

SUMMARY

This Ordinance amends Chapter 50 of the 2019 Detroit City Code, *Zoning*, to provide for the adaptive reuse and tactical preservation of vacant or underutilized institutional buildings in residential zoning districts by allowing certain residential, civic, cultural, educational, retail, office, food service, and light industrial uses where such new uses would otherwise be prohibited:

by repealing Article XII, *Use Regulations*, Division 1, *Use Tables*, Subdivision B, *Residential Uses*, Section 50-12-24, *Other residential uses*, Subdivision C, *Public, Civic, and Institutional Uses*, Section 50-12-52, *Other public, civic and institutional uses*, Subdivision D, *Retail, Service and Commercial Uses*, which is renamed *Retail, Service, and Commercial Uses*, Section 50-12-72, *Other retail, service, and commercial uses*;

by adding Article XII, *Use Regulations*, Division 3, *Specific Use Standards*, Subdivision B, *Public, Civic, and Institutional Uses*, Section 50-12-186.1, *Governmental service agency*, Section 50-12-186.2, *Library*, Section 50-12-186.3, *Museum*, Subdivision C, *Retail, Service, and Commercial Uses; Generally (Amusement Park—Mortuary or Funeral Home)*, Section 50-12-213.1, *Art gallery*, Section 50-12-215.1, *Bank, without drive-up or drive-through facilities*, Section 50-12-215.2, *Barber or beauty shop*, Section 50-12-216.1, *Body art facility*, Section 50-12-217.1, *Business college or commercial trade school*, Subdivision E, *Retail, Service, and Commercial Uses; Generally (Motor Vehicles – Youth Hostels/Hostels)*, Section 50-12-306.1, *Radio or television station*, Section 50-12-307.1, *Recording studio or photo studio or video studio, no assembly hall*, Section 50-12-313.1, *Shoe repair shop*, Subdivision H, *Other Uses—Urban Agriculture*, Section 50-12-397.1, *Urban agriculture in residential districts*, Subdivision I, *Other Uses—Miscellaneous*, Section 50-12-414, *Telecommunications building, private*; Article XIII, *Intensity and Dimensional Standards*, Division 1, *Tables of Intensity and Dimensional Standards*, Subdivision B, *General Dimensional Standards for Residential Districts*, Section 50-13-30, *Lot coverage exception*; and

by amending Article III, *Review and Approval Procedures (Part 1)*, Division 5, *Site Plan Review*, Subdivision A, *In General*, Section 50-3-113, *Applicability*; Article IV, *Review and Approval Procedures (Part 2)*, Division 3, *Building Permits and Certificates of Occupancy*, Subdivision A, *Building Permits*, Section 50-4-43, *Permit required for new use of buildings*; Article VIII, *Residential Zoning Districts*, Division 2, *R1 Single-Family Residential District*, Section 50-8-20, *Conditional residential uses*, Section 50-8-21, *Conditional public, civic, and institutional uses*, Section 50-8-22, *Conditional retail, service, and commercial uses*, Section 50-8-23, *Conditional manufacturing and industrial uses*, Section 50-8-24, *Conditional other uses*, Division 3, *R2 Two-Family Residential District*, Section 50-8-50, *Conditional residential uses*, Section 50-8-51, *Conditional public, civic, and institutional uses*, Section 50-8-52, *Conditional retail, service, and commercial uses*, Section 50-8-53, *Conditional manufacturing and industrial uses*, Section 50-8-54, *Conditional other uses*, Division 4, *R3 Low Density Residential District*, Section 50-8-80, *Conditional residential uses*, Section 50-8-81, *Conditional public, civic, and institutional uses*, Section 50-8-82, *Conditional retail, service, and commercial uses*, Section 50-8-83, *Conditional manufacturing and industrial uses*, Section 50-8-84, *Conditional other uses*, Division 5, *R4 Thoroughfare Residential District*, Section 50-8-111, *Conditional public, civic, and institutional uses*, Section 50-8-112, *Conditional retail, service, and commercial uses*, Section 50-8-113, *Conditional manufacturing and industrial uses*, Section 50-8-114, *Conditional other*

uses, Division 6, *R5 Medium Density Residential District*, Section 50-8-141, *Conditional public, civic, and institutional uses*, Section 50-8-142, *Conditional retail, service, and commercial uses*, Section 50-8-143, *Conditional manufacturing and industrial uses*, Section 50-8-144, *Conditional other uses*, Division 7, *R6 High Density Residential District*, Section 50-8-171, *Conditional public, civic, and institutional uses*, Section 50-8-172, *Conditional retail, service, and commercial uses*, Section 50-8-173, *Conditional manufacturing and industrial uses*, Section 50-8-174, *Conditional other uses*; Article XI, *Special Purpose Zoning Districts and Overlay Areas*, Division 9, *MKT Market and Distribution District*, Section 50-11-206, *By-right retail, service, and commercial uses*, Section 50-11-212, *Conditional retail, service, and commercial uses*, Division 11, *SD2—Special Development District, Mixed-Use*, Section 50-11-272, *Conditional retail, service, and commercial uses*; Article XII, *Use Regulations*, Division 1, *Use Tables*, Subdivision B, *Residential Uses*, Section 50-12-21, *Group living*, Section 50-12-22, *Household living*, Section 50-12-23, *Institutional living*, Subdivision C, *Public, Civic, and Institutional Uses*, Section 50-12-42, *Community service*, Section 50-12-43, *Day care*, Section 50-12-45, *Library*, Section 50-12-46, *Museum*, Subdivision D, *Retail, Service and Commercial Uses*, which is renamed *Retail, Service, and Commercial Uses*, Section 50-12-62, *Food and beverage service*, Section 50-12-63, *Office*, Section 50-12-65, *Public accommodation*, Section 50-12-66, *Recreation/entertainment, indoor*, Section 50-12-69, *Retail sales and service, sales-oriented*, Section 50-12-70, *Retail sales and service, service-oriented*, Subdivision E, *Manufacturing and Industrial Uses*, Section 50-12-81, *Industrial service*, Section 50-12-82, *Manufacturing and production*, Section 50-12-83, *Warehouse and freight movement*, Subdivision F, *Other Uses*, Section 50-12-105, *Telecommunications facilities*, Section 50-12-109, *Agricultural uses*, Division 2, *General Use Standards*, Section 50-12-134, *Regulated uses—spacing*, Section 50-12-138, *School building adaptive reuse provision*, which is renamed *Public, civic, or institutional building adaptive reuse*, Division 3, *Specific Use Standards*, Subdivision A, *Residential Uses*, Section 50-12-152, *Assisted living facility*, Section 50-12-153, *Boarding school*, which is renamed *Boarding school and dormitory*, Section 50-13-154, *Child caring institution*, Section 50-12-155, *Convalescent, nursing, or rest home*, Section 50-12-159, *Lofts; residential uses combined in structures with permitted commercial or industrial uses*, Section 50-12-162, *Multi-family dwellings*, Subdivision B, *Public, Civic, and Institutional Uses*, Section 50-12-181, *Adult day care center*, Subdivision C, *Retail, Service, and Commercial Uses; Generally (Amusement Park—Mortuary or Funeral Home)*, Section 50-12-212, *Animal-grooming shop*, Section 50-12-215, *Bake shop*, Section 50-12-216, *Bed and breakfast inn*, Section 50-12-217, *Brewpub and microbrewery and small distillery and small winery*, which is renamed *Brewpub or microbrewery or small distillery or small winery*, Section 50-12-220, *Establishment for the sale of beer or alcoholic liquor for consumption on the premises*, which is relocated to Section 50-12-221, Section 50-12-221, *Dry cleaning, laundry, or laundromat*, which is relocated to Section 50-12-220, Section 50-12-232, *Medical/dental/physical therapy clinic and massage facility*, which is renamed *Medical or dental clinic, physical therapy clinic, or massage facility*, Section 50-12-235, *Barber or beauty shop*, which is relocated to Section 50-12-215.2, Section 50-12-236, *Nail salons*, which is relocated to Section 50-12-235, Subdivision E, *Retail, Service, and Commercial Uses; Generally (Motor Vehicles – Youth Hostels/Hostels)*, Section 50-12-298, *Office, business or professional*, Section 50-12-300, *Body art facilities*, which is relocated to Section 50-12-216.1, Section 50-12-308, *Recreation, indoor commercial and health club; recreation, outdoor commercial*, Section 50-12-310, *Restaurants, carry-out and fast-food*, Section 50-12-311, *Restaurants, standard*, Section 50-12-313, *Schools or studios of dance, gymnastics, music, art or cooking*, which is renamed *Schools or studios of dance, gymnastics,*

music, art, or cooking, Section 50-12-317, *Theaters and concert cafes*, Section 50-12-318, *Trade schools, commercial*, which is relocated to Section 50-12-217.1 and renamed *Business college or commercial trade school*, Section 50-12-321, *Veterinary clinic for small animals*, Section 50-12-322, *Youth hostels/hostels*, Section 50-12-323, *Printing or engraving shops*, Section 50-12-324, *Stores of a generally recognized retail nature whose primary business is the sale of new merchandise, without drive-up or drive-through facilities*, Subdivision F, *Manufacturing and Industrial Uses*, Section 50-12-334, *Confection manufacturing*, which is renamed *Confection manufacture*, Section 50-12-336, *Food catering establishments*, Section 50-12-340, *Jewelry manufacture establishments*, Section 50-12-342, *Lithographing and sign shops*, Section 50-12-353, *Trade services, general*, Section 50-12-358, *Wholesaling, warehousing, storage buildings, or public storage facilities*, Section 50-12-359, *Low-impact manufacturing or processing facilities*, Section 50-12-360, *Wearing apparel manufacturing*, Section 50-12-361, *Low/medium-impact manufacturing or processing facilities*, Division 4, *Principal Uses And Structures*, Section 50-12-431, *Number of buildings on a zoning lot*; Article XIV, *Development Standards*, Division 1, *Off-Street Parking, Loading, and Access*, Subdivision B, *Off-Street Parking Schedule "A"*, Section 50-14-33, *Group living*, Section 50-14-34, *Household living*, Section 50-14-35, *Institutional living*, Section 50-14-38, *Community service*, Section 50-14-41, *Library*, Section 50-14-42, *Museum*, Section 50-14-45, *Schools*, Section 50-14-52, *Office*, Section 50-14-54, *Public accommodation*, Section 50-14-55, *Recreation and entertainment, indoor*, Section 50-14-59, *Retail sales and service (service-oriented)*, which is renamed *Retail sales and service, service-oriented*, Subdivision D, *Off-Street Loading*, Section 50-14-111, *Off-street loading schedule and exemptions*, Subdivision F, *Waivers and Alternative Parking Plans*, Section 50-14-153, *Waiver of off-street parking requirements for uses or buildings minimally deficient*, which is renamed *Waiver of off-street parking requirements for uses or buildings minimally deficient or in certain locations*; Article XVI, *Rules of Construction and Definitions*, Division 2, *Words and Terms Defined*, Subdivision P, *Letter "S"*, Section 50-16-381, *Words and terms (Sa—Sd)*, Subdivision Q, *Letter "T"*, Section 50-16-401, *Words and terms (Ta—Tm)*.

1 **BY COUNCIL MEMBER _____ :**

2 AN ORDINANCE to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, to provide
3 for the adaptive reuse and tactical preservation of vacant or underutilized institutional buildings in
4 residential zoning districts by allowing certain residential, civic, cultural, educational, retail, office,
5 food service, and light industrial uses where such new uses would otherwise be prohibited by
6 repealing Article XII, *Use Regulations*, Division 1, *Use Tables*, Subdivision B, *Residential Uses*,
7 Section 50-12-24, *Other residential uses*, Subdivision C, *Public, Civic, and Institutional Uses*,
8 Section 50-12-52, *Other public, civic and institutional uses*, Subdivision D, *Retail, Service and*
9 *Commercial Uses*, which is renamed *Retail, Service, and Commercial Uses*, Section 50-12-72,
10 *Other retail, service, and commercial uses*; by adding Article XII, *Use Regulations*, Division 3,
11 *Specific Use Standards*, Subdivision B, *Public, Civic, and Institutional Uses*, Section 50-12-186.1,
12 *Governmental service agency*, Section 50-12-186.2, *Library*, Section 50-12-186.3, *Museum*,
13 Subdivision C, *Retail, Service, and Commercial Uses; Generally (Amusement Park—Mortuary or*
14 *Funeral Home)*, Section 50-12-213.1, *Art gallery*, Section 50-12-215.1, *Bank, without drive-up or*
15 *drive-through facilities*, Section 50-12-215.2, *Barber or beauty shop*, Section 50-12-216.1, *Body*
16 *art facility*, Section 50-12-217.1, *Business college or commercial trade school*, Subdivision E,
17 *Retail, Service, and Commercial Uses; Generally (Motor Vehicles – Youth Hostels/Hostels)*,
18 Section 50-12-306.1, *Radio or television station*, Section 50-12-307.1, *Recording studio or photo*
19 *studio or video studio, no assembly hall*, Section 50-12-313.1, *Shoe repair shop*, Subdivision H,
20 *Other Uses—Urban Agriculture*, Section 50-12-397.1, *Urban agriculture in residential districts*,
21 Subdivision I, *Other Uses—Miscellaneous*, Section 50-12-414, *Telecommunications building*,
22 *private*; Article XIII, *Intensity and Dimensional Standards*, Division 1, *Tables of Intensity and*
23 *Dimensional Standards*, Subdivision B, *General Dimensional Standards for Residential Districts*,

1 Section 50-13-30, *Lot coverage exception*; and by amending Article III, *Review and Approval*
2 *Procedures (Part 1)*, Division 5, *Site Plan Review*, Subdivision A, *In General*, Section 50-3-113,
3 *Applicability*; Article IV, *Review and Approval Procedures (Part 2)*, Division 3, *Building Permits*
4 *and Certificates of Occupancy*, Subdivision A, *Building Permits*, Section 50-4-43, *Permit required*
5 *for new use of buildings*; Article VIII, *Residential Zoning Districts*, Division 2, *R1 Single-Family*
6 *Residential District*, Section 50-8-20, *Conditional residential uses*, Section 50-8-21, *Conditional*
7 *public, civic, and institutional uses*, Section 50-8-22, *Conditional retail, service, and commercial*
8 *uses*, Section 50-8-23, *Conditional manufacturing and industrial uses*, Section 50-8-24,
9 *Conditional other uses*, Division 3, *R2 Two-Family Residential District*, Section 50-8-50,
10 *Conditional residential uses*, Section 50-8-51, *Conditional public, civic, and institutional uses*,
11 Section 50-8-52, *Conditional retail, service, and commercial uses*, Section 50-8-53, *Conditional*
12 *manufacturing and industrial uses*, Section 50-8-54, *Conditional other uses*, Division 4, *R3 Low*
13 *Density Residential District*, Section 50-8-80, *Conditional residential uses*, Section 50-8-81,
14 *Conditional public, civic, and institutional uses*, Section 50-8-82, *Conditional retail, service, and*
15 *commercial uses*, Section 50-8-83, *Conditional manufacturing and industrial uses*, Section
16 50-8-84, *Conditional other uses*, Division 5, *R4 Thoroughfare Residential District*, Section
17 50-8-111, *Conditional public, civic, and institutional uses*, Section 50-8-112, *Conditional retail,*
18 *service, and commercial uses*, Section 50-8-113, *Conditional manufacturing and industrial uses*,
19 Section 50-8-114, *Conditional other uses*, Division 6, *R5 Medium Density Residential District*,
20 Section 50-8-141, *Conditional public, civic, and institutional uses*, Section 50-8-142, *Conditional*
21 *retail, service, and commercial uses*, Section 50-8-143, *Conditional manufacturing and industrial*
22 *uses*, Section 50-8-144, *Conditional other uses*, Division 7, *R6 High Density Residential District*,
23 Section 50-8-171, *Conditional public, civic, and institutional uses*, Section 50-8-172, *Conditional*

1 *retail, service, and commercial uses, Section 50-8-173, Conditional manufacturing and industrial*
2 *uses, Section 50-8-174, Conditional other uses; Article XI, Special Purpose Zoning Districts and*
3 *Overlay Areas, Division 9, MKT Market and Distribution District, Section 50-11-206, By-right*
4 *retail, service, and commercial uses, Section 50-11-212, Conditional retail, service, and*
5 *commercial uses, Division 11, SD2—Special Development District, Mixed-Use, Section*
6 *50-11-272, Conditional retail, service, and commercial uses; Article XII, Use Regulations,*
7 *Division 1, Use Tables, Subdivision B, Residential Uses, Section 50-12-21, Group living, Section*
8 *50-12-22, Household living, Section 50-12-23, Institutional living, Subdivision C, Public, Civic,*
9 *and Institutional Uses, Section 50-12-42, Community service, Section 50-12-43, Day care, Section*
10 *50-12-45, Library, Section 50-12-46, Museum, Subdivision D, Retail, Service and Commercial*
11 *Uses, which is renamed Retail, Service, and Commercial Uses, Section 50-12-62, Food and*
12 *beverage service, Section 50-12-63, Office, Section 50-12-65, Public accommodation, Section*
13 *50-12-66, Recreation/entertainment, indoor, Section 50-12-69, Retail sales and service, sales-*
14 *oriented, Section 50-12-70, Retail sales and service, service-oriented, Subdivision E,*
15 *Manufacturing and Industrial Uses, Section 50-12-81, Industrial service, Section 50-12-82,*
16 *Manufacturing and production, Section 50-12-83, Warehouse and freight movement, Subdivision*
17 *F, Other Uses, Section 50-12-105, Telecommunications facilities, Section 50-12-109, Agricultural*
18 *uses, Division 2, General Use Standards, Section 50-12-134, Regulated uses—spacing, Section*
19 *50-12-138, School building adaptive reuse provision, which is renamed Public, civic, or*
20 *institutional building adaptive reuse, Division 3, Specific Use Standards, Subdivision A,*
21 *Residential Uses, Section 50-12-152, Assisted living facility, Section 50-12-153, Boarding school,*
22 *which is renamed Boarding school and dormitory, Section 50-13-154, Child caring institution,*
23 *Section 50-12-155, Convalescent, nursing, or rest home, Section 50-12-159, Lofts; residential uses*

1 combined in structures with permitted commercial or industrial uses, Section 50-12-162, Multi-
2 family dwellings, Subdivision B, Public, Civic, and Institutional Uses, Section 50-12-181, Adult
3 day care center, Subdivision C, Retail, Service, and Commercial Uses; Generally (Amusement
4 Park—Mortuary or Funeral Home), Section 50-12-212, Animal-grooming shop, Section 50-12-
5 215, Bake shop, Section 50-12-216, Bed and breakfast inn, Section 50-12-217, Brewpub and
6 microbrewery and small distillery and small winery, which is renamed Brewpub or microbrewery
7 or small distillery or small winery, Section 50-12-220, Establishment for the sale of beer or
8 alcoholic liquor for consumption on the premises, which is relocated to Section 50-12-221, Section
9 50-12-221, Dry cleaning, laundry, or laundromat, which is relocated to Section 50-12-220, Section
10 50-12-232, Medical/dental/physical therapy clinic and massage facility, which is renamed
11 Medical or dental clinic, physical therapy clinic, or massage facility, Section 50-12-235, Barber
12 or beauty shop, which is relocated to Section 50-12-215.2, Section 50-12-236, Nail salons, which
13 is relocated to Section 50-12-235, Subdivision E, Retail, Service, and Commercial Uses; Generally
14 (Motor Vehicles – Youth Hostels/Hostels), Section 50-12-298, Office, business or professional,
15 Section 50-12-300, Body art facilities, which is relocated to Section 50-12-216.1, Section 50-12-
16 308, Recreation, indoor commercial and health club; recreation, outdoor commercial, Section
17 50-12-310, Restaurants, carry-out and fast-food, Section 50-12-311, Restaurants, standard,
18 Section 50-12-313, Schools or studios of dance, gymnastics, music, art or cooking, which is
19 renamed Schools or studios of dance, gymnastics, music, art, or cooking, Section 50-12-317,
20 Theaters and concert cafes, Section 50-12-318, Trade schools, commercial, which is relocated to
21 Section 50-12-217.1 and renamed Business college or commercial trade school, Section
22 50-12-321, Veterinary clinic for small animals, Section 50-12-322, Youth hostels/hostels, Section
23 50-12-323, Printing or engraving shops, Section 50-12-324, Stores of a generally recognized retail

1 *nature whose primary business is the sale of new merchandise, without drive-up or drive-through*
2 *facilities, Subdivision F, Manufacturing and Industrial Uses, Section 50-12-334, Confection*
3 *manufacturing, which is renamed Confection manufacture, Section 50-12-336, Food catering*
4 *establishments, Section 50-12-340, Jewelry manufacture establishments, Section 50-12-342,*
5 *Lithographing and sign shops, Section 50-12-353, Trade services, general, Section 50-12-358,*
6 *Wholesaling, warehousing, storage buildings, or public storage facilities, Section 50-12-359,*
7 *Low-impact manufacturing or processing facilities, Section 50-12-360, Wearing apparel*
8 *manufacturing, Section 50-12-361, Low/medium-impact manufacturing or processing facilities,*
9 *Division 4, Principal Uses And Structures, Section 50-12-431, Number of buildings on a zoning*
10 *lot; Article XIV, Development Standards, Division 1, Off-Street Parking, Loading, and Access,*
11 *Subdivision B, Off-Street Parking Schedule "A", Section 50-14-33, Group living, Section*
12 *50-14-34, Household living, Section 50-14-35, Institutional living, Section 50-14-38, Community*
13 *service, Section 50-14-41, Library, Section 50-14-42, Museum, Section 50-14-45, Schools,*
14 *Section 50-14-52, Office, Section 50-14-54, Public accommodation, Section 50-14-55, Recreation*
15 *and entertainment, indoor, Section 50-14-59, Retail sales and service (service-oriented), which is*
16 *renamed Retail sales and service, service-oriented, Subdivision D, Off-Street Loading, Section 50-*
17 *14-111, Off-street loading schedule and exemptions, Subdivision F, Waivers and Alternative*
18 *Parking Plans, Section 50-14-153, Waiver of off-street parking requirements for uses or buildings*
19 *minimally deficient, which is renamed Waiver of off-street parking requirements for uses or*
20 *buildings minimally deficient or in certain locations; Article XVI, Rules of Construction and*
21 *Definitions, Division 2, Words and Terms Defined, Subdivision P, Letter "S", Section 50-16-381,*
22 *Words and terms (Sa—Sd), Subdivision Q, Letter "T", Section 50-16-401, Words and terms (Ta—*
23 *Tm).*

1 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**
2 **THAT:**

3 **Section 1.** Chapter 50 of the Detroit City Code, Zoning, is amended by repealing Article
4 XII, Division 1, Subdivision B, Section 50-12-24, Subdivision C, Section 50-12-52, Subdivision
5 D, Section 50-12-72; by adding Article XII, Division 3, Subdivision B, Section 50-12-186.1,
6 Section 50-12-186.2, Section 50-12-186.3, Subdivision C, Section 50-12-213.1, Section 50-12-
7 215.1, Section 50-12-215.2, Section 50-12-216.1, Section 50-12-217.1, Subdivision E, Section 50-
8 12-306.1, Section 50-12-307.1, Section 50-12-313.1, Subdivision H, Section 50-12-397.1,
9 Subdivision I, Section 50-12-414; Article XIII, Division 1, Subdivision B, Section 50-13-30; and
10 by amending Article III, Division 5, Subdivision A, Section 50-3-113; Article IV, Division 3,
11 Subdivision A, Section 50-4-43; Article VIII, Division 2, Section 50-8-20, Section 50-8-21,
12 Section 50-8-22, Section 50-8-23, Section 50-8-24, Division 3, Section 50-8-50, Section 50-8-51,
13 Section 50-8-52, Section 50-8-53, Section 50-8-54, Division 4, Section 50-8-80, Section 50-8-81,
14 Section 50-8-82, Section 50-8-83, Section 50-8-84, Division 5, Section 50-8-111, Section 50-8-
15 112, Section 50-8-113, Section 50-8-114, Division 6, Section 50-8-141, Section 50-8-142, Section
16 50-8-143, Section 50-8-144, Division 7, Section 50-8-171, Section 50-8-172, Section 50-8-173,
17 Section 50-8-174; Article XI, Division 9, Section 50-11-206, Section 50-11-212, Division 11,
18 Section 50-11-272; Article XII, Division 1, Subdivision B, Section 50-12-21, Section 50-12-22,
19 Section 50-12-23, Subdivision C, Section 50-12-42, Section 50-12-43, Section 50-12-45, Section
20 50-12-46, Subdivision D, Section 50-12-62, Food and beverage service, Section 50-12-63, Section
21 50-12-65, Section 50-12-66, Section 50-12-69, Section 50-12-70, Subdivision E, Section 50-12-
22 81, Section 50-12-82, Section 50-12-83, Subdivision F, Section 50-12-105, Section 50-12-109,
23 Division 2, Section 50-12-134, Section 50-12-138, Division 3, Subdivision A, Section 50-12-152,

Section 50-12-153, Section 50-13-154, Section 50-12-155, Section 50-12-159, Section 50-12-162, Subdivision B, Section 50-12-181, Subdivision C, Section 50-12-212, Section 50-12-215, Section 50-12-216, Section 50-12-217, Section 50-12-220, Section 50-12-221, Section 50-12-232, Section 50-12-235, Section 50-12-236, Subdivision E, Section 50-12-298, Section 50-12-300, Section 50-12-308, Section 50-12-310, Section 50-12-311, Section 50-12-313, Section 50-12-317, Section 50-12-318, Section 50-12-321, Section 50-12-322, Section 50-12-323, Section 50-12-324, Subdivision F, Section 50-12-334, Section 50-12-336, Section 50-12-340, Section 50-12-342, Section 50-12-353, Section 50-12-358, Section 50-12-359, Section 50-12-360, Section 50-12-361, Division 4, Section 50-12-431; Article XIV, Division 1, Subdivision B, Section 50-14-33, Section 50-14-34, Section 50-14-35, Section 50-14-38, Section 50-14-41, Section 50-14-42, Section 50-14-45, Section 50-14-52, Section 50-14-54, Section 50-14-55, Section 50-14-59, Subdivision D, Section 50-14-111, Subdivision F, Section 50-14-153; Article XVI, Division 2, Subdivision P, Section 50-16-381, Subdivision Q, Section 50-16-401 as follows:

CHAPTER 50. ZONING

ARTICLE III. REVIEW AND APPROVAL PROCEDURES (PART 1)

DIVISION 5. SITE PLAN REVIEW

Subdivision A. In General

Sec. 50-3-113. Applicability.

Applications for proposed developments that meet any one or more of the applicability criteria in this section shall be reviewed through the site plan review process. Developments that do not meet any of the applicability criteria in this section shall be reviewed by the Buildings, Safety Engineering, and Environmental Department through its permitting process, provided, that

1 a site plan review is not required for the construction or alteration of an individual single- or
2 two-family dwelling.

3 (1) New construction that involves any one of the following:

- 4 a. Any new development that has more than 20,000 square feet of gross floor
5 area, except that, on land zoned M1, M2, M3, M4 or M5, the threshold for
6 industrial uses shall be 50,000 square feet of gross floor area;
- 7 b. Projects with multiple principal structures on one zoning lot;
- 8 c. Any multiple-family residential or loft development with more than 12
9 dwelling units;
- 10 d. Site condominium developments;
- 11 e. Projects in a 100-year floodplain;
- 12 f. Any parking structure as defined in Section 50-16-341 of this Code; or
- 13 g. Projects located in the portion of the MKT Market and Distribution District
14 described in Section 50-13-157(a) of this Code.

15 (2) Additions or major structural alterations that involve any of the following:

- 16 a. Any development that has not more than 20,000 square feet of gross floor
17 area where the addition or alteration results in a cumulative total of more
18 than 20,000 square feet of gross floor area, considering existing floor area
19 and proposed additions, except that, on land zoned M1, M2, M3, M4 or M5,
20 the threshold for industrial uses shall be 50,000 square feet of gross floor
21 area;
- 22 b. An increase of 25 percent or more in gross square footage to an existing
23 building that contains more than 20,000 square feet of gross floor area,

except that, on land zoned M1, M2, M3, M4 or M5, the threshold for industrial uses shall be 50,000 square feet of gross floor area;

c. Projects in a 100-year floodplain; or

d. Projects located in the portion of the MKT Market and Distribution District described in Section 50-13-157(a) of this Code.

(3) Any development with a lot area of more than one acre in cumulative total considering existing lot area and any proposed additional lot area, except that, on land zoned M1, M2, M3, M4, or M5, the threshold for industrial uses shall be three acres.

(4) Substantial changes in use within any building that has more than 20,000 square feet of gross floor area or of any use with a lot area of more than one acre, except that, on land zoned M1, M2, M3, M4, or M5, the threshold for industrial uses shall be 50,000 square feet of gross floor area and three acres. For purposes of site plan review, a substantial change in use is one that involves the establishment of a use from one of the major land use classifications that are set out in Article XII of this chapter, which are residential, public/civic/institutional, retail/service/commercial, manufacturing/industrial, and other, where the use immediately preceding the new use was from a different major land use classification.

(5) Any conditional, regulated, or controlled land use and any case before the Board of Zoning Appeals 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, SD1, SD2, or SD5 District, provided that in the SD1, SD2, and SD5 Districts, alterations to an existing structure that do not involve additions

1 or major structural alterations qualify for "expedited review" as provided for in
2 Section 50-3-131(b) of this Code.

3 (8) Projects within the SD4 District that involve the following four utility uses: electric
4 transformer station; gas regulator station; telephone exchange building; water
5 works, reservoir, pumping station, or filtration plant.

6 (9) Projects seeking approval under the Alternative Residential Development Options
7 provisions of Article XIII, Division 3 of this chapter.

8 (10) Urban farms and all other agricultural uses specified as a conditional use in Section
9 50-12-109 of this Code.

10 (11) Any new or newly established motor vehicle salesroom or sales lot for the sale of
11 used vehicles.

12 (12) Development projects which meet the post-construction stormwater management
13 applicability thresholds described ~~at Sec.~~ in Section 48-2-101 of this Code.

14 (13) Any type of medical marijuana facility or adult-use marijuana establishment.

15 (14) Solar generation stations.

16 (15) Projects utilizing tactical preservation in accordance with the administrative
17 procedures authorized by Section 50-4-43 of this Code.

18 **ARTICLE IV. REVIEW AND APPROVAL PROCEDURES (PART 2)**

19 **DIVISION 3. BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY**

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Sec. 50-4-43. Permit required for new use of buildings.

(a) No building or structure, or part thereof, ~~shall~~ may be changed to or occupied by a use of a different kind or class, unless a building permit is first obtained for the new use. Notwithstanding the foregoing general building permit requirement, a building or structure, or part thereof, that was occupied by a Group "D" adult cabaret use as that kind of use was defined on November 1, 2009, may be placed on record by the Buildings, Safety Engineering, and Environmental Department, upon written request of the owner, as a Group "A" cabaret use, a Group "B" cabaret use, or a Group "C" cabaret use without obtaining a building permit for the different use.

(b) The Director of the Buildings, Safety Engineering and Environmental Department is authorized, pursuant to Section 2-111 of the Charter, to promulgate administrative rules to implement a process for the review and approval of new uses in existing buildings through tactical preservation, as defined in Section 50-16-401 of this Code. Any such administrative rules shall set forth the procedures, criteria, minimum standards, submittal requirements, administrative procedures, and other technical information to provide for the permitting of new uses through tactical preservation in accordance with this division.

ARTICLE VIII. RESIDENTIAL ZONING DISTRICTS

DIVISION 2. R1 SINGLE-FAMILY RESIDENTIAL DISTRICT

1 **Sec. 50-8-20. Conditional residential uses.**

2 Conditional residential uses ~~with~~in the R1 Single-Family Residential District are as
3 follows:

- 4 (1) Assisted living facility, subject to Section 50-12-152 of this Code.
5 (2) Boarding school and dormitory, subject to Section 50-12-153 of this Code.
6 (3) Child caring institution, subject to Section 50-12-154 of this Code.
7 (4) Convalescent, nursing, or rest home, subject to Section 50-12-155 of this Code.
8 (5) Loft, subject to Section 50-12-159 of this Code.
9 (6) Multiple-family dwelling, subject to Section 50-12-162 of this Code.
10 (7) Religious residential facilities.
11 ~~(2) — School building adaptive reuses, residential.~~

12 **Sec. 50-8-21. Conditional public, civic, and institutional uses.**

13 Conditional public, civic, and institutional uses ~~with~~in the R1 Single-Family Residential
14 District are as follows:

- 15 (1) Adult day care center, subject to Section 50-12-181 of this Code.
16 (2) Cemeteries, including those containing mausoleums, crematories, or columbaria.
17 (3) Child care center.
18 (4) Educational institution.
19 (5) Governmental service agency, subject to Section 50-12-186.1 of this Code.
20 (6) Group day care home, subject to Section 50-12-185 of this Code.
21 (7) Library, subject to Section 50-12-186.2 of this Code.
22 (8) Museum, subject to Section 50-12-186.3 of this Code.
23 (9) Neighborhood center, non-profit.

1 (10) Outdoor art exhibition grounds; sculpture gardens.

2 (11) Outdoor recreation facility.

3 (12) Religious institution.

4 (13) Residential-area utility facilities, public.

5 ~~(9) School building adaptive reuses public, civic, and institutional.~~

6 (14) School, elementary, middle/junior high, or high.

7 **Sec. 50-8-22. Conditional retail, service, and commercial uses.**

8 Conditional retail, service, and commercial uses within the R1 Single-Family Residential
9 District are as follows:

10 (1) Animal-grooming shop, subject to Section 50-12-212 of this Code.

11 (2) Art gallery, subject to Section 50-12-213.1 of this Code.

12 (3) Bake shop, retail, subject to Section 50-12-215 of this Code.

13 (4) Bank, without drive-up or drive-through facilities, subject to Section 50-12-215.1
14 of this Code.

15 (5) Barber or beauty shop, subject to Section 50-12-215.2 of this Code.

16 (6) Bed and breakfast inn, subject to Section 50-12-216 of this Code.

17 (7) Body art facility, subject to Section 50-12-216.1 of this Code.

18 (8) Brewpub or microbrewery or small distillery or small winery, subject to Section
19 50-12-217 of this Code.

20 (9) Business college or commercial trade school, subject to Section 50-12-217.1 of
21 this Code.

22 (10) Dry cleaning, laundry, or laundromat, subject to Section 50-12-220 of this Code.

- 1 (11) Establishment for the sale of beer or alcoholic liquor for consumption on the
2 premises, subject to Section 50-12-221 of this Code.
- 3 (12) Medical or dental clinic, physical therapy clinic, or massage facility, subject to
4 Section 50-12-232 of this Code.
- 5 (13) Nail salon, subject to Section 50-12-235 of this Code.
- 6 (14) Office, business or professional, subject to Section 50-12-298 of this Code.
- 7 (15) Parking lots or parking areas for operable private passenger vehicles.
- 8 (16) Printing or engraving shops, subject to Section 50-12-323 of this Code.
- 9 (17) Radio or television station, subject to Section 50-12-306.1 of this Code.
- 10 (18) Recording studio or photo studio or video studio, no assembly hall, subject to
11 Section 50-12-307.1 of this Code.
- 12 (19) Recreation, indoor commercial and health club, subject to Section 50-12-308 of
13 this Code.
- 14 (20) Restaurant, fast-food, without drive-up or drive-through facilities, subject to
15 Section 50-12-310 of this Code.
- 16 (21) Restaurant, standard, without drive-up or drive-through facilities, subject to
17 Section 50-12-311 of this Code.
- 18 ~~(2) School building adaptive reuses retail, service, and commercial.~~
- 19 (22) School or studio of dance, gymnastics, music, art, or cooking, subject to Section
20 50-12-313 of this Code.
- 21 (23) Shoe repair shop, subject to Section 50-12-313.1 of this Code.

1 (24) Stores of a generally recognized retail nature whose primary business is the sale
2 of new merchandise with or without drive-up or drive-through facilities, subject
3 to Section 50-12-324 of this Code.

4 (25) Theater and concert café, excluding drive-in theaters, subject to Section
5 50-12-317 of this Code.

6 (26) Veterinary clinic for small animals, subject to Section 50-12-321 of this Code.

7 (27) Youth hostel/hostel, subject to Section 50-12-322 of this Code.

8 **Sec. 50-8-23. Conditional manufacturing and industrial uses.**

9 Conditional manufacturing and industrial uses ~~within~~ the R1 Single-Family Residential
10 District are as follows: ~~None.~~

11 (1) Confection manufacture, subject to Section 50-12-334 of this Code.

12 (2) Food catering establishment, subject to Section 50-12-336 of this Code.

13 (3) Jewelry manufacture, subject to Section 50-12-340 of this Code.

14 (4) Lithographing and sign shops, subject to Section 50-12-342 of this Code.

15 (5) Low-impact manufacturing or processing, subject to Section 50-12-359 of this
16 Code.

17 (6) Low/medium-impact manufacturing or processing, subject to Section 50-12-361
18 of this Code.

19 (7) Trade services, general, subject to Section 50-12-353 of this Code.

20 (8) Wearing apparel manufacturing, subject to Section 50-12-360 of this Code.

21 (9) Wholesaling, warehousing, storage buildings, or public storage facilities, subject
22 to Section 50-12-358 of this Code.

Sec. 50-8-24. Conditional other uses.

Other conditional uses ~~within~~ the R1 Single-Family Residential District are as follows:

- (1) Animal husbandry and beekeeping.
- (2) Antennas ~~as provided for in~~, subject to Article XII, Division 3, Subdivision G, of this chapter.
- (3) Aquaculture, subject to Article XII, Division 3, Subdivision H of this chapter.
- (4) Aquaponics, subject to Article XII, Division 3, Subdivision H of this chapter.
- (5) Greenhouses ~~as provided for in~~, subject to Article XII, Division 3, Subdivision H, of this chapter.
- (6) Hoophouses ~~as provided for in~~, subject to Article XII, Division 3, Subdivision H, of this chapter.
- (7) Hydroponics, subject to Article XII, Division 3, Subdivision H of this chapter.
- (8) Railroad rights-of-way, not including storage tracks, yards, or buildings.
- (9) Urban farms ~~as provided for in~~, subject to Article XII, Division 3, Subdivision H, of this chapter.
- (10) Telecommunications building, private, subject to Section 50-12-414 of this Code.

DIVISION 3. R2 TWO-FAMILY RESIDENTIAL DISTRICT

Sec. 50-8-50. Conditional residential uses.

Conditional residential uses ~~within~~ the R2 Two-Family Residential District are as follows:

- (1) Assisted living facility, subject to Section 50-12-152 of this Code.
- (2) Boarding school and dormitory, subject to Section 50-12-153 of this Code.
- (3) Child caring institution, subject to Section 50-12-154 of this Code.

1 (4) Convalescent, nursing, or rest home, subject to Section 50-12-155 of this Code.

2 (5) Loft, subject to Section 50-12-159 of this Code.

3 (6) Multiple-family dwelling, which has not more than eight dwelling units.

4 (7) Townhouses with a maximum of eight in any group of attached townhouses.

5 (8) Religious residential facilities.

6 ~~(4) — School building adaptive reuses, residential.~~

7 **Sec. 50-8-51. Conditional public, civic, and institutional uses.**

8 Conditional public, civic, and institutional uses ~~with~~in the R2 Two-Family Residential
9 District are as follows:

10 (1) Adult day care center, subject to Section 50-12-181 of this Code.

11 (2) Cemeteries, including those containing mausoleums, crematories, or columbaria.

12 (3) Child care center.

13 (4) Educational institution.

14 (5) Governmental service agency, subject to Section 50-12-186.1 of this Code.

15 (6) Group day care home, subject to Section 50-12-185 of this Code.

16 (7) Library, subject to Section 50-12-186.2 of this Code.

17 (8) Museum, subject to Section 50-12-186.3 of this Code.

18 (9) Neighborhood center, non-profit.

19 (10) Outdoor art exhibition grounds; sculpture gardens.

20 (11) Outdoor recreation facility.

21 (12) Religious institution.

22 (13) Residential-area utility facilities, public.

23 ~~(10) — School building adaptive reuses — public, civic, and institutional.~~

1 (14) School, elementary, middle/junior high, or high.

2 **Sec. 50-8-52. Conditional retail, service, and commercial uses.**

3 Conditional retail, service, and commercial uses ~~with~~ within the R2 Two-Family Residential
4 District are as follows:

5 (1) Animal-grooming shop, subject to Section 50-12-212 of this Code.

6 (2) Art gallery, subject to Section 50-12-213.1 of this Code.

7 (3) Bake shop, retail, subject to Section 50-12-215 of this Code.

8 (4) Bank, without drive-up or drive-through facilities, subject to Section 50-12-215.1
9 of this Code.

10 (5) Barber or beauty shop, subject to Section 50-12-215.2 of this Code.

11 (6) Bed and breakfast inn, subject to Section 50-12-216 of this Code.

12 (7) Body art facility, subject to Section 50-12-216.1 of this Code.

13 (8) Brewpub or microbrewery or small distillery or small winery, subject to Section
14 50-12-217 of this Code.

15 (9) Business college or commercial trade school, subject to Section 50-12-217.1 of
16 this Code.

17 (10) Dry cleaning, laundry, or laundromat, subject to Section 50-12-220 of this Code.

18 (11) Establishment for the sale of beer or alcoholic liquor for consumption on the
19 premises, subject to Section 50-12-221 of this Code.

20 (12) Medical or dental clinic, physical therapy clinic, or massage facility, subject to
21 Section 50-12-232 of this Code.

22 (13) Nail salon, subject to Section 50-12-235 of this Code.

23 (14) Office, business or professional, subject to Section 50-12-298 of this Code.

- 1 (15) Parking lots or parking areas for operable private passenger vehicles.
- 2 (16) Printing or engraving shops, subject to Section 50-12-323 of this Code.
- 3 (17) Radio or television station, subject to Section 50-12-306.1 of this Code.
- 4 (18) Recording studio or photo studio or video studio, no assembly hall, subject to
5 Section 50-12-307.1 of this Code.
- 6 (19) Recreation, indoor commercial and health club, subject to Section 50-12-308 of
7 this Code.
- 8 (20) Restaurant, fast-food, without drive-up or drive-through facilities, subject to
9 Section 50-12-310 of this Code.
- 10 (21) Restaurant, standard, without drive-up or drive-through facilities, subject to
11 Section 50-12-311 of this Code.
- 12 ~~(2) School building adaptive reuses — retail, service, and commercial.~~
- 13 (22) School or studio of dance, gymnastics, music, art, or cooking, subject to Section
14 50-12-313 of this Code.
- 15 (23) Shoe repair shop, subject to Section 50-12-313.1 of this Code.
- 16 (24) Stores of a generally recognized retail nature whose primary business is the sale
17 of new merchandise with or without drive-up or drive-through facilities, subject
18 to Section 50-12-324 of this Code.
- 19 (25) Theater and concert café, excluding drive-in theaters, subject to Section
20 50-12-317 of this Code.
- 21 (26) Veterinary clinic for small animals, subject to Section 50-12-321 of this Code.
- 22 (27) Youth hostel/hostel, subject to Section 50-12-322 of this Code.

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

2 Conditional manufacturing and industrial uses ~~within~~ the R2 Two-Family Residential
3 District are as follows: ~~None.~~

4 (1) Confection manufacture, subject to Section 50-12-334 of this Code.

5 (2) Food catering establishment, subject to Section 50-12-336 of this Code.

6 (3) Jewelry manufacture, subject to Section 50-12-340 of this Code.

7 (4) Lithographing and sign shops, subject to Section 50-12-342 of this Code.

8 (5) Low-impact manufacturing or processing, subject to Section 50-12-359 of this
9 Code.

10 (6) Low/medium-impact manufacturing or processing, subject to Section 50-12-361
11 of this Code.

12 (7) Trade services, general, subject to Section 50-12-353 of this Code.

13 (8) Wearing apparel manufacturing, subject to Section 50-12-360 of this Code.

14 (9) Wholesaling, warehousing, storage buildings, or public storage facilities, subject
15 to Section 50-12-358 of this Code.

16 **Sec. 50-8-54. Conditional other uses.**

17 Other Conditional uses ~~with~~in the R2 Two-Family Residential District are as follows:

18 (1) Animal husbandry and beekeeping.

19 (2) Antennas ~~as provided for in~~ , subject to Article XII, Division 3, Subdivision G, of
20 this chapter.

21 (3) Aquaculture, subject to Article XII, Division 3, Subdivision H of this chapter.

22 (4) Aquaponics, subject to Article XII, Division 3, Subdivision H of this chapter.

(5) Greenhouses ~~as provided for in~~, subject to Article XII, Division 3, Subdivision H,
of this chapter.

(6) Hoophouses ~~as provided for in~~, subject to Article XII, Division 3, Subdivision H,
of this chapter.

(7) Hydroponics, subject to Article XII, Division 3, Subdivision H of this chapter.

(8) Railroad rights-of-way, not including storage tracks, yards, or buildings.

(9) Telecommunications building, private, subject to Section 50-12-414 of this Code.

(10) Urban farms ~~as provided for in~~, subject to Article XII, Division 3, Subdivision H,
of this chapter.

DIVISION 4. R3 LOW DENSITY RESIDENTIAL DISTRICT

Sec. 50-8-80. Conditional residential uses.

Conditional residential uses ~~within~~ the R3 Low Density Residential District are as
follows:

(1) Adult foster care facility.

(2) Assisted living facility, subject to Section 50-12-152 of this Code.

(3) Convalescent, nursing, or rest home, subject to Section 50-12-155 of this Code.

(4) Fraternity or sorority house.

(5) Home for the aged.

(6) Pre-release adjustment center.

(7) Residential substance abuse service facility.

(8) Multiple-family dwellings where 50 percent or more of the units are efficiency
units.

~~(7) School building adaptive reuses, residential.~~

1 **Sec. 50-8-81. Conditional public, civic, and institutional uses.**

2 Conditional public, civic, and institutional uses ~~within~~ the R3 Low Density Residential
3 District are as follows:

4 (1) Cemeteries, including those containing mausoleums, crematories, or columbaria.

5 (2) Educational institution.

6 (3) Fire or police station and similar public building.

7 (4) Governmental service agency, subject to Section 50-12-186.1 of this Code.

8 (5) Group day care home, subject to Section 50-12-185 of this Code.

9 (6) Residential-area utility facilities, public.

10 ~~(6) School building adaptive reuses public, civic, and institutional.~~

11 **Sec. 50-8-82. Conditional retail, service, and commercial uses.**

12 Conditional ~~residential~~ retail, service, and commercial uses ~~within~~ the R3 Low Density
13 Residential District are as follows:

14 (1) Animal-grooming shop, subject to Section 50-12-212 of this Code.

15 (2) Art gallery, subject to Section 50-12-213.1 of this Code.

16 (3) Bake shop, retail, subject to Section 50-12-215 of this Code.

17 (4) Bank, without drive-up or drive-through facilities, subject to Section 50-12-215.1

18 of this Code.

19 (5) Barber or beauty shop, subject to Section 50-12-215.2 of this Code.

20 (6) Bed and breakfast inn.

21 (7) Body art facility, subject to Section 50-12-216.1 of this Code.

22 (8) Brewpub or microbrewery or small distillery or small winery, subject to Section

23 50-12-217 of this Code.

1 (9) Business college or commercial trade school, subject to Section 50-12-217.1 of
2 this Code.

3 (10) Dry cleaning, laundry, or laundromat, subject to Section 50-12-220 of this Code.

4 (11) Establishment for the sale of beer or alcoholic liquor for consumption on the
5 premises, subject to Section 50-12-221 of this Code.

6 (12) Medical or dental clinic, physical therapy clinic, or massage facility, subject to
7 Section 50-12-232 of this Code.

8 (13) Nail salon, subject to Section 50-12-235 of this Code.

9 (14) Office, business or professional, subject to Section 50-12-298 of this Code.

10 (15) Parking lots or parking areas for operable private passenger vehicles.

11 (16) Printing or engraving shops, subject to Section 50-12-323 of this Code.

12 (17) Radio or television station, subject to Section 50-12-298 of this Code.

13 (18) Recording studio or photo studio or video studio, no assembly hall, subject to
14 Section 50-12-307.1 of this Code.

15 (19) Recreation, indoor commercial and health club, subject to Section 50-12-308 of
16 this Code.

17 (20) Restaurant, fast-food, without drive-up or drive-through facilities, subject to
18 Section 50-12-310 of this Code.

19 (21) Restaurant, standard, without drive-up or drive-through facilities, subject to
20 Section 50-12-311 of this Code.

21 ~~(3) School building adaptive reuses retail, service, and commercial.~~

22 (22) School or studio of dance, gymnastics, music, art, or cooking, subject to Section
23 50-12-313 of this Code.

1 (23) Shoe repair shop, subject to Section 50-12-313.1 of this Code.

2 (24) Stores of a generally recognized retail nature whose primary business is the sale
3 of new merchandise with or without drive-up or drive-through facilities, subject
4 to Section 50-12-324 of this Code.

5 (25) Theater and concert café, excluding drive-in theaters, subject to Section
6 50-12-317 of this Code.

7 (26) Veterinary clinic for small animals, subject to Section 50-12-321 of this Code.

8 (27) Youth hostel/hostel.

9 **Sec. 50-8-83. Conditional manufacturing and industrial uses.**

10 Conditional manufacturing and industrial uses ~~within~~ the R3 Low Density Residential
11 District are as follows: ~~None.~~

12 (1) Confection manufacture, subject to Section 50-12-334 of this Code.

13 (2) Food catering establishment, subject to Section 50-12-336 of this Code.

14 (3) Jewelry manufacture, subject to Section 50-12-340 of this Code.

15 (4) Lithographing and sign shops, subject to Section 50-12-342 of this Code.

16 (5) Low-impact manufacturing or processing, subject to Section 50-12-359 of this
17 Code.

18 (6) Low/medium-impact manufacturing or processing, subject to Section 50-12-361
19 of this Code.

20 (7) Trade services, general, subject to Section 50-12-353 of this Code.

21 (8) Wearing apparel manufacturing, subject to Section 50-12-360 of this Code.

22 (9) Wholesaling, warehousing, storage buildings, or public storage facilities, subject
23 to Section 50-12-358 of this Code.

Sec. 50-8-84. Conditional other uses.

Other conditional uses within the R3 Low Density Residential District are as follows:

- (1) Animal husbandry and beekeeping.
- (2) Antennas ~~as provided for in~~ , subject to Article XII, Division 3, Subdivision G, of this chapter.
- (3) Aquaculture, subject to Article XII, Division 3, Subdivision H of this chapter.
- (4) Aquaponics, subject to Article XII, Division 3, Subdivision H of this chapter.
- (5) Greenhouses ~~as provided for in~~ , subject to Article XII, Division 3, Subdivision H, of this chapter.
- (6) Hoophouses ~~as provided for in~~ , subject to Article XII, Division 3, Subdivision H, of this chapter.
- (7) Hydroponics, subject to Article XII, Division 3, Subdivision H of this chapter.
- (8) Telecommunications building, private, subject to Section 50-12-414 of this Code.
- (9) Urban farms ~~as provided for in~~ , subject to Article XII, Division 3, Subdivision H, of this chapter.

DIVISION 5. R4 THOROUGHFARE RESIDENTIAL DISTRICT

Sec. 50-8-111. Conditional public, civic, and institutional uses.

Conditional public, civic, and institutional uses within the R4 Thoroughfare Residential District are as follows:

- (1) Educational institution.
- (2) Fire or police station and similar public building.
- (3) Governmental service agency, subject to Section 50-12-186.1 of this Code.
- (4) Group day care home, subject to Section 50-12-185 of this Code.

(5) Hospital or hospice.

(6) Residential-area utility facilities, public.

~~(6) School building adaptive reuses — public, civic, and institutional.~~

Sec. 50-8-112. Conditional retail, service, and commercial uses.

Conditional retail, service, and commercial uses within the R4 Thoroughfare Residential District are as follows:

(1) Animal-grooming shop, subject to Section 50-12-212 of this Code.

(2) Art gallery, subject to Section 50-12-213.1 of this Code.

(3) Bake shop, retail, subject to Section 50-12-215 of this Code.

(4) Bank, without drive-up or drive-through facilities, subject to Section 50-12-215.1 of this Code.

(5) Barber or beauty shop, subject to Section 50-12-215.2 of this Code.

(6) Bed and breakfast inn.

(7) Body art facility, subject to Section 50-12-216.1 of this Code.

(8) Brewpub or microbrewery or small distillery or small winery, subject to Section 50-12-217 of this Code.

(9) Business college or commercial trade school, subject to Section 50-12-217.1 of this Code.

(10) Dry cleaning, laundry, or laundromat, subject to Section 50-12-220 of this Code.

(11) Establishment for the sale of beer or alcoholic liquor for consumption on the premises, subject to Section 50-12-221 of this Code.

(12) Hotel.

(13) Medical or dental clinic, physical therapy clinic, or massage facility.

- 1 (14) Motel.
- 2 (15) Nail salon, subject to Section 50-12-235 of this Code.
- 3 (16) Office, business or professional, subject to Section 50-12-298 of this Code.
- 4 (17) Printing or engraving shops, subject to Section 50-12-323 of this Code.
- 5 (18) Private club, lodge, or similar use, non-profit.
- 6 (19) Radio or television station, subject to Section 50-12-306.1 of this Code.
- 7 (20) Recording studio or photo studio or video studio, no assembly hall, subject to
8 Section 50-12-307.1 of this Code.
- 9 (21) Recreation, indoor commercial and health club, subject to Section 50-12-308 of
10 this Code.
- 11 (22) Restaurant, fast-food, without drive-up or drive-through facilities, subject to
12 Section 50-12-310 of this Code.
- 13 (23) Restaurant, standard, without drive-up or drive-through facilities, subject to
14 Section 50-12-311 of this Code.
- 15 ~~(6) School building adaptive reuses retail, service, and commercial.~~
- 16 (24) School or studio of dance, gymnastics, music, art, or cooking, subject to Section
17 50-12-313 of this Code.
- 18 (25) Shoe repair shop, subject to Section 50-12-313.1 of this Code.
- 19 (26) Stores of a generally recognized retail nature whose primary business is the sale
20 of new merchandise with or without drive-up or drive-through facilities, subject
21 to Section 50-12-324 of this Code.
- 22 (27) Theater and concert café, excluding drive-in theaters, subject to Section
23 50-12-317 of this Code.

1 (28) Veterinary clinic for small animals, subject to Section 50-12-321 of this Code.

2 (29) Youth hostel/hostel.

3 **Sec. 50-8-113. Conditional manufacturing and industrial uses.**

4 Conditional manufacturing and industrial uses ~~within~~ the R4 Thoroughfare Residential
5 District are as follows: ~~None.~~

6 (1) Confection manufacture, subject to Section 50-12-334 of this Code.

7 (2) Food catering establishment, subject to Section 50-12-336 of this Code.

8 (3) Jewelry manufacture, subject to Section 50-12-340 of this Code.

9 (4) Lithographing and sign shops, subject to Section 50-12-342 of this Code.

10 (5) Low-impact manufacturing or processing, subject to Section 50-12-359 of this
11 Code.

12 (6) Low/medium-impact manufacturing or processing, subject to Section 50-12-361
13 of this Code.

14 (7) Trade services, general, subject to Section 50-12-353 of this Code.

15 (8) Wearing apparel manufacturing, subject to Section 50-12-360 of this Code.

16 (9) Wholesaling, warehousing, storage buildings, or public storage facilities, subject
17 to Section 50-12-358 of this Code.

18 **Sec. 50-8-114. Conditional other uses.**

19 Other conditional uses ~~within~~ the R4 Thoroughfare Residential District are as follows:

20 (1) Animal husbandry and beekeeping.

21 (2) Antennas ~~as provided for in~~ , subject to Article XII, Division 3, Subdivision G₇ of
22 this chapter.

23 (3) Aquaculture, subject to Article XII, Division 3, Subdivision H of this chapter.

(4) Aquaponics, subject to Article XII, Division 3, Subdivision H of this chapter.

(5) Hydroponics, subject to Article XII, Division 3, Subdivision H of this chapter.

(6) Telecommunications building, private, subject to Section 50-12-414 of this Code.

DIVISION 6. R5 MEDIUM DENSITY RESIDENTIAL DISTRICT

Sec. 50-8-141. Conditional public, civic, and institutional uses.

Conditional public, civic, and institutional uses in the R5 Medium Density Residential District are as follows:

(1) Electric transformer station.

(2) Fire or police station and similar public building.

(3) Gas regulator station.

(4) Governmental service agency, subject to Section 50-12-186.1 of this Code.

(5) Group day care home, subject to Section 50-12-185 of this Code.

~~(5) School building adaptive reuses public, civic, and institutional.~~

(6) Telephone exchange building.

(7) Water works, reservoir, pumping station, or filtration plant.

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

Conditional retail, service, and commercial uses in the R5 Medium Density Residential District are as follows:

(1) Bed and breakfast inn.

(2) Hotel.

(3) Motel.

(4) Parking structure.

(5) Private club, lodge, or similar use, non-profit.

1 (6) Radio or television station, subject to Section 50-12-306.1 of this Code.

2 (7) Retail sales and personal service in multiple-residential structures as provided for
3 in, subject to Section 50-12-312 of this Code.

4 ~~(7) School building adaptive reuses retail, service, and commercial.~~

5 (8) Theater and concert café, excluding drive-in theaters, subject to Section
6 50-12-317 of this Code.

7 (9) Youth hostel/hostel.

8 (10) All of those uses specified in Section 50-11-236 of this Code where located on a
9 zoning lot within one-half mile of a high-frequency transit corridor.

10 (11) The following uses, occupying not more than 3,000 square feet of gross floor area
11 and not having drive-up or drive-through facilities, where located in a building
12 constructed prior to January 1, 2017, and located on a zoning lot not farther than
13 one-half mile from a high-frequency transit corridor, are strictly limited to:

14 a. Animal-grooming shop.

15 b. Art gallery.

16 c. Automated teller machine not accessory to another use on the same zoning
17 lot.

18 d. Bank.

19 e. Bake shop, retail.

20 f. Body art facility.

21 g. Business college or commercial trade school, other than truck driving
22 school.

23 h. Office, business or professional.

- i. Personal service establishments, as defined in Section 50-16-341 of this Code.
- j. Printing or engraving shops.
- k. Radio, television, or household appliance repair shop.
- l. Restaurants, carry-out, restaurants, fast-food, and restaurants, standard, as defined in Section 50-16-362 of this Code, without beer or alcoholic liquor for consumption on the premises.
- m. School or studio of dance, gymnastics, music, art, or cooking.
- n. Veterinary clinic for small animals.

Sec. 50-8-143. Conditional manufacturing and industrial uses.

Conditional manufacturing and industrial uses in the R5 Medium Density Residential District are as follows: ~~None.~~

- (1) Confection manufacture, subject to Section 50-12-334 of this Code.
- (2) Food catering establishment, subject to Section 50-12-336 of this Code.
- (3) Jewelry manufacture, subject to Section 50-12-340 of this Code.
- (4) Lithographing and sign shops, subject to Section 50-12-342 of this Code.
- (5) Low-impact manufacturing or processing, subject to Section 50-12-359 of this Code.
- (6) Low/medium-impact manufacturing or processing, subject to Section 50-12-361 of this Code.
- (7) Trade services, general, subject to Section 50-12-353 of this Code.
- (8) Wearing apparel manufacturing, subject to Section 50-12-360 of this Code.

(9) Wholesaling, warehousing, storage buildings, or public storage facilities, subject to Section 50-12-358 of this Code.

Sec. 50-8-144. Conditional other uses.

Other conditional uses in the R5 Medium Density Residential District are as follows:

(1) Animal husbandry and beekeeping.

(2) ~~Antennas as provided for in~~ Antennas as provided for in, subject to Article XII, Division 3, Subdivision G, of this chapter.

(3) Aquaculture, subject to Article XII, Division 3, Subdivision H of this chapter.

(4) Aquaponics, subject to Article XII, Division 3, Subdivision H of this chapter.

(5) Hydroponics, subject to Article XII, Division 3, Subdivision H of this chapter.

(6) Marinas.

(7) Telecommunications building, private, subject to Section 50-12-414 of this Code.

DIVISION 7. R6 HIGH DENSITY RESIDENTIAL DISTRICT

Sec. 50-8-171. Conditional public, civic, and institutional uses.

Conditional public, civic, and institutional uses ~~within~~ the R6 High Density Residential District are as follows:

(1) Electric transformer station.

(2) Fire or police station and similar public building.

(3) Gas regulator station.

(4) Governmental service agency, subject to Section 50-12-186.1 of this Code.

(5) Group day care home, subject to Section 50-12-185 of this Code.

~~(5) School building adaptive reuses public, civic, and institutional.~~

(6) Telephone exchange building.

(7) Water works, reservoir, pumping station, or filtration plant.

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

Conditional retail, service, and commercial uses ~~within~~ the R6 High Density Residential District are as follows:

(1) Bed and breakfast inn.

(2) Brewpub or microbrewery or small distillery or small winery, subject to Section 50-12-217 of this Code.

(3) Establishment for the sale of beer or alcoholic liquor for consumption on the premises, subject to Section 50-12-220 of this Code.

(4) Hotel.

(5) Motel.

(6) Parking structure.

(7) Private club, lodge, or similar use, non-profit.

(8) Radio or television station, subject to Section 50-12-306.1 of this Code.

(9) Recording studio or photo studio or video studio, no assembly hall, subject to Section 50-12-307.1 of this Code.

(10) Recreation, indoor commercial and health club, subject to Section 50-12-308 of this Code.

~~(6) School building adaptive reuses retail, service, and commercial.~~

(11) Stores of a generally recognized retail nature whose primary business is the sale of new merchandise with or without drive-up or drive-through facilities, subject to Section 50-12-324 of this Code.

1 (12) Theater and concert café, excluding drive-in theaters, subject to Section 50-12-
2 317 of this Code.

3 (13) Youth hostel/hostel.

4 (14) The following uses, occupying not more than 3,000 square feet of gross floor area,
5 where located in a building constructed prior to January 1, 2017, and not having
6 drive-up or drive-through facilities, strictly limited to:

7 a. Animal-grooming shop.

8 b. Art gallery.

9 c. Automated teller machine not accessory to another use on the same zoning
10 lot.

11 d. Bank.

12 e. Bake shop, retail.

13 f. Business college or commercial trade school, other than truck driving
14 school.

15 g. Office, business or professional.

16 h. Personal service establishments, as defined in Section 50-16-341 of this
17 Code.

18 i. Printing or engraving shops.

19 j. Radio, television, or household appliance repair shop.

20 k. Restaurants of any type, as each is defined in Section 50-16-362 of this
21 Code, without beer or alcoholic liquor for consumption on the premises.

22 l. School or studio of dance, gymnastics, music, art, or cooking.

23 m. Tattoo and/or piercing parlor.

n. Veterinary clinic for small animals.

Sec. 50-8-173. Conditional manufacturing and industrial uses.

Conditional manufacturing and industrial uses ~~with~~ within the R6 High Density Residential District are as follows: ~~None.~~

(1) Confection manufacture, subject to Section 50-12-334 of this Code.

(2) Food catering establishment, subject to Section 50-12-336 of this Code.

(3) Jewelry manufacture, subject to Section 50-12-340 of this Code.

(4) Lithographing and sign shops, subject to Section 50-12-342 of this Code.

(5) Low-impact manufacturing or processing, subject to Section 50-12-359 of this Code.

(6) Low/medium-impact manufacturing or processing, subject to Section 50-12-361 of this Code.

(7) Trade services, general, subject to Section 50-12-353 of this Code.

(8) Wearing apparel manufacturing, subject to Section 50-12-360 of this Code.

(9) Wholesaling, warehousing, storage buildings, or public storage facilities, subject to Section 50-12-358 of this Code.

Sec. 50-8-174. Conditional other uses.

Other conditional uses ~~with~~ within the R6 High Density Residential District are as follows:

(1) Animal husbandry and beekeeping.

(2) Antennas as provided for in , subject to Article XII, Division 3, Subdivision G, of this chapter.

(3) Aquaculture, subject to Article XII, Division 3, Subdivision H of this chapter.

(4) Aquaponics, subject to Article XII, Division 3, Subdivision H of this chapter.

1 (5) Hydroponics, subject to Article XII, Division 3, Subdivision H of this chapter.

2 (6) Marinas.

3 (7) Telecommunications building, private, subject to Section 50-12-414 of this Code.

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

5 **DIVISION 9. MKT MARKET AND DISTRIBUTION DISTRICT**

6 **Sec. 50-11-206. By-right retail, service, and commercial uses.**

7 By-right retail, service, and commercial uses within the MKT Market and Distribution
8 District are as follows:

9 (1) Animal-grooming shop, subject to Section 50-12-212 of this Code.

10 (2) Arcade.

11 (3) Art gallery.

12 (4) Automated teller machine, without drive-up or drive-through facilities, if not
13 accessory to another use on the same zoning lot.

14 (5) Bake shop, retail.

15 (6) Bank, without drive-up or drive-through facilities.

16 (7) Banquet facility.

17 (8) Barber or beauty shop, subject to Section 50-12-215.2 of this Code.

18 (9) Bed and breakfast inn.

19 (10) Body art facility.

20 (11) Brewpub or microbrewery or small distillery or small winery.

21 (12) Commissary.

22 (13) Dance hall, public.

23 (14) Dry cleaning, laundry, or laundromat.

- 1 (15) Establishment for the sale of beer or alcoholic liquor for consumption on the
2 premises.
- 3 (16) Nail salon, subject to Section 50-12-235 of this Code.
- 4 (17) Office, business or professional, subject to Section 50-12-298 of this Code.
- 5 (18) Printing or engraving shops.
- 6 (19) Produce or food markets, wholesale.
- 7 (20) Radio or television station.
- 8 (21) Recording studio or photo studio or video studio, no assembly hall.
- 9 (22) Restaurant, carry-out without drive-up or drive-through facilities.
- 10 (23) Restaurant fast-food without drive-up or drive-through facilities.
- 11 (24) Restaurant, standard without drive-up or drive-through facilities.
- 12 (25) Retail sales and personal service in business and professional offices, subject to
13 Section 50-12-298 of this Code.
- 14 (26) School or studio of dance, gymnastics, music, art, or cooking.
- 15 (27) Shoe repair shop.
- 16 (28) Smoking lounge, cigar.
- 17 (29) Storage or killing of poultry or small game for direct, retail sale on the premises
18 or for wholesale trade, subject to Section 50-12-315 of this Code.
- 19 (30) Stores of a generally recognized retail nature whose primary business is the sale
20 of new merchandise without drive-up or drive-through facilities, subject to
21 Section 50-12-324 of this Code.
- 22 (31) Used goods dealer.

Sec. 50-11-212. Conditional retail, service, and commercial uses.

Conditional retail, service, and commercial uses within the MKT Market and Distribution District are as follows:

- (1) Barber or beauty shop, subject to Section 50-12-215.2 of this Code.
- (2) Business college or commercial trade school, subject to Section 50-12-217.1 of this Code.
- (3) Cabaret.
- (4) Customer service center, without drive-up or drive-through facilities.
- (5) Hotel.
- (6) Medical or dental clinic, physical therapy clinic, or massage facility.
- (7) Office, business or professional, subject to Section 50-12-298 of this Code.
- (8) Parking structures, subject to Section 50-12-301 of this Code.
- (9) Private club, lodge, or similar use.
- (10) Recreation, indoor commercial and health club.
- (11) Specially designated distributor's (SDD) or specially designated merchant's (SDM) establishment.
- (12) Storage or killing of poultry or small game for direct, retail sale on the premises or for wholesale trade, subject to Section 50-12-315 of this Code.
- (13) Veterinary clinic for small animals.
- (14) Youth hostel/hostel.

DIVISION 11. SD2—SPECIAL DEVELOPMENT DISTRICT, MIXED-USE

Sec. 50-11-272. Conditional retail, service, and commercial uses.

Conditional retail, service, and commercial uses within the SD2 Special Development

District are as follows:

- (1) Arcade.
- (2) Body art facility.
- (3) Business college or commercial trade school.
- (4) Cabaret.
- (5) Customer service center without drive-up or drive-through facilities.
- (6) Dance hall, public.
- (7) Hotel.
- (8) Kennel, commercial.
- (9) Light duty vehicle service establishment.
- (10) Motel.
- (11) Motor vehicle filling station.
- (12) Parking lots or parking areas, commercial.
- (13) Parking lots or parking areas, accessory for operable private passenger vehicles, farther than the maximum distance specified in Article XIV, Division 1, of this chapter.
- (14) Parking structure having at least 60 percent of the ground floor devoted to commercial space or other space oriented to pedestrian traffic.
- (15) Pool hall.
- (16) Precious metal and gem dealer.
- (17) Printing or engraving shops exceeding 5,000 square feet of gross floor area with a minimum of 10 percent of the gross floor area being used as a retail store for the sale of the goods produced.

(18) Private club, lodge, or similar use.

(19) Radio, television, or household appliance repair shop.

~~(20) School building adaptive reuses retail, service, and commercial.~~

(20) Smoking lounge, other.

(21) Specially designated distributor's (SDD) or specially designated merchant's (SDM) establishment.

(22) Theater, excluding concert café and drive-in theaters, exceeding 150 fixed seats.

(23) Tobacco retail store.

(24) Used goods dealer.

(25) Youth hostel/hostel.

ARTICLE XII. USE REGULATIONS

DIVISION 1. USE TABLES

Subdivision B. Residential Uses

1 **Sec. 50-12-21. Group living.**

2 Regulations regarding group living uses are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)		
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2		S D 4	S D 5
Group living	Adult foster care facility			C	C	C	C	R	R										L									C			SPC; Section 50-12-151
	Assisted living facility	C	C	C	C	R	R	R	R		R	R							L								C	R			Section 50-12-152
	Convalescent, nursing, or rest home	C	C	C	R	R	R	R	R		R	R							L								C	C			Section 50-12-155
	Emergency shelter				C	C	C				C	C							L												SPC; GRT Section 50-12-156
	Fraternity or sorority house			C	R	R	R	C	C		C								L								C	C			
	Home for the aged			C	C	C	C	R	R										L												SPC; Section 50-12-158
	Religious residential facility	C	C	R	R	R	R	R	R		R	R	R						L			C					R	R			
	Residential substance abuse service facility			C	C	C		C	C	C	C	C							L								C	C			
	Rooming house				R	R	R	C	C		C	C							L								C	C			Section 50-12-164
	Shelter for survivors of domestic violence		R	R	R	R	R	R	R		R	R							L								R				Section 50-12-165
	All other				C	C	C	C	C		C	C							L								C				

3

4 **Sec. 50-12-22. Household living.**

5 Regulations regarding household living uses are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)				
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2	S D 4	S D 5			
Household living	Loft	C	C	R	R	R	R	C	C/R	C/R	C/R	R	C	C	C	C	C		L			R				R	R	R	R		Sections 50-12-157, 50-12-159		
	Mobile home park					C													L												Section 50-12-160		
	Multiple-family dwelling	C	C	C/R	R	R	R	C	C		C	R/C							L			R/C				R	C/R	R		Sections 50-12-157, 50-12-161, 50-12-162			
	Residential use combined in structures with permitted commercial uses					R	R	C	C/R	C/R	C/R	C	C	C	C	C	C		L			R					R	R	R		Section 50-12-159		
	Residential use combined in structures with permitted commercial or industrial uses																								C						Section 50-12-159		
	Single-family detached dwelling	R	R	R	R	R	C	C	C		C								L								C				Sections 50-12-157, 50-12-159		
	Single-room-occupancy (SRO) housing, non-profit				C	C	C	C	C		C	C							L								C	C			SPC; Section 50-12-166		
	Townhouse		C	R	R	R	R	C	C		C	C							L								C	C	R		Sections 50-12-157, 50-12-167		
	Two-family dwelling		R	R	R	R	C	C	C		C								L								C				Sections 50-12-157, 50-12-159		
	All other					C	C	C	C	C		C	C														C				Sections 50-12-157, 50-12-159		

1 **50-12-23. Institutional living.**

2 Regulations regarding institutional living uses are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)		
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2		S D 4	S D 5
Institutional living	Boarding school and dormitory	C	C	R	R	R	R	R	R		R	R							L								R	R			Sections 50-12-153
	Child caring institution	C	C	R	R	R	R	R	R		R	R							L								C				Sections 50-12-154
	Penal or correctional institution; detention facility												C						L												
	Pre-release adjustment center			C	C	C	C	C	C		C	R							L												Section 50-12-163; SPC
	All other				C	C	C	C	C		C	C							L												

3

4 **~~Sec. 50-12-24. Other residential uses.~~**

5 ~~Regulations regarding other residential uses are as follows:~~

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)		
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2		S D 4	S D 5
Other residential uses	School building adaptive reuses, residential	C	C	C																											Section 50-12-138

1

2 Secs. 50-12-24—50-12-40. Reserved.

3

Subdivision C. Public, Civic, and Institutional Uses

4 Sec. 50-12-42. Community service.

5 Regulations regarding community service uses are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)				
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2		S D 4	S D 5		
Community service	Customs office													R						L			R			R				C			
	Fire or police station, post office, courthouse, and similar public building				C	C	C	C	C	C	C	R	R	R	R	R	R	R		L				R			R	R	R	C/ R		Section 50-12-186	
	Governmental service agency	C	C	C	C	C	C	R	R	R	R	R	R	R	R	R	R	R		L				R					R	C		<u>Section 50-12-186.1</u>	
	Neighborhood center, non-profit	C	C	R	R	R	R	R	R		C	R	R	R	R	R	R	C	C		L				R			C	R	R	R		Sections 50-12-187
	Substance abuse service facility											C	C	C	C	R	R	C	C		L									C			SPC; GRT Section 50-12-191

1 **Sec. 50-12-46. Museum.**

2 Regulations regarding museum uses are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)		
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2		S D 4	S D 5
Museum	Museum	C	C	R	R	R	R	R	R	C	R	R	R	R	R	C	C		L		R	R	R	R	R	R	R	R	C		Section 50-12-186.3
	Outdoor art exhibition grounds; sculpture gardens	C	C	R	R	R	R		R	C	R								L												
	Public aquarium																		L		R	R		R					C		

3

4 **~~Sec. 50-12-52. Other public, civic and institutional uses.~~**

5 ~~Regulations regarding other public, civic and institutional uses are as follows:~~

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)		
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2		S D 4	S D 5
Other public, civic and institutional uses	School building adaptive reuses—public, civic, and institutional	C	C	C	C	C	C																								Section 50-12-138

6

7 **Secs. 50-12-52—50-12-60. Reserved.**

Subdivision D. Retail, Service, and Commercial Uses

Sec. 50-12-62. Food and beverage service.

Regulations regarding food and beverage service uses are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)		
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2		S D 4	S D 5
Food and beverage service	Brewpub or microbrewery or small distillery or small winery	C	C	C	C	C	C			R	C	C/R	C/R	C/R	C/R	C/R	C/R		L			R	C/R			R	C/R	R	C		CU; RU; Section 50-12-217
	Commissary								R		R	R	R	R	R	R	R		L			R				R					
	Establishment for the sale of beer or alcoholic liquor for consumption on the premises	C	C	C	C	C	C		C	C	C/R	C/R	C/R	C	C	C	C		L			C/R	C			R	C/R	R	C		RU; SPC; Sections 50-12-220 <u>50-12-221</u>
	Restaurant, carry-out, with drive-up or drive-through facilities									C	C	C/R	R	C	R	R	R		L			R									SPC; Sections 50-12-310, 50-12-511
	Restaurant, carry-out, without drive-up or drive-through facilities								R	R	R	C/R	R	C	R	R	R		L			R/C	R			R	R	R	R		SPC; Sections 50-12-310, 50-12-511
	Restaurant, fast food, with drive-up or drive-through facilities									C	C	C/R	R	C	R	R	R		L			R									SPC; Sections 50-12-310, 50-12-511
	Restaurant, fast food, without drive-up or drive- through facilities	C	C	C	C	C	C		C	C	C/R	C/R	R	C	R	R	R		L			R/C	R			R	R	R	R		SPC; Sections 50-12-310, 50-12-511
	Restaurant, standard, with drive-up or drive-through facilities									C/R	C/R	C/R	R	R	R	R	R		L			R									SPC; Sections 50-12-311, 50-12-511
	Restaurant, standard, without drive-up or drive-through facilities	C	C	C	C	C	C		C/R	C/R	C/R	C/R	R	R	R	R	R		L			R	R			R	R	R	R		SPC; Sections 50-12-311, 50-12-511

	All others									C	C	C	C	C	C	C	C	C	C	L			C								C		
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2 **Sec. 50-12-63. Office.**

3 Regulations regarding office uses are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)		
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2		S D 4	S D 5
Office	Medical or dental clinic, physical therapy clinic, or massage facility	C	C	C	C	R	R	R	R	R	R	R	R	R	R	R	R	R	L			R	R			C	R	R	R		Section 50-12-232
	Office, business or professional	C	C	C	C	C	C	R	R	R	R	R	R	R	R	R	R	R	L		R	C/R	R			C/R	R	R	R		Section 50-12-298
	Plasma donation center								C	C	C	C	C	C	C	C	C	C	L											RU; SPC	
	Radio or television station	C	C	C	C	C	C		C		R	R	R	R	R	R	R	R	L			R	R			R	C	R	R		Section 50-12-306.1
	Recording studio or photo studio or video studio, no assembly hall	C	C	C	C	C	C		C		R	R	R	R	R	R	R	R	L			R	R			R	R	R	R		Section 50-12-307.1
	All other							C	C	C	C	C	C	C	C	C	C	C	L			C	C				C	C	C		Section 50-12-298

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5 **Sec. 50-12-65. Public accommodation.**

6 Regulations regarding public accommodation uses are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)		
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2	S D 4	S D 5	
Public accommodation	Bed and breakfast inn	C	C	C	C	C	C	C	C		C								L							R	C				Section 50-12-216
	Hotel				C	C	C	C	C	C	C/R	C/R	C/R	C	C	C			L			C/R				C	C	C	C		Sections 50-12-228, 50-12-312, 50-12-514
	Lodging house, public										C	C						L												RU; SPC; Section 50-12-230	
	Motel				C	C	C	C	C	C	C	C	C	C	C	C			L								C			RU; SPC; Sections 50-12-233, 50-12-312, 50-12-514	
	Youth hostel/hostel	C	C	C	C	C	C	C	C		C	C							L							C	C	C			Sections 50-12-322

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2 **Sec. 50-12-66. Recreation/entertainment, indoor.**

3 Regulations regarding indoor recreation and entertainment uses are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)			
		R1	R2	R3	R4	R5	R6	B1	B2	B3	B4	B5	B6	M1	M2	M3	M4	M5	P1	P2	P3	PCA	T	P	W	MKT	S1	S2		S4	S5	
Recreation/ entertainment, indoor	Arcade										C	C	C	C	R	R	R	R		L		R	R	R			R		C			CU; P; SPC; Sections 50-12-213, 50-12-515
	Cabaret								C	C	C/R	C/R	C/R	C	C	C	C		L			C/R	C			C		C	C		RU; SPC; Section 50-12-218	

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Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)			
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2		S D 4	S D 5	
	Stores of a generally recognized retail nature whose primary business is the sale of new merchandise, without drive-up or drive-through facilities	C	C	C	C	C	C		R	R	R	R	R	R	R	R	R	R	L			R	R			R	R	R	R		Sections 50-12-318, 50-12-324	
	Art gallery	C	C	C	C	C	C		R	R	R	R	R	R	R	R	R	R	L							R	R	R			Section 50-12-213.1	
	Bake shop, retail	C	C	C	C	C	C		R	R	R	R	R	R	R	R	R	R	L			R	R			R	R	R	R		Sections 50-12-215	
	Firearms dealership									C	C	C	C	C	C	C	C	C	L												Section 50-12-223	
	Fireworks sales, consumer														C	C			L												Section 50-12-225	
	Motorcycles, retail sales, rental or service										C			C	R	R	R	R	L				R								P; Section 50-12-297	
	Pawnshop										C			C	C	C	C		L				C								P; RU; SPC; GRT; Section 50-12-302	
	Pet shop								R	R	R	R	R	R	R	R	R	R	L				R				R	R				Section 50-12-303
	Precious metal and gem dealers										C	C	C	R	R	R	R	R	L			C	C				C	C				SPC; Section 50-12-304
	Produce or food markets, wholesale												R	R	R	R	R	R	L				R			R						
	Specially designated distributor's (SDD) or specially designated merchant's (SDM) establishment									C	C	C	C	C	C	C	C	C	L			C					C	C	C	C		CU; P; SPC; Section 50-12-314
	Storage or killing of poultry or small game for direct, retail sale on the premises or for wholesale trade												R		R	R	R	R	L							R/C						Section 50-12-315

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)		
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2		S D 4	S D 5
	Tobacco retail store									C	C	R	R						L			C					C	C	C		SPC; Section 50-12-325
	Trailer coaches or boat sale or rental, open air display										C		R	R	R	R	R		L				R								GRT
	Trailers, utility—sales, rental, or service; moving truck/trailer rental lots										C		R	R	R	R	R		L				R								
	Used goods dealer										C	C	C	R	R	R	R		L			C	C			R	C	C			SPC; Section 50-12-320
	All other											C	C	C	C	C	C	C		L				C					C		

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2 **Sec. 50-12-70. Retail sales and service, service-oriented.**

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

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)				
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2			S D 4	S D 5	
Retail sales and service; service- oriented	Animal-grooming shop	C	C	C	C	C	C		R	R	R	R	R		R	R	R	R	R		L				R			R	R	R			Sections 50-12-212
	Automated teller machine, without drive- up or drive-through facilities							R	R	R	R	C/ R	R		R	R	R	R	R	R	L				R	R		R	R	R	R		
	Automated teller machine, with drive-up or drive-through facilities							C	C	C	C	R	R		R	R	R	R	R	R	L				C	R					C		Article XIV, Division 1, Subdivision H; Section 50-11-318
	Bank, without drive-up or drive-through facilities	C	C	C	C	C	C	R	R	R	R	R	R		R	R	R	R		L				R	R			R	R	R	R		Section 50-12-215.1
	Bank, with drive-up or drive-through facilities							C	C	C	C		R		C	R	R	R		L				C	R				R	C		Article XIV, Division 1, Subdivision H; Section 50-11-318	
	Barber or beauty shop	C	C	C	C	C	C	R	R	R	R	R	R		R	R	R	R		L				R	R			C/ R	R	R	R		Sections <u>50-12-215.2</u> , 50-12-518
	Body art facility	C	C	C	C	C	C				C	R	R		R	R	R	R		L				R			R		C			Section 50-12-300 <u>50-12-216.1</u>	
	Business college or commercial trade school	C	C	C	C	C/ R	C			C	R	R	R		R	R	R	R		L				R	R			C			R		Section 50-12-318 <u>50-12-217.1</u>
	Customer service center, with drive-up or drive- through facilities							C	C	C	C		R		R	R	R	R		L				R									Article XIV, Division 1, Subdivision H
	Customer service center, without drive-up or drive-through facilities							R	R	R	R	R	R		R	R	R	R		L				R				C		C			
	Dry cleaning, laundry, or laundromat	C	C	C	C	C	C	R	R	R	R	R	R		R	R	R	R		L				R	R			R	R	R	R		Section 50-12-221 <u>50-12-220</u>
	Employee recruitment center										C	R	R		R	R	R	R		L				R									

	Financial services center, with drive-up or drive-through facilities							C	C	C	R	C	R	R	R	L		C	R									Section 50-12-222; Article XIV, Division 1, Subdivision H
	Financial services center, without drive-up or drive-through facilities							C	C	C	R	R	R	R	R	L		R	R									Section 50-12-222
	Food stamp distribution center							C	C	C	C	R	R	R	R	R	L		R									Article XIV, Division 1, Subdivision H
	Kennel, commercial									C	R	R	R	R	R	L		R				C	C					Section 50-12-229
	Mortuary or funeral home							C	C	R	R	R	R	R	R	L		R										Section 50-12-234
	Nail salon	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	R	R	R	R	R	R	R	R	L		R	R			R	R	R	R			<u>Section 50-12-235</u>
	Printing or engraving shops	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		C		C	R		R	R	R	L		R			R	R	R/C	C			Section 50-12-323
	Public center limited sales and service																	R										
	Radio, television, or household appliance repair shop								R	R	R	R	R	R	R	R	L		R				C	C				GRT
	School or studio of dance, gymnastics, music, art, or cooking	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	R	R	R	R	R		R	R	R	L					R	R	R	R			Section 50-12-313
	Shoe repair shop	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	R	R	R	R	R	R	R	R	R	L		R	R			R	R	R	R		Sections 50-12-313.1, 50-12-518
	Veterinary clinic for small animals	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		R	R	R	R		R	R	R	L		R			C	R	R				Sections 50-12-321
	All other								C	C	C	C	C	C	C	C	L		C	C			C	C	C			

1 ~~Sec. 50-12-72. Other retail, service, and commercial uses.~~

2 Regulations regarding other retail, service, and commercial uses are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)		
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S 1	S 2		S 4	S 5
Other retail, service, and commercial uses	School building adaptive reuses—retail, service, and commercial	€	€	€	€	€	€																					€			<u>Section 50-12-138</u>

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4 ~~Secs. 50-12-72—50-12-80. Reserved.~~

5 **Subdivision E. Manufacturing and Industrial Uses**

6 **Sec. 50-12-81. Industrial service.**

7 Regulations regarding industrial service uses are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)			
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2		S D 4	S D 5	
Industrial service	Blueprinting shop								C		R	R	R	R	R	R	R	R	L			R	R						C		Section 50-12-333	
	Boiler repairing													C	R	R	R	R	L												Section 50-12-458	
	Contractor yard, landscape or construction											R	R	R	R	R	R	L				R									Section 50-12-458	
	Crematory or pet crematory												R	R	R	R	R														Section 50-12-367	
	Junkyard																C	L													GRT; SPC; SWFRC; Section 50-12-341	
	Laundry, industrial													C	R	R	R	R	L				R									
	Lumber yard												R	R	R	R	R	R	L				R									Section 50-12-343
	Machine shop								C		C				C	R	R	R	L								C	C			Sections 50-12-363; 50-12-458	
	Outdoor storage yard															C	R	R	L													Sections 50-12-344, 50-12-458
	Research facilities																		L													
	Tires, used; sales and/or service																C	C	L													GRT; SPC; Section 50-12-350
	Tool sharpening or grinding													C	R	R	R	R	L				R									Section 50-12-516
	Towing service storage yard																C	C	L													GRT; SPC; Section 50-12-352
	Trade services, general	C	C	C	C	C	C		C/ R		R	R	R	R	R	R	R	R	L				R				C/ R	C/ R				Sections 50-12-353
	Truck stops												C			C	C	C	L													Section 50-12-519
Used vehicle parts sales																C	C	L													Section 50-12-356	

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)		
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2	S D 4	S D 5	
Manufacturing and production	Abattoir, slaughterhouse												C				C	C	L							C					Sections 50-12-331; 50-12-458
	Baling of waste paper or rags												R	C	R	R	R	R	L				R								Sections 50-12-332; 50-12-458
	Chemical materials blending or compounding but not involving chemicals manufacturing															C	R	R	R	L			R								EGLE; Section 50-12-458
	Confection manufacture	C	C	C	C	C	C		C/R	R	C/R	C	R	C	R	R	R	R	L				R			R	R	R	C		Sections 50-12-334; 50-12-458
	Dental products, surgical, or optical goods manufacture								C		C	C		C	R	R	R	R	L				R						C		Sections 50-12-335; 50-12-458
	Food catering establishment	C	C	C	C	C	C		C/R	R	C/R	R	R	R	R	R	R	R	L				R			R	R	R	C		Sections 50-12-336; 50-12-458
	High-impact manufacturing or processing as defined in Section 50-16-242																C	R	R	L						C					Section 50-16-365 50-12-366
	High/medium-impact manufacturing or processing as defined in Section 50-16-242								C		C						R	R	R	L				R			R	C	C		Sections 50-12-362
	Ice manufacture											C		R		R	R	R	R	L				R			R				GRT; Section 50-12-458
	Jewelry manufacture	C	C	C	C	C	C		R	R	C/R	C		R	R	R	R	R	L				R				R	R			Sections 50-12-340; 50-12-458
Lithographing, and sign shops	C	C	C	C	C	C		C/R	R	C/R			C	R	R	R	R	L				R			C	R	R	C		Sections 50-12-342; 50-12-458	

Low/medium-impact manufacturing or processing as defined in Section 50-16-284	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		R	R	R			C	R	R	R	R	L				R			R	R	R			Section 50-12-361; 50-12-458
Low-impact manufacturing or processing as defined in Section 50-16-284	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		R	R	R		R	C	R	R	R	R	L				R			R	R	R	C		Sections 50-12-359; 50-12-458
Newspaper (daily) publishing or printing											R		R	R	R	R	R	L			R	R								Section 50-12-458
Outdoor operations of all manufacturing and production land uses														C	C/R	C/R		L												Sections 50-12-344, 50-12-458
Research or testing laboratory										C	C	R	R	R	R	R	R	L			R									Sections 50-12-348; 50-12-458
Salt works																C	C	L												IRC
Toiletries or cosmetic manufacturing										C	C		C	R	R	R	R	L			R									GRT; Section 50-12-458
Tool, die, and gauge manufacturing										C			C	R	R	R	R	L			R									GRT; Sections 50-12-351; 50-12-458
Very high-impact manufacturing or processing as defined in Section 50-16-441																C	C	L					C							EGLE; IRC Section 50-12-365
Wearing apparel manufacturing	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		R	R	C/R	C		C	R	R	R	R	L			R				R	R				Sections 50-12-360; 50-12-458
All other																C	C	L												

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2 **Sec. 50-12-83. Warehouse and freight movement.**

3 Regulations regarding warehouse and freight movement uses are as follows:

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

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

Subdivision F. Other Uses

Sec. 50-12-105. Telecommunications facilities.

Regulations regarding telecommunications facilities uses are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 4			S D 5																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
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Sec. 50-12-109. Agricultural uses.

Regulations regarding agricultural uses are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)				
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2					
Agricultural uses	Animal husbandry and beekeeping	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	L		C	C	C	C		C	C	C	C		Sections 50-12-402, 50-12-524		
	Aquaculture	C	C	C	C	C	C				C	C	R	R	R	R	R	R	L				R			R			C		Section 50-12-397.1		
	Aquaponics	C	C	C	C	C	C				C	C	R	R	R	R	R	R	L				R			R			C		Section 50-12-397.1		
	Farmers' market								R	R	R	C	R	R	R	R	R	R	L		C	C	R			R	R	R	C		Section 50-12-521		
	Greenhouse	C	C	C	R	R	R	R	R	R	R	C	R	R	R	R	R	R	L				R			R							
	Hoop-house	C	C	C	R	R	R	R	R	R	R	C	R	R	R	R	R	R	L				R			R							
	Hydroponics	C	C	C	C	C	C				C	C	R	R	R	R	R	R	L				R			R			C		Section 50-12-397.1		
	Urban farm (including orchard and tree farm when principal use)	C	C	C	R	R	R	R	R	R	R	C	R	C	C	C	C	C	L				C			C							
	Urban garden	R	R	R	R	R	R	R	R	R	R	C	R	C	C	C	C	C	L				C			R	C	C					

DIVISION 2. GENERAL USE STANDARDS

Sec. 50-12-134. Regulated uses—spacing.

Regulations regarding spacing of regulated uses are as follows:

Use Type	Minimum Distance from Regulated Uses (Existing or Approved)	Minimum Distance from Other Use Types (Existing or Approved) or Zoning District	Comment
Brewpub outside the Central Business District and SD2 District and Microbrewery outside the Central Business District and SD2 District and Small Distillery or Small Winery outside the Central Business District and SD2 District that serves alcohol for consumption on the premises	Any two other Regulated Uses: 1,000 feet	Any two Adult Uses: 1,000 feet; Any one Adult Use and any one Regulated Use: 1,000 feet.	Article III, Division 8, Subdivision C; Sections 50-12-135 and 50-12-217
Cabaret, outside the Central business district and SD5 District	Any two other Regulated Uses: 1,000 feet	Any two Adult Uses: 1,000 feet; Any one Adult Use and any one Regulated Use: 1,000 feet.	Article III, Division 8, Subdivision C; Sections 50-12-135 and 50-12-218
Dance hall, public, outside the Central business district	Any two other Regulated Uses: 1,000 feet	Any two Adult Uses: 1,000 feet; Any one Adult Use and any one Regulated Use: 1,000 feet; Residentially-zoned area: 500 feet.	Article III, Division 8, Subdivision C; Sections 50-12-135 and 50-12-219
Establishment for the sale of beer or alcoholic liquor for consumption on the premises, outside the Central Business District and outside the SD1, SD2 and SD5 Districts	Any two other Regulated Uses: 1,000 feet	Any two Adult Uses: 1,000 feet; Any one Adult Use and any one Regulated Use: 1,000 feet.	Article III, Division 8, Subdivision C; Sections 50-12-135 and <u>50-12-221</u>
Lodging house, public	Any two other Regulated Uses: 1,000 feet	Any two Adult Uses: 1,000 feet; Any one Adult Use and any one Regulated Use: 1,000 feet.	Article III, Division 8, Subdivision C; Sections 50-12-135 and 50-12-230

Motel	Any two other Regulated Uses: 1,000 feet	Any two Adult Uses: 1,000 feet; Any one Adult Use and any one Regulated Use: 1,000 feet.	Article III, Division 8, Subdivision C; Sections 50-12-135 and 50-12-233
Pawnshop	Any two other Regulated Uses: 1,000 feet	Any two Adult Uses: 1,000 feet; Any one Adult Use and any one Regulated Use: 1,000 feet; Residentially-zoned area: 500 feet.	Section 50-3-322(2); Article III, Division 8, Subdivision C; Sections 50-12-135 and 50-12-302
Plasma donation center	Any two other Regulated Uses: 1,000 feet	Any two Adult Uses: 1,000 feet; Any one Adult Use and any one Regulated Use: 1,000 feet.	Article III, Division 8, Subdivision C; Section 50-12-135

Sec. 50-12-138. ~~School~~ Public, civic, or institutional building adaptive reuse provision.

(a) *Purpose.* The purpose of this provision is to provide for the adaptive reuse and preservation of existing ~~school~~ buildings. ~~Any of the 19 uses included in the definition of "school building adaptive reuses," as provided in Section 50-16-381 of this Code, may be permitted on a conditional basis, subject to the provisions of Article III, Division 7, of this chapter, in those residential zoning districts where they are otherwise prohibited. Any of the 19 uses established under the "school building adaptive reuse" provision is subject to all applicable use regulations of Article XII of this chapter, applicable intensity and dimensional standards of Article XIII of this chapter, and applicable general development standards of Article XIV of this chapter for that use.~~ that were previously occupied by one or more certain eligible public, civic, or institutional uses and that are to be reused in such manner so as to generally contribute to the vibrancy of the surrounding community, avoid increased burdens of truck traffic on nearby residents, relative to the previous use of the building, may serve various day-to-day needs of the surrounding community; and provide employment or training opportunities for nearby residents.

(b) Eligibility. To be eligible for adaptive reuse, a building must have been operated, in whole or in part, as one or more of the following primary uses during some time on or prior to June 1, 2024:

(1) Child caring institution;

(2) Educational institution;

(3) Electric transformer station;

(4) Fire or police station, post office, courthouse, and similar public building;

(5) Gas regulator station;

(6) Library;

(7) Mortuary or funeral home;

(8) Museum;

(9) Religious institution;

(10) Religious residential facility;

(11) Residential-area utility facilities, public;

(12) School, elementary, middle/junior high, or high

(13) Solar generation station; and

(14) Telephone exchange building.

(c) Demolition restrictions. In order to promote ~~maximum~~ the preservation of ~~existing school buildings and~~ the City's architectural heritage, the demolition of existing buildings ~~under the school building adaptive reuse provision shall be subject to~~ subject to adaptive reuse under this section must comply with the following:

(1) ~~School building adaptive reuses shall only be established in buildings originally constructed as schools where~~ At least 75 percent of the gross floor area, calculated

1 in accordance with Subsection (c)(2) of this section, of all buildings on the school
2 site is must be retained.

3 (2) ~~Notwithstanding~~ To calculate gross floor area for purposes of Subsection (c)(1)
4 of this section, the gross floor area of the following buildings and additions shall
5 not be included in the calculation of the minimum 75 percent of the school site
6 gross floor area that must be retained must be excluded:

7 a. Accessory buildings that have not been identified by the Historic
8 Designation Advisory Board as contributing resources to ~~school~~ buildings
9 that are eligible for the National Register of Historic Places.

10 b. Additions to original principal ~~school~~ structures that do not contribute to
11 the historic character of the property, as determined by the Buildings,
12 Safety Engineering, and Environmental Department, in consultation with
13 the Historic Designation Advisory Board.

14 (3) ~~If a school has been designated as a~~ building that is eligible for adaptive reuse is
15 located within a local historic district according to as designated in Chapter 21,
16 Article II, Division 5 of this Code, *History*, then the evaluation of any request for
17 demolition shall be conducted subject to review by the Historic District
18 Commission.

1 **DIVISION 3. SPECIFIC USE STANDARDS**

2 **Subdivision A. Residential Uses**

3 **Sec. 50-12-152. Assisted living facility.**

4 Assisted living facilities are subject to the following provisions:

5 (1) Assisted living facilities shall provide safe areas for pick-up and discharge of
6 users that do not interfere with the free flow of traffic on adjacent streets.

7 (2) In the R1, R2, and R3 Districts, assisted living facilities are permissible only if
8 established through the adaptive reuse of eligible existing buildings in accordance
9 with Section 50-12-138 of this Code. Any such facility must be located on a major
10 thoroughfare.

11 **Sec. 50-12-153. Boarding school and dormitory.**

12 Boarding schools and dormitories are subject to the following provisions:

13 (1) Boarding schools shall provide and maintain an outdoor play area suitable for play
14 activity and containing a minimum of 2,000 square feet. The outdoor play area shall
15 be located on the same zoning lot as the boarding school, or immediately
16 contiguous to it, and shall be enclosed by a protective wall or fence.

17 (2) In the R1 and R2 Districts, boarding schools and dormitories are permissible only
18 if established through the adaptive reuse of eligible existing buildings in accordance
19 with Section 50-12-138 of this Code. Any such facility must be located on a major
20 thoroughfare.

21 **Sec. 50-12-154. Child caring institution.**

22 Child caring institutions ~~shall be~~ are subject to the following provisions:

(1) Proof of licensing by the Michigan Department of Licensing and Regulatory Affairs shall be required prior to the operation of any child caring institution. In addition, there shall be provided and maintained an outdoor play area suitable for play activity and containing a minimum of 2,000 square feet. The outdoor play area shall be immediately contiguous to the facility it is intended to serve and shall be enclosed by a protective wall or fence.

(2) In the R1 and R2 Districts, state-licensed residential facilities for six or fewer persons, as provided for in Section 206 of the Michigan Zoning Enabling Act, being MCL 125.3206, are governed by the provisions of the Act.

(3) In the R1 and R2 Districts, child caring institutions are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

Sec. 50-12-155. Convalescent, nursing, or rest home.

Convalescent, nursing, and rest homes are subject to the following provisions:

(1) In convalescent, nursing or rest homes, adequate provisions shall be made for access by emergency medical and fire vehicles.

(2) Notwithstanding the provisions of Section 50-11-245(1) and Section 50-11-275(1) of this Code, in the SD1 and SD2 Districts, the convalescent, nursing, or rest home shall be multi-story and shall be built to the front lot line.

(3) In the R1, R2, and R3 Districts, convalescent, nursing, and rest homes permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code. Any such facility must be located on a major thoroughfare.

Sec. 50-12-159. Lofts; residential uses combined in structures with permitted commercial or industrial uses.

In order to encourage the preservation and reuse of existing commercial and industrial structures, and to encourage live-work situations, loft conversions and mixed-use commercial-residential or industrial-residential uses are ~~permitted in many zoning districts, even in certain districts where new residential construction is prohibited~~, subject to the following.

(1) ~~Loft conversions are prohibited in the R1 and R2 Districts except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381 of this Code;~~ In the R1 and R2 Districts, lofts are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(2) ~~Lofts~~ In the B6, M1, M2, M3, M4, and SD4 Districts, lofts are subject to review by the Loft Review Committee as provided for in Article II, Division 6, Subdivision C₇ of this chapter₂.

(3) Similarly, single-family dwellings, two-family dwellings, and multiple-family dwellings are permitted in commercial or industrial structures combined with those permitted retail, service, and commercial uses specified in Division 1, Subdivision D₇ of this article, ~~except for "adult uses/sexually oriented businesses" as specified in Section 50-12-108 of this Code.~~ For example, although a single-family detached dwelling is not permitted by right in the R6 District, a doctor's office that has an apartment is permitted by right as a "residential use combined in structures with permitted commercial uses." In addition, in industrial zoning districts where new residential construction is prohibited, an existing building with a hardware store on

the ground floor, for example, and residential units on the upper floor could be reoccupied on a conditional use basis and without the need for approval by the Board of Zoning Appeals;

(4) In B2 and B3 Districts, lofts are permissible on a by-right basis only where located in a Traditional Main Street Overlay Area and combined in a structure with permitted commercial or industrial uses, and otherwise are permissible conditionally;

(5) In B4 Districts, lofts are permissible on a by-right basis only where located in the Central Business District or in a Traditional Main Street Overlay Area, and otherwise are permissible conditionally;

(6) In B2, B3, and B4 Districts, residential uses combined in structures with permitted commercial uses are permissible on a by-right basis only where located in a Traditional Main Street Overlay Area, and otherwise are permissible conditionally;

(7) In M1, M2, M3, and M4 Districts, new construction of a “residential use combined with permitted commercial uses” is limited to not more than two residential units. However, any time three or more residential units are combined with permitted commercial uses in an existing commercial or industrial structure in the B6, M1, M2, M3, M4, or SD4 District, the use shall be subject to the review of the Loft Review Committee as provided for in Article II, Division 6, Subdivision C, of this chapter;

(8) In the MKT District, residential uses combined in structures with permissible commercial or industrial uses are permissible conditionally only if at least one ~~or~~ ~~more~~ permitted commercial or industrial use is located on the ground floor of the

structure, except that new residential uses are impermissible in the area where setbacks are required by Section 50-13-157 of this Code;

(9) In the SD4 District, specially designated merchant's (SDM) establishments and specially designated distributor's (SDD) establishments are permitted when incidental to, accessory to, and on the same zoning lot as a loft development that has not fewer than 50 dwelling units; ~~and~~.

(10) In designated Traditional Main Street Overlay Areas, as provided for in Section 50-11-382 of this Code, residential uses combined in structures with commercial or industrial uses that are permitted in the respective zoning district shall be permitted by right.

Sec. 50-12-162. Multiple-family dwellings.

~~Multiple-family dwellings shall be~~ are subject to the following ~~requirements~~ provisions:

(1) In the R1 District, multiple-family dwellings are permissible only if established through the adaptive reuse of eligible existing buildings, or of buildings located on the same zoning lot as an eligible existing building, in accordance with Section 50-12-138 of this Code. Additionally, buildings constructed on the same zoning lot as a building eligible for adaptive reuse under Section 50-12-138 of this Code are also permissible.

(2) In the R2 District, ~~such uses shall~~ multiple-family dwellings may have a maximum of eight dwelling units, except ~~where developed under the "school building adaptive reuse" provision as defined in Section 50-16-381 of this Code; if~~ established through the adaptive reuse of eligible existing buildings, or if located on the same zoning lot as an existing building that is eligible for adaptive reuse,

1 in accordance with Section 50-12-138 of this Code. In the R2 District, such
2 buildings constructed on the same zoning lot as a building previously used for a
3 use eligible for development under Section 50-12-138 may be permitted
4 conditionally.

5 (3) In the R3 District, multiple-family dwellings, ~~where~~ in which fewer than 50
6 percent of the number of units are efficiency units; are ~~permitted~~ permissible by
7 right; multiple-family dwellings, ~~where~~ in which 50 percent or more of the
8 number of units are efficiency units; are ~~a conditional use;~~ permissible
9 conditionally.

10 (4) In the B5 District, ground-floor commercial uses ~~shall be~~ is required along at least
11 50 percent of ~~the~~ any multiple-family dwelling building façade fronting Woodward
12 Avenue ~~and may be required in other portions of the B5 District.~~

13 (5) The required recreational space ratios for multi-family dwellings, for purposes of
14 the calculations set forth in Section 50-13-239 of this Code, are ~~listed~~ as follows:

- 15 a. R3 District: 0.12;
- 16 b. R4 District: 0.10;
- 17 c. R5 District: 0.085;
- 18 d. R6 District: 0.07;
- 19 e. SD1 District: 0.07;
- 20 f. SD2 District: 0.07.

21 ~~(See Section 50-13-239 of this Code for information on recreational space~~
22 ~~requirements.)~~

(6) ~~For certain permitted~~ Regulations regarding accessory retail sales and service uses
in the R5, R6, and B1 Districts, see multiple-family dwellings are set forth in
Section 50-12-514 of this Code;

(7) In the B5 and PCA Districts, multiple-family dwellings that ~~have~~ include ground-
floor commercial space or other space oriented to pedestrian traffic are ~~permitted~~
~~by right. permissible by right;~~ multiple-family dwellings not having that do not
include any such ground floor space are ~~a conditional use;~~ permissible
conditionally.

(8) Multiple-family dwelling developments that exceed 12 units are subject to site
plan review as provided for in Section 50-3-113 of this Code;

~~(8) In the SD4 District, specially designated merchant's (SDM) establishments and~~
~~specially designated distributor's (SDD) establishments are permitted when~~
~~incidental to, accessory to, and on the same zoning lot as a multiple family~~
~~dwelling, which has not fewer than 50 dwelling units;~~

(9) Multiple-family dwellings for the elderly, as defined in Section 50-16-304 of this
Code, are subject to a lesser off-street parking requirement than other multiple-
family dwellings. Where a multiple-family dwelling for the elderly converts to a
general population multiple-family dwelling, the full off-street parking
requirement must be satisfied.

Subdivision B. Public, Civic, and Institutional Uses

Sec. 50-12-181. Adult day care center.

Adult day care centers are subject to the following ~~requirements~~ provisions:

(1) The facility shall be in full compliance with Chapter 8, Article II, of this Code;
~~Building Code;~~

(2) Adequate provision shall be made for access by emergency medical and fire
vehicles;~~and~~

(3) Safe areas for pick-up and discharge of users ~~shall be provided~~ that do not
interfere with the free flow of traffic on adjacent streets shall be provided. ~~Where~~
~~If~~ such areas are provided on a street, ~~such areas shall~~ they must be approved by
the Department of Public Works, Traffic Engineering Division.

(4) In R1 and R2 Districts, adult day care centers are permissible only if established
through the adaptive reuse of eligible existing buildings in accordance with
Section 50-12-138 of this Code.

Sec. 50-12-186.1. Governmental service agency.

Governmental service agencies are subject to the following provision: In the R1, R2, R3,
R4, R5, and R6 Districts, governmental service agencies are permissible only if established
through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138
of this Code.

Sec. 50-12-186.2. Library.

Libraries are subject to the following provision: In the R1 and R2 Districts, libraries are
permissible only if established through the adaptive reuse of eligible existing buildings in
accordance with Section 50-12-138 of this Code.

1 **Sec. 50-12-186.3. Museum.**

2 Museums are subject to the following provision: In the R1 and R2 Districts, museums
3 are permissible only if established through the adaptive reuse of eligible existing buildings in
4 accordance with Section 50-12-138 of this Code.

5 **Subdivision C. Retail, Service, and Commercial Uses; Generally**
6 **(Amusement Park—Mortuary or Funeral Home)**

7 **Sec. 50-12-212. Animal-grooming shop.**

8 Animal-grooming shops are subject to the following provisions:

9 (1) All facilities of an animal-grooming shop, including all grooming areas, cages, pens
10 and kennels, shall be maintained within a completely enclosed, soundproof
11 building.

12 (2) All animal-grooming shops shall be designed and constructed in a manner that
13 eliminates any emission of odor offensive to persons owning, occupying, or
14 patronizing properties adjacent to the use.

15 (3) Kennel facilities, if any, shall be governed separately by Section 50-12-229 of this
16 Code for commercial kennels.

17 (4) In the R1, R2, R3, and R4 Districts, animal-grooming shops are permissible only
18 if established through the adaptive reuse of eligible existing buildings in
19 accordance with Section 50-12-138 of this Code.

20 (5) In the R5 and R6 Districts, animal-grooming shops are exempt from all applicable
21 use regulations that pertain specifically to such districts, as may be set forth in this
22 section, if established through the adaptive reuse of eligible existing buildings in
23 accordance with Section 50-12-138 of this Code.

(6) In the MKT District, animal grooming shops are ~~not permissible if located on the first floor~~ prohibited in the first story of a building or structure.

Sec. 50-12-213.1. Art gallery.

Art galleries are subject to the following provisions:

(1) In the R1, R2, R3, and R4 Districts, art galleries are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(2) In the R5 and R6 Districts, art galleries are exempt from all applicable use regulations that pertain specifically to such districts, as may be set forth in this section, if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

Sec. 50-12-215. Bake shop.

~~Bake shops shall be~~ are subject to the following provisions:

(1) ~~Such uses shall~~ Bake shops must have gross floor areas not have more greater than 4,000 square feet gross floor area; bakeries with gross floor areas greater than 4,000 square feet are regulated as low-impact manufacturing or processing facilities.

(2) Drive-up or drive-through facilities shall not be permitted; and are prohibited.

~~(3) Bakeries larger than 4,000 square feet of gross floor area are regulated as a low-impact manufacturing or processing use.~~

(3) In the R1, R2, R3, and R4 Districts, bake shops are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(4) In the R5 and R6 Districts, bake shops are exempt from all applicable use regulations that pertain specifically to such districts, as may be set forth in this section, if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

Sec. 50-12-215.1. Bank, without drive-up or drive-through facilities.

Banks, without drive-up or drive-through facilities, are subject to the following provisions:

(1) In the R1, R2, R3, and R4 Districts, banks, without drive-up or drive-through facilities, are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(2) In the R5 and R6 Districts, banks, without drive-up or drive-through facilities, are exempt from all applicable use regulations that pertain specifically to such districts, as may be set forth in this section, if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

Sec. 50-12-215.2. Barber or beauty shop.

Barber and beauty shops are subject to the following provisions:

(1) In the R1, R2, R3, and R4 Districts, barber or beauty shops are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(2) In the R5 and R6 Districts, barber or beauty shops are exempt from all applicable use regulations that pertain specifically to such districts, as may be set forth in this section, if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(3) In the MKT District, barber or beauty shops are prohibited on the first story of a multi-story building. Barber or beauty shops are permissible on a by-right basis if located on an upper story of a multi-story building and on a conditional basis if located in a single-story building.

Sec. 50-12-216. Bed and breakfast inn.

Bed and breakfast inns ~~shall be~~ are subject to the following ~~requirements~~ provisions:

- (1) The primary use of a bed and breakfast must be as a residence for the owner or manager who operates and occupies the structure. The bed and breakfast facility may have up to ten bedrooms for the use of transient guests for compensation and by pre-arrangement;
- (2) The exterior appearance of the structure shall not be altered from its residential district character;
- (3) Parking shall be provided in accordance with Section 50-14-54 of this Code and arranged so as not to create negative noise or light impacts on properties adjacent or across an alley, or to necessitate on-street parking. ~~(See off-street accessory parking schedule in Section 50-14-54 of this Code);~~
- (4) Each sleeping room shall have a separate smoke detector as required in Section 8-15-311(b) of this Code, ~~Smoke Detectors~~;
- (5) A fire escape plan shall be developed and graphically displayed in each guest room;
- (6) A minimum of one fire extinguisher, in proper working order, shall be located on each floor;
- (7) The establishment shall contain at least two exits to the outdoors;

- (8) No guest room ~~shall~~ may be located in a basement or cellar;.
- (9) No transient occupant ~~shall~~ may reside on the premises for more than 100 days in any continuous period of 120 days;.
- (10) Lavatories and bathing facilities shall be available to all persons using the premises;
- (11) No separate or additional kitchen facilities shall be provided for the guests;.
- (12) Retail sales are not permitted beyond those activities serving the registered overnight patrons;.
- (13) Meals ~~shall~~ must not be served to the public at large but only to registered guests. Meal preparation and service shall conform with all applicable public health requirements of the Michigan Public Health Code, being MCL 333.1101 *et seq.*, and of this Code;.
- (14) In the R1 and R2 Districts, bed and breakfast inns are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.
- (15) In the R3 and R4 Districts, ~~no~~ receptions, private parties, conferences, or activities for which a fee is paid ~~shall be permitted~~ are prohibited, except for those which involve only registered guests;.
- (16) Outdoor solid waste facilities beyond what might normally be expected for a residential structure under Chapter 42 of this Code, ~~Solid Waste and Illegal Dumping~~, shall be are prohibited; and.
- (17) Bed and breakfast inns shall be licensed as such by the Buildings, Safety Engineering, and Environmental Department Business License Center ~~as provided for in~~ in accordance with Chapter 36 of this Code, ~~Public Lodging~~.

1 **Sec. 50-12-216.1. Body art facility.**

2 Body art facilities are subject to the following provisions:

3 (1) Body art facilities are subject to licensing by the Buildings, Safety Engineering,
4 and Environmental Department Business License Center in accordance with
5 Chapter 20, Article III of this Code.

6 (2) In the R1, R2, R3, and R4 Districts, body art facilities are permissible only if
7 established through the adaptive reuse of eligible existing buildings in accordance
8 with Section 50-12-138 of this Code.

9 (3) In the R5 and R6 Districts, body art facilities are exempt from all applicable use
10 regulations that pertain specifically to such districts, as may be set forth in this
11 section, if established through the adaptive reuse of eligible existing buildings in
12 accordance with Section 50-12-138 of this Code.

13 **Sec. 50-12-217. Brewpub and or microbrewery and or small distillery and or small winery.**

14 Brewpubs ~~and~~, microbreweries ~~and~~, small distilleries, and small wineries are subject to the
15 following ~~requirements~~ provisions:

16 (1) A brewpub, microbrewery, small distillery, or small winery is subject to the
17 regulated use provisions of Article III, Division 8, of this chapter ~~where there is~~
18 ~~consumption of beer or alcoholic liquor~~ if it serves alcohol for consumption on the
19 premises, located outside of the Central Business District ~~and outside the~~, and is
20 not in an MKT or SD2 District; however, a brewpub, microbrewery, or small
21 distillery, or small winery operating in conjunction with and located on the same
22 zoning lot as a standard restaurant, ~~as defined in Section 50-16-362 of this Code,~~

1 shall not be considered a regulated use, as provided in Section 50-3-323(1) of this
2 Code;

3 (2) The controlled use provisions of Article III, Division 9, of this chapter where beer
4 or wine or alcoholic liquor are sold to the general public for consumption off the
5 premises at a brewpub or small distillery or small winery;

6 (3) In R1, R2, R3, R4, and R6 Districts, a brewpub, microbrewery, small distillery, or
7 small winery is permissible only if established through the adaptive reuse of eligible
8 existing buildings in accordance with Section 50-12-138 of this Code. For all such
9 facilities, gross floor area must be not greater than 3,000 square feet. The location
10 of a brewpub, microbrewery, small distillery, or small winery on a major or
11 secondary thoroughfare must be given favorable consideration as part of any review
12 of such use as a conditional land use in accordance with Article III, Division 7 of
13 this chapter.

14 (4) In the R5 District, a brewpub, microbrewery, small distillery, or small winery that
15 is not greater than 3,000 square feet in gross floor area is exempt from all applicable
16 use regulations that pertain specifically to such district, as may be set forth in this
17 section, if established through the adaptive reuse of eligible existing buildings in
18 accordance with Section 50-12-138 of this Code.

19 (5) In the M1, M2, M3, and M4 Districts, where a brewpub, microbrewery, small
20 distillery, or small winery is classified as a regulated use or a controlled use, the
21 use may be permitted on a conditional basis; where a brewpub, microbrewery, small
22 distillery, or small winery in an M1, M2, M3, or M4 District is not classified as

1 either a regulated use or a controlled use, the use may be permitted on a by-right
2 basis; ~~and.~~

3 (6) In the SD1 District, a brewpub, microbrewery, small distillery, or small winery ~~may~~
4 ~~be permitted on a by-right basis where such establishment~~ that does not exceed
5 3,000 square feet and is not adjacent to or across an alley from a lot containing a
6 single- or two-family dwelling that is located on a street other than a major
7 thoroughfare is permissible on a by-right basis, and is otherwise permissible on a
8 conditional basis ~~where such establishment exceeds 3,000 square feet or is adjacent~~
9 ~~to or across an alley from a lot containing a single or two-family dwelling that is~~
10 ~~located on a street other than a major thoroughfare.~~

11 (7) In the B3 District, a brewpub or microbrewery or small distillery or small winery
12 is permissible conditionally where located within a Traditional Main Street Overlay
13 Area.

14 **Sec. 50-12-217.1. Business college or commercial trade school.**

15 Business colleges and commercial trade schools are subject to the following provision:

16 (1) Truck driving schools are subject to the provisions of Chapter 16, Article I of this
17 Code.

18 (2) In the R1, R2, R3, and R4 Districts, business colleges and commercial trade
19 schools are permissible only if established through the adaptive reuse of eligible
20 existing buildings in accordance with Section 50-12-138 of this Code.

21 (3) In the R5, R6, SD2, SD4, and MKT Districts, truck driving schools are prohibited.

22 (4) In the R6 District, business colleges and commercial trade schools, other than truck
23 driving schools, are exempt from all applicable use regulations that pertain

specifically to such district, as may be set forth in this section, if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(5) In the SD2 and SD4 Districts, all activities must occur indoors or to the rear of the building.

Sec. 50-12-221. Establishment for the sale of beer or alcoholic liquor for consumption on the premises.

Establishments for the sale of beer or alcoholic liquor for consumption on the premises are subject to the following provisions:

(1) Regulated use provisions of Article III, Division 8, of this chapter if not located in the Central Business District or SD1, SD2, or SD5 Districts, or where not operating in conjunction with and located on the same zoning lot as a standard restaurant as defined in ~~Section 50-16-362 of this Code;~~

(2) Establishments for the sale of beer or alcoholic liquor for consumption on the premises are permitted conditionally in the R5 District and by right in the R6 District only where they are located in a multiple-family dwelling, hotel, or motel that has at least 50 units and, provided, that the establishment for consumption on the premises:

- a. Does not exceed 2,000 square feet in gross floor area;
- b. Is accessible only from the interior of the building; and
- c. Has no advertising or display of said use visible from the exterior of the building.

1 (3) In R1, R2, R3, and R4 Districts, establishments for the sale of beer or alcoholic
2 liquor for consumption on the premises are permissible only if established through
3 the adaptive reuse of eligible existing buildings in accordance with Section 50-12-
4 138 of this Code. For all such establishments, gross floor area must be not greater
5 than 3,000 square feet. The location of a brewpub, microbrewery, small distillery,
6 or small winery on a major or secondary thoroughfare must be given favorable
7 consideration as part of any review of such use as a conditional land use in
8 accordance with Article III, Division 7 of this chapter.

9 (4) In the R5 and R6 Districts, establishments for the sale of beer or alcoholic liquor
10 for consumption on the premises that are not greater than 3,000 square feet in gross
11 floor area are exempt from all applicable use regulations that pertain specifically to
12 such districts, as may be set forth in this section, if established through the adaptive
13 reuse of eligible existing buildings in accordance with Section 50-12-138 of this
14 Code.

15 (5) In the B2 District, establishments for the sale of beer or alcoholic liquor for
16 consumption on the premises are permissible conditionally only if located inside a
17 Traditional Main Street Overlay Area.

18 (6) In the SD1 District, establishments for the sale of beer or alcoholic liquor for
19 consumption on the premises shall be permitted on a by-right basis where such
20 establishments do not exceed 3,000 square feet and are not adjacent to or across an
21 alley from a lot containing a single- or two-family dwelling that is located on a
22 street other than a major thoroughfare, and on a conditional basis where such
23 establishments do exceed 3,000 square feet or are located adjacent to or across an

1 alley from a lot containing a single- or two-family dwelling that is located on a
2 street other than a major thoroughfare; ~~and,~~

3 (7) In the B2 District, establishments for the sale of beer or alcoholic liquor for
4 consumption on the premises are not permitted either by right or as a conditional
5 use, in accordance with Article IX, Division 3, of this chapter, except where located
6 in a Traditional Main Street Overlay Area; while such establishments are generally
7 prohibited on land zoned B2 as a stand-alone use, standard restaurants, as defined
8 in Section 50-16-362 of this Code, located on land zoned B2, may provide for the
9 sale of beer or alcoholic liquor for consumption on the premises.

10 (8) The gross floor area specifications set forth in this section may not be waived by
11 the Board of Zoning Appeals.

12 **Sec. 50-12-220. Dry cleaning, laundry, or laundromat.**

13 Dry cleaning, laundry, and laundromat establishments are subject to the following
14 provisions:

15 (1) Dry cleaning facilities must receive an air permit from the Michigan Department of
16 Environment, Great Lakes, and Energy to conduct operations subject to the U.S.
17 Environmental Protection Agency (EPA) National Emission Standards for
18 Hazardous Air pollutants (NESHAP). All dry cleaning facilities, which use
19 perchloroethylene (PCE) in their cleaning process, are subject to NESHAP.
20 Presentation of the state permit to the Buildings, Safety Engineering, and
21 Environmental Department by dry cleaners that use PCE shall be required as a
22 condition for the City's permit. In addition, dry cleaning facilities and laundries

shall comply with materials storage, handling and disposal requirements, and pollution prevention and waste minimization requirements.

(2) In R1, R2, R3, and R4 Districts, dry cleaning, laundry, and laundromat establishments are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(3) In the R5 and R6 Districts, dry cleaning, laundry, and laundromat establishments are exempt from all applicable use regulations that pertain specifically to such districts, as may be set forth in this section, if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(4) In the B1, B2, B3, B4, B5, B6, M1, M2, M3, M4, PCA, TM, SD1, and SD2 Districts, dry cleaning, laundry, or laundromat establishments may provide:

- a. Pick-up stations; and
- b. Customer operated washer, dryer, or dry cleaning machines for family washing or dry cleaning; laundromat.

(5) In the B2, B3, and SD4 Districts, dry cleaning, laundry, or laundromat establishments:

- a. Shall employ a maximum of ten persons on site; and
- b. Shall not exceed 4,000 square feet in gross floor area.

(6) In the B4, B5, B6, and M1 Districts, dry cleaning, laundry or laundromat establishments:

- a. Shall include a retail service; and
- b. Shall employ a maximum of 25 persons on site.

(7) Dry cleaners and laundries are subject to the licensing requirements of cleaning, laundry, or laundromat establishments must comply with applicable regulations set forth in Chapter 25 of this Code, *Laundering*.

(8) ~~For Laundries do not include industrial laundries, see the term "laundry, industrial"~~ as defined in Section 50-16-282 of this Code.

Sec. 50-12-232. Medical/ or dental/ clinic, physical therapy clinic ~~and~~, or massage facility.

Medical or dental clinics, physical therapy clinics, and massage facilities are subject to the following provisions:

(1) Massage facilities ~~shall be~~ are subject to applicable licensing provisions of Chapter 20, Article V, of this Code, ~~*Massage Facilities and Massage Schools*.~~

(2) In the R1, R2, and R3 Districts, medical or dental clinics, physical therapy clinics, and massage facilities are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

~~Sec. 50-12-235. Barber or beauty shop.~~

~~In the MKT District, barber or beauty shops are not permissible if located on the first floor of a multi-story building, but are permissible on a conditional basis if located in a single-story building.~~

Sec. 50-12-235. Nail salons.

Nail salons are subject to the following provisions:

(1) In the R1, R2, R3, and R4 Districts, nail salons are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(2) In the R5 and R6 Districts, nail salons are exempt from all applicable use regulations that pertain specifically to such districts, as may be set forth in this section, if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(3) In the MKT District, nail salons are ~~not permissible if located~~ prohibited on the first floor-story of any building or structure.

Secs. 50-12-236—50-12-250. Reserved.

Subdivision E. Retail, Service, and Commercial Uses; Generally

(Motor Vehicles – Youth Hostels/Hostels)

Sec. 50-12-298. Office, business or professional.

Business or professional offices are subject to the following provisions:

(1) In R1, R2, R3, and R4 Districts, business and professional offices are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(2) In the R5 and R6 Districts, business and professional offices are exempt from all applicable use regulations that pertain specifically to such districts, as may be set forth in this section, if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(3) In the PC District, only public offices may be permitted.

(4) In the MKT District, office uses:

- a. Are permissible conditionally where located in newly-constructed buildings, or in the expanded area of an existing building if the expansion

comprises more than 200 percent of the area of the first floor of the building;
and

- b. Are permissible by-right where located in an existing building, or in the expanded area of an existing building if the expansion comprises not more than 200 percent of the area of the first floor of the building.

Sec. 50-12-300. ~~Body art facilities.~~ [RESERVED]

~~Body art facilities shall be subject to licensing by the Buildings, Safety Engineering, and Environmental Department Business License Center under Chapter 20, Article III, of this Code, Health.~~

Sec. 50-12-306.1. Radio or television station.

Radio and television stations are subject to the following provision: In the R1, R2, R3, R4, R5, and R6 Districts, radio and television stations are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

Sec. 50-12-307.1. Recording studio or photo studio or video studio, no assembly hall.

Recording, photo, and video studios, without assembly halls, are subject to the following provisions:

(1) In the R1, R2, R3, R4, and R6 Districts, recording, photo, and video studios, without assembly halls, are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(2) In the R5 District, recording, photo, and video studios, without assembly halls, are exempt from all applicable use regulations that pertain specifically to such districts,

as may be set forth in this section, if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

Sec. 50-12-308. Recreation, indoor commercial and health club; recreation, outdoor commercial.

Indoor and outdoor commercial recreation facilities are subject to the following provisions:

(1) ~~Indoor commercial recreation is prohibited in the R1, R2, R3, R4, R5, and R6 Districts, except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381 of this Code. Commercial recreation uses or activities are subject to the following requirements:~~ In the R1, R2, R3, R4, and R6 Districts, indoor commercial recreation facilities are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(2) In the R5 District, indoor commercial recreation facilities are exempt from all applicable use regulations that pertain specifically to such district, as may be set forth in this section, if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(3) ~~It shall be unlawful to establish any of the following uses~~ The following activities are prohibited within 500 feet of land zoned R1, R2, R3, R4, R5, R6, or residential PD:

- a. Archery gallery, range, or school;
- b. Baseball batting practice net;

- 1 c. Golf practice driving range, golf practice driving net, golf practice putting
2 green, or golf school; and
- 3 d. Track for bicycles, or velodromes, except where operated exclusively
4 indoors.

5 Said prohibition shall be waived upon presentation to the Buildings, Safety
6 Engineering, and Environmental Department of a verified petition requesting
7 such waiver, signed by two-thirds of those persons owning, residing, or doing
8 business on land, other than vacant land that is designated by the City Assessor
9 as "unimproved," within 500 feet of the proposed location.

10 ~~(3) Archery ranges are subject to the licensing provisions of Chapter 5, Article XI, of~~
11 ~~this Code, *Public Entertainments*;~~

12 ~~(4) Baseball batting practice nets are subject to the licensing provisions of Chapter 5,~~
13 ~~Article XI, of this Code, *Public Entertainments*;~~

14 (4) Bicycle tracks or velodromes are subject to the licensing provisions of regulation
15 set forth in Chapter 5, Article XI, of this Code, ~~*Public Entertainments*~~, ~~except~~
16 ~~where such licensing provisions conflict with the provisions of this section;~~

17 (5) Bowling alleys are subject to the licensing provisions of regulation set forth in
18 Chapter 5, Article II, of this Code, ~~*Bowling Alleys*~~;

19 (6) In the SD2 District, golf domes are not permitted in the SD2 District prohibited;

20 (7) Golf schools are subject to the licensing provisions of regulation set forth in
21 Chapter 5, Article XI, of this Code, ~~*Public Entertainments*~~;

22 (8) Ice skating rinks are subject to the licensing provisions of Chapter 5, Article XI,
23 of this Code, ~~*Public Entertainments*~~;

(9) Public bathhouses are subject to the licensing provisions of Chapter 20, Article VIII, of this Code, ~~Public Bathhouses; and,~~

(10) Roller skating rinks are subject to the licensing provisions of Chapter 5, Article XI, of this Code, ~~Public Entertainments.~~

(11) In the B2 District, indoor commercial recreation facilities ~~on land zoned B2 shall~~ must not exceed 10,000 square feet of gross floor area ~~as specified in Section 50-9-46(16) of this Code; this regulation may not be waived by the Board of Zoning Appeals, and indoor commercial recreation facilities on land zoned B2 shall and~~ must not contain a spectator seating area; the 10,000 square feet of gross floor area limit may not be waived by the Board of Zoning Appeals.

Sec. 50-12-310. Restaurants, carry-out and fast-food.

Carry-out restaurants and fast-food restaurants ~~shall be located on a street designated as a major or secondary thoroughfare, and shall be subject to the spacing provisions of Section 50-12-132 of this Code and~~ are subject to the following provisions:

(1) Carry-out restaurants and fast-food restaurants shall be located on a street designated as a major or secondary thoroughfare. Points of vehicular ingress and egress shall be approved by the Department of Public Works, Traffic Engineering Division in accordance with ~~Article VI of Chapter 43,~~ Article VI of this Code; ~~Streets, Sidewalks, and Other Public Places;.~~

(2) Except as provided in ~~Subsection (5) of this section,~~ food consumption upon the premises outside the restaurant building shall be prohibited, and, where deemed advisable by the enforcing official to assure compliance with this prohibition, the premises shall be properly posted with signs stating that the consumption of food,

frozen desserts, or beverages within vehicles parked upon the premises is unlawful and that violators are subject to fines as prescribed by law. A minimum of two such signs shall be posted within the building near the checkout counter of the restaurant, and a minimum of four such signs shall be posted within the parking area so as to be clearly visible from all vehicles on the premises.

(3) In the R1, R2, R3, and R4 Districts, fast food restaurants, without drive-up or drive-through facilities, are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code. For all such restaurants, gross floor area must be not greater than 4,000 square feet and all refuse receptacles must be located as far as may be feasible from adjacent residential uses.

(4) In the R5 and R6 Districts, fast food restaurants, without drive-up or drive-through facilities, that are located on a street designated as a major or secondary thoroughfare and that are not greater than 4,000 square feet in gross floor area are exempt from all applicable use regulations that pertain specifically to such districts, as may be set forth in this section, if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

~~(5) Drive-up, drive-through facilities may be provided~~ In the B3, B4, and B5 Districts only where approved as conditional uses and subject to the provisions for vehicle stacking in Article XIV, Division 1, Subdivision H, of this chapter. Where practicable, there shall be carry-out restaurants and fast-food restaurants with drive-up or drive-through facilities must, if practicable, include at least one

temporary vehicle stopping space after the delivery window so motorists may prepare themselves for a safe exit onto the public roadway;.

(6) In the B4 District, carry-out or fast-food restaurants with drive-up or drive-through facilities are prohibited on land zoned B2, PCA, SD1, or SD2. In addition, as provided in Section 50-9-112 of this Code, carry out or fast food restaurants are prohibited altogether on zoning lots abutting the Woodward Avenue Gateway Radial Thoroughfare unless located in a multi-story building having a mixed-use or multi-tenant development; the regulations contained in this subsection may not be waived by the Board of Zoning Appeals;.

(7) In the B2, B3, B4, and B5 Districts, if a fast-food restaurant includes a designated outdoor eating areas accessory to fast food restaurants, such as in a courtyard or on a roof or deck, may be provided in the B2, B3, B4 and B5 Districts only where approved as conditional uses. Such feature may be provided on a by right basis in those other zoning districts where carry out or fast food restaurants are permitted by right then it is permissible only on a conditional basis. Carry-out restaurants are prohibited from including designated outdoor eating areas. Designated outdoor eating areas shall be added to the gross floor area of the building for purposes of computing off-street parking requirements. Outdoor eating areas shall not be designated in required parking areas. Outdoor eating areas on the sidewalk or elsewhere in the right-of-way are prohibited except upon the recommendation of applicable approvals by the Department of Public Works and subject to approval by City Council;.

1 (8) Any carry-out or fast-food restaurant that operates as a concert café or coffee
2 house is subject to the licensing provisions of Chapter 5, Article V, of this Code,
3 ~~Coffee Houses and Concert Cafés;~~

4 (9) In the B5 and PCA Districts:

5 a. ~~Any~~ A carry-out or fast-food restaurant that is located in a multi-story
6 building and integrated into a mixed-use or multi-tenant development,
7 rather than a single-use building, ~~shall be~~ may be permissible on a by-right
8 ~~use in the B5 and PCA Districts. Stand-alone carry-out or fast food~~
9 ~~restaurants shall be a conditional use; and~~ basis. Carry-out or fast-food
10 ~~restaurants that are not located in such a building are permissible only on~~
11 a conditional basis.

12 b. ~~Any~~ A carry-out or fast-food restaurant that necessitates customers to enter
13 the building may be permissible on a by-right basis. A carry-out or fast-food
14 restaurant that includes a walk-up window or other service, which
15 eliminates the need for the customer to enter the building, ~~shall be~~ is
16 permissible only on a conditional ~~use;~~ basis.

17 (10) In the PR District, a carry-out or fast-food restaurants operated as a concession
18 stands under contract with the ~~Recreation~~ General Services Department ~~shall be~~
19 ~~permitted or other governmental or non-profit operating entity is permissible as~~
20 accessory ~~uses~~ as provided for in Section 50-12-511(2) of this Code;

21 (11) In the SD4 District, ~~stand-alone~~ carry-out or fast-food restaurants ~~are prohibited,~~
22 ~~provided, that carry out or fast food restaurants may be permitted on a by right~~

1 ~~basis when~~ must be integrated in a mixed-use, multi-tenant development and must
2 be without drive-up or drive-through facilities; ~~and.~~

3 ~~(11) See also Section 50-12-511 of this Code for applicable accessory use standards.~~

4 **Sec. 50-12-311. Restaurants, standard.**

5 Standard restaurants ~~shall be~~ are subject to ~~the spacing provisions of Section 50-12-131~~
6 ~~of this Code and~~ to the following ~~requirements~~ provisions:

7 (1) ~~Such uses~~ Standard restaurants may include the sale of beer or alcoholic liquor for
8 consumption on the premises ~~and shall not constitute~~ without constituting a
9 regulated use; ~~however, in.~~

10 (2) In the SD1 District, any such standard restaurant that includes the sale of beer or
11 intoxicating liquor for consumption on the premises and that is adjacent to or
12 across an alley from a lot containing a single- or two-family dwelling, ~~which that~~
13 is located on a street other than a major thoroughfare, ~~may be permitted only as a~~
14 conditional use is permissible only on a conditional basis and may otherwise be
15 permissible on a by-right basis.

16 (3) Points of vehicular ingress and egress shall be determined by the Department of
17 Public Works Traffic Engineering Division;.

18 (4) Except as provided in ~~Subsection (5) of this section,~~ food consumption upon the
19 premises outside the restaurant shall be prohibited and, where deemed advisable
20 by the enforcing official to assure compliance with this prohibition, the premises
21 shall be properly posted with signs stating that the consumption of food, frozen
22 desserts, or beverages within vehicles parked upon the premises is unlawful and
23 that violators are subject to fines as prescribed by law. A minimum of two such

signs shall be posted within the building near the checkout counter of the restaurant and a minimum of four such signs shall be posted within the parking area so as to be clearly visible from all vehicles on the premises;

(5) In the R1, R2, R3, and R4 Districts, standard restaurants, without drive-up or drive-through facilities, are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code. For all such restaurants, gross floor area must be not greater than 4,000 square feet and all refuse receptacles must be located as far as may be feasible from adjacent residential uses.

(6) In the R5 and R6 Districts, standard restaurants, without drive-up or drive-through facilities, that are not greater than 4,000 square feet in gross floor area are exempt from all applicable use regulations that pertain specifically to such districts, as may be set forth in this section, if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(7) In the B3 and B4 Districts, standard restaurants containing drive-up, or drive-through facilities may be provided in the B3 and B4 Districts only where approved as conditional uses and are permissible only on a conditional basis, subject to the provisions for vehicle stacking in Article XIV, Division 1, Subdivision H, of this chapter. Where practicable, there shall be at least one temporary vehicle stopping space after the delivery window so motorists may prepare themselves for a safe exit onto the public roadway. In accordance with Article IX and Article XI of this chapter, in the B2, PCA, SD1, SD2 and SD4 Districts, such drive through

1 facilities are prohibited; this regulation may not be waived by the Board of Zoning
2 Appeals.

3 (8) In the M2, M3, M4 and TM Districts, such drive-through facilities are permitted
4 by right, subject to the provisions of Article XIV, Division 1, Subdivision H, of
5 this chapter. Standard restaurants with drive-up or drive-through facilities are
6 prohibited on any zoning lot abutting a designated Gateway Radial Thoroughfare;
7 this regulation may not be waived by the Board of Zoning Appeals;_

8 (9) In B2, B3, and B4 Districts, if a standard restaurant includes a designated outdoor
9 eating areas, such as in a courtyard or on a roof or deck, ~~may be provided in the~~
10 ~~B2, B3, or B4 District only where approved as conditional uses, except in a~~
11 ~~Traditional Main Street Overlay Area, where outdoor eating areas that are on the~~
12 ~~front or in front of the building shall be permitted on a matter of right basis. Such~~
13 ~~feature may be provided on a by right basis in those other zoning districts where~~
14 ~~standard restaurants are permitted by right then it is permissible only on a~~
15 conditional basis. Designated outdoor eating areas shall be added to the gross floor
16 area of the building for purposes of computing off-street parking requirements.
17 Outdoor eating areas shall not be designated in required parking areas; ~~and~~_

18 (10) Any standard restaurant operating as a coffee house is subject to the licensing
19 provisions of Chapter 5, Article V, of this Code, ~~Coffee Houses and Concert~~
20 ~~Cafés~~.

21 **Sec. 50-12-313. Schools or studios of dance, gymnastics, music, art, or cooking.**

22 Schools or studios of dance, gymnastics, music, art or cooking are subject to the following
23 provisions:

(1) Dance studios shall be licensed in accordance with Chapter 5, Article VIII, of this Code, *Dance Studios*.

(2) In the R1, R2, R3, and R4 Districts, schools or studios of dance, gymnastics, music, art or cooking are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(3) In the R5 and R6 Districts, standard restaurants, without drive-up or drive-through facilities, are exempt from all applicable use regulations that pertain specifically to such districts, as may be set forth in this section, if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

Sec. 50-12-313.1 Shoe repair shop.

Shoe repair shops are subject to the following provisions:

(1) In the R1, R2, R3, and R4 Districts, shoe repair shops are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(2) In the R5 and R6 Districts, shoe repair shops are exempt from all applicable use regulations that pertain specifically to such districts, as may be set forth in this section, if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

Sec. 50-12-317. Theaters and concert cafés.

Theaters and concert cafés ~~shall be~~ are subject to the following provisions:

- (1) Multiplex theaters exceeding 50,000 square feet shall conform to the standards for large retail centers as provided for in Article XIV, Division 3, Subdivision E, of this chapter.
- (2) It shall be unlawful to establish any concert hall within 500 feet of land zoned R1, R2, R3, R4, R5, R6, or residential PD; said prohibition shall be waived upon presentation to the Buildings, Safety Engineering, and Environmental Department of a verified petition requesting such waiver, signed by two-thirds of those persons owning, residing, or doing business on land, other than vacant land that is designated by the City Assessor as "unimproved," within 500 feet of the proposed location.
- (3) Concert cafés are prohibited within 500 feet of land zoned R1, R2, R3, R4, R5, R6, or residential PD; however, such prohibition shall be waived upon presentation to the Buildings, Safety Engineering, and Environmental Department of a verified petition requesting such waiver, signed by two-thirds of those persons owning, residing, or doing business on land, other than vacant land that is designated by the City Assessor as "unimproved," within 500 feet of the proposed location.
- (4) Theaters, stage show theaters, concert halls, and motion picture theaters are subject to licensing by the Buildings, Safety Engineering, and Environmental Department Business License Center, as provided for in Chapter 5, Article XI, of this Code, ~~Public Entertainments~~.
- (5) Concert cafés are subject to licensing by the Buildings, Safety Engineering, and Environmental Department Business License Center, as provided for in Chapter 5, Article V, of this Code, ~~Amusements and Entertainments~~.

(6) In the R1, R2, R3, R4, R5, and R6 Districts, theaters and concert cafés, excluding drive-in theaters, are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(7) In the SD1 District, theaters, excluding concert cafés, not exceeding 150 fixed seats, may be permitted on a conditional basis.

(8) In the SD2 District, theaters, excluding concert cafés, not exceeding 150 fixed seats, are permitted on a by-right basis. Those exceeding 150 fixed seats may be permitted on a conditional basis.

Sec. 50-12-318. ~~Trade schools, commercial.~~ [RESERVED]

~~(a) Truck driving schools are subject to the provisions of Chapter 16, Article I, of this Code, Noise, and are excluded from the "school building adaptive reuse" provision as defined in Section 50-16-381 of this Code.~~

~~(b) Truck driving schools are prohibited on land zoned R5, R6, SD2, SD4, or MKT.~~

~~(c) On land zoned SD2 and SD4, all activities must occur indoors or to the rear of the building.~~

Sec. 50-12-321. Veterinary clinic for small animals.

Veterinary clinics for small animals ~~shall be~~ are subject to the following ~~requirements~~ provisions:

(1) Kennel facilities shall be governed separately by Section 50-12-229 of this Code for commercial kennels.

(2) All facilities of a veterinary clinic, including all grooming areas, cages, pens, and kennels, shall be maintained within a completely enclosed, soundproof building.

(3) All veterinary clinics shall be designed and constructed in a manner that eliminates any emission of odor which is offensive to persons owning, occupying or patronizing properties adjacent to, or across an alley from, the use; ~~and~~.

(4) No outdoor exercise run area ~~shall be permitted~~ may be located less than 50 feet from any land zoned R1, R2, R3, R4, R5, R6, or residential PD.

(5) In the R1, R2, R3, and R4 Districts, veterinary clinics for small animals are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(6) In the R5 and R6 Districts, veterinary clinics for small animals are exempt from all applicable use regulations that pertain specifically to such districts, as may be set forth in this section, if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

Sec. 50-12-322. Youth hostels/hostels.

Hostels and youth hostels are subject to the following provisions:

(1) Youth hostels/hostels ~~shall be~~ are subject to ~~the applicable~~ provisions of Chapter 36, Article I of this Code, ~~Public Lodging, Article 1, Public Accommodations, Division 1, Generally, Division 3, Hostels, and Division 4, Licenses.~~

(2) In the R1 and R2 Districts, hostels and youth hostels are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code. Any such facility must be located on a major or secondary thoroughfare.

Sec. 50-12-323. Printing or engraving shops.

Printing and engraving shops are subject to the following provisions:

1 (1) In the SD1 District, a printing or engraving shops must not exceeding 4,000 square
2 feet may be permitted on a by-right basis where and must utilize a minimum of ten
3 10 percent of the gross floor area is used as a retail store for the sale of the goods
4 produced, as provided for in Section 50-11-236(15) of this Code therein. This
5 regulation may not be waived by the Board of Zoning Appeals.

6 (2) In the SD2 District, ~~printing or engraving shops not exceeding 5,000 square feet~~
7 ~~may be permitted on a matter of right basis where a minimum of ten percent of the~~
8 ~~gross floor area is used as a retail store for the sale of the goods produced. Printing~~
9 ~~or engraving shops exceeding 5,000 square feet may be permitted on a conditional~~
10 ~~basis where a minimum of ten percent of the gross floor area is used as a retail store~~
11 ~~for the sale of the goods produced~~ a printing or engraving shop is permissible on a
12 by-right basis if it does not exceed 5,000 square feet and is otherwise permissible
13 on a conditional basis. A printing or engraving shop of any size must utilize a
14 minimum of 10 percent of its gross floor area as a retail store for the sale of goods
15 produced therein.

16 (3) In the R1, R2, R3, and R4 Districts, printing and engraving shops are permissible
17 only if established through the adaptive reuse of eligible existing buildings in
18 accordance with Section 50-12-138 of this Code.

19 (4) In the R5 and R6 Districts, printing and engraving shops are exempt from all
20 applicable use regulations that pertain specifically to such districts, as may be set
21 forth in this section, if established through the adaptive reuse of eligible existing
22 buildings in accordance with Section 50-12-138 of this Code.

1 **Sec. 50-12-324. Stores of a generally recognized retail nature whose primary business is the**
2 **sale of new merchandise, without drive-up or drive-through facilities.**

3 Stores of a generally recognized retail nature whose primary business is the sale of new
4 merchandise, without drive-up or drive-through facilities, are subject to the following provisions:

5 (1) In the MKT District, stores of a generally recognized retail nature whose primary
6 business is the sale of new merchandise, without drive-up or drive-through
7 facilities, must not exceed 15,000 square feet in gross floor area.

8 (2) In R1, R2, R3, R4, and R6 Districts, stores of a generally recognized retail nature
9 whose primary business is the sale of new merchandise, without drive-up or drive-
10 through facilities, are permissible only if established through the adaptive reuse of
11 eligible existing buildings in accordance with Section 50-12-138 of this Code. The
12 Master Plan classification of the road on which is use is located must be given due
13 consideration as part of any review of such use as a conditional land use in
14 accordance with Article III, Division 7 of this chapter.

15 (3) In the R5 District, stores of a generally recognized retail nature whose primary
16 business is the sale of new merchandise, without drive-up or drive-through
17 facilities, are exempt from all applicable use regulations that pertain specifically to
18 such district, as may be set forth in this section, if established through the adaptive
19 reuse of eligible existing buildings in accordance with Section 50-12-138 of this
20 Code.

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

22 **Sec. 50-12-334. Confection ~~manufacturing~~ manufacture.**

23 Confection manufacture facilities are subject to the following provisions:

(1) In the R1, R2, R3, R4, R5, and R6 Districts, confection manufacture facilities are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(2) In the B2, B3 and B4 Districts, confection ~~manufacturing~~ is manufacture facilities are permissible by-right only if located in a structure that does not exceed 4,000 square feet of gross floor area ~~with,~~ that utilizes a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a retail store for the sale of the goods produced on the premises, and that is located in a Traditional Main Street Overlay Area. Otherwise, in the B2 District confection manufacturing is permissible conditionally if located in a structure not exceeding 6,000 square feet in gross floor area and prohibited in a structure exceeding 6,000 square feet in gross floor area, in the B3 District confection manufacturing is prohibited, and in the B4 District confection manufacturing is permissible conditionally.

(3) In the SD1 District, confection ~~manufacturing with~~ manufacture facilities must utilize a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a retail store for the sale of the goods produced on the premises, ~~shall~~ and must not exceed 4,000 square feet in gross floor area.

(4) In the SD2 District, confection ~~manufacturing with~~ manufacture facilities must utilize a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a retail store for the sale of the goods produced on the premises, ~~shall~~ and must not exceed 5,000 square feet in gross floor area.

(5) The regulations set forth in this Section may not be modified or waived by the Board of Zoning Appeals.

Sec. 50-12-336. Food catering establishments.

Food catering establishments are subject to the following provisions:

(1) In the R1, R2, R3, R4, R5, and R6 Districts, food catering establishments are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code. For all such establishments, all refuse receptacles must be located as far as may be feasible from adjacent residential uses and deliveries may be made by semi-truck only if the establishment is located on a major or secondary thoroughfare.

(2) In the B2, B3, and B4 Districts, a food catering establishment is permissible by-right only if located in a structure that does not exceed 4,000 square feet of gross floor area ~~with, that utilizes~~ a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a retail store for the sale of the goods produced on the premises, and that is located in a Traditional Main Street Overlay Area. Otherwise, in the B2 and B4 Districts a food catering establishment is permissible ~~only~~ conditionally, and in the B3 District a food catering establishment is prohibited.

(3) In the SD1 District, a food catering establishments must not exceeding 4,000 square feet in gross floor area ~~are permitted on a by-right basis.~~

(4) In the SD2 District, a food catering establishments must not exceeding 5,000 square feet ~~of in~~ gross floor area ~~are permitted on a conditional basis.~~

(5) The gross floor area specifications set forth in this Section may not be modified or waived by the Board of Zoning Appeals.

1 **Sec. 50-12-340. Jewelry manufacture establishments.**

2 Jewelry manufacture establishments are subject to the following provisions:

3 (1) In the R1, R2, R3, R4, R5, and R6 Districts, jewelry manufacture establishments
4 are permissible only if established through the adaptive reuse of eligible existing
5 buildings in accordance with Section 50-12-138 of this Code.

6 (2) In the B2, B3 and B4 Districts, a jewelry manufacture establishment is permissible
7 by-right only if located in a structure that does not exceed 4,000 square feet of gross
8 floor area ~~with,~~ that utilizes a minimum of ~~ten~~ 10 percent of the gross floor area
9 ~~being used~~ as a retail store for the sale of the goods produced on the premises, and
10 that is located in a Traditional Main Street Overlay Area. Otherwise, in the B4
11 District a jewelry manufacture establishment is permissible conditionally, and in
12 the B2 and B3 Districts a jewelry manufacture establishment is prohibited.

13 (3) In the SD1 District, a jewelry ~~manufacturing~~ manufacture establishments ~~shall have~~
14 must utilize a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a
15 retail store for the sale of the goods produced on the premises and ~~shall~~ must not
16 exceed 4,000 square feet in gross floor area.

17 (4) In the SD2 District, a jewelry ~~manufacturing~~ manufacture establishments ~~shall have~~
18 must utilize a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a
19 retail store for the sale of the goods produced on the premises and ~~shall~~ must not
20 exceed 5,000 square feet in gross floor area.

21 (5) The regulations set forth in this Section may not be modified or waived by the
22 Board of Zoning Appeals

1 **Sec. 50-12-342. Lithographing and sign shops.**

2 Lithographing and sign shops are subject to the following provisions:

3 (1) In the R1, R2, R3, R4, R5, and R6 Districts, lithographing and sign shops are
4 permissible only if established through the adaptive reuse of eligible existing
5 buildings in accordance with Section 50-12-138 of this Code.

6 (2) In the B2, and MKT Districts, sign shops are prohibited.

7 (3) In the B2, B3, and B4 Districts, a lithographing shop is permissible by-right only if
8 located in a structure ~~not exceeding~~ that does not exceed 4,000 square feet of gross
9 floor area ~~with, that utilizes~~ a minimum of ~~ten~~ 10 percent of the gross floor area
10 ~~being used~~ as a retail store for the sale of the goods produced on the premises, and
11 ~~if that is~~ located in a Traditional Main Street Overlay Area. Otherwise, in the B2
12 District, a lithographing shop is permissible conditionally only if located in a
13 structure ~~not exceeding~~ that does not exceed 4,000 square feet ~~of in~~ gross floor area
14 and ~~that is~~ located outside a Traditional Main Street Overlay Area, in the B3
15 District, a lithographing shop is prohibited, and, in the B4 District, a lithographing
16 shop is permissible conditionally.

17 (4) In the SD1 District, lithographing and sign shop establishments ~~shall have~~ must
18 utilize a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a retail
19 store for the sale of the goods produced on the premises, and ~~shall~~ must not exceed
20 4,000 square feet in gross floor area.

21 (5) In the SD2 District, lithographing and sign shop establishments ~~shall have~~ must
22 utilize a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a retail

store for the sale of the goods produced on the premises and ~~shall~~ must not exceed 5,000 square feet in gross floor area.

(6) The regulations set forth in this section may not be modified or waived by the Board of Zoning Appeals.

Sec. 50-12-353. Trade services, general.

General trade services ~~shall be~~ are subject to the following provisions:

~~(1) — The term "general trade services" is defined in Section 50-16-402 of this Code;~~

(1) All material shall be stored within an enclosed building with walls on all sides;

(2) Cabinet-making, carpenter, and furniture repair or upholstering shops shall be reviewed by the Michigan Department of Environment, Great Lakes, and Energy Air Quality Division as provided for in Section 50-12-122 of this Code;

(3) In the R1, R2, R3, R4, R5, and R6 Districts, general trade services establishments are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(4) In the B2 District, general trade services other than cabinet making are permissible by-right only if located in a structure ~~not exceeding~~ that does not exceed 4,000 square feet of gross floor area ~~with~~ , that utilizes a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a retail store for the sale of the goods produced on the premises, and that is located in a Traditional Main Street Overlay Area. Otherwise, ~~in the B2 District~~ general trade services other than cabinet making ~~is~~ are permissible conditionally;

(5) In the B2 District, cabinet making is permissible conditionally, only if located in a structure that does not exceed 4,000 square feet ~~of~~ in gross floor area ~~with~~ , that

utilizes a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a retail store for the sale of the goods produced on the premises, and that is located in a Traditional Main Street Overlay Area.

(6) In the SD1 District;

- a. General trade services, ~~general, with the exception of other than~~ cabinet making establishments, ~~shall be permitted~~ are permissible on a by-right basis only if they ~~have~~ utilize a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a retail store for the sale of the goods produced on the premises and do not exceed 4,000 square feet in gross floor area, and are otherwise prohibited;
- b. ~~Trade services, general,~~ Cabinet making establishments ~~may be permitted on a conditional basis~~ are permissible conditionally only if they ~~have~~ utilize a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a retail store for the sale of the goods produced on the premises and do not exceed 4,000 square feet in gross floor area, and are otherwise prohibited; ~~and~~;
- c. The regulations set forth in this subsection may not be modified or waived by the Board of Zoning Appeals; ~~and~~;

(7) In the SD2 District;

- a. General trade services, ~~general, with the exception of other than~~ cabinet making establishments, ~~shall be permitted~~ are permissible on a by-right basis only if they ~~have~~ utilize a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a retail store for the sale of the goods produced on the

premises and do not exceed 5,000 square feet in gross floor area, and are otherwise prohibited; and.

b. ~~Trade services, general,~~ Cabinet making establishments ~~may be permitted on a conditional basis~~ are permissible conditionally only if they ~~have~~ utilize a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a retail store for the sale of the goods produced on the premises and do not exceed 5,000 square feet in gross floor area; ~~and.~~

c. The regulations set forth in this subsection may not be modified or waived by the Board of Zoning Appeals.

Sec. 50-12-358. Wholesaling, warehousing, storage buildings, or public storage facilities.

Wholesaling, warehousing, storage buildings, ~~or~~ and public storage facilities are subject to the following ~~requirements~~ provisions:

(1) In the R1, R2, R3, R4, R5, and R6 Districts, only public storage facilities are permissible and such use is permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code. All such facilities must be located on a major thoroughfare or freeway service drive.

(2) In the B4 District, such facilities shall not be permitted wholesaling, warehousing, storage buildings, and public storage facilities are prohibited on any zoning lot abutting a designated Gateway Radial Thoroughfare, except Gratiot;

(3) In all zoning districts in which warehousing is permissible except the M2, M3, M4, and M5 Districts, steel warehousing shall be is prohibited in all zoning districts except M2, M3, M4, and M5;

1 (4) Storage of bulk petroleum or related products, garbage, refuse, rubbish, or scrap
2 tires ~~are~~ is prohibited;

3 (5) All materials shall be completely enclosed within a building, except ~~as provided for~~
4 ~~in Subsection (6) of this section;~~ that accessory outdoor storage is permissible,
5 subject to Section 50-12-458 of this Code, if placed only on asphalt or concrete
6 paved surfaces and screened subject to the applicable provisions of Article XIV,
7 Division 2, Subdivision D of this chapter.

8 (6) ~~There shall be a minimum of 35 feet, or 45 feet if the driveway is two-way, between~~
9 ~~warehouses for driveway, parking, and fire lane purposes. Where no parking is~~
10 ~~permitted within the building separation areas, the building separation need only be~~
11 ~~25 feet. The separation between warehouses must be a minimum of 25 feet to~~
12 ~~accommodate a driveway with fire lane and without parking, 35 feet to~~
13 ~~accommodate a one-way driveway with fire lane and parking, and 45 feet to~~
14 ~~accommodate a two-way driveway with fire lane and parking.~~ Traffic direction and
15 parking in such areas shall be designated by signaling or painting;

16 ~~(6) — Permitted outdoor accessory storage is subject to Section 50-12-458 of this Code~~
17 ~~and shall be placed only on asphalt or concrete paved surfaces, and screening shall~~
18 ~~be subject to the applicable provisions of Article XIV, Division 2, Subdivision D,~~
19 ~~of this chapter;~~

20 (7) ~~No~~ Storage of hazardous substances, toxic, or explosive materials ~~shall be permitted~~
21 is prohibited. Signs shall be posted at the facility describing such restrictions;

(8) Public storage facilities are subject to the licensing provisions of Chapter 30, Article II, of this Code, ~~Moving and Storage~~, and shall comply with the following standards:

a. No residential use ~~shall~~ may be allowed in any public storage unit; ~~and~~.

b. No retail, wholesale, fabrication, manufacturing, or service activities ~~shall~~ may be conducted from within public storage units; ~~and~~.

(9) In the MKT District, warehousing and storage of food-related products are permissible by-right and warehousing and storage of non food-related products are permissible conditionally.

Sec. 50-12-359. Low-impact manufacturing or processing facilities.

Low-impact manufacturing or processing facilities are subject to the following provisions:

(1) In the R1, R2, R3, R4, R5, and R6 Districts, low-impact manufacturing or processing facilities are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

(2) In the B2, B3, and B4 Districts, a low-impact manufacturing or processing facility is permissible by-right only if located in a structure that does not exceed 4,000 square feet ~~of in gross floor area with~~, that utilizes a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a retail store for the sale of the goods produced on the premises, and that is located in a Traditional Main Street Overlay Area. Otherwise, ~~in the B2, B3, and B4 Districts a low-impact manufacturing or processing facility is~~ facilities are prohibited.

(3) In the SD1 District, low-impact manufacturing or processing facilities, ~~with~~ must utilize a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a retail

store for the sale of the goods produced on the premises, ~~shall~~ and must not exceed 4,000 square feet in gross floor area.

(4) In the SD2 District, low-impact manufacturing or processing facilities, ~~with~~ must utilize a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a retail store for the sale of the goods produced on the premises, ~~shall~~ and must not exceed 5,000 square feet in gross floor area.

(5) The regulations set forth in this Section may not be modified or waived by the Board of Zoning Appeals.

Sec. 50-12-360. Wearing apparel manufacturing.

Wearing apparel manufacturing facilities are subject to the following provisions:

(1) In the R1, R2, R3, R4, R5, and R6 Districts, wearing apparel manufacturing facilities are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code. For all such facilities, loading areas must be located as far as may be feasible from adjacent residential uses.

(2) In the B2, B3, and B4 Districts, wearing apparel manufacturing is permissible by-right only if located in a structure that does not exceed 4,000 square feet ~~of~~ in gross floor area ~~with~~, that utilizes a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a retail store for the sale of the goods produced on the premises, and that is located in a Traditional Main Street Overlay Area. Otherwise, in the B2 and B3 Districts wearing apparel manufacturing is prohibited and in the B4 District wearing apparel manufacturing is permissible conditionally.

(3) In the SD1 District, wearing apparel manufacturing facilities must ~~have~~ utilize a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a retail store for the sale of the goods produced on the premises and ~~shall~~ must not exceed 4,000 square feet in gross floor area.

(4) In the SD2 District, wearing apparel manufacturing facilities must ~~have~~ utilize a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a retail store for the sale of the goods produced on the premises and ~~shall~~ must not exceed 5,000 square feet in gross floor area.

(5) The regulations set forth in this Section may not be modified or waived by the Board of Zoning Appeals.

Sec. 50-12-361. Low/medium-impact manufacturing or processing facilities.

Low/medium-impact manufacturing or processing facilities are subject to the following provisions:

(1) In the R1, R2, R3, R4, R5, and R6 Districts, only the following types of low/medium-impact manufacturing or processing facilities are permissible and are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code. For all such facilities, loading areas must be located as far as may be feasible from adjacent residential uses.

a. Art needlework.

b. Canvas goods manufacture.

c. Cigar or cigarette manufacture.

d. Clock or watch manufacture.

- e. Coffee roasting.
- f. Door, sash, or trim manufacture.
- g. Draperies manufacture.
- h. Flag or banner manufacture.
- i. Glass blowing.
- j. Knit goods manufacturing.
- k. Leather goods manufacture or fabrication.

(2) In the B2, B3 and B4 Districts, a low/medium-impact manufacturing or processing facility is permissible by-right only if located in a structure that does not exceeding 4,000 square feet of in gross floor area with, that utilizes a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a retail store for the sale of the goods produced on the premises, that is located in a Traditional Main Street Overlay Area, and that is limited to any one of the following ~~delineated in this subsection~~ types of facilities. Otherwise, ~~in the B2, B3, and B4 Districts a low/medium-impact manufacturing or processing facility is~~ facilities are prohibited.

- a. Art needlework.
- b. Canvas goods manufacture.
- c. Cigar or cigarette manufacture.
- d. Clock or watch manufacture.
- e. Coffee roasting.
- f. Door, sash, or trim manufacture
- g. Draperies manufacture.
- h. Flag or banner manufacture.

1 i. Glass blowing.

2 j. Knit goods manufacturing.

3 k. Leather goods manufacture or fabrication.

4 (3) In the SD1 and SD2 Districts, only the following types of low/medium-impact
5 manufacturing or processing facilities ~~with~~ are permissible, and any such facility
6 must utilize a minimum of ~~ten~~ 10 percent of the gross floor area ~~being used~~ as a
7 retail store for the sale of the goods produced on the premises ~~are permitted~~:

8 a. Art needlework.

9 b. Canvas goods manufacture.

10 c. Cigar or cigarette manufacture.

11 d. Clock or watch manufacture.

12 e. Coffee roasting.

13 f. Door, sash, or trim manufacture.

14 g. Draperies manufacture.

15 h. Flag or banner manufacture.

16 i. Glass blowing.

17 j. Knit goods manufacturing.

18 k. Leather goods manufacture or fabrication.

19 (4) In the SD1 District, ~~such~~ low/medium-impact manufacturing or processing
20 facilities ~~shall~~ must not exceed 4,000 square feet in gross floor area.

21 (5) In the SD2 District, ~~such~~ low/medium-impact manufacturing or processing
22 facilities ~~shall~~ must not exceed 5,000 square feet in gross floor area.

(6) In the MKT District, only the following types of low/medium-impact manufacturing or processing facilities ~~allowed by right are limited to~~ are permissible:

a. Coffee roasting; and

b. Dog or cat food cannery or manufacture excluding rendering or the use of fish.

(7) The regulations set forth in this Section may not be modified or waived by the Board of Zoning Appeals.

Subdivision H. Other Uses—Urban Agriculture

Sec. 50-12-397.1. Urban agriculture in residential districts.

In R1, R2, R3, R4, R5, and R6 Districts, aquaculture, aquaponics, and hydroponics are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

Subdivision I. Other Uses—Miscellaneous

Sec. 50-12-414. Telecommunications building, private.

Private telecommunications buildings are subject to the following provision: In R1, R2, R3, R4, R5, and R6 Districts, private telecommunications buildings are permissible only if established through the adaptive reuse of eligible existing buildings in accordance with Section 50-12-138 of this Code.

Secs. 50-12-415—50-12-430. Reserved.

1 **DIVISION 4. PRINCIPAL USES AND STRUCTURES**

2 **Sec. 50-12-431. Number of buildings on a zoning lot.**

3 Not more than one principal detached residential building ~~shall~~ may be located on a zoning
4 lot in the R1, R2, R3, R4, R5, and R6 Districts. Except that:

5 (1) In the case of planned developments, or buildings used for educational or religious
6 purposes, a principal detached residential building shall not be located on the same
7 zoning lot with any other principal building; ~~and.~~

8 (2) In the R3, R4, R5, and R6 Districts, more than one principal detached residential
9 building may be permitted on the same zoning lot, subject to Article XIII, Division
10 3, of this chapter, as an alternative residential development option.

11 (3) In the R1, R2, R3, R4, R5, and R6 Districts, multiple principal detached residential
12 buildings may be located on the same zoning lot if developed through the adaptive
13 reuse of eligible existing buildings in accordance with Section 50-12-138 of this
14 Code.

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

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

17 **Subdivision B. General Dimensional Standards for Residential Districts**

18 **Sec. 50-13-30. Lot coverage exception.**

19 In the R1 and R2 Districts, the maximum lot coverage for multi-family dwellings
20 developed through the adaptive reuse of eligible existing buildings, in accordance with Section 50-
21 12-138 of this Code, is 75 percent.

22 **Secs. 50-13-31—50-13-40. Reserved**

ARTICLE XIV. DEVELOPMENT STANDARDS

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

Subdivision B. Off-Street Parking Schedule "A"

Sec. 50-14-33. Group living.

Off-street parking regulations for group living facilities are as follows:

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
Group living	Adult foster care facility	1 space per each 4 persons based on maximum capacity as specified in state license	100
	Assisted living facility	0.50 per dwelling unit plus 1 per 2 employees	Same lot
	Convalescent, nursing, or rest home	1 per 4 beds	100; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot
	Emergency shelter	1 per 2 employees	100
	Fraternity or sorority house; dormitory	1 per 3 beds	100
	Home for the aged	1 space per each 4 persons based on maximum capacity as specified in state license	100
	Religious residential facility	2 per rectory or parsonage; 1 per convent or monastery plus 1 for each 10 residents	Same lot
	Residential substance abuse facility	1 per 2 employees	100
	Rooming house	2 per 3 guestrooms or 1 per 4 residents, whichever is greater + 1 per dwelling unit	100

	Shelter for survivors of domestic violence	1 per 2 employees	100
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2 **Sec. 50-14-34. Household living.**

3 Off-street parking regulations for household living are as follows:

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
Household Living	Loft and Multiple-family dwelling, in general	1.25 per dwelling unit; 0.75 per dwelling unit for multiple-family dwelling for the elderly as defined in Section 50-16-304; see also Section 50-14-74. On land zoned SD1 or SD2: 1.0 per dwelling unit. Where located within 0.50 miles of a bus rapid transit, street car/trolley or light rail line a high-frequency transit corridor in any zoning district, or within the Grand River/Lahser or Livernois/West McNichols Traditional Main Street Overlay Areas: 0.75 per dwelling unit.	100; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot; and except on land zoned SD1 or SD2: 1,320 where a "district approach" to parking as provided in Section 50-14-7(2)a., b., and c. has been recognized by the Planning and Development Department.
	Multiple-family dwelling, where located within 0.50 miles of a high-frequency transit corridor	0.75 per dwelling unit	1,320 where a "district approach" to parking as provided in Section 50-14-7(2)a., b., and c. has been recognized by the Planning and Development Department.
	Mobile home park	2 per dwelling unit	Same lot
	Single room occupancy housing (non-profit)	1 per 2 employees + 1 per 10 residents	100

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
	Single-family detached dwelling	2 per dwelling unit	Same lot
	Townhouse	1.5 per dwelling unit	100
	Two-family dwelling	1.5 per dwelling unit	Same lot

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3 **Sec. 50-14-35. Institutional living.**

4 Off-street parking regulations for institutional living facilities are as follows:

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
Institutional living	Boarding school	1 per 5 beds or as required for schools, whichever is greater	100; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot
	Child caring institution	1 per 4 beds	100
	Penal or correctional institution	2 per 3 employees	Same lot
	Pre-release adjustment center	2 per 3 employees	500

5

6 **Sec. 50-14-38. Community service.**

7 Off-street parking regulations for community service facilities are as follows:

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
Community service	Courthouse	15 per court room or 1 per 150 square feet, whichever is less	100
	Customs office	1 per 150 square feet	100
	Fire station	2 per 3 employees	100
	Police station	1 per 160 square feet	100
	Governmental service agency	1 per 150 square feet	100; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot
	Neighborhood center, non-profit	1 per 100 square feet	100
	Substance abuse service facility	1 per 100 square feet	100
	All other	1 per 150 square feet	100

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2 **Sec. 50-14-41. Library.**

3 Off-street parking regulations for library facilities are as follows:

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
Library	Library	1 per 400 square feet	100; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot

1 **Sec. 50-14-42. Museum.**

2 Off-street parking regulations for museum facilities are as follows:

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
Museum	Museum or public aquarium	1 per 400 square feet	100; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot

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4 **Sec. 50-14-45. Schools.**

5 Off-street parking regulations for schools are as follows:

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
Schools	Educational institution	1 per each employee plus 1 for each 5 students based on the maximum number of students that can be accommodated at one time	500; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot
	School (public or parochial elementary)	3 per 2 instructional rooms or 1 per 4 seats in main auditorium, whichever is greater	Same lot
	School (public or parochial junior high)	3 per 2 instructional rooms or 1 per 3 seats in main auditorium, whichever is greater	Same lot
	School (public or parochial senior high)	5 per instructional room or 1 per 2 seats in main auditorium, whichever is greater	Same lot
	All other	As required for most similar use type or Schedule C	

6

1 **Sec. 50-14-52. Office.**

2 Off-street parking regulations for offices are as follows:

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
Office	Medical or dental clinic, physical therapy clinic, or massage facility	1 per 200 square feet or 5 per doctor, dentist or therapist, whichever is greater	100; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot
	Office, business or professional	1 per 400 square feet	100; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot
	Radio or television station	2 per 3 employees + 1 per 4 (fixed or moveable) seats in studio having greatest seating capacity	100; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot
	Recording studio or photo studio or video studio	2 per 3 employees + 1 per 4 (fixed or moveable) seats in studio having greatest seating capacity	100; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot
	All other	1 per 400 square feet	100

3

4 **Sec. 50-14-54. Public accommodation.**

5 Off-street parking regulations for public accommodations are as follows:

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
Public accommodation	Bed and breakfast inn	3 per 4 guestrooms + 2 per dwelling unit	
	Hotel or motel	3 per 4 guestrooms + 1 per dwelling unit	100
	Lodging house, public	2 per 3 employees	100
	Youth hostel/hostel	1 per 1 employee	100; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot
	All other	3 per 4 guestrooms + 1 per dwelling unit	100

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2 **Sec. 50-14-55. Recreation and entertainment, indoor.**

3 Off-street parking regulations for indoor recreation and entertainment facilities are as
4 follows:

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
Recreation and entertainment, indoor	Arcade	1 per 100 square feet	100
	Cabaret	3 (minimum) + 1 per 100 square feet for each 100 square feet in excess of 1,000	100
	Casino or casino complex	See provisions for SD5 District in Section 50-11-337	300
	Smoking lounge, cigar or Smoking lounge, other	3 (minimum) + 1 per 100 square feet for each 100 square feet in excess of 1,000	100

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
	Firearms target practice range, indoor	1 per 2 employees + 1 per target lane	100
	Pool hall	1 per 250 square feet or 1 per pool table, whichever is greater	100
	Recreation, indoor commercial and health club	Schedule C, where 1 space per 200 square feet of gross floor area is deemed by the Planning and Development Department to be inappropriate	Where Schedule C does not apply, 100; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot
	Theater and concert café	1 per 4 seats	500
	All other	1 per 100 square feet	100

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2 **Sec. 50-14-59. Retail sales and service, (service-oriented).**

3 Off-street parking regulations for service-oriented retail sales and service facilities are as
4 follows:

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
Retail sales and service (service-oriented)	Animal-grooming shop	See-Schedule B	100
	Automated teller machine (without drive-in facilities)	None	N/A
	Automated teller machine (with drive-in facilities)	None; stacking spaces per Subdivision H of this division	N/A

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
	Bank (without drive-in facilities)	1 per 200 square feet	100
	Bank (with drive-in facilities)	1 per 200 square feet + stacking spaces per Subdivision H of this division	100
	Barber shop	See Schedule B	100
	Beauty shop	1 per 100 square feet	100
	Body art facility	See Schedule B	100
	Business college or commercial trade school	1 per employee + 1 per 3 students based on maximum number of students that can be accommodated at one time	500; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot
	Customer service center (no drive-through window)	1 per 100 square feet	100
	Customer service center (with drive-through window)	1 per 100 square feet + stacking spaces per Article XIV, Division 1, Subdivision H	100
	Dry cleaning or laundry pick-up stations	See Schedule B	100
	Employee recruitment center	1 per 400 square feet	100
	Financial services center (without drive-through)	1 per 200 square feet	100

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
	Financial services center (with drive-through)	1 per 200 square feet + stacking spaces per Article XIV, Division 1, Subdivision H	100
	Food stamp distribution center (no drive-through window)	1 per 200 square feet	100
	Food stamp distribution center (with drive-through window)	1 per 200 square feet + stacking spaces per Article XIV, Division 1, Subdivision H	100
	Laundromat	1 per 200 square feet	100
Retail sales and service (service-oriented) (cont'd)	Mortuary or funeral home	1 per 100 square feet + 1 per dwelling unit	Same lot
	Nail salon	1 per 100 square feet	100
	Photocopying and computing self-service establishment	See Schedule B for the area accessible to customers + 1 per 800 square feet or 1 per 3 employees (whichever is greater) for that portion of building not accessible to customers	100
	Printing or engraving shops	1 per 800 square feet or 1 per 3 employees, whichever is greater	500
	Radio, television, or household appliance repair shop	2 spaces + 1 per 800 square feet of floor area over 1,600 square feet	100
	School or studio of dance, gymnastics, music, art, or cooking	1 per employee + 1 per 5 students based on maximum number of students that can be accommodated at one time	500; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot
	Shoe repair shop	See Schedule B	100

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
	Shoeshine parlor	See Schedule B	100
	Veterinary clinic for small animals	See Schedule B	100
	All other	See Schedule B	100

Subdivision D. Off-Street Loading

Sec. 50-14-111. Off-street loading schedule and exemptions.

(a) Off-street loading spaces shall be provided on the same zoning lot in accordance with the following schedule and with Subdivision J of this division. An open, adjacent alley may be credited toward one off-street loading space for retail, service, or commercial uses if access for loading into the building is available in the rear and the alley is not less than 18 feet wide.

(b) The following uses shall be exempt from off-street loading requirements: Docks (water-related facilities); ~~major and minor motor vehicle services~~, light duty vehicle repair and light duty vehicle service establishments, and medium/heavy duty vehicle or equipment repair establishments.

(c) For uses established through the adaptive reuse of eligible existing buildings, in accordance with Section 50-12-138 of this Code, or through tactical preservation, in accordance with the administrative procedures authorized by Section 50-4-43 of this Code, the required loading is reduced by 50 percent and for uses requiring one off-street loading space, the required loading is reduced to zero spaces.

1 **Subdivision F. Waivers and Alternative Parking Plans**

2 **Sec. 50-14-153. Waiver of off-street parking requirements for uses or buildings minimally**
3 **deficient or in certain locations.**

4 (a) *In general.* ~~Where~~ If the Buildings, Safety Engineering, and Environmental
5 Department determines that:

6 (1) A building or use requires no variance or other action under the jurisdiction of the
7 Board of Zoning Appeals, other than the parking deficiency; and

8 (2) The building or use can provide at least 80 percent of the required off-street parking
9 spaces;

10 then, upon request of the petitioner and in conjunction with the Municipal Parking Department and
11 the Department of Public Works Traffic Engineering Division, the Department may grant a waiver
12 of the off-street parking requirements, not exceeding ten parking spaces or 20 percent of the
13 required off-street parking requirement, whichever is less. Such waiver shall not be granted unless,
14 in the judgment of the Buildings, Safety Engineering, and Environmental Department, with the
15 sign-off of the Municipal Parking Department and the Department of Public Works Traffic
16 Engineering Division, the waiver of the parking requirement for the building or use involved is
17 not injurious to the adjacent or surrounding areas by creating or increasing traffic congestion or by
18 disrupting traffic circulation, provided, that, in those instances where a building or use is subject
19 to site plan review, the Planning and Development Department has sole authority to consider such
20 waiver.

21 (b) *Traditional Main Street Overlay Areas.*

22 (1) *Applicability.* In addition to the parking waiver granted for buildings not exceeding
23 3,000 square feet per Section 50-14-7(a)(3) of this Code, in a Traditional Main

1 Street Overlay Area, ~~as provided~~ identified in Section 50-11-382 of this Code, the
2 Planning and Development Department may grant a waiver of the off-street parking
3 requirements for the first 3,000 square feet of pedestrian-oriented retail, service, or
4 commercial uses. ~~The Planning and Development Department shall have authority~~
5 ~~to consider such waiver, ensuring upon its determination~~ that the waiver will not be
6 injurious to the adjacent or surrounding areas by creating or increasing traffic
7 congestion or by disrupting traffic circulation.

8 (2) *Eligibility.* In order to qualify for the waiver, the following criteria shall be met:

9 a. The ~~pedestrian-oriented use shall fall into one of the following use~~
10 ~~categories~~ must be listed in any of the following:

11 (i) Section 50-12-62 of this Code, ~~Food and beverage service;~~

12 (ii) Section 50-12-69 of this Code, ~~Retail sales and service, sales-~~
13 ~~oriented~~ excluding motorcycle sales, rental, and service and any use
14 with drive-up or drive-through facilities; and

15 (iii) Section 50-12-70 of this Code, ~~Retail sales and service, service-~~
16 ~~oriented, except motor vehicle sales, motorcycle sales, and~~
17 excluding any use with drive-up or drive-through facilities.

18 b. New buildings must comply with all ~~of the requirements in the~~ Traditional
19 Main Street Overlay standards, as specified in Section 50-14-432 through
20 Section 50-14-450 of this Code, except that ~~only the provisions of~~
21 ~~Subsections (b)(2)c.1., (b)(2)c.2., and (b)(2)c.3. of this section shall apply~~
22 ~~to the East Warren and West Warren Traditional Main Street Overlay Areas~~
23 ~~and the portion of the Grand River/Lahser Traditional Main Street Overlay~~

~~Area between Greenfield and Woodmont and between Evergreen and Lahser, and to the Van Dyke Traditional Main Street Overlay Area.~~

~~e. Except for~~ within the East Warren and West Warren Traditional Main Street Overlay Areas and the portion of the Grand River/Lahser Traditional Main Street Overlay Area between Greenfield and Woodmont, and between Evergreen and Lahser, and ~~to the Van Dyke Traditional Main Street Overlay Area~~, new uses in existing buildings ~~shall~~ may be eligible for this waiver ~~only if, at a minimum,~~ the building complies with only the following standards from Division 3, Subdivision C, of this article:

- (i) The front façade of the building ~~is~~ must be located on the lot line facing the Traditional Main Street or set back a maximum of ten feet, in accordance with the standards in Section 50-14-432 of this Code;
- (ii) The street level façade of the building ~~has~~ must have a minimum of 60 percent transparency ~~according to~~ in accordance with the standards in Section 50-14-436 of this Code;
- (iii) The building's ~~has~~ an active entry way must be located on the façade facing the Traditional Main Street, ~~according to~~ in accordance with the standards in Section 50-14-439 of this Code.

d. In the case where one building or development contains multiple retail, service, or commercial uses, the total number of spaces that may be waived for a building or development using this waiver shall not exceed 45 spaces.

1 (c) ~~SD1/SD2 Areas~~ Districts. In addition to the parking waiver ~~granted~~ for buildings
2 under 3,000 square feet per Section 50-14-7(a)(3) of this Code, ~~on properties zoned in SD1 or and~~
3 SD2 Districts, the Planning and Development Department may grant a waiver of the off-street
4 parking requirements for the first 3,000 square feet of pedestrian-oriented retail, service, or
5 commercial uses. ~~The Planning and Development Department shall have authority to consider~~
6 ~~such waiver, ensuring upon its determination~~ that the waiver will not be injurious to the adjacent
7 or surrounding areas by creating or increasing traffic congestion or by disrupting traffic circulation.
8 In the case where one building or development contains multiple retail, service, or commercial
9 uses, the total number of spaces that may be waived for a building or development using this
10 waiver shall not exceed 45 spaces.

11 (d) Uses established through adaptive reuse or tactical preservation. The required
12 parking is reduced by 50 percent for uses established through the adaptive reuse of eligible existing
13 buildings, in accordance with Section 50-12-138 of this Code, or through tactical preservation, in
14 accordance with the administrative procedures authorized by Section 50-4-43 of this Code. Parking
15 may be provided at a distance of up to 1,320 feet where a "district approach" to parking, as
16 provided in Section 50-14-7(a)(2), has been recognized by the Planning and Development
17 Department. The provisions of this section also apply to any new residential construction on the
18 same zoning lot as a building formerly used for a public, civic, or institutional purpose.

19 (e) Additional parking reductions and waivers. Additional parking reductions and
20 waivers are set forth in Section 50-14-7 and Section 50-14-163 of this Code.

1 **ARTICLE XVI. RULES OF CONSTRUCTION AND DEFINITIONS**

2 **DIVISION 2. WORDS AND TERMS DEFINED**

3 **Subdivision P. Letter "S"**

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

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

Term	Definition
Satellite television antenna	A device incorporating a reflective surface that is solid open mesh, or bar configured and is in the shape of a shallow dish, cone, horn, or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based uses. This definition is meant to include but not be limited to what are commonly referred to as satellite earth stations, TVROs, and satellite microwave antennas.
School building adaptive reuses	Any of 19 uses listed below and located within a building originally constructed as a school that is otherwise not permitted as a by-right or conditional use on land zoned R1 and/or R2 and/or R3 and/or R4 and/or R5 and/or R6. School building adaptive reuses, residential: (1) Assisted living facility, where located on a major thoroughfare; (2) Boarding school and dormitory, where located on a major thoroughfare; (3) Convalescent, nursing, or rest home, where located on a major thoroughfare; (4) Loft; (5) Multiple family dwelling; School building adaptive reuses—public, civic, and institutional: (6) Adult day care center; (7) Child care center; (8) Educational institution; (9) Governmental service agency; (10) Library; (11) Museum; School building adaptive reuses—retail, service, and commercial: (12) Business college or commercial trade school; (13) Medical or dental clinic, physical therapy clinic, or massage facility; (14) Office, business or professional; (15) Radio or television station; (16) Recording studio or photo studio or video studio, no assembly hall; (17) Recreation, indoor commercial and health club; (18) School or studio of dance, gymnastics, music, art, or cooking; (19) Youth hostel/hostel, where located on a major thoroughfare.

Schools (use category)	Public or private schools at the primary, elementary, middle, junior high, or high school level that provide state-mandated basic education. Examples include public and private daytime (elementary, junior high and senior high) schools, and military academies. Charter schools are public schools. Preschools are classified as day care uses, provided, that a preschool "Head Start" program shall be considered as an accessory use where located on the premises of an operating school. (See also Section 50-12-512 of this Code.) Business and trade schools are classified as retail sales and service. Boarding schools are classified as institutional living uses.
Scrap metal recycling facility	A location where a business purchases ferrous or nonferrous metal that is intended for recycling or reuse. For zoning purposes, these facilities are regulated as Junkyards.
Scrap processing facility	A location where machinery and equipment is used to process and manufacture iron, steel, nonferrous metals, paper, plastic, or glass into prepared grades of products suitable for consumption by recycling mills, foundries, and other scrap processors pursuant to the Section 3 of the Michigan Secondhand Dealer and Junk Dealers Act, being MCL 445.403 and in Section 3 of the Michigan Scrap Metal Regulatory Act, being MCL 445.423. For zoning purposes, these facilities are regulated as Junkyards.
Scrap tire processing or recycling facility	The storing, buying, or otherwise acquiring scrap tires, and reducing their volume by shredding or otherwise facilitating recycling or resource recovery techniques for scrap tires.
Scrap tire storage facility	A premises used for the storage of scrap tires, whether indoors or outdoors, provided, that duly authorized retail tire dealerships may temporarily store only those scrap tires that are incidental and accessory to normal retail operations and are awaiting removal for disposal or processing.
Scrap tires	Scrap tires are continuous solid or pneumatic rubber coverings that were manufactured to encircle a wheel for use in the operation of any motorized vehicle and are no longer being used for their original intended purpose.
Screening	A method of reducing the impact of noise and/or unsightly visual intrusions with less offensive or more harmonious elements, such as plants, berms, opaque fences, walls, or any appropriate combination.

Subdivision Q. Letter "T"

Sec. 50-16-401. Words and terms (Ta—Tm).

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

"Ta" through "Tm," shall have the meaning respectively ascribed to them by this section:

Term	Definition
<u>Tactical Preservation</u>	<u>A development strategy that enables the partial or incremental reuse of existing buildings through the review and approval process established by Buildings, Safety Engineering, and Environmental Department.</u>
Telecommunications facility (use category)	All devices, equipment, machinery, structures or supporting elements necessary to produce nonionizing electromagnetic radiation within the range of frequencies from 100 KHz to 300 GHz and operating as a discrete unit to produce a signal or message. Facilities may be self-supporting, guyed, mounted on poles, other structures, light posts, power poles, or buildings. Facilities shall also include intertie and interconnection translators, connections from over-the-air to cable, fiber optic, or other landline transmission system. Examples include category A, B, C and D antennas. "Private telecommunications buildings" or "telecom hotel" is also included in this use category. Radio and television broadcast facilities for public/government utilities or public safety facilities are classified as basic utilities.
Theater	A building or part of a building devoted to showing motion pictures, or for dramatic, musical or live performances. A theater typically has fixed seating.
Tires, used: sales and/or service	A tire sales and/or service facility shall be deemed a "Used tire sales and/or service" facility, and not a retail store, when used tires comprise more than ten percent of the facility's inventory.

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

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

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

Approved as to Form:


Conrad L. Mallett
Corporation Counsel