

CHAPTER 50. ZONING.

ARTICLE III. REVIEW AND APPROVAL PROCEDURES (PART 1)

DIVISION 5. SITE PLAN REVIEW

Subdivision A. In General

Sec. 50-3-113. Applicability.

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

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

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

- 1 (2) Additions or major structural alterations that involve any of the following:
 - 2 a. Any development that has not more than 20,000 square feet of gross floor area where
3 the addition or alteration results in a cumulative total of more than 20,000 square feet
4 of gross floor area, considering existing floor area and proposed additions, except
5 that, on land zoned M1, M2, M3, M4 or M5, the threshold for industrial uses shall
6 be 50,000 square feet of gross floor area;
 - 7 b. An increase of 25 percent or more in gross square footage to an existing building that
8 contains more than 20,000 square feet of gross floor area, except that, on land zoned
9 M1, M2, M3, M4 or M5, the threshold for industrial uses shall be 50,000 square feet
10 of gross floor area;
 - 11 c. Projects in a 100-year floodplain; or
 - 12 d. Projects located in the portion of the MKT Market and Distribution District described
13 in Section 50-13-157(a) of this Code.
- 14 (3) Any development with a lot area of more than one acre in cumulative total considering
15 existing lot area and any proposed additional lot area, except that, on land zoned M1,
16 M2, M3, M4, or M5, the threshold for industrial uses shall be three acres.
- 17 (4) Substantial changes in use within any building that has more than 20,000 square feet
18 of gross floor area or of any use with a lot area of more than one acre, except that, on
19 land zoned M1, M2, M3, M4, or M5, the threshold for industrial uses shall be 50,000
20 square feet of gross floor area and three acres. For purposes of site plan review, a
21 substantial change in use is one that involves the establishment of a use from one of the
22 major land use classifications that are set out in Article XII of this chapter, which are
23 residential, public/civic/institutional, retail/service/commercial,

- 1 manufacturing/industrial, and other, where the use immediately preceding the new use
2 was from a different major land use classification..
- 3 (5) Any conditional, regulated, or controlled land use and any case before the Board of
4 Zoning Appeals as the body of first jurisdiction.
- 5 (6) Any use that has drive-up or drive-through facilities or a walk-up component.
- 6 (7) Projects within any PD, SD1, SD2, or SD5 District, provided that in the SD1, SD2, and
7 SD5 Districts, alterations to an existing structure that do not involve additions or major
8 structural alterations qualify for "expedited review" as provided for in Section 50-3-
9 131(b) of this Code.
- 10 (8) Projects within the SD4 District that involve the following four utility uses: electric
11 transformer station; gas regulator station; telephone exchange building; water works,
12 reservoir, pumping station, or filtration plant.
- 13 (9) Projects seeking approval under the Alternative Residential Development Options
14 provisions of Article XIII, Division 3 of this chapter.
- 15 (10) Urban farms and all other agricultural uses specified as a conditional use in Section 50-
16 12-109 of this Code.
- 17 (11) Any new or newly established motor vehicle salesroom or sales lot for the sale of used
18 vehicles.
- 19 (12) Development projects which meet the post-construction stormwater management
20 applicability thresholds described at Section 48-2-101 of this Code.
- 21 (13) Any type of medical marijuana facility or adult-use marijuana establishment.
- 22 (14) Solar generation stations.
- 23 (15) Projects using tactical preservation, as defined in Section 50-16-401.

ARTICLE IV. REVIEW AND APPROVAL PROCEDURES (PART 2)

DIVISION 3. BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY

Subdivision A. Building Permits

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

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

To accommodate the addition of uses to buildings using tactical preservation, as defined in Section 50-16-401, the Buildings, Safety Engineering and Environmental Department shall utilize the Tactical Preservation process that details procedures, criteria, minimum standards, submittal requirements, and other technical information, which shall be utilized to permit applicants to comply with the provisions of this division. Applicants must submit a plan for both the initial and the forthcoming uses of the building.

ARTICLE VIII. RESIDENTIAL ZONING DISTRICTS

DIVISION 2. R1 SINGLE-FAMILY RESIDENTIAL DISTRICT

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

Conditional residential uses within the R1 Single-Family Residential District are as follows:

- (1) Religious residential facilities.

(2) ~~School building adaptive reuses~~ Public, civic, and institutional building adaptive reuses, residential.

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

Conditional public, civic, and institutional uses within the R1 Single-Family Residential District are as follows:

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

(2) Child care center.

(3) Educational institution.

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

(5) Neighborhood center, non-profit.

(6) Outdoor art exhibition grounds; sculpture gardens.

(7) Outdoor recreation facility.

(8) Religious institution.

(9) Residential-area utility facilities, public.

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

(11) School, elementary, middle/junior high, or high.

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

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

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

(2) ~~School~~ Public, civic, and institutional building adaptive reuses—retail, service, and commercial.

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

Conditional manufacturing and industrial uses within the R1 Single-Family Residential District are as follows: ~~None~~ Public, civic, and institutional building adaptive reuses— manufacturing and industrial.

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

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

- (1) Animal husbandry and beekeeping.
- (2) Antennas as provided for in Article XII, Division 3, 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) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (7) Public, civic, and institutional building adaptive reuses— agricultural.

DIVISION 3. R2 TWO-FAMILY RESIDENTIAL DISTRICT

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

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

- (1) Multiple-family dwelling, which has not more than eight dwelling units.
- (2) Townhouses with a maximum of eight in any group of attached townhouses.
- (3) Religious residential facilities.
- (4) ~~School~~ Public, civic, and institutional building adaptive reuses, residential.

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

Conditional public, civic, and institutional uses within the R2 Two-Family Residential District are as follows:

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

(2) Child care center.

(3) Educational institution.

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

(5) Neighborhood center, non-profit.

(6) Outdoor art exhibition grounds; sculpture gardens.

(7) Outdoor recreation facility.

(8) Religious institution.

(9) Residential-area utility facilities, public.

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

(11) School, elementary, middle/junior high, or high.

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

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

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

(2) ~~School~~ Public, civic, and institutional building adaptive reuses—retail, service, and commercial.

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

Conditional manufacturing and industrial uses within the R2 Two-Family Residential District are as follows: ~~None~~ Public, civic, and institutional building adaptive reuses—manufacturing and industrial.

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

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

- (1) Animal husbandry and beekeeping.
- (2) Antennas as provided for in Article XII, Division 3, 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) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (7) Public, civic, and institutional building adaptive reuses— agricultural.**

DIVISION 4. R3 LOW DENSITY RESIDENTIAL DISTRICT

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

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

- (1) Adult foster care facility.
- (2) Fraternity or sorority house.
- (3) Home for the aged.
- (4) Pre-release adjustment center.
- (5) Residential substance abuse service facility.

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

(7) ~~School~~ Public, civic, and institutional building adaptive reuses, residential.

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

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

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

(2) Educational institution.

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

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

(5) Residential-area utility facilities, public.

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

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

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

(1) Bed and breakfast inn.

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

(3) ~~School~~ Public, civic, and institutional building adaptive reuses—retail, service, and commercial.

(4) Youth hostel/hostel.

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

Conditional manufacturing and industrial uses within the R3 Low Density Residential District are as follows: ~~None~~ Public, civic, and institutional building adaptive reuses - manufacturing and industrial.

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

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

- (1) Animal husbandry and beekeeping.
- (2) Antennas as provided for in Article XII, Division 3, 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) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (6) Public, civic, and institutional building adaptive reuses - agricultural.

DIVISION 5. R4 THOROUGHFARE RESIDENTIAL DISTRICT

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

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

- (1) Educational institution.
- (2) Fire or police station and similar public building.
- (3) Group day care home, subject to Section 50-12-185 of this Code.
- (4) Hospital or hospice.
- (5) Residential-area utility facilities, public.
- (6) ~~School~~ Public, civic, and institutional building adaptive reuses—public, civic, and institutional.

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

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

(1) Bed and breakfast inn.

(2) Hotel.

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

(4) Motel.

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

(6) ~~School~~ Public, civic, and institutional building adaptive reuses — retail, service, and commercial.

(7) Youth hostel/hostel.

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

Conditional manufacturing and industrial uses within the R4 Thoroughfare Residential District are as follows: ~~None~~ Public, civic, and institutional building adaptive reuses— manufacturing and industrial.

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

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

(1) Animal husbandry and beekeeping.

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

(3) Public, civic, and institutional building adaptive reuses — agricultural.

DIVISION 6. R5 MEDIUM DENSITY RESIDENTIAL DISTRICT

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

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

(1) Electric transformer station.

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

(3) Gas regulator station.

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

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

(6) Telephone exchange building.

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

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

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

(1) Bed and breakfast inn.

(2) Hotel.

(3) Motel.

(4) Parking structure.

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

(6) Retail sales and personal service in multiple-residential structures as provided for in Section 50-12-312 of this Code.

(7) ~~School~~ Public, civic, and institutional building adaptive reuses—retail, service, and commercial.

(8) Youth hostel/hostel.

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

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

- a. Animal-grooming shop.
- b. Art gallery.
- c. Automated teller machine not accessory to another use on the same zoning lot.
- d. Bank.
- e. Bake shop, retail.
- f. Body art facility.
- ~~g. Business college or commercial trade school, other than truck driving school.~~
- g. Office, business or professional.
- h. Personal service establishments as defined in Section 50-16-341 of this Code.
- i. Printing or engraving shops.
- j. Radio, television, or household appliance repair shop.
- k. Restaurants, carry-out, restaurants, fast-food, and restaurants, standard, as defined in Section 50-16-362 of this Code, without beer or alcoholic liquor for consumption on the premises.
- l. School or studio of dance, gymnastics, music, art, or cooking.
- m. Veterinary clinic for small animals.

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

Conditional manufacturing and industrial uses in the R5 Medium Density Residential District are as follows: ~~None~~ Public, civic, and institutional building adaptive reuses— manufacturing and industrial.

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

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

- (1) Animal husbandry and beekeeping.
- (2) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
- (3) Marinas.
- (4) Public, civic, and institutional building adaptive reuses— agricultural.

DIVISION 7. - R6 HIGH DENSITY RESIDENTIAL DISTRICT

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

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

- (1) Electric transformer station.
- (2) Fire or police station and similar public building.
- (3) Gas regulator station.
- (4) Group day care home, subject to Section 50-12-185 of this Code.
- (5) ~~School~~ Public, civic, and institutional building adaptive reuses — public, civic, and institutional.
- (6) Telephone exchange building.
- (7) Water works, reservoir, pumping station, or filtration plant.

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

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

- 3 (1) Bed and breakfast inn.
- 4 (2) Hotel.
- 5 (3) Motel.
- 6 (4) Parking structure.
- 7 (5) Private club, lodge, or similar use, non-profit.
- 8 (6) ~~School~~ Public, civic, and institutional building adaptive reuses—retail, service, and
9 commercial.
- 10 (7) Youth hostel/hostel.
- 11 (8) The following uses, occupying not more than 3,000 square feet of gross floor area,
12 where located in a building constructed prior to January 1, 2017, and not having
13 drive-up or drive-through facilities, strictly limited to:
 - 14 a. Animal-grooming shop.
 - 15 b. Art gallery.
 - 16 c. Automated teller machine not accessory to another use on the same zoning
17 lot.
 - 18 d. Bank.
 - 19 e. Bake shop, retail.
 - 20 f. Business college or commercial trade school, other than truck driving school.
 - 21 g. Office, business or professional.
 - 22 h. Personal service establishments, as defined in Section 50-16-341 of this Code.
 - 23 i. Printing or engraving shops.

- j. Radio, television, or household appliance repair shop.
- k. Restaurants of any type, as each is defined in Section 50-16-362 of this Code, without beer or alcoholic liquor for consumption on the premises.
- l. School or studio of dance, gymnastics, music, art, or cooking.
- m. Tattoo and/or piercing parlor.
- n. Veterinary clinic for small animals.

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

Conditional manufacturing and industrial uses within the R6 High Density Residential District are as follows: ~~None~~ Public, civic, and institutional building adaptive reuses — manufacturing and industrial.

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

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

- (1) Animal husbandry and beekeeping.
- (2) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
- (3) Marinas.
- (4) Public, civic, and institutional building adaptive reuses — agricultural.

ARTICLE XII. USE REGULATIONS

DIVISION 1. USE TABLE

Subdivision B. Residential Uses

Sec. 50-12-24. Other residential uses.

Regulations regarding other residential uses are as follows:

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

Subdivision C. Public, Civic, and Institutional Uses**Sec. 50-12-52. Other public, civic and institutional uses.**

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

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

Subdivision D. Retail, Service and Commercial Uses

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

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

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

Subdivision E. Manufacturing and Industrial Uses

Sec. 50-12-85. Other manufacturing and industrial uses.

Regulations regarding other manufacturing and industrial 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)		
		<u>R</u> <u>1</u>	<u>R</u> <u>2</u>	<u>R</u> <u>3</u>	<u>R</u> <u>4</u>	<u>R</u> <u>5</u>	<u>R</u> <u>6</u>	<u>B</u> <u>1</u>	<u>B</u> <u>2</u>	<u>B</u> <u>3</u>	<u>B</u> <u>4</u>	<u>B</u> <u>5</u>	<u>B</u> <u>6</u>	<u>M</u> <u>1</u>	<u>M</u> <u>2</u>	<u>M</u> <u>3</u>	<u>M</u> <u>4</u>	<u>M</u> <u>5</u>	<u>P</u> <u>D</u>	<u>P</u> <u>1</u>	<u>P</u> <u>C</u>	<u>P</u> <u>C</u> <u>A</u>	<u>T</u> <u>M</u>	<u>P</u> <u>R</u>	<u>W</u> <u>1</u>	<u>M</u> <u>K</u> <u>T</u>	<u>S</u> <u>D</u> <u>1</u>	<u>S</u> <u>D</u> <u>2</u>		<u>S</u> <u>D</u> <u>4</u>	<u>S</u> <u>D</u> <u>5</u>
Other manufacturin g and industrial uses	Public, civic, and institutional building adaptive reuses— manufacturing and industrial uses	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>																								Section 50-12-138

Secs. 50-12-856--50-12-200. Reserved.

Subdivision F. Other Uses

Sec. 50-12-83.5. Other Warehouse and freight movement.

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

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

Sec. 50-12-109.5. - Other agricultural uses.

Regulations regarding other agricultural uses are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)		
		R1	R2	R3	R4	R5	R6	B1	B2	B3	B4	B5	B6	M1	M2	M3	M4	M5	PD	P1	PC	PCA	TM	PR	W1	MKT	SD1	SD2		SD4	SD5
Other agricultural uses	Public, civic, and institutional building adaptive reuses— agricultural	C	C	C	C	C	C																								Section 50-12-138

DIVISION 2. GENERAL USE STANDARDS

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

- (a) *Purpose.* The purpose of this provision is to provide for the adaptive reuse and preservation of existing ~~school~~ buildings. ~~Any of the 19 uses included in the definition of "school building adaptive reuses," as provided in Section 50-16-381 of this Code, may be permitted on a conditional basis, subject to the provisions of Article III, Division 7, of this chapter, in those residential zoning districts where they are otherwise prohibited. Any of the 19 uses established under the "school building adaptive reuse" provision is subject to all applicable use regulations of Article XII of this chapter, applicable intensity and dimensional standards of Article XIII of this chapter, and applicable general development standards of Article XIV of this chapter for that use.~~ previously occupied on or before June 1, 2025 by certain public, civic, or institutional uses where the new use:

- (1) Contributes to the vibrancy of the surrounding community,
- (2) Does not result in an increase in truck traffic that creates a burden on nearby residents,
- (3) Supplies the day to day needs or services of the surrounding community, and
- (4) Provides employment or training opportunities for area residents.

- (b) The eligible previous uses are limited to:

- (1) Child caring institution,
- (2) Educational Institution,
- (3) Fire or police station, post office, courthouse, and similar public building,
- (4) Library,
- (5) Mortuary or funeral home,
- (6) Museum,

- (7) Religious institution,
 - (8) Religious residential facility,
 - (9) Residential-area utility facilities, public
 - (10) School, elementary, middle/junior high, or high, or
 - (11) Utility, basic
- (c) Any of the uses listed below may be permitted in those residential zoning districts where they are otherwise prohibited. If a use is permitted at the proposed location on a less restrictive basis than apply to the use locating in a building formerly used for one of the above-specified public, civic, and institutional uses, the less restrictive shall apply. Any of the uses established under this section is subject to all applicable use regulations of Article XII of this chapter and applicable general development standards of Article XIV of this chapter for that use.
- (d) *Demolition restrictions.* In order to promote maximum preservation of existing ~~school~~ buildings and the City's architectural heritage, the demolition of existing buildings under the provisions of this section ~~school building adaptive reuse provision~~ shall be subject to the following:
- (1) ~~School building~~ Adaptive reuses shall only be established in buildings originally constructed ~~as schools~~ or used as a use listed in subsection (a) above where at least 75 percent of the gross floor area of all buildings on the ~~school~~ site is retained.
 - (2) Notwithstanding Subsection (b)(1) of this section, the following buildings and additions shall not be included in the calculation of the minimum 75 percent of the ~~school~~ site gross floor area that must be retained:

- a. Accessory buildings that have not been identified by the Historic Designation Advisory Board as contributing resources to ~~school~~-buildings that are eligible for the National Register of Historic Places.
 - b. Additions to original principal ~~school~~ structures that do not contribute to the historic character of the property, as determined by the Buildings, Safety Engineering, and Environmental Department, in consultation with the Historic Designation Advisory Board.
- (3) If a subject building has been designated as a local historic district according to Chapter 21 of this Code, *History*, then the evaluation of any request for demolition shall be conducted by the Historic District Commission.

Category	Use
Residential uses	Assisted living facility
	Boarding school and dormitory
	Child caring institution
	Convalescent, nursing, or rest home
	Loft
	Multiple family dwelling (new construction may be permitted subject to 50-12-162)
Public, civic, and institutional uses	Adult day care center
	Child care center
	Educational institution
	Governmental service agency
	Library
	Museum
	Neighborhood center, non profit
Retail, service and	Animal grooming shop
	Art gallery
	Bake shop, retail

commercial uses	Bank without Drive-up or drive through
	Barber or beauty shop
	Bed and breakfast inn
	Body art facility
	Brewpub or microbrewery or small distillery or small winery
	Business college or commercial trade school
	Dry cleaning, laundry or laundromat
	Establishment for the sale of beer or intoxicating liquor for consumption on premises
	Medical or dental clinic, physical therapy or massage clinic
	Nail Salon
	Office, business or professional
	Printing or engraving shops
	Radio or television station
	Recording studio or photo studio or video studio, no assembly hall
	Recreation, indoor commercial and health club
	Restaurant, fast food, without drive-up or drive-through facilities
	Restaurant, Standard without drive-up or drive through facilities
	School or studio of dance, gymnastics, music, art or cooking
	Shoe repair shop
	Stores of a generally recognized retail nature whose primary business is the sale of new merchandise without drive through
	Theaters and concert cafés
	Veterinary clinic for small animals
	Youth hostel/hostel
	Confection manufacture
	Food catering establishment

Manufacturing and industrial uses	Jewelry manufacture
	Lithographing and sign shop
	Low-impact manufacturing or processing
	Low/Medium-Impact manufacturing or processing,
	Trade services, general
	Wearing apparel manufacturing
	Public storage facilities
Other Uses	Aquaculture
	Aquaponics
	Hydroponics
	Telecommunications building, private

DIVISION 3. SPECIFIC USE STANDARDS

Subdivision A. Residential Uses

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

- (a) Assisted living facilities shall provide safe areas for pick-up and discharge of users that do not interfere with the free flow of traffic on adjacent streets.
- (b) Assisted living facilities may only be permitted in the R1, R2, and R3 zoning districts when established under Section 50-12-138 of this Code and where located on a major thoroughfare.

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

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

- (b) Boarding schools and dormitories may only be permitted in the R1 and R2 zoning districts when established under Section 50-12-138 of this Code and where located on a major thoroughfare.

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

- (a) In convalescent, nursing or rest homes, adequate provisions shall be made for access by emergency medical and fire vehicles.
- (b) Notwithstanding the provisions of Section 50-11-215(1) and Section 50-11-245(1) of this Code, in the SD1 and SD2 Districts, the convalescent, nursing, or rest home shall be multi-story and shall be built to the front lot line.
- (c) Convalescent, nursing, or rest homes established under Section 50-12-138 of this Code may only be permitted where located on a major thoroughfare.

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

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

- (1) Loft conversions are prohibited in the R1 and R2 Districts except where developed under the "~~school~~ public, civic, or institutional building adaptive reuses" provision established in Section 50-12-138 of this Code.

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

(3) Similarly, single-family dwellings, two-family dwellings, and multiple-family dwellings are permitted in commercial or industrial structures combined with those permitted retail, service, and commercial uses specified in Division 1, Subdivision D, of this article, except for "adult uses/sexually-oriented businesses" as specified in Section 50-12-108 of this Code.

For example, although a single-family detached dwelling is not permitted by right in the R6 District, a doctor's office that has an apartment is permitted by right as a "residential use combined in structures with permitted commercial uses." In addition, in industrial zoning districts where new residential construction is prohibited, an existing building with a hardware store on the ground floor, for example, and residential units on the upper floor could be reoccupied on a conditional use basis and without the need for approval by the Board of Zoning Appeals.

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

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

- (6) In B2, B3, and B4 Districts, residential uses combined in structures with permitted commercial uses are permissible on a by-right basis only where located in a Traditional Main Street Overlay Area, and otherwise are permissible conditionally.
- (7) In M1, M2, M3, and M4 Districts, new construction of a “residential use combined with permitted commercial uses” is limited to not more than two residential units. However, any time three or more residential units are combined with permitted commercial uses in an existing commercial or industrial structure in the B6, M1, M2, M3, M4, or SD4 District, the use shall be subject to the review of the Loft Review Committee as provided for in Article II, Division 6, Subdivision C, of this chapter.
- (8) In the MKT District, residential uses combined in structures with permissible commercial or industrial uses are permissible conditionally only if one or more permitted commercial or industrial use is located on the ground floor of the structure, except that new residential uses are impermissible in the area where setbacks are required by Section 50-13-157 of this Code.
- (9) In the SD4 District, specially designated merchant's (SDM) establishments and specially designated distributor's (SDD) establishments are permitted when incidental to, accessory to, and on the same zoning lot as a loft development that has not fewer than 50 dwelling units.
- (10) In designated Traditional Main Street Overlay Areas, as provided for in Section 50-11-382 of this Code, residential uses combined in structures with commercial or industrial uses that are permitted in the respective zoning district shall be permitted by right.

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

Multi-family dwellings shall be subject to the following requirements:

- (1) In the R1 district, multi-family dwellings may be permitted only when established under Section 50-12-138 of this Code. In the R1 district, such buildings constructed on the same zoning lot as a building previously used for a use eligible for development under Section 50-12-138 may be permitted on a conditional basis.
- (2) In the R2 District, such uses shall have a maximum of eight dwelling units, except where developed under the "~~school~~ public, civic, or institutional building adaptive reuse" provision as defined in Section ~~50-16-381~~ 50-12-138 of this Code. In the R2 District, such buildings constructed on the same zoning lot as a building previously used for a use eligible for development under Section 50-12-138 may be permitted on a conditional basis;
- (3) In the R3 District, multiple-family dwellings, where fewer than 50 percent of the units are efficiency units, are permitted by right; multiple-family dwellings, where 50 percent or more of the units are efficiency units, are a conditional use;
- (4) In the B5 District, ground-floor commercial uses shall be required along at least 50 percent of the building façade fronting Woodward Avenue and may be required in other portions of the B5 District;
- (5) The required recreational space ratios for multi-family dwellings are listed as follows:
 - a. R3 District: 0.12;
 - b. R4 District: 0.10;
 - c. R5 District: 0.085;
 - d. R6 District: 0.07;
 - e. SD1 District: 0.07;

f. SD2 District: 0.07.

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

(6) For certain permitted accessory uses in the R5, R6, and B1 Districts, see Section 50-12-514 of this Code;

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

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

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

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

Sec. 50-12-165. Shelters for survivors of domestic violence.

(a) The maximum capacity of any shelter for survivors of domestic violence in the R2, R3, R4, R5, R6, B1, B2, B4, B5, and SD1 zoning classifications shall be specified by the

Buildings, Safety Engineering, and Environmental Department in accordance with adopted building standards and regulations.

- (b) In the R2 District, such uses may be established only in former religious residential structures, nonconforming multi-family residential structures, or a former ~~school~~ public, civic, or institutional building; this provision may not be waived by the Board of Zoning Appeals.
- (c) Shelters for survivors of domestic violence shall not be permitted in R1 Districts, except, where a shelter for victims of domestic violence, duly recognized by the State of Michigan Domestic Violence Prevention and Treatment Board, has been established in such zoning district, was operated as such a shelter since April 26, 1995, and has secured an occupancy or change of use permit for a shelter for victims of domestic abuse not later than October 26, 1995, said shelter shall be permitted to continue as a nonconforming use. Such shelter shall be subject to the restrictions set forth in Article XV of this chapter and be subject to other provisions of this Code.

Sec. 50-12-167. Townhouses.

Townhouses shall be subject to the following requirements:

- (1) In the R2 District, a maximum of eight townhouses shall be permitted in any group of attached townhouses;
- (2) In the R3 District, a maximum of ten townhouses shall be permitted in any group of attached townhouses; and
- (3) Townhouse developments that exceed 12 units are subject to site plan review as provided for in Section 50-3-113 of this Code.

- (4) In the R1 District, townhouse dwellings may be permitted only when established under Section 50-12-138 of this Code. In the R1 district, such buildings constructed on the same zoning lot as a building previously used for a use eligible for development under Section 50-12-138 may be permitted on a conditional basis.

Sec. 50-12-192. Utilities, basic; utilities, major; Residential-area utility facilities, public

.

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 SD1 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 industrial zoning districts, except if located in a designated Solar Station Overlay Area. Solar generation stations are subject to the development standards set forth in Sections 50-14-481 through 50-14-489 of this Code.
- (6) In R1, R2, R3, R4, R5, and R6 Districts, Electric transformer stations and Residential-area utility facilities, public may be permitted when established under Section 50-12-138 of this Code.

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

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

Brewpubs and microbreweries and small distilleries and small wineries are subject to the following requirements:

- (1) Regulated use provisions of Article III, Division 8, of this chapter where there is consumption of beer or alcoholic liquor on the premises, located outside of the Central Business District and outside the SD2 District; however, a brewpub, microbrewery, or small distillery, or small winery operating in conjunction with and located on the same zoning lot as a standard restaurant, as defined in Section 50-16-362 of this Code, shall not be considered a regulated use, as provided in Section 50-3-323(1) of this Code;
- (2) Controlled use provisions of Article III, Division 9, of this chapter where beer or wine or alcoholic liquor are sold to the general public for consumption off the premises at a brewpub or small distillery or small winery;
- (3) In the M1, M2, M3, and M4 Districts, where a brewpub, microbrewery, small distillery, or small winery is classified as a regulated use or a controlled use, the use may be permitted on a conditional basis; where a brewpub, microbrewery, small distillery, or

small winery in an M1, M2, M3, or M4 District is not classified as either a regulated use or a controlled use, the use may be permitted on a by-right basis; ~~and~~

- (4) In the SD1 District, a brewpub or microbrewery or small distillery or small winery may be permitted on a by-right basis where such establishments do not exceed 3,000 square feet and are not located adjacent to or across an alley from a lot containing a single- or two-family dwelling that is located on a street other than a major thoroughfare, and on a conditional basis where such establishments exceed 3,000 square feet or are located adjacent to or across an alley from a lot containing a single- or two-family dwelling that is located on a street other than a major thoroughfare.
- (5) In the B3 District, a brewpub or microbrewery or small distillery or small winery is permissible conditionally where located within a Traditional Main Street Overlay Area.
- (6) In R1, R2, R3, R4, R5, and R6 Districts, a brewpub or microbrewery or small distillery or small winery, not exceeding 3,000 square feet, may be permitted when established under Section 50-12-138 of this Code. Whether the use is located on a major or secondary thoroughfare shall be considered when determining whether it is approved.

Sec. 50-12-220. Establishment for the sale of beer or alcoholic liquor for consumption on the premises.

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

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

- (2) Establishments for the sale of beer or alcoholic liquor for consumption on the premises are permitted conditionally in the R5 District and by right in the R6 District only where they are located in a multiple-family dwelling, hotel, or motel that has at least 50 units and, provided, that the establishment for consumption on the premises:
 - a. Does not exceed 2,000 square feet in gross floor area;
 - b. Is accessible only from the interior of the building; and
 - c. Has no advertising or display of said use visible from the exterior of the building.
- (3) In the B2 District, establishments for the sale of beer or alcoholic liquor for consumption on the premises are permissible conditionally only if located outside a Traditional Main Street Overlay Area.
- (4) In the SD1 District, establishments for the sale of beer or alcoholic liquor for consumption on the premises shall be permitted on a by-right basis where such establishments do not exceed 3,000 square feet and are not located adjacent to or across an alley from a lot containing a single- or two-family dwelling that is located on a street other than a major thoroughfare, and on a conditional basis where such establishments do exceed 3,000 square feet or are located adjacent to or across an alley from a lot containing a single- or two-family dwelling that is located on a street other than a major thoroughfare.
- (5) In the B2 District, establishments for the sale of beer or alcoholic liquor for consumption on the premises are not permitted either by right or as a conditional use, in accordance with Article IX, Division 3, of this chapter, except where located in a Traditional Main Street Overlay Area; while such establishments are generally prohibited on land zoned B2 as a stand-alone use, standard restaurants, as defined in Section 50-16-362 of this

Code, located on land zoned B2, may provide for the sale of beer or alcoholic liquor for consumption on the premises.

- (6) In R1, R2, R3, R4, R5, and R6 Districts, establishments for the sale of beer or alcoholic liquor for consumption on the premises, not exceeding 3,000 square feet, may be permitted when established under Section 50-12-138 of this Code. Whether the use is located on a major or secondary thoroughfare shall be considered when determining whether it is approved.
- (7) The gross floor area specifications set forth in this section may not be waived by the Board of Zoning Appeals.

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

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

Indoor commercial recreation is prohibited in the R1, R2, R3, R4, R5, and R6 Districts, except where developed under the "~~school~~ public, civic, or institutional building adaptive reuses" provision as defined in Section ~~50-16-381~~ 50-12-138 of this Code. Commercial recreation uses or activities are subject to the following requirements:

- (1) It shall be unlawful to establish any of the following uses within 500 feet of land zoned R1, R2, R3, R4, R5, R6, or residential PD:
- a. Archery gallery, range, or school;
 - b. Baseball batting practice net;
 - c. Golf practice driving range, golf practice driving net, golf practice putting green, or golf school; and
 - d. Track for bicycles, or velodromes, except where operated exclusively indoors.

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

- (2) Archery ranges are subject to the licensing provisions of Chapter 5, Article XI, of this Code, *Public Entertainments*;
- (3) Baseball batting practice nets are subject to the licensing provisions of Chapter 5, Article XI, of this Code, *Public Entertainments*;
- (4) Bicycle tracks or velodromes are subject to the licensing provisions of Chapter 5, Article XI, of this Code, *Public Entertainments*, except where such licensing provisions conflict with the provisions of this section;
- (5) Bowling alleys are subject to the licensing provisions of Chapter 5, Article II, of this Code, *Bowling Alleys*;
- (6) Golf domes are not permitted in the SD2 District;
- (7) Golf schools are subject to the licensing provisions of Chapter 5, Article XI, of this Code, *Public Entertainments*;
- (8) Ice skating rinks are subject to the licensing provisions of Chapter 5, Article XI, of this Code, *Public Entertainments*;
- (9) Public bathhouses are subject to the licensing provisions of Chapter 20, Article VIII, of this Code, *Public Bathhouses*; ~~and~~
- (10) Roller skating rinks are subject to the licensing provisions of Chapter 5, Article XI, of this Code, *Public Entertainments*; and

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

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

Carry-out restaurants and fast-food restaurants shall be located on a street designated as a major or secondary thoroughfare, except where established under Section 50-12-138 of this Code, and shall be subject to the spacing provisions of Section 50-12-132 of this Code and to the following provisions:

- (1) Points of vehicular ingress and egress shall be approved by the Department of Public Works, Traffic Engineering Division in accordance with Article VI of Chapter 43 of this Code, *Streets, Sidewalks, and Other Public Places*;
- (2) Except as provided in Subsection (5) of this section, food consumption upon the premises outside the restaurant building shall be prohibited, and, where deemed advisable by the enforcing official to assure compliance with this prohibition, the premises shall be properly posted with signs stating that the consumption of food, frozen desserts, or beverages within vehicles parked upon the premises is unlawful and that violators are subject to fines as prescribed by law. A minimum of two such signs shall be posted within the building near the checkout counter of the restaurant, and a minimum of four such signs shall be posted within the parking area so as to be clearly visible from all vehicles on the premises;
- (3) Drive-up, drive-through facilities may be provided in the B3, B4, and B5 Districts only where approved as conditional uses and subject to the provisions for vehicle

stacking in Article XIV, Division 1, Subdivision H, of this chapter. Where practicable, there shall be at least one temporary vehicle stopping space after the delivery window so motorists may prepare themselves for a safe exit onto the public roadway;

- (4) Carry-out or fast-food restaurants with drive-up or drive-through facilities are prohibited on land zoned B2, PCA, SD1, or SD2. In addition, as provided in Section 50-9-112 of this Code, carry-out or fast-food restaurants are prohibited altogether on the Woodward Avenue Gateway Radial Thoroughfare unless located in a multi-story building having a mixed-use or multi-tenant development; the regulations contained in this subsection may not be waived by the Board of Zoning Appeals;
- (5) Designated outdoor eating areas accessory to fast-food restaurants, such as in a courtyard or on a roof or deck, may be provided in the B2, B3, B4 and B5 Districts only where approved as conditional uses. Such feature may be provided on a by-right basis in those other zoning districts where carry-out or fast-food restaurants are permitted by right. Designated outdoor eating areas shall be added to the gross floor area of the building for purposes of computing off-street parking requirements. Outdoor eating areas shall not be designated in required parking areas. Outdoor eating areas on the sidewalk or elsewhere in the right-of-way are prohibited except upon the recommendation of the Department of Public Works and subject to approval by City Council;
- (6) Any carry-out or fast-food restaurant that operates as a concert café or coffee house is subject to the licensing provisions of Chapter 5, Article V, of this Code, *Coffee Houses and Concert Cafés*;

(7) In the B5 and PCA Districts:

- a. Any carry-out or fast-food restaurant that is located in a multi-story building and integrated into a mixed-use or multi-tenant development, rather than a single-use building, shall be a by-right use in the B5 and PCA Districts. Stand-alone carry-out or fast-food restaurants shall be a conditional use; and
- b. Any carry-out or fast-food restaurant that includes service which eliminates the need for the customer to enter the building shall be a conditional use;

(8) In the PR District, carry-out or fast-food restaurants operated as concession stands under contract with the Recreation Department shall be permitted as accessory uses as provided for in Section 50-12-511(2) of this Code;

(9) In the SD4 District, stand-alone carry-out or fast-food restaurants are prohibited, provided, that carry-out or fast-food restaurants may be permitted on a by-right basis when integrated in a mixed-use, multi-tenant development and without drive-up or drive-through facilities; ~~and~~

(10) See also Section 50-12-511 of this Code for applicable accessory use standards; ~~;~~
and

(11) Carry-out or fast-food restaurants established under Section 50-12-138 of this Code shall not exceed 4,000 square feet in gross floor area. For those establishments, all refuse receptacles shall be located as far as possible from adjacent residential uses

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

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

- (1) Such uses may include the sale of beer or alcoholic liquor for consumption on the premises and shall not constitute a regulated use; however, in the SD1 District, any such restaurant that includes the sale of beer or intoxicating liquor for consumption on the premises and that is adjacent to or across an alley from a lot containing a single- or two-family dwelling that is located on a street other than a major thoroughfare may be permitted only as a conditional use.
- (2) Points of vehicular ingress and egress shall be determined by the Department of Public Works Traffic Engineering Division;
- (3) Except as provided in Subsection (5) of this section, food consumption upon the premises outside the restaurant shall be prohibited and, where deemed advisable by the enforcing official to assure compliance with this prohibition, the premises shall be properly posted with signs stating that the consumption of food, frozen desserts, or beverages within vehicles parked upon the premises is unlawful and that violators are subject to fines as prescribed by law. A minimum of two such signs shall be posted within the building near the checkout counter of the restaurant and a minimum of four such signs shall be posted within the parking area so as to be clearly visible from all vehicles on the premises;
- (4) Drive-up, drive-through facilities may be provided in the B3 and B4 Districts only where approved as conditional uses and subject to the provisions for vehicle stacking in Article XIV, Division 1, Subdivision H, of this chapter. Where practicable, there shall be at least one temporary vehicle stopping space after the delivery window so motorists may prepare themselves for a safe exit onto the public roadway. In accordance with Article IX and Article XI of this chapter, in the B2, PCA, SD1, SD2

and SD4 Districts, such drive-through facilities are prohibited; this regulation may not be waived by the Board of Zoning Appeals. In the M2, M3, M4 and TM Districts, such drive-through facilities are permitted by right, subject to the provisions of Article XIV, Division 1, Subdivision H, of this chapter. Standard restaurants with drive-up or drive-through facilities are prohibited on any zoning lot abutting a Gateway Radial Thoroughfare; this regulation may not be waived by the Board of Zoning Appeals;

- (5) Designated outdoor eating areas, such as in a courtyard or on a roof or deck, may be provided in the B2, B3, or B4 District only where approved as conditional uses, except in a Traditional Main Street Overlay Area, where outdoor eating areas that are on the front or in front of the building shall be permitted on a matter of right basis. Such feature may be provided on a by-right basis in those other zoning districts where standard restaurants are permitted by right. Designated outdoor eating areas shall be added to the gross floor area of the building for purposes of computing off-street parking requirements. Outdoor eating areas shall not be designated in required parking areas; ~~and~~
- (6) Any standard restaurant operating as a coffee house is subject to the licensing provisions of Chapter 5, Article V, of this Code, *Coffee Houses and Concert Cafés*; and
- (7) Standard restaurants established under Section 50-12-138 of this Code shall not exceed 4,000 square feet in gross floor area. For those establishments, all refuse receptacles shall be located as far as possible from adjacent residential uses

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

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

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

- (6) In the SD1 District, theaters, excluding concert cafés, not exceeding 150 fixed seats, may be permitted on a conditional basis;
- (7) In the SD2 District, theaters, excluding concert cafés, not exceeding 150 fixed seats, are permitted on a by-right basis. Those exceeding 150 fixed seats may be permitted on a conditional basis.
- (8) When established under Section 50-12-138 of this Code, Theaters, excluding concert cafés, may be permitted on a conditional basis

Sec. 50-12-318. Trade schools, commercial.

- (a) Truck driving schools are subject to the provisions of Chapter 16, Article I, of this Code, *Noise*, and are excluded from the "~~school~~ public, civic, or institutional building adaptive reuse" provision as defined in Section ~~50-16-381~~ 50-12-138 of this Code.
- (b) Truck driving schools are prohibited on land zoned R5, R6, SD2, SD4, or MKT.
- (c) On land zoned SD2 and SD4, all activities must occur indoors or to the rear of the building.

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

- (a) Youth hostels/hostels shall be subject to the provisions of Chapter 36 of this Code, *Public Lodging*, Article 1, *Public Accommodations*, Division 1, *Generally*, Division 3, *Hostels*, and Division 4, *Licenses*.
- (b) Youth hostels/hostels, when established under Section 50-12-138 of this Code, may be permitted only where located on a major or secondary thoroughfare.

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

- (a) In the MKT District, stores of a generally recognized retail nature whose primary business is the sale of new merchandise, without drive-up or drive-through facilities must not exceed 15,000 square feet in gross floor area.
- (b) In R1, R2, R3, R4, R5, and R6 Districts, stores of a generally recognized retail nature whose primary business is the sale of new merchandise, without drive-up or drive-through facilities may be permitted when established under Section 50-12-138 of this Code. The Master Plan's classification of the road the proposed facility is located on shall be a determining factor of approval when the use is conditional.

Secs. 50-12-326—50-12-330. Reserved

Subdivision F. Manufacturing and Industrial Uses

Sec. 50-12-334. Confection manufacturing.

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

- (b) In the SD1 District, confection manufacturing, with a minimum of ten percent of the gross floor area being used as a retail store for the sale of the goods produced on the premises, shall not exceed 4,000 square feet in gross floor area.
- (c) In the SD2 District, confection manufacturing, with a minimum of ten percent of the gross floor area being used as a retail store for the sale of the goods produced on the premises, shall not exceed 5,000 square feet in gross floor area.
- (d) In the R1, R2, R3, R4, R5, and R6 Districts, confection manufacturing may be permitted when established under Section 50-12-138 of this Code.
- (e) The regulations set forth in this Section may not be modified or waived by the Board of Zoning Appeals.

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

- (a) In the B2, B3, and B4 Districts, a food catering establishment is permissible by-right only if located in a structure not exceeding 4,000 square feet of gross floor area with a minimum of ten percent of the gross floor area being used as a retail store for the sale of the goods produced on the premises, and located in a Traditional Main Street Overlay Area. Otherwise, in the B2 and B4 Districts a food catering establishment is permissible only conditionally, and in the B3 District a food catering establishment is prohibited.
- (b) In the SD1 District, food catering establishments not exceeding 4,000 square feet of gross floor area are permitted on a by-right basis.
- (c) In the SD2 District, food catering establishments not exceeding 5,000 square feet of gross floor area are permitted on a conditional basis.
- (d) The gross floor area specifications set forth in this Section may not be modified or waived by the Board of Zoning Appeals.

- (e) Food catering establishments may be permitted in the R1, R2, R3, R4, R5, and R6 zoning Districts only where established under the provisions of Section 50-12-138. For those establishments, all refuse receptacles shall be located as far as possible from adjacent residential uses and deliveries by semi-truck may be permitted only if the use is located on a major or secondary thoroughfare.

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

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

- (1) In the B4 District, such facilities shall not be permitted on any zoning lot abutting a designated Gateway Radial Thoroughfare, except Gratiot;
- (2) Steel warehousing shall be prohibited in all zoning districts except M2, M3, M4, and M5;
- (3) Storage of bulk petroleum or related products, garbage, refuse, rubbish, or scrap tires are prohibited;
- (4) All materials shall be completely enclosed within a building, except as provided for in Subsection (6) of this section;
- (5) There shall be a minimum of 35 feet, or 45 feet if the driveway is two-way, between warehouses for driveway, parking, and fire lane purposes. Where no parking is permitted within the building separation areas, the building separation need only be 25 feet. Traffic direction and parking in such areas shall be designated by signaling or painting;
- (6) Permitted outdoor accessory storage is subject to Section 50-12-458 of this Code and shall be placed only on asphalt or concrete paved surfaces, and screening shall be subject to the applicable provisions of Article XIV, Division 2, Subdivision D, of this chapter;

- (7) No storage of hazardous substances, toxic, or explosive materials shall be permitted.

Signs shall be posted at the facility describing such restrictions;

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

- a. No residential use shall be allowed in any public storage unit; and
- b. No retail, wholesale, fabrication, manufacturing, or service activities shall be conducted from within public storage units; ~~and~~

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

- (10) In the R1, R2, R3, R4, R5, and R6 Districts, warehousing and storage may be permitted where limited to public storage when established under Section 50-12-138 of this Code and only where located on a major thoroughfare or freeway service drive.

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

- (a) In the B2, B3, and B4 Districts, a low-impact manufacturing or processing facility is permissible by-right only if located in a structure not exceeding 4,000 square feet of gross floor area with a minimum of ten percent of the gross floor area being used as a retail store for the sale of the goods produced on the premises, and located in a Traditional Main Street Area. Otherwise, in the B2, B3, and B4 Districts a low-impact manufacturing or processing facility is prohibited.
- (b) In the SD1 District, low-impact manufacturing or processing facilities, with a minimum of ten percent of the gross floor area being used as a retail store for the sale of the goods produced on the premises, shall not exceed 4,000 square feet in gross floor area.

- (c) In the SD2 District, low-impact manufacturing or processing facilities, with a minimum of ten percent of the gross floor area being used as a retail store for the sale of the goods produced on the premises, shall not exceed 5,000 square feet in gross floor area.
- (d) The regulations set forth in this Section may not be modified or waived by the Board of Zoning Appeals.
- (e) In R1, R2, R3, R4, R5, and R6 Districts, low-impact manufacturing or processing facilities may be permitted when established under Section 50-12-138 of this Code when loading areas are located as far as practicable from adjacent residential areas.

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

- (a) In the B2, B3, and B4 Districts, wearing apparel manufacturing is permissible by-right only if located in a structure not exceeding 4,000 square feet of gross floor area with a minimum of ten percent of the gross floor area being used as a retail store for the sale of the goods produced on the premises, and located in a Traditional Main Street Area. Otherwise, in the B2 and B3 Districts wearing apparel manufacturing is prohibited and in the B4 District wearing apparel manufacturing is permissible conditionally.
- (b) In the SD1 District, wearing apparel manufacturing facilities must have a minimum of ten percent of the gross floor area being used as a retail store for the sale of the goods produced on the premises, and shall not exceed 4,000 square feet in gross floor area.
- (c) In the SD2 District, wearing apparel manufacturing facilities must have a minimum of ten percent of the gross floor area being used as a retail store for the sale of the goods produced on the premises, and shall not exceed 5,000 square feet in gross floor area.
- (d) The regulations set forth in this Section may not be modified or waived by the Board of Zoning Appeals.

- (e) In R1, R2, R3, R4, R5, and R6 Districts, wearing apparel manufacturing may be permitted when established under Section 50-12-138 of this Code when loading areas are located as far as practicable from adjacent residential areas.

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

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

- (1) Art needlework.
- (2) Canvas goods manufacture.
- (3) Cigar or cigarette manufacture.
- (4) Clock or watch manufacture.
- (5) Coffee roasting.
- (6) Door, sash, or trim manufacture
- (7) Draperies manufacture.
- (8) Flag or banner manufacture.
- (9) Glass blowing.
- (10) Knit goods manufacturing.
- (11) Leather goods manufacture or fabrication.

- (b) In the SD1 and SD2 Districts, the following low/medium-impact manufacturing or processing facilities with a minimum of ten percent of the gross floor area being used as a retail store for the sale of the goods produced on the premises are permitted:
- (1) Art needlework.
 - (2) Canvas goods manufacture.
 - (3) Cigar or cigarette manufacture.
 - (4) Clock or watch manufacture.
 - (5) Coffee roasting.
 - (6) Door, sash, or trim manufacture.
 - (7) Draperies manufacture.
 - (8) Flag or banner manufacture.
 - (9) Glass blowing.
 - (10) Knit goods manufacturing.
 - (11) Leather goods manufacture or fabrication.
- (c) In the SD1 District, such facilities shall not exceed 4,000 square feet in gross floor area.
- (d) In the SD2 District, such facilities shall not exceed 5,000 square feet in gross floor area.
- (e) In the MKT District, low/medium-impact manufacturing or processing facilities allowed by-right are limited to:
- (1) Coffee roasting; and
 - (2) Dog or cat food cannery or manufacture excluding rendering or the use of fish.
- (f) The regulations set forth in this Section may not be modified or waived by the Board of Zoning Appeals.

(g) In R1, R2, R3, R4, R5, and R6 Districts the following low/medium-impact manufacturing or processing facilities may be permitted when established under Section 50-12-138 of this Code when loading areas are located as far as practicable from adjacent residential areas:

- (1) Art needlework.
- (2) Canvas goods manufacture.
- (3) Cigar or cigarette manufacture.
- (4) Clock or watch manufacture.
- (5) Coffee roasting.
- (6) Door, sash, or trim manufacture.
- (7) Draperies manufacture.
- (8) Flag or banner manufacture.
- (9) Glass blowing.
- (10) Knit goods manufacturing.
- (11) Leather goods manufacture or fabrication.

Subdivision I. - Other Uses—Miscellaneous

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

In R1, R2, R3, R4, R5, and R6 zoning Districts, Telecommunications building, private may be permitted when established under Section 50-12-138 of this Code.

Secs. 50-12-415—50-12-430. - Reserved

ARTICLE XIII. INTENSITY AND DIMENSIONAL STANDARDS

DIVISION 1. TABLES OF INTENSITY AND DIMENSIONAL STANDARDS

Subdivision B. General Dimensional Standards for Residential Districts

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

In the R1 and R2 zoning districts, the maximum lot coverage for townhomes or multi-family residential constructed under the adaptive reuse provisions of Section 50-12-138 is 0.75%.

Secs. 50-13-3031—50-13-40. Reserved

ARTICLE XIV. DEVELOPMENT STANDARDS

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

Subdivision B. Off-Street Parking Schedule "A"

Sec. 50-14-33. Group living.

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

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
Group living	Adult foster care facility	1 space per each 4 persons based on maximum capacity as specified in state license	100
	Assisted living facility	0.50 per dwelling unit plus 1 per 2 employees	Same lot

	Convalescent, nursing, or rest home	1 per 4 beds	100; except where developed under the "school building adaptive reuses" provision as defined in <u>Section 50-16- 381</u>; same lot
	Emergency shelter	1 per 2 employees	100
	Fraternity or sorority house; dormitory	1 per 3 beds	100
	Home for the aged	1 space per each 4 persons based on maximum capacity as specified in state license	100
	Religious residential facility	2 per rectory or parsonage; 1 per convent or monastery plus 1 for each 10 residents	Same lot
	Residential substance abuse facility	1 per 2 employees	100
	Rooming house	2 per 3 guestrooms or 1 per 4 residents, whichever is greater + 1 per dwelling unit	100

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

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

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

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
	Multiple-family dwelling, where located within 0.50 miles of a high-frequency transit corridor	0.75 per dwelling unit	1,320 where a "district approach" to parking as provided in Section 50-14-7(2)a, b, and c has been recognized by the Planning and Development Department.
	Mobile home park	2 per dwelling unit	Same lot
	Single room occupancy housing (non-profit)	1 per 2 employees + 1 per 10 residents	100
	Single-family detached dwelling	2 per dwelling unit	Same lot
	Townhouse	1.5 per dwelling unit	100
	Two-family dwelling	1.5 per dwelling unit	Same lot

Sec. 50-14-35. Institutional living.

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

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

Sec. 50-14-38. Community service.

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

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

Sec. 50-14-41. Library.

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

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

Sec. 50-14-42. Museum.

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

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
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Museum	Museum or public aquarium	1 per 400 square feet	100; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot
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Sec. 50-14-45. Schools.

Off-street parking regulations for schools are as follows:

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
Schools	Educational institution	1 per each employee plus 1 for each 5 students based on the maximum number of students that can be accommodated at one time	500; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot

	School (public or parochial elementary)	3 per 2 instructional rooms or 1 per 4 seats in main auditorium, whichever is greater	Same lot
	School (public or parochial junior high)	3 per 2 instructional rooms or 1 per 3 seats in main auditorium, whichever is greater	Same lot
	School (public or parochial senior high)	5 per instructional room or 1 per 2 seats in main auditorium, whichever is greater	Same lot
	All other	As required for most similar use type or Schedule C	

Sec. 50-14-52. Office.

Off-street parking regulations for offices are as follows:

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
Office	Medical or dental clinic, physical therapy clinic, or massage facility	1 per 200 square feet or 5 per doctor, dentist or therapist, whichever is greater	100; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16- 381; same lot
	Office, business or professional	1 per 400 square feet	100; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16- 381; same lot

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

Sec. 50-14-54. Public accommodation.

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

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

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

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

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

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
	Smoking lounge, cigar or Smoking lounge, other	3 (minimum) + 1 per 100 square feet for each 100 square feet in excess of 1,000	100
	Firearms target practice range, indoor	1 per 2 employees + 1 per target lane	100
	Pool hall	1 per 250 square feet or 1 per pool table, whichever is greater	100
	Recreation, indoor commercial and health club	Schedule C, where 1 space per 200 square feet of gross floor area is deemed by the Planning and Development Department to be inappropriate	Where Schedule C does not apply, 100; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot
	Theater and concert café	1 per 4 seats	500
	All other	1 per 100 square feet	100

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

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

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
Retail sales and service	Animal-grooming shop	See Schedule B	100

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
(service-oriented)	Automated teller machine (without drive-in facilities)	None	N/A
	Automated teller machine (with drive-in facilities)	None; stacking spaces per Subdivision H of this division	N/A
	Bank (without drive-in facilities)	1 per 200 square feet	100
	Bank (with drive-in facilities)	1 per 200 square feet + stacking spaces per Subdivision H of this division	100
	Barber shop	See Schedule B	100
	Beauty shop	1 per 100 square feet	100
	Body art facility	See Schedule B	100
	Business college or commercial trade school	1 per employee + 1 per 3 students based on maximum number of students that can be accommodated at one time	500; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot
	Customer service center (no drive-through window)	1 per 100 square feet	100
	Customer service center (with drive-through window)	1 per 100 square feet + stacking spaces per Subdivision H of this division	100
	Dry cleaning or laundry pick-up stations	See Schedule B	100
	Employee recruitment center	1 per 400 square feet	100
	Financial services center (without drive-through)	1 per 200 square feet	100

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

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

Subdivision D. Off-Street Loading

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

- (a) Off-street loading spaces shall be provided on the same zoning lot in accordance with the following schedule and with Subdivision J of this division. An open, adjacent alley may be credited toward one off-street loading space for retail, service, or commercial uses if access for loading into the building is available in the rear and the alley is not less than 18 feet wide.
- (b) The following uses shall be exempt from off-street loading requirements: Docks (water-related facilities); major and minor motor vehicle services, and outdoor recreation uses.
- (c) For uses established under the public, civic or institutional building adaptive reuse provisions of Section 50-12-138 or under the provisions of Tactical Preservation as defined in Section 50-16-401, the required loading is reduced by 50 percent. The requirement for uses requiring one off-street loading space is reduced to zero.

Subdivision F. Waivers and Alternative Parking Plans

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

- (a) *In general.* Where the Buildings, Safety Engineering, and Environmental Department determines that:

- (1) A building or use requires no variance or other action under the jurisdiction of the Board of Zoning Appeals, other than the parking deficiency; and
 - (2) The building or use can provide at least 80 percent of the required off-street parking spaces; then, upon request of the petitioner and in conjunction with the Municipal Parking Department and the Department of Public Works Traffic Engineering Division, the Department may grant a waiver of the off-street parking requirements, not exceeding ten parking spaces or 20 percent of the required off-street parking requirement, whichever is less. Such waiver shall not be granted unless, in the judgment of the Buildings, Safety Engineering, and Environmental Department, with the sign-off of the Municipal Parking Department and the Department of Public Works Traffic Engineering Division, the waiver of the parking requirement for the building or use involved is not injurious to the adjacent or surrounding areas by creating or increasing traffic congestion or by disrupting traffic circulation, provided, that in those instances where a building or use is subject to site plan review, the Planning and Development Department has sole authority to consider such waiver.
- (b) *Traditional Main Street Overlay Areas.*
- (1) *Applicability.* In addition to the parking waiver granted for buildings not exceeding 3,000 square feet per Section 50-14-7(3) of this Code, in a Traditional Main Street Overlay Area, as provided in Section 50-11-382 of this Code, the Planning and Development Department may grant a waiver of the off-street parking requirements for the first 3,000 square feet of pedestrian-oriented retail, service, or commercial uses. The Planning and Development Department shall have authority to consider such waiver, ensuring that the waiver will not be injurious to the adjacent or

surrounding areas by creating or increasing traffic congestion or by disrupting traffic circulation.

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

(a) The pedestrian-oriented use shall fall into one of the following use categories:

- (i) Section 50-12-62 of this Code, Food and beverage service;
- (ii) Section 50-12-69 of this Code, Retail sales and service, sales-oriented; and
- (iii) Section 50-12-70 of this Code, Retail sales and service, service-oriented, except, motorcycles sales, and any use with drive-up or drive-through facilities.

(b) New buildings must comply with all of the requirements in the Traditional Main Street Overlay standards, as specified in Section 50-14-432 through Section 50-14-450 of this Code, except that only the provisions of Section 50-14-153(b)(2)(c)(1) and Section 50-14-153(b)(2)(c)(2) and Section 50-14-153(b)(2)(c)(3) shall apply to the East Warren and West Warren Traditional Main Street Overlay Areas and the portion of the Grand River Traditional Main Street Overlay Area between Greenfield and Woodmont and between Evergreen and Lahser, and to the Van Dyke Street Traditional Main Street Overlay Area.

(c) Except for within the East Warren and West Warren Traditional Main Street Overlay Areas and the portion of the Grand River Traditional Main Street Overlay Area between Greenfield and Woodmont, and between Evergreen and Lahser, and to the Van Dyke Street Traditional Main Street Overlay Area, new uses in existing buildings shall be eligible for this waiver only if, at a minimum,

the building complies with the following standards from Division 3, Subdivision C, of this article:

- (i) The front façade of the building is located on the lot line facing the Traditional Main Street or set back a maximum of ten feet, in accordance with the standards in Section 50-14-432 of this Code;
 - (ii) The street level façade of the building has a minimum of 60 percent transparency according to Section 50-14-436 of this Code;
 - (iii) The building has an active entryway located on the façade facing the Traditional Main Street, according to Section 50-14-439 of this Code.
- (d) In the case where one building or development contains multiple retail, service, or commercial uses, the total number of spaces that may be waived for a building or development using this waiver shall not exceed 45 spaces.
- (c) *SD1/SD2 areas.* In addition to the parking waiver granted for buildings under 3,000 square feet per Section 50-14-7(3) of this Code, on properties zoned SD1 or SD2, the Planning and Development Department may grant a waiver of the off-street parking requirements, for the first 3,000 square feet of pedestrian-oriented retail, service, or commercial uses. The Planning and Development Department shall have authority to consider such waiver, ensuring that the waiver will not be injurious to the adjacent or surrounding areas by creating or increasing traffic congestion or by disrupting traffic circulation. In the case where one building or development contains multiple retail, service, or commercial uses, the total number of spaces that may be waived for a building or development using this waiver shall not exceed 45 spaces.

- (d) Uses established under the public, civic or institutional building adaptive reuse provisions of Section 50-12-138 or under the provisions of Tactical Preservation as defined in Section 50-16-401. The required parking is reduced by 50 percent for uses established under the public, civic or institutional building adaptive reuse provisions of Section 50-12-138 or under the provisions of Tactical Preservation as defined in Section 50-16-401. Furthermore, parking may be provided at a distance of up to 1,320 feet where a "district approach" to parking as provided in Section 50-14-7(2)a, b, and c has been recognized by the Planning and Development Department. The provisions of this section also apply to any new residential construction on the same zoning lot as a former public, civic, or institutional building.
- (e) Additional parking reductions and waivers. Additional parking reductions and waivers are set forth in Section 50-14-7 and Section 50-14-163 of this Code.

ARTICLE XVI. RULES OF CONSTRUCTION AND DEFINITIONS

DIVISION 1. RULES OF INTERPRETATION AND CONSTRUCTION OF LANGUAGE

DIVISION 2. WORDS AND TERMS DEFINED

Subdivision P. Letter "S"

Sec. 50-16-381. - Words and terms (Sa—Sd).

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

Term	Definition
Satellite television antenna	A device incorporating a reflective surface that is solid open mesh, or bar configured and is in the shape of a shallow dish, cone, horn, or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves

	between terrestrially and/or orbitally based uses. This definition is meant to include but not be limited to what are commonly referred to as satellite earth stations, TVROs, and satellite microwave antennas.
School building adaptive reuses	<p>Any of 19 uses listed below and located within a building originally constructed as a school that is otherwise not permitted as a by-right or conditional use on land zoned R1 and/or R2 and/or R3 and/or R4 and/or R5 and/or R6.</p> <p><i>School building adaptive reuses, residential:</i></p> <ul style="list-style-type: none"> (1) Assisted living facility, where located on a major thoroughfare; (2) Boarding school and dormitory, where located on a major thoroughfare; (3) Convalescent, nursing, or rest home, where located on a major thoroughfare; (4) Loft; (5) Multiple family dwelling; <p><i>School building adaptive reuses—public, civic, and institutional:</i></p> <ul style="list-style-type: none"> (6) Adult day care center; (7) Child care center; (8) Educational institution; (9) Governmental service agency; (10) Library; (11) Museum; <p><i>School building adaptive reuses—retail, service, and commercial:</i></p> <ul style="list-style-type: none"> (12) Business college or commercial trade school; (13) Medical or dental clinic, physical therapy clinic, or massage facility; (14) Office, business or professional;

	<p>(15) Radio or television station;</p> <p>(16) Recording studio or photo studio or video studio, no assembly hall;</p> <p>(17) Recreation, indoor commercial and health club;</p> <p>(18) School or studio of dance, gymnastics, music, art, or cooking;</p> <p>(19) Youth hostel/hostel, where located on a major thoroughfare.</p>
Schools (use category)	<p>Public or private schools at the primary, elementary, middle, junior high, or high school level that provide state-mandated basic education. Examples include public and private daytime (elementary, junior high and senior high) schools, and military academies.</p> <p>Charter schools are public schools. Preschools are classified as day care uses, provided, that a preschool "Head Start" program shall be considered as an accessory use where located on the premises of an operating school. (See also Section 50-12-512 of this Code.) Business and trade schools are classified as retail sales and service. Boarding schools are classified as institutional living uses.</p>
Scrap tire recycling facility	<p>A location where a business purchases ferrous or nonferrous metal that is intended for recycling or reuse. For zoning purposes, these facilities are regulated as Junkyards.</p>
Scrap processing facility	<p>A location where machinery and equipment is used to process and manufacture iron, steel, nonferrous metals, paper, plastic, or glass into prepared grades of products suitable for consumption by recycling mills, foundries, and other scrap processors pursuant to the Section 3 of the Michigan Secondhand Dealer and Junk Dealers Act, being MCL 445.403 and in Section 3 of the Michigan Scrap Metal</p>

	Regulatory Act, being MCL 445.423. For zoning purposes, these facilities are regulated as Junkyards.
Scrap tire processing or recycling facility	The storing, buying, or otherwise acquiring scrap tires, and reducing their volume by shredding or otherwise facilitating recycling or resource recovery techniques for scrap tires.
Scrap tire storage facility	A premises used for the storage of scrap tires, whether indoors or outdoors, provided, that duly authorized retail tire dealerships may temporarily store only those scrap tires that are incidental and accessory to normal retail operations and are awaiting removal for disposal or processing.
Scrap tires	Scrap tires are continuous solid or pneumatic rubber coverings that were manufactured to encircle a wheel for use in the operation of any motorized vehicle and are no longer being used for their original intended purpose.
Screening	A method of reducing the impact of noise and/or unsightly visual intrusions with less offensive or more harmonious elements, such as plants, berms, opaque fences, walls, or any appropriate combination.

Subdivision Q. Letter "T"

Sec. 50-16-401. Words and terms (Ta—Tm).

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

Term	Definition
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Tactical Preservation	<p><u>A building reuse strategy focused on the partial and incremental reuse of existing buildings through a Buildings, Safety Engineering, and Environmental Department development process utilizing a problem-solving approach to ensure that the properties can be activated in a safe, efficient, environmentally sound, aesthetically responsive manner and which incentivizes the reuse through specified modifications to development standards.</u></p>
Telecommunications facility (use category)	<p>All devices, equipment, machinery, structures or supporting elements necessary to produce nonionizing electromagnetic radiation within the range of frequencies from 100 KHz to 300 GHz and operating as a discrete unit to produce a signal or message. Facilities may be self-supporting, guyed, mounted on poles, other structures, light posts, power poles, or buildings.</p> <p>Facilities shall also include intertie and interconnection translators, connections from over-the-air to cable, fiber optic, or other landline transmission system. Examples include category A, B, C and D antennas.</p> <p>"Private telecommunications buildings" or "telecom hotel" is also included in this use category. Radio and television broadcast facilities for public/government utilities or public safety facilities are classified as basic utilities.</p>

Theater	A building or part of a building devoted to showing motion pictures, or for dramatic, musical or live performances. A theater typically has fixed seating.
Tires, used: sales and/or service	A tire sales and/or service facility shall be deemed a "Used tire sales and/or service" facility, and not a retail store, when used tires comprise more than ten percent of the facility's inventory.

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 Section 401(6) of Public Act 110 of 2006, as amended, MCL 125.3401(6), and Section 4-118, paragraph 3 of the 2012 Detroit City Charter.

Approved as to Form:

Conrad L. Mallett
Corporation Counsel