

City of Detroit

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HONORABLE CITY COUNCIL

RE: Proposed text amendment to Chapter 50 of the 2019 Detroit City Code, Zoning, to streamline and update the current set of landscaping and screening requirements that apply to a limited set of specific land uses and site features, and to modernize related fence and wall standards for nonresidential uses with the goal of proactively improving the appearance of commercial and industrial properties and corridors. **(RECOMMEND APPROVAL)**

BACKGROUND

Planning and Development Department Request

For the past couple of years, staff of the Planning and Development Department (P&DD), the Buildings, Safety Engineering, and Environmental Department (BSEED), the Law Department, and CPC have been working towards updating numerous parts of the 2019 Detroit City Code related, in part, to improving the physical appearance of commercial and industrial areas within the city. The physical appearance of certain commercial and industrial sites, especially the appearance of these sites from their perimeter boundaries along streets where the use of a site is highly visible to the public, has been a noticeable issue citywide and has resulted in frequent complaints from residents that may live near these sites. Staff has identified the following zoning-related items as key factors that contribute to the appearance of certain sites:

Screening Zoning Factors (Existing Issues)

1. Applicability. Currently, there are some key land uses or site features, such as parked semi-trailers, that are not subject to required perimeter landscaping and screening but should be given the impact of their appearance from streets or residential properties.
2. Standards. When landscape or fence screening is required, the existing requirements for how to screen uses or site features are vague which can lead to an inconsistent or inadequate appearance of screening as individual sites develop or redevelop over time.
3. Enforcement. Certain types of highly intensive commercial and industrial uses, especially auto-related uses, are continually noncompliant with existing screening requirements. Updating screening standards can help to proactively improve the appearance of certain commercial and industrial sites through the site plan review and building permit processes.

This effort to update the City Code has been informed by two sets of principles that have been established by P&DD: Commercial Corridor Design Principles for the design and appearance of properties with commercial uses, and Industrial Design Guidelines for the design and screening of properties with industrial uses. Below is a summary of the principles that relate to screening:

P&DD Screening Principles (Goals)

- Make the rules that govern screening clearer
- Beautify street frontages
- Enhance landscape buffers between certain uses and neighborhoods
- Provide more specific material standards for appropriate walls and fences

The above principles and goals for screening are strongly related to zoning and would therefore need to be achieved through an amendment to Chapter 50, Zoning, of the City Code. Given the wide-ranging impact of these principles, staff previously grouped the discussion of amendments to the Zoning Ordinance (ZO) that would be required to implement these principles into the categories of required landscaping and screening (introduced at the Oct. 20, 2022, CPC meeting) and fences and walls (introduced at the Sept. 29, 2022, CPC meeting). Since these two meetings and additional CPC input, staff has combined these two closely related items under one proposed ordinance for consideration.

Zoning Best Practices

It is necessary to consider updating both required landscaping and screening, and citywide fence and wall standards together as the two sets of standards work in tandem to regulate the physical appearance of properties along their perimeter.

- Required landscaping and screening addresses which ZO specific land uses or site features require perimeter screening, when that screening is required for sites or uses that are being modified, and the screening standard details required to create a perimeter buffer.
- Fence and wall standards address two key features that are typically regulated by zoning: the maximum permitted height of fences or walls, and which materials (e.g., chain link, wood, etc.) are permitted or prohibited to be used to construct fences or walls.

Most zoning ordinances address the above two topics independently as fence and wall standards affect all properties within a municipality, while required landscaping and screening only affects a limited set of highly impactful land uses or site features. The link between these two sets of standards is that landscaping and screening requirements often include that a fence or wall screen be installed as one feature within a landscape buffer area (in addition to landscape plantings and ground cover). Alternatively, a property owner or tenant may desire to install a fence or wall that is not otherwise required, such as security fencing, often without the addition of landscaping. The proposed amendment seeks to balance the city's desire to improve screening development standards with the needs of commercial and industrial property owners and developers.

Junkyard and Auto Uses Text Amendment (Ord. No. 2023-6)

The timing of this proposed text amendment is beneficial as the CPC previously provided a positive recommendation to the City Council to amend how the ZO treats auto-related uses, including junkyards, auto repair facilities, used auto sales lots, towing yards, used tire sales, scrap tire processing, etc. The focus of the auto amendment, which was recently adopted by the City Council, was to change or restrict the permissibility of these uses as far as being By-right, Conditional, or Prohibited principal uses in certain non-residential districts. The amendment also added spacing requirements, revised use definitions, and updated use regulations. The auto amendment purposely did not address the development standards that apply to auto-related uses.

By amending the permissibility of auto-related uses, the auto amendment addressed the primary issue of the citywide proliferation of all types of auto-related uses that have occurred over time through restricting the zoning districts where auto uses are allowed and adding spacing requirements that reduce eligible areas for auto uses within permissible districts. The rationale for this approved amendment was that many of these auto uses are continually non-compliant with City zoning regulations, property standards, and licensing requirements, but were widely permissible in non-residential zoning districts, resulting in a blighting influence on the City as discussed with CPC.

While auto-related uses are not the sole focus of this proposed screening text amendment, most auto-related specific land uses are currently required to provide landscaping and screening adjacent to residential. No changes are proposed to this use-based applicability. The proposed screening text amendment seeks to further address the blighting or aesthetic impacts of certain auto-related and other uses on the City by amending ZO site improvement development standards contained in Article XIV, Division 2, Subdivision D Landscaping and Screening; Miscellaneous Provisions, which are standards that are referred to once use permissibility has been determined. The current ZO applicability and standards for required landscaping and screening that would be subject to this proposed amendment are summarized in the Current Development Standards section of this report.

Blighting Impacts of Poor Landscaping and Screening

In addition to auto-related uses, there are a number of other commercial and industrial uses that may be permitted within corresponding zoning districts but have applicable development standards that try to ensure that a use does not have a blighting or negative influence, especially along public streets or adjacent to residential properties. A blighting influence, for any use or development, could result from multiple factors concerning landscaping, screening, and fencing:

Screening Development Standards – Aesthetic Factors

- Inappropriate fence or wall materials used as required or desired screening
- Excessive or ineffective fence or wall height
- Lack of landscape or natural ground cover at the perimeter of a site
- Insufficient or minimal landscape buffer width along the perimeter
- Lack of or ineffective landscape plantings along the perimeter



Fencing Aesthetic Considerations

A key desire of P&DD is to reduce the use of chain link fencing along commercial corridors, which often includes barbed wire attached to the top, in favor of other types of newer fencing materials that are available. This is reflected in the proposed amendment as a prohibition on the use of chain link fencing, as well as barbed wire, in business zoning districts (B1 through B6) and other districts along streets. Staff has observed a couple of issues with the continued use of chain link fencing along streets within business districts or for commercial businesses that would typically be present in these districts, including some low impact auto uses.

First, indicated in the below image is a used car dealership, classified by the ZO as a “motor vehicles, used, salesroom or sales lot” specific land use and zoned B4. This entire site is enclosed by chain link barbed wire fencing six feet in height (to the right of the image) and greater (to the left). While it is understandable that a used car dealer would want to secure vehicles for sale on their lot, the general appearance of this site, in part due to the fence materials and height chosen by the property owner or tenant, is that it is not an active commercial business but is rather a vehicle holding or storage business with intermittent sales, vehicle turnover, or commercial activity (note the damaged burgundy truck). This is also supported by the business not appearing to keep regular open hours, the inability to enter the site to view vehicles or park during the day, and the poor condition of pavement on the site where vehicles are stored.

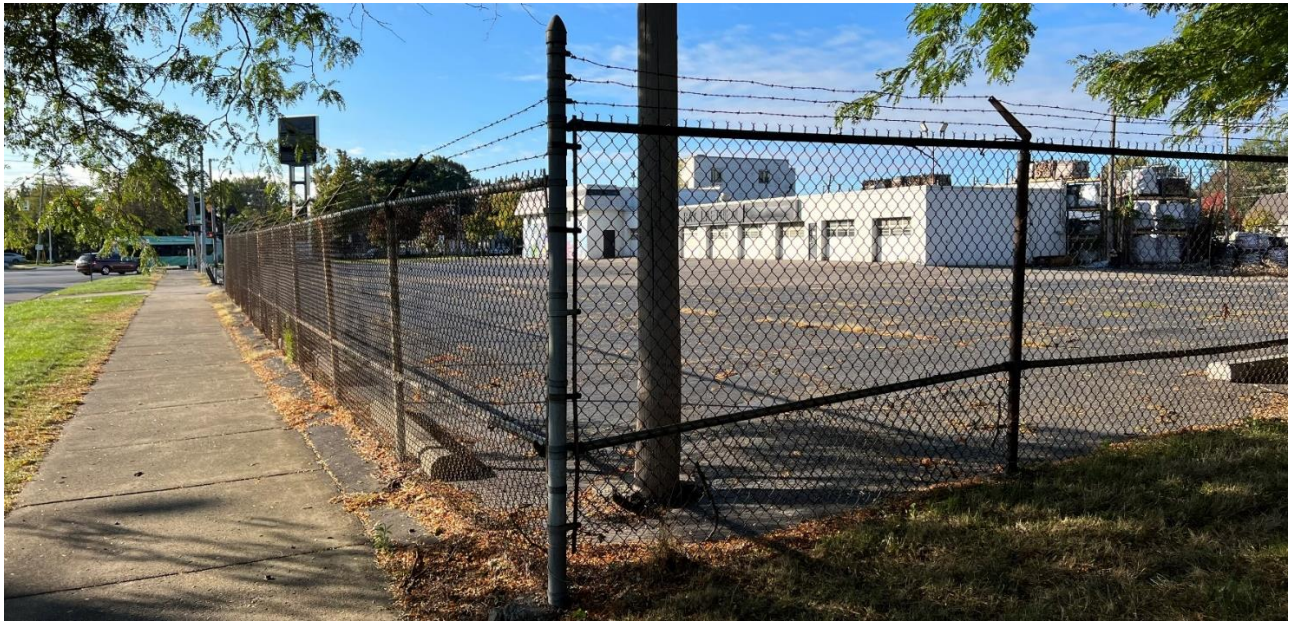
Specific to the issue of permitted fencing, the question for consideration here is if the standard chain link fence material with barbed wire attached should continue to be permitted along streets in business districts citywide, or if prohibiting this specific type of fencing is a policy change that is desirable and would improve the aesthetics and overall appearance of commercial businesses and corridors where we typically anticipate and desire some level of activity, rather than only security, which is the primary purpose of chain link barbed-wire fencing. Prohibiting chain link fencing in favor of other material options, which can also provide security in a more attractive, high-quality manner, could potentially create a more welcoming appearance for patrons and a different aesthetic from streets than is seen in the below example and others within the City.



View of used car dealership fencing

Related to the above consideration, the following image is also of a used car lot zoned B4, except in this example the site is vacant and for lease. A second issue related to both examples is the indefinite use of chain link and barbed wire fencing for properties that may develop or change use over time as normally occurs. While staff is not proposing any changes to the applicability of when fencing is required to be removed or changed through the site plan review or building permit processes, amending the ZO to prohibit this type of fencing along streets would have the benefit of giving the City a new legal ability through zoning to require this type of fencing, that is currently permitted, to be removed over time when sites are modified or land uses change and ZO compliance is opened up for review due to a property owner’s desire to modify a site or change its use.

As the use of chain link fencing goes back several decades, there are many older commercial sites that continue to use this type of fencing regardless of if they are vacant, or not. It is more difficult to require sites to remove chain link barbed wire fencing that may be many years or decades old, in favor of newer fencing and different materials and height, if there is no zoning requirement for a new type of fencing material or height. Again, a benefit of this proposed amendment as it relates to fencing and the numerous existing developed sites with chain link fencing, is that it would give the City more power to improve the appearance of commercial sites as they seek building permits or site plan review, while maintaining the current standards would likely limit or eliminate the ability for the City to require site improvements and upgrades to fencing if the standards for fencing remain as-is.



View of vacant former auto use fencing

Lastly, in the last example picture, as well as the first one, chain link fencing is sometimes used to enclose an entire commercial site to provide security regardless of business operating hours and if a building or site is vacant. In both examples, the issue here is that fencing can be used to prevent the public from parking on the site. In the last example, this is an active business with regular daily hours where patrons are required to park on the street and only employees appear to be allowed, or aware, that there is a parking lot behind the business that can be accessed indirectly.

While the proposed amendment wouldn't solve the issue of fencing blocking parking lots and the fencing in the below image is likely in violation of the City Code as it is not in sound condition, this is another example of a site where it would be beneficial from an aesthetic standpoint to require fencing to be updated from the standard chain link fencing type. If the proposed text amendment is ultimately approved with a new prohibition on chain link fencing along streets in business districts and other districts, the City would be able to require property owners to remove chain link fencing in favor of new fencing at such time a property owner seeks building permits or site plan review, while maintaining the current standards would likely limit or eliminate the ability for the City to require significant upgrades to fencing if the standards for fencing remain as-is. In this case, the property owner could simply repair the chain link fencing but there would be no zoning requirement to completely replace what may be decades-old fencing that is simply used to secure a large parking lot as this fencing appears to meet current material and height requirements.



View of commercial site fencing blocking rear parking lot (gate to left)

SITE PLAN REVIEW (NO CHANGES)

Article III, Division 5 – Site Plan Review

Below is a summary of current ZO requirements for site plan review, which is the main mechanism the City uses to require compliance with current development standards proposed to be amended. The goals of the proposed amendment are also based on the below ZO purpose statements. No amendments are proposed that would affect the site plan review process or applicability.

Subdivision A – In General

The purpose of the site plan review process is to:

1. Protect the public health, safety, and welfare;
2. Minimize adverse effects upon pedestrian and vehicular traffic;
3. Ensure that design is safe, efficient, environmentally sound, aesthetically responsive, and protects properties in the immediate vicinity and the general public;
4. Ensure compliance with this chapter, the Master Plan, and other documents that may control development; and
5. Provide a consistent and uniform method of review.

Site plan approval, which is the desired final step in the site plan review process, is required prior to the building permitting process for land uses that require site plan review. Applicants who are required, but fail, to receive final site plan approval are ineligible to apply for building permits.

Proposed developments that meet any one or more of the applicability thresholds below are required to be approved through the site plan review process prior to permitting. Developments that do not meet any of the below criteria may proceed directly to the permitting process without site plan approval being required. Site plan review is not required for the construction or alteration of an individual single- or two-family dwelling (ZO development standards still apply).

Summary of Site Plan Review Applicability (Sec. 50-3-113)

1. New construction that involves any of the following:
 - a. Any new development with more than 20,000 sq. ft. of gross floor area, except on land zoned M1 through M5, the threshold is increased to 50,000 sq. ft.
 - b. Projects with multiple principal structures on one zoning lot
 - c. Any multiple-family residential or loft development with more than 12 units
 - d. Site condominium developments
 - e. Projects in a 100-year floodplain
 - f. Any parking structure as defined by the ZO
 - g. Projects located in the portion of the MKT District described in Section 50-13-157(a)
2. Additions or major structural alterations that involve any of the following:
 - a. For existing developments of less than 20,000 sq. ft. of gross floor area, any addition or

alteration that results in a cumulative total of more than 20,000 sq. ft. of gross floor area considering existing floor area and proposed additions, except on land zoned M1 through M5, the threshold is increased to 50,000 sq. ft.

- b. For existing buildings of greater than 20,000 sq. ft. of gross floor area, an increase of 25% or more in gross square footage, except on land zoned M1 through M5, the threshold is increased to 50,000 sq. ft.
 - c. Projects in a 100-year floodplain
3. Any development with a lot area of more than one acre, except on land zoned M1 through M5, the threshold is increased to three acres
 4. Substantial changes in use within any building that has more than 20,000 sq. ft. of gross floor area or of any use with a lot area of more than one acre (exempt M1 through M5)
 5. Any conditional, regulated, or controlled land use, and any case before the BZA as the body of first jurisdiction
 6. Any use that has drive-up or drive-through facilities, or a walk-up component
 7. Projects within any PD, and certain projects within SD1, SD2, or SD5 Districts
 8. Projects within the SD4 District that involve certain utility uses
 9. Projects seeking Alternative Residential Development Options provisions
 10. Urban farms and all other agricultural uses specified as a conditional use
 11. Any new or newly established motor vehicle salesroom or sales lot for used vehicles
 12. Development projects with certain post-construction stormwater management thresholds

Subdivision D – Site Plan Approval Criteria

The ZO provides site plan approval criteria that should be utilized when considering site plan approval. These criteria are general statements that seek to achieve sound planning principles and allow for some design flexibility through the criteria, but they are not intended to modify, reduce, waive, etc., explicit ZO standards. For example, any proposed site plan is required to meet the landscaping and screening standards of Article XIV, Division 2, but there is some flexibility to require an enhanced landscape buffer design that meets base ZO standards but may exceed them to satisfy site plan approval criteria. This is a good policy to have in any ZO, but it can be unsustainable to rely on in long term if the base ZO standards are not viewed as effective and plan reviewers must review projects on a case-by-case basis for sound landscaping design when the ZO could be improved to provide consistent and clear requirements. This is one purpose of the proposed text amendment, to improve the City's administration of site plan reviews by providing improved standards and applicability that are based on site plan approval criteria (note criteria 2).

Site Plan Approval Criteria for Landscaping and Screening

1. The type, dimensions, and character of open spaces, landscaping, screening, and buffering shall enhance the design, character, use, and value of the property and abutting lands (Sec. 50-3-178)
2. To the extent practicable, the type, dimensions, and character of open spaces, landscaping, earth berms, fencing, screening, buffering, signs, walls, and other site features shall be designed and located on the site so that the proposed development is aesthetically pleasing and harmonious with nearby existing or future development (Sec. 50-3-180 part).
3. Utility and mechanical equipment and fixtures that abut a public right-of-way shall be effectively screened to the extent possible.

Article XIV, Division 2 – Landscaping, Screening, and Fencing (Applicability)

The above information on the applicability of the site plan review process directly informs when the actual requirements contained within the ZO may be legally enforced by BSEED through the site plan review process, if applicable, and the permitting process only when site plan review is not required (Sec. 50-14-302). Through either process, P&DD and/or BSEED can currently require that new development greenfield sites, or redevelopment sites with existing buildings or other site improvements upgrade their

site features to meet the current requirements of Article XIV, Division 2 as may be enhanced by the site plan approval criteria.

Provided below is the section that indicates when the landscaping and screening standards of Division 2 apply, which includes the current citywide fence standards in Section 50-14-381. This applicability is specific to the standards of Article XIV, Division 2 and is in addition to site plan review applicability but closely follows and overlaps site plan review applicability.

- If site plan review is required per 50-3-113, the standards of Article XIV, Division 2 are applied through the site plan review process.
- If site plan review is not required, the standards of Article XIV, Division 2 may still be applied through the building permit process under Section 50-14-302, such as a change of use (6) that may not otherwise require site plan review.

Section 50-14-302 Applicability (specific to Article XIV, Division 2 standards):

1. The construction of any principal building.
2. The addition to, or enlargement of, any principal building by more than 10 percent.
3. The addition to, or enlargement of, any principal building by more than 2,000 square feet.
4. The construction or installation of any surface parking area that contains five or more off-street parking spaces or the addition of five or more off-street parking spaces to any existing surface parking lot or parking area.
5. Alterations to any structure or improvements to the land for which a building permit is required, where the cost of such work exceeds 60 percent of the assessed valuation.
6. Change of use of the property to a more intensive use.

CURRENT DEVELOPMENT STANDARDS – LANDSCAPING AND SCREENING

The primary way that the ZO requires landscaping and screening is by reference to Article XIV, Division 2 (Landscaping, Screening, and Fencing) for certain land uses. Division 2 contains the following subdivisions; Subdivision D is the only subdivision proposed to be amended.

Article XIV, Division 2 Subdivisions

- A. Subdivision A – In General includes the purpose statement and applicability of Division 2 (Sec. 50-14-302), and that single- and two-family dwellings are exempt from this Division.
- B. Subdivision B – Landscaping, Quality includes required plant materials, quality and type (species), prohibited tree species, planting size, ground treatment, and other details.
- C. Subdivision C – Landscaping and Screening of Off-Street Parking Areas includes required screening for off-street parking areas located along rights-of-way, or abutting or across from residential lots, and interior parking area landscaping requirements.
- D. Subdivision D – Landscaping and Screening, Miscellaneous Provisions includes a street tree requirement, screening requirements for dumpsters, open storage areas, and other industrial areas, and specific landscaping and screening requirements for certain land uses.

Article XIV, Division 2, Subdivision D - Applicability

The following is a summary of land uses that are currently required to provide landscaping and screening by reference to either Article XIV, Division 2, or Section 50-14-367, which is located within Article XIV, Division 2, Subdivision D. Current required screening for these land uses, except for the first two general references, would be impacted by the proposed amendment.

General References to Art. XIV, Div. 2 (includes Sub. D and Sec. 50-14-367)	
Section – Specific Land Use	Requirement
50-9-26 – Other regulations (B1 District)	Non-residential uses in B1: (1) “The site shall be screened and landscaped in accordance with Article XIV, Division 2”
50-12-190 – Stadiums or sports arenas; outdoor entertainment facilities	(7) “All outdoor areas shall be either landscaped in accordance with Article XIV, Division 2...or hard surfaced.”
50-12-267 – Motor vehicle filling stations; and screening and landscaping	(b) “Any such building, or portion of a building, which faces, abuts, or is adjacent to, or across an alley from, land zoned R1 through R6, residential PD, or TM, shall comply with the screening and landscaping requirements of Article XIV, Division 2”
50-12-270 – Motor vehicle filling stations; screening and landscaping	(a) “In addition, the site shall be screened and landscaped in accordance with Article XIV, Division 2”
50-12-296 – Motor vehicle washing and steam cleaning	(14) “As may be required, landscaping shall be provided in accordance with Article XIV, Division 2”
50-12-358 – Wholesaling, warehousing, storage buildings, or public facilities	(6) “Permitted outdoor accessory storage...screening shall be subject to the applicable provisions of Article XIV, Division 2, Subdivision D”
50-13-103 – Setback requirements for boundary lot lines (Industrial districts)	“Setbacks shall be provided in industrial districts where abutting or across a street or alley from land zoned R1 through R6, TM, or residential PD in accordance with the following: (5) All portions of the setbacks that are required in Subsections (1) through (4) of this section...not used for access shall be landscaped in accordance with Article XIV, Division 2”

Specific References to Sec. 50-14-367 (located within Art. XIV, Div. 2, Sub. D)	
Retail, Service, and Commercial Uses	
Section – Specific Land Use	Requirement
50-12-292 – Motor vehicles, new, salesroom or sales lot	“The premises shall be screened by six-foot high opaque walls where adjacent to, or across an alley from, land zoned R1 through R6, or residential PD, in accordance with Section 50-14-367” (Vehicles parked for sale are treated as off-street parking and do not require compliance with 50-14-367)
50-12-293 – Motor vehicles, used, salesroom or sales lot	
50-12-294 – Motor vehicle services, major	
50-12-295 – Motor vehicle services, minor	
50-12-296 – Motor vehicle washing and steam cleaning	“The premises shall be screened by six-foot high opaque walls where adjacent to land zoned R1 through R6, or residential PD, in accordance with Section 50-14-367”

Manufacturing and Industrial Uses	
Section – Specific Land Use	Requirement

50-12-343 – Lumber yards	“All lumber yards with accessory outdoor sales, display, or storage areas shall be screened from view of street rights-of-way and land zoned R1 through R6, or residential PD in accordance with Section 50-14-367”
Very high impact manufacturing or processing uses	No requirements currently
Uses with 20-foot Setback (Buffer) Requirement	
50-12-341 – Junkyards	“Notwithstanding the junkyard screening provisions of Chapter 41, a masonry wall that is not less than eight feet in height and not more than 12 feet in height, shall be constructed and maintained in good condition around any junkyard” “All buildings, screening, and junk materials shall be set back at least 20 feet from any lot line abutting a right-of-way” “As required by Section 50-14-361, the 20-foot setback area between the masonry wall and the lot line shall be landscaped in accordance with Section 50-14-362 and 50-14-365”
50-12-344 – Outdoor storage yards; containerized freight	“No storage shall be maintained within 20 feet of any lot line abutting a public street. Said setback area shall be landscaped in accordance with Section 50-14-362 and Section 50-14-367” “All such uses shall be screened from adjacent streets, alleys, and properties by an opaque fence that is not less than six feet high. The height of stored items shall not exceed the height of any fence or wall surrounding such lot.”
50-12-354 – Transfer station for garbage, refuse, or rubbish	“No storage or processing shall be maintained in the open within 20 feet of any lot line abutting a public street. Said setback shall be landscaped in accordance with Section 50-14-362 and Section 50-14-367” “All such uses shall be screened from adjacent streets, alleys, and properties by a masonry wall that is not less than eight feet height, and not more than 12 feet high”
50-12-352 – Towing service storage yards	“As required by Section 50-14-361, the 20-foot setback area between the masonry wall and the lot line, where required, shall be landscaped in accordance with Section 50-14-362 and Section 50-14-367”
50-12-355 – Trucking terminals, transfer buildings, truck garages, RV storage lots, and open areas for the parking of operable trucks	No requirements currently

Accessory Uses	
Section – Specific Land Use	Requirement
50-12-461 – Accessory outdoor operations–Screening	“All accessory outdoor storage areas shall be screened as required under Section 50-14-365”
Miscellaneous Uses	
50-12-349 – Scrap tire storage, processing, or recycling facility	“Where conducted outside of an enclosed structure, such uses shall comply with all applicable provisions of Part 169 of the MNREPA, titled “Scrap Tires,” being MCL

	324.16901 through 324.16910, and Article I of Chapter 18”
50-14-365 – Screening of open storage areas (principal use)	“Open storage of any goods, materials, products, or equipment shall be screened from view of street rights-of-way and from view of land zoned R1 through R6, and residential PD in accordance with Section 50-14-367. Screening is not required for permitted outdoor sales areas. This provision shall not apply to the R1 through R6 and B1 Districts, except where involving a prohibited commercial or industrial use under jurisdiction of the BZA.”
50-14-265 – Landscaping and screening (off-street loading)	“Off-street loading areas shall be landscaped and screened from view in accordance with the standards of Division 2, Subdivision C, of this article.”
50-14-366 – Screening of loading docks, service yards, and exterior work areas	“Service yards, loading docks, exterior work areas, and truck maneuvering areas shall be screened from view of street rights-of-way and from view of land zoned R1 through R6, and residential PD, in accordance with Section 50-14-367, except where an opening is required for vehicle access.”

CPC staff comments: *As indicated in the above tables, uses with required screening can be grouped into the following categories:*

- *Retail, Service, and Commercial Uses*
- *Manufacturing and Industrial Uses*
- *Accessory/Miscellaneous Use*

Landscaping and screening requirements are currently addressed in two separate ZO articles. First, the base screening requirement is provided as part of the Article XII, Division 3 Specific Use Standards for all the above uses except for the last three, Article XII is indicated by the number 12 middle section number (50-12-XXX). Secondly, the Specific Use Standards for all of these uses reference, directly or indirectly (using section numbers before 367), the requirements of Section 50- 14-367 located in Article XIV, Division 2, Subdivision D. To understand the full screening requirement for each use, both Articles are currently required to be referenced as the detailed screening requirements for specific land uses are in Article XII while additional screening requirements that also apply are in Article XIV. Having to use two different ZO articles to determine screening requirements makes the ZO more difficult to use, makes the ZO longer as similar standards must be repeated for each use, makes it harder to understand the base standards when combined between articles as required, and creates the opportunity for error by having to use two different articles that address screening or where there are subtle nuances between screening requirements of similar land uses, such as Motor vehicle washing and steam cleaning.

Staff believes the administration and understanding of what screening requirements apply would be greatly improved by eliminating any detailed screening requirements located in the Article XII, Division 3 Specific Use Standards to be replaced with a summary table within Article XIV that addresses all uses that require screening in one ZO location. In addition to this reorganization of standards, Section 50-14-367 would be substantially updated with an improved set of screening requirements as summarized in the Proposed section of this report. By bringing the full set of screening requirements together under Article XIV, it should also be easier to evaluate and improve zoning requirements in the future with the reorganized of standards.

Lastly, P&DD and CPC staff believe that current screening requirements are deficient or unclear when it comes to a desired landscape buffer depth along the perimeter of properties (uses) required to be screened. As indicated in the above table, only four uses currently require a 20-foot-deep setback area along the perimeter lot line, and the language for whether this setback area is only required along

adjacent streets/alleys is inconsistent. Also, the use of “setback” is not ideal as setback typically is only a requirement (prohibition) related to buildings or structures and is not typically used to describe an area desired to be improved and maintained as a landscape buffer as setbacks often still permit site improvements such as parking areas. With the proposed amendment, the term “setback” within these sections would be replaced with “buffer area/depth” to indicate the intent of the requirement and to avoid confusion that this requirement is somehow related to building/structure setback requirements. An additional benefit of doing this would be that a new term and requirement for a buffer depth would override the current minimal setback requirements for Industrial districts located in Section 50-13-103 that often result in a lack of landscaped screening.

CURRENT DEVELOPMENT STANDARDS – FENCING

Historic Standards

As with many zoning standards, the current general fence standards that apply citywide are based on standards that evolved through past ordinances. Based on staff’s research, it does not appear that there were any prescriptive or reactive zoning fence standards prior to 1968 when Zoning Ordinance 390-G was adopted. With the adoption of 390-G, prescriptive fence standards were added for some non-residential land uses to require screening adjacent to residential zoning districts. However, 390-G did not address general citywide fence standards in cases where fencing was not required based on use.

In 1978, Ordinance 290-H was adopted and appears to contain the first set of general citywide fence standards that addressed the location of fences, materials, and construction requirements. These standards were located within the Building Code, not 390-G, and were carried into zoning by the 2005 “Clarion” ZO update that is the basis of much of the current zoning standards.

Current Standards

Section 50-14-381 (Article XIV, Division 2, Subdivision D) contains the current general citywide requirements for fences. These standards apply where the ZO does not provide specific fence standards in other sections, such as for height or materials, that are more restrictive and would override this section. The proposed amendment would delete this section to be replaced with a new subdivision addressing fencing quality. Below is a summary of Section 50-14-381 existing standards with CPC staff comments below each standard in italics.

Section 50-14-381 Summary and Analysis

1. Owners of all lots in the city are required to construct and maintain “partition fences” between their own lot and adjoining lots, except when not desired by both property owners.
 - **CPC staff:** *This seems to be an unusual requirement that also may be unenforceable. We do not propose to maintain this requirement with Subdivision E.*
2. Materials. All fences shall be supported by iron pipe or angle irons embedded in concrete in the ground, or wood posts or reinforced concrete posts embedded in the ground at least three feet with an average height above grade of at least two feet. Materials permitted to be attached to posts: woven wire (chain link), boards, metal, or other approved materials, with the junction of the posts and materials being considered the lot line.
 - **CPC staff:** *A primary concern here is that the permitted materials of “boards or metal” is very generic language that permits boards or metal of any quality or design to be used as fence screening in residential and non-residential districts. This generic language permits corrugated or smooth metal panels, wood sheets or panels, other types of manufactured boards, and salvaged or repurposed building materials that could be considered “boards”. In our review of zoning ordinances from other communities, material standards could be more specific and based on zoning district to achieve higher quality fencing materials.*

3. Posts of all fences shall be placed (face) on the side of the fence leading to the higher address number between the adjoining lots as assigned by the city, except for East and West Grand Boulevard and Outer Drive. Additional requirements for which lot owner is required to construct and maintain portions of fencing based on address.

- **CPC staff:** *This relates to subsection 1 and seems to be another unusual requirement that also may be unenforceable. We propose to replace this requirement with a clearer standard that is based on the zoning lot being fenced, not the city address system.*

4. Fence height.

In general (does not include single- and two-family). Fences between adjoining lots and on streets, alleys, and easements shall not be less than two feet in height or more than eight feet in height, except fences enclosing industrial properties may be 12 feet in height.

- **CPC staff:** *In our review of zoning ordinances from other communities, permitting fencing up to eight feet in height for multi-family properties, and between eight feet and 12 feet in height for industrial or commercial properties is excessive, especially along public streets (see the below examples). Additionally, model zoning ordinances typically base fence height on location, such that shorter fences are desired in front yards along streets, and taller fences are permitted in side or rear yards. This is not something the current standards do for multi-family, commercial, or industrial properties but would be achieved with the proposed text amendment.*



Single- and two-family dwellings – Front yard. The height of any fence that abuts the front yard of a single-family dwelling or two-family dwelling shall not exceed four feet in height, except that opaque fences shall not exceed three feet in height.

Single- and two-family dwellings – Side/rear yards. The height of any fence that abuts the side or rear yards of a single-family dwelling or two-family dwelling shall not exceed six feet. Uses on a lot adjoining the lot of a single-family dwelling or two-family dwelling shall observe this height limit for any fence separating said use from the dwelling lot.

- **CPC staff:** *In our review of zoning ordinances from other communities, we found that height limitations are not typically based on if a fence is abutting a single-family or two-family dwelling. This is an impact-based standard that could create confusion depending on whether the dwelling lot is installing the fence, or the non-dwelling lot is installing the fence.*
- *Additionally, limiting fence height for commercial or industrial properties to four feet when abutting the front yard of a single-family dwelling and six feet when abutting the side/rear*

yards may be overly restrictive and impractical. Height standards could be more specific and based on zoning district to improve administration of height requirements.

Current Standards Summary Table – Sec. 50-14-381(4) Fence height.				
Yard	All Other Properties		Commercial or Industrial Properties	
	Min.	Max. ¹	Min.	Max. ¹
Not abutting the front/side/rear yard of a SF or 2F dwelling (includes along streets/alleys)	2'	8'	2'	12'
Abutting the front yard of a SF or 2F dwelling		4'3" if opaque		4'3" if opaque
Abutting the side/rear yard of a SF dwelling or 2F dwelling		6'		6'
Footnotes				
¹ No fence facing a Traditional Main Street shall exceed six feet in height. Opaque fences or walls facing a Traditional Main Street shall not exceed three feet in height, except as specified for screening purposes according to Section 50-14-372.				

5. In business or industrial districts, barbed wire is permitted to be attached to fences that are six feet in height or greater. Barbed wire is prohibited for single- or two-family dwellings (lots). No use (lot) adjoining a single- or two-family dwelling may attach barbed wire to any fence separating the dwelling use.
 - **CPC staff:** *As part of the proposed Subdivision C, the districts where barbed wire fencing would be permitted would be aligned with razor wire fencing given they have a similar purpose and design. Discouraging the use of barbed wire (typically on chain link) fencing is a specific request of P&DD as there are other types of security fencing available for use that are higher quality design and appearance, such as spear top ornamental security fencing and anti-climbing fencing.*
 - *Currently, the standard six-foot chain link fence with barbed wire is permitted citywide, except on or adjacent to single- or two-family dwellings. Citywide includes along all streets (except on single- or two-family lots) and along all side or rear lot lines (except on single- or two-family lots). This is an extensive permission of the use of chain link barbed wire fencing, especially along streets, that is not seen in other Michigan cities and suburban communities where there is a general desire to limit the use of chain link barbed wire fencing.*

6. Razor wire and electrified fencing is prohibited in any residential, business, or special zoning district classification. Where permitted (includes industrial districts), razor wire shall not be placed at any point closer to the ground than six feet.
 - **CPC staff:** *This permission is proposed to remain with additional supporting standards, but we are proposing that razor wire or barbed wire be prohibited adjoining lots containing a single- family or two-family dwelling as this is a current requirement for barbed wire fencing and may be inappropriate from the perspective of the residential occupant or property owner.*

SUMMARY OF PROPOSED TEXT AMENDMENT

Below is a summary of the main parts contained in the proposed text amendment with sample images or text of proposed zoning standards that are the focus of this proposal.

1. Consolidate Screening Standards into Article XIV

As discussed in this report, there is a general goal to improve the administration and understanding of ZO landscaping and screening standards by consolidating the details of these requirements into one ZO article. Below is an example of how this would be achieved for one specific land use that currently requires screening, the details of the screening standard in the text of the specific use standard would be replaced with a table in Article XIV that provides all specific uses that require screening.

From the draft ordinance, the following table includes the specific uses that would require screening based on adjacency to streets, residential districts, and other property lines:

Uses that Require Screening			
Use	Permissible Buffer Types		
	Adjacent to street rights-of-way	Adjacent to or across an alley from Residential Districts	Adjacent to all other property lines
Containerized freight yard	Type V	Type V	Type III
Junkyard	Type V	Type V	Type III
Light duty vehicle repair establishments	Type I or II	Type III	Screening Not Required
Light duty vehicle services establishments	Type I or II	Type III	Screening Not Required
Lumber yard	Type III or IV	Type V or VI	Screening Not Required
Medium/heavy duty vehicle or equipment repair establishment	Type III	Type III or V	Type III
Motor vehicle filling stations	Type I or II	Type III	Screening Not Required
Motor vehicles, new or used, salesroom or sales lot	Type I or II	Type III	Screening Not Required
Motor vehicles, new or used; storage lot accessory to a salesroom or sales lot for new or used motor vehicles.	Type I or II	Type III	Screening Not Required
Motor vehicle washing and steam cleaning	Type I or II	Type III	Screening Not Required
Outdoor storage yard	Type V	Type V	Type III
Towing service storage yard	Type III	Type V	Type III
Transfer station for garbage, refuse, or rubbish	Type V	Type V	Type III

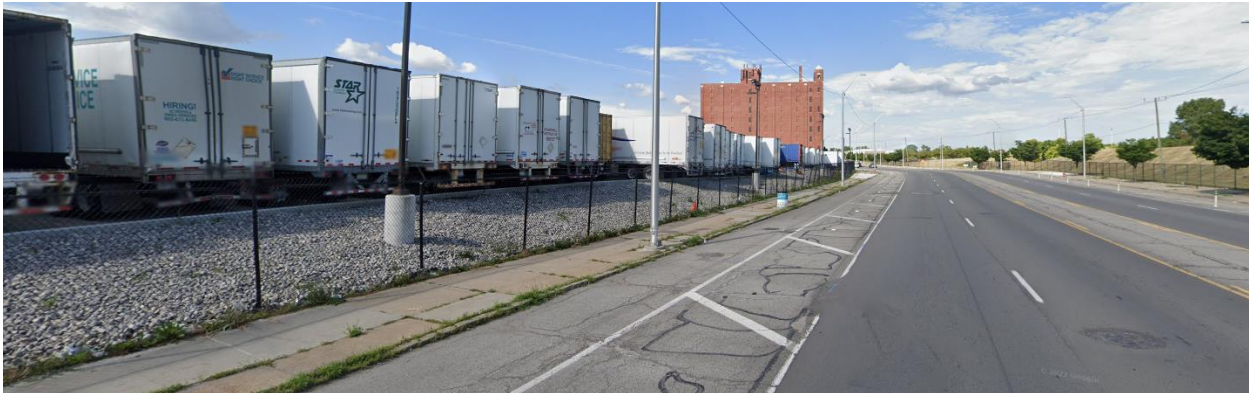
Trucking terminals, transfer buildings, recreational vehicle storage lots, and parking areas for operable trucks	Type III or IV	Type V or VI	Type III or IV
Utilities, basic and major	Type III or IV	Type V or VI	Type III
Very-high impact manufacturing or processing facilities	Type V	Type V	Type V
Wholesaling, warehousing, storage buildings, or public facilities	Type III or IV	Type V or VI	Type III or IV

2. Add Certain Uses or Site Features as Requiring Screening

The following is a list of specific land uses or site features that would be added to the current applicability of required landscaping and screening. These uses or features do not currently require landscaping and screening but would under the proposal:

- Trucking terminals
- Utilities (e.g., substations)
- Warehouses
- Very-high impact manufacturing and processing
- Truck and semi-trailer parking (site feature)

The goal with adding “Warehouses” as a specific land use and “Truck and semi-trailer parking” as a site feature, is indicated in the current and proposed images provided by P&DD of a site that would typically have both of these uses or features, and what landscaping and screening could look like at installation to achieve some screening from the street, new fencing is also indicated.



Developed Under Current Standards



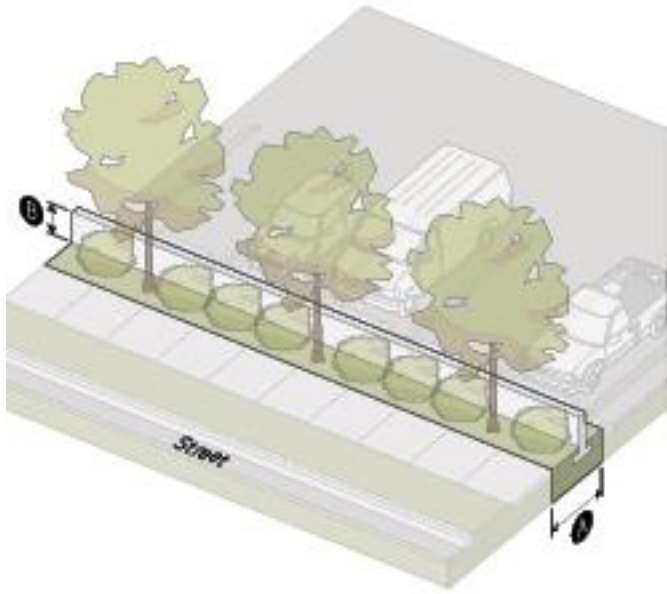
Developed Under Proposed Standards

From the draft ordinance, the following table includes the site features that would require screening based on adjacency to streets, residential districts, and other property lines:

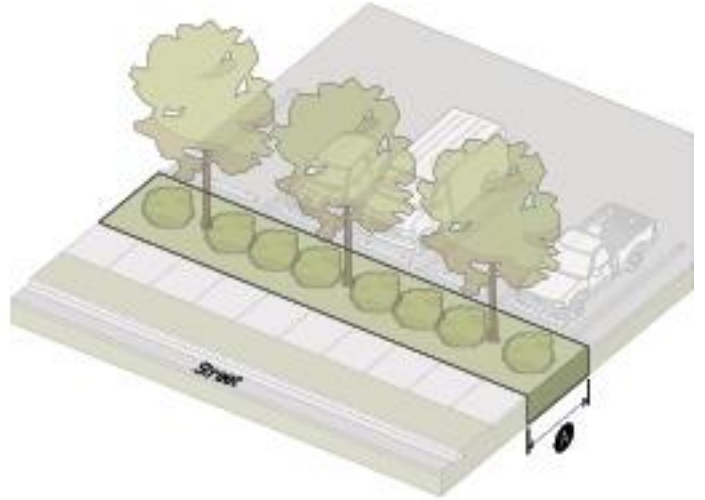
<u>All Other Uses - Site Features That Require Screening</u>			
	<u>Permissible Buffer Types</u>		
<u>Site Feature</u>	<u>Adjacent to street rights-of-way</u>	<u>Adjacent to or across an alley from Residential Districts</u>	<u>Adjacent to all other property lines</u>
<u>Loading docks, service yards, exterior work areas, truck maneuvering areas, and open areas for the parking of trucks, semi-trucks, and semi-trailers</u>	<u>Type III or IV</u>	<u>Type V or VI</u>	<u>Type III or IV</u>
<u>Open storage areas, principal or accessory</u>	<u>Type V</u>	<u>Type V</u>	<u>Type III</u>
<u>Off-street parking areas</u>	<u>Type I or II</u>	<u>Type III</u>	<u>Screening Not Required</u>
<u>Off-street parking areas for operable commercial vehicles, not including taxicabs and limousines</u>	<u>Type III or IV</u>	<u>Type III or IV</u>	<u>Screening Not Required</u>

3. *Replace Deficient Current Screening Standards*

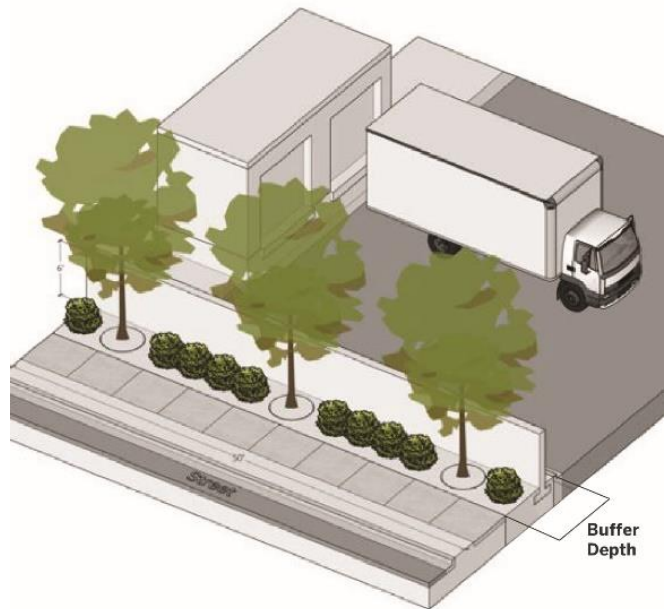
The proposed replacement of screening standards, which staff agrees are currently deficient, is the key point where the proposed text amendment would incorporate the draft standards of Zone Detroit. This would be through the introduction of six “Buffer Types” with clear standards for how these areas should be designed (depth, plantings, fences/walls). Staff believes the proposed buffer types would have a significant aesthetic impact on commercial corridors and could make the many industrial sites and areas within the City better neighbors when they abut residential areas if they do not currently have any type of sufficient buffering. Below are images depicting the details of the proposed screening standards, these have been adapted from Zone Detroit. The buffer types that would be required by the specific use or site feature tables would correspond with the buffer type standards and graphics.



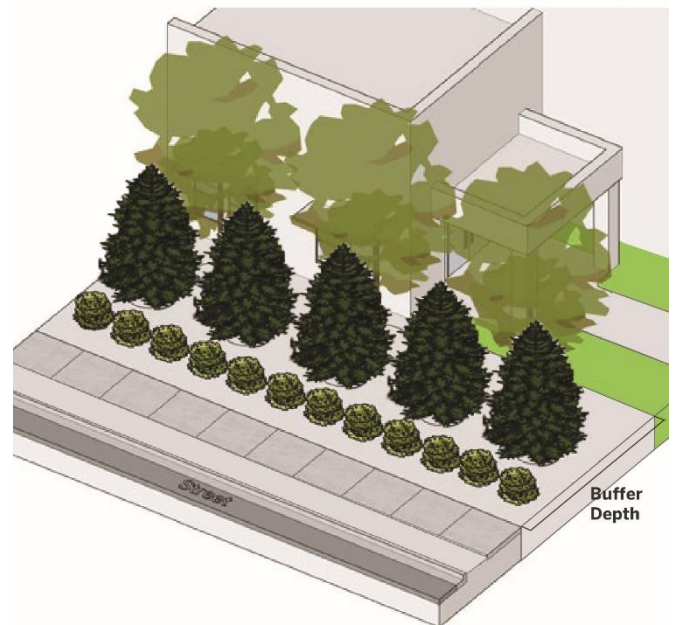
Type I Buffer



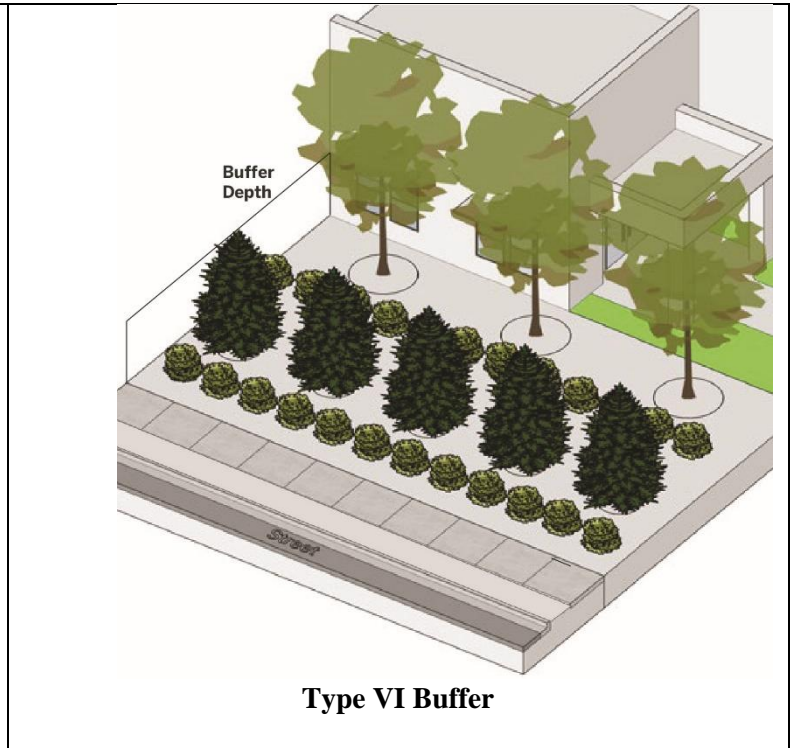
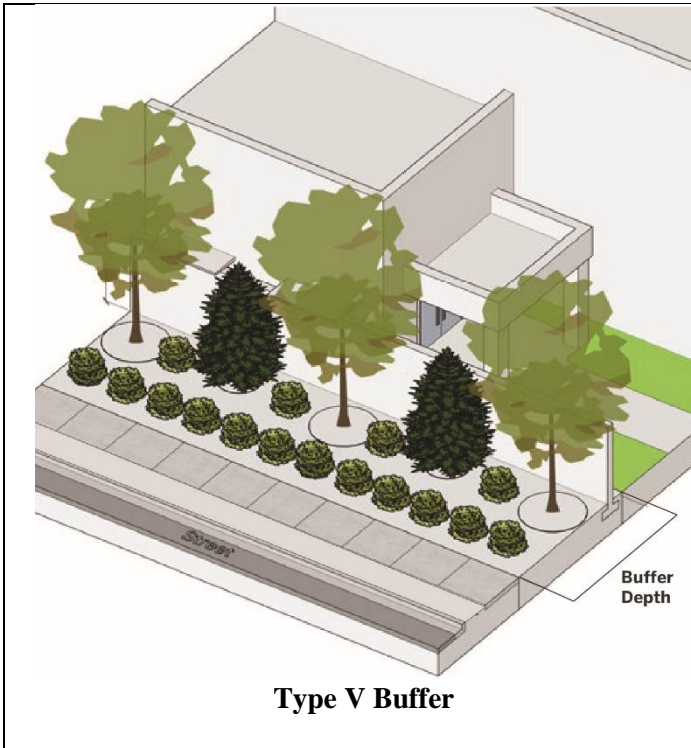
Type II Buffer



Type III Buffer



Type IV Buffer



4. Amend Maximum Fence Height Standards

Below is an image of the proposed maximum fence height standards provided in table form. A key improvement would be that height would be based on zoning district, which is the normal method by which cities typically administer zoning, not “properties” as the ZO currently uses. Of note here is that no changes would occur to the standards that apply to residential uses, primarily single-family homes, if they are in a residential district. Residential uses that are not located in residential districts would be impacted by the proposal to base fence height by district. For example, if there is an existing nonconforming single-family home located in an industrial district, they may be required to rezone to residential, which may be appropriate anyways for a nonconforming home, or obtain a variance to utilize residential district fence standards that would not apply to properties zoned industrial.

Another key change requested by P&DD related to fencing aesthetic concerns that would broadly impact commercial and industrial sites, is that fences or walls with an opacity greater than 75%, typically meaning solid, would be prohibited within front yards (along streets) in all non-residential districts when screening is not required, which is many businesses. Fencing would still be permitted but it would be required to be less than 75% opaque, such as an ornamental metal fence, when screening is not required and there is a general acceptance that a use that does not require screening should be visible from the street.

<u>Fence or Wall Opacity</u>	<u>Residential Districts¹</u>		<u>Business and Special Districts</u>		<u>Industrial Districts</u>	
	<u>Front</u>	<u>Side/Rear</u>	<u>Front</u>	<u>Side/Rear</u>	<u>Front</u>	<u>Side/Rear</u>
<u>Transparent Fence or Wall</u>	<u>4'</u>	<u>6'</u>	<u>6'/8'</u>	<u>6'/8'</u>	<u>6'/12'</u>	<u>6'/12'</u>
<u>Opaque Fence or Wall if screening is not required</u>	<u>3'</u>	<u>6'</u>	<u>Prohibited</u>	<u>3'/8'</u>	<u>Prohibited</u>	<u>3'/12'</u>
<u>Opaque Fence or Wall if screening is required</u>	<u>3'</u>	<u>6'</u>	<u>3'/8'</u>	<u>8'</u>	<u>12'</u>	<u>12'</u>

Image of Proposed Maximum Fence Height Standards

5. Amend Fence Material Standards

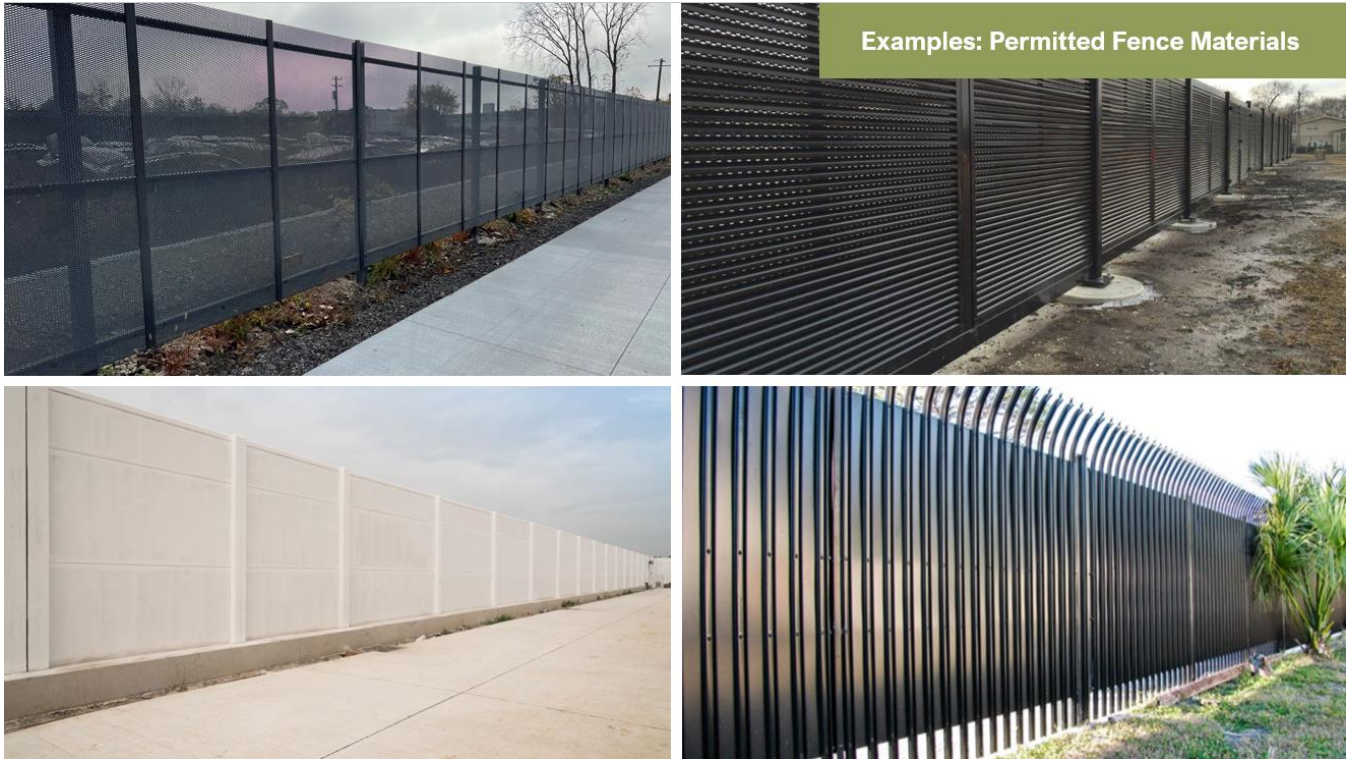
Expanding the ZO to try to comprehensively address the numerous types of modern fencing materials is one of the key proposals of this amendment. The below table from the draft ordinance would have the following effect:

- Specify permitted fence or wall materials based on zoning district, which the ZO does not currently do and is of concern to staff
- Prohibit chain link fences along streets in Business, Special, and Industrial Districts when screening is required for a specific use or site feature
- Permit barbed wire, razor wire, and electric fences only in Industrial Districts. The prohibition of this type of fencing that is currently permitted in Business and Special Districts would be a substantial zoning policy change and is desired by P&DD.
- Add flexibility, and potential cost and time savings, for business owners to permit fencing or other types of walls for specific land uses that require screening where currently only a masonry wall is permitted.

From the draft ordinance, fences and walls shall comply with the following material standards, subject to the additional standards set forth in this section:

Fence or Wall Material	Residential Districts	Business and Special Districts	Industrial Districts
Attached materials (e.g., fabric, cloth, plastic, or vinyl slats)	Permitted	Prohibited along street rights-of-way and any property line where screening is required	Prohibited along street rights-of-way and any property line where screening is required
Barbed/Razor wire attached	Prohibited	Prohibited	Permitted
Brick/stone masonry	Permitted	Permitted	Permitted
Chain link	Permitted	Prohibited along street rights-of-way and any property line where screening is required	Prohibited along street rights-of-way and any property line where screening is required

Concrete pre-cast/masonry	Permitted		
Discarded or recycled materials (e.g., tires, motor vehicle doors)	Prohibited		
Electrified fencing, attached	Prohibited	Prohibited	Permitted
Fiberglass, polycarbonate, or wood sheets/panels	Prohibited		
Manufactured wood/board, (e.g., plywood, MDF, chipboard, hardboard)	Prohibited		
Metal panels, corrugated, box-ribbed, or smooth	Prohibited		
Movable concrete or plastic barriers	Prohibited		
Ornamental metal (aluminum/steel/iron)	Permitted		
Salvaged or repurposed building materials (e.g. residential doors, shipping containers)	Prohibited		
Vinyl/PVC	Permitted	Prohibited	Prohibited
Welded wire, woven wire, louvered, or die-cut metal panels	Permitted		
Wood boards/slats (e.g. cedar)	Permitted	Permitted	Prohibited
Wood-like composite materials	Permitted	Permitted	Prohibited



MEETINGS – CPC AND COMMUNITY ENGAGEMENT

Fall 2022 CPC Introduction

Following the October 20 CPC meeting where the discussion was introduced, staff conducted engagement with the public that previously expressed an interest in this proposed amendment, including City Council District 3 residents and stakeholders. As was done for other recent or in-progress zoning text amendments, staff worked with the City’s Department of Neighborhoods (DON) to inform residents, business-owners, and other stakeholders of the discussion and proposal. Additionally, the Detroit Economic Growth Corporation (DEGC) assisted staff in contacting the business community since the bulk of the proposed amendment deals with certain commercial and industrial uses, primarily auto and transportation uses that have a strong presence in District 3.

November 22 and 28 DON Casts

In November 2022, staff presented the proposed amendment at a DON City Council District 3 monthly virtual meeting held on November 22 (introduction only) and a citywide DON virtual meeting on November 28 (presentation). The goal for both November meetings was to make attendees aware of the proposal and to direct attendees and others to a December 13 CPC virtual forum hosted by the DON District 3 manager, which was a similar forum as occurred for the auto-related and marijuana amendments, where attendees could discuss the amendment informally with staff.

December 13 CPC Forum

The December 13 CPC virtual forum hosted by the DON District 3 manager had 91 attendees, which is a significant number of attendees compared to previous CPC virtual forums where text amendments were discussed. This was due to the efforts of the DEGC to proactively reach out to their business community contacts who attended and asked questions of staff, as well as the DON District 3 manager who contacted 43 block clubs operating in District 3.

Feedback received from attendees at this meeting was primarily related to how or when the proposed

development standards would apply to existing businesses or residents. This is logical concern as site improvements required through zoning often have a financial cost to property owners or tenants to achieve compliance and acquire City approvals and permits, or to avoid zoning violations. As many stakeholders or residents had general concerns or questions about applicability of the proposed standards, staff sought to identify specific scenarios being discussed of concern to determine if landscaping and screening requirements currently apply to business-owners that asked questions or posed hypothetical scenarios. Staff does want to highlight that many residents were in support of the proposal and expressed that the lack of adequate buffering has been an issue they have been dealing with for some time.

In many cases, it appeared that landscaping and screening requirements or concerns would not apply to a business owner, such as a general retail business, that does not currently require screening and would not be subject to the proposed amendment. However, these types of businesses would be impacted by the proposed fencing standards, such as the prohibition of chain link barbed wire fencing along streets, and this intent was made clear to attendees as having a citywide impact and potentially an impact to their business on a case-by-case basis depending on existing or future improvements.

In other cases, it appeared that some auto-related businesses may currently be out of compliance with existing standards. The general discussion with business owners was the issue of when they would have to bring their site into compliance with updated landscaping and screening or fencing standards. Staff emphasized that the review of zoning compliance for any site would only normally occur either through (1) enforcement upon inspection of a site that is out of compliance with or failed to receive its permits or (2) a property owner request to modify their property or use in a way that may require site plan review or building permits. Compliance with development standards is always reviewed and administered on a case-by-case basis considering the standards that are applicable at the time and the activity that triggered the review. That said, the intent of this amendment is to require businesses to come into compliance with the new, high-quality standards over time, and we should not allow businesses, or specific site features of landscaping and fencing, to be grandfathered under previous development standards indefinitely as doing so would fail to proactively improve the appearance of individual sites, corridors, and neighborhoods.

January 5 CPC Public Hearing

On January 5, 2023, the City Planning Commission held a new public hearing on the subject request as proposed within the draft text amendment ordinance dated December 14, 2022. Please see the attached copy of the public hearing notice containing a summary of the draft ordinance as published for the January 5 public hearing. At the January 5 meeting, staff presented Commissioners and the public with a summary of the proposed text amendment and supporting information contained in the staff report. Attached is a summary of this discussion. See Public Comment – Speaker 3 for a summary of the minimal updates that were requested and occurred to proposed amendment following the January 5 meeting.

JANUARY 19, 2023, STAFF RECOMMENDATION TO CPC

If approved by City Council, the proposed text amendment would substantially update and modernize the current set of landscaping and screening requirements that apply to a limited set of specific land uses and site features, that would be slightly expanded. The proposed text amendment would also substantially update and modernize the current minimal fence and wall requirements that apply citywide in a way that would not alter or negatively impact current standards for residential uses but could improve the appearance of numerous commercial and industrial properties and city corridors.

The proposed text amendment has been drafted in line with the goals of P&DD and BSEED, was informed by the in-progress Zone Detroit and Vibrant Blocks for Businesses projects, and is consistent with standards from other cities, including Grand Rapids. Lastly, the proposed text amendment is supported by the purpose of the ZO site plan review process to “ensure that design is safe, efficient, environmentally sound, aesthetically responsive, and protects properties in the immediate vicinity and the general public,” and is also supported by the criteria for site plan approval that “to the extent practicable, the type, dimensions, and character of landscaping, fencing, screening, buffering, walls, and other site features shall be designed and located so that proposed development is aesthetically pleasing and harmonious with nearby existing or future development.” Based on the above analysis and consistent with the approval criteria of Section 50-3-49 of the Zoning Ordinance, CPC staff recommended that the CPC approve the rezoning request at the January 19 meeting.

CPC RECOMMENDATION TO CITY COUNCIL

On January 19, 2023, the City Planning Commission voted unanimously to recommend approval of the proposed text amendment as presented in the draft text amendment ordinance dated January 10, 2023. Additionally, the City Planning Commission previously requested that staff continue to be proactive in notifying the public of the proposed standards. If approved by City Council, staff will continue to work with BSEED on implementation of the new standards and will produce informational brochures that explain the impact of the new standards in an easy-to-use format for the public.

Respectfully submitted,

DONOVAN SMITH, CHAIRPERSON



Marcell R. Todd, Jr., Director
Eric Fazzini, City Planner
Julie Connochie, P&DD Staff
Greg Moots, P&DD Staff

Attachments: December 13 CPC Forum Flyer
PHN Text Amd Screening
Jan 5 CPC PH Summary
Jan 19 CPC Presentation
LISC Detroit Email of Support

cc: Antoine Bryant, Director, PDD
Karen Gage, PDD
Greg Moots, PDD
David Bell, Director, BSEED
Jayda Philson, BSEED
Conrad Mallett, Corporation Counsel
Bruce Goldman, Chief Assistant Corp. Counsel
Daniel Arking, Assistant Corp. Counsel



DISTRICT 3 CPC FORUM
City Planning Commission
Planning & Development Department
Department of Neighborhoods

JOIN US FOR A PRESENTATION & DISCUSSION OF

ZONING ORDINANCE UPDATES FOR SCREENING AND FENCING

The City of Detroit is considering updates to its standards for screening auto-related and industrial uses, as well as fences and walls city-wide. Join us to learn how proposed changes might impact your neighborhood, residence, or business and provide your feedback to city staff.



WHEN

Tuesday, December 13th
5:00 PM

LEARN ABOUT

Uses that require screening
Buffering
Landscaping
Fences and walls



WHERE

<https://cityofdetroit.zoom.us/j/3886538832>
Meeting ID: 388 653 8832
+1 267-831-0333

For more information:

Visit <https://detroitmi.gov/government/commissions/city-planning-commission> or contact Eric Fazzini, Planner IV, City Planning Commission at (313) 224-6225 or CPC@detroitmi.gov Kayana Sessoms, District 3 Manager, Mayor's Office at (313) 348-8464 or sessomsk@detroitmi.gov

January 5 CPC Public Hearing Summary

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Commissioner Discussion

Below is a summary of the main points of Commission discussion.

Financial Impacts:

- Commissioners asked if there are any existing financial incentives that the city offers to property owners to offset the cost of improvements such as required screening or upgrades to fencing.
 - **Staff response:** *Staff is not aware of any existing city programs that are used specifically to fund site improvements to screening or fencing. If a development project is eligible for financial assistance from the city, state, or another agency, that reduces the overall cost of a project to the developer and any financial assistance could be factored into the cost of site improvements that may be required.*
- Commissioners requested an estimated cost breakdown of the four buffer types proposed to be required.
 - **Staff response:** *P&DD staff produced sample cost estimates that were presented at the January 19 meeting, see slide 24 of the attached January 19 presentation.*

Compliance and Permitting:

- There was a general discussion on the compliance and permitting process managed by BSEED, including compliance for existing fences that may be failing and how the proposed text amendment would be implemented through the permitting process.
- Additionally, the second speaker during the public hearing requested that any business that is found to be in violation of the fence standards of the City Code, which includes the ZO, be required to correct the violation using the standards within the proposed text amendment.
 - **Staff response:** *Chapter 8, Article XV, of the City Code, Property Maintenance Code, includes the following requirements:*
 - *Section 8-15-108: “Fences shall be maintained in good repair”*
 - *Section 8-15-201: “All exterior surfaces, including fences, shall be maintained in good condition and be free of broken, crumbling, loose, missing, rotting, or inadequately finished materials” with additional standards specific to materials.*
 - *Under Section 8-15-108, it should be noted that while this section requires existing fences to be maintained, it does not specify fence material or height standards under the Property Maintenance Code as these standards are under the ZO. This is an intentional separation of property maintenance standards (grouped with the Building Code) and zoning standards within the City Code.*
 - *Currently, the ZO does not specifically address how existing fences that may not conform to current or proposed standards for material or height should be treated*

when they are being maintained, extended, or otherwise altered. This lack of direction is not necessarily a flaw as it allows BSEED to work with property owners on a case-by-case basis to correct fence violations that may only be occurring on a portion of a site.

- *However, if it is the desire of City Council to specifically address fences that may become nonconforming under the proposed text amendment, staff could consult with the Law Department to explore potential avenues to address the maintenance, repair, and/or replacement of fences that do not conform to the proposed standards. This type of requirement is not currently included in the proposed amendment and staff has not fully vetted this option with BSEED or the Law Department for administration or legality under Michigan zoning law.*

Other:

- Commissioners asked if there is a total available of the number of sites the proposed text amendment would apply to.
 - **Staff response:** *Staff does not believe that an accurate total number of sites that are currently required to provide screening could be produced easily based on city records and the large number of commercial and industrial sites within the city. For example, there are over 1,000 records of permits or business licenses for locations with auto-related uses in the city. While we have access to detailed records of auto-related uses, other uses that would be impacted by this proposed amendment, such as “wholesaling, warehousing, storage buildings, or public facilities,” are not as closely tracked by location. These additional non-auto uses complicate the ability to create an accurate total number or list of sites that would be impacted by the proposed amendment. Lastly, the current and proposed requirement that certain site features be screened, such as loading docks or open/outdoor storage areas, make it very difficult, if not impossible, to create an accurate list of applicability as there are an unknown number of sites within the city that currently have these or other site features that currently require screening.*
 - *However, it is possible for staff to accurately provide the total number of specific land uses that would be impacted by the proposal as a proportion of all specific land uses addressed by the Zoning Ordinance:*
 - *The ZO currently provides five Use Categories (Residential; Public, Civic and Institutional; Retail Service and Commercial; Manufacturing and Industrial; and Other) that contain at least 240 specific land uses that are used to administer zoning.*
 - *Of these 240 specific land uses, only nine currently require screening.*
 - *The proposed text amendment would add four specific land uses for a total of 13 specific land uses out of 240 that would be required to provide screening, this equates to five percent of all specific land uses.*
 - *These 13 specific land uses currently occupy an unknown number of sites within the city. As there are over 1,000 records of permits or business licenses for locations with auto-related uses in the city, which are specific land uses that are included in the 13, it is very likely that these 13 specific land uses occupy significantly greater than five percent of all land within the city that is currently zoned to permit these 13 specific land uses. This highlights the importance of zoning for these uses given that they are so widespread within the city.*
- Commissioners noted that there is an opportunity for the city to lead by example by implementing the proposed standards through city departments involved with maintaining and

improving city-owned property.

- **Staff response:** *Staff agrees that the city can lead by example on the issue of required screening and fencing standards. One example of meeting the intent of the proposed fencing standards is the ongoing construction of the Joe Louis Greenway project being led by the City. The first segment of the Greenway that has been completed passes through an area that includes some industrial and auto-related uses along and within view of the Greenway. Below is an image of the type of fencing that has been installed along both sides of the first segment. One purpose of this fencing is to screen and enclose the Greenway from adjacent sites that may not have been previously screened or fenced off from the corridor now being developed for the Greenway. The type of fencing material installed in this example would be classified as “welded wire, woven wire, louvered, or die-cut metal panels” in the proposed standards table. While this type of fencing is similar in design and classification as chain link fencing would be under the proposed standards, this type of fencing is a good example of a newer fencing style that is similar to chain link fencing but has a more durable appearance and construction, is more secure than chain link fencing, and provides some level of screening properties adjacent to the Greenway without using a completely solid fence or wall.*



Joe Louis Greenway Fencing

- Commissioners also desired that the city be proactive with notifying affected property owners should the proposed amendment be adopted. This could include mailing a letter or brochure to industrial property owners that summarizes the impact of the text amendment.
 - **Staff response:** *If adopted, staff will explore opportunities to proactively notify property owners of the changes, weighing the time and cost of creating and distributing communication materials. Staff will also continue to work with BSEED and the DEGC to see if we can leverage any existing contact lists or programs they have to spread the word.*

Public Comment

Four meeting attendees spoke during the public hearing. Below is a summary of comments.

- Speaker 1 stated their primary concern is what’s occurring behind fences. The Commission requested that staff meet with the first speaker to understand their general land use concerns better. Information to contact CPC staff was provided to the speaker, no communication has yet been received from the speaker.
- Speaker 2: See Commissioner Discussion – Compliance and Permitting
- Speaker 3 requested that two additional transportation-related uses, including school bus storage lots and ambulance staging, be added as a specific land use that requires screening.
 - **Staff response:** *Staff agrees with this request as “open areas for the parking of semi-trailers, buses, and other operable commercial vehicles, not including limousines and taxicabs” is currently included as part of the specific land use term definition that currently requires screening per Section 50-12-355. However, the full list of uses in the ZO definition is not carried through into Section 50-12-355 where the screening requirement is located, which implies that these uses not listed would not currently require screening unless they are spelled out in this section. Staff believes this is a ZO organizational oversight. The draft ordinance has been updated to clarify that these uses, listed in subsection (d) of this section, and site features require screening. This clarification is the main update that has occurred to the draft text amendment ordinance considered at the January 5 meeting.*
- Speaker 4 asked how the proposal would impact motor vehicle filling (gas) stations and screening of Interstate Highways.
 - **Staff response:** *Section 50-12-267 currently requires screening for motor vehicle filling station buildings when facing, abutting, or adjacent to residential. This existing requirement for screening is maintained within the proposed amendment.*
 - *No part of the proposed text amendment would impact or require that screening be installed within the rights-of-way of the Interstate Highway System as rights-of-way are legally exempt from zoning. Within Michigan, these areas are maintained and improved by the Michigan Department of Transportation (MDOT), which may contract with private companies for this work.*
 - *However, this spring MDOT is set to enter into a three-year agreement with the City to allow the city to manage and improve the appearance of highway rights-of-way (including on-ramps, off-ramps, embankments, service drives, and other adjacent areas) with MDOT reimbursing the city for maintenance work. This temporary switch in management from MDOT to the City would allow the City to manage and increase the number of grass cuttings, and would allow the City to install new trees, gardens, and fencing to beautify highways in advance of Detroit hosting the National Football League draft in the spring of 2024. (Source: Livengood, Chad. “Livengood: Duggan wants to clean up Detroit freeways. Have at it, MDOT says.” The Detroit News, Jan. 14, 2023).*

AGENDA IV.A. UNFINISHED BUSINESS

Addressing the proposed text amendment to amend Chapter 50 of the 2019 Detroit City Code, Zoning, by repealing, adding, altering and consolidating various provisions under Article XII, Article XIV and Article XVI, to provide new Landscaping, Screening and Buffering provisions.

Background

PDD Request

PDD and BSEED have been working on guidelines that require zoning ordinance updates:

- Industrial Design Guidelines
- Commercial Corridor Design Principles

Previous CPC Discussions

- 9/29 (Fences) and 10/20 (Screening)
- Following discussion, Commission requested additional public outreach



Background

- Appearance of commercial and industrial properties has become a noticeable issue city-wide
- Frequent complaints from residents
- Many uses are not subject to screening or are continually noncompliant
- Current standards are vague or in conflict between sections



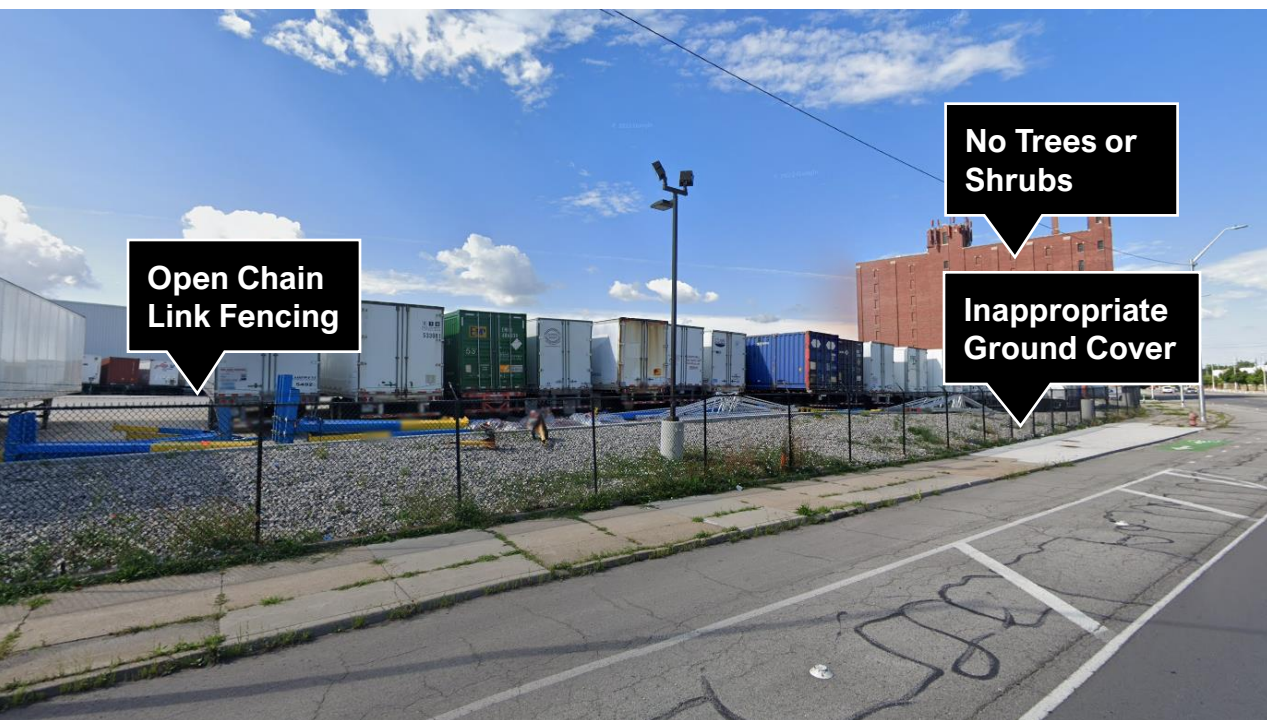


Mesh fabric does not block views, hard to keep looking good/neat



Examples: Bad Screening/Fencing

No Trees or Shrubs



Open Chain Link Fencing

No Trees or Shrubs

Inappropriate Ground Cover



Illegal fence material

Screening is not tall enough

Public Engagement

Two virtual meetings prior to this meeting, coordinated with DON/DEGC:

- City-wide DONCast (11/28) – 140 attendees
- District 3 Meeting (12/13) – 91 attendees

Common feedback:

- Supportive of changes, illegal/poorly maintained fencing and lack of buffering is definitely an issue that should be fixed
- Will the city help pay for new fencing/screening when required
- When would changes impact my property/business

Current Zoning Ordinance

CURRENT LANDSCAPING & SCREENING STANDARDS

Overview

Article XII – Specific Use Standards

- Contains specific screening standards for auto uses, outdoor storage, and scrapyards, but not many industrial uses

Article XIV – Landscaping & Screening

- Includes screening requirements for open storage areas, dumpsters, and loading docks but not truck parking

Section 50-14-367 – Screening Requirements

- Does not contain clear, quantitative standards

Sections 50-14-368 & 50-14-381 – Fences

- No clear permitted or prohibited material standards
- Height standards are confusing or in conflict with other sections of the ordinance

Proposed Amendments

SCREENING & FENCE STANDARDS

Guiding Principles

With these changes, we hope to:

- Make rules that govern screening clearer
- Beautify street frontages
- Enhance landscape buffering between certain uses and neighborhoods
- Provide specific standards for appropriate walls and fences
- Give property owners options for compliance with new rules



Scope of Amendments

- Screening applies to limited number of commercial and industrial properties (currently require or should require it)
- Some restrictions for fence materials along public streets (apply to commercial/industrial properties only)
- No substantive changes to regulations for residential fences

Uses that Require Screening

EXISTING

Uses that require screening:

- *Containerized freight*
- *Junkyard*
- *Lumberyard*
- *Motor vehicle filling stations*
- *Motor vehicle sales*
- *Motor vehicle service*
- *Outdoor storage yard*
- *Tow yards*
- *Transfer stations*

Site features that require screening:

- *Open storage areas*
- *Loading docks and truck maneuvering areas*

NEW:

Uses that require screening:

- *Trucking terminals*
- *Utilities (e.g., substations)*
- *Warehouses*
- *Very-high impact manufacturing & processing*

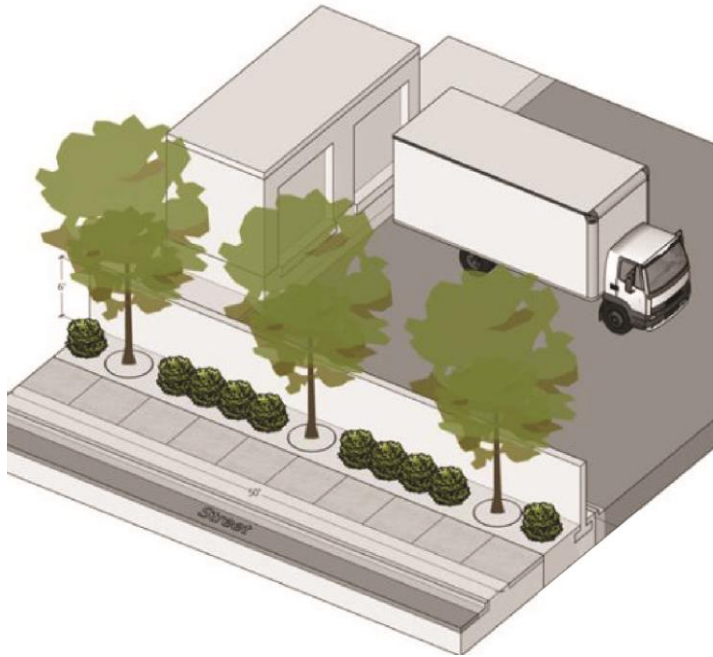
Site features that require screening:

- *Truck and semi-trailer parking*
- ***Bus and other commercial vehicle parking***

Screening Standards

Types I, III

Narrower buffer with solid wall and decorative landscaping



Types II, IV

Wider buffer with or without a decorative fence and dense landscaping



- *Introduce buffer types with clear standards for: depth (setback), number of plantings, wall opacity*
- *Easier to know what's required*
- *Clearer standards = faster reviews*
- *More attractive commercial corridors/
better industrial neighbors*

Screening Standards

Required Screening for Specific Uses				
	Permitted Buffer Type(s)			
Use	<u>Adjacent to street rights-of-way</u>	<u>Adjacent to or across an alley from Residential Districts¹</u>	<u>Adjacent to all other property lines²</u>	
<u>Containerized freight yard</u>	<u>Type III</u>	<u>Type III</u>	<u>Type I</u>	
<u>Junkyard</u>	<u>Type III</u>	<u>Type III</u>	<u>Type I</u>	
<u>Lumber</u>	<u>All Other Uses - Site Features That Require Screening</u>			
	Permitted Buffer Type(s)			
Motor vehicle	<u>Adjacent to street rights-of-way</u>	<u>Adjacent to or across an alley from Residential Districts¹</u>	<u>Adjacent to all other property lines²</u>	
Motor vehicle	<u>Site Feature</u>			
Motor vehicle	<u>Loading docks, service yards, exterior work areas, and truck/semi-trailer parking areas</u>	<u>Type I or II</u>	<u>Type III or IV</u>	<u>Type I or II</u>
	<u>Open storage areas</u>	<u>Type III</u>	<u>Type III</u>	<u>Type I</u>

- *Standards consolidated into one section, based on buffer types*
- *Screening by use OR site features if use is not listed*
- *No screening required between industrial properties*
- *Standards from existing ordinance carried over where applicable*

Fence Height

<u>Maximum Height Permitted by District</u>						
<u>Fence or Wall</u> <u>Opacity</u>	<u>Residential</u> <u>Districts¹</u>		<u>Business and</u> <u>Special Districts</u>		<u>Industrial</u> <u>Districts</u>	
	<u>Maximum heights within yards²</u>					
	<u>Front</u>	<u>Side/Rear</u>	<u>Front</u>	<u>Side/Rear</u>	<u>Front</u>	<u>Side/Rear</u>
<u>Transparent (<75% Opacity)</u> <u>Fence or Wall Materials</u>	<u>4'</u>	<u>6'</u>	<u>8'</u>	<u>8'</u>	<u>12'</u>	<u>12'</u>
<u>Opaque (>75% Opacity)</u> <u>Fences or Walls, where screening</u> <u>is not required</u>	<u>3'</u>	<u>6'</u>	<u>Prohibited</u>	<u>8'</u>	<u>Prohibited</u>	<u>12'</u>
<u>Opaque (>75% Opacity)</u> <u>Fences or Walls, where screening</u> <u>is required</u>	<u>3'</u>	<u>6'</u>	<u>3'/8'³</u>	<u>8'</u>	<u>12'</u>	<u>12'</u>

- *Simplifying heights by district*
- *Restrict opaque walls along the ROW unless required for screening*

Fence Materials

<u>Permitted Fence and Wall Materials by District</u>			
<u>Fence or Wall Material</u>	<u>Residential Districts¹</u>	<u>Business and Special Districts</u>	<u>Industrial Districts</u>
<u>Welded/Woven wire² (e.g., chain link)</u>	<u>Permitted</u>	<u>Prohibited along street rights-of-way</u>	<u>Prohibited along street rights-of-way</u>
<u>Attached materials (e.g., fabric, cloth, plastic or vinyl slats)³</u>	<u>Permitted</u>	<u>Prohibited along a street right-of-way, except where screening is required</u>	<u>Prohibited along a street right-of-way, except where screening is required</u>
<u>Louvered or die-cut metal panels</u>	<u>Permitted</u>	<u>Permitted</u>	<u>Permitted</u>
<u>Barbed/Razor wire attached⁴ (see Section 50-14-383(4))</u>	<u>Prohibited</u>	<u>Prohibited</u>	<u>Permitted</u>
<u>Vinyl/PVC</u>	<u>Permitted</u>	<u>Prohibited</u>	<u>Prohibited</u>
<u>Wood boards/slats (e.g. cedar)</u>	<u>Permitted</u>	<u>Permitted</u>	<u>Prohibited</u>
<u>Wood-like composite materials</u>	<u>Permitted</u>	<u>Permitted</u>	<u>Prohibited</u>
<u>Ornamental metal (aluminum/steel/iron)</u>	<u>Permitted</u>	<u>Permitted</u>	<u>Permitted</u>
<u>Brick/stone masonry</u>	<u>Permitted</u>	<u>Permitted</u>	<u>Permitted</u>
<u>Concrete pre-cast/masonry</u>	<u>Permitted</u>	<u>Permitted</u>	<u>Permitted</u>

- *Clarify permitted and prohibited materials*
- *Restrict chain link fences along ROWs in business and industrial districts*
- *Permit barbed wire, razor wire, and electric fences in industrial districts only*
- *No changes to residential*
- *Provides flexibility for business's needs/budget*



Examples: Permitted Opaque Fences for Screening



Examples: Permitted Transparent Fences for Street Frontages



When is compliance required?

Property owners may be required to comply with new screening and fencing requirements if doing one of the following:

- New construction
- Addition, expansion, or alteration greater than:
 - 10% of existing building or 2,000 square feet
 - 60% of assessed value in renovation cost
- New/modified parking lot (>5 spaces)
- Change to a more intensive use, controlled use, or special land use

FAQs

- **What if my fence becomes nonconforming?**

If your fence is currently legal, it can remain until you need to apply for building permits/site plan review in most cases. In some cases, your fence may comply with the new standards and require no changes.

- **How does this impact residential properties?**

Standards for residential properties are not changing other than permitted/prohibited fence materials being expanded.

- **What about the cost for fencing and screening?**

Many new screening options are cheaper than what is currently required (masonry wall only). The wide variety in fence types permitted should allow for solutions that fit most budgets and we are not changing fence types for residential.

Updates from Jan. 5 CPC Meeting

PUBLIC HEARING

Commissioner Discussion

Financial Impacts

- CPC asked if there are any existing financial incentives available for site improvements
- *Staff is not aware of any specific incentives, standard financial assistance that reduces overall project costs could be factored*
- CPC requested an estimated cost breakdown of the buffer types
- *Staff is still finalizing and will present during the meeting*

Compliance and Permitting

- General discussion related to fences that may be failing
- PH Speaker 2 requested that businesses currently in violation be required to correct violations using the proposed standards
- *Property Maintenance Code is a frequent violation for fences required to be in “good repair/condition”*
- *Code intentionally separates Property Maintenance from Zoning*

Commissioner Discussion

Other

- CPC asked if staff knows the number of sites affected
- *Staff does not believe an accurate total number of sites could be provided based on city records*
- *Non-auto-uses are not as closely tracked by location as auto uses*
- *Required screening for site features also complicates the total number of sites*

ZO Summary

- *5 Use Categories with at least 240 Specific Land Uses*
- *Of these 240 uses, only 9 currently require screening*
- *Proposal would add 4 uses for a total of 13 uses out of 240 (5%) that would require screening*
- *These 13 uses occupy a significant portion of commercial/industrial zoned land within the city*

Commissioner Discussion

Other

- CPC noted an opportunity for the city to lead by example with the proposed standards
- *First completed segment of Joe Louis Greenway utilizes upgraded fencing that would meet proposed material standards*
- CPC also requested that the city be proactive with notification of the proposed standards
- *Staff agrees and will explore*



Public Hearing

Speaker 1

- Stated their primary concern is what's occurring behind fences
- *CPC requested staff meet with speaker to understand their concerns, contact info provided*

Speaker 3 – Ordinance Update

- Requested two additional transportation-related uses be added to required screening
- *Staff agrees and has added*

Speaker 4

- Asked how proposal would affect gas stations and highway screening
- *Gas stations currently require screening and this is maintained*
- *The text amendment would not impact or require screening within highway rights-of-way as these areas are exempt from zoning*
- *Other city efforts are being made to improve highway appearance*

Conclusion

Based on the staff report analysis and consistent with the approval criteria of Section 50-3-49 of the ZO, CPC staff recommends **APPROVAL** of the rezoning request.

The proposed text amendment:

- Would substantially update and modernize current screening requirements
- Would substantially update fence and wall standards without altering or negatively impacting standards for residential uses
- Was drafted in line with goals of P&DD and BSEED
- Was informed by the in-progress Zone Detroit and Vibrant Blocks for Businesses
- Is supported by the purpose of the SPR process and criteria for approval

Thank You

City of Detroit
CITY PLANNING COMMISSION

Eric Fazzini

From: CPC Mailbox
Sent: Wednesday, December 21, 2022 12:53 PM
To: Eric Fazzini; Julie Connochie
Subject: FW: Industrial Screening Ordinance - LISC Detroit

From: Michelle Rubin <MRubin@lisc.org>
Sent: Wednesday, December 21, 2022 11:40 AM
To: CPC Mailbox <CPC@detroitmi.gov>
Subject: [EXTERNAL] Industrial Screening Ordinance - LISC Detroit

This Message Is From an External Sender

ATTENTION: This email was sent from an external source. Please be extra cautious when opening attachments or clicking links.

Hi CPC Team,

I hope you are doing well. I attended the public meeting on *Zoning Ordinance Updates for Screening and Fencing* that was held on 12/13 and found it super informative. I know that the proposed changes are still in public comment and there will be future hearings for adoption.

On behalf of LISC Detroit, I wanted to let you know that the proposed changes for industrial buffering align with a LISC funded and supported plan for the [Exploring Opportunities for Equitable Development in a Southwest Industrial District Area](#). The plan notes support for strong industrial buffering standards (Section 3). This plan was released in September 2021 and LISC Detroit is actively working with the Southwest Detroit Business Association (SDBA), Detroit Future City, and other stakeholders on implementation. We expect that if these changes are made to the Zoning Code, that we will work with SDBA and other area stakeholders to support implementation in this specific light industrial area.

Please let me know if you have any questions or want to discuss the alignment of the proposed changes with the plan linked above.

In addition, if it is possible to get added to an email list so that LISC Detroit is aware of future meetings on this topic, that would be much appreciated.

Thank you very much!

Warmly,
Michelle Rubin

Michelle B. Rubin
Program Officer, Economic Development
Pronouns: she/her/hers
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City of Detroit

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Vice Chair/Secretary

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Director

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Ritchie Harrison
Gwen Lewis
Melanie Markowicz
Frederick E. Russell, Jr.

NOTICE OF PUBLIC HEARING

A public hearing will be held by the Detroit City Planning Commission in the Committee of the Whole Room, 13th Floor, Coleman A. Young Municipal Center, 2 Woodward Avenue, Detroit, Michigan 48226 at the date and time listed below. Virtual attendance is strongly encouraged as, pursuant to public health guidelines, the meeting room may be subject to space limitations. To attend the meeting virtually, please use the link below toward the end of this notice.

THURSDAY, JANUARY 5, 2023 AT 5:15 PM

The proposed text amendment would amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by repealing Article XIV, Development Standards, Division 2, Landscaping, Screening, and Fencing, Subdivision D, Landscaping and Screening, Section 50-14-367, Materials and methods; landscaping, fencing, and screening; Section 50-14-368, Fences and walls, and Section 50-14-369, Topographic changes, and Section 50-14-370, Buildings, and Section 50-14-371, Horizontal separation, and Section 50-14-372, Height, and Section 50-14-373, Opacity, and Section 50-14-374, Location of screening, and Section 50-14-375, Compatibility, and Section 50-14-381, Fences; by adding Article XIV, Development Standards, Division 2, Landscaping, Screening, and Fencing, Subdivision D, Required Landscaping and Screening, Section 50-14-367, Screening standards, and Section 50-14-368, Additional screening standards, and Subdivision E, Fences and Walls, Section 50-14-381, Applicability, and Section 50-14-382, General Standards, and Section 50-14-383, Material Standards, and Section 50-14-384, Opacity, and Section 50-14-385, Height; by amending Article XII, Use Regulations, Division 3, Specific Use Standards, Subdivision B, Public, Civic, and Institutional Uses, Section 50-12-192, Utilities, basic; utilities; major, and Subdivision D, Retail, Service and Commercial Uses; Motor Vehicle Filling Stations, Section 50-12-267, Motor vehicle filling stations; equipment enclosure and screening and landscaping, and Section 50-12-270, Motor vehicle filling stations; screening and landscaping, and Subdivision E, Retail, Service and Commercial Uses; Generally, Section 50-12-292, Motor vehicles, new, salesroom or sales lot, and Section 50-12-293, Motor vehicles, used, salesroom or sales lot, and Section 50-12-294, Motor vehicle services, major, and Section 50-12-295, Motor vehicle services, minor, and Section 50-12-296, Motor vehicle washing and steam cleaning, and Subdivision F, Manufacturing and Industrial Uses, Section 50-12-341, Junkyards, and Section 50-12-344, Outdoor storage yards; containerized freight yard, and Section 50-12-352, Towing service storage yards, and Section 50-12-354, Transfer station for garbage, refuse, or rubbish, 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 50-12-358, Wholesaling, warehousing, storage buildings, or public storage facilities, and Section 50-12-365, Very high-impact manufacturing or processing facilities; by amending Article XIV, Development Standards, Division 2, Landscaping, Screening, and Fencing, Subdivision D, Landscaping and Screening; Miscellaneous Provisions, Section 50-14-361, Open space landscaping, and Section 50-14-362, Landscaping of required setbacks, and

Section 50-14-363, Screening, and Section 50-14-365, Screening of open storage areas, and Section 50-14-366, Screening of loading docks, service yards, and exterior work areas, and by amending Article XVI, Rules of Construction and Definitions, Division 2, Words and Terms Defined, Subdivision Q, Letter “T,” Section 50-16-402, Words and terms (Tn-Tz); and all other sections as may be necessary to facilitate this amendment.

The proposed amendment would consolidate all screening standards in the zoning ordinance into Article XIV, Division 2, Subdivision D, add trucking terminals, utilities, wholesaling, warehousing, storage buildings and public storage facilities, very high-impact manufacturing and processing uses, and add off-street truck and semi-trailer parking areas to the list of uses that require screening, to replace existing screening standards with updated and expanded screening requirements within Article XIV, Division 2, Subdivision D and delete existing miscellaneous provisions for fences contained in Article XIV, Division 2, Subdivision D and replace with updated fence and wall requirements within a new Subdivision E of Article XIV, Division 2.

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 following 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=TTloMzN5M3pmU1RKNXp1MjJlczN3UT09>

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>