

City of Detroit

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October 20, 2022

HONORABLE CITY COUNCIL

RE: Zoning Ordinance text amendment, Chapter 50 of the 2019 Detroit City Code—to change the permissibility of motor vehicle sales and repair uses including junkyards and towing service storage yards, to implement a spacing requirement between such uses, to re-define several motor vehicle repair uses, and to update the use regulations for such uses as requested by the Buildings, Safety Engineering, and Environmental Department. **(RECOMMEND APPROVAL)**

BACKGROUND AND PROPOSAL

The City of Detroit has a proliferation of all types of auto-related uses—junkyards, auto repair facilities, used auto sales lots, towing yards, used tire sales, scrap tire processing, etc. Many of these uses are not compliant with zoning regulations, property maintenance standards, or licensing requirements resulting in a blighting influence on the city. Some of the most common violations are cars parked on the sidewalk, inadequate screening of junk vehicles, outdoor tire storage, excessive signage, and overall poor upkeep.

As a result of this issue, Mayor Duggan issued a moratorium in November 2019 on all applications for new or expanded auto-related uses. Temporarily halting the establishment of new uses and the expansion of existing ones would give the city time to review existing policies, develop a compliance strategy, and advance new regulations for these uses. The moratorium has been extended several times and currently expires on December 31, 2022.

Over the past several years, city departments have worked collaboratively to develop proposed changes to the zoning ordinance to better regulate these uses. The Buildings, Safety Engineering, and Environmental Department (BSEED), the Planning & Development Department (PDD), the Law Department, and the City Planning Commission (CPC) staff have participated in this effort. BSEED compiled an initial draft of their recommended changes as they have the most in-depth knowledge of these uses through their permitting, business license, and enforcement responsibilities. CPC staff then composed the subject text amendment incorporating feedback from the other departments. Finally, the Law Department edited the amendment to ensure compatibility with the existing zoning ordinance and proper form.

The currently-ongoing Zone Detroit project (the CPC staff led re-write of the entire zoning ordinance) has identified the regulation of auto-related uses as an area that needs improvement. Feedback from community engagement sessions emphasized the detrimental effect these uses have on quality of life for residents. As a result, the Zoning Analytic (the recommendations on how to fix the zoning ordinance) included a page on the issue and those suggestions influenced this proposed text amendment.

SUMMARY OF PROPOSED ZONING PROVISIONS

Below is a summary of the provisions of the proposed text amendment divided into four major categories.

1. Restrict the Zoning Districts where Auto Uses are allowed

In order to reduce the impact of auto-related uses, the proposed ordinance would reduce the number of zoning districts where each use is allowed. The following tables show the proposed changes by striking through those proposed to be eliminated and underlining proposed additions. “R” signifies that a use is allowed “by-right” (a permit is required to establish the use and conformance with certain standards such as setbacks and parking) and “C” signifies that a use is allowed “conditionally” (a public hearing is required before BSEED for which residents within 300’ will be notified, and the use must meet the 15 approval criteria regarding the impact on neighboring uses).

This action of newly prohibiting auto-related uses in certain zoning districts will render those existing uses non-conforming. The status of being a non-conforming use can be onerous for a business as any expansion or intensification is difficult. Also, insurance companies can be hesitant to insure them as there is no guarantee that they could re-establish in the event of damage or destruction. On the positive side, they face less competition as new similar businesses are prohibited. Generally, staff avoids making existing businesses non-conforming, but this extraordinary step seems justified due to the extreme situation.

Specific Land Use	Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)			
	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2		S D 4	S D 5	
Motor vehicles, used, salesroom or sales lots			C	C		R	R	<u>R</u>	<u>R</u>	<u>R</u>	<u>C</u>	L					R							C	<u>SPC</u> : Sections 50-12-293, 50-12-517

Specific Land Use	Business						Industrial					Special and Overlay									Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)				
	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1		S D 2	S D 4	S D 5	
Light Duty Vehicle Repair Establishment										C	C	C	L												SPC; Section 50-12-2xx
Light Duty Vehicle Service Establishment				C		C	C	C	C	C	C	L										C			SPC; Section 50-12-2xx
Medium/Heavy Duty Vehicle or Equipment Repair Establishment											C	C	L												SPC; Section 50-12-2xx
Motor vehicle services, major				C		C	C	C	C	C	C	L					C								Section 50-12-294
Motor vehicle services, minor				C	C	R	R	R	R	R	R	L					R					C			Section 50-12-295
Motor vehicles, new, Storage lot accessory to salesroom or sales lots for new motor vehicles				R	R	R	R	R	R	R	R	L	C					R					C		Section 50-12-291
Motor vehicles, used, Storage lot accessory to salesroom or sales lots for used motor vehicles				C		C	C	C	C	C	L					C						C		SPC; Section 50-12-291	

Specific Land Use	Business						Industrial					Special and Overlay									Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)				
	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1		S D 2	S D 4	S D 5	
Construction equipment, agricultural implements, and other heavy equipment repair or service									C	R	R	R	L					R							Section 50-12-458
Junkyard											C	C	L						C						SPC; SWFRC; Section 50-12-341
Tires, used; sales and/or service						C	C	C	C	C	C	L					C								SPC; Section 50-12-350
Towing service storage yard						C	C	C	C	C	L					C									SPC; Section 50-12-352
Used vehicle parts sales								C	C	C	L														Section 50-12-356

Specific Land Use	Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)			
	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2		S D 4	S D 5	
Scrap tire storage, processing, or recycling facility																									IRC; <u>SPC</u> ; Section 50-12-349

2. Add Spacing Requirements between each type of use

To further reduce the impact of auto-related uses, the proposed ordinance would institute spacing requirements for newly established auto-related uses. The following tables show the proposed changes by striking through those proposed to be eliminated and underlining proposed additions.

Use Type	Minimum Distance from Same Use Type (Existing or Approved)	Minimum Distance from Other Use Types (Existing or Approved)	Comment
<u>Light Duty Vehicle Repair Establishment</u>	<u>1,000 radial feet</u>	- Any other vehicle service or repair use: 1,000 radial feet - Zoning lot zoned R1, R2, R3, R4, R5, R6, residential PD: 100 radial feet	<u>Section 50-12-294</u>
<u>Light Duty Vehicle Service Establishment</u>	<u>1,000 radial feet</u>	- Any other motor vehicle service or repair use: 1,000 radial feet	<u>Section 50-12-295</u>
<u>Medium/Heavy Duty Vehicle or Equipment Repair Establishment</u>	<u>1,000 radial feet</u>	- Any other motor vehicle service or repair use: 1,000 radial feet - Zoning lot zoned R1, R2, R3, R4, R5, R6, residential PD: 100 radial feet	<u>Section 50-12-295.1</u>
Motor vehicle, used, salesroom or sales lot	4,000 <u>2,000 radial feet</u>	N/A	Sections 50-12-293, 50-12-517
<u>Motor vehicles, used, Storage lot accessory to salesroom or sales lots for used motor vehicles</u>	<u>N/A</u>	- Residentially zoned area: 250 radial feet	<u>Section 50-12-291</u>

Use Type	Minimum Distance from Same Use Type (Existing or Approved)	Minimum Distance from Other Use Types (Existing or Approved)	Comment
<u>Junkyard</u>	<u>2,000 radial feet</u>	<ul style="list-style-type: none"> <u>Zoning lot zoned R1, R2, R3, R4, R5, R6, residential PD: 1,000 radial feet;</u> <u>Park, playlot, playfield, playground, recreation center, youth activity center: 1,000 radial feet</u> 	<u>Section 50-12-341</u>
<u>Scrap tire storage, processing, or recycling facility</u>	<u>1,000 radial feet</u>	<u>Zoning lot zoned R1, R2, R3, R4, R5, R6, residential PD: 1,000 radial feet</u>	<u>Section 50-12-349</u>
<u>Tires, used; sales and/or service</u>	<u>1,000 radial feet</u>	<u>N/A</u>	<u>Section 50-12-350</u>
<u>Towing service storage yard</u>	<u>1,000 radial feet</u>	<u>N/A</u>	<u>Section 50-12-352</u>

3. Definitions – Clarify, Update, and Add

In addition to amending and/or adding the definitions for the previously-discussed auto repair and service uses, several other definitions are proposed to be amended, specifically:

- To eliminate the use “Construction equipment, agricultural implements, and other heavy equipment repair or service” as this activity will be regulated under the use “Motor vehicle repair over 10,000 pounds and heavy equipment repair”.
- To eliminate the term “truck garages” from the use “Trucking terminals, transfer buildings, truck garages, recreational vehicle storage lots, and open areas for the parking of semi-trailers, buses, and other operable commercial vehicles, not including limousines and taxicabs” as truck garages will be regulated under the new use of “Medium/Heavy Duty Vehicle or Equipment Repair Establishment”.
- Update the definition of “Used vehicle parts sales” for clarity.

4. Miscellaneous Changes

Several proposed changes in the text amendment are merely clean-up of errors or inconsistencies, such as:

- Correct an inconsistent use of the term “Used auto parts sales” to “Used vehicle parts sales”.
- Eliminate the words “and salvage yards” from Section 50-2-165 as they are redundant.
- To newly prohibit the following uses on Gateway Radial Thoroughfares in all zoning districts: Junkyard, Light duty vehicle repair establishment, Medium/heavy duty vehicle or equipment repair establishment, Motor vehicles, used, salesroom or sales lots, Motor vehicles, used, storage lot accessory to a salesroom or sales lot for used motor vehicles, Scrap tire storage, processing, or recycling facility, Tires, used: sales and/or service, and Towing service storage yard.
- Add specific regulations for “Used motor vehicle storage lots” that are currently required for “Used motor vehicle sales lots” such as screening, lighting, curb cuts, and paving.
- Add use regulations for the new use “Medium/heavy duty vehicle or equipment repair establishment” that are similar to those for other auto repair uses.
- Require “Tire, used: sales and/or service establishments” to maintain a used tire disposal plan and three years of manifests for tires removed from the site.
- Prohibit the outdoor storage of used tires.
- Add “Junkyards” and “Used motor vehicle sales lots” to the uses that nonconforming uses cannot be changed to.
- Clarify the definition of “Recycling center” to exclude metal, vehicle parts, and vehicles.
- Update Appendix A, *Assignment of Specific Use Types to General Use Categories*, to reflect changes proposed by this amendment and maintain internal consistency.
- Increase fines for blight violations most of which haven’t been increased since 2005.

EFFECT ON EXISTING BUSINESSES

These proposed amendments would not apply to existing legal businesses. If an existing business is located in a zoning district where it would no longer be allowed, the use would become non-conforming. The business would be able to continue operating in perpetuity, regardless of ownership unless the use is abandoned at any point. Section 50-15-31 of the zoning ordinance outlines the circumstances under which a use would be considered abandoned. Non-conforming

uses can be allowed to expand, if approved by the Board of Zoning Appeals per Section 50-15-26.

Existing legal uses that do not comply with the new spacing requirements would not be considered non-conforming simply because they do not comply with new spacing requirements. Per Section 50-15-24 – Effect of use separation or concentration standards:

Any use that was legally established at a time when no special use separation or concentration standards applied, such as those requiring that a use be located at least "x" feet from another such use or that no more than two "xyz" uses be located within 1,000 feet of one another, shall not be deemed nonconforming merely as a result of not complying with such standards. Any enlargement, or expansion, or intensification of such use shall be subject to the separation or use concentration standards that are in effect at the time of the proposed expansion.

Although non-conforming status can be challenging—additional approvals needed to expand, potentially more difficult to obtain insurance, there are also some benefits. It can limit competition since the same type of business is not allowed nearby. Non-conforming uses can be changed to other non-conforming uses in certain circumstances as described in Section 50-15-30. Conforming uses do not have this option.

If this amendment is approved, it would create a large number of non-conformities. Based on data provided by BSEED, CPC staff determined the following:

	Tow yards	Junkyards	Used auto sales
Currently conforming, would remain conforming	8	8	67
Currently conforming, would be newly non-con	2	64	279
Currently non-conforming, would remain non-con	1	23	27

Auto repair and service uses are not included in this analysis because they would need to be first classified according to the new definitions. However, as a glimpse of the possibility, there are currently 628 repair facilities in B4 districts that would become non-conforming unless they are classified as “Light Duty Vehicle Service Establishment” (routine maintenance and limited service on a same-day basis).

NON-CONFORMING VS. NON-COMPLIANT

There was some confusion about the difference between a non-conforming use and a non-compliant use. To clarify, here are the definitions:

- *Non-conforming use* is a use that was legally established but does not appear in the listings of uses permitted by-right or conditionally in the zoning district where they are located (Section 50-16-322 of the zoning ordinance).
- *Non-compliant use* is a use that has failed or refused to obey or follow a rule or regulation that applies to the use (generally accepted definition)

Basically, a non-conforming use does not have to follow rules that were instituted after its establishment—this is often referred to as “grandfathered”. A non-compliant use is not following rules that it is responsible for complying with and is in danger of enforcement action.

CPC MEETINGS

Public Hearing – June 2, 2022

On June 2, 2022, the City Planning Commission (CPC) held a public hearing on this proposed text amendment. The public hearing notice was mailed to our city-wide mailing list of 1,500 people who have expressed an interest in zoning amendments. It was published in the Detroit Legal News on May 18, 2022. The notice was also sent to our email subscriber list of slightly over 4,000.

Nine members of the public spoke—five were generally in support of the amendment due to concerns about auto-related uses on commercial corridors and the effect on pollution, and four were concerned about the effect on existing businesses that provide an essential service to residents and questioned whether businesses had been notified of the proposed changes. No correspondence has been received in support or opposition.

The CPC had a robust discussion about the potential advantages and disadvantages of the proposed changes to the zoning ordinance. Requests were made for staff to produce maps showing the existing uses of each type, the number of existing businesses that would be made non-conforming, and the available areas to establish new auto-related businesses. Staff was also asked to conduct additional public engagement, especially targeting business owners. Finally, the CPC voted to continue the public hearing to the next meeting to allow for more public input.

Continued Public Hearing – June 16, 2022

CPC staff presented the maps of existing businesses and potential areas for new businesses as envisioned by the amendment. Staff also reported on the additional public engagement that was conducted, specifically:

- CPC staff presented the proposed amendments at the Department of Neighborhoods virtual DON cast meeting on June 13, 2022. There were approximately 200 people on the call. Ten people spoke, generally in support, and raising additional enforcement issues about boat and RV storage, illegal expansion of auto businesses, and junkyards adjacent to residential areas.
- On June 15, 2022, CPC staff held a virtual meeting to educate and engage the public about the proposed amendment. The audience included approximately nine members of the public. Questions were received and answered via the chat function from four participants. One participant spoke with concerns about their existing business and was satisfied to know that their business could continue to operate under the provisions of the proposed ordinance. None specifically indicated support or opposition to the proposed ordinance.
- These meetings were publicized in two ways—a physical mailing was sent out to 1,548 existing auto-related businesses as identified by BSEED and an email newsletter was sent to the 4,000+ subscribers on the “Updates from the City Planning Commission” list.

Six members of the public spoke—three were representatives of towing yards and concerned that they were unfairly included in the proposed amendment; two were residents generally in support of the proposed amendment due to the blighting influence of these businesses; and one was the owner of an existing auto business concerned about the effect of the proposed amendment on existing businesses.

Commissioners discussed equity issues—both assuring that people who need car repair can access it near their homes and ensuring that people are not forced to live near blighted properties. They were also concerned that the proposed amendment was too drastic, that it would not improve the situation anytime soon, that it would not improve enforcement. Other possibilities were discussed for non-zoning solutions like easier tire disposal and education for business owners.

Recommendation & Action – August 4, 2022

CPC staff presented a recap of the proposed amendment and pictures of existing towing yards. The City Planning Commission voted unanimously to recommend approval of the proposed text amendment.

CONCLUSION & RECOMMENDATION

On August 4, 2022, the City Planning Commission voted to recommend approval of the proposed text amendment to change the permissibility of motor vehicle sales and repair uses including junkyards and towing service storage yards, to implement a spacing requirement between such uses, to re-define several motor vehicle repair uses, and to update the use regulations for such uses as requested by the Buildings, Safety Engineering, and Environmental Department.

Respectfully submitted,

LAUREN HOOD, CHAIRPERSON



Marcell R. Todd, Jr., Director
Jamie J. Murphy, Staff

Attachments: Ordinance
Auto Uses Mapping Presentation
CPC Public Hearing Notice
Executive Order 2022-05

cc: Antoine Bryant, Director, PDD
Karen Gage, PDD
Greg Moots, PDD
David Bell, Director, BSEED
James Foster, BSEED
Jayda Philson, BSEED
Conrad Mallett, Corporation Counsel
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NOTICE OF PUBLIC HEARING

The Detroit City Planning Commission will conduct a public hearing on a proposed amendment to the Detroit Zoning Ordinance:

THURSDAY, JUNE 2, 2022 AT 6:00 PM

to consider a text amendment that would amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by adding:

Article XII (*Use Regulations*),

Division 2 (*General Use Standards*),

Section 50-12-131.5 (*Manufacturing and industrial uses - Spacing*)

Division 3 (*Specific Use Standards*),

Subdivision E (*Retail, Service and Commercial Uses; Generally, continued*),

Section 50-12-294.5 (*Motor vehicle repair*) and

Section 50-12-295.5 (*Motor vehicle service*)

And by amending:

Article II (*Review and Decision-Making Bodies*),

Division 6 (*Advisory Review Committees*),

Subdivision E (*Solid Waste Facility Review Committee*),

Section 50-2-165 (*Solid waste facilities subject to review*)

Article IX (*Business Zoning Districts*),

Division 4 (*B3 Shopping District*),

Section 50-9-82 (*Conditional retail, service, and commercial uses*)

Division 5 (*B4 General Business District*),

Section 50-9-112 (*Conditional retail, service, and commercial uses*)

Division 6 (*B5 Major Business District*),

Section 50-9-142 (*Conditional retail, service, and commercial uses*)

Division 7 (*B6 General Services District*),

Section 50-7-166 (*By-right retail, service, and commercial uses*) and

Section 50-9-167 (*By-right manufacturing and industrial uses*) and

Section 50-9-172 (*Conditional retail, service, and commercial uses*) and

Section 50-9-173 (*Conditional manufacturing and industrial uses*)

Article X (*Industrial Zoning Districts*),

Division 2 (*M1 Limited Industrial District*),

Section 50-10-16 (*By-right retail, service, and commercial uses*) and

Section 50-10-22 (*Conditional retail, service, and commercial uses*) and

Section 50-10-23 (*Conditional manufacturing and industrial uses*)

Division 3 (*M2 Restricted Industrial District*),

Section 50-10-46 (*By-right retail, service, and commercial uses*) and

Section 50-10-47 (*By-right manufacturing and industrial uses*) and

Section 50-10-52 (*Conditional retail, service, and commercial uses*) and

SUMMARY

This Ordinance amends Chapter 50 of the Detroit City Code, *Zoning*, by adding Article XII, *Use Regulations*, Division 2, *General Use Standards*, Section 50-12-131.1, *Manufacturing and industrial uses – Spacing*, and Division 3, *Specific Use Standards*, Subdivision E, *Retail, Service and Commercial Uses; Generally, continued*, Section 50-12-295.1, *Medium/heavy duty vehicle or equipment repair establishment*; and by amending Article II, *Review and Decision-Making Bodies*, Division 6, *Advisory Review Committees*, Subdivision E, *Solid Waste Facility Review Committee*, Section 50-2-165, *Solid waste facilities subject to review*; Article V, *Violations and Enforcement*, Division 2, *Violations and Penalties; Blight Violations*, Section 50-5-28, *Land use without permit*, Section 50-5-29, *Failure to comply with condition granted by the Buildings, Safety Engineering, and Environmental Department or by the Board of Zoning Appeals*, Section 50-5-30, *Failure to comply with a parking, loading, or dimensional requirement*, and Section 50-5-31, *Failure to comply with other land use or procedural requirements*; Article IX, *Business Zoning Districts*, Division 4, *B3 Shopping District*, Section 50-9-82, *Conditional retail, service, and commercial uses*, Division 5, *B4 General Business District*, Section 50-9-112, *Conditional retail, service, and commercial uses*, Division 6, *B5 Major Business District*, Section 50-9-142, *Conditional retail, service, and commercial uses*, Division 7, *B6 General Services District*, Section 50-9-166, *By-right retail, service, and commercial uses*, Section 50-9-167, *By-right manufacturing and industrial uses*, Section 50-9-172, *Conditional retail, service, and commercial uses*, and Section 50-9-173, *Conditional manufacturing and industrial uses*; Article X, *Industrial Zoning Districts*, Division 2, *M1 Limited Industrial District*, Section 50-10-16, *By-right retail, service, and commercial uses*, Section 50-10-22, *Conditional retail, service, and commercial uses*, Section 50-10-23, *Conditional manufacturing and industrial uses*, Division 3, *M2 Restricted Industrial District*, Section 50-10-46, *By-right retail, service, and commercial uses*, Section 50-10-47, *By-right manufacturing and industrial uses*, Section 50-10-52, *Conditional retail, service, and commercial uses*, and Section 50-10-53, *Conditional manufacturing and industrial uses*, Division 4, *M3 General Industrial District*, Section 50-10-76, *By-right retail, service, and commercial uses*, Section 50-10-77, *By-right manufacturing and industrial uses*, Section 50-10-82, *Conditional retail, service, and commercial uses*, and Section 50-10-83, *Conditional manufacturing and industrial uses*, Division 5, *M4 Intensive Industrial District*, Section 50-10-106, *By-right retail, service, and commercial uses*, Section 50-10-107, *By-right manufacturing and industrial uses*, Section 50-10-112, *Conditional retail, service, and commercial uses*, Section 50-10-113, *Conditional manufacturing and industrial uses*, Division 6, *M5 Special Industrial District*, Section 50-10-136, *By-right retail, service, and commercial uses*, Section 50-10-137, *By-right manufacturing and industrial uses*, and Section 50-10-142, *Conditional retail, service, and commercial uses*; Article XI, *Special Purpose Zoning Districts and Overlay Areas*, Division 6, *TM Transitional-Industrial District*, Section 50-11-116, *By-right retail, service, and commercial uses*, Section 50-11-117, *By-right manufacturing and industrial uses*, Section 50-11-122, *Conditional retail, service, and commercial uses*, Section 50-11-123, *Conditional industrial uses*, Division 8, *W1 Waterfront-Industrial District*, Section 50-11-183, *Conditional manufacturing and industrial uses*, Division 10, *SD2 – Special Development District, Mixed-Use*, Section 50-11-242, *Conditional retail, service, and commercial uses*, Division 12, *SD4 Special Development District, Riverfront Mixed Use*, Section 50-11-298, *Conditional retail, service, and commercial uses*,

Section 50-11-299, *Conditional manufacturing and industrial uses*, Division 14, *Overlay Areas*, Subdivision A, *Gateway Radial Thoroughfare Overlay Areas*, Section 50-11-364, *Prohibitions and limitations*; Article XII, *Use Regulations*, Division 1, *Use Table*, Subdivision D, *Retail, Service, and Commercial uses*, Section 50-12-69, *Retail sales and service, sales-oriented*, Section 50-12-71, *Vehicle repair and service*, Subdivision E, *Manufacturing and Industrial Uses*, Section 50-12-81, *Industrial service*, Section 50-12-83, *Warehouse and freight movement*, Section 50-12-84, *Waste-related use*, Division 2, *General Use Standards*, Section 50-12-131, *Retail, service, and commercial uses – Spacing*, Division 3, *Specific Use Standards*, Subdivision E, *Retail, Service, and Commercial Uses; Generally, continued*, Section 50-12-291, *Motor vehicles, new or used; storage lot accessory to a salesroom or sales lot for new or used motor vehicles*, Section 50-12-293, *Motor vehicles, used, salesroom or sales lot*, Section 50-12-294, *Motor vehicle services, major repair*, Section 50-12-295, *Motor vehicle services, minor*, Subdivision F, *Manufacturing and Industrial Uses*, Section 50-12-341, *Junkyards*, Section 50-12-349, *Scrap tire storage, processing, or recycling facility*, Section 50-12-350, *Tires, used; sales and/or service*, Section 50-12-352, *Towing service storage yards*, Section 50-12-355, *Trucking terminals, transfer buildings, truck garages, recreational vehicle storage lots, and open areas for the parking of operable trucks*, Section 50-12-356, *Used vehicle parts sales*, Division 5, *Accessory Uses and Structures*, Subdivision C, *Specific Accessory Use Standards*, Section 50-12-517, *Motor vehicle salesroom or sales lot*; Article XIII, *Intensity and Dimensional Standards*, Division 1, *Tables of Intensity and Dimensional Standards*, Subdivision C, *Business Districts*, Section 50-13-44, *B3 District*, Section 50-13-45, *B4 District*, Section 50-13-47, *B6 District*, Subdivision E, *Industrial Districts*, Section 50-13-82, *M1 District*, Section 50-13-85, *M4 District*, Subdivision G, *Special Purpose Zoning Districts*, Section 50-13-126, *TM District*; Article XIV, *Development Standards*, Division 1, *Off-Street Parking, Loading, and Access*, Subdivision B, *Off-Street Parking Schedule “A”*, Section 50-14-60, *Vehicle repair and service*, and Section 50-14-64, *Warehouse and freight movement*; Article XV, *Nonconformities*, Division 2, *Nonconforming Uses*, Section 50-15-30, *Change of nonconforming use to other nonconforming use*; Article XVI, *Rules of Construction and Definitions*, Division 2, *Words and Terms Defined*, Subdivision J, *Letters “I” Through “J”*, Section 50-16-262, *Words and terms (In – Iz)*, Subdivision K, *Letters “K” Through “L”*, Section 50-16-283, *Words and terms (Lh – Lm)*, Subdivision L, *Letter “M”*, Section 50-16-301, *Words and terms (Ma – Mg)*, Section 50-16-303, *Words and terms (Mn – Ms)*, Subdivision P, *Letter “S”*, Section 50-16-381, *Words and terms (Sa – Sd)*, Subdivision R, *Letter “U”*, Section 50-16-421, *Words and terms (Ua – Us)*, Subdivision S, *Letter “V”*, Section 50-16-441, *Words and terms (Va – Vg)*, Subdivision T, *Letters “W” Through “Z”*, Section 50-16-461, *Words and terms (Wa – Wz)*; and Appendix A, *Assignment of Specific Use Types to General Use Categories*, Division 3, *Letter “C”*, Division 4, *Letter “D”*, Division 13, *Letter “M”*, and Division 20, *Letter “T”*, all to change the permissibility of motor vehicle sales and repair uses including junkyards and towing service storage yards, to implement a spacing requirement between such uses, to re-define several motor vehicle repair uses, and to update the use regulations for such uses.

1 **BY COUNCIL MEMBER _____ :**

2 **AN ORDINANCE** to amend Chapter 50 of the Detroit City Code, *Zoning*, by adding
3 Article XII, *Use Regulations*, Division 2, *General Use Standards*, Section 50-12-131.1,
4 *Manufacturing and industrial uses – Spacing*, and Division 3, *Specific Use Standards*, Subdivision
5 E, *Retail, Service and Commercial Uses; Generally, continued*, Section 50-12-295.1,
6 *Medium/heavy duty vehicle or equipment repair establishment*; and by amending Article II, *Review*
7 *and Decision-Making Bodies*, Division 6, *Advisory Review Committees*, Subdivision E, *Solid*
8 *Waste Facility Review Committee*, Section 50-2-165, *Solid waste facilities subject to review*;
9 Article V, *Violations and Enforcement*, Division 2, *Violations and Penalties; Blight Violations*,
10 Section 50-5-28, *Land use without permit*, Section 50-5-29, *Failure to comply with condition*
11 *granted by the Buildings, Safety Engineering, and Environmental Department or by the Board of*
12 *Zoning Appeals*, Section 50-5-30, *Failure to comply with a parking, loading, or dimensional*
13 *requirement*, and Section 50-5-31, *Failure to comply with other land use or procedural*
14 *requirements*; Article IX, *Business Zoning Districts*, Division 4, *B3 Shopping District*, Section 50-
15 9-82, *Conditional retail, service, and commercial uses*, Division 5, *B4 General Business District*,
16 Section 50-9-112, *Conditional retail, service, and commercial uses*, Division 6, *B5 Major Business*
17 *District*, Section 50-9-142, *Conditional retail, service, and commercial uses*, Division 7, *B6*
18 *General Services District*, Section 50-9-166, *By-right retail, service, and commercial uses*, Section
19 50-9-167, *By-right manufacturing and industrial uses*, Section 50-9-172, *Conditional retail,*
20 *service, and commercial uses*, and Section 50-9-173, *Conditional manufacturing and industrial*
21 *uses*; Article X, *Industrial Zoning Districts*, Division 2, *M1 Limited Industrial District*, Section
22 50-10-16, *By-right retail, service, and commercial uses*, Section 50-10-22, *Conditional retail,*
23 *service, and commercial uses*, Section 50-10-23, *Conditional manufacturing and industrial uses*,

1 Division 3, *M2 Restricted Industrial District*, Section 50-10-46, *By-right retail, service, and*
2 *commercial uses*, Section 50-10-47, *By-right manufacturing and industrial uses*, Section 50-10-
3 52, *Conditional retail, service, and commercial uses*, and Section 50-10-53, *Conditional*
4 *manufacturing and industrial uses*, Division 4, *M3 General Industrial District*, Section 50-10-76,
5 *By-right retail, service, and commercial uses*, Section 50-10-77, *By-right manufacturing and*
6 *industrial uses*, Section 50-10-82, *Conditional retail, service, and commercial uses*, and Section
7 50-10-83, *Conditional manufacturing and industrial uses*, Division 5, *M4 Intensive Industrial*
8 *District*, Section 50-10-106, *By-right retail, service, and commercial uses*, Section 50-10-
9 107, *By-right manufacturing and industrial uses*, Section 50-10-112, *Conditional retail, service,*
10 *and commercial uses*, Section 50-10-113, *Conditional manufacturing and industrial uses*, Division
11 6, *M5 Special Industrial District*, Section 50-10-136, *By-right retail, service, and commercial uses*,
12 Section 50-10-137, *By-right manufacturing and industrial uses*, and Section 50-10-142,
13 *Conditional retail, service, and commercial uses*; Article XI, *Special Purpose Zoning Districts*
14 *and Overlay Areas*, Division 6, *TM Transitional-Industrial District*, Section 50-11-116, *By-right*
15 *retail, service, and commercial uses*, Section 50-11-117, *By-right manufacturing and industrial*
16 *uses*, Section 50-11-122, *Conditional retail, service, and commercial uses*, Section 50-11-123,
17 *Conditional industrial uses*, Division 8, *W1 Waterfront-Industrial District*, Section 50-11-183,
18 *Conditional manufacturing and industrial uses*, Division 10, *SD2 – Special Development District*,
19 *Mixed-Use*, Section 50-11-242, *Conditional retail, service, and commercial uses*, Division 12,
20 *SD4 Special Development District, Riverfront Mixed Use*, Section 50-11-298, *Conditional retail,*
21 *service, and commercial uses*, Section 50-11-299, *Conditional manufacturing and industrial uses*,
22 Division 14, *Overlay Areas*, Subdivision A, *Gateway Radial Thoroughfare Overlay Areas*, Section
23 50-11-364, *Prohibitions and limitations*; Article XII, *Use Regulations*, Division 1, *Use Table*,

1 Subdivision D, *Retail, Service, and Commercial uses*, Section 50-12-69, *Retail sales and service,*
2 *sales-oriented*, Section 50-12-71, *Vehicle repair and service*, Subdivision E, *Manufacturing and*
3 *Industrial Uses*, Section 50-12-81, *Industrial service*, Section 50-12-83, *Warehouse and freight*
4 *movement*, Section 50-12-84, *Waste-related use*, Division 2, *General Use Standards*, Section 50-
5 12-131, *Retail, service, and commercial uses – Spacing*, Division 3, *Specific Use Standards*,
6 Subdivision E, *Retail, Service, and Commercial Uses; Generally, continued*, Section 50-12-291,
7 *Motor vehicles, new or used; storage lot accessory to a salesroom or sales lot for new or used*
8 *motor vehicles*, Section 50-12-293, *Motor vehicles, used, salesroom or sales lot*, Section 50-12-
9 294, *Motor vehicle services, major repair*, Section 50-12-295, *Motor vehicle services, minor*,
10 Subdivision F, *Manufacturing and Industrial Uses*, Section 50-12-341, *Junkyards*, Section 50-12-
11 349, *Scrap tire storage, processing, or recycling facility*, Section 50-12-350, *Tires, used; sales*
12 *and/or service*, Section 50-12-352, *Towing service storage yards*, Section 50-12-355, *Trucking*
13 *terminals, transfer buildings, truck garages, recreational vehicle storage lots, and open areas for*
14 *the parking of operable trucks*, Section 50-12-356, *Used vehicle parts sales*, Division 5, *Accessory*
15 *Uses and Structures*, Subdivision C, *Specific Accessory Use Standards*, Section 50-12-517, *Motor*
16 *vehicle salesroom or sales lot*; Article XIII, *Intensity and Dimensional Standards*, Division 1,
17 *Tables of Intensity and Dimensional Standards*, Subdivision C, *Business Districts*, Section 50-13-
18 44, *B3 District*, Section 50-13-45, *B4 District*, Section 50-13-47, *B6 District*, Subdivision E,
19 *Industrial Districts*, Section 50-13-82, *M1 District*, Section 50-13-85, *M4 District*, Subdivision G,
20 *Special Purpose Zoning Districts*, Section 50-13-126, *TM District*; Article XIV, *Development*
21 *Standards*, Division 1, *Off-Street Parking, Loading, and Access*, Subdivision B, *Off-Street Parking*
22 *Schedule “A”*, Section 50-14-60, *Vehicle repair and service*, and Section 50-14-64, *Warehouse*
23 *and freight movement*; Article XV, *Nonconformities*, Division 2, *Nonconforming Uses*, Section

1 50-15-30, *Change of nonconforming use to other nonconforming use*; Article XVI, *Rules of*
2 *Construction and Definitions*, Division 2, *Words and Terms Defined*, Subdivision J, *Letters “I”*
3 *Through “J”*, Section 50-16-262, *Words and terms (In – Iz)*, Subdivision K, *Letters “K” Through*
4 *“L”*, Section 50-16-283, *Words and terms (Lh – Lm)*, Subdivision L, *Letter “M”*, Section 50-16-
5 301, *Words and terms (Ma – Mg)*, Section 50-16-303, *Words and terms (Mn – Ms)*, Subdivision
6 P, *Letter “S”*, Section 50-16-381, *Words and terms (Sa – Sd)*, Subdivision R, *Letter “U”*, Section
7 50-16-421, *Words and terms (Ua – Us)*, Subdivision S, *Letter “V”*, Section 50-16-441, *Words and*
8 *terms (Va – Vg)*, Subdivision T, *Letters “W” Through “Z”*, Section 50-16-461, *Words and terms*
9 *(Wa – Wz)*; and Appendix A, *Assignment of Specific Use Types to General Use Categories*,
10 Division 3, *Letter “C”*, Division 4, *Letter “D”*, Division 13, *Letter “M”*, and Division 20, *Letter*
11 *“T”*, all to change the permissibility of motor vehicle sales and repair uses including junkyards
12 and towing service storage yards, to implement a spacing requirement between such uses, to re-
13 define several motor vehicle repair uses, and to update the use regulations for such uses.

14 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**

15 **THAT:**

16 **Section 1.** Chapter 50 of the Detroit City Code, *Zoning*, is amended to read as follows:

17 **CHAPTER 50. ZONING**

18 **ARTICLE II. REVIEW AND DECISION-MAKING BODIES**

19 **DIVISION 6. ADVISORY REVIEW COMMITTEES**

20 **Subdivision E. Solid Waste Facility Review Committee**

21 **Sec. 50-2-165. Solid waste facilities subject to review.**

22 The following uses, and uses accessory thereto, may be permitted by the Buildings, Safety
23 Engineering, and Environmental Department after a report and recommendation has been received

1 from the Solid Waste Facility Review Committee, relative to the issues that are identified in
 2 Section 50-2-166(b) of this Code which are relevant to the proposed use, and other operating
 3 characteristics that are peculiar to any of the following uses:

- 4 (1) Incinerator plants;
- 5 (2) ~~Junkyards and salvage yards;~~
- 6 (3) Recycling centers;
- 7 (4) Scrap tire storage, processing, or recycling facilities;
- 8 (5) Solid waste processing, recycling, storage, and transfer facilities as defined and
 9 regulated by Part 115 of the Michigan Natural Resources and Environmental
 10 Protection Act, titled Solid Waste Management, being MCL 324.11501 through
 11 324.11554, and the administrative rules of the Michigan Department of
 12 Environment, Great Lakes, and Energy;
- 13 (6) Transfer stations for garbage or rubbish; and
- 14 (7) Used ~~auto~~ vehicle parts sales.

15 **ARTICLE V. VIOLATIONS AND ENFORCEMENT**

16 **DIVISION 2. VIOLATIONS AND PENALTIES; BLIGHT VIOLATIONS**

17 **Sec. 50-5-28. Land use without permit.**

18 Penalties for using land without a permit are as follows:

Violation	First Offense	Second Repeat Offense	Third and Subsequent Repeat Offenses
Unlawful storage upon vacant land			
Refuse or debris	\$100.00 <u>\$250.00</u>	\$300.00 <u>\$500.00</u>	\$700.00 <u>\$1,000.00</u>
Vehicle	\$100.00 <u>\$250.00</u>	\$300.00 <u>\$500.00</u>	\$700.00 <u>\$1,000.00</u>
Other unlawful storage	\$100.00 <u>\$250.00</u>	\$300.00 <u>\$500.00</u>	\$700.00 <u>\$1,000.00</u>
Unlawful change of use of building or land	\$750.00 <u>\$2,500.00</u>	\$1,000.00 <u>\$5,000.00</u>	\$1,500.00 <u>\$7,500.00</u>

Other unlawful land use	\$200.00 <u>\$250.00</u>	\$400.00 <u>\$500.00</u>	\$1,000.00
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2 **Sec. 50-5-29. Failure to comply with condition granted by the Buildings, Safety Engineering,**
3 **and Environmental Department or by the Board of Zoning Appeals.**

4 The penalty for failure to comply with a condition granted by the Buildings, Safety
5 Engineering, and Environmental Department or by the Board of Zoning Appeals is as follows:

Violation	First Offense	Second Repeat Offense	Third and Subsequent Repeat Offenses
Failure to comply with a grant condition	\$100.00 <u>\$250.00</u>	\$500.00	\$1,000.00

6

7 **Sec. 50-5-30. Failure to comply with a parking, loading, or dimensional requirement.**

8 Penalties for failure to comply with a parking, loading, or dimensional requirement are as
9 follows:

Violation	First Offense	Second Repeat Offense	Third and Subsequent Repeat Offenses
Off-street parking, loading or unloading	\$100.00 <u>\$250.00</u>	\$200.00 <u>\$500.00</u>	\$1,000.00
Projection or encroachment on required front, side, or rear setback	\$100.00 <u>\$250.00</u>	\$200.00 <u>\$500.00</u>	\$500.00 <u>\$1,000.00</u>
Other noncompliance with dimensional or intensity or density requirements	\$100.00 <u>\$250.00</u>	\$200.00 <u>\$500.00</u>	\$500.00 <u>\$1,000.00</u>

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11 **Sec. 50-5-31. Failure to comply with other land use or procedural requirements.**

12 Penalties for failure to comply with other land use or procedural requirements are as
13 follows:

Violation	First Offense	Second Repeat Offense	Third and Subsequent Repeat Offenses
Unlawful antenna	\$200.00 <u>\$250.00</u>	\$400.00 <u>\$500.00</u>	\$1,500.00 <u>\$2,000.00</u>
Unlawful storage upon land developed as non-residential			

Inoperable vehicle	\$100.00 \$250.00	\$200.00 \$500.00	\$500.00 \$1,000.00
Refuse or debris	\$100.00 \$250.00	\$200.00 \$500.00	\$500.00 \$1,000.00
Other unlawful storage	\$100.00 \$250.00	\$200.00 \$500.00	\$500.00 \$1,000.00
Unlawful storage upon land developed as residential			
Inoperable private passenger vehicle	\$100.00 \$250.00	\$200.00 \$500.00	\$500.00 \$1,000.00
Inoperable recreational equipment	\$100.00 \$250.00	\$200.00 \$500.00	\$500.00 \$1,000.00
Refuse or debris	\$100.00 \$250.00	\$200.00 \$500.00	\$500.00 \$1,000.00
Vehicle other than operable recreation equipment or operable private passenger vehicle	\$100.00 \$250.00	\$200.00 \$500.00	\$500.00 \$1,000.00
Other unlawful storage	\$100.00 \$250.00	\$200.00 \$500.00	\$500.00 \$1,000.00
Other noncompliance with land use requirements	\$100.00 \$250.00	\$250.00 \$500.00	\$1000.00
Failure to comply with procedural or other requirements	\$100.00 \$250.00	\$250.00 \$500.00	\$1000.00

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ARTICLE IX. BUSINESS ZONING DISTRICTS

DIVISION 4. B3 SHOPPING DISTRICT

Sec. 50-9-82. Conditional retail, service, and commercial uses.

Conditional retail, service, and commercial uses in the B3 Shopping District are as follows:

- (1) Arcade.
- (2) Automated teller machine not accessory to another use on the same zoning lot, which is stand-alone, with drive-up or drive-through facilities.
- (3) Bank with drive-up or drive-through facilities.
- (4) Banquet facility.
- (5) Business college or commercial trade school.

- 1 (6) Brewpub or microbrewery or small distillery or small winery, subject to Section
- 2 50-12-217 of this Code.
- 3 (7) Cabaret.
- 4 (8) Customer service center with drive-up or drive-through facilities.
- 5 (9) Dance hall, public.
- 6 (10) Establishment for the sale of beer or alcoholic liquor for consumption on the
- 7 premises.
- 8 (11) Financial services center.
- 9 (12) Firearms dealership.
- 10 (13) Firearms target practice range, indoor.
- 11 (14) Food stamp distribution center.
- 12 (15) Hotel.
- 13 (16) Mortuary or funeral home, including those containing a crematory.
- 14 (17) Motel.
- 15 (18) Motor vehicle filling station.
- 16 (19) Motor vehicles, new ~~or used~~, salesroom or sales lot.
- 17 (20) Plasma donation center.
- 18 (21) Pool hall.
- 19 (22) Private club, lodge, or similar use.
- 20 (23) Restaurant, carry-out with drive-up or drive-through facilities.
- 21 (24) Restaurant, fast-food with or without drive-up or drive-through facilities.
- 22 (25) Restaurant, standard, subject to Section 50-12-311 of this Code ~~with drive-up or~~
- 23 ~~drive-through facilities.~~

1 ~~(26) Restaurant, standard without drive-up or drive-through facilities, as provided in~~
2 ~~Sec. 50-12-311(6) of this Code.~~

3 (26) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
4 establishment.

5 **DIVISION 5. B4 GENERAL BUSINESS DISTRICT**

6 **Sec. 50-9-112. Conditional retail, service, and commercial uses.**

7 Conditional retail, service, and commercial uses in the B4 General Business District are as
8 follows:

- 9 (1) Amusement park.
- 10 (2) Arcade.
- 11 (3) Automated teller machine not accessory to another use on the same zoning lot,
12 which is stand-alone, with drive-up or drive-through facilities.
- 13 (4) Bank with drive-up or drive-through facilities.
- 14 (5) Banquet facility.
- 15 (6) Bed and breakfast inn.
- 16 (7) Body art facility.
- 17 (8) Brewpub or microbrewery or small distillery or small winery, outside the Central
18 Business District.
- 19 (9) Cabaret, outside the Central Business District.
- 20 (10) Customer service center with drive-up or drive-through facilities.
- 21 (11) Dance hall, public, outside the Central Business District.
- 22 (12) Employee recruitment center.

- 1 (13) Establishment for the sale of beer or alcoholic liquor for consumption on the
2 premises, outside the Central Business District.
- 3 (14) Financial services center.
- 4 (15) Firearms dealership.
- 5 (16) Firearms target practice range, indoor.
- 6 (17) Food stamp distribution center.
- 7 (18) Go-cart track, ~~except such use is not permitted on any zoning lot abutting a Gateway~~
8 ~~Radial Thoroughfare~~ subject to Section 50-11-364 of this Code.
- 9 (19) Golf course, miniature.
- 10 (20) Hotel, outside the Central Business District.
- 11 (21) Kennel, commercial.
- 12 (22) Light duty vehicle service establishment.
- 13 (23) Lodging house, public.
- 14 (24) Motel.
- 15 (25) Motor vehicle filling station.
- 16 ~~(25) Motor vehicles, used, salesroom or sales lot, except such use is not permitted on~~
17 ~~any zoning lot abutting a Gateway Radial Thoroughfare.~~
- 18 ~~(26) Motor vehicles, used, storage lot accessory to a salesroom or sales lot for used~~
19 ~~motor vehicles, except such use is not permitted on any zoning lot abutting a~~
20 ~~Gateway Radial Thoroughfare.~~
- 21 ~~(27) Motor vehicle services, major, except such use is not permitted on any zoning lot~~
22 ~~abutting a Gateway Radial Thoroughfare.~~
- 23 ~~(28) Motor vehicle services, minor.~~

- 1 (26) Motor vehicle washing and steam cleaning, ~~except such use is not permitted on any~~
2 ~~zoning lot abutting a Gateway Radial Thoroughfare~~ subject to Section 50-11-364
3 of this Code.
- 4 (27) Motorcycles, retail sales, rental or service.
- 5 (28) Outdoor commercial recreation, not otherwise specified.
- 6 (29) Parking lots or parking areas for operable private passenger vehicles, as restricted
7 by Section 50-12-299(9)e of this Code.
- 8 (30) Pawnshop, ~~except such use is not permitted on any zoning lot abutting a Gateway~~
9 ~~Radial Thoroughfare~~ subject to Section 50-11-364 of this Code.
- 10 (31) Plasma donation center, ~~except such use is not permitted on any zoning lot abutting~~
11 ~~a Gateway Radial Thoroughfare~~ subject to Section 50-11-364 of this Code.
- 12 (32) Pool hall.
- 13 (33) Precious metal and gem dealer, ~~except such use shall not be permitted on any~~
14 ~~zoning lot abutting a designated Gateway Radial Thoroughfare~~ subject to Section
15 50-11-364 of this Code.
- 16 (34) Printing or engraving shops.
- 17 (35) Rebound tumbling center, subject to Section 50-11-364 of this Code.
- 18 (36) Rental hall.
- 19 (37) Restaurant, carry-out, with drive-up or drive-through facilities, ~~except such use is~~
20 ~~not permitted on any zoning lot abutting the Woodward Avenue Gateway Radial~~
21 ~~Thoroughfare~~ subject to Section 50-11-364 of this Code.

- 1 (38) Restaurant, fast-food, with drive-up or drive-through facilities, ~~except such use is~~
2 ~~not permitted on any zoning lot abutting the Woodward Avenue Gateway Radial~~
3 ~~Thoroughfare~~ subject to Section 50-11-364 of this Code.
- 4 (39) Restaurant, fast-food, without drive-up or drive-through facilities, ~~where not~~
5 ~~located in a multi-story building and integrated into a mixed-use or multi-tenant~~
6 ~~development~~ subject to Section 50-11-364 of this Code.
- 7 (40) Restaurant, standard, ~~with drive-up or drive-through facilities, except such use is~~
8 ~~not permitted on any zoning lot abutting the Woodward Avenue Gateway Radial~~
9 ~~Thoroughfare,~~ subject to Section 50-12-311 of this Code.
- 10 (44) ~~Restaurant, standard, without drive-up or drive-through facilities, as provided in~~
11 ~~Sec. 50-12-311(6), except such use is not permitted on any zoning lot abutting the~~
12 ~~Woodward Avenue Gateway Radial Thoroughfare.~~
- 13 (41) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
14 establishment.
- 15 (42) Taxicab dispatch and/or storage facility, ~~except such use is not permitted on any~~
16 ~~zoning lot abutting a Gateway Radial Thoroughfare~~ subject to Section 50-11-364
17 of this Code.
- 18 (43) Theater and concert café, excluding drive-in theaters.
- 19 (44) Trailer coaches or boat sale or rental, open air display, ~~except such use is not~~
20 ~~permitted on any zoning lot abutting a Gateway Radial Thoroughfare~~ subject to
21 Section 50-11-364 of this Code.
- 22 (45) Trailers, utility—sales, rental or service; moving truck/trailer rental lots.

1 (46) Used goods dealer, ~~except such use is not permitted on any zoning lot abutting a~~
2 Gateway Radial Thoroughfare subject to Section 50-11-364 of this Code.

3 (47) Youth hostel/hostel.

4 **DIVISION 6. B5 MAJOR BUSINESS DISTRICT**

5 **Sec. 50-9-142. Conditional retail, service, and commercial uses.**

6 Conditional retail, service, and commercial uses within the B5 Major Business District are
7 as follows:

8 (1) Arcade.

9 (2) Automated teller machine not accessory to another use on the same zoning lot,
10 which is stand-alone, with drive-up or drive-through facilities.

11 (3) Brewpub or microbrewery or small distillery or small winery, outside the Central
12 Business District.

13 (4) Cabaret, outside the Central Business District.

14 (5) Dance hall, public, outside the Central Business District.

15 (6) Establishment for the sale of beer or alcoholic liquor for consumption on the
16 premises, outside the Central Business District.

17 (7) Firearms dealership.

18 (8) Firearms target practice range, indoor.

19 (9) Hotel, outside the Central Business District.

20 (10) Lodging house, public.

21 (11) Motel.

22 (12) Motor vehicle filling station.

23 ~~(13) Motor vehicle services, minor.~~

- 1 (13) Motor vehicle washing and steam cleaning.
- 2 (14) Parking structure not having ground floor commercial space or other space oriented
3 to pedestrian traffic.
- 4 (15) Plasma donation center.
- 5 (16) Precious metal and gem dealer.
- 6 (17) Restaurant, carry-out or fast-food, ~~as provided for in~~ subject to Section 50-12-
7 310(7) of this Code.
- 8 (18) Restaurant, standard, with drive-up or drive-through facilities, subject to Section
9 50-12-311 of this Code.
- 10 (19) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
11 establishment.
- 12 (20) Stores of a generally recognized retail nature whose primary business is the sale of
13 new merchandise with drive-up or drive-through facilities.
- 14 (21) Taxicab dispatch and/or storage facility.
- 15 (22) Used goods dealer.
- 16 (23) Youth hostel/hostel.

DIVISION 7. B6 GENERAL SERVICES DISTRICT

18 **Sec. 50-9-166. By-right retail, service, and commercial uses.**

19 By-right retail, service, and commercial uses within the B6 General Services District are
20 as follows:

- 21 (1) Assembly hall.
- 22 (2) Art gallery.

- 1 (3) Automated teller machine not accessory to another use on the same zoning lot,
2 which is stand-alone.
- 3 (4) Bake shop, retail.
- 4 (5) Bank.
- 5 (6) Banquet facility.
- 6 (7) Barber or beauty shop.
- 7 (8) Body art facility.
- 8 (9) Brewpub or microbrewery or small distillery or small winery, inside the Central
9 Business District.
- 10 (10) Business college or commercial trade school.
- 11 (11) Cabaret, inside the Central Business District.
- 12 (12) Commissary.
- 13 (13) Customer service center.
- 14 (14) Dance hall, public, inside the Central Business District.
- 15 (15) Dry cleaning, laundry, or laundromat.
- 16 (16) Employee recruitment center.
- 17 (17) Establishment for the sale of beer or alcoholic liquor for consumption on the
18 premises, inside the Central Business District.
- 19 (18) Financial services center.
- 20 (19) Food stamp distribution center.
- 21 (20) Hotel, inside the Central Business District.
- 22 (21) Kennel, commercial.
- 23 (22) Medical or dental clinic, physical therapy clinic, or massage facility.

- 1 (23) Mortuary or funeral home, including those containing a crematory.
- 2 (24) Motor vehicle filling station as provided for in Section 50-12-252(2) of this Code.
- 3 ~~(25) Motor vehicle services, minor.~~
- 4 (25) Motor vehicle washing and steam cleaning.
- 5 (26) Motor vehicles, new or used, salesroom or sales lots.
- 6 (27) Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor
- 7 vehicles.
- 8 (28) Nail salon.
- 9 (29) Office, business or professional.
- 10 (30) Parking lots or parking areas for operable private passenger vehicles.
- 11 (31) Parking structure.
- 12 (32) Pet shop.
- 13 (33) Pool hall.
- 14 (34) Private club, lodge, or similar use.
- 15 (35) Produce or food markets, wholesale.
- 16 (36) Radio or television station.
- 17 (37) Radio, television, or household appliance repair shop.
- 18 (38) Recording studio or photo studio or video studio, no assembly hall.
- 19 (39) Recreation, indoor commercial and health club.
- 20 (40) Rental hall.
- 21 (41) Restaurant, carry-out or fast-food ~~with or without drive up or drive-through~~
- 22 ~~facilities.~~
- 23 (42) Restaurant, standard, subject to Section 50-12-311 of this Code.

- 1 (43) Retail sales and personal service in business and professional offices.
- 2 (44) Shoe repair shop.
- 3 (45) Storage or killing of poultry or small game for direct, retail sale on the premises or
4 for wholesale trade.
- 5 (46) Stores of a generally recognized retail nature whose primary business is the sale of
6 new merchandise with or without drive-up or drive-through facilities.
- 7 (47) Taxicab dispatch and/or storage facility.
- 8 (48) Trailer coaches or boat sale or rental, open air display.
- 9 (49) Trailers, utility—sales, rental or service; moving truck/trailer rental lots.

10 **Sec. 50-9-167. By-right manufacturing and industrial uses.**

11 By-right manufacturing and industrial uses within the B6 General Services District are as
12 follows:

- 13 (1) Baling of waste paper or rags.
- 14 (2) Blueprinting shop.
- 15 (3) Cold storage plant.
- 16 (4) Confection manufacture.
- 17 (5) Containerized freight yard.
- 18 (6) Contractor, yard, landscape or construction.
- 19 (7) Food catering establishment.
- 20 (8) Ice manufacture.
- 21 (9) Low-impact manufacturing or processing.
- 22 (10) Lumber yard.
- 23 (11) Railroad transfer or storage tracks.

- 1 (12) Research or testing laboratory.
- 2 (13) Trade services, general.
- 3 (14) Trucking terminals, transfer buildings, ~~truck garages~~, recreational vehicle storage
- 4 lots, and open areas for the parking of semi-trailers, buses, and other operable
- 5 commercial vehicles, not including limousines and taxicabs.
- 6 (15) Vending machine commissary.
- 7 (16) Wholesaling, warehousing, storage buildings, or public storage facilities.

8 **Sec. 50-9-172. Conditional retail, service, and commercial uses.**

9 Conditional retail, service, and commercial uses within the B6 General Services District
10 are as follows:

- 11 (1) Amusement park.
- 12 (2) Arcade.
- 13 (3) Brewpub or microbrewery or small distillery or small winery, outside the Central
- 14 Business District
- 15 (4) Cabaret, outside the Central Business District.
- 16 (5) Dance hall, public, outside the Central Business District.
- 17 (6) Establishment for the sale of beer or alcoholic liquor for consumption on the
- 18 premises, outside the Central Business District.
- 19 (7) Firearms dealership.
- 20 (8) Firearms target practice range, indoor.
- 21 (9) Hotel, outside the Central Business District.
- 22 (10) Light duty vehicle service establishment.
- 23 (11) Motel.

1 (12) Motor vehicle filling station other than as provided for in Section 50-12-252(2) of
2 this Code.

3 ~~(12) Motor vehicle services, major.~~

4 ~~(13) Motor vehicles, used, storage lot accessory to salesroom or sales lot for used motor~~
5 ~~vehicles.~~

6 (13) Outdoor commercial recreation, not otherwise specified.

7 (14) Plasma donation center.

8 (15) Precious metal and gem dealer.

9 (16) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
10 establishment.

11 (17) Used goods dealer.

12 **Sec. 50-9-173. Conditional manufacturing and industrial uses.**

13 Conditional manufacturing and industrial uses within the B6 General Services District are
14 as follows:

15 (1) Abattoir, slaughterhouse.

16 ~~(2) Tires, used: sales and/or service.~~

17 (2) Truck stop.

18 (3) Welding shops.

19 **ARTICLE X. INDUSTRIAL ZONING DISTRICTS**

20 **DIVISION 2. M1 LIMITED INDUSTRIAL DISTRICT**

21 **Sec. 50-10-16. By-right retail, service, and commercial uses.**

22 By-right residential uses within the M1 Limited Industrial District are as follows:

23 (1) Animal-grooming shop.

- 1 (2) Arcade.
- 2 (3) Art gallery.
- 3 (4) Assembly hall.
- 4 (5) Automated teller machine not accessory to another use on the same zoning lot,
5 which is stand-alone.
- 6 (6) Bake shop, retail.
- 7 (7) Bank without drive-up or drive-through facilities.
- 8 (8) Banquet facility.
- 9 (9) Barber or beauty shop.
- 10 (10) Body art facility.
- 11 (11) Brewpub or microbrewery or small distillery or small winery, subject to Section
12 50-12-217~~(3)~~ of this Code.
- 13 (12) Business college or commercial trade school.
- 14 (13) Commissary.
- 15 (14) Customer service center.
- 16 (15) Dry cleaning, laundry, or laundromat.
- 17 (16) Employee recruitment center.
- 18 (17) Financial services center without drive-up or drive-through facilities.
- 19 (18) Food stamp distribution center.
- 20 (19) Go-cart track.
- 21 (20) Golf course, miniature.
- 22 (21) Kennel, commercial.
- 23 (22) Medical or dental clinic, physical therapy clinic, or massage facility.

- 1 (23) Mortuary or funeral home, including those containing a crematory.
- 2 (24) Motor vehicle filling station as provided for in Section 50-12-252(2) of this Code.
- 3 ~~(25) Motor vehicle services, minor.~~
- 4 (25) Motor vehicle washing and steam cleaning.
- 5 (26) Motor vehicles, new or used, salesroom or sales lot.
- 6 (27) Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor
- 7 vehicles.
- 8 (28) Nail salon.
- 9 (29) Office, business or professional.
- 10 (30) Parking lots or parking areas for operable private passenger vehicles.
- 11 (31) Parking structure.
- 12 (32) Pet shop.
- 13 (33) Pool hall.
- 14 (34) Precious metal and gem dealers.
- 15 (35) Printing or engraving shops.
- 16 (36) Private club, lodge, or similar use.
- 17 (37) Produce or food markets, wholesale.
- 18 (38) Radio or television station.
- 19 (39) Radio, television, or household appliance repair shop.
- 20 (40) Rebound tumbling center.
- 21 (41) Recording studio or photo studio or video studio, no assembly hall.
- 22 (42) Recreation, indoor commercial and health club.
- 23 (43) Rental hall.

- 1 (44) Restaurant, standard, subject to Section 50-12-311 of this Code.
- 2 (45) Retail sales and personal service in business and professional offices.
- 3 (46) School or studio of dance, gymnastics, music, art, or cooking.
- 4 (47) Shoe repair shop.
- 5 (48) Stores of a generally recognized retail nature whose primary business is the sale of
- 6 new merchandise, with or without drive-up or drive-through facilities.
- 7 (49) Taxicab dispatch and/or storage facility.
- 8 (50) Theater and concert café, excluding drive-in theaters.
- 9 (51) Trailer coaches or boat sale or rental, open air display.
- 10 (52) Trailers, utility—sales, rental or service; moving truck/trailer rental lots.
- 11 (53) Used goods dealer.
- 12 (54) Veterinary clinic for small animals.

13 **Sec. 50-10-22. Conditional retail, service, and commercial uses.**

14 Conditional retail, service, and commercial uses within the M1 Limited Industrial District

15 are as follows:

- 16 (1) Amusement park.
- 17 (2) Bank with drive-up or drive-through facilities.
- 18 (3) Brewpub or microbrewery or small distillery or small winery, subject to Section
- 19 50-12-217(3) of this Code.
- 20 (4) Cabaret.
- 21 (5) Dance hall, public.
- 22 (6) Establishment for the sale of beer or alcoholic liquor for consumption on the
- 23 premises.

- 1 (7) Financial services center with drive-up or drive-through facilities.
- 2 (8) Firearms dealership.
- 3 (9) Firearms target practice range, indoor.
- 4 (10) Hotel.
- 5 ~~(11) Light duty vehicle service establishment.~~
- 6 ~~(12) Motel.~~
- 7 ~~(13) Motor vehicle filling station other than as provided for in Section 50-12-252(2) of~~
8 ~~this Code.~~
- 9 ~~(13) Motor vehicle services, major.~~
- 10 ~~(14) Motor vehicles, used, storage lot accessory to a salesroom or sales lot for used~~
11 ~~motor vehicles.~~
- 12 (14) Motorcycles, retail sales, rental or service.
- 13 (15) Outdoor commercial recreation, not otherwise specified.
- 14 (16) Pawnshop.
- 15 (17) Plasma donation center.
- 16 (18) Restaurant, carry-out or fast-food.
- 17 (19) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
18 establishment.

19 **Sec. 50-10-23. Conditional manufacturing and industrial uses.**

20 Conditional manufacturing and industrial uses within the M1 Limited Industrial District
21 are as follows:

- 22 (1) Baling of waste paper or rags.
- 23 (2) Boiler repairing.

- 1 (3) Cold storage plant.
- 2 (4) Confection manufacture.
- 3 (5) Dental products, surgical, or optical goods manufacture.
- 4 (6) Laundry, industrial.
- 5 (7) Lithographing and sign shops.
- 6 (8) Low/medium-impact manufacturing or processing.
- 7 (9) Low-impact manufacturing or processing.
- 8 (10) Railroad transfer or storage tracks.
- 9 ~~(11) Tires, used, sales and/or service.~~
- 10 (11) Toiletries or cosmetic manufacturing.
- 11 (12) Tool sharpening or grinding.
- 12 (13) Tool, die, and gauge manufacturing, small items.
- 13 ~~(15) Towing service storage yard.~~
- 14 (14) Trucking terminals, transfer buildings, ~~truck garages~~, recreational vehicle storage
- 15 lots, and open areas for the parking of semi-trailers, buses, and other operable
- 16 commercial vehicles, not including limousines and taxicabs.
- 17 (15) Wearing apparel manufacturing.

18 DIVISION 3. M2 RESTRICTED INDUSTRIAL DISTRICT

19 Sec. 50-10-46. By-right retail, service, and commercial uses.

20 By-right retail, service, and commercial uses within the M2 Restricted Industrial District
21 are as follows:

- 22 (1) Animal-grooming shop.
- 23 (2) Arcade.

- 1 (3) Art gallery.
- 2 (4) Assembly hall.
- 3 (5) Automated teller machine not accessory to another use on the same zoning lot,
4 which is stand-alone.
- 5 (6) Bake shop, retail.
- 6 (7) Bank.
- 7 (8) Banquet facility.
- 8 (9) Barber or beauty shop.
- 9 (10) Body art facility.
- 10 (11) Brewpub or microbrewery or small distillery or small winery, subject to Section
11 50-12-217(3) of this Code.
- 12 (12) Business college or commercial trade school.
- 13 (13) Commissary.
- 14 (14) Customer service center.
- 15 (15) Dry cleaning, laundry, or laundromat.
- 16 (16) Employee recruitment center.
- 17 (17) Financial services center.
- 18 (18) Food stamp distribution center.
- 19 (19) Go-cart track.
- 20 (20) Golf course, miniature.
- 21 (21) Kennel, commercial.
- 22 (22) Medical or dental clinic, physical therapy clinic, or massage facility.
- 23 (23) Mortuary or funeral home, including those containing a crematory.

- 1 (24) Motor vehicle filling station as provided for in Section 50-12-252(2) of this Code.
- 2 ~~(25) Motor vehicle services, minor.~~
- 3 (25) Motor vehicle washing and steam cleaning.
- 4 (26) Motor vehicles, new ~~or used~~, salesroom or sales lot.
- 5 (27) Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor
- 6 vehicles.
- 7 (28) Motorcycles, retail sales, rental or service.
- 8 (29) Nail salon.
- 9 (30) Office, business or professional.
- 10 (31) Parking lots or parking areas for operable private passenger vehicles.
- 11 (32) Parking structure.
- 12 (33) Pet shop.
- 13 (34) Pool hall.
- 14 (35) Precious metal and gem dealers.
- 15 (36) Printing or engraving shops.
- 16 (37) Private club, lodge, or similar use.
- 17 (38) Produce or food markets, wholesale.
- 18 (39) Radio or television station.
- 19 (40) Radio, television, or household appliance repair shop.
- 20 (41) Rebound tumbling center.
- 21 (42) Recording studio or photo studio or video studio, no assembly hall.
- 22 (43) Recreation, indoor commercial and health club.
- 23 (44) Rental hall.

- 1 (45) Restaurant, carry-out or fast-food with or without drive-up or drive-through
2 facilities.
- 3 (46) Restaurant, standard, subject to Section 50-12-311 of this Code.
- 4 (47) Retail sales and personal service in business and professional offices.
- 5 (48) School or studio of dance, gymnastics, music, art, or cooking.
- 6 (49) Shoe repair shop.
- 7 (50) Stores of a generally recognized retail nature whose primary business is the sale of
8 new merchandise, with or without drive-up or drive-through facilities.
- 9 (51) Taxicab dispatch and/or storage facility.
- 10 (52) Theater and concert café, excluding drive-in theaters.
- 11 (53) Trailer coaches or boat sale or rental, open air display.
- 12 (54) Trailers, utility—sales, rental, or service; moving truck/trailer rental lots.
- 13 (55) Used goods dealer.
- 14 (56) Veterinary clinic for small animals.

15 **Sec. 50-10-47. By-right manufacturing and industrial uses.**

16 By-right ~~residential~~ manufacturing and industrial uses within the M2 Restricted Industrial
17 District are as follows:

- 18 (1) Baling of waste paper or rags.
- 19 (2) Blueprinting shop.
- 20 (3) Boiler repairing.
- 21 (4) Cold storage plant.
- 22 (5) Confection manufacture.
- 23 (6) Contractor yard, landscape or construction.

- 1 (7) Dental products, surgical, or optical goods manufacture.
- 2 (8) Food catering establishment.
- 3 (9) Ice manufacture.
- 4 (10) Jewelry manufacture.
- 5 (11) Laundry, industrial.
- 6 (12) Lithographing and sign shops.
- 7 (13) Low/medium-impact manufacturing or processing.
- 8 (14) Low-impact manufacturing or processing.
- 9 (15) Lumber yard.
- 10 (16) Newspaper, daily, publishing or printing.
- 11 (17) Pet crematory.
- 12 (18) Railroad transfer or storage tracks.
- 13 (19) Research or testing laboratory.
- 14 (20) Storage or killing of poultry or small game for direct, retail sale on the premises or
15 for wholesale trade.
- 16 (21) Tank storage of bulk oil or gasoline.
- 17 (22) Toiletries or cosmetic manufacturing.
- 18 (23) Tool sharpening or grinding.
- 19 (24) Tool, die, and gauge manufacturing, small items.
- 20 (25) Trade services, general.
- 21 (26) Trucking terminals, transfer buildings, ~~truck garages~~, recreational vehicle storage
22 lots, and open areas for the parking of semi-trailers, buses, and other operable
23 commercial vehicles, not including limousines and taxicabs.

- 1 (27) Vending machine commissary.
- 2 (28) Wearing apparel manufacturing.
- 3 (29) Wholesaling, warehousing, storage buildings, or public storage facilities.

4 **Sec. 50-10-52. Conditional retail, service, and commercial uses.**

5 Conditional retail, service, and commercial uses within the M2 Restricted Industrial
6 District are as follows:

- 7 (1) Amusement park.
- 8 (2) Brewpub or microbrewery or small distillery or small winery, subject to Section
9 50-12-217(3) of this Code.
- 10 (3) Cabaret.
- 11 (4) Dance hall, public.
- 12 (5) Establishment for the sale of beer or alcoholic liquor for consumption on the
13 premises.
- 14 (6) Firearms dealership.
- 15 (7) Firearms target practice range, indoor.
- 16 (8) Hotel.
- 17 (9) Light duty vehicle service establishment.
- 18 (10) Motel.
- 19 (11) Motor vehicle filling station other than as provided for in Section 50-12-252(2) of
20 this Code.
- 21 ~~(11) Motor vehicle services, major.~~
- 22 (12) Motor vehicles, used, salesroom or sales lot.

- 1 (13) Motor vehicles, used, storage lot accessory to salesroom or sales lot for used motor
2 vehicles, subject to Section 50-11-364 of this Code.
- 3 (14) Outdoor commercial recreation, not otherwise specified.
- 4 (15) Pawnshop.
- 5 (16) Plasma donation center.
- 6 (17) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
7 establishment.

8 **Sec. 50-10-53. Conditional manufacturing and industrial uses.**

9 Conditional manufacturing and industrial uses within the M2 Restricted Industrial District
10 are as follows:

- 11 (1) Chemical materials blending or compounding but not involving chemicals
12 manufacturing.
- 13 ~~(2) Construction equipment, agricultural implements, and other heavy equipment~~
14 ~~repair or service.~~
- 15 (2) Containerized freight yard.
- 16 (3) Machine shop.
- 17 (4) Steel warehousing.
- 18 ~~(6) Tires, used, sales and/or service.~~
- 19 ~~(7) Towing service storage yard.~~
- 20 (5) Welding shops.

21 **DIVISION 4. M3 GENERAL INDUSTRIAL DISTRICT**

22 **Sec. 50-10-76. By-right retail, service, and commercial uses.**

1 By-right retail, service, and commercial uses within the M3 General Industrial District are
2 as follows:

- 3 (1) Animal-grooming shop.
- 4 (2) Arcade.
- 5 (3) Art gallery.
- 6 (4) Assembly hall.
- 7 (5) Automated teller machine not accessory to another use on the same zoning lot,
8 which is stand-alone.
- 9 (6) Bake shop, retail.
- 10 (7) Bank.
- 11 (8) Banquet facility.
- 12 (9) Barber or beauty shop.
- 13 (10) Body art facility.
- 14 (11) Brewpub or microbrewery or small distillery or small winery, subject to Section
15 50-12-217(3) of this Code.
- 16 (12) Business college or commercial trade school.
- 17 (13) Commissary.
- 18 (14) Customer service center.
- 19 (15) Dry cleaning, laundry, or laundromat.
- 20 (16) Employee recruitment center.
- 21 (17) Financial services center.
- 22 (18) Food stamp distribution center.
- 23 (19) Go-cart track.

- 1 (20) Golf course, miniature.
- 2 (21) Kennel, commercial.
- 3 (22) Medical or dental clinic, physical therapy clinic, or massage facility.
- 4 (23) Mortuary or funeral home, including those containing a crematory.
- 5 (24) Motor vehicle filling station as provided for in Section 50-12-252(2) of this Code.
- 6 ~~(25) Motor vehicle services, minor.~~
- 7 (25) Motor vehicle washing and steam cleaning.
- 8 (26) Motor vehicles, new ~~or used~~, salesroom or sales lot.
- 9 (27) Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor
- 10 vehicles.
- 11 (28) Motorcycles, retail sales, rental or service.
- 12 (29) Nail salon.
- 13 (30) Office, business or professional.
- 14 (31) Parking lots or parking areas for operable private passenger vehicles.
- 15 (32) Parking structure.
- 16 (33) Pet shop.
- 17 (34) Pool hall.
- 18 (35) Precious metal and gem dealers.
- 19 (36) Printing or engraving shops.
- 20 (37) Private club, lodge, or similar use.
- 21 (38) Produce or food markets, wholesale.
- 22 (39) Radio or television station.
- 23 (40) Radio, television, or household appliance repair shop.

- 1 (41) Rebound tumbling center.
- 2 (42) Recording studio or photo studio or video studio, no assembly hall.
- 3 (43) Recreation, indoor commercial and health club.
- 4 (44) Rental hall.
- 5 (45) Restaurant, carry-out or fast-food with or without drive-up or drive-through
- 6 facilities.
- 7 (46) Restaurant, standard, subject to Section 50-12-311 of this Code.
- 8 (47) Retail sales and personal service in business and professional offices.
- 9 (48) School or studio of dance, gymnastics, music, art, or cooking.
- 10 (49) Shoe repair shop.
- 11 (50) Stores of a generally recognized retail nature whose primary business is the sale of
- 12 new merchandise, with or without drive-up or drive-through facilities.
- 13 (51) Taxicab dispatch and/or storage facility.
- 14 (52) Theater and concert café, excluding drive-in theaters.
- 15 (53) Trailer coaches or boat sale or rental, open air display.
- 16 (54) Trailers, utility—sales, rental or service; moving truck/trailer rental lots.
- 17 (55) Used goods dealer.
- 18 (56) Veterinary clinic for small animals.

19 **Sec. 50-10-77. By-right manufacturing and industrial uses.**

20 By-right manufacturing and industrial uses within the M3 General Industrial District are as

21 follows:

- 22 (1) Baling of waste paper or rags.
- 23 (2) Blueprinting shop.

- 1 (3) Boiler repairing.
- 2 (4) Chemical materials blending or compounding but not involving chemicals
- 3 manufacturing.
- 4 (5) Cold storage plant.
- 5 (6) Confection manufacture.
- 6 ~~(7) Construction equipment, agricultural implements, and other heavy equipment~~
- 7 ~~repair or service.~~
- 8 (7) Containerized freight yard.
- 9 (8) Contractor, yard, landscape or construction.
- 10 (9) Dental products, surgical, or optical goods manufacture.
- 11 (10) Food catering establishment.
- 12 (11) High/medium-impact manufacturing or processing.
- 13 (12) Ice manufacture.
- 14 (13) Jewelry manufacture.
- 15 (14) Laundry, industrial.
- 16 (15) Lithographing and sign shops.
- 17 (16) Low/medium-impact manufacturing or processing.
- 18 (17) Low-impact manufacturing or processing.
- 19 (18) Lumber yard.
- 20 (19) Machine shop.
- 21 (20) Newspaper, daily, publishing or printing.
- 22 (21) Pet crematory.
- 23 (22) Railroad transfer or storage tracks.

- 1 (23) Research or testing laboratory.
- 2 (24) Steel warehousing.
- 3 (25) Storage or killing of poultry or small game for direct, retail sale on the premises or
- 4 for wholesale trade.
- 5 (26) Tank storage of bulk oil or gasoline.
- 6 (27) Toiletries or cosmetic manufacturing.
- 7 (28) Tool sharpening or grinding.
- 8 (29) Tool, die, and gauge manufacturing, small items.
- 9 (30) Trade services, general.
- 10 (31) Trucking terminals, transfer buildings, ~~truck garages~~, recreational vehicle storage
- 11 lots, and open areas for the parking of semi-trailers, buses, and other operable
- 12 commercial vehicles, not including limousines and taxicabs.
- 13 (32) Vending machine commissary.
- 14 (33) Wearing apparel manufacturing.
- 15 (34) Welding shops.
- 16 (35) Wholesaling, warehousing, storage buildings, or public storage facilities.

17 **Sec. 50-10-82. Conditional retail, service, and commercial uses.**

18 Conditional retail, service, and commercial uses within the M3 General Industrial District
19 are as follows:

- 20 (1) Amusement park.
- 21 (2) Brewpub or microbrewery or small distillery or small winery, subject to Section
- 22 50-12-217(3) of this Code.
- 23 (3) Cabaret.

- 1 (4) Dance hall, public.
- 2 (5) Establishment for the sale of beer or alcoholic liquor for consumption on the
3 premises.
- 4 (6) Firearms dealership.
- 5 (7) Firearms target practice range, indoor.
- 6 (8) Fireworks sales, consumer.
- 7 (9) Hotel.
- 8 (10) Light duty vehicle repair establishment, subject to Section 50-11-364 of this Code.
- 9 (11) Light duty vehicle service establishment.
- 10 (12) Motel.
- 11 (13) Motor vehicle filling station other than as provided for in Section 50-12-252(2) of
12 this Code.
- 13 ~~(12) Motor vehicle services, major.~~
- 14 (14) Motor vehicles, used, sales room or sales lot, subject to Section 50-11-364 of this
15 Code.
- 16 (15) Motor vehicles, used, storage lot accessory to salesroom or sales lot for used motor
17 vehicles, subject to Section 50-11-364 of this Code.
- 18 (16) Outdoor commercial recreation, not otherwise specified.
- 19 (17) Pawnshop.
- 20 (18) Plasma donation center.
- 21 (19) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
22 establishment.

23 **Sec. 50-10-83. Conditional manufacturing and industrial uses.**

1 Conditional manufacturing and industrial uses within the M3 General Industrial District
2 are as follows:

- 3 (1) Elevators, grain.
- 4 (2) Feed or grain mill.
- 5 (3) High-impact manufacturing or processing as defined in Section 50-16-242 of this
6 Code.
- 7 (4) Outdoor operations of permitted land uses specified in the Manufacturing and
8 Production use category, Section 50-12-82 of this Code, or in the Warehouse and
9 Freight Movement use category, Section 50-12-83 of this Code.
- 10 (5) Outdoor storage yards.
- 11 (6) Sewage disposal plant.
- 12 ~~(7) Tires, used, sales and/or service.~~
- 13 ~~(8) Towing service storage yard.~~
- 14 (7) Truck stop.
- 15 ~~(10) Used auto parts sales.~~
- 16 (8) Waste/scrap materials: indoor storage, handling, transfer.

17 **DIVISION 5. M4 INTENSIVE INDUSTRIAL DISTRICT**

18 **Sec. 50-10-106. By-right retail, service, and commercial uses.**

19 By-right retail, service, and commercial uses within the M4 Intensive Industrial District
20 are as follows:

- 21 (1) Animal-grooming shop.
- 22 (2) Arcade.
- 23 (3) Art gallery.

- 1 (4) Assembly hall.
- 2 (5) Automated teller machine not accessory to another use on the same zoning lot,
3 which is stand-alone.
- 4 (6) Bake shop, retail.
- 5 (7) Bank.
- 6 (8) Banquet facility.
- 7 (9) Barber or beauty shop.
- 8 (10) Body art facility.
- 9 (11) Brewpub or microbrewery or small distillery or small winery, subject to Section
10 50-12-217(3) of this Code.
- 11 (12) Business college or commercial trade school.
- 12 (13) Commissary
- 13 (14) Customer service center.
- 14 (15) Dry cleaning, laundry, or laundromat.
- 15 (16) Employee recruitment center.
- 16 (17) Financial services center.
- 17 (18) Food stamp distribution center.
- 18 (19) Go-cart track.
- 19 (20) Golf course, miniature.
- 20 (21) Kennel, commercial.
- 21 (22) Medical or dental clinic, physical therapy clinic, or massage facility.
- 22 (23) Mortuary or funeral home, including those containing a crematory.
- 23 (24) Motor vehicle filling station as provided for in Section 50-12-252(2) of this Code.

- 1 ~~(25) Motor vehicle services, minor.~~
- 2 (25) Motor vehicle washing and steam cleaning.
- 3 (26) Motor vehicles, new ~~or used~~, salesroom or sales lot.
- 4 (27) Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor
- 5 vehicles.
- 6 (28) Motorcycles, retail sales, rental or service.
- 7 (29) Nail salon.
- 8 (30) Office, business or professional.
- 9 (31) Parking lots or parking areas for operable private passenger vehicles.
- 10 (32) Parking structure.
- 11 (33) Pet shop.
- 12 (34) Pool hall.
- 13 (35) Precious metal and gem dealers.
- 14 (36) Printing or engraving shops.
- 15 (37) Private club, lodge, or similar use.
- 16 (38) Produce or food markets, wholesale.
- 17 (39) Radio or television station.
- 18 (40) Radio, television, or household appliance repair shop.
- 19 (41) Rebound tumbling center.
- 20 (42) Recording studio or photo studio or video studio, no assembly hall.
- 21 (43) Recreation, indoor commercial and health club.
- 22 (44) Rental hall.

- 1 (45) Restaurant, carry-out or fast-food with or without drive-up or drive-through
2 facilities.
- 3 (46) Restaurant, standard, subject to Section 50-12-311 of this Code.
- 4 (47) Retail sales and personal service in business and professional offices.
- 5 (48) School or studio of dance, gymnastics, music, art, or cooking.
- 6 (49) Shoe repair shop.
- 7 (50) Stores of a generally recognized retail nature whose primary business is the sale of
8 new merchandise, with or without drive-up or drive-through facilities.
- 9 (51) Taxicab dispatch and/or storage facility.
- 10 (52) Theater and concert café, excluding drive-in theaters.
- 11 (53) Trailer coaches or boat sale or rental, open air display.
- 12 (54) Trailers, utility—sales, rental or service; moving truck/trailer rental lots.
- 13 (55) Used goods dealer.
- 14 (56) Veterinary clinic for small animals.

15 **Sec. 50-10-107. By-right manufacturing and industrial uses.**

16 By-right manufacturing and industrial uses within the M4 Intensive Industrial District are
17 as follows:

- 18 (1) Baling of waste paper or rags.
- 19 (2) Blueprinting shop.
- 20 (3) Boiler repairing.
- 21 (4) Chemical materials blending or compounding but not involving chemicals
22 manufacturing.
- 23 (5) Cold storage plant.

- 1 (6) Confection manufacture.
- 2 ~~(7) Construction equipment, agricultural implements, and other heavy equipment~~
3 ~~repair or service.~~
- 4 (7) Containerized freight yard.
- 5 (8) Contractor yard, landscape or construction.
- 6 (9) Dental products, surgical, or optical goods manufacture.
- 7 (10) Elevators, grain.
- 8 (11) Feed or grain mill.
- 9 (12) Food catering establishment.
- 10 (13) High/medium-impact manufacturing or processing.
- 11 (14) High-impact manufacturing or processing.
- 12 (15) Ice manufacture.
- 13 (16) Jewelry manufacture.
- 14 (17) Laundry, industrial.
- 15 (18) Lithographing and sign shops.
- 16 (19) Low/medium-impact manufacturing or processing.
- 17 (20) Low-impact manufacturing or processing.
- 18 (21) Lumber yard.
- 19 (22) Machine shop.
- 20 (23) Newspaper, daily, publishing or printing.
- 21 (24) Outdoor operations of permitted land uses specified in the Manufacturing and
22 Production use category, Section 50-12-82 of this Code, or in the Warehouse and
23 Freight Movement use category, Section 50-12-83 of this Code.

- 1 (25) Outdoor storage yards.
- 2 (26) Pet crematory.
- 3 (27) Railroad transfer or storage tracks.
- 4 (28) Research or testing laboratory.
- 5 (29) Sewage disposal plant.
- 6 (30) Steel warehousing.
- 7 (31) Storage or killing of poultry or small game for direct, retail sale on the premises or
- 8 for wholesale trade.
- 9 (32) Tank storage of bulk oil or gasoline.
- 10 (33) Toiletries or cosmetic manufacturing.
- 11 (34) Tool sharpening or grinding.
- 12 (35) Tool, die, and gauge manufacturing, small items.
- 13 (36) Trade services, general.
- 14 (37) Trucking terminals, transfer buildings, ~~truck garages~~, recreational vehicle storage
- 15 lots, and open areas for the parking of semi-trailers, buses, and other operable
- 16 commercial vehicles, not including limousines and taxicabs.
- 17 (38) Vending machine commissary.
- 18 (39) Wearing apparel manufacturing.
- 19 (40) Welding shops.
- 20 (41) Wholesaling, warehousing, storage buildings, or public storage facilities.

21 **Sec. 50-10-112. Conditional retail, service, and commercial uses.**

22 Conditional retail, service, and commercial uses within the M4 Intensive Industrial District

23 are as follows:

- 1 (1) Amusement park.
- 2 (2) Brewpub or microbrewery or small distillery or small winery, subject to Section
- 3 50-12-217(3) of this Code.
- 4 (3) Cabaret.
- 5 (4) Dance hall, public.
- 6 (5) Drive-in theater.
- 7 (6) Establishment for the sale of beer or alcoholic liquor for consumption on the
- 8 premises.
- 9 (7) Firearms dealership.
- 10 (8) Firearms target practice range, indoor.
- 11 (9) Fireworks sales, consumer.
- 12 (10) Light duty vehicle repair establishment, subject to Section 50-11-364 of this Code.
- 13 (11) Light duty vehicle service establishment.
- 14 (12) Medium/heavy duty vehicle or equipment repair establishment, subject to Section
- 15 50-11-364 of this Code.
- 16 (13) Motor vehicle filling station other than as provided for in Section 50-12-252(2) of
- 17 this Code.
- 18 ~~(11) Motor vehicle services, major.~~
- 19 (14) Motor vehicles, used, sales room or sales lot, subject to Section 50-11-364 of this
- 20 Code.
- 21 (15) Motor vehicles, used, storage lot accessory to a salesroom or sales lot for used
- 22 motor vehicles, subject to Section 50-11-364 of this Code.
- 23 (16) Outdoor commercial recreation, not otherwise specified.

- 1 (17) Pawnshop.
- 2 (18) Plasma donation center.
- 3 (19) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
- 4 establishment.

5 **Sec. 50-10-113. Conditional manufacturing and industrial uses.**

6 Conditional manufacturing and industrial uses within the M4 Intensive Industrial District
7 are as follows:

- 8 (1) Abattoir, slaughterhouse.
- 9 (2) Explosives storage.
- 10 (3) Garbage, offal, or dead animal reduction.
- 11 (4) Hazardous waste facility.
- 12 (5) Incinerator plant.
- 13 (6) Intermodal freight terminal.
- 14 ~~(7) Junkyard.~~
- 15 (7) Outdoor operations of permitted land uses specified in the Manufacturing and
16 Production use category, Section 50-12-82 of this Code, and as specified in the
17 Warehouse and Freight Movement use category, Section 50-12-83 of this Code.
- 18 (8) Radioactive waste handling.
- 19 (9) Recycling center.
- 20 (10) Rendering plant.
- 21 (11) Salt works.
- 22 (12) Scrap tire storage, processing, or recycling facility, subject to Section 50-11-364 of
23 this Code.

- 1 (13) Tires, used, sales and/or service, subject to Section 50-11-364 of this Code.
- 2 (14) Towing service storage yard, subject to Section 50-11-364 of this Code.
- 3 (15) Transfer station for garbage, refuse, or rubbish.
- 4 (16) Truck stop.
- 5 (17) Used vehicle parts sales.
- 6 (18) Very high-impact manufacturing or processing as defined in Section 50-16-441 of
- 7 this Code.
- 8 (19) Waste/scrap materials: indoor storage, handling, transfer.

9 **DIVISION 6. M5 SPECIAL INDUSTRIAL DISTRICT**

10 **Sec. 50-10-136. By-right retail, service, and commercial uses.**

11 By-right retail, service, and commercial uses within the M5 Special Industrial District are
12 as follows:

- 13 (1) Automated teller machine not accessory to another use on the same zoning lot,
14 which is stand-alone, with or without drive-up or drive-through facilities.
- 15 (2) Motor vehicle filling station as provided for in Section 50-12-252(2) of this Code.
- 16 ~~(3) Motor vehicle services, minor.~~
- 17 (3) Motor vehicle washing and steam cleaning.
- 18 (4) Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor
19 vehicles.
- 20 (5) Parking lots or parking areas for operable private passenger vehicles.
- 21 (6) Parking structure.
- 22 (7) Taxicab dispatch and/or storage facility.

23 **Sec. 50-10-137. By-right manufacturing and industrial uses.**

1 By-right manufacturing and industrial uses within the M5 Special Industrial District are as

2 follows:

3 (1) Baling of waste paper or rags.

4 (2) Blueprinting shop.

5 (3) Boiler repairing.

6 (4) Chemical materials blending or compounding but not involving chemicals
7 manufacturing.

8 (5) Cold storage plant.

9 (6) Confection manufacture.

10 ~~(7) Construction equipment, agricultural implements, and other heavy equipment~~
11 ~~repair or service.~~

12 (7) Containerized freight yard.

13 (8) Contractor, yard, landscape or construction.

14 (9) Dental products, surgical, or optical goods manufacture.

15 (10) Elevators, grain.

16 (11) Feed or grain mill.

17 (12) Food catering establishment.

18 (13) High/medium-impact manufacturing or processing.

19 (14) High-impact manufacturing or processing.

20 (15) Ice manufacture.

21 (16) Intermodal freight terminal.

22 (17) Jewelry manufacture.

23 (18) Laundry, industrial.

- 1 (19) Lithographing and sign shops.
- 2 (20) Low/medium-impact manufacturing or processing.
- 3 (21) Low-impact manufacturing or processing.
- 4 (22) Lumber yard.
- 5 (23) Machine shop.
- 6 (24) Newspaper, daily, publishing or printing.
- 7 (25) Outdoor operations of permitted land uses specified in the Manufacturing and
8 Production use category, Section 50-12-82 of this Code, or the Warehouse and
9 Freight Movement use category, Section 50-12-83 of this Code.
- 10 (26) Outdoor storage yards.
- 11 (27) Pet crematory.
- 12 (28) Railroad transfer or storage tracks.
- 13 (29) Research or testing laboratory.
- 14 (30) Sewage disposal plant.
- 15 (31) Steel warehousing.
- 16 (32) Storage or killing of poultry or small game for direct, retail sale on the premises or
17 for wholesale trade.
- 18 (33) Tank storage of bulk oil or gasoline.
- 19 (34) Toiletries or cosmetic manufacturing.
- 20 (35) Tool sharpening or grinding.
- 21 (36) Tool, die, and gauge manufacturing, small items.
- 22 (37) Trade services, general.

1 (38) Trucking terminals, transfer buildings, ~~truck garages~~, recreational vehicle storage
2 lots, and open areas for the parking of semi-trailers, buses, and other operable
3 commercial vehicles, not including limousines and taxicabs.

4 (39) Vending machine commissary.

5 (40) Wearing apparel manufacturing.

6 (41) Welding shops.

7 (42) Wholesaling, warehousing, storage buildings, or public storage facilities.

8 **Sec. 50-10-142. Conditional retail, service, and commercial uses.**

9 Conditional retail, service, and commercial uses within the M5 Special Industrial District
10 are as follows:

11 (1) Firearms target practice range, indoor.

12 (2) Light duty vehicle repair establishment, subject to Section 50-11-364 of this
13 Code.

14 (3) Light duty vehicle service establishment.

15 (4) Medium/heavy duty vehicle or equipment repair establishment, subject to Section
16 50-11-364 of this Code.

17 (5) Motor vehicle filling station other than as provided for in Section 50-12-252(2) of
18 this Code.

19 ~~(3) Motor vehicle services, major.~~

20 ~~(6) Motor vehicles, used, sales room or sales lot.~~

21 (7) Motor vehicles, used, storage lot accessory to salesroom or sales lot for used motor
22 vehicles, subject to Section 50-11-364 of this Code.

1 **ARTICLE XI. SPECIAL PURPOSE ZONING DISTRICTS AND OVERLAY AREAS**

2 **DIVISION 6. TM TRANSITIONAL-INDUSTRIAL DISTRICT**

3 **Sec. 50-11-116. By-right retail, service, and commercial uses.**

4 By-right retail, service, and commercial uses within the TM Transitional-Industrial District
5 are as follows:

- 6 (1) Animal-grooming shop.
- 7 (2) Arcade.
- 8 (3) Assembly hall.
- 9 (4) Automated teller machine not accessory to another use on the same zoning lot,
10 which is stand-alone.
- 11 (5) Bake shop, retail.
- 12 (6) Bank.
- 13 (7) Banquet facility.
- 14 (8) Barber or beauty shop.
- 15 (9) Body art facility.
- 16 (10) Brewpub or microbrewery or small distillery or small winery, subject to Section
17 50-12-217(~~3~~) of this Code.
- 18 (11) Business college or commercial trade school.
- 19 (12) Commissary.
- 20 (13) Customer service center.
- 21 (14) Dry cleaning, laundry, or laundromat.
- 22 (15) Employee recruitment center.
- 23 (16) Financial services center.

- 1 (17) Food stamp distribution center.
- 2 (18) Go-cart track.
- 3 (19) Golf course, miniature.
- 4 (20) Kennel, commercial.
- 5 (21) Medical or dental clinic, physical therapy clinic, or massage facility.
- 6 (22) Mortuary or funeral home, including those containing a crematory.
- 7 (23) Motor vehicle filling station as provided for in Section 50-12-252(2) of this Code.
- 8 ~~(24) Motor vehicle services, minor.~~
- 9 (24) Motor vehicle washing and steam cleaning.
- 10 (25) Motor vehicles, new ~~or used~~, salesroom or sales lot.
- 11 (26) Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor
- 12 vehicles.
- 13 (27) Motorcycles, retail sales, rental or service.
- 14 (28) Nail salon.
- 15 (29) Office, business or professional.
- 16 (30) Parking lots or parking areas for operable private passenger vehicles.
- 17 (31) Parking structure.
- 18 (32) Pet shop.
- 19 (33) Pool hall.
- 20 (34) Precious metal and gem dealers.
- 21 (35) Printing or engraving shops.
- 22 (36) Private club, lodge, or similar use.
- 23 (37) Produce or food markets, wholesale.

- 1 (38) Radio or television station.
- 2 (39) Radio, television, or household appliance repair shop.
- 3 (40) Rebound tumbling center.
- 4 (41) Recording studio or photo studio or video studio, no assembly hall.
- 5 (42) Recreation, indoor commercial and health club.
- 6 (43) Rental hall.
- 7 (44) Restaurant, carry-out or fast-food.
- 8 (45) Restaurant, standard, subject to Section 50-12-311 of this Code.
- 9 (46) Retail sales and service in business and professional offices.
- 10 (47) Shoe repair shop.
- 11 (48) Stores of a generally recognized retail nature whose primary business is the sale of
- 12 new merchandise, with or without drive-up or drive-through facilities.
- 13 (49) Taxicab dispatch and/or storage facility.
- 14 (50) Theater and concert café, excluding drive-in theaters.
- 15 (51) Trailer coaches or boat sale or rental, open air display.
- 16 (52) Trailers, utility—sales, rental or service; moving truck/trailer rental lots.
- 17 (53) Used goods dealer.
- 18 (54) Veterinary clinic for small animals.

19 **Sec. 50-11-117. By-right manufacturing and industrial uses.**

20 By-right manufacturing and industrial uses within the TM Transitional-Industrial District

21 are as follows:

- 22 (1) Baling of waste paper or rags.
- 23 (2) Blueprinting shop.

- 1 (3) Chemical materials blending or compounding but not involving chemicals
2 manufacturing.
- 3 (4) Cold storage plant.
- 4 (5) Confection manufacture.
- 5 ~~(6) Construction equipment, agricultural implements, and other heavy equipment~~
6 ~~repair or service.~~
- 7 (6) Containerized freight yard.
- 8 (7) Contractor, yard, landscape or construction.
- 9 (8) Dental products, surgical, or optical goods manufacture.
- 10 (9) Food catering establishment.
- 11 (10) High/medium-impact manufacturing or processing as defined in Section 50-16-242
12 of this Code.
- 13 (11) Ice manufacture.
- 14 (12) Jewelry manufacture.
- 15 (13) Laundry, industrial.
- 16 (14) Lithographing and sign shops.
- 17 (15) Low/medium-impact manufacturing or processing as defined in Section 50-16-284
18 of this Code.
- 19 (16) Low-impact manufacturing or processing as defined in Section 50-16-284 of this
20 Code.
- 21 (17) Lumber yard.
- 22 (18) Newspaper, daily, publishing or printing.
- 23 (19) Railroad transfer or storage tracks.

- 1 (20) Research or testing laboratory.
- 2 (21) Steel warehousing.
- 3 (22) Tank storage of bulk oil or gasoline.
- 4 (23) Toiletries or cosmetic manufacturing.
- 5 (24) Tool sharpening or grinding.
- 6 (25) Tool, die, and gauge manufacturing, small items.
- 7 (26) Trade services, general.
- 8 (27) Trucking terminals, transfer buildings, ~~truck garages~~, recreational vehicle storage
9 lots, and open areas for the parking of operable trucks.
- 10 (28) Vending machine commissary.
- 11 (29) Wearing apparel manufacturing.
- 12 (30) Wholesaling, warehousing, storage buildings, or public storage facilities.

13 **Sec. 50-11-122. Conditional retail, service, and commercial uses.**

14 Conditional retail, service, and commercial uses within the TM Transitional-Industrial
15 District are as follows:

- 16 (1) All those uses permitted by right in the TM District on a parcel for development
17 consisting of one or more acres.
- 18 (2) Brewpub or microbrewery or small distillery or small winery, subject to Section
19 50-12-217(3) of this Code.
- 20 (3) Cabaret.
- 21 (4) Establishment for the sale of beer or alcoholic liquor for consumption on the
22 premises.
- 23 (5) Motor vehicle filling station as provided for in Section 50-12-252(2) of this Code.

1 (6) — Motor vehicle services, major.

2 (7) — Motor vehicles, used, storage lot accessory to salesroom or sales lot for used motor
3 vehicles.

4 (6) Outdoor commercial recreation, not otherwise specified.

5 (7) Pawnshop.

6 **Sec. 50-11-123. Conditional manufacturing and industrial uses.**

7 Conditional manufacturing and industrial uses within the TM Transitional-Industrial
8 District are as follows: (1) All those uses permitted by right in the TM District having one acre or
9 more of lot area.

10 (2) — Tires, used, sales and/or service.

11 (3) — Towing service storage yard.

12 **DIVISION 8. W1 WATERFRONT-INDUSTRIAL DISTRICT**

13 **Sec. 50-11-183. Conditional manufacturing and industrial uses.**

14 Conditional manufacturing and industrial uses within the W1 Waterfront-Industrial District
15 ~~from the following list that require large quantities of raw water for cooling, condensing, washing~~
16 ~~or other mill purposes, or depend upon water transportation for receipt or shipment of goods or~~
17 ~~products, and, when found by the County of Wayne Department of Public Services Environmental~~
18 ~~Services Group to comply with all requirements of the Wayne County Code, are as follows:~~

19 (1) Explosives, storage only;

20 (2) Garbage, offal, or dead animal reduction;

21 (3) — Junkyards;

22 (3) Radioactive waste handling;

23 (5) — Scrap tire storage, processing, or recycling facility;

- 1 (4) Transfer stations for garbage or rubbish;
- 2 (5) The following ~~11~~ uses, which are included among the "very high-impact
3 manufacturing or processing" uses as defined in Section 50-16-441 of this Code,
4 that require large quantities of raw water for cooling, condensing, washing or other
5 mill purposes, or depend upon water transportation for receipt or shipment of goods
6 or products, and when found by the County of Wayne Department of Public
7 Services Environmental Services Group to comply with all applicable
8 requirements, regulations, and ordinances:
- 9 a. Acoustical material manufacture;
- 10 b. Airplane manufacture;
- 11 c. Automobile body plant;
- 12 d. Bituminous concrete manufacture;
- 13 e. Charcoal or fuel briquette manufacture;
- 14 f. Coal or coke yard;
- 15 g. Foundry, ferrous or nonferrous;
- 16 h. Insulation manufacture;
- 17 i. Linoleum manufacture;
- 18 j. Paint, enamel, oil, shellac, lacquer, varnish, or synthetic resin manufacture;
- 19 k. Stamping or pressing plant;
- 20 (6) The following ~~27~~ uses, which are included among the "very high-impact
21 manufacturing or processing" uses as defined in Section 50-16-441 of this Code,
22 that require large quantities of raw water for cooling, condensing, washing or other
23 mill purposes, or depend upon water transportation for receipt or shipment of goods

1 or products, after a report and recommendation has been received by the Buildings,
2 Safety Engineering, and Environmental Department from the Industrial Review
3 Committee relative to the external effects of noise, vibration, smoke, odor, noxious
4 gas, dust, dirt, glare, heat or other discharge or emission or other operating
5 characteristic:

- 6 a. Acid manufacture;
- 7 b. Alkali manufacture;
- 8 c. Asphalt manufacture;
- 9 d. Beryllium storage, handling, or processing;
- 10 e. Carbide manufacture;
- 11 f. Cement, lime, gypsum, or plaster of paris manufacture;
- 12 g. Ceramic glaze or porcelain enamel frit manufacture;
- 13 h. Chemical manufacture from raw substances;
- 14 i. Coke ovens;
- 15 j. Crushing, grading, and screening of rock, stone, slag, clay, or concrete;
- 16 k. Distillation of coal, petroleum, bones, tar, or refuse;
- 17 l. Dog or cat food cannery or manufacture;
- 18 m. Drop forge plants;
- 19 n. Fertilizer manufacture;
- 20 o. Fish oil or meal manufacture;
- 21 p. Fish smoking, curing, canning, or cleaning;
- 22 q. Glue manufacture using animal products;
- 23 r. Lampblack manufacturing;

- 1 s. Paper manufacturing or reclaiming;
- 2 t. Petroleum refining or processing;
- 3 u. Radio isotope fabrication or use;
- 4 v. Smelting or refining of metals or ores;
- 5 w. Steel barrel, drum, or pail renovation or reclaiming;
- 6 x. Steel mills;
- 7 y. Tanning, curing, or storage of raw hides or skins;
- 8 z. Tar products manufacture;
- 9 aa. Wool pulling.

10 **DIVISION 10. SD2—SPECIAL DEVELOPMENT DISTRICT, MIXED-USE**

11 **Sec. 50-11-242. Conditional retail, service, and commercial uses.**

12 Conditional retail, service, and commercial uses within the SD2 Special Development
13 District are as follows:

- 14 (1) Arcade.
- 15 (2) Body art facility.
- 16 (3) Business college or trade school.
- 17 (4) Cabaret.
- 18 (5) Customer service center without drive-up or drive-through facilities.
- 19 (6) Dance hall, public.
- 20 (7) Hotel.
- 21 (8) Kennel, commercial.
- 22 (9) Light duty vehicle service establishment.
- 23 (10) Motel.

- 1 (11) Motor vehicle filling station.
- 2 ~~(11) Motor vehicle services, minor.~~
- 3 (12) Parking lots or parking areas, commercial.
- 4 (13) Parking lots or parking areas, accessory for operable private passenger vehicles,
5 farther than the maximum distance specified in Article XIV, Division 1, of this
6 chapter.
- 7 (14) Parking structure having at least 60 percent of the ground floor devoted to
8 commercial space or other space oriented to pedestrian traffic.
- 9 (15) Pool hall.
- 10 (16) Precious metal and gem dealer.
- 11 (17) Printing or engraving shops exceeding 5,000 square feet of gross floor area with a
12 minimum of ten percent of the gross floor area being used as a retail store for the
13 sale of the goods produced.
- 14 (18) Private club, lodge, or similar use.
- 15 (19) Radio, television, or household appliance repair shop.
- 16 (20) School building adaptive reuses - retail, service, and commercial.
- 17 (21) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
18 establishment.
- 19 (22) Theater, excluding concert café and drive-in theaters, exceeding 150 fixed seats.
- 20 (23) Used goods dealer.
- 21 (24) Youth hostel/hostel.

22 **DIVISION 12. SD4-SPECIAL DEVELOPMENT DISTRICT, RIVERFRONT MIXED**

23 **USE**

1 **Sec. 50-11-298. Conditional retail, service, and commercial uses.**

2 Conditional retail, service, and commercial uses in the SD4 Special Development District
3 are as follows:

- 4 (1) Automated teller machine, with drive-up or drive-through facilities.
- 5 (2) Bank with drive-up or drive-through facilities.
- 6 (3) Brewpub or microbrewery or small distillery or small winery.
- 7 (4) Cabaret, outside the Central Business District.
- 8 (5) Establishments for the sale of beer or alcoholic liquor for consumption on the
9 premises, outside the Central Business District.
- 10 (6) Hotels, outside the Central Business District.
- 11 (7) Motor vehicles, new or used, salesroom or sales lot.
- 12 (8) Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor
13 vehicles.
- 14 (9) Motor vehicles, used, storage lot accessory to a salesroom or sales lot for used
15 motor vehicles, subject to Section 50-11-364 of this Code.
- 16 (10) Outdoor commercial recreation not otherwise specified.
- 17 (11) Parking lots or parking areas for operable private passenger vehicles.
- 18 (12) Parking structure.
- 19 (13) Printing or engraving shop.
- 20 (14) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
21 establishment, subject to Section 50-12-314 of this Code.

22 **Sec. 50-11-299. Conditional manufacturing and industrial uses.**

1 In order to facilitate the reuse of existing buildings, the following uses may be allowed in
2 buildings that were constructed prior to July 15, 1998, but shall be prohibited in buildings
3 constructed thereafter:

- 4 (1) Blueprinting shop.
- 5 (2) Confection manufacture.
- 6 (3) Food catering establishments.
- 7 (4) Lithographing and sign shops.
- 8 (5) Low-impact manufacturing or processing as defined in Section 50-16-284 of this
9 Code, but limited to only food products manufacturing or processing, but excluding
10 slaughtering or rendering.
- 11 (6) Vending machine commissary.
- 12 (7) Trucking terminals, ~~truck garages~~, and open areas for the parking of operable
13 commercial vehicles having not more than two axles.
- 14 (8) Wholesaling, warehousing, storage buildings, or public storage facility.

15 DIVISION 14. OVERLAY AREAS

16 Subdivision A. Gateway Radial Thoroughfare Overlay Areas

17 Sec. 50-11-364. Prohibitions and limitations.

18 (a) The following uses are prohibited on any zoning lot zoned B2 or B4 abutting any
19 Gateway Radial Thoroughfare:

- 20 (1) Confection manufacture.
- 21 (2) Dental products, surgical, or optical goods manufacture.
- 22 (3) Emergency shelter.
- 23 (4) Go-cart track.

- 1 (5) Ice manufacture.
- 2 (6) Jewelry manufacture.
- 3 (7) Lithographing.
- 4 (8) Marijuana retail/provisioning facility.
- 5 (9) Motor vehicle washing and steam cleaning.
- 6 ~~(10) Motor vehicle services, major.~~
- 7 ~~(11) Motor vehicles, used, salesroom or sales lots.~~
- 8 ~~(12) Motor vehicles, used, storage lot accessory to a salesroom or sales lot for used~~
- 9 ~~motor vehicles.~~
- 10 (10) Pawnshop.
- 11 (11) Plasma donation center.
- 12 (12) Precious metal and gem dealer.
- 13 (13) Pre-release adjustment center.
- 14 (14) Radio, television, or household appliance repair shop.
- 15 (15) Rebound tumbling center.
- 16 (16) Restaurant, carry-out or fast-food with drive-up or drive-through facilities or where
- 17 not located in a multi-story building having a mixed-use or multi-tenant
- 18 development; prohibition limited to Woodward Avenue only.
- 19 (17) Substance abuse service facility.
- 20 (18) Taxicab dispatch and/or storage facility.
- 21 (19) Toiletries or cosmetic manufacturing.
- 22 (20) Tool, die, and gauge manufacturing.
- 23 (21) Trade services, general.

- 1 (22) Trailer coaches or boats, sale or rental, open air display.
- 2 (23) Trailers or cement mixers, pneumatic-tired, sales, rental or service.
- 3 (24) Used goods dealer.
- 4 (25) Vending machine commissary.
- 5 (26) Wearing apparel manufacturing.
- 6 (27) Wholesaling, warehousing, storage buildings, or public storage facilities, except on
- 7 Gratiot Avenue.

8 **(b) The following uses are prohibited on any zoning lot abutting any Gateway Radial**
9 **Thoroughfare:**

- 10 (1) Junkyard.
- 11 (2) Light duty vehicle repair establishment.
- 12 (3) Medium/heavy duty vehicle or equipment repair establishment.
- 13 (4) Motor vehicles, used, salesroom or sales lots.
- 14 (5) Motor vehicles, used, storage lot accessory to a salesroom or sales lot for used
- 15 motor vehicles.
- 16 (6) Scrap tire storage, processing, or recycling facility.
- 17 (7) Tires, used; sales and/or service.
- 18 (8) Towing service storage yard.

19 (c) Accessory parking lots or parking areas on zoning lots abutting a designated

20 Gateway Radial Thoroughfare that are not farther than the maximum distance specified in Article

21 XIV, Division 1, Subdivision B, of this chapter shall be permitted by right subject to Article XIV,

22 Division 1, Subdivision E, of this chapter, Article XIV, Division 1, Subdivision G, of this chapter,

23 and Article XIV, Division 2, Subdivision C, of this chapter.

1 **Sec. 50-12-69. Retail sales and service, sales-oriented.**

2 Regulations regarding sales-oriented retail sales and service uses are as follows:

Use Category	Specific Land Use	Residential					Business					Industrial					Special and Overlay					Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)							
		1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5	6	1	2		3	4	5				
Retail sales and service; sales-oriented	Stores of a generally recognized retail nature whose primary business is the sale of new merchandise, with drive-up or drive-through facilities																												
	Stores of a generally recognized retail nature whose primary business is the sale of new merchandise, without drive-up or drive-through facilities																												
	Art gallery																												
	Bake shop, retail																												
Firearms dealership																													
Fireworks sales, consumer																													
Motor vehicles, new, salesroom or sales lots																													

Use Category	Specific Land Use	Residential				Business				Industrial				Special and Overlay						Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)																			
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	M 6		P	T	P	W	S	S	S	D	D	D	D	D	S						
	Motor vehicles, used, salesroom or sales lots																																					Sections 50-12-293; 50-12-517	
	Motorcycles, retail sales, rental or service										C																										P; Section 50-12-297		
	Pawnshop												C	C	C	C																					P; RU; SPC; GRT; Section 50-12-302		
	Pet shop												R	R	R	R	R	R																			Section 50-12-303		
	Precious metal and gem dealers																																				SPC; Section 50-12-304		
	Produce or food markets, wholesale																																						
	Specially designated distributor's (SDD) or specially designated merchant's (SDM) establishment																																					CU; P; SPC; Section 50-12-314	
	Storage or killing of poultry or small game for direct, retail sale on the premises or for wholesale trade																																				Section 50-12-315		
	Trailer coaches or boat sale or rental, open air display																																					GRT	
	Trailers, utility—sales, rental, or service; moving truck/trailer rental lots																																						
	Used goods dealer																																						SPC; Section 50-12-320

Use Category	Specific Land Use										Standards												
	Residential		Business		Industrial		Special and Overlay						General (Art. XII, Div. 2)	Specific (Art. XII, Div. 3)									
	R	R	R	R	B	B	B	B	B	M	M	M	M	M	P	T	P	W	S	S	S	S	
	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5
All other							C	C	C	C	C	C			L		C						C

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2 **Sec. 50-12-71. Vehicle sales, repair, and service.**

3 Regulations regarding vehicle sales, repair, and service uses are as follows:

Use Category	Specific Land Use	Residential			Business			Industrial			Special and Overlay							Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)											
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4		M 5	M 6	P	T	P	W	S	S	S	S	
Vehicle sales, repair, and service	<u>Light duty vehicle repair establishment</u>																												GRT; SPC; Section 50-12-294
	<u>Light duty vehicle service establishment</u>																												SPC; Section 50-12-295
	<u>Medium/heavy duty vehicle or equipment repair establishment</u>																												GRT; SPC; Section 50-12-295.1
	<u>Motor vehicle filling station</u>																												P; Division 3, Subdivision D of this article
Vehicle sales, repair, and service	<u>Motor-vehicle-services; major</u>																												Section 50-12-294
	<u>Motor-vehicle-services; minor</u>																												Section 50-12-295
	<u>Motor vehicle washing and steam cleaning</u>																												GRT; Section 50-12-296
	<u>Motor vehicles, new, salesroom or sales lots</u>																												Sections 50-12-292, 50-12-517
Vehicle sales, repair, and service	<u>Motor vehicles, new, storage lot accessory to salesroom or sales lots for new motor vehicles</u>																											Section 50-12-291	
	<u>Motor vehicles, used, salesroom or sales lots</u>																												GRT; SPC; Sections 50-12-293, 50-12-517

Use Category	Specific Land Use	Residential				Business				Industrial				Special and Overlay								Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)																													
		R1	R2	R3	R4	R5	R6	B1	B2	B3	B4	B5	B6	M1	M2	M3	M4	M5	M	P	P		P	P	T	P	W	D	S	S	S	S	D	D	D	D	S	S	S	S	D	D	D	D	S						
Industrial service	Blueprinting shop																							R	R																				C	Section 50-12-333					
	Boiler repairing																																															Section 50-12-458			
	Construction equipment, agricultural implements, and other heavy equipment repair or service																										R																					Section 50-12-458			
	Contractor yard, landscape or construction																																															Section 50-12-458			
	Junkyard																																																GRT, SPC; SWFRC; Section 50-12-341		
	Laundry, industrial																																																		
	Lumber yard																																																	Section 50-12-343	
	Machine shop																																																	Sections 50-12-363, 50-12-458	
	Outdoor storage yard																																																	Sections 50-12-344, 50-12-458	
	Pet crematory																																																		

Use Category	Specific Land Use						Residential			Business			Industrial			Special and Overlay						Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)					
	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5	6	P	T	P		W	S	S	S	S
Warehouse and freight movement	Cold storage plant											R	C	R	R	R	R	L		R							Section 50-12-458
	Containerized freight yard											R						L		R							Section 50-12-454
	Elevators, grain																	L									IRC
	Explosives storage																	L				C					
	Feed or grain mill																	L				R					
	Fuel dock																	L				R					
	Intermodal freight terminal																	L									
	Outdoor operations of all warehouse and freight movement land uses																	L									Sections 50-12-344, 50-12-458
	Railroad transfer or storage tracks																	L									
	Steel warehousing																	L									
	Tank storage of bulk oil or gasoline																	L									
	Trucking terminals, transfer buildings, truck-garages, recreational vehicle storage lots, and open areas for the parking of semi-trailers, buses and other operable commercial vehicles, not including limousines and taxicabs																	L								C	Sections 50-12-355, 50-12-458
	Vending machine commissary																	L									GRT; Section 50-12-458

	Wholesaling, warehousing, storage buildings, or public storage facilities											R	C	R	GRT; Sections 50-12-358, 50-12-458
	All other											C C R R R R R R R R R R L	C C L		

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Sec. 50-12-84. Waste-related use.

Regulations regarding waste-related uses are as follows:

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DIVISION 2. GENERAL USE STANDARDS

2 Sec. 50-12-131. Retail, service, and commercial uses – Spacing

3 Regulations regarding spacing of retail, service, and commercial uses are as follows:

Use Type	Minimum Distance from Same Use Type (Existing or Approved)	Minimum Distance from Other Use Types (Existing or Approved)	Comment
Amusement park	N/A	- Residentially zoned area: 2,500 feet	Section 50-12-211
Concert café and concert hall	N/A	- Residentially zoned area: 500 feet	Section 50-12-317(3)
Firearms target practice range, indoor	N/A	- Residentially zoned area: 500 feet	Section 50-12-224
Go-cart	N/A	- Residentially zoned area: 500 feet	Section 50-12-226
Golf course, miniature	N/A	- Residentially zoned area: 500 feet	Section 50-12-227
Motor vehicle filling station, not possessing locational suitability	1,000 feet	N/A	Sections 50-12-135, 50-12-258 through 50-12-262
<u>Light duty vehicle repair establishment</u>	<u>1,000 radial feet</u>	- Any other vehicle service or repair use: 1,000 radial feet; - Zoning lot zoned R1, R2, R3, R4, R5, R6, residential PD: 100 radial feet	Section 50-12-294
<u>Light duty vehicle service establishment</u>	<u>1,000 radial feet</u>	- Any other vehicle service or repair use: 1,000 radial feet	Section 50-12-295
<u>Medium/heavy duty vehicle or equipment repair establishment</u>	<u>1,000 radial feet</u>	- Any other vehicle service or repair use: 1,000 radial feet; - Zoning lot zoned R1, R2, R3, R4, R5, R6, residential PD: 100 radial feet	Section 50-12-295.1
Motor vehicle, used, salesroom or sales lot	<u>24,000 radial feet</u>	N/A	Sections 50-12-293, 50-12-517
<u>Motor vehicles, used, Storage lot accessory to salesroom or sales lots for used motor vehicles</u>	<u>N/A</u>	- Residentially zoned area: 250 radial feet	Section 50-12-291
Motorcycle club	N/A	- Residentially zoned area: 500 feet	Section 50-12-306(5)
Motorcycle rentals	N/A	- Residentially zoned area: 500 feet	Section 50-12-297
Rebound tumbling center	N/A	- Residentially zoned area: 500 feet	Section 50-12-307
Recreation, facilities, commercial (selected)	N/A	- Residentially zoned area: 500 feet	Section 50-12-308
Rental hall	N/A	- Residentially zoned area: 500 feet	Section 50-12-309

Use Type	Minimum Distance from Same Use Type (Existing or Approved)	Minimum Distance from Other Use Types (Existing or Approved)	Comment
		- (Inside Central Business District only) Rental hall and public dance hall; 1,000 feet	
Restaurant, carry-out or fast-food	N/A	School (not including educational institutions): 500 feet	Sections 50-12-136, 50-12-310
Restaurant, standard	N/A	School (not including educational institutions): 500 feet	Sections 50-12-135, 50-12-136, 50-12-311

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2 **Sec. 50-12-131.1. Manufacturing and industrial uses – Spacing**

3 Regulations regarding spacing of manufacturing and industrial uses are as follows:

<u>Use Type</u>	<u>Minimum Distance from Same Use Type (Existing or Approved)</u>	<u>Minimum Distance from Other Use Types (Existing or Approved)</u>	<u>Comment</u>
<u>Junkyard</u>	<u>2,000 radial feet</u>	<ul style="list-style-type: none"> • <u>Zoning lot zoned R1, R2, R3, R4, R5, R6, residential PD: 1,000 radial feet;</u> • <u>Park, playlot, playfield, playground, recreation center, youth activity center: 1,000 radial feet</u> 	<u>Section 50-12-341</u>
<u>Scrap tire storage, processing, or recycling facility</u>	<u>1,000 radial feet</u>	<u>Zoning lot zoned R1, R2, R3, R4, R5, R6, residential PD: 1,000 radial feet</u>	<u>Section 50-12-349</u>
<u>Tires, used; sales and/or service</u>	<u>1,000 radial feet</u>	<u>N/A</u>	<u>Section 50-12-350</u>
<u>Towing service storage yard</u>	<u>1,000 radial feet</u>	<u>N/A</u>	<u>Section 50-12-352</u>

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5 **DIVISION 3. SPECIFIC USE STANDARDS**

6 **Subdivision E. Retail, Service, and Commercial Uses; Generally (Motor Vehicles—Youth**
 7 **Hostels/Hostels)**

8 **Sec. 50-12-291. Motor vehicles, new or used; storage lot accessory to a salesroom or sales lot**
 9 **for new or used motor vehicles.**

10 Storage lots accessory to a salesroom or sales lot for new or used motor vehicles shall be
 11 subject to the following provisions:

- 1 (1) Such storage lots for motor vehicle salesrooms or sales lots exclude use as "towing
2 service storage yards," as defined in Section 50-16-402 of this Code; and
- 3 (2) Any portion of such storage lots designed or used for the storage of commercial
4 vehicles or semi-trucks shall be located a minimum of 250 radial feet from any lot
5 zoned R1, R2, R3, R4, R5, R6, or residential PD properties adjacent or across an
6 alley and used for residential purposes.
- 7 (3) All used motor vehicles for sale shall be in operable condition.
- 8 (4) All outdoor areas shall be either landscaped, in accordance with Article XIV,
9 Division 2, Subdivision B, of this chapter, or paved.
- 10 (5) All lighting shall be directed so as not to shine upon land zoned R1, R2, R3, R4,
11 R5, R6, or residential PD.
- 12 (6) The premises shall have proper curb cuts for entrances and exits.
- 13 (7) The premises shall be screened by six-foot-high opaque walls where adjacent to, or
14 across an alley from, land zoned R1, R2, R3, R4, R5, R6, or residential PD, in
15 accordance with Section 50-14-367 of this Code.

16 **Sec. 50-12-293. Motor vehicles, used, salesroom or sales lot.**

17 Salesrooms or sales lots for used motor vehicles shall be subject to the following
18 requirements:

- 19 (1) The facility shall be adequate in size for the display and sale of not fewer than 12
20 used motor vehicles; all display spaces shall measure not less than nine feet by 20
21 feet, exclusive of unusable space and drives or aisles which give access to the space;
22 aisle ways that adjoin display spaces shall comply with the dimensional standards
23 for width as specified in Section 50-14-232 of this Code.

- 1 (2) All used motor vehicles for sale shall be in operable condition.
- 2 (3) All outdoor areas shall be either landscaped, in accordance with Article XIV,
3 Division 2, Subdivision B, of this chapter, or paved.
- 4 (4) All lighting shall be directed so as not to shine upon land zoned R1, R2, R3, R4,
5 R5, R6, or residential PD.
- 6 (5) The premises shall have proper curb cuts for entrances and exits.
- 7 (6) The premises shall be screened by six-foot-high opaque walls where adjacent to, or
8 across an alley from, land zoned R1, R2, R3, R4, R5, R6, or residential PD, in
9 accordance with Section 50-14-367 of this Code.
- 10 (7) A suitable building of a permanent nature shall be erected, that has at least 200
11 square feet of gross floor area, is constructed of wood, masonry, or other approved
12 building material, and sits on a proper foundation, ~~except that frame and all metal~~
13 ~~buildings less than 200 square feet of gross floor area may be erected as provided~~
14 ~~for in Chapter 8, Article II, of this Code, *Building Code*. In the event of cessation~~
15 ~~of used motor vehicle sales, said accessory uses may not continue, except upon~~
16 ~~issuance of a permit for said uses as the principal use of the land, which is subject~~
17 ~~to a conditional use public hearing where such is specified in the zoning districts~~
18 ~~use lists.~~
- 19 (8) Vehicle preparation shall be permitted as an accessory use at the time of
20 establishment of the used motor vehicle salesroom or sales lot, provided, that ~~major~~
21 ~~motor vehicle services or minor motor vehicle services~~ light duty vehicle service
22 establishments on the premises of the used motor vehicle salesroom or sales lot
23 shall only be permitted upon issuance of a permit for the service facilities as a

1 principal land use in conjunction with the salesroom or sales lot, which is subject
2 to a conditional use public hearing where such is specified in the zoning districts
3 use lists for said service facilities. Light duty vehicle repair establishments are
4 prohibited on the premises of a used motor vehicle salesroom or sales lot.

5 (9) All used motor vehicle salesrooms or sales lots shall be licensed in accordance with
6 Chapter 41 of this Code, *Secondhand Goods*.

7 (10) In the SD4 District, used motor vehicle sales are prohibited, except where incidental
8 and accessory to a new car dealership.

9 ~~(11) Where used motor vehicles are sold on the same zoning lot upon which u~~Used tire
10 sales are prohibited on the premises of a used motor vehicle salesroom or sales lot
11 ~~conducted, a separate principal land use permit is required for used tire sales; the~~
12 ~~outdoor storage of used tires is prohibited.~~

13 (12) All used motor vehicle salesrooms or sales lot shall be established and located along
14 a major thoroughfare only, as identified in the Master Plan.

15 ~~(13) All used motor vehicle salesrooms or sales lots shall be subject to site plan review~~
16 ~~as specified in Section 50-3-113 of this Code.~~

17 (13) It is unlawful for any used motor vehicle salesroom or sales lot to display motor
18 vehicles on the berm, sidewalk, or elsewhere in the public right-of-way.

19 ~~(15) As specified in Section 50-12-131 of this Code, no new and/or newly established~~
20 ~~used motor vehicle salesroom or sales lot shall be located within 1,000 radial feet~~
21 ~~of any existing used motor vehicle salesroom or sales lot located within or outside~~
22 ~~of the City's boundaries.~~

23 **Sec. 50-12-294. Motor vehicle services, major Light duty vehicle repair establishment.**

1 ~~Major motor vehicle services~~ Light duty vehicle repair establishments shall be subject to
2 the following requirements:

- 3 (1) All ~~major motor vehicle~~ repairs services shall be conducted entirely within an
4 enclosed building;
- 5 (2) The premises shall be screened by six-foot high opaque walls where adjacent to, or
6 across an alley from, land zoned R1, R2, R3, R4, R5, R6, or residential PD, in
7 accordance with Section 50-14-367 of this Code. Said walls shall have no openings,
8 except for one secondary, pedestrian exit door of minimum requirements, where
9 mandated by the Fire Marshal;
- 10 (3) All open storage of vehicles awaiting repairs or service shall be enclosed by an
11 opaque wall ~~or fence~~ of masonry construction, that is six feet in height and
12 maintained in a neat and orderly fashion at all times;
- 13 (4) All lighting shall be directed so as not to shine upon land zoned R1, R2, R3, R4,
14 R5, R6, or residential PD;
- 15 (5) All outdoor areas shall be either landscaped, in accordance with Article XIV,
16 Division 2, Subdivision B, of this chapter, or paved;
- 17 (6) Light duty vehicle repair is prohibited on the premises of a used motor vehicle
18 salesroom or sales lot. ~~The sale or rental of used motor vehicles, and the storage of~~
19 ~~such vehicles incidental to their sale, is prohibited on the premises of a major motor~~
20 ~~vehicle services facility, except upon issuance of a permit for such sale, rental, or~~
21 ~~storage in conjunction with the major motor vehicle repair facility, which is subject~~
22 ~~to a conditional use public hearing, where such is specified in the zoning districts~~
23 ~~use lists for said sales, rental, or storage;~~

1 (7) There shall be no external evidence of the service operations, in the form of dust,
2 odors, or noise, beyond the interior of the service building;

3 (8) ~~Major motor vehicle services facilities~~ Light duty vehicle repair establishments are
4 prohibited ~~shall neither be permitted in the B4 District~~ on any zoning lot abutting a
5 designated Gateway Radial Thoroughfare, nor anywhere within the Central
6 Business District; this regulation is not appealable to the Board of Zoning Appeals.

7 **Sec. 50-12-295. ~~Motor vehicle services, minor~~ Light duty vehicle service establishment.**

8 ~~Minor motor vehicle services~~ Light duty vehicle service establishments shall be subject to
9 the following requirements:

10 (1) All ~~minor motor~~ vehicle services shall be conducted entirely within an enclosed
11 building;

12 (2) The premises shall be screened by six-foot high opaque walls where adjacent to, or
13 across an alley from, land zoned R1, R2, R3, R4, R5, R6, or residential PD, in
14 accordance with Section 50-14-367 of this Code. Said walls shall have no openings,
15 except for one secondary, pedestrian exit door of minimum requirements, where
16 mandated by the Fire Marshal;

17 (3) All lighting shall be directed so as not to shine upon land zoned R1, R2, R3, R4,
18 R5, R6, or residential PD;

19 (4) All outdoor areas shall be either landscaped, in accordance with Article XIV,
20 Division 2, Subdivision B, of this chapter, or paved;

21 (5) The sale or rental of used motor vehicles, and the storage of such vehicles incidental
22 to their sale, is prohibited on the premises of a ~~minor motor vehicle services facility~~
23 light duty vehicle service establishment, except upon issuance of a permit for such

1 sale, rental, or storage in conjunction with the ~~minor motor~~ vehicle service repair
2 facility, which is subject to a conditional use public hearing, where such is specified
3 in the zoning districts use lists for said sales, rental, or storage;

4 (6) There shall be no external evidence of the service operations, in the form of dust,
5 odors, or noise, beyond the interior of the service building;

6 (7) ~~Minor motor vehicle services~~ Light duty vehicle service establishments at which
7 customers are not required to exit their vehicles, such as at quick oil change
8 facilities, shall be subject to the vehicle stacking provisions of Section 50-14-202
9 and Section 50-14-203 of this Code.

10 **Sec. 50-12-295.1. Medium/heavy duty vehicle or equipment repair establishment.**

11 Medium/heavy duty vehicle or equipment repair establishments shall be subject to the
12 following:

13 (1) All vehicle services and repairs shall be conducted entirely within an enclosed
14 building;

15 (2) The premises shall be screened by six-foot high opaque walls where adjacent to, or
16 across an alley from, land zoned R1, R2, R3, R4, R5, R6, or residential PD, in
17 accordance with Section 50-14-367 of this Code. Such walls shall have no
18 openings, except for one secondary, pedestrian exit door of minimum requirements,
19 where mandated by the Fire Marshal;

20 (3) All open storage of vehicles awaiting repairs or service shall be enclosed by an
21 opaque wall of masonry construction that is six feet in height and maintained in a
22 neat and orderly fashion at all times;

1 (4) All lighting shall be directed so as not to shine upon land zoned R1, R2, R3, R4,
2 R5, R6, or residential PD;

3 (5) All outdoor areas shall be either landscaped, in accordance with Article XIV,
4 Division 2, Subdivision B of this chapter, or paved;

5 (6) The sale or rental of used motor vehicles, and the storage of such vehicles incidental
6 to their sale, is prohibited on the premises of a medium/heavy duty vehicle or
7 equipment repair establishment, except upon issuance of a permit for such sale,
8 rental, or storage in conjunction with the repair facility, which is subject to a
9 conditional use public hearing, where such is specified in the zoning districts use
10 lists for said sales, rental, or storage;

11 (7) There shall be no external evidence of the service operations, in the form of dust,
12 odors, or noise, beyond the interior of the service building.

13 **Subdivision F. Manufacturing and Industrial Uses**

14 **Sec. 50-12-341. Junkyards.**

15 ~~The term "junkyard" includes four land uses: the premises of junk dealers, the premises of~~
16 ~~scrap metal dealers, automobile dismantling and wrecking yards, and recycling centers other than~~
17 ~~scrap tire recycling as defined in Section 50-16-381 of this Code, and recycling center as defined~~
18 ~~in Section 50-16-361 of this Code. These uses are subject to review by the Solid Waste Facility~~
19 ~~Review Committee and the applicable, corresponding licensing provisions of Chapter 41 of this~~
20 ~~Code, *Secondhand Goods*. Junkyards are subject to the following requirements:~~

21 (1) *Minimum size.* The minimum lot or parcel size for junkyards shall be two acres;

22 (2) ~~*Spacing.* Junkyards shall not be located within 150 1,000 feet of any lot zoned R1,~~
23 R2, R3, R4, R5, R6, or residential PD;

- 1 (2) *Screening.* In accordance with the screening provisions of Section 41-1-3 of this
2 Code, *Enclosed building or masonry wall required*, a masonry wall that is not less
3 than eight feet in height and not more than 12 feet in height shall be constructed
4 and maintained in good condition around any junkyard;
- 5 (3) *Setbacks.* All buildings, screening, and junk materials shall be set back at least 20
6 feet from any lot line abutting a right-of-way;
- 7 (4) As required by Section 50-14-361 of this Code, the 20-foot setback area between
8 the masonry wall and the lot line shall be landscaped in accordance with Section
9 50-14-362 and Section 50-14-365 of this Code;
- 10 (5) Adequate parking and unloading facilities shall be provided at the site so that no
11 junk-hauling vehicle stands on a public right-of-way awaiting entrance to the site
12 at any time;
- 13 (6) All activities shall be confined within the ~~walled-in~~ screened area. There shall be
14 no stacking of material above the height of the masonry wall, except that moveable
15 equipment used on the site may exceed that height. No equipment or material shall
16 be used or stored outside the screened area;
- 17 (7) No open burning shall be permitted;
- 18 (8) All lighting shall be directed so as not to shine upon land zoned R1, R2, R3, R4,
19 R5, R6, or residential PD;
- 20 (9) ~~Any outdoor industrial processes involving the use of equipment for cutting,~~
21 ~~shredding, compressing, or packaging shall be conducted at least 500 feet from~~
22 ~~land zoned R1, R2, R3, R4, R5, R6, or residential PD;~~

1 (9) All roads, driveways, parking lots, and loading and unloading areas within any
2 junkyard shall be paved so as to limit the nuisance caused by wind-borne dust on
3 adjoining lots and public roads;

4 ~~(11) The operation shall be licensed by the Michigan Secretary of State to sell used~~
5 ~~vehicle parts or tow nonoperational vehicles. Before the state will issue the licenses,~~
6 ~~the Buildings, Safety Engineering, and Environmental Department shall certify that~~
7 ~~the facility is in a properly zoned area and the Police Department shall certify that~~
8 ~~the operators have not been previously convicted as felons;~~

9 (10) All fluids shall be drained from vehicles and disposed of in a proper manner prior
10 to the vehicles being stored on the site. Any materials listed on the Michigan
11 Critical Materials Register, gasoline and solvents, shall require secondary
12 containment and a Pollution Incident Protection Plan (PIPP) filed with the
13 Michigan Department of Environment, Great Lakes, and Energy. The owner must
14 retain a bound copy of PIPP on site and provide it to the City upon request;

15 ~~(13) Bond.~~

16 a. ~~The applicant shall tender to the Office of Chief Financial Officer an~~
17 ~~instrument of assurance in the form of a surety bond or an irrevocable letter~~
18 ~~of credit or a certificate of deposit note, in a sufficient amount, as~~
19 ~~determined by the Director of the Buildings, Safety Engineering, and~~
20 ~~Environmental Department for the removal and safe disposal of the~~
21 ~~maximum amount of material determined to be storable on site and to abate~~
22 ~~any nuisances remaining in the event of abandonment (see Article XIV,~~
23 ~~Division 8, of this chapter); and~~

1 b. ~~The Buildings, Safety Engineering, and Environmental Department shall~~
2 ~~prepare rules governing these instruments of assurance.~~

3 **Sec. 50-12-349. Scrap tire storage, processing, or recycling facility.**

4 Scrap tire storage, processing, or recycling facilities shall be subject to the following
5 requirements:

6 ~~(1) Where conducted outside of an enclosed structure, such uses shall comply with all~~
7 ~~applicable provisions of Part 169 of the Michigan Natural Resources and~~
8 ~~Environmental Protection Act, titled "Scrap Tires," being MCL 324.16901 through~~
9 ~~324.16910, and Article I of Chapter 18 of this Code, *Detroit Fire Prevention and*~~
10 ~~*Protection Code*;~~

11 (1) Where conducted inside an enclosed structure, the Buildings, Safety Engineering,
12 and Environmental Department shall determine the maximum volume of indoor
13 scrap tire storage space, and the maximum number of scrap tires allowed to be
14 stored in said space in accordance with Article I of Chapter 18, Division 7, of this
15 Code, *Detroit Fire Prevention and Protection Code*;

16 ~~(3) Where conducted inside of an enclosed structure, the applicant shall tender to the~~
17 ~~Office of Chief Financial Officer an instrument of assurance in the form of a surety~~
18 ~~bond or an irrevocable letter of credit or a certificate of deposit note, in a sufficient~~
19 ~~amount, as determined by the Director of the Buildings, Safety Engineering, and~~
20 ~~Environmental Department for the removal and safe disposal of the maximum~~
21 ~~number of scrap tires, previously determined to be storable under Subsection (2) of~~
22 ~~this section, and to abate any other nuisances remaining in the event of~~
23 ~~abandonment. Rules governing these instruments of assurance shall be prepared by~~

1 the Buildings, Safety Engineering, and Environmental Department. Performance
2 guarantees are addressed in Article XIV, Division 8, of this chapter;

3 (4) ~~Scrap tire storage accessory and incidental to retail dealerships shall abide by the~~
4 ~~Fire Marshal's requirements for method of storage, maximum height of stored tires,~~
5 ~~maximum width of tire stacks, required aisles between stacks, etc., and shall~~
6 ~~comply with Article I of Chapter 18 of this Code, *Detroit Fire Prevention and*~~
7 ~~*Protection Code*, and Part 169 of the Michigan Natural Resources and~~
8 ~~Environmental Protection Act, being MCL 324.16901 through MCL 324.16910. In~~
9 ~~those instances where storage of scrap tires within trucks or trailers has been~~
10 ~~approved, such storage shall be limited to trucks or trailers bearing valid and current~~
11 ~~license plates as required by the Michigan Secretary of State;~~

12 (5) ~~Such uses are subject to review by the Industrial Review Committee as provided~~
13 ~~for in Article II, Division 6, Subdivision B, of this chapter;~~

14 (2) A permit for scrap tire storage, processing, or recycling facilities shall be contingent
15 on obtaining and maintaining all applicable licenses and/or permits from federal,
16 state, and County agencies and from City departments.

17 **Sec. 50-12-350. Tires, used; sales and/or service.**

18 Used tire sales and/or service establishments are subject to the following:

19 (1) Used tire sales and/or service establishments must ~~Shall~~ not operate as a scrap tire
20 storage, processing, or recycling facility; ~~unless a permit for such "scrap tire"~~
21 ~~facility has been issued by the Buildings, Safety Engineering, and Environmental~~
22 ~~Department; and~~

- 1 (2) The sale of used tires requires no separate permit when merely incidental and
2 accessory to a ~~retail store the business of which is~~ light duty vehicle repair
3 establishment, light duty vehicle service establishment, or medium/heavy duty
4 vehicle or equipment repair establishment engaged in the sale of new tires ;
- 5 (3) A used tire disposal plan and three years of manifests for tires removed from the
6 site must be maintained onsite, and provided to the City upon request; and
- 7 (4) Outdoor storage of used tires is prohibited.

8 **Sec. 50-12-352. Towing service storage yards.**

- 9 (a) Towing service storage yards shall be subject to the following provisions:
- 10 (1) All buildings, screening, and stored or abandoned vehicles shall be set back at least
11 20 feet from any lot line abutting, across the street, or across the alley from land
12 zoned R1, R2, R3, R4, R5, R6, or residential PD;
- 13 (2) As required by Section 50-14-361 of this Code, the 20-foot setback area between
14 the masonry wall and the lot line, where required, shall be landscaped in accordance
15 with Section 50-14-362 and Section 50-14-367 of this Code;
- 16 (3) A masonry wall that is not less than six feet in height shall be erected:
- 17 a. Between any storage and the 20-foot setback area specified in Subsection
18 (1) of this section; and
- 19 b. At any lot line abutting, across the street, or across the alley from land zoned
20 B1, B2, B3, B4, B5, B6, non-industrial PD, P1, PC, PCA, PR, SD1, SD2,
21 SD3, SD4, and SD5;
- 22 (4) All ground surfaces within any towing service storage yard shall be covered with
23 asphalt or concrete paving, or other material to create a firm, level surface (the term

1 "level" as used in this section means free of ruts, potholes, or uneven areas) that
2 prevents the formation of dust and mud and is approved by the Buildings, Safety
3 Engineering, and Environmental Department. Pervious surface treatments are
4 encouraged, except that gravel, slag, cinder, or graded natural surfaces shall not be
5 allowed;

6 (5) No vertical stacking of abandoned vehicles shall be permitted;

7 (6) All lighting shall be directed so as not to shine upon land zoned R1, R2, R3, R4,
8 R5, R6, or residential PD;

9 (7) Adequate parking and unloading facilities shall be provided at the site so that no
10 junk-hauling vehicle stands on a public right-of-way awaiting entrance to the site
11 at any time; and

12 (8) All abandoned vehicle storage spaces shall measure not less than nine feet by 20
13 feet, exclusive of unusable space and drives or aisles which give access to the
14 space; aisle ways that adjoin storage spaces shall comply with the dimensional
15 standards for width as specified in Section 50-14-232 of this Code. The Buildings,
16 Safety Engineering, and Environmental Department shall specify the maximum,
17 appropriate number of abandoned vehicles to be stored given the area and
18 configuration of the site; and

19 ~~(7) The Buildings, Safety Engineering, and Environmental Department shall be~~
20 ~~authorized to obtain a performance guarantee as provided for in Article XIV,~~
21 ~~Division 8, of this chapter, in a sufficient amount, as determined by the Director of~~
22 ~~the Buildings, Safety Engineering, and Environmental Department.~~

1 (b) Any use previously classified as a "Police Department authorized abandoned
2 vehicle yard" or a "Police Department authorized abandoned vehicle storage yard" shall ~~now be~~
3 ~~considered~~ be regulated as a "towing service storage yard" without need for issuance of an
4 additional permit or change of use.

5 **Sec. 50-12-355. Trucking terminals, transfer buildings, ~~truck garages,~~ recreational vehicle**
6 **storage lots, and open areas for the parking of operable trucks.**

7 (a) Wherever possible, access to the sites of trucking terminals, transfer buildings,
8 ~~truck garages,~~ recreational vehicle storage lots, and open areas for the parking of operable trucks
9 from local residential streets shall be avoided.

10 (b) On land zoned SD4, exclusively, only emergency medical service vehicles having
11 not more than two axles may be parked, stored, or serviced.

12 **Sec. 50-12-356. Used vehicle parts sales.**

13 Used vehicle parts sales shall be subject to the following ~~provisions:~~

14 (1) Such establishments are subject to the licensing provisions of Chapter 41 Article
15 VI, Division 3, of this Code, *Secondhand Goods*;

16 (2) The dismantling or salvage of vehicles entirely within a building on the premises is
17 permitted where the state has issued a Class C Used Vehicle Parts Dealer license;
18 where such dismantling or salvage is conducted in the open, a "junkyard" permit
19 from the Buildings, Safety Engineering, and Environmental Department is required
20 in addition to the State of Michigan Class C Used Vehicle Parts Dealer license;

21 (3) All outdoor storage shall be screened by a masonry wall that is not less than eight
22 feet in height and not more than 12 feet in height, shall be constructed and

1 maintained in good condition, and shall be set back at least 20 feet from the
2 property line;

3 (4) As required by Section 50-14-361 of this Code, the 20-foot setback area between
4 the masonry wall and the lot line shall be landscaped in accordance with Section
5 50-14-362 and Section 50-14-365 of this Code;

6 (5) All lighting shall be directed so as not to shine upon land zoned R1, R2, R3, R4,
7 R5, R6, or residential PD;

8 ~~(3) On land zoned M3, the indoor storage and/or transfer of distressed vehicles,~~
9 ~~pursuant to a Michigan Class C Used Vehicle Parts Dealer License, may be~~
10 ~~permitted subject to the following:~~

11 a. ~~The outdoor storage of distressed or unlicensed vehicles is prohibited;~~

12 b. ~~The dismantling of vehicles, whether indoors or outdoors, is prohibited;~~

13 (6) Used vehicle parts sales facilities are subject to review by the Solid Waste Facility
14 Review Committee; and

15 (7) The sale of used vehicle parts requires no separate permit where merely incidental
16 and accessory to a retail store that sells new vehicle parts.

17 **DIVISION 5. ACCESSORY USES AND STRUCTURES**

18 **Subdivision C. Specific Accessory Use Standards**

19 **Sec. 50-12-517. Motor vehicle salesroom or sales lot.**

20 Motor vehicle salesrooms and sales lots shall be subject to the following:

21 (1) *New vehicle sales.* Service facilities that are operated in conjunction with a new
22 motor vehicle salesroom or sales lot establishment ~~(motor vehicle, new, salesroom~~

1 ~~or sales lots~~) shall be considered accessory where such service facilities are located
2 within 300 feet of the zoning lot on which the motor vehicles are sold.

3 (2) *New vehicle sales.* Service facilities that are operated in conjunction with a new
4 motor vehicle sales room or sales lot establishment (~~motor vehicle, new, salesroom~~
5 ~~or sales lots~~) shall not be considered accessory, but rather as a principal use, where
6 such service facilities are located farther than 300 feet from the zoning lot on which
7 the motor vehicles are sold. Establishment of such service facilities as a principal
8 use of the land may require a public hearing.

9 (3) *Used vehicle sales.* Vehicle preparation shall be considered a permissible accessory
10 use at a used motor vehicle salesroom or sales lot. Where ~~minor motor~~ light duty
11 vehicle services ~~or major motor vehicle services~~ are to take place on the same
12 zoning lot as a used motor vehicle salesroom or sales lot, a separate principal land
13 use permit must be obtained from the Buildings, Safety Engineering, and
14 Environmental Department. Light duty vehicle repair establishments are prohibited
15 on the premises of a used motor vehicle salesroom or sales lot.

16 (4) *New and used vehicle sales.* ~~Service facilities~~ Light duty vehicle repair
17 establishments and light duty vehicle service establishments that are operated
18 accessory to in conjunction with a new or used motor vehicle sales establishment
19 are subject to the use regulations for ~~major motor vehicle services~~ such
20 establishments, as set forth ~~provided for~~ in Section 50-12-294 of this Code, or for
21 ~~minor motor vehicle services as provided for in and~~ Section 50-12-295 of this Code,
22 respectively.

1 **ARTICLE XIII. INTENSITY AND DIMENSIONAL STANDARDS**

2 **DIVISION 1. TABLES OF INTENSITY AND DIMENSIONAL STANDARDS**

3 **Subdivision C. Business Districts**

4 **Sec. 50-13-44. B3 District.**

5 Intensity and dimensional standards in the B3 Shopping District are as follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
<i>*Formula A = Length (feet) + 2 (height) / 15 *Formula B = Length (feet) + 2 (height) / 6</i>									
Libraries or museums	10,000	70	20	Formula B	30	35			Section 50-13-62
Hotel/motel	7,000	70				35			
Motor vehicle filling station	See Section 50-13-173		See Sections 50-13-178 and 50-13-179			35	See Section 50-13-177		
Motor vehicle, used: salesroom or sales lot	4,000	40				35			
Neighborhood center, non-profit	10,000	70	20	Formula B	30	35			Section 50-13-62
Religious institutions	10,000	70	20	Formula B	30	35			Sections 50-13-62, 50-13-184
Parking lots or parking areas									Section 50-13-182; Article XIV, Division 1, Subdivision I
All other residential and public, civic and institutional uses	7,000	70	20	Formula B	30	35			Section 50-13-62
All other uses						35			

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7 **Sec. 50-13-45. B4 District.**

8 Intensity and dimensional standards in the B4 General Business District are as follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
$*Formula A = Length (feet) + 2 (height) / 15$ $*Formula B = Length (feet) + 2 (height) / 6$									
Fraternity or sorority houses	7,000	70	20	Formula A	30	35			
Libraries or museums	10,000	70	20	Formula B	30	35			Section 50-13-62
Motels or hotels	7,000	70	20	Formula A	30	35			
Motor vehicle filling station	See Section 50-13-173		See Sections 50-13-178 and 50-13-179			35	See Section 50-13-177		
Motor vehicles, used: salesroom or sales lot	4,000	40				35			
Motor vehicle washing and steam cleaning	10,000					35			
Multiple-family dwellings (not mixed-use)	7,000	70	20	Formula A	30			2.00	
Multiple-family dwellings (part of mixed-use development)	7,000	70			30	35			Section 50-13-62(a)
Parking lots or parking areas									Section 50-13-182; Article XIV, Division 1, Subdivision I
Religious institutions	10,000	70	20	Formula B	30	35			Sections 50-13-62, 50-13-184
Single-family dwellings; religious residential facilities	5,000	50	20	4 ft. minimum/ 14 ft. combined	30	35			
Two-family dwellings	6,000	55	20	Formula A	30	35			
Townhouses (attached group)	7,000	70	20	Formula A	30	35			Section 50-13-186
All other residential and public, civic and institutional uses	7,000	70	20	Formula B	30	35			Section 50-13-62

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
*Formula A = Length (feet) + 2 (height) / 15 *Formula B = Length (feet) + 2 (height) / 6									
All other uses						35			

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2 **Sec. 50-13-47. B6 District.**

3 Intensity and dimensional standards in the B6 General Services District are as follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
*Formula A = Length (feet) + 2 (height) / 15 *Formula B = Length (feet) + 2 (height) / 6									
Motels or hotels	7,000	70	20	Formula A	30	80			
Motor vehicle filling stations	See Section 50-13-173		See Section 50-13-178 and Section 50-13-179			35	See Section 50-13-177		
Motor vehicles, used, salesroom or sales lot	4,000	40							
Multiple-family dwelling (as specified in Section 50-9-170)						80			
Parking lots or parking areas									Section 50-13-182; Article XIV, Division 1, Subdivision I
Penal or correctional institutions	10,000	70	20	Formula A	30	80			
All other uses						80			

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Subdivision E. Industrial Districts

1 **Sec. 50-13-82. M1 District.**

2 Intensity and dimensional standards in the M1 Limited Industrial District are as follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
$*Formula A = Length (feet) + 2 (height) / 15$ $*Formula B = Length (feet) + 2 (height) / 6$									
Hotels or motels	7,000	70	20	Formula A	30	35			
Motor vehicle filling stations	See Section 50-13-173		See Sections 50-13-178 and 50-13-179			35	See Section 50-13-177		
Motor vehicles, used, salesroom or sales lot	4,000	40				35			
All other uses	No minimum requirements					35			

3

4 **Sec. 50-13-85. M4 District.**

5 Intensity and dimensional standards in the M4 Intensive Industrial District are as follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
$*Formula A = Length (feet) + 2 (height) / 15$ $*Formula B = Length (feet) + 2 (height) / 6$									
Junkyards	2 acres		See Section 50-12-341(4)			35			
Motor vehicle filling stations	See Section 50-13-173		See Sections 50-13-178 and 50-13-179			35	See Section 50-13-177		
Motor vehicles, used, salesroom or sales lot	4,000	40				80 35			
Transfer stations			See Section 50-12-354(1)			35			
All other uses				No minimum requirements		80			Section 50-13-205

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7

Subdivision G. Special Purpose Zoning Districts

1 **Sec. 50-13-126. TM District.**

2 Intensity and dimensional standards in the TM Transitional-Industrial District are as
 3 follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
<i>*Formula A = Length (feet) + 2 (height) / 15</i>			<i>*Formula B = Length (feet) + 2 (height) / 6</i>						
Chemical materials blending or compounding but not involving chemicals manufacturing	15,000	-	-	-	-	35	-	-	
Construction equipment, agricultural implements and other heavy equipment repair or service	15,000	-	-	-	-	35	-	-	
High/medium-impact manufacturing or processing as defined in Section 50-16-242	15,000	-	-	-	-	35	-	-	
Machine shop	15,000	-	-	-	-	35	-	-	
Motor vehicle filling station	See Section 50-13-173		See Sections 50-13-178 and 50-13-179			35	See Section 50-13-177		
Motor vehicles, used, salesroom or sales lot	4,000	40	-	-	-	-	-	-	
Steel warehousing	15,000	-	-	-	-	35	-	-	
Tank storage of bulk oil or gasoline	15,000	-	-	-	-	35	-	-	
Welding shops	15,000	-	-	-	-	35	-	-	
All other uses	10,000	-	-	-	-	35	-	-	

4

5 **ARTICLE XIV. DEVELOPMENT STANDARDS**

6

7 **DIVISION 1. OFF-STREET PARKING, LOADING, AND ACCESS**

8

9 **Subdivision B. Off-Street Parking Schedule "A"**

10

11 **Sec. 50-14-60. Vehicle repair and service.**

12

13 Off-street parking regulations for vehicle repair and service facilities are as follows:

14

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
Vehicle repair and service	Motor vehicle services, major <u>Light duty vehicle repair establishment</u>	1 per 300 square feet (all required spaces shall be outside principal building)	100
	Motor vehicle services, minor <u>Light duty vehicle service establishment</u>	1 per 300 square feet (all required spaces shall be outside principal building); 2 per 3 employees at quick oil change facilities.	100
	<u>Medium/heavy duty vehicle or equipment repair establishment</u>	1 per 300 square feet (all required spaces shall be outside principal building)	100
	Motor vehicle filling station	1 space for each service bay, plus one space for each 200 square feet of gross floor area, excluding service bays, or two spaces, whichever is greater.	Same lot
	Motor vehicle washing and steam cleaning	2 per 3 employees	100
	Motor vehicles, new or used: storage lots accessory to salesroom or sales lot for new or used motor vehicles	None	N/A
	All other	1 per 300 square feet	100

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2 **Sec. 50-14-64. Warehouse and freight movement.**

3 Off-street parking regulations for warehouse and freight movement facilities are as

4 follows:

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
Warehouse and freight movement	Coal or coke yards	2 per 3 employees	500
	Containerized freight yard	2 per 3 employees	Same lot
	Intermodal freight terminal	None	
	Railroad transfer or storage tracks	None	
	Tank storage of bulk oil or gasoline	2 per 3 employees	500
	Trucking terminal, transfer buildings, truck garages, recreational vehicle storage lots and open areas for the parking of operable trucks.	2 per 3 employees	500
	All other	1 per 2,400 square feet or 1 per 3 employees, whichever is less	500

5

1 **ARTICLE XV. NONCONFORMITIES**

2 **DIVISION 2. NONCONFORMING USES**

3 **Sec. 50-15-30. Change of nonconforming use to other nonconforming use.**

4 (a) A nonconforming use may be changed to another nonconforming use only where
5 reviewed and approved by the Board of Zoning Appeals in accordance with the procedures that
6 are specified in Section 50-2-67 of this Code, except, that a nonconforming use may not be changed
7 to any of the following:

8 (1) Regulated uses as specified in Section 50-3-323 of this Code on land zoned R1, R2,
9 R3, R4, R5, or R6, except where an establishment for the sale of beer or alcoholic
10 liquor for consumption on the premises would reoccupy an existing non-residential
11 building, provided no dance or entertainment activity that would require a cabaret
12 permit and license shall be included;

13 (2) Controlled uses as specified in Section 50-3-402 of this Code;

14 (3) Restaurants, except where the use would reoccupy an existing non-residential
15 building;

16 (4) Junkyards;

17 (5) Light duty vehicle repair establishments;

18 (6) Medium/heavy duty vehicle or equipment repair establishment;

19 (7) Motor vehicle filling stations;

20 (8) Mortuaries or funeral homes;

21 ~~(6) Motor vehicle services, major;~~

22 ~~(7) Motor vehicle services, minor;~~

23 (9) Motor vehicle washing and steam cleaning;

1 (10) Motor vehicles, used, salesroom or sales lots;

2 (11) Adult uses as specified in Section 50-3-502 of this Code;

3 (12) Tires, used: sales and/or service; and

4 (13) Scrap tire storage, processing, or recycling facility;

5 (14) Signs; and

6 (15) Towing service storage yards.

7 (b) Except for the ~~11 items prohibited above~~ uses listed in Subsection (a) of this section,

8 the Board of Zoning Appeals may approve the change of one nonconforming use to another
9 nonconforming use only ~~where the Body~~ if it determines that the new proposed use will be less
10 injurious to the surrounding area than the previous nonconforming use. ~~Where~~ If the Board of
11 Zoning Appeals approves such a change in use, it is approved, the Board of Zoning Appeals shall
12 ~~be~~ authorized to impose conditions that ~~the Body~~ it deems necessary to reduce or minimize any
13 potentially adverse effect upon other property in the neighborhood, and to carry out the general
14 purpose and intent of this chapter. Any condition that is imposed must relate to a situation created
15 or aggravated by the proposed use and must be roughly proportional to its impact.

16 (c) Notwithstanding the foregoing requirements that the Board of Zoning Appeals
17 review and approve a change of use, a legally established nonconforming use that was a Group
18 "D" adult cabaret use, as that kind of use was defined on November 1, 2009, may be placed on
19 record by the Buildings, Safety Engineering, and Environmental Department, upon written request
20 of the owner, as a Group "A" cabaret use, a Group "B" cabaret use, or a Group "C" cabaret use
21 without applying for or obtaining approval from the Board of Zoning Appeals for the change of
22 use.

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ARTICLE XVI. RULES OF CONSTRUCTION AND DEFINITIONS

2

DIVISION 2. WORDS AND TERMS DEFINED

3

Subdivision J. Letters "I" Through "J"

4

Sec. 50-16-262. Words and terms (In—Iz).

5

For the purposes of this chapter, the following words and phrases beginning with the

6

letters "In" through "Iz," shall have the meaning respectively ascribed to them by this section:

Term	Definition
Incidental	<p>(1) Occurring as a minor accompaniment; or</p> <p>(2) In the context of zoning and land use, an activity or item that occupies or involves not more than ten percent of a whole, such as gross floor area or inventory, is considered as an incidental use of the land, while an activity or item that occupies or involves more than ten percent of a whole is considered a principal use of the land.</p>

<p>Industrial service (use category)</p>	<p>Uses engaged in the repair or servicing of industrial, business or consumer machinery, equipment, products or byproducts. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off site. Few customers, especially the general public, come to the site. Examples include the following uses:</p> <ul style="list-style-type: none"> • Blueprinting shop; • Boiler repairing; • Construction equipment, agricultural implements and other heavy equipment repair or service; • Contractor, yard, landscaping or construction; • Junkyard; • Laundry, industrial; • Lumber yard; • Machine shop; • Outdoor storage yard; • Research facilities; • Tires, used: sales and/or service; • Towing service storage yard; • Trade services, general; • Truck stop; • Welding shop.
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Term	Definition
Institutional bulletin	<p>A business sign of any public, civic, or institutional land use specified in Article XII, Division 1, Subdivision C, of this chapter, other than family day care homes and group day care homes, and a business sign of any fraternal or philanthropic organization, provided, that said sign is located on the premises and limited to bearing only information related to activities conducted on the premises, persons involved, or other identification information.</p>
Institutional living (use category)	<p>Occupancy of an institutional structure (not a dwelling unit) by a group of people who do not meet the definition of the term "household living." Care givers may or may not reside at the site.</p> <p>Examples include the following uses:</p> <ul style="list-style-type: none"> •Boarding school •Child caring institution •Dormitory •Penal or correctional institution; detention facility •Pre-release adjustment center

Term	Definition
Intensification of use	<p>An intensification of use occurs where a use is added to an existing land use without the physical expansion of the building, structure, lot, or gross floor area.</p> <p>As an example: where a conditional use, regulated use, controlled use, or nonconforming use that occupies a single-story building were to add an additional use under the same roof, and that additional use is reached through the same entrance as the original use and the additional use is not separated from the original use by a tenant separation wall, then it would be considered an intensification of the original use even though the gross floor area had not been increased, provided, that where a land use that occupies a single-story building were to subdivide its floor area by a tenant separation wall and were to provide a separate entrance from the outside to the subdivided space, it would not be considered an intensification of the original use, but rather the establishment of a new principal use at a different address.</p>
Intermodal freight terminal	The site at which freight is transferred between railroad flat cars and trucks, typically involving containers or trailers.

Term	Definition
Instrument approach surface and non-instrument approach surface having a runway at least 5,000 feet in length	<p>A plane longitudinally centered on the extended runway centerline beginning at each end of the runway and extending 500 feet outward at the elevation of the approach ends of the runway and then sloping upward at a slope ratio of one to 40 to an altitude of 150 feet above the established airport elevation.</p> <p>The instrument approach area surface is 1,000 feet wide for the first 500 feet and then expands uniformly to a width of 3,100 feet at a distance of 6,500 feet from the end of the runway.</p>

Term	Definition
Intensity of land use	<p>The intensity of a land use shall be based on the zoning district where the specified land use initially appears in this chapter as a use permitted as a matter of right.</p> <p>For example, a land use first listed as a matter of right use in Article X of this chapter (industrial zoning districts) shall be deemed more intensive than a land use first listed as a matter of right use in Article IX of this chapter (business districts), and a land use first listed as a matter of right use in Article IX of this chapter shall be more intensive than a land use first listed as a matter of right use in Article VIII of this chapter (residential districts).</p> <p>Similarly, within a given article, zoning districts bearing a higher number shall be deemed more intensive than districts bearing a lower number; for example, a use first permitted as a matter of right in the M4 District shall be deemed more intensive than a use first permitted as a matter of right in the M2 District. For a land use not permitted in any zoning district as a matter of right, but exclusively as a conditional use, the intensity of that land use in comparison to another shall be determined according to the zoning districts where the two land uses are first conditionally permitted.</p>

Subdivision K. Letters “K” Through “L”

Sec. 50-16-283. Words and terms (Lh—Lm).

For the purposes of this chapter, the following words and phrases beginning with the letters "Lh" through "Lm," shall have the meaning respectively ascribed to them by this section:

Term	Definition
Library (use category)	Libraries house collections of books, magazines or other material that is loaned to the general public without charge. Examples include public libraries.
Licensee (marijuana)	A person holding a state operating license and a city business license to operate a medical marijuana facility or an adult-use marijuana establishment.
Linear measurement	Linear measurement between two uses shall be based on the distance, measured along the centerline of the roadway abutting the zoning lots on which the uses are located, at points perpendicular to the outermost portions of the uses closest to each other. This spacing requirement applies regardless of the side of the roadway on which the use is located.
<u>Light duty vehicle repair establishment</u>	<u>An establishment that performs substantial repairs of vehicles with gross vehicle weight ratings of up to 10,000 pounds typically requiring overnight storage of such vehicles.</u>
<u>Light duty vehicle service establishment</u>	<u>An establishment that performs routine maintenance and other limited services for vehicles with gross vehicle weight ratings of up to 10,000 pounds typically on a same-day basis.</u>

Term	Definition
Lithographing	A printing process in which the image to be printed is rendered on a flat surface, as on sheet zinc or aluminum, and treated to retain ink while the nonimage areas are treated to repel ink. For zoning purposes, silk screening may be permitted wherever lithographing is permitted.

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Subdivision L. Letter “M”

3

Sec. 50-16-301. - Words and terms (Ma—Mg).

4

For the purposes of this chapter, the following words and phrases beginning with the letters

5

"Ma" through "Mg," shall have the meaning respectively ascribed to them by this section:

Term	Definition
Manufactured Housing Unit	A transportable, factory-built structure that is manufactured in accordance with the Federal Manufactured Housing Construction and Safety Standards Act of 1974, being 42 USC 5401, and that is designed to be used as a single dwelling unit.

Term	Definition
<p>Manufacturing and Production (use category)</p>	<p>Uses involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.</p> <p>Examples include the following uses:</p> <ul style="list-style-type: none"> • Very high-impact manufacturing or processing; • High-impact manufacturing or processing; • High/medium-impact manufacturing or processing; • Low/medium-impact manufacturing or processing; • Low-impact manufacturing or processing. <p>Manufacturing of goods to be sold primarily on site and to the general public are classified as retail sales and service. Manufacture and production of goods from composting organic material is classified as waste-related uses.</p>
<p>Manufacturing or Processing</p>	<p>See <i>Manufacturing and production (use category)</i>.</p>

Term	Definition
Marina	<p>A facility that offers service to the public or members of the marina for docking, loading, or other servicing of recreational watercraft.</p> <p>Accessory uses include the following, provided they are for owners, crews, and guests:</p> <ul style="list-style-type: none"> • Boat storage; • Food and beverage facilities, including those for consumption of beer or alcoholic liquor on the premises; and • Retail facilities.
Marihuana or Marijuana	That term as defined in section 7106 of the public health code, 1978 PA 368, MCL 333.7106.
Marijuana Grower Facility	<p>A location where a licensee that is licensed as a marijuana grower under the Michigan Regulation and Taxation of Marihuana Act (MRTMA) or a grower under the Michigan Medical Marihuana Facilities Licensing Act (MMFLA), and as a grower under Chapter 20, Article VI of this Code, operates a commercial entity located in this state that cultivates, dries, trims, or cures and packages marijuana for sale or transfer to a medical marijuana facility or adult-use marijuana establishment.</p>

Term	Definition
<p>Marijuana Microbusiness</p>	<p>A location where a licensee that is licensed as a marijuana microbusiness under the Michigan Regulation and Taxation of Marihuana Act (MRTMA) and Chapter 20, Article VI of this Code operates a commercial entity that cultivates not more than 150 marijuana plants, or more as allowed by the State of Michigan, processes and packages marijuana, and sells or otherwise transfers marijuana to individuals who are 21 years of age or older or to a marijuana safety compliance facility, but not to other adult-use marijuana establishments or medical marijuana facilities.</p>
<p>Marijuana Processor Facility</p>	<p>A location where a licensee that is licensed as a marijuana processor under the Michigan Regulation and Taxation of Marihuana Act (MRTMA) or a processor under the Michigan Medical Marihuana Facilities Licensing Act (MMFLA), as well as under Chapter 20, Article VI of this Code, operates a commercial entity located in the state of Michigan that obtains marijuana from a medical marijuana facility or adult-use marijuana establishment and processes marijuana for sale and transfer in packaged form to a medical marijuana facility or adult-use marijuana establishment.</p>

Term	Definition
Marijuana Retailer Establishment	A location where a licensee that is licensed as a marijuana retailer under the Michigan Regulation and Taxation of Marihuana Act (MRTMA) and Chapter 20, Article VI of this Code operates a commercial entity that obtains marijuana from adult-use marijuana establishments and sells or transfers marijuana to individuals who are 21 years of age or older and to other adult-use marijuana establishments.
Marijuana Retail/ Provisioning Facility	A marijuana retailer establishment or a medical marijuana provisioning center facility.
Marijuana Safety Compliance Facility	A location where a licensee that is licensed as a safety compliance facility under the Michigan Regulation and Taxation of Marihuana Act (MRTMA) or the Michigan Medical Marihuana Facilities Licensing Act (MMFLA), as well as under Chapter 20, Article VI of this Code, operates a commercial entity located in the state of Michigan that tests marijuana for contaminants and potency or as required by the MRTMA or the MMFLA for a primary caregiver, medical marijuana facility, or adult-use marijuana establishment.

Term	Definition
Marijuana Secure Transporter Facility	A location where a licensee that is licensed as a secure transporter facility under the Michigan Regulation and Taxation of Marihuana Act (MRTMA) or the Michigan Medical Marihuana Facilities Licensing Act (MMFLA), as well as under Chapter 20, Article VI of this Code, operates a commercial entity located in the state of Michigan that stores marijuana, and transports marijuana between medical marijuana facilities or adult-use marijuana establishments for a fee.
Massage Facility	An establishment where a massage therapist who is licensed under Part 179A of the Michigan Public Health Code, being MCL 333.17951 through 333.17969 provides massage therapy in compliance with applicable provisions of Chapter 20, Article V, of this Code, <i>Massage Facilities and Massage Schools</i> .
Master Deed	The condominium document recording the condominium project as approved by the City, 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.
Master Plan	The official "Master Plan of Policies" of the City, as referenced in the Journal of City Council, July 28, 2009, Pages 1715—1717. The Master Plan of Policies specifies three levels of roadway under the "transportation" designation of the City future general land use map: freeways, major thoroughfares, and secondary thoroughfares.

Term	Definition
Measurement	See <i>Linear measurement</i> and <i>Radial measurement</i> .
Medical Marijuana	Any marijuana intended for medical use which meets all requirements for medical marijuana contained in Article III of this chapter, the Michigan Medical Marihuana Act (MMMA), the Medical Marihuana Facilities Licensing Act (MMFLA), and any other applicable law. This shall not include marijuana in any form inconsistent with the definition of usable marijuana under either the MMMA or the MMFLA.
Medical Marijuana Facility	A location in the state of Michigan where a licensee operates any one of the following commercial entities under the authority of the Michigan Medical Marihuana Facilities Licensing Act (MMFLA): grower, processor, provisioning center, secure transporter, or safety compliance facility. A non-commercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the State of Michigan’s formal registration process in accordance with the Michigan Medical Marihuana Act (MMMA) is not a medical marijuana facility.

Term	Definition
Medical marijuana provisioning center facility	A location where a licensee that is licensed as a provisioning center under the Michigan Medical Marihuana Facilities Licensing Act (MMFLA) and Chapter 20, Article VI of this Code operates a commercial entity located in the state of Michigan that purchases marijuana from a grower or processor and sells, supplies, or provides marijuana to qualifying patients, directly or through the patients' registered primary caregivers of patients. Medical marijuana provisioning center facility includes any commercial property where medical marijuana is sold at retail to qualifying patients or primary caregivers. A medical marijuana caregiver center is not a medical marijuana provisioning center facility for purposes of this chapter.
<u>Medium/heavy duty vehicle or equipment repair establishment</u>	<u>An establishment that performs any type of service or repair of vehicles with gross vehicle weight ratings over 10,000 pounds, regardless of whether such service or repair is typically completed on a same-day basis or requires overnight on-site storage of such vehicles.</u>
Mercado	Open air sales of new retail goods, produce, handcrafts, and the like. For zoning purposes a mercado shall be considered the same as a store of a generally recognized retail nature whose primary business is the selling of new merchandise.

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2 **Sec. 50-16-303. Words and terms (Mn—Ms).**

1 For the purposes of this chapter, the following words and phrases beginning with the letters
 2 "Mn" through "Ms," shall have the meaning respectively ascribed to them by this section:

Term	Definition
Mobile home park	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 is offered to the public for that purpose regardless of whether a charge is made therefor, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home.
Mobile home	A structure, transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling unit with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure. The term "mobile home" shall not include pick-up campers, travel trailers, motor homes, recreational vehicles, manufactured housing units, recreational units, converted buses, tent trailers, or other transportable structures designed for temporary use. Structures that comply with the Federal Manufactured Housing Construction and Safety Standards Act of 1974, being 42 USC 5401), are not considered mobile homes, but are instead considered "manufactured housing units."

Term	Definition
Modular housing unit	A dwelling unit that consists of building materials commonly used in on-site construction but which are pre-constructed off-site into units and transported to the site on a removable undercarriage or flat bed and assembled for permanent location on the lot.
Motel	A building, or part of a building, or a group of buildings, on a single zoning lot, designed for or primarily occupied by transients: that contains more than ten rooming or dwelling units where 25 percent or more of said units are independently accessible from the outside without the necessity of passing through the main lobby of the building. The term "motel" includes any such building or building group that is designated by the operator as a motor lodge, motor inn, or any other title intended for identification as providing lodging for compensation, and that is with or without a general kitchen and public dining room for the use of the occupants. Motels are subject to licensing by the Buildings, Safety Engineering, and Environmental Department Business License Center in accordance with Chapter 36, Article I, of this Code, <i>Public Accommodations</i> .

Term	Definition
Motorcycle club	An association of motorcyclists organized for social or recreational purposes, for the promotion of some common object, or as any place of assembly located in a building where five or more motorcyclists periodically or regularly engage in social, recreational, or promotional activities and generally use motorcycles as the primary means of transportation to and from the place of assembly.
Motor vehicle	Every vehicle that is self-propelled, but does not include an electric patrol vehicle being operated in compliance with the Michigan Electric Patrol Vehicle Act, being MCL 257.1571 <i>et seq.</i>
Motor vehicle filling station	Any premises where gasoline or other fuel for motor vehicles is sold on a retail basis which offers either full service (for example, offering employee-dispensed fuel, window cleaning, and/or oil checking), or self-service (no such services offered). Light maintenance services such as engine tune-ups, lubrication, or motor vehicle minor repairs are permitted when operated in conjunction with a motor vehicle filling station. Automotive body or fender bumping or painting, and major motor repairing are specifically disallowed from operating in conjunction with a motor vehicle filling station. References to "gas stations" mean "motor vehicle filling stations."

Term	Definition
Motor vehicle services, major	An establishment providing passenger vehicle motor repair, body work and painting services within completely enclosed buildings. Major motor vehicle services include body or fender bumping or painting shops, major motor repairing businesses, and other vehicle repair services that do not meet the definition of "minor motor vehicle repair."
Motor vehicle services, minor	An establishment providing passenger vehicle minor repair or maintenance services within completely enclosed buildings. Minor motor vehicle services include quick lube businesses, brake and muffler shops, battery and tire service shops, car stereo or car alarm installation, auto detailing, and other vehicle maintenance establishments that do not typically render vehicles inoperable overnight. Auto detailing shops that also offer a "car wash" service to vehicles that are not in the shop for detailing service shall be classified as a "motor vehicle washing and steam cleaning" establishment.
Motor vehicle washing and steam cleaning	An establishment primarily engaged in cleaning motor vehicles, whether self-service, automatic or by hand, that may provide detailing as an accessory use. References to "car wash" mean "motor vehicle washing and steam cleaning."
Motor vehicles, new or used, storage of	Storage of new or used motor vehicles, accessory to a salesroom or sales lot for operable new or used motor vehicles, but excluding towing service storage yards. For zoning purposes, such storage lots are not considered parking lots.

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Subdivision P. Letter "S"

1 **Sec. 50-16-381. Words and terms (Sa—Sd).**

2 For the purposes of this chapter, the following words and phrases beginning with the letters
3 "Sa" through "Sd," shall have the meaning respectively ascribed to them by this section:

Term	Definition
Satellite television antenna	A device incorporating a reflective surface that is solid open mesh, or bar configured and is in the shape of a shallow dish, cone, horn, or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based uses. This definition is meant to include but not be limited to what are commonly referred to as satellite earth stations, TVROs, and satellite microwave antennas.

<p>School building adaptive reuses</p>	<p>Any of 19 uses listed below and located within a building originally constructed as a school that is otherwise not permitted as a by-right or conditional use on land zoned R1 and/or R2 and/or R3 and/or R4 and/or R5 and/or R6.</p> <p><i>School building adaptive reuses, residential:</i></p> <p>(1) Assisted living facility, where located on a major thoroughfare;</p> <p>(2) Boarding school and dormitory, where located on a major thoroughfare;</p> <p>(3) Convalescent, nursing, or rest home, where located on a major thoroughfare;</p> <p>(4) Loft;</p> <p>(5) Multiple-family dwelling;</p> <p><i>School building adaptive reuses—public, civic, and institutional:</i></p> <p>(6) Adult day care center;</p> <p>(7) Child care center;</p> <p>(8) Educational institution;</p> <p>(9) Governmental service agency;</p> <p>(10) Library;</p> <p>(11) Museum;</p> <p><i>School building adaptive reuses—retail, service, and commercial:</i></p> <p>(12) Business college or commercial trade school;</p> <p>(13) Medical or dental clinic, physical therapy clinic, or massage facility;</p> <p>(14) Office, business or professional;</p> <p>(15) Radio or television station;</p> <p>(16) Recording studio or photo studio or video studio, no assembly hall;</p> <p>(17) Recreation, indoor commercial and health club;</p>
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Term	Definition
	<p>(18) School or studio of dance, gymnastics, music, art, or cooking;</p> <p>(19) Youth hostel/hostel, where located on a major thoroughfare.</p>
<p>Schools (use category)</p>	<p>Public or private schools at the primary, elementary, middle, junior high, or high school level that provide state-mandated basic education. Examples include public and private daytime (elementary, junior high and senior high) schools, and military academies.</p> <p>Charter schools are public schools. Preschools are classified as day care uses, provided, that a preschool "Head Start" program shall be considered as an accessory use where located on the premises of an operating school. (See also Section 50-12-512 of this Code.) Business and trade schools are classified as retail sales and service. Boarding schools are classified as institutional living uses.</p>
<p><u>Scrap metal recycling facility</u></p>	<p><u>A location where a business purchases ferrous or nonferrous metal that is intended for recycling or reuse. For zoning purposes, these facilities are regulated as Junkyards.</u></p>

Term	Definition
Scrap processing facility	<p><u>A location where machinery and equipment is used to process and manufacture iron, steel, nonferrous metals, paper, plastic, or glass into prepared grades of products suitable for consumption by recycling mills, foundries, and other scrap processors pursuant to the Section 3 of the Michigan Secondhand Dealer and Junk Dealers Act, being MCL 445.403 and in Section 3 of the Michigan Scrap Metal Regulatory Act, being MCL 445.423. For zoning purposes, these facilities are regulated as Junkyards.</u></p>
Scrap tire processing or recycling facility	<p>The storing, buying, or otherwise acquiring scrap tires, and reducing their volume by shredding or otherwise facilitating recycling or resource recovery techniques for scrap tires.</p>
Scrap tire storage facility	<p>A premises used for the storage of scrap tires, whether indoors or outdoors, provided, that duly authorized retail tire dealerships may temporarily store only those scrap tires that are incidental and accessory to normal retail operations and are awaiting removal for disposal or processing.</p>
Scrap tires	<p>Scrap tires are continuous solid or pneumatic rubber coverings that were manufactured to encircle a wheel for use in the operation of any motorized vehicle and are no longer being used for their original intended purpose.</p>
Screening	<p>A method of reducing the impact of noise and/or unsightly visual intrusions with less offensive or more harmonious elements, such as plants, berms, opaque fences, walls, or any appropriate combination.</p>

Subdivision R. - Letter "U"

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Sec. 50-16-421. Words and terms (Ua—Us).

For the purposes of this chapter, the following words and phrases beginning with the letters "Ua" through "Us," shall have the meaning respectively ascribed to them by this section:

Term	Definition
Underground storage tank	A tank or combination of tanks, including underground pipes connected to the tank or tanks, which is, was, or may have been used to contain hazardous substances, and the volume of which, including the volume of the underground pipes connected to the tank or tanks, is ten percent or more beneath the surface of the ground.
Urban farm	A zoning lot, as defined in this article, over one acre, used to grow and harvest food crops and/or non-food crops for personal or group use. An orchard or tree farm that is a principal use is considered an urban farm. An urban farm may be divided into plots for cultivation by one or more individuals and/or groups or may be cultivated by individuals and/or groups collectively. The products of an urban farm may or may not be for commercial purposes.
Urban garden	A zoning lot, as defined in this article, up to one acre of land, used to grow and harvest food or non-food crops for personal or group use. The products of an urban garden may or may not be for commercial purposes.
Use	The purpose or activity for which land, or any structure thereon, is designed, arranged, or intended, or for which it is occupied or maintained.
Use, accessory	See <i>Accessory use</i> .

Term	Definition
Use, principal	See <i>Principal use</i> .
Used vehicle parts sales	<p>A <u>location used for the business of buying, selling, or delivering used vehicle parts, when used vehicle parts comprise more than ten percent of the facility's inventory</u> vehicle parts sales facility shall be deemed a "Used vehicle parts sales" facility, and not a retail store, when used vehicle parts comprise more than ten percent of the facility's inventory.</p>
Used goods dealer	<p>A building, structure, premises, or part thereof, including a flea market, that is open to the public for buying, exchanging, bartering, offering for sale, or keeping with the intention of selling secondhand articles of any kind, except:</p> <p>(1) For books, magazines, records, CDs, or DVDs, which under this chapter and Chapter 41, Article VII, of this Code are considered to be new merchandise; and</p> <p>(2) For those articles, which are governed by Chapter 41, Article I, of this Code, <i>Junk Dealers, Junk Vehicles, and Junk Collectors</i> ; Chapter 41, Article II, of this Code, <i>Pawnbrokers</i> ; Chapter 41, Article III, of this Code, <i>Precious Metal and Gem Dealers</i> ; Chapter 41, Article IV, of this Code, <i>Scrap Metal Dealers</i> ; Chapter 41, Article V, of this Code, <i>Used Building Materials Dealers</i> ; and Chapter 41, Article VI, of this Code, <i>Used Motor Vehicle Dealers, Used Vehicle Parts Dealers, and Automobile Dismantling and Wrecking Yards</i>.</p>

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Subdivision S. Letter "V"

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Sec. 50-16-441. Words and terms (Va—Vg).

1 For the purposes of this chapter, the following words and phrases beginning with the letters
 2 "Va" through "Vg," shall have the meaning respectively ascribed to them by this section:

Term	Definition
Van	A multi-purpose enclosed motor vehicle having a box-like shape, rear and/or side doors, and side panels often with windows, used for the transportation of property or persons.
Vehicle	A device in, upon, or by which any person or property is, or may be, transported, or drawn, upon a public highway except devices used exclusively upon stationary rails or tracks or exclusively moved by human power.
Vehicle, commercial	A motor vehicle that is used for the transportation of passengers for hire, or constructed or used for transportation of goods, wares, or merchandise and/or a motor vehicle that is designed or constructed and used primarily for pulling other vehicles and does not carry any part of the weight of the vehicle which is being pulled.
Vehicle preparation	Consists of quick lube service, light bulb replacement, fuse replacement and tire rotation. All other functions constitute either " motor vehicle services, minor, " " <u>light duty vehicle service,</u> " or " motor vehicle services, major, " " <u>light duty vehicle repair,</u> " as defined in Section 50-16-303283 of this Code.

Term	Definition
Vehicle, private passenger	Every motor vehicle, other than a bus, commercial vehicle, or taxicab that is designed, used, or maintained primarily for the transportation of people on ordinary roads and that has a valid and current license plate. For purposes of this chapter, pick-up trucks and vans shall be considered private passenger vehicles.
Vehicle, recreational	Includes motor homes, pickup campers, and trailer coaches.
Vehicle repair and service (use category)	<p>Uses servicing passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles.</p> <p>Examples include the following uses:</p> <ul style="list-style-type: none"> • Motor vehicle services, major <u>light duty vehicle repair</u>; • Motor vehicle services, minor <u>light duty vehicle service</u>; • Motor vehicle filling station; • Motor vehicle washing and steam cleaning; • Motor vehicles, new or used: storage lots accessory to salesroom or sales lot for new or used motor vehicles. <p>Repair and service of industrial vehicles and equipment and of heavy trucks; towing and vehicle storage; and vehicle wrecking and salvage are classified as industrial service.</p>

<p>Very high- impact manufacturing or processing</p>	<p>Examples include:</p> <ul style="list-style-type: none"> • Acid manufacture; • Acoustical material manufacture; • Airplane manufacture; • Alkali manufacture; • Asphalt manufacture; • Automobile body plant; • Beryllium storage, handling, or processing; • Bituminous concrete manufacture; • Bulk solid material outdoor storage facility; • Carbide manufacture; • Carbonaceous bulk solid material facility; • Cement, lime, gypsum, or plaster of Paris manufacture; • Ceramic glaze or porcelain enamel frit manufacture; • Charcoal or fuel briquette manufacture; • Chemical manufacture (from raw substances); • Coal yard; • Coke oven; • Crushing, grading, and screening of rock, stone, slag, clay, or concrete; • Distillation of coal, petroleum, bones, tar, or refuse; • Dog or cat food cannery or manufacture; • Drop forge plants; • Fertilizer manufacture;
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Term	Definition
	<ul style="list-style-type: none"> • Fish oil or meal manufacture; • Fish smoking, curing, canning, or cleaning; • Foundry, ferrous or non-ferrous; • Glue manufacture (using animal products); • Insulation manufacture; • Lampblack manufacturing; • Linoleum manufacture; • Paint, enamel, oil, shellac, lacquer, varnish, or synthetic resin manufacture; • Paper manufacturing or reclaiming; • Petroleum refining or processing; • Radio isotope fabrication or use; • Smelting or refining of metals or ores; • Stamping or pressing plants; • Steel barrel, drum, or pail renovation or reclaiming; • Steel mills; • Tanning, curing, or storage of raw hides or skins; • Tar products manufacture; • Wool pulling.

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Subdivision T. Letters "W" Through "Z"

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Sec. 50-16-461. Words and terms (Wa—Wz).

- 1 For the purposes of this chapter, the following words and phrases beginning with the letters
- 2 "Wa" through "Wz," shall have the meaning respectively ascribed to them by this section:

Term	Definition
Warehouse and freight movement (use category)	<p>Uses involved in the storage, or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present.</p> <p>Examples include the following uses:</p> <ul style="list-style-type: none"> • Cold storage plant; • Containerized freight yard; • Elevators, grain; • Explosives storage; • Feed or grain mill; • Fuel dock; • Intermodal freight terminal; • Railroad transfer or storage tracks; • Steel warehousing; • Tank storage of bulk oil or gasoline; • Trucking terminals, transfer buildings, truck garages, recreational vehicle storage yards, and open areas for the parking of operable trucks; • Vending machine commissary; • Wholesaling, warehousing, storage buildings, or public storage facilities. <p>Uses that involve the transfer or storage of solid or liquid wastes are classified as waste-related uses. Mini-warehouses and self-service storage facilities shall be considered a "storage building" use.</p>

Term	Definition
<p>Waste-related use (use category)</p>	<p>Uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material.</p> <p>Examples include the following uses:</p> <ul style="list-style-type: none"> • Garbage, offal, or dead animal reduction; • Hazardous waste facility; • Incinerator plant; • Radioactive waste handling; • Recycling center; • Rendering plant; • Scrap tire processing or recycling facility; • Scrap tire storage facility; • Sewage disposal; • Transfer station for garbage, refuse, or rubbish; • Waste/scrap materials: indoor storage, handling, and/or transfer.
<p>Water-related facility (use category)</p>	<p>Uses that must be located on or near water in order to operate.</p> <p>Examples include the following uses:</p> <ul style="list-style-type: none"> • Boat terminal (passenger and common carrier); • Docks (waterway shipping, freight); • Marinas (for privately owned pleasure craft); • Ferry terminal.

**APPENDIX A. ASSIGNMENT OF SPECIFIC USE TYPES TO GENERAL USE
CATEGORIES**

DIVISION 3. LETTER "C."

Specific use types, beginning with the letter "C," assigned to general use categories are as follows:

Specific Land Use	Use Category
Cabaret	Recreation/entertainment, indoor
Cabinet-making shop	Industrial service (trade services, general)
Can, barrel, drum or pail manufacture	Manufacturing and production (high/medium-impact manufacturing or processing)
Candle manufacture	Manufacturing and production (high-impact manufacturing or processing)
Canning factories, excluding fish products	Manufacturing and production (high/medium-impact manufacturing or processing)
Canvas goods manufacture	Manufacturing and production (low/medium-impact manufacturing or processing)
Car wash (motor vehicle washing and steam cleaning)	Vehicle sales, repair, and service

Specific Land Use	Use Category
Carbide manufacture	Manufacturing and production (very high-impact manufacturing or processing)
Carbonic gas manufacture or storage	Manufacturing and production (high-impact manufacturing or processing)
Carbonic ice manufacture	Manufacturing and production (high-impact manufacturing or processing)
Carpenter's shop	Industrial service (trade services, general)
Casinos and casino complexes	Recreation/entertainment, indoor
Catering establishment (food catering establishment)	Manufacturing and production
Cattle or sheep dip manufacture	Manufacturing and production (high-impact manufacturing or processing)
Cellophane or celluloid manufacture	Manufacturing and production (high-impact manufacturing or processing)
Cement, lime, gypsum, or plaster of Paris manufacture	Manufacturing and production (very high-impact manufacturing or processing)
Cemeteries (including mausoleums, crematories, or columbaria)	Park and open space

Specific Land Use	Use Category
Ceramic glaze or porcelain enamel frit manufacture	Manufacturing and production (very high-impact manufacturing or processing)
Ceramic products manufacture	Manufacturing and production (high-impact manufacturing or processing)
Charcoal or fuel briquette manufacture	Manufacturing and production (very high-impact manufacturing or processing)
Check advance center (see <i>Financial services center</i>)	Retail sales and service (service-oriented)
Check cashing store (see <i>Financial services center</i>)	Retail sales and service (service-oriented)
Chemical manufacture	Manufacturing and production (very high-impact manufacturing or processing)
Chemical materials blending or compounding, but not involving chemicals manufacturing	Manufacturing and production
Child care center	Day care
Child caring institution	Institutional living
Chlorine gas manufacture	Manufacturing and production (high-impact manufacturing or processing)

Specific Land Use	Use Category
Cigar or cigarette manufacture	Manufacturing and production (low/medium-impact manufacturing or processing)
Cinema production or development	Manufacturing and production (low/medium-impact manufacturing or processing)
Clay products manufacture	Manufacturing and production (high-impact manufacturing or processing)
Clock or watch manufacture	Manufacturing and production (low/medium-impact manufacturing or processing)
Coal or coke yard	Manufacturing and production (very high-impact manufacturing or processing)
Coffee house (see <i>Restaurant</i>)	Food and beverage service
Coffee roasting	Manufacturing and production (low/medium-impact manufacturing or processing)
Coke oven	Manufacturing and production (very high-impact manufacturing or processing)

Specific Land Use	Use Category
Cold storage plant	Warehouse and freight movement
Concert café (see <i>Theater</i>)	Recreation/entertainment, indoor
Concert hall (see <i>Theater</i>)	Recreation/entertainment, indoor
Concrete batching plants	Manufacturing and production (high-impact manufacturing or processing)
Concrete pipe or concrete pipe products manufacture	Manufacturing and production (high-impact manufacturing or processing)
Confection manufacture	Manufacturing and production
Construction equipment, agricultural implements and other heavy equipment repair or service	Industrial service
Containerized freight yard	Warehouse and freight movement
Convalescent, nursing, or rest home	Group living
Contractor's shop (see <i>Trade services, general</i> , for the shops of the following contractors: air conditioning, cabinet-making, carpenter, electrical, furniture cleaning, furniture repair, heating, plumbing, rug cleaning, upholstering)	Industrial service
Contractor, yard, landscape or construction	Industrial service
Convenience store (see <i>Stores of a generally recognized retail nature for the sale of new merchandise</i>)	Retail sales and service (sales-oriented)

Specific Land Use	Use Category
Convention or exhibit building; office, public only	Auditorium or stadium
Correctional institution	Institutional living
Cosmetic manufacturing	Manufacturing and production
Creameries	Manufacturing and production (low-impact manufacturing or processing)
Credit union (see <i>Bank</i>)	Retail sales and service (service-oriented)
Crematory (See <i>Cemetery</i>)	Park and open space
Crematory (See <i>Mortuary or funeral home</i>)	Retail sales and service (service-oriented)
Crushing, grading, and screening of rock, stone, slag, clay, or concrete	Manufacturing and production (very high-impact manufacturing or processing)
Customer service center	Retail sales and service (service-oriented)
Customs office	Community service

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DIVISION 4. LETTER "D."

Specific use types, beginning with the letter "D," assigned to general use categories are as follows:

Specific Land Use	Use Category
Dance hall, public	Assembly
Dead animal reduction	Waste-related use
Dental clinic	Office
Dental products, surgical, or optical goods manufacture	Manufacturing and production
Detailing shop, auto (see <i>Motor vehicle services, minor</i>)	Vehicle repair and service
Detention facility	Institutional living
Dextrine manufacture	Manufacturing and production (high-impact manufacturing or processing)
Die casting	Manufacturing and production (high/medium-impact manufacturing or processing)
Disinfectant or insecticide manufacture	Manufacturing and production (high/medium-impact manufacturing or processing)
Display designer's or builder's shops	Manufacturing and production (low/medium-impact manufacturing or processing)
Distillation of coal, petroleum, bones, tar, or refuse	Manufacturing and production (very high-impact manufacturing or processing)
Distillery, small (see <i>Small distillery</i>)	Food and beverage service
Distilling of alcoholic products	Manufacturing and production (high/medium-impact manufacturing or processing)
Docks, waterway shipping/freighters	Water-related facilities

Dog or cat food cannery or manufacture	Manufacturing and production (very high-impact manufacturing or processing)
Dog or cat food cannery or manufacture, excluding rendering or the use of fish products	Manufacturing and production (low/medium-impact manufacturing or processing)
Door, sash, or trim manufacture	Manufacturing and production (low/medium-impact manufacturing or processing)
Dormitory	Institutional living
Draperies manufacture	Manufacturing and production (low/medium-impact manufacturing or processing)
Drive-in theater	Recreation/entertainment, outdoor
Drop forge plants	Manufacturing and production (very high-impact manufacturing or processing)
Dry cleaning, laundry, or laundromat	Retail sales and service (service-oriented)
Dyestuffs manufacture	Manufacturing and production (high-impact manufacturing or processing)

1

2

DIVISION 13. LETTER "M."

3

Specific use types, beginning with the letter "M," assigned to general use categories are as

4

follows:

Specific Land Use	Use Category
Machine shop	Industrial service
Marinas	Water-related facilities

Specific Land Use	Use Category
Massage facility	Office
Mattress manufacture	Manufacturing and production (high/medium-impact manufacturing or processing)
Mattress manufacturing, assembly of new materials only	Manufacturing and production (low/medium-impact manufacturing or processing)
Meat products manufacturing or processing	Manufacturing and production (high-impact manufacturing or processing)
Medical marijuana grower facility	Medical marijuana facilities <u>and adult-use marijuana establishments</u>
Medical marijuana processor facility	Medical marijuana facilities <u>and adult-use marijuana establishments</u>
Medical marijuana <u>retail/provisioning center</u> facility	Medical marijuana facilities <u>and adult-use marijuana establishments</u>
Medical marijuana safety compliance facility	Medical marijuana facilities <u>and adult-use marijuana establishments</u>
Medical marijuana secure transporter facility	Medical marijuana facilities <u>and adult-use marijuana establishments</u>
Medical or dental clinic, physical therapy clinic, or massage facility	Office

Specific Land Use	Use Category
Mercado (see Stores of a generally recognized retail nature)	Retail sales and service (sales-oriented)
Millwork, lumber or planing mills	Manufacturing and production (high/medium-impact manufacturing or processing)
Mobile home park	Household living
Monument works	Manufacturing and production (high/medium-impact manufacturing or processing)
Mortuary or funeral home, including those containing a crematory	Retail sales and service (service-oriented)
Motel	Public accommodation
Motor vehicle detailing shop (see Motor vehicle services, minor)	Vehicle <u>sales</u> , repair, and service
Motor vehicle filling station	Vehicle <u>sales</u> , repair, and service
Motor vehicle services, major	Vehicle repair, and service
Motor vehicle services, minor	Vehicle repair, and service
Motor vehicle washing and steam cleaning	Vehicle <u>sales</u> , repair, and service
Motor vehicles, new, salesroom or sales lot	Retail sales and service (sales-oriented)
	<u>Vehicle sales, repair, and service</u>

Specific Land Use	Use Category
Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor vehicles	Vehicle <u>sales</u> , repair, and service
Motor vehicles, used, salesroom or sales lot	Retail sales and service (sales-oriented) Vehicle <u>sales</u> , repair, and service
Motor vehicles, used, storage lot accessory to a salesroom or sales lot for used motor vehicles	Vehicle <u>sales</u> , repair, and service
Motorcycle club; a type of Private clubs, lodges or similar uses	Assembly
Motorcycles, retail sales, rental or service	Retail sales and service (sales-oriented)
Moving truck/trailer rental lots (see Trailers, utility—sales, rental, or service; moving truck/trailer rental lots)	Retail sales and service (sales-oriented)
Multiple-family dwelling	Household living
Museum	Museum

1

2

DIVISION 20. - LETTER "T."

3

Specific use types, beginning with the letter "T," assigned to general use categories are as

4

follows:

Specific Land Use	Use Category
Tank storage of bulk oil or gasoline	Warehouse and freight movement

Specific Land Use	Use Category
Tanning, curing, or storage of raw hides or skins	Manufacturing and production (very high-impact manufacturing or processing)
Tar products manufacture	Manufacturing and production (very high-impact manufacturing or processing)
Tavern (establishment for the sale of beer or alcoholic liquor for consumption on the premises)	Food and beverage service
Taxicab dispatch and/or storage facility	Vehicle repair and service
Telecommunications building, private	Telecommunications facilities
Telephone exchange building	Utility, basic
Television or radio station	Office
Television repair shop	Retail sales and service (service-oriented)
Tennis court	Park and open space
Terra cotta manufacture	Manufacturing and production (high-impact manufacturing or processing)
Testing laboratory	Manufacturing and production
Theater and concert café, excluding drive-in theaters	Recreation/entertainment, indoor

Specific Land Use	Use Category
Tire manufacture	Manufacturing and production (high-impact manufacturing or processing)
Tire recapping	Manufacturing and production (high/medium-impact manufacturing or processing)
Tires, used: sales and/or service	Industrial service
Toiletries or cosmetic manufacturing	Manufacturing and production
Tool, die, and gauge manufacturing, small items	Manufacturing and production
Tool sharpening or grinding	Industrial service
Towing service storage yard	Industrial service
Townhouse	Household living
Trade services, general	Industrial service
Trailer coaches or boat sale or rental, open air display	Retail sales and service (sales-oriented)
Trailers, utility—sales, rental, or service; moving truck/trailer rental lots	Retail sales and service (sales-oriented)
Transfer building	Warehouse and freight movement
Transfer station for garbage, refuse, or rubbish	Waste-related use
Truck garage	Warehouse and freight movement

Specific Land Use	Use Category
Truck stops	Industrial service
Trucking terminals, transfer buildings, truck garages, recreational vehicle storage lots, and open areas for the parking of semi-trailers, buses, and other operable commercial vehicles, not including limousines and taxicabs	Warehouse and freight movement
Tunnel plaza and terminal, vehicular	Aviation and surface transportation facilities
Turpentine manufacture	Manufacturing and production (high-impact manufacturing or processing)
Two-family dwelling	Household living

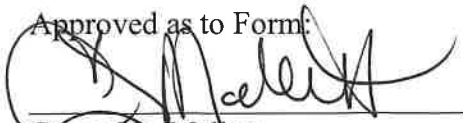
1

2 **Section 2.** All ordinances or parts of ordinances in conflict with this ordinance are repealed.

3 **Section 3.** This ordinance is declared necessary for the preservation of the public peace,
4 health, safety, and welfare of the people of the City of Detroit.

5 **Section 4.** This ordinance shall become effective on the eighth (8th) day after publication
6 in accordance with Section 401(6) of Public Act 110 of 2006, as amended, M.C.L. 125.3401(6),
7 and Section 4-118, paragraph 3 of the 2012 Detroit City Charter.

Approved as to Form:


 Conrad D. Mallett
 Corporation Counsel

- Section 50-10-53 (*Conditional manufacturing and industrial uses*)
- Division 4 (*M3 General Industrial District*),
 - Section 50-10-76 (*By-right retail, service, and commercial uses*) and
 - Section 50-10-77 (*By-right manufacturing and industrial uses*) and
 - Section 50-10-82 (*Conditional retail, service, and commercial uses*) and
 - Section 50-10-83 (*Conditional manufacturing and industrial uses*)
- Division 5 (*M4 Intensive Industrial District*),
 - Section 50-10-106 (*By-right retail, service, and commercial uses*) and
 - Section 50-10-107 (*By-right manufacturing and industrial uses*) and
 - Section 50-10-112 (*Conditional retail, service, and commercial uses*) and
 - Section 50-10-113 (*Conditional manufacturing and industrial uses*)
- Division 6 (*M5 Special Industrial District*),
 - Section 50-10-136 (*By-right retail, service, and commercial uses*) and
 - Section 50-10-137 (*By-right manufacturing and industrial uses*) and
 - Section 50-10-142 (*Conditional retail, service, and commercial uses*)
- Article XI** (*Special Purpose Zoning Districts and Overlay Areas*),
 - Division 6 (*TM Transitional-Industrial District*),
 - Section 50-11-116 (*By-right retail, service, and commercial uses*) and
 - Section 50-11-117 (*By-right manufacturing and industrial uses*) and
 - Section 50-11-122 (*Conditional retail, service, and commercial uses*) and
 - Section 50-11-123 (*Conditional industrial uses*)
 - Division 8 (*W1 Waterfront-Industrial District*),
 - Section 50-11-183 (*Conditional manufacturing and industrial uses*)
 - Division 10 (*SD2 – Special Development District, Mixed-Use*),
 - Section 50-11-242 (*Conditional retail, service, and commercial uses*)
 - Division 12 (*SD4 Special Development District, Riverfront Mixed Use*),
 - Section 50-11-298 (*Conditional retail, service, and commercial uses*) and
 - Section 50-11-299 (*Conditional manufacturing and industrial uses*)
 - Division 14 (*Overlay Areas*),
 - Subdivision A (*Gateway Radial Thoroughfare Overlay Areas*),
 - Section 50-11-364 (*Prohibitions and limitations*)
- Article XII** (*Use Regulations*),
 - Division 1 (*Use Table*),
 - Subdivision D (*Retail, Service, and Commercial uses*),
 - Section 50-12-69 (*Retail sales and service, sales-oriented*) and
 - Section 50-12-71 (*Vehicle repair and service*)
 - Subdivision E (*Manufacturing and Industrial Uses*),
 - Section 50-12-81 (*Industrial service*) and
 - Section 50-12-83 (*Warehouse and freight movement*) and
 - Section 50-12-84 (*Waste-related use*)
 - Division 2 (*General Use Standards*),
 - Section 50-12-131 (*Retail, service, and commercial uses - Spacing*)
 - Division 3 (*Specific Use Standards*),
 - Subdivision E (*Retail, Service, and Commercial Uses; Generally, continued*),
 - Section 50-12-291 (*Motor vehicles, new or used; storage lot accessory to a salesroom or sales lot for new or used motor vehicles*) and
 - Section 50-12-293 (*Motor vehicles, used, salesroom or sales lot*) and
 - Section 50-12-294 (*Motor vehicle services, major repair*) and
 - Section 50-12-295 (*Motor vehicle services, minor*)
 - Subdivision F (*Manufacturing and Industrial Uses*),
 - Section 50-12-341 (*Junkyards*) and
 - Section 50-12-349 (*Scrap tire storage, processing, or recycling facility*) and

Section 50-12-350 (*Tires, used; sales and/or service*) and
 Section 50-12-352 (*Towing service storage yards*) and
 Section 50-12-355 (*Trucking terminals, transfer buildings, truck garages, recreational vehicle storage lots, and open areas for the parking of operable trucks*) and
 Section 50-12-356 (*Used vehicle parts sales*)
 Division 5 (*Accessory Uses and Structures*),
 Subdivision C (*Specific Accessory Use Standards*),
 Section 50-12-517 (*Motor vehicle salesroom or sales lot*)
Article XIII (*Intensity and Dimensional Standards*),
 Division 1 (*Tables of Intensity and Dimensional Standards*),
 Subdivision C (*Business Districts*),
 Section 50-13-44 (*B3 District*) and
 Section 50-13-45 (*B4 District*) and
 Section 50-13-47 (*B6 District*)
 Subdivision E (*Industrial Districts*),
 Section 50-13-82 (*M1 District*) and
 Section 50-13-85 (*M4 District*)
 Subdivision G (*Special Purpose Zoning Districts*),
 Section 50-13-126 (*TM District*)
Article XIV (*Development Standards*),
 Division 1 (*Off-Street Parking, Loading, and Access*),
 Subdivision B (*Off-Street Parking Schedule "A"*),
 Section 50-14-64 (*Warehouse and freight movement*)
Article XV (*Nonconformities*),
 Division 2 (*Nonconforming Uses*),
 Section 50-15-30 (*Change of nonconforming use to other nonconforming use*)
Article XVI (*Rules of Construction and Definitions*),
 Division 2 (*Words and Terms Defined*),
 Subdivision B (*Letter "A"*),
 Section (*Words and terms (At – Az)*)
 Subdivision J (*Letters "I" Through "J"*),
 Section 50-16-262 (*Words and terms (In – Iz)*)
 Subdivision L (*Letter "M"*),
 Section 50-16-303 (*Words and terms (Mn – Ms)*)
 Subdivision O (*Letters "Q" Through "R"*),
 Section 50-16-361 (*Words and terms (Qa – Qz and Ra – Rec)*)
 Subdivision P (*Letter "S"*),
 Section 50-16-381 (*Words and terms (Sa – Sd)*)
 Subdivision R (*Letter "U"*),
 Section 50-16-421 (*Words and terms (Ua – Us)*)
 Subdivision T (*Letters "W" Through "Z"*),
 Section 50-16-461 (*Words and terms (Wa – Wz)*)
 (And all other sections as may be necessary to facilitate this amendment)

The proposed text amendment would change the permissibility of **motor vehicle sales and repair uses including junkyards and towing service storage yards**, to implement a spacing requirement between such uses, to re-define several motor vehicle repair uses, and to update the use regulations for such uses

This text amendment is being considered by the City Planning Commission in accordance with the provisions of Article III, Division 2 of the Detroit Zoning Ordinance. Zoning Ordinance text amendments require the approval of the City Council after a public hearing and after receipt of a report and recommendation by the City Planning Commission.

All interested persons are invited to be present and be heard as to their views. Persons making oral presentations are encouraged to submit written copies, for the record, to the City Planning Commission via U.S. Mail at the above address or e-mail at cpc@detroitmi.gov. Public comment/testimony may be given at the appropriate times when called for during the meeting. If you desire to speak and are attending the meeting online, press the “raise your hand” icon at the bottom of the screen or press ALT-Y for a PC or OPT-Y for a MAC to raise your hand virtually. If attending by phone press *-9 to raise your hand.

If interpretation or translation services are needed, including for the hearing impaired, call the Department of Civil Rights, Inclusion & Opportunity at 313-224-4950. For further information on this proposal or the public hearing, please call (313) 224-6225.

To participate virtually in the CPC meeting, please use the following options.

Online:

<https://cityofdetroit.zoom.us/j/96355593579?pwd=TTloMzN5M3pmU1RKNXp1MjJlcjN3UT09>

Or iPhone one-tap:

US: +12678310333,96355593579# or +13017158592,,96355593579#

Or by Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 267 831 0333 or +1 301 715 8592 or +1 312 626 6799 or +1 213 338 8477 or +1 253 215 8782 or +1 346 248 7799 Webinar ID: 963 5559 3579

CPC Webpage: <https://detroitmi.gov/government/commissions/city-planning-commission>

EXECUTIVE ORDER NO. 2022-05

TO: ALL BOARDS, COMMISSIONS, DEPARTMENT DIRECTORS, AGENCY HEADS, CITY COUNCIL MEMBERS, AND THE CITY CLERK

SUBJECT: EXTENSION OF MORATORIUM ON APPLICATIONS FOR PERMITS, LICENSES, AND/OR APPEALS FOR NEW OR EXPANDED JUNKYARDS, SCRAP TIRE PROCESSING AND RECYCLING FACILITIES, SCRAP TIRE STORAGE FACILITIES, USED TIRE SALES AND SERVICE, AND TOW SERVICE STORAGE YARDS

DATE: SEPTEMBER 27, 2022

The City of Detroit issued Executive Order No. 2019-1, effective April 1, 2019, to address the increase in the establishment and/or expansion of junkyards, scrap tire processing and recycling facilities, scrap tire storage facilities, minor and major motor vehicle repair, and used car sales lots. Subsequent Executive Orders extended the moratorium imposed by Executive Order 2019-1 until August 30, 2022, as well as added used tire sales and service, and towing service storage yards to its scope. Under Chapter 50 of the 2019 Detroit City Code, ‘*Zoning*,’ the term “junkyard” includes junk dealers, scrap iron and metal processors, and automobile dismantling and wrecking yards. Regulation and enforcement of these businesses has been a challenge for the City of Detroit due to an overconcentration of such uses and lack of compliance with zoning, property maintenance, and licensing standards, in addition to evidence of criminal activity furthered or condoned by some of these operations. Even if permitted, some of these businesses have illegally intensified the services offered such as presenting more used cars for sale than allowed or expanded a business onto neighboring property without permission. At the same time, such uses that have been abandoned can leave vacant, blighted buildings and contaminated land on commercial corridors. Finally, these uses can present deleterious effects on neighboring residential districts, resulting in excessive blight, traffic, noise, crime, and environmental concerns requiring excessive enforcement resources, due to more frequent neighborhood complaints and quality of life issues.

Due to the Covid-19 global pandemic and the City’s need to divert resources to comprehensively address it on behalf of Detroit residents, the goals of Executive Order 2019-1 have not yet been met, and the concerns remain. In 2019, the City launched a massive enforcement initiative, ticketing and closing hundreds of illegal businesses, however, the work continues as there are many more operating without the required inspection, permit or license. The City is currently drafting and pursuing proposed changes to the Detroit City Code pertaining to junkyards, scrap tire processing and recycling facilities, scrap tire storage facilities, minor and major motor vehicle repair, used car sales lots, used tire sales and service, and towing service storage yards. The identified revisions will include legislative corrections and new regulations to limit overconcentration, increase compliance with property maintenance, zoning, and licensing standards, decrease crime, eradicate visual blight, and curtail illegal business operations.

The proposed new zoning regulations have been heard by the City Planning Commission and forwarded for finalization and approval as to form before being submitted to City Council for consideration. The ordinance enactment process and public hearing requirements will extend the City's required time to consider and enact these regulations beyond the current expiration date of the moratorium authorized by Executive Order 2022-03, being September 30, 2022.

The moratorium first imposed by Executive Order 2019-1 was extended by Executive Order 2022-01 until August 1, 2022, and then by Executive Order 2022-03 until September 30, 2022. Therefore, it is ordered that the moratorium extended by Executive Order No. 2022-03 is extended until December 31, 2022. During such time, no City department may accept an application for a new permit, license or to appeal a denied application to establish or expand a junkyard, scrap tire processing and recycling facility, scrap tire storage facility, minor or major motor vehicle repair, used car sales lot, used tire sales and service, or a towing service storage yard--to give the City the continued opportunity to implement its compliance strategy with newly available resources; and to review draft language, hold the required public hearings, and enact improved regulations for such land uses in the City. This Order shall not be construed to prohibit the annual renewal of legally established existing business licenses or certificates of compliance required by the City Code for applicable uses included herein, which shall continue.

Pursuant to the powers vested in me by the 1963 Michigan Constitution and by the 2012 Detroit City Charter, I, Michael E. Duggan, Mayor of the City of Detroit, issue this Executive Order. This Executive Order 2022-05 supersedes Executive Order No. 2022-03, and this Order is effective September 30, 2022.



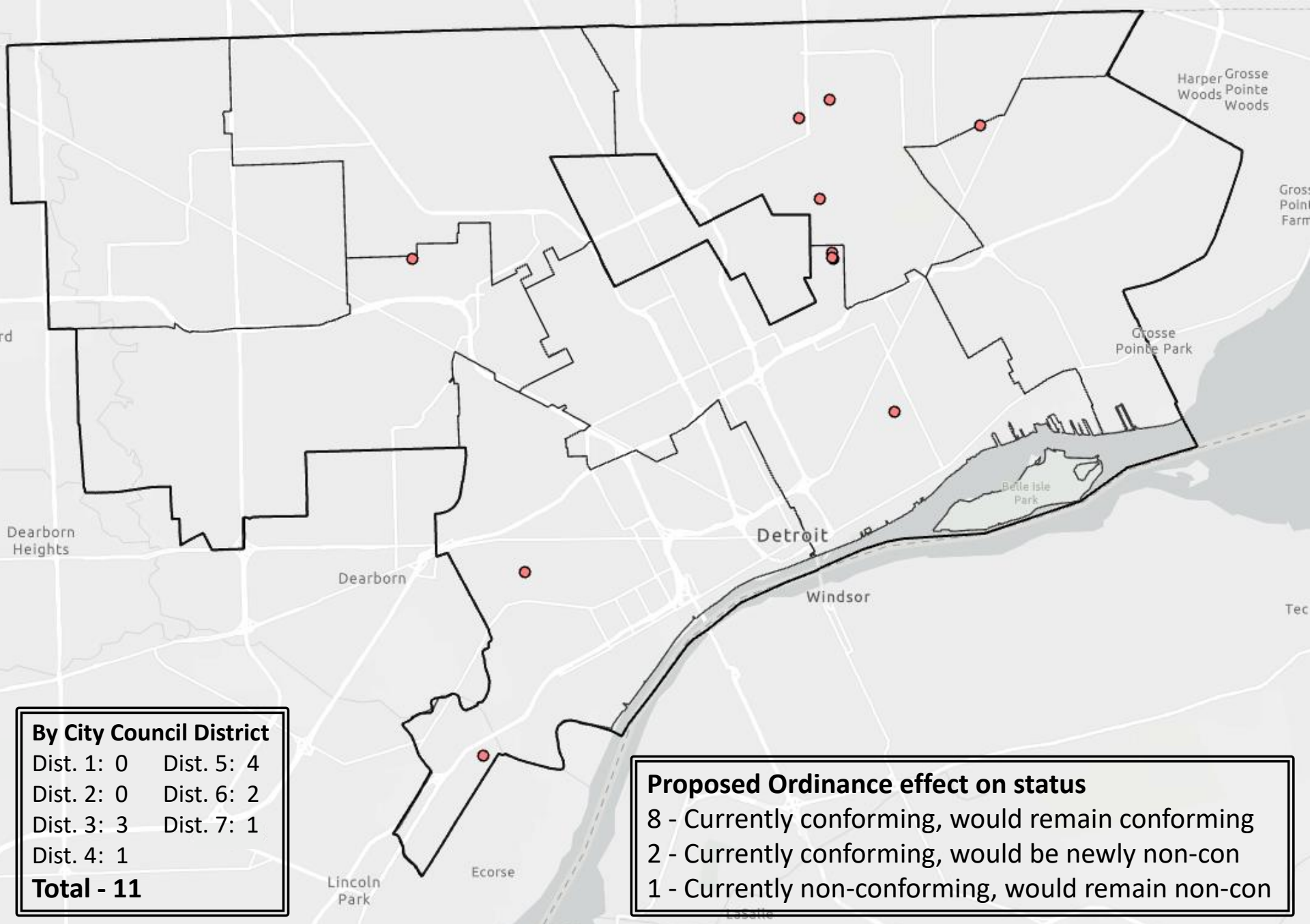
Michael E. Duggan
Mayor



**AUTO-RELATED USES
MAPPING**

An aerial photograph of an industrial yard or parking lot. The area is filled with numerous semi-trailers and trucks, many of which are parked in neat rows. There are several large, low-rise industrial buildings with flat roofs. In the background, there are railroad tracks and a multi-story brick building. The ground is mostly dirt and gravel, with some patches of grass and trees in the foreground. A semi-transparent black box with a white border is overlaid on the center of the image, containing the text "PART ONE LOCATIONS OF EXISTING BUSINESSES".

PART ONE
LOCATIONS OF EXISTING
BUSINESSES

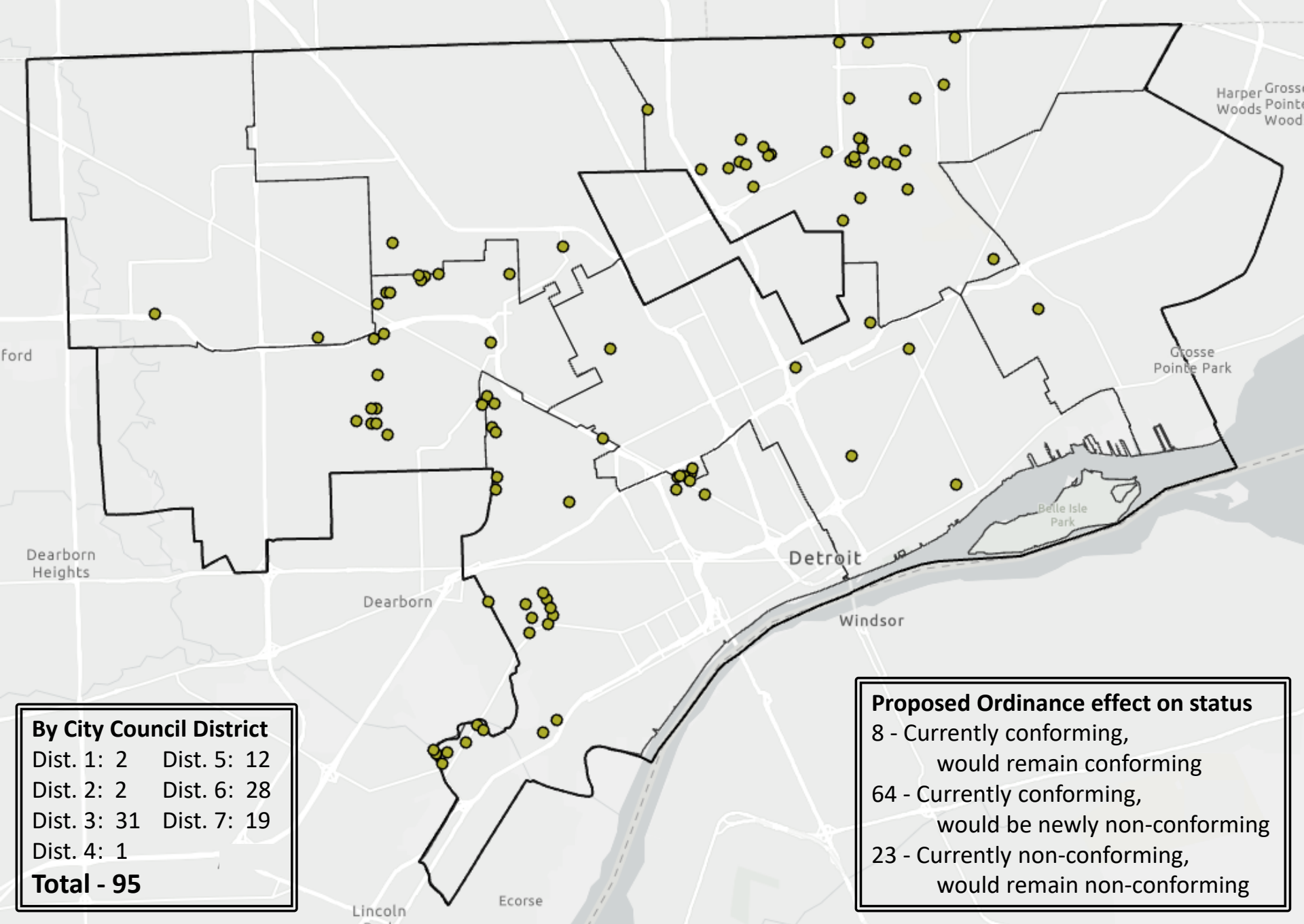


By City Council District

Dist. 1: 0	Dist. 5: 4
Dist. 2: 0	Dist. 6: 2
Dist. 3: 3	Dist. 7: 1
Dist. 4: 1	
Total - 11	

Proposed Ordinance effect on status

- 8 - Currently conforming, would remain conforming
- 2 - Currently conforming, would be newly non-con
- 1 - Currently non-conforming, would remain non-con



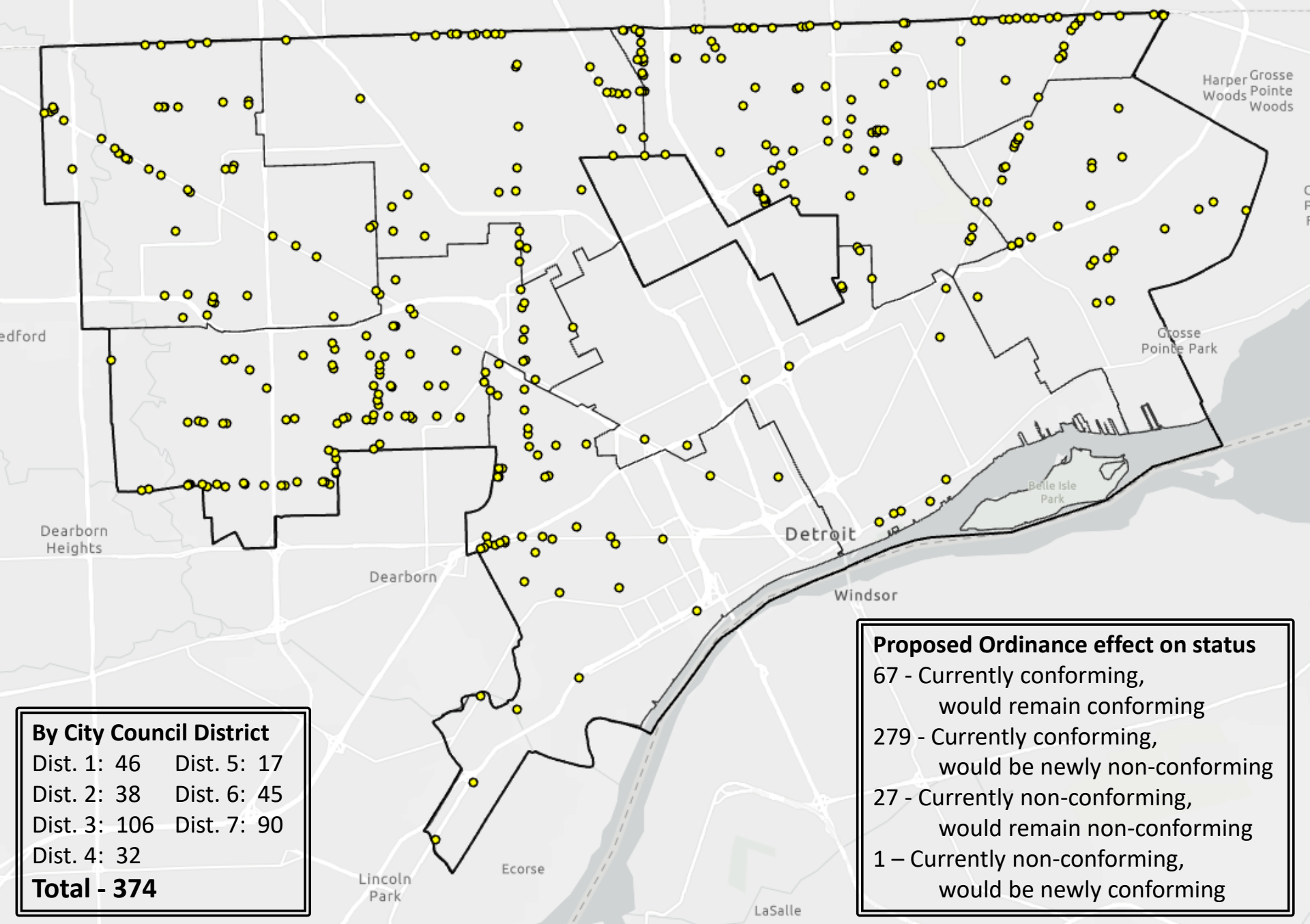
By City Council District

Dist. 1: 2	Dist. 5: 12
Dist. 2: 2	Dist. 6: 28
Dist. 3: 31	Dist. 7: 19
Dist. 4: 1	
Total - 95	

Proposed Ordinance effect on status

- 8 - Currently conforming, would remain conforming
- 64 - Currently conforming, would be newly non-conforming
- 23 - Currently non-conforming, would remain non-conforming

EXISTING JUNKYARDS – per BSEED data 6/1/2022



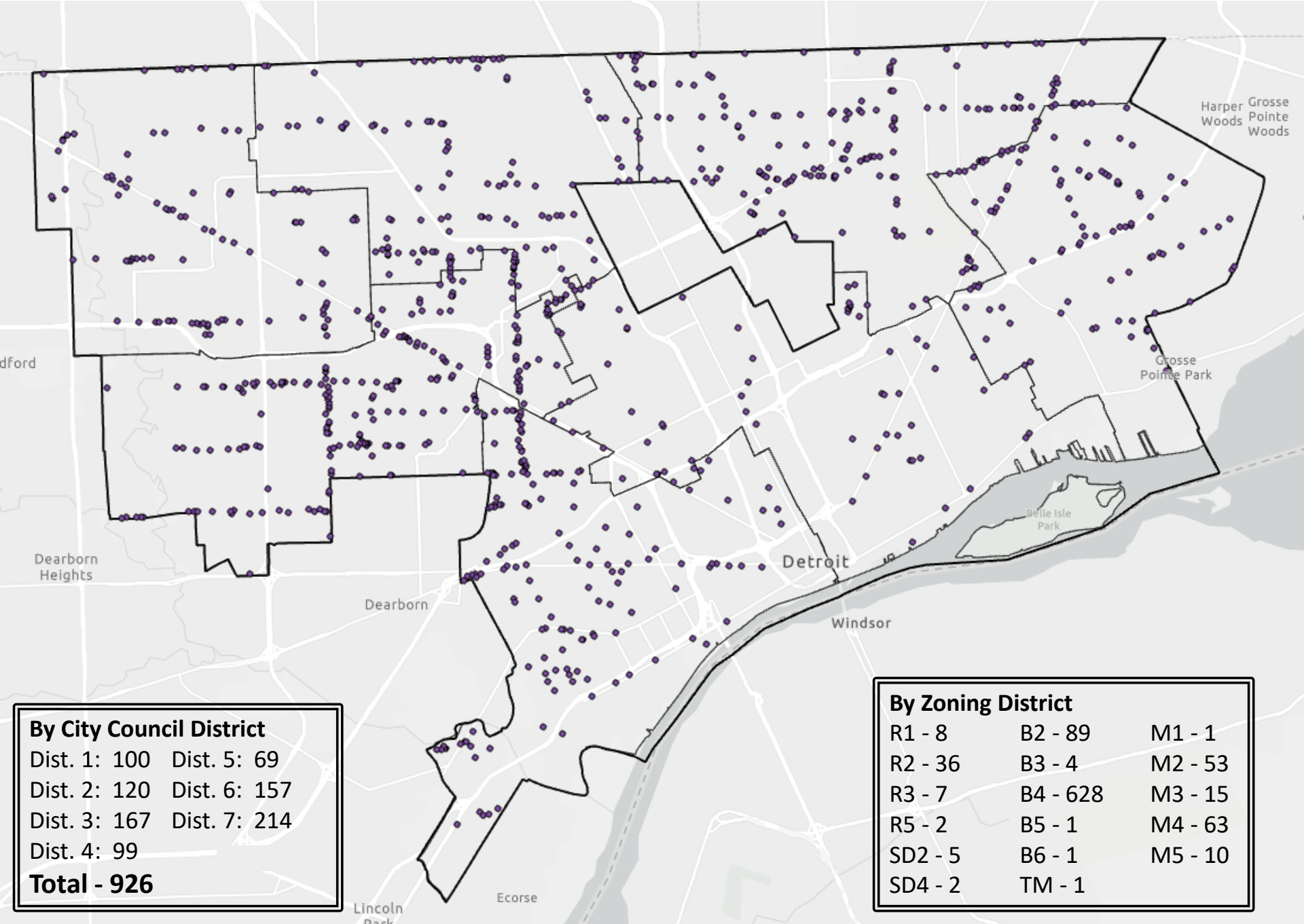
By City Council District

Dist. 1: 46	Dist. 5: 17
Dist. 2: 38	Dist. 6: 45
Dist. 3: 106	Dist. 7: 90
Dist. 4: 32	
Total - 374	

Proposed Ordinance effect on status

- 67 - Currently conforming, would remain conforming
- 279 - Currently conforming, would be newly non-conforming
- 27 - Currently non-conforming, would remain non-conforming
- 1 - Currently non-conforming, would be newly conforming

EXISTING AUTO SALES – per BSEED data 6/1/2022

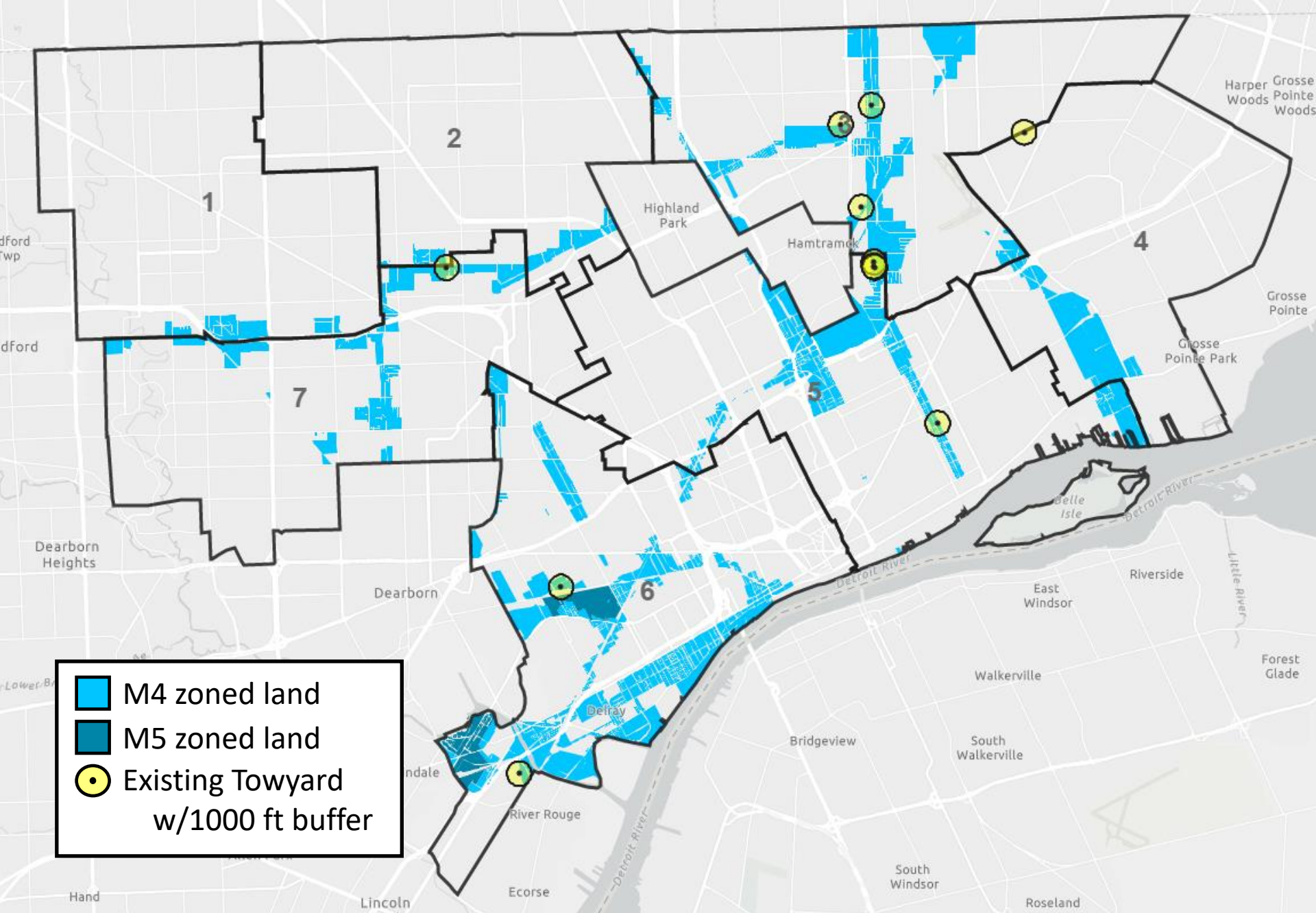


By City Council District	
Dist. 1: 100	Dist. 5: 69
Dist. 2: 120	Dist. 6: 157
Dist. 3: 167	Dist. 7: 214
Dist. 4: 99	
Total - 926	

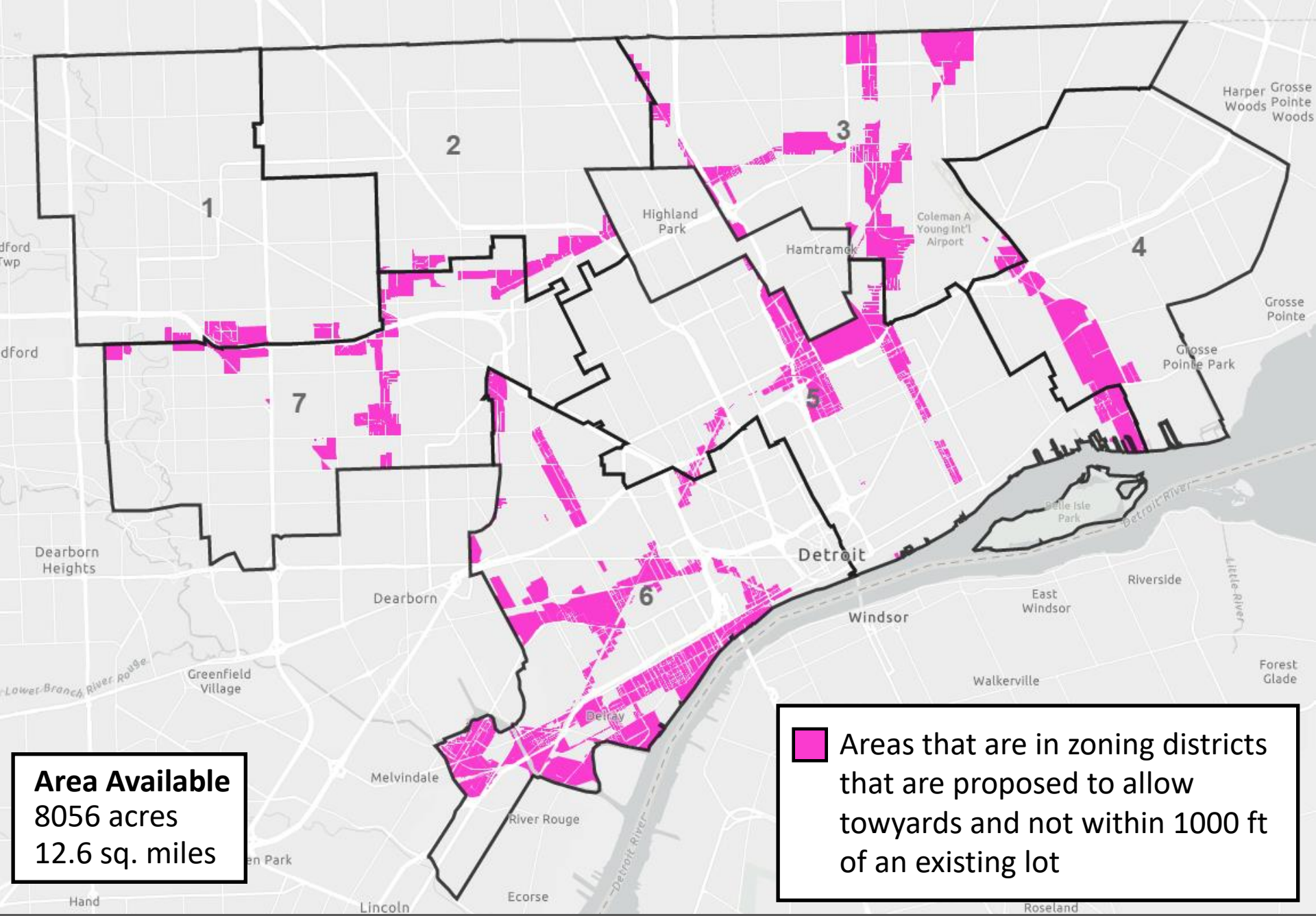
By Zoning District		
R1 - 8	B2 - 89	M1 - 1
R2 - 36	B3 - 4	M2 - 53
R3 - 7	B4 - 628	M3 - 15
R5 - 2	B5 - 1	M4 - 63
SD2 - 5	B6 - 1	M5 - 10
SD4 - 2	TM - 1	



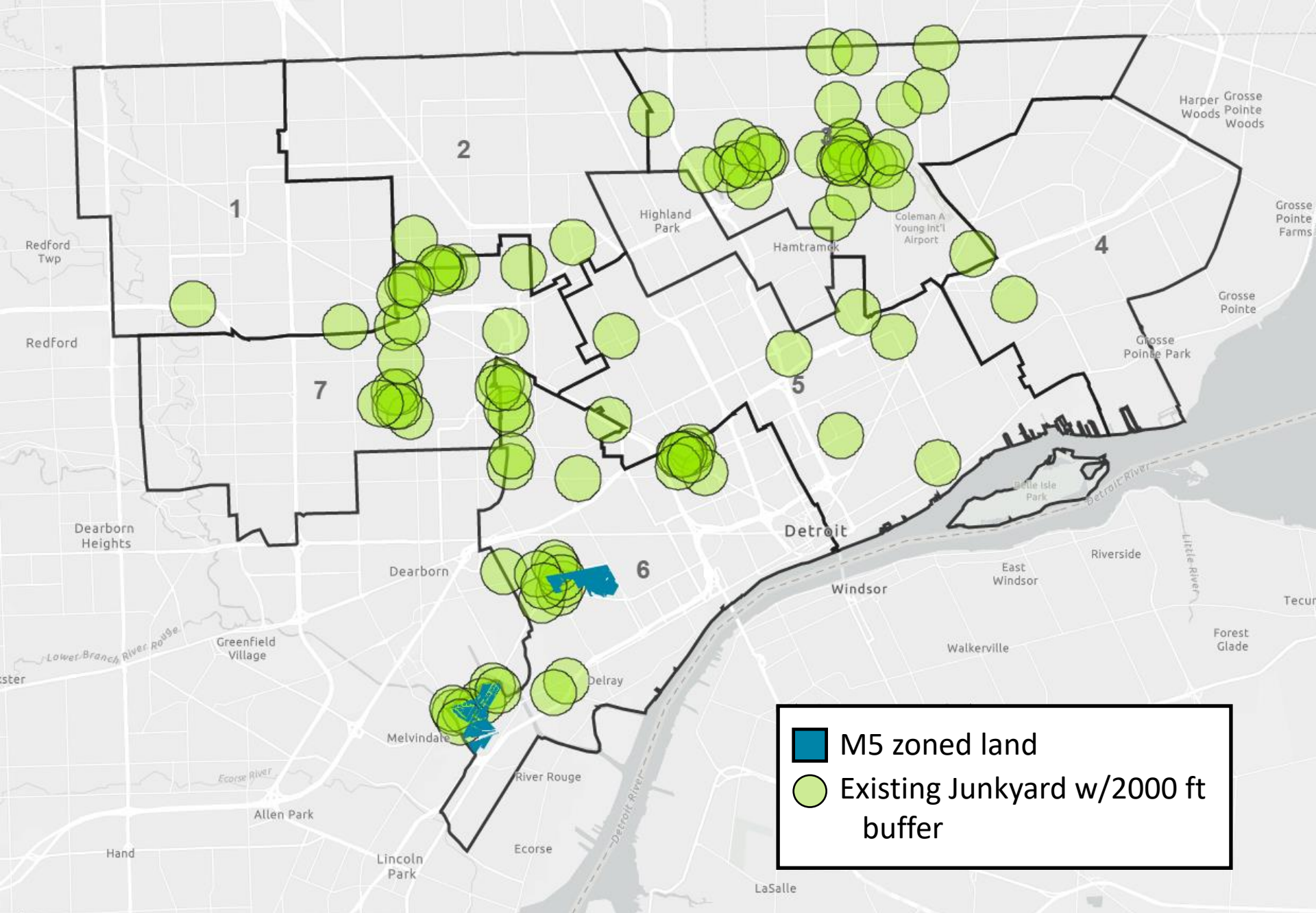
PART TWO
AREAS WHERE NEW BUSINESSES
WOULD BE ALLOWED



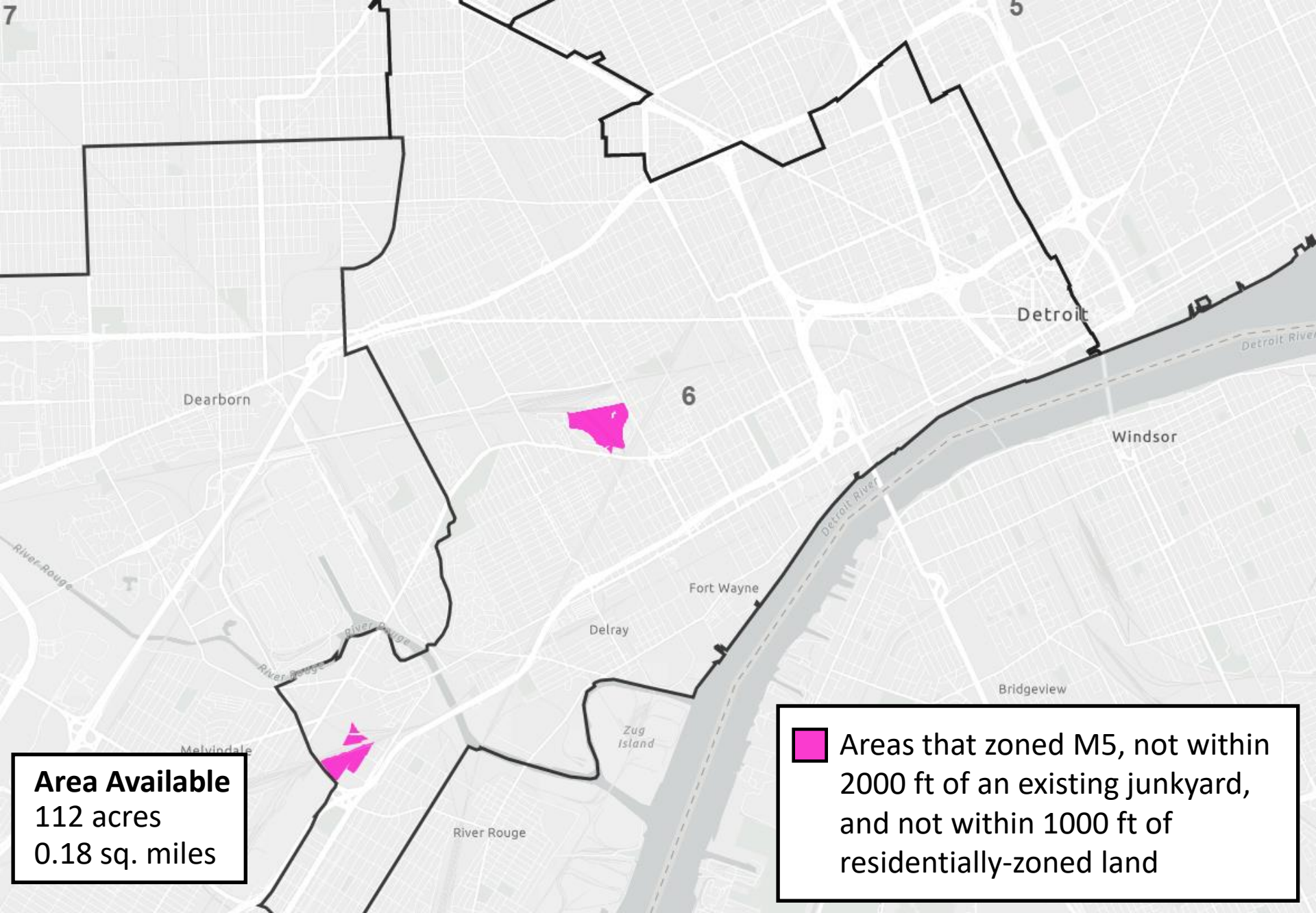
POTENTIAL AREAS FOR NEW TOWYARDS



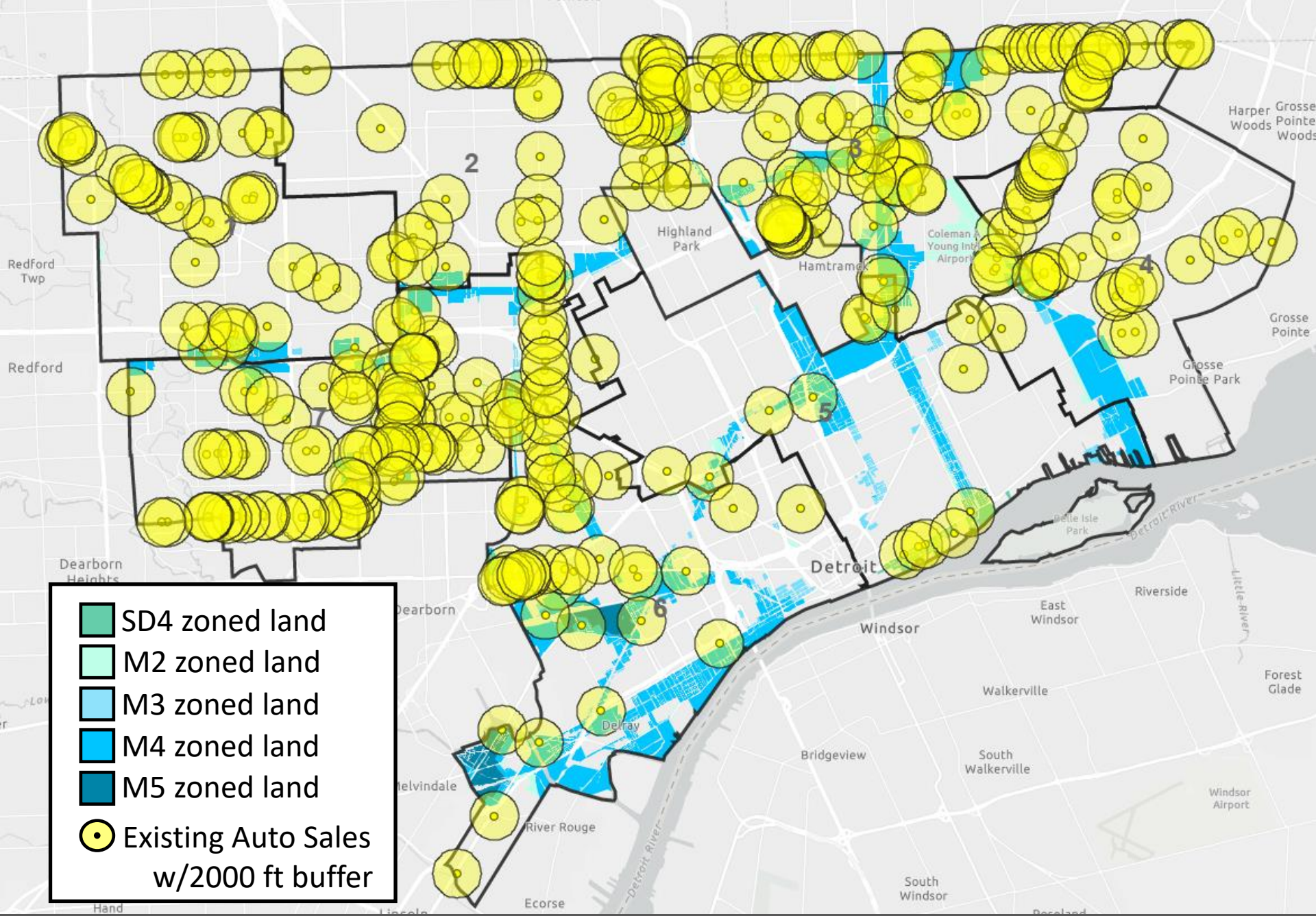
POTENTIAL AREAS FOR NEW TOWYARDS



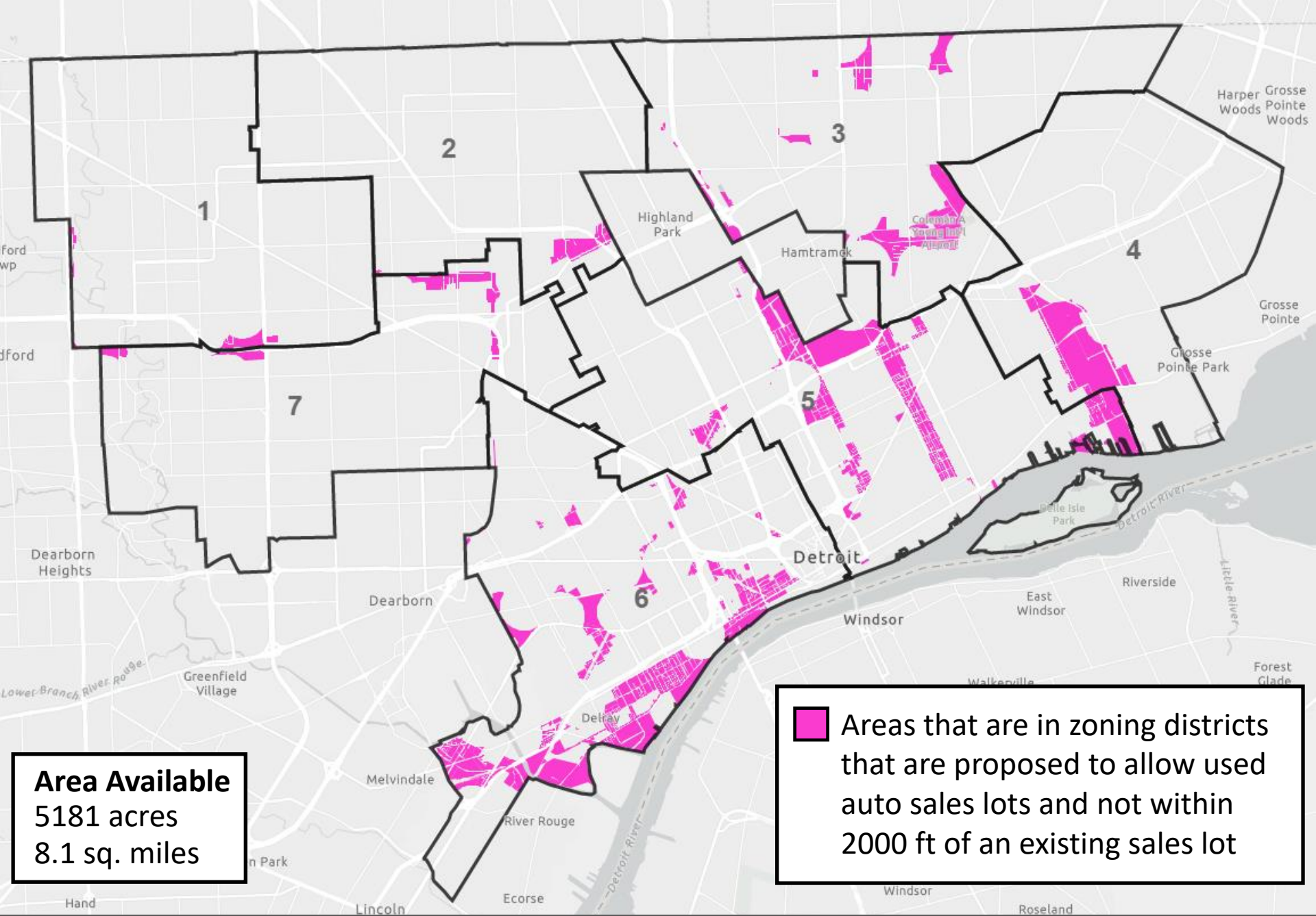
POTENTIAL AREAS FOR NEW JUNKYARDS



POTENTIAL AREAS FOR NEW JUNKYARDS



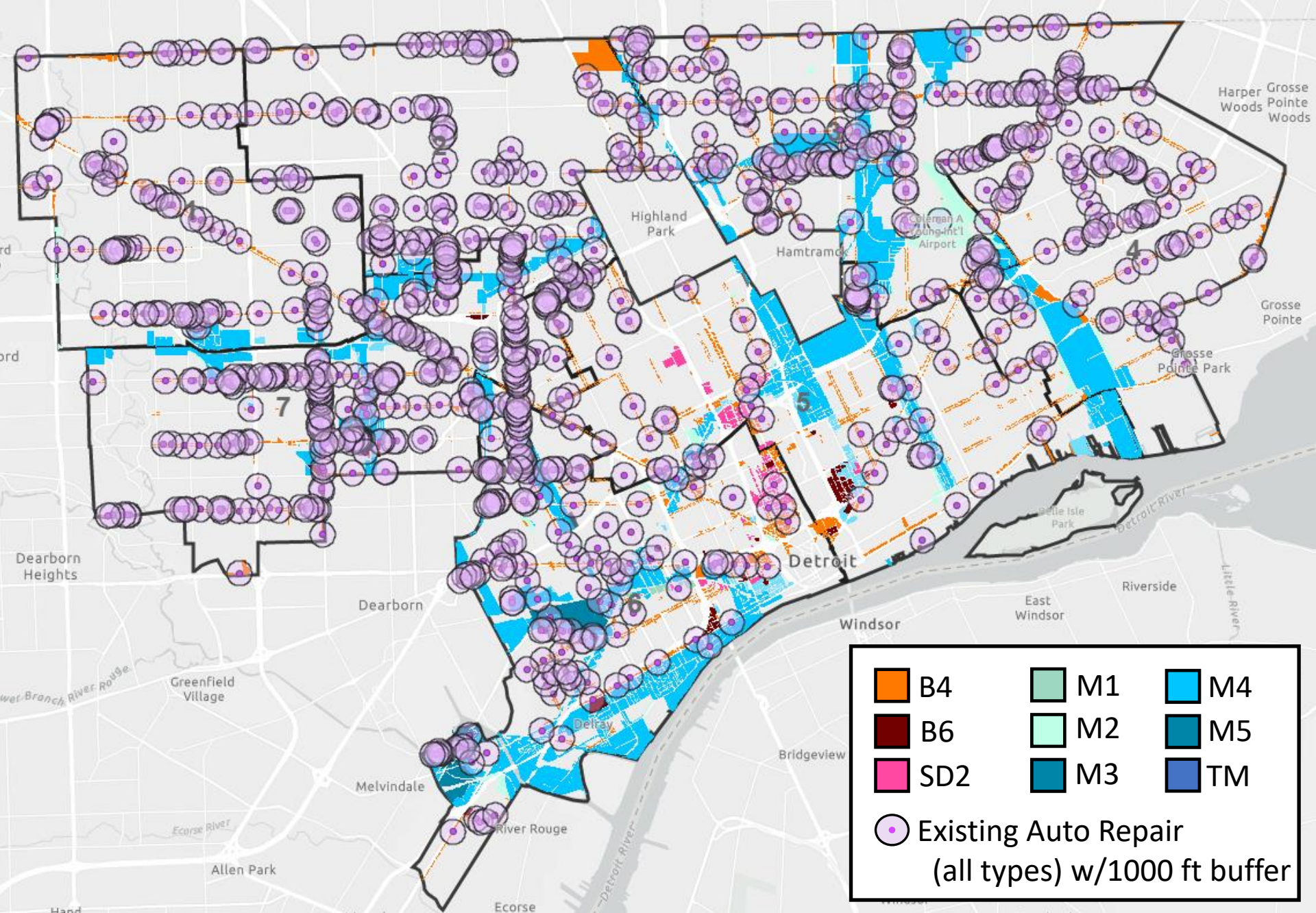
POTENTIAL AREAS FOR NEW USED AUTO SALES LOTS



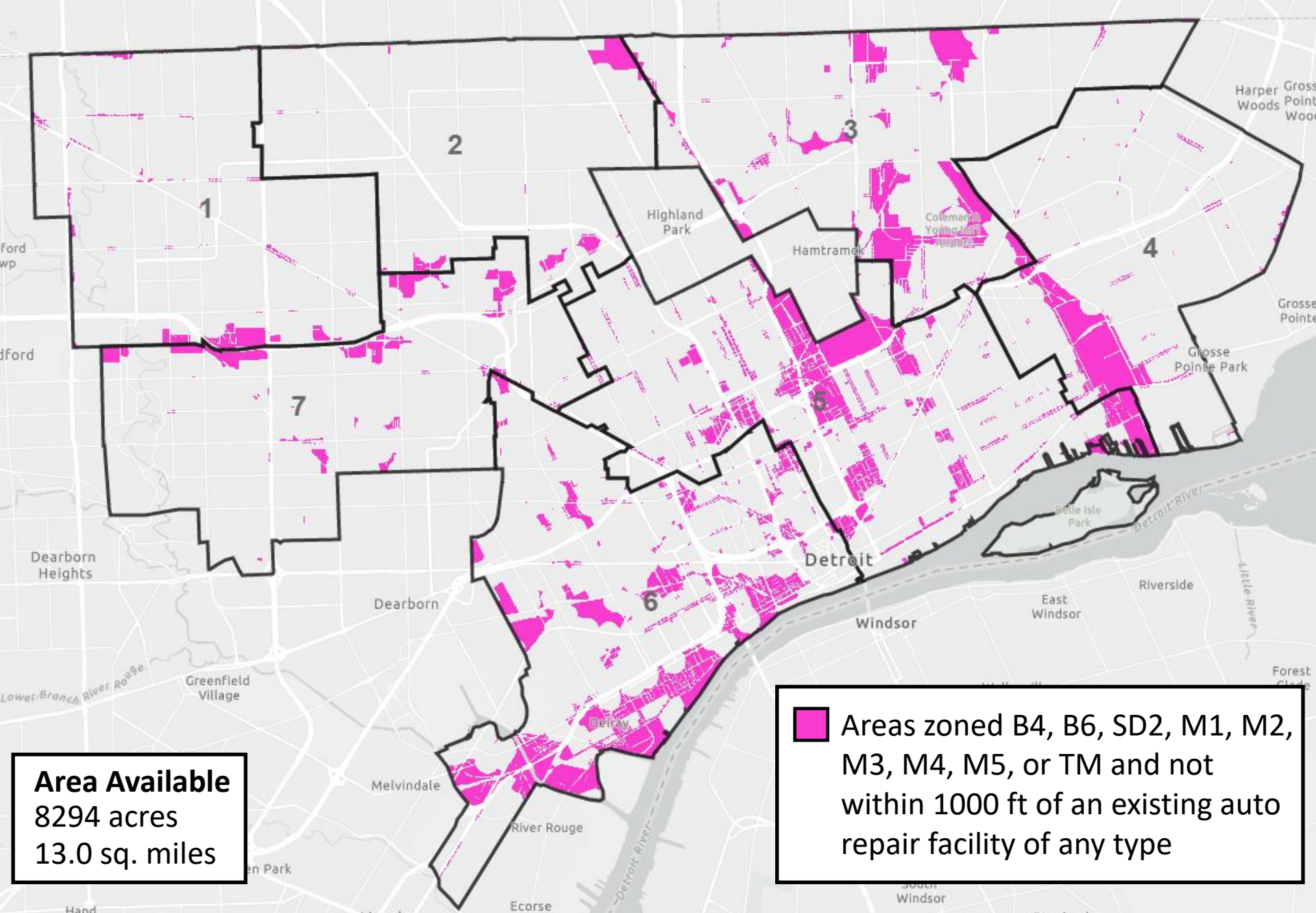
Area Available
 5181 acres
 8.1 sq. miles

Areas that are in zoning districts that are proposed to allow used auto sales lots and not within 2000 ft of an existing sales lot

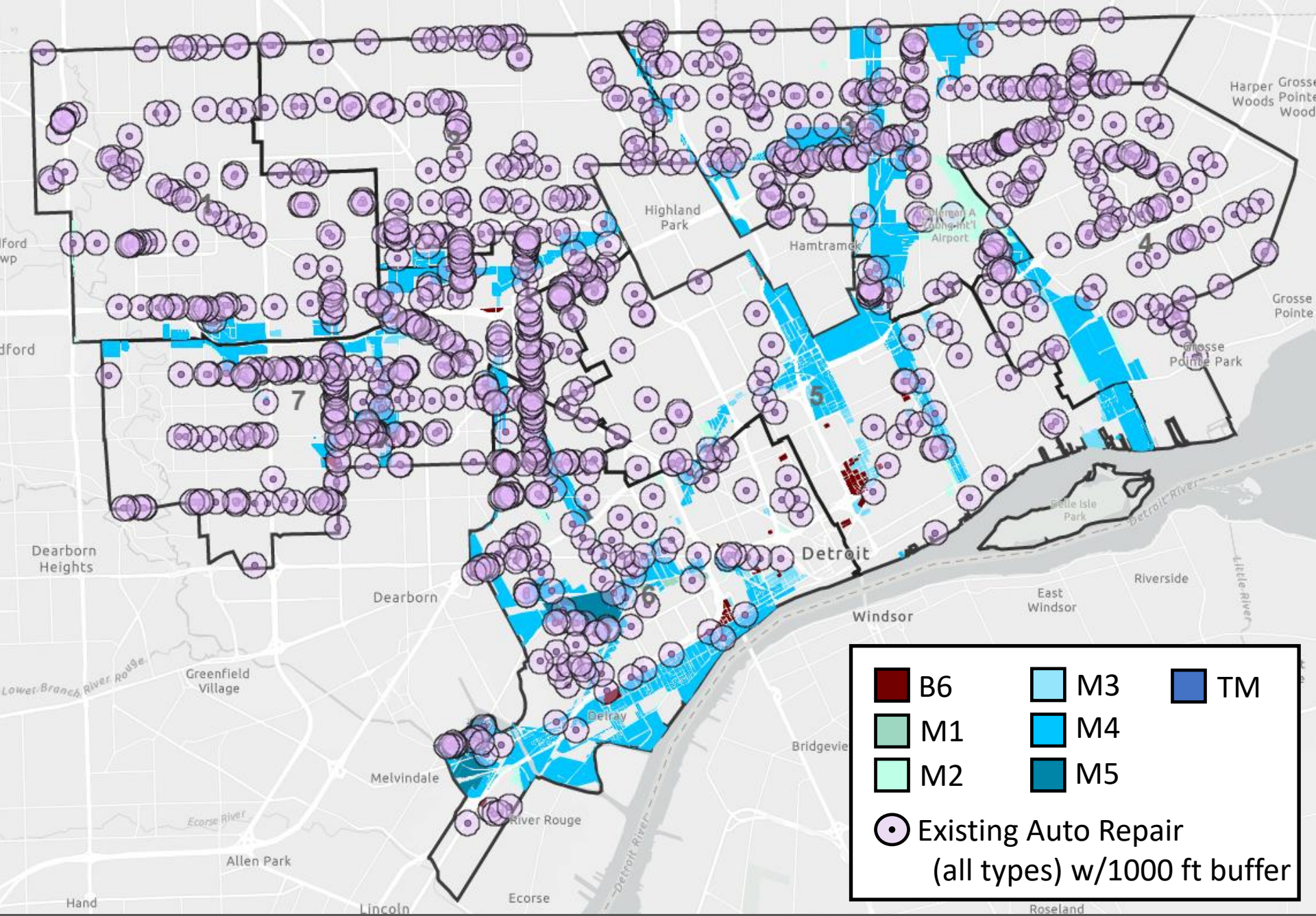
POTENTIAL AREAS FOR NEW USED AUTO SALES LOTS



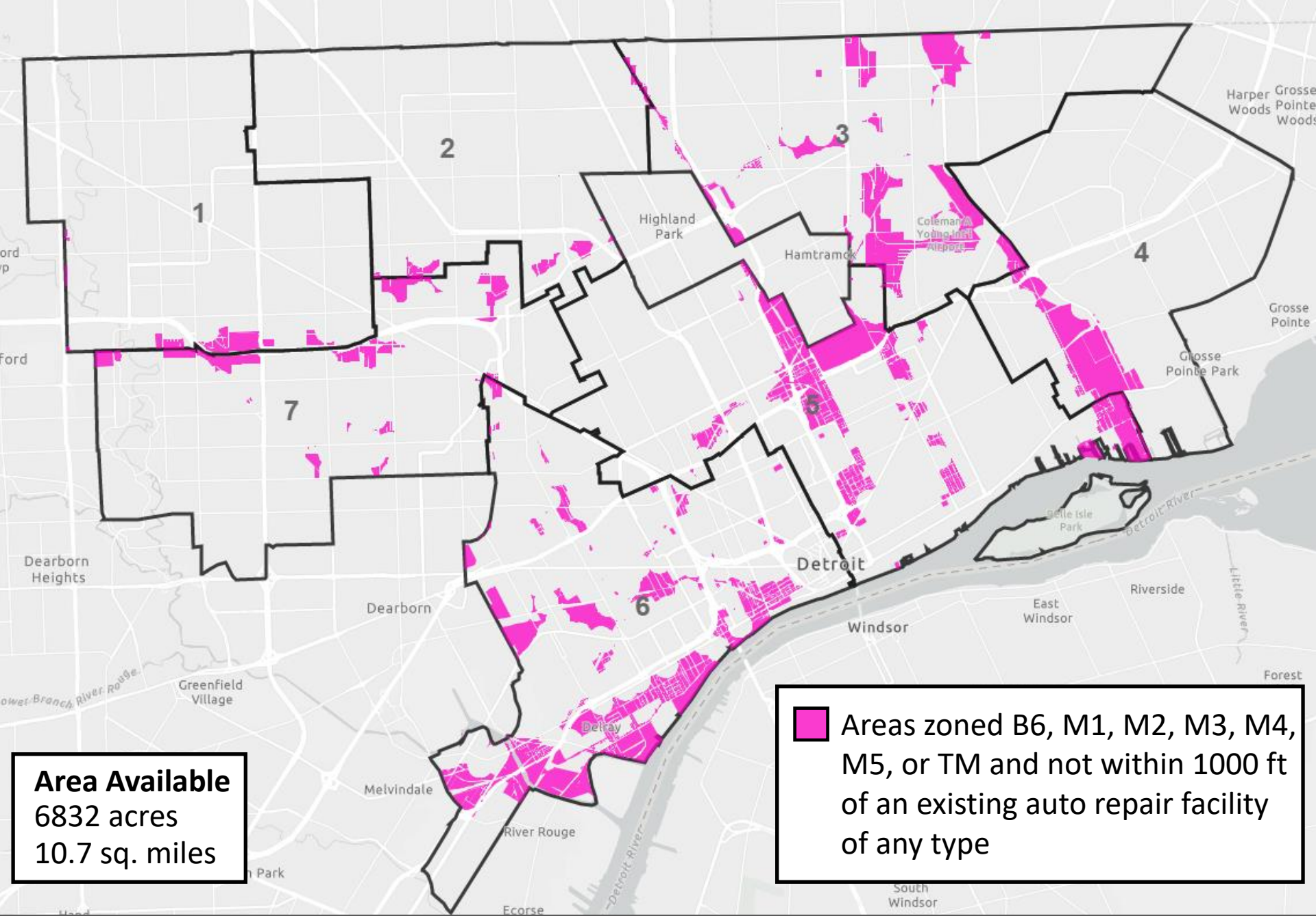
POTENTIAL AREAS FOR NEW MOTOR VEHICLE SERVICE FACILITIES



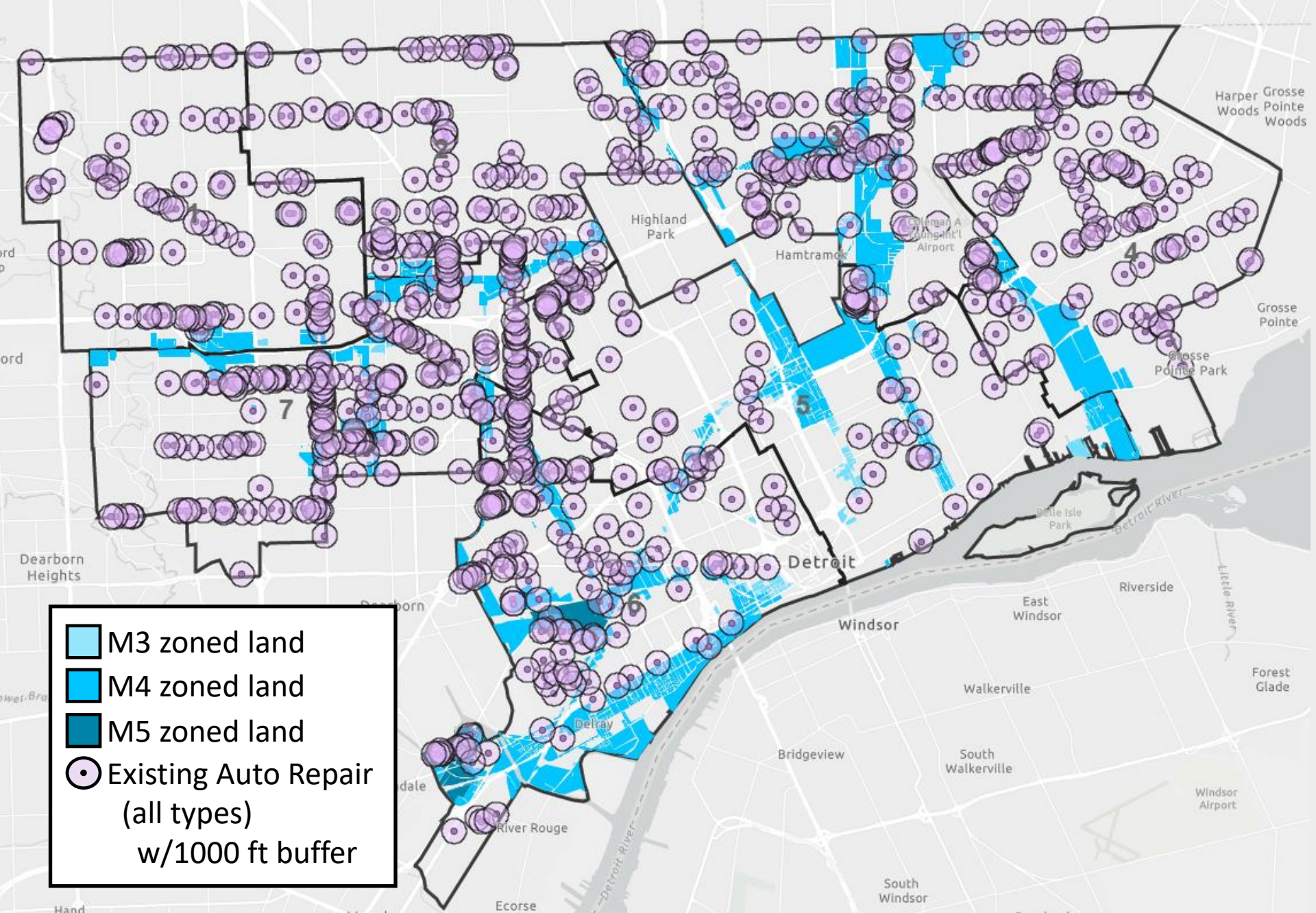
POTENTIAL AREAS FOR NEW MOTOR VEHICLE SERVICE FACILITIES



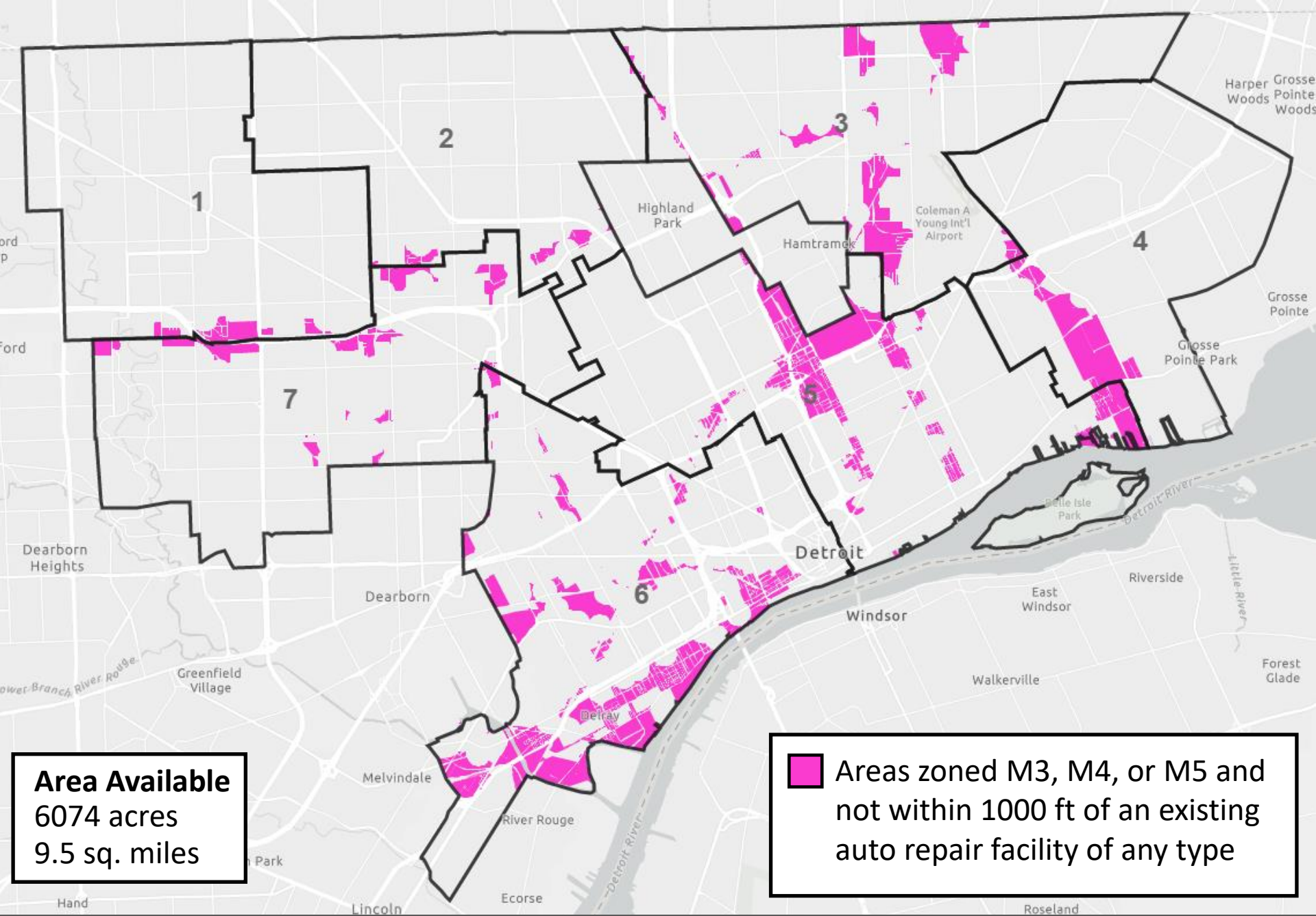
POTENTIAL AREAS FOR NEW MOTOR VEHICLE REPAIR FACILITIES



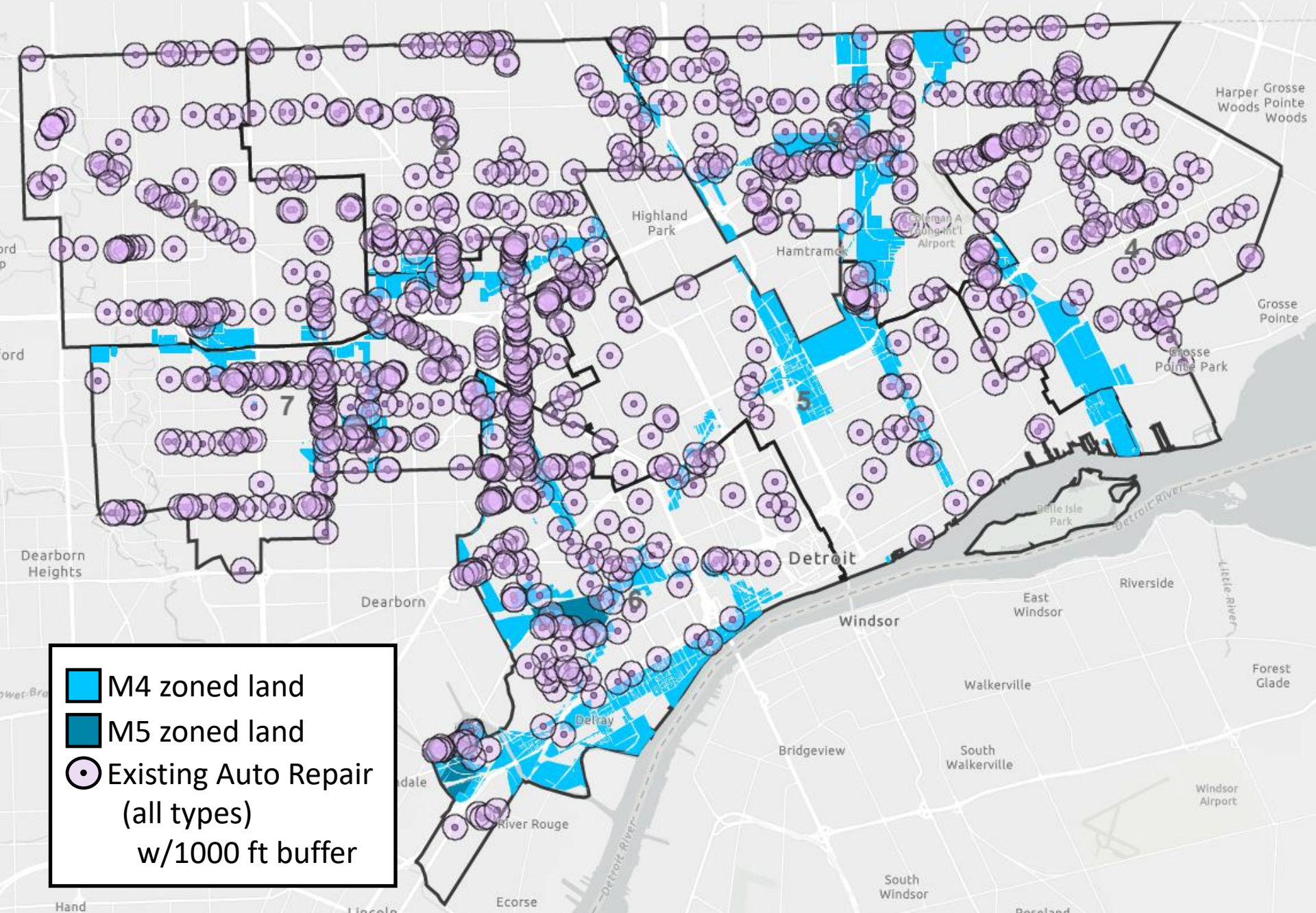
POTENTIAL AREAS FOR NEW MOTOR VEHICLE REPAIR FACILITIES



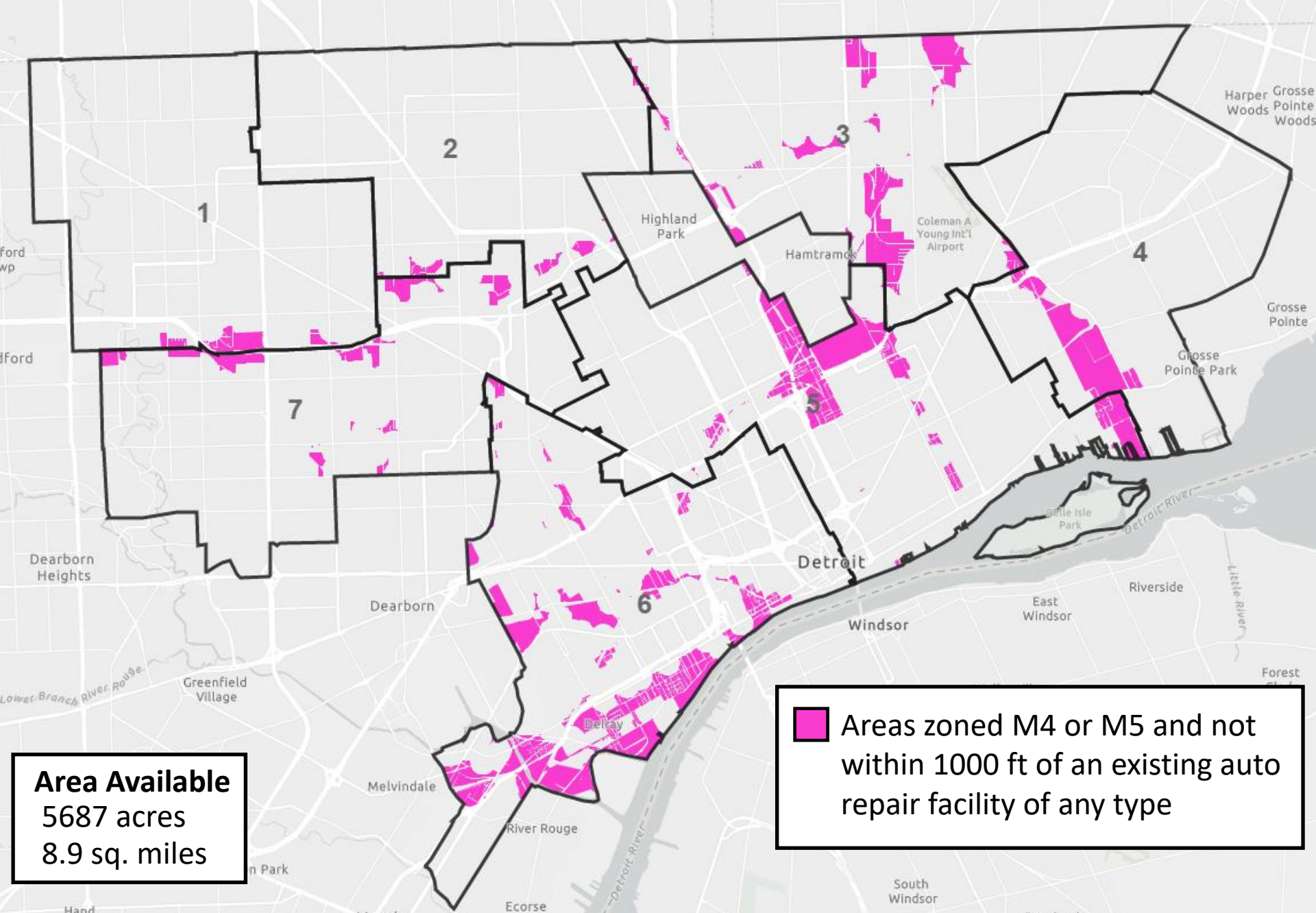
POTENTIAL AREAS FOR NEW COLLISION AND MAJOR AUTO REPAIR



POTENTIAL AREAS FOR NEW COLLISION AND MAJOR AUTO REPAIR



POTENTIAL AREAS FOR NEW AUTO REPAIR OVER 10,000 POUNDS



POTENTIAL AREAS FOR NEW AUTO REPAIR OVER 10,000 POUNDS

An aerial photograph showing a large lot filled with cars, a central industrial building with a grey roof, and a dirt area. The cars are arranged in neat rows, and the building is surrounded by more vehicles and equipment. The overall scene suggests a car dealership or a vehicle storage yard.

CONCLUSION

Auto-related uses often detract from the appearance and viability of a business/retail strip. In response, zoning guides new such businesses away from the business strips and closer to the rail corridors where heavier/more abrasive uses have a less deleterious impact on aesthetics and commerce.