

NOTICE OF ENACTMENT

TO: THE PEOPLE OF THE CITY OF
DETROIT, MICHIGAN

On September 13, 2022, the Detroit City
Council passed the following ordinance:

ORDINANCE NO. 2022-17

CHAPTER 50

ARTICLE XI, XII, XIII, XIV, XVI, II, III, IV, VII, VIII

AN ORDINANCE to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by: repealing Article XI, *Special Purpose Zoning Districts and Overlay Areas*, Division 11, *SD3 – Special Development District, Technology and Research*, Section 50-11-261, *Description*, Section 50-11-262, *Site plan review*, Section 50-11-263, *By-right uses*, Section 50-11-264, *Conditional uses*, Section 50-11-265, *Intensity and dimensional standards*, and Section 50-11-266, *Other regulations*; and Article XIII, *Intensity and Dimensional Standards*, Division 1, *Tables of Intensity and Dimensional Standards*, Subdivision G, *Special Purpose Zoning Districts*, Section 50-13-131, *SD3 District*, renumbering and amending Article XI, *Special Purpose Zoning Districts and Overlay Areas*, Division 9, *SD1 – Special Development District, Small-Scale, Mixed-Use*, Section 50-11-201, *Description*, Section 50-11-202, *Site plan review*, Section 50-11-203, *By-right uses*, Section 50-11-204, *By-right residential uses*, Section 50-11-205, *By-right public, civic, and institutional uses*, Section 50-11-206, *By-right retail, service, and commercial uses*, Section 50-11-207, *By-right manufacturing and industrial uses*, Section 50-11-208, *By-right other uses*, Section 50-11-209, *Conditional uses*, Section 50-11-210, *Conditional residential uses*, Section 50-11-211, *Conditional public, civic, and institutional uses*, Section 50-11-212, *Conditional retail, service, and commercial uses*, Section 50-11-213, *Conditional manufacturing and industrial uses*, Section 50-11-214, *Conditional other uses*, Section 50-11-215, *General intensity and dimensional standards*, and Section 50-11-216, *Accessory uses*, and Division 10, *SD2 – Special Development District, Mixed-Use*, Section 50-11-231, *Description*, Section 50-11-232, *Site plan review*, Section 50-11-233, *By-right uses*, Section 50-11-234, *By-right residential uses*, Section 50-11-235, *By-right public, civic, and institutional uses*, Section 50-11-236, *By-right retail, service, and commercial uses*, Section 50-11-237, *By-right manufacturing and industrial uses*, Section 50-11-238, *By-right other uses*, Section 50-11-239, *Conditional uses*, Section 50-11-240, *Conditional residential uses*, Section 50-11-241, *Conditional public, civic, and institutional uses*, Section 50-11-242, *Conditional retail, service, and commercial uses*, Section 50-11-243, *Conditional manufacturing and industrial uses*, Section 50-11-244, *Conditional other uses*,

and Section 50-11-245, *Intensity and dimensional standards*; and Article XIII, *Intensity and Dimensional Standards*, Division 1, *Tables of Intensity and Dimensional Standards*, Subdivision G, *Special Purpose Zoning Districts*, Section 50-13-129, *SD1 District*, and Section 50-13-130, *SD2 District*, and Subdivision H, *General Intensity and Dimensional Standards for Special Purpose Zoning Districts*, Section 50-13-157, *SD4 District requirements*; adding Article XI, *Special Purpose Zoning Districts and Overlay Areas*, Division 9, *MKT Market and Distribution District*, Section 50-11-201, *Description*, Section 50-11-202, *Site plan review*, Section 50-11-203, *By-right uses*, Section 50-11-204, *By-right residential uses*, Section 50-11-205, *By-right public, civic, and institutional uses*, Section 50-11-206, *By-right retail, service, and commercial uses*, Section 50-11-207, *By-right manufacturing and industrial uses*, Section 50-11-208, *By-right other uses*, Section 50-11-209, *Conditional uses*, Section 50-11-210, *Conditional residential uses*, Section 50-11-211, *Conditional public, civic, and institutional uses*, Section 50-11-212, *Conditional retail, service, and commercial uses*, Section 50-11-213, *Conditional manufacturing and industrial uses*, Section 50-11-214, *Conditional other uses*, and Section 50-11-215, *Intensity and dimensional standards*; Article XII, *Use Regulations*, Division 3, *Specific Use Standards*, Subdivision C, *Retail, Service, and Commercial Uses; Generally*, Section 50-12-235, *Barber or beauty shop*, and Section 50-12-236, *Nail salon*, Subdivision E, *Retail, Service, and Commercial Uses; Generally*, Section 50-12-324, *Stores of a generally recognized retail nature whose primary business is the sale of new merchandise, without drive-up or drive-through facilities*, and Subdivision F, *Manufacturing and Industrial Uses*, Section 50-12-365, *High-impact manufacturing or processing facilities*; and Article XIII, *Intensity and Dimensional Standards*, Division 1, *Tables of Intensity and Dimensional Standards*, Subdivision G, *Special Purpose Zoning Districts*, Section 50-13-129, *MKT District*, and Subdivision H, *General Intensity and Dimensional Standards for Special Purpose Zoning Districts*, Section 50-13-157, *MKT district requirements*; and amending Article II, *Review and Decision-Making Bodies*, Division 4, *Planning and Development Department*, Section 50-2-51, *Powers and duties*; Article III, *Review and Approval Procedures (Part I)*, Division 5, *Site Plan Review*, Subdivision A, *In general*, Section 50-3-113, *Applicability*, Subdivision B, *Submission Requirements*, Section 50-3-131, *Expedited review*, and Subdivision C, *Authority to Review and Approve Site Plans*, Section 50-3-151, *Planning and Development*

Department, and Division 8, Regulated Uses, Subdivision A, In General, Section 50-3-323, List of regulated uses; Article IV, Review and Approval Procedures (Part 2), Division 6, Variances and Administrative Adjustments, Section 50-4-124, Review and decision-making authority; Article VII, Zoning Districts (In General), Section 50-7-5, Special districts; Article VIII, Residential Zoning Districts, Division 6, R5 Medium Density Residential District, Section 50-8-142, Conditional retail, service, and commercial uses; Article XII, Use Regulations, Division 1, Use Table, Subdivision B, Residential Uses, Section 50-12-21, Group living, Section 50-12-22, Household living, Section 50-12-23, Institutional living, and Section 50-12-24, Other residential uses, Subdivision C, Public, Civic, and Institutional Uses, Section 50-12-41, Auditorium or stadium, Section 50-12-42, Community service, Section 50-12-43, Day care, Section 50-12-44, Hospital, Section 50-12-45, Library, Section 50-12-46, Museum, Section 50-12-47, Park and

open space, Section 50-12-48, Religious institution, Section 50-12-49, Schools, Section 50-12-50, Utility, basic, Section 50-12-51, Utility, major, and Section 50-12-52, Other public, civic, and institutional uses, Subdivision D, Retail, Service, and Commercial Uses, Section 50-12-61, Assembly, Section 50-12-62, Food and beverage service, Section 50-12-63, Office, Section 50-12-64, Parking, commercial, Section 50-12-65, Public accommodation, Section 50-12-66, Recreation/entertainment, indoor, Section 50-12-67, Recreation/entertainment, outdoor, Section 50-12-68, Retail sales and service, occupant-oriented, Section 50-12-69, Retail sales and service, sales-oriented, Section 50-12-70, Retail sales and service, service-oriented, Section 50-12-71, Vehicle repair and service, and Section 50-12-72, Other retail, service, and commercial uses, Subdivision E, Manufacturing and Industrial Uses, Section 50-12-81, Industrial service, Section 50-12-82, Manufacturing and production, Section 50-12-83, Warehouse and freight movement, and Section 50-12-84, Waste-related use, and Subdivision F, Other Uses, Section 50-12-101, Aviation and surface transportation facilities, Section 50-12-102, Public center open uses, Section 50-12-103, Railroad facilities, Section 50-12-105, Telecommunications facilities, Section 50-12-106, Water-related facilities, Section 50-12-107, Other uses not prohibited by law or other ordinances and not specifically mentioned elsewhere in this chapter, Section 50-12-108, Adult uses/sexually-oriented businesses, Section 50-12-109, Agricultural uses, and Section 50-12-110, Medical marijuana facilities and adult-use marijuana establishments, and Division

3, Specific Use Standards, Subdivision A, Residential Uses, Section 50-12-155, Convalescent, nursing, or rest home, and Section 50-12-159, Lofts; residential uses combined in structures with permitted commercial uses, Subdivision C, Retail, Service, and Commercial Uses; Generally, Section 50-12-212, Animal grooming shop, Subdivision E, Retail, Service, and Commercial Uses; Generally, Section 50-12-298, Office, business or professional, Section 50-12-301, Parking structures, Section 50-12-315, Storage or killing of poultry, Section 50-12-318, Trade schools, commercial, and Section 50-12-323, Printing or engraving shops, Subdivision F, Manufacturing and Industrial Uses, Section 50-12-331, Abattoirs (slaughterhouses), Section 50-12-342, Lithographing and sign shops, Section 50-12-352, Towing service storage yards, Section 50-12-355, Trucking terminals, transfer buildings, truck garages, recreational vehicle storage lots, and open areas for the parking of operable trucks, Section 50-12-358, Wholesaling, warehousing, storage buildings, or public storage facilities, Section 50-12-361, Low/medium-impact manufacturing or processing facilities, and Section 50-12-362, High/medium-impact manufacturing or processing facilities, and Subdivision G, Other Uses – Antennas, Section 50-12-396, Permissibility and review; Category D antenna towers; Article XIV, Development Standards, Division 1, Off-Street Parking, Loading, and Access, Subdivision A, In General, Section 50-14-7, Off-street parking exemptions, reductions, and allowances; and Article XVI, Rules of Construction and Definitions, Division 2, Words and Terms Defined, Subdivision O, Letters “Q” Through “R”, Section 50-16-362, Words and terms (Red—Rm); in order to repeal the SD3 Special Development District, Technology and Research zoning classification, to renumber regulations for the SD1 Special Development District, Small-Scale, Mixed-Use and the SD2 Special Development District, Mixed-Use zoning classifications, to create the MKT Market and Distribution District zoning classification, including the specification of by-right and conditional uses, as well as intensity and dimensional standards thereof, and to adopt various conforming amendments.

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

Section 1. Chapter 50 of the 2019 Detroit City Code, Zoning, is amended in order to repeal the SD3 Special Development District, Technology and Research zoning classification, to renumber regulations for the SD1 Special Development District, Small-Scale, Mixed-Use and the SD2 Special Development District, Mixed-Use zoning classifications, to create the MKT Market and Distribution District zoning classification, including the specification of by-right and conditional uses, as well as intensity and dimensional standards thereof, and to adopt various conforming amendments, all as follows:

neering, and Environmental Department Environmental Affairs Division of such case;

(4) *Administrative adjustments.* For applications that do require site plan approval, to review applications for administrative adjustments of any development standard set forth in Articles XIII and XIV of this chapter, and to approve or deny such application in accordance with Article IV, Division 6 of this chapter;

(5) *Development plans.* To serve as custodian of development plans and amendments thereto, to advise the Board of Zoning Appeals regarding any proposed or requested minor deviation from a development plan in accordance with Section 50-2-74 and Section 50-4-2(c) of this Code, and to initiate and prepare amendments to development plans in accordance with Section 50-4-2(c) of this Code;

(6) *Special district review.* To participate in the review of permit applications in the PC and PCA Districts when site plan review is not otherwise required;

(7) *Master Plan.* To serve as custodian of the Master Plan, initiate amendments thereto, and provide determinations relative to the Master Plan as may be required of the Planning and Development Department in Section 50-3-46, Section 50-3-68, Section 50-3-96(7), and Section 50-4-82 of this Code; and

(8) *Advisory review committees.* To serve as chairperson of the Loft Review Committee and as member of the Industrial Review Committee, Hazardous Waste Facility Review Committee, Solid Waste Facility Review Committee, and Floodplain Management Review Committee, and to review proposals before said committees.

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; or

f. Any parking structure as defined in Section 50-16-341 of this Code.

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

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

a. Any development that has not more than 20,000 square feet of gross floor area where the addition or alteration results in a cumulative total of more than 20,000 square feet of gross floor area, considering existing floor area and proposed additions, 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. 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; or

c. Projects in a 100-year floodplain.

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, 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.

Subdivision B.

Submission Requirements

Sec. 50-3-131. Expedited review.

(a) Urban farms and other agriculture uses requiring site plan review are subject only to the submission requirements as specified in Section 50-3-138 of this Code.

(b) Plans that are subject to review solely by virtue of the provisions of Section 50-3-113(5) and (6) of this Code may be expedited by review limited to the Planning and Development Department and the Buildings, Safety Engineering, and Environmental Department, with the exception of urban farms and other agricultural uses, which shall always include the City Planning Commission staff. Similarly, in the SD4 and SD5 Districts, plans that relate to alterations to an existing structure, which do not involve additions or major structural alterations, may be expedited by review limited to the Planning and Development Department or City Planning Commission staff, as appropriate. Advisory review by other such departments, as is usually undertaken pursuant to Section 50-3-151 of this Code, is not required in such cases of expedited review. The submittal requirements that apply in cases of expedited review are limited to those specified in Section 50-3-132, Section 50-3-133, Section 50-3-135, and Section 50-3-136 of this Code, with the exception of urban farms and other agricultural uses which shall meet the submittal requirements as specified in Section 50-3-138 of this Code only. The appropriate review body is authorized to tailor the information that is required by this subdivision to the site under consideration.

Subdivision C. Authority to Review and Approve Site Plans

Sec. 50-3-151. Planning and Development Department.

Within the following zoning districts, the Planning and Development Department shall have the power to review and approve preliminary and final site plans: R1, R2, R3, R4, R5, R6, B1, B2, B3, B4, B5, B6, M1, M2, M3, M4, M5, P1, TM, PR, W1, MKT, SD1, SD2, and SD4 with less than three (3) acres. The Buildings, Safety Engineering and Environmental Depart-

ment is authorized to participate in the review of all site plans. The Water and Sewerage Department is authorized to participate in the review of all site plans. The Planning and Development Department shall involve other such departments as deemed necessary for proper site plan review, including, but not limited to, the Recreation Department; review of agricultural uses shall include the City Planning Commission staff, the Department of Public Works, and other departments and agencies as necessary.

DIVISION 8. REGULATED USES

Subdivision A. In General

Sec. 50-3-323. List of regulated uses.

The following use types shall be considered "regulated uses" under this chapter:

(1) Brewpub, microbrewery, or small distillery or small winery that serves alcohol for consumption on the premises, that is located outside the Central Business District, the MKT District, and the SD2 District, except if operating in conjunction with and are located on the same zoning lot as a standard restaurant as defined in Section 50-16-362 of this Code, shall not be considered regulated uses;

(2) Cabaret, outside the Central Business District and SD5 District;

(3) Dance hall, public, outside the Central Business District;

(4) Establishment for the sale of beer or alcoholic liquor for consumption on the premises, outside the Central Business District and outside the MKT, SD1 SD2, and SD5 Districts; however, such establishments that operate in conjunction with and are located on the same zoning lot as a standard restaurant as defined in Section 50-16-362 of this Code shall not be considered regulated uses;

(5) Lodging house, public;

(6) Motel;

(7) Pawnshop; and

(8) Plasma donation center.

ARTICLE IV. REVIEW AND

APPROVAL PROCEDURES (PART 2)

DIVISION 6. VARIANCES AND

ADMINISTRATIVE ADJUSTMENTS

Sec. 50-4-124. Review and decision-making authority.

(a) *Applications requiring site plan review.* In zoning districts R1, R2, R3, R4, R5, R6, B1, B2, B3, B4, B5, B6, M1, M2, M3, M4, M5, P1, TM, PR, W1, MKT, SD1, SD2, and SD4 with less than three acres, the Planning and Development Department shall have authority to grant administrative adjustments for development proposals that are required to obtain site plan approval, pursuant to the review procedures and approval criteria set forth in this division. In zoning districts PD, PC, PCA, SD4 with three acres or more, and SD5, the City Council shall have authority to similarly grant administrative adjustments. Administrative adjustments shall not be reviewed or approved until technical review comments pertaining to the preliminary site plan review process have been received and reviewed. In cases of permit applications that require site plan review, administrative adjustments shall be granted only during the site plan review process.

(b) *Applications not requiring site plan review.* The Buildings, Safety Engineering, and Environmental Department shall have authority to grant administrative adjustments for all development proposals that do not require site plan approval, pursuant to the review procedures and approval criteria set forth in this division and a public hearing shall not be required. Such requests shall be reviewed by a designated officer of the Buildings, Safety Engineering, and Environmental Department who shall grant the administrative adjustment, where the criteria specified in Section 50-4-121 of this Code have been met to the satisfaction of the designated officer. The Buildings, Safety Engineering, and Environmental Department shall involve other such departments as necessary for proper review, including, but not limited to, the Planning and Development Department and the Recreation Department.

ARTICLE VII. ZONING DISTRICTS (IN GENERAL)

Sec. 50-7-5. Special districts.

Special districts and overlay areas within the City are as follows:

- (1) PD Planned Development District.
- (2) P1 Open Parking District.
- (3) PC Public Center District.
- (4) PCA Public Center Adjacent District (Restricted Central Business District).
- (5) TM Transitional-Industrial District.
- (6) PR Parks and Recreation District.
- (7) W1 Waterfront-Industrial District.
- (8) MKT Market and Distribution District.
- (9) SD1 Special Development District, Small-Scale, Mixed-Use.
- (10) SD2 Special Development District, Mixed-Use.
- (11) SD4 Special Development District, Riverfront Mixed-Use.
- (12) SD5 Special Development District, Casinos.

ARTICLE VIII. RESIDENTIAL ZONING DISTRICTS

DIVISION 6. R5 MEDIUM DENSITY RESIDENTIAL DISTRICT

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 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 farther than one-half mile from a high-frequency transit corridor, 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. 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 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 cookings.
- m. Tattoo and/or piercing parlor.
- n. Veterinary clinic for small animals.

ARTICLE XI. SPECIAL PURPOSE ZONING DISTRICTS AND OVERLAY AREAS

DIVISION 9. MKT MARKET AND DISTRIBUTION DISTRICT

Sec. 50-11-201. Description.

(a) The MKT Market and Distribution District provides for and encourages food-related uses such as production, processing, and wholesaling, as well as transport, and similar activities essential to the commerce and health of the City. Limited supporting uses such as office, retail, service, and other uses normally desiring to locate in this type of district are also permissible.

(b) In the MKT District within the greater Eastern Market Area, the focus is on the expansion of existing and the attraction of new food-related industries outside the historic Market core. Provisions are made for greenway setbacks along certain streets to be used for vegetative screening of warehouse and production uses from residential uses, and as accessible open space. To avoid visually dominating existing buildings of historical character, building heights are limited around the historic Market core, unless the building contributes to the character of the market by containing a food production use. To avoid potentially overwhelming existing residential properties, building heights are also limited in areas likely to see large amounts of new construction.

Sec. 50-11-202. Site plan review.

(a) Projects located in the MKT Market and Distribution District are subject to site plan review, as provided for in Article III, Division 5 of this chapter, as follows:

(1) Projects located outside of the area described in Section 50-13-157(a) of this Code are subject to site plan review if they satisfy any of the applicability criteria set forth in Section 50-3-113 of this Code.

(2) Projects located inside of the area described in Section 50-13-157(a) of this Code are subject to site plan review if they involve any new construction, additions, or major structural alterations, or if they satisfy the applicability criteria set forth in Subsections (3) through (12) of Section 50-3-113 of this Code.

(b) In accordance with the Planning and Development Department's authority set forth in Section 50-3-151 of this Code, the Buildings, Safety Engineering, and Environmental Department must forward to the Planning and Development Department all building permit applications for projects for which site plan review is required in the MKT Market and Distribution District to ensure compliance with the provisions of Section 50-13-129 of this Code.

Sec. 50-11-203. By-right uses.

Uses that are permissible by-right in the MKT Market and Distribution District are delineated in Section 50-11-204 through Section 50-11-208 of this Code. Such by-right uses are subject to use regulations and standards set forth in Article XII of this chapter.

Sec. 50-11-204. By-right residential uses.

By-right residential uses within the MKT Market and Distribution District are as follows: Loft.

Sec. 50-11-205. By-right public, civic, and institutional uses.

By-right public, civic, and institutional uses within the MKT Market and Distribution District are as follows:

- (1) Educational institution.
- (2) Fire or police station, post office, courthouse, and similar public building.
- (3) Museum.
- (4) Outdoor recreation facility.
- (5) Religious institution.

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

By-right retail, service, and commercial uses within 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.
- (7) Banquet hall.
- (8) Barber or beauty shop, subject to Section 50-12-235 of this Code.
- (9) Bed and breakfast inn.
- (10) Body art facility.
- (11) Brewpub or microbrewery or small distillery or small winery.
- (12) Commissary.
- (13) Dance hall, public.
- (14) Dry cleaning, laundry, or laundromat.
- (15) Establishment for the sale of beer or alcoholic liquor for consumption on the premises.
- (16) Nail salon, subject to Section 50-12-236 of this Code.
- (17) Office, business or professional, subject to Section 50-12-298 of this Code.
- (18) Printing or engraving shops.
- (19) Produce or food markets, wholesale.
- (20) Radio or television station.
- (21) Recording studio or photo studio or video studio, no assembly hall.

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

(23) Restaurant fast-food without drive-up or drive-through facilities.

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

(25) Retail sales and personal service in business and professional offices, subject to Section 50-12-298 of this Code.

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

(27) Shoe repair shop.

(28) 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.

(29) 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.

(30) Used goods dealer.

Sec. 50-11-207. By-right manufacturing and industrial uses.

By-right manufacturing and industrial uses within the MKT Market and Distribution District are as follows:

- (1) Cold storage plant.
 - (2) Confection manufacture.
 - (3) Food catering establishment.
 - (4) High/Medium-impact manufacturing or processing, as defined in Section 50-16-242 of this Code, subject to Section 50-12-362 of this Code.
 - (5) Ice manufacture.
 - (6) Low-impact manufacturing or processing, as defined in Section 50-16-284 of this Code.
 - (7) Low/Medium impact manufacturing or processing, as defined in Section 50-16-284 of this Code, subject to Section 50-12-361 of this Code.
 - (8) Railroad transfer or storage tracks.
 - (9) Vending machine commissary.
 - (10) Wholesaling, warehousing, storage buildings, or public storage facilities, subject to Section 50-12-358 of this Code.
- #### **Sec. 50-11-208. By-right other uses.**
- Other by-right uses within the MKT Market and Distribution District are as follows:
- (1) Antennas, subject to Article XII, Division 3, Subdivision G of this chapter.
 - (2) Aquaculture, subject to Article XII, Division 3, Subdivision H of this chapter.
 - (3) Aquaponics, subject to Article XII, Division 3, Subdivision H of this chapter.
 - (4) Farmers' market, as defined in Section 50-16-201 of this Code.
 - (5) Greenhouses, subject to Article XII, Division 3, Subdivision H of this chapter.
 - (6) Hoophouses, subject to Article XII, Division 3, Subdivision H of this chapter.
 - (7) Hydroponics, subject to Article XII, Division 3, Subdivision H of this chapter.
 - (8) Railroad rights-of-way, not including storage tracks, yards, or buildings.
 - (9) Urban gardens, subject to Article XII, Division 3, Subdivision H of this chapter.

Sec. 50-11-209. Conditional uses.

Uses that are permissible conditionally in the MKT Market and Distribution District are delineated in Section 50-11-210 through Section 50-11-214 of this Code. Such conditional uses are subject to use regulations and standards set forth in Article XII of this chapter.

Sec. 50-11-210. Conditional residential uses.

Conditional residential uses within the MKT Market and Distribution District are as follows: Residential uses combined in structures with permitted commercial or industrial uses, subject to Section 50-12-159 of this Code.

Sec. 50-11-211. Conditional public, civic, and institutional uses.

Conditional public, civic, and institutional uses within the MKT Market and Distribution District are as follows:

- (1) Child care center.
- (2) Electric transformer station.
- (3) Gas regulator station.
- (4) Library.
- (5) Neighborhood center, non-profit.
- (6) Outdoor entertainment facility.

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

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

- (1) Barber or beauty shop, subject to Section 50-12-235 of this Code.
- (2) Business college or commercial trade school, subject to Section 50-12-318 of this Code.
- (3) Cabaret.
- (4) Customer service center, without drive-up or drive-through facilities.
- (5) Hotel.
- (6) Medical or dental clinic, physical therapy clinic, or massage facility.
- (7) Office, business or professional, subject to Section 50-12-298 of this Code.
- (8) Parking structures, subject to Section 50-12-301 of this Code.
- (9) Private club, lodge, or similar use.
- (10) Recreation, indoor commercial and health club.
- (11) Specially designated distributor's (SDU) or specially designated merchant's (SDM) establishment.
- (12) Storage or killing of poultry or small game for direct, retail sale on the premises or for wholesale trade, subject to Section 50-12-315 of this Code.
- (13) Veterinary clinic for small animals.
- (14) Youth hostel/hostel.

Sec. 50-11-213. Conditional manufacturing and industrial uses.

Conditional manufacturing and industrial uses within the MKT Market and Distribution District are as follows:

- (1) Abattoir, slaughterhouse, subject to Section 50-12-331 of this Code.
- (2) High-impact manufacturing or processing, as defined in Section 50-16-242 of this Code, subject to Section 50-12-365 of this Code.
- (3) Lithographing and sign shops.

(4) Trucking terminals, transfer buildings, truck garages, recreational vehicle storage lots, and open areas for the parking of semi-trailers, buses, and other operable commercial vehicles, not including limousines and taxicabs, subject to Section 50-12-355 of this Code.

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

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

Other conditional uses within the MKT Market and Distribution District are as follows:

- (1) Telecommunications building, private.
- (2) Urban farms, subject to Article XII, Division 3, Subdivision H of this chapter.

Sec. 50-11-215. Intensity and dimensional standards.

Development in the MKT Market and Distribution District is subject to Section 50-13-129 of this Code. Parking shall be prohibited between the street and front façade of the building.

Secs. 50-11-216—50-11-230. Reserved.

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

Sec. 50-11-231. Description.

The SD1 Special Development District is designed to encourage a complementary mixture of small-scale pedestrian and transit-oriented uses that are compatible in a neighborhood setting. It is intended to ensure a neighborhood character and place a proper balance of activities within walking distance of one another while serving the day-to-day needs of residents. Parking requirements are reduced in certain circumstances to promote use of transit and non-motorized transportation; shared parking and a district approach to parking are encouraged to lessen demand for off-street parking spaces. Certain establishments that serve alcohol for consumption on the premises are permitted without a spacing requirement in order to attract increased pedestrian traffic to the area.

Sec. 50-11-232. Site plan review.

All new construction and conditional uses in the SD1 Special Development District are subject to site plan review as provided for in Article III, Division 5, of this chapter.

Sec. 50-11-233. By-right uses.

Uses that are permissible by-right in the SD1 Special Development District are delineated in Section 50-11-234 through Section 50-11-238 of this Code. Such by-right uses are subject to use regulations and standards set forth in Article XII of this chapter.

Sec. 50-11-234. By-right residential uses.

By-right residential uses in the SD1 Special Development District are as follows:

- (1) Assisted living facility.
- (2) Boarding school and dormitory.
- (3) Loft.
- (4) Multiple-family dwelling.
- (5) Religious residential facilities in

conjunction with religious institutions in the immediate vicinity.

(6) Residential use combined in structures with permitted first-floor commercial uses.

(7) Shelter for victims of domestic violence.

Sec. 50-11-235. By-right public, civic, and institutional uses.

By-right public, civic, and institutional uses in the SD1 Special Development District are as follows:

- (1) Adult day care center.
- (2) Child care center.
- (3) Educational institution.
- (4) Family day care home.
- (5) Fire or police station, post office and similar public building.
- (6) Library.
- (7) Museum.
- (8) Neighborhood center, non-profit.
- (9) Outdoor recreation facility.
- (10) Religious institution.
- (11) School, elementary, middle/junior high, or high.

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

By-right retail, service, and commercial uses in 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, drive-through facilities.
- (5) Bake shop, retail.
- (6) Banks without drive-up or drive-through facilities.
- (7) Banquet hall.
- (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) Medical or dental clinic, physical therapy clinic, or massage facility.
- (13) Nail salon.
- (14) Office, business or professional.
- (15) 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.
- (16) Pet shop.
- (17) Printing or engraving shops not exceeding 4,000 square feet of gross floor area with a minimum of 10 percent of the gross floor area being used as a retail store for the sale of the goods produced.
- (18) Recording studio or photo studio or video studio, no assembly hall.
- (19) Recreation, indoor commercial and health club.

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

(21) Restaurant, carry-out or fastfood, without drive-up or drive-through facilities.

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

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

(24) Shoe repair shop.

(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.

Sec. 50-11-237. By-right manufacturing and industrial uses.

By-right manufacturing and industrial uses in the SD1 Special Development District 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 are as follows:

- (1) Confection manufacturing.
 - (2) Food catering.
 - (3) Jewelry manufacture.
 - (4) Lithographing and sign shops.
 - (5) Low/medium impact manufacturing or processing facilities as defined in Section 50-16-284 of this Code and limited to the following:
 - a. Art needlework.
 - b. Canvas goods manufacture.
 - c. Cigar or cigarette manufacture.
 - d. Clock or watch manufacture.
 - e. Coffee roasting.
 - f. Door, sash, or trim manufacture.
 - g. Draperies manufacture.
 - h. Flag or banner manufacture.
 - i. Glass blowing.
 - j. Knit goods manufacturing.
 - k. Leather goods manufacture or fabrication.
 - (6) General: Low-impact manufacturing or processing facilities as defined in Section 50-16-284 of this Code.
 - (7) Trade services, general, with the exception of cabinet making.
 - (8) Wearing apparel manufacturing.
- Sec. 50-11-238. By-right other uses.**
- Other by-right uses in the SD1 Special Development District are as follows:
- (1) Antennas, subject to Article XII, Division 3, Subdivision G of this chapter.
 - (2) Farmers markets, as defined in Section 50-16-201 of this Code.
 - (3) Urban gardens not exceeding 0.5 acre in size, subject to Article XII, Division 3, Subdivision H, of this chapter.
- Sec. 50-11-239. Conditional uses.**
- Uses that are permissible conditionally in the SD1 Special Development District are delineated in Section 50-11-240 through Section 50-11-244 of this Code. Such conditional uses are subject to use regulations and standards set forth in Article XII of this chapter.
- Sec. 50-11-240. Conditional residential uses.**
- Conditional residential uses in the SD1 Special Development District are as follows:
- (1) Child caring institution.
 - (2) Convalescent, nursing, or rest home.
 - (3) Fraternity or sorority house.
 - (4) Residential substance abuse service facility.
 - (5) Rooming house.
 - (6) Single-family detached dwelling.
 - (7) Single-room-occupancy (SRO) housing, non-profit.
 - (8) Townhouse.
 - (9) Two-family dwelling.

Sec. 50-11-241. Conditional public, civic, and institutional uses.

Conditional public, civic, and institutional uses in the SD1 Special Development District are as follows:

- (1) Electric transformer station.
- (2) Gas regulator station.
- (3) Telephone exchange building.

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

Conditional retail, service, and commercial uses in 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) Establishment for the sale of beer or intoxicating 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.

- (4) Hotel.
- (5) Kennel, commercial.
- (6) Parking lots or parking areas, commercial and accessory parking farther than the maximum distance specified in Article XIV, Division 1 of this chapter.

(7) 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.

- (8) Pool hall.
- (9) Private club, lodge, or similar use.
- (10) Radio or television station.
- (11) Radio, television, or household appliance repair shop.
- (12) Rental hall that exceeds 3,000 square feet.

(13) 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.

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

(15) Theater, excluding concert cafe and drive-in theater, not exceeding (150) fixed seats.

- (16) Used goods dealer.
- (17) Youth hostel/hostel.

Sec. 50-11-243. Conditional manufacturing and industrial uses.

When considering the conditional uses specified in this section, the factors listed in Section 50-2-105(b)(2), (3), and (14) of this Code shall be considered. Conditional manufacturing and industrial uses in the SD1 Special Development District 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 are as follows:

(1) High/medium-impact manufacturing or processing limited to furniture manufacturing.

- (2) Machine shop.
- (3) Trade services, general, limited to cabinet making.
- (4) Welding shops.

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

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

- (1) Antennas, subject to Article XII, Division 3, Subdivision G of this chapter.
- (2) Marinas.

Sec. 50-11-245. General intensity and dimensional standards.

Development in the SD1 Special Development District shall comply with the general intensity and dimensional standards provided in Section 50-13-130 of this Code and as follows:

(1) *Front Setback:*
a. A minimum front setback is not required.

b. The maximum front setback allowed shall be the average of the front setback of the buildings located on the adjacent lots on each side of the subject building or 20 feet, whichever is less.

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

(2) *Rear Setback:*
a. If a street or alley is to the rear of a single-story building, a minimum rear setback is not required. If no street or alley is present, single-story buildings shall have a minimum rear setback often feet.

b. Where land zoned R1, R2, R3, R4, R5, R6, residential PD, or SD1 is located across a street or alley from the rear of a multi-story building, the multi-story buildings shall have a rear setback often feet; where a street or alley is not present to separate the rear of a multi-story building from land zoned R1, R2, R3, R4, R5, R6, residential PD, or SD1, the multi-story building shall have a rear setback of 20 feet.

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

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

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

(5) *Maximum height:* 35 feet for non-mixed-use, 50 feet for mixed-use. Where a lot fronts on a right-of-way which is more than 50 feet wide and where the outermost point of the proposed mixed-use building is at least 40 feet from all R1, R2, and R3 Districts, the maximum height may be increased one foot for each one foot of right-of-way width greater than 50 feet. The building shall not exceed 60 feet in height.

Sec. 50-11-246. Accessory uses.

Regulations governing minimum yards for accessory uses in the R5 District shall apply to similar accessory uses in the SD1 Special Development District.

**Secs. 50-11-247—50-11-260. Reserved.
DIVISION 11. SD2—SPECIAL
DEVELOPMENT DISTRICT,
MIXED-USE**

Sec. 50-11-261. Description.

The SD2 Special Development District is designed to encourage a complementary mixture of more intensive pedestrian and transit-oriented uses that may be compatible with a neighborhood center or with a location along major or secondary thoroughfares. Parking requirements are reduced in certain circumstances to promote use of transit and non-motorized transportation; shared parking and a district approach to parking are encouraged to lessen demand for off-street parking spaces. Certain establishments that serve alcohol for consumption on the premises are permitted without a spacing requirement in order to attract increased pedestrian traffic to the area.

Sec. 50-11-262. Site plan review.

All new construction and conditional uses in the SD2 Special Development District are subject to site plan review as provided for in Article III, Division 5, of this chapter.

Sec. 50-11-263. By-right uses.

Uses that are permissible by-right in the SD2 Special Development District are delineated in Section 50-11-264 through Section 50-11-268 of this Code. Such by-right uses are subject to use regulations and standards set forth in Article XII of this chapter.

Sec. 50-11-264. By-right residential uses.

By-right residential uses within the SD2 Special Development District are as follows:

- (1) Assisted living facility.
- (2) Boarding school and dormitory.
- (3) Lofts.
- (4) Multiple-family dwellings where combined in structures with permitted first-floor commercial use.
- (5) Religious residential facilities in conjunction with religious institutions in the immediate vicinity.
- (6) Residential uses combined in structures with permitted (first floor) commercial uses.

Sec. 50-11-265. By-right public, civic, and institutional uses.

By-right public, civic, and institutional uses within the SD2 Special Development District are as follows:

- (1) Adult day care center.
- (2) Child care center.
- (3) Educational institution.
- (4) Fire or police station, post office and similar public building.
- (5) Governmental service agency.
- (6) Library.
- (7) Museum.
- (8) Neighborhood center, non-profit.
- (9) Outdoor recreation facility.
- (10) Religious institution.
- (11) School, elementary, middle/junior high, or high.

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

By-right retail, service, and commercial uses in 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 hall.
- (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) Medical or dental clinic, physical therapy clinic, or massage facility.
- (13) Mortuary or funeral home, including those containing a crematory.

(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 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) Radio or television station.

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

(21) Recreation, indoor commercial and health club, excluding golf dome.

(22) Rental hall.

(23) Restaurant, carry-out or fastfood, located in a multi-story building and integrated into a mixed-use or multi-tenant development, and without drive-up or drive-through facilities.

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

(25) Retail sales and personal service in business and professional offices.

(26) Retail sales and personal service in multiple-residential structures, subject to Section 50-12-312 of this Code.

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

(28) Shoe repair shop.

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

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

(31) Veterinary clinic for small animals.

Sec. 50-11-267. By-right manufacturing and industrial uses.

By-right manufacturing and industrial uses not exceeding 5,000 square feet with a minimum of ten percent of the gross floor area being used as a retail store for the sale of the goods produced within the SD2 Special Development District are as follows:

- (1) Confection manufacturing.
- (2) Food catering.
- (3) Jewelry manufacture.
- (4) Lithographing and sign shops.
- (5) Low/medium impact manufacturing or processing facilities, as defined in Section 50-16-284 of this Code and limited to the following:

- a. Art needlework.
- b. Canvas goods manufacture.
- c. Cigar or cigarette manufacture.
- d. Clock or watch manufacture.
- e. Coffee roasting.
- f. Door, sash, or trim manufacture.
- g. Draperies manufacture.
- h. Flag or banner manufacture.
- i. Glass blowing.
- j. Knit goods manufacturing.
- k. Leather goods manufacture or fabrication.

(6) Low-impact manufacturing or processing facilities, as defined in Section 50-16-284 of this Code.

(7) Trade services, general, with the exception of cabinet making.

(8) Wearing apparel manufacturing.

Sec. 50-11-268. By-right other uses.

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

(1) Antennas, subject to Article XII, Division 3, Subdivision G of this chapter.

(2) Farmers markets, as defined in Section 50-16-201 of this Code.

(3) Marinas.

Sec. 50-11-269. Conditional uses.

Uses that are permissible conditionally in the SD2 Special Development District are delineated in Section 50-11-270 through Section 50-11-274 of this Code. Such conditional uses are subject to use regulations and standards set forth in Article XII of this chapter.

Sec. 50-11-270. Conditional residential uses.

Conditional residential uses within the SD2 Special Development District are as follows:

(1) Adult foster care facility.

(2) Convalescent, nursing, or rest home.

(3) Emergency shelter.

(4) Fraternity or sorority house.

(5) Multiple-family dwelling.

(6) Residential substance abuse service facility.

(7) Rooming house.

(8) Single-room-occupancy housing, non-profit.

(9) Townhouse.

Sec. 50-11-271. Conditional public, civic, and institutional uses.

Conditional public, civic, and institutional uses within the SD2 Special Development District are as follows:

(1) Electric transformer station.

(2) Gas regulator station.

(3) Hospital or hospice.

(4) Substance abuse service facility.

(5) Telephone exchange building.

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

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 trade school.

(4) Cabaret.

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

(6) Dance hall, public.

(7) Hotel.

(8) Kennel, commercial.

(9) Motel.

(10) Motor vehicle filling station.

(11) Motor vehicle services, minor.

(12) Parking lots or parking areas, commercial.

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

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

(15) Pool hall.

(16) Precious metal and gem dealer.

(17) Printing or engraving shops exceeding 5,000 square feet of gross floor area with a minimum of ten percent of the gross floor area being used as a retail store for the sale of the goods produced.

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

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

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

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

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

(23) Used goods dealer.

(24) Youth hostel/hostel.

Sec. 50-11-273. Conditional manufacturing and industrial uses.

(a) When considering the conditional uses specified in this section, the factors listed in Section 50-2-104(b)(2), (3), and (14) of this Code shall be considered.

(b) Conditional manufacturing and industrial uses within the SD2 Special Development District 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 are as follows:

(1) High/medium-impact manufacturing or processing limited to furniture manufacturing.

(2) Machine shop.

(3) Trade services, general, limited to cabinet making.

(4) Welding shops.

Sec. 50-11-274. Conditional other uses.

Other conditional uses in the SD2 Special Development District, Mixed-Use are as follows:

(1) Designated consumption establishment.

(2) Marijuana microbusiness.

(3) Marijuana retail/provisioning facility.

(4) Marijuana safety compliance facility, subject to Article III, Division 12 of this chapter.

(5) Passenger transportation terminal.

(6) Urban Gardens not exceeding 0.5 acres in size, subject to Article XII, Division 3, Subdivision H of this chapter.

Sec. 50-11-275. Intensity and dimensional standards.

Development in the SD2 Special Development District is subject to Section 50-13-131 of this Code and as follows:

(1) Front Setback.

a. A minimum front setback is not required.

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

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

(2) Rear Setback.

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

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

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

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

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

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

Secs. 50-11-276—50-11-280. Reserved.

DIVISION 14. OVERLAY AREAS

Secs. 50-11-491—50-11-530. Reserved.

Detroit Legal News

Monday, September 26, 2022

16 | Page

Sec. 50-12-45. Library.

Regulations regarding library 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	P	P1	P2	P3	P4	P5	P6	T	M	R		W	K	S	S	S	S
Library	All			R	R	R	R	R	R	C	R	R	R	R	R	C	C	L		R	R	R									C	R	R	R	

Sec. 50-12-46. Museum.

Regulations regarding museum uses are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)						
		R1	R2	R3	R4	R5	R6	B1	B2	B3	B4	B5	B6	M1	M2	M3	M4	M5	P	P1	P2	P3	P4	P5	P6	T	M	R		W	K	S	S	S	S
Museum	Museum			R	R	R	R	R	R	C	R	R	R	R	R	C	C	L		R	R	R	R	R	R						R	R	R	R	C
	Outdoor art exhibition grounds; sculpture gardens	C	C	R	R	R	R			R	C	R							L																
	Public aquarium																		L		R	R		R									C		

Sec. 50-12-47. Park and open space.

Regulations regarding park and open space 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	P	P1	P2	P3	P4	P5	P6	T	M	R		W	K	S	S	S	S
Park and open space	Cemeteries, including those containing mausoleums, crematories, or columbaria	C	C	C															L																
	Outdoor recreation facility	C	C	R	R	R	R	R	R	C	R	R	R	R	R	C	C		L		R	R	R	R	R					R	R	R	R	R	
	All other			C	C	C	C	C	C		C	R	C	C	C	C	C		L		R	R		R	R					R	R	C			

Sec. 50-12-48. Religious institution.

Regulations regarding religious institution 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	P	P1	P2	P3	P4	P5	P6	T	M	R		W	K	S	S	S	S
Religious institution	All	C	C	R	R	R	R	R	R	C	R	R	R	R	R	C	C		L		R	R								R	R	R	C		

Detroit Legal News

Monday, September 26, 2022

23 | Page

Subdivision E. Manufacturing and Industrial Uses

Sec. 50-12-81. Industrial service.

Regulations regarding industrial service uses are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial						Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)								
		R1	R2	R3	R4	R5	R6	B1	B2	B3	B4	B5	B6	M1	M2	M3	M4	M5	P1	P2	P3	P4	P5	P6	PC	TA	PM	PR	W1		WK	KT	SD1	SD2	SD3	SD4	SD5	
Industrial service	Blueprinting shop							C						R	R	R	R	R																			C	Section 50-12-333
	Boiler repairing													C	R	R	R	R	L																		Section 50-12-458	
	Construction equipment, agricultural implements, and other heavy equipment repair or service																		C	R	R	R	L						R								Section 50-12-458	
	Contractor: yard, landscape or construction													R	R	R	R	R	L										R								Section 50-12-458	
	Junkyard																													C							SWFRC; Section 50-12-341	
	Laundry, industrial																		C	R	R	R	L						R									
	Lumber yard													R	R	R	R	R	L										R								Section 50-12-343	
	Machine shop							C	C										C	R	R	R	L									C	C				Sections 50-12-363, 50-12-458	
	Outdoor storage yard																																				Sections 50-12-344, 50-12-458	
	Pet crematory																		R	R	R	R	R															
	Research facilities																							L														
	Tires, used; sales and/or service													C	C	C	C	C	L										C								Section 50-12-350	
	Tool sharpening or grinding																		C	R	R	R	L						R								Section 50-12-516	
	Towing service storage yard																		C	C	C	C	L						C								Section 50-12-352	
	Trade services, general							C/R		R	R	R	R	R	R	R	R	R	L										R			C/R	C/R				Section 50-12-353	
Truck stops																		C																		Section 50-12-519		
Used vehicle parts sales																																				Section 50-12-356		
Welding shops							C		C									C	R	R	R	L									C	C				Section 50-12-364		
All other																																						

Detroit Legal News

Monday, September 26, 2022

Sec. 50-12-107. Other uses not prohibited by law or other ordinances and not specifically mentioned elsewhere in this chapter.

Regulations regarding all other uses not prohibited by law or other ordinances and not specifically mentioned elsewhere in this chapter 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	P	P1	P2	P3	P4	P5	T	M	P	W		M	S	S	S	S	
All other uses not prohibited by law or other ordinances and not specifically mentioned elsewhere in this chapter																																			

Sec. 50-12-108. Adult uses/sexually-oriented businesses.

Regulations regarding adult uses and sexually-oriented businesses 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	P	P1	P2	P3	P4	P5	T	M	P	W		M	S	S	S	S
Adult uses/sexually-oriented businesses	Adult bookstore or adult video store, adult cabaret, adult motion picture theater, semi-nude model studio																		R	R														SPC; Section 50-3-504

Sec. 50-12-109. Agricultural uses.

Regulations regarding agricultural uses are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)				
		R1	R2	R3	R4	R5	R6	B1	B2	B3	B4	B5	B6	M1	M2	M3	M4	M5	P	P1	P2	P3	P4	P5	T	M	P	W		M	S	S	S
Agricultural uses	Aquaculture																																Article XII, Division 3, Subdivision H
	Aquaponics																															Article XII, Division 3, Subdivision H	
	Farmers' market	*	*	*	*	*	*	R	R	R	C	R	R	R	R	R	R	R	L	*	C	C	R	*			R	R	R	C		Article XII, Division 3, Subdivision H *As accessory use only as provided in Section 50-12-521	
	Greenhouse	C	C	C	R	R	R	R	R	R	R	C	R	R	R	R	R	R	L								R		R			Article XII, Division 3, Subdivision H	
	Hoop-house	C	C	C	R	R	R	R	R	R	R	C	R	R	R	R	R	R	L								R		R			Article XII, Division 3, Subdivision H	
	Hydroponics																										R		R		C	Article XII, Division 3, Subdivision H	
	Urban farm (including orchard and tree farm when principal use)	C	C	C	R	R	R	R	R	R	R	C	R	C	C	C	C	C	L								C		C			Article XII, Division 3, Subdivision H	
Urban garden	R	R	R	R	R	R	R	R	R	R	C	R	C	C	C	C	C	L								C		R	R	C	Article XII, Division 3, Subdivision H		

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 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.

Subdivision C. Retail, Service, and Commercial Uses; Generally **Sec. 50-12-212. Animal-grooming shop.**

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

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

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

(d) In the MKT District, animal grooming shops are not permissible if located on the first floor.

Sec. 50-12-235. Barber or beauty shop.
In the MKT District, barber or beauty shops are not permissible if located on the first floor of a multi-story building, but are permissible on a conditional basis if located in a single-story building.

Sec. 50-12-236. Nail salons.
In the MKT District, nail salons are not permissible if located on the first floor.

Secs. 50-12-237—50-12-250. Reserved **Subdivision E. Retail, Service and Commercial Uses; Generally**

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

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

(b) In the MKT District, office uses:

(1) Are permissible conditionally where located in newly-constructed buildings, or in the expanded area of an existing building if the expansion comprises more than 200 percent of the area of the first floor of the building; and

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

Sec. 50-12-301. Parking structures.
Parking structures shall be subject to the following provisions:

(1) The dimensions of parking spaces in a parking structure shall be nine feet by 20 feet as specified in Section 50-14-231 of this Code, except that not more than 20 percent of the total number of spaces may be striped to smaller dimensions, provided, that all such spaces are located in those areas of the structure most remote from street-level ingress and egress and from direct access points to adjacent buildings. No other administrative adjustment of parking space dimensions may be granted;

(2) Parking structures shall conform to the specifications for accessible parking for physically disabled persons as provided for in Section 50-14-182 through Section 50-14-186 of this Code. In addition, the minimum height clearance shall be 98 inches for van accessibility;

(3) In the B5, PC, and PCA Districts, a parking structure shall be permitted by-right if at least 30 percent of the ground floor level façade abutting a public street is dedicated to commercial space or other space oriented to pedestrian traffic. Otherwise, a parking structure may only be permitted as a conditional use;

(4) In the SD1 and SD2 Districts, a parking structure may be permitted as a conditional use if at least 60 percent of the ground floor level façade abutting a public street is dedicated to commercial space or other space oriented to pedestrian traffic;

(5) Parking structures shall be subject to site plan review as provided for in Section 50-3-113(1)f of this Code.

(6) In the MKT District, parking structures are conditionally permissible if at least 30 percent of the ground floor level façade abutting a public street is dedicated to commercial space or other space oriented to pedestrian traffic.

Sec. 50-12-315. Storage or killing of poultry.

(a) Storage or killing of poultry or small game for direct, retail sale on the premises or for wholesale trade shall also conform to the requirements of Chapter 19 of this Code, *Food*.

(b) In the MKT District, storage or killing of poultry or small game for direct, retail sale on the premises or for wholesale trade is permissible by-right where such use comprises not more than 5,000 square feet in gross floor area and is conditionally permissible where such use comprises more than 5,000 square feet in gross floor area.

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 building adaptive reuse" provision as defined in Section 50-16-381 of this Code.

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

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

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

(a) In the SD1 District, printing or engraving shops not exceeding 4,000 square feet may be permitted on a by-right basis where a minimum of ten percent of the gross floor area is used as a retail store for the sale of the goods produced, as provided for in Section 50-11-206(15) 50-11-236(15) of this Code; this regulation may not be waived by the Board of Zoning Appeals.

(b) In the ŠD2 District, printing or engraving shops not exceeding 5,000 square feet may be permitted on a matter of right basis where a minimum of ten percent of the gross floor area is used as a retail store for the sale of the goods produced. Printing or engraving shops exceeding 5,000 square feet may be permitted on a conditional basis where a minimum of ten percent of the gross floor area is used as a retail store for the sale of the goods produced.

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.

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.

Secs. 50-12-325—50-12-330. Reserved. Subdivision F. Manufacturing and Industrial Uses

Sec. 50-12-331. Abattoirs (slaughterhouses).

(a) Abattoirs (slaughterhouses) are additionally subject to state licensing provisions that are specified in the Michigan Slaughterhouses; Edible Rendering, Wholesale Fabricating, Processing, or Storage Establishments Act, being MCL 287.571 et seq.

(b) In the MKT District, abattoirs (slaughterhouses) must not exceed 15,000 square feet in gross floor area.

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

(a) In the B2, and B4, and MKT Districts, sign shops shall be prohibited.

(b) In the B2, B3, and B4 Districts, a lithographing shop 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 a lithographing shop is permissible conditionally only if located in a structure not exceeding 4,000 square feet of gross floor area and located outside a Traditional Main Street Overlay Area, in the B3 District a lithographing shop is prohibited, and in the B4 District, a lithographing shop is permissible conditionally.

(c) In the SD1 District, lithographing and sign shop establishments shall 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.

(d) In the ŠD2 District, lithographing and sign shop establishments shall 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.

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

Sec. 50-12-352. Towing service storage yards.

(a) Towing service storage yards shall be subject to the following provisions:

(1) All buildings, screening, and stored or abandoned vehicles shall be set back at least 20 feet from any lot line abutting, across the street, or across the alley from land zoned R1, R2, R3, R4, R5, R6, or residential PD;

(2) As required by Section 50-14-361 of this Code, the 20-foot setback area between the masonry wall and the lot line, where required, shall be landscaped in accordance with Section 50-14-362 and Section 50-14-367 of this Code;

(3) A masonry wall that is not less than six feet in height shall be erected:

a. Between any storage and the 20-foot setback area specified in Subsection (1) of this section; and

b. At any lot line abutting, across the street, or across the alley from land zoned B1, B2, B3, B4, B5, B6, non-industrial PD, P1, PC, PCA, PR, SD1, SD2, SD4, and SD5;

(4) All ground surfaces within any towing service storage yard shall be covered with asphalt or concrete paving, or other material to create a firm, level surface, which is free of ruts, potholes, or uneven areas,) that prevents the formation of dust and mud and is approved by the Buildings, Safety Engineering, and Environmental Department. Pervious surface treatments are encouraged, except that gravel, slag, cinder, or graded natural surfaces shall not be allowed;

(5) No vertical stacking of abandoned vehicles shall be permitted;

(6) The Buildings, Safety Engineering, and Environmental Department shall specify the maximum, appropriate number of abandoned vehicles to be stored given the area and configuration of the site; and

(7) The Buildings, Safety Engineering, and Environmental Department shall be authorized to obtain a performance guarantee as provided for in Article XIV, Division 8, of this chapter, in a sufficient amount, as determined by the Director of the Buildings, Safety Engineering, and Environmental Department.

(b) Any use previously classified as a "Police Department authorized abandoned vehicle yard" or a "Police Department authorized abandoned vehicle storage yard" shall now be considered a "towing service storage yard" without need for issuance of an additional permit or change of use.

Sec. 50-12-355. Trucking terminals, transfer buildings, truck garages, recreational vehicle storage lots, and open areas for the parking of operable trucks.

(a) Wherever possible, access to the sites of trucking terminals, transfer buildings, truck garages, recreational vehicle storage lots, and open areas for the parking of operable trucks from local residential streets shall be avoided.

(b) On land zoned SD4, exclusively, only emergency medical service vehicles having not more than two axles may be parked, stored, or serviced.

(c) In the MKT District, trucking terminals and transfer buildings for food-related products are permissible, but truck garages, recreational vehicle storage lots, and open areas for the parking of operable trucks are not permissible.

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; and

(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.

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.

Sec. 50-12-362. High/medium-impact manufacturing or processing facilities.

(a) In the B2 and B4 Districts, a high/medium-impact manufacturing or processing facility is permissible by-right only if limited to furniture manufacturing, 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 high/medium-impact manufacturing or processing facility is prohibited.

(b) In the SD1 and SD2 Districts, high/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 may be permitted as a conditional use and are limited to furniture making facilities.

(c) In the SD1 District, furniture making facilities shall not exceed 4,000 square feet in gross floor area.

(d) In the SD2 District, furniture making facilities shall not exceed 5,000 square feet in gross floor area.

(e) In the MKT District, high/medium impact manufacturing and processing uses are limited to the following:

(1) Canning factories, excluding fish products;

(2) Brewing or distilling of liquors; and

(3) Brewing of 20,000 or more barrels of beer or malt beverage per year.

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

Sec. 50-12-365. High-impact manufacturing or processing facilities.

(a) In the MKT District, high-impact manufacturing or processing uses are limited to the following:

(1) Carbonic ice manufacture;

(2) Meat products manufacturing or processing;

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

Secs. 50-12-366—50-12-370. Reserved.

Subdivision G.

Other Uses – Antennas

Sec. 50-12-396. Permissibility and review; Category D antenna towers.

Category D antenna towers shall be governed by the following provisions:

(1) *Review.* All Category D antennas shall be subject to review by the Wireless Telecommunications Site Review Committee as provided for in Article II, Division 6, Subdivision G, of this chapter.

(2) *Permitted by right.* Notwithstanding the height limitations specified in Article XIII, Division 1, of this chapter, Category D antenna towers shall be permitted by right in the B5 and B6 Districts, all industrial zoning districts and in any PCA, TM, or SD2 District where more than 120 feet from any single- or two-family dwelling; Building-mounted antennas: except as provided for in Subsection (5) of this section, antennas, such as those for cellular telephone that are often affixed to antenna towers exceeding 75 feet in height, may be mounted to the wall or roof or other surface of an existing building or other existing structure on a by right basis

in the R4, R5, R6, B1, B2, B3, B4, B5, B6, M1, M2, M3, M4, M5, PC, PCA, TM, PR, W1, MKT, SD1, SD2, and SD4 Districts, provided the antennas are effectively concealed or camouflaged.

(3) *Conditional.* Notwithstanding the height limitations specified in Article XIII, Division 1, of this chapter for the R4, R5, R6, B1, B2, B3, B4, and PR Districts, Category D antenna towers may be permitted as a conditional use in the R4, R5, and R6 residential districts and in B1, B2, B3, and B4 Districts, and in the PR special zoning

district where proposed farther than 120 feet from any R1, R2, or R3 District and from any single- or two-family dwelling, subject to the findings specified in Section 50-12-385(1) of this Code, and subject to conditions as deemed necessary by the Buildings, Safety Engineering, and Environmental Department, including, but not limited to: antenna tower dimensions, setback requirements, number of antenna towers per zoning lot, height limitations, screening, and materials and coloration; Category D antenna towers may also be permitted as a conditional use in the R1, R2, and R3 residential districts on the grounds of a lighted athletic field, notwithstanding the prohibition in Subsection (4)a of this section, where proposed.

(4) *Prohibited.* Except as delineated in Subsections (3) and (5) of this section, Category D antennas are prohibited:

a. In the R1, R2, and R3 Districts;

b. In the R4, R5, R6, B1, B2, B3, B4, and PR Districts where located within 120 feet of any R1, R2, or R3 District or a single- or two-family dwelling. Distance shall be measured between the closest R1, R2, R3 District lot line and the outermost point of the antenna structure closest to it;

c. In the SD4 District, except as accessory to a land use specified in Article XI, Division 12, of this chapter; and

d. In the TM, W1, M1, M2, M3, M4, M5 Districts where less than 120 feet from a single- or two-family dwelling; collocation of antennas on antenna towers located less than 120 feet from land zoned R1, R2, or R3 or from a single- or two-family dwelling requires a public hearing before the Board of Zoning Appeals as an expansion of a nonconforming structure.

(5) *Exception to prohibition.* Notwithstanding the prohibitions that are contained in Subsection (4) of this section, antennas, such as those for cellular telephones that are often affixed to antenna towers exceeding 75 feet in height, may be mounted to the wall or roof or other surface of an existing building or other existing structure in the R1, R2, R3, R4, R5, R6, B1, B2, B3, B4, PR, and SD4 Districts:

a. Subject to review by the Wireless Telecommunications Site Review Committee; and

b. Provided the antennas are effectively concealed or camouflaged; and

c. As a conditional use, subject to Article III, Division 7, of this chapter.

**ARTICLE XIII. INTENSITY AND DIMENSIONAL STANDARDS
DIVISION 1. TABLES OF INTENSITY AND DIMENSIONAL STANDARDS
Subdivision G. Special Purpose Zoning Districts**

Sec. 50-13-129. MKT District.

Intensity and dimensional standards in the MKT Market and Distribution District are as follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
<i>*Formula A = Length (feet) + 2 (height) / 15 *Formula B = Length (feet) + 2 (height) / 6</i>									
Agricultural uses			See Section 50-12-400						Section 50-12-409
All uses						80			Section 50-13-157

Sec. 50-13-130. SD1 District.

Intensity and dimensional standards in the SD1 Special Development District, Residential/Commercial, are as follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
<i>*Formula A = Length (feet) + 2 (height) / 15 *Formula B = Length (feet) + 2 (height) / 6</i>									
Gas regulator stations, electric transformer stations, telephone exchange buildings			See Section 50-11-245	See Section 50-11-245	See Section 50-11-245				
Establishment for the sale of beer or alcoholic liquor for consumption on the premises			See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245			
Fraternity or sorority houses	7,000	70	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245			
Hotels	7,000	70	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245			
Libraries or museums	10,000	70	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245			
Marinas			20	20					Section 50-13-172

Detroit Legal News

Monday, September 26, 2022

34 | Page

Multiple-family dwellings	7,000	70	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	(0.07 RSR)		
Neighborhood centers (non-profit)	7,000	70	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245			
Outdoor recreation facilities									Section 50-13-211
Parking lots or parking areas			See Section 50-11-245	See Section 50-11-245	See Section 50-11-245				Article XIV, Division 1, Subdivision I
Parking structures			See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245			Section 50-13-183
Personal service establishment as defined in Section 50-16-341			See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245			
Radio, television, or household appliance repair shop			See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245			
Religious institutions	10,000	70	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245			

Residential use combined in structures with permitted (first floor) commercial uses			See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	50, not to exceed 4 stories; see Section 50-11-245			
Restaurants			See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245			
Rooming houses	7,000	70	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	(0.07 RSR)		
Schools	10,000	70	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245			
Single-family dwellings; religious residential facilities	5,000	50	20	4 ft. minimum/14 ft. combined	30	35			
Specially designated distributor's (SDD) establishments			See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245			

Detroit Legal News

Monday, September 26, 2022

35 | Page

Specially designated merchant's (SDM) establishments			See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245				
Stores of a generally recognized retail nature whose primary business is the sale of new merchandise			See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245				
Townhouses (attached group)	7,000	70	20	Formula A	30		35	1.50	Section 50-13-186	
Agricultural uses			See Section 50-12-400							Section 50-12-409
All mixed use			See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	50, not to exceed 4 stories; see Section 50-11-245				
All other uses, other than mixed use	7,000	70	See Section 50-11-245	See Section 50-11-245	See Section 50-11-245	35				

Sec. 50-13-131. SD2 District.

Intensity and dimensional standards in the SD2 Special Development District, Commercial/Residential, are as follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
<i>*Formula A = Length (feet) + 2 (height) / 15</i>			<i>*Formula B = Length (feet) + 2 (height) / 6</i>						
Fraternity or sorority houses	7,000	70	20	Formula A	30			1.50	
Hotels	7,000	70	See Section 50-11-275	See Section 50-11-275	See Section 50-11-275	See Section 50-11-275			
Libraries or museums	10,000	70	See Section 50-11-275	See Section 50-11-275	See Section 50-11-275	See Section 50-11-275			
Motor vehicle filling station	See Section 50-13-173		See Sections 50-13-178 and 50-13-179				See Section 50-13-177		
Multiple-family dwellings	7,000	70	See Section 50-11-275	See Section 50-11-275	See Section 50-11-275	See Section 50-11-275	(0.07 RSR)		
Neighborhood centers (non-profit)	7,000	70	See Section 50-11-275	See Section 50-11-275	See Section 50-11-275	See Section 50-11-275			
Outdoor recreation facilities									Section 50-13-211
Parking lots or parking areas			See Section 50-11-275	See Section 50-11-275	See Section 50-11-275				Article XIV, Division 1, Subdivision I
Parking structures			See Section 50-11-275	See Section 50-11-275	See Section 50-11-275	See Section 50-11-275			Section 50-13-183
Religious institutions	10,000	70	See Section 50-11-275	See Section 50-11-275	See Section 50-11-275	See Section 50-11-275			Section 50-13-184

Rooming houses	7,000	70	See Section 50-11-275	See Section 50-11-275	See Section 50-11-275	See Section 50-11-275	(0.07 RSR)	
Schools	10,000	70	See Section 50-11-275	See Section 50-11-275	See Section 50-11-275	See Section 50-11-275		Section 50-13-211
Townhouses (attached group)	7,000	70	See Section 50-11-275	See Section 50-11-275	See Section 50-11-275	See Section 50-11-275		Section 50-13-186
All mixed use			See Section 50-11-275	See Section 50-11-275	See Section 50-11-275	60, not to exceed 5 stories; see Section 50-11-275		
All other uses, other than mixed use			See Section 50-11-275	See Section 50-11-275	See Section 50-11-275	45		Section 50-13-211

Subdivision H. General Intensity and Dimensional Standards for Special Purpose Zoning Districts Sec. 50-13-157.

MKT district requirements.

(a) *Setbacks.* Land zoned MKT in the area bounded by Superior Street to the north, Chene Street to the east, Wilkins Street to the south, and Dequindre Cut Greenway / Dequindre Street to the west, excluding properties abutting Dubois Street, are subject to the following setback requirements:

(1) *Side setback from Dequindre Cut Greenway.* Any zoning lot for which a side lot line abuts the Dequindre Cut Greenway must provide a 10-foot setback from such side lot line.

(2) *Front setback from Superior Street.* Any zoning lot for which the front lot line abuts Superior Street must provide a 25-foot setback from Superior Street.

(3) *Side setback from SD2 Districts.* Any zoning lot that is adjacent to or across an alley from land zoned SD2 must provide a side setback from such SD2 district of 50 feet if the width of the zoning lot is at least 100 feet or 10 feet if the width of the zoning lot is not more than 100 feet. This standard is eligible only for administrative adjustment from the Planning and Development Department.

(4) *Side setback from public streets.* Any zoning lot for which a side lot line is adjacent to a public street must provide a side setback from such public street of 40 feet if the width of the zoning lot is at least 100 feet or 10 feet if the width of the zoning lot is not more than 100 feet.

(5) *Setback from residential zoning district.* Any zoning lot that is adjacent to

or across an alley from a residential zoning district must provide a side setback from such public street of 50 feet if the width of the zoning lot is at least 100 feet or 10 feet if the width of the zoning lot is not more than 100 feet.

(6) *Adjustments and waivers.* The dimensions of the setbacks described in Paragraphs (1) through (5) of this subsection may be adjusted by up to 10 percent with approval by the Planning and Development Department upon its finding that such adjustment would not negatively impact the setback's effectiveness for screening or buffering purposes. The setback requirements set forth in this Section may not be waived by Board of Zoning Appeals.

(b) *Development standards for setback areas.* The setbacks described in Subsection (a) of this section must be developed in accordance with the following standards:

(1) The setback must be planted with vegetative material along its entire length,

(2) The vegetative material must provide a minimum of 75 percent opacity on a year-round basis beginning one year after planting,

(3) The vegetative material must be a minimum of 10 feet tall beginning two years after planting, and

(4) The vegetative material must be located within 10 feet of:

a. the property line adjacent to or across an alley from the Dequindre Cut Greenway or Superior Street, as applicable; or

b. The property line adjacent to or across an alley from land zoned SD2; or

c. Adjacent to any public street or the Dequindre Cut Greenway/Street; or

d. Adjacent to or across an alley from a residential zoning district.

e. The Planning and Development Department may approve an alternative location upon finding that such alternate will provide screening that is at least as effective as specified in this Subsection, in which case the alternative location approved by the Planning and Development Department controls.

(c) *Height Limitations near Eastern Market Sheds.* To prevent new structures or additions to existing structures from overwhelming the Eastern Market sheds, zoning lots within the following areas are subject to a height limit of 55 feet, except that such height limit does not apply to zoning lots for which a food products manufacturing, processing, or distribution use comprises a minimum of 60 percent of the ground floor area:

(1) The area bounded by Russell Street, Wilkins Street, Orleans Street, and the Fisher Freeway Service Drive,

(2) The area abutting the east side of Orleans between Alfred Street and the alley north of and parallel to Gratiot Avenue, and

(3) The area abutting the west side of Russell Street between Alfred Street and Napoleon (Fisher Freeway Service Drive), the height limit applies to only the easternmost 60 feet of the lot.

(d) *Height limitations near residential properties.* To limit the scale of new development in areas that are near existing residential development, buildings on land zoned MKT in the area bounded by Superior Street to the north, Chene Street to the east, Wilkins Street to the south, and Dequindre Cut Greenway/Dequindre Street to the west,

excluding properties abutting Dubois Street, are limited to 50 feet in height. The height limits set forth in this subsection may not be waived by the Board of Zoning Appeals.

Sec. 50-13-158. SD4 District requirements.

In the SD4 District, the following additional provisions shall apply:

(1) Building bulk requirement and height limitation. The maximum floor area ratio (FAR) shall be 4.5. Any parking structure, or part thereof, that is used as a podium for high-rise or medium-rise structures shall not be included in computing the floor area ratio. Notwithstanding this floor area ratio (FAR) requirement, the maximum height of buildings shall not exceed 110 feet; and

(2) The minimum lot size requirement may be modified subject to Section 50-11-313 of this Code, provided, that the floor area ratio (FAR) and maximum height may only be granted a variance of up to 20 percent by the Board of Zoning Appeals.

Secs. 50-13-159—50-13-170. – Reserved

ARTICLE XIV.

DIVISION 1.

**DEVELOPMENT STANDARDS
OFF-STREET PARKING, LOADING,
AND ACCESS**

Subdivision A. In General

Sec. 50-14-7. Off-street parking exemptions, reductions, and allowances.

(a) *Off-street parking.* The following exemptions and allowances to the off-street parking requirements shall apply:

(1) Uses in the B5, MKT, and PC Districts, in the Central Business District, or in the New Center Major Commercial area as defined in Section 50-16-321 of this Code, shall be exempt from the off-street parking requirements of Subdivisions B and C of this division;

(2) For retail, service, and commercial uses on zoning lots abutting a Traditional Main Street Overlay Area or on land zoned SD1 or SD2, the maximum distance that off-street parking shall be provided from the principal use specified in Subdivision B of

this division, may be increased to 1,320 feet where the applicant can show to the satisfaction of the Planning and Development Department that a "district approach" to parking is being used in the Traditional Main Street Overlay Area or other area nearby. To show a district approach to parking, the applicant shall provide the following:

a. A signage plan to show how the business will direct customers and employees to the off-site parking lot, including parking signage and wayfinding;

b. A plan for who will manage and maintain the off-site parking facility, including safety and security measures;

c. Where the parking area or parking structure is owned by someone other than the applicant, a shared parking agreement shall be required according to Section 50-14-156 and Section 50-14-159 of this Code.

(3) No additional off-street parking, beyond that already provided, shall be required for structures erected prior to April 9, 1998, other than religious institutions, that do not exceed 3,000 square feet of gross floor area; and

(4) When a use located in a structure erected prior to April 9, 1998, expands into an existing adjacent structure erected prior to April 9, 1998, and the total gross floor area of the combined structures does not exceed 4,000 square feet, no additional off-street parking shall be required.

(5) Additional parking reductions are set forth in Section 50-14-153 and Section 50-14-163 of this Code.

(b) *Credit for on-street parking.* Within the Woodward and Grand River/Lahser Traditional Main Street Overlay Areas, any on-street parking space adjacent to a use, each such space consisting of not less than 23 feet of contiguous linear permissible on-street parking that is immediately adjacent to the use, may be counted as one space against applicable off-street parking requirements for such use.

ARTICLE XVI. RULES OF CONSTRUCTION AND DEFINITIONS

DIVISION 2. WORDS AND TERMS DEFINED

Subdivision O. Letters "Q" Through "R"

Sec. 50-16-362. Words and terms (Red—Rm).

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

Term	Definition
Refuse	Putrescible and nonputrescible solid waste, except body wastes, including garbage, rubbish, ash, incinerator ash, incinerator residue, and solid market, industrial and construction refuse.

Detroit Legal News

Monday, September 26, 2022

38 | Page

<p>Regulated use</p>	<p>Any of the following: (1) Brewpub, microbrewery, or small distillery or small winery that serves alcohol for consumption on the premises, that is located outside the Central Business District, the MKT District and the SD2 District except if operating in conjunction with and is located on the same zoning lot as a standard restaurant; (2) Cabaret; (3) Dance hall, public, outside the Central Business District; (4) Establishment for the sale of beer or alcoholic liquor for consumption on the premises, outside the Central Business District and the MKT, SD1, SD2 and SD5 Districts; however, any establishment for the sale of beer or alcoholic liquor for consumption on the premises that operates in conjunction with and is located on the same zoning lot as a standard restaurant, as defined in this section, shall not be considered a regulated use; (5) Lodging house, public; (6) Motel; (7) Pawnshop; and (8) Plasma donation center.</p>
<p>Religious institutions (use category)</p>	<p>Uses primarily engaged in providing meeting areas for religious activities. Typical examples include churches, chapels, mosques, temples, and synagogues. Affiliated preschools are classified as day care uses. Affiliated schools are classified as schools.</p>
<p>Religious residential facilities</p>	<p>Rectories, parsonages, monasteries, convents, seminaries, religious retreats and the like.</p>
<p>Rental hall</p>	<p>Any enclosed hall, building or portion of any building regularly available for rental, lease or loan for the purpose of public assembly, banquets, luncheons, entertainment or sports events, whether such assemblies are public or private or subject to an admission fee. The term "rental hall" does not include "public dance halls."</p>
<p>Rental merchandise store</p>	<p>A store whose primary business is the rental of household or personal merchandise originally stocked as new merchandise, such as videocassette and/or DVD recordings, household appliances, formal attire, and other articles stored and displayed within the store or showroom. For zoning purposes, a rental merchandise store shall be regulated the same as a "store of a generally recognized retail nature whose primary business is the sale of new merchandise," provided, that a car rental facility shall be regulated in the same manner as a sales room or sales lot for new or used operable motor vehicles.</p>

Detroit Legal News

Monday, September 26, 2022

39 | Page

Repeat offense	A second, or any subsequent, determination regarding a blight violation notice that is made within a one-calendar-year period for the same blight violation, except for a determination by an administrative hearings officer that a person is not responsible for a blight violation.
Residential substance abuse service facility	An establishment in a residential setting used for the treatment of persons having drug or alcohol abuse problems. The establishment may or may not dispense compounds or prescription medicines to individuals depending upon the severity of their drug or alcohol abuse problems.
Residential use combined in structures with permitted commercial uses	This land use allows for apartments with permitted commercial uses in a commercial building occupied by a use permitted in the given zoning district as indicated in the use table in Article XII, Division 1, Subdivision D of this chapter. As examples, a doctor's office in an R5 or R6 District may also include a residential unit on a by-right basis and a hardware store in a B2, B3, B4, B5 or B6 District may rent out apartments on its second floor.

Rest home	See <i>Convalescent, nursing or rest home</i> .
Restaurant, carry-out	An establishment for the sale of foods, frozen desserts, or beverages to the customer in a ready-to-consume state, and whose design or method of operation includes both of the following characteristics: (1) Foods, frozen desserts, or beverages are usually served in edible or disposable containers; (2) The consumption of foods, frozen desserts, or beverages within the restaurant building, within a motor vehicle parked upon the premises, or at other facilities on the premises outside the restaurant building, is posted as being prohibited, and such prohibition is strictly enforced by the restaurateur.
Restaurant, fast food	An establishment for the sale of foods, frozen desserts, or beverages to the customer in a ready-to-consume state for consumption either within the restaurant building or for carry-out with consumption off the premises, whose delivery of food to the customer may include service via a drive-up or outdoor walk-up pass-through window, and whose design or principal method of operation includes both of the following characteristics: (1) Foods, frozen desserts, or beverages are usually served in edible containers or disposable containers; (2) The consumption of foods, frozen desserts, or beverages within a motor vehicle parked upon the premises, or at other facilities on the premises outside the restaurant building other than designated and approved outdoor eating areas, is posted as being prohibited, and such prohibition is strictly enforced by the restaurateur.

Detroit Legal News

Monday, September 26, 2022

41 | Page

<p>Retail sales and service, service-oriented (use category)</p>	<p>Uses providing retail consumer services to the general public. Examples include the following uses:</p> <ul style="list-style-type: none">• Animal-grooming shop;• Automated teller machine (without drive-through facilities);• Automated teller machine (with drive-through facilities);• Bank (without drive-through facilities);• Bank (with drive-through facilities);• Barber or beauty shop;• Body art facility;• Business college or commercial trade school;• Customer service center;• Dry cleaning, laundry, or laundromat;• Employee recruitment center;• Financial services center;• Food stamp distribution center (no drive-through window);• Food stamp distribution center (with drive-through window);• Mortuary or funeral home;• Nail salon;• Printing or engraving shops;• School or studio of dance, gymnastics, music, art, or cooking;• Shoe repair shop;• Veterinary clinic for small animals.
<p>Review body</p>	<p>The entity that is authorized to recommend approval or denial of an application or permit required under this chapter.</p>
<p>Right-of-way</p>	<p>A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, sanitary or storm sewer, electric transmission line, oil or gas pipeline or for any other similar use as may be designated.</p>

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 eight (8) days after publication in accordance with MCL 125.3401(6) and Section 4-118(3) of the 2012 Detroit City Charter.

(J.C.C. Page): June 28, 2022
Passed: September 13, 2022
Approved: September 14, 2022
Published: September 26, 2022
Effective: October 4, 2022

JANICE M. WINFREY
City Clerk