



PROPOSED TEXT AMENDMENT TO UPDATE THE REGULATION OF AUTO-RELATED USES

THE CHALLENGE

Detroit has a proliferation of auto-related uses—junkyards, auto repair, used auto sales, towing yards, used tire sales, scrap tire processing. Many of these uses are not compliant with zoning, property maintenance, and licensing standards creating a blighting influence.



EXCESSIVE SIGNAGE

OUTDOOR TIRE STORAGE

VEHICLES PARKED ON SIDEWALK



DILAPIDATED SIGNAGE

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INADEQUATE SCREENING





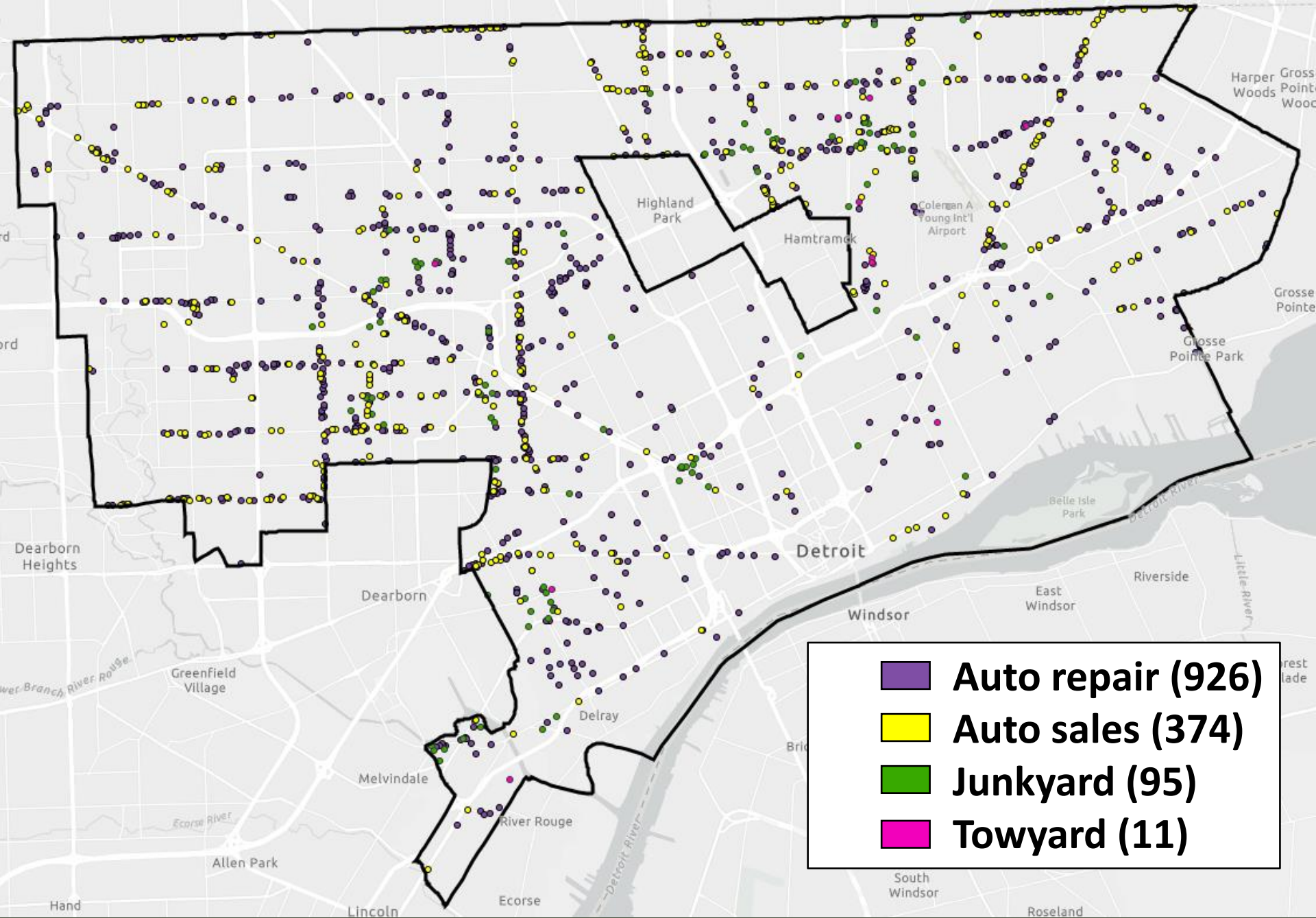
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STEERING
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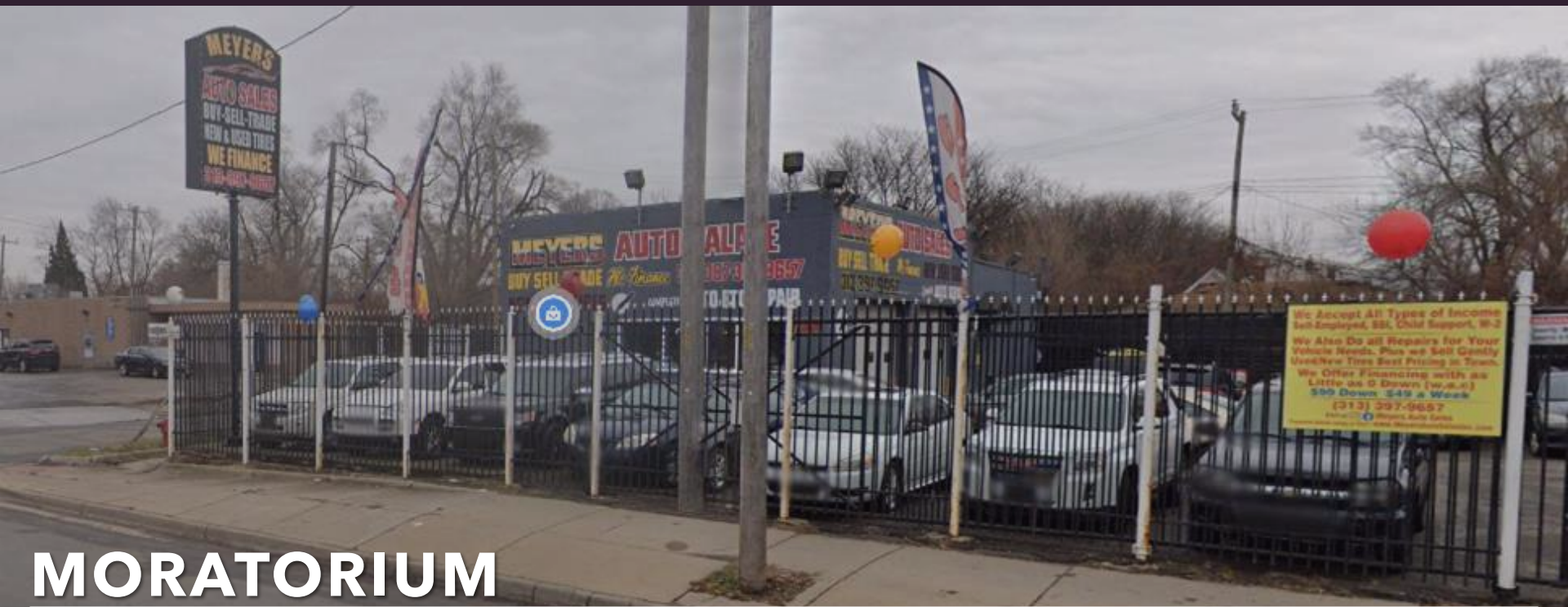
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VACANT BUSINESS CAUSING BLIGHT



AUTO-RELATED USES

(data from BSEED 6/2022)



MORATORIUM

In November 2019, Mayor Duggan issued a moratorium on applications for new or expanded auto-related uses in order to 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 expired on December 31, 2022

PROCESS

Several city departments have worked collaboratively over the last few years to propose changes to the Zoning Ordinance to better regulate auto-related uses. Departments involved in this effort are:

- Buildings, Safety Engineering, and Environmental
- Planning & Development Department
- Law Department
- CPC staff



ZONE DETROIT

Auto-related use regulation has been a focus of the Zone Detroit project and several recommendations were included in the Zoning Analytic. Feedback from community engagement has informed these proposed changes to the zoning ordinance.



Reduce the Impact of Auto-Related Uses

Issue

In recent years, the City has seen an increase in the establishment of higher impact auto-related uses (*used tire storage and sales, used auto sales, scrap iron and metal processors, auto dismantling and wrecking, and auto repair*). Regulation and enforcement of these businesses has been a challenge due to over-concentration and lack of compliance with zoning, property maintenance and licensing. Once allowed, some of these uses often intensified the services offered, such as presenting more used cars for sale than allowed, or providing more intense vehicle repair activities than allowed. At the same time, sites that have been abandoned leave blighted buildings and contaminated land along commercial corridors. Due to this on-going issue, the Mayor has enacted a moratorium, no new auto-related uses may be established.

Today, auto-related uses are not allowed in B1 and B2 zoning. Auto-related uses are primarily allowed in B4, B6 and M districts, with junkyards only allowed in M4 and M5. Uses associated with new cars are often allowed by-right, meaning no special permission is required,

while those for used cars typically require conditional use approval.

Recommendations

This project . . .

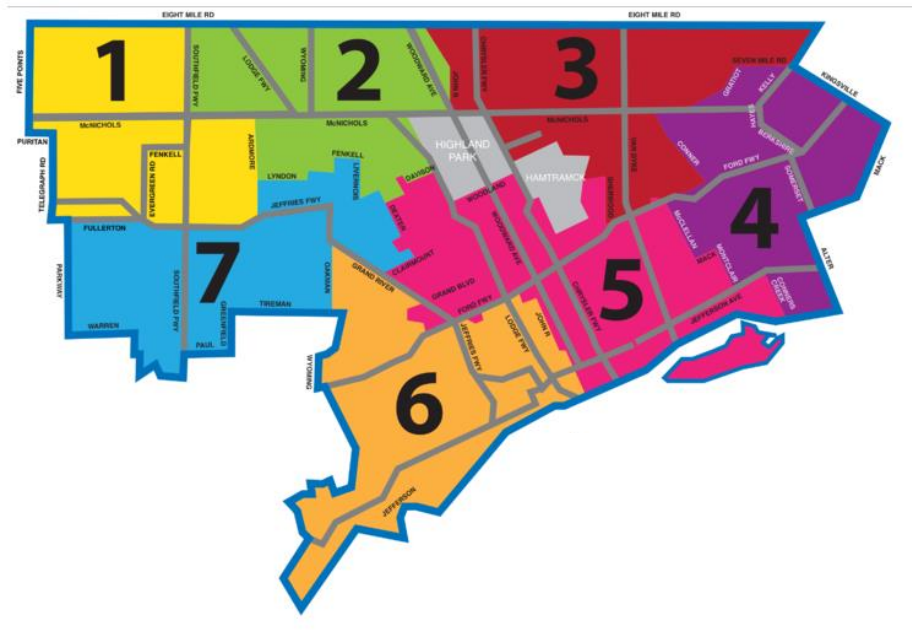
- ▶ Consider creating a new zoning district specifically for auto-related uses and consider removing all auto-related uses from B4. Sites left in B4 would become nonconforming.
- ▶ Develop rules for the orientation and use of bay doors for auto repair.
- ▶ Create a use category for all auto-related uses so permissions can be easily found across zoning districts and be efficiently administered over time.
- ▶ Improve sound attenuation and air quality through required landscape screening/buffering.
- ▶ Study less expensive alternatives to masonry wall screening for junkyards.



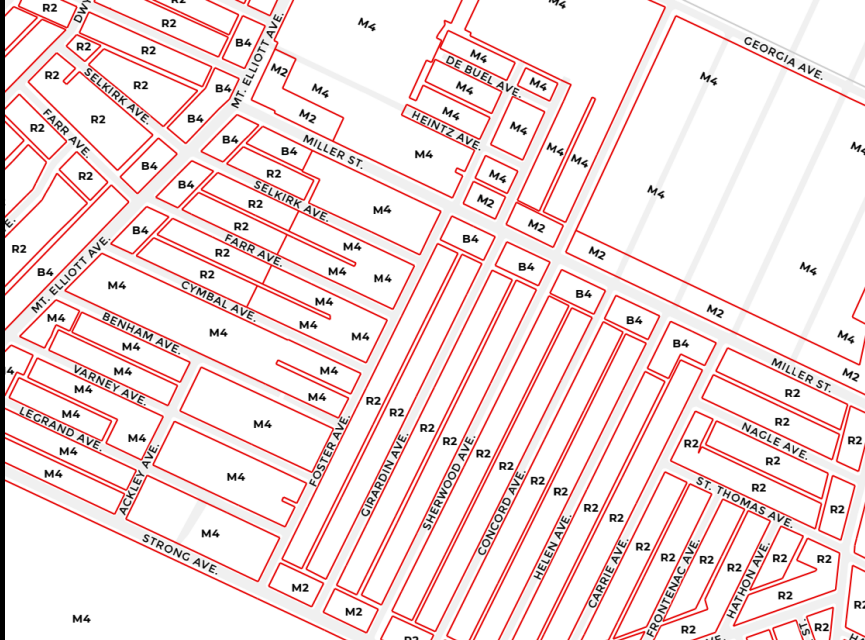
GENERAL STRATEGY

- Further restrict the zoning districts where each auto-related use is allowed
- Add spacing requirements between each type of use
- Clarify, update, and add several definitions
- Reclassify auto service and repair uses to reduce confusion

Districts clarification



City Council Districts



Zoning Districts

EXISTING BUSINESSES

- New regulations will not affect existing businesses
- If located in zoning districts that no longer allow their use, they become “non-conforming”
- Permits are attached to the land, not the owner
- Expansions of non-conforming uses require review by the Board of Zoning Appeals





EXISTING BUSINESSES - SPACING

- 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
- Section 50-15-24

Update, Clarify, and Add several definitions

- Eliminate the terms “Motor vehicle services, major” and “Motor vehicle services, minor”
- Replace with new terms:
 - **Light Duty Vehicle Service Establishment** – perform routine maintenance and other limited services for vehicles up to 10,000 pounds typically on a same-day basis
 - **Light Duty Vehicle Repair Establishment** – perform substantial repairs of vehicles up to 10,000 pounds typically requiring overnight storage
 - **Medium/Heavy Duty Vehicle or Equipment Repair Est.** – perform any type of service or repair for vehicles over 10,000 pounds whether such service or repair is typically completed on a same-day basis or requires overnight on-site storage of vehicles

Update, Clarify, and Add several definitions

- Eliminate the use “Construction equipment, agricultural implements, and other heavy equipment repair or service” as this activity will be regulated under the use “Medium/Heavy Duty Vehicle or Equipment Repair Establishment”.
- 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”.
- Add definitions for the previously-undefined terms: “Scrap metal recycling facility”, and “Scrap processing facility”.
- Update the definition of “Used vehicle parts sales” for clarity.

Restrict the zoning districts where each auto-related use is allowed

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	S D 1	S D 2	S D 3		S D 4	S D 5	
<u>Light Duty Vehicle Repair Establishment</u>									C	C	C	L													<u>SPC: Section 50-12-2xx</u>
<u>Light Duty Vehicle Service Establishment</u>				C		C	C	C	C	C	C	L								C					<u>SPC: Section 50-12-2xx</u>
<u>Medium/Heavy Duty Vehicle or Equipment Repair Establishment</u>										C	C	L													<u>SPC: Section 50-12-2xx</u>
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, 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: Sections 50-12-293, 50-12-517</u>
Motor vehicles, new, Storage lot accessory to salesroom or sales lots for new motor vehicles					R	R	R	R	R	R	R	L	C			R							<u>C</u>		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	C	L				C							<u>C</u>		<u>SPC: Section 50-12-291</u>

R=by-right use C=conditional use L=subject to Legislative approval

Restrict the zoning districts where each auto-related use is allowed

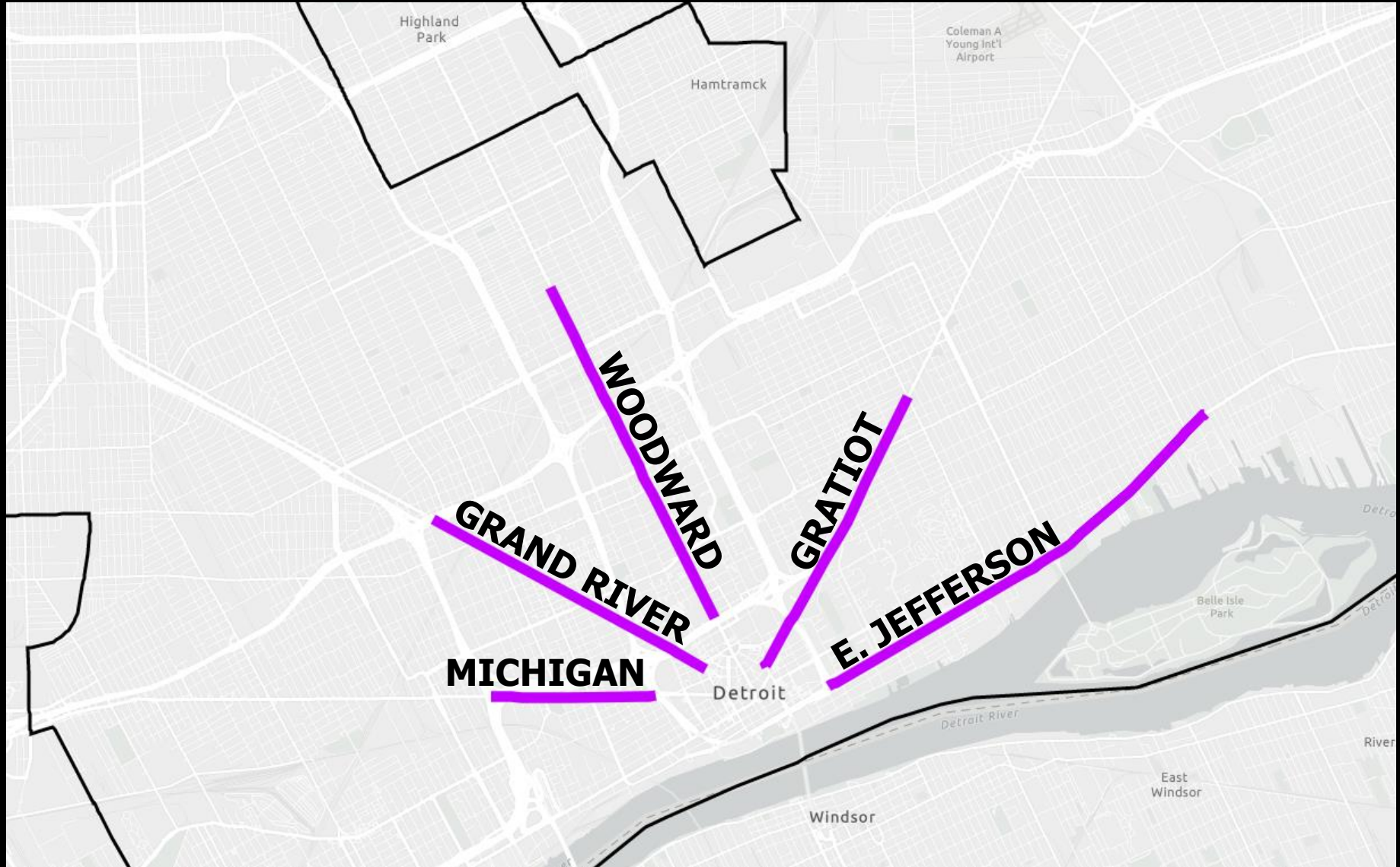
Specific Land Use	Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)		
	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	S D 1	S D 2	S D 3		S D 4	S D 5
Construction equipment, agricultural implements, and other heavy equipment repair or service									Ⓒ	Ⓒ	Ⓒ	Ⓒ	Ⓒ				Ⓒ							Section 50-12-458
Junkyard										Ⓒ	Ⓒ	Ⓒ						Ⓒ						<u>SPC</u> ; SWFRC; Section 50-12-341
Scrap tire storage, processing, or recycling facility										Ⓒ	Ⓒ	Ⓒ						Ⓒ						IRC; <u>SPC</u> ; Section 50-12-349
Tires, used; sales and/or service						Ⓒ	Ⓒ	Ⓒ	Ⓒ	Ⓒ	Ⓒ	Ⓒ					Ⓒ							<u>SPC</u> ; Section 50-12-350
Towing service storage yard							Ⓒ	Ⓒ	Ⓒ	Ⓒ	Ⓒ	Ⓒ					Ⓒ							<u>SPC</u> ; Section 50-12-352
Used vehicle parts sales									Ⓒ	Ⓒ	Ⓒ	Ⓒ												Section 50-12-356

R=by-right use C=conditional use L=subject to Legislative approval

Add spacing requirements between auto-related uses

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>	- <u>Any other vehicle service or repair use: 1,000 radial feet</u> - <u>Zoning lot zoned R1, R2, R3, R4, R5, R6, residential PD: 100 radial feet</u>	<u>Section 50-12-2xx</u>
<u>Light Duty Vehicle Service Establishment</u>	<u>1,000 radial feet</u>	- <u>Any other motor vehicle service or repair use: 1,000 radial feet</u>	<u>Section 50-12-2xx</u>
<u>Medium/Heavy Duty Vehicle or Equipment Repair Establishment</u>	<u>1,000 radial feet</u>	- <u>Any other motor vehicle service or repair use: 1,000 radial feet</u> - <u>Zoning lot zoned R1, R2, R3, R4, R5, R6, residential PD: 100 radial feet</u>	<u>Section 50-12-2xx</u>
<u>Motor vehicle, used, salesroom or sales lot</u>	1,000 <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>	N/A	- <u>Residentially zoned area: 250 radial feet</u>	<u>Section 50-12-291</u>
<u>Junkyard</u>	<u>2,000 radial feet</u>	- <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>	N/A	<u>Section 50-12-350</u>
<u>Towing service storage yard</u>	<u>1,000 radial feet</u>	N/A	<u>Section 50-12-352</u>

Prohibit Auto-Related Uses on Gateway Radial Thoroughfares



Miscellaneous Changes

- Add specific use regulations for several uses to be comparable with other auto-related uses such as lighting, screening, curb cuts, and paving
- Prohibit the outdoor storage of used tires
- Add several uses to the list of uses that nonconforming uses cannot be changed to: Junkyards, Used motor vehicle sales lots, Scrap tire storage/processing/recycling, Towing service storage yard, Medium/Heavy Duty Vehicle or Equipment Repair Establishment
- Clarify the definition of “Recycling Center” to exclude vehicle parts, vehicles, and metal other than curbside recycling

CPC Public Hearing – June 2, 2022

- Notices were mailed to city-wide list of 1,500 and published in the Detroit Legal News
- Nine members of the public spoke:
 - Five were generally supportive due to concerns about auto-related uses on commercial corridors and the effect on pollution
 - Four were concerned about the effect on auto-related businesses and whether they had been notified
- No correspondence received in support or opposition
- CPC voted to continue the public hearing to June 16, 2022 to allow for additional community engagement

Further Public Engagement

- Physical notices were mailed to 1,548 existing auto-related uses
- Email notices were sent to CPC's 4,000+ subscriber list

Two virtual events were held via Zoom:

- Department of Neighborhoods weekly virtual meeting 6/13/22 – approximately 200 people were on the call, 10 people spoke generally in support
- CPC staff-led virtual meeting 6/15/22 – approximately nine members of the public attended, several questions about the effect on existing businesses

CPC Continued Public Hearing – June 16, 2022

- CPC staff presented maps of existing auto-related uses and potential areas for new auto-related businesses based on the proposed regulations
- Six members of the public spoke:
 - Three were representatives of towing yards who were concerned that they were unfairly included
 - Two were residents generally in support of the proposed amendment due to the blighting influence
 - One was the owner of an existing auto business concerned about the effect on existing businesses
- Commissioners discussed equity issues—both assuring that people who need car repair can access it and ensuring that people are not forced to live near blighted properties

CPC Action – August 4, 2022

- CPC staff presented a recap of the proposed amendment and pictures of existing tow yards
- The City Planning Commission voted 7-0 to recommend approval of the proposed text amendment

CONCLUSION

- These changes would make it more difficult to establish new auto-related uses which would limit the number of new businesses opening
- New regulations would not apply to existing businesses
- While this amendment proposes to regulate auto-related businesses much more strictly, they often detract from the appearance and viability of the business corridors. Guiding new businesses closer to rail corridors and industrial areas would have fewer negative impacts on aesthetics and retail viability
- These uses contribute to pollution and moving them further from residential areas would have a positive effect on residents' quality of life