

S U M M A R Y

This proposed ordinance amends Chapter 50 of the 2019 Detroit City Code, *Zoning*, by amending Article III, *Review and Approval of Procedures (Part 1)*, Division 5, *Site Plan Review*, Subdivision A, *In General*, Section 50-3-113, Subdivision B, *Submission Requirements*, Section 50-3-135, *Proposed Site Plan*, and Subdivision D, *Approval Criteria*, Section 50-3-180, *Criteria; aesthetics*; Division 6, *Special District Review*, Section 50-3-227, *Report and recommendation*; Division 10, *Condominium Subdivisions*, Section 50-3-482, *Compliance with subdivision regulations required*; Article IV, *Review and Approval Procedures (part 2)*, Division 2, *Temporary Use Permits*, Section 50-4-22, *Application filing and submittal information*, Division 6, *Variances and Administrative Adjustments*, Section 50-4-131, *Permitted dimensional variances*; Article V, *Violations and Enforcement*, Division 2, *Violations and Penalties; Blight Violations*, Section 50-5-24, *Specific violations*, Section 50-5-31, *Failure to comply with other land use or procedural requirements*, Division 3, *Other Remedies and Enforcement Powers*, Section 50-5-58, *Other remedies*; Article VIII, *Residential Zoning Districts*, Division 2, *R1 Single-Family Residential District*, Section 50-8-18, *By-right other uses*, Section 50-8-24, *Conditional other uses*, Division 3, *R2 Two-Family Residential District*, Section 50-8-48, *By-right other uses*, Section 50-8-54, *Conditional other uses*, Division 4, *R3 Low Density Residential District*, Section 50-8-78, *By-right other uses*, Section 50-8-84, *Conditional other uses*, Division 5, *R4 Thoroughfare Residential District*, Section 50-8-108, *By-right other uses*, Section 50-8-114, *Conditional other uses*, Division 6, *R5 Medium Density Residential District*, Section 50-8-138, *By-right other uses*, Section 50-8-144, *Conditional other uses*, Division 7, *R6 High Density Residential District*, Section 50-8-168, *By-right other uses*, Section 50-8-174, *Conditional other use*; Article IX, *Business Zoning Districts*, Division 2, *B1 Restricted Business District*, Section 50-9-18, *By-right other uses*, Section 50-9-24, *Conditional other uses*; Division 3, *B2 Local Business and Residential District*, Section 50-9-48, *By-right other uses*, Section 50-9-54, *Conditional other uses*; Division 4, *B3 Shopping District*, Section 50-9-78, *By-right other uses*, Section 50-9-84, *Conditional other uses*, Division 5, *B4 General Business District*, Section 50-9-108, *By-right other uses*, Section 50-9-114, *Conditional other uses*, Division 6, *B5 Major Business District*, Section 50-9-138, *By-right other uses*, Section 50-9-144, *Conditional other uses*, Division 7, *B6 General Services District*, Section 50-9-168, *By-right other uses*, Section 50-9-174, *Conditional other uses*; Article X, *Industrial Zoning Districts*, Division 2, *M1 Limited Industrial District*, Section 50-10-18, *By-right other uses*, Section 50-10-24, *Conditional other uses*, Division 3, *M2 Restricted Industrial District*, Section 50-10-48, *By-right other uses*, Section 50-10-54, *Conditional other uses*, Division 4, *M3 General Industrial District*, Section 50-10-78, *By-right other uses*, Section 50-10-84, *Conditional other uses*, Division 5, *M4 Intensive Industrial District*, Section 50-10-108, *By-right other uses*, Section 50-10-114, *Conditional other uses*, Division 6, *M5 Special Industrial District*, Section 50-10-138, *By-right other uses*, Section 50-10-144, *Conditional other uses*; Article XI, *Special Purpose Zoning Districts and Overlay Areas*, Division 3, *P1 Open Parking District*, Section 50-11-37, *Use limitations*, Division 4, *PC Public Center District*, Section 50-11-58, *By-right other uses*, Section 50-11-64, *Conditional other uses*, Section 50-11-66, *Review process*, Division 5, *PCA Public Center Adjacent District (Restricted Central Business District)*, Section 50-11-88, *By-right other uses*, Section 50-11-94, *Conditional other uses*, Section 50-11-96, *Review process*, Division 6, *TM Transitional-Industrial District*, Section 50-11-118, *By-right other uses*, Division 7, *PR Parks and Recreation*, Section 50-11-148, *By-right other uses*, Section 50-11-154, *Conditional other uses*, Division 8, *W1 Waterfront-Industrial District*, Section 50-11-178, *By-right*

other uses, Section 50-11-184, Conditional other uses, Division 9, SD1 – Special Development District, Small-Scale, Mixed-use, Section 50-11-208, By-right other uses, Section 50-11-214, Conditional other uses, Division 10, SD2 – Special Development District, Mixed-use, Section 50-11-238, By-right other uses, Section 50-11-244, Conditional other uses, Division 12, SD4- Special Development District, Riverfront Mixed Use, Section 50-11-249, By-right other uses, Section 50-11-300, Conditional other uses, Section 50-11-310, Site plan approval standards, Division 14, Overlay Areas, Subdivision A. Gateway Radial Thoroughfare Overlay Areas, Section 50-11-364, Prohibitions and limitations, Subdivision C, Major Corridor Overlay Areas, Section 50-11-422, Prohibitions and limitations, Subdivision F, Development Improvement Area, Section 50-11-461, Description; Article XII, Use Regulations, Division 1, Use Table, Subdivision 2, General Use Standards, Section 50-12-132, Other uses-spacing, Division 3, Specific Use Standards, Subdivision B, Public, Civic, and Institutional Uses, Section 50-12-192, Utilities, basic, utilities, major, Section 50-12-216, Bed and breakfast inn, Subdivision D, Retail, Service, and Commercial Uses; Motor Vehicle Filling Stations, Section 50-12-272, Motor vehicle filling stations; signs, Subdivision, E, Retail, Service and Commercial Uses, Generally, Section 50-12-293, Motor vehicles, used, salesroom or sales lot, Section 50-12-379, General regulations; sign antennas, Subdivision I, Other Uses – Miscellaneous, Section 50-12-412, Adult uses/ sexually-oriented businesses, Section 50-12-413, Medical Marijuana caregiver centers, Division 5, Accessory Uses and Structures, Subdivision C, Specific Use Standards, Section 50-12-522, Urban garden, Division 6, Temporary Uses and Structures, Subdivision B, Specific Temporary Uses Allowed, Section 50-12-558, Yard or garage sales accessory to a dwelling; Article XIII, Intensity and Dimensional Standards, Division 1, Tables of Intensity and Dimensional Standards, Subdivision B, General Dimensional Standards for Residential Districts, Section 50-13-22, Traffic safety sight area, Subdivision D, General Dimensional Standards for Business Districts, Section 50-13-63, B3 and B4 District height limitations, Subdivision F, General Dimensional Standards for Industrial Districts, Section 50-13-101, M1 District height, Division 2, Measurements, Requirements, and Exceptions, Section 50-13-226, Features allowed within required setbacks; Article XIV, Development Standards, Division 1, Off-Street Parking, Loading and Access, Division 3, Architectural and Site Design Standards, Subdivision C, Traditional Main Street Overlay Areas, Section 50-14-442, Building design standards - - Awning, canopies and marquees, Section 50-14-450, Signage and communication elements design standards; Article XV, Nonconformities, Division 2, Nonconforming Uses, Section 50-15-26, Expansion or intensification of nonconforming uses, Section 50-15-30, Change of nonconforming use to other nonconforming use; Article XVI, Rules of Construction and Definitions, Division 2, Words and Terms Defined, Subdivision C. Letter “B”, Section 50-16-132, Words and terms (Bh – Bz), Subdivision P. Letter “S”, Section 50-16-383, Words and terms (Si – Sl), Subdivision Q. Letter “T”, Section 50-16-402, Words and terms (Tn – Tz); and to repeal Article VI, Signs, in its entirety and to further repeal Section 50-11-186, Other requirements, Section 50-11-338, General sign regulations, Section 50-12-104, Signs, Section 50-12-402, Signage, Section 50-12-488, Signs, Section 50-12-534, Accessory signage, Section 50-12-562, Temporary signs, Section 50-14-227, Signage, to remove the regulation related to signage from Chapter 50 of this Code, Zoning.

1 **BY COUNCIL MEMBER _____:**

2 **AN ORDINANCE** to amend Chapter 50 of the 2019 Detroit City Code, Zoning, by
3 amending Article III, *Review and Approval of Procedures (Part 1)*, Division 5, *Site Plan Review*,
4 Subdivision A, *In General*, Section 50-3-113, Subdivision B, *Submission Requirements*, Section
5 50-3-135, *Proposed Site Plan*, and Subdivision D, *Approval Criteria*, Section 50-3-180, *Criteria*;
6 *aesthetics*; Division 6, *Special District Review*, Section 50-3-227, *Report and recommendation*;
7 Division 10, *Condominium Subdivisions*, Section 50-3-482, *Compliance with subdivision*
8 *regulations required*; Article IV, *Review and Approval Procedures (part 2)*, Division 2,
9 *Temporary Use Permits*, Section 50-4-22, *Application filing and submittal information*, Division
10 6, *Variances and Administrative Adjustments*, Section 50-4-131, *Permitted dimensional variances*;
11 Article V, *Violations and Enforcement*, Division 2, *Violations and Penalties*; *Blight Violations*,
12 Section 50-5-24, *Specific violations*, Section 50-5-31, *Failure to comply with other land use or*
13 *procedural requirements*, Division 3, *Other Remedies and Enforcement Powers*, Section 50-5-58,
14 *Other remedies*; Article VIII, *Residential Zoning Districts*, Division 2, *R1 Single-Family*
15 *Residential District*, Section 50-8-18, *By-right other uses*, Section 50-8-24, *Conditional other uses*,
16 Division 3, *R2 Two-Family Residential District*, Section 50-8-48, *By-right other uses*, Section 50-
17 8-54, *Conditional other uses*, Division 4, *R3 Low Density Residential District*, Section 50-8-78,
18 *By-right other uses*, Section 50-8-84, *Conditional other uses*, Division 5, *R4 Thoroughfare*
19 *Residential District*, Section 50-8-108, *By-right other uses*, Section 50-8-114, *Conditional other*
20 *uses*, Division 6, *R5 Medium Density Residential District*, Section 50-8-138, *By-right other uses*,
21 Section 50-8-144, *Conditional other uses*, Division 7, *R6 High Density Residential District*,
22 Section 50-8-168, *By-right other uses*, Section 50-8-174, *Conditional other use*; Article IX,
23 *Business Zoning Districts*, Division 2, *B1 Restricted Business District*, Section 50-9-18, *By-right*

1 *other uses, Section 50-9-24, Conditional other uses; Division 3, B2 Local Business and Residential*
2 *District, Section 50-9-48, By-right other uses, Section 50-9-54, Conditional other uses; Division*
3 *4, B3 Shopping District, Section 50-9-78, By-right other uses, Section 50-9-84, Conditional other*
4 *uses, Division 5, B4 General Business District, Section 50-9-108, By-right other uses, Section 50-*
5 *9-114, Conditional other uses, Division 6, B5 Major Business District, Section 50-9-138, By-right*
6 *other uses, Section 50-9-144, Conditional other uses, Division 7, B6 General Services District,*
7 *Section 50-9-168, By-right other uses, Section 50-9-174, Conditional other uses; Article X,*
8 *Industrial Zoning Districts, Division 2, M1 Limited Industrial District, Section 50-10-18, By-right*
9 *other uses, Section 50-10-24, Conditional other uses, Division 3, M2 Restricted Industrial District,*
10 *Section 50-10-48, By-right other uses, Section 50-10-54, Conditional other uses, Division 4, M3*
11 *General Industrial District, Section 50-10-78, By-right other uses, Section 50-10-84, Conditional*
12 *other uses, Division 5, M4 Intensive Industrial District, Section 50-10-108, By-right other uses,*
13 *Section 50-10-114, Conditional other uses, Division 6, M5 Special Industrial District, Section 50-*
14 *10-138, By-right other uses, Section 50-10-144, Conditional other uses; Article XI, Special*
15 *Purpose Zoning Districts and Overlay Areas, Division 3, P1 Open Parking District, Section 50-*
16 *11-37, Use limitations, Division 4, PC Public Center District, Section 50-11-58, By-right other*
17 *uses, Section 50-11-64, Conditional other uses, Section 50-11-66, Review process, Division 5,*
18 *PCA Public Center Adjacent District (Restricted Central Business District), Section 50-11-88, By-*
19 *right other uses, Section 50-11-94, Conditional other uses, Section 50-11-96, Review process,*
20 *Division 6, TM Transitional-Industrial District, Section 50-11-118, By-right other uses, Division*
21 *7, PR Parks and Recreation, Section 50-11-148, By-right other uses, Section 50-11-154,*
22 *Conditional other uses, Division 8, W1 Waterfront-Industrial District, Section 50-11-178, By-right*
23 *other uses, Section 50-11-184, Conditional other uses, Division 9, SDI – Special Development*

1 *District, Small-Scale, Mixed-use, Section 50-11-208, By-right other uses, Section 50-11-214,*
2 *Conditional other uses, Division 10, SD2 – Special Development District, Mixed-use, Section 50-*
3 *11-238, By-right other uses, Section 50-11-244, Conditional other uses, Division 12, SD4- Special*
4 *Development District, Riverfront Mixed Use, Section 50-11-249, By-right other uses, Section 50-*
5 *11-300, Conditional other uses, Section 50-11-310, Site plan approval standards, Division 14,*
6 *Overlay Areas, Subdivision A. Gateway Radial Thoroughfare Overlay Areas, Section 50-11-364,*
7 *Prohibitions and limitations, Subdivision C, Major Corridor Overlay Areas, Section 50-11-422,*
8 *Prohibitions and limitations, Subdivision F, Development Improvement Area, Section 50-11-461,*
9 *Description; Article XII, Use Regulations, Division 1, Use Table, Subdivision 2, General Use*
10 *Standards, Section 50-12-132, Other uses-spacing, Division 3, Specific Use Standards,*
11 *Subdivision B, Public, Civic, and Institutional Uses, Section 50-12-192, Utilities, basic, utilities,*
12 *major, Section 50-12-216, Bed and breakfast inn, Subdivision D, Retail, Service, and Commercial*
13 *Uses; Motor Vehicle Filling Stations, Section 50-12-272, Motor vehicle filling stations; signs,*
14 *Subdivision, E, Retail, Service and Commercial Uses, Generally, Section 50-12-293, Motor*
15 *vehicles, used, salesroom or sales lot, Section 50-12-379, General regulations; sign antennas,*
16 *Subdivision I, Other Uses – Miscellaneous, Section 50-12-412, Adult uses/ sexually-oriented*
17 *businesses, Section 50-12-413, Medical Marihuana caregiver centers, Division 5, Accessory Uses*
18 *and Structures, Subdivision C, Specific Use Standards, Section 50-12-522, Urban garden,*
19 *Division 6, Temporary Uses and Structures, Subdivision B, Specific Temporary Uses Allowed,*
20 *Section 50-12-558, Yard or garage sales accessory to a dwelling; Article XIII, Intensity and*
21 *Dimensional Standards, Division 1, Tables of Intensity and Dimensional Standards, Subdivision*
22 *B, General Dimensional Standards for Residential Districts, Section 50-13-22, Traffic safety sight*
23 *area, Subdivision D, General Dimensional Standards for Business Districts, Section 50-13-63, B3*

1 *and B4 District height limitations, Subdivision F, General Dimensional Standards for Industrial*
2 *Districts, Section 50-13-101, M1 District height, Division 2, Measurements, Requirements, and*
3 *Exceptions, Section 50-13-226, Features allowed within required setbacks; Article XIV,*
4 *Development Standards, Division 1, Off-Street Parking, Loading and Access, Division 3,*
5 *Architectural and Site Design Standards, Subdivision C, Traditional Main Street Overlay Areas,*
6 *Section 50-14-442, Building design standards - - Awning, canopies and marquees, Section 50-14-*
7 *450, Signage and communication elements design standards; Article XV, Nonconformities,*
8 *Division 2, Nonconforming Uses, Section 50-15-26, Expansion or intensification of*
9 *nonconforming uses, Section 50-15-30, Change of nonconforming use to other nonconforming*
10 *use; Article XVI, Rules of Construction and Definitions, Division 2, Words and Terms Defined,*
11 *Subdivision C. Letter “B”, Section 50-16-132, Words and terms (Bh – Bz), Subdivision P. Letter*
12 *“S”, Section 50-16-383, Words and terms (Si – Sl), Subdivision Q. Letter “T”, Section 50-16-402,*
13 *Words and terms (Tn – Tz); and to repeal Article VI, Signs, in its entirety and to further repeal*
14 *Section 50-11-186, Other requirements, Section 50-11-338, General sign regulations, Section 50-*
15 *12-104, Signs, Section 50-12-402, Signage, Section 50-12-488, Signs, Section 50-12-534,*
16 *Accessory signage, Section 50-12-562, Temporary signs, Section 50-14-227, Signage, to remove*
17 *the regulation related to signage from Chapter 50 of this Code, Zoning.*

18 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**
19 **THAT:**

20 **Section 1.** Chapter 50 of the 2019 Detroit City Code by amended by amending Section
21 50-3-113, Section 50-3-135, Section 50-3-180, Section 50-3-227, Section 50-3-482, Section 50-4-
22 22, Section 50-4-131, Section 50-5-24, Section 50-5-31, Section 50-5-58, Section 50-8-18, Section
23 50-8-24, Section 50-8-48, Section 50-8-54, Section 50-8-78, Section 50-8-84, Section 50-8-108,

1 Section 50-8-114, Section 50-8-138, Section 50-8-144, Section 50-8-168, Section 50-8-174,
2 Section 50-9-18, Section 50-9-24, Section 50-9-48, Section 50-9-54, Section 50-9-78, Section 50-
3 9-84, Section 50-9-108, Section 50-9-114, Section 50-9-138, Section 50-9-144, Section 50-9-168,
4 Section 50-9-174, Section 50-10-18, Section 50-10-24, Section 50-10-48, Section 50-10-54,
5 Section 50-10-78, Section 50-10-84, Section 50-10-108, Section 50-10-114, Section 50-10-138,
6 Section 50-10-144, Section 50-11-37, Section 50-11-58, Section 50-11-64, Section 50-11-66,
7 Section 50-11-88, Section 50-11-94, Section 50-11-96, Section 50-11-118, Section 50-11-148,
8 Section 50-11-154, Section 50-11-178, Section 50-11-184, Section 50-11-208, Section 50-11-214,
9 Section 50-11-238, Section 50-11-244, Section 50-11-249, Section 50-11-300, Section 50-11-310,
10 Section 50-11-364, Section 50-11-422, Section 50-11-461, Section 50-12-13, Section 50-12-192,
11 Section 50-12-216, Section 50-12-272, Section 50-12-293, Section 50-12-379, Section 50-12-412,
12 Section 50-12-413, Section 50-12-558, Section 50-13-22, Section 50-13-63, Section 50-13-101,
13 Section 50-13-226, Section, 50-14-7, Section 50-14-450, Section 50-15-26, Section 50-15-30,
14 Section 50-16-132, Section 50-16-383, Section 50-16-402; and to repeal Article VI, *Signs*, in its
15 entirety and to further repeal Section 50-11-186, Section 50-11-338, Section 50-12-104, Section
16 50-12-402, Section 50-12-488, Section 50-12-534, Section 50-12-562, Section 50-14-227, to read
17 as follows:

18 **CHAPTER 50. ZONING**

19 **ARTICLE III. REVIEW AND APPROVAL PROCEDURES (PART 1)**

20 **DIVISION 5. SITE PLAN REVIEW**

21 **Subdivision A. In General**

1 **Sec. 50-3-113. Applicability**

2 Applications for proposed developments that meet any one or more of the applicability
3 criteria in this section shall be reviewed through the site plan review process. Developments that
4 do not meet any of the applicability criteria in this section shall be reviewed by the Buildings,
5 Safety Engineering, and Environmental Department through its permitting process, provided, that
6 a site plan review is not required for the construction or alteration of an individual single- or two-
7 family dwelling.

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

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

18 (2) Additions and/or major structural alterations that involve any of the following:

- 19 a. Any development that has not more than 20,000 square feet of gross floor
20 area where the addition or alteration results in a cumulative total of more
21 than 20,000 square feet of gross floor area, considering existing floor area
22 and proposed additions, except that, on land zoned M1, M2, M3, M4 or M5,

1 the threshold for industrial uses shall be 50,000 square feet of gross floor
2 area;

3 b. An increase of 25 percent or more in gross square footage to an existing
4 building that contains more than 20,000 square feet of gross floor area,
5 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; or

7 c. Projects in a 100-year floodplain.

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

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

21 (5) Any conditional, regulated, or controlled land use and any case before the Board of
22 Zoning Appeals as the body of first jurisdiction.

23 (6) Any use that has drive-up or drive-through facilities or a walk-up component.

~~(7) — Animated signs as provided for in Section 50-6-91 of this Code.~~

(7) Projects within any PD, SD1, SD2, SD3 or SD5 District, provided, that, in the SD1, SD2, SD3 and SD5 Districts, alterations to an existing structure, that do not involve additions or major structural alterations, qualify for "expedited review" as provided for in Section 50-3-131(b) of this Code.

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

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

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

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

Subdivision B. Submission Requirements

Sec. 50-3-135. Proposed site plan.

The site plan shall depict or disclose the following specific information:

(1) North arrow, legend, if applicable, with graphic and written scale;

(2) Property line dimensions with ties to major thoroughfares;

(3) Declaration whether site is within, adjacent to, across an alley, across a public or private street, across a railroad right-of-way, or not within, or adjacent to, or across an alley, or across a public or private street, or across a railroad right-of-way from

1 a City of Detroit historic district, and boundaries of any such historic district, if
2 applicable;

3 (4) General layout and dimensions of proposed physical improvements showing the
4 following, as applicable:

- 5 a. Location of all existing structures to remain or be removed, and location of
6 all proposed structures;
- 7 b. Distance between buildings;
- 8 c. Front, side, and rear setbacks;
- 9 d. Building footprints with square foot area indicated;
- 10 e. Detail of foundations and other elements where such elements result in
11 encroachment into the right-of-way;
- 12 f. Location of storage areas for hazardous substances;
- 13 g. Location of proposed parking and parking layout with square foot area
14 indicated, and total number of off-street parking spaces provided;
- 15 h. Streets, drives, and rights-of-way;
- 16 i. Walls, fences, or greenbelts;
- 17 j. General landscaped areas;
- 18 k. Dumpster pad location and method of screening;
- 19 l. Location of loading and servicing areas;
- 20 m. Transformer location;
- 21 n. All mechanical equipment located outside the structure, which includes, but
22 is not limited to, condensing units, and roof top units;
- 23 o. Pedestrian sidewalks, paths, and nonvehicle walkways;

- 1 ~~p. — Locations of all signage and all sign structures;~~
- 2 p. Proposed site lighting;
- 3 q. Proposed contour changes; and
- 4 r. Proposed cutting, clearing, or retention of existing vegetation.
- 5 (5) Any proposed filling, draining, cutting, dredging, grading, clearing, or other
- 6 alterations that are proposed for wetlands, which shall be in accordance with Part
- 7 301 of the Michigan Natural Resources and Environmental Protection Act, titled
- 8 Inland Lakes and Streams, being MCL 324.30107 through 324.30113 and with Part
- 9 303 of the Michigan Natural Resources and Environmental Protection Act, titled
- 10 Wetland Protection, being MCL 324.30307 through 324.30323;
- 11 (6) Generalized location of proposed utilities, including electrical, cable, telephone,
- 12 gas connections, water connections, sanitary sewer connections, and storm
- 13 connections, including location and size of any retention or detention ponds, and
- 14 clearly labeling all proposed and existing easements;
- 15 (7) Street and road names for all proposed rights-of-way, proposed change in rights-
- 16 of-way and private roads, and submission of project name and street names to the
- 17 City's Street Naming Committee for suitability;
- 18 (8) Where phased construction is proposed, clearly delineate phases and timetable, and
- 19 each phase must stand on its own regarding density, parking, and landscaping; and
- 20 (9) Development summary:
- 21 a. Allowable lot coverage versus proposed lot coverage;

1 b. Number and dimensions of required off-street parking spaces as specified
2 in Article XIV, Division 1, of this chapter versus proposed off-street parking
3 spaces.

4 c. Number and dimensions of required off-street loading spaces as specified
5 in Article XIV, Division 1, of this chapter versus proposed off-street loading
6 spaces.

7 **Subdivision D. Approval Criteria**

8 **Sec. 50-3-180. Criteria; aesthetics.**

9 To the extent practicable, the type, dimensions, and character of open spaces, landscaping,
10 earth berms, fencing, screening, buffering, ~~signs~~, walls, and other site features shall be designed
11 and located on the site so that the proposed development is aesthetically pleasing and harmonious
12 with nearby existing or future developments. Such site features shall not impede the normal and
13 orderly operation, development or improvement of surrounding lots for uses permitted on the lots.

14 **DIVISION 6. SPECIAL DISTRICT REVIEW**

15 **Sec. 50-3-227. Report and recommendation.**

16 A written report shall be forwarded by the City Planning Commission and Planning and
17 Development Department to the City Council recommending approval or disapproval of the permit
18 application and recommending any changes that are deemed necessary to ensure conformity with
19 the spirit, intent, and purpose of the PC or PCA District. In each case, the City Council shall
20 approve, disapprove, or adjust said recommendation through adoption of a resolution. ~~Advertising~~
21 ~~signs shall not be permitted in any PC or PCA District.~~

1 **DIVISION 10. CONDOMINIUM SUBDIVISIONS**

2 **Sec. 50-3-482. Compliance with subdivision regulations required.**

3 All condominium subdivisions shall be developed in accordance with all substantive
4 provisions of Chapter 24 of this Code, *Land Division and Subdivision*, even where the resulting
5 condominium subdivision will not involve the creation of new recorded parcels of land. In
6 addition, all condominium projects and condominium subdivisions shall comply with the
7 following requirements:

8 (1) All condominium units, including site condominiums, and related accessory
9 structures shall comply with all the use, size, ~~sign~~, height, setback, parking and area
10 requirements of this chapter, unless such standards are modified through the
11 applicable approval process;

12 (2) The condominium subdivision shall provide for dedication of easements to the
13 appropriate public agencies for the purposes of construction, operation,
14 maintenance, inspection, repair, alteration, replacement and/or removal of
15 pipelines, conduits, mains and other installations of a similar character for the
16 purpose of providing public utility services, including conveyance of sewage,
17 potable water and stormwater runoff across, through and under the property subject
18 to said easement, and excavation and refilling of ditches and trenches necessary for
19 the location of such installations;

20 ~~(3) All condominium projects and condominium subdivisions which consist, in whole~~
21 ~~or in part, of condominium units that are building sites shall be marked with~~
22 ~~monuments the same as is required for subdivisions under the Michigan Land~~
23 ~~Division Act, being MCL 560.101 et seq.;~~

- 1 (3) All provisions of the condominium project or condominium subdivision plan which
2 are approved by the City shall be incorporated, as approved, in the master deed for
3 the condominium subdivision. Any proposed changes, including expansion or
4 conversion of a condominium project to include additional land, to the approved
5 condominium subdivision plan shall be subject to review and approval by the City.

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

7 **DIVISION 2. TEMPORARY USE PERMITS**

8 **Sec. 50-4-22. Application filing and submittal information.**

9 Applications for a temporary use permit shall be submitted to the Director of the Buildings,
10 Safety Engineering, and Environmental Department.

- 11 (1) The application shall include the following information:

- 12 a. Name, address, and telephone number of the applicant;
- 13 b. A written description of the temporary use activity, including location, dates
14 of activity, hours of operation, traffic and parking management plan, waste
15 disposal plan, and measures to minimize any negative impacts;
- 16 c. Proof of property ownership or, where the applicant is not the owner of the
17 land, an affidavit of the property owner which approves the temporary use
18 specifying the activity, dates of activity, and hours of operation;
- 19 d. A site plan, to scale, that illustrates property lines, existing structures, drives
20 and parking areas, location of the temporary use, parking for the temporary
21 use, ~~signage for the temporary use~~, and any other information deemed to be
22 necessary by the Buildings, Safety Engineering, and Environmental
23 Department;

e. Where applicable, the type of food and beverages to be served for which approval may be required by the Health Department.

(2) In addition, the City may require a performance bond to ensure proper cleanup and may require liability insurance coverage be carried; and

(3) See Figure 50-4-22.

DIVISION 6. VARIANCES AND ADMINISTRATIVE ADJUSTMENTS

Sec. 50-4-131. Permitted dimensional variances.

The Board of Zoning Appeals shall be authorized to hear dimensional variance requests for matters that are beyond the scope of Buildings, Safety Engineering, and Environmental Department's ten percent administrative adjustments (see Section 50-2-21(9) of this Code). Said dimensional variances may be granted in the following seven instances based on the approval criteria of Section 50-4-121 of this Code, except as may be limited or restricted by other provisions of this chapter:

(1) *Location or amount of off-street parking.* For a variance from the required location of off-street parking facilities or the amount of off-street parking facilities required, or both, where, after investigation by the Board, it is found that such modification is necessary to secure an appropriate development of a specific parcel of land, provided, that any such modification will not be inconsistent with other requirements and general purpose of this chapter; or

(2) *Loading spaces.* For a variance of the loading space provisions of Article XIV, Division 1, Subdivision D, of this chapter where, after investigation by the Board, it is ascertained that the volume of vehicular service will not require complete compliance with said provisions, or that variance will not cause undue interference

1 with the public use of the streets or alleys or imperil public safety, and where the
2 requested variance will not be inconsistent with the spirit and purpose of this
3 chapter; or

4 (3) *Height requirements in airport overlay zones.* For a variance of the height
5 requirements, as specified in the airport overlay zones "A," "B," or "AA," after
6 obtaining and giving due consideration to a report and favorable recommendation
7 from the Airport Department regarding its interests in the matter under
8 consideration, provided, that said modification variance will not be injurious to
9 contiguous or neighboring properties, or contrary to the spirit and intent of this
10 chapter; or

11 ~~(4) *Height limitations for signs.* For a variance of the height limitation of signs as~~
12 ~~provided for in Section 50-6-48 of this Code; or~~

13 ~~(5) *Setbacks for freeway advertising signs.* The Board may grant a variance of the~~
14 ~~setback for advertising signs oriented to freeways in accordance with the provisions~~
15 ~~of Section 50-6-92 of this Code; or~~

16 (4) *General dimensional standards.* For a variance of the minimum lot area, minimum
17 lot width, minimum setbacks, maximum height (except as provided in Section 50-
18 13-157 of this Code for the SD4 District), maximum lot coverage, recreational
19 space ratio (RSR), maximum floor area ratio (FAR) (except as provided in Section
20 50-13-157 of this Code for the SD4 District), bulk, or cubical content as specified
21 in Article XIII of this chapter, except for signs, antennas, and other similar
22 structures, the dimensional variances or adjustments of which are provided for in
23 this chapter, provided:

1 a. That the open space needs of the potential occupants are adequately served;
2 and

3 b. That said facility complies with all appropriate federal and state statutes,
4 Wayne County Code of Ordinances, this Code and their accompanying
5 regulations that control or regulate such use, including all applicable
6 standards of this Zoning Ordinance chapter; or

7 (5) *Antenna limitations.* For a variance of the dimensional limitations of antennas as
8 provided for in Article XII, Division 3, Subdivision G, of this chapter.

9 **ARTICLE V. VIOLATIONS AND ENFORCEMENT**

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

11 **Sec. 50-5-24. Specific violations.**

12 Any of the following shall be a violation of this chapter and shall be subject to the remedies
13 and penalties that are provided for in this chapter:

14 (1) *Development or subdivision without permit or approval.* To engage in any
15 subdividing, development, construction, remodeling, alteration, ~~placement of signs,~~
16 or other activity of any nature upon land that is subject to this chapter without all
17 of the approvals which are required by this chapter;

18 (2) *Development, subdivision, or use ~~or sign~~ inconsistent with permit or license.* To
19 engage in any development, use, construction, remodeling, or other activity of any
20 nature in any way inconsistent with the terms and conditions of any permit,
21 approval, certificate, license, or other form of authorization which is required in
22 order to engage in such activity;

- 1 (3) *Development, subdivision, or use ~~or sign~~ inconsistent with conditions.* To violate,
2 by act or omission, any term, condition, or qualification that is placed by a decision-
3 making body upon any permit or other form of authorization;
- 4 (4) *Violating dimensional requirements.* To reduce or diminish any lot area so that the
5 lot size, setbacks, or open spaces shall be smaller than prescribed by this chapter,
6 or to increase the height or bulk of any building or structure in violation of the
7 requirements of this chapter;
- 8 (5) *Increasing intensity or density of use.* To increase the intensity or density of use of
9 any land or structure, except in accordance with the procedural requirements and
10 substantive standards of this chapter;
- 11 (6) *Removing or defacing required notice.* To remove, deface, obscure, or otherwise
12 interfere with any notice that is required by this chapter;
- 13 ~~(7) *Failure to remove signs.* To fail to remove any sign installed, created, erected or~~
14 ~~maintained in violation of this chapter, or where the sign permit has lapsed;~~
- 15 (7) *Obtaining permit or approval in a fraudulent manner.* To obtain any permit,
16 approval, certificate, license, or other form of authorization required by this chapter
17 in a fraudulent manner; and
- 18 (8) *All other violations.* To establish or operate other activities, structures, or land uses
19 that are in violation of any specific provisions, or the general purpose and intent, of
20 this chapter.

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

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

Violation	First Offense	Second Repeat Offense	Third and Subsequent Repeat Offenses
Unlawful banner, signage or antenna	\$200.00	\$400.00	\$1,500.00
Unlawful storage upon land developed as non-residential			
Inoperable vehicle	\$100.00	\$200.00	\$500.00
Refuse or debris	\$100.00	\$200.00	\$500.00
Other unlawful storage	\$100.00	\$200.00	\$500.00
Unlawful storage upon land developed as residential			
Inoperable private passenger vehicle	\$100.00	\$200.00	\$500.00
Inoperable recreational equipment	\$100.00	\$200.00	\$500.00
Refuse or debris	\$100.00	\$200.00	\$500.00
Vehicle other than operable recreation equipment or operable private passenger vehicle	\$100.00	\$200.00	\$500.00
Other unlawful storage	\$100.00	\$200.00	\$500.00
Other noncompliance with land use requirements	\$125.00	\$250.00	\$1000.00
Failure to comply with procedural or other requirements	\$125.00	\$250.00	\$1000.00

DIVISION 3. OTHER REMEDIES AND ENFORCEMENT POWERS

Sec. 50-5-58. Other remedies.

The Buildings, and Safety Engineering, and Environmental Department shall have such other remedies as are provided for by Michigan state law for the violation of zoning, subdivision, sign or related provisions of this Zoning Ordinance chapter.

ARTICLE VI. SIGNS RESERVED

~~DIVISION 1. GENERAL; DEFINITIONS~~

~~Sec. 50-6-1. Purpose; overview.~~

~~(a) The sign regulations of this article are intended to balance public and private interests. The purpose of this article is to promote a safe, well-maintained, vibrant and attractive City while accommodating the need for signs to inform, direct, identify, advertise, advocate,~~

1 ~~promote, endorse and otherwise communicate information. While these regulations allow for a~~
2 ~~variety of sign types and sizes, they do not necessarily ensure every property owner or business~~
3 ~~owner's desired level of visibility. It is not the intent or purpose of this chapter to regulate the~~
4 ~~message displayed on any sign or the content. The objectives of this article are to:~~

5 ~~(1) *General.* Ensure that signs are located, designed, constructed, installed and~~
6 ~~maintained in a way that protects life, health, morals, property and the public~~
7 ~~welfare;~~

8 ~~(2) *Public safety.* Protect public safety by prohibiting signs that are structurally unsafe~~
9 ~~or poorly maintained; that cause unsafe traffic conditions through distraction of~~
10 ~~motorists, confusion with traffic signs, or hindrance of vision; and that impede safe~~
11 ~~movement of pedestrians or safe ingress and egress from buildings or sites;~~

12 ~~(3) *Protect aesthetic quality of neighborhoods.* Prevent blight and protect aesthetic~~
13 ~~qualities by preventing visual clutter and protecting views and preventing intrusion~~
14 ~~of commercial messages into non-commercial areas;~~

15 ~~(4) *Free speech.* Ensure that the constitutionally guaranteed right of free speech is~~
16 ~~protected and to allow signs as a means of communication;~~

17 ~~(5) *Reduce conflict.* Reduce conflict among signs and light, and between public and~~
18 ~~private information systems;~~

19 ~~(6) *Business identification.* Allow for adequate and effective signage for business~~
20 ~~identification and other commercial speech, non-commercial speech, and~~
21 ~~dissemination of public information, including, but not limited to, public safety~~
22 ~~information and notification as may be required by law.~~

1 ~~(b) — Sign controls have been written for each district and placed in this article for ease~~
2 ~~of use and administration. All signs have been divided into four major categories: advertising;~~
3 ~~business, including identification and institutional bulletin; directional; and real estate. These are~~
4 ~~further divided according to structure type, viz., double face, flashing, illuminated, roof, ground,~~
5 ~~and wall. As an aid to the user of this chapter, definitions that pertain to signs have been restated~~
6 ~~in this division. In addition, all relevant sign terms are defined in Section 50-16-383 of this Code.~~

7 ~~(c) — Non-zoning provisions for signs are contained in Chapter 4 of this Code,~~
8 ~~Advertising. Such provisions are enacted under the police powers of the City. REPEALED.~~

9 ~~**Sec. 50-6-2. Sign.**~~

10 ~~Sign means any letter, figure, character, mark, plane, point, marquee sign, design, poster,~~
11 ~~pictorial, picture, stroke, stripe, line, trademark, reading matter, or illuminated service that shall~~
12 ~~be constructed, placed, attached, painted, erected, fastened, or manufactured in any manner, so that~~
13 ~~the same is used for the attraction of the public to any place, subject, person, firm, corporation,~~
14 ~~public performance, article, machine, or merchandise that is displayed in any manner outdoors.~~
15 ~~Every sign shall be classified and conform to the requirements of such classification as set forth in~~
16 ~~Chapter 8, Article II, of this Code, *Building Code*, including Section 8-2-21 of this Code, *Additions*~~
17 ~~*to Appendix H, Signs*, and as set forth in this article but not mean any display of official court or~~
18 ~~public agency notices, or the flag, emblem, or insignia of a nation, political unit, school, or~~
19 ~~religious group, or any non-illuminated, non-commercial, painted art mural. REPEALED.~~

20 ~~**Sec. 50-6-3. Sign, advertising.**~~

21 ~~An advertising sign is a sign, whether billboard or painted wall graphic, which directs~~
22 ~~attention to a business, commodity, service, or entertainment, that is conducted, sold, or offered~~

1 elsewhere than on the premises where the sign is affixed, located or painted, or only incidentally
2 sold or offered on the premises. (See Figure 61-6-3 50-6-3.) REPEALED.

3 **FIGURE 50-6-3**

4 (For Informational Purposes Only)

5 **ADVERTISING SIGN**

6 {GRAPHIC}

7 **Sec. 50-6-4. Sign, animated.**

8 An animated sign is any sign which uses movement or change of lighting to depict action
9 or to create a special effect or scene, including signs displaying moving images or videos. For
10 regulatory purposes, animated signs are flashing signs. REPEALED.

11 **Sec. 50-6-5. Sign, area of.**

12 The area of a sign shall be computed as the entire area circumscribed by a parallelogram,
13 triangle, circle, or semicircle, or any combination of these figures, which includes all of the display
14 area of the sign, including frames surrounding display areas. The blank areas between letters,
15 words, illustrations, graphics, and the like are integral to understanding the message or display of
16 a sign and shall be included in the computation of the area of a sign or the area of a message or
17 word or letter or graphic that is part of a sign. REPEALED.

18 **Sec. 50-6-6. Sign, billboard.**

19 A billboard is a large outdoor board for advertisements, which most commonly serve as
20 “advertising signs,” as defined in Section 50-6-3 of this Code, except when identifying the business
21 or profession conducted on the same zoning lot where the billboard is located, in which case the
22 billboard serves as a “business sign,” as defined in Section 50-6-7 of this Code. REPEALED.

23 **Sec. 50-6-7. Sign, business.**

~~A business sign is a sign, at least 75 percent of whose area is devoted to directing attention to the principal business or profession conducted, or to the principal type of commodity, service, or entertainment sold or offered on the premises where the sign is affixed, located, or painted. (See Figure 50-6-7.)~~ REPEALED.

FIGURE 50-6-7

~~(For Informational Purposes Only)~~

BUSINESS SIGN

~~[GRAPHIC]~~

~~Sec. 50-6-8. Sign, directional.~~

~~A directional sign is a sign directing and guiding traffic or parking but bearing no advertising matter. (See Figure 50-6-8.)~~ REPEALED.

FIGURE 50-6-8

~~(For Informational Purposes Only)~~

DIRECTIONAL SIGN

~~[GRAPHIC]~~

~~Sec. 50-6-9. Sign, double-face.~~

~~A double face sign is a sign, both sides of which are visible and used as signs. A “V” type sign shall be considered a double face sign, provided, that the least angle of intersection does not exceed 90 degrees. A multiface sign has more than two display areas, all of which are visible and used as signs.~~ REPEALED.

~~Sec. 50-6-10. Sign, electronic message board.~~

~~An electronic message board is a sign that uses changing lights to form a sign message wherein the sequence of messages and the rate of change is electronically programmed and can be~~

~~modified by electronic processes. For regulatory purposes, electronic message board signs are flashing signs. REPEALED.~~

~~Sec. 50-6-11. Sign face.~~

~~The sign face is the area or display surface used for the message. REPEALED.~~

~~Sec. 50-6-12. Sign, flashing.~~

~~A flashing sign is an illuminated sign on which the artificial light is not maintained stationary or constant in intensity or color at all times when in use. (See Figure 50-6-12.)~~

~~Electronic message boards and animated signs shall be considered flashing signs. REPEALED.~~

~~Figure 61-6-12 50-6-12~~

~~(For Informational Purposes Only)~~

~~FLASHING SIGNS~~

~~[GRAPHIC]~~

~~Sec. 50-6-13. Sign, freeway advertising.~~

~~A freeway advertising sign is any advertising sign located in an adjacent area where the facing of the sign is visible from a freeway. For purposes of this chapter, the term “freeway” means a divided highway of not less than two lanes in each direction to which owners or occupants of abutting property or the public do not have a right of ingress or egress to, from or across the highway, except at points determined by or as otherwise provided by the authorities responsible therefor; and the term “adjacent area” means the area measured from the nearest edge of the right-of-way of a freeway and extending 3,000 feet perpendicularly and then along a line parallel to the right-of-way line. Freeway advertising signs, as well as advertising signs along other state trunk lines, are additionally regulated by the Michigan Department of Transportation (MDOT) and~~

1 require a permit from MDOT prior to issuance of a permit by the City, as provided for in Section
2 50-6-81 of this Code. REPEALED.

3 **~~Sec. 50-6-14. Sign, identification.~~**

4 ~~An identification sign is a business sign, not less than 75 percent of the area of which~~
5 ~~identifies the name of the individual, profession, occupation, organization, hotel, or motel~~
6 ~~occupying the premises, or the name or street number of the building. Information directly related~~
7 ~~to principal or accessory uses of the property may also be included, provided, that not more than~~
8 ~~25 percent of the area of the sign is devoted to such information. (See Figure 50-6-14.)~~
9 REPEALED.

10 ~~FIGURE 50-6-14~~

11 ~~(For Informational Purposes Only)~~

12 ~~IDENTIFICATION SIGN~~

13 ~~{GRAPHIC}~~

14 **~~Sec. 50-6-15. Sign, illuminated.~~**

15 ~~An illuminated sign is a sign designed to give forth any artificial light, or designed to reflect~~
16 ~~such light deriving from any source which is intended to cause such light or reflection. (See Figure~~
17 ~~50-6-15.) REPEALED.~~

18 ~~FIGURE 50-6-15~~

19 ~~(For Informational Purposes Only)~~

20 ~~ILLUMINATED SIGNS~~

21 ~~{GRAPHIC}~~

1 **Sec. 50-6-16. Sign, institutional bulletin.**

2 ~~A business sign of any public, civic, or institutional land use specified in Article XII,~~
3 ~~Division 1, Subdivision C, of this chapter, other than family day care homes and group day care~~
4 ~~homes, and a business sign of any fraternal or philanthropic organization, provided, that said sign~~
5 ~~is located on the premises and limited to bearing only information related to activities conducted~~
6 ~~on the premises, persons involved, or other identification information. (See Figure 50-6-16.)~~

7 REPEALED.

8 ~~FIGURE 50-6-16~~

9 ~~(For Informational Purposes Only)~~

10 ~~INSTITUTIONAL BULLETIN SIGN~~

11 ~~{GRAPHIC}~~

12 **Sec. 50-6-17. Sign, painted wall graphic.**

13 ~~A painted wall graphic is a sign that is painted on a wall and exceeds ten square feet in~~
14 ~~area. (See Figure 50-6-17.)~~ REPEALED.

15 ~~FIGURE 50-6-17~~

16 ~~(For Informational Purposes Only)~~

17 ~~PAINTED WALL GRAPHIC SIGN~~

18 ~~{GRAPHIC}~~

19 **Sec. 50-6-18. Sign, political.**

20 ~~A political sign is an advertising sign announcing or supporting political candidates or~~
21 ~~issues in connection with any state, or local, election or referendum.~~ REPEALED.

1 **Sec. 50-6-19. Sign, portable.**

2 A portable sign is any sign of durable material, that is designed to be moved easily and is
3 not permanently affixed to the ground or to a structure or building. Portable signs include, but are
4 not limited to: A-frame signs; sandwich board signs; and portable message boards typically
5 measuring five feet by eight feet with manually changeable letters. REPEALED.

6 **Sec. 50-6-20. Sign, projecting.**

7 (a) — A projecting sign is a sign constructed or erected so as to be attached at one end to
8 a building, or other structure, and projecting out therefrom.

9 (b) — In addition, any sign projecting into the right-of-way shall be considered a
10 projecting sign.

11 (c) — See also Figure 50-6-20. REPEALED.

12 **FIGURE 50-6-20**

13 (For Informational Purposes Only)

14 **PROJECTING SIGN**

15 **[GRAPHIC]**

16 **Sec. 50-6-21. Sign, real estate.**

17 A real estate sign is a sign advertising that the premises where it is located are for sale,
18 lease, or rent. (See Figure 50-6-21.) REPEALED.

19 **FIGURE 50-6-21**

20 (For Informational Purposes Only)

21 **REAL ESTATE SIGN**

22 **[GRAPHIC]**

~~Sec. 50-6-22. Sign, temporary.~~

~~The term “temporary sign” means a sign, including any banner constructed of cloth, fabric, poster board, corrugated plastic or corrugated cardboard, or other lightweight temporary material, with or without a structural frame, that is intended for a limited period of display on a building, including decoration displays for holidays or public demonstrations. REPEALED.~~

~~Sec. 50-6-23. Signs, wall, roof, or ground.~~

~~(a) — The term “wall sign” means any sign attached to, or erected against, the wall of a building or structure with the exposed face of the sign in a plane that is parallel to the plane of the wall.~~

~~(b) — Roof signs are signs that are erected upon, or above, a roof or parapet of a building or structure.~~

~~(c) — The term “ground sign” means a sign, including a ground-mounted billboard, that is supported by one or more uprights, poles, or braces in or upon the ground. Monument signs and pylon signs shall be considered as ground signs.~~

~~(d) See also Figure 50-6-23. REPEALED.~~

~~FIGURE 50-6-23~~

~~(For Informational Purposes Only)~~

~~WALL, ROOF, OR GROUND SIGN~~

~~{GRAPHIC}~~

~~Sec. 50-6-24. Sign, monument.~~

~~A freestanding sign attached to a permanent foundation or decorative base and not attached or dependent for support from any building, pole, posts, or similar uprights. REPEALED.~~

~~Sec. 50-6-25. Sign, pylon.~~

~~A permanent freestanding sign that is mounted on a pole or other support that is placed on, or anchored in, the ground and that is independent from any building or other structure.~~

~~REPEALED.~~

~~Secs. 50-6-26--50-6-40. Reserved.~~ REPEALED.

~~DIVISION 2. REGULATIONS OF GENERAL APPLICABILITY~~

~~Sec. 50-6-41. Permit required.~~

~~Except as otherwise provided for in this Code, no sign shall be erected, affixed, or displayed without a permit.~~ REPEALED.

~~Sec. 50-6-42. Noncommercial messages.~~

~~Any sign, display, or device which is allowed under this chapter may contain, in lieu of any other message, any otherwise lawful noncommercial message which does not direct attention to a business operated for profit, or to a commodity or service for sale, and which complies with zoning district, height, lighting, and setback requirements of this chapter.~~ REPEALED.

~~Sec. 50-6-43. Height limits.~~

~~The height limitations, that are contained in Section 50-6-44 through Section 50-6-51 of this Code, shall apply, except where more restrictive regulations are applicable. The height of a sign shall be the distance between the highest part of the sign, including support structure, and the established grade as defined in Section 50-16-222 of this Code.~~ REPEALED.

~~Sec. 50-6-44. Height; ground or freestanding signs.~~

~~(a) — Ground or freestanding signs shall not exceed 35 feet in height, except where the district regulations permit a greater height, and ground or freestanding signs may be permitted up to the height regulations that are specified in the district but, in any instance, no more than 70 feet~~

1 ~~in height. New ground signs in Traditional Main Street Overlay areas shall be limited to a~~
2 ~~maximum height of 12 feet, as specified in Section 50-14-450 of this Code.~~

3 ~~(b) — Ground or freestanding advertising signs:~~

4 ~~(1) — Shall not exceed 35 feet in height, except as provided for in Section 50-6-48 and~~
5 ~~Section 50-6-94 of this Code;~~

6 ~~(2) — In addition, the bottom edge of a ground or freestanding advertising sign shall not~~
7 ~~be less than 15 feet above established grade, whenever located within the “clear~~
8 ~~vision triangle,” as defined in Section 50-16-152 of this Code. In Traditional Main~~
9 ~~Street Overlay areas, new ground signs shall not be located in the “clear vision~~
10 ~~triangle.” REPEALED.~~

11 **~~Sec. 50-6-45. Height; business or identification signs.~~**

12 ~~Business or identification signs shall be permitted to a height not in excess of the height~~
13 ~~limitation for roof, wall, ground, or projecting signs as applicable for the district. Business signs~~
14 ~~are also subject to the provisions of Chapter 4, Article IV, of this Code. REPEALED.~~

15 **~~Sec. 50-6-46. Height; roof signs.~~**

16 ~~Roof signs shall not exceed the maximum building height that is permitted in the district~~
17 ~~where the sign is located. REPEALED.~~

18 **~~Sec. 50-6-47. Height; projecting signs.~~**

19 ~~Projecting signs, which are attached to a building wall, shall not exceed the maximum~~
20 ~~building height that is permitted in the district where the sign is located. REPEALED.~~

21 **~~Sec. 50-6-48. Sign height variances.~~**

22 ~~(a) — On petition, the Board of Zoning Appeals may waive the height limitation in~~
23 ~~specific cases upon making all of the following findings:~~

1 ~~(1) That the increase in height at the proposed location which is reviewed in~~
2 ~~conjunction with the design and appearance of the sign indicates that the increase~~
3 ~~will not have a detrimental effect on the privacy, light, or air of neighboring~~
4 ~~properties;~~

5 ~~(2) That the increase in height will not substantially affect the use or development of~~
6 ~~adjacent or surrounding property by impairing or detracting from the aesthetic value~~
7 ~~of said property; and~~

8 ~~(3) That, in the case of advertising signs which are constructed within the permitted~~
9 ~~height limitation, the sign would not be visible to passing traffic at any point within~~
10 ~~the 1,000 linearfoot spacing area.~~

11 ~~(b) The Buildings, Safety Engineering, and Environmental Department may adjust the~~
12 ~~standard height and sign face area limitations of advertising signs in accordance with the~~
13 ~~provisions of Section 50-6-94 of this Code. REPEALED.~~

14 **~~Sec. 50-6-49. Directional signs.~~**

15 ~~(a) Directional sign requirements within residential zoning districts.~~

16 ~~(1) Area and number. One directional sign at each point of ingress and egress shall be~~
17 ~~permitted. No sign shall exceed two square feet in area.~~

18 ~~(2) Height. No directional ground sign shall extend more than five feet above the level~~
19 ~~of the nearest sidewalk.~~

20 ~~(3) Exception to height requirement. Where deemed appropriate in site plan review,~~
21 ~~additional directional signage may be authorized at the height specified in the site~~
22 ~~plan review.~~

1 ~~(4) — Other permitted uses. Directional signage may also be permitted on lots in~~
2 ~~residential zoning districts for uses on zoning lots within 100 feet of the zoning lot~~
3 ~~on which the directional sign is to be located.~~

4 ~~(b) — Directional sign requirements within non-residential zoning districts.~~

5 ~~(1) — Area and number. One directional sign at each point of ingress and egress shall be~~
6 ~~permitted. No sign shall exceed six square feet in area.~~

7 ~~(2) — Height. No directional ground sign shall extend more than five feet above the level~~
8 ~~of the nearest sidewalk.~~

9 ~~(3) — Exception to height requirement. Where deemed appropriate in the site plan review~~
10 ~~and at the height specified in the site plan review, additional directional signage~~
11 ~~may be authorized.~~

12 ~~(4) — Other permitted uses. Directional signage may also be permitted on lots in non-~~
13 ~~residential zoning districts for uses on zoning lots within 100 feet of the zoning lot~~
14 ~~on which the directional sign is to be located. REPEALED.~~

15 **Sec. 50-6-50. Institutional bulletins.**

16 ~~(a) — Area and number. One institutional bulletin, that does not exceed 32 square feet in~~
17 ~~area, shall be permitted. On a corner lot, the maximum size sign shall be permitted on each street~~
18 ~~frontage.~~

19 ~~(b) — Height. Except as may be authorized in the site plan review, no institutional bulletin~~
20 ~~shall extend higher than 15 feet above established grade. REPEALED.~~

21 **Sec. 50-6-51. Real estate signs, construction site signs, and political signs.**

22 ~~(a) — Area and setback.~~

1 ~~(1) In residential zoning district classifications, a real estate sign or construction site~~
2 ~~sign or political sign that does not exceed six square feet in area and is not located~~
3 ~~closer than eight feet to any other zoning lot, shall be permitted. On a corner lot,~~
4 ~~the maximum size sign for real estate signs shall be permitted on each street~~
5 ~~frontage.~~

6 ~~(2) In non-residential zoning district classifications, the area of real estate or~~
7 ~~construction site signage shall not exceed 32 square feet for each street frontage.~~

8 ~~(b) Height. No real estate sign or construction site sign or political sign shall extend~~
9 ~~higher than 15 feet above the level of the nearest sidewalk.~~

10 ~~(c) Construction site signs. Signs at construction sites shall be limited to information~~
11 ~~concerning the premises and/or identifying those involved with the construction. Permits for~~
12 ~~construction signs are valid only during the construction period. However, windbreaks or fugitive~~
13 ~~dust mitigation coverings on temporary fencing at construction sites may be imprinted with~~
14 ~~information or depictions pertaining to the construction site or of a civic nature and are exempt~~
15 ~~from sign permit requirements. REPEALED.~~

16 ~~**Sec. 50-6-52. Roof signs.**~~

17 ~~Roof signs shall be prohibited in all areas zoned in a residential district classification, and~~
18 ~~in all B1, B2, SD1, SD2 Districts, and Traditional Main Street Overlay areas. Roof signs shall be~~
19 ~~prohibited in PCA Districts on buildings that are less than 500 feet in height. REPEALED.~~

20 ~~**Sec. 50-6-53. Double face signs.**~~

21 ~~Where a sign is permitted by any provision of this chapter, it shall be construed to permit~~
22 ~~a double face sign. Each face of a double face sign may equal the maximum size for the particular~~
23 ~~type of sign permitted. (See Figure 50-6-53.) REPEALED.~~

FIGURE ~~61-6-43~~ ~~50-6-53~~

(For Informational Purposes Only)

~~DOUBLE-FACE SIGNS~~

~~{GRAPHIC}~~

~~Sec. 50-6-54. Temporary signs.~~

~~The regulations for temporary signs are specified in Section 50-12-562 of this Code.~~

REPEALED.

~~Sec. 50-6-55. Electronic message boards.~~

~~Electronic message boards that exclusively display messages or images which are related to activities and events occurring on the premises where the electronic message board is located shall be considered business signs. Electronic message boards that display messages or images not relating to activities or events which occur on the premises shall be considered as advertising signs. (See also Section 50-6-91 of this Code.)~~ REPEALED.

~~Sec. 50-6-56. Portable signs.~~

~~To eliminate obstructions of traffic visibility, reduce impediments to pedestrian circulation, to minimize wind-blown hazards, and to reduce the burden of enforcement on the City, portable signs are prohibited in the City.~~ REPEALED.

~~Sec. 50-6-57. Nonzoning sign regulations.~~

~~Nonzoning provisions for signs are found in Chapter 4 of this Code, *Advertising*.~~ REPEALED.

~~Sec. 50-6-58. Pylon signs, limitation.~~

~~Pylon signs are not permitted in Traditional Main Street Overlay areas.~~ REPEALED.

~~Secs. 50-6-59--50-6-70. Reserved.~~ REPEALED.

1 **DIVISION 3. ADVERTISING SIGN REGULATIONS**

2 **~~Sec. 50-6-71. Setbacks.~~**

3 ~~Advertising signs shall be set back:~~

4 ~~(1) — Not less than 40 feet from all residential zoning districts and residential PD districts;~~

5 ~~and~~

6 ~~(2) — Not less than five feet from any lot line that divides the lot from a street and, where~~
7 ~~applicable, not less than any required setback as provided for in Section 50-6-103~~
8 ~~of this Code. REPEALED.~~

9 **~~Sec. 50-6-72. Spacing between advertising signs.~~**

10 ~~An advertising sign shall not be erected, affixed, applied, painted, or represented directly~~
11 ~~or indirectly upon a building, structure, or zoning lot closer than 1,000 feet, measured linearly, to~~
12 ~~another advertising sign. Linear measurement shall be based on the distance, measured along the~~
13 ~~centerline of the roadway abutting the zoning lots on which the advertising signs are located, at~~
14 ~~points perpendicular to the outermost portions of the advertising signs, including support structure,~~
15 ~~closest to one another. In measuring the distance between two freeway advertising signs, all~~
16 ~~measurements shall be made as if the zoning lot actually abutted the freeway right-of-way. This~~
17 ~~spacing requirement applies regardless of the side of the roadway where the advertising sign is~~
18 ~~located. REPEALED.~~

19 **~~Sec. 50-6-73. Spacing; exception.~~**

20 ~~The provisions of Section 50-6-72 of this Code shall not apply to advertising signs which~~
21 ~~are separated by a building or other visual obstruction in such a manner that only one sign located~~
22 ~~within the spacing distance is visible from the roadway at any time. Likewise, the provisions of~~

1 ~~Section 50-6-72 of this Code shall not apply to advertising signs which are oriented to opposing~~
2 ~~traffic. REPEALED.~~

3 **~~Sec. 50-6-74. Spacing; V-shaped signs.~~**

4 ~~In the case of double face signs and V-shaped signs, two advertising signs shall be~~
5 ~~considered as oriented to opposing directions of traffic where the least angle of intersection of the~~
6 ~~two sign faces does not exceed 45 degrees. (See Figure 50-6-74.) REPEALED.~~

7 **FIGURE 50-6-74**

8 **(For Informational Purposes Only)**

9 **~~V-SHAPED SIGN~~**

10 **[GRAPHIC]**

11 **~~Sec. 50-6-75. Spacing; modification.~~**

12 ~~No modification of this spacing provision shall be considered except in accordance with~~
13 ~~the approval criteria for administrative adjustments and variances, as provided for in Section 50-~~
14 ~~4-121 of this Code and in accordance with the conditions specified in Section 50-12-135 of this~~
15 ~~Code for the waiver of general spacing requirements:~~

16 ~~(1) During the six month period specified in Section 50-6-76 of this Code, the~~
17 ~~Buildings, Safety Engineering, and Environmental Department shall not permit any~~
18 ~~additional advertising sign within 1,000 feet measured linearly from the approved~~
19 ~~site, except where such additional advertising sign is oriented to opposing traffic;~~

20 ~~(2) The Buildings, Safety Engineering, and Environmental Department shall develop a~~
21 ~~written policy regarding the procedures for the tracking of advertising sign permit~~
22 ~~applications to ensure that the spacing provisions of Section 50-6-72 of this Code~~
23 ~~are properly implemented. REPEALED.~~

1 **~~Sec. 50-6-76. Term of permit.~~**

2 ~~Once the Buildings, Safety Engineering, and Environmental Department has issued a~~
3 ~~permit for an advertising sign, the permit holder shall have six months from the date of issuance~~
4 ~~of the permit to make the site ready for display of the advertising copy. In the case of billboards~~
5 ~~serving as advertising signs, this shall mean that work on all supporting structures and the sign~~
6 ~~face, with or without advertising copy, is complete within six months of the date of issuance of the~~
7 ~~permit, except as provided for in Section 50-3-24 through Section 50-3-26 of this Code.~~

8 REPEALED.

9 **~~Sec. 50-6-77. Spacing from schools, playgrounds, parks, and historic districts.~~**

10 Advertising signs shall not be permitted:

11 (1) ~~Within 500 feet, measured linearly, of any school site, public playground, or public~~
12 ~~park;~~

13 (2) ~~Within 500 feet, measured radially, from any City historic district; or~~

14 (3) ~~Within the boundaries of any City historic district. REPEALED.~~

15 **~~Sec. 50-6-78. Corner lot advertising signs.~~**

16 ~~For purposes of spacing, advertising signs on corner zoning lots shall be deemed as being~~
17 ~~oriented to all intersecting roadways, except in such instances where only the nondisplay area on~~
18 ~~the back of the sign is visible to a roadway. Where placement of a proposed advertising sign on a~~
19 ~~corner zoning lot would result in more than one sign being visible from intersecting roadways, one~~
20 ~~of the signs must be at least 300 feet from the point where the center lines of said roadways~~
21 ~~intersect. REPEALED.~~

~~Sec. 50-6-79. Information to be submitted with permit application.~~

~~By appending to the advertising sign permit application, the applicant shall furnish the Buildings, Safety Engineering, and Environmental Department with the four items as specified in Section 50-6-80 through Section 50-6-83 of this Code. REPEALED.~~

~~Sec. 50-6-80. Submittal requirements; range of addresses.~~

~~The applicant shall provide a listing of the range of addresses for each street falling within the following specified distances of the outermost points of the proposed advertising sign:~~

~~(1) — 500 radial feet; and~~

~~(2) — 1,000 linear feet along only those streets abutting the zoning lot. REPEALED.~~

~~Sec. 50-6-81. Submittal requirements; MDOT permit.~~

~~For locations where a Michigan Department of Transportation (MDOT) permit is required, the applicant shall submit a copy of said MDOT permit prior to issuance of a permit by the City. REPEALED.~~

~~Sec. 50-6-82. Submittal requirements; survey.~~

~~The applicant shall submit a certified survey of the land within 150 radial feet of the outermost points of the proposed advertising sign, that is prepared by a registered surveyor licensed in this state, indicating the exact distance between the outermost points of the advertising sign and the following four features:~~

~~(1) — Any land zoned R1, R2, R3, R4, R5, R6, or residential PD (Planned Development);~~

~~(2) — All lot lines on the zoning lot;~~

~~(3) — All right-of-way lines; and~~

~~(4) — Where applicable, the nearest edge of the traveled roadway of any freeway or freeway interchange ramp. REPEALED.~~

~~Sec. 50-6-83. Submittal requirements; affidavit.~~

~~The applicant shall submit an affidavit that is signed by a registered surveyor who is licensed in this state, declaring the exact distance between the outermost points of the advertising sign and the following four features:~~

~~(1) The nearest point of all other advertising signs within 1,000 feet measured linearly along all streets abutting the zoning lot and the street addresses of any such signs;~~

~~(2) The nearest lot line of a school, park, or playground within 500 feet measured linearly;~~

~~(3) The nearest lot line of a City of Detroit historic district within a 500-foot radius; and~~

~~(4) In the event that the advertising sign is proposed to exceed the standard 35-foot height limitation or the standard sign face area limitations as specified in Section 50-6-86 of this Code, the nearest lot line of land zoned R1, R2, R3, R4, R5, R6 or residential PD (Planned Development) within a one-quarter mile radius.~~

~~In addition, the surveyor shall confirm, by affidavit, that the information contained in and appended to the sign permit application is accurate to the best of such surveyor's knowledge. Provision of false, inaccurate, or misleading information may result in removal of the advertising sign at the owner's expense subject to the provisions of Section 50-5-74 of this Code. The Buildings, Safety Engineering, and Environmental Department shall verify the findings of the surveyor that are contained in the affidavit. REPEALED.~~

1 **~~Sec. 50-6-84. Painted wall graphics as advertising signs.~~**

2 ~~—— Alteration, restoration, repair, or repainting of painted wall graphics, that serve as~~
3 ~~advertising signs, and were in existence prior to August 6, 1993, shall be permitted as a matter of~~
4 ~~right, provided, that:~~

5 (1) ~~—— The name of the owner of the property and the address of the sign have been placed~~
6 ~~on record with the Buildings, Safety Engineering, and Environmental Department~~
7 ~~within two years of August 6, 1993; and~~

8 (2) ~~—— A sign license is issued for the advertising sign; and~~

9 (3) ~~—— Where the advertising sign is not placed on record with the Buildings, Safety~~
10 ~~Engineering, and Environmental Department within two years of August 6, 1993,~~
11 ~~any alteration or repainting of the sign shall be done only in conformance with the~~
12 ~~provisions of this chapter. REPEALED.~~

13 **~~Sec. 50-6-85. Advertising signs within the area bounded by Grand Boulevard.~~**

14 ~~It shall be unlawful to construct, erect, paint, fasten, or affix any new advertising sign,~~
15 ~~whether billboard or painted wall graphic, on any zoning lot abutting or within the area bounded~~
16 ~~by East Grand Boulevard, the Detroit River, and West Grand Boulevard. This prohibition in no~~
17 ~~way limits the right to periodically alter the advertising display on billboards approved for~~
18 ~~“changeable copy” or to repaint the display on duly licensed painted wall graphics. No lawfully~~
19 ~~existing advertising sign within said area shall be enlarged or expanded, except upon approval of~~
20 ~~the Board of Zoning Appeals as provided for in Section 50-15-26 of this Code. REPEALED.~~

21 **~~Sec. 50-6-86. Sign face area.~~**

22 ~~—— (a) —— The sign face of advertising signs oriented to freeways shall not exceed 672 square~~
23 ~~feet in area. Where on a zoning lot abutting rights-of-way other than freeways measuring at least~~

80 feet in width, the sign face of advertising signs shall not exceed 378 square feet in area. Where, on a zoning lot abutting rights of way other than freeways measuring less than 80 feet in width, the sign face of advertising signs shall not exceed 250 square feet in area.

~~———— (b) ——— Where the outermost point of an advertising sign is proposed not less than 150 feet from land zoned R1, R2, R3, R4, R5, R6, or residential PD (Planned Development), the Buildings, Safety Engineering, and Environmental Department may allow an increase in sign face area in accordance with Section 50-6-94 of this Code. Where the outermost point of an advertising sign is less than one 150 feet from land zoned R1, R2, R3, R4, R5, R6, or residential PD (Planned Development), the sign face area may not be increased, except in accordance with the approval criteria for administrative adjustments and variances as provided for in Section 50-4-121 of this Code. REPEALED.~~

Sec. 50-6-87. Advertising signs as a conditional land use in certain districts.

~~———— (a) ——— In order to promote greater traffic safety, to enhance environmental aesthetics, and to ensure greater public participation in decisions over the placement of advertising signs in the City, advertising signs are hereby designated as a conditional land use in the B2, B3, B4, M1, M2, and W1 Districts. No advertising sign shall be approved by the Buildings, Safety Engineering, and Environmental Department or the Board of Zoning Appeals on appeal, unless all of the findings are made pursuant to the standards in Article III, Division 7, Subdivision C, of this chapter in addition to the following two advertising sign standards:~~

- ~~(1) ——— That, based on the recommendation of the Department of Public Works Traffic Engineering Division, the placement of the advertising sign on the zoning lot will not impair the traffic safety of motorists and pedestrians; and~~

1 ~~(2) That, based on the recommendation of the Planning and Development Department,~~
2 ~~the placement of the advertising sign on the zoning lot will not be detrimental to~~
3 ~~environmental aesthetics by obstructing views of significant architectural or natural~~
4 ~~features.~~

5 ~~(b) Except as prohibited in Section 50-6-85 of this Code, advertising signs are~~
6 ~~permitted on a by-right basis in the B5, B6, M3, M4, and M5 Districts. REPEALED.~~

7 **Sec. 50-6-88. Landscaping.**

8 ~~A landscaped area at the base of any ground or freestanding advertising sign may be~~
9 ~~required, on a case by case basis, upon the recommendation of the Planning and Development~~
10 ~~Department. REPEALED.~~

11 **Sec. 50-6-89. Signs and billboards near freeways.**

12 ~~No display sign or display structure requiring a permit under Chapter 8, Article II, of this~~
13 ~~Code, *Building Code*, shall be erected in the following situations or with the following features:~~

14 ~~(1) Within 125 feet of the edge of the traveled roadway of any freeway, or interchange~~
15 ~~ramps between freeways used by traffic facing the display side of such sign or~~
16 ~~structure, or within 25 feet of the right-of-way line of any freeway which, for the~~
17 ~~purpose of this section, shall be the property line separating abutting privately~~
18 ~~owned property from the freeway or service drive, street or alley immediately~~
19 ~~adjacent thereto, whichever distance is greater, when the display matter can be seen~~
20 ~~by traffic traveling on the freeway or interchange ramp, except that these distances~~
21 ~~shall not apply to signs which pertain to the business of the occupants of the~~
22 ~~building upon which the sign is mounted, where, in the opinion of the Department~~

of ~~Public Works Traffic Engineering Division~~, such sign would not be in conflict with the intent and purposes of this section; or

(2) ~~In an area bordering a freeway which is zoned residential; or~~

(3) ~~With a changeable message of more than two lines, with more than 18 characters per line, exclusive of a combined time and temperature indication. REPEALED.~~

~~Sec. 50-6-90. Changeable message signs.~~

The message change cycle of a changeable message sign shall not be less than one minute per message, except in a combined time and temperature sign, where the change cycle shall be not less than 30 seconds. REPEALED.

~~Sec. 50-6-91. Animated signs.~~

(a) ~~No sign containing an animated or moving feature, either mechanical, electrical or by changing illumination, electronic moving images or videos, shall be erected or operated and no existing sign shall be altered or changed so as to contain such animation where visible to freeway traffic, except with specific approval by the Department of Public Works Traffic Engineering Division as to the form and plan of operation so as not to create a hazard to vehicular traffic.~~

(b) ~~Animated signs are subject to the provisions for electronic message boards as provided for in Section 50-6-55 of this Code.~~

(c) ~~When an animated sign or electronic message board is part of a development subject to site plan review, the reviewing body shall consider the scale, placement, and design of the sign relative both to the site and to surrounding architecture and property.~~

(d) ~~Animated signs shall only be permitted:~~

(1) ~~On a conditional basis within the Central Business District; and~~

(2) ~~On land zoned SD5 subject to approval by City Council. REPEALED.~~

1 **~~Sec. 50-6-92. Appeals and variances.~~**

2 ~~Where a permit application is not approved by the Department of Public Works Traffic~~
3 ~~Engineering Division and, upon request of the applicant, a public hearing shall be granted before~~
4 ~~the Board of Zoning Appeals. At such hearing, the testimony of the Department of Public Works~~
5 ~~Traffic Engineering Division shall be presented and consideration shall be given to the potential~~
6 ~~hazard which would be created to vehicular traffic by virtue of the location, method of animation,~~
7 ~~degree of distraction to drivers, or other features which might create such hazard as are peculiar to~~
8 ~~the specific display sign or display structure covered by the requested permit, and:~~

9 ~~(1) — Where a public hearing is held and, upon the recommendation of the Department~~
10 ~~of Public Works Traffic Engineering Division, a finding of “no hazard to vehicular~~
11 ~~traffic” is made, the Board of Zoning Appeals may grant a variance of the standard~~
12 ~~that is provided for in Subsection (2) of this section, and the Buildings, Safety~~
13 ~~Engineering, and Environmental Department shall approve the permit application~~
14 ~~for the proposed sign; and~~

15 ~~(2) — Any variance of the freeway setback provisions shall be limited to a reduction of~~
16 ~~not more than 15 feet of the 125-foot setback from the edge of the traveled roadway~~
17 ~~of any freeway or interchange ramps between freeways and a reduction of not more~~
18 ~~than three feet of the 25-foot setback from the right-of-way line of any freeway.~~

19 REPEALED.

20 **~~Sec. 50-6-93. Height of bottom edge.~~**

21 ~~The bottom edge of the sign face of a ground-mounted or freestanding advertising sign~~
22 ~~shall not be less than 15 feet above established grade whenever located within the “clear vision~~
23 ~~triangle” as defined in Section 50-16-152 of this Code, except that the Department of Public Works~~

~~Traffic Engineering Division may require a greater height for reasons of traffic safety on a case-by-case basis. REPEALED.~~

~~**Sec. 50-6-94. Adjustments by the Buildings, Safety Engineering, and Environmental Department.**~~

~~The Buildings, Safety Engineering, and Environmental Department may adjust the standard height and sign face area limitations of an advertising sign after a special land use hearing.~~

~~Such adjustments shall be limited in accordance with the following table:~~

<i>Right of way</i>	<i>Maximum Height (feet)</i>	<i>Maximum Sign Face Area (square feet)</i>
Freeway	35 feet plus one foot in height for each two feet in setback in excess of 150 feet from land zoned R1, R2, R3, R4, R5, R6 and residential PD up to a maximum of 60 feet in height.	672 square feet plus one square foot in area for each two feet in setback in excess of 150 feet from land zoned R1, R2, R3, R4, R5, R6 and residential PD up to a maximum of 1,200 square feet.
Other rights of way having 80 or more feet in width	35 feet plus one foot in height for each two feet in setback in excess of 150 feet from land zoned R1, R2, R3, R4, R5, R6 and residential PD up to a maximum of 50 feet in height.	378 square feet plus one square foot in area for each two feet in setback in excess of 150 feet from land zoned R1, R2, R3, R4, R5, R6 and residential PD up to a maximum of 672 square feet.
Other rights of way having less than 80 feet in width	35 feet plus one foot in height for each two feet in setback in excess of 150 feet from land zoned R1, R2, R3, R4, R5, R6 and residential PD up to a maximum of 45 feet in height	250 square feet plus one square foot in area for each two feet in setback in excess of 150 feet from land zoned R1, R2, R3, R4, R5, R6 and residential PD up to a maximum of 378 square feet

~~REPEALED.~~

~~**Secs. 50-6-95--50-6-110. Reserved.** REPEALED.~~

~~**DIVISION 4. SIGNS; ZONING DISTRICT REGULATIONS**~~

~~*Subdivision A. Signs in R1, R2, R3, R4, R5, R6 and SD4 Districts*~~

1 **Sec. 50-6-111. Permitted signs.**

2 Unless otherwise specified, only the following signs, subject to the stated conditions, shall
3 be permitted in the R1, R2, R3, R4, R5, R6 and SD4 Districts:

4 (1) Identification signs as defined in Section 50-6-14 of this Code;

5 (2) Directional signs in accordance with the provisions of Section 50-6-49 of this Code;

6 (3) Institutional bulletin boards in accordance with the provisions of Section 50-6-50
7 of this Code;

8 (4) Real estate and political signs in accordance with Section 50-6-51 of this Code,
9 excepting that no rooms for rent signs shall be permitted in the R1 or R2 Districts;
10 and

11 (5) Business signs as defined in Section 50-6-7 of this Code, subject to Chapter 4,
12 Article IV, of this Code. REPEALED.

13 **Sec. 50-6-112. Area of identification signs.**

14 Identification signs on land zoned R1, R2, R3, R4, R5, R6, and residential PD shall be
15 subject to the following area restrictions:

16 (1) The gross area of any identification sign for a residential building, other than a sign
17 identifying a permitted home occupation, shall not exceed in square feet the number
18 of dwelling units within the building or 32 square feet, whichever is less.

19 (2) In the R4, R5, and R6 Districts signs for hotels or motels may have a gross area of
20 up to 32 square feet. On a corner lot, the maximum size sign shall be permitted on
21 each street frontage.

22 (3) Identification signs pertaining to a permitted home occupation are permitted only
23 in the R3, R4, R5, and R6 Districts and shall not exceed 144 square inches.

1 ~~(4) The gross area of any identification sign for a non-residential building in the R1,~~
2 ~~R2, R3, R4, and R5 Districts shall not exceed 32 square feet in area. On a corner~~
3 ~~lot, the maximum size sign shall be permitted on each street frontage.~~

4 ~~(5) The gross area of any identification sign for a bed and breakfast inn or youth~~
5 ~~hostel/hostel in the R3, R4, R5, R6 and residential PD Districts shall not exceed six~~
6 ~~square feet in area. On a corner lot, the maximum size sign shall be permitted on~~
7 ~~each street frontage. REPEALED.~~

8 **Sec. 50-6-113. Height of signs.**

9 Signs on land zoned R1, R2, R3, R4, R5, R6, residential PD, and SD4 shall be subject to
10 the following height limitations:

11 ~~(1) In the R1, R2, R3, R4, R5, R6, and SD4 Districts, ground signs, accessory to~~
12 ~~residential uses, shall not extend more than five feet above the level of the nearest~~
13 ~~sidewalk;~~

14 ~~(2) In the R1, R2, R3, R4, R5, and R6 Districts, ground signs, accessory to non-~~
15 ~~residential uses, shall not extend more than nine feet above the level of the nearest~~
16 ~~sidewalk;~~

17 ~~(3) In the R1, R2, R3, R4, R5, and SD4 Districts, no wall sign shall extend higher than~~
18 ~~15 feet above the level of the nearest sidewalk, provided, that this provision shall~~
19 ~~not apply to hotels or motels;~~

20 ~~(4) In no zoning district shall the height of a directional sign extend more than five feet~~
21 ~~above the level of the nearest sidewalk, except as otherwise specified in the site~~
22 ~~plan review for wall mounted directional signs; and~~

(5) ~~In no zoning district shall the height of any ground-mounted sign, wall sign, roof sign, or projecting sign exceed the maximum building height for that district. (See Figure 50-6-113.)~~ REPEALED.

~~FIGURE 61-6-83 50-6-113~~

~~(For Informational Purposes Only)~~

~~HEIGHT OF SIGNS~~

~~[GRAPHIC]~~

~~Sec. 50-6-114. Projection of signs.~~

~~No sign shall project beyond the property line into a public right of way, except that directional signs may project not more than 18 inches into a public way. Permitted identification signs and institutional bulletins that project into any required setback shall be permitted where such sign is 16 square feet or less in area and six feet or less in height. Signs exceeding these dimensions may be permitted up to the maximum dimensions that are allowed in these districts subject to the approval of the Board of Zoning Appeals.~~ REPEALED.

~~Sec. 50-6-115. Illumination of signs.~~

~~Signs may be either nonilluminated or illuminated, but in no instance shall flashing or blinking signs be permitted. Illuminated signs shall be so arranged to reflect light away from residential structures.~~ REPEALED.

~~Secs. 50-6-116--50-6-130. Reserved.~~ REPEALED.

~~Subdivision B. Signs in B1, B2, SD1, and SD2 Districts~~

~~Sec. 50-6-131. Permitted signs.~~

~~Unless otherwise specified, only the following signs, subject to the stated conditions, shall be permitted in the B1, B2, SD1 and SD2 Districts:~~

- (1) ~~Business signs in accordance with Section 50-6-43 through Section 50-6-48 and Section 50-6-52 of this Code, subject to the provisions of Chapter 4, Article IV, of this Code;~~
- (2) ~~Identification signs in accordance with Section 50-6-43 through Section 50-6-48 and Section 50-6-52 of this Code;~~
- (3) ~~Directional signs in accordance with Section 50-6-49 and Section 50-6-52 of this Code;~~
- (4) ~~Institutional bulletins in accordance with Section 50-6-50 and Section 50-6-52 of this Code;~~
- (5) ~~Real estate and political signs in accordance with Section 50-6-51 of this Code;~~
- (6) ~~Advertising signs in the B2 District only in accordance with Section 50-6-43 through Section 50-6-48 of this Code and Article VI, Division 3, of this chapter, provided, that no advertising sign, whether billboard or painted wall graphic, shall be permitted in any B2 District on any zoning lot abutting or within the area bounded by East Grand Boulevard, the Detroit River, and West Grand Boulevard; and~~
- (7) ~~Monument signs in Traditional Main Street Overlay Areas, in accordance with Section 50-14-450 of this Code; however, new pylon signs are prohibited in such overlay areas. REPEALED.~~

~~Sec. 50-6-132. Area of signs.~~

~~The gross area of any identification sign for a residential building, other than a sign identifying a permitted home occupation, shall not exceed in square feet the number of dwelling units within the building, or 32 square feet, whichever is less, provided, that signs for hotels or~~

1 motels may have a gross area of up to 32 square feet. On a corner lot, the maximum size sign shall
2 be permitted on each street frontage. Identification signs pertaining to a permitted home occupation
3 shall not exceed 144 square inches. REPEALED.

4 **~~Sec. 50-6-133. Projection of signs.~~**

5 No sign shall project more than 36 inches into a public way. Permitted business and
6 identification signs and institutional bulletins projecting into any required setback shall be
7 permitted where such sign is 16 square feet or less in area and six feet or less in height. Signs
8 exceeding these dimensions may be permitted in the B1, B2, SD1 and SD2 Districts subject to the
9 approval of the Board of Zoning Appeals. REPEALED.

10 **~~Sec. 50-6-134. Illumination of signs.~~**

11 Signs may either be nonilluminated or illuminated, but in no instance shall flashing or
12 blinking signs be permitted. Illuminated signs shall be so arranged to reflect light away from
13 residential structures. REPEALED.

14 **~~Secs. 50-6-135--50-6-150. Reserved.~~** REPEALED.

15 **~~Subdivision C. Signs in B3, B4, B5, B6, W1, M1, M2, M3, M4, and M5 Districts~~**

16 **~~Sec. 50-6-151. Permitted signs.~~**

17 Unless otherwise specified, only the following signs, subject to the stated conditions, shall
18 be permitted in the B3, B4, B5, B6, W1, M1, M2, M3, M4, and M5 Districts:

- 19 (1) — Advertising signs in accordance with Section 50-6-43 through Section 50-6-48 of
20 this Code and Division 3 of this article, provided, that no advertising sign, whether
21 billboard or painted wall graphic, shall be permitted in any B3, B4, B5, B6, M1,
22 M2, M3, M4, M5, or W1 District on any zoning lot abutting or within the area
23 bounded by East Grand Boulevard, the Detroit River, and West Grand Boulevard.

1 ~~In addition, such advertising signs shall not be permitted on a zoning lot that abuts~~
2 ~~a designated gateway radial thoroughfare as defined in Article XVI, Division 2,~~
3 ~~Subdivision H, of this chapter;~~

4 ~~(2) — Animated signs, as provided for in Section 50-6-91 of this Code, may be permitted~~
5 ~~in the Central Business District, subject to site plan review, on a conditional basis~~
6 ~~only;~~

7 ~~(3) — Business signs in accordance Section 50-6-43 through Section 50-6-48 of this~~
8 ~~Code, subject to the provisions of Chapter 4, Article IV, of this Code;~~

9 ~~(4) — Directional signs in accordance with Section 50-6-49 of this Code;~~

10 ~~(5) — Identification signs in accordance with Section 50-6-43 through Section 50-6-48 of~~
11 ~~this Code;~~

12 ~~(6) — Institutional bulletin boards in accordance with the Section 50-6-50 of this Code;~~

13 ~~(7) — Real estate and political signs in accordance with Section 50-6-51 of this Code; and~~

14 ~~(8) — Monument signs in Traditional Main Street Overlay Areas, in accordance with the~~
15 ~~provisions of Section 50-14-450 of this Code; however, new pylon signs are~~
16 ~~prohibited in such overlay areas. REPEALED.~~

17 ~~**Sec. 50-6-152. Projection of certain signs.**~~

18 ~~Other than advertising signs, signs may project into a right of way, but in no instance shall~~
19 ~~such signs project beyond the curb. REPEALED.~~

20 ~~**Sec. 50-6-153. Illumination of signs.**~~

21 ~~— (a) — Signs may be either nonilluminated or illuminated, provided, that flashing or~~
22 ~~blinking signs shall be no closer than 100 feet to property zoned in a residential district~~
23 ~~classification where the face of such sign is visible from said property.~~

1 ~~—— (b) — Illuminated signs shall be so arranged that all such lighting shall be focused away~~
2 ~~from all residential zoning districts or residential PD districts. REPEALED.~~

3 ~~**Secs. 50-6-154--50-6-170. Reserved.** REPEALED.~~

4 ***Subdivision D. Signs in Special Districts***

5 ~~**Sec. 50-6-171. Permitted signs in the PCA District.**~~

6 ~~—— (a) — Animated signs, as provided for in Section 50-6-91 of this Code, may be permitted~~
7 ~~in the Central Business District, subject to site plan review, on a conditional basis only.~~

8 ~~—— (b) — Business signs in accordance with Section 50-6-52 of this Code and subject to~~
9 ~~special district review as provided for in Article III, Division 6, of this chapter as to size, location,~~
10 ~~and general design, subject to the provisions of Chapter 4, Article IV, of this Code.~~

11 ~~—— (c) — Directional signs in accordance with Section 50-6-49 of this Code.~~

12 ~~—— (d) — Identification signs in accordance with Section 50-6-52 of this Code and subject to~~
13 ~~the approval of the City Planning Commission as to size, location, and general design.~~

14 ~~—— (e) — Institutional bulletin boards in accordance with Section 50-6-50 of this Code.~~

15 ~~—— (f) — Real estate and political signs in accordance with Section 50-6-51 of this Code.~~
16 ~~REPEALED.~~

17 ~~**Sec. 50-6-172. Projection of signs.**~~

18 ~~No sign shall project more than 12 inches into a public right-of-way. REPEALED.~~

19 ~~**Sec. 50-6-173. Permitted signs in TM District.**~~

20 ~~Unless otherwise specified, only the following signs, subject to the stated conditions, shall~~
21 ~~be permitted within the TM District:~~

22 ~~(1) — Business signs in accordance Section 50-6-43 through Section 50-6-48 of this~~
23 ~~Code, subject to the provisions of Chapter 4, Article IV, of this Code;~~

1 ~~(2) — Directional signs in accordance with Section 50-6-49 of this Code;~~

2 ~~(3) — Identification signs in accordance with Section 50-6-43 through Section 50-6-48 of~~
3 ~~this Code;~~

4 ~~(4) — Institutional bulletin boards in accordance with Section 50-6-50 of this Code; and~~

5 ~~(5) — Real estate and political signs in accordance with Section 50-6-51 of this Code.~~

6 REPEALED.

7 ~~**Sec. 50-6-174. Projection of signs in the TM District.**~~

8 ~~No sign within the TM District shall project more than 36 inches into a public right-of-~~
9 ~~way. REPEALED.~~

10 ~~**Sec. 50-6-175. Illumination of signs in the TM District.**~~

11 ~~Signs within the TM District may be either nonilluminated or illuminated but in no instance~~
12 ~~shall flashing or blinking signs be permitted. Illuminated signs shall be so arranged to reflect light~~
13 ~~away from residential structures. REPEALED.~~

14 ~~**Sec. 50-6-176. Permitted signs in PC, PD, and P1 Districts.**~~

15 ~~Signs shall be permitted in PC, PD, or P1 Districts subject to the development controls~~
16 ~~established in the applicable district regulations. Advertising signs shall not be permitted in the PC~~
17 ~~and P1 Districts. REPEALED.~~

18 ~~**Sec. 50-6-177. Animated signs in PC District.**~~

19 ~~Animated signs, as provided for in Section 50-6-91 of this Code, may be permitted on land~~
20 ~~zoned PC in the Central Business District, subject to site plan review, on a conditional basis only,~~
21 ~~and on land zoned PD as determined by the City Council. REPEALED.~~

1 **Sec. 50-6-178. Permitted signs in the SD5 District.**

2 Signs shall be permitted in the SD5 district in accordance with the approved site plan and
3 accompanying documents, and subject to the standards as delineated in Division 2 of this article
4 and Article XI, Division 13, of this chapter. REPEALED.

5 **Sec. 50-6-179. Animated signs in the SD5 District.**

6 Animated signs, as provided for in Section 50-6-91 of this Code, may be permitted on land
7 zoned SD5, subject to site plan review and approval by the City Council. REPEALED.

8 **Secs. 50-6-180--50-6-200. Reserved.** REPEALED.

9 **ARTICLE VIII. RESIDENTIAL ZONING DISTRICTS**

10 **DIVISION 2. R1 SINGLE-FAMILY RESIDENTIAL DISTRICT**

11 **Sec. 50-8-18. By-right other uses.**

12 Other by-right uses within the R1 Single-Family Residential District are as follows:

13 (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.

14 ~~(2) Signs as provided for in Article VI of this chapter.~~

15 (2) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this
16 chapter.

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

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

19 (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.

20 (2) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this
21 chapter.

22 (3) Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this
23 chapter.

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

~~(5) Signs as provided for in Article VI of this chapter.~~

(5) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this chapter.

DIVISION 3. R2 TWO-FAMILY RESIDENTIAL DISTRICT

Sec. 50-8-48. By-right other uses.

Other by-right residential uses within the R2 Two-Family Residential District are as follows:

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

~~(2) Signs as provided for in Article VI of this chapter.~~

(2) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.

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

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

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

(2) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.

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

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

~~(5) Signs as provided for in Article VI of this chapter.~~

(5) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this chapter.

1 **DIVISION 4. R3 LOW DENSITY RESIDENTIAL DISTRICT**

2 **Sec. 50-8-78. By-right other uses.**

3 Other by-right uses within the R3 Low Density Residential District are as follows:

4 (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.

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

6 ~~(3) Signs as provided for in Article VI of this chapter.~~

7 (3) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this
8 chapter.

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

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

11 (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.

12 (2) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this
13 chapter.

14 (3) Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this
15 chapter.

16 ~~(4) Signs as provided for in Article VI of this chapter.~~

17 (4) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this
18 chapter.

19 **DIVISION 5. R4 THOROUGHFARE RESIDENTIAL DISTRICT**

20 **Sec. 50-8-108. By-right other uses.**

21 Other by-right uses within the R4 Thoroughfare Residential District are as follows:

22 (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.

(2) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.

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

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

~~(5) Signs as provided for in Article VI of this chapter.~~

(5) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this chapter.

(6) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.

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

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

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

~~(2) Signs as provided for in Article VI of this chapter.~~

DIVISION 6. R5 MEDIUM DENSITY RESIDENTIAL DISTRICT

Sec. 50-8-138. By-right other uses.

Other by-right uses in the R5 Medium Density Residential District are as follows:

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

(2) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.

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

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

~~(5) Signs as provided for in Article VI of this chapter.~~

(5) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this chapter.

(6) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.

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

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

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

~~(2) Signs as provided for in Article VI of this chapter.~~

(2) Marinas.

DIVISION 7. R6 HIGH DENSITY RESIDENTIAL DISTRICT

Sec. 50-8-168. By-right other uses.

Other by-right uses within the R6 High Density Residential District are as follows:

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

(2) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.

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

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

~~(5) Signs as provided for in Article VI of this chapter.~~

(5) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this chapter.

(6) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.

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

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

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

1 ~~(2) — Signs as provided for in Article VI of this chapter.~~

2 (2) Marinas.

3 **ARTICLE IX. BUSINESS ZONING DISTRICTS**

4 **DIVISION 2. B1 RESTRICTED BUSINESS DISTRICT**

5 **Sec. 50-9-18. By-right other uses.**

6 Other by-right uses in the B1 Restricted Business District are as follows:

7 (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.

8 (2) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this
9 chapter.

10 (3) Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this
11 chapter.

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

13 ~~(5) — Signs as provided for in Article VI of this chapter.~~

14 (5) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this
15 chapter.

16 (6) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.

17 **Sec. 50-9-24. Conditional other uses.**

18 Other conditional uses in the B1 Restricted Business District are as follows:

19 (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.

20 ~~(2) — Signs as provided for in Article VI of this chapter.~~

21 **DIVISION 3. B2 LOCAL BUSINESS AND RESIDENTIAL DISTRICT**

22 **Sec. 50-9-48. By-right other uses.**

23 Other by-right uses in the B2 Local Business and Residential District are as follows:

- (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
- (2) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this chapter.
- (3) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (4) Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (5) Railroad rights-of-way, not including storage tracks, yards, or buildings.
- ~~(6) Signs as provided for in Article VI of this chapter.~~
- (6) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (7) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.

Sec. 50-9-54. Conditional other uses.

Other conditional uses in the B2 Local Business and Residential District are as follows:

- (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
- (2) Medical marihuana caregiver centers as provided for in Article III, Division 12, of this chapter, except such use shall not be permitted in any Traditional Main Street overlay area or on any zoning lot abutting a Gateway Radial Thoroughfare.
- ~~(3) Signs as provided for in Article VI of this chapter.~~

DIVISION 4. B3 SHOPPING DISTRICT

Sec. 50-9-78. By-right other uses.

Other by-right uses in the B3 Shopping District are as follows:

- (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.

(2) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this chapter.

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

(4) Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.

~~(5) Signs as provided for in Article VI of this chapter.~~

(5) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this chapter.

(6) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.

Sec. 50-9-84. Conditional other uses.

Other conditional uses in the B3 Shopping District are as follows:

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

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

~~(3) Signs as provided for in Article VI of this chapter.~~

DIVISION 5. B4 GENERAL BUSINESS DISTRICT

Sec. 50-9-108. By-right other uses.

Other by-right uses in the B4 General Business District are as follows:

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

(2) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this chapter.

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

(4) Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.

(5) Marinas

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

~~(7) Signs as provided for in Article VI of this chapter.~~

(7) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this chapter.

(8) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.

Sec. 50-9-114. Conditional other uses.

Other conditional uses in the B4 General Business District are as follows:

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

(2) Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this chapter.

(3) Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this chapter.

(4) Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this chapter.

(5) Medical marihuana caregiver center§., as provided for in Article III, Division 12, of this chapter, except such use shall not be permitted in any Gateway Radial Thoroughfare or Traditional Main Street overlay area.

~~(6) Signs as provided for in Article VI of this chapter.~~

(6) Telecommunications buildings, private.

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

2 **Sec. 50-9-138. By-right other uses.**

3 Other by-right uses within the B5 Major Business District are as follows:

- 4 (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
- 5 (2) Passenger transportation terminal.
- 6 (3) Railroad rights-of-way, not including storage tracks, yards, or buildings.
- 7 ~~(4) Signs as provided for in Article VI of this chapter.~~
- 8 (4) Telecommunications building, private.

9 **Sec. 50-9-144. Conditional other uses.**

10 Other conditional uses within the B5 Major Business District are as follows:

- 11 (1) Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this
- 12 chapter.
- 13 (2) Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this
- 14 chapter.
- 15 (3) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this
- 16 chapter.
- 17 (4) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this
- 18 chapter.
- 19 (5) Heliports.
- 20 (6) Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this
- 21 chapter.
- 22 (7) Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this
- 23 chapter.

1 ~~(8) Signs as provided for in Article VI of this chapter.~~

2 (8) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this
3 chapter.

4 (9) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this
5 chapter.

6 **DIVISION 7. B6 GENERAL SERVICES DISTRICT**

7 **Sec. 50-9-168. By-right other uses.**

8 Other by-right residential uses within the B6 General Services District are as follows:

9 (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.

10 (2) Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this
11 chapter.

12 (3) Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this
13 chapter.

14 (4) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this
15 chapter.

16 (5) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this
17 chapter.

18 (6) Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this
19 chapter.

20 (7) Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this
21 chapter.

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

23 ~~(9) Signs as provided for in Article VI of this chapter.~~

(9) Telecommunications buildings, private.

(10) Tunnel or bridge plazas and terminals, vehicular.

(11) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this chapter.

(12) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.

Sec. 50-9-174. Conditional other uses.

Other conditional uses within the B6 General Services District are as follows:

(1) Ferry terminal.

(2) Heliports.

(3) Passenger transportation terminal.

~~(4) Signs as provided for in Article VI of this chapter.~~

ARTICLE X. INDUSTRIAL ZONING DISTRICTS

DIVISION 2. M1 LIMITED INDUSTRIAL DISTRICT

Sec. 50-10-18. By-right other uses.

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

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

(2) Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this chapter.

(3) Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this chapter.

(4) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this chapter.

- (5) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (6) Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (7) Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (8) Passenger transportation terminals.
- (9) Railroad rights-of-way, not including storage tracks, yards, or buildings.
- ~~(10) Signs as provided for in Article VI of this chapter.~~
- (10) Telecommunications buildings, private.

Sec. 50-10-24. Conditional other uses.

Other conditional uses within the M1 Limited Industrial District are as follows:

- (1) Aircraft landing areas for winged aircraft.
- (2) Ferry terminal~.
- (3) Medical marihuana caregiver centers as provided for in Article III, Division 12, of this chapter.
- ~~(4) Signs as provided for in Article VI of this chapter.~~
- (4) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (5) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.

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

2 **Sec. 50-10-48. By-right other uses.**

3 By-right residential uses within the M2 Restricted Industrial District are as follows:

- 4 (1) Aircraft landing areas for winged aircraft.
- 5 (2) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
- 6 (3) Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this
- 7 chapter.
- 8 (4) Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this
- 9 chapter.
- 10 (5) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this
- 11 chapter.
- 12 (6) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this
- 13 chapter.
- 14 (7) Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this
- 15 chapter.
- 16 (8) Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this
- 17 chapter.
- 18 (9) Passenger transportation terminals.
- 19 (10) Railroad rights-of-way, not including storage tracks, yards, or buildings.
- 20 ~~(11) Signs as provided for in Article VI of this chapter.~~
- 21 (11) Telecommunications buildings, private.

22 **Sec. 50-10-54. Conditional other uses.**

23 Conditional other uses within the M2 Restricted Industrial District are as follows:

- (1) Ferry terminals.
- (2) Heliports.
- (3) Medical marihuana caregiver centers as provided for in Article III, Division 12, of this chapter.
- ~~(4) Signs as provided for in Article VI of this chapter.~~
- (4) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (5) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.

DIVISION 4. M3 GENERAL INDUSTRIAL DISTRICT

Sec. 50-10-78. By-right other uses.

Other by-right uses within the M3 General Industrial District are as follows:

- (1) Aircraft landing areas for winged aircraft.
- (2) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
- (3) Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (4) Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (5) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this chapter.
- (6) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (7) Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.

(8) Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this chapter.

(9) Marinas.

(10) Passenger transportation terminals.

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

~~(12) Signs as provided for in Article VI of this chapter.~~

(12) Telecommunications building\$, private.

Sec. 50-10-84. Conditional other uses.

Other conditional uses within the M3 General Industrial District are as follows:

(1) Boat or ship yards: construction, repair, maintenance, dry dock.

(2) Docks, waterway shipping/freighters.

(3) Ferry terminals.

(4) Heliports.

(5) Medical marihuana caregiver centers as provided for in Article III, Division 12 of this chapter.

~~(6) Signs as provided for in Article VI of this chapter.~~

(6) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this chapter.

(7) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.

DIVISION 5. M4 INTENSIVE INDUSTRIAL DISTRICT

Sec. 50-10-108. By-right other uses.

Other by-right uses within the M4 Intensive Industrial District are as follows:

- (1) Adult use/sexually-oriented businesses, as provided in Section 50-3-504 of this Code.
- (2) Aircraft landing areas for winged aircraft.
- (3) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
- (4) Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (5) Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (6) Boat or ship yards, construction, repair, maintenance, dry dock.
- (7) Boat terminals, passenger.
- (8) Docks, waterway shipping/freighters.
- (9) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this chapter.
- (10) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (11) Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (12) Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (13) Marinas.
- (14) Passenger transportation terminals.
- (15) Railroad rights-of-way, not including storage tracks, yards, or buildings.
- ~~(16) Signs as provided for in Article VI of this chapter.~~

1 (16) Telecommunications buildings, private.

2 **Sec. 50-10-114. Conditional other uses.**

3 Other conditional uses within the M4 Intensive Industrial District are as follows:

4 (1) Ferry terminals.

5 (2) Heliports.

6 (3) Medical marihuana caregiver centers as provided for in Article III, Division 12, of
7 this chapter.

8 ~~(4) Signs as provided for in Article VI of this chapter.~~

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

11 (5) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.

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

13 **Sec. 50-10-138. By-right other uses.**

14 Other by-right uses within the M5 Special Industrial District are as follows:

15 (1) Adult uses/sexually-oriented businesses, as provided in Section 50-3-504 of this
16 Code.

17 (2) Aircraft landing areas for winged aircraft.

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

19 (4) Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this
20 chapter.

21 (5) Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this
22 chapter.

23 (6) Boat or ship yards, construction, repair, maintenance, dry dock.

- (7) Boat terminal⁶, passenger.
- (8) Docks, waterway shipping/freighters.
- (9) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this chapter.
- (10) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (11) Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (12) Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (13) Marinas.
- (14) Railroad rights-of-way, not including storage tracks, yards, or buildings.
- ~~(15) Signs as provided for in Article VI of this chapter.~~
- (15) Telecommunications building~. private.

Sec. 50-10-144. Conditional other uses.

Other conditional uses within the M5 Special Industrial District are as follows:

- (1) Ferry terminals.
- (2) Heliports.
- ~~(3) Signs as provided for in Article VI of this chapter.~~
- (3) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (4) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.

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

2 **DIVISION 3. P1 OPEN PARKING DISTRICT**

3 **Sec. 50-11-37. Use limitations.**

4 The following specific use limitations shall apply in the P1 Open Parking District:

- 5 (1) The parking area shall be used for parking or storage of operable private passenger
6 vehicles only;
- 7 (2) No charge shall be made for parking or storage;
- 8 (3) No business involving vehicle repair, service, sale or display for sale, or any other
9 type of business, shall be conducted from or upon such premises;
- 10 (4) No structures other than those required by, or specifically permitted herein, in this
11 chapter shall be erected or placed on the premises;
- 12 (5) No buildings other than those for shelter of attendants shall be erected or placed
13 upon said premises, and there shall be not more than two such buildings in any one
14 area and each building shall be not more than 50 square feet in area nor shall each
15 exceed 15 feet in height; and
- 16 ~~(6) No sign shall be erected or placed on the premises, except that not more than one~~
17 ~~directional sign at each point of ingress or egress may be erected or placed. This~~
18 ~~sign may also bear the name of the operator of the parking area and enterprise it is~~
19 ~~intended to serve. Such signs shall not exceed 20 square feet in area or 15 feet in~~
20 ~~height. Such signs shall not project beyond the property line when opposite R1, R2,~~
21 ~~R3, R4, R5, R6, or residential PD Districts.~~

1 **DIVISION 4. PC PUBLIC CENTER DISTRICT**

2 **Sec. 50-11-58. By-right other uses.**

3 Other by-right uses within the PC Public Center District are as follows:

4 (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.

5 (2) Boat terminal, passenger.

6 (3) Public center open uses.

7 ~~(4) Signs as provided for in Article VI of this chapter.~~

8 **Section 50-11-64. Conditional other uses.**

9 Other conditional uses within the PC Public Center District are as follows:

10 (1) Farmers markets as defined in Article XVI, Division 2, Subdivision G of this
11 chapter.

12 (2) Heliports.

13 ~~(3) Signs as provided for in Article VI of this chapter.~~

14 **Sec. 50-11-66. Review process.**

15 The exterior design, appearance, and location of any proposed building, or exterior
16 alteration of any existing building, structure, or premises, or part thereof, including ~~any exterior~~
17 ~~signs, and~~ parking, loading or unloading areas within the PC Public Center District shall be
18 reviewed by the Planning and Development Department and by the City Planning Commission to
19 ensure harmony with the public center where it is located and consistency with the spirit, intent,
20 and purpose of this Zoning Ordinance chapter. A written report shall be filed with the City Council
21 recommending approval or disapproval of the proposed use, facility or alteration, and
22 recommending any changes deemed necessary to ensure conformity with the spirit, intent, and
23 purpose of this district. In each case the City Council shall approve, disapprove, or adjust said

1 recommendation by resolution. ~~Advertising signs shall not be permitted in the PC District. See~~
2 Article III, Division 6, of this chapter.

3 **DIVISION 5. PCA PUBLIC CENTER ADJACENT DISTRICT (RESTRICTED**
4 **CENTRAL BUSINESS DISTRICT)**

5 **Sec. 50-11-88. By-right other uses.**

6 Other by-right uses within the PCA Public Center Adjacent District (Restricted Central
7 Business District) are as follows:

- 8 (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
9 (2) Heliports.
10 (3) Marinas.
11 ~~(4) Signs as provided for in Article VI of this chapter.~~
12 (4) Tunnel or bridge plaza and terminal, vehicular.

13 **Sec. 50-11-94. Conditional other uses.**

14 Other conditional uses within the PCA Public Center Adjacent District (Restricted Central
15 Business District) are as follows:

- 16 (1) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this
17 chapter.
18 (2) Passenger transportation terminals.
19 ~~(3) Signs as provided for in Article VI of this chapter.~~

20 **Sec. 50-11-96. Review process.**

21 The exterior design, appearance, and location of any proposed building, or exterior
22 alteration of any existing building, structure, or premises, or part thereof, and ~~the location and~~
23 ~~design of any proposed sign,~~ parking facilities or loading and unloading areas within the PCA

Public Center Adjacent District (Restricted Central Business District) shall be reviewed by the Planning and Development Department and by the City Planning Commission for consistency with the spirit, purpose, and intent of this district. In each case, the City Council shall approve, disapprove, or adjust said recommendation by resolution. ~~Advertising signs shall not be permitted in the PCA District.~~ See Article III, Division 6, of this chapter for design criteria applicable to the PCA District.

DIVISION 6. TM TRANSITIONAL-INDUSTRIAL DISTRICT

Sec. 50-11-118. By-right other uses.

Other by-right uses within the TM Transitional-Industrial District are as follows:

- (1) Aircraft landing areas for winged aircraft.
- (2) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
- (3) Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (4) Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (5) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this chapter.
- (6) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (7) Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (8) Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this chapter.

- (9) Passenger transportation terminals.
- (10) Railroad rights-of-way, not including storage tracks, yards, or buildings.
- ~~(11) Signs as provided for in Article VI of this chapter.~~
- (11) Telecommunications buildings, private.

DIVISION 7. PR PARKS AND RECREATION

Sec. 50-11-148. By-right other uses.

Other by-right uses within the PR Parks and Recreation District are as follows:

- (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
- (2) Marina, public.
- ~~(3) Signs as provided for in Article VI of this chapter.~~

Sec. 50-11-154. Conditional other uses.

Other conditional uses within the PR Parks and Recreation District are as follows:

- (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
- ~~(2) Signs as provided for in Article VI of this chapter.~~

DIVISION 8. W1 WATERFRONT-INDUSTRIAL DISTRICT

Sec. 50-11-178. By-right other uses.

Other by-right uses within the W1 Waterfront-Industrial District are as follows:

- (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
- (2) Boat or ship yards: construction, repair, maintenance, dry dock.
- (3) Boat terminal, passenger.
- (4) Docks or wharves, waterway shipping/freighters.
- (5) Ferry terminal.
- (6) Marinas.
- ~~(7) Signs as provided for in Article VI of this chapter.~~

1 **Sec. 50-11-184. Conditional other uses.**

2 Other conditional uses within the W1 Waterfront-Industrial District are as follows:

3 (1) Heliports.

4 ~~(2) Signs as provided for in Article VI of this chapter.~~

5 ~~**Sec. 50-11-186. Other requirements.**~~

6 ~~One nonflashing identification sign, not exceeding 35 square feet in area, shall be permitted~~
7 ~~in each setback area as required in Section 50-13-128 of this Code. Where required, directional~~
8 ~~signs may be provided as specified in Article VI, Division 4, Subdivision C, of this chapter or as~~
9 ~~may be approved by the Planning and Development Department. Repealed.~~

10 **Secs. 50-11-186 – 50-11-200. Reserved.**

11 **DIVISION 9. SD1--SPECIAL DEVELOPMENT DISTRICT,**

12 **SMALL-SCALE, MIXED-USE**

13 **Sec. 50-11-208. By-right other uses.**

14 Other by-right residential uses in the SD1 Special Development District are as follows:

15 (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.

16 (2) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this
17 chapter.

18 ~~(3) Signs as provided for in Article VI of this chapter.~~

19 (3) Urban gardens not exceeding 0.5 acres acre in size as provided for in Article XII,
20 Division 3, Subdivision H, of this chapter.

21 **Sec. 50-11-214. Conditional other uses.**

22 Other conditional uses in the SD1 Special Development District are as follows:

23 (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.

(2) Marinas.

~~(3) Signs as provided for in Article VI of this chapter.~~

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

Sec. 50-11-238. By-right other uses.

Other by-right uses within the SD2 Special Development District are as follows:

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

(2) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this chapter.

(3) Marinas.

~~(4) Signs as provided for in Article VI of this chapter.~~

Sec. 50-11-244. Conditional other uses.

Other conditional uses within the SD2 Special Development District are as follows:

(1) Passenger transportation terminal.

~~(2) Signs as provided for in Article VI of this chapter.~~

(2) Urban gardens not exceeding 0.5 acre in size as provided for in Article XII, Division 3, Subdivision H, of this chapter.

DIVISION 12. SD4--SPECIAL DEVELOPMENT DISTRICT, RIVERFRONT

MIXED USE

Sec. 50-11-294. By-right other uses.

Other by-right uses in the SD4 Special Development District are as follows:

(1) Antennas as regulated in Article XII, Division 3, Subdivision G, of this chapter, provided, that no antenna shall exceed 35 feet in height, except those antennas which are incidental and accessory to principal uses allowed in the SD4 District.

(2) Marina.

(3) ~~Signs as provided for in Article VI of this chapter.~~

Sec. 50-11-300. Conditional other uses.

Other conditional uses in the SD4 Special Development District are as follows:

(1) Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this chapter.

(2) Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this chapter.

(3) Boat terminals, passenger.

(4) Docks or wharves, waterway shipping/freighters.

(5) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this chapter.

(6) Heliports as regulated by Section 50-12-411 of this Code and Article XIV, Division 6, of this chapter.

(7) Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this chapter.

(8) ~~Signs as provided for in Article VI of this chapter.~~

Sec. 50-11-310. Site plan approval standards.

In addition to the site plan approval criteria specified in Section 50-3-96 of this Code, the following provisions shall apply:

(1) That the proposed development reflects the applicable policies stated in the Master Plan, both text and maps, as applied to the geographic area in question;

1 (2) That the natural features of the landscape, particularly views of the Detroit River,
2 are retained where they enhance the development of the site, or where they furnish
3 a barrier or buffer between the project and adjoining properties, or where they assist
4 in preserving the general safety, health, and appearance of the area or district.
5 Removal of existing trees should be minimized;

6 ~~(3) That there are appropriately designed and visually appealing signage and graphics~~
7 ~~in keeping with the surrounding development, such as signage and graphics~~
8 ~~providing necessary information, direction, and orientation in a clear and concise~~
9 ~~manner;~~

10 (3) That buildings are designed to create a pedestrian-friendly setting that relates a
11 building's active uses to the street;

12 (4) That new buildings are constructed to the lot line with no setback, except for a
13 setback not to exceed ten feet from the lot line for a permitted outdoor seating area
14 only;

15 (5) That new buildings establish a uniform street wall by establishing a building base
16 a minimum of two stories or 20 feet in height; that new buildings taller than three
17 stories establish a uniform street wall or building base (a podium) not to exceed 40
18 feet; and that the taller section of the building should be on top of the podium and
19 set back a minimum of ten feet horizontal distance from the parapet of the main
20 facade facing a street;

21 ~~(7) That the maximum height for signs shall not exceed 35 feet or the height of existing~~
22 ~~structures on the same or nearby zoning lots, whichever is lower. For purposes of~~
23 ~~this section, the term "nearby zoning lots" means those lots on the same block face~~

1 as the subject property, or lots on a block face immediately separated by a public
2 street from the subject property;

- 3 (6) That to the fullest extent possible, the hours of operation shall not create any
4 adverse effect upon owners or occupants of adjacent and surrounding properties.
5 This subsection shall not be construed or interpreted to define the operating hours
6 of businesses established prior to the property's reclassification to a SD4 District as
7 either nonconforming, or as creating an adverse effect upon the owners and
8 occupants of adjacent and surrounding properties; and

- 9 (7) That the proposed landscaping and other site amenities are appropriate to the
10 development and to the adjoining and surrounding properties.

11 **DIVISION 13. SD5--SPECIAL DEVELOPMENT DISTRICT, CASINOS**

12 **Sec. 50-11-338. General sign regulations. Reserved.**

13 ~~All signs within the SD5 Special Development District for casinos or casino complexes shall~~
14 ~~be subject to the general sign regulations as contained within Article VI of this chapter and the~~
15 ~~applicable regulations of this division. REPEALED.~~

16 **DIVISION 14. OVERLAY AREAS**

17 **Subdivision A. Gateway Radial Thoroughfare Overlay Areas**

18 **Sec. 50-11-364. Prohibitions and limitations.**

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

- 21 (1) Confection manufacture;
22 (2) Dental products, surgical, or optical goods manufacture;
23 (3) Emergency shelter;

- (4) Go-cart track;
- (5) Ice manufacture;
- (6) Jewelry manufacture;
- (7) Lithographing;
- (8) Medical marihuana caregiver center, as provided for in Article III, Division 12, of this chapter;
- (9) Motor vehicle washing and steam cleaning;
- (10) Motor vehicle services, major;
- (11) Motor vehicles, used, salesroom or sales lots;
- (12) Motor vehicles, used, storage lot accessory to a salesroom or sales lot for used motor vehicles;
- (13) Pawnshop;
- (14) Plasma donation center;
- (15) Precious metal and gem dealer;
- (16) Pre-release adjustment center;
- (17) Radio, television, or household appliance repair shop;
- (18) Rebound tumbling center;
- (19) Restaurant, carry-out or fast-food with drive-up or drive-through facilities or where not located in a multi-story building having a mixed-use or multi-tenant development; prohibition limited to Woodward Avenue only;
- ~~(20) Signs, advertising;~~
- (21) Substance abuse service facility;
- (21) Taxicab dispatch and/or storage facility;

1 (22) Toiletries or cosmetic manufacturing;

2 (23) Tool, die, and gauge manufacturing;

3 (24) Trade services, general;

4 (26) Trailer coaches or boats, sale or rental, open air display;

5 (26) Trailers, utility, or cement mixers, pneumatic-tired, sales, rental or service;

6 (27) Used goods dealer;

7 (28) Vending machine commissary;

8 (29) Wearing apparel manufacturing;

9 (30) Wholesaling, warehousing, storage buildings, or public storage facilities, except on
10 Gratiot Avenue.

11 (b) Accessory parking lots or parking areas on zoning lots abutting a designated
12 Gateway Radial Thoroughfare that are not farther than the maximum distance specified in Article
13 XIV, Division 1, Subdivision B, of this chapter shall be permitted by right subject to Article XIV,
14 Division 1, Subdivision E, of this chapter, Article XIV, Division 1, Subdivision G, of this chapter,
15 and Article XIV, Division 2, Subdivision C, of this chapter.

16 (c) Commercial parking lots or areas and accessory parking lots or areas on zoning lots
17 abutting a designated Gateway Radial Thoroughfare that are farther than the maximum distance
18 specified in Article XIV, Division 1, Subdivision B, of this chapter, shall be reviewed as
19 conditional uses subject to Article XIV, Division 1, Subdivision E, of this chapter, Article XIV,
20 Division 1, Subdivision G, of this chapter, and Article XIV, Division 2, Subdivision C, of this
21 chapter.

1 **Subdivision D. Grand Boulevard Overlay Area**

2 **Sec. 50-11-422. Prohibitions and limitations.**

3 (a) Lofts, as defined in Section 50-16-284 of this Code, shall be subject to review by
4 the Loft Review Committee on land zoned B6, M1, M2, M3, and M4.

5 ~~(b) As provided for in Section 50-6-85 of this Code, advertising signs are prohibited in~~
6 ~~the Grand Boulevard Overlay Area.~~

7 (b) For the area of West Grand Boulevard between the John C. Lodge Freeway (M-10)
8 and West Grand River Avenue, parking, driveways, or loading areas shall not be located between
9 new primary buildings and West Grand Boulevard. Parking, driveways, or loading areas shall be
10 located to the side or the rear of the building.

11 **Subdivision F. Development Improvement Area**

12 **Sec. 50-11-461. Description.**

13 The Development Improvement Area is a special area that is established to permit property
14 owners in business or other areas to request City assistance in upgrading the external physical
15 appearance of their area. The provisions allow for the employment of a design consultant to prepare
16 a development-improvement plan, including such items as planting boxes or other “street
17 furniture,” lighting and lighting fixtures, building materials, finishes and colors, including building
18 facade modernizations, improvements in parking and traffic facilities, ~~all aspects of signs~~, an
19 overall color scheme, an improved pedestrian circulation scheme, or any other visual or functional
20 appurtenances for the district. Provision is also made for the establishment of a special assessment
21 district to defray all or part of the costs of such improvement projects consistent with Article 8,
22 Chapter 6, of the Charter.

ARTICLE XII. USE REGULATIONS

DIVISION 1. USE TABLE

Subdivision F. Other Uses

Sec. 50-12-104. Signs. Reserved.

Regulations regarding sign uses are as follows:

Use Category	Specific Land Use	Residential (R1—R6)	Business (B1—B6)	Industrial (M1—M5)	Special and Overlay	Standards General and Specific
Signs	Signs	Article VI of this chapter				

REPEALED.

DIVISION 2. GENERAL USE STANDARDS

Sec. 50-12-132. Other uses-Spacing.

Regulations regarding spacing of other uses are as follows:

<i>Use Type</i>	<i>Minimum Distance from Same Use Type (Existing or Approved)</i>	<i>Minimum Distance from Other Use Types (Existing or Approved)</i>	<i>Comment</i>
Adult uses/sexually oriented businesses	1,000 radial feet	-Zoning lot zoned R1, R2, R3, R4, R5, R6, residential PDP: 1,000 feet; -Residentially developed zoning lot in SD1, SD2, and Sd4 Districts: 1,000 feet; -Elementary, middle, or high school: 1,000 feet; -Park, playlot, playfield, playground, recreation center, youth activity center: 1,000 feet; -Religious institution identified as exempt by the City assessor: 1,000 feet; -Regulated use: 1,000 feet	Section 50-3-504
Medical marihuana caregiver center	1,000 radial feet (except in M1, M2, M3 or M4 District	-Drug-free zone: 1,000 radial feet;	Sections 50-3-534,50-12-135,50-

	where 150 feet from land zoning R1, R2, R3, R4, R5, R6 or residential PD	-religious institution identified as exempt by the City Assessor: 1,000 radial feet; -Controlled uses (other than arcades): 1,000 radial feet	12-136,50-12-413,50-12-563
Sign, advertising	1,000 feet, measured linearly	School site: 500 linear feet; public playground or public park: 500 linear feet; historic district: 500 linear feet	Sections 50-6-72, 50-6-77, 50-12-135, 50-12-136

DIVISION 3. SPECIFIC USE STANDARDS

Subdivision B. Public, Civic, and Institutional Uses

Sec. 50-12-192. Utilities, basic; utilities, major.

Basic utility facilities and major utility facilities shall be subject to the following requirements:

(1) Service or storage yards for any electric transformer station, gas regulator station, telephone exchange building, water work, reservoir, pumping station, or filtration plant, shall not be permitted, except in the B5, B6, M1, M2, M3, M4, M5 and TM Districts;

(2) In the R1, R2, R3, R4, R5, R6, residential PD, PR and SDI Districts:

a. Basic utilities shall be permitted only when operating requirements mandate that they be located within the district in order to serve the immediate vicinity; and

b. Outdoor service or storage yards shall not be permitted;

(3) In the SD4 District, the following uses shall be subject to site plan review as provided for in Section 50-3-113(8) of this Code, and subject to review as to the appropriateness of exterior design:

a. Electric transformer stations;

- b. Gas regulator stations;
- c. Telephone exchange buildings; and
- d. Water works, reservoirs, pumping stations, and filtration plants.

(4) In the PR District, the only major utility that shall be permitted is a pumping station without on-site employees.

(5) Solar generation stations are limited to the PD and PR zoning districts; reasonable and appropriate conditions relative to the following factors may be attached to any approval:

- a. Height of installation;
- b. Setback from rights-of-way and adjacent properties and uses;
- c. Screening from rights-of-way and adjacent properties and uses;
- d. Landscaping;
- e. Glare mitigation;
- f. Noise;
- g. Safety/access; site security;
- h. Location of on-site power lines;
- i. Lighting;
- j. ~~Signage~~ Notice for purpose of (identification and warning);
- k. Removal requirements upon abandonment/decommissioning;
- l. Stormwater management;
- m. Construction period impacts;
- n. General site maintenance;
- o. Off-street parking.

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

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

3 Bed and breakfast inns shall be subject to the following requirements:

- 4 (1) The primary use of a bed and breakfast must be as a residence for the owner or
5 manager who operates and occupies the structure. The bed and breakfast facility
6 may have up to ten bedrooms for the use of transient guests for compensation and
7 by pre-arrangement;
- 8 (2) The exterior appearance of the structure shall not be altered from its residential
9 district character;
- 10 (3) Parking shall be arranged so as not to create negative noise or light impacts on
11 properties adjacent or across an alley, or to necessitate on-street parking. (See off-
12 street accessory parking schedule in Section 50-14-54 of this Code);
- 13 (4) Each sleeping room shall have a separate smoke alarm as required in Chapter 8,
14 Article II, of this Code, Building Code;
- 15 (5) A fire escape plan shall be developed and graphically displayed in each guest room;
- 16 (6) A minimum of one fire extinguisher, in proper working order, shall be located on
17 each floor;
- 18 (7) The establishment shall contain at least two exits to the outdoors;
- 19 (8) No guest room shall be located in a basement or cellar;
- 20 (9) No transient occupant shall reside on the premises for more than 100 days in any
21 continuous period of 120 days;
- 22 (10) Lavatories and bathing facilities shall be available to all persons using the premises;
- 23 (11) No separate or additional kitchen facilities shall be provided for the guests;

1 (12) Retail sales are not permitted beyond those activities serving the registered
2 overnight patrons;

3 (13) Meals shall not be served to the public at large but only to registered guests. Meal
4 preparation and service shall conform with all applicable public health
5 requirements of the Michigan Public Health Code, being MCL 333.1101 et seq.,
6 and of this Code;

7 (14) In the R3 and R4 Districts, no receptions, private parties, conferences, or activities
8 for which a fee is paid shall be permitted, except for those which involve only
9 registered guests;

10 (15) Outdoor rubbish or trash facilities beyond what might normally be expected for a
11 residential structure shall be prohibited;

12 ~~(16) One identification sign that does not exceed six square feet in area shall be~~
13 ~~permitted. On a corner lot, the maximum size shall be permitted on each street~~
14 ~~frontage. No such sign shall extend more than 15 feet above the level of the nearest~~
15 ~~sidewalk; and~~

16 (16) Bed and breakfast inns shall be licensed as such by the Buildings, Safety
17 Engineering, and Environmental Department Business License Center as provided
18 for in Chapter 36 of this Code, Public Lodging.

19 **Subdivision D. Retail, Service, and Commercial Uses; Motor Vehicle Filling Stations**

20 **Sec. 50-12-272. Motor vehicle filling stations; signs.**

21 The following standards and requirements shall apply to signs for motor vehicle filling
22 stations. ~~In the event of conflict between these provisions and the provisions for business signs as~~
23 ~~provided for in Article VI of this chapter, the following provisions shall control:~~

1 ~~(1) A sign shall not be erected or allowed to remain anywhere on the subject property~~
2 ~~that exceeds a height of 35 feet above established grade;~~

3 ~~(2) A maximum of one such ground sign may be erected or allowed to remain on site.~~
4 ~~Said sign may be located in the corner landscaped area, as specified in Section 50-~~
5 ~~12-270 of this Code, provided, that at least 150 landscaped square feet remain;~~

6 (1) All building walls and fences, or walls that surround the property, shall be kept clean
7 and free from all banners, posters, advertising materials, temporary signage and
8 graffiti;

9 ~~(4) Temporary signs and banners shall be prohibited, except as provided for in Section~~
10 ~~50-12-562 of this Code;~~

11 ~~(5) Signs on the premises shall be arranged so that they do not obstruct the visibility of~~
12 ~~drivers or pedestrians. The total signage on the zoning lot shall not exceed 300~~
13 ~~square feet in area, provided, that not more than 25 percent of any exterior building~~
14 ~~wall shall be covered by signage.~~

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

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

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

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

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

1 salesroom or sales lot, which is subject to a conditional use public hearing where
2 such is specified in the zoning districts use lists for said service facilities.

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

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

7 (11) Where used motor vehicles are sold on the same zoning lot upon which used tire
8 sales are conducted, a separate principal land use permit is required for used tire
9 sales; the outdoor storage of used tires is prohibited.

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

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

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

16 ~~(15) It is unlawful for any used motor vehicle salesroom or sales lot to display an A-~~
17 ~~frame or other portable sign in the public right-of-way.~~

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

1 **Subdivision G. Other Uses—Antennas**

2 **Sec. 50-12-379. General regulations; sign antennas.**

3 ~~Signs,~~ Lettering, numbers, symbols, other illustrative markings, or artistic renderings
4 attached to or painted on any antenna are prohibited.

5 **Subdivision H. Other Uses--Urban Agriculture**

6 **Sec. 50-12-402. Signage. Reserved.**

7 ~~All signs are subject to Article VI of this chapter.~~

8 **Subdivision I. Other Uses--Miscellaneous**

9 **Sec. 50-12-412. Adult uses/sexually-oriented businesses.**

10 Adult uses/sexually-oriented businesses shall be subject to the following provisions
11 requirements:

12 (1) Adult uses/sexually-oriented businesses shall comply with the requirements in
13 Chapter 5, Article XII, of this Code, *Sexually Oriented Businesses*;

14 (2) Adult uses/sexually-oriented businesses shall comply with the general development
15 standards of Article XIV of this chapter, pursuant to Section 50-14-2 of this Code;
16 all required parking shall be provided on the same zoning lot as the proposed adult
17 use;

18 ~~(3) — All proposed on-premises business signage for the adult use shall comply with the~~
19 ~~provisions of Chapter 4, Article IV, of this Code, *Regulation of Business Signs*; and~~

20 (3) The establishment of the adult use will not violate any land use prohibition of any
21 adopted development plan as provided in Article IV, Division 1, of this chapter.

22 **Sec. 50-12-413. Medical marihuana caregiver centers.**

23 Medical marihuana caregiver centers are subject to the following requirements:

- 1 (1) Prior to the issuance of any permit to operate a medical marihuana caregiver center,
2 and no later than December 31st of each subsequent year, the applicant or operator
3 shall submit to the Buildings, Safety Engineering, and Environmental Department
4 a photocopy of the operator's valid and current registered primary caregiver 's
5 license issued by the state in accordance with the General Rules of the Michigan
6 Department of Community Health and the Michigan Medical Marihuana Act, P.A.
7 2008, Initiated Law, being MCL 333.26421 et seq. Proof of such licensing shall be
8 required prior to the opening, and as a condition for the continued operation, of any
9 medical marihuana caregiver center.
- 10 (2) Medical marihuana caregiver centers shall be licensed as such by the Buildings,
11 Safety Engineering, and Environmental Department Business License Center in
12 accordance with Chapter 20, Article VI, of this Code and shall be required prior to
13 the opening for business, and as a condition for the continued operation of any
14 medical marihuana caregiver center.
- 15 ~~(3) All signage identifying a building as a medical marihuana caregiver center must be~~
16 ~~removed within 30 days of ceasing to do business or physical abandonment of the~~
17 ~~premises of the medical marihuana caregiver center.~~
- 18 (3) A medical marihuana caregiver center shall not allow loitering inside or outside its
19 premises, consumption of medical marihuana in the premises, and shall take care
20 to prevent the transmission of any odors from the medical marihuana caregiver
21 center to the exterior of the licensed premises.
- 22 (4) The provisions of Article III, Division 12, of this chapter shall apply to medical
23 marihuana caregiver centers.

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

2 **Subdivision B. Home Occupations**

3 ~~Sec. 50-12-488. Signs.~~ **Reserved.**

4 ~~In the R1 and R2 Districts, signage for a home occupation is prohibited. In districts other than R1~~
5 ~~and R2, not more than one identification sign may be permitted, subject to the following~~
6 ~~requirements:~~

7 ~~(1) The identification sign is nonilluminated;~~

8 ~~(2) The identification sign is affixed, flush to the dwelling;~~

9 ~~(3) The identification sign does not exceed 144 square inches in area.~~

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

11 **Sec. 50-12-522. Urban garden.**

12 Only the following accessory uses and structures shall be permitted on an urban garden. All
13 accessory structures shall be subject to the provisions of Article XII, Division 5, of this chapter and also
14 require a building permit where applicable:

15 (1) Greenhouse;

16 (2) Farm stands;

17 (3) Hoophouse or high tunnel, and similar structures used to extend the growing season;

18 ~~(4) Signs; subject to the provisions in Article VI of this chapter;~~

19 (4) Benches, bike racks, raised/accessible planting beds, compost bins, picnic tables, garden
20 art, rainwater catchment systems;

21 (5) Tool sheds and shade pavilions;

22 (6) Garages.

23 **DIVISION 6. TEMPORARY USES AND STRUCTURES**

24 **Subdivision A. In General**

1 **Sec. 50-12-534. Accessory signage. Reserved.**

2 ~~Signs accessory to temporary uses are subject to the following requirements:~~

3 ~~(1) — Permanent signs that are accessory to temporary uses are prohibited.~~

4 ~~(2) — Signs that are accessory to temporary uses shall be limited to the premises of the~~
5 ~~temporary use.~~

6 ~~(3) — Not more than one double-faced, non-illuminated sign shall be permitted.~~

7 ~~(4) — One sign shall be allowed and the location shall be noted on the plan. The sign shall~~
8 ~~be limited to a double-faced non-illuminated sign no greater than 32 square feet in~~
9 ~~area. The height of the sign shall not exceed 15 feet. The sign shall have a minimum~~
10 ~~setback of five feet from the front and/or side property line.~~

11 ~~(5) — Signs that are accessory to temporary uses require a permit.~~

12 ~~(6) — All signs that are accessory to temporary uses shall be removed when the activity~~
13 ~~ends; signs that are accessory to temporary outdoor retail sales shall be removed~~
14 ~~each day.~~

15 ~~(7) — The Buildings, Safety Engineering, and Environmental Department shall not~~
16 ~~approve accessory signage for a temporary use within a Traditional Main Street~~
17 ~~Overlay Area, Major Corridor Overlay Area, or Downtown and Riverfront Overlay~~
18 ~~Area unless the Planning and Development Department has verified that such work~~
19 ~~is consistent with the design standards for such areas.~~

20 **Subdivision B. Specific Temporary Uses Allowed**

21 **Sec. 50-12-558. Yard or garage sales accessory to a dwelling.**

22 Yard or garage sales accessory to a dwelling shall be subject to the following provisions
23 requirements:

(1) A maximum of one yard or garage sale accessory to a dwelling may be held within any 90-day period without need for a permit. In no instance may another yard or garage sale be permitted until 90 days shall have elapsed since the previous sale.

(2) All yard and garage sales shall be conducted so that no goods offered for sale are located on any public street or sidewalk, and so that vehicle and pedestrian traffic on public streets and sidewalks is not obstructed.

~~(3) No sign advertising a yard or garage sale may be posted on any public property.~~

(3) Only goods of the property owner or tenant shall be sold.

(4) Yard or garage sales shall be limited to daylight hours and shall last for no longer than three consecutive days.

Sec. 50-12-562. Temporary signs. Reserved.

~~— (a) Temporary signs, other than political signs, windbreaks or fugitive dust mitigation coverings on temporary fencing at construction sites (see Section 50-6-51(c)), and other lawful noncommercial messages, are subject to the following provisions:~~

~~(1) Temporary signs shall be prohibited on the exterior of any building and on any other structure. Notwithstanding this prohibition, any establishment may display temporary signage pertaining to activities, uses, or events on the premises on any facade of a building not more than two times in any calendar year, provided, that:~~

~~a. Such temporary signage shall not be suspended from, or attached to, a canopy, marquee, fence, freestanding wall, or other structure;~~

~~b. Such temporary signage shall not be displayed for more than 15 days during each occurrence;~~

1 e. ~~Such temporary signage shall be limited to an area which does not exceed~~
2 ~~ten percent of the area of the ground floor facade which abuts any public~~
3 ~~street; the area of the ground floor facade is calculated by multiplying the~~
4 ~~length of the facade abutting the public street by 13 feet;~~
5 d. ~~A permit for such temporary sign shall be obtained;~~
6 e. ~~Temporary signs and banners which are attached to or suspended from a~~
7 ~~building, and which are constructed of cloth or other combustible material,~~
8 ~~shall be constructed in an approved manner and shall be securely supported;~~
9 ~~and~~
10 f. ~~Such signs and banners shall be removed as soon as torn or damaged, and~~
11 ~~not later than 15 days after erection;~~
12 (2) ~~Permits for temporary signs shall be limited to a period of 15 days;~~
13 (3) ~~Temporary signs, that are incidental and accessory to convention or exhibit~~
14 ~~buildings, shall not be subject to the time or area limitations specified in this section~~
15 ~~and may be displayed more than two times in a calendar year. Such signage shall~~
16 ~~be promptly removed upon completion of the event or activity that is occurring on~~
17 ~~the premises.~~
18 ~~(b) The outdoor use of searchlights or spotlights or balloons or other inflatable devices~~
19 ~~to draw attention to an event, activity, or land use requires a “temporary sign” permit, subject to~~
20 ~~the following:~~
21 (1) ~~Time restrictions, as specified in Subsections (a)(1) and (2) of this section, except~~
22 ~~for any such searchlights or spotlights in the Central Business District or on land~~
23 ~~zoned SD5; and~~

1 ~~(2) Any such searchlights or spotlights shall be directed away from all residential~~
2 ~~buildings.~~

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

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

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

6 **Sec. 50-13-22. Traffic safety sight area.**

7 In order to provide a clear line of sight for the drivers of approaching motor vehicles, the
8 following requirements shall apply:

9 (1) On a corner lot in the R1, R2, R3, R4, R5, R6, and residential PD Districts, no
10 opaque fence, wall, hedge, ~~sign~~ or other structure, shrubbery, mounds of earth or
11 other visual obstruction over 36 inches in height above the nearest street curb
12 elevation shall be erected, placed, planted, or allowed to grow within the "clear
13 vision triangle," as described in Subsection (3) of this section;

14 (2) Subsection (1) of this section shall not apply to public utility poles; trees trimmed
15 to the trunk to a line at least six feet above the level of the intersection; saplings or
16 plant species of open growth habits and not planted in the form of a hedge, which
17 are so planted and trimmed as to leave at all seasons a clear and unobstructed cross
18 view; supporting members of appurtenances to permanent structures existing on the
19 date the ordinance from which this amendment is derived becomes effective; and
20 official warning signs or signals;

21 (3) The "clear vision triangle" is that area formed by extending the two curb lines a
22 distance of 45 feet from their point of intersection, and connecting these points with
23 an imaginary line, thereby making a triangle;

1 (4) In cases where streets do not intersect at approximately right angles, the Department
2 of Public Works Traffic Engineering Division shall have the authority to vary these
3 requirements as it deems necessary to provide safety for both vehicular and
4 pedestrian traffic, provided, that site distance in excess of 275 feet shall not be
5 required.

6 (5) See Section 50-14-381 of this Code.

7 **Subdivision D. General Dimensional Standards for Business Districts**

8 **Sec. 50-13-63. B3 and B4 District height limitations.**

9 The following provisions shall apply to B3 and B4 Districts:

- 10 (1) The maximum height for each principal use in the B3 and B4 Districts shall not
11 exceed 35 feet;
- 12 (2) Where the zoning lot fronts on a street which is 80 feet or more in width, and is
13 designated by the Master Plan as a major or secondary thoroughfare, and where the
14 outermost point of the proposed building on said zoning lot is 40 feet or more from
15 the nearest point of the lot line of all R1, R2, and R3 Districts, the maximum height
16 may be increased, as a matter of right, one foot for each one foot of street width
17 greater than 80 feet, provided, that in no case shall the building exceed 80 feet in
18 height;
- 19 (3) Where the zoning lot fronts on a street which is 80 feet or more in width, and is
20 designated by the Master Plan as a major or secondary thoroughfare, and where the
21 zoning lot abuts, is adjacent to, or across an alley from any zoning district other
22 than an R1, R2, R3 or residential PD District, the maximum height may be
23 increased, by right, one foot for each one foot of street width greater than 80 feet,

1 regardless of the location of the proposed structure, provided, that in no case shall
2 the building exceed 80 feet in height; and

3 ~~(4) The provisions of this section shall also apply to signs; ground or freestanding~~
4 ~~advertising signs shall not exceed 35 feet, except as provided for in 50-6-94 of this~~
5 ~~Code.~~

6 **Subdivision F. General Dimensional Standards for Industrial Districts**

7 **Sec. 50-13-101. M1 District height.**

8 The maximum height for each principal use shall not exceed 35 feet; provided, that:

- 9 (1) Where the zoning lot fronts on a street which is 80 feet or more in width, and is
10 designated by the Master Plan as a major or secondary thoroughfare, and where the
11 outermost point of the proposed building on said zoning lot is 40 feet or more from
12 the nearest point of the lot line of all R1, R2, and R3 Districts, the maximum height
13 may be increased by-right, one foot for each one foot of street width greater than
14 80 feet, provided, that in no case shall the building exceed 80 feet in height; and
- 15 (2) Where the zoning lot fronts on a street which is 80 feet or more in width, and is
16 designated by the Master Plan as a major or secondary thoroughfare, and where the
17 zoning lot abuts or is adjacent to, or across an alley from, any zoning district other
18 than an R1, R2 or R3 District, the maximum height may be increased, by right, one
19 foot for each one foot of street width greater than 80 feet, regardless of the location
20 of the proposed structure, provided, that in no case shall the building exceed 80 feet
21 in height; and

(3) ~~The provisions of this section shall also apply to signs. Ground or freestanding advertising signs shall not exceed 35 feet, except as provided for in Section 50-6-94 of this Code.~~

DIVISION 2. MEASUREMENTS, REQUIREMENTS, AND EXCEPTIONS

Sec. 50-13-226. Features allowed within required setbacks.

Trees, shrubs, flowers, fences, walls, hedges, and other landscape features may be located within any required setback. In addition, the following table lists features that may be located within any required setbacks, subject to the specific limitations that are delineated:

Feature That May Encroach or Project Into Required Setback	Limitation
Driveways leading directly to accessory off-street parking and/or loading areas and/or structures and/or pedestrian pick-up/drop-off areas	No limitations, unless otherwise specified.
Access roads leading to accessory parking and/or loading areas and/or structures and/or pedestrian pick-up/drop-off areas	Does not apply to access roads in R1, R2
Antennas, including satellite dishes in excess of 36 inches in diameter, amateur licensed radio antennas, and similar personal communication device reception towers and facilities	May project into or encroach upon a required front or side setback area only where prohibition of such devices or facilities would substantially interfere with reception to the extent they are rendered inoperable
Awnings, patio covers and pergolas (attached)	May not be located less than ten feet from the rear property line and 18 inches from a side property line, measured from the eave, provided, that the roof area does not exceed one-third of the area of the required rear setback. The required setback may be reduced to five feet from the rear property line and 18 inches from a side property line, measured from the eave, provided, that the setback is bounded by a solid masonry fence at least five feet in height. (Detached shade structures and carports are treated as "assessor structures).
Balconies	May project not more than six feet into a front or rear setback, and three feet into a side setback.

Bay windows	May project not more than 2.5 feet into a required setback.
Carports (attached)	May not be located less than three feet from a side property line, and may not be located in required front setback. In addition, carports shall be designed so as to prevent runoff onto adjacent properties. (See also Section 50-16-151.)
Chimneys, fireplaces, pilasters, smokestacks, and window air conditioners not exceeding six square feet in area	May project or encroach not more than 16 inches into a required setback.
Clothesline posts	No limitations in side or rear setbacks. May not be located in required front setback.
Cornices, eaves, mechanical equipment, and ornamental features	May project not more than 14 inches into any required side setback.
Curbs, and sidewalks	No limitations
Fences	See Section 50-14-381.
Fire escapes, stairways, and balconies which are open and unenclosed, and marquees	May project not more than five feet into a required setback.
Flagpoles	No limitations.
Garages and other accessory structures (attached or unattached)	May encroach into the rear setback up to the lot line where an alley provides vehicle access to the property. Where there is no alley, garages and other accessory structures may not be located less than three feet from the rear lot line except for the reconstruction of damaged accessory structures on an existing foundation. Unattached garages and other accessory structures may not be located less than three feet from a side property line except for the reconstruction of damaged accessory structures on an existing foundation, and may not be located in required front setback. Attached garages shall be subject to the setback provisions for the dwellings to which they are attached. In addition, garages and other accessory structures shall be designed so as to prevent runoff onto adjacent properties.
Parking and driveways	Operable private passenger vehicles may be parked on the driveway in only one side setback and the continuation of that side

	setback into the front setback to the property line. The area shall be maintained in a dust-free condition at all times. No mechanical maintenance or vehicular repairs shall be conducted in this area. (See additional regulations in Article XIV, Division 1, Subdivision K.)
Porches (enclosed)	May project not more than eight feet into required front and rear setbacks, subject to applicable sections of Chapter 8, Article II, of this Code, <i>Building Code</i> , that pertain to such existing porches. (See additional regulations in Section 50-13-226(2)).
Porches (unenclosed) and decks	May project not more than eight feet into a required front or rear setback. No enclosed porch shall be constructed within any required setback.
Ramps for persons with disabilities	Subject to applicable section of Chapter 8, Article II, of this Code, <i>Building Code</i> . (See also Section 50-13-226(3)).
Signs	Regulated in accordance with Article VI of this chapter Chapter 4 of this Code.
Yard and service lighting fixtures, poles	May not be located less than three feet from any lot line.

(1) Fences. See Section 50-14-381 of this Code.

(2) Porches (enclosed). Front and rear porches may project not more than eight feet into required front and rear setbacks subject to applicable sections of Chapter 8, Article II, of this Code, *Building Code*, that pertain to such existing porches:

- a. Such structures are subject to the approval of the Buildings, Safety Engineering, and Environmental Department after receipt of a report and recommendation from the Planning and Development Department. Such report and recommendation shall be submitted within 15 working days of the receipt of the requires from the Buildings, Safety Engineering, and Environmental Department, after which time the Buildings, Safety Engineering, and Environmental Department may proceed with or without

1 said report and recommendation. The Planning and Development
2 Department may recommend changes and/or special conditions to the
3 proposed structures, and recommend approval of the proposed structure as
4 adjusted. The Planning and Development Department shall review and
5 determine the following:

- 6 1. That the proposed structure is compatible with the existing structure
7 and surrounding area; and
- 8 2. That the proposed structure does not alter or damage significant
9 architectural elements of the existing residential structure.

10 b. Such structure shall be erected and maintained in accordance with the
11 following criteria (Note: Front and rear porches that do not project into a
12 required setback are not subject to the following criteria.):

- 13 1. The structure shall be enclosed with screen panels or windows, or a
14 combination thereof. The structure may be enclosed with kickplates
15 not exceeding 42 inches in height above the floor of the porch.
16 Existing opaque materials, not exceeding 42 inches in height above
17 the floor of the existing porch, shall be permitted;
- 18 2. The structure shall not be enclosed in any way by opaque materials,
19 with the exception of railings, kickplates, or existing opaque
20 material, none of which may exceed 42 inches in height above the
21 floor of the existing porch;

1 3. The exterior of the entire structure shall be maintained in a color
2 consistent with the existing residential structure or with the
3 surrounding residential neighborhood; and

4 4. The structure shall not be weather-insulated, nor have any heating
5 system installed which makes such structure habitable year round,
6 or usable as a general living area.

7 (3) *Ramps.* Ramps for persons with disabilities subject to applicable provisions of the
8 Chapter 8, Article II of this Code, *Building Code*, are permitted in rear setbacks
9 and may project into required front and side setbacks by right. In no instance shall
10 any part of such ramps be located nearer than two feet to any property line. Such
11 structures shall be erected and maintained in accordance with the following criteria:

12 a. Ramps for persons with disabilities that project into the required front or
13 side setbacks and are constructed of material other than masonry or concrete
14 or pressure-treated wood or pre-treated synthetics, shall be painted or
15 treated to match the color of the exterior trim or siding of the principal
16 building or painted to blend with the exterior landscaping of the lot;

17 b. Open areas underneath ramps for ~~the handicapped~~ persons with disabilities
18 shall be screened from view by appropriate shrubbery or raised flower beds
19 or raised berm areas, or their equivalent;

20 c. In addition to handrails or guardrails as required by Chapter 8, Article II, of
21 this Code. *Building Code*, ramps for persons with disabilities shall be
22 provided with a top rail that covers the exposed tops of the support posts or
23 piers.

1 **ARTICLE XIV. DEVELOPMENT STANDARDS**

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

3 **Subdivision A. In General**

4 **Subdivision I. Off-Street Parking Area Design**

5 **Sec. 50-14-227. Signage. Reserved.**

6 ~~Signage for parking lots and parking areas shall be subject to the following:~~

7 ~~(1) Directional signage shall comply with Section 50-6-49 of this Code. Signage at~~
8 ~~commercial parking lots shall comply with the provisions of Sections 4-4-8(c)(1) and~~
9 ~~32-1-20 of this Code; and~~

10 ~~(2) Not more than one business sign may be erected or placed on any accessory parking~~
11 ~~lot or area. Said sign shall not exceed 20 square feet in area nor 15 feet in height.~~

12 REPEALED.

13 **DIVISION 3. ARCHITECTURAL AND SITE DESIGN STANDARDS**

14 **Subdivision C. Traditional Main Street Overlay Areas**

15 **Sec. 50-14-442. Building design standards--Awnings, canopies and marquees.**

16 (a) The objective of this section is to enhance the scale and design of facades;
17 complement the streetscape; and to contribute to district identity, integrity and visual continuity
18 by achieving a comfortable and attractive pedestrian environment.

19 (b) To achieve the objectives of this section, the following standards shall apply:

20 (1) The bottom of any awning or canopy shall be at least eight feet, six inches above
21 grade plane;

22 (2) Awnings and canopies shall not project more than one-half the width of the
23 sidewalk, nor more than ten feet, six inches;

(3) All marquees, awnings, and canopies shall be supported entirely on the building on which they are erected, and there shall be no posts, brackets or other obstacles located on public property;

(4) Vinyl and plastic materials for awnings and canopies are prohibited; however, woven man-made materials that are similar to canvas may be used with the approval and review of the Design Review Advisory Committee;

~~(5) Signage on awnings and canopies is limited to 40 percent of the surface area;~~

~~(6) Signage on awnings and canopies may only include business name, address, logo, or business slogan and shall not include any specific product advertising;~~

~~(7) The area of signage on awnings and canopies shall not exceed the total allowed for business signage in Chapter 3-4, Article VII IV, of this Code, Regulation of Business Signs;~~

(5) Internally illuminated canopies, marquees, or awnings are prohibited, including gas station canopies; and

(6) Continuous awnings along blank walls are prohibited.

Sec. 50-14-450. Signage and communication elements design standards.

(a) The objective of this section is to reach a visual balance between the objective of businesses to draw pedestrian attention and the goal of creating an attractive district free of visual clutter by integrating signage into the overall design of the storefront.

(b) To achieve the objective of this section, the following signage standards shall apply for all buildings with a commercial use on a lot abutting a Traditional Main Street, to the extent that such standards are more stringent than those set forth in Chapter 4 of this Code:

1 ~~(1) Signage shall comply with Article VI of this chapter and Chapter 4 of this~~
2 ~~Code, Advertising;~~

3 ~~(2) Signage shall be designed to architecturally fit within the overall design of~~
4 ~~the building and the site;~~

5 (1) Signage shall be located so that it does not conceal architectural details and features;

6 (2) Signage material shall consist of, but is not limited to, painted metal, glass, finished
7 wood or other architectural metal such as copper, bronze, stainless steel or cast
8 aluminum. Unpainted, non-architectural metals or unfinished wood are prohibited;

9 (3) Signage, including design, material, painting and construction, shall be
10 professionally made;

11 (4) Signage material substrate shall consist of, but is not limited to, aluminum, painted
12 metal, weather resistant painted wood, or durable non-glare acrylic or composite
13 material; unpainted or unfinished metals or unpainted wood are prohibited as
14 signage material substrate;

15 (5) Dimensional letters shall be made of metal such as copper, bronze, stainless steel,
16 cast aluminum, or durable non-glare acrylic;

17 (6) New pylon signs are prohibited. New ground-mounted monument signs shall be
18 limited to a maximum height of 12 feet.

19 (7) New roof signs are prohibited.

20 (8) The bottom of any projecting sign shall be a minimum of eight feet, six inches
21 above the sidewalk. The projecting sign shall not project more than one-half of the
22 width of the sidewalk, or more than four feet from the wall of the building on which
23 the sign is placed, whichever is less. Projecting signs shall be placed as close as

1 practicable to the center of the building facade, and in no case shall adjacent
2 projecting signs be closer than 15 feet.

3 (9) Each business shall be allowed one professionally-prepared window sign not
4 exceeding ten square feet or 20 percent of the area of a window, whichever is less,
5 for every 30 linear feet of transparent window or door area along the length of the
6 building. Any such sign shall not require a permit and shall not count toward the
7 maximum allowed sign area.

8 (10) Illumination of signage shall be provided by external lighting. Internal illumination
9 of signs is prohibited, with the following exceptions:

10 a. One neon window sign shall be allowed per business, but shall not exceed
11 the overall size allowed for window signs. The neon window sign shall
12 require a permit. Neon lights shall not flash on and off. Neon signs shall not
13 be used for ~~the advertisement of products~~ products purposes.

14 b. LED lighting shall only be allowed for gas station pricing signs.

15 c. Within the Grand River, Bagley/Vernor, and East Jefferson overlay areas,
16 signs with internally illuminated channel letters are allowed.

17 d. Within the Woodward Avenue overlay area, neon wall signs may be
18 allowed, subject to the review and approval of the Design Review
19 Committee.

20 (11) Animated signs and signs that incorporate flashing or moving lights are prohibited.

21 (c) In achieving the objective of this section, satellite dishes and antennas shall be
22 located in the rear roof space and away from public view, except where location is needed
23 elsewhere to avoid obstruction of the satellite signal.

1 **ARTICLE XV. NONCONFORMITIES**

2 **DIVISION 2. NONCONFORMING USES**

3 **Sec. 50-15-26. Expansion or intensification of nonconforming uses.**

4 (a) A public hearing at the Board of Zoning Appeals shall be required in any instance
5 that involves the expansion or intensification of a nonconforming use, subject to Section 50-15-27
6 of this Code, provided, that nonconforming adult uses and sign uses shall not be considered for
7 expansion or intensification. See Section 50-3-505 of this Code.

8 (1) Any increase in the gross floor area of a building that houses a nonconforming use
9 shall be deemed an expansion of the nonconforming use. Any increase in the area
10 of a zoning lot where a nonconforming use is located shall be deemed an expansion
11 of the nonconforming use;

12 (2) Any change to the site plan of a nonconforming use involving a structure;

13 (3) Any increase in the height or area, any replacement or addition of a sign face, and
14 any addition of or increase in illumination, including the conversion between
15 external illumination and internal illumination, of any nonconforming sign shall be
16 deemed to be an intensification of the nonconforming use;

17 (5) The addition of any by-right or conditional land use to a nonconforming use upon
18 the same zoning lot and within the same gross floor area shall be deemed an
19 intensification of the nonconforming use; and

20 (6) The addition of off-street parking for a nonconforming use, solely for the purpose
21 of complying with the off-street parking standards of Article XIV, Division 1, of
22 this chapter, shall not be considered an expansion of the nonconforming use, but
23 shall be governed by the zoning district regulations for “parking lots or parking

1 areas” and by the regulations and standards for “off-street parking” provided for in
2 Article XIV of this chapter.

3 (b) The term “intensification of use” is defined in Section 50-16-262 of this Code.

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

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

- 9 (1) Regulated uses as specified in Section 50-3-323 of this Code on land zoned R1, R2,
10 R3, R4, R5, or R6, except where an establishment for the sale of beer or alcoholic
11 liquor for consumption on the premises would reoccupy an existing non-residential
12 building, provided no dance or entertainment activity that would require a cabaret
13 permit and license shall be included;
- 14 (2) Controlled uses as specified in Section 50-3-402 of this Code;
- 15 (3) Restaurants, except where the use would reoccupy an existing non-residential
16 building;
- 17 (4) Motor vehicle filling stations;
- 18 (5) Mortuaries or funeral homes;
- 19 (6) Motor vehicle services, major;
- 20 (7) Motor vehicle services, minor;
- 21 (8) Motor vehicle washing and steam cleaning;
- 22 (9) Adult uses as specified in Section 50-3-502 of this Code; and
- 23

1 (10) Tires, used: sales and/or service : and

2 (11) Signs.

3 (b) Except for the ~~ten~~ 11 items prohibited above, the Board of Zoning Appeals may
4 approve the change of one nonconforming use to another nonconforming use only where the Body
5 determines that the new proposed use will be less injurious to the surrounding area than the
6 previous nonconforming use. Where a change in use is approved, the Board of Zoning Appeals
7 shall be authorized to impose conditions that the Body deems necessary to reduce or minimize any
8 potentially adverse effect upon other property in the neighborhood, and to carry out the general
9 purpose and intent of this chapter. Any condition that is imposed must relate to a situation created
10 or aggravated by the proposed use and must be roughly proportional to its impact.

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

18 **ARTICLE XVI. RULES OF CONSTRUCTION AND DEFINITIONS**

19 **DIVISION 2. WORDS AND TERMS DEFINED**

20 **Subdivision C. Letter “B”**

21 **Sec. 50-16-132. Words and terms (Bh--Bz).**

22 For the purposes of this chapter, the following words and phrases beginning with the letters
23 “Bh” through “Bz,” shall have the meaning respectively ascribed to them by this section:

Term	Definition
Blight violation	Any unlawful act, or any omission or failure to act, which is designated by this chapter as a blight violation pursuant to Section 4l(4) of the Michigan home Rule City Act, being MCL 117.4l(4)
Blight violation determination	<p>A determination that :</p> <p>(1) An alleged violator is responsible for one or more blight violations as a result of the admission of responsibility for the allegation(s) in a blight violation notice; or</p> <p>(2) After an administrative hearing that a person is or is not responsible for one or more blight violations; or</p> <p>(3) As a result of a decision and order of default for failing to appear as directed by the blight violation notice, or other notice regarding one or more blight violations, at a scheduled appearance at the Blight Administrative Hearings Bureau under Chapter3, Article II, of this Code, Enforcement of Blight Violations, in accordance with Section 4q(8)(c) of the Michigan Home Rule City Act, being MCL 117.4q(8)(c).</p>
Blight violation notice	<p>A written violation notice prepared by an authorized local official which directs an alleged violator:</p> <p>(1) To pay the civil fines specified in the notice, including any required fees or costs, for one or more blight violations in accordance with the fines, fees, or costs specified in this Code; and</p> <p>(2) To appear at the Blight Administrative Hearings Bureau under Chapter 3, Article II, of this Code, Enforcement of Blight Violations, regarding the occurrence or existence of one or more blight violations pursuant to Section 4q*(8) of the Michigan Home Rule City Act, being MCL 117.4q(8).</p>
Blight violation proceeding	An administrative process that results in a blight violation determination.
Block	A tract of land bounded by streets or by a combination of streets, public parks,

	cemeteries, railroad rights-of-way, harbor lines, centerlines of waterways, or corporate boundary lines of the City.
Block face	All lots abutting both sides of a street between two intersecting streets.
Board	The work “Board” means the Board of Zoning Appeals of the City.
Body art facility	A personal services establishment where in accordance with Chapter 20, Article III, of this Code, an individual performs one or more of the following for compensation: 1) tattooing; 2) branding; or 3) body piercing. For zoning purposes, precious metal and gem dealers that are licensed under chapter 41, Article III, of this Code, other retail stores, or clinics, which provide this service as an incidental and accessory use of the land, shall not be classified as a body art facility.
Brewery	A facility licensed by the Michigan Liquor Commission that annually manufactures more than 20,000 barrels of beer.
Brewpub	A facility licensed as such by the Michigan Liquor Control Commission in conjunction with a Class “C” tavern, Class “A” hotel, or Class “B” hotel, that annually manufactures and sells therein in total not more than 2,000 barrels of beer only for consumption therein.
Bridge plaza and terminal, vehicular	That property immediately contiguous to a vehicular bridge where motor vehicles enter and exit the bridge. Certain uses and activities, if oriented and available exclusively to bridge traffic, shall be considered incidental and accessory to the vehicular bridge plaza and terminal: toll booths, inspection and weigh stations, customs and immigration facilities, duty-free retail stores, motor vehicle filling stations, and uses similar to the preceding. Advertising signs that are visible to traffic outside the plaza and terminal property shall not be considered as incidental and accessory.
Building	A structure, either temporary or permanent, having a roof and enclosing walls on all sides and used or built for the shelter or enclosure of persons, animals, or property of any kind.
Building, existing	Whenever this chapter refers to an “existing building,” it means a building that was

	constructed prior to April 9, 1998, which was the effective date of Ord. No. 9-98.
Building, height	(See Height of building.)
Building or construction contractor	A building or construction contractor is a person or firm engaged in the practice of assembling parts and materials to construct buildings or other structures but not including persons or firms (such as concrete producers_ who supply and/or deliver parts or materials to a construction site without direct involvement in construction, other than delivery and deposit of the construction parts and/or materials.
Bus	A motor vehicle other than a school bus that is designed for carrying more 16 or more passengers, including the driver.

Subdivision P. Letter “S”

Sec. 50-16-383. Words and terms (Si--Sl)

For the purposes of this chapter, the following words and phrases beginning with the letters “Si” through “Sl,” shall have the meaning respectively ascribed to them by this section:

Term	Definition
Sign	Any letter, figure, character, mark, plane, point, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter, or illuminated service that shall be constructed, placed, attached, painted, erected, fastened, or manufactured in any manner whatsoever, so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise, whatsoever, that is displayed in any manner whatsoever outdoors. Every sign shall be classified and conform to the requirements of such classification as set forth in Chapter 8, Article II, of this Code, <i>Building Code</i> , including Section 8-2-21 of this Code, Additions to Appendix H, and this article. A “sign” shall not include any display of official court or public agency notices, nor shall it include the flag, emblem, or insignia of a nation, political unit, school, or religious group. The term “sign” also does not include any non-illuminated, non-commercial, painted art mural.
Sign, advertising	A sign, whether billboard or painted wall graphic, which directs attention to a business, commodity, service, or entertainment, that is conducted, sold, or offered elsewhere than on the

	premises where the sign is affixed, located or painted, or only incidentally sold or offered on the premises.
Sign, animated	Any sign, which uses movement or change of lighting to depict action or to create a special effect or scene, including signs displaying moving images or videos. For regulatory purposes, animated signs are flashing signs.
Sign, area of	The area of a sign shall be computed as the entire area circumscribed by a parallelogram, triangle, circle, or semicircle, or any combination of these figures, which includes all of the display area of the sign including frames surrounding display areas. The blank areas between letters, words, illustrations, graphics, and the like are integral to understanding the message or display of a sign and shall be included in the computation of the area of a sign or the area of a message or word or letter or graphic that is part of a sign.
Sign, billboard	A large outdoor board for advertisements, which most commonly serve as “advertising signs,” as defined in this section, except when identifying the business or profession conducted on the same zoning lot where the billboard is located, in which case the billboard serves as a “business sign,” as defined in this section.
Sign, business	A sign, not less than 75 percent of the area of which is devoted to directing attention to the principal business or profession conducted, or to the principal type of commodity, service, or entertainment sold or offered on the premises where the sign is located or painted.
Sign, directional	A sign directing and guiding traffic or parking but bearing no advertising matter.
Sign, double face	A sign, both sides of which are visible and used as signs. A “V” type sign shall be considered a double face sign provided the least angle of intersection does not exceed 90 degrees. A multi-face sign has more than two display areas, all of which are visible and used as signs.
Sign, electronic message board	A sign that uses changing lights to form a sign message or messages wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. For regulatory purposes, electronic message board signs are flashing signs. Electronic message boards and animated signs shall be considered flashing signs.
Sign face	The area or display surface used for the message.
Sign, flashing	An illuminated sign on which the artificial light is not maintained stationary or constant in intensity or color at all times when in use. Electronic message boards and animated signs shall be considered flashing signs.
Sign, freeway advertising	Any advertising sign located in an adjacent area where the facing of the sign is visible from a freeway. For zoning

	<p>purposes, the term “freeway” means a divided highway of not less than two lanes in each direction to which owners or occupants of abutting property or the public do not have a right of ingress or egress to, from or across the highway, except at points determined by or as otherwise provided by the authorities responsible therefor; and the term “adjacent area” means the area measured from the nearest edge of the right of way of a freeway and extending 3,000 feet perpendicularly and then along a line parallel to the right of way line. Freeway advertising signs, as well as advertising signs along other state trunk lines, are additionally regulated by the Michigan Department of Transportation (MDOT) and require a permit from MDOT prior to issuance of a permit by the City, as provided for in Section 50-6-81 of this Code.</p>
Sign, ground	A sign, including a ground-mounted billboard, that is supported by one or more uprights, poles, or braces in or upon the ground.
Sign, identification	A business sign, not less than 75 percent of the area of which identifies the name of the individual, profession, occupation, organization, hotel, or motel occupying the premises, or the name or street number of the building. Information directly related to principal or accessory uses of the property may also be included, provided, that not more than 25 percent of the area of the sign is devoted to such information.
Sign, illuminated	A sign designed to give forth any artificial light, or designed to reflect such light deriving from any source that is intended to cause such light or reflection.
Sign, monument	A freestanding sign attached to a permanent foundation or decorative base and not attached or dependent for support from any building, pole, posts, or similar uprights.
Sign, painted wall graphic	A sign, that is painted on a wall and exceeds ten square feet in area.
Sign, political	An advertising sign announcing or supporting any national, state, or local political candidates, or initiative or referendum, in connection with any election.
Sign, projecting	A sign constructed or erected so as to be attached at one end to a building or other structure and projecting out therefrom. In addition, any sign projecting into the right of way shall be considered a projecting sign.
Sign, pylon	A permanent freestanding sign that is mounted on a pole or other support that is placed on, or anchored in, the ground and that is independent from any building or other structure.
Sign, real-estate	A sign advertising that the premises on which it is located is for sale, lease, or rent.
Sign, roof	A sign that is erected upon or above a roof or parapet of a building or structure.

Sign, temporary	A sign, including any banner constructed of cloth, fabric, poster board, corrugated plastic or corrugated cardboard, or other lightweight temporary material, with or without a structural frame, that is intended for a limited period of display on a building, including decoration displays for holidays or public demonstrations.
Sign, wall	A sign attached to or erected against the wall of a building or structure with the exposed face of the sign in a plane parallel to the plane of said wall.
Single-family detached dwelling	A detached dwelling unit, located on a single lot with no other dwelling units, designed for or occupied by one family only.
Single-room-occupancy housing, non-profit	Service-enhanced, single-room housing, provided by an entity recognized by the Internal Revenue Service as holding non-profit, tax-exempt status, which housing is primarily for individuals residing without children, such individuals being capable of independent living, whose dwelling units may or may not provide separate sanitary and food-preparation facilities, and sometimes operates as a hotel although permanent residency is an anticipated feature of the housing. For zoning purposes, non-profit SRO housing is not: adult foster care, a community mental health facility or “fairweather lodge” or other similar semi-independent living facility, a pre-release adjustment center, a residential substance abuse service facility, a rooming house, public lodging house, or emergency shelter for the homeless.
Site plan	One or more maps and drawing or reports containing all of the information required to be shown for such property as part of the site plan review process in Article III, Division 5 , of this chapter.
Slope ratio	A numerical expression of a stated relationship of height to horizontal distance.

Subdivision Q. Letter “T”

Sec. 50-16-402. Words and terms (Tn--Tz).

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

“Tn” through “Tz,” shall have the meaning respectively ascribed to them by this section:

Term	Definition
Towing service storage yard	Any private storage lot or yard of a towing enterprise where inoperable or distressed motor vehicles are temporarily held for retrieval or redemption by their owner, whether such enterprise is a contractor for a Police Department precinct or not. Such storage yards shall not function as a junkyard; no stripping or dismantling, or outdoor storage of parts is permitted; no sale of

	used vehicle parts is permitted; no stacking of vehicles is permitted. Towing service storage yards shall be considered a principal use of the land except when same vehicles are awaiting repairs or service at a facility located on the same zoning lot, in which case they operate as an accessory use of the land. Any land use previously classified as a “Police Department authorized abandoned vehicle storage yard” shall now be considered a “towing service storage yard” without need for issuance of any additional permit or change of use.
Townhouse	One of three or more attached single-family dwelling units, each having its own entrance, and each extending from the basement to the roof and having no side yards except end units which have one side yard.
Toxic substance disposal facility	A facility that disposes of, destroys, or incinerates “PCB,” or “PBB” substances, in accordance with the Toxic Substances Control Act of 1976, being 15 USC 2601 <i>et seq.</i> , and Section 324.20120a of the Michigan Resources and Environmental Protection Act, being MCL 324.20120a.
Trade services, general	Offices or shops for plumbing, electrical, heating or air conditions, cabinet-making, carpenter, and furniture repair or upholstering shops, furniture and/or carpet and/or rug cleaning establishments, and similar uses.
Traditional Main Street Overlay Area	An area, designated by ordinance, as being or having the potential to be, a high quality, pedestrian-scale, walkable area with a traditional urban atmosphere.
Transfer station	An intermediate destination for nonhazardous solid waste materials where refuse awaiting transportation to a disposal site is transferred from one type of vehicle to another. May include the separation of different types of waste and aggregation of smaller shipments with larger ones, and compaction to reduce the bulk of the waste.
Trailer	Every vehicle, without motive power, other than a pole-trailer, which is designed for carrying property or persons and for being drawn by a motor vehicle, and is so constructed that no part of its weight rests upon the towing vehicle.
Transitional housing	<p>Typically refers to rental housing for persons whose most recent address has been a homeless shelter and who anticipate finding a permanent residence after leaving the transitional housing facility and after accumulating funds for a rental security deposit. Unlike residents of emergency shelters who may move after 30 days, transitional housing residents may spend many months before relocating.</p> <p>Transitional housing may differ from typical apartment house living insofar as the residents may be expected or may be able</p>

	<p>to avail themselves of counseling or life skills training or job training on the premises.</p> <p>When transitional housing offers space for three or more families and provides separate housekeeping and cooking facilities for each, it should be regulated as any other multiple-family dwelling, provided, that when residents are not free to come and go because the program is part of a correction program, the facility should be regulated as a pre-release adjustment center.</p> <p>When residents require supervision, assistance, protection or personal care, the facility should be regulated as an adult foster care facility.</p> <p>When the facility offers congregate style temporary lodging primarily to the homeless, it should be regulated as an emergency shelter.</p> <p>When the facility offers sleeping quarters in the form of cots or beds in the same room, it should be regulated as a public lodging house.</p> <p>When the transitional housing facility includes a residential substance abuse treatment program, it shall be regulated as a residential substance abuse service facility.</p> <p>When the facility provides sleeping accommodations in ten or fewer rooms or dwelling units that lack separate housekeeping and cooking facilities in each unit, it should be regulated as a rooming house.</p>
Transitional surfaces	<p>Transitional surfaces exist adjacent to each runway as indicated on the Flight Obstruction Area Map on file at the Buildings, Safety Engineering, and Environmental Department. These surfaces begin at the centerline of the runways and extend outward, at the elevation of the runway, for 500 feet in the case of instrument runways, and 250 feet in the case of non-instrument runways, and then slope upward and outward one foot vertically for each seven feet horizontally to the point where they intersect horizontal surface "A." Further, transitional surfaces exist adjacent to all approach surfaces and extend the entire length of the approach surfaces, beginning at the edges and extending upward and outward at the same 1:7 slope ratio to the point where they intersect horizontal surface "A."</p>

Tree	A large woody plant having one or several self-supporting stems or trunks and numerous branches. Trees may be classified as deciduous or evergreen.
Tree farm	Any parcel of land used to raise or harvest more than ten trees for wood products, Christmas trees, or for transplant, where forest products are sold on site or transported to market. A tree farm as a principal use is considered an urban farm.
Truck stop	Any premises where diesel fuel for motor vehicles is sold on a retail basis, providing adequate maneuvering room and access for fueling facilities to be simultaneously used by at least three semi-trailer trucks, and which provides at least one of the following: (1) An off-street parking area proportioned for at least three semi-trailer trucks; (2) A motor vehicle washing and steam cleaning facility adequately sized to service tractor trucks; (3) A truck scale; or (4) Commercial shower facilities.
Tunnel plaza and terminal, vehicular	That property immediately contiguous to a vehicular tunnel where motor vehicles enter and exit the tunnel. Certain uses and activities, if oriented and available exclusively to tunnel traffic, shall be considered incidental and accessory to the vehicular bridge plaza and terminal: toll booths, inspection and weigh stations, customs and immigration facilities, duty-free retail stores, motor vehicle filling stations, and uses similar to the preceding. Advertising signs that are visible to traffic outside the plaza and terminal property shall not be considered as incidental and accessory.
Two-family dwelling	A structure, located on one lot, containing two dwelling units, each of which is designed for or occupied by one family only, with separate housekeeping and cooking facilities for each.

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 but no earlier than July 1, 2020, in accordance with Section 401(6) of Public Act 110 of 2006, as
6 amended, M.C.L. 125.3401(6), and Section 4-118, paragraph 3 of the 2012 Detroit City Charter.

7 Approved as to form:

8
9 _____
10 Lawrence T. García,
11 Corporation Counsel