060
Change in the accrual for compensated absences	(6,101)
Amortization of bond premium	30,978
Amortization of deferred charge on refunding	(16,642)

Change in net position of governmental activities \$ (1,206,290)

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Statement of Revenues, Expenditures and Changes in Fund Balances

Budget and Actual - General Fund
For the Year Ended June 30, 2014

	Budgeted Amounts		Actual	Actual Over (Under) Final Budget
	Original	Final		
Revenues				
Taxes and special assessments	\$ 8,125,017	\$ 8,237,602	\$ 8,218,060	\$ (19,542)
Licenses and permits	579,492	613,207	590,784	(22,423)
Intergovernmental	2,495,742	2,600,307	2,582,605	(17,702)
Charges for services	451,000	433,840	417,906	(15,934)
Fines and forfeits	476,837	385,000	414,468	29,468
Investment earnings	120,045	115,045	150,439	35,394
Other revenues	1,444,985	1,724,570	1,604,527	(120,043)
Total revenues	13,693,118	14,109,571	13,978,789	(130,782)
Expenditures				
General government:				
City council	99,243	98,080	94,611	(3,469)
City manager	252,606	254,878	240,701	(14,177)
Community services	8,889	8,809	4,138	(4,671)
Elections	61,612	57,868	28,881	(28,987)
Accounting	280,017	315,231	295,741	(19,490)
Assessing	90,791	73,413	72,739	(674)
General legal	52,140	52,140	52,140	-
Ordinance prosecution	105,000	105,000	105,000	-
Litigation and appeals	115,000	125,000	111,468	(13,532)
Personnel legal	25,000	45,000	38,469	(6,531)
City clerk	153,556	154,764	160,113	5,349
Human resources	140,893	204,195	176,334	(27,861)
Treasurer	143,731	133,469	134,714	1,245
Public building maintenance	299,312	360,146	275,722	(84,424)
Planning and development	263,744	294,859	232,042	(62,817)
Total general government	2,091,534	2,282,852	2,022,813	(260,039)
Public safety:				
Police	4,860,494	4,581,912	4,353,760	(228,152)
Fire	2,543,024	2,734,179	2,697,951	(36,228)
Ordinance enforcement	169,352	208,374	199,787	(8,587)
Building inspection	223,940	248,068	239,998	(8,070)
Total public safety	7,796,810	7,772,533	7,491,496	(281,037)

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CITY OF YPSILANTI, MICHIGAN

Statement of Revenues, Expenditures and Changes in Fund Balances

Budget and Actual - General Fund
For the Year Ended June 30, 2014

	Budgeted Amounts		Actual	Actual Over (Under) Final Budget
	Original	Final		
Expenditures (Concluded)				
Public works:				
Public works department	\$ 175,962	\$ 241,620	\$ 201,988	\$ (39,632)
Street lighting	-	1,066,517	1,069,249	2,732
Total public works	175,962	1,308,137	1,271,237	(36,900)
Parks and recreation	1,326,884	1,349,296	1,136,746	(212,550)
Community development	15,983	25,153	23,374	(1,779)
Unallocated employee benefits	849,656	953,686	928,133	(25,553)
Tax tribunal refunds	20,000	17,000	8,794	(8,206)
Total expenditures	12,276,829	13,708,657	12,882,593	(826,064)
Revenues over expenditures	1,416,289	400,914	1,096,196	695,282
Other financing sources (uses)				
Transfers in	(15,300)	(23,608)	21,822	45,430
Transfers out	(1,768,279)	(1,842,635)	(1,709,220)	133,415
Total other financing (uses)	(1,783,579)	(1,866,243)	(1,687,398)	178,845
Net change in fund balance	(367,290)	(1,465,329)	(591,202)	874,127
Fund balance, beginning of year	8,539,567	8,539,567	8,539,567	-
Fund balance, end of year	\$ 8,172,277	\$ 7,074,238	\$ 7,948,365	\$ 874,127

concluded.

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Statement of Net Position

Proprietary Funds - Internal Service Funds
June 30, 2014

	Total
Assets	
Current assets:	
Cash and cash equivalents	\$ 3,373,267
Investments	1,496,024
Accounts receivable	31,875
Inventory	30,918
Prepaid items	56,765
Total current assets	4,988,849
Noncurrent assets - capital assets, net	1,366,818
Total assets	6,355,667
Liabilities	
Current liabilities:	
Accounts payable and accrued liabilities	53,413
Current portion of claims payable	266,600
Total current liabilities	320,013
Noncurrent liabilities - claims payable, net	399,894
Total liabilities	719,907
Net position	
Investment in capital assets	1,366,818
Unrestricted	4,268,942
Total net position	\$ 5,635,760

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Statement of Revenues, Expenses and Changes in Net Position

Proprietary Funds - Internal Service Funds
For the Year Ended June 30, 2014

	Total
Operating revenues	
Charges for services	\$ 2,025,647
Operating expenses	
Salaries, taxes and benefits	195,114
Gas, oil and fuel	169,253
Depreciation	390,017
Operation and maintenance	150,868
Contractual services and fees	239,582
Insurance and other	58,319
Benefits and claims	1,651,683
Total operating expenses	2,854,836
Operating loss	(829,189)
Nonoperating revenues	
Investment income	162,037
Gain on sale of equipment	136,106
Total nonoperating revenues	298,143
Loss before transfers	(531,046)
Transfers out	(211,367)
Change in net position	(742,413)
Net position, beginning of year	6,378,173
Net position, end of year	\$ 5,635,760

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Statement of Cash Flows

Proprietary Funds - Internal Service Funds
For the Year Ended June 30, 2014

	Total
Cash flows from operating activities	
Cash received from interfund services	\$ 2,000,815
Cash payments to employees	(195,114)
Cash payments for claims	(1,394,053)
Cash payments to suppliers for goods and services	(585,323)
Net cash used in operating activities	(173,675)
Cash flows from noncapital financing activities	
Transfer to other funds	(211,367)
Cash flows from capital and related financing activities	
Purchase of capital assets	(196,889)
Proceeds from sale of capital assets	136,106
Net cash used in capital and related financing activities	(60,783)
Cash flows from investing activities	
Redemption of investments	185,350
Investment income	162,037
Net cash provided by investing activities	347,387
Change in cash and cash equivalents	(98,438)
Cash and cash equivalents, beginning of year	3,471,705
Cash and cash equivalents, end of year	\$ 3,373,267

continued...

CITY OF YPSILANTI, MICHIGAN

Statement of Cash Flows

Proprietary Funds - Internal Service Funds
For the Year Ended June 30, 2014

	Total
Reconciliation of operating loss to net cash used in operating activities	
Operating loss	\$ (829,189)
Adjustments to reconcile operating loss to net cash used in operating activities:	
Depreciation	390,017
Changes in:	
Accounts receivable	(24,832)
Inventory	3,406
Prepaid items	3,352
Accounts payable and accrued liabilities	25,970
Claims payable	257,601
Net cash used in operating activities	<u><u>\$ (173,675)</u></u>
	concluded.

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Statement of Fiduciary Net Position

Fiduciary Funds

June 30, 2014

	Police and Fire Retirement System Trust	Current Tax Agency Fund
Assets		
Cash and cash equivalents	\$ 1,722,701	\$ -
Investments:		
U.S. agencies	1,874,591	-
Corporate bonds	4,895,579	-
Domestic equities	15,495,617	-
International equities	1,362,395	-
Mutual funds	5,523,432	-
Exchange traded products	277,182	-
Real estate investment trusts	544,836	-
Money market accounts	539,383	-
Accrued interest receivable	53	-
Total assets	<u>32,235,769</u>	<u>\$ -</u>
Liabilities		
Undistributed receipts	-	\$ -
Accounts payable	638,532	-
Total liabilities	<u>638,532</u>	<u>\$ -</u>
Net position		
Restricted for pension benefits	<u>\$ 31,597,237</u>	

The accompanying notes are an integral part of these financial statements.

CITY OF YPSILANTI, MICHIGAN

Statement of Changes in Fiduciary Net Position

Fiduciary Funds - Police and Fire Retirement System Trust Fund
For the Year Ended June 30, 2014

Additions

Investment income:

Net appreciation in fair value of investments	\$ 4,362,837
Interest and dividends	728,007
Less investment management fees	<u>(108,610)</u>

Net investment income	<u>4,982,234</u>
-----------------------	------------------

Contributions:

City of Ypsilanti	1,358,167
Participants	<u>275,422</u>

Total contributions	<u>1,633,589</u>
---------------------	------------------

Total additions	<u>6,615,823</u>
------------------------	------------------

Deductions

Participant benefits	3,078,288
Administrative expenses	<u>60,012</u>

Total deductions	<u>3,138,300</u>
-------------------------	------------------

Net change to net position restricted for pension benefits	3,477,523
---	-----------

Net position restricted for pension benefits, beginning of year	<u>28,119,714</u>
---	-------------------

Net position restricted for pension benefits, end of year	<u><u>\$ 31,597,237</u></u>
--	-----------------------------

The accompanying notes are an integral part of these financial statements.

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COMPONENT UNIT FINANCIAL STATEMENTS

CITY OF YPSILANTI, MICHIGAN

Combining Statement of Net Position

Component Units

June 30, 2014

	Downtown Development Authority	Depot Town Downtown Development Authority	Economic Development Corporation	Totals
Assets				
Cash and cash equivalents	\$ 246,930	\$ 311,607	\$ 207,664	\$ 766,201
Accounts receivable	-	515	-	515
Prepays	-	-	356	356
Capital assets not being depreciated	-	53,984	53,200	107,184
Capital assets being depreciated, net	1,759,030	268,757	-	2,027,787
Total assets	<u>2,005,960</u>	<u>634,863</u>	<u>261,220</u>	<u>2,902,043</u>
Liabilities				
Accounts payable	15,717	12,483	-	28,200
Accrued liabilities	11,744	661	-	12,405
Due to other governments	365	11,860	72,164	84,389
Unearned revenues	11,500	10,000	-	21,500
Long-term liabilities:				
Due within one year	55,952	19,275	-	75,227
Due in more than one year	616,663	6,984	-	623,647
Total liabilities	<u>711,941</u>	<u>61,263</u>	<u>72,164</u>	<u>845,368</u>
Net position				
Investment in capital assets	1,089,030	296,482	53,200	1,438,712
Unrestricted	204,989	277,118	135,856	617,963
Total net position	<u>\$ 1,294,019</u>	<u>\$ 573,600</u>	<u>\$ 189,056</u>	<u>\$ 2,056,675</u>

The accompanying notes are an integral part of the financial statements.

CITY OF YPSILANTI, MICHIGAN

Combining Statement of Activities

Component Units

For the Year Ended June 30, 2014

	Downtown Development Authority	Depot Town Downtown Development Authority	Economic Development Corporation	Totals
Expenses				
Community / economic development	\$ 341,286	\$ 75,261	\$ 1,248	\$ 417,795
Program revenues				
Operating grants and contributions	-	6,841	-	6,841
Net program expense	(341,286)	(68,420)	(1,248)	(410,954)
General revenues				
Property taxes	307,726	99,568	-	407,294
Other revenue	7,007	200	-	7,207
Unrestricted investment earnings	1,317	1,223	922	3,462
Total general revenues	316,050	100,991	922	417,963
Change in net position	(25,236)	32,571	(326)	7,009
Net position, beginning of year	1,319,255	541,029	189,382	2,049,666
Net position, end of year	<u>\$ 1,294,019</u>	<u>\$ 573,600</u>	<u>\$ 189,056</u>	<u>\$ 2,056,675</u>

The accompanying notes are an integral part of the financial statements.

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NOTES TO THE FINANCIAL STATEMENTS

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CITY OF YPSILANTI, MICHIGAN

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CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the City of Ypsilanti, Michigan have been prepared in conformity with generally accepted accounting principles (GAAP) as applied to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The more significant of the City's accounting policies are described below.

Reporting Entity

The City of Ypsilanti is governed by an elected seven-member council. The accompanying financial statements present the City and its component units, entities for which the City is considered to be financially accountable. Although blended component units are legal separate entities, in substance, they are part of the City's operations, whereas discretely presented component units are reported in a separate column in the government-wide financial statements to emphasize that they are legally separate from the City.

The component units discussed below are included in the City's reporting entity because of the significance of their operational or financial relationship with the City. Each blended or discretely presented component unit has a June 30 year end.

Blended Component Units - The City has no blended component units.

Discretely Presented Component Units - Following is a summary of the City's discretely presented component units:

Downtown Development Authority (DDA) - The DDA is responsible for correcting and preventing deterioration in the downtown district, encourages historical preservation and promotes economic growth within the district. The City Council appoints and may remove board members and approves the budget. Separate financials are not prepared.

Depot Town Downtown Development Authority (DDA) - The Depot Town DDA is responsible for promoting development and preservation of the Depot Town DDA district. The City Council appoints and may remove board members and approves the budget. Separate financials are not prepared.

Economic Development Corporation (EDC) - The EDC is responsible for providing means and methods to encourage and assist industrial and commercial development within the City. The City Council appoints and may remove board members and approves the budget. Separate financials are not

Brownfield Redevelopment Authority (BRA) - The BRA is responsible for administering brownfield redevelopment projects. The City Council appoints and may remove board members and approves the budget. Separate financials are not prepared; the BRA had no financial activity for the current year.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Basis of Presentation

Government-wide and Fund Financial Statements

Government-wide Financial Statements. The statements of net position and activities display information on the primary government and its component units. These statements include the financial activities of the overall government, except for fiduciary activities. As a general rule the effect of interfund activity has been removed from the government-wide financial statements, except for payments-in-lieu of taxes and various other functions of the government. Elimination of these charges would distort the direct costs and program revenues reported for the various applicable functions. Although government-wide financial statements generally distinguish between *governmental* and *business-type activities*, the City has no business-type activities and, therefore, only reports governmental activities. Governmental activities generally are financed through taxes and intergovernmental revenues.

The statement of activities presents a comparison between direct expenses and program revenues for each function of the City's governmental activities. Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. Indirect expense allocations that have been made in the funds have been reversed for the statement of activities. Program revenues include (a) charges paid by the recipients of goods or services offered by the programs and (b) grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, including all taxes, are presented as general revenues.

Fund Financial Statements. The fund financial statements provide information about the City's funds, including its fiduciary funds. 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. The emphasis of fund financial statements is on major governmental funds, each displayed in a separate column. All remaining governmental funds are aggregated and reported as nonmajor funds.

Measurement Focus, Basis of Accounting, and Financial Statement Presentation

Government-wide, Proprietary and Fiduciary Fund Financial Statements. The government-wide, proprietary and fiduciary fund financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, except for agency funds, which do not have a measurement focus. Revenue is recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

Proprietary funds distinguish operating revenues 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 City's internal service funds are charges to other funds of the City for various services. Operating expenses for internal service funds include these services, administrative expenses, and depreciation on capital assets. All revenue and expense not meeting this definition are reported as nonoperating revenue and expenses.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Nonexchange transactions, in which the City gives (or receives) value without directly receiving (or giving) equal value in exchange, include property taxes, grants, entitlements and donations. 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.

Governmental Fund Financial Statements. Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. Revenue is considered to be available if it is collected within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the City considers revenues to be available if they are collected within sixty days of the end of the current fiscal period. Property taxes, franchise taxes, licenses and interest are considered to be susceptible to accrual.

Expenditures generally are recorded when a related fund liability is incurred, except for debt service expenditures, compensated absences, and claims and judgments, which are recognized as expenditures to the extent they have matured. General capital asset acquisitions are reported as expenditures in governmental funds. Proceeds from general long-term debt and acquisitions under capital leases, if any, are reported as other financing sources.

Under the terms of grant agreements, the City funds certain programs by a combination of specific cost-reimbursement grants and general revenues. Thus, when an expense is incurred for purposes for which both restricted and unrestricted net assets are available, the City's policy is to first apply restricted resources.

The City reports the following major governmental funds:

The *general fund* is the government's primary operating fund. It accounts for all the financial resources of the general government, except those accounted for and reported in another fund.

The *2006 general obligation capital projects fund* accounts for activity related to the purchase and development of various properties located within the City. Revenues come from various grants and proceeds from sale of land.

The *2013 revenue refunding bond capital projects fund* accounts for activity related to the refunding of certain revenue bonds and new monies for certain capital projects.

Additionally, the City reports the following fund types:

Special revenue funds are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects.

Debt service funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for principal and interest on long-term general obligation debt of governmental funds.

Capital projects funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for capital outlays, including the acquisition or construction of capital facilities and other capital assets that are not being financed by proprietary funds.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Internal service funds are proprietary funds used to account for major machinery and equipment purchases and maintenance, retiree health care, as well as risk management services provided to other departments of the City on a cost reimbursement basis.

The *pension trust fund* is a fiduciary fund that accounts for the activities of the Police and Fire Employees' Retirement System. This fund accumulates resources for pension benefit payments to qualified police and fire employees through the collection of property tax revenues.

Agency funds are custodial in nature and do not present results of operations or have a measurement focus. These funds are used to account for assets that the government holds for others in an agency capacity (such as taxes collected for other governments).

Assets, Liabilities and Equity

Deposits and Investments

State statutes authorize the government to deposit in the accounts of federally insured banks, credit unions, and savings and loan associations, and to invest in obligations of the U.S. Treasury, certain commercial paper, repurchase agreements, bankers' acceptances, and mutual funds composed of otherwise legal investments. The State's Pension Investment Act, as amended, authorizes the pension trust fund to invest in common stocks, real estate, and various other investment instruments, subject to certain limitations.

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. Short-term investments are reported at cost, which approximates fair value. Securities traded on a national or international exchange are valued at the last reported sales price at current exchange rates. Mortgages are valued on the basis of future principal and interest payments, and are discounted at prevailing interest rates for similar instruments. Investments that do not have established market values are reported at estimated fair value. Cash deposits are reported at carrying amounts, which reasonably approximates fair value.

Unrealized appreciation or depreciation on pension trust fund investments due to changes in fair value are recognized each year.

Receivables and Payables

In general, outstanding balances between funds are reported as "due to/from other funds". Activity between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year is referred to as "advances to/from other funds". All trade receivables are shown net of allowance for uncollectible amounts.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Inventory, Prepaid Items and Other Assets

Inventory in the general and internal service funds is valued at cost using the first-in/first-out method, which approximates market value. Inventory of governmental funds is recorded as an expenditure when purchased. Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items, when incurred, in both the government-wide and fund financial statements.

Capital Assets

Capital assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items), are reported in the governmental activities column in the government-wide financial statements. The government defines capital assets as assets with an initial, individual cost of more than \$1,000 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 fair value at the date of donation.

Capital assets of the primary government are depreciated using the straight-line method over the following estimated useful lives:

Assets	Years
Infrastructure	15
Buildings and improvements	5-70
Vehicles and equipment	3-20

Deferred Outflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The government only has one item that qualifies for reporting in this category. It is the deferred charge on refunding reported in the government-wide statement of net position. A deferred charge on refunding results from the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt.

Compensated Absences

It is the government's policy to permit employees to accumulate earned but unused sick and vacation pay benefits. All sick and vacation pay is accrued when incurred in the government-wide financial statements. A liability for these amounts is reported in governmental funds only if they have matured, for example, as a result of employee resignations or retirements.

Long-term Obligations

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities. 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.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

Deferred Inflows of Resources

In addition to liabilities, the statement of financial position and governmental funds balance sheet will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents revenue that applies to one or more future periods and so will not be recognized as an inflow of resources until that time. The governmental funds report unavailable revenues, which arise only under a modified accrual basis of accounting. These amounts are deferred and recognized as an inflow of resources in the period that the amounts become available.

Fund Balances

Governmental funds report nonspendable fund balance for amounts that cannot be spent because they are either not in spendable form or legally or contractually required to be maintained intact. Restricted fund balance is reported when externally imposed constraints are placed on the use of resources by grantors, contributors, or laws or regulations of other governments. Committed fund balance is reported for amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the government's highest level of decision-making authority, the City Council; a formal resolution of the City Council is required to establish, modify, or rescind a fund balance commitment. Assigned fund balance is reported in instances where the City Council has given authority for the making of such assignments to City management; assigned fund balances are neither restricted nor committed. Unassigned fund balance is the residual classification for the general fund.

When the government incurs expenditures for purposes for which various fund balance classifications can be used, it is the government's policy to use restricted fund balance first, then committed, assigned and finally unassigned fund balance.

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 reporting period. Actual results could differ from those estimates.

2. BUDGETARY INFORMATION

Annual budgets are adopted on a basis consistent with generally accepted accounting principles for the general and special revenue funds. All annual appropriations lapse at year end. The annual budget for the next fiscal year is prepared by the City's management by June 1 of each year and adopted by the City Council no later than June 30 of each year (i.e., prior to the start of the next fiscal year); subsequent amendments are approved by the City Council.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Budgetary control is exercised at the fund level although the budget is approved at the fund level; expenditures in excess of amounts appropriated at this level are a violation of Michigan law. The accompanying budget to actual comparisons are presented at a greater level of detail than the adopted budget for management analysis only. Supplemental budgetary appropriations were made during the year, the total of which was not significant in relation to the original appropriations.

Encumbrance accounting, under which purchase orders, contracts and other firm commitments are used for the expenditure of monies, is utilized as an extension of formal budgetary control in the governmental funds. Encumbered amounts lapse at year-end.

3. EXCESS OF EXPENDITURES OVER APPROPRIATIONS

State statutes provide that a local unit shall not incur expenditures in excess of the amounts appropriated. The approved budgets of the City were adopted on a fund level basis. During the year ended June 30, 2014, the government incurred expenditures in excess of the amounts appropriated at the legal level of budgetary control as follow:

	Final Budget	Actual	Over Budget
Nonmajor special revenue funds			
Garbage and rubbish collection fund	\$ 1,014,160	\$ 1,019,607	\$ (5,447)

4. 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. Beginning January 1, 2000, the law requires that collection of these fees be used only for construction costs, including an allocation of estimated overhead costs.

A summary of current year activity and the cumulative shortfall generated since January 1, 2000 is as follows:

Current year building permit revenue	\$ 229,716
Less related expenditures:	
Direct costs	238,574
Estimated indirect costs	<u>33,683</u>
Current year shortfall	(42,541)
Cumulative shortfall, beginning of year	<u>(848,405)</u>
Cumulative shortfall, end of year	<u>\$ (890,946)</u>

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

5. DEPOSITS AND INVESTMENTS

Following is a reconciliation of deposit and investment balances as of June 30, 2014:

	Primary Governments	Component Units	Total
Statement of net position			
Cash and cash equivalents	\$ 15,533,099	\$ 766,201	\$ 16,299,300
Investments	3,478,195	-	3,478,195
Statement of fiduciary net position			
Cash and cash equivalents:			
Pension trust fund	1,722,701	-	1,722,701
Investments - pension trust fund	30,513,015	-	30,513,015
	<u>\$ 51,247,010</u>	<u>\$ 766,201</u>	<u>\$ 52,013,211</u>
Deposits and investments:			
Bank deposits (checking, savings and certificates of deposit)			\$ 18,014,026
Investments in securities, mutual funds and similar vehicles:			
City investment pool			3,478,195
Pension trust fund			30,513,015
Cash on hand			<u>7,975</u>
Total			<u>\$ 52,013,211</u>

Custodial Credit Risk - Deposits. For deposits, custodial credit risk is the risk that, in the event of a bank failure, the City's deposits may not be returned to the government. As of June 30, 2014, \$17,579,612 of the City's total bank balance of \$18,829,612 (total book balance was \$18,014,026) was exposed to custodial credit risk as it was uninsured and uncollateralized.

The City's depository and investment policy does not specifically address this risk, although the City believes that due to the dollar amounts of cash deposits and the limits of FDIC insurance, it is impractical to insure all bank deposits. As a result, the City evaluates each financial institution with which it deposits City funds and assesses the level of risk of each institution; only those institutions with an acceptable estimated risk level are used as depositories.

Custodial Credit Risk - City Investment Pool. The City's investments of \$3,478,195 as of June 30, 2014 consisted of amounts held in a Securities and Exchange Commission registered external local government investment pool (\$1,078,673) and amounts held in securities of U.S. agencies (\$2,399,522). For investments, custodial credit risk is the risk that, in the event of the failure of the counterparty, the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The City's investment policy requires that investment securities be held in third-party safekeeping by a designated institution and that the safekeeping agent follow the procedure of delivery vs. payment. As of June 30, 2014, none of the City's investments were exposed to custodial credit risk as they were held in the City's name by the counterparty.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Credit Risk. As of June 30, 2014, all of the City's investments in securities of U.S. agencies were rated Aaa by Moody's. The City's investment in the external local government investment pool was rated AAA/m by Standard & Poors (S&P). The City's investment policy does not have specific limits in excess of State law on investment credit risk.

Concentration of Credit Risk. At June 30, 2014, the investment portfolio of the City was concentrated 28.6% in securities of the Federal National Mortgage Association and 39.7% in securities of the Federal Home Loan Mortgage Corporation. The City's investment policy does not address concentration of credit risk.

Interest Rate Risk. Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of investments. As of June 30, 2014, maturities of the City's investments in the debt securities of U.S. agencies were more than ten years. The average maturity of the underlying investments in the external local government investment pool was less than 60 days. The City's investment policy does not address interest rate risk.

6. INVESTMENTS - PENSION TRUST FUND

The investments of the Police and Fire Retirement System Trust Fund (the "System") are separate from the City's investments, and are subject to other investment policies and state statutes. Accordingly, the required disclosures for these investments are presented separately.

The Michigan Public Employees Retirement Systems' Investment Act, Public Act 314 of 1965, as amended, authorizes the System to invest in stocks, government and corporate securities, mortgages, real estate, and various other investment instruments, subject to certain limitations. The Retirement Board has the responsibility and authority to oversee the investment portfolio. Various professional investment managers are contracted to assist in managing the System's assets. All investment decisions are subject to Michigan law and the investment policy established by the Retirement Board.

The System's investments are held in a bank-administered trust fund. Following is a summary of the System's investments as of June 30, 2014:

**Investments at fair value, as determined by
quoted market price:**

U.S. agencies	\$ 1,874,591
Corporate bonds	4,895,579
Domestic equities	15,495,617
International equities	1,362,395
Mutual funds	5,523,432
Exchange traded products	277,182
Domestic real estate investment trusts	544,836
Money market accounts	539,383
Total investments	\$ 30,513,015

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Credit Risk. As of June 30, 2014, the System's investments in U.S. agencies were rated Aaa by Moody's Investor Services and its domestic corporate bonds were rated as follows:

Aa3	\$ 330,775
A1	629,914
A2	1,167,979
A3	219,602
Baa1	915,273
Baa2	1,404,780
Baa3	227,256
Totals	<u>\$ 4,895,579</u>

The System's policy regarding credit risk provides that a minimum of 70% of fixed income investments must be in the top three major grades as determined by Moody's and the balance must be in the top four major grades.

Custodial Credit Risk. For investments, custodial credit risk is the risk that, in the event of the failure of the counterparty, the System will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The System's investment policy requires that investment securities be held in trust by a third-party institution in the System's name. As such, although uninsured and unregistered, the System's investments are not exposed to custodial credit risk since the securities are held by the counterparty's trust department in the System's name. Short-term investments in money market funds are not subject to custodial credit risk.

Concentration of Credit Risk. At June 30, 2014, the System did not have any holdings in any one issue greater than 5% of the total investment portfolio.

The System's policy regarding concentration of credit risk does not specify limits regarding concentration of credit risk, although it provides guidelines regarding target maximums for investment types.

Interest Rate Risk. As of June 30, 2014, maturities of the System's debt securities were as follows:

		Investment Maturities (fair value by years)			
	Fair Value	Less Than 1	1-5	6-10	More Than 10
U.S. agencies	\$ 1,874,591	\$ 123,067	\$ 5,320	\$ -	\$ 1,746,204
Corporate bonds	4,895,579	529,189	1,393,562	2,062,130	910,698
	<u>\$ 6,770,170</u>	<u>\$ 652,256</u>	<u>\$ 1,398,882</u>	<u>\$ 2,062,130</u>	<u>\$ 2,656,902</u>

Of the above corporate bonds, \$625,004 of the total is callable.

The System's policy regarding interest rate risk provides that fixed income maturities may not exceed 30 years; the System's holdings comply with this requirement.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Foreign Currency Risk. Foreign currency risk is the risk that significant fluctuations in exchange rates may adversely affect the fair value of an investment. The System's exposure to foreign currency risk is summarized as follows:

Investment / Country	Currency	Fair value (U.S. dollars)
International equities		
Ireland	European euro	\$ 294,827
Great Britain	British pound	151,264
Netherlands	European euro	231,582
Netherlands Antilles	Netherlands Antillean guilder	322,593
Taiwan	Taiwan dollar	205,879
Canada	Canadian dollar	156,250
Total		<u>\$ 1,362,395</u>

In addition to the above, the System's holdings in mutual funds are primarily composed of underlying investments in international equities (approximately 70% of total mutual fund holdings of \$5,523,432), predominately in Japanese, European and other Asian companies. The residual mutual fund underlying investments are in gold, cash and cash equivalents, international bonds and U.S. equities.

The System restricts the amount of investment in foreign currency-denominated investments to 20% of total pension system investment.

7. RECEIVABLES

Receivables in the governmental activities are 95.9% leases (approximately 7.0% of which will be collected in one year), 2.7% due from other governments and 1.4% other receivables.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

8. CAPITAL ASSETS

Capital asset activity of the City's governmental activities was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Governmental activities				
Capital assets not being depreciated:				
Land	\$ 760,443	\$ 612,662	\$ -	\$ 1,373,105
Construction in progress	62,301	891,292	(843,125)	110,468
	<u>822,744</u>	<u>1,503,954</u>	<u>(843,125)</u>	<u>1,483,573</u>
Capital assets being depreciated:				
Infrastructure	39,090,582	843,125	-	39,933,707
Buildings and improvements	6,770,368	887,115	-	7,657,483
Vehicles and equipment	7,759,513	259,788	(761,707)	7,257,594
	<u>53,620,463</u>	<u>1,990,028</u>	<u>(761,707)</u>	<u>54,848,784</u>
Less accumulated depreciation for:				
Infrastructure	22,534,358	2,393,493	-	24,927,851
Buildings and improvements	3,021,825	184,443	-	3,206,268
Vehicles and equipment	6,000,719	454,834	(761,707)	5,693,846
	<u>31,556,902</u>	<u>3,032,770</u>	<u>(761,707)</u>	<u>33,827,965</u>
Total capital assets being depreciated, net	<u>22,063,561</u>	<u>(1,042,742)</u>	<u>-</u>	<u>21,020,819</u>
Governmental activities capital assets, net	<u>\$ 22,886,305</u>	<u>\$ 461,212</u>	<u>\$ (843,125)</u>	<u>\$ 22,504,392</u>

Depreciation expense was charged to programs of the primary government as follows:

Governmental activities	
General government	\$ 53,983
Public safety	94,632
Public works	41,228
Highways, streets and bridges	2,377,340
Culture and recreation	75,570
Capital assets held by the government's internal service funds are charged to the various functions based on their usage of the assets	<u>390,017</u>
Total depreciation expense - governmental activities	<u>\$ 3,032,770</u>

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Capital asset activity of the City's component units was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Component units				
Capital assets not being depreciated:				
Land	\$ 53,200	\$ -	\$ -	\$ 53,200
Construction in progress	-	53,984	-	53,984
	<u>53,200</u>	<u>53,984</u>	<u>-</u>	<u>107,184</u>
Capital assets being depreciated -				
Buildings and improvements	3,639,052	-	-	3,639,052
Less accumulated depreciation for -				
Buildings and improvements	<u>1,486,797</u>	<u>124,468</u>	<u>-</u>	<u>1,611,265</u>
Total capital assets being depreciated, net	<u>2,152,255</u>	<u>(124,468)</u>	<u>-</u>	<u>2,027,787</u>
Component units capital assets, net	<u>\$ 2,205,455</u>	<u>\$ (70,484)</u>	<u>\$ -</u>	<u>\$ 2,134,971</u>

9. PAYABLES

Payables in the governmental activities are 29.1% accrued liabilities, 12.7% property tax refunds, 20.0% interest, 28.8% claims, and 9.4% vendors.

10. INTERFUND RECEIVABLES, PAYABLES AND TRANSFERS

	Due from Other Funds	Due To Other Funds
General fund	\$ -	\$ 102,122
Nonmajor governmental funds	<u>102,122</u>	<u>-</u>
	<u>\$ 102,122</u>	<u>\$ 102,122</u>

Generally, transfers are used to: (1) move revenues from the fund that is required to collect them to the fund that is required or allowed to expend them; (2) move receipts restricted to or allowed for debt service from the funds collecting the receipts to the debt service fund as debt service payments become due; and (3) use unrestricted revenues collected in the general fund to finance various programs accounted for in other funds in accordance with budgetary authorizations. The effect of interfund activity has been eliminated from the government-wide financial statements.

Most significant of the transfers below were transfers between nonmajor governmental funds (i.e., debt service and capital projects funds) related to a bond refunding transaction that affected five prior bond issues.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Transfers In	Transfers Out			Totals
	General Fund	Nonmajor Governmental Funds	Internal Service Funds	
General fund	\$ -	21,822	\$ -	\$ 21,822
2006 general obligation fund	1,341,986	-	-	1,341,986
2013 revenue refunding fund	-	1,994,075	-	1,994,075
Nonmajor governmental funds	367,234	992,182	211,367	1,570,783
	<u>\$ 1,709,220</u>	<u>\$ 3,008,079</u>	<u>\$ 211,367</u>	<u>\$ 4,928,666</u>

11. CONTINGENT LIABILITIES

Amounts received or receivable from grantor agencies are subject to audit and potential adjustment by grantor agencies, principally the federal government. Any disallowed claims, including amounts already collected, may constitute a liability of the applicable funds. The amount, if any, of expenditures which may be disallowed by the grantor cannot be determined at this time although the government expects such amounts, if any, to be immaterial.

The government is a defendant in various lawsuits. Although the outcome of these lawsuits is not presently determinable, it is the opinion of the government's counsel that resolution of these matters will not have a material adverse effect on the financial condition of the government.

The City is currently involved in various tax appeals pending before the Michigan Tax Tribunal. The appeals cover various commercial and industrial properties for the years 2005 through 2013. Due to the large number of appeals currently before the Tribunal, the time frame for resolution of these matters is unknown at this time. An estimate of the City's maximum exposure is approximately \$230,000 dollars. The City is vigorously defending all such litigation.

12. LONG-TERM DEBT

Primary Government

General obligation bonds. The government issues general obligation bonds to provide funds for the acquisition and construction of major capital facilities. General obligation bonds have been issued for governmental activities. The original amount of general obligation bonds issued in prior years for the items listed below was \$26,435,000.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

General obligation bonds are direct obligations that pledge the full faith and credit of the government. These bonds are issued as 10 to 20-year serial bonds with varying amounts of principal maturing each year. General obligation bonds currently outstanding are as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
2010 refunding bonds	\$ 2,605,000	\$ -	\$ (630,000)	\$ 1,975,000	\$ 645,000
2002 capital improvements	165,000	-	(30,000)	135,000	30,000
2006 property remediation	14,730,000	-	(445,000)	14,285,000	505,000
2013 refunding bonds	4,140,000	-	(610,000)	3,530,000	620,000
	<u>\$ 21,640,000</u>	<u>\$ -</u>	<u>\$ (1,715,000)</u>	<u>\$ 19,925,000</u>	<u>\$ 1,800,000</u>

Annual debt service requirements to maturity for general obligation bonds are as follows:

	Principal	Interest
2015	\$ 1,800,000	\$ 957,348
2016	1,860,000	903,228
2017	1,915,000	846,756
2018	1,450,000	794,455
2019	1,455,000	748,141
2020-2024	3,805,000	3,090,278
2025-2029	5,120,000	1,533,864
2030-2031	2,520,000	236,530
	<u>\$ 19,925,000</u>	<u>\$ 9,110,600</u>

Revenue bonds. The City also issues bonds where the income derived from the acquired or constructed assets is pledged to pay debt service. In this instance, the income is derived from Ypsilanti Community Utilities Authority (see *Joint Venture note*), which manages and operates the related water and wastewater systems. The original amount of revenue bonds issued in prior years for the items listed below was \$52,730,000. Revenue bonds outstanding at year-end are as follows:

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
2001 Water/Sewer	\$ 870,000	\$ -	\$ (870,000)	\$ -	\$ -
2002-A Water/Sewer	1,000,000	-	(1,000,000)	-	-
2002-B Water/Sewer (DWRf)	255,000	-	(25,000)	230,000	25,000
2002-C Water/Sewer	3,255,000	-	(3,255,000)	-	-
2003-A Water/Sewer	1,015,000	-	(510,000)	505,000	505,000
2003-B Water/Sewer	1,240,000	-	(1,240,000)	-	-
2003-C Water/Sewer (DWRf)	480,000	-	(40,000)	440,000	40,000
2003-D Water/Sewer (DWRf)	3,235,000	-	(260,000)	2,975,000	265,000
2004-A Water/Sewer	2,200,000	-	(2,200,000)	-	-
2004-B Water/Sewer (DWRf)	4,115,000	-	(305,000)	3,810,000	310,000
2006 Water/Sewer Refunding	9,770,000	-	(25,000)	9,745,000	25,000
2007 Water/Sewer (DWRf)	238,702	-	(15,000)	223,702	15,000
2008 Water/Sewer (DWRf)	359,253	-	(20,000)	339,253	20,000
2009 Water/Sewer (DWRf)	124,029	-	(5,000)	119,029	5,000
2012 Water/Sewer (DWRf)	1,232,551	1,503,185	-	2,735,736	115,000
2013 Water/Sewer Refunding	-	7,490,000	-	7,490,000	540,000
	<u>\$ 29,389,535</u>	<u>\$ 8,993,185</u>	<u>\$ (9,770,000)</u>	<u>\$ 28,612,720</u>	<u>\$ 1,865,000</u>

DWRf = Drinking Water Revolving Fund (State of Michigan)

The City issued \$7,490,000 in revenue refunding bonds during the year to refund \$7,950,000 in bonds (the 2001, 2002-A, 2002-C, 2003-B and 2004-A issues) in order to reduce debt service by \$753,109 and a net present value savings of \$669,849. The refunded bonds were called on September 1, 2013.

Annual debt service requirements to maturity for revenue bonds are as follows:

	Principal	Interest
2015	\$ 1,865,000	\$ 915,970
2016	1,850,000	868,998
2017	1,900,000	817,504
2018	1,945,000	730,189
2019	2,065,000	688,501
2020-2024	11,380,000	2,354,639
2025-2029	6,906,984	593,894
2030-2034	700,736	36,459
	<u>\$ 28,612,720</u>	<u>\$ 7,006,154</u>

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Installment Obligations. The government has entered into various long-term loan and installment payment agreements. Such obligations outstanding at year-end are as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
2003 CDBG loan (noncapital)	\$ 2,750,350	\$ -	\$ -	\$ 2,750,350	\$ -
Biltmore agreement	340,000	-	-	340,000	-
	<u>\$ 3,090,350</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 3,090,350</u>	<u>\$ -</u>

Annual debt service requirements to maturity for installment purchase agreements are as follows:

	Principal	Interest
2015	\$ -	\$ -
2016	150,000	30,000
2017	125,000	54,000
2018	130,000	49,000
2019	140,000	43,800
2020-2024	780,000	131,000
2025-2027	<u>1,425,350</u>	<u>7,000</u>
	2,750,350	314,800
Biltmore agreement	<u>340,000</u>	<u>-</u>
	<u>\$ 3,090,350</u>	<u>\$ 314,800</u>

Repayment of the remaining \$340,000 on the Biltmore agreement is contingent upon certain future events occurring between now and 2030, primary of which is the City's sale of the former Biltmore property. The likelihood of such future sale is presently indeterminable.

Component Units

Component unit general obligation bonds outstanding at June 30, 2014 are as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
Downtown development:					
1994	\$ 80,000	\$ -	\$ (80,000)	\$ -	\$ -
2004-A	720,000	-	(50,000)	670,000	55,000
	<u>\$ 800,000</u>	<u>\$ -</u>	<u>\$ (130,000)</u>	<u>\$ 670,000</u>	<u>\$ 55,000</u>

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Annual debt service requirements to maturity for component unit general obligation bonds are as follows:

	Principal	Interest
2015	\$ 55,000	\$ 28,948
2016	55,000	26,858
2017	60,000	24,685
2018	60,000	22,255
2019	65,000	19,765
2020-2024	375,000	52,745
	<u>\$ 670,000</u>	<u>\$ 175,256</u>

Component unit revenue bonds outstanding at June 30, 2014 are as follows:

	Beginning Balance	Reductions	Ending Balance	Due Within One Year
2000 Depot Town Downtown Development	\$ 44,586	\$ (18,327)	\$ 26,259	\$ 19,275

Annual debt service requirements to maturity for component unit revenue bonds are as follows:

	Principal	Interest
2015	\$ 19,275	\$ 1,237
2016	6,984	177
	<u>\$ 26,259</u>	<u>\$ 1,414</u>

Changes in Long-term Debt. Long-term debt activity for the year ended June 30, 2014, was as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
Primary Government					
General obligation bonds	\$ 21,640,000	\$ -	\$ (1,715,000)	\$ 19,925,000	\$ 1,800,000
Revenue bonds	29,389,535	8,993,185	(9,770,000)	28,612,720	1,865,000
Unamortized premium	-	433,687	(30,978)	402,709	-
Installment obligations	3,090,350	-	-	3,090,350	-
Compensated absences	947,182	723,712	(717,611)	953,283	722,233
	<u>\$ 55,067,067</u>	<u>\$ 10,150,584</u>	<u>\$ (12,233,589)</u>	<u>\$ 52,984,062</u>	<u>\$ 4,387,233</u>
Component Units					
General obligation bonds	\$ 800,000	\$ -	\$ (130,000)	\$ 670,000	\$ 55,000
Revenue bonds	44,586	-	(18,327)	26,259	19,275
Compensated absences	4,112	-	(1,497)	2,615	952
	<u>\$ 848,698</u>	<u>\$ -</u>	<u>\$ (149,824)</u>	<u>\$ 698,874</u>	<u>\$ 75,227</u>

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

For the governmental activities, compensated absences, net pension benefit obligations and net other postemployment benefit obligations, if any, are generally liquidated by the general fund.

13. COMMITTED FUND BALANCE

The components of the committed fund balance in the City's general fund are as follows:

Committed fund balance

Active employees cumulative benefits	\$ 953,283
Water Street project bond payments	3,308,667
Water Street redevelopment professional fees	50,000
Energy efficiency and conservation project	206,312
Peninsular dam inspection study and repair	94,090
MDNR 2011 Recreation Passport Grant (Res # 2011-092)	10,000
Park capital improvements	<u>9,427</u>

Total committed fund balance	<u>\$ 4,631,779</u>
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14. INVESTED IN CAPITAL ASSETS

Net investment in capital assets of the governmental activities were comprised of the following at June 30, 2014:

Capital assets not being depreciated	\$ 1,483,573
Capital assets being depreciated, net	21,020,819
General obligation bonds	(19,925,000)
Revenue bonds	(28,612,720)
Installment obligations	(3,090,350)
Add back debt that did not produce City capital assets:	
General obligation bonds	14,285,000
Revenue bonds	28,612,720
Installment obligations	<u>2,750,350</u>

Net investment in capital assets	<u>\$ 16,524,392</u>
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15. 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 claims and participates in the Michigan Municipal League Liability and Property Pool for claims relating to property and general liability; the City is self-insured for workers' compensation claims. Settled claims relating to the commercial insurance have not exceeded the amount of insurance coverage in any of the past three fiscal years.

The Michigan Municipal League risk pool program operates as a common risk-sharing management program for local units of government in Michigan; member premiums are used to purchase commercial excess insurance coverage and to pay member claims in excess of deductible amounts.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

The City estimates the liability for workers' compensation claims that have been incurred through the end of the fiscal year, including claims that have been reported as well as those that have not yet been reported. Changes in the estimated liability for the past two fiscal years were as follows (approximately 40 percent of the total liability is classified as current, the remaining as noncurrent):

	2014	2013
Estimated liability, beginning of year	\$ 408,893	\$ 378,613
Estimated claims incurred, including changes in estimates	461,871	504,413
Claim payments	(204,270)	(474,133)
Estimated liability, end of year	\$ 666,494	\$ 408,893

16. PROPERTY TAXES

The government's property taxes are levied each July 1 on the taxable valuation of property located in the City as of the preceding December 31, the lien date. Property taxes are payable without penalty and interest through September 14; as of February 14 of the succeeding year, unpaid real property taxes are sold to and collected by Washtenaw County. Assessed values, as established annually by the government and subject to acceptance by the County, are equalized by the State at an estimated 50% of current market value. The taxable value of real and personal property in the City for the 2013 levy was \$289,614,595. The government's general operating tax rate for fiscal 2013-14 was 19.0211 mills plus 2.7814 mills for sanitation, 4.7904 mills for streets, 0.9789 for public transit and 8.9229 mills for police and fire pension. Property taxes are recognized in the fiscal year in which they are levied.

Property taxes for the component units are derived from tax increment financing agreements with the various applicable taxing authorities. Under these arrangements, the tax increment finance entities receive the property taxes levied on the increment of current taxable values over the base year values on those properties located within the established tax increment financing district.

17. DEFINED BENEFIT PENSION PLANS

Police and Fire Retirement System

General Information about the Pension Plan

Plan administration. The Police and Fire Retirement System is a single-employer defined benefit pension plan that is administered by the City of Ypsilanti Police and Fire Employees' Retirement System (the "System"); this plan covers all full-time police and fire employees of the City. The System provides retirement, disability, and death benefits to plan members and their beneficiaries. Cost of living adjustments are provided to members and beneficiaries. The plan issues a publicly available financial report that includes financial statements and required supplementary information of the System. That report may be obtained by writing to the System at One South Huron Street, Ypsilanti, Michigan 48197 or on the City's website.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Management of the System is vested in the Retirement Board of the City of Ypsilanti, Michigan Police and Fire Retirement System, which consists of five members: two that are elected (one each representing fire and police employees), two that are appointed by the City Council of the City of Ypsilanti and one that is the Treasurer of the City of Ypsilanti.

The financial statements of the System are prepared using the accrual basis of accounting. Plan member contributions are recognized in the period in which the contributions are due. The City's contributions are recognized when due and a formal commitment to provide the contributions has been made. Benefits and refunds are recognized when due and payable in accordance with the terms of the plans.

Plan investments are reported at fair value. Short-term investments are reported at cost, which approximates fair value. Securities traded on national or international exchanges are valued at the last reported sales price at current exchange rates. Investments that do not have established market values are reported at estimated fair values as determined by the custodian under the direction of the Retirement Board with the assistance of a valuation service. Administrative costs are financed through investment earnings.

Plan membership. At June 30, 2014, membership in the plan consisted of the following:

Retirees and beneficiaries receiving benefits	113
Terminated employee entitled to but not yet receiving benefits	1
Active employees	47
Total	161

Benefits provided. The System provides retirement, disability, and death benefits. Generally, retirement benefits are calculated as a percent of the member's final average compensation (AFC) for a certain number of years times the member's years of service as summarized in the following table:

Eligibility	Amount of Benefit
20 or more years of service (25 years for Fire Chief) regardless of age or age 60 regardless of service.	Straight life pension equals 3.0% of three year AFC times years of service for police and 3.0% of AFC times first 25 years of service plus 1% of AFC times years of service in excess of 25 for fire.
25 or more years of service regardless of age for fire members hired after July 1, 2009.	Straight life pension equals 2.5% of three year AFC times years of service, with a 75% maximum.
25 or more years of service regardless of age for POAM/COAM members hired after July 1, 2009.	Straight life pension equals 2.0% of three year AFC times years of service.
Members hired after July 1, 2012.	Same as members hired after July 1, 2009, except there is no annuity withdrawal option.

Retirees who are receiving benefits below the estimated federal and state poverty levels have their benefits increased up to the poverty level.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Contributions. The obligation to contribute to the System for these employees was established by City ordinances and state statute and requires a contribution from the employees of 10.0% of gross wages for plan members hired prior to July 1, 2009 and 5% of gross wages for plan members hired after July 1, 2009. The funding policy provides for periodic employer contributions at actuarially determined rates; the current rate is 36.51% of covered payroll.

Deferred Retirement Option Program (DROP). In lieu of retiring and receiving a monthly benefit, an eligible participant may elect to participate in the DROP by making an irrevocable election to terminate employment with the City and retire upon ceasing participation in the DROP. The DROP election must specify the future retirement date which must be within the maximum time period permitted (typically 3 to 5 years, based on bargaining unit and hire date). Upon entry in the DROP, the participant ceases to accrue years of service in the defined benefit pension plan. The participant remains an employee of the City for all other purposes, but the retirement benefit payment is calculated and payments commence into a separate, restricted account. These monthly payments, along with interest earnings thereon, are not distributed to the participant until employment has terminated. DROP activity for the year ended June 30, 2014 is as follows:

Beginning Balance	Credits	Interest	Distributions	Adjustments	Ending Balance
\$ 770,635	\$ 244,997	\$ 34,330	\$ (420,094)	\$ -	\$ 629,868

Employer Disclosures under GASB Statement 27

The annual pension cost (APC) for the year ended June 30, 2014 is \$1,358,167. The annual pension cost was equal to the City's required and actual contribution. There was no net pension obligation at the beginning or the end of the fiscal year. The ARC was determined as part of an actuarial valuation as of June 30, 2012, using the entry age cost method.

Three-Year Trend Information

Years Ended June 30,	Annual Pension Cost (APC)	Percentage Contributed	Net Pension Obligation
2012	\$ 1,120,305	100%	\$ -
2013	1,222,085	100%	-
2014	1,358,167	100%	-

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

The funded status of the System as of June 30, 2013, the date of the most recent actuarial valuation, was as follows:

Actuarial accrued liability (AAL)	\$ 44,583,788
Actuarial value of assets	27,649,572
Unfunded AAL (UAAL)	<u>\$ 16,934,216</u>
Funded ratio	<u>62.0%</u>
Covered payroll	<u>\$ 3,187,910</u>
UAAL as % of covered payroll	<u>531.2%</u>

Actuarial valuations of an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment and mortality. Actuarially determined amounts are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future. The schedule of funding progress, presented as required supplementary information following the notes to the financial statements, presents multi-year trend information about whether the actuarial values of plan assets are increasing or decreasing over time relative to the actuarial accrued liabilities for benefits. For purposes of the schedule of funding progress, the actuarial accrued liability value is determined using the entry age actuarial cost method.

The accompanying schedule of employer contributions presents trend information about the amounts contributed to the System by the employer in comparison to the ARC (annual required contribution), an amount that is actuarially determined in accordance with the parameters of GASB Statement 27. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost for each year and amortize any unfunded actuarial liabilities (or funding excess) over a period not to exceed 30 years.

Projections of benefits for financial reporting purposes are based on the substantive plan (the plan understood by the employer and plan members) and include the types of benefits provided at the time of each valuation and the historical pattern of sharing of benefit costs between the employer and plan members to that point. The actuarial methods and assumptions used include techniques that are designed to reduce the effects of short-term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with the long-term perspective of the calculations. GASB Statement 27 required supplementary information is presented after the notes to the financial statements section of this report; additional information as of June 30, 2014, the date of the latest actuarial valuation, includes:

Actuarial cost method	Individual entry age
Amortization method	Level percent open
Remaining amortization period	30 years
Asset valuation method	5-year smoothed market

The actuarial assumptions include: 7.5% investment rate of return; 4.0% projected salary increases including 5.0% inflation; 4.0% assumed rate of payroll growth; and no cost-of-living inflationary adjustments to benefits.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Pension Plan Disclosures under GASB Statement 67

The financial statements of the System are prepared on the accrual basis of accounting. Member contributions are recognized in the period in which they are due. The City's contributions are recognized when due and the employer has made a formal commitment to provide them. Benefits and refunds are recognized when due and payable in accordance with the terms of the plan.

Net pension liability of the City. The components of the net pension liability of the City at June 30, 2014, are as follows:

Total pension liability	\$ 44,839,193
Plan fiduciary net position	(31,597,237)
City's net pension liability	<u>\$ 13,241,956</u>

Plan fiduciary net position as a percentage of the total pension liability	70.47%
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Actuarial assumptions. The total pension liability was determined by an actuarial valuation as of June 30, 2014 and a measurement date of June 30, 2014, using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	4.0 percent
Salary increases	4.0-9.0 percent, average, including inflation
Investment rate of return	7.5 percent, net of pension plan investment expense, including inflation
Mortality rates	RP-2000 Mortality Table

The actuarial assumptions used in the June 30, 2014 valuation were based on the results of an actuarial experience study for the period July 1, 2009 through June 30, 2014.

Investment allocation policy. The System's policy in regard to the allocation of invested assets is established and may be amended by the Retirement Board. The policy pursues an investment strategy that protects the financial health of the System and reduces risk through the prudent portfolio diversification. The adopted asset allocation policy as of June 30, 2014, is presented in the table below.

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 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. Best estimates of arithmetic real rates of return for each major asset class included in the pension plan's target asset allocation as of June 30, 2014 are summarized below:

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Asset Class	Target Allocation	Long-term Expected Real Rate of Return
Domestic equity	50%	7.67%
Domestic fixed income	30%	4.80%
International equity	15%	7.20%
Cash	5%	2.30%
	<u>100%</u>	

Discount rate. The discount rate used to measure the total pension liability was 7.5 percent. The projection of cash flows used to determine the discount rate assumed that plan member 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 member 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 plan members. 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.

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 7.5 percent, as well as what the City's net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (6.5 percent) or 1-percentagepoint higher (8.5 percent) than the current rate:

	1% Decrease (6.5%)	Current Discount (7.5%)	1% Increase (8.5%)
City's net pension liability	\$ 18,130,015	\$ 13,241,956	\$ 9,142,178

Municipal Employees Retirement System of Michigan

The City also participates in the Municipal Employees' Retirement System of Michigan (MERS), an agent multiple-employer defined benefit pension plan that covers all full-time employees of the City not eligible for other retirement systems. The MERS provides retirement, disability, and death benefits to plan members and their beneficiaries. The MERS issues a publicly available financial report that includes financial statements and required supplementary information for the MERS. That report may be obtained by writing to the MERS at 1134 Municipal Way, Lansing, MI 48917.

The obligation to contribute to and maintain the MERS for these employees was established by City ordinances and requires a contribution from the employees of 5.0% of annual compensation. The City was not required to make a minimum City contribution to the plan for the year ended June 30, 2014. This was determined as part of an actuarial valuation at December 31, 2011, using the entry age normal cost method. Similarly, employer contributions were not required the prior five years.

Significant actuarial assumptions used include: (a) an 8.0% investment rate of return; and (b) projected salary increases of 4.5% to 12.9% per year including 4.5% inflation. Both (a) and (b) are determined using techniques that smooth the effects of short-term volatility over a five-year period.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

The funded status of the plan as of December 31, 2013, the date of the most recent actuarial valuation, was as follows:

Actuarial accrued liability (AAL)	\$ 12,834,271
Actuarial value of assets	(18,461,521)
Overfunded AAL (OAAL)	<u>\$ (5,627,250)</u>
Funded ratio	<u>143.8%</u>
Covered payroll	<u>\$ 2,110,665</u>
OAAL as % of covered payroll	<u>-266.6%</u>

Three-Year Trend Information

Years Ended June 30,	Annual Pension Cost (APC)	Percentage Contributed	Net Pension Obligation
2012	\$ -	n/a	\$ -
2013	-	n/a	-
2014	-	n/a	-

The schedule of funding progress, presented as RSI following the notes to the financial statements, presents multiyear trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability for benefits.

18. OTHER POSTEMPLOYMENT BENEFITS

The City participates in the Municipal Employees' Retirement System of Michigan (MERS), an agent multiple-employer other postemployment benefit plan that provides postemployment healthcare benefits to certain retirees and their beneficiaries. The MERS issues a publicly available financial report that includes financial statements and required supplementary information for the MERS. That report may be obtained by writing to the MERS at 1134 Municipal Way, Lansing, MI 48917.

As of December 31, 2012, the date of the latest actuarial valuation, the City had 219 total participants in the plan. This includes 82 active employees, 1 deferred vested participant, and 136 retirees that were eligible and receiving benefits.

The City has no obligation to make contributions in advance of when the insurance premiums or benefits are due for payment; in other words, the plan may be financed on a pay-as-you-go basis. Administrative costs of the plan are paid for by the City's general fund. Plan participants are not required to contribute to the plan.

For the year ended June 30, 2014, the City paid benefits and made contributions to advance-fund the plan totaling \$1,196,034.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

For the year ended June 30, 2014, the City estimated the cost of providing retiree healthcare benefits based on an actuarial valuation as of December 31, 2012. Such a valuation computes an annual required contribution (ARC) that represents a level of funding that, if paid on an ongoing basis, is projected to cover the normal cost each year and amortize any unfunded actuarial liabilities (or funding excess) over a period not to exceed 30 years. The current combined ARC is 27.0% of annual covered payroll.

For fiscal 2014, the components of the City's annual OPEB (other postemployment benefit) cost for the year, the amount actually contributed to the plan (including pay-as-you-go amounts), and changes in the City's net OPEB asset to the plan are as follows:

Annual required contribution	\$ 1,277,408
Interest on net OPEB asset	(14,913)
Adjustment to annual required contribution	15,948
Annual OPEB cost	<u>1,278,443</u>
Contributions made	<u>(1,196,034)</u>
Decrease in net OPEB asset	82,409
Net OPEB asset, beginning of year	<u>(186,417)</u>
Net OPEB asset, end of year	<u>\$ (104,008)</u>

The City's annual OPEB cost, the percentage of annual OPEB cost contributed to the plan, and the net OPEB obligation for the last three years were as follows:

Year Ended	Annual OPEB Cost	Actual Contribution	Percentage of OPEB Cost Contributed	Net OPEB Asset
6/30/2012	\$ 991,286	\$ 1,045,047	105.4%	\$ 326,461
6/30/2013	1,279,218	1,139,174	89.1%	186,417
6/30/2014	1,278,443	1,196,034	93.6%	104,008

Funded Status. The funded status of the plan as of December 31, 2012, the date of the latest actuarial valuation, was as follows:

Actuarial accrued liability (AAL)	\$ 15,935,506
Actuarial value of assets	<u>3,412,331</u>
Unfunded AAL (UAAL)	<u>\$ 12,523,175</u>
Funded ratio	<u>21.4%</u>
Covered payroll	<u>\$ 4,722,802</u>
UAAL as % of covered payroll	<u>265.2%</u>

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

Actuarial valuations of an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the healthcare cost trend. Amounts determined regarding the funded status of the plan and the annual required contributions of the employer are subject to continual revision as actual results are compared to past expectations and new estimates are made about the future. The schedule of funding progress, presented as required supplementary information following the notes to the financial statements, presents multiyear trend information that shows whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liabilities for benefits.

Actuarial Methods and Assumptions. Projections of benefits for financial reporting purposes are based on the substantive plan (the plan as understood by the employer and plan members) and include the types of benefits provided at the time of each valuation and the historical pattern of sharing benefit costs between the employer and plan members to that point. The actuarial methods and assumptions used include techniques that are designed to reduce the effects of short-term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with the long-term perspective of the calculations. Significant methods and assumptions were as follows:

Actuarial valuation date	12/31/2012
Actuarial cost method	Entry age normal cost
Amortization method	Level percent of payroll open
Remaining amortization period	30 years
Asset valuation method	Market value
Discount rate	8.0%
Projected salary increases	3.0%
Healthcare inflation rate	9.0% grading to 5.0% ultimately
General inflation rate	2.5%

19. JOINT VENTURE

The City is a member of the Ypsilanti Community Utilities Authority (YCUA), which provides water and wastewater services to the residents of the City, Ypsilanti Township and other adjacent municipalities. The City appoints two of the five members of the joint venture’s governing board. The joint venture does not involve an explicit, measurable equity interest; hence it is not recorded as an asset in the City’s financial statements. Complete financial statements for YCUA can be obtained from its administrative offices at 2777 State Street, Ypsilanti, Michigan.

The City has issued various revenue bonds on behalf of YCUA. Proceeds from the issues are contributed to YCUA for various water and sewer improvements and construction. YCUA reimburses the City annually for debt service payments, with income derived from water and sewer use rates. The City has recorded a lease receivable on its government-wide statement of net position for the principal balance of the bonds drawn to date by YCUA, which is reported net of fund balance amounts in the related debt service funds maintained by the City.

CITY OF YPSILANTI, MICHIGAN

Notes to Financial Statements

20. LAND HELD FOR RESALE

The City is currently involved in a redevelopment project referred to as the Water Street Redevelopment Project. As a part of this project, the City has acquired various parcels of land in the Water Street area and is in the process of preparing them for resale and redevelopment. Through June 30, 2014, the City has acquired numerous parcels, which are recorded as land held for resale. Acquisition costs are capitalized as well as other costs (legal, consulting, etc.) that are attributable and necessary for the project. The investment is valued at the lower of cost or market.

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REQUIRED SUPPLEMENTARY INFORMATION

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CITY OF YPSILANTI, MICHIGAN

Required Supplementary Information

Schedule of Funding Progress Police and Fire Retirement System

Actuarial Valuation Date June 30,	Actuarial Value of Assets (1)	Actuarial Accrued Liability (AAL) - Entry Age (2)	Unfunded AAL (UAAL) (1-2)	Funded Ratio (1 / 2)	Covered Payroll (3)	UAAL as a Percentage of Covered Payroll ((1-2) / 3)
2004	\$ 32,569,762	\$ 31,251,133	\$ (1,318,629)	104.2%	\$ 3,891,478	-33.9%
2005	31,180,708	32,774,898	1,594,190	95.1%	4,042,199	39.4%
2006	30,843,790	34,980,132	4,136,342	88.2%	3,996,679	103.5%
2007	34,292,073	36,211,916	1,919,843	94.7%	3,957,733	48.5%
2008	32,934,094	37,869,913	4,935,819	87.0%	3,843,177	128.4%
2009	32,472,100	39,453,312	6,981,212	82.3%	3,889,397	179.5%
2010	31,649,135	42,135,741	10,486,606	75.1%	3,975,109	263.8%
2011	31,577,876	42,667,144	11,089,268	74.0%	3,892,132	284.9%
2012	28,530,067	43,258,880	14,728,813	66.0%	3,412,398	431.6%
2013	27,649,572	44,583,788	16,934,216	62.0%	3,187,910	531.2%

Schedule of Employer Contributions Police and Fire Retirement System

Year Ended June 30,	Annual Required Contributions	Annual Actual Contribution	Percentage Contributed
2005	\$ -	\$ -	100.00%
2006	500,602	500,602	100.00%
2007	730,106	730,106	100.00%
2008	941,417	941,417	100.00%
2009	946,937	946,937	100.00%
2010	968,212	968,212	100.00%
2011	1,018,284	1,018,284	100.00%
2012	1,120,305	1,120,305	100.00%
2013	1,222,085	1,222,085	100.00%
2014	1,358,167	1,358,167	100.00%

CITY OF YPSILANTI, MICHIGAN

Required Supplementary Information

Schedule of Funding Progress Municipal Employees Retirement System of Michigan

Actuarial Valuation Date December 31,	Actuarial Value of Assets (1)	Actuarial Accrued Liability (AAL) - Entry Age (2)	Overfunded AAL (OAAL) (1-2)	Funded Ratio (1 / 2)	Covered Payroll (3)	OAAL as a Percentage of Covered Payroll ((1-2) / 3)
2004	\$ 15,678,721	\$ 10,303,544	\$ (5,375,177)	152.2%	\$ 2,891,747	-185.9%
2005	16,030,936	10,301,827	(5,729,109)	155.6%	2,761,341	-207.5%
2006	16,815,491	11,271,094	(5,544,397)	149.2%	2,250,084	-246.4%
2007	17,454,703	11,905,095	(5,549,608)	146.6%	2,501,910	-221.8%
2008	17,533,524	11,975,264	(5,558,260)	146.4%	2,393,824	-232.2%
2009	17,576,766	11,686,193	(5,890,573)	150.4%	2,289,154	-257.3%
2010	17,795,672	11,787,614	(6,008,058)	151.0%	2,089,039	-287.6%
2011	18,010,045	12,209,422	(5,800,623)	147.5%	2,011,537	-288.4%
2012	18,074,617	12,460,118	(5,614,499)	145.1%	1,946,604	-288.4%
2013	18,461,521	12,834,271	(5,627,250)	143.8%	2,110,665	-266.6%

Schedule of Employer Contributions Municipal Employees Retirement System of Michigan

Year Ended June 30,	Annual Required Contributions	Annual Actual Contribution	Percentage Contributed
2005	\$ 14,448	\$ 14,448	100.00%
2006	33,106	33,106	100.00%
2007	35,247	35,247	100.00%
2008	8,187	8,187	100.00%
2009	-	-	0.00%
2010	-	-	0.00%
2011	-	-	0.00%
2012	-	-	0.00%
2013	-	-	0.00%
2014	-	-	0.00%

CITY OF YPSILANTI, MICHIGAN

Required Supplementary Information

Schedule of Funding Progress Other Postemployment Health Care Benefits

Actuarial Valuation Date December 31,	Actuarial Value of Assets (1)	Actuarial Accrued Liability (AAL) - Entry Age (2)	Unfunded AAL (UAAL) (1-2)	Funded Ratio (1 / 2)	Covered Payroll (3)	UAAL as a Percentage of Covered Payroll ((1-2) / 3)
2008	\$ 1,414,918	\$ 12,430,962	\$ 11,016,044	11.4%	\$ 6,028,949	182.7%
2010	3,019,998	12,121,822	9,101,824	24.9%	5,767,671	157.8%
2012	3,412,331	15,935,506	12,523,175	21.4%	4,722,802	265.2%

Schedule of Employer Contributions Other Postemployment Health Care Benefits

Year Ended June 30,	Annual Required Contributions	Annual Actual Contribution	Percentage Contributed
2009	\$ 1,192,998	\$ 1,483,485	124.3%
2010	1,192,998	1,218,188	102.1%
2011	989,774	949,195	95.9%
2012	989,774	1,045,048	105.6%
2013	1,277,408	1,139,174	89.2%
2014	1,277,408	1,196,034	93.6%

CITY OF YPSILANTI, MICHIGAN
POLICE AND FIRE RETIREMENT SYSTEM

Required Supplementary Information (GASB Statement 67)

Schedule of Investment Returns

Last Two Fiscal Years (ultimately ten years will be displayed)

Fiscal Year Ended	Annual Money- Weighted Rate of Return, Net of Investment Expense
6/30/2013	13.99%
6/30/2014	19.22%

CITY OF YPSILANTI, MICHIGAN

POLICE AND FIRE RETIREMENT SYSTEM

Required Supplementary Information (GASB Statement 67)

Schedule of Changes in the City's Net Pension Liability and Related Ratios

Last Fiscal Year (ultimately ten fiscal years will be displayed)

	2014
Change in total pension liability	
Service cost	\$ 417,399
Interest	3,244,001
Changes of benefit terms	88,956
Differences between expected and actual experience	(212,827)
Changes of assumptions	(203,836)
Benefit payments, including refunds of member contributions	(3,078,288)
Net change in total pension liability	<u>255,405</u>
Total pension liability, beginning	<u>44,583,788</u>
Total pension liability, ending (a)	<u>44,839,193</u>
Change in plan fiduciary net position	
Contributions - employer	1,358,167
Contributions - member	275,422
Net investment income	4,982,234
Benefit payments, including refunds of member contributions	(3,078,288)
Administrative expense	(60,012)
Net change in plan fiduciary net position	<u>3,477,523</u>
Plan fiduciary net position, beginning	<u>28,119,714</u>
Plan fiduciary net position, ending (b)	<u>31,597,237</u>
City's net pension liability, ending (a)-(b)	<u><u>\$13,241,956</u></u>
Plan fiduciary net position as a percentage of the total pension liability	70.47%
Covered-employee payroll	\$ 3,440,059
City's net pension liability as a percentage of covered payroll	384.93%

CITY OF YPSILANTI, MICHIGAN

POLICE AND FIRE RETIREMENT SYSTEM

Required Supplementary Information (GASB Statement 67)

Schedule of City Contributions

Last Fiscal Year (ultimately ten years will be displayed)

Fiscal Year Ended	Actuarially Determined Contribution	Contributions in Relation to the Actuarially Determined Contribution	Contribution Deficiency (Excess)	Covered Payroll	Contributions as a Percentage of Covered Payroll
6/30/2014	\$ 1,347,529	\$ 1,358,167	\$ (10,638)	\$ 3,440,059	39.5%

Notes to Schedule of Contributions

Valuation date June 30, 2014

Notes Actuarially determined contribution rates are calculated as of June 30 that is 12 months prior to the beginning of the fiscal year for which the contributions are reported.

Other information During the year ended June 30, 2014, the plan experienced a change in benefit provisions resulting in a \$88,956 increase in TPL and actuarial assumptions resulting in a \$203,836 decrease in TPL.

Methods and assumptions used to determine contribution rates:

Actuarial cost method	Entry age normal
Amortization method	level percentage of payroll, closed
Remaining amortization period	30 years
Asset valuation method	Open 5-year smoothed market
Inflation	4.0 percent
Salary increases	4.0-9.0 percent, average, including inflation
Investment rate of return	7.5 percent, net of pension plan investment expense, including inflation
Mortality rates	RP-2000 Mortality Table

**COMBINING AND INDIVIDUAL FUND FINANCIAL
STATEMENTS AND SCHEDULES**

CITY OF YPSILANTI, MICHIGAN

Combining Balance Sheet

Nonmajor Governmental Funds

June 30, 2014

	Special Revenue	Debt Service	Capital Projects	Totals
Assets				
Cash and cash equivalents	\$ 1,791,931	\$ 99,257	\$ 2,082,018	\$ 3,973,206
Accounts receivable	17,391	113	31,502	49,006
Due from other funds	-	102,122	-	102,122
Due from other governments	185,249	-	-	185,249
Total assets	\$ 1,994,571	\$ 201,492	\$ 2,113,520	\$ 4,309,583
Liabilities				
Accounts payable	\$ 50,719	\$ 963	\$ 7,123	\$ 58,805
Accrued liabilities	20,731	-	-	20,731
Due to other governments	1,687	-	-	1,687
Tax refunds payable	27,831	44,345	-	72,176
Unearned revenue	-	-	12,500	12,500
Total liabilities	100,968	45,308	19,623	165,899
Fund balances				
Restricted for:				
Major and local streets	1,782,292	-	-	1,782,292
Drug law enforcement	38,881	-	-	38,881
Public transportation	11,355	-	-	11,355
Debt service	-	156,184	1,070,763	1,226,947
Committed for capital projects	61,075	-	1,023,134	1,084,209
Total fund balances	1,893,603	156,184	2,093,897	4,143,684
Total liabilities and fund balances	\$ 1,994,571	\$ 201,492	\$ 2,113,520	\$ 4,309,583

CITY OF YPSILANTI, MICHIGAN

Combining Statement of Revenues, Expenditures and Changes in Fund Balance

Nonmajor Governmental Funds

For the Year Ended June 30, 2014

	Special Revenue	Debt Service	Capital Projects	Totals
Revenues				
Taxes and special assessments	\$ 1,058,450	\$ 1,379,943	\$ -	\$ 2,438,393
Licenses and permits	8,040	-	50,057	58,097
Intergovernmental	1,348,555	1,189,137	1,573,870	4,111,562
Investment earnings	9,122	1,629	10,055	20,806
Other revenues	106,416	-	-	106,416
Total revenues	<u>2,530,583</u>	<u>2,570,709</u>	<u>1,633,982</u>	<u>6,735,274</u>
Expenditures				
Current:				
General government	-	-	265,162	265,162
Public safety	215,162	-	99,970	315,132
Public works	-	-	1,644,670	1,644,670
Refuse collection	1,017,678	-	-	1,017,678
Highways, streets and bridges	1,476,912	-	-	1,476,912
Community development	-	-	9,074	9,074
Public transportation	274,846	-	-	274,846
Tax tribunal refunds	2,469	1,449	-	3,918
Debt service:				
Principal	-	2,305,000	785,000	3,090,000
Interest and fiscal charges	-	265,679	691,121	956,800
Total expenditures	<u>2,987,067</u>	<u>2,572,128</u>	<u>3,494,997</u>	<u>9,054,192</u>
Revenues under expenditures	<u>(456,484)</u>	<u>(1,419)</u>	<u>(1,861,015)</u>	<u>(2,318,918)</u>
Other financing sources (uses)				
Issuance of refunding bonds	-	-	1,503,185	1,503,185
Payment to refunding bond escrow agent	-	-	-	-
Premium on refunding bonds	-	-	-	-
Transfers in	391,175	37,128	1,142,480	1,570,783
Transfers out	(193,289)	(1,744,330)	(1,070,460)	(3,008,079)
Total other financing sources (uses)	<u>197,886</u>	<u>(1,707,202)</u>	<u>1,575,205</u>	<u>65,889</u>
Net changes in fund balances	<u>(258,598)</u>	<u>(1,708,621)</u>	<u>(285,810)</u>	<u>(2,253,029)</u>
Fund balances, beginning of year	<u>2,152,201</u>	<u>1,864,805</u>	<u>2,379,707</u>	<u>6,396,713</u>
Fund balances, end of year	<u>\$ 1,893,603</u>	<u>\$ 156,184</u>	<u>\$ 2,093,897</u>	<u>\$ 4,143,684</u>

CITY OF YPSILANTI, MICHIGAN

Combining Balance Sheet

Nonmajor Special Revenue Funds

June 30, 2014

	Major Streets	Local Streets	Garbage and Rubbish Collection	Police	Public Transportation	Total
Assets						
Cash and cash equivalents	\$ 941,012	\$ 752,119	\$ 38,306	\$ 47,257	\$ 13,237	\$ 1,791,931
Accounts receivable	839	16,262	290	-	-	17,391
Due from other governments	139,477	45,772	-	-	-	185,249
Total assets	\$ 1,081,328	\$ 814,153	\$ 38,596	\$ 47,257	\$ 13,237	\$ 1,994,571
Liabilities						
Accounts payable	\$ 39,331	\$ 1,463	\$ 5,868	\$ 3,862	\$ 195	\$ 50,719
Accrued liabilities	6,725	4,595	4,897	4,514	-	20,731
Due to other governments	-	-	-	-	1,687	1,687
Tax refunds payable	-	-	27,831	-	-	27,831
Total liabilities	46,056	6,058	38,596	8,376	1,882	100,968
Fund balances						
Restricted for:						
Major and local streets	974,197	808,095	-	-	-	1,782,292
Drug law enforcement	-	-	-	38,881	-	38,881
Public transportation	-	-	-	-	11,355	11,355
Committed for projects	61,075	-	-	-	-	61,075
Total fund balances	1,035,272	808,095	-	38,881	11,355	1,893,603
Total liabilities and fund balances	\$ 1,081,328	\$ 814,153	\$ 38,596	\$ 47,257	\$ 13,237	\$ 1,994,571

CITY OF YPSILANTI, MICHIGAN

Combining Statement of Revenues, Expenditures and Changes in Fund Balances

Nonmajor Special Revenue Funds

For the Year Ended June 30, 2014

	Major Streets	Local Streets	Garbage and Rubbish Collection	Police	Public Transportation	Total
Revenues						
Taxes and special assessments	\$ -	\$ -	\$ 783,433	\$ -	\$ 275,017	\$ 1,058,450
Licenses and permits	5,640	2,400	-	-	-	8,040
Intergovernmental	1,070,534	278,021	-	-	-	1,348,555
Investment earnings	5,072	2,589	609	678	174	9,122
Other revenues	3,681	62,991	24,198	15,546	-	106,416
Total revenues	1,084,927	346,001	808,240	16,224	275,191	2,530,583
Expenditures						
Public safety	-	-	-	215,162	-	215,162
Refuse collection	-	-	1,017,678	-	-	1,017,678
Highways, streets and bridges	1,051,263	425,649	-	-	-	1,476,912
Public transportation	-	-	-	-	274,846	274,846
Tax tribunal refunds	-	-	1,929	-	540	2,469
Total expenditures	1,051,263	425,649	1,019,607	215,162	275,386	2,987,067
Revenues over (under) expenditures	33,664	(79,648)	(211,367)	(198,938)	(195)	(456,484)
Other financing sources (uses)						
Transfers in	-	179,808	211,367	-	-	391,175
Transfers out	(193,289)	-	-	-	-	(193,289)
Total other financing sources (uses)	(193,289)	179,808	211,367	-	-	197,886
Net changes in fund balances	(159,625)	100,160	-	(198,938)	(195)	(258,598)
Fund balances, beginning of year	1,194,897	707,935	-	237,819	11,550	2,152,201
Fund balances, end of year	\$ 1,035,272	\$ 808,095	\$ -	\$ 38,881	\$ 11,355	\$ 1,893,603

CITY OF YPSILANTI, MICHIGAN

Schedule of Revenues, Expenditures and Changes in Fund Balances

Budget and Actual - Major Streets Fund

For the Year Ended June 30, 2014

	Budgeted Amounts		Actual	Actual Over (Under) Final Budget
	Original	Final		
Revenues				
Licenses and permits	\$ 6,000	\$ 6,000	\$ 5,640	\$ (360)
Intergovernmental - state	985,718	1,103,285	1,070,534	(32,751)
Investment earnings	4,750	4,750	5,072	322
Other revenues	2,000	4,000	3,681	(319)
Total revenues	<u>998,468</u>	<u>1,118,035</u>	<u>1,084,927</u>	<u>(33,108)</u>
Expenditures				
Highways, streets and bridges:				
Street construction	269,500	271,900	237,226	(34,674)
Routine maintenance	377,762	376,806	348,776	(28,030)
Routine maintenance - bridges	9,000	9,000	121	(8,879)
Traffic services	90,438	113,005	116,833	3,828
Winter maintenance	106,711	145,118	126,476	(18,642)
Administration	47,935	46,360	42,693	(3,667)
Trunkline maintenance	176,048	223,260	179,138	(44,122)
Total expenditures	<u>1,077,394</u>	<u>1,185,449</u>	<u>1,051,263</u>	<u>(134,186)</u>
Revenues over (under) expenditures	(78,926)	(67,414)	33,664	101,078
Other financing sources (uses)				
Transfers out	<u>(176,344)</u>	<u>(179,808)</u>	<u>(193,289)</u>	<u>(13,481)</u>
Net changes in fund balance	<u>(255,270)</u>	<u>(247,222)</u>	<u>(159,625)</u>	<u>87,597</u>
Fund balance, beginning of year	<u>1,194,897</u>	<u>1,194,897</u>	<u>1,194,897</u>	<u>-</u>
Fund balance, end of year	<u>\$ 939,627</u>	<u>\$ 947,675</u>	<u>\$ 1,035,272</u>	<u>\$ 87,597</u>

CITY OF YPSILANTI, MICHIGAN

Schedule of Revenues, Expenditures and Changes in Fund Balances

Budget and Actual - Local Streets Fund

For the Year Ended June 30, 2014

	Budgeted Amounts		Actual	Actual Over (Under) Final Budget
	Original	Final		
Revenues				
Licenses and permits	\$ 2,000	\$ 2,000	\$ 2,400	\$ 400
Intergovernmental - state	267,435	273,155	278,021	4,866
Investment earnings	1,750	2,000	2,589	589
Other revenues	19,200	69,790	62,991	(6,799)
Total revenues	<u>290,385</u>	<u>346,945</u>	<u>346,001</u>	<u>(944)</u>
Expenditures				
Highways, streets and bridges:				
Routine maintenance	330,550	336,713	240,203	(96,510)
Traffic services	29,102	32,907	32,816	(91)
Winter maintenance	108,934	138,598	126,845	(11,753)
Administration	29,935	27,902	25,785	(2,117)
Total expenditures	<u>498,521</u>	<u>536,120</u>	<u>425,649</u>	<u>(110,471)</u>
Revenues (under) expenditures	(208,136)	(189,175)	(79,648)	109,527
Other financing sources				
Transfers in	176,344	179,808	179,808	-
Net changes in fund balance	<u>(31,792)</u>	<u>(9,367)</u>	<u>100,160</u>	<u>109,527</u>
Fund balance, beginning of year	<u>707,935</u>	<u>707,935</u>	<u>707,935</u>	<u>-</u>
Fund balance, end of year	<u>\$ 676,143</u>	<u>\$ 698,568</u>	<u>\$ 808,095</u>	<u>\$ 109,527</u>

CITY OF YPSILANTI, MICHIGAN

Schedule of Revenues, Expenditures and Changes in Fund Balances

Budget and Actual - Garbage and Rubbish Collection Fund

For the Year Ended June 30, 2014

	Budgeted Amounts		Actual	Actual Over (Under) Final Budget
	Original	Final		
Revenues				
Taxes and special assessments	\$ 779,794	\$ 784,572	\$ 783,433	\$ (1,139)
Investment earnings	640	640	609	(31)
Other revenues	26,240	23,685	24,198	513
Total revenues	<u>806,674</u>	<u>808,897</u>	<u>808,240</u>	<u>(657)</u>
Expenditures				
Refuse collection	980,264	1,012,660	1,017,678	5,018
Tax tribunal refunds	1,500	1,500	1,929	429
Total expenditures	<u>981,764</u>	<u>1,014,160</u>	<u>1,019,607</u>	<u>5,447</u>
Revenues (under) expenditures	(175,090)	(205,263)	(211,367)	(6,104)
Other financing sources				
Transfers in	183,643	205,263	211,367	6,104
Net changes in fund balance	8,553	-	-	-
Fund balance, beginning of year	-	-	-	-
Fund balance, end of year	<u>\$ 8,553</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

CITY OF YPSILANTI, MICHIGAN

Schedule of Revenues, Expenditures and Changes in Fund Balances

Budget and Actual - Police Fund

For the Year Ended June 30, 2014

	Budgeted Amounts		Actual	Actual Over (Under) Final Budget
	Original	Final		
Revenues				
Investment earnings	\$ 1,000	\$ 650	\$ 678	\$ 28
Other revenues	10,000	10,325	15,546	5,221
Total revenues	11,000	10,975	16,224	5,249
Expenditures				
Public safety	244,264	220,813	215,162	(5,651)
Net changes in fund balance	(233,264)	(209,838)	(198,938)	10,900
Fund balance, beginning of year	237,819	237,819	237,819	-
Fund balance, end of year	<u>\$ 4,555</u>	<u>\$ 27,981</u>	<u>\$ 38,881</u>	<u>\$ 10,900</u>

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CITY OF YPSILANTI, MICHIGAN

Schedule of Revenues, Expenditures and Changes in Fund Balances

Budget and Actual - Public Transportation Fund

For the Year Ended June 30, 2014

	Budgeted Amounts		Actual	Actual Over (Under) Final Budget
	Original	Final		
Revenues				
Taxes and special assessments	\$ 274,047	\$ 275,829	\$ 275,017	\$ (812)
Investment earnings	765	280	174	(106)
Total revenues	<u>274,812</u>	<u>276,109</u>	<u>275,191</u>	<u>(918)</u>
Expenditures				
Public transportation	274,145	275,609	274,846	(763)
Tax tribunal refunds	500	500	540	40
Total expenditures	<u>274,645</u>	<u>276,109</u>	<u>275,386</u>	<u>(723)</u>
Net changes in fund balance	167	-	(195)	(195)
Fund balance, beginning of year	<u>11,550</u>	<u>11,550</u>	<u>11,550</u>	<u>-</u>
Fund balance, end of year	<u>\$ 11,717</u>	<u>\$ 11,550</u>	<u>\$ 11,355</u>	<u>\$ (195)</u>

CITY OF YPSILANTI, MICHIGAN

Combining Balance Sheet

Nonmajor Debt Service Funds

June 30, 2014

	2001 Revenue Bonds	2002-A Revenue Bonds	2002 General Obligation Bonds
Assets			
Cash and cash equivalents	\$ -	\$ -	\$ -
Accounts receivable	-	-	-
Due from other funds	-	-	-
Total assets	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>
Liabilities			
Accounts payable	\$ -	\$ -	\$ -
Tax refunds payable	-	-	-
Total liabilities	-	-	-
Fund balances			
Restricted for debt service	-	-	-
Total liabilities and fund balances	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>

2002-B Revenue Bonds	2002-C Revenue Bonds	Water Supply and Sewer Refunding	2010 Refunding Bonds Debt Service	2012 Refunding Bonds Debt Service	Total
\$ -	\$ -	\$ -	\$ 31,761	\$ 67,496	\$ 99,257
-	-	-	113	-	113
-	-	-	52,085	50,037	102,122
<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 83,959</u>	<u>\$ 117,533</u>	<u>\$ 201,492</u>
\$ -	\$ -	\$ -	\$ 487	\$ 476	\$ 963
-	-	-	21,893	22,452	44,345
-	-	-	22,380	22,928	45,308
-	-	-	61,579	94,605	156,184
<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 83,959</u>	<u>\$ 117,533</u>	<u>\$ 201,492</u>

CITY OF YPSILANTI, MICHIGAN

Combining Statement of Revenues, Expenditures and Changes in Fund Balances

Nonmajor Debt Service Funds

For the Year Ended June 30, 2014

	2001 Revenue Bonds	2002-A Revenue Bonds	2002 General Obligation Bonds
Revenues			
Taxes and special assessments	\$ -	\$ -	\$ -
Intergovernmental	105,831	144,063	-
Investment earnings	-	-	-
Total revenues	<u>105,831</u>	<u>144,063</u>	<u>-</u>
Expenditures			
Tax tribunal refunds	-	-	-
Debt service:			
Principal	85,000	120,000	30,000
Interest and fiscal charges	20,831	24,063	7,128
Total expenditures	<u>105,831</u>	<u>144,063</u>	<u>37,128</u>
Revenues over (under) expenditures	-	-	(37,128)
Other financing sources			
Transfers in	-	-	37,128
Transfers out	(381,117)	(434,594)	-
Total other financing sources (uses)	<u>(381,117)</u>	<u>(434,594)</u>	<u>37,128</u>
Net changes in fund balances	(381,117)	(434,594)	-
Fund balances, beginning of year	<u>381,117</u>	<u>434,594</u>	<u>-</u>
Fund balances, end of year	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

2002-B Revenue Bonds	2002-C Revenue Bonds	Water Supply and Sewer Refunding	2010 Refunding Bonds Debt Service	2012 Refunding Bonds Debt Service	Total
\$ -	\$ -	\$ -	\$ 701,900	\$ 678,043	\$ 1,379,943
31,063	367,050	541,130	-	-	1,189,137
-	-	-	816	813	1,629
31,063	367,050	541,130	702,716	678,856	2,570,709
-	-	-	703	746	1,449
25,000	295,000	510,000	630,000	610,000	2,305,000
6,063	72,050	31,130	54,175	50,239	265,679
31,063	367,050	541,130	684,878	660,985	2,572,128
-	-	-	17,838	17,871	(1,419)
-	-	-	-	-	37,128
(44,395)	(602,758)	(281,466)	-	-	(1,744,330)
(44,395)	(602,758)	(281,466)	-	-	(1,707,202)
(44,395)	(602,758)	(281,466)	17,838	17,871	(1,708,621)
44,395	602,758	281,466	43,741	76,734	1,864,805
\$ -	\$ -	\$ -	\$ 61,579	\$ 94,605	\$ 156,184

CITY OF YPSILANTI, MICHIGAN

Combining Balance Sheet

Nonmajor Capital Projects Funds
June 30, 2014

	Capital Improvement Reserve	Sidewalk Improvement	2003-D Water Supply and Sewer	2004-A Water	2004-B Water and Sewer	2003-B Water and Sewer
Assets						
Cash and cash equivalents	\$ 749,749	\$ 266,689	\$ -	\$ -	\$ -	\$ -
Accounts receivable	24,772	1,547	-	-	-	-
Total assets	<u>\$ 774,521</u>	<u>\$ 268,236</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Liabilities						
Accounts payable	\$ 7,123	\$ -	\$ -	\$ -	\$ -	\$ -
Unearned revenue	12,500	-	-	-	-	-
Total liabilities	<u>19,623</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Fund balances						
Restricted for debt service	-	-	-	-	-	-
Committed for capital projects	754,898	268,236	-	-	-	-
Total fund balances	<u>754,898</u>	<u>268,236</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total liabilities and fund balances	<u>\$ 774,521</u>	<u>\$ 268,236</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

continued...

2003-C Water and Sewer	Land Revolving Capital Projects	2006 Water and Sewer Refunding	2007 Water and Sewer DWRf	2008 Water and Sewer DWRf	2009 Water and Sewer DWRf	Factory Street Pump Station	Totals
\$ -	\$ 240,874	\$ -	\$ -	\$ -	\$ -	\$ 824,706	\$ 2,082,018
-	-	-	-	-	-	5,183	31,502
\$ -	\$ 240,874	\$ -	\$ -	\$ -	\$ -	\$ 829,889	\$ 2,113,520
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,123
-	-	-	-	-	-	-	12,500
-	-	-	-	-	-	-	19,623
-	240,874	-	-	-	-	829,889	1,070,763
-	-	-	-	-	-	-	1,023,134
-	240,874	-	-	-	-	829,889	2,093,897
\$ -	\$ 240,874	\$ -	\$ -	\$ -	\$ -	\$ 829,889	\$ 2,113,520

concluded.

CITY OF YPSILANTI, MICHIGAN

Combining Statement of Revenues, Expenditures and Changes in Fund Balance

Nonmajor Capital Projects Funds
For the Year Ended June 30, 2014

	Capital Improvement Reserve	Sidewalk Improvement	2003-D Water Supply and Sewer	2004-A Water	2004-B Water and Sewer	2003-B Water and Sewer
Revenues						
Licenses and permits	\$ -	\$ 50,057	\$ -	\$ -	\$ -	\$ -
Intergovernmental	-	88,677	337,625	116,025	389,203	69,381
Investment earnings (loss)	3,113	842	-	1	-	1
Total revenues	<u>3,113</u>	<u>139,576</u>	<u>337,625</u>	<u>116,026</u>	<u>389,203</u>	<u>69,382</u>
Expenditures						
General government	265,162	-	-	-	-	-
Public safety	99,970	-	-	-	-	-
Public works	-	145,470	-	-	-	-
Community development	-	-	-	-	-	-
Debt service:						
Principal	-	-	260,000	70,000	305,000	45,000
Interest and fiscal charges	-	-	77,625	46,026	84,203	24,382
Total expenditures	<u>365,132</u>	<u>145,470</u>	<u>337,625</u>	<u>116,026</u>	<u>389,203</u>	<u>69,382</u>
Revenues over (under) expenditures	<u>(362,019)</u>	<u>(5,894)</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Other financing sources (uses)						
Issuance of refunding bonds	-	-	-	-	-	-
Payment to refunding bond escrow agent	-	-	-	-	-	-
Premium on refunding bonds	-	-	-	-	-	-
Transfers in	321,765	-	-	-	-	-
Transfers out	-	-	(338,926)	(162,583)	(431,590)	(87,162)
Total other financing sources (uses)	<u>321,765</u>	<u>-</u>	<u>(338,926)</u>	<u>(162,583)</u>	<u>(431,590)</u>	<u>(87,162)</u>
Net changes in fund balances	<u>(40,254)</u>	<u>(5,894)</u>	<u>(338,926)</u>	<u>(162,583)</u>	<u>(431,590)</u>	<u>(87,162)</u>
Fund balances, beginning of year	<u>795,152</u>	<u>274,130</u>	<u>338,926</u>	<u>162,583</u>	<u>431,590</u>	<u>87,162</u>
Fund balances, end of year	<u>\$ 754,898</u>	<u>\$ 268,236</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

continued...

2003-C Water and Sewer	Land Revolving Capital Projects	2006 Water and Sewer Refunding	2007 Water and Sewer DWRP	2008 Water and Sewer DWRP	2009 Water and Sewer DWRP	Factory Street Pump Station	Totals
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,057
51,500	9,074	420,056	19,913	28,731	8,038	35,647	1,573,870
-	909	-	-	-	-	5,189	10,055
51,500	9,983	420,056	19,913	28,731	8,038	40,836	1,633,982
-	-	-	-	-	-	-	265,162
-	-	-	-	-	-	-	99,970
-	-	-	-	-	-	1,499,200	1,644,670
-	9,074	-	-	-	-	-	9,074
40,000	-	25,000	15,000	20,000	5,000	-	785,000
11,500	-	395,056	4,913	8,731	3,038	35,647	691,121
51,500	9,074	420,056	19,913	28,731	8,038	1,534,847	3,494,997
-	909	-	-	-	-	(1,494,011)	(1,861,015)
-	-	-	-	-	-	1,503,185	1,503,185
-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-
-	-	-	-	-	-	820,715	1,142,480
(50,199)	-	-	-	-	-	-	(1,070,460)
(50,199)	-	-	-	-	-	2,323,900	1,575,205
(50,199)	909	-	-	-	-	829,889	(285,810)
50,199	239,965	-	-	-	-	-	2,379,707
\$ -	\$ 240,874	\$ -	\$ -	\$ -	\$ -	\$ 829,889	\$ 2,093,897

concluded.

CITY OF YPSILANTI, MICHIGAN

Combining Statement of Net Position

Internal Service Funds

June 30, 2014

	Motor Pool	Workers' Compensation	Retiree Health Care Benefits	Total
Assets				
Current assets:				
Cash and cash equivalents	\$ 2,315,113	\$ 116,586	\$ 941,568	\$ 3,373,267
Investments	606,722	889,302	-	1,496,024
Accounts receivable	1,483	-	30,392	31,875
Inventory	30,918	-	-	30,918
Prepaid items	-	-	56,765	56,765
Total current assets	2,954,236	1,005,888	1,028,725	4,988,849
Noncurrent assets - capital assets, net	1,366,818	-	-	1,366,818
Total assets	4,321,054	1,005,888	1,028,725	6,355,667
Liabilities				
Current liabilities:				
Accounts payable and accrued liabilities	26,105	26,963	345	53,413
Current portion of claims payable	-	266,600	-	266,600
Total current liabilities	26,105	293,563	345	320,013
Noncurrent liabilities - claims payable, net	-	399,894	-	399,894
Total liabilities	26,105	693,457	345	719,907
Net position				
Investment in capital assets	1,366,818	-	-	1,366,818
Unrestricted	2,928,131	312,431	1,028,380	4,268,942
Total net position	\$ 4,294,949	\$ 312,431	\$ 1,028,380	\$ 5,635,760

CITY OF YPSILANTI, MICHIGAN

Combining Statement of Revenues, Expenses and Changes in Net Position

Internal Service Funds

For the Year Ended June 30, 2014

	Motor Pool	Workers' Compensation	Retiree Health Care Benefits	Total
Operating revenues				
Charges for services	\$ 372,125	\$ 67,486	\$ 1,586,036	\$ 2,025,647
Operating expenses				
Salaries, taxes and benefits	195,054	60	-	195,114
Gas, oil and fuel	169,253	-	-	169,253
Depreciation	390,017	-	-	390,017
Operation and maintenance	149,655	1,213	-	150,868
Contractual services and fees	112,022	127,560	-	239,582
Insurance and other	58,319	-	-	58,319
Benefits and claims	-	455,649	1,196,034	1,651,683
Total operating expenses	1,074,320	584,482	1,196,034	2,854,836
Operating income (loss)	(702,195)	(516,996)	390,002	(829,189)
Nonoperating revenues				
Investment income (loss)	85,634	74,588	1,815	162,037
Gain on sale of equipment	136,106	-	-	136,106
Total nonoperating revenues	221,740	74,588	1,815	298,143
Income (loss) before transfers	(480,455)	(442,408)	391,817	(531,046)
Transfers out	(211,367)	-	-	(211,367)
Change in net position	(691,822)	(442,408)	391,817	(742,413)
Net position, beginning of year	4,986,771	754,839	636,563	6,378,173
Net position, end of year	\$ 4,294,949	\$ 312,431	\$ 1,028,380	\$ 5,635,760

CITY OF YPSILANTI, MICHIGAN

Combining Statement of Cash Flows

Internal Service Funds

For the Year Ended June 30, 2014

	Motor Pool	Workers' Compensation	Retiree Health Care Benefits	Total
Cash flows from operating activities				
Cash received from interfund services	\$ 373,656	\$ 67,486	\$ 1,559,673	\$ 2,000,815
Cash payments to employees	(195,054)	(60)	-	(195,114)
Cash payments for claims	-	(198,048)	(1,196,005)	(1,394,053)
Cash payments to suppliers for goods and services	(479,031)	(104,644)	(1,648)	(585,323)
Net cash provided by (used in) operating activities	(300,429)	(235,266)	362,020	(173,675)
Cash flows from non-capital financing activities				
Transfer to other funds	(211,367)	-	-	(211,367)
Cash flows from capital and related financing activities				
Purchase of capital assets	(196,889)	-	-	(196,889)
Proceeds from sale of capital assets	136,106	-	-	136,106
Net cash used in capital and related financing activities	(60,783)	-	-	(60,783)
Cash flows from investing activities				
Maturity of investments	70,842	114,508	-	185,350
Investment income	85,634	74,588	1,815	162,037
Net cash provided by investing activities	156,476	189,096	1,815	347,387
Net change in cash and cash equivalents	(416,103)	(46,170)	363,835	(98,438)
Cash and cash equivalents, beginning of year	2,731,216	162,756	577,733	3,471,705
Cash and cash equivalents, end of year	\$ 2,315,113	\$ 116,586	\$ 941,568	\$ 3,373,267
Reconciliation of operating income (loss) to net cash provided (used) in operating activities				
Operating income (loss)	\$ (702,195)	\$ (516,996)	\$ 390,002	\$ (829,189)
Adjustments to reconcile operating income (loss) to net cash provided (used) in operating activities:				
Depreciation	390,017	-	-	390,017
Changes in:				
Accounts receivable	1,531	-	(26,363)	(24,832)
Inventory	3,406	-	-	3,406
Prepaid items	-	5,000	(1,648)	3,352
Accounts payable and accrued liabilities	6,812	19,129	29	25,970
Claims payable	-	257,601	-	257,601
Net cash provided by (used in) operating activities	\$ (300,429)	\$ (235,266)	\$ 362,020	\$ (173,675)

CITY OF YPSILANTI, MICHIGAN

Statement of Changes in Assets and Liabilities

Current Tax Agency Fund

For the Year Ended June 30, 2014

	Balance July 1, 2013	Additions	Deletions	Balance June 30, 2014
Assets				
Cash and cash equivalents	\$ 62,771	\$ 31,549,436	\$ 31,612,207	\$ -
Accrued interest receivable	11	-	11	-
Total assets	<u>\$ 62,782</u>	<u>\$ 31,549,436</u>	<u>\$ 31,612,218</u>	<u>\$ -</u>
Liabilities				
Undistributed receipts	<u>\$ 62,782</u>	<u>\$ 31,549,436</u>	<u>\$ 31,612,218</u>	<u>\$ -</u>

CITY OF YPSILANTI, MICHIGAN

Statement of Net Position and Governmental Funds Balance Sheet

Downtown Development Authority Component Unit

June 30, 2014

	General Fund	Capital Projects Fund	Total	Adjustments	Statement of Net Position
Assets					
Cash and cash equivalents	\$ 242,105	\$ 4,825	\$ 246,930	\$ -	\$ 246,930
Capital assets being depreciated, net	-	-	-	1,759,030	1,759,030
Total assets	<u>\$ 242,105</u>	<u>\$ 4,825</u>	<u>\$ 246,930</u>	<u>1,759,030</u>	<u>2,005,960</u>
Liabilities					
Accounts payable	\$ 15,717	\$ -	\$ 15,717	-	15,717
Accrued liabilities	6,919	4,825	11,744	-	11,744
Due to other governments	365	-	365	-	365
Unearned revenue	11,500	-	11,500	-	11,500
Long-term liabilities:					
Due within one year	2,615	-	2,615	53,337	55,952
Due in more than one year	-	-	-	616,663	616,663
Total liabilities	37,116	4,825	41,941	670,000	711,941
Fund balances / net position					
Unassigned	204,989	-	204,989	(204,989)	-
Total liabilities and fund balances	<u>\$ 242,105</u>	<u>\$ 4,825</u>	<u>\$ 246,930</u>		
Net position					
Net investment in capital assets				1,089,030	1,089,030
Unrestricted				204,989	204,989
Total net position				<u>\$ 1,294,019</u>	<u>\$ 1,294,019</u>

CITY OF YPSILANTI, MICHIGAN

Statement of Activities and Governmental Fund Revenues, Expenditures and Changes in Fund Balance

Downtown Development Authority Component Unit

For the Year Ended June 30, 2014

	General Fund	Capital Projects Fund	Total	Adjustments	Statement of Activities
Expenditures/expenses					
Community development	\$ 190,486	\$ -	\$ 190,486	\$ 115,337	\$ 305,823
Debt service:					
Principal	80,000	50,000	130,000	(130,000)	-
Interest and fiscal charges	4,691	30,772	35,463	-	35,463
Total expenditures/expenses	275,177	80,772	355,949	(14,663)	341,286
General revenues					
Property taxes	307,726	-	307,726	-	307,726
Other revenues	7,008	-	7,008	(1)	7,007
Investment earnings	1,317	-	1,317	-	1,317
Total general revenues	316,051	-	316,051	(1)	316,050
Excess of general revenues over (under) expenditures/expenses	40,874	(80,772)	(39,898)	14,662	(25,236)
Other financing sources (uses)					
Transfers in	-	80,772	80,772	(80,772)	-
Transfers out	(80,772)	-	(80,772)	80,772	-
Total other financing sources (uses)	(80,772)	80,772	-	-	-
Net changes in fund balances	(39,898)	-	(39,898)	39,898	-
Change in net position	-	-	-	(25,236)	(25,236)
Fund balance/net position, beginning of year	244,887	-	244,887	1,074,368	1,319,255
Fund balance/net position, end of year	\$ 204,989	\$ -	\$ 204,989	\$ 1,089,030	\$ 1,294,019

CITY OF YPSILANTI, MICHIGAN

Statement of Net Position and Governmental Funds Balance Sheet

Depot Town Downtown Development Authority Component Unit

June 30, 2014

	General Fund	Adjustments	Statement of Net Position
Assets			
Cash and cash equivalents	\$ 311,607	\$ -	\$ 311,607
Accounts receivable	515	-	515
Capital assets not being depreciated	-	53,984	53,984
Capital assets being depreciated, net	-	268,757	268,757
Total assets	<u>\$ 312,122</u>	<u>322,741</u>	<u>634,863</u>
Liabilities			
Accounts payable	\$ 12,483	-	12,483
Accrued liabilities	661	-	661
Due to other governments	11,860	-	11,860
Unearned revenue	10,000	-	10,000
Long-term liabilities:			
Due within one year	-	19,275	19,275
Due in more than one year	-	6,984	6,984
Total liabilities	<u>35,004</u>	<u>26,259</u>	<u>61,263</u>
Fund balances / net position			
Unassigned	<u>277,118</u>	<u>(277,118)</u>	<u>-</u>
Total liabilities and fund balances	<u>\$ 312,122</u>		
Net position			
Net investment in capital assets		296,482	296,482
Unrestricted		<u>277,118</u>	<u>277,118</u>
Total net position		<u>\$ 573,600</u>	<u>\$ 573,600</u>

CITY OF YPSILANTI, MICHIGAN

Statement of Activities and Governmental Fund Revenues, Expenditures

and Changes in Fund Balances

Depot Town Downtown Development Authority Component Unit

For the Year Ended June 30, 2014

	General Fund	Adjustments	Statement of Activities
Expenditures/expenses			
Community development	\$ 120,115	\$ (44,854)	\$ 75,261
Debt service:			
Principal	18,327	(18,327)	-
Total expenditures/expenses	138,442	(63,181)	75,261
Program revenues			
Operating grants and contributions	6,841	-	6,841
Net program (expense) revenue	(131,601)	63,181	(68,420)
General revenues			
Property taxes	99,568	-	99,568
Other revenue	200	-	200
Investment earnings	1,223	-	1,223
Total general revenues	100,991	-	100,991
Net change in fund balance	(30,610)	30,610	-
Change in net position	-	32,571	32,571
Fund balance/net position, beginning of year	307,728	233,301	541,029
Fund balance/net position, end of year	<u>\$ 277,118</u>	<u>\$ 296,482</u>	<u>\$ 573,600</u>

CITY OF YPSILANTI, MICHIGAN

Statement of Net Position and Governmental Funds Balance Sheet

Economic Development Corporation

June 30, 2014

	General Fund	Adjustments	Statement of Net Position
Assets			
Cash and cash equivalents	\$ 207,664	\$ -	\$ 207,664
Prepaid items	356	-	356
Capital assets not being depreciated	-	53,200	53,200
Total assets	<u>\$ 208,020</u>	<u>53,200</u>	<u>261,220</u>
Liabilities			
Due to other governments	\$ 72,164	-	72,164
Fund balances / net position			
Unassigned	<u>135,856</u>	<u>(135,856)</u>	<u>-</u>
Total liabilities and fund balances	<u>\$ 208,020</u>		
Net position			
Investment in capital assets		53,200	53,200
Unrestricted		<u>135,856</u>	<u>135,856</u>
Total net position		<u>\$ 189,056</u>	<u>\$ 189,056</u>

CITY OF YPSILANTI, MICHIGAN

Statement of Activities and Governmental Fund Revenues, Expenditures

and Changes in Fund Balance

Economic Development Corporation

For the Year Ended June 30, 2014

	General Fund	Adjustments	Statement of Activities
Expenditures/expenses			
Community development	\$ 1,248	\$ -	\$ 1,248
General revenues			
Investment earnings	922	-	922
Net changes in fund balances	(326)	326	-
Change in net position	-	(326)	(326)
Fund balance/net position, beginning of year	136,182	53,200	189,382
Fund balance/net position, end of year	<u>\$ 135,856</u>	<u>\$ 53,200</u>	<u>\$ 189,056</u>

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STATISTICAL SECTION

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CITY OF YPSILANTI, MICHIGAN

Statistical Section

This part of the City of Ypsilanti's comprehensive annual financial report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and required supplementary information says about the government's overall financial health

CONTENTS

Page

Financial Trends (schedules 1 thru 4)

These schedules contain trend information to help the reader understand how the government's financial performance and well-being have changed over time.

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Revenue Capacity (schedules 5 thru 8)

These schedules contain information to help the reader assess the government's most significant local sources: property taxes and water and wastewater usage fees.

128

Debt Capacity (schedules 9 thru 13)

These schedules present information to help the reader assess the affordability of the government's current levels of outstanding debt and the government's ability to issue additional debt in the future.

132

Demographic and Economic Information (schedules 14 and 15)

These schedules offer demographic and economic indicators to help the reader understand the environment within which the government's financial activities take place.

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Operating Information (schedules 16 thru 19)

These schedules contain service and infrastructure data to help the reader understand how the information in the government's financial report relates to the services the government provides and the activities it performs.

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Source: Unless otherwise noted, the information in these schedules is derived from the comprehensive annual financial reports for the relevant year.

CITY OF YPSILANTI, MICHIGAN

Net Position by Component

Last Ten Years

(accrual basis of accounting)

	2005	2006	2007	2008
Governmental activities				
Net investment in				
capital assets	\$ 1,125,536	\$ 12,857,112	\$ 15,049,123	\$ 15,179,422
Restricted	6,452,591	9,093,066	7,108,155	10,909,451
Unrestricted (deficit)	<u>5,570,379</u>	<u>(10,295,576)</u>	<u>(7,045,772)</u>	<u>(9,406,528)</u>
Total governmental activities				
net position	<u>\$ 13,148,506</u>	<u>\$ 11,654,602</u>	<u>\$ 15,111,506</u>	<u>\$ 16,682,345</u>

Source: City of Ypsilanti Finance Department

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2009	2010	2011	2012	2013	2014
\$ 15,117,105	\$ 14,987,983	\$ 16,952,331	\$ 16,911,390	\$ 15,636,305	\$ 16,524,392
10,406,691	10,975,911	11,357,896	11,083,068	7,631,866	4,545,511
(6,404,471)	(6,202,344)	(6,850,753)	(7,091,726)	(6,545,637)	(5,553,659)
<u>\$ 19,119,325</u>	<u>\$ 19,761,550</u>	<u>\$ 21,459,474</u>	<u>\$ 20,902,732</u>	<u>\$ 16,722,534</u>	<u>\$ 15,516,244</u>

CITY OF YPSILANTI, MICHIGAN

Changes in Net Position

Last Ten Years

(accrual basis of accounting)

	2005	2006	2007	2008
Expenses				
General government	\$ 1,532,445	\$ 1,679,364	\$ 2,021,481	\$ 2,212,245
Public safety	7,251,128	8,185,587	9,601,958	9,618,481
Public works	2,092,229	6,423,905	4,470,462	2,084,186
Highways, streets, and bridges	1,921,935	1,736,108	2,022,071	2,562,769
Culture and recreation	1,250,186	1,013,582	784,039	570,113
Community development	878,517	439,851	415,116	340,815
Public transportation	-	-	-	-
Interest on long-term debt	2,958,920	2,866,288	2,514,514	2,834,154
Total expenses	<u>17,885,360</u>	<u>22,344,685</u>	<u>21,829,641</u>	<u>20,222,763</u>
Program revenues				
Charges for services:				
General government	450,699	462,082	544,717	1,097,252
Public safety	420,034	570,059	499,197	720,555
Public works	714,187	538,989	516,539	-
Highways, streets and bridges	-	-	-	-
Culture and recreation	115,362	138,705	87,033	-
Community development	-	-	-	1,250
Operating grants and contributions	2,794,375	2,433,593	2,878,483	3,504,349
Capital grants and contributions	3,727,652	3,087,106	4,891,245	672,269
Total program revenues	<u>8,222,309</u>	<u>7,230,534</u>	<u>9,417,214</u>	<u>5,995,675</u>
Net (expense) / revenue	<u>(9,663,051)</u>	<u>(15,114,151)</u>	<u>(12,412,427)</u>	<u>(14,227,088)</u>
General revenues				
Property taxes	9,735,731	10,560,479	11,310,693	11,503,422
Unrestricted grants and contributions	3,375,034	3,338,792	3,276,430	3,070,879
Unrestricted investment earnings (loss)	1,121,441	(284,207)	1,118,294	1,223,621
Other general revenues	-	5,183	163,914	-
Total general revenues	<u>14,232,206</u>	<u>13,620,247</u>	<u>15,869,331</u>	<u>15,797,922</u>
Special item				
Change in fair value of land held for resale	-	-	-	-
Change in net position	<u>\$ 4,569,155</u>	<u>\$ (1,493,904)</u>	<u>\$ 3,456,904</u>	<u>\$ 1,570,834</u>

Source: City of Ypsilanti Finance Department

Table 2
Unaudited

2009	2010	2011	2012	2013	2014
\$ 2,788,130	\$ 3,075,617	\$ 3,326,238	\$ 2,866,101	\$ 2,083,855	\$ 1,690,255
8,563,993	8,638,877	8,257,558	8,601,201	7,908,177	8,878,722
1,935,048	2,031,833	1,980,913	2,015,694	4,067,582	5,542,347
3,165,639	3,612,341	1,192,916	2,823,389	3,921,320	3,143,348
465,538	435,711	69,221	367,484	408,367	366,668
330,041	229,274	189,050	184,244	292,867	255,416
-	-	-	262,320	308,564	275,386
2,710,134	2,748,116	2,481,838	2,329,834	2,095,288	2,103,523
19,958,523	20,771,769	17,497,734	19,450,267	21,086,020	22,255,665
1,445,822	1,153,950	1,121,010	1,241,641	1,419,828	2,320,700
947,998	959,591	1,098,886	935,124	1,197,437	786,308
-	-	-	-	-	-
-	-	-	93,722	-	-
-	-	-	-	-	-
1,200	1,200	1,200	1,200	1,500	1,552
3,734,396	4,930,921	3,585,313	2,712,064	4,282,348	3,829,486
94,250	110,078	609,256	322,858	24,258	692,619
6,223,666	7,155,740	6,415,665	5,306,609	6,925,371	7,630,665
(13,734,857)	(13,616,029)	(11,082,069)	(14,143,658)	(14,160,649)	(14,625,000)
12,098,938	11,417,456	9,907,455	10,555,401	10,309,164	10,656,453
3,000,840	2,671,507	2,670,643	2,256,140	2,342,612	2,420,667
817,091	169,291	201,895	775,375	(13,260)	341,590
-	-	-	-	-	-
15,916,869	14,258,254	12,779,993	13,586,916	12,638,516	13,418,710
-	-	-	-	(1,995,335)	-
\$ 2,182,012	\$ 642,225	\$ 1,697,924	\$ (556,742)	\$ (3,517,468)	\$ (1,206,290)

CITY OF YPSILANTI, MICHIGAN

Fund Balances - Governmental Funds

Last Ten Years

(modified accrual basis of accounting)

	2005	2006	2007	2008
General fund				
Nonspendable				
Committed				
Unassigned				
Reserved	\$ 99,780	\$ 99,518	\$ 311,238	\$ 284,902
Unreserved, designated	1,990,157	2,457,812	2,198,717	3,995,995
Unreserved, undesignated	1,586,873	1,670,594	3,078,083	2,969,171
Total general fund	<u>3,676,810</u>	<u>4,227,924</u>	<u>5,588,038</u>	<u>7,250,068</u>
All other governmental funds				
Nonspendable				
Restricted				
Committed				
Unassigned (deficit)				
Reserved	10,111,447	9,432,511	8,174,089	6,788,292
Unreserved, designated	-	-	429,428	609,332
Unreserved, undesignated				
reported in:				
Special revenue funds	4,183,232	3,370,274	1,826,258	1,858,287
Debt service funds	1,856,755	1,952,024	1,756,508	1,655,707
Capital projects funds	(769,583)	597,400	796,632	1,169,857
Total all other governmental funds	<u>15,381,851</u>	<u>15,352,209</u>	<u>12,982,915</u>	<u>12,081,475</u>
Total governmental funds	<u>\$ 19,058,661</u>	<u>\$ 19,580,133</u>	<u>\$ 18,570,953</u>	<u>\$ 19,331,543</u>

Source: City of Ypsilanti Finance Department

Table 3
Unaudited

2009	2010	2011	2012	2013	2014
		\$ 269,199	\$ 344,707	\$ 329,819	\$ 348,324
		5,579,241	4,378,434	6,008,192	4,631,779
		3,545,913	3,936,006	2,201,556	2,968,262
\$ 208,839	\$ 206,175	-	-	-	-
6,312,543	6,820,988	-	-	-	-
2,947,235	2,436,793	-	-	-	-
9,468,617	9,463,956	9,394,353	8,659,147	8,539,567	7,948,365
		4,763,817	4,763,817	2,768,482	1,900,300
		5,671,778	4,869,060	5,327,431	3,069,197
		922,301	1,411,547	1,061,201	1,084,209
		-	(23,938)	(168,166)	1,832,262
6,620,715	6,302,934	-	-	-	-
609,332	309,560	-	-	-	-
		-	-	-	-
1,740,343	2,664,551	-	-	-	-
1,773,204	1,787,942	-	-	-	-
824,485	861,140	-	-	-	-
11,568,079	11,926,127	11,357,896	11,020,486	8,988,948	7,885,968
\$ 21,036,696	\$ 21,390,083	\$ 20,752,249	\$ 19,679,633	\$ 17,528,515	\$ 15,834,333

CITY OF YPSILANTI, MICHIGAN

Changes in Fund Balances - Governmental Funds

Last Ten Years

(modified accrual basis of accounting)

	2005	2006	2007	2008
Revenues				
Taxes and special assessments	\$ 9,779,484	\$ 10,559,261	\$ 11,310,662	\$ 11,503,422
Licenses and permits	750,293	617,089	576,436	665,684
Intergovernmental	7,499,981	7,254,893	7,750,482	7,826,046
Charges for services	698,086	931,525	987,433	416,730
Fines and forfeits	225,384	362,432	297,667	394,089
Investment earnings	437,809	(297,092)	932,581	912,077
Other revenues	1,465,233	1,410,678	1,704,958	534,781
Total revenues	20,856,270	20,838,786	23,560,219	22,252,829
Expenditures				
General government	2,888,462	2,300,056	2,375,208	2,409,836
Public safety	7,121,191	8,114,602	9,811,440	8,744,920
Public works	6,969,115	2,659,544	1,954,923	997,305
Refuse collection	963,935	1,016,505	1,079,251	1,171,953
Highways, streets and bridges	1,232,042	1,180,647	1,814,492	1,973,109
Culture and recreation	302,147	206,698	162,189	446,196
Community development	215,156	214,575	179,915	178,636
Public transportation	-	-	-	-
Unallocated employee benefits	739,790	847,947	925,577	1,161,692
Tax tribunal refunds	-	-	-	-
Capital outlay	6,660,712	2,375,227	840,776	-
Debt service:				
Principal	1,718,202	2,299,949	2,665,245	2,501,875
Interest and fiscal charges	4,468,430	3,145,864	2,766,159	2,767,662
Total expenditures	33,279,182	24,361,614	24,575,175	22,353,184
Revenues over (under) expenditures	(12,422,912)	(3,522,828)	(1,014,956)	(100,355)
Other financing sources (uses)				
Transfers in	2,355,341	1,924,858	1,139,551	999,347
Transfers out	(2,373,144)	(1,924,858)	(1,189,551)	(899,683)
Issuance of debt	14,262,866	16,827,648	9,895,000	297,596
Bond premium (discount)	-	-	-	-
Payment to refunding escrow agent	(4,120,988)	(12,783,348)	(9,839,224)	-
Total other financing sources (uses)	10,124,075	4,044,300	5,776	397,260
Special item - change in market value of land held for resale	-	-	-	-
Net change in fund balances	\$ (2,298,837)	\$ 521,472	\$ (1,009,180)	\$ 296,905
Debt service as a percentage of noncapital expenditures	23.2%	24.8%	22.6%	25.1%

Source: City of Ypsilanti Finance Department

Table 4
Unaudited

2009	2010	2011	2012	2013	2014
\$ 12,098,938	\$ 11,417,456	\$ 9,907,455	\$ 10,555,401	\$ 10,309,164	\$ 10,656,453
657,459	530,812	666,586	734,250	748,417	648,881
7,667,265	7,880,092	8,369,061	6,678,576	7,112,100	6,851,138
582,283	533,974	542,669	448,341	733,730	417,906
445,965	475,530	597,265	516,393	499,099	414,468
743,107	35,676	165,346	413,204	(33,737)	182,666
840,477	716,969	541,067	680,652	671,558	1,710,943
23,035,494	21,590,509	20,789,449	20,026,817	20,040,331	20,882,455
2,170,189	2,127,907	2,433,291	2,141,990	2,214,452	2,287,975
8,431,824	8,182,781	8,326,438	8,093,201	7,264,800	7,806,628
1,194,766	912,196	848,754	788,210	2,085,725	3,597,878
1,184,977	1,078,414	1,065,037	1,041,143	1,112,773	1,017,678
1,691,811	1,540,487	1,592,516	1,740,226	1,806,267	1,476,912
358,179	457,372	348,756	300,134	284,251	1,136,746
146,167	544,408	498,817	75,033	92,208	32,448
226,756	158,967	218,000	262,183	308,175	274,846
1,188,986	964,144	878,085	950,627	1,043,139	928,133
-	-	-	397,353	13,735	12,712
-	-	-	-	-	-
2,627,079	2,738,504	2,970,000	3,175,000	3,340,000	3,535,000
2,692,892	2,705,052	2,561,716	2,326,442	2,204,172	2,157,920
21,913,626	21,410,232	21,741,410	21,291,542	21,769,697	24,264,876
1,121,868	180,277	(951,961)	(1,264,725)	(1,729,366)	(3,382,421)
1,219,140	2,300,123	1,639,043	2,122,966	6,759,280	4,928,666
(1,187,059)	(2,214,414)	(1,431,863)	(1,930,857)	(6,470,040)	(4,717,299)
503,958	87,401	3,856,253	-	5,372,551	8,993,185
-	-	-	-	(83,208)	433,687
-	-	(3,749,306)	-	(4,005,000)	(7,950,000)
536,039	173,110	314,127	192,109	1,573,583	1,688,239
-	-	-	-	(1,995,335)	-
\$ 1,657,907	\$ 353,387	\$ (637,834)	\$ (1,072,616)	\$ (2,151,118)	\$ (1,694,182)
25.2%	25.8%	29.9%	27.7%	26.3%	25.4%

CITY OF YPSILANTI, MICHIGAN

Table 5
Unaudited

Assessed and Taxable Value of Property

Last Ten Years

Tax Year	Fiscal Year Ended	Real Property (1)		Personal Property (1)		Total		Total Direct Tax Rate
		Taxable Value	(2) Assessed Value	Taxable Value	(2) Assessed Value	Taxable Value	(2) Assessed Value	
2013	2014	\$271,120,783	\$283,777,190	\$ 18,493,812	\$ 18,493,812	\$289,614,595	\$ 302,271,002	36.4947
2012	2013	273,316,097	283,284,181	17,413,000	17,413,000	290,729,097	300,697,181	35.2060
2011	2012	290,163,934	309,315,255	19,030,100	19,030,100	309,194,034	328,345,355	33.6731
2010	2011	308,955,109	332,212,495	21,038,100	21,038,100	329,993,209	353,250,595	31.5314
2009	2010	339,950,191	380,570,998	30,525,720	30,525,720	370,475,911	411,096,718	30.8592
2008	2009	353,840,502	436,827,206	48,803,200	48,803,200	402,643,702	485,630,406	30.6016
2007	2008	358,621,343	471,237,912	55,108,200	55,215,000	413,729,543	526,452,912	29.5795
2006	2007	340,765,351	446,378,408	55,300,150	55,896,200	396,065,501	502,274,608	29.5299
2005	2006	314,776,856	423,184,122	44,418,300	44,418,300	359,195,156	467,602,422	29.0301
2004	2005	299,731,615	394,903,750	46,307,000	46,307,000	346,038,615	441,210,750	27.9161

(1) Includes properties subject to Industrial Facility Tax exemptions.

(2) Estimated actual value equals the assessed value.

Source: City of Ypsilanti Assessing Division

CITY OF YPSILANTI, MICHIGAN

Table 6
Unaudited

Direct and Overlapping Property Tax Rates
(rate per \$1,000 of taxable value)

Fiscal Year Ended June 30,	City	Ypsilanti Public Schools	State Education Tax	Washtenaw Intermediate School District	County	Washtenaw Community College	Ypsilanti District Library	Totals	
								Homestead	Non- Homestead
2014	36.4947	25.0000	6.0000	3.9745	5.7801	3.4576	2.8102	65.5171	83.5171
2013	35.2060	25.0000	6.0000	3.9745	5.7654	3.6376	2.7845	64.3680	82.3680
2012	33.6731	25.0000	6.0000	3.9745	5.7518	3.7176	2.7410	62.8580	80.8580
2011	31.5314	25.0000	6.0000	3.9745	5.7448	3.6856	2.1574	60.0937	78.0937
2010	30.8592	24.2000	6.0000	3.9745	5.7418	3.6856	2.1575	58.6186	76.6186
2009	30.6016	25.0000	6.0000	3.9745	5.7018	3.6856	2.1553	59.1188	77.1188
2008	29.5795	25.0000	6.0000	3.9745	5.6768	3.6956	2.1553	58.0817	76.0817
2007	29.5299	25.0000	6.0000	3.9745	5.6768	3.7082	2.3475	58.2369	76.2369
2006	29.0301	25.0000	6.0000	3.9970	5.5024	3.7249	2.3475	57.6019	75.6019
2005	27.9161	25.0000	6.0000	4.0350	5.5493	3.7748	2.3540	56.6292	74.6292

Components of City Millage Rate							
Fiscal Year Ended June 30,	General Operating	Sanitation	Streets	Public Transport	Police and Fire Pension	YCUA Debt	Total
2014	19.0211	2.7814	4.7904	0.97890	8.9229	-	36.4947
2013	19.0211	2.7814	5.0243	0.97890	7.4003	-	35.2060
2012	19.0211	2.7814	4.5685	0.97890	6.3232	-	33.6731
2011	19.0211	2.7814	4.3933	-	5.3356	-	31.5314
2010	19.0211	2.7814	3.9086	-	5.1481	-	30.8592
2009	19.0211	2.7814	3.7170	-	5.0821	-	30.6016
2008	19.0211	2.7814	3.3376	-	4.4394	-	29.5795
2007	19.0211	2.7814	3.4641	-	3.9850	0.2783	29.5299
2006	19.0211	2.7814	3.7485	-	2.7660	0.7131	29.0301
2005	19.0937	2.7921	3.5967	-	1.7197	0.7139	27.9161

Sources: Annual Apportionment Report of Washtenaw County and City of Ypsilanti Treasury Division

CITY OF YPSILANTI, MICHIGAN

Table 7
Unaudited

Principal Property Tax Payers

Current Year and Ten Years Ago
(amounts expressed in thousands)

Taxpayer	2014			2004		
	Taxable Value	Rank	Percent of Total Taxable Value	Taxable Value	Rank	Percent of Total Taxable Value
Leforge Station II, LLC	\$ 5,132,200	1	1.89%	\$ -	-	-
DTE- Detroit Edison	3,360,000	2	1.24%	4,371,700	2	1.46%
River Drive Apartments	2,921,400	3	1.08%	3,582,470	3	1.20%
Barnes & Barnes Properties, LLC	2,917,824	4	1.08%	-	-	-
Michigan Consolidated Gas Company	2,900,200	5	1.07%	-	-	-
Forest Knoll Apartments	1,848,700	6	0.68%	-	-	-
Khailany Asad	1,811,105	7	0.67%	-	-	-
Fhmc Real Estate, LLC	1,730,486	8	0.64%	-	-	-
Beal Properties, LLC	1,586,891	9	0.59%	-	-	-
Huron View Properties, LLC	1,460,100	10	0.54%	-	-	-
Visteon Corporation	-	-	-	30,482,781	1	10.17%
Forest Health Services, LLC	-	-	-	3,255,000	4	1.09%
DTE- Mich Con	-	-	-	3,157,400	5	1.05%
Aces Held, LLC	-	-	-	2,488,400	6	0.83%
Chatham Capital Corporation	-	-	-	2,218,200	7	0.74%
Barnes & Barnes Properties, LLC	-	-	-	2,184,442	8	0.73%
Ave Maria College	-	-	-	2,022,117	9	0.67%
Riverside Apartments LLC	-	-	-	1,996,703	10	0.67%
	<u>\$25,668,906</u>		<u>9.47%</u>	<u>\$55,759,213</u>		<u>18.60%</u>

Source: City of Ypsilanti Assessing Division

Property Tax Levies and Collections

Last Ten Years

(1) Fiscal Year Ended June 30,	(2) Taxes Levied for the Fiscal Year	Collected within the Fiscal Year of the Levy		(3) Delinquent Collections	Total Collections to Date	
		Amount	% of Levy		Amount	% of Levy
2014	\$ 8,066,559	\$ 7,417,171	91.9%	\$ 589,092	\$ 8,006,263	99.3%
2013	7,604,343	6,860,589	90.2%	708,138	7,568,727	99.5%
2012	7,836,628	6,978,910	89.1%	726,765	7,705,675	98.3%
2011	8,042,522	7,020,601	87.3%	899,747	7,920,348	98.5%
2010	8,867,882	7,871,640	88.8%	819,421	8,691,061	98.0%
2009	9,682,649	8,867,407	91.6%	716,759	9,584,166	99.0%
2008	9,710,088	8,824,251	90.9%	798,331	9,622,582	99.1%
2007	9,239,461	8,399,585	90.9%	418,419	8,818,004	95.4%
2006	9,075,900	8,391,389	92.5%	594,060	8,985,449	99.0%
2005	8,394,563	7,870,141	93.8%	335,805	8,205,946	97.8%

(1) Property taxes are levied July 1 of the current fiscal year based on taxable property values as of the preceding December 31. Summer taxes become delinquent as of September 15. Winter Taxes become delinquent as of February 15. The City's delinquent real property taxes are purchased by the Washtenaw County Delinquent Uncollected Tax Revolving Fund. Uncollected Personal property taxes are sent to the Ypsilanti Credit Bureau on June 1 for collection.

(2) Includes Industrial Facility Tax.

(3) Includes settlement from Washtenaw County Delinquent Tax Revolving for purchase of delinquent real property taxes.

Source: City of Ypsilanti Treasury Division

CITY OF YPSILANTI, MICHIGAN

Ratios of Outstanding Debt by Type

Last Ten Years

	2005	2006	2007	2008
Governmental activities				
General obligation bonds	\$ 27,715,000	\$ 29,525,000	\$ 28,660,000	\$ 27,750,000
Revenue bonds	38,825,827	38,003,306	36,945,000	35,797,596
Installment obligations	3,248,526	3,688,747	3,546,808	3,399,933
Amounts available in debt service funds	(1,856,755)	(1,952,024)	(1,756,508)	(1,655,707)
Total outstanding debt	<u>\$ 67,932,598</u>	<u>\$ 69,265,029</u>	<u>\$ 67,395,300</u>	<u>\$ 65,291,822</u>
 Total taxable value	 \$ 346,038,615	 \$ 359,195,156	 \$ 396,065,501	 \$ 413,729,543
 Ratio of total debt to taxable value	 19.63%	 19.28%	 17.02%	 15.78%
 Total population	 21,949	 21,767	 21,827	 20,849
 Total debt per capita	 \$ 3,095	 \$ 3,182	 \$ 3,088	 \$ 3,132
 % of personal income	 8.10%	 8.23%	 7.74%	 7.66%
 Personal income	 \$ 838,693	 \$ 841,991	 \$ 870,723	 \$ 852,828

Source: City of Ypsilanti Finance Department

Details regarding the City's debt can be found in the notes to the financial statements.

Table 9
Unaudited

2009	2010	2011	2012	2013	2014
\$ 26,800,000	\$ 25,805,000	\$ 24,560,000	\$ 23,080,000	\$ 21,640,000	\$ 19,925,000
34,776,554	33,277,955	31,616,984	29,921,984	29,389,535	28,612,720
3,247,854	3,090,350	3,090,350	3,090,350	3,090,350	3,090,350
(1,773,204)	(1,787,942)	(1,766,812)	(1,744,330)	(1,788,071)	(156,184)
<u>\$ 63,051,204</u>	<u>\$ 60,385,363</u>	<u>\$ 57,500,522</u>	<u>\$ 54,348,004</u>	<u>\$ 52,331,814</u>	<u>\$ 51,471,886</u>
\$ 402,643,702	\$ 370,475,911	\$ 329,993,209	\$ 309,194,034	\$ 290,729,097	\$ 289,614,595
15.66%	16.30%	17.42%	17.58%	18.00%	17.77%
20,437	19,201	19,435	19,375	19,621	20,142
\$ 3,085	\$ 3,145	\$ 2,959	\$ 2,811	\$ 2,667	\$ 2,487
7.54%	7.69%	7.69%	7.43%	6.53%	5.92%
\$ 835,975	\$ 785,417	\$ 735,790	\$ 733,518	\$ 800,948	\$ 870,175

CITY OF YPSILANTI, MICHIGAN

Table 10
Unaudited

■ Ratios of Net General Bonded Debt Outstanding Last Ten Years

Year	General Obligation Bonds	Less: Amounts Restricted to Repaying Principle	Net General Bonded Debt	% of Actual Taxable Value of Property	Per Capita
2014	\$ 19,925,000	\$ -	\$ 19,925,000	6.88%	\$ 989
2013	21,640,000	1,788,071	19,851,929	6.83%	1,012
2012	23,080,000	1,744,330	21,335,670	6.94%	1,108
2011	24,560,000	1,766,812	22,793,188	6.91%	1,173
2010	25,805,000	1,787,942	24,017,058	6.48%	1,251
2009	26,800,000	1,773,204	25,026,796	6.22%	1,225
2008	27,750,000	1,655,707	26,094,293	6.31%	1,252
2007	31,410,350	1,756,508	29,653,842	7.49%	1,359
2006	32,275,350	1,952,024	30,323,326	8.44%	1,393
2005	30,465,350	1,856,755	28,608,595	8.27%	1,303

Source: City of Ypsilanti Finance Department

CITY OF YPSILANTI, MICHIGAN

Table 11
Unaudited

Computation of Net Direct and Overlapping Debt

June 30, 2014

	Gross Amount Outstanding	Self-Supporting or Paid by Benefited Government	Net Amount Outstanding
Direct debt			
General obligation bonds	\$ 19,925,000	\$ -	\$ 19,925,000
General obligation bonds - DDA	670,000	670,000	-
Revenue bonds - YCUA (2)	28,612,720	28,612,720	-
Revenue bonds - Depot Town DDA	26,259	26,259	-
Installment obligations	3,090,350	-	3,090,350
Total direct debt	<u>\$ 52,324,329</u>	<u>\$ 29,308,979</u>	<u>23,015,350</u>
	Net Debt Outstanding	Percentage Applicable to City of Ypsilanti	Share Applicable to City of Ypsilanti
Overlapping debt			
Ypsilanti School District	\$ 80,759,000	100.00%	\$ 26,989,657
Washtenaw County	1,586,648	100.00%	1,791,043
Washtenaw Community College	327,399	100.00%	361,674
Ypsilanti District Library	997,299	100.00%	1,157,166
Total overlapping debt	<u>83,670,346</u>		<u>30,299,540</u>
Total direct and overlapping debt			<u>\$ 53,314,890</u>

(1) Overlapping debt is calculated for an entity, based upon assessed values received from the State of Michigan, which determines the issuer's proportionate share of the debt of other local governmental units that either overlap it (the issuer is located either wholly or partly within the geographic limits of the other units) or underlie it (the other units are located within the geographic limits of the issuer). The debt is apportioned based upon relative assessed values.

(2) These revenue bonds are being repaid from the revenue stream of another government; in this case, Ypsilanti Community Utilities Authority (YCUA) which is a joint venture that the City of Ypsilanti participates in as described in Notes 12 and 19 of the notes to the financial statements.

Source: City of Ypsilanti Finance Department and Municipal Advisory Council of Michigan

CITY OF YPSILANTI, MICHIGAN

Table 12
Unaudited

Legal Debt Margin

Last Ten Years

Legal debt margin calculation for 2014

Assessed value (state equalized value)	<u>\$ 302,271,002</u>
Debt limit (10% of assessed value)	<u>\$ 30,227,100</u>
Net debt subject to limitation:	
General obligation bonds	19,925,000
Less unspent bond proceeds in 2013 revenue refunding bonds fund	(1,820,730)
Less amounts available for repayment of general obligation bonds	<u>(156,184)</u>
	<u>17,948,086</u>
Legal debt margin	<u>\$ 12,279,014</u>

	Debt Limit	Net Debt Applicable to Limit	Legal Debt Margin	Ratio
2014	\$ 30,227,100	\$ 17,948,086	\$ 12,279,014	59.38%
2013	30,069,718	19,851,929	10,217,789	66.02%
2012	32,834,536	21,335,670	11,498,866	64.98%
2011	35,325,060	22,793,188	12,531,872	64.52%
2010	41,109,672	24,017,058	17,092,614	58.42%
2009	48,563,041	25,026,796	23,536,245	51.53%
2008	52,645,291	26,094,293	26,550,998	49.57%
2007	50,227,461	29,653,842	20,573,619	59.04%
2006	46,760,242	26,645,475	20,114,767	56.98%
2005	44,121,075	27,695,470	16,425,605	62.77%

Source: City of Ypsilanti Finance Department

Revenue Bond Coverage

Last Ten Years

Fiscal Year Ended August 31,	(1) Gross Revenue	(2) Operating Expenses	Net Revenue Available for Debt Service	(3) Total Debt Service Requirement	Coverage
2013	\$ 34,042,779	\$ 27,922,287	\$ 6,120,492	\$ 5,844,681	104.7%
2012	34,764,666	27,565,394	7,199,272	4,509,206	159.7%
2011	33,586,953	26,167,217	7,419,736	5,683,760	130.5%
2010	31,115,683	25,491,690	5,623,993	6,002,290	93.7%
2009	34,348,642	26,841,880	7,506,762	5,653,810	133.0%
2008	35,548,571	27,925,431	7,623,140	5,368,807	142.0%
2007	37,781,498	26,934,363	10,847,135	5,596,598	193.8%
2006	33,818,172	25,512,868	8,305,304	6,534,757	127.1%
2005	34,602,217	23,178,366	11,423,851	6,108,306	187.0%
2004	33,550,541	21,058,612	12,491,929	5,252,872	238.0%
2003	27,197,424	21,476,377	5,721,047	4,689,848	122.0%

Source: Ypsilanti Community Utilities Authority comprehensive annual financial report.

(Note: YCUA is on a August 31 fiscal year end; as such, the 2014 report is not yet available.)

(1) Includes operating revenue, investment earnings, connect fees and debt service contributions.

(2) Excludes depreciation expense.

(3) Includes bonds and capital leases applicable to YCUA as a whole.

CITY OF YPSILANTI, MICHIGAN

Table 14
Unaudited

Demographic and Economic Statistics

Last Ten Years

Year	(1) Population	(2) Total Personal Income (in thousands)	(2) Per Capita Income	(3) School Enrollment	(4) Unemployment Rate
2014	20,142	\$ 870,175	\$ 43,202	4,148	6.3%
2013	19,621	800,948	40,821	4,525	7.6%
2012	19,375	733,518	37,859	3,678	6.2%
2011	19,435	735,790	37,859	3,175	9.6%
2010	19,201	726,931	37,859	3,896	9.9%
2009	20,437	773,724	37,859	3,881	11.3%
2008	20,849	852,828	40,905	3,864	8.0%
2007	21,827	870,723	39,892	4,005	4.5%
2006	21,767	841,991	38,682	4,071	4.6%
2005	21,949	838,693	38,211	4,141	4.4%

Year	(1) Population	(1) Median Age
2010	19,435	24
2000	22,237	24
1990	24,846	24
1980	24,031	24
1970	29,538	24
1960	20,957	-
1950	18,302	-
1940	12,121	-
1930	10,143	-

- (1) Estimate per SEMCOG and/or U.S. Census Bureau;
<http://www.semco.org/Data/Apps/comprof/people.cfm?cpid=4130>
- (2) Estimate from U.S. Department of Commerce, Bureau of Economic Analysis. (2013/14 data is not available, so used year 2012 data for washtenaw county). (Total personal income=population * per
<http://www.bea.gov/iTable/iTable.cfm?reqid=70&step=1&isuri=1&acrdn=5#reqid=70&step=27&isuri=1&7>
- (3) Data from Ypsilanti Community Schools
http://www.mlive.com/news/ann-arbor/index.ssf/2013/09/enrollment_in_ypsilanti_commun.html
- (4) Labor market information at Michigan.gov (for Ann Arbor, MI Metropolitan Statistical Area)
http://ycharts.com/indicators/ypsilanti_mi_unemployment_rate

CITY OF YPSILANTI, MICHIGAN

Table 15
Unaudited

Principal Employers

Current Year and Nine Years Ago

Employer	2014			2005		
	Employees	Rank	% of Workforce	Employees	Rank	% of Workforce
Eastern Michigan University	2,050	1	18.64%	2,114	2	16.91%
Washtenaw County	1,310	2	11.91%	1,300	3	10.40%
Ypsilanti Public Schools	540	3	4.91%	700	4	5.60%
Bortz Health Care of Ypsilanti	145	4	1.32%	140	7	1.12%
Marsh Plating & Finishing Services	100	5	0.91%	87	9	0.70%
City of Ypsilanti	90	6	0.82%	129	8	1.03%
Forest Health Services	80	7	0.73%	375	5	3.00%
Gene Butman Ford	65	8	0.59%	60	11	0.48%
Fischer Honda	47	9	0.43%	80	10	0.64%
Walgreens	25	10	0.23%	20	13	0.16%
Ford Motor Company	-		-	2,273	1	18.18%
Exemplar Manufacturing	-		-	147	6	1.18%
	<u>4,452</u>		<u>40.47%</u>	<u>7,425</u>		<u>59.40%</u>

Source: Economic Development Department, City of Ypsilanti
Washtenaw County Economic Development & Growth
Manta.com and prior Official Statement for the City of Ypsilanti

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CITY OF YPSILANTI, MICHIGAN

Table 16
Unaudited**Employees by Department**

Last Ten Years

Function/Program	Full-time Equivalent Employees as of June 30,									
	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Mayor and City Council	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
Administrative services										
City Manager (172)	2.00	2.50	2.00	2.10	1.85	1.85	1.85	1.85	1.85	2.60
Human Resources (226)	2.00	2.00	1.80	1.90	1.55	1.55	1.55	1.55	1.55	1.30
Ordinance Enforcement (341)	1.00	1.00	1.00	1.00	1.00	0.50	0.50	0.50	0.50	1.70
Building Inspection (371)	5.00	5.00	5.00	5.00	5.25	3.75	3.58	3.35	3.25	2.20
Planning & Development (801)	5.00	4.50	3.50	3.40	1.65	1.65	1.65	2.38	2.38	2.13
Recreation (707)	1.00	-	-	-	-	-	-	-	-	-
	16.00	15.00	13.30	13.40	11.30	9.30	9.13	9.63	9.53	9.93
Citizen services										
Voters Registration, school and county election (191)	2.00	1.00	1.00	-	-	-	-	-	-	-
City Clerk (215)	2.00	2.00	2.00	2.00	2.00	2.00	2.00	1.95	1.95	1.95
City Treasurer (253)	2.00	2.00	1.80	1.50	1.50	1.50	1.34	1.34	1.34	1.34
	6.00	5.00	4.80	3.50	3.50	3.50	3.34	3.29	3.29	3.29
Administrative Hearing Bureau	-	-	-	-	-	-	-	0.10	0.10	0.15
Fire services										
Administration (337)	2.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Suppression (339)	21.00	21.00	21.00	23.00	21.00	21.00	19.00	18.50	16.00	16.00
	23.00	23.00	23.00	25.00	22.00	22.00	20.00	19.50	17.00	17.00
Fiscal services										
Finance - Accounting (201)	3.00	3.00	2.70	3.20	3.20	3.20	3.03	3.03	3.03	3.03
Finance - Assessor (209)	2.00	2.00	2.00	1.00	1.00	1.00	1.00	0.93	0.33	0.33
	5.00	5.00	4.70	4.20	4.20	4.20	4.03	3.96	3.36	3.36
Police services										
Administration (305)	3.00	3.00	3.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Field Services (307)	42.00	42.00	40.00	41.00	37.00	38.40	28.00	28.00	24.00	28.26
COPS Grant	-	-	-	-	-	-	3.00	3.00	2.00	2.00
Parking Enforcement (311)	6.00	6.00	6.00	4.00	2.00	2.00	2.00	2.00	2.00	2.00
LAWNET Grant (312 & 316)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
School Liaison Contract (317)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	-	-	-
	53.00	53.00	51.00	49.00	43.00	44.40	37.00	36.00	31.00	35.26
Public services										
Parks, streets, building, parking lots, and garbage collection	22.00	23.00	22.00	21.75	19.00	17.00	17.00	17.00	17.00	17.00
Administration (441)	3.75	3.75	3.75	4.00	3.75	3.75	3.88	3.88	3.81	3.88
	25.75	26.75	25.75	25.75	22.75	20.75	20.88	20.88	20.81	20.88
Total full-time employees	128.75	127.75	122.55	120.85	106.75	104.15	94.38	93.36	85.09	89.87
Total council and full-time employees	135.75	134.75	129.55	127.85	113.75	111.15	101.38	100.36	92.09	96.87

Source: City of Ypsilanti Finance Department

CITY OF YPSILANTI, MICHIGAN

Operating Indicators by Function/Program

Last Ten Years

Function/Program	2005	2006	2007	2008
Public Safety				
Police services				
Number of uniform crime reporting	3,946	4,171	4,524	3,087
Number of traffic violations	3,492	3,275	3,269	3,538
Number of arrests	1,327	1,479	1,818	1,484
Number of parking violations	16,954	14,851	11,369	6,818
Fire services				
Number of calls answered	511	478	511	402
Number of inspections conducted	778	785	980	996
Public Services				
Miles of local streets maintained	20.56	20.56	21.22	21.22
Miles of major streets maintained	33.18	33.18	32.52	32.52
Public Utilities				
Miles of water mains	53.74	53.74	53.74	53.74
Number of fire hydrants	663	663	663	663

Source: City of Ypsilanti Police, Fire, and Public Services Departments.

Table 17
Unaudited

2009	2010	2011	2012	2013	2014
3,349	3,295	1,936	2,983	2,913	3,179
7,502	8,458	3,253	3,609	3,024	3,528
2,015	1,864	1,738	1,715	1,698	1,939
9,654	9,611	9,880	10,593	9,223	2,975
553	566	564	600	639	690
1,396	1,464	1,588	400	384	264
21.22	21.22	21.22	21.22	21.22	21.22
32.44	32.44	32.44	32.44	32.44	32.44
53.74	53.74	53.74	58.66	58.66	58.66
663	663	663	663	663	663

CITY OF YPSILANTI, MICHIGAN

Table 18
Unaudited

Capital Asset Statistics by Function/Program Last Ten Years

Function/Program	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Police Services										
Police department building	1	1	1	1	1	1	1	1	1	1
Temporary detention cells	2	2	2	2	2	2	2	2	2	2
Vehicle patrol units:										
Police service automobiles	13	12	12	10	10	10	10	9	9	9
Unmarked police vehicles	8	7	7	7	6	6	7	7	7	7
Parking enforcement	2	2	2	2	2	2	2	2	2	2
Mobile command vehicle	1	1	1	1	1	1	1	1	1	1
Volunteer service vehicle	-	1	1	1	1	1	1	1	1	1
Fire Services										
Emergency services building	1	1	1	1	1	1	1	1	1	1
Vehicle units:										
Pumper truck	3	2	2	2	2	2	2	2	2	2
Pumper ladder truck	2	1	1	1	1	1	1	1	1	1
Rescue truck	1	1	1	1	1	1	-	-	-	-
Jaws of life	1	1	1	1	1	1	1	1	1	1
Chief's city car	1	1	1	1	1	1	1	1	1	1
Trailer	1	1	1	-	-	-	-	-	-	-
Pickup truck	1	1	1	1	1	1	1	2	2	2
Utility van	1	1	1	1	1	1	1	-	-	-
Administrative Services										
Crown Victoria - CH	2	2	2	2	1	1	1	1	1	-
Impala	-	-	-	-	-	-	1	1	1	1
Taurus - CM	-	-	-	-	1	1	1	1	1	1
Building enforcement vehicles	4	4	4	4	2	2	3	3	3	3
Public Services										
Passenger										
Crown Victoria	2	2	2	2	3	4	3	2	2	1
Escape	-	-	-	-	-	-	1	1	1	1
Van	2	2	2	2	1	1	1	-	-	-
Van with Aerial Lift	-	-	-	-	1	1	1	1	1	-
Trucks:										
Pick-up	9	9	9	9	8	9	8	7	7	5
with Aerial Lift	-	-	-	-	3	3	3	1	1	2
Dump	9	9	9	9	9	9	10	11	11	9
with Grapple	-	-	-	-	1	1	1	1	1	1
Stake	7	7	7	7	6	6	6	6	6	3
with Aerial Lift	2	2	2	2	-	-	-	1	1	1
Recycle Truck	1	1	1	1	1	1	1	-	-	-
Packer Truck	3	3	3	3	4	4	4	4	4	3
Brush Chipper	2	2	2	2	3	3	1	1	1	1

CITY OF YPSILANTI, MICHIGAN

Table 18
Unaudited

Capital Asset Statistics by Function/Program Last Ten Years

Function/Program	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Tractors:										
with Front Loader	2	2	2	2	2	2	2	1	1	-
with Front Loader/Rear Plow	1	1	1	1	1	1	1	1	1	1
with Bucket & Backhoe	1	1	1	1	1	1	1	1	1	-
with Drawn Rake	1	1	1	1	1	1	1	1	1	-
with Salt Spreader & Snow Plow	-	-	-	-	1	1	1	1	1	1
Garden	9	9	9	9	9	9	9	7	7	6
Wide Area Mower	-	-	-	-	1	1	1	1	1	1
Loader with Bucket	2	2	2	2	3	3	3	3	3	2
Rear Loader	-	-	-	-	-	-	1	1	1	1
Equipment:										
Gas Tester	1	1	1	1	1	1	1	1	1	1
Arrowboard	2	2	2	2	2	2	2	2	2	2
Pump	-	-	-	-	-	-	2	2	2	2
Snow Blower	4	4	4	4	4	4	4	4	4	3
Traffic Counter	8	8	8	8	8	8	8	8	8	8
Star Drill	1	1	1	1	1	1	1	1	1	1
Flail Mower	1	1	1	1	1	1	-	-	-	-
Trailer	3	3	3	3	4	4	4	4	4	4
Sign Driver	-	-	-	-	-	-	1	1	1	1
Auger	2	2	2	2	2	2	2	2	2	2
Street Sweeper	2	2	2	2	2	2	2	3	3	2
Compactor	1	1	1	1	1	1	1	1	1	1
Cement Mixer	2	2	2	2	2	2	1	1	1	1
Bituminous	1	1	1	1	1	1	1	1	1	1
Hyd. Sewer Cleaner	2	2	2	2	2	2	1	1	1	1
Compressor	1	1	1	1	1	1	-	-	-	2
Concrete Pavement Saw	2	2	2	2	2	2	2	2	2	2
Parking Lot Plow	-	-	-	-	-	-	-	-	-	2
Rear Plow	1	1	1	1	1	1	1	1	1	1
Dual Line Stripper	1	1	1	1	1	1	1	1	1	1
Leaf Blower	3	3	3	3	3	3	3	3	3	3
Weed Eater	9	9	9	9	9	9	11	11	11	11
Weed Eater (brush cutter)	-	-	-	-	-	-	-	1	1	1
Rotary Lawn Mower	1	1	1	1	2	2	2	2	2	1
Bush Hog	1	1	1	1	1	1	1	1	1	1
Generator	2	2	2	2	2	2	2	2	2	2
Compressor	1	1	1	1	1	2	2	2	2	1
Maint. Drawn Tracor Blade	1	1	1	1	1	1	1	1	1	1
Sod Cutter	1	1	1	1	1	1	1	1	1	1
Rotary Tiller	1	1	1	1	1	1	1	1	1	1
Chain Saw	11	11	11	11	11	11	12	12	12	12
Power Pruner	3	3	3	3	4	4	3	3	3	3
Stump Cutter	1	1	1	1	1	1	-	-	-	-
Chipper Box	1	1	1	1	1	1	1	1	1	-

Capital Asset Statistics by Function/Program

Last Ten Years

Function/Program	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Fork Lift	1	1	1	1	1	1	1	1	1	1
Roller	1	1	1	1	1	1	1	1	1	1
Pressure Washer	1	1	1	1	1	1	1	1	1	1
Portable Space Heater	1	1	1	1	1	1	1	1	1	1
Power MIG 255	1	1	1	1	1	1	1	1	1	1
Precision TIG 275	1	1	1	1	1	1	1	1	1	1
Row Boat	1	1	1	1	1	1	1	1	1	1
Sandblaster	-	-	-	-	-	1	1	1	1	1
Weed Eater/Hedge Trimmer	-	-	-	-	-	-	-	1	1	1
Edger/Trimmer/Weed Eater	-	-	-	-	-	-	-	-	-	1
Parks & Recreation										
Parks:										
Active	8	8	8	8	8	8	8	8	8	8
Inactive	2	2	2	2	1	1	1	1	1	1
Tot Lots	2	2	2	2	3	3	3	3	3	3
Park acreage:										
Active parks	81	81	81	81	81	81	81	81	81	81
Inactive	4	4	4	4	2	2	2	2	2	2
Tot Lots	2	2	2	2	2	2	2	2	2	2
Picnic areas	9	9	9	9	9	9	9	9	9	9
Buildings:										
Parkridge Community Center	1	1	1	1	1	1	1	1	1	1
Senior Center	1	1	1	1	1	1	1	1	1	1
Concessions	1	1	1	1	1	1	1	1	1	-
Pavilions	8	8	8	8	8	9	9	9	9	9
Swimming Pool	1	1	1	1	1	1	1	1	1	1
Amphitheater	1	1	1	1	1	1	1	1	1	1
Multiuse Trail	2	2	2	2	-	-	1	1	1	1
Park and Play Area Acreage										
Candy Cane Park	7	7	7	7	7	7	7	7	7	7
Carrie Mattingly Tot Lot	1	1	1	1	1	1	1	1	1	1
Charles Street Tot Lot	0	0	0	0	0	0	0	0	0	0
Edith Hefley Park	1	1	1	1	1	1	1	1	1	1
Frog Island Park	7	7	7	7	7	7	7	7	7	7
Gilbert Park	2	2	2	2	-	-	-	-	-	-
Parkridge Park Community Center	8	8	8	8	8	8	8	8	8	8
Peninsular Park	5	5	5	5	5	5	5	5	5	5
Prospect Park	10	10	10	10	10	10	10	10	10	10
Recreation Park/Pool/Senior Center	17	17	17	17	17	17	17	17	17	17
Riverside Park	14	14	14	14	14	14	14	14	14	14
Waterworks Park	13	13	13	13	13	13	13	13	13	13

CITY OF YPSILANTI, MICHIGAN

Table 18
Unaudited

Capital Asset Statistics by Function/Program Last Ten Years

Function/Program	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Picnic										
Candy Cane Park	1	1	1	1	1	1	1	1	1	1
Edith Hefley Park	1	1	1	1	1	1	1	-	-	-
Frog Island Park	1	1	1	1	1	1	1	-	-	-
Parkridge Park Community Center	1	1	1	1	1	1	1	1	1	1
Peninsular Park	1	1	1	1	1	1	1	1	1	1
Prospect Park	2	2	2	2	2	2	2	2	2	2
Recreation Park/Pool/Senior Center	1	1	1	1	1	1	1	1	1	1
Riverside Park	1	1	1	1	1	1	1	1	1	1
Waterworks Park	1	1	1	1	1	1	1	1	1	1
Pavilions										
Recreation Park/Pool/Senior Center	1	1	1	1	1	1	1	1	1	1
Candy Cane Park	1	1	1	1	1	1	1	1	1	1
Prospect Park	2	2	2	2	2	2	2	2	2	2
Waterworks Park	1	1	1	1	1	1	1	1	1	1
Parkridge Park Community Center	1	1	1	1	1	1	1	1	1	1
Riverside Park	1	1	1	1	1	2	2	2	2	2
Peninsular Park	1	1	1	1	1	1	1	1	1	1
City Attractions										
Eastern Michigan Campus	1	1	1	1	1	1	1	1	1	1
Farmer's Market / Freighthouse	1	1	1	1	1	1	1	1	1	1
Michigan Firehouse Museum	1	1	1	1	1	1	1	1	1	1
Riverside Arts Center	1	1	1	1	1	1	1	1	1	1
RM Classic Cars US Headquarter	1	1	1	1	1	1	1	-	-	-
Ypsilanti Automotive Heritage Collection	1	1	1	1	1	1	1	1	1	1
Ypsilanti District Library	1	1	1	1	1	1	1	1	1	1
Ypsilanti Historical Museum	1	1	1	1	1	1	1	1	1	1
Ypsilanti Water Tower	1	1	1	1	1	1	1	1	1	1
Ypsilanti West Commerce Park	1	1	1	1	1	1	1	1	1	1

Source: City of Ypsilanti Finance Department

CITY OF YPSILANTI, MICHIGAN

Table 19
Unaudited

Schedule of Insurance

As of June 30, 2014

Type of Coverage Name of	Policy Period	Premium	Description
Michigan Municipal League Liability and Property Pool	8/01/13 - 8/01/14	\$ 270,367	Covers general liability, police professional liability and public officials errors & omissions. Limit of liability \$2,000,000.
Michigan Municipal League Liability and Property Pool	8/01/13 - 8/01/14	51,556	Covers equipment and automobiles.
Michigan Municipal League Liability and Property Pool	8/01/13 - 8/01/14	20,682	Covers buildings and attached property.
Meadowbrook Insurance Group	8/30/13 - 8/30/14	2,903	Covers commercial storage tank
Blue Cross - Blue Shield, Assurant, EHIM, Fort Dearborn, MECA, UNUM	7/01/13 - 6/30/14	2,110,680	Employee and retiree benefits: health, dental, prescription, life, vision and long-term disability.
Comp One Administrator and Accident Fund	7/01/13 - 6/30/14	250,677	Workers compensation and employees liability excess insurance policy for self insure combined specific and aggregate agreement. Part one - employer liability \$1,000,000, part two - workers compensation limit \$5,000,000, part two - employer liability \$1,000,000.

Source: City of Ypsilanti Finance Department