22Jun2021\*

**S U M M A R Y**

This Ordinance amends Chapter 50 (Zoning) of the 2019 Detroit City Code by adding Article XII (*Use* Regulations), Division 3 (*Specific Use* Standards), Subdivision F (*Manufacturing and Industrial Uses*), Section 50-12-365 (*Very High-Impact Manufacturing or processing facilities*), and by amending Article II (*Review and Decision-Making Bodies*), Division 6 (*Advisory Review Committees*), Subdivision B (*Industrial Review Committee*), Section 50-2-104, (*Duties and functions*), and by amending Article XI (*Special Purpose Zoning Districts and Overlay Areas*), Division 8 (*W1 Waterfront-Industrial District*), Section 50-11-183 (*Conditional manufacturing and industrial uses*), Division 10 (*SD2—Special Development District, Mixed-Use*), Section 50-11-245 (*Intensity and dimensional standards*), Division 14 (*Overlay Areas*), Subdivision B (*Traditional Main Street Overlay Areas*), Section 50-11-385 (*Applicability of design standards; exceptions*), and by amending Article XII (*Use* Regulations), Division1 (*Use Table*), Section 50-12-82 (*Manufacturing and production*), and by amending Article XIV (*Development Standards*), Division 3 (*Architectural and Site Design Standards*), Subdivision C (*Traditional Main Street Overlay Areas*), Section 50-14-431 (*Traditional Main Street Overlay Area applicability and exceptions; design review*), Section 50-14-433 (*Traditional Main standards; fencing*), and by amending Article XVI (*Rules of Construction and Definitions*), Division 2 (*Words and Terms Defined*), Subdivision B (*Letter “A”*), Section 50-16-113, (*Words and terms (An—As*)), Subdivision C (*Letter “B”*), Section 50-16-132 (*Words and terms (Bh—Bz)*), Subdivision D (*Letter “C”*), Section 50-16-151 (*Words and terms (Ca—Cg)*), Section 50-16-153 (*Words and terms (Cn—Cs)*), Subdivision L (*Letter “M”*), Section 50-16-302 (*Words and Terms (Mh – Mm)*), Subdivision N (*Letter “P”*), Section 50-16-341 (*Words and terms (Pa—Pg)*), Subdivision S (*Letter “V”*), Section 50-16-441 (*Words and terms (Va—Vg)*), and Appendix A, Division 2 (*Letter “B”*) and Division 3 (*Letter “C”*), to provide definitions, zoning district specifications, and use regulations relative to outdoor bulk solid material storage and carbonaceous bulk solid material facilities and providing cross-referencing to related provisions in Chapter 42 of the 2019 Detroit City Code; to clarify the applicability and scope of Traditional Main Street Overlay Area design standards; to properly reflect applicable height limitations in the SD2 District; and to reconcile the definitions of “brewery,” “brewpub,” and “microbrewery” with those of the State of Michigan.

**BY COUNCIL MEMBER\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:**

 **AN ORDINANCE** to amend Chapter 50 (*Zoning*) of the 2019 Detroit City Code by adding Article XII (*Use* Regulations), Division 3 (*Specific Use* Standards), Subdivision F (*Manufacturing and Industrial Uses*), Section 50-12-365 (*Very High-Impact Manufacturing or processing facilities*), and by amending Article II (*Review and Decision-Making Bodies*), Division 6 (*Advisory Review Committees*), Subdivision B (*Industrial Review Committee*), Section 50-2-104, (*Duties and functions*), and by amending Article XI (*Special Purpose Zoning Districts and Overlay Areas*), Division 8 (*W1 Waterfront-Industrial District*), Section 50-11-183 (*Conditional manufacturing and industrial uses*), Division 10 (*SD2—Special Development District, Mixed-Use*), Section 50-11-245 (*Traditional Main Street Overlay Areas*), Section 50-11-385 (*Applicability of design standards; exceptions*), and by amending Article XII (*Use* Regulations), Division1 (*Use Table*), Section 50-12-82 (*Manufacturing and production*), and by amending Article XIV (*Development Standards*), Division 3 (*Architectural and Site Design Standards*), Subdivision C (*Traditional Main Street Overlay Areas*), Section 50-14-431 (*Traditional Main Street Overlay Area applicability and exceptions; design review*), Section 50-14-433 (*Site design standards; fencing*), and by amending Article XVI (*Rules of Construction and Definitions*), Division 2 (*Words and Terms Defined*), Subdivision B (*Letter “A”*), Section 50-16-113, (*Words and terms (An—As*)), Subdivision C (*Letter “B”*), Section 50-16-132 (*Words and terms (Bh—Bz)*), Subdivision D (*Letter “C”*), Section 50-16-151 (*Words and terms (Ca—Cg)*), Section 50-16-153 (*Words and terms (Cn—Cs)*), Subdivision L (*Letter “M”*), Section 50-16-302 (*Words and terms (Mh-Mm)*), fSubdivision N (*Letter “P”*), Section 50-16-341 (*Words and terms (Pa—Pg)*), Subdivision S (*Letter “V”*), Section 50-16-441 (*Words and terms (Va—Vg)*), and Appendix A, Division 2 (*Letter “B”*) and Division 3 (*Letter “C”*), to provide definitions, zoning district specifications, and use regulations relative to outdoor bulk solid material storage and carbonaceous bulk solid material facilities and providing cross-referencing to related provisions in Chapter 42 of the 2019 Detroit City Code, to clarify the applicability of Traditional Main Street Overlay Area design standards, and to properly reflect applicable height limitations in the SD2 District.

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

 **Section 1.** Chapter 50 of the 2019 Detroit City Code, *“Zoning,’* commonly known as the Detroit Zoning Ordinance, is amended by adding Article XII (*Use* Regulations), Division 3 (*Specific Use* Standards), Subdivision F (*Manufacturing and Industrial Uses*), Section 50-12-365 (*Very High-Impact Manufacturing or processing facilities*), and by amending Article II (*Review and Decision-Making Bodies*), Division 6 (*Advisory Review Committees*), Subdivision B (*Industrial Review Committee*), Section 50-2-104, (*Duties and functions*), and by amending Article XI (*Special Purpose Zoning Districts and Overlay Areas*), Division 8 (*W1 Waterfront-Industrial District*), Section 50-11-183 (*Conditional manufacturing and industrial uses*), Division 10 (*SD2—Special Development District, Mixed-Use*), Section 50-11-245 (*Intensity and dimensional standards*), Division 14 (*Overlay Areas*), Subdivision B (*Traditional Main Street Overlay Areas*), Section 50-11-385 (*Applicability of design standards; exceptions*), and by amending Article XII (*Use* Regulations), Division1 (*Use Table*), Section 50-12-82 (*Manufacturing and production*), and by amending Article XIV (*Development Standards*), Division 3 (*Architectural and Site Design Standards*), Subdivision C (*Traditional Main Street Overlay Areas*), Section 50-14-431 (*Traditional Main Street Overlay Area applicability and exceptions; design review*), Section 50-14-433 (*Site design standards; fencing*), and by amending Article XVI (*Rules of Construction and Definitions*), Division 2 (*Words and Terms Defined*), Subdivision B (*Letter “A”*), Section 50-16-113, (*Words and terms (An—As*)), Subdivision C (*Letter “B”*), Section 50-16-132 (*Words and terms (Bh—Bz)*), Subdivision D (*Letter “C”*), Section 50-16-151 (*Words and terms (Ca—Cg)*), Section 50-16-153 (*Words and terms (Cn—Cs)*), Subdivision L (*Letter “M”*), Section 50-16-302 (*Words and terms (Mh—Mm)*), Subdivision N (*Letter “P”*), Section 50-16-341 (*Words and terms (Pa—Pg)*), Subdivision S (*Letter “V”*), Section 50-16-441 (*Words and terms (Va—Vg)*), and Appendix A, Division 2 (*Letter “B”*) and Division 3 (*Letter “C”*) as follows:

**CHAPTER 50. ZONING**

ARTICLE II. REVIEW AND DECISION-MAKING BODIES

DIVISION 6. ADVISORY REVIEW COMMITTEES

Subdivision B. Industrial Review Committee

Sec. 50-2-104. Duties and functions.

* + - * 1. The Industrial Review Committee shall serve in an advisory capacity to the Buildings, ~~and~~ Safety Engineering, and Environmental Department and the Board of Zoning Appeals by reviewing and making recommendations regarding the advisability of permitting the conditional uses listed in this section. The Committee shall evaluate all applicable federal and state environmental regulations, and applicable provisions in the Wayne County Code and this Code, that apply to the establishment or operation of the following conditional uses, and shall review and make recommendations on applications of this type to the Buildings, Safety Engineering, and Environmental Department and the Board of Zoning Appeals:

Abattoir, slaughter house;

Acid manufacture;

Acoustical material manufacture;

Airplane manufacture;

Alkali manufacture;

Asphalt manufacture;

Automobile body plant;

Balls or bearings manufacture;

Beryllium storage, handling, or processing;

Bituminous concrete manufacture;

Carbide manufacture;

Cement, lime, gypsum, or plaster of Paris manufacture;

Ceramic glaze or porcelain enamel frit manufacture;

Charcoal or fuel briquette manufacture;

Chemical manufacture from raw substances;

Chlorine gas manufacture;

Coal ~~or coke~~ yard; bulk solid material storage, outdoor, as defined in Sec. 50-16-132 of this Code; carbonaceous bulk solid material facility, as defined in Sec. 50-16-151 of this Code;

Coke ovens;

Crushing, grading, and screening of rock, stone, slag, clay, or concrete;

Distillation of coal, petroleum, bones, tar, or refuse;

Dog or cat food cannery or manufacture;

Drop forge plants;

Dyestuffs manufacture;

Engine manufacture;

Explosives, storage only;

Fertilizer manufacture;

Fish oil or meal manufacture;

Fish smoking, curing, canning, or cleaning;

Foundry, ferrous or non-ferrous;

Garbage, offal, or dead animal reduction;

Glue manufacture using animal products;

Heliports;

Insulation manufacture;

Lampblack manufacturing;

Linoleum manufacture;

Paint, enamel, oil, shellac, lacquer, varnish, or synthetic resin manufacture;

Paper manufacturing or reclaiming;

Petroleum refining or processing;

Plating and anodizing;

Radioactive waste handling;

Radio isotope fabrication or use;

Rendering plants;

Salt works;

Smelting or refining of metals or ores;

Stamping or pressing plants;

Steel barrel, drum, or pail renovation or reclaiming;

Steel mills;

Tanning, curing, or storage of raw hides or skins;

Tar products manufacture;

Wool pulling.

* + - * 1. The Committee shall review and investigate the following:

The site plan;

The types of materials, substances and chemicals that will be used during the establishment of the industrial operations and the facility’s operating characteristics and processes;

The type of machinery and equipment proposed or any other facet of the proposed industry, especially as regards external emissions, such as noise, vibration, smoke, odor, noxious gas, dust, dirt, glare, heat, or other discharge or emission that may be harmful to adjacent or surrounding land uses;

The socioeconomic impact of the proposed facility, especially with regard to the effect on property values, tax and revenue generation, and public services;

Separation/buffering from sensitive, conforming land uses as defined in Sec. 50-16-153 of this Code, such as residences, schools, churches, hospitals, convalescent homes, child care facilities, hotels or motels, public parks and similar community facilities, and possible over-concentration of facilities within a given geographic area;

Environmental impact of the proposed facility, especially with regard to air quality, water quality, soil erosion and sedimentation, and flooding potential as designated or identified by the Michigan Department of Environment, Great Lakes, and Energy and the impact upon natural resource areas and wildlife habitats as designated or identified by the Michigan Department of Natural Resources;

Safety and emergency response program of the proposed facility;

Truck traffic and the adequacy of access routes so as to minimize traffic congestion and maximize safety in the transport of solid and hazardous waste and materials;

Waste-handling and disposal procedures;

The number and density of similar facilities located within 1,000 radial feet of the proposed use. For purposes of this section, “similar facilities” shall mean all those land uses under the review of the Industrial Review Committee as specified in Sec. 50-2-105(a) of this Code;

The use of an acceptable stormwater management plan, dust management plan, soil erosion plan, environmental management system, closure and post closure plan, financial assurance plan, and other necessary plans and procedures;

The applicant’s compliance with any existing land use grants, and the facility’s compliance with environmental, zoning and other applicable regulations;

The facility’s compliance with the City of Detroit Master Plan of Policies, Solid Waste Management Plan, and any other applicable plans and policies; and

The proposed development’s potential for impeding the normal and orderly development of surrounding property for uses that are permitted in the district, and the potential to be detrimental to or to endanger the physical or economic well-being of the area.

(Ord. No. 11-05, §1, 5-28-05)

ARTICLE XI. SPECIAL PURPOSE ZONING DISTRICTS AND OVERLAY AREAS

DIVISION 8. W1 WATERFRONT-INDUSTRIAL DISTRICT

Sec. 50-11-183. Conditional manufacturing and industrial uses.

Conditional manufacturing and industrial uses within the W1 Waterfront-Industrial District from the following list that require large quantities of raw water for cooling, condensing, washing or other mill purposes, or depend upon water transportation for receipt or shipment of goods or products, and, when found by the County of Wayne Department of Public Services Environmental Services Group to comply with all requirements of the Wayne County Code, are as follows:

(1) Explosives, storage only;

(2) Garbage, offal, or dead animal reduction;

(3) Junkyards;

(4) Radioactive waste handling;

(5) Scrap tire storage, processing, or recycling facility;

(6) Transfer stations for garbage or rubbish;

(7) The following 11 uses, which are included among the “Very high-impact
manufacturing or processing” uses as defined in Sec. 50-16-441 of this Code, that require large quantities of raw water for cooling, condensing, washing or other mill purposes, or depend upon water transportation for receipt or shipment of goods or products, and when found by the Department of Public Services Environmental Services Group to comply with all applicable requirements, regulations, and ordinances:

a. Acoustical material manufacture;

b. Airplane manufacture;

c. Automobile body plant;

d. Bituminous concrete manufacture;

e. Charcoal or fuel briquette manufacture;

f. ~~Coal or coke yard~~ (Repealed);

g. Foundry, ferrous or nonferrous;

h. Insulation manufacture;

i. Linoleum manufacture;

j. Paint, enamel, oil, shellac, lacquer, varnish, or synthetic resin manufacture;

k. Stamping or pressing plant.

(8) The following 27 uses, which are included among the “Very high-impact manufacturing or processing” uses as defined in Sec. 50-16-441 of this Code, that require large quantities of raw water for cooling, condensing, washing or other mill purposes, or depend upon water transportation for receipt or shipment of goods or products, after a report and recommendation has been received by the Buildings, Safety Engineering, and Environmental Department from the Industrial Review Committee relative to the external effects of noise, vibration, smoke, odor, noxious gas, dust, dirt, glare, heat or other discharge or emission or other operating characteristic:

a. Acid manufacture;

b. Alkali manufacture;

c. Asphalt manufacture;

d. Beryllium storage, handling, or processing;

e. Carbide manufacture;

f. Cement, lime, gypsum, or plaster of Paris manufacture;

g. Ceramic glaze or porcelain enamel frit manufacture;

h. Chemical manufacture from raw substances;

i. Coke ovens;

j. Crushing, grading, and screening of rock, stone, slag, clay, or concrete;

k. Distillation of coal, petroleum, bones, tar, or refuse;

l. Dog or cat food cannery or manufacture;

m. Drop forge plants;

n. Fertilizer manufacture;

o. Fish oil or meal manufacture;

p. Fish smoking, curing, canning, or cleaning;

q. Glue manufacture using animal products;

r. Lampblack manufacturing;

s. Paper manufacturing or reclaiming;

t. Petroleum refining or processing;

u. Radio isotope fabrication or use;

v. Smelting or refining of metals or ores;

w. Steel barrel, drum, or pail renovation or reclaiming;

x. Steel mills;

y. Tanning, curing, or storage of raw hides or skins;

z. Tar products manufacture;

aa.] Wool pulling.

(Ord. No. 11-05, §1, 5-28-05)

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

#### Sec. 50-11-245. - Intensity and dimensional standards.

Development in the SD2 Special Development District is subject to [Section 50-13-130](#_Sec._50-13-130._-) of this Code and as follows:

(1) *Front setback.*

a. A minimum front setback is not required.

b. The maximum front setback allowed shall be the average of the front setback of the buildings located on each side of the subject building or 20 feet, whichever is less. Parking in front of a neighboring building does not count as a front setback.

c. Off-street parking shall be prohibited in the front setback.

(2) *Rear setback.*

a. If a street or alley is to the rear of a single-story building, a minimum rear setback is not required. If no street or alley is present, single-story buildings shall have a minimum rear setback of ten feet.

b. Where a single- or two-family dwelling is located across a street or alley from the rear of a multi-story building, the multi-story building shall have a rear setback of ten feet; where a street or alley is not present to separate the rear of a multi-story building from a single- or two-family dwelling, the multi-story building shall have a rear setback of 20 feet.

c. Buildings containing dwelling units, other than single- or two-family dwellings, shall have a rear setback of ten feet if a street or alley is present at the rear and 20 feet if a street or alley is not present.

(3) *Side setback.* No minimum side setback is required except where a building is adjacent to land zoned R1, R2, R3, or R4. Where adjacent to land zoned R1, R2, R3, or R4, the side setback shall be calculated using Formula A.

(4) *Off-street parking location.* Parking shall be prohibited between the street and front façade of the building.

(5) *Maximum height.* Maximum height shall be 45 feet for non-mixed-use and 60 feet for mixed use. Where a lot fronts on a right-of-way which is more than 60 feet wide and where the outermost point of the proposed mixed-use building is at least 40 feet from all R1, R2, and R3 Districts, the maximum height may be increased one foot for each one foot of right-of-way width greater than 60 feet. The mixed-use building must not exceed 80 feet in height.

(Code 1984, § 61-11-195; Ord. No. 11-05, § 1(61-11-195), eff. 5-28-2005; Ord. No. 23-14, § 1(61-11-195), eff. 7-24-2014; Ord. No. 37-17, § 1(61-11-195), eff. 2-6-2018; Ord. No. 2020-21, § 1(50-11-245), eff. 8-8-2020)

DIVISION 14. OVERLAY AREAS

**Subdivision B. - Traditional Main Street Overlay Areas**

#### Sec. 50-11-385. - Applicability of design standards; exceptions.

(a) The Buildings, Safety Engineering, and Environmental Department shall forward to the Planning and Development Department all permit applications related to land zoned other than R1, R2, R3, R4, R5, R6 or residential PD and located in a designated Traditional Main Street Overlay Area, except those permit applications for interior alterations or other such permit applications which, in the concurrence of both departments, would have no bearing on the exterior appearance of the building.

(b) The Planning and Development Department's review of demolition permits is limited to five business days during which time alternatives to demolition might be explored with the applicant and/or owner. The Planning and Development Department may waive the five-day review period where no good purpose would be served by deferring demolition.

(Code 1984, § 61-11-315; Ord. No. 20-05, § 1(61-11-315), eff. 5-29-2005)

**ARTICLE XII. USE REGULATIONS**

**DIVISION 1. USE TABLE**

Subdivision E. Manufacturing and Industrial Uses

#### Sec. 50-12-82. - Manufacturing and production.

Regulations regarding manufacturing and production uses are as follows:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Use Category** | **Specific Land Use** | **Residential**  | **Business**  | **Industrial**  | **Special and Overlay**  | **Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)**  |
| **R****1** | **R****2** | **R****3** | **R****4** | **R****5** | **R****6** | **B****1** | **B****2** | **B****3** | **B****4** | **B****5** | **B****6** | **M****1** | **M****2** | **M****3** | **M****4** | **M****5** | **P****D** | **P****1** | **P****C** | **P****C****A** | **T****M** | **P****R** | **W****1** | **S****D****1** | **S****D****2** | **S****D****3** | **S****D****4** | **S****D****5** |
| **Manufacturing and production** | Abattoir, slaughterhouse  |  |  |  |  |  |  |  |  |  |  |  | C |  |  |  | C | C | L |  |  |  |  |  |  |  |  |  |  |  | [Sections 50-12-331](#_Sec._50-12-331._-), [50-12-458](#_Sec._50-12-458._-)  |
| Baling of waste paper or rags  |  |  |  |  |  |  |  |  |  |  |  | R | C | R | R | R | R | L |  |  |  | R |  |  |  |  |  |  |  | [Sections 50-12-332](#_Sec._50-12-332._-), [50-12-458](#_Sec._50-12-458._-) |
| Chemical materials blending or compounding but not involving chemicals manufacturing  |  |  |  |  |  |  |  |  |  |  |  |  |  | C | R | R | R | L |  |  |  | R |  |  |  |  |  |  |  | EGLE; [Section 50-12-458](#_Sec._50-12-458._-)  |
| Confection manufacture  |  |  |  |  |  |  |  | C/R | R | C/R | C | R | C | R | R | R | R | L |  |  |  | R |  |  | R | R |  | C |  | [Sections 50-12-334](#_Sec._50-12-334._-), [50-12-458](#_Sec._50-12-458._-) |
| Dental products, surgical, or optical goods manufacture  |  |  |  |  |  |  |  | C |  | C | C |  | C | R | R | R | R | L |  |  |  | R |  |  |  |  |  | C |  | [Sections 50-12-335](#_Sec._50-12-335._-), [50-12-458](#_Sec._50-12-458._-) |
| Food catering establishment  |  |  |  |  |  |  |  | C/R | R | C/R | R | R | R | R | R | R | R | L |  |  |  | R |  |  | R | R |  | C |  | [Sections 50-12-336](#_Sec._50-12-336._-), [50-12-458](#_Sec._50-12-458._-) |
| High-impact manufacturing or processing as defined in Section 50-16-242  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | C | R | R | L |  |  |  |  |  |  |  |  |  |  |  | [Section](#_Sec._50-16-242._-) [50-16-242](#_Sec._50-16-242._-)  |
| High/medium-impact manufacturing or processing as defined in Section 50-16-242  |  |  |  |  |  |  |  | C |  | C |  |  |  |  | R | R | R | L |  |  |  | R |  |  | C | C |  |  |  | [Sections 50-12-362](#_Sec._50-12-362._-), [50-16-242](#_Sec._50-16-242._-)  |
| Ice manufacture  |  |  |  |  |  |  |  |  |  | C |  | R |  | R | R | R | R | L |  |  |  | R |  |  |  |  |  |  |  | GRT; [Section 50-12-458](#_Sec._50-12-458._-)  |
| Jewelry manufacture  |  |  |  |  |  |  |  | R | R | C/R | C |  | R | R | R | R | R | L |  |  |  | R |  |  | R | R |  |  |  | [Sections 50-12-340](#_Sec._50-12-340._-), [50-12-458](#_Sec._50-12-458._-) |
| Lithographing, and sign shops  |  |  |  |  |  |  |  | C/R | R | C/R |  |  | C | R | R | R | R | L |  |  |  | R |  |  | R | R |  | C |  | [Sections 50-12-342](#_Sec._50-12-342._-), [50-12-458](#_Sec._50-12-458._-) |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Manufacturing and production (cont'd) | Low/medium-impact manufacturing or processing as defined in Section 50-16-284  |  |  |  |  |  |  |  | R | R | R |  |  | C | R | R | R | R | L |  |  |  | R |  |  | R | R |  |  |  | [Sections](#_Sec._50-12-361._-) [50-12-361](#_Sec._50-12-361._-), [50-12-458](#_Sec._50-12-458._-)  |
| Low-impact manufacturing or processing as defined in Section 50-16-284  |  |  |  |  |  |  |  | R | R | R |  | R | C | R | R | R | R | L |  |  |  | R |  |  | R | R |  | C |  | [Sections](#_Sec._50-12-359._-) [50-12-359](#_Sec._50-12-359._-), [50-12-458](#_Sec._50-12-458._-) |
| Newspaper (daily) publishing or printing  |  |  |  |  |  |  |  |  |  |  | R |  | R | R | R | R | R | L |  |  | R | R |  |  |  |  |  |  |  | [Section 50-12-458](#_Sec._50-12-458._-)  |
| Outdoor operations of all manufacturing and production land uses  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | C | R | R | L |  |  |  |  |  |  |  |  |  |  |  | [Sections 50-12-344](#_Sec._50-12-344._-), [50-12-458](#_Sec._50-12-458._-) |
| Research or testing laboratory  |  |  |  |  |  |  |  |  |  | C | C | R | R | R | R | R | R | L |  |  |  | R |  |  |  |  |  |  |  | [Sections 50-12-348](#_Sec._50-12-348._-), [50-12-458](#_Sec._50-12-458._-) |
| Salt works  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | C | C | L |  |  |  |  |  |  |  |  |  |  |  | IRC  |
| Toiletries or cosmetic manufacturing  |  |  |  |  |  |  |  |  |  | C | C |  | C | R | R | R | R | L |  |  |  | R |  |  |  |  |  |  |  | GRT; [Section 50-12-458](#_Sec._50-12-458._-)  |
| Tool, die, and gauge manufacturing  |  |  |  |  |  |  |  |  |  | C |  |  | C | R | R | R | R | L |  |  |  | R |  |  |  |  |  |  |  | GRT; [Sections 50-12-351](#_Sec._50-12-351._-), [50-12-458](#_Sec._50-12-458._-) |
| Very high-impact manufacturing or processing as defined in Section 50-16-441  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | C | C | L |  |  |  |  |  | C |  |  |  |  |  | EGLE; IRC; Section 50-12-365  |
| Wearing apparel manufacturing  |  |  |  |  |  |  |  | R | R | C/R | C |  | C | R | R | R | R | L |  |  |  | R |  |  | R | R |  |  |  | [Sections 50-12-360](#_Sec._50-12-360._-), [50-12-458](#_Sec._50-12-458._-) |
| All other  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | C | C | L |  |  |  |  |  |  |  |  |  |  |  |  |

**CU** = Subject to "Controlled Use" Standards / **GRT** = Use prohibited in B4 on Gateway Radial Thoroughfare / **IRC** = Subject to Industrial Review Committee / **P** = Requires petition signed by nearby property owners / **RU** = Subject to "Regulated Use" Standards / **SPC** = Subject to Spacing Standards (See [Section 50-12-127](#_Sec._50-12-127._-) of this Code for explanation of these and others) / **SWFRC** = Solid Waste Facility Review Committee.

[Page left intentionally blank]DIVISION 3. SPECIFIC USE STANDARDS

Subdivision F. Manufacturing and Industrial Uses

Sec. 50-12-365. Very high-impact manufacturing or processing facilities.

The following are subject to the provisions of Chapter 42 of the 2019 Detroit City Code: Coal yard; bulk solid material storage, outdoor, as defined in Sec. 50-16-132 of this Code; carbonaceous bulk solid material facility, as defined in Sec. 50-16-151 of this Code. The outdoor storage of carbonaceous bulk solid material is prohibited. The provisions of this section and of Chapter 42 of this Code are not subject to review by, and may not be waived by, the Board of Zoning Appeals.

Secs. 50~~-12-365~~ 50-12-366–50-12-370. Reserved.

# **ARTICLE XIV. - DEVELOPMENT STANDARDS**

DIVISION 3. - ARCHITECTURAL AND SITE DESIGN STANDARDS

Subdivision C. Traditional Main Street Overlay Areas.

#### Sec. 50-14-431. - Traditional Main Street Overlay Area applicability and  exceptions; design review.

(a) *Applicability.*

(1) The requirements of this subdivision apply to any new development within the Traditional Main Street Overlay Area, as designated in [Article XI, Division 14, Subdivision B](#_Subdivision_B._-_7), of this chapter.

(2) Alteration of any structure within the Traditional Main Street Overlay that affects the exterior appearance of a building elevation visible from a public right-of-way or public space shall be subject to design review by the Planning and Development Department under the design standards of this subdivision. While the City may benefit if all the design standards of this subdivision were met where existing properties are altered, such a strict application of the design standards might disadvantage property owners or discourage them from improving their buildings. The recommended solution is to establish two thresholds to gauge the extent of remodeling and set requirements based on what is practical and reasonable for that level of improvement.

a. If 50 percent or more of an elevation of a building or structure subject to design review is altered, the building or structure shall be subject to the applicable requirements that do not involve repositioning the building or structure or reconfiguring site development as determined by the Planning and Development Department;

b. If less than 50 percent of an elevation of a building or structure subject to design review is altered, the requirement is only that the proposed improvements meet the applicable standards of this subdivision; for example, if a property owner decides to replace a building façade's siding, then the siding shall meet the applicable exterior building materials standards, but elements such as building modulation would not be required.

(3) For the purpose of this subdivision, the term "commercial" shall mean retail, service, and commercial uses listed in [Article XII, Division 1, Subdivision D](#_Subdivision_D._-_3), of this Code.

 (4) Notwithstanding the preceding, the requirements of this subdivision do not apply to
 land zoned R1, R2, R3, R4, R5, R6, or residential PD within a Traditional Main Street
 Overlay Area.

(b) *Design review.* The Buildings, Safety Engineering, and Environmental Department shall not approve a permit application for any work relating to a zoning lot within a Traditional Main Street Overlay Area, unless the Planning and Development Department has verified that such work is consistent with design standards of this subdivision.

(Code 1984, § 61-14-283; Ord. No. 11-05, § 1(61-14-283), eff. 5-28-2005; Ord. No. 20-05, § 1(61-14-283), eff. 5-29-2005; Ord. No. 23-13, § 1(61-14-283), eff. 8-28-2013)

**Sec. 50-14-433. - Site design standards; fencing.**

1. The objectives of this section ~~is~~ are:`
	1. ~~t~~To promote the perception of Traditional Main Street Overlay Areas as safe commercial areas~~.~~;
	2. To provide for an enjoyable pedestrian experience; and
	3. To architecturally integrate fences and screens to enhance the design of the main buildings associated with the project to the greatest extent possible. Fences should be similar or complementary to the color and finishes of the exterior of the associated building.

(b) To achieve the objectives of this section, the following standards shall apply:

1. The use of barbed wire is not permitted for any residential use, for any public, civic, and institutional use, or for any retail, service, and commercial use that is listed in the use table of Article XII, Division 1, of this chapter;
2. A clear view of oncoming vehicular and pedestrian traffic must be maintained at street corners, driveways, alleys, or similar locations;
3. Fences exceeding three feet in height along street frontages at the front lot line are required to provide a three-foot wide landscaped area with trees and landscaping between the sidewalk and the fence facing the street;

(~~2~~4) No fence facing a Traditional Main Street shall exceed six feet in height. Opaque fences or walls facing a Traditional Main Street shall not exceed three feet in height, except as specified for screening purposes according to [Section 50-14-372](https://library.municode.com/mi/detroit/codes/code_of_ordinances?nodeId=PTIVDECO_CH50ZO_ARTXIVDEST_DIV2LASCFE_SDDLASCMIPR_S50-14-372HE); and

(~~3~~5) ~~Chain link fences~~ The following materials and styles are prohibited for fences facing a Traditional Main Street~~.~~ unless it is determined by the Planning and Development Department to be appropriate and compatible with the buildings nearest the fence:

 (a) Chain link;

 (b) Plywood;

(c) Vinyl;

(d) Recycled materials;

(e) Sheet metal;

(f) Plastic;

(g) Picket-style.

(Code 1984, § 61-14-283; Ord. No. 11-05, § 1(61-14-283), eff. 5-28-2005; Ord. No. 20-05, § 1(61-14-283), eff. 5-29-2005; Ord. No. 23-13, § 1(61-14-283), eff. 8-28-2013)

ARTICLE XVI. RULES OF CONSTRUCTION AND DEFINITIONS

DIVISION 2. WORDS AND TERMS DEFINED

**Subdivision C. - Traditional Main Street Overlay Areas**

### **Subdivision B. - Letter "A"**

#### Sec. 50-16-113. - Words and terms (An—As).

For the purposes of this chapter, the following words and phrases beginning with the letters "An" through "As," shall have the meaning respectively ascribed to them by this section:

| Term | Definition |
| --- | --- |
| Antenna | Any system of wires, poles, rods, reflecting discs, or similar devices, together with any supporting structure, used for the reception and/or transmission of electromagnetic waves. |
| Antenna - Category A | Television antennas not 28 square feet in area or six feet in dish diameter, customarily though not exclusively erected from residential use, such as microwave‑receiving antennas, and dipole "rod and mast" VHF‑UHF antennas, hereinafter referred to as "conventional" television antennas |
| Antenna - Category B | Radio antennas and antenna towers, such as amateur radio antennas for ham/shortwave operations, and fixed-station antennas for business-band radio, citizens band radio, general mobile radio service and two-way radio. |
| Antenna - Category C | Dish antennas, such as satellite television antennas, also known as satellite dishes, earth stations, television receive-only (TVRO) antennas, earth terminals, and earth terminal antennas; other parabolic dish antennas and parabolic reflectors exceeding six feet in diameter including, but not limited to, microwave-receiving antennas and studio-to-transmitter-link (STL) antennas. |
| Antenna - Category D | Antenna towers and poles exceeding 75 feet in height from established grade, customarily though not necessarily housing multiple antennas, such as radio broadcasting towers, television broadcasting towers, microwave antenna towers, studio-to-transmitter links, and other communications, antennas including antennas for cellular telephone systems. |
| Approach surfaces | [1] Instrument approach surfaces and non‑instrument approach surfaces having a runway at least 5,000 feet in length; and [2] non‑instrument approach surface having a runway with a length of 2,000 feet or more up to, but not including, 5,000 feet in length. (See Sec. 50-16-262 and Sec. 50-16-322) |
| Asphalt millings, also known as asphalt grindings or RAP (Reclaimed Asphalt Pavement) | The fine particles of bitumen and inorganic material that are produced by the mechanical grinding of bituminous concrete surfaces. |
| Aquaculture | The cultivation of marine or freshwater food fish, shellfish, or plants under controlled conditions. |
| Aquaponics | The integration of aquaculture with hydroponics, in which the waste products from fish are treated and then used to fertilize hydroponically growing plants. |
| Arcade | A place, premises or establishment or room set aside in a retail or commercial establishment where three or more coin‑operated amusement devices are located, defined herein as a machine or device operated by means of the insertion of a coin, token or similar object, for the purpose of amusement or skill and for the playing of which a fee is charged. The term does not include vending machines in which are not incorporated gaming or amusement features, nor coin‑operated mechanical music devices; nor mechanical motion picture devices. The definition shall not apply to coin‑operated amusement devices owned or leased to establishments that are properly licensed for sale of beer or intoxicating liquor for consumption on the premises. |
| Arena | An enclosed structure with tiers of seats rising around a sports field, playing court or public exhibition area. Arenas are typically used for sports, entertainment and other public gathering purposes, such as athletic events, concerts, conventions, circuses and conferences. |
| Articles pyrotechnic | Pyrotechnic devices for professional use that are similar to consumer fireworks in chemical composition and construction but not intended for consumer use, that meet the weight limit for consumer fireworks but are not labeled as such, and that are classified as UN0431 or UN0432 under 49 CFR 172.101. |
| Ash | The residue from the burning of wood, coal, coke or other combustible materials including incinerator ash and residue.  |
| Assembly (use category) | Activities or structures, generally of a commercial nature that draw members of the general public to specific events or shows. Examples include the following uses:•Assembly hall•Banquet hall•Dance hall, public•Private club •Private lodge•Rental hall |
| Assembly hall | An enclosed place of assembly for the exclusive use of the owners of the facility or by the members of the association or organization controlling the premises. Such facility shall not be available for rental to the general public. Assembly halls are typically accessory to private clubs and private lodges and are located in a non-residential building. |
| Assessed valuation | Assessed valuation means the assessed valuation in the records of the Assessor of the City of Detroit. With respect to exempt properties for which the assessed valuation is zero, an independent valuation from a reputable source, subject to review and acceptance by the Buildings, Safety Engineering, and Environmental Department, may be presented by the owner as the basis for determinations required by this Chapter. |
| Assisted living facility | A residential care facility designed primarily for older people who typically have no serious health problems but who may have chronic or debilitating conditions requiring assistance with daily activities. Permitted services include but are not limited to staff-supervised meals, housekeeping and personal care, medication supervision, and social activities. Both private and shared sleeping rooms may be provided. Facilities providing regular care under supervision of physicians are not considered assisted living facilities. |

**Subdivision C. Letter “B”**

#### Sec. 50-16-132. - Words and terms (Bh—Bz).

For the purposes of this chapter, the following words and phrases beginning with the letters "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 41(4) of the Michigan Home Rule City Act, being MCL 117.41(4). |
| Blight violation determination | A determination that:(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 (2) After an administrative hearing that a person is or is not responsible for one or more blight violations; or (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 Chapter 3, 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). |
| Blight violation notice | A written violation notice prepared by an authorized local official which directs an alleged violator: (1) To pay the civil fine(s) 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 Ordinance, and (2) To appear at the Department of Administrative Hearings 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). |
| 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 word, “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 Control Commission that annually manufactures more than ~~20,000~~ 60,000 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~~ 18,000 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. |
| 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 of | (*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 person(s) 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. |
| Bulk solid material | [1] Any solid substance or material that can be used as a fuel or as an ingredient or component in a manufacturing process, that may create fugitive dust, and that is accumulated in an amount of 50 cubic yards or more at any one time, including, but not limited to, asphalt millings, ores, iron and steel slag, gravel, sand, and limestone, but does not mean salt, grains, commercial solid waste, or garbage; and[2] Any carbonaceous material regardless of the amount but does not mean material stored in nurseries, garden centers, and farm supply stores. |
| Bulk solid material storage, outdoor | Open storage of bulk solid material, excluding carbonaceous material. |
| Bus | A motor vehicle other than a school bus that is designed for carrying 16 or more passengers, including the driver. |

### **Subdivision D. - Letter "C"**

#### Sec. 50-16-151. - Words and terms (Ca—Cg).

For the purposes of this chapter, the following words and phrases beginning with the letters "Ca" through "Cg," shall have the meaning respectively ascribed to them by this section:

| Term  | Definition  |
| --- | --- |
| Cabaret | An establishment open to the public which sells or serves alcoholic beverages for consumption on the premises with or without food and also provides entertainment. Establishments commonly referred to as “nightclubs” shall be considered “cabarets” for zoning purposes, except for those nightclubs, bars, juice bars, restaurants, bottle clubs, or similar commercial establishment, which regularly feature live conduct characterized by semi-nudity, which are classified as “adult cabarets.” The Buildings, Safety Engineering, and Environmental Department Business License Center further classifies cabarets as Group “A” Cabaret, Group “B” Cabaret, or Group “C” Cabaret. (See also Sec. 50-16-222 of this Code.) |
| Car wash | See “Motor Vehicle Washing and Steam Cleaning” |
| Carbonaceous bulk solid material | Bulk solid material that includes carbonaceous material. |
| Carbonaceous bulk solid material facility | A source, site, or facility where carbonaceous bulk solid material is stored, loaded, unloaded, stockpiled, handled on-site, blended, processed, or otherwise managed. |
| Carbonaceous material | A solid substance that occurs naturally or exists as a result of a human-made process that is rich in carbon, and includes, but is not limited to, coal, and coke in its various forms, including but not limited to, nut coke, coke breeze, petroleum coke, and metallurgical coke, but excluding asphalt millings. |
| Carport | A roofed structure providing space for the parking or storage of motor vehicles and open on three sides. |
| Casino | The premises where gaming is conducted and includes all buildings, improvements, equipment and facilities used or maintained in connection with such gaming. |
| Casino complex | A casino and all buildings, hotel structures, recreational or entertainment facilities, restaurants or other dining facilities, bars and lounges, required on-site parking, retail stores and other amenities that are connected with, or operated in such an integral manner as to form part of, the same operation, whether on the same tract of land or otherwise. |
| Cellar | A space with less than one-half of its floor-to-ceiling height above the average finished grade of the adjoining ground or with a floor-to-ceiling height of less than seven feet. |
| Cemetery | Property used for the interring of the body or cremated remains of the dead. Cemeteries may contain mausoleums, crematories, or columbaria. |
| Central Business District | The portion of the City of Detroit within the area bounded by the Detroit River, and the center lines of Brooklyn Avenue (extended), West Jefferson Avenue, Eighth Street, West Fort Street, Brooklyn Avenue, Porter Street, John C. Lodge Freeway (M-10), Fisher Freeway (I-75), Third Street, West Grand River, Temple Avenue, Fourth Street, Charlotte Street, Woodward Avenue, Fisher Freeway (I-75), Chrysler Freeway (I-375), East Jefferson Avenue, Rivard Street, Atwater Street, and Riopelle Street extended to the Detroit River. |

**Figure 50-16-151
Boundaries of Central Business District**
(For Informational Purposes Only)



#### Sec. 50-16-153. - Words and terms (Cn—Cs).

For the purposes of this chapter, the following words and phrases beginning with the letters "Cn" through "Cs," shall have the meaning respectively ascribed to them by this section:

| Term | Definition |
| --- | --- |
| Coffee house | Any room, place, or building where the serving of coffee is the principal business and where tables and chairs are provided for the use of patrons to play table games and for other similar activities, but where alcoholic liquor is not provided. |
| Coal | A solid, brittle, carbonaceous rock classified as anthracite, bituminous, subbituminous, or lignite by ASTM (American Society for Testing and Materials) Designation D388-77. |
| Coke | A solid carbonaceous material derived from the distillation of coal, including metallurgical coke, or from oil refinery coker units or other cracking processes, including petroleum coke, and includes, but is not limited to, nut coke and coke breeze. |
| Commercial parking | See *Parking, Commercial*. |
| Commercial vehicle | See *Vehicle, Commercial*. |
| Common area, general | That portion of a site condominium project designed and intended for joint ownership and maintenance by the condominium association as described in the Condominium Master Deed. |
| Common area, limited | That portion of a site condominium project designed and intended for separate ownership, but outside the building setbacks for the zoning district the property is located in as described in the Master Deed. |
| Community service (use category) | Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. Generally, they provide the service on-site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Community services or facilities that have membership provisions are open to the general public to join at any time, for instance, any senior citizen could join a senior centerg. The use may provide special counseling, education, or training of a public, nonprofit or charitable nature. Examples include the following uses:•Customs office;•Fire or police station, post office, court house and similar public building;•Governmental service agency;•Neighborhood center, nonprofit;•Substance abuse service facility;Private lodges, clubs and private or commercial athletic or health clubs are classified as retail sales and service. Public parks and recreation are classified as parks and open space. |
| Compost | Relatively stable decomposed organic matter for use in agricultural and other growing practices, usually consisting of materials such as grass, leaves, yard waste, worms, and also including raw and uncooked kitchen food wastes, but specifically excluding bones, meat, fat, grease, oil, raw manure, and milk products. |
| Concert café. | Any establishment, which provides food with music or entertainment, but does not provide alcoholic beverages. Concert cafés shall be regulated the same as “theaters” for zoning purposes. |
| Condominium Act | MCL 559.101 *et seq.* |
| Condominium master deed | The document recorded as part of a condominium subdivision to which are attached as exhibits and incorporated by reference the approved bylaws for the condominium subdivision and the condominium subdivision plan. |
| Condominium project, commercial, office or industrial | A plan or project consisting of not less than two condominium units if established and approved in conformance with the Condominium Act, MCL 559.101 *et seq.* |
| Condominium subdivision | A division of land on the basis of condominium ownership, pursuant to the Condominium Act and which is not subject to the provisions of the Land Division Act, being MCL 560.191 *et seq.*, as amended. Also known as a site condominium. |
| Condominium subdivision plan | The drawings attached to the Condominium master deed for a condominium subdivision which describe the size, location, area, horizontal and vertical boundaries and volume of each condominium unit contained in the condominium subdivision, as well as the nature, location, and size of common elements. |
| Condominium unit | That portion of a condominium project or condominium subdivision which is designed and intended for separate ownership and use, as described in the condominium master deed, regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time-share unit, or any other type of use. The owner of a condominium unit also owns a share of the common elements. The term "condominium unit" shall be equivalent to the term "lot", for purposes of determining compliance of the site condominium subdivision with the provisions of this chapter pertaining to minimum lot size, minimum lot width, and maximum lot coverage. |
| Conforming land uses | “Conforming land uses” mean any land use located in a zoning district where the land use is permitted either by-right or as a conditional use and not otherwise prohibited in that district. |
| Conical surface | A surface sloping upward and outward to an altitude of 150 feet above the established heliport elevation at a slope ratio of one to eight beginning at the heliport elevation on the perimeter of a circle of 200 feet radius centered on each helipad.  |
| Construction refuse | Waste from building construction, alteration, demolition or repair, and dirt from excavations. |
| Contractor yard, landscape or construction | A yard used for the outdoor storage of a construction or landscape contractor’s vehicles, equipment, and materials, including plant materials and contained soil. |
| Controlled uses | Any or the following: (1) Arcades; (2) Specially designated merchant's (SDM) establishments and/or specially designated distributor's (SDD) establishments; and (3) Pool halls. |
| Convalescent, nursing, or rest home | Establishments primarily engaged in the providing in-patient nursing care, other than a private home, where seven or more older adults or disabled persons receive on-going care and supervision. (Same as “convalescent home” or “rest home.”) These are facilities that provide a full range of 24-hour direct medical, nursing, and other health services by registered nurses, licensed practical nurses, and nurses’ aides prescribed by a resident’s physician. They are designed for older adults or disabled persons who need health care supervision, but not hospitalization. Emphasis is on nursing care, but restorative therapies may be provided. Specialized nursing services such as intravenous feeds or medication, tube feeding, injected medication, daily would care, rehabilitation services, and monitoring of unstable conditions may also be provided.  |

**Subdivision L. - Letter "M"**

#### Sec. 50-16-302. - Words and terms (Mh—Mm).

For the purposes of this chapter, the following words and phrases beginning with the letters "Mh" through "Mm," shall have the meaning respectively ascribed to them by this section:

| Term | Definition |
| --- | --- |
| Michigan Medical Marihuana Act or MMMA  | Initiated Law 1 of 2008, being MCL 333.26421 *et seq.*  |
| Michigan Planning Enabling Act  | The Michigan Planning Enabling Act, being MCL 125.3801 *et seq.*  |
| Michigan Zoning Enabling Act  | The Michigan Zoning Enabling Act, being MCL 125.3101 *et seq.*  |
| Microbrewery  | A facility licensed as such by the Michigan Liquor Control Commission that annually produces in total less than ~~20,000~~ 60,000 barrels of beer and that may include therein the licensed brewery premises.  |
| Microwave-receiving antenna  | An antenna, usually parabolic or quasi-parabolic in shape, the purpose of which is to receive signals transmitted from terrestrial transmitters.  |
| Mixed-use building  | A mixed-use building includes at least one use from at least two of the following general land use headings in the same building: residential uses as specified in [Article XII, Division 1, Subdivision B](#_Subdivision_B._-_6) of this chapter; public, civic and institutional uses as specified in [Article XII, Division 1, Subdivision C](#_Subdivision_C._-_2) of this chapter; retail, service and commercial uses as specified in [Article XII, Division 1, Subdivision D](#_Subdivision_D._-_3) of this chapter; manufacturing and industrial uses as specified in [Article XII, Division 1, Subdivision E](#_Subdivision_E._-_2) of this chapter. A building shall also be deemed to be mixed-use where it includes both an "office, business or professional" and any other retail use specified in [Section 50-12-62](#_Sec._50-12-62._-), Food and Beverage Service, [Section 50-12-66](#_Sec._50-12-66._-), Recreational/entertainment, indoor, [Section 50-12-69](#_Sec._50-12-69._-), Retail sales and service; sales-oriented, or [Section 50-12-70](#_Sec._50-12-70._-), Retail sales and service; service-oriented.  |

### **Subdivision N. - Letter "P"**

#### Sec. 50-16-341. - Words and terms (Pa—Pg).

For the purposes of this chapter, the following words and phrases beginning with the letters "Pa" through "Pg," shall have the meaning respectively ascribed to them by this section:

| Term | Definition |
| --- | --- |
| Parcel | A continuous portion of land that is assigned a unique identification number by the Office of the Assessor. |
| Park | Land that is improved for, or intended to be improved for, passive or recreational uses, or to be preserved as open spaces, including, but not limited to, major parks and small (neighborhood) parks, is so designated, and is under the jurisdiction and control of the Recreation Department. |
| Park and open space (use category) | Uses of land involving natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, or public squares. Lands tend to have few structures. Examples include the following uses:•Cemeteries (including mausoleums, crematories, or columbaria);•Golf course;• Skating rink;•Park, playfield, playground, parklot, parkway and playlot;•Swimming pool;•Tennis court. |
| Park, major | A large open area which preserves the natural scenic beauty of a woodland, meadow, river valley or lake front, is so designated, and is under the control of the Recreation Department. |
| Park, small (or neighborhood) | A heavily landscaped area intended for ornamental rather than active recreation or picnic use. |
| Parking | The temporary standing or placement of operable motor vehicles, bearing valid and current license plate or registration sticker as required by the Michigan Secretary of State, that are currently used to transport people, goods, or materials in the conduct of normal daily activities. |
| Parking, accessory | A parking lot or parking area shall be deemed “accessory” where: such lot is operated in conjunction with a specific land use; and no fee is charged for parking in the lot or area; and it is located no farther than the maximum distance specified in Article XIV, Division 1, Subdivision B and Article XIV, Division 1, Subdivision C of this chapter for said land use.A parking lot or parking area shall likewise be deemed “accessory” where: such lot is operated in conjunction with a specific land use; and a fee is charged for parking in the lot or area; and not more than 110% of parking spaces required for that land use in Article XIV, Division 1, Subdivision B and Article XIV, Division 1, Subdivision C of this chapter is actually provided; and it is located no farther than the maximum distance specified in Article XIV, Division 1, Subdivision B and Article XIV, Division 1, Subdivision C of this chapter for said land use. |
| Parking, commercial (use category) | For purposes of this Zoning Ordinance commercial parking may operate in three different manners:Facilities providing off-street parking that are not accessory to a specific use, and which do charge a fee, shall be deemed “commercial” parking. Paid accessory parking. A parking facility shall likewise be deemed “commercial” when: a fee is charged; and the parking facility is operated in conjunction with a specific land use; and when the accessory parking lot provides more than 110% of the off-street parking spaces required for that land use in Article XIV, Division 1, Subdivision B and Article XIV, Division 1, Subdivision C of this chapter.Remote accessory parking. Where a parking lot or parking area is operated in conjunction with a specific land use but is located farther than the maximum distance specified for said land use in Article XIV, Division 1, Subdivision B and Article XIV, Division 1, Subdivision C, of this chapter it shall likewise be deemed “commercial.”Examples include the following uses:-Parking lots or parking areas for operable private passenger vehicles;-Park-and-ride facilities (transit-based);-Parking structure. |
| Parking garage, private | A structure or part thereof, designed, used or intended to be used for the parking and storage of fewer than six private passenger vehicles or recreational equipment items, as defined in Sec. 50-16-361 of this Code. |
| Parking structure | A structure, typically having at least two levels of parking, for the storage of more than five operable, licensed private passenger vehicles. |
| Parking, valet | Parking where the vehicle is parked and retrieved by an attendant. |
| Parklot | Landscaped triangles, street entrances or remnant parcels which have been landscaped for ornamental purposes, are generally dedicated for such purposes in subdivision plats, are so designated, and are under the jurisdiction and control of the Recreation Department. |
| Parkway | A broad roadway bordered and often divided with landscaped areas consisting of tree plants, bushes, and/or grass, is so designated, and is under the jurisdiction and control of the Recreation Department. |
| Passenger vehicle, private | See “Vehicle, private passenger. |
| Pawnshop | The premises at which a pawnbroker purchases personal property or other valuable thing on condition of selling the same back again at a stipulated price; also, the premises at which a pawnbroker loans money on deposit, or pledge of personal property, or other valuable thing, other than securities or printed evidence of indebtedness. Pawnbrokers are licensed in accordance with Chapter 41, Article II of this Code. |
| PBB | Polybrominated biphenyl. |
| PCB | The class of Chlorinated Biphenyl, Terphenyl, Higher Polyphenyl, or mixtures of these compounds produced by replacing two or more Hydrogen Atoms on the biphenyl, Terphenyl, or Higher polyphenyl Molecule with Chlorine Atoms, “PCB” shall not include Chlorinated Biphenyls, Terphenyls, Higher Polyphenyls, or mixtures of these compounds that have functional groups attached other than Chlorine unless that functional group on the chlorinated Biphenyls, Terphenyls, Higher Polyphenyls, or mixtures thereof is determined to be dangerous to the public health, safety and welfare under MCL 324.14701 *et seq*. |
| Personal service establishment | Includes barber shops, beauty shops, dry cleaning or laundry pick-up stations, nail salons, shoe repair shops, shoeshine stand or parlor. |
| Pervious surface | Surface that allows infiltration of precipitation into the soil. |
| Petroleum coke, or petcoke | *A* solid carbonaceous residue produced from a coker after cracking and distillation from petroleum refining operations, including such residues produced by petroleum upgraders in addition to petroleum refining. |

### **Subdivision S. - Letter "V"**

#### Sec. 50-16-441. - Words and terms (Va—Vg).

For the purposes of this chapter, the following words and phrases beginning with the letters "Va" through "Vg," shall have the meaning respectively ascribed to them by this section:

| Term | Definition |
| --- | --- |
| Van | A multipurpose enclosed motor vehicle having a box-like shape, rear and/or side doors, and side panels often with windows, used for the transportation of property or persons. |
| Vehicle | A device in, upon, or by which any person or property is, or may be, transported, or drawn, upon a public highway except devices used exclusively upon stationary rails or tracks or exclusively moved by human power. |
| Vehicle, commercial | A motor vehicle that is used for the transportation of passengers for hire, or constructed or used for transportation of goods, wares, or merchandise and/or a motor vehicle that is designed or constructed and used primarily for pulling other vehicles and does not carry any part of the weight of the vehicle which is being pulled. |
| Vehicle preparation | Consists of quick lube service, light bulb replacement, fuse replacement and tire rotation. All other functions constitute either “motor vehicle services, minor” or “motor vehicle services, major” as defined in Sec. 50-16-303 of this Code. |
| Vehicle, private passenger | Every motor vehicle, other than a bus, commercial vehicle, or taxicab that is designed, used, or maintained primarily for the transportation of people on ordinary roads and that has a valid and current license plate. For purposes of this chapter, pick-up trucks and vans shall be considered private passenger vehicles. |
| Vehicle, recreational | Includes motor homes, pickup campers, and trailer coaches. |
| Vehicle repair and service (use category) | Uses servicing passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles. Examples include the following uses:•Motor vehicle services, major;•Motor vehicle services, minor;•Motor vehicle filling station;•Motor vehicle washing and steam cleaning;•Motor vehicles, new or used: storage lots accessory to salesroom or sales lot for new or used motor vehicles.Repair and service of industrial vehicles and equipment and of heavy trucks; towing and vehicle storage; and vehicle wrecking and salvage are classified as industrial service. |
| Very high-impact manufacturing or processing | Examples include:~~•abattoirs (slaughter houses)~~•Acid manufacture;•Acoustical material manufacture;•Airplane manufacture;•Alkali manufacture;•Asphalt manufacture;•Automobile body plant;•Beryllium storage, handling, or processing;•Bituminous concrete manufacture;•Carbide manufacture;•Cement, lime, gypsum, or plaster of Paris manufacture;•Ceramic glaze or porcelain enamel frit manufacture;•Charcoal or fuel briquette manufacture;•Chemical manufacture (from raw substances);•Coal ~~or coke~~ yard*;* bulk solid material storage, outdoor, as defined in Sec. 50-16-132 of this Code; carbonaceous bulk solid material facility, as defined in Sec. 50-16-151 of this Code;•Coke oven;•Crushing, grading, and screening of rock, stone, slag, clay, or concrete;•Distillation of coal, petroleum, bones, tar, or refuse;•Dog or cat food cannery or manufacture;•Drop forge plants;•Fertilizer manufacture;•Fish oil or meal manufacture;•Fish smoking, curing, canning, or cleaning;•Foundry, ferrous or non‑ferrous;•Glue manufacture (using animal products);•Insulation manufacture;•Lampblack manufacturing;•Linoleum manufacture;•Paint, enamel, oil, shellac, lacquer, varnish, or synthetic resin manufacture;•Paper manufacturing or reclaiming;•Petroleum refining or processing;•Radio isotope fabrication or use;•Smelting or refining of metals or ores;•Stamping or pressing plants;•Steel barrel, drum, or pail renovation or reclaiming;•Steel mills;•Tanning, curing, or storage of raw hides or skins;•Tar products manufacture;•Wool pulling. |

APPENDIX A

**Assignment of Specific Use Types to General Use Categories**

| **Division 2. Letter “B.”** |
| --- |
| Bailing of waste paper or rags  | Manufacturing and production |
| Bake shop, retail | Retail sales and service (sales-oriented) |
| Bakeries | Manufacturing and production (low-impact manufacturing or processing) |
| Balls or bearings manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Bank  | Retail sales and service (service-oriented) |
| Bar (Establishment for the sale of beer or intoxicating liquor for consumption on the premises) | Food and beverage service. |
| Barber or beauty shop | Retail sales and service (service-oriented) |
| Battery rebuilding | Manufacturing and production (high-impact manufacturing or processing) |
| Bed and breakfast inn | Public accommodation |
| Bed spring manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Beryllium storage, handling, or processing | Manufacturing and production (very high-impact manufacturing or processing) |
| Bituminous concrete manufacture | Manufacturing and production (very high-impact manufacturing or processing) |
| Bleaching powder compounding  | Manufacturing and production (low/medium-impact manufacturing or processing) |
| Bleaching powder manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Blueprinting shop | Industrial service |
| Boarding school and dormitory | Institutional living |
| Boat terminal | Water-related facilities |
| Boatyard or shipyard: construction, repair, maintenance, dry dock | Water-related facilities |
| Boiler manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Boiler repairing | Industrial service  |
| Bolt or nut manufacture (not including heat treating) | Manufacturing and production (high/medium-impact manufacturing or processing) |
| Bolts or nuts manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Bookbinding | Manufacturing and production (low/medium-impact manufacturing or processing) |
| Book publishing, printing or engraving | Manufacturing and production (high/medium-impact manufacturing or processing) |
| Bottling of alcoholic products | Manufacturing and production (low-impact manufacturing or processing) |
| Braces, orthopedic manufacture | Manufacturing and production (low/medium-impact manufacturing or processing) |
| Brake debonding | Manufacturing and production (high/medium-impact manufacturing or processing) |
| Brewing or distilling of liquors (other than microbrewery and small distillery) | Manufacturing and production (high/medium-impact manufacturing or processing) |
| Brewing of ~~20,000~~ 60,000 or more barrels of beer or malt beverage per year | Manufacturing and production (high/medium-impact manufacturing or processing) |
| Brewpub or microbrewery or small distillery  | Food and beverage service |
| Brick or building block manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Bridge plaza and terminal, vehicular | Aviation and surface transportation facilities |
| Broom manufacture  | Manufacturing and production (low/medium-impact manufacturing or processing) |
| Buffing shop | Manufacturing and production (high/medium-impact manufacturing or processing) |
| Bulk solid material storage, outdoor | Manufacturing and production (very high-impact manufacturing or processing) |
| Business college or commercial trade school | Retail sales and service (service-oriented) |
| Business machines or equipment manufacture | Manufacturing and production (high/medium-impact manufacturing or processing) |

| **Division 3. Letter “C.”** |
| --- |
| Cabaret | Recreation/entertainment, Indoor |
| Cabinet-making shop | Industrial service (trade services, general) |
| Can, barrel, drum or pail manufacture | Manufacturing and production (high/medium-impact manufacturing or processing) |
| Candle manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Canning factories, excluding fish products | Manufacturing and production (high/medium-impact manufacturing or processing) |
| Canvas goods manufacture | Manufacturing and production (low/medium-impact manufacturing or processing) |
| Car wash (Motor vehicle washing and steam cleaning) | Vehicle repair and service |
| Carbide manufacture | Manufacturing and production (very high-impact manufacturing or processing) |
| Carbonaceous bulk solid material facility | Manufacturing and production (very high-impact manufacturing or processing) |
| Carbonic gas manufacture or storage | Manufacturing and production (high-impact manufacturing or processing) |
| Carbonic ice manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Carpenter’s shop | Industrial service (trade services, general) |
| Casinos and casino complexes | Recreation/entertainment, indoor |
| Catering establishment (Food catering establishment) | Manufacturing and production |
| Cattle or sheep dip manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Cellophane or celluloid manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Cement, lime, gypsum, or plaster of Paris manufacture | Manufacturing and production (very high-impact manufacturing or processing) |
| Cemeteries (including mausoleums, crematories, or columbaria) | Park and open space |
| Ceramic glaze or porcelain enamel frit manufacture | Manufacturing and production (very high-impact manufacturing or processing) |
| Ceramic products manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Charcoal or fuel briquette manufacture | Manufacturing and production (very high-impact manufacturing or processing) |
| Check advance center (*See* “Financial services center”) | Retail sales and service (service-oriented) |
| Check cashing store (*See* “Financial services center”) | Retail sales and service (service-oriented) |
| Chemical manufacture  | Manufacturing and production (Very High-impact Manufacturing or Processing) |
| Chemical materials blending or compounding, but not involving chemicals manufacturing | Manufacturing and production  |
| Child care center | Day care |
| Child caring institution | Institutional Living |
| Chlorine gas manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Cigar or cigarette manufacture | Manufacturing and production (low/medium-impact manufacturing or processing) |
| Cinema production or development | Manufacturing and production (low/medium-impact manufacturing or processing) |
| Clay products manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Clock or watch manufacture | Manufacturing and production (low/medium-impact manufacturing or processing) |
| Coal ~~or coke~~ yard; bulk solid material storage, outdoor; carbonaceous bulk solid material facility | Manufacturing and production (very high-impact manufacturing or processing) |
| Coffee house (*See:* Restaurant) | Food and beverage service |
| Coffee roasting | Manufacturing and production (low/medium-impact manufacturing or processing) |
| Coke oven | Manufacturing and production (very high-impact manufacturing or processing) |
| Cold storage plant | Warehouse and freight movement |
| Concert café (*See:* Theater) | Recreation/entertainment, indoor |
| Concert hall (*See:* Theater) | Recreation/entertainment, indoor |
| Concrete batching plants | Manufacturing and production (high-impact manufacturing or processing) |
| Concrete pipe or concrete pipe products manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Confection manufacture | Manufacturing and production |
| Construction equipment, agricultural implements and other heavy equipment repair or service | Industrial service |
| Containerized freight yard | Warehouse and freight movement |
| Convalescent, nursing, or rest home | Group living |
| Contractor’s shop (*See* “Trade services, general” for the shops of the following contractors: air conditioning, cabinet-making, carpenter, electrical, furniture cleaning, furniture repair, heating, plumbing, rug cleaning, upholstery repair). | Industrial service |
| Contractor yard, landscape or construction | Industrial service |
| Convenience store (*See*  Stores of a generally recognized retail nature for the sale of new merchandise) | Retail sales and service (sales-oriented) |
| Convention or exhibit building; office, public only | Auditorium or stadium |
| Correctional institution | Institutional living |
| Cosmetic manufacturing | Manufacturing and production |
| Creameries | Manufacturing and production (low-impact manufacturing or processing) |
| Credit union (*See* Bank) | Retail sales and service (service-oriented) |
| Crushing, grading, and screening of rock, stone, slag, clay, or concrete | Manufacturing and production (very high-impact manufacturing or processing) |
| Customer service center | Retail sales and service (service-oriented) |
| Customs office | Community service |

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

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

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

Approved as to Form:

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Lawrence T. Garcia

Corporation Counsel