

S U M M A R Y

AN ORDINANCE to amend Chapter 61 of the 1984 Detroit City Code, *Zoning*, by adding Secs. 61-12-176 and 61-12-394, and amending Secs. 61-3-292, 61-3-293, 61-3-305, 61-3-311, 61-3-312, 61-3-314, 61-3-322, 61-3-326, 61-9-83, 61-10-22, 61-10-42, 61-10-62, 61-10-82, 61-10-102, 61-12-51, 61-12-93, 61-12-95, 61-12-96, 61-12-443, 61-14-453, 61-16-54, 61-16-131, 61-16-153 to provide for: the revision of the list of Controlled Uses to add medical marihuana facilities; adding medical marihuana facilities as a conditional use in B4, M1, M2, M3, M4, and M5 zoning districts, to provide for cultivation of medical marihuana as a home occupation, to prohibit waivers of spacing requirements for medical marihuana facilities and to add definitions related to medical marihuana.

1 **BY COUNCIL MEMBER _____** :

2 **AN ORDINANCE** to amend Chapter 61 of the 1984 Detroit City Code, *Zoning*, by
3 adding Secs. 61-12-176 and 61-12-394 and amending Secs. 61-3-292, 61-3-293, 61-3-305, 61-3-
4 311, 61-3-312, 61-3-314, 61-3-322, 61-3-326, 61-9-83, 61-10-22, 61-10-42, 61-10-62, 61-10-82,
5 61-10-102, 61-12-51, 61-12-93, 61-12-95, 61-12-96, 61-12-443, 61-14-453, 61-16-54, 61-16-
6 131, 61-16-153 to provide for: the revision of the list of Controlled Uses to add medical
7 marihuana facilities; adding medical marihuana facilities as a conditional use in B4, M1, M2,
8 M3, M4, and M5 zoning districts, to provide for cultivation of medical marihuana as a home
9 occupation, to prohibit waivers of spacing requirements for medical marihuana facilities and to
10 add definitions related to medical marihuana.

11 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**
12 **THAT:**

13 **Section 1.** Chapter 61 of the 1984 Detroit City Code, *Zoning*, commonly known as the
14 Detroit Zoning Ordinance, is amended by adding Secs. 61-12-176 and 61-12-394 and amending
15 Secs. 61-3-292, 61-3-293, 61-3-305, 61-3-311, 61-3-312, 61-3-314, 61-3-322, 61-3-326, 61-9-
16 83, 61-10-22, 61-10-42, 61-10-62, 61-10-82, 61-10-102, 61-12-51, 61-12-93, 61-12-95, 61-12-
17 96, 61-12-443, 61-14-453, 61-16-54, 61-16-131, 61-16-153:

18 **CHAPTER 61. ZONING.**

19 **ARTICLE III. REVIEW AND APPROVAL PROCEDURES**

20 **(PART 1)**

1 **DIVISION 9. CONTROLLED USES**

2 **Subdivision A. General.**

3 **Sec. 61-3-292. List of Controlled Uses.**

4 The following land uses shall be considered "Controlled Uses" under this Zoning
5 Ordinance:

- 6 (1) Arcades outside the M1, M2, M3, M4, PC, PCA, or TM Districts;
- 7 (2) Specially designated merchant's (SDM) establishments and/or specially designated
8 distributor's (SDD) establishments; ~~and~~
- 9 (3) Pool and billiard halls outside the B5, B6, M1, M2, M3, M4, PCA, and TM Districts;
10 and
- 11 (4) Medical marihuana facilities.

12

13 **Sec. 61-3-293. Spacing requirements.**

14 No Controlled Use shall be permitted to locate:

- 15 (1) Excluding medical marihuana facilities, within five hundred (500) radial feet from a
16 residentially zoned area (R1, R2, R3, R4, R5, R6 or residential PD District); or
- 17 (2) Within two thousand (2,000) radial feet of two (2) other legally established
18 Controlled Uses; or
- 19 (3) Within five hundred (500) radial feet of a school site.

1 (4) Notwithstanding the foregoing, medical marihuana facilities shall not be permitted to
2 locate within one thousand (1000) radial feet of a school site, park or religious
3 institution, nor within two thousand (2000) radial feet of one (1) other legally
4 established Controlled Use.

5 (See Error! Reference source not found. for more information on spacing requirements in
6 the City.)

7 **Sec. 61-3-305. Review and decision.**

8 (a) The Buildings, ~~and~~ Safety Engineering and Environmental Department shall review any
9 application for a Controlled Use and the recommendation of the Planning and
10 Development Department with regard to such use. The department shall approve,
11 approve with conditions, or deny the application for a Controlled Use grant. The
12 department's decision shall specify the basis for the decision and any conditions
13 imposed.

14 (b) The department shall not approve any Controlled Use where the proposed use would
15 violate the spacing requirements in 0 of this Code, unless the department reviews the
16 application and grants a waiver of the spacing requirements as provided for in Article III,
17 Division 9, Error! Reference source not found. of this Chapter, except that spacing
18 requirements for medical marihuana facilities shall not be waived by the department, nor
19 the Board of Zoning Appeals.

20 (c) The Buildings, ~~and~~ Safety Engineering and Environmental Department may require proof
21 of correction of any violations or deficiencies prior to the approval of any zoning grant.

1 **Sec. 61-3-313. Waiver of distance from other Controlled Uses.**

2
3 The prohibition that relates to the location of a Controlled Use within two thousand (2,000)
4 feet of two (2) other legally established Controlled Uses may be waived, provided, that any one of
5 the following findings is made by the Buildings, ~~and~~ Safety Engineering and Environmental
6 Department. However, as provided for in Sec. 61-15-20 of this Code, in no case shall a Controlled
7 Use be established in any zoning district where such a use is not permitted by right or as a
8 Conditional Use:

- 9 (1) The proposed Controlled Use would be the only one within a neighborhood
10 shopping center which is comprised of a group of two (2) or more commercial
11 establishments, organized or operating as a unit, that consists of not less than fifty
12 thousand (50,000) square feet of usable retail space and providing at least one (1)
13 private, off-street parking spaces for each two hundred (200) square feet of gross
14 floor area, notwithstanding the provisions of Sec. 61-14-71(2) of this Code; and
15 (2) The proposed Controlled Use will contribute to the social, economic, aesthetic, or
16 physical improvements of the surrounding neighborhood as determined and
17 documented by the Director of the Planning and Development Department.
18 (3) Notwithstanding the foregoing, the prohibition that relates to the location of a
19 medical marihuana facility within two thousand (2000) radial feet of another legally
20 established Controlled Use shall not be waived by the department, nor the Board of
21 Zoning Appeals.

22 (Ord. No. 11-05, §1, 5-28-05)

23 **Sec. 61-3-314. Waiver of spacing requirement from school sites.**

24 The prohibition that relates to the location of a Controlled Use within five hundred (500)
25 radial feet of a school site shall be waived by the Buildings, ~~and~~ Safety Engineering and

1 Environmental Department where, subsequent to a public hearing, a finding is made that the
2 establishment of the Controlled Use will not impede the normal and orderly development,
3 operation, and improvement of the school. Notwithstanding the foregoing, the prohibition that
4 relates to the location of a medical marihuana facility within one thousand (1000) radial feet of a
5 school site, church or park shall not be waived by the department, nor the Board of Zoning Appeals.
6 (Ord. No. 11-05, §1, 5-28-05)

7

8 **Subdivision D. Approval Criteria, Conditions and Guarantees, Appeals,**

9 **Denials, Lapse of Approval.**

10 **Sec. 61-3-322. Conditions and guarantees.**

- 11 (a) Certain modifications of numeric standards for Controlled Uses may be granted in
12 accordance with Sec. 61-4-82 of this Code.
- 13 (b) The Buildings, ~~and~~ Safety Engineering and Environmental Department, or the Board of
14 Zoning Appeals upon appeal, may impose reasonable conditions or limitations upon the
15 establishment, location, construction, maintenance, or operation of the ~~Regulated~~Controlled
16 Use as may in its judgment be necessary for the protection of the public interest, health,
17 safety, welfare and environment, and to secure compliance with the approval criteria of Sec.
18 61-3-281 of this Code and in accordance with Sec. 61-3-282 of this Code.
- 19 (c) To ensure compliance with this zoning ordinance and any conditions imposed under
20 the ordinance, the Buildings, ~~and~~ Safety Engineering and Environmental Department or the
21 Board of Zoning Appeals, as applicable, may require a performance guarantee, as provided
22 for in ARTICLE XIV, DIVISION 8 of this Chapter, to ensure faithful completion of

1 improvements associated with the project. (See definition of “improvements” in ARTICLE
2 XVI, DIVISION 2, Subdivision J.)

- 3 (d) *Modifications.* A request for changes in conditions of approval of a ~~Regulated~~ Controlled Use,
4 or a change to development plans that would affect a condition of approval, shall be
5 processed in the same manner as the original application.

6 (Ord. No. 11-05, §1, 5-28-05)

7 **Sec. 61-3-326. Lapse of approval.**

- 8 (a) In any case where a permit for Controlled Use has not been obtained within six (6) months
9 after the granting of said use, the permit approval shall be null and void without further
10 action by the Buildings, ~~and~~ Safety Engineering and Environmental Department or the
11 Board of Zoning Appeals.

- 12 (b) However, except in cases involving the legalization of an already established ~~Regulated~~
13 Controlled Use, the Buildings, ~~and~~ Safety Engineering and Environmental Department, or,
14 where applicable, the Board of Zoning Appeals, may extend, without further public hearing,
15 said six (6) month deadline for no more than twelve (12) months beyond the expiration date
16 of the original six (6) months. Where this extension expires, no additional extension shall be
17 authorized, unless a new application has been filed and a further public hearing has been
18 held.

19 (Ord. No. 11-05, §1, 5-28-05)

20 **ARTICLE IX. BUSINESS ZONING DISTRICTS**

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

2 **Sec. 61-9-82. Conditional retail, service, and commercial uses.**

3 (1) Amusement park

4 (2) Arcade

5 (3) Automated Teller Machine not accessory to another use on the same zoning lot, which
6 is stand-alone, with drive-up or drive-through facilities

7 (4) Bank with drive-up or drive-through facilities

8 (5) Bed and breakfast inn

9 (6) Brewpub or microbrewery or small distillery, outside the Central Business District

10 (7) Cabaret, outside the Central Business District

11 (8) Customer service center with drive-up or drive-through facilities

12 (9) Dance hall, public, outside the Central Business District

13 (10) Employee recruitment center

14 (11) Establishment for the sale of beer or intoxicating liquor for consumption on the
15 premises, outside the Central Business District

16 (12) Financial services center

17 (13) Firearms dealership

18 (14) Firearms target practice range, indoor

19 (15) Food stamp distribution center

- 1 (16) Go-cart track, except such use shall not be permitted on any zoning lot abutting a
2 designated Gateway Radial Thoroughfare
- 3 (17) Golf course, miniature
- 4 (18) Hotel, outside the Central Business District
- 5 (19) Kennel, commercial
- 6 (20) Lodging house, public
- 7 ~~(21)~~ (21) Medical marihuana facility
- 8 ~~(21)~~ (22) Motel
- 9 ~~(22)~~ (23) Motor vehicle filling station
- 10 ~~(23)~~ (24) Motor vehicles, used, salesroom or sales lot, except such use shall not be permitted
11 on any zoning lot abutting a designated Gateway Radial Thoroughfare
- 12 ~~(24)~~ (25) Motor vehicles, used, storage lot accessory to a salesroom or sales lot for used
13 motor vehicles, except such use shall not be permitted on any zoning lot abutting a
14 designated Gateway Radial Thoroughfare
- 15 ~~(25)~~ (26) Motor vehicle services, major, except such use shall not be permitted on any zoning
16 lot abutting a designated Gateway Radial Thoroughfare
- 17 ~~(26)~~ (27) Motor vehicle services, minor
- 18 ~~(27)~~ (28) Motor vehicle washing and steam cleaning, except such use shall not be permitted
19 on any zoning lot abutting a designated Gateway Radial Thoroughfare
- 20 ~~(28)~~ (29) Motorcycles, retail sales, rental or service
- 21 ~~(29)~~ (30) Outdoor commercial recreation, not otherwise specified

- 1 ~~(30)~~ (31) Parking lots or parking areas for operable private passenger vehicles, as restricted by
2 Sec. 61-12-219(9)(e) of this Code
- 3 ~~(31)~~ (32) Pawnshop, except such use shall not be permitted on any zoning lot abutting a
4 designated Gateway Radial Thoroughfare
- 5 ~~(32)~~ (33) Plasma donation center, except such use shall not be permitted on any zoning lot
6 abutting a designated Gateway Radial Thoroughfare
- 7 ~~(33)~~ (34) Pool or billiard hall
- 8 ~~(34)~~ (35) Printing or engraving shops
- 9 ~~(35)~~ (36) Public lodging house
- 10 ~~(36)~~ (37) Rebound tumbling center, except such use shall not be permitted on any zoning lot
11 abutting a designated Gateway Radial Thoroughfare
- 12 ~~(37)~~ (38) Rental hall or banquet hall
- 13 ~~(38)~~ (39) Restaurant, carry-out, with drive-up or drive-through facilities, except any carry-out
14 restaurant having drive-up or drive-through facilities shall be prohibited on any zoning
15 lot abutting the Woodward Avenue Gateway Radial Thoroughfare
- 16 ~~(39)~~ (40) Restaurant, fast-food, with drive-up or drive-through facilities, except any fast-
17 food restaurant having drive-up or drive-through facilities shall be prohibited on any
18 zoning lot abutting the Woodward Avenue Gateway Radial Thoroughfare
- 19 ~~(40)~~ (41) Restaurant, standard, with drive-up or drive-through facilities, except such use
20 having drive-up or drive-through facilities shall not be permitted on any zoning lot
21 abutting the Woodward Avenue Gateway Radial Thoroughfare

- 1 (4) Cabaret
- 2 (5) Dance hall, public
- 3 (6) Establishment for the sale of beer or intoxicating liquor for consumption on the
- 4 premises
- 5 (7) Financial services center with drive-up or drive-through facilities
- 6 (8) Firearms dealership
- 7 (9) Firearms target practice range, indoor
- 8 (10) Hotel
- 9 (11) Medical marihuana facility
- 10 ~~(11)~~ (12)Motel
- 11 ~~(12)~~ (13)Motor vehicle filling station other than as provided for in Sec. 61-12-182(2) of
- 12 this Code
- 13 ~~(13)~~ (14)Motor vehicle services, major
- 14 ~~(14)~~ (15)Motor vehicles, used, storage lot accessory to a salesroom or sales lot for used
- 15 motor vehicles
- 16 ~~(15)~~ (16)Motorcycles, retail sales, rental or service
- 17 ~~(16)~~ (17)Outdoor commercial recreation, not otherwise specified
- 18 ~~(17)~~ (18)Pawnshop
- 19 ~~(18)~~ (19)Plasma donation center
- 20 (20) (Repealed)
- 21 ~~(19)~~ (21)Restaurant, carry-out or fast-food
- 22 ~~(21)~~ (22)Specially designated distributor's (SDD) or specially designated merchant's (SDM)
- 23 establishment
- 24 (Ord. No. 11-05, §1, 5-28-05; Ord. No. 13-11, §1, 8-23-11; Ord. No. 38-14, §1, 10-16-

1 2014)

2 **DIVISION 3. M2 RESTRICTED INDUSTRIAL DISTRICT**

3 **Sec. 61-10-42. Conditional retail, service, and commercial uses.**

4 (1) Amusement park

5 (2) Brewpub or microbrewery or small distillery, subject to Sec. 61-12-158(4)

6 (3) Cabaret

7 (4) Dance hall, public

8 (5) Establishment for the sale of beer or intoxicating liquor for consumption on the
9 Premises

10 (6) Firearms dealership

11 (7) Firearms target practice range, indoor

12 (8) Hotel

13 (9) Medical marihuana facility

14 ~~(9)~~ (10) Motel

15 ~~(10)~~ (11) Motor vehicle filling station other than as provided for in Sec. 61-12-182(2) of
16 this Code

17 ~~(11)~~ (12) Motor vehicle services, major

18 ~~(12)~~ (13) Motor vehicles, used, storage lot accessory to salesroom or sales lot for used
19 motor vehicles

20 ~~(13)~~ (14) Outdoor commercial recreation, not otherwise specified

21 ~~(14)~~ (15) Pawnshop

22 (16) (Repealed)

23 ~~(15)~~ (17) Plasma donation center

1 ~~(17)~~ ~~(18)~~ Specially designated distributor's (SDD) or specially designated merchant's (SDM)
2 establishment
3 (Ord. No. 11-05, §1, 5-28-05; Ord. No. 13-11, §1, 8-23-11; Ord. No. 38-14, §1, 10-16-
4 2014)

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

6 **Sec. 61-10-62. Conditional retail, service, and commercial uses.**

- 7 (1) (Repealed)
8 (2) Amusement park
9 (3) Brewpub or microbrewery or small distillery, subject to Sec. 61-12-158(4)
10 (4) Cabaret
11 (5) Dance hall, public
12 (6) Establishment for the sale of beer or intoxicating liquor for consumption on the
13 premises
14 (7) Firearms dealership
15 (8) Firearms target practice range, indoor
16 (9) Fireworks, sales
17 (10) Hotel
18 (11) Medical marijuana facility
19 ~~(11)~~ ~~(12)~~ Motel
20 ~~(12)~~ ~~(13)~~ Motor vehicle filling station other than as provided for in Sec. 61-12-182(2) of
21 this Code
22 ~~(13)~~ ~~(14)~~ Motor vehicle services, major
23 ~~(14)~~ ~~(15)~~ Motor vehicles, used, storage lot accessory to salesroom or sales lot for used

- 1 motor vehicles
- 2 ~~(15)~~ ~~(16)~~ Outdoor commercial recreation, not otherwise specified
- 3 ~~(16)~~ ~~(17)~~ Pawnshop
- 4 (18) (Repealed)
- 5 ~~(17)~~ ~~(19)~~ Plasma donation center
- 6 ~~(19)~~ ~~(20)~~ Specially designated distributor's (SDD) or specially designated merchant's (SDM)
- 7 establishment
- 8 (Ord. No. 11-05, §1, 5-28-05; Ord. No. 01-10, §1, 04-01-10; Ord. No. 13-11, §1, 8-23-
- 9 11; Ord. No. 38-14, §1, 10-16-2014)

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

11 **Sec. 61-10-82. Conditional retail, service, and commercial uses.**

- 12 (1) (Repealed)
- 13 (2) Amusement park
- 14 (3) Brewpub or microbrewery or small distillery, subject to Sec. 61-12-158(4)
- 15 (4) Cabaret
- 16 (5) Dance hall, public
- 17 (6) Drive-in theater
- 18 (7) Establishment for the sale of beer or intoxicating liquor for consumption on the
- 19 premises
- 20 (8) Firearms dealership
- 21 (9) Firearms target practice range, indoor
- 22 (10) Fireworks, sales
- 23 (11) Medical marihuana facility

1 ~~(14)~~ (12) Motor vehicle filling station other than as provided for in Sec. 61-12-182(2) of
2 this Code
3 ~~(12)~~ (13) Motor vehicle services, major
4 ~~(13)~~ (14) Motor vehicles, used, storage lot accessory to a salesroom or sales lot for used
5 motor vehicles
6 ~~(14)~~ (15) Outdoor commercial recreation, not otherwise specified
7 ~~(15)~~ (16) Pawnshop
8 (17) (Repealed)
9 ~~(16)~~ (18) Plasma donation center
10 ~~(18)~~ (19) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
11 establishment
12 (Ord. No. 11-05, §1, 5-28-05; Ord. No. 01-10, §1, 04-01-10; Ord. No. 13-11, §1, 8-23-
13 11; Ord. No. 38-14, §1, 10-16-2014)

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

15 **Sec. 61-10-102. Conditional retail, service, and commercial uses.**

16 (1) (Repealed)
17 (2) Firearms target practice range, indoor
18 (3) Medical marihuana facility
19 ~~(3)~~ (4) Motor vehicle filling station other than as provided for in Sec. 61-12-182(2) of
20 this Code
21 ~~(4)~~ (5) Motor vehicle services, major
22 ~~(5)~~ (6) Motor vehicles, used, storage lot accessory to salesroom or sales lot for used
23 motor vehicles

1 (Ord. No. 11-05, §1, 5-28-05; Ord. No. 01-10, §1, 04-01-10)

2

3

ARTICLE XII. USE REGULATIONS

4

DIVISION 1. USE TABLE

Use Category	Specific Land Use	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 D	P 1	P C	P M	T R	P W	S 1	S 2	S 3	S 4	S 5	Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3) <u>Error!</u> <u>Reference</u> <u>source not</u> <u>found.</u>		
Retail sales and service-oriented.	Animal-grooming shop							R	R	R	R	R	R	L							R											
	Automated teller machine (without drive-up or drive-through facilities)							R	R	R	R	R	R	C/	R	R	R	R	R	L	R	R										
	Automated teller machine, with drive-up or drive-through facilities							R	R	R	R	R	R	R	R	R	R	R	L	R	R											
	Bank without drive-up or drive-through facilities							R	R	R	R	R	R	R	R	R	R	R	L	R	R											
(Ord. No. 34-05, §1, 12-06-05; Ord. No. 44-06, §1, 12-21-06)	Bank with drive-up or drive-through facilities							C	C	C	C	C	C	R	R	R	R	R	L	C	R											
	Barber or beauty shop							R	R	R	R	R	R	R	R	R	R	R	L	R	R											
	Business college or commercial trade school							C	R	R	R	R	R	R	R	R	R	R	L	R	R											

DIVISION 2. GENERAL USE STANDARDS

Use Type	Minimum Distance from Controlled Uses (Existing or Approved)	Minimum Distance from Other Use Types (Existing or Approved) or Zoning District	Comment
Sec. 61-12-93. Controlled uses—Spacing. (Ord. No. 11-05, §1, 5-28-05; Ord. No. 24-08, §1, 11-01-08; Ord. No. 01-10, §1, 04-01-10)			
Arcade Specially designated merchant’s (SDM) and/or Specially designated distributor’s (SDD) establishments Pool and billiard halls <u>Medical marijuana facility</u>	Any 2 other Controlled Uses: 2000 feet Any 2 other Controlled Uses: 2000 feet Any 2 other Controlled Uses: 2000 feet <u>Any other Controlled Use: 2000 feet</u>	- Residentially zoned area: 500 feet - School (not including Educational institutions): 500 feet - Residentially zoned area: 500 feet - School (not including Educational institutions): 500 feet - Residentially zoned area: 500 feet - School (not including Educational institutions): 500 feet <u>- School (not including Educational institutions), park or religious institution: 1000 feet</u>	Sec. 61-3-293(1); Article III, DIVISION 9; Sec. 61-12-96; Sec. 61-12-154; Sec. 61-12-405 Sec. 61-3-293(1); Article III, DIVISION 9; Sec. 61-12-96; Sec. 61-12-234 Sec. 61-3-293(1); Article III, DIVISION 9; Sec. 61-12-96 <u>Sec. 61-3-293(4); Article III, DIVISION 9; Sec. 61-12-96; Sec. 61-12-176; Sec. 61-12-443</u>

2

3 **Sec. 61-12-95. Waiver of general spacing requirements.**

4

5 Except for Controlled Uses, only the Board of Zoning Appeals may adjust the spacing

6 requirements between land uses, as provided for in the tables in Sec. 61-12-89, Sec. 61-12-90, Sec.

7 61-12-91, Sec. 61-12-92, and Sec. 61-12-94 of this Code, as a “locational variance” in accordance

8 with the criteria specified in Sec. 61-4-81 of this Code and where the proposed use satisfies all the

9 following conditions:

- 1 (1) All other applicable regulations within this zoning ordinance or this Code will be
2 observed;
- 3 (2) The proposed use will not be contrary to the public interest or injurious to nearby
4 properties in the proposed location, and the spirit and intent of the purpose of the
5 spacing regulations will still be observed;
- 6 (3) The proposed use will not aggravate or promote a deleterious effect upon adjacent
7 areas through causing or encouraging blight, and will not discourage investment in
8 the adjacent areas or cause a disruption in neighborhood development; and
- 9 (4) The establishment of the use in the area will not be contrary to any program of
10 neighborhood conservation or interfere with any program of urban renewal.

11 The spacing and locational requirements for adult uses, as specified in Sec. 61-3-344 and
12 Sec. 61-12-92 of this Code, and medical marihuana facilities, as specified in Sec. 61-3-293 and Sec.
13 61-12-93 of this Code, may not be waived.

14 (Ord. No. 11-05, §1, 5-28-05; Ord. No. 01-10, §1, 04-01-10)

15 **Sec. 61-12-96. Waiver of spacing from schools.**

16 (a) The prohibition that relates to the location of a use, referenced in the tables in Sec. 61-12-89
17 through Sec. 61-12-94 of this Code, within five hundred (500) radial feet of a school site may be
18 waived by:

- 19 (1) The Buildings, ~~and~~ Safety Engineering and Environmental Department, provided,
20 that the proposed use is at least four hundred-fifty (450) radial feet from the school
21 site; or
- 22 (2) The Board of Zoning Appeals where the proposed use is less than four hundred fifty
23 (450) radial feet from the school site.

1 (b) The waiver of the prohibition is subject to a finding based on evidence presented at a public
2 hearing that the establishment of the use will not impede the normal and orderly
3 development, operation, and improvement of the school.

4 (c) Such waiver shall be documented by a statement of facts upon which such determination
5 was made and shall indicate that such use would not be injurious or harmful to the school.

6 (Ord. No. 11-05, §1, 5-28-05)

7

8 **DIVISION 3. SPECIFIC USE STANDARDS**

9 **Subdivision C. Retail, Service, and Commercial Uses; Generally**

10 **Sec. 61-12-176. Medical Marihuana Facilities**

11 Medical marihuana facilities are subject to the following:

12 (1) Prior to the issuance of any permit, zoning approval or business license to operate a
13 medical marihuana facility, and no later than December 31st of each subsequent year,
14 the applicant or operator shall submit to the Buildings, Safety Engineering and
15 Environmental Department a photocopy of the operator's valid and current
16 registered primary caregiver's license issued by the State of Michigan in accordance
17 with the General Rules of the Michigan Department of Community Health and the
18 Michigan Medical Marihuana Act, P.A. 2008, Initiated Law, MCL 333.26421 et seq.
19 Proof of such licensing shall be required prior to the opening, and as a condition for
20 the continued operation, of any medical marihuana facility.

1 ~~(2) Medical marihuana facilities shall be licensed as such by the Business License Center~~
2 ~~in accordance with Chapter 30 of this Code.~~

3 ~~(3) All signage identifying a building as a medical marihuana facility must be removed~~
4 ~~within thirty (30) days of the closure or abandonment of the medical marijuana~~
5 ~~facility.~~

6 ~~(4) Drive through facilities, walk up, or window access for patrons is prohibited;~~

7 ~~(5) Accessory uses are not permitted in a medical marihuana facility, nor may a medical~~
8 ~~marihuana facility be an accessory use, except as a home occupation as set forth in~~
9 ~~Section 61-12-394 of this Chapter;~~

10 ~~(5) Medical marihuana facilities shall take care to prevent the transmission of any odors~~
11 ~~and noise from the medical marihuana facility to neighboring property, and shall~~
12 ~~discourage loitering in and around its premises.~~

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

14 **Subdivision B. Home Occupations.**

15 **Sec. 61-12-381. Where allowed.**

16 Home occupations that comply with the regulations of this subdivision are allowed
17 within a dwelling unit, without need for a permit unless otherwise specified in this subdivision,
18 where such home occupation is incidental and subordinate to use of the dwelling for residential
19 purposes.

20 (Ord. No. 11-05, §1, 5-28-05)

21 **Sec. 61-12-394. Cultivation of Medical Marihuana**

1 Cultivation of Medical Marihuana shall be permitted as a home occupation where the
2 resident operating the business registers the home occupation with the Buildings, Safety Engineering
3 and Environmental Department and:

4 (1) The resident operating the business in the dwelling unit is a registered primary
5 caregiver, in compliance with the General Rules of the Michigan Department of
6 Community Health and the Michigan Medical Marihuana Act, P.A. 2008, Initiated
7 Law, MCL 333.26421 et seq.;

8 (2) The portion of the dwelling unit used for cultivation shall be inspected upon
9 registration and annually thereafter for compliance with this Chapter, and applicable
10 fire, building and property maintenance codes;

11 (3) All necessary building, electrical, plumbing and mechanical permits shall be obtained
12 for any portion of the dwelling unit where electrical wiring, lighting, ventilation
13 systems and/or watering devices that support the cultivation, growing or harvesting
14 of marihuana are located;

15 (4) If a room with windows is utilized as a growing location, any lighting methods that
16 exceed usual residential periods between the hours of 11pm to 7am shall employ
17 shielding methods, without alteration to the exterior of the residence, to prevent
18 ambient light spillage that may create a distraction for adjacent residential
19 properties;

20 (5) That portion of the dwelling unit where energy usage and heat exceeds typical
21 residential use, such as a grow room, and the storage of any chemicals such as
22 herbicides, pesticides, and fertilizers shall be subject to inspection and approval upon
23 registration and annually thereafter by the Detroit Fire Department to ensure
24 compliance with the Michigan Fire Prevention Code, being MCL Section 29.1 et seq.;

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ARTICLE XIV. DEVELOPMENT STANDARDS

DIVISION 9. ABANDONED OR VACATED USES

Sec. 61-14-453. Closure of ingress and egress required; removal of signage.

Within sixty (60) days of such closing, all curb cuts across driveway entrances and all other points of ingress and egress to the premises shall be closed to vehicular traffic by properly placed and secured precast concrete wheel stops or the equivalent, as may be approved by the appropriate City department. Unless otherwise required by this Chapter, within sixty (60) days of such closing, all business identification signage shall be removed.

(Ord. No. 11-05, §1, 5-28-05)

ARTICLE XVI. DEFINITIONS AND RULES OF CONSTRUCTION

DIVISION 2. WORDS AND TERMS DEFINED

Subdivision D. Letter "C"	
Sec. 61-3-51. Sec. 61-12-51. Words and terms (Ca-Cg)	
Cabaret	An establishment open to the public which sells or serves alcoholic beverages for consumption on the premises with or without food and also provides entertainment. Establishments commonly referred to as "nightclubs" shall be considered "cabarets" for zoning purposes. The Business License Center further classifies cabarets as Group "A" Cabaret, Group "B" Cabaret, or Group "C" Cabaret. (See also Error! Reference source not found.)
Car Wash	See "Motor Vehicle Washing and Steam Cleaning"
Carport	A roofed structure providing space for the parking or storage of motor vehicles and open on three sides.
Casino (Ord. No. 44-06, §1, 12-21-06)	The premises where gaming is conducted and includes all buildings, improvements, equipment and facilities used or maintained in connection with such gaming.
Casino Complex	A casino and all buildings, hotel structures, recreational or entertainment facilities, restaurants or other dining facilities, bars and lounges, required on-site parking, retail stores and other amenities that are connected with, or operated in such an integral manner as to form part of, the same operation, whether on the same tract of land or otherwise.
Cellar	A space with less than one-half of its floor-to-ceiling height above the average finished grade of the adjoining ground or with a floor-to-ceiling height of less than seven (7) feet.
Cemetery (Ord. No. 44-06, §1, 12-21-06)	Property used for the interring of the body or cremated remains of the dead. Cemeteries may contain mausoleums, crematories, or columbaria.
Central Business District (Ord. No. 44-06, §1, 12-21-06)	The portion of the City of Detroit within the area bounded by the Detroit River, and the center lines of Rosa Parks Boulevard, West Jefferson Avenue, Eighth Street, West Fort Street, Brooklyn Avenue, Abbott Street, Sixth Street, Michigan Avenue, John C. Lodge Freeway (M-10), Fisher Freeway (I-75), Chrysler Freeway (I-375), East Jefferson Avenue, Rivard Street, Atwater Street, and Riopelle Street extended to the Detroit River.
Words and terms (Ch-Cm)	
Change of Use or Occupancy	The discontinuance of one land use and its replacement by a different land use. Also, the addition of a land use to the operation of an existing land use; for example, the addition of a cabaret to a Class C bar constitutes a change of use or occupancy. A mere change of ownership shall not constitute a change of use or occupancy.
Child Care Center	A facility licensed by the State of Michigan Department of Human Services, other than a private residence or home, receiving one (1) or more preschool or school age children for care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. Child Care Center or Day Care Center includes a facility that provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per

(Ord. No. 34-05, §1, 12-06-05; Ord. No. 44-06, §1, 12-21-06)	day. The facility is generally described as a Child Care Center, Day Care Center, "Head Start" program, Day Nursery, Nursery School, Parent Cooperative Preschool, Play Group, or Drop-In Center. Child Care Center or Day Care Center does not include any of the following: [1] A Sunday School, a Vacation Bible School, or a Religious Instructional Class that is conducted by a Religious Organization where children are in attendance for not longer than three (3) hours per day for an indefinite period, or not longer than eight (8) hours per day for a period not to exceed four (4) weeks during a twelve (12) month period; [2] A facility operated by a Religious Organization where children are cared for not longer than three (3) hours while persons responsible for the children are attending religious services; [3] Family Day Care Home, Group Day Care Home, Foster Family Home, Foster Family Group Home.
Child Caring Institution (Ord. No. 34-05, §1, 12-06-05)	A Child Care Facility licensed by the State of Michigan Department of Human Services, other than a Juvenile Correctional Facility, that is organized for the purpose of receiving minor children for care, maintenance, and supervision, usually on a 24-hour basis, in buildings maintained by the institution for that purpose, and operates throughout the year. An educational program may be provided, but the educational program shall not be the primary purpose of the facility. Child Caring Institution includes a Maternity Home for the care of unmarried mothers who are minors and an Agency Group Home, that is described as a Small Child Caring Institution owned, leased, or rented by a licensed agency providing care for more than four (4) but less than thirteen (13) minor children. Child Caring Institution also includes institutions for mentally retarded or emotionally disturbed minor children. Child Caring Institution does not include a Hospital, Nursing Home, Home for the Aged, Boarding School, Adult Foster Care Family Home, Adult Foster Care Small Group Home, Family Day Care Home, Group Day Care Home, Foster Family Home, or Foster Family Group Home.
City	The word, "City," means the City of Detroit.
Clear Vision Triangle	That area formed by extending the two curb lines a distance of forty-five (45) feet from their point of intersection, and connecting these points with an imaginary line, thereby making a triangle
Words and terms (Cn-Cs)	
Coffee House	Any room, place, or building where the serving of coffee is the principal business and where tables and chairs are provided for the use of patrons to play table games and for other similar activities, but where alcoholic beverages are not provided.
Commercial Parking	See Parking, Commercial.
Commercial Vehicle	See Vehicle, Commercial.
Common Area, General	That portion of a site condominium project designed and intended for joint ownership and maintenance by the condominium association as described in the Condominium Master Deed.
Common Area, Limited	That portion of a site condominium project designed and intended for separate ownership, but outside the building setbacks for the zoning district the property is located in as described in the Master Deed.
Community Service (Use Category)	Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. Generally, they provide the service on-site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Community Services or facilities that have membership provisions are open to the general public to join at any time, (for instance, any senior citizen could join a senior center). The use may provide special counseling, education, or training of a public, nonprofit or charitable nature. Examples include the following uses:

	<ul style="list-style-type: none"> •Customs office •Fire or police station, post office, court house and similar public building •Governmental service agency •Neighborhood center, nonprofit •Substance abuse service facility <p>Private lodges, clubs and private or commercial athletic or health clubs are classified as Retail Sales and Service. Public parks and recreation are classified as Parks and Open Space.</p>
Concert café.	Any establishment, which provides food with music or entertainment, but does not provide alcoholic beverages. Concert cafes shall be regulated the same as "Theaters" for zoning purposes.
Condominium Act	MCL 559.101 <i>et seq.</i> , as amended.
Condominium Master Deed	The document recorded as part of a condominium subdivision to which are attached as exhibits and incorporated by reference the approved bylaws for the condominium subdivision and the condominium subdivision plan.
Condominium Project, Commercial, Office or Industrial	A plan or project consisting of not less than two (2) condominium units if established and approved in conformance with the Condominium Act, MCL 559.101 <i>et seq.</i>
Condominium Subdivision	A division of land on the basis of condominium ownership, pursuant to the Condominium Act and which is not subject to the provisions of the Land Division Act, MCL 560.191 <i>et seq.</i> , as amended. Also known as a site condominium.
Condominium Subdivision Plan	The drawings attached to the Condominium master deed for a condominium subdivision which describe the size, location, area, horizontal and vertical boundaries and volume of each condominium unit contained in the condominium subdivision, as well as the nature, location, and size of common elements.
Condominium Unit	Means that portion of a condominium project or condominium subdivision which is designed and intended for separate ownership and use, as described in the Condominium master deed, regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time-share unit, or any other type of use. The owner of a condominium unit also owns a share of the common elements. The term "condominium unit" shall be equivalent to the term "lot", for purposes of determining compliance of the site condominium subdivision with the provisions of this Zoning Ordinance pertaining to minimum lot size, minimum lot width, and maximum lot coverage.
Conforming Land Uses	"Conforming land uses" mean any land use located in a zoning district where the land use is permitted either by-right or as a Conditional Use and not otherwise prohibited in that district.
Conical Surface	A surface sloping upward and outward to an altitude of one hundred fifty (150) feet above the established heliport elevation at a slope ratio of one to eight beginning at the heliport elevation on the perimeter of a circle of two hundred (200) feet radius centered on each helipad.
Construction Refuse	Waste from building construction, alteration, demolition or repair, and dirt from excavations.
Controlled Uses	Any or the following: [1] Arcades; [2] Specially designated merchant's (SDM) establishments and/or specially designated distributor's (SDD) establishments; and [3] pool or billiard halls; and medical marijuana facilities
Convalescent, Nursing, or Rest Home	Establishments primarily engaged in the providing in-patient nursing care, other than a private home, where seven (7) or more older adults or disabled persons receives on-going care and supervision. Same as "convalescent home" or "rest

	home.” These are facilities that provide a full range of 24-hour direct medical, nursing, and other health services by registered nurses, licensed practical nurses, and nurses aides prescribed by a resident’s physician. They are designed for older adults or disabled persons who need health care supervision, but not hospitalization. Emphasis is on nursing care, but restorative therapies may be provided. Specialized nursing services such as intravenous feeds or medication, tube feeding, injected medication, daily wound care, rehabilitation services, and monitoring of unstable conditions may also be provided.
Council	The word, “Council,” means the City Council of the City of Detroit.
Words and terms (Ct-Cz)	
Cultural Center (Ord. No. 44-06, §1, 12-21-06)	The portion of the City of Detroit within the area bounded by the center lines of the Edsel Ford Freeway, Brush Street, Forest Avenue, and the John C. Lodge Freeway
Cul-de-sac	A street ending in a turn-around, designed, and intended as a permanent or temporary terminus.
Cultivate or cultivation	(i) all phases of growth of marihuana from seed to harvest; or (ii) preparing, packaging or repackaging, labeling, or relabeling of any form of marihuana.
Customer service center	A facility, other than a retail store, operated by a public or private utility, at which customers of the utility may make bill payments, obtain product or service information, or conduct similar business.
Subdivision L. Letter “M”	
Sec. 61-3-131. Sec. 61-12-131. Words and terms (Ma-Mg).	
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 (42 U.S.C. Sec. 5401) and that is designed to be used as a single dwelling unit.
Manufacturing and Production (Use Category)	<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>
Manufacturing or Processing	See Manufacturing and Production (Use Category).
Marina	Marina means a facility that offers service to the public or members of the marina for docking, loading, or other servicing or recreational watercraft. Accessory uses include boat storage and eating and retail facilities for owners, crews, and

	guests.
Massage Therapy Clinic	An establishment (excluding “adult physical culture establishments”) where a licensed or certified massage therapist provides massage in compliance with applicable provisions of Chapter 32 of this Code.
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 by-laws for the project and the approved condominium subdivision plan for the project.
Master Plan	The official “Master Plan of Policies” of the City of Detroit, as referenced in the Journal of City Council, August 5, 1992, Pages 1784-1787, as amended. The Master Plan of Policies specifies three levels of roadway under the “transportation” designation of the City of Detroit future general land use map: freeways, major thoroughfares, and secondary thoroughfares.
Measurement	See “Linear Measurement” and “Radial Measurement.”
Medical Marihuana	<u>Marihuana intended for medical use which meets all requirements for medical marihuana contained in this Code, the Michigan Medical Marihuana Act, and any other applicable law</u>
Medical Marihuana Facility	<u>Licensed medical marihuana business that distributes medical marihuana in accordance with the Michigan Medical Marihuana Act</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.
Words and terms (Mh-Mm).	
Michigan Medical Marihuana Act	Initiated Law 1 of 2008, MCL 333.26421, et seq.
Micro Brewery	A facility licensed as such by the Michigan Liquor Control Commission that annually produces in total less than twenty thousand (20,000) barrels of beer and that may include therein the licensed brewery premises.
Microwave-receiving Antenna	An antenna, usually parabolic or quasi-parabolic in shape, the purpose of which is to receive signals transmitted from terrestrial transmitters.
Words and terms (Mn-Ms).	
Mobile Home Park	A parcel or tract of land under the control of a person upon which three (3) or more mobile homes are located on a continual, 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 unit, 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 (42 U.S.C. Sec. 5401) are not considered mobile homes, but are instead considered “manufactured housing units.”
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 (10) rooming or dwelling units where twenty-five percent (25%) 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 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.
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.”
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 (Ord. No. 34-05, §1, 12-06-05; Ord. No. 44-06, §1, 12-21-06)	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 or detailing motor vehicles, whether self-service, automatic or by hand. 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 and police department authorized abandoned vehicle yards. For zoning purposes, such storage lots are not considered parking lots.
Words and terms (Mt-Mz).	

Multiple-family Dwelling	A structure, located on a single lot, containing three (3) or more dwelling units, each of which is designed for or occupied by one (1) family only, with separate housekeeping and cooking facilities for each. Multiple-family dwelling for the elderly is defined as any such housing regulated by the U.S. Department of Housing and Urban Development under its program pursuant to Section 202 of the Housing Act of 1959, as amended, 12 USC 1701 <i>et seq.</i>
Multi-tenant development	A nonresidential development having at least three tenants operating at least three businesses or services.
Museum (Use Category)	Museums are engaged in the collection, display or preservation of objects of community and cultural interest in one or more of the arts and sciences. Examples include fine art museums, natural history museums, and science and technology museums. Also included in this use category are public aquariums and outdoor art exhibition grounds and sculpture gardens.
Subdivision N. Letter “P”	
Sec. 61-3-151. Sec. 61-1-151. Words and terms (Pa-Ph).	
Park and Open Space (Use Category)	<p>Uses of land involving natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, or public squares. Lands tend to have few structures.</p> <p>Examples include the following uses:</p> <ul style="list-style-type: none"> • Cemeteries (including mausoleums, crematories, or columbaria) • Golf course • Skating rink • Park, playfield, playground, parklot, parkway and playlot • Swimming pool • Tennis court
Parking	The temporary standing or placement of operable motor vehicles, bearing valid and current license plate or registration sticker as required by the Secretary of State, that are currently used to transport people, goods, or materials in the conduct of normal daily activities.
Parking, accessory	<p>A parking lot or parking area shall be deemed “accessory” where: such lot is operated in conjunction with a specific land use; and no fee is charged for parking in the lot or area; and it is located no farther than the maximum distance specified in Article XIV, Division 1, <u>Error! Reference source not found.</u> and Article XIV, Division 1, <u>Error! Reference source not found.</u> of this Chapter for said land use.</p> <p>A parking lot or parking area shall likewise be deemed “accessory” where: such lot is operated in conjunction with a specific land use; and a fee is charged for parking in the lot or area; and not more than one hundred fifty percent (150%) of parking spaces required for that land use in Article XIV, Division 1, <u>Error! Reference source not found.</u> and Article XIV, Division 1, <u>Error! Reference source not found.</u> of this Chapter is actually provided; and it is located no farther than the maximum distance specified in Article XIV, Division 1, <u>Error! Reference source not found.</u> and Article XIV, Division 1, <u>Error! Reference source not found.</u> for said land use.</p>
Parking, Commercial (Use Category)	<p>For purposes of this Zoning Ordinance commercial parking may operate in three different manners:</p> <p>Facilities providing off-street parking that are not accessory to a specific use, and which do charge a fee, shall be deemed “commercial” parking.</p>

	<p>Paid accessory parking. A parking facility shall likewise be deemed “commercial” when: a fee is charged; and the parking facility is operated in conjunction with a specific land use; and when the accessory parking lot provides more than one hundred fifty (150%) of the off-street parking spaces required for that land use in Article XIV, Division 1, <u>Error! Reference source not found.</u> and Article XIV, Division 1, <u>Error! Reference source not found.</u> of this Chapter.</p> <p>Remote accessory parking. Where a parking lot or parking area is operated in conjunction with a specific land use but is located farther than the maximum distance specified for said land use in Article XIV, Division 1, <u>Error! Reference source not found.</u> and Article XIV, Division 1, <u>Error! Reference source not found.</u>, it shall likewise be deemed “commercial.”</p> <p>Examples include the following uses: -Parking lots or parking areas for operable private passenger vehicles -Park-and-ride facilities (transit-based) -Parking structure</p>
Parking Garage, private (Ord. No. 44-06, §1, 12-21-06)	A structure or part thereof, designed, used or intended to be used for the parking and storage of fewer than six (6) private passenger vehicles or recreational equipment items.
Parking Structure	A structure, typically having at least two levels of parking, for the storage of more than five (5) operable, licensed private passenger vehicles.
Parking, valet	Parking where the vehicle is parked and retrieved by an attendant.
Passenger Vehicle, Private	See “Vehicle, private passenger.”
Pawnshop	The premises at which a pawnbroker purchases personal property or other valuable thing on condition of selling the same back again at a stipulated price; also, the premises at which a pawnbroker loans money on deposit, or pledge of personal property, or other valuable thing, other than securities or printed evidence of indebtedness. (Pawnbrokers are licensed as provided for in Chapter 49, Article V of this Code, as amended.)
PBB	Polybrominated biphenyl.
PCB	The class of Chlorinated Biphenyl, Terphenyl, Higher Polyphenyl, or mixtures of these compounds produced by replacing two (2) or more Hydrogen Atoms on the biphenyl, Terphenyl, or Higher polyphenyl Molecule with Chlorine Atoms, “PCB” shall not include Chlorinated Biphenyls, Terphenyls, Higher Polyphenyls, or mixtures of these compounds that have functional groups attached other than Chlorine unless that functional group on the chlorinated Biphenyls, Terphenyls, Higher Polyphenyls, or mixtures thereof is determined to be dangerous to the public health, safety and welfare under MCL 299.355.
[Repealed] (Ord. No. 20-05, §1, 5-29-05)	
Personal Service Establishment	Includes barber shops, beauty shops, dry cleaning or laundry pick-up stations, nail salons, shoe repair shops, shoeshine stand or parlor.
Words and terms (Ph-Pm).	
Photocopying or Computing Self-Service Establishment	This use is permitted as a retail store, but separately regulated for off-street parking as provided for in <u>Error! Reference source not found.</u> of this Code.
Pickup Truck	A four-wheel motor vehicle, usually having an enclosed front cab and an open body with low sides and a tailgate. A pickup truck may have an enclosure, cap, cover, or box over the rear exterior bed.

Piercing Parlor	A personal service establishment at which body piercing is provided as the principal use of the land; for zoning purposes, jewelry stores, other retail stores, or clinics that provide this service as an incidental and accessory use of the land shall not be classified as piercing parlors.
Plasma donation center	A facility at which individuals donate plasma or other blood products in return for monetary or other consideration.
Words and terms (Pn-Ps).	
Police Department Authorized Abandoned Vehicle Yards	[1] Any public motor vehicle pound, but not including incidental storage lots accessory to and on the same zoning lot as a police station where vehicles are stored for evidentiary purposes; or [2] Any private storage lot or yard of a police authorized towing contractor, established pursuant to the "police authorized towing" contractor provisions of Chapter 55, Article 15 of this Code, for abandoned and impounded motor vehicles, also known as an "aban. yard."
Porch	A covered or uncovered entrance to a building or a roofed structure projecting from the exterior wall or walls of a principal structure and supported by piers, posts or columns and commonly open to weather.
Porch, Enclosed	An enclosed porch shall be a porch enclosed with screen panels or storm windows; opaque materials used in such enclosed shall be limited to a maximum height of 42 inches above the floor of the porch.
Porch, Unenclosed	An unenclosed porch shall be a porch that is not closed in any way by glass, opaque panel, or any other material, and has no enclosing features higher than 42 inches above the floor of the porch except the roof, roof supports, and railing.
Pre-release Adjustment Center	An establishment that provides shelter, supervisory and social services to convicts in a pre-release parole preparation program, as authorized by the Michigan Corrections Commission under authority of P.A. 323 of 1953, as amended, or by the Federal Bureau of Prisons under authority of P.L. 91:492, as amended.
Primary Caregiver	An individual registered in compliance with the <u>General Rules of the Michigan Department of Community Health, the Michigan Medical Marihuana Act, Initiated Law I of 2008, MCL 333.26421, et seq.</u>
Principal Building	The building occupied or designed for the principal use.
Principal Use	The main use to which a premises is devoted.
Private Club	An association, whether incorporated or unincorporated, organized for a common purpose to pursue common goals, interests or activities, not including associations organized for a commercial or business purpose; said private club is characterized by certain membership qualifications, payment of fees and dues, regular meetings, and a constitution and bylaws. The facilities or clubhouse owned or used by such organizations may be referred to in this Chapter as a "club".
Words and terms (Pt-Pz).	
Public Accommodation (Use Category)	Uses involving the provision of overnight lodging (rooms), with or without meal service. Examples include the following uses: •Bed and breakfast inn •Hotel

	<ul style="list-style-type: none"> •Lodging house, public •Motel <p>Hotels, restaurants and other services that are part of a truck stop are considered accessory to the truck stop, which is classified as an Industrial Service use.</p>
Public Center Open Use	Open (unenclosed) land uses normally associated with public centers.

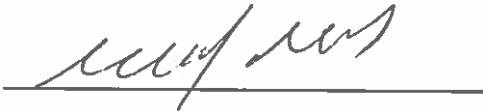
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2 **Section 2.** All ordinances or parts of ordinances in conflict with this ordinance are
3 repealed.

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

6 **Section 4.** This ordinance shall become effective on the eighth (8th) day after publication in
7 accordance with MCL 125.3401(6) and Section 4-118, paragraph 3, of the 2012 Detroit City
8 Charter.

9 Approved as to form:

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12 Melvin B. Hollowell
13 Corporation Counsel

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