

SUMMARY

This Ordinance amends Chapter 50 of the 2019 Detroit City Code, *Zoning*, to establish “food truck pod” as a new food and beverage service use and to add “temporary food truck” to the list of allowed temporary uses, to include use regulations and parking requirements for such uses, and to add and clarify definitions

by adding Article XII, *Use Regulations*, Division 3, *Specific Use Standards*, Subdivision E, *Retail, Service and Commercial Uses; Generally*, Section 50-12-326, *Food truck pod*, Division 6, *Temporary Uses and Structures*, Subdivision B, *Specific Temporary Uses Allowed*, Section 50-12-562, *Temporary food trucks*, and

by amending by Article III, *Review and Approval Procedures (Part 1)*, Division 5, *Site Plan Review*, Subdivision A, *In General*, Section 50-3-113, *Applicability*; Article IX, *Business Zoning Districts*, Division 3, *B2 Local Business and Residential District*, Section 50-9-46 *By-right retail, service, and commercial uses*, Division 4, *B3 Shopping District*, Section 50-9-76 *By-right retail, service, and commercial uses*, Division 5, *B4 General Business District*, Section 50-9-106 *By-right retail, service, and commercial uses*, Division 7, *B6 General Services District*, Section 50-9-166 *By-right retail, service, and commercial uses*; Article X, *Industrial Zoning Districts*, Division 2, *M1 Limited Industrial District*, Section 50-10-16 *By-right retail, service, and commercial uses*, Division 3, *M2 Restricted Industrial District*, Section 50-10-46 *By-right retail, service, and commercial uses*, Division 4, *M3 General Industrial District*, Section 50-10-76 *By-right retail, service, and commercial uses*; Article XI, *Special Purpose Zoning Districts and Overlay Areas*, Division 6, *TM Transitional-Industrial District*, Section 50-11-116 *By-right retail, service, and commercial uses*, Division 9, *MKT Market and Distribution District*, Section 50-11-266 *By-right retail, service, and commercial uses*, Division 10, *SD1 - Special Development District, Small-Scale-Mixed-Use District*, Section 50-11-236 *By-right retail, service, and commercial uses*, Division 11, *SD2 – Special Development District, Mixed-Use*, Section 50-11-266 *By-right retail, service, and commercial uses*, Division 12, *SD4 – Special Development District, Riverfront Mixed Use*, Section 50-11-292 *By-right retail, service, and commercial uses*; Article XII, *Use Regulations*, Division 1, *Use Table*, Subdivision D, *Retail, Service, and Commercial Uses*, Section 50-12-62, *Food and beverage service*; Article XIV, *Development Standards*, Division 1, *Off-Street Parking, Loading, and Access*, Subdivision B, *Off-Street Parking Schedule “A”*, Section 50-14-51, *Food and beverage service*; Article XVI, *Rules of Construction of Definitions*, Division 2, *Words and Terms Defined*, Subdivision D, *Letter “C”*, Section 50-16-153, *Words and terms (Cn-Cs)*, Subdivision G, *Letter “F”*, Section 50-16-202, *Words and terms (Fh-Fz)*, Subdivision L, *Letter “M”*, Section 50-16-303, *Words and terms (Mn-Ms)*, Subdivision P, *Letter “S”*, Section 50-16-384, *Words and terms (Sm-Ss)*.

1 **BY COUNCIL MEMBER _____ :**

2 AN ORDINANCE to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, to establish
 3 “food truck pod” as a new food and beverage service use and to add “temporary food truck” to the
 4 list of allowed temporary uses, to include use regulations and parking requirements for such uses,
 5 and to add and clarify definitions by adding Article XII, *Use Regulations*, Division 3, *Specific Use*
 6 *Standards*, Subdivision E, *Retail, Service and Commercial Uses; Generally*, Section 50-12-326,
 7 *Food truck pod*, Division 6, *Temporary Uses and Structures*, Subdivision B, *Specific Temporary*
 8 *Uses Allowed*, Section 50-12-562, *Temporary food trucks*, and by amending by Article III, *Review*
 9 *and Approval Procedures (Part 1)*, Division 5, *Site Plan Review*, Subdivision A, *In General*,
 10 Section 50-3-113, *Applicability*; Article IX, *Business Zoning Districts*, Division 3, *B2 Local*
 11 *Business and Residential District*, Section 50-9-46 *By-right retail, service, and commercial uses*,
 12 Division 4, *B3 Shopping District*, Section 50-9-76 *By-right retail, service, and commercial uses*,
 13 Division 5, *B4 General Business District*, Section 50-9-106 *By-right retail, service, and*
 14 *commercial uses*, Division 7, *B6 General Services District*, Section 50-9-166 *By-right retail,*
 15 *service, and commercial uses*; Article X, *Industrial Zoning Districts*, Division 2, *M1 Limited*
 16 *Industrial District*, Section 50-10-16 *By-right retail, service, and commercial uses*, Division 3, *M2*
 17 *Restricted Industrial District*, Section 50-10-46 *By-right retail, service, and commercial uses*,
 18 Division 4, *M3 General Industrial District*, Section 50-10-76 *By-right retail, service, and*
 19 *commercial uses*; Article XI, *Special Purpose Zoning Districts and Overlay Areas*, Division 6, *TM*
 20 *Transitional-Industrial District*, Section 50-11-116 *By-right retail, service, and commercial uses*,
 21 Division 9, *MKT Market and Distribution District*, Section 50-11-266 *By-right retail, service, and*
 22 *commercial uses*, Division 10, *SD1 - Special Development District, Small-Scale-Mixed-Use*
 23 *District*, Section 50-11-236 *By-right retail, service, and commercial uses*, Division 11, *SD2 –*

Special Development District, Mixed-Use, Section 50-11-266 By-right retail, service, and commercial uses, Division 12, SD4 – Special Development District, Riverfront Mixed Use, Section 50-11-292 By-right retail, service, and commercial uses; Article XII, Use Regulations, Division 1. Use Table, Subdivision D. Retail, Service, and Commercial Uses, Section 50-12-62, Food and beverage service; Article XIV, Development Standards, Division 1, Off-Street Parking, Loading, and Access, Subdivision B, Off-Street Parking Schedule “A”, Section 50-14-51, Food and beverage service; Article XVI, Rules of Construction of Definitions, Division 2, Words and Terms Defined, Subdivision D. Letter “C”, Section 50-16-153, Words and terms (Cn-Cs), Subdivision G, Letter “F”, Section 50-16-202, Words and terms (Fh-Fz), Subdivision L, Letter “M”, Section 50-16-303, Words and terms (Mn-Ms), Subdivision P, Letter “S”, Section 50-16-384, Words and terms (Sm-Ss).

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

Section 1. Chapter 50 of the Detroit City Code, *Zoning*, is amended as follows: ...

CHAPTER 50. ZONING

ARTICLE III. REVIEW AND APPROVAL PROCEDURES (PART 1)

DIVISION 5. SITE PLAN REVIEW

Subdivision A. In General

Sec. 50-3-113. Applicability.

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

1 Safety Engineering, and Environmental Department through its permitting process, provided, that
2 a site plan review is not required for the construction or alteration of an individual single- or two-
3 family dwelling.

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

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

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

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

- b. An increase of 25 percent or more in gross square footage to an existing building that contains more than 20,000 square feet of gross floor area, except that, on land zoned M1, M2, M3, M4 or M5, the threshold for industrial uses shall be 50,000 square feet of gross floor area;
 - c. Projects in a 100-year floodplain; or
 - d. Projects located in the portion of the MKT Market and Distribution District described in Section 50-13-157(a) of this Code.
 - (3) Any development with a lot area of more than one acre in cumulative total considering existing lot area and any proposed additional lot area, except that, on land zoned M1, M2, M3, M4, or M5, the threshold for industrial uses shall be three acres.
 - (4) Substantial changes in use within any building that has more than 20,000 square feet of gross floor area or of any use with a lot area of more than one acre, except that, on land zoned M1, M2, M3, M4, or M5, the threshold for industrial uses shall be 50,000 square feet of gross floor area and three acres. For purposes of site plan review, a substantial change in use is one that involves the establishment of a use from one of the major land use classifications that are set out in Article XII of this chapter, which are residential, public/civic/institutional, retail/service/commercial, manufacturing/industrial, and other, where the use immediately preceding the new use was from a different major land use classification.
 - (5) Any conditional, regulated, or controlled land use and any case before the Board of Zoning Appeals as the body of first jurisdiction.
 - (6) Any use that has drive-up or drive-through facilities or a walk-up component.

- (7) Projects within any PD, SD1, SD2, or SD5 District, provided that in the SD1, SD2, and SD5 Districts, alterations to an existing structure that do not involve additions or major structural alterations qualify for "expedited review" as provided for in Section 50-3-131(b) of this Code.
- (8) Projects within the SD4 District that involve the following four utility uses: electric transformer station; gas regulator station; telephone exchange building; water works, reservoir, pumping station, or filtration plant.
- (9) Projects seeking approval under the Alternative Residential Development Options provisions of Article XIII, Division 3 of this chapter.
- (10) Urban farms and all other agricultural uses specified as a conditional use in Section 50-12-109 of this Code.
- (11) Any new or newly established motor vehicle salesroom or sales lot for the sale of used vehicles.
- (12) Development projects which meet the post-construction stormwater management applicability thresholds described in Section 48-2-101 of this Code.
- (13) Any type of medical marijuana facility or adult-use marijuana establishment.
- (14) Solar generation stations.
- (15) Projects utilizing tactical preservation in accordance with the administrative procedures authorized by Section 50-4-43 of this Code.
- (16) Food truck pods.

ARTICLE IX. BUSINESS ZONING DISTRICTS

DIVISION 3. B2 LOCAL BUSINESS AND RESIDENTIAL DISTRICT

Sec. 50-9-46. By-right retail, service, and commercial uses.

By-right retail, service, and commercial uses in the B2 Local Business and Residential District are as follows:

- (1) Animal-grooming shop.
- (2) Art gallery.
- (3) Automated teller machine not accessory to another use on the same zoning lot, which is stand-alone, without drive-up or drive-through facilities.
- (4) Bake shop, retail.
- (5) Bank without drive-up or drive-through facilities.
- (6) Barber or beauty shop.
- (7) Customer service center without drive-up or drive-through facilities.
- (8) Dry cleaning, laundry, or laundromat.
- (9) Food truck pod, outside the Central Business District.
- (10) Medical or dental clinic, physical therapy clinic, or massage facility.
- (11) Nail salon.
- (12) Office, business or professional.
- (13) Parking lots or parking areas for operable private passenger vehicles.
- (14) Parking structure.
- (15) Pet shop.
- (16) Radio, television, or household appliance repair shop, except such use is not permitted on any zoning lot abutting a designated Gateway Radial Thoroughfare.
- (17) Recreation, indoor commercial and health club not exceeding 10,000 square feet of gross floor area.

- (18) Restaurant, carry-out without drive-up or drive-through facilities.
- (19) Restaurant, standard, without drive-up or drive-through facilities and without the sale of beer or alcoholic liquor for consumption on the premises.
- (20) Retail sales and personal service in business and professional offices.
- (21) Retail sales and personal service in multiple-residential structures as provided for in Section 50-12-312 of this Code.
- (22) School or studio of dance, gymnastics, music, art, or cooking.
- (23) Shoe repair shop.
- (24) Smoking lounge, cigar.
- (25) Stores of a generally recognized retail nature whose primary business is the sale of new merchandise, without drive-up or drive-through facilities.
- (26) Veterinary clinic for small animals.

DIVISION 4. B3 SHOPPING DISTRICT

Sec. 50-9-76. By-right retail, service, and commercial uses.

By-right retail, service, and commercial uses in the B3 Shopping District are as follows:

- (1) Animal-grooming shop.
- (2) Art gallery.
- (3) Automated teller machine not accessory to another use on the same zoning lot, which is stand-alone, without drive-up or drive-through facilities.
- (4) Bake shop, retail.
- (5) Bank without drive-up or drive-through facilities.
- (6) Barber or beauty shop.
- (7) Customer service center without drive-up or drive-through facilities.

- (8) Dry cleaning, laundry, or laundromat.
- (9) Food truck pod, outside the Central Business District.
- (10) Medical or dental clinic, physical therapy clinic, or massage facility.
- (11) Nail salon.
- (12) Office, business or professional.
- (13) Parking lots or parking areas for operable private passenger vehicles.
- (14) Parking structure.
- (15) Pet shop.
- (16) Radio, television, or household appliance repair shop.
- (17) Recreation, indoor commercial and health club.
- (18) Restaurant, carry-out without drive-up or drive-through facilities.
- (19) Restaurant, standard without drive-up or drive-through facilities.
- (20) Retail sales and personal service in business and professional offices.
- (21) School or studio of dance, gymnastics, music, art, or cooking.
- (22) Shoe repair shop.
- (23) Smoking lounge, cigar.
- (24) Stores of a generally recognized retail nature whose primary business is the sale of new merchandise with or without drive-up or drive-through facilities.
- (25) Theater and concert café, excluding drive-in theaters.
- (26) Veterinary clinic for small animals.

DIVISION 5. B4 GENERAL BUSINESS DISTRICT

Sec. 50-9-106. By-right retail, service, and commercial uses.

By-right retail, service, and commercial uses in the B4 General Business District are as follows:

- (1) Animal-grooming shop.
- (2) Art gallery.
- (3) Assembly hall.
- (4) Automated teller machine not accessory to another use on the same zoning lot, which is stand-alone, without drive-up or drive-through facilities.
- (5) Bake shop, retail.
- (6) Bank without drive-up or drive-through facilities.
- (7) Barber or beauty shop.
- (8) Brewpub or microbrewery or small distillery or small winery, inside the Central Business District.
- (9) Business college or commercial trade school.
- (10) Cabaret, inside the Central Business District.
- (11) Commissary.
- (12) Customer service center without drive-up or drive-through facilities.
- (13) Dance hall, public, inside the Central Business District.
- (14) Dry cleaning, laundry, or laundromat.
- (15) Establishment for the sale of beer or alcoholic liquor for consumption on the premises, inside the Central Business District.
- (16) Food truck pod, outside the Central Business District.
- (17) Hotel, inside the Central Business District.

- 1 (18) Medical or dental clinic, physical therapy clinic, or massage facility.
- 2 (19) Mortuary or funeral home.
- 3 (20) Motor vehicles, new, salesroom or sales lot.
- 4 (21) Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor
5 vehicles.
- 6 (22) Nail salon.
- 7 (23) Office, business or professional.
- 8 (24) Parking lots or parking areas for operable private passenger vehicles, subject to
9 Section 50-12-299 of this Code.
- 10 (25) Parking structure.
- 11 (26) Pet shop.
- 12 (27) Private club, lodge, or similar use.
- 13 (28) Radio or television station.
- 14 (29) Radio, television, or household appliance repair shop, except such use is not
15 permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- 16 (30) Recreation, indoor commercial and health club.
- 17 (31) Recording studio or photo studio or video studio, no assembly hall.
- 18 (32) Restaurant, carry-out, without drive-up or drive-through facilities, except such use
19 is prohibited on any zoning lot abutting the Woodward Avenue Gateway Radial
20 Thoroughfare where not located in a multi-story building and integrated into a
21 mixed-use or multi-tenant development.
- 22 (33) Restaurant, fast-food, without drive-up or drive-through facilities, where located in
23 a multi-story building and integrated into a mixed use or multi-tenant development.

- (34) Restaurant, standard, without drive-up or drive-through facilities.
- (35) Retail sales and personal service in business and professional offices.
- (36) Retail sales and personal service in multiple-residential structures, subject to Section 50-12-312 of this Code.
- (37) School or studio of dance, gymnastics, music, art, or cooking.
- (38) Shoe repair shop.
- (39) Smoking lounge, cigar.
- (40) Stores of a generally recognized retail nature whose primary business is the sale of new merchandise with or without drive-up or drive-through facilities.
- (41) Veterinary clinic for small animals.

DIVISION 7. B6 GENERAL SERVICES DISTRICT

Sec. 50-9-166. By-right retail, service, and commercial uses.

By-right retail, service, and commercial uses within the B6 General Services District are as follows:

- (1) Art gallery.
- (2) Assembly hall.
- (3) Automated teller machine not accessory to another use on the same zoning lot, which is stand-alone.
- (4) Bake shop, retail.
- (5) Bank.
- (6) Banquet facility.
- (7) Barber or beauty shop.
- (8) Body art facility.

- (9) Brewpub or microbrewery or small distillery or small winery, inside the Central Business District.
- (10) Business college or commercial trade school.
- (11) Cabaret, inside the Central Business District.
- (12) Commissary.
- (13) Customer service center.
- (14) Dance hall, public, inside the Central Business District.
- (15) Dry cleaning, laundry, or laundromat.
- (16) Employee recruitment center.
- (17) Establishment for the sale of beer or alcoholic liquor for consumption on the premises, inside the Central Business District.
- (18) Financial services center.
- (19) Food stamp distribution center.
- (20) Food truck pod, outside the Central Business District.
- (21) Hotel, inside the Central Business District.
- (22) Kennel, commercial.
- (23) Medical or dental clinic, physical therapy clinic, or massage facility.
- (24) Mortuary or funeral home.
- (25) Motor vehicle filling station, subject to Article XII, Division 3, Subdivision D of this Chapter.
- (26) Motor vehicle washing and steam cleaning.
- (27) Motor vehicles, new, salesroom or sales lot.

- 1 (28) Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor
2 vehicles.
- 3 (29) Nail salon.
- 4 (30) Office, business or professional.
- 5 (31) Parking lots or parking areas for operable private passenger vehicles.
- 6 (32) Parking structure.
- 7 (33) Pet shop.
- 8 (34) Pool hall.
- 9 (35) Private club, lodge, or similar use.
- 10 (36) Produce or food markets, wholesale.
- 11 (37) Radio or television station.
- 12 (38) Radio, television, or household appliance repair shop.
- 13 (39) Recording studio or photo studio or video studio, no assembly hall.
- 14 (40) Recreation, indoor commercial and health club.
- 15 (41) Rental hall.
- 16 (42) Restaurant, carry-out or fast-food.
- 17 (43) Restaurant, standard, subject to Section 50-12-311 of this Code.
- 18 (44) Retail sales and personal service in business and professional offices.
- 19 (45) Shoe repair shop.
- 20 (46) Smoking lounge, cigar.
- 21 (47) Storage or killing of poultry or small game for direct, retail sale on the premises or
22 for wholesale trade.

(48) Stores of a generally recognized retail nature whose primary business is the sale of new merchandise with or without drive-up or drive-through facilities.

(49) Taxicab dispatch and/or storage facility.

(50) Tobacco retail store.

(51) Trailer coaches or boat sale or rental, open air display.

(52) Trailers, utility—sales, rental or service; moving truck/trailer rental lots.

ARTICLE X. INDUSTRIAL ZONING DISTRICTS

DIVISION 2. M1 LIMITED INDUSTRIAL DISTRICT

Sec. 50-10-16. By-right retail, service, and commercial uses.

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

- (1) Animal-grooming shop.
- (2) Arcade.
- (3) Art gallery.
- (4) Assembly hall.
- (5) Automated teller machine not accessory to another use on the same zoning lot, which is stand-alone.
- (6) Bake shop, retail.
- (7) Bank without drive-up or drive-through facilities.
- (8) Banquet facility.
- (9) Barber or beauty shop.
- (10) Body art facility.
- (11) Brewpub or microbrewery or small distillery or small winery, subject to Section 50-12-217 of this Code.
- (12) Business college or commercial trade school.
- (13) Commissary.
- (14) Customer service center.
- (15) Dry cleaning, laundry, or laundromat.
- (16) Employee recruitment center.
- (17) Financial services center without drive-up or drive-through facilities.
- (18) Food stamp distribution center.
- (19) Food truck pod, outside the Central Business District.

- 1 (20) Go-cart track.
- 2 (21) Golf course, miniature.
- 3 (22) Kennel, commercial.
- 4 (23) Medical or dental clinic, physical therapy clinic, or massage facility.
- 5 (24) Mortuary or funeral home.
- 6 (25) Motor vehicle filling station, subject to Article XII, Division 3, Subdivision D of
- 7 this Chapter.
- 8 (26) Motor vehicle washing and steam cleaning.
- 9 (27) Motor vehicles, new, salesroom or sales lot.
- 10 (28) Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor
- 11 vehicles.
- 12 (29) Nail salon.
- 13 (30) Office, business or professional.
- 14 (31) Parking lots or parking areas for operable private passenger vehicles.
- 15 (32) Parking structure.
- 16 (33) Pet shop.
- 17 (34) Pool hall.
- 18 (35) Precious metal and gem dealer.
- 19 (36) Printing or engraving shops.
- 20 (37) Private club, lodge, or similar use.
- 21 (38) Produce or food markets, wholesale.
- 22 (39) Radio or television station.
- 23 (40) Radio, television, or household appliance repair shop.

- (41) Rebound tumbling center.
- (42) Recording studio or photo studio or video studio, no assembly hall.
- (43) Recreation, indoor commercial and health club.
- (44) Rental hall.
- (45) Restaurant, standard, subject to Section 50-12-311 of this Code.
- (46) Retail sales and personal service in business and professional offices.
- (47) School or studio of dance, gymnastics, music, art, or cooking.
- (48) Shoe repair shop.
- (49) Stores of a generally recognized retail nature whose primary business is the sale of new merchandise, with or without drive-up or drive-through facilities.
- (50) Taxicab dispatch and/or storage facility.
- (51) Theater and concert café, excluding drive-in theaters.
- (52) Trailer coaches or boat sale or rental, open air display.
- (53) Trailers, utility—sales, rental or service; moving truck/trailer rental lots.
- (54) Used goods dealer.
- (55) Veterinary clinic for small animals.

DIVISION 3. M2 RESTRICTED INDUSTRIAL DISTRICT

Sec. 50-10-46. By-right retail, service, and commercial uses.

By-right retail, service and commercial uses ~~within~~ the M2 Restricted Industrial District are as follows:

- (1) Animal-grooming shop.
- (2) Arcade.
- (3) Art gallery.

- 1 (4) Assembly hall.
- 2 (5) Automated teller machine not accessory to another use on the same zoning lot,
- 3 which is stand-alone.
- 4 (6) Bake shop, retail.
- 5 (7) Bank.
- 6 (8) Banquet facility.
- 7 (9) Barber or beauty shop.
- 8 (10) Body art facility.
- 9 (11) Brewpub or microbrewery or small distillery or small winery, subject to Section
- 10 50-12-217 of this Code.
- 11 (12) Business college or commercial trade school.
- 12 (13) Commissary.
- 13 (14) Customer service center.
- 14 (15) Dry cleaning, laundry, or laundromat.
- 15 (16) Employee recruitment center.
- 16 (17) Financial services center.
- 17 (18) Food stamp distribution center.
- 18 (19) Food truck pod, outside the Central Business District.
- 19 (20) Go-cart track.
- 20 (21) Golf course, miniature.
- 21 (22) Kennel, commercial.
- 22 (23) Medical or dental clinic, physical therapy clinic, or massage facility.
- 23 (24) Mortuary or funeral home.

- (25) Motor vehicle filling station, subject to Article XII, Division 3, Subdivision D of this Chapter.

(26) Motor vehicle washing and steam cleaning.

(27) Motor vehicles, new, salesroom or sales lot.

(28) Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor vehicles.

(29) Motorcycles, retail sales, rental or service.

(30) Nail salon.

(31) Office, business or professional.

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

(33) Parking structure.

(34) Pet shop.

(35) Pool hall.

(36) Precious metal and gem dealer.

(37) Printing or engraving shops.

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

(39) Produce or food markets, wholesale.

(40) Radio or television station.

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

(42) Rebound tumbling center.

(43) Recording studio or photo studio or video studio, no assembly hall.

(44) Recreation, indoor commercial and health club.

(45) Rental hall.

- (46) Restaurant, carry-out or fast-food with or without drive-up or drive-through facilities.
- (47) Restaurant, standard, subject to Section 50-12-311 of this Code.
- (48) Retail sales and personal service in business and professional offices.
- (49) School or studio of dance, gymnastics, music, art, or cooking.
- (50) Shoe repair shop.
- (51) Stores of a generally recognized retail nature whose primary business is the sale of new merchandise, with or without drive-up or drive-through facilities.
- (52) Taxicab dispatch and/or storage facility.
- (53) Theater and concert café, excluding drive-in theaters.
- (54) Trailer coaches or boat sale or rental, open air display.
- (55) Trailers, utility—sales, rental, or service; moving truck/trailer rental lots.
- (56) Used goods dealer.
- (57) Veterinary clinic for small animals.

DIVISION 4. M3 GENERAL INDUSTRIAL DISTRICT

Sec. 50-10-76. By-right retail, service, and commercial uses.

By-right retail, service, and commercial uses within the M3 General Industrial District are as follows:

- (1) Animal-grooming shop.
- (2) Arcade.
- (3) Art gallery.
- (4) Assembly hall.

- (5) Automated teller machine not accessory to another use on the same zoning lot, which is stand-alone.
- (6) Bake shop, retail.
- (7) Bank.
- (8) Banquet facility.
- (9) Barber or beauty shop.
- (10) Body art facility.
- (11) Brewpub or microbrewery or small distillery or small winery, subject to Section 50-12-217 of this Code.
- (12) Business college or commercial trade school.
- (13) Commissary.
- (14) Customer service center.
- (15) Dry cleaning, laundry, or laundromat.
- (16) Employee recruitment center.
- (17) Financial services center.
- (18) Food stamp distribution center.
- (19) Food truck pod, outside the Central Business District.
- (20) Go-cart track.
- (21) Golf course, miniature.
- (22) Kennel, commercial.
- (23) Medical or dental clinic, physical therapy clinic, or massage facility.
- (24) Mortuary or funeral home.

- (25) Motor vehicle filling station, subject to Article XII, Division 3, Subdivision D of this Chapter.
- (26) Motor vehicle washing and steam cleaning.
- (27) Motor vehicles, new, salesroom or sales lot.
- (28) Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor vehicles.
- (29) Motorcycles, retail sales, rental or service.
- (30) Nail salon.
- (31) Office, business or professional.
- (32) Parking lots or parking areas for operable private passenger vehicles.
- (33) Parking structure.
- (34) Pet shop.
- (35) Pool hall.
- (36) Precious metal and gem dealer.
- (37) Printing or engraving shops.
- (38) Private club, lodge, or similar use.
- (39) Produce or food markets, wholesale.
- (40) Radio or television station.
- (41) Radio, television, or household appliance repair shop.
- (42) Rebound tumbling center.
- (43) Recording studio or photo studio or video studio, no assembly hall.
- (44) Recreation, indoor commercial and health club.
- (45) Rental hall.

- (46) Restaurant, carry-out or fast-food with or without drive-up or drive-through facilities.
- (47) Restaurant, standard, subject to Section 50-12-311 of this Code.
- (48) Retail sales and personal service in business and professional offices.
- (49) School or studio of dance, gymnastics, music, art, or cooking.
- (50) Shoe repair shop.
- (51) Stores of a generally recognized retail nature whose primary business is the sale of new merchandise, with or without drive-up or drive-through facilities.
- (52) Taxicab dispatch and/or storage facility.
- (53) Theater and concert café, excluding drive-in theaters.
- (54) Trailer coaches or boat sale or rental, open air display.
- (55) Trailers, utility—sales, rental or service; moving truck/trailer rental lots.
- (56) Used goods dealer.
- (57) Veterinary clinic for small animals.

ARTICLE XI. SPECIAL PURPOSE ZONING DISTRICTS AND OVERLAY AREAS

DIVISION 6. TM TRANSITIONAL-INDUSTRIAL DISTRICT

Sec. 50-11-116. By-right retail, service, and commercial uses.

By-right retail, service, and commercial uses within the TM Transitional-Industrial District are as follows:

- (1) Animal-grooming shop.
- (2) Arcade.
- (3) Assembly hall.

- (4) Automated teller machine not accessory to another use on the same zoning lot, which is stand-alone.
- (5) Bake shop, retail.
- (6) Bank.
- (7) Banquet facility.
- (8) Barber or beauty shop.
- (9) Body art facility.
- (10) Brewpub or microbrewery or small distillery or small winery, subject to Section 50-12-217 of this Code.
- (11) Business college or commercial trade school.
- (12) Commissary.
- (13) Customer service center.
- (14) Dry cleaning, laundry, or laundromat.
- (15) Employee recruitment center.
- (16) Financial services center.
- (17) Food stamp distribution center.
- (18) Food truck pod, outside the Central Business District.
- (19) Go-cart track.
- (20) Golf course, miniature.
- (21) Kennel, commercial.
- (22) Medical or dental clinic, physical therapy clinic, or massage facility.
- (23) Mortuary or funeral home.

- 1 (24) Motor vehicle filling station, subject to Article XII, Division 3, Subdivision D of
2 this Chapter.

3 (25) Motor vehicle washing and steam cleaning.

4 (26) Motor vehicles, new, salesroom or sales lot.

5 (27) Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor
6 vehicles.

7 (28) Motorcycles, retail sales, rental or service.

8 (29) Nail salon.

9 (30) Office, business or professional.

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

11 (32) Parking structure.

12 (33) Pet shop.

13 (34) Pool hall.

14 (35) Precious metal and gem dealer.

15 (36) Printing or engraving shops.

16 (37) Private club, lodge, or similar use.

17 (38) Produce or food markets, wholesale.

18 (39) Radio or television station.

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

20 (41) Rebound tumbling center.

21 (42) Recording studio or photo studio or video studio, no assembly hall.

22 (43) Recreation, indoor commercial and health club.

23 (44) Rental hall.

- (45) Restaurant, carry-out or fast-food.
- (46) Restaurant, standard, subject to Section 50-12-311 of this Code.
- (47) Retail sales and service in business and professional offices.
- (48) Shoe repair shop.
- (49) Stores of a generally recognized retail nature whose primary business is the sale of new merchandise, with or without drive-up or drive-through facilities.
- (50) Taxicab dispatch and/or storage facility.
- (51) Theater and concert café, excluding drive-in theaters.
- (52) Trailer coaches or boat sale or rental, open air display.
- (53) Trailers, utility—sales, rental or service; moving truck/trailer rental lots.
- (54) Used goods dealer.
- (55) Veterinary clinic for small animals.

DIVISION 9. MKT MARKET AND DISTRIBUTION DISTRICT

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

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

- (1) Animal-grooming shop, subject to Section 50-12-212 of this Code.
- (2) Arcade.
- (3) Art gallery.
- (4) Automated teller machine, without drive-up or drive-through facilities, if not accessory to another use on the same zoning lot.
- (5) Bake shop, retail.
- (6) Bank, without drive-up or drive-through facilities.

- 1 (7) Banquet facility.
- 2 (8) Barber or beauty shop, subject to Section 50-12-215.2 of this Code.
- 3 (9) Bed and breakfast inn.
- 4 (10) Body art facility.
- 5 (11) Brewpub or microbrewery or small distillery or small winery.
- 6 (12) Commissary.
- 7 (13) Dance hall, public.
- 8 (14) Dry cleaning, laundry, or laundromat.
- 9 (15) Establishment for the sale of beer or alcoholic liquor for consumption on the
- 10 premises.
- 11 (16) Food truck pod, outside the Central Business District.
- 12 (17) Nail salon, subject to Section 50-12-235 of this Code.
- 13 (18) Office, business or professional, subject to Section 50-12-298 of this Code.
- 14 (19) Printing or engraving shops.
- 15 (20) Produce or food markets, wholesale.
- 16 (21) Radio or television station.
- 17 (22) Recording studio or photo studio or video studio, no assembly hall.
- 18 (23) Restaurant, carry-out without drive-up or drive-through facilities.
- 19 (24) Restaurant, fast-food without drive-up or drive-through facilities.
- 20 (25) Restaurant, standard without drive-up or drive-through facilities.
- 21 (26) Retail sales and personal service in business and professional offices, subject to
- 22 Section 50-12-298 of this Code.
- 23 (27) School or studio of dance, gymnastics, music, art or cooking.

(28) Shoe repair shop.

(29) Smoking lounge, cigar.

(30) Storage or killing of poultry or small game for direct, retail sale on the premises or for wholesale trade, subject to Section 50-12-315 of this Code.

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

(32) Used goods dealer.

**DIVISION 10. SD1—SPECIAL DEVELOPMENT DISTRICT, SMALL-SCALE,
MIXED-USE**

Sec. 50-11-236. By-right retail, service, and commercial uses.

By-right retail, service and commercial uses within the SD1 Special Development District are as follows:

(1) Animal-grooming shop.

(2) Art gallery.

(3) Assembly hall.

(4) Automated teller machine without drive-up or drive-through facilities.

(5) Bake shop, retail.

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

(7) Banquet facility.

(8) Barber or beauty shop.

(9) Brewpub or microbrewery or small distillery or small winery, not exceeding 3,000 square feet and 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.

(10) Dry cleaning, laundry, or laundromat.

(11) Establishment for the sale of beer or alcoholic liquor for consumption on the premises, not exceeding 3,000 square feet and 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.

(12) Food truck pod, outside the Central Business District.

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

(14) Nail salon.

(15) Office, business or professional.

(16) Parking lots or parking areas, accessory, for operable private passenger vehicles, not farther than the maximum distance specified in Article XIV, Division 1 of this chapter.

(17) Pet shop.

(18) Printing or engraving shops 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.

(19) Recording studio or photo studio or video studio, no assembly hall.

(20) Recreation, indoor commercial and health club.

(21) Rental hall, not exceeding 3,000 square feet.

(22) Restaurant, carry-out or fast-food, without drive-up or drive-through facilities.

(23) Restaurant, standard, without drive-up or drive-through facilities and 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.

(24) School or studio of dance, gymnastics, music, art or cooking.

(25) Shoe repair shop.

(26) Smoking lounge, cigar.

(27) Stores of a generally recognized retail nature whose primary business is the sale of new merchandise, without drive-up or drive-through facilities.

(28) Veterinary clinic for small animals.

Sec. 50-11-242. Conditional retail, service, and commercial uses.

Conditional retail, service, and commercial uses within the SD1 Special Development District are as follows:

(1) Bed and breakfast inn.

(2) Brewpub or microbrewery or small distillery or small winery that exceeds 3,000 square feet or that is 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.

(3) Commissary.

(4) Establishment for the sale of beer or alcoholic liquor for consumption on the premises that exceeds 3,000 square feet or that is 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) Hotel.

- (6) Kennel, commercial.
- (7) Parking lots or parking areas, commercial and accessory parking farther than the maximum distance specified in Article XIV, Division 1, of this chapter.
- (8) Parking structure having at least 60 percent of the ground floor level façade abutting a public street dedicated to commercial space or other space oriented to pedestrian traffic.
- (9) Pool hall.
- (10) Precious metal and gem dealer.
- (11) Private club, lodge, or similar use.
- (12) Radio or television station.
- (13) Radio, television, or household appliance repair shop.
- (14) Rental hall that exceeds 3,000 square feet.
- (15) Restaurant, standard, 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.
- (16) Smoking lounge, other.
- (17) Specially designated distributor's (SDD) or specially designated merchant's (SDM) establishment.
- (18) Theater, excluding concert café and drive-in theater, not exceeding 150 fixed seats.
- (19) Tobacco retail store.
- (20) Used goods dealer.
- (21) Youth hostel/hostel.

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

Sec. 50-11-266. By-right retail, service, and commercial uses.

By-right retail, service, and commercial uses within the SD2 Special Development District are as follows:

- (1) Animal-grooming shop.
- (2) Art gallery.
- (3) Assembly hall.
- (4) Automated teller machine not accessory to another use on the same zoning lot, which is stand-alone, without drive-up or drive-through facilities.
- (5) Bake shop, retail.
- (6) Bank without drive-up or drive-through facilities.
- (7) Banquet facility.
- (8) Barber or beauty shop.
- (9) Brewpub or microbrewery or small distillery or small winery.
- (10) Dry cleaning, laundry, or laundromat.
- (11) Establishment for the sale of beer or alcoholic liquor for consumption on the premises.
- (12) Food truck pod, outside the Central Business District.**
- (13) Medical or dental clinic, physical therapy clinic, or massage facility.
- (14) Mortuary or funeral home.
- (15) Nail salon.
- (16) Office, business or professional.

- (17) Parking lots or parking areas, accessory, for operable private passenger vehicles, not farther than the maximum distance specified in Article XIV, Division 1, of this chapter.
- (18) Pet shop.
- (19) Printing or engraving shops not exceeding 5,000 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.
- (20) Radio or television station.
- (21) Recording studio or photo studio or video studio, no assembly hall.
- (22) Recreation, indoor commercial and health club, excluding golf dome.
- (23) Rental hall.
- (24) Restaurant, carry-out or fast-food, located in a multi-story building and integrated into a mixed-use or multi-tenant development, and without drive-up or drive-through facilities.
- (25) Restaurant, standard, without drive-up or drive-through facilities.
- (26) Retail sales and personal service in business and professional offices.
- (27) Retail sales and personal service in multiple-residential structures, subject to Section 50-12-312 of this Code.
- (28) School or studio of dance, gymnastics, music, art, or cooking.
- (29) Shoe repair shop.
- (30) Smoking lounge, cigar.
- (31) Stores of a generally recognized retail nature whose primary business is the sale of new merchandise, without drive-up or drive-through facilities.

(32) Theater, excluding concert café and drive-in theaters, not exceeding 150 fixed seats.

(33) Veterinary clinic for small animals.

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

Conditional retail, service, and commercial uses within the SD2 Special Development District are as follows:

(1) Arcade.

(2) Body art facility.

(3) Business college or commercial trade school.

(4) Cabaret.

(5) Commissary.

(6) Customer service center without drive-up or drive-through facilities.

(7) Dance hall, public.

(8) Hotel.

(9) Kennel, commercial.

(10) Light duty vehicle service establishment.

(11) Motel.

(12) Motor vehicle filling station.

(13) Parking lots or parking areas, commercial.

(14) Parking lots or parking areas, accessory for operable private passenger vehicles, farther than the maximum distance specified in Article XIV, Division 1 of this chapter.

(15) Parking structure having at least 60 percent of the ground floor devoted to commercial space or other space oriented to pedestrian traffic.

- (16) Pool hall.
- (17) Precious metal and gem dealer.
- (18) Printing or engraving shops exceeding 5,000 square feet of gross floor area with a minimum of 10 percent of the gross floor area being used as a retail store for the sale of the goods produced.
- (19) Private club, lodge, or similar use.
- (20) Radio, television, or household appliance repair shop.
- (21) Smoking lounge, other.
- (22) Specially designated distributor's (SDD) or specially designated merchant's (SDM) establishment.
- (23) Theater, excluding concert café and drive-in theaters, exceeding 150 fixed seats.
- (24) Tobacco retail store.
- (25) Used goods dealer.
- (26) Youth hostel/hostel.

DIVISION 12. SD4—SPECIAL DEVELOPMENT DISTRICT, RIVERFRONT

MIXED USE

Sec. 50-11-292. By-right retail, service, and commercial uses.

By-right retail, service, and commercial uses in the SD4 Special Development District are as follows:

- (1) Automated teller machine without drive-up or drive-through facilities.
- (2) Bake shop, retail.
- (3) Bank without drive-up or drive-through facilities.
- (4) Barber or beauty shop.

- (5) Business college or commercial trade school.
- (6) Cabaret, inside the Central Business District.
- (7) Dry cleaning, laundry, or laundromat.
- (8) Establishments for the sale of beer or alcoholic liquor for consumption on the premises, inside the Central Business District.
- (9) Food truck pod, outside Central Business District.
- (10) Hotel, inside the Central Business District.
- (11) Medical or dental clinic, physical therapy clinic or massage facility.
- (12) Nail salon.
- (13) Office, business or professional.
- (14) Private club, lodge, or similar use.
- (15) Radio or television station.
- (16) Recording studio or photo studio or video studio, no assembly hall.
- (17) Recreation, indoor commercial and health club.
- (18) Restaurant, carry-out or fast-food, when integrated into a mixed use or multi-tenant development, and without drive-up or drive-through facilities.
- (19) Restaurant, standard, without drive-up or drive-through facilities.
- (20) Retail sales and personal service in business and professional offices.
- (21) Retail sales and personal service in multiple-residential structures, subject to Section 50-12-312 of this Code.
- (22) School or studio of dance, gymnastics, music, art, or cooking.
- (23) Shoe repair shop.
- (24) Smoking lounge, cigar.

(25) Stores of a generally recognized retail nature whose primary business is the sale of new merchandise, without drive-up or drive-through facilities except as provided in Section 50-11-318 of this Code.

(26) Theater and concert café, excluding drive-in theaters.

Sec. 50-11-298. Conditional retail, service, and commercial uses.

Conditional retail, service, and commercial uses in the SD4 Special Development District are as follows:

(1) Automated teller machine, with drive-up or drive-through facilities.

(2) Bank with drive-up or drive-through facilities.

(3) Brewpub or microbrewery or small distillery or small winery.

(4) Cabaret, outside the Central Business District.

(5) Commissary.

(6) Establishments for the sale of beer or alcoholic liquor for consumption on the premises, outside the Central Business District.

(7) Hotels, outside the Central Business District.

(8) Motor vehicles, new or used, salesroom or sales lot.

(9) Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor vehicles.

(10) Motor vehicles, used, storage lot accessory to a salesroom or sales lot for used motor vehicles, subject to Section 50-11-364 of this Code.

(11) Outdoor commercial recreation not otherwise specified.

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

(13) Parking structure.

(14) Printing or engraving shop.

(15) Smoking lounge, other.

(16) Specially designated distributor's (SDD) or specially designated merchant's (SDM) establishment, subject to Section 50-12-314 of this Code.

(17) Tobacco retail store.

ARTICLE XII. USE REGULATIONS

DIVISION 1. USE TABLE

Subdivision D. Retail, Service, and Commercial Uses

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

Regulations regarding food and beverage 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
Food and beverage service	Brewpub or microbrewery or small distillery or small winery	C	C	C	C	C	C			C	C	C/R	C/R	C/R	C/R	C/R	C/R		L			R	C/R			R	C/R	R	C		CU; RU; Section 50-12-217
	Commissary								R		R	R	R	R	R	R	R	R	L				R			R	C	C	C		
	Establishment for the sale of beer or alcoholic liquor for consumption on the premises	C	C	C	C	C	C		C	C	C/R	C/R	C/R	C	C	C	C		L			C/R	C			R	C/R	R	C		RU; SPC; Section 50-12-221
	Food truck pod								R	R	R		R	R	R	R			L				R			R	R	R	R		Section 50-12-326
	Restaurant, carry-out, with drive-up or drive-through facilities									C	C	C/R	R	C	R	R	R		L				R								SPC; Sections 50-12-310, 50-12-511
	Restaurant, carry-out, without drive-up or drive-through facilities								R	R	R	C/R	R	C	R	R	R		L			R/C	R			R	R	R	R		SPC; Sections 50-12-310, 50-12-511
	Restaurant, fast food, with drive-up or drive-through facilities									C	C	C/R	R	C	R	R	R		L				R								SPC; Sections 50-12-310, 50-12-511
	Restaurant, fast food, without drive-up or drive-through facilities	C	C	C	C	C	C		C	C	C/R	C/R	R	C	R	R	R		L			R/C	R			R	R	R	R		SPC; Sections 50-12-310, 50-12-511
	Restaurant, standard, with drive-up or drive-through facilities									C/R	C/R	C/R	R	R	R	R	R		L				R								SPC; Sections 50-12-311, 50-12-511
	Restaurant, standard, without drive-up or drive-through facilities	C	C	C	C	C	C		C/R	C/R	C/R	C/R	R	R	R	R	R		L			R	R			R	C/R	R	R		SPC; Sections 50-12-311, 50-12-511
	All others									C	C	C	C	C	C	C	C		L			C							C		

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DIVISION 3. SPECIFIC USE STANDARDS

Subdivision E. Retail, Service and Commercial Uses; Generally

Sec. 50-12-326. Food truck pod

Food truck pods shall be subject to the following requirements:

(1) General Provisions:

- a. Food truck pods may operate as a stand-alone principal use or along with other permitted and approved principal uses;
- b. Food truck pod operators, if not the owner of the food truck pod property, shall always maintain copies of the property owner's approval to operate on the property;
- c. Food trucks pods on zoning lots adjacent to or across an alley from a lot containing a single- or two-family dwelling shall not operate between the hours of 11 p.m. and 5 a.m.;
- d. Food truck pod operations shall be limited to the sale of food and beverage items. The sale and distribution of any other items or service is prohibited;
- e. Food shall only be cooked, prepared, displayed, and sold from a food truck; outdoor cooking associated with the food truck is not allowed;
- f. Electrical power for food truck pods must be reviewed and approved by BSEED. Food trucks may use electrical power from an on-site building or adjacent property only when the property owner provides written consent; however, no power cables or equipment shall be extended at grade across any city street, alley or sidewalk. Electrical connections must be made in a manner that do not create a trip hazard or other public safety hazard. The

1 use of generators is not allowed on zoning lots abutting or across a street or
2 alley from land zoned residential or developed with residential uses. All
3 power sources must comply with City emission, safety, anti-idling, and
4 noise standards;

5 g. Food truck pods that utilize propane or combustible fuel must comply with
6 the requirements of the City of Detroit Fire Marshal. Food truck pods must
7 comply with Chapter 19 Fire Prevention and Protection of this Code;

8 h. Toilet facilities for food truck pod employees located a reasonable distance
9 from the food truck location and available during food truck hours of
10 operation shall be identified as part of any site plan review;

11 i. A food truck pod may be allowed to co-locate at a motor vehicle filling
12 station only if all of the following conditions are met:

13 1. There shall be adequate turning radius on the site of a motor vehicle
14 filling station for passenger vehicles, delivery tankers, and other
15 delivery vehicles to maneuver without the need to stack, stand, or
16 drive on public sidewalks or back into a public street;

17 2. Food trucks must maintain a minimum distance of 100 feet from any
18 underground storage tank refueling area and vent pipes;

19 3. Food trucks must be positioned at least 50 feet away from any active
20 fuel pump;

21 4. No smoking signs shall be posted and highly visible; and

22 5. The regulations set forth in this Section regarding food trucks at
23 motor vehicle filling stations may not be waived by the Board of

Zoning Appeals.

- j. No liquid waste or grease shall be disposed of or released into any sanitary sewer or storm drains, sidewalks, streets or other public places, or municipal waste receptacles located within any public sidewalk or right-of-way;
- k. Food truck pods are prohibited from selling controlled substances or alcoholic beverages for consumption on or off the premises;
- l. Drive-up and drive-through facilities are not permitted in conjunction with a food truck;
- m. A food truck shall be kept in good operating condition, no peeling paint or rust shall be visible; and
- n. Food truck pods are subject to all required building, electrical, plumbing and mechanical permits as required by this Code.

(2) Site Standards:

- a. The site plan for a food truck pod shall identify the areas on the zoning lot where food trucks shall park and maximum number of food trucks allowed on the site at any one time;
- b. Food trucks shall not occupy or encroach upon required setbacks, loading or parking areas;
- c. Food truck operations shall not impede pedestrian traffic nor obstruct the visibility of motorists nor obstruct parking lot circulation nor block access to a public street, alley or sidewalk;
- d. Food trucks shall be located not less than 10 feet from any other food truck or structure;

- 1 e. Food trucks shall not be placed on their zoning lot less than 20 feet from
2 land zoned residential or primarily developed with residential uses;
- 3 f. During operation, food trucks must be parked on a hard surface area which
4 may consist of concrete, asphalt, paving blocks, other similar materials, or
5 pervious surfacing. Food trucks shall not be parked on grass or dirt areas;
- 6 g. All food truck service windows shall be accessed by a hard surfaced
7 pedestrian walkway that is not less than six feet in width;
- 8 h. There shall be no outdoor storage of any goods, inventory, or equipment;
- 9 i. Trash receptacles shall be provided for use by customers of the food truck.
10 Food truck operators have the responsibility to dispose of all waste in
11 accordance with applicable laws;
- 12 j. A food truck pod must provide a dumpster with enclosure on the property
13 per Section 50-14-366;
- 14 k. Accessory structures for food truck pods are allowed and may cover not
15 more than fifteen percent of the site or 500 square feet whichever is less;
- 16 l. Accessory features related to the food truck operation, such as tables, decks,
17 umbrellas, tents, and canopies are permitted, but must be approved during
18 site plan review and shown on the site plan;
- 19 m. Outdoor dining is allowed as an accessory use subject to the following
20 regulations:
- 21 1. The location and number of seats must be approved during site plan
22 review; and
- 23 2. All outdoor dining must be buffered and protected from vehicles;

appropriate measures include but are not limited to fencing, landscaping, curbs, or planter boxes.

n. Any portion of the zoning lot that is not occupied with food trucks, structures, accessory uses, off-street parking, loading areas or similar features shall be landscaped in accordance with Article XIV, Division 2, Subdivision B of this chapter; and

o. Signage identifying the business name may be permanently affixed or painted on the food truck; however, all other signage on the zoning lot itself must comply with Chapter 4 of the City Code.

Secs. 50-12-3267—50-12-330. Reserved.

DIVISION 6. TEMPORARY USES AND STRUCTURES

Subdivision B. Specific Temporary Uses Allowed

Sec. 50-12-562. Reserved Temporary food trucks.

Temporary food trucks shall be subject to the following requirements:

(1) General Provisions:

a. Temporary food trucks are only allowed on land zoned B2, B3, B4, B6, M1, M2, M3, M4, PD, TM, MKT, SD1, SD2, and SD4. Temporary food trucks may be granted in a location that would not be permitted per the underlying zoning district for a special event approved by City Council. Additionally, temporary food trucks shall not be located on land zoned residential; however, the Buildings, Safety Engineering, and Environmental Department may approve temporary food trucks for a limited time at special events on residentially zoned land permitted for a non-residential use where it is determined that such uses

1 would not be injurious or detrimental to properties adjacent to, or in the vicinity
2 of, the proposed location of the activity;

3 b. Temporary food trucks are not allowed on private property within the Central
4 Business District or in the Cultural Center as defined in this chapter, unless in
5 conjunction with a special event approved by the Detroit City Council;

6 c. Temporary food trucks may vend at a location for not more than 180
7 consecutive days per calendar year;

8 d. Temporary food trucks shall only operate at a location for the time frame
9 specified on the temporary use permit;

10 e. Each food truck operator must apply for a separate temporary use permit for
11 each location where a temporary food truck will be operated;

12 f. After each day of operation, the temporary food truck must vacate the approved
13 location unless in conjunction with a special event approved by the Detroit City
14 Council;

15 g. Temporary food trucks on zoning lots adjacent to or across an alley from a lot
16 containing a single- or two-family dwelling shall not operate between the hours
17 of 11 p.m. and 5 a.m.;

18 h. Temporary food truck operations shall be limited to the sale of food and
19 beverage items. The sale and distribution of any other items is prohibited;

20 i. Food shall only be cooked, prepared, displayed, and sold from a food truck;.
21 Outdoor cooking associated with the food truck is not allowed;

22 j. Electrical power for food truck pods must be reviewed and approved by
23 BSEED. Food trucks may use electrical power from an on-site building or

adjacent property only when the property owner provides written consent; however, no power cables or equipment shall be extended at grade across any city street, alley, or sidewalk. Electrical connections shall be made in a manner that do not create a trip hazard or other public safety hazard. The use of generators is not allowed on zoning lots abutting or across a street or alley from land zoned residential or developed with residential uses. All power sources must comply with City emission, safety, anti-idling and noise standards;

k. Temporary food trucks that utilize propane or combustible fuel must comply with the requirements of the City of Detroit Fire Marshal. Food truck pods must comply with Chapter 19 Fire Prevention and Protection of this Code;

l. Toilet facilities for food truck employees located a reasonable distance from the food truck location and available during food truck hours of operation shall be identified as part of any site plan review;

m. A temporary food truck may be allowed to locate at a motor vehicle filling station only if all the following conditions are met:

1. There shall be adequate turning radius on the site of a motor vehicle filling station for passenger vehicles, delivery tankers and other delivery vehicles to maneuver without the need to stack, stand, or drive on public sidewalks or back into a public street;

2. Food trucks must maintain a minimum distance of 100 feet from any underground storage tank refueling area and vent pipes;

3. Food trucks must be positioned at least 50 feet away from any active fuel pump;

1 4. No smoking signs shall be posted and highly visible; and

2 5. The regulations set forth in this Section regarding food trucks at motor
3 vehicle filling stations may not be waived by the Board of Zoning Appeals.

4 n. No liquid waste or grease shall be disposed of or released into any sanitary
5 sewer or storm drains, sidewalks, streets, or other public places, or municipal
6 waste receptacles located within any public sidewalk or right-of-way;

7 o. Temporary food trucks are not permitted on any zoning lot within 100 feet of
8 the doorway of any established standard restaurant, unless the restaurant
9 provides a signed waiver of this requirement to the Buildings, Safety
10 Engineering, and Environmental Department;

11 p. Sales are prohibited within 200 radial feet of a school site when school is in
12 session; however, this restriction may be waived by the Buildings, Safety
13 Engineering, and Environmental Department upon finding the temporary food
14 truck will not impede the normal and orderly development, operation, and
15 improvement of the school;

16 q. Temporary food trucks are prohibited from selling controlled substances or
17 alcoholic beverages for consumption on or off the premises, unless in
18 conjunction with a special event approved by the Detroit City Council; and

19 r. Temporary food trucks shall not be permitted at uses that have drive-up or
20 drive-through facilities, and drive-up and drive-through facilities are not
21 permitted in conjunction with a food truck;

22 s. A food truck shall be kept in good operating condition, no peeling paint or rust
23 shall be visible;

t. Temporary food trucks are not allowed to operate within 200 feet of any sports arena or stadium without the written approval of the owner or management of such sport arena or stadium;

u. Provisions of this section shall not apply to any park, public place, or boulevard governed by Chapter 33 of this Code, Parks and Recreation;

v. This section does not apply to a contractual or other private arrangement between a food truck and an individual group that wishes to have food catered to a specific location and which is not open to the public; and

w. Temporary food trucks are subject to all required building, electrical, plumbing and mechanical permits as required by this Code.

(2) Site Standards:

a. The temporary use site plan shall identify the areas on the zoning lot where food trucks shall park and maximum number of food trucks allowed on the site at any one time;

b. Temporary food trucks shall not occupy or encroach upon required setbacks, loading, or parking areas;

c. Temporary food truck operations shall not impede pedestrian traffic nor obstruct the visibility of motorists nor obstruct parking lot circulation nor block access to a public street, alley or sidewalk;

d. Temporary food trucks shall be located not less than 10 feet from any other food truck or structure;

e. Temporary food trucks shall not be located on a zoning lot less than 20 feet from land zoned residential or primarily developed with residential uses;

1 f. During operation, temporary food trucks must be parked on a hard surface
2 area which may consist of concrete, asphalt, paving blocks, other similar
3 materials, or pervious surfacing. Food trucks shall not be parked on grass
4 or dirt areas;

5 g. All temporary food truck service windows shall be accessed from a hard
6 surfaced pedestrian walkway that is not less than six feet in width;

7 h. There shall be no outdoor storage of any goods, inventory, or equipment;

8 i. During business hours, trash receptacles shall be provided for use by
9 customers of the temporary food truck. Food truck operators have the
10 responsibility to dispose of all waste in accordance with applicable laws;

11 j. Accessory structures related to temporary food truck use are not permitted;

12 k. Accessory features, such as outdoor seating, tables, dining igloos,
13 umbrellas, tents, and canopies are allowed, but must be approved as part of
14 the temporary use permit and shown on the site plan;

15 l. Outdoor dining is allowed as an accessory use subject to the following
16 regulations:

17 1. The location and number of seats must be approved during site plan
18 review; and

19 2. All outdoor dining must be buffered and protected from vehicles;
20 appropriate measures include but are not limited to fencing,
21 landscaping, curbs, or planter boxes.

22 m. Signage identifying the business name may be permanently affixed or
23 painted on the food truck; however, all other signage on the zoning lot itself

must comply with Chapter 4 of the City Code; and

n. The Buildings, Safety Engineering, and Environmental Department, the Health Department, the Fire Department, or the Police Department may prohibit temporary food trucks where it is determined that the sale of such items would jeopardize the health, safety or general welfare, or be injurious or detrimental to persons or properties adjacent to or in the vicinity of the location.

Sec. 50-12-563. Reserved

ARTICLE XIV. DEVELOPMENT STANDARDS

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

Subdivision B. Off-Street Parking Schedule “A”

Sec. 50-14-51. Food and beverage service.

Off-street parking regulations for food and beverage 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)
Food and beverage service	Brewpub or microbrewery or small distillery or small winery with "consumption on the premises"	3 (minimum) + 1 per 100 square feet for each 100 square feet in excess of 1,000	100
	Commissary	1 per 800 square feet or 1 per 3 employees, whichever is greater	100
	Establishment for the sale of alcoholic liquor on the premises	3 (minimum) + 1 per 100 square feet for each 100 square feet in excess of 1,000	100
	<u>Food truck pod</u>	<u>2 per food truck</u>	<u>100</u>
	Microbrewery or small distillery without "consumption on the premises"	1 per 800 square feet or 1 per 3 employees whichever is greater	100
	Restaurant, carry-out or fast-food	1 per 100 square feet of restaurant building and designated outdoor seating area + stacking spaces per Subdivision H of this division (if a drive-through window exists)	100

	Restaurant, standard	3 for the first 500 square feet of building and designated outdoor seating area + 1 per 100 square feet of building and outdoor seating area in excess of the first 500 square feet + stacking spaces per Subdivision H of this division (if a drive-through window exists)	100
	All other	As required for most similar "restaurant" type	

ARTICLE XVI. RULES OF CONSTRUCTION AND DEFINITIONS

DIVISION 2. WORDS AND TERMS DEFINED

Subdivision D. Letter "C"

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

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

Term	Definition
Coffee house	Any room, place, or building where the serving of coffee is the principal business and where tables and chairs are provided for the use of patrons to play table games and for other similar activities, but where alcoholic liquor is not provided.
Coal	Has the meaning as likewise defined in Section 42-1-2 of this Code.
Coke	Has the meaning as likewise defined in Section 42-1-2 of this Code.
Co-location (marijuana)	A practice where more than one licensee is authorized by the state of Michigan to operate a medical marijuana facility or an adult-use marijuana establishment in one building, in accordance with the applicable rules promulgated by the state of Michigan and the license requirements of Chapter 20, Article VI, of this Code.
Commercial parking	See <i>Parking, commercial</i> .
Commercial vehicle	See <i>Vehicle, commercial</i> .
Commissary	A commercial kitchen or facility used for preparing, cooking, and storing food to be primarily served or consumed off-site. May also serve as a base for mobile food operations and food trucks.

Term	Definition
Common area, general	That portion of a site condominium project designed and intended for joint ownership and maintenance by the condominium association as described in the condominium master deed.
Common area, limited	That portion of a site condominium project designed and intended for separate ownership, but outside the building setbacks for the zoning district the property is located in as described in the master deed.
Community service (use category)	Uses of a public, non-profit, or charitable nature generally providing a local service to people of the community. Generally, they provide the service on-site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Community services or facilities that have membership provisions are open to the general public to join at any time, for instance, any senior citizen could join a senior center. The use may provide special counseling, education, or training of a public, non-profit or charitable nature. Examples include the following uses: • Customs office; • Fire or police station, post office, courthouse and similar public building; • Governmental service agency; • Neighborhood center, non-profit; • Substance abuse service facility; Private lodges, private clubs, and private or commercial athletic or health clubs are classified as retail sales and service. Public parks and recreation are classified as parks and open space.
Compost	Relatively stable decomposed organic matter for use in agricultural and other growing practices, usually consisting of materials such as grass, leaves, yard waste, worms, and also including raw and uncooked kitchen food wastes, but specifically excluding bones, meat, fat, grease, oil, raw manure, and milk products.
Concert café	Any establishment, which provides food with music or entertainment, but does not serve alcoholic liquor. Concert cafés shall be regulated the same as "theaters" for zoning purposes.
Condominium Act	MCL 559.101 <i>et seq.</i>
Condominium master deed	The document recorded as part of a condominium subdivision to which are attached as exhibits and incorporated by reference the approved bylaws for the condominium subdivision and the condominium subdivision plan.
Condominium project, commercial, office or industrial	A plan or project consisting of not less than two condominium units if established and approved in conformance with the Condominium Act, being MCL 559.101 <i>et seq.</i>

Term	Definition
Condominium subdivision	A division of land on the basis of condominium ownership, pursuant to the Condominium Act and which is not subject to the Michigan Land Division Act, being MCL 560.101 <i>et seq.</i> , as amended. Also known as a site condominium.
Condominium subdivision plan	The drawings attached to the condominium master deed for a condominium subdivision which describe the size, location, area, horizontal and vertical boundaries and volume of each condominium unit contained in the condominium subdivision, as well as the nature, location, and size of common elements.
Condominium unit	That portion of a condominium project or condominium subdivision which is designed and intended for separate ownership and use, as described in the condominium master deed, regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time-share unit, or any other type of use. The owner of a condominium unit also owns a share of the common elements. The term "condominium unit" shall be equivalent to the term "lot," for purposes of determining compliance of the site condominium subdivision with the provisions of this chapter pertaining to minimum lot size, minimum lot width, and maximum lot coverage.
Conforming land uses	Any land use located in a zoning district where the land use is permitted either by- right or as a conditional use and not otherwise prohibited in that district.
Conical surface	A surface sloping upward and outward to an altitude of 150 feet above the established heliport elevation at a slope ratio of one to eight beginning at the heliport elevation on the perimeter of a circle of 200 feet radius centered on each helipad.
Construction refuse	Waste from building construction, alteration, demolition or repair, and dirt from excavations.
Contractor yard, landscape or construction	A yard used for the outdoor storage of a construction or landscape contractor's vehicles, equipment, and materials, including plant materials and contained soil.
Controlled uses	Any of the following: (1) Arcades; (2) Specially designated merchant's (SDM) establishments and/or specially designated distributor's (SDD) establishments; and (3) Pool halls.

Term	Definition
Convalescent, nursing, or rest home	Establishments primarily engaged in the providing of in-patient nursing care, other than a private home, where seven or more older adults or disabled persons receive on-going care and supervision. (Same as "convalescent home" or "rest home.") These are facilities that provide a full range of 24-hour direct medical, nursing, and other health services by registered nurses, licensed practical nurses, and nurses' aides prescribed by a resident's physician. They are designed for older adults or disabled persons who need health care supervision, but not hospitalization. Emphasis is on nursing care, but restorative therapies may be provided. Specialized nursing services such as intravenous feeds or medication, tube feeding, injected medication, daily wound care, rehabilitation services, and monitoring of unstable conditions may also be provided.
Crematory	A building or structure within which the remains of deceased persons are or are intended to be cremated.

Subdivision G. Letter "F"

Sec. 50-16-202. Words and terms (Fh—Fz).

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

Term	Definition
Financial services center	A facility, other than a bank, savings and loan association, or credit union, at which the principal business is service to the public for check cashing, the sale of money orders, the transfer of funds by wire, cable, or electronic medium, or similar financial services.
Firearms dealer	A person engaged in the wholesale or retail sale of firearms, the repair of firearms, or the creation or fitting of special barrels, stocks, or trigger mechanisms for firearms.
Firearms dealership	A place of business of a firearms dealer. A firearms dealership shall be defined as only those establishments principally engaged in the display or sale of firearms or ammunition. A firearms dealership is not a store of a generally recognized retail nature that may include firearms or ammunition as an incidental and accessory use.
Fireworks	As likewise defined in Section 18-1-62 of this Code, any composition or device, except for a starting pistol, a flare gun or a flare, designed for the purpose of producing a visible or audible effect, by combustion, deflagration, or detonation which consists of consumer fireworks, low-impact fireworks, pyrotechnic articles, display fireworks, firebombs, and special effects.
Fireworks, consumer	Fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 CFR Parts 1500 and 1507, and that are listed in APA Standard 871, 3.1.2, 3.1.3, or 3.5 but does not include low-impact fireworks.
Fireworks, display	Large fireworks devices that are made from explosive materials intended for use in fireworks displays and designed to produce a visible or audible effect by combustion, deflagration, or detonation as provided for in 27 CFR 555.11, 49 CFR 172, and APA Standard 87-1, 4.1.
Flight obstruction area	All areas of land or water below airport or heliport imaginary surfaces.
Floodplain	Definition provided in Section 50-14-524 of this Code.
Floor area	The sum of the gross area for each of a building's stories under roof measured from the exterior limits or faces of the building.
Floor area ratio (FAR)	The total floor area of all buildings or structures on a lot divided by the area of said lot. (See also Section 50-13-237 of this Code.)

Food and beverage service (use category)	Uses that: (1) Offer food and non-alcoholic beverages for on- or off-site consumption; (2) Offer food and alcoholic liquor for on-site consumption; or (3) Offer alcoholic liquor and non-alcoholic beverages for on-site consumption. Examples include the following uses: • Brewpub; • Establishment for the sale of beer or alcoholic liquor for consumption on the premises (commonly referred to as "bars" or "taverns"); • Microbrewery; • Restaurant, carry-out or fast-food; • Restaurant, standard; • Small distillery; • Small winery.
Food catering establishment	A food preparation facility from which prepared meals are delivered by the caterers for consumption off the premises. Unlike carry-out restaurants which may offer delivery service, food catering establishments are primarily geared toward providing food service for events or larger gatherings rather than a family meal.
Food truck	A commercial use from a fully enclosed, readily movable vehicle or trailer offering for sale food and or beverages to customers in a ready-to-consume state for consumption on the site or for carry-out with consumption off the premises but not within the food truck that is licensed by the state as a special transitory food unit or mobile food establishment (See special transitory food unit and mobile food establishment). Food trucks must be an operable vehicle with a valid and current license plate and registration sticker as required by the Michigan Secretary of State. Food trucks must be licensed by the Michigan Department of Agriculture and Rural Development through a Health Department in accordance with Michigan Public Act 92 of 2000 as amended.
Food truck pod	A collection of one or more food trucks on a zoning lot selling food or beverages to the general public. Food trucks, depending on the type of unit, may or may not remain at the site.
Front (of building)	The exterior wall of a building that faces the front lot line.

Subdivision L. Letter "M"

Sec. 50-16-303. Words and terms (Mn—Ms).

For the purposes of this chapter, the following words and phrases beginning with the letters “Mn” through “Ms,” shall have the meaning respectively ascribed to them by this section:

Term	Definition
Mobile food establishment	A food service establishment that operates from a vehicle, which returns to a mobile food service establishment commissary for servicing and maintenance at least once every 24 hours per MCL 289.119(q).
Mobile home park	A parcel or tract of land under the control of a person upon which three or more mobile homes are located on a continual, nonrecreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefor, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home.
Mobile home	A structure, transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling unit with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure. The term "mobile home" shall not include pick-up campers, travel trailers, motor homes, recreational vehicles, manufactured housing units, recreational units, converted buses, tent trailers, or other transportable structures designed for temporary use. Structures that comply with the Federal Manufactured Housing Construction and Safety Standards Act of 1974, being 42 USC 5401), are not considered mobile homes, but are instead considered "manufactured housing units."
Modular housing unit	A dwelling unit that consists of building materials commonly used in on-site construction but which are pre-constructed off-site into units and transported to the site on a removable undercarriage or flat bed and assembled for permanent location on the lot.

Term	Definition
Motel	A building, or part of a building, or a group of buildings, on a single zoning lot, designed for or primarily occupied by transients: that contains more than ten rooming or dwelling units where 25 percent or more of said units are independently accessible from the outside without the necessity of passing through the main lobby of the building. The term "motel" includes any such building or building group that is designated by the operator as a motor lodge, motor inn, or any other title intended for identification as providing lodging for compensation, and that is with or without a general kitchen and public dining room for the use of the occupants. Motels are subject to licensing by the Buildings, Safety Engineering, and Environmental Department Business License Center in accordance with Chapter 36, Article I, of this Code, <i>Public Accommodations</i> .
Motorcycle club	An association of motorcyclists organized for social or recreational purposes, for the promotion of some common object, or as any place of assembly located in a building where five or more motorcyclists periodically or regularly engage in social, recreational, or promotional activities and generally use motorcycles as the primary means of transportation to and from the place of assembly.
Motor vehicle	Every vehicle that is self-propelled, but does not include an electric patrol vehicle being operated in compliance with the Michigan Electric Patrol Vehicle Act, being MCL 257.1571 <i>et seq.</i>
Motor vehicle filling station	Any premises where gasoline or other fuel for motor vehicles is sold on a retail basis which offers either full service (for example, offering employee-dispensed fuel, window cleaning, and/or oil checking), or self-service (no such services offered). Light maintenance services such as engine tune-ups, lubrication, or motor vehicle minor repairs are permitted when operated in conjunction with a motor vehicle filling station. Automotive body or fender bumping or painting, and major motor repairing are specifically disallowed from operating in conjunction with a motor vehicle filling station. References to "gas stations" mean "motor vehicle filling stations."
Motor vehicle washing and steam cleaning	An establishment primarily engaged in cleaning motor vehicles, whether self-service, automatic or by hand, that may provide detailing as an accessory use. References to "car wash" mean "motor vehicle washing and steam cleaning."
Motor vehicles, new or used, storage of	Storage of new or used motor vehicles, accessory to a salesroom or sales lot for operable new or used motor vehicles, but excluding towing service storage yards. For zoning purposes, such storage lots are not considered parking lots.

Subdivision P. Letter "S"

Sec. 50-16-384. Words and terms (Sm—Ss).

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

Term	Definition
Small distillery	A facility operated by a manufacturer of spirits licensed by the Michigan Liquor Control Commission as a small distiller, annually manufacturing in Michigan not more than 60,000 gallons of spirits, of all brands combined.
Small lot	Any residential lot less than 50 feet in width and 5,000 square feet in area.
Small winery	A facility operated by a small winemaker licensed by the Michigan Liquor Control Commission for the manufacturing or bottling of not more than 50,000 gallons of wine in one calendar year.
Smoking lounge, cigar	An establishment or area within an establishment that constitutes a “cigar bar” as defined by Section 12601 of the Michigan Smoke-Free Indoor Air Law, PA 188 of 2009, being MCL 333.12601. Smoking lounge, cigar, does not include smoking lounge, other, medical marijuana facilities, or adult-use marijuana establishments as defined by this article.
Smoking lounge, other	A retail establishment that constitutes a “tobacco specialty retail store” as defined by Section 12601 of the Michigan Smoke-Free Indoor Air Law, PA 188 of 2009, being MCL 333.12601 and that is designated wholly or in part for the on-premises smoking of tobacco products or nontobacco smoking products or substances, which may include the on-premise use of hookah as defined by this article. Smoking lounge, other, does not include tobacco retail store, smoking lounge, cigar, medical marijuana facilities, or adult-use marijuana establishments as defined by this article.
Snack food	Prepared and commercially prepackaged non-potentially hazardous food.
Solar array	A photovoltaic panel, solar thermal collector, or collection of panels or collectors in a solar energy system that collects solar radiation.
Solar generation station	A ground-mounted solar energy system utilizing a solar array to generate more than two megawatts of electricity for the primary purpose of off-site use through the electrical grid or export to the wholesale market. (Also known as a “solar farm or solar park.”)
Solid waste	Includes garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings, municipal and industrial sludges, solid commercial and solid industrial waste, and animal waste, but does not include human body waste, liquid or other waste regulated by statute, ferrous or nonferrous scrap directed to a scrap metal processor or to a re-user of ferrous or nonferrous products, and slag or slag products directed to a slag processor or to a re-user of slag or slag products.
Special effects	A combination of chemical elements or chemical compounds capable of burning independently of the oxygen of the atmosphere, and designed and intended to produce an audible, visual, mechanical, or thermal effect as an integral part of a motion picture, radio, television, theatrical, or opera production or live entertainment.

Term	Definition
Special transitory food unit	A temporary food establishment that is licensed to operate throughout the state without the 14-day limits per MFL289.1111(i).
Specially designated distributor's (SDD) establishment	A retail establishment, consisting of less than 15,000 square feet of gross floor area, licensed by the Michigan Liquor Control Commission to distribute alcoholic liquor in the original package for consumption off the premises, which alcoholic liquor is other than beer and other than wine under 20 percent alcohol by volume; an SDD is also any retail establishment, regardless of size, where more than ten percent of the usable retail space is utilized for the display or distribution of alcoholic liquor other than beer and other than wine under 20 percent alcohol by volume, for consumption off the premises.
Specially designated merchant's (SDM) establishment	A retail establishment, consisting of less than 15,000 square feet of gross floor area, utilized for the distribution of alcoholic liquor, licensed by the Michigan Liquor Control Commission to sell beer and/or wine for consumption off the premises; an SDM is also any retail establishment, regardless of size, where more than ten percent of the usable retail space is utilized for the display or distribution of alcoholic liquor and is licensed to sell beer and/or wine for consumption off the premises.
Specified anatomical areas	Specified anatomical areas means and includes less than completely and opaquely covered: (1) Female breasts below a point immediately above the top of the areola; (2) Male or female buttocks; (3) Male or female genitals and pubic area; and (4) A penis in a discernibly erect state, even if completely and opaquely covered.
Specified sexual activity	Specified sexual activity means any of the following: (1) Intercourse, oral copulation, masturbation or sodomy; or (2) Excretory functions as a part of or in connection with any of the activities described in Subsection (1) of this definition.

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

DRAFT