

S U M M A R Y

THIS ORDINANCE amends Chapter 50 of the 2019 Detroit City Code, *Zoning*, by repealing Article XIV, *Development Standards*, Division 2, *Landscaping, Screening, and Fencing*, Subdivision D, *Landscaping and Screening*, Section 50-14-368, *Fences and walls*, and Section 50-14-369, *Topographic changes*, and Section 50-14-370, *Buildings*, and Section 50-14-371, *Horizontal separation*, and Section 50-14-372, *Height*, and Section 50-14-373, *Opacity*, and Section 50-14-374, *Location of screening*, and Section 50-14-375, *Compatibility*, and Section 50-14-381, *Fences*; by adding Article XIV, *Development Standards*, Division 2, *Landscaping, Screening, and Fencing*, Subdivision E, *Fences and Walls*; by amending Article XII, *Use Regulations*, Division 3, *Specific Use Standards*, Subdivision B, *Public, Civic, and Institutional Uses*, Section 50-12-1, *Utilities, basic; Utilities; major*, and Subdivision D, *Retail, Service and Commercial Uses; Motor Vehicle Filling Stations*, Section 50-12-267, *Motor vehicle filling stations; equipment enclosure and screening and landscaping*, and Section 50-12-270, *Motor vehicle filling stations; screening and landscaping*, and Subdivision E, *Retail, Service and Commercial Uses; Generally*, Section 50-12-292, *Motor vehicles, new, salesroom or sales lot*, and Section 50-12-293, *Motor vehicles, used, salesroom or sales lot*, and Section 50-12-294, *Motor vehicle services, major*, and Section 50-12-295, *Motor vehicle services, minor*, and Section 50-12-296, *Motor vehicle washing and steam cleaning*, and Subdivision F, *Manufacturing and Industrial Uses*, Section 50-12-341, *Junkyards*, and Section 50-12-344, *Outdoor storage yards; containerized freight yard*, and Section 50-12-352, *Towing service storage yards*, and Section 50-12-354, *Transfer station for garbage, refuse, or rubbish*, and Section 50-12-355, *Trucking terminals, transfer buildings, truck garages, recreational vehicle storage lots, and open areas for the parking of operable trucks*, and Section 50-12-358, *Wholesaling, warehousing, storage buildings, or public storage facilities*, and Section 50-12-365, *Very high-impact manufacturing or processing facilities*; by amending Article XIV, *Development Standards*, Division 2, *Landscaping, Screening, and Fencing*, Subdivision D, *Landscaping and Screening; Miscellaneous Provisions*, Section 50-14-361, *Required open space landscaping*, and Section 50-14-362, *Landscaping of required setbacks*, and Section 50-14-363,

Screening, and Section 50-14-365, *Screening of open storage areas*, and Section 50-14-366, *Screening of loading docks, service yards, and exterior work areas*, and Section 50-14-367, *Materials and methods; landscaping, fencing, and screening*; and by amending Article XVI, *Rules of Construction and Definitions*, Division 2, *Words and Terms Defined*, Subdivision Q, Letter “T,” Section 50-16-402, *Words and terms (Tn-Tz)*; to consolidate all screening standards in the zoning ordinance into Article XIV, Division 2, Subdivision D, to add trucking terminals, utilities, wholesaling, warehousing, storage buildings and public storage facilities, very high-impact manufacturing and processing uses, and off-street truck and semi-trailer parking areas to the list of uses that require screening, to replace existing screening standards with updated and expanded screening requirements within Article XIV, Division 2, Subdivision D and to delete existing miscellaneous provisions for fences contained in Article XIV, Division 2, Subdivision D and replace with updated fence and wall requirements within a new Subdivision E of Article XIV, Division 2.

1 **BY COUNCIL MEMBER** _____:

2 **AN ORDINANCE** to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by repealing Article
 3 XIV, *Development Standards*, Division 2, *Landscaping, Screening, and Fencing*, Subdivision D,
 4 *Landscaping and Screening*, Section 50-14-368, *Fences and walls*, and Section 50-14-369, *Topographic*
 5 *changes*, and Section 50-14-370, *Buildings*, and Section 50-14-371, *Horizontal separation*, and Section 50-
 6 14-372, *Height*, and Section 50-14-373, *Opacity*, and Section 50-14-374, *Location of screening*, and Section
 7 50-14-375, *Compatibility*, and Section 50-14-381, *Fences*; by adding Article XIV, *Development Standards*,
 8 Division 2, *Landscaping, Screening, and Fencing*, Subdivision E, *Fences and Walls*; by amending Article
 9 XII, *Use Regulations*, Division 3, *Specific Use Standards*, Subdivision B, *Public, Civic, and Institutional*
 10 *Uses*, Section 50-12-1, *Utilities, basic; Utilities; major*, and Subdivision D, *Retail, Service and Commercial*
 11 *Uses; Motor Vehicle Filling Stations*, Section 50-12-267, *Motor vehicle filling stations; equipment*
 12 *enclosure and screening and landscaping*, and Section 50-12-270, *Motor vehicle filling stations; screening*
 13 *and landscaping*, and Subdivision E, *Retail, Service and Commercial Uses; Generally*, Section 50-12-292,
 14 *Motor vehicles, new, salesroom or sales lot*, and Section 50-12-293, *Motor vehicles, used, salesroom or*
 15 *sales lot*, and Section 50-12-294, *Motor vehicle services, major*, and Section 50-12-295, *Motor vehicle*
 16 *services, minor*, and Section 50-12-296, *Motor vehicle washing and steam cleaning*, and Subdivision F,
 17 *Manufacturing and Industrial Uses*, Section 50-12-341, *Junkyards*, and Section 50-12-344, *Outdoor*
 18 *storage yards; containerized freight yard*, and Section 50-12-352, *Towing service storage yards*, and
 19 Section 50-12-354, *Transfer station for garbage, refuse, or rubbish*, and Section 50-12-355, *Trucking*
 20 *terminals, transfer buildings, truck garages, recreational vehicle storage lots, and open areas for the*
 21 *parking of operable trucks*, and Section 50-12-358, *Wholesaling, warehousing, storage buildings, or public*
 22 *storage facilities*, and Section 50-12-365, *Very high-impact manufacturing or processing facilities*; by
 23 amending Article XIV, *Development Standards*, Division 2, *Landscaping, Screening, and Fencing*,
 24 Subdivision D, *Landscaping and Screening; Miscellaneous Provisions*, Section 50-14-361, *Required open*
 25 *space landscaping*, and Section 50-14-362, *Landscaping of required setbacks*, and Section 50-14-363,

1 *Screening*, and Section 50-14-365, *Screening of open storage areas*, and Section 50-14-366, *Screening of*
2 *loading docks, service yards, and exterior work areas*, and Section 50-14-367, *Materials and methods;*
3 *landscaping, fencing, and screening*; and by amending Article XVI, *Rules of Construction and Definitions*,
4 Division 2, *Words and Terms Defined*, Subdivision Q, Letter “T,” Section 50-16-402, *Words and terms*
5 *(Tn-Tz)*; to consolidate all screening standards in the zoning ordinance into Article XIV, Division 2,
6 Subdivision D, to add trucking terminals, utilities, wholesaling, warehousing, storage buildings and public
7 storage facilities, very high-impact manufacturing and processing uses, and off-street truck and semi-trailer
8 parking areas to the list of uses that require screening, to replace existing screening standards with updated
9 and expanded screening requirements within Article XIV, Division 2, Subdivision D and to delete existing
10 miscellaneous provisions for fences contained in Article XIV, Division 2, Subdivision D and replace with
11 updated fence and wall requirements within a new Subdivision E of Article XIV, Division 2.

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

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

14 **CHAPTER 50. ZONING**

15 **ARTICLE XII. USE REGULATIONS**

16 **DIVISION 3. – SPECIFIC USE STANDARDS**

17 **Subdivision B. – Public, Civic, and Institutional Uses**

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

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

- 20 (1) Service or storage yards for any electric transformer station, gas regulator station, telephone
21 exchange building, water work, reservoir, pumping station, or filtration plant, shall not be
22 permitted, except in the B5, B6, M1, M2, M3, M4, M5 and TM Districts;
- 23 (2) In the R1, R2, R3, R4, R5, R6, residential PD, PR and SD1 Districts:

- 1 a. Basic utilities shall be permitted only when operating requirements mandate that they
2 be located within the district in order to serve the immediate vicinity; and
- 3 b. Outdoor service or storage yards shall not be permitted;
- 4 (3) In the SD4 District, the following uses shall be subject to site plan review as provided for in
5 Section 50-3-113(8) of this Code, and subject to review as to the appropriateness of exterior
6 design:
- 7 a. Electric transformer stations;
- 8 b. Gas regulator stations;
- 9 c. Telephone exchange buildings; and
- 10 d. Water works, reservoirs, pumping stations, and filtration plants.
- 11 (4) In the PR District, the only major utility that shall be permitted is a pumping station without
12 on-site employees.
- 13 (5) Solar generation stations are limited to the PD and PR zoning districts; reasonable and
14 appropriate conditions relative to the following factors may be attached to any approval:
- 15 a. Height of installation;
- 16 b. Setback from rights-of-way and adjacent properties and uses;
- 17 c. Screening from rights-of-way and adjacent properties and uses;
- 18 d. Landscaping;
- 19 e. Glare mitigation;
- 20 f. Noise;
- 21 g. Safety/access; site security;
- 22 h. Location of on-site power lines;
- 23 i. Lighting;

- 1 j. Notice for purpose of identification and warning;
- 2 k. Removal requirements upon abandonment/decommissioning;
- 3 l. Stormwater management;
- 4 m. Construction period impacts;
- 5 n. General site maintenance;
- 6 o. Off-street parking.

7 (6) Basic and major utilities, including public utilities, shall be screened in accordance with
 8 Section 50-14-367. Solar generation stations are generally exempt from screening
 9 requirements except as provided for in Section 50-12-192(5).

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

11 **Sec. 50-12-267. - Motor vehicle filling stations; equipment enclosure and screening and**
 12 **landscaping.**

- 13 (a) Hydraulic hoists, pits, and all lubrication, greasing, automobile washing, or repairing
 14 equipment shall be entirely enclosed within a building.
- 15 (b) ~~Any such building, or portion of a building, which faces, abuts, or is adjacent to, or across an~~
 16 ~~alley from, land zoned R1, R2, R3, R4, R5, R6, residential PD, or TM, shall comply with the~~
 17 ~~screening and landscaping requirements of Article XIV, Division 2, of this chapter.~~

18 **Sec. 50-12-270. - Motor vehicle filling stations; screening and landscaping.**

- 19 (a) In general.
- 20 (1) A landscaped area, that measures not less than 150 square feet, shall be provided at
 21 the intersection of two lot lines at a street corner. Where not located on a corner lot,
 22 the 150-square-foot landscaped area shall surround the base of the primary business
 23 sign. In addition, The site shall be screened and landscaped area shall conform to the
 24 standards in accordance with Article XIV, Division 2, Subdivision B of this chapter.

1 the standards of this subsection shall not be planted more than 50 feet apart.

2 (See Figure 50-14-341(1)a.)

3 b. Shrubs. At least one shrub shall be provided per 20 square feet of landscaped
4 area.

5 c. All landscaping shall comply with the standards in Article XIV, Division 2,
6 Subdivision B, of this chapter.

7 (3) In instances where it is not practical to provide a five-foot landscaped buffer strip,
8 just the screen wall may be provided without the additional landscaping, provided the
9 screen wall includes additional design features such as decorative caps, subject to
10 review and approval by the Planning and Development Department.

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

12 **Sec. 50-12-292. - Motor vehicles, new, salesroom or sales lot.**

13 Salesrooms or sales lots for new motor vehicles shall be subject to the following provisions:

14 (1) The premises shall be located on a major or secondary thoroughfare as indicated in the
15 Master Plan;

16 (2) The premises shall be screened by six foot high opaque walls where adjacent to, or across
17 and alley from, land zoned R1, R2, R3, R4, R5, R6, or residential PD, in accordance with
18 Section 50-14-367 of this Code;

19 (3) All lighting shall be directed so as not to shine upon land zoned R1, R2, R3, R4, R5, R6, or
20 residential PD;

21 (4) All outdoor areas shall be either landscaped, in accordance with Article XIV, Division 2,
22 Subdivision B, of this chapter, or paved;

23 (5) The premises shall have proper curb cuts for entrances and exits; and

1 (6) Accessory service facilities and the sale of used motor vehicles shall be permitted as an
2 accessory use. In the event of cessation of new motor vehicle sales, said accessory uses may
3 not continue, except upon issuance of a permit for said uses as the principal use of the land,
4 which is subject to a conditional use public hearing where such is specified in the zoning
5 district's use lists.

6 See Section 50-12-517 of this Code for additional regulations of accessory uses.

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

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

- 9 (1) The facility shall be adequate in size for the display and sale of not fewer than 12 used motor
10 vehicles; all display spaces shall measure not less than nine feet by 20 feet, exclusive of
11 unusable space and drives or aisles which give access to the space; aisle ways that adjoin
12 display spaces shall comply with the dimensional standards for width as specified in Section
13 50-14-232 of this Code;
- 14 (2) All used motor vehicles for sale shall be in operable condition;
- 15 (3) All outdoor areas shall be either landscaped in accordance with Article XIV, Division 2,
16 Subdivision B, of this chapter, or paved;
- 17 (4) All lighting shall be directed so as not to shine upon land zoned R1, R2, R3, R4, R5, R6, or
18 residential PD;
- 19 (5) The premises shall have proper curb cuts for entrances and exits;
- 20 (6) The premises shall be screened by six-foot high opaque walls where adjacent to, or across an
21 alley from, land zoned R1, R2, R3, R4, R5, R6, or residential PD, in accordance with Section
22 50-14-367 of this Code.
- 23 (7) A suitable building of a permanent nature shall be erected that has at least 200 square feet of
24 gross floor area, is constructed of wood, masonry, or other approved building material, and

1 sits on a proper foundation, except that frame and all metal buildings less than 200 square feet
2 of gross floor area may be erected as provided for in Chapter 8, Article II, of this Code,
3 Building Code. In the event of cessation of used motor vehicle sales, said accessory uses may
4 not continue, except upon issuance of a permit for said uses as the principal use of the land,
5 which is subject to a conditional use public hearing where such is specified in the zoning
6 district's use lists;

7 (8) Vehicle preparation shall be permitted as an accessory use at the time of establishment of the
8 used motor vehicle salesroom or sales lot, provided, that major motor vehicle services or
9 minor motor vehicle services on the premises of the used motor vehicle salesroom or sales lot
10 shall only be permitted upon issuance of a permit for the service facilities as a principal land
11 use in conjunction with the salesroom or sales lot, which is subject to a conditional use public
12 hearing where such is specified in the zoning districts use lists for said service facilities;

13 (9) All used motor vehicle salesrooms or sales lots shall be licensed in accordance with Chapter
14 41, Article VI, Division 2, of this Code, Used Motor Vehicle Dealers;

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

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

20 (12) All used motor vehicle salesrooms or sales lots shall be established and located along a major
21 thoroughfare only, as identified in the Detroit Master Plan of Policies;

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

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

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

6 **Sec. 50-12-294. - Motor vehicle services, major.**

7 Major motor vehicle services shall be subject to the following requirements:

8 (1) All major motor vehicle services shall be conducted entirely within an enclosed building;

9 (2) The premises shall be screened by six foot high opaque walls where adjacent to, or across an
10 alley from, land zoned R1, R2, R3, R4, R5, R6, or residential PD, in accordance with Section
11 50-14-367 of this Code. Said walls shall have no openings, except for one secondary,
12 pedestrian exit door of minimum requirements, where mandated by the Fire Marshal;

13 (3) All open storage of vehicles awaiting repairs or service be enclosed by an opaque wall or
14 fence of masonry construction, that is six feet in height and maintained in a neat and orderly
15 fashion at all times;

16 (4) ~~(3)~~ All lighting shall be directed so as not to shine upon land zoned R1, R2, R3, R4, R5, R6,
17 or residential PD;

18 (5) ~~(4)~~ All outdoor areas shall be either landscaped, in accordance with Article XIV, Division 2,
19 Subdivision B, of this chapter, or paved;

20 (6) ~~(5)~~ The sale or rental of used motor vehicles, and the storage of such vehicles incidental to
21 their sale, is prohibited on the premises of a major motor vehicle services facility, except
22 upon issuance of a permit for such sale, rental, or storage in conjunction with the major motor
23 vehicle repair facility, which is subject to a conditional use public hearing, where such is
24 specified in the zoning districts use lists for said sales, rental, or storage;

1 ~~(7)~~ (6) There shall be no external evidence of the service operations, in the form of dust, odors,
2 or noise, beyond the interior of the service building;

3 ~~(8)~~ (7) Major motor vehicle services facilities shall neither be permitted in the B4 District on any
4 zoning lot abutting a designated Gateway Radial Thoroughfare, nor anywhere within the
5 Central Business District.

6 **Sec. 50-12-295. - Motor vehicle services, minor.**

7 Minor motor vehicle services shall be subject to the following requirements:

8 (1) All minor motor vehicle services shall be conducted entirely within an enclosed building;

9 (2) The premises shall be screened ~~by six foot high opaque walls where adjacent to, or across an~~
10 ~~alley from, land zoned R1, R2, R3, R4, R5, R6, or residential PD,~~ in accordance with Section
11 50-14-367 of this Code. ~~Said walls shall have no openings, except for one secondary,~~
12 ~~pedestrian exit door of minimum requirements, where mandated by the Fire Marshal;~~

13 (3) All lighting shall be directed so as not to shine upon land zoned R1, R2, R3, R4, R5, R6, or
14 residential PD;

15 (4) All outdoor areas shall be either landscaped, in accordance with Article XIV, Division 2,
16 Subdivision B, of this chapter, or paved;

17 (5) The sale or rental of used motor vehicles, and the storage of such vehicles incidental to their
18 sale, is prohibited on the premises of a minor motor vehicle services facility, except upon
19 issuance of a permit for such sale, rental, or storage in conjunction with the minor motor
20 vehicle repair facility, which is subject to a conditional use public hearing, where such is
21 specified in the zoning districts use lists for said sales, rental, or storage;

22 (6) There shall be no external evidence of the service operations, in the form of dust, odors, or
23 noise, beyond the interior of the service building; and

- 1 (7) Minor motor vehicle services at which customers are not required to exit their vehicles, such
2 as at quick oil change facilities, shall be subject to the vehicle stacking provisions of Section
3 50-14-202 and Section 50-14-203 of this Code.

4 **Sec. 50-12-296. - Motor vehicle washing and steam cleaning.**

5 Motor vehicle washing and steam cleaning shall be subject to the following requirements:

- 6 (1) The lot to be built upon shall be located on a street designated as a major or secondary
7 thoroughfare and all means of vehicular ingress and egress shall be located on a major or
8 secondary thoroughfare, and not from an adjoining residential street or alley. A residential
9 street or alley shall not be used as a maneuvering or parking area for vehicles using the
10 facility;
- 11 (2) All portions of each area designed or used for the washing of motor vehicles shall be located
12 a minimum of 25 feet from the boundaries of residential zoning districts;
- 13 (3) A hard surfaced driveway of one or more lanes shall be constructed on the property in such
14 manner as to provide for a continuous movement of vehicles into the wash-rack (See Figure
15 50-12-296 and Section 50-14-202 of this Code):
- 16 a. The driveway so provided shall be not less than ten feet wide for a single lane and not
17 less than ten additional feet in width for each additional lane;
- 18 b. Where only a single lane is provided, the lane shall be used for no other purpose than
19 to provide access to the wash-rack. All lanes provided shall be suitably protected
20 from incursions of other traffic;
- 21 c. The total length of the required stacking lanes so provided shall be determined by the
22 overall length of the wash line, measured from the point that mechanical washing or
23 cleaning begins, to the end of the mechanical washing or drying operation. In any
24 development where the washing operation moves in other than a straight line, the

1 length of the building or wash line for purposes of this section shall be the distance
 2 measured along the center-line of the conveyor or wash line. The greater of the above
 3 measurements shall be used in the determination of the length of the required lane or
 4 lanes. The overall length of the required lane or lanes, as measured along the center-
 5 line, shall be determined in accordance with the following formula: Where the
 6 building or total length of all wash lines is 80 feet or less in overall length, the total
 7 required lane or lanes exclusive of the wash line shall be not less than 200 feet in
 8 length. Where the building or total length of all wash lines exceed 80 feet in length,
 9 the length of the required lane or lanes exclusive of the wash line shall be increased
 10 20 feet for each ten feet, or fraction thereof, by which the building or wash lines
 11 exceed 80 feet in overall length;

12 d. Not fewer than two stacking spaces, which measure ten feet by 20 feet, shall be
 13 provided for each stall at a self-service/customer-operated car wash. In addition, one
 14 stacking space shall be provided between the vehicle exit door and the point of
 15 vehicular egress to the right-of-way;

16 e. Not fewer than two stacking spaces, which measure ten feet by 20 feet, shall be
 17 provided for each designated wash area at a "hand car wash";

18 f. The premises shall be screened by six-foot high opaque walls where adjacent to land
 19 zoned R1, R2, R3, R4, R5, R6, or residential PD, in accordance with Section 50-14-
 20 367 of this Code;

21 (4) A barrier, that is a minimum of 18 inches in height, shall be constructed and maintained on all
 22 lot lines within nine feet of a required stacking lane, except where the above required
 23 masonry wall is constructed on the lot line;

- 1 (5) The operating equipment shall be located or buffered so as to prevent unreasonably high
2 noise levels at any point on the property boundary;
- 3 (6) Permitted hours of operation shall be from 7:00 a.m. to 10:00 p.m.;
- 4 (7) There shall be no aboveground outdoor storage/dispensing tanks on the site;
- 5 (8) All washing activities shall be conducted within an enclosed structure, except for a
6 designated wash area for not more than one tall vehicle. Customer-operated "car washes" are
7 exempt from this provision;
- 8 (9) Vacuuming activities shall be at least 25 feet from any lot line, except where the property
9 abuts a residential zoning district, in which case a 50-foot separation shall be maintained;
- 10 (10) All drains shall be properly connected to a public sewer system;
- 11 (11) Such uses shall be graded and drained in conformance with the requirements of Chapter 8,
12 Article V, of this Code, Plumbing Code, so as to dispose of all surface water accumulation
13 within the parking area;
- 14 (12) Motor vehicle washing and steam cleaning facilities are also subject to Chapter 9 of this
15 Code, Car Washes;
- 16 (13) In the B4 District, motor vehicle washing and steam cleaning establishments shall not be
17 permitted on any zoning lot abutting a designated Gateway Radial Thoroughfare; and
- 18 (14) As may be required, landscaping shall be provided in accordance with Article XIV, Division
19 2, of this chapter.

20 **Subdivision F. – Manufacturing and Industrial Uses**

21 **Sec. 50-12-341. - Junkyards.**

22 The term "junkyard" includes four land uses: the premises of junk dealers, the premises of scrap metal
23 dealers, automobile dismantling and wrecking yards, and recycling centers other than scrap tire recycling
24 as defined in Section 50-16-381 of this Code, and recycling center as defined in Section 50-16-361 of this

Code. These uses are subject to review by the Solid Waste Facility Review Committee and the applicable, corresponding licensing provisions of Chapter 41, Article I, of this Code, Junk Dealers, Junk Vehicles, and Junk Collectors. Junkyards are subject to the following requirements:

- (1) *Minimum size.* The minimum lot or parcel size for junkyards shall be two acres;
- (2) *Spacing.* Junkyards shall not be located within 150 feet of any lot zoned R1, R2, R3, R4, R5, R6, or residential PD;
- (3) *Screening.* Junkyards shall be screened in accordance with the standards in Section 50-14-367 and Section 41-1-3 of this Code. ~~In accordance with the screening provisions of Section 41-1-3 of this Code, Enclosed building or masonry wall required, a masonry wall that is not less than eight feet in height and not more than 12 feet in height shall be constructed and maintained in good condition around any junkyard;~~
- (4) *Setbacks.* All buildings, screening, and junk materials shall be set back at least 20 feet from any lot line abutting a right-of-way;
- (5) ~~As required by Section 50-14-361 of this Code, the 20-foot setback area between the masonry wall and the lot line shall be landscaped in accordance with Section 50-14-362 and Section 50-14-365 of this Code;~~
- ~~(6)~~ (5) Adequate parking and unloading facilities shall be provided at the site so that no junk-hauling vehicle stands on a public right-of-way awaiting entrance to the site at any time;
- ~~(7)~~ (6) All activities shall be confined within the walled-in area. There shall be no stacking of material above the height of the masonry wall, except that moveable equipment used on the site may exceed that height. No equipment or material shall be used or stored outside the screened area;
- ~~(8)~~ (7) No open burning shall be permitted;

1 ~~(9)~~—(8) Any outdoor industrial processes involving the use of equipment for cutting, shredding,
2 compressing, or packaging shall be conducted at least 500 feet from land zoned R1, R2, R3,
3 R4, R5, R6, or residential PD;

4 ~~(10)~~—(9) All roads, driveways, parking lots, and loading and unloading areas within any junkyard
5 shall be paved so as to limit the nuisance caused by wind-borne dust on adjoining lots and
6 public roads;

7 ~~(11)~~—(10) The operation shall be licensed by the Michigan Secretary of State to sell used vehicle
8 parts or tow nonoperational vehicles. Before the state will issue the licenses, the Buildings,
9 Safety Engineering, and Environmental Department shall certify that the facility is in a
10 properly zoned area and the Police Department shall certify that the operators have not been
11 previously convicted as felons;

12 ~~(12)~~—(11) All fluids shall be drained from vehicles and disposed of in a proper manner prior to the
13 vehicles being stored on the site. Any materials listed on the Michigan Critical Materials
14 Register, gasoline and solvents, shall require secondary containment and a Pollution Incident
15 Protection Plan filed with the Michigan Department of Environment, Great Lakes, and
16 Energy;

17 ~~(13)~~ (12) Bond.

- 18 a. The applicant shall tender to the Office of Chief Financial Officer an instrument of
19 assurance in the form of a surety bond or an irrevocable letter of credit or a certificate
20 of deposit note, in a sufficient amount, as determined by the Director of the
21 Buildings, Safety Engineering, and Environmental Department for the removal and
22 safe disposal of the maximum amount of material determined to be storable on site
23 and to abate any nuisances remaining in the event of abandonment (see Article XIV,
24 Division 8, of this chapter); and

- 1 b. The Buildings, Safety Engineering, and Environmental Department shall prepare
2 rules governing these instruments of assurance.

3 **Sec. 50-12-344. - Outdoor storage yards; containerized freight yard.**

- 4 (a) Outdoor storage yards, where operating as the principal use of the land, are subject to the
5 following provisions:

6 (1) No storage shall be maintained within 20 feet of any lot line abutting a public street.

7 ~~Said setback area shall be landscaped in accordance with Section 50-14-362 and~~
8 ~~Section 50-14-367 of this Code;~~

9 (2) No storage shall be located upon any required off-street parking or loading area;

10 (3) No storage yard shall be located less than 150 feet from land zoned R1, R2, R3, R4,
11 R5, R6, or residential PD;

12 (4) ~~All such uses~~ Outdoor storage yards shall be screened ~~from adjacent streets, alleys,~~
13 ~~and properties by an opaque fence that is not less than six feet high in accordance~~
14 with Section 50-14-367 of this Code. The height of stored items shall not exceed the
15 height of any fence or wall surrounding such lot;

16 (5) No storage or accumulation of waste products, including paint, stain, oils, grease, or
17 other flammable, toxic, or hazardous materials, or stagnant water, shall be permitted
18 in any such use;

19 (6) An accessory structure up to 400 square feet in area may be permitted;

20 (7) There shall be at least one driveway which shall be wide enough to accommodate
21 two vehicles that are side-by-side;

22 (8) Permitted hours of operation shall be 7:00 a.m. to 10:00 p.m.; and

23 (9) A permit for an outdoor storage yard shall be contingent on obtaining and
24 maintaining all applicable licenses and/or permits from federal, state, and County
25 agencies and from City departments.

1 (b) In accordance with Section 50-12-463 of this Code, outdoor storage yards, where located on
2 the same zoning lot as a principal use, are:

3 (1) Incidental and accessory to the principal use where the outdoor storage yard does not
4 exceed an area equal to ten percent of the gross floor area of the principal building;
5 and

6 (2) A second principal use of the land, requiring a permit, and limited to the M3, M4,
7 and M5 Districts, where the outdoor storage yard exceeds an area equal to ten percent
8 of the gross floor area of the principal building.

9 (c) ~~On land zoned M2, no containerized freight yard may be located less than 150 feet from land~~
10 ~~zoned R1, R2, R3, R4, R5, R6, or residential PD. Containerized freight yards, where~~
11 ~~operating as a principal use of the land, are subject to the following provisions:~~

12 (1) No containerized freight yard shall be located on a zoning lot less than 150 feet from
13 land zoned R1, R2, R3, R4, R5, R6, or residential PD.

14 (2) Containerized freight yards shall be screened in accordance with Section 50-14-367
15 of this Code.

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

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

18 (1) All buildings, ~~screening,~~ and stored or abandoned vehicles shall be set back at least
19 20 feet from any lot line abutting, across the street, or across the alley from land
20 zoned R1, R2, R3, R4, R5, R6, or residential PD;

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

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

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

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

6 ~~(4)~~ (3) All ground surfaces within any towing service storage yard shall be covered with asphalt
7 or concrete paving, or other material to create a firm, level surface, which is free of ruts,
8 potholes, or uneven areas) that prevents the formation of dust and mud and is approved by the
9 Buildings, Safety Engineering, and Environmental Department. Pervious surface treatments
10 are encouraged, except that gravel, slag, cinder, or graded natural surfaces shall not be
11 allowed;

12 ~~(5)~~ (4) No vertical stacking of abandoned vehicles shall be permitted;

13 ~~(6)~~ (5) The Buildings, Safety Engineering, and Environmental Department shall specify the
14 maximum, appropriate number of abandoned vehicles to be stored given the area and
15 configuration of the site; and

16 ~~(7)~~ (6) The Buildings, Safety Engineering, and Environmental Department shall be authorized to
17 obtain a performance guarantee as provided for in Article XIV, Division 8, of this chapter, in
18 a sufficient amount, as determined by the Director of the Buildings, Safety Engineering, and
19 Environmental Department.

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

24 **Sec. 50-12-354. - Transfer station for garbage, refuse, or rubbish.**

25 Transfer stations for garbage, refuse, or rubbish shall be subject to the following requirements:

- 1 (1) No storage or processing shall be maintained in the open within 20 feet of any lot line
2 abutting a public street. ~~Said setback shall be landscaped in accordance with Section 50-14-~~
3 ~~362 and Section 50-14-367 of this Code;~~
- 4 (2) No storage or processing shall be located upon any required off-street parking or loading
5 area;
- 6 (3) No storage or processing shall be located less than 500 feet from land zoned R1, R2, R3, R4,
7 R5, R6, or residential PD;
- 8 (4) All such uses shall be screened from adjacent streets, alleys, and properties in accordance
9 with Section 50-14-367 of this Code ~~by a masonry wall that is not less than eight feet high,~~
10 ~~and not more than 12 feet high;~~
- 11 (5) The height of stored items shall not exceed the height of any fence or wall surrounding such
12 lot;
- 13 (6) Adequate parking and unloading facilities shall be provided at the site so that no truck stands
14 on the public right-of-way awaiting entrance to the site at any time;
- 15 (7) All roads, driveways, parking lots, and loading and unloading areas shall be paved so as to
16 limit the nuisance caused by wind-borne dust on adjoining lots and public roads;
- 17 (8) Permitted hours of operation shall be 7:00 a.m. to 10:00 p.m.;
- 18 (9) The applicant shall tender to the Office of Chief Financial Officer an instrument of assurance
19 in the form of a surety bond or an irrevocable letter of credit or a certificate of deposit note, in
20 a sufficient amount, as determined by the Director of the Buildings, Safety Engineering, and
21 Environmental Department for the removal and safe disposal of the maximum amount of
22 material determined to be storable on site and to abate any nuisances remaining in the event
23 of abandonment. Rules governing these instruments of assurance shall be prepared by the

1 Buildings, Safety Engineering, and Environmental Department (see Article XIV, Division 8,
2 of this chapter);

3 (10) A permit for a transfer station for garbage, refuse, or rubbish shall be contingent on obtaining
4 and maintaining all applicable licenses and/or permits from federal, state, and County
5 agencies and from City departments.

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

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

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

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

16 (d) Trucking terminals, transfer buildings, recreational vehicle storage lots, and open areas for
17 the parking of operable trucks shall be screened in accordance with Section 50-14-367 of this
18 Code.

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

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

22 (1) In the B4 District, such facilities shall not be permitted on any zoning lot abutting a
23 designated Gateway Radial Thoroughfare, except Gratiot;

24 (2) Steel warehousing shall be prohibited in all zoning districts except M2, M3, M4, and M5;

- 1 (3) Storage of bulk petroleum or related products, garbage, refuse, rubbish, or scrap tires are
2 prohibited;
- 3 (4) All materials shall be completely enclosed within a building, except as provided for in
4 Subsection (6) of this section;
- 5 (5) There shall be a minimum of 35 feet, or 45 feet if the driveway is two-way, between
6 warehouses for driveway, parking, and fire lane purposes. Where no parking is permitted
7 within the building separation areas, the building separation need only be 25 feet. Traffic
8 direction and parking in such areas shall be designated by signaling or painting;
- 9 (6) Permitted outdoor accessory storage is subject to Section 50-12-458 of this Code and shall be
10 placed only on asphalt or concrete paved surfaces. ~~and screening shall be subject to the~~
11 ~~applicable provisions of Article XIV, Division 2, Subdivision D, of this chapter;~~
- 12 (7) No storage of hazardous substances, toxic, or explosive materials shall be permitted. Signs
13 shall be posted at the facility describing such restrictions; and
- 14 (8) Public storage facilities are subject to the licensing provisions of Chapter 30, Article II, of
15 this Code, Public Storage, and shall comply with the following standards:
- 16 a. No residential use shall be allowed in any public storage unit; and
17 b. No retail, wholesale, fabrication, manufacturing, or service activities shall be
18 conducted from within public storage units.
- 19 (9) In the MKT District, warehousing and storage of food-related products are permissible by-
20 right and warehousing and storage of nonfood-related products are permissible conditionally.
- 21 (10) Such uses shall be screened in accordance with Section 50-14-367 of this Code.

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

- 23 (1) Any type of very high-impact manufacturing or processing facility that processes, handles or
24 transfers on-site, transfers, loads, unloads, stockpiles, or stores bulk solid materials, as

1 defined in Section 42-1-1 of this Code, including but not limited to coal yards, bulk solid
2 material outdoor storage facilities, and carbonaceous bulk solid material facilities, are subject
3 to the provisions of Chapter 42, Division 5, Subdivision B of this Code.

- 4 (2) Very-high impact manufacturing or processing uses shall be screened in accordance with
5 Section 50-14-367 of this Code.

6 **ARTICLE XIV. DEVELOPMENT STANDARDS**

7 **DIVISION 2. LANDSCAPING, SCREENING, AND FENCING**

8 **Subdivision D. Required Landscaping and Screening;**

9 **MISCELLANEOUS PROVISIONS**

10 **Sec. 50-14-361. - Required ~~Open space~~ landscaping.**

11 Any portion of a developed zoning lot that is not used for the location of buildings, structures,
12 accessory uses, off-street parking, loading areas, sidewalks, or similar features shall be landscaped as
13 required by Article XIV, Division 2, Subdivision B and this Subdivision provided in Section 50-14-326 of
14 this Code.

15 **Sec. 50-14-362. - Trees required in Landscaping of required setbacks.**

16 Except as specified otherwise in this chapter, Wwhere certain land uses require a setback from a
17 public street, at least one tree shall be provided for each 30 linear feet of lot width. Trees shall be planted
18 in the setback area or, if not practicable, between the sidewalk and street curb. Trees must have a
19 minimum planting area of 18 square feet. Trees provided to meet this standard shall not be planted more
20 than 50 feet apart.

21 **Sec. 50-14-363. - Screening.**

22 Where required, Sscreening shall be provided as set out in Section 50-14-3647 ~~through Section 50-~~
23 ~~14-366~~ of this Code.

24 **Sec. 50-14-365. - Screening of open storage areas.**

1 Open storage of any goods, materials, products, or equipment shall be screened ~~from view of street~~
 2 ~~rights of way and from view of land zoned R1, R2, R3, R4, R5, R6, and residential PD~~ in accordance
 3 with Section 50-14-367 of this Code. Screening is not required for permitted outdoor sales areas. This
 4 provision shall not apply to the R1, R2, R3, R4, R5, R6, and B1 Districts, except where involving a
 5 prohibited commercial or industrial use under jurisdiction of the Board of Zoning Appeals.

6 **Sec. 50-14-366. - Screening of loading docks, service yards, and exterior work areas, and truck,**
 7 **semi-truck, and semi-trailer parking.**

8 Service yards, loading docks, exterior work areas, ~~and truck maneuvering areas, and parking areas for~~
 9 ~~trucks, semi-trucks, and semi-trailers~~ shall be screened ~~from view of street rights of way and from view~~
 10 ~~of land zoned R1, R2, R3, R4, R5, R6, and residential PD,~~ in accordance with Section 50-14-367 of this
 11 Code, except where an opening is required for vehicle access.

12 **Sec. 50-14-367. – Screening standards** ~~Materials and methods; landscaping, fencing, and screening.~~

13 ~~Unless otherwise expressly stated, required screening may be provided in the form of new or existing~~
 14 ~~natural plantings, walls and fences, topographic changes, buildings, horizontal separation, or a~~
 15 ~~combination, according to the provisions of this subdivision, provided, that in all cases screening must~~
 16 ~~block the views of the area being screened. Required screening shall comply with the eight standards that~~
 17 ~~are specified in Section 50-14-368 through Section 50-14-375 of this Code.~~

- 18 (1) Applicability. Where screening is required as provided for in Subdivision C of this division,
 19 the requirements of this subdivision for screening shall supersede the requirements of
 20 Subdivision C, as applicable.
- 21 (2) Required screening for specific uses. Uses that require screening under this chapter shall
 22 provide screening as follows:

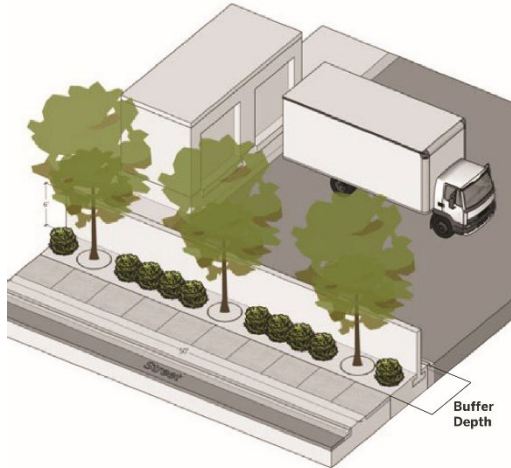
Required Screening for Specific Uses			
Use	Permitted Buffer Type(s)		
	<u>Adjacent to street rights-of-way</u>	<u>Adjacent to or across an alley from Residential Districts¹</u>	<u>Adjacent to all other property lines²</u>
<u>Containerized freight yard</u>	<u>Type III</u>	<u>Type III</u>	<u>Type I</u>
<u>Junkyard</u>	<u>Type III</u>	<u>Type III</u>	<u>Type I</u>
<u>Lumberyard</u>	<u>Type I or II</u>	<u>Type III or IV</u>	<u>N/A</u>
<u>Motor vehicle filling stations</u>	<u>See Section 50-14-341</u>	<u>Type I</u>	<u>N/A</u>
<u>Motor vehicle sales, new or used</u>	<u>See Section 50-14-341</u>	<u>Type I</u>	<u>N/A</u>
<u>Motor vehicle services, major or minor</u>	<u>See Section 50-14-341</u>	<u>Type I</u>	<u>N/A</u>
<u>Motor vehicle washing and steam cleaning</u>	<u>See Section 50-14-341</u>	<u>Type I</u>	<u>N/A</u>
<u>Outdoor storage yard</u>	<u>Type III</u>	<u>Type III</u>	<u>Type I</u>
<u>Towing service storage yard</u>	<u>Type I</u>	<u>Type III</u>	<u>Type I</u>
<u>Transfer station for garbage, refuse, or rubbish</u>	<u>Type III</u>	<u>Type III</u>	<u>Type I</u>
<u>Trucking terminals, transfer buildings, truck garages, recreational vehicle storage lots, and parking areas for other operable commercial vehicles</u>	<u>Type I or II</u>	<u>Type III or IV</u>	<u>Type I or II</u>
<u>Utilities, basic and major</u>	<u>Type I or II</u>	<u>Type III or IV</u>	<u>Type I</u>
<u>Very-high impact manufacturing or processing facilities</u>	<u>Type III</u>	<u>Type III</u>	<u>Type III</u>
<u>Wholesaling, warehousing, storage buildings, or public facilities</u>	<u>Type I or II</u>	<u>Type III or IV</u>	<u>Type I or II</u>
Footnotes			
¹ <u>Where screening is required along an alley, BSEED may waive buffer depth and landscaping requirements if a solid wall is installed along the alley.</u>			
² <u>Screening is not required along property lines adjacent to industrial districts.</u>			

- 1 (3) Required screening for site features. For all other uses that do not require screening under
 2 Section 50-14-367(2), site features shall be screened as follows:

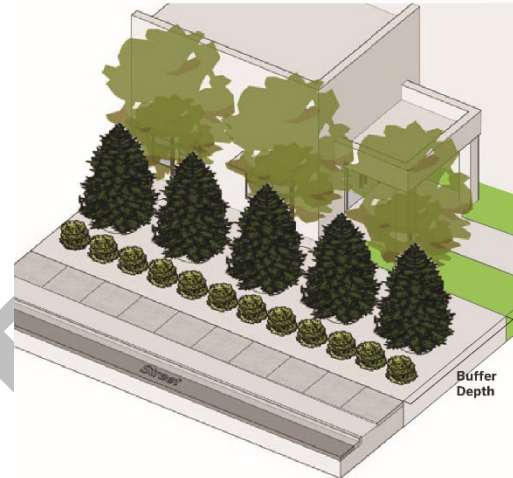
<u>All Other Uses - Site Features That Require Screening</u>			
	<u>Permitted Buffer Type(s)</u>		
<u>Site Feature</u>	<u>Adjacent to street rights-of-way</u>	<u>Adjacent to or across an alley from Residential Districts¹</u>	<u>Adjacent to all other property lines²</u>
<u>Loading docks, service yards, exterior work areas, and truck/semi-trailer parking areas</u>	<u>Type I or II</u>	<u>Type III or IV</u>	<u>Type I or II</u>
<u>Open storage areas</u>	<u>Type III</u>	<u>Type III</u>	<u>Type I</u>
<u>Off-street parking areas</u>	<u>See Section 50-14-341</u>	<u>See Section 50-14-342</u>	<u>N/A</u>
<u>Footnotes</u>			
¹ <u>Where screening is required along an alley, BSEED may waive buffer depth and landscaping requirements if a solid wall is installed along the alley.</u>			
² <u>Screening is not required along property lines adjacent to industrial districts.</u>			

- 3
 4 (4) Buffer types. Uses and site features that require screening under this chapter must use one of
 5 the following buffer types, as provided for in Section 50-14-367(3) and 50-14-367(4):
 6

a. **Buffer Type I: Narrow buffer area with solid wall and decorative landscaping for low to moderate impact areas.**



b. **Buffer Type II: Buffer area with or without a decorative fence and dense landscaping for low to moderate impact areas.**



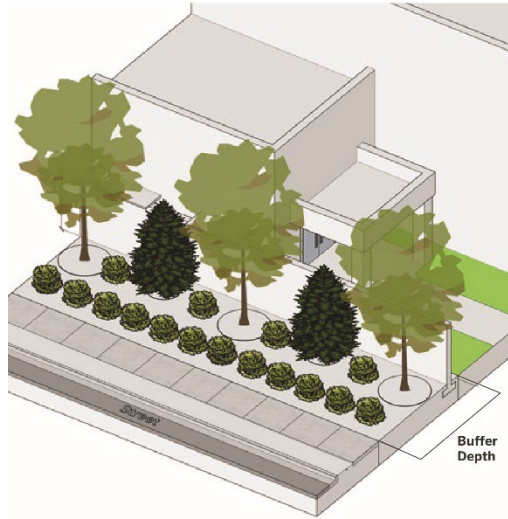
<u>Buffer Area</u>	
<u>Minimum Depth</u>	<u>7'</u>
<u>Walls and Fences</u>	
<u>Wall/Fence Required</u>	<u>Yes</u>
<u>Permitted Fence Type</u>	<u>Solid</u> (See Sec. 50-14-384)
<u>Required Landscaping</u>	
<u>Ground Treatment</u>	<u>See Sec. 50-14-326, except cobblestone, pavers, and rocks shall not exceed 10% of the buffer area</u>
<u>Minimum Plantings</u>	
<u>Deciduous Trees</u>	<u>1 per 30 linear feet</u>
<u>Evergreen Trees</u>	<u>Not required</u>
<u>Shrubs</u>	<u>1 per 5 linear feet</u>

<u>Buffer Area</u>	
<u>Minimum Depth</u>	<u>15'</u>
<u>Walls and Fences</u>	
<u>Wall/Fence Required</u>	<u>No</u>
<u>Permitted Fence Type</u>	<u>Transparent</u> (See Sec. 50-14-384)
<u>Required Landscaping</u>	
<u>Ground Treatment</u>	<u>See Sec. 50-14-326, except cobblestone, pavers, and rocks shall not exceed 10% of the buffer area</u>
<u>Minimum Plantings</u>	
<u>Deciduous Trees</u>	<u>1 per 25 linear feet</u>
<u>Evergreen Trees</u>	<u>1 per 10 linear feet</u>
<u>Shrubs</u>	<u>1 per 3 linear feet</u>

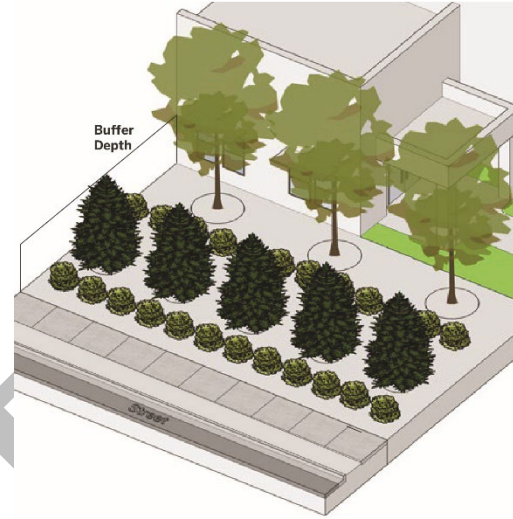
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c. Buffer Type III: Buffer area with solid wall and decorative landscaping for high impact areas.



d. Buffer Type IV: Widest buffer area with or without a decorative fence and dense landscaping for high impact areas.



<u>Buffer Area</u>	
<u>Minimum Depth</u>	<u>15'</u>
<u>Walls and Fences</u>	
<u>Wall/Fence Required</u>	<u>Yes</u>
<u>Permitted Fence Type</u>	<u>Solid</u> <u>(See Sec. 50-14-384)</u>
<u>Required Landscaping</u>	
<u>Ground Treatment</u>	<u>See Sec. 50-14-326,</u> <u>except cobblestone,</u> <u>pavers, and rocks shall</u> <u>not exceed 10% of the</u> <u>buffer area</u>
<u>Minimum Plantings</u>	
<u>Deciduous Trees</u>	<u>1 per 30 linear feet</u>
<u>Evergreen Trees</u>	<u>Not required</u>
<u>Shrubs</u>	<u>1 per 5 linear feet</u>

<u>Buffer Area</u>	
<u>Minimum Depth</u>	<u>30'</u>
<u>Walls and Fences</u>	
<u>Wall/Fence Required</u>	<u>No</u>
<u>Permitted Fence Type</u>	<u>Transparent</u> <u>(See Sec. 50-14-384)</u>
<u>Required Landscaping</u>	
<u>Ground Treatment</u>	<u>See Sec. 50-14-326,</u> <u>except cobblestone,</u> <u>pavers, and rocks shall</u> <u>not exceed 10% of the</u> <u>buffer area</u>
<u>Minimum Plantings</u>	
<u>Deciduous Trees</u>	<u>1 per 25 linear feet</u>
<u>Evergreen Trees</u>	<u>1 per 10 linear feet</u>
<u>Shrubs</u>	<u>1 per 3 linear feet</u>

1

2

1 **Sec. 50-14-368. – Additional screening standards Fences and walls.**

2 The following requirements shall apply with respect to fences and walls:

3 (1) ~~Walls or fences shall be opaque, and the finished side of the fence or wall shall be placed on~~
4 ~~the outside of the screened area;~~

5 (2) ~~Fences, walls, and gates shall be constructed of standard building materials that are~~
6 ~~customarily used for wall and fence construction, such as brick, stone, concrete masonry,~~
7 ~~stucco, concrete, or wood. Scrap or "recycled" material shall not be used. Recycled garage~~
8 ~~doors, sheet metal, and plywood are expressly prohibited as fencing material;~~

9 (3) ~~Razor wire and electric fencing shall not be allowed in any residential, business, or special~~
10 ~~zoning district classification; and~~

11 (4) ~~See also Section 8-2-20 in Chapter 8, Article II, of this Code, Building Code, and Sections 8-~~
12 ~~15-34, 8-15-107, 8-15-108, 8-15-109, and 8-15-201 in Chapter 8, Article XV, of this Code,~~
13 ~~Property Maintenance Code.~~

14 The following requirements shall apply to all uses and site features that require screening under
15 Section 50-14-367:

16 (1) Location of buffer areas.

17 a. Where a buffer area and setback are required by the underlying zoning district, the
18 greater of the two shall constitute the minimum setback. Where a setback is not
19 required, the buffer depth shall constitute the minimum setback.

20 b. A buffer area may be located within a required setback. Buffers shall be located
21 adjacent to the property line.

22 c. Any buffer area required by this Subdivision must be located within the property
23 lines of the lot that contains the area that is required to be screened.

24 (2) Walls or fences.

1 a. Walls or fences installed within a buffer area shall comply with the standards in
2 Section 50-14-368(3) and Subdivision E of this Article.

3 b. Opaque walls or fences required for screening shall have no openings, except for
4 driveways and when a pedestrian exit door is mandated by the Fire Marshal.

5 (3) Screening height.

6 a. Minimum height. Required screening shall be at least six feet in height, except walls
7 or fences required for screening junkyards and transfer stations for garbage, refuse, or
8 rubbish shall be a minimum of eight feet in height. The height of a required wall or
9 fence may be tapered at the end of said wall that is closest to a public street to ensure
10 visibility of cross traffic.

11 b. Maximum height.

12 1. Walls or fences installed in a buffer area shall comply with the maximum
13 height standards of Subdivision E of this Article.

14 2. There shall be no maximum height for berms, trees, or plants used as
15 screening materials.

16 (4) Topographic changes. Changes in topography, such as changes in grade or earthen berms,
17 may be permitted as an alternative to a required fence or wall. The slope of the topographical
18 change shall be of a grade that is suitable for maintenance and soil stability. All slopes are to
19 be landscaped. Topographic changes used for screening are subject to approval by the
20 Planning and Development Department.

21 (5) Buildings. Buildings or structures on the same site may be used for screening, as long they
22 are not erected for the sole purpose of screening and meet all other requirements of this
23 chapter.

1 (6) Compatibility. Walls, fences, accessory structures, retaining walls, and other opaque features
 2 that provide screening shall be compatible in color and materials to the primary structure on
 3 the site.

4 **Secs. 50-14-369—50-14-375. Reserved.**

5 ~~**Sec. 50-14-369. Topographic changes.**~~

6 Changes in topography, such as changes in grade or earthen berms, may be used to provide required
 7 screening. The slope of the topographical change shall be of a grade that is suitable for maintenance and
 8 soil stability. All slopes are to be landscaped.

9 ~~**Sec. 50-14-370. Buildings.**~~

10 Buildings or structures on the same site may be used for screening, as long they are not erected for the
 11 sole purpose of screening and meet all other requirements of this chapter.

12 ~~**Sec. 50-14-371. Horizontal separation.**~~

13 Distance between a use or object to be screened and the adjoining property or public right of way
 14 may be used in combination with landscaping to provide required screening where the intent of this
 15 division is met. Horizontal separation alone will rarely provide suitable screening, except on very large
 16 zoning lots.

17 ~~**Sec. 50-14-372. Height.**~~

18 Required screening shall be at least as tall as the object to be screened and no taller eight feet, except
 19 as may be specified in Section 50-14-341(1)b of this Code. There shall be no maximum height for trees or
 20 plants used as screening materials. The height of a required wall may be tapered at the end of said wall
 21 that is closest to a public street to ensure visibility of cross traffic.

22 ~~**Sec. 50-14-373. Opacity.**~~

23 The screen shall be designed and installed so that the object being screened is not visible through the
 24 screen.

25 ~~**Sec. 50-14-374. Location of screening.**~~

1 Any screening required by this division must be located within the property lines of the lot that
2 contains the area that is required to be screened.

3 ~~Sec. 50-14-375. Compatibility.~~

4 For non-residential uses, retaining walls, screening, accessory structures, and other opaque features
5 that provide screening shall incorporate at least one of the predominant colors that is found on the primary
6 structure on the site and be similar in material.

7 ~~Sec. 50-14-381. Fences.~~

8 The following requirements shall apply with regard to fences:

- 9 (1) Partition fences between houses. The respective owners of all lots in the City shall construct
10 and maintain partition fences between their own and next adjoining lots in such manner as
11 stated in this section, except that by mutual consent of adjoining owners such fences between
12 dwellings may be omitted. All owners of lots shall be responsible for the rebuilding, care and
13 upkeep of all fences that are contiguous to, or bordering upon, streets and alleys and also
14 fences that mark dividing lines between lots as specified in this section. The partition fence,
15 to be erected and maintained, shall mean only that portion between the rear of the house and
16 the alley or rear lot line;
- 17 (2) Materials to be used. Except for screen walls and opaque walls as may be required in this
18 division, all fences, constructed or reconstructed, shall be of 1 5/8-inch iron pipe or two-inch
19 angle irons embedded in concrete in the ground, or four-inch wood posts, or four-inch
20 reinforced concrete posts or any other member of equal stability sunk in the soil at least three
21 feet and that has a height above the average grade of the two adjoining lots of not less than
22 two feet. On the posts shall be properly fastened woven wire, boards, metal or other approved
23 materials. The junction of the post and boards or wire shall always be considered the lot line.

1 The Buildings, Safety Engineering, and Environmental Department shall not be responsible
2 for the establishing or locating the correct lot line between lots;

- 3 (3) How constructed. The house numbering system of the City shall govern the side of the fence
4 upon which the posts shall be placed. Posts of all fences shall be placed on the side of the
5 fence leading to the higher number as assigned by the City, except only the fences on East
6 and West Grand Boulevard and Outer Drive shall be governed as though the Grand
7 Boulevard and Outer Drive were numbered as parallel streets. The lot owner upon whose
8 property the posts are located shall be responsible for building and maintaining the front half
9 of the fence to be built, and the rear half of the opposite fence, notwithstanding that any
10 previous ordinances are contrary. The posts of easement fences shall be placed on the side of
11 the fence with the higher street number and the lot owner upon whose property the posts are
12 located shall be responsible for building and maintaining the half of the fence adjacent to the
13 next higher street number;

- 14 (4) Fence height.

- 15 a. In general. Fences between adjoining lots and on streets, alleys, and easements shall
16 not be less than two feet in height or more than eight feet in height, except fences
17 enclosing industrial or commercial properties may be 12 feet in height; and
18 b. Single and two family dwellings. Notwithstanding Subsection (4)a of this section,
19 the height of any fence that abuts the front yard of a single family dwelling or two-
20 family dwelling shall not exceed four feet, except that opaque fences shall not exceed
21 three feet, provided, that in the event a deed restriction or historic district provision,
22 which specifies front yard fencing in excess of four feet in height, a higher fence may
23 be erected as so specified or required. The height of any fence that abuts the side
24 yards or rear yard of a single family dwelling or two family dwelling shall not

1 exceed six feet. Uses, on a lot adjoining the lot of a single family dwelling or two-
2 family dwelling, shall observe the preceding height limitations for any fence
3 separating said use from the single or two family dwelling.

4 (5) ~~Barbed wire.~~

5 a. — ~~On land zoned in a business or industrial district classification, fences of six feet or~~
6 ~~greater in height may have barbed wire attached to arms or brackets which extend~~
7 ~~inward over private property, but no such barbed wire shall be placed at any point~~
8 ~~closer to the ground than six feet; and~~

9 b. — ~~Notwithstanding Subsection (5)a of this section, no single family dwelling or two-~~
10 ~~family dwelling may attach barbed wire to any fence. No use, on a lot adjoining the~~
11 ~~lot of a single family dwelling or two family dwelling, may attach barbed wire to any~~
12 ~~fence that separates said use from the single or two family dwelling.~~

13 (6) ~~Razor wire and electrified fencing. Razor wire and electrified fencing shall not be allowed in~~
14 ~~any residential, business, or special zoning district classification. Where permitted, razor wire~~
15 ~~shall not be placed at any point closer to the ground than six feet.~~

16 (See also Section 8-2-20 in Chapter 8, Article II, of this Code, Building Code, and Sections 8-15-34, 8-
17 15-107, 8-15-108, 8-15-109, and 8-15-201 in Chapter 8, Article XV, of this Code, Property Maintenance
18 Code.)

19 **Subdivision E. Fences and Walls**

20 **Sec. 50-14-381. - Applicability.**

21 (1) The requirements of this subdivision shall apply to all permanent fences and walls.

22 (2) Where fences or walls are permitted or required as provided for in Subdivisions C and D of
23 this division, the requirements of Subdivisions C and D of this division for fence or wall

1 opacity, height, or materials shall supersede the requirements of this subdivision, as
2 applicable.

- 3 (3) Where fences or walls are permitted or required as provided for in Article XII, Division 3 of
4 this chapter, the requirements of Article XII, Division 3 for fence or wall opacity, height, or
5 materials shall supersede the requirements of this subdivision, as applicable.

6 **Sec. 50-14-382. - General standards.**

- 7 (1) Fences and walls shall be maintained structurally sound, and in good repair and condition in
8 accordance with Chapter 8, Article XV of this Code, Property Maintenance Code.

- 9 (2) Fences and walls may be located within any required setback in accordance with Section 50-
10 13-226 of this Code.

- 11 (3) In order to provide a clear line of sight for the drivers of approaching vehicles, the
12 requirements of Section 50-13-22 of this Code shall apply to all fences and walls within
13 residential districts.

- 14 (4) Fences and walls within a designated Traditional Main Street Overlay Area are subject to
15 additional site design standards as specified in Section 50-14-433 of this Code.

- 16 (5) Signs that are affixed to, painted on, or otherwise supported by a fence or screening wall shall
17 be prohibited in accordance with Section 4-4-7 of this Code, with the exception of temporary
18 signage for any premises with open building or construction permits in accordance with
19 Section 4-4-183(2) of this Code, or a development notification sign in accordance with
20 Section 4-5-5 of this Code.

21 **Sec. 50-14-383. - Material standards.**

- 22 (1) All fences, walls, and gates shall comply with the material standards in the following table:

Permitted Fence and Wall Materials by District			
<u>Fence or Wall Material</u>	<u>Residential Districts¹</u>	<u>Business and Special Districts</u>	<u>Industrial Districts</u>
<u>Chain link²</u>	<u>Permitted</u>	<u>Prohibited along street rights-of-way and any property line where screening is required</u>	<u>Prohibited along street rights-of-way and any property line where screening is required</u>
<u>Attached materials (e.g., fabric, cloth, plastic, or vinyl slats)³</u>	<u>Permitted</u>	<u>Prohibited along street rights-of-way and any property line where screening is required</u>	<u>Prohibited along street rights-of-way and any property line where screening is required</u>
<u>Welded wire, woven wire, louvered, or die-cut metal panels</u>	<u>Permitted</u>	<u>Permitted</u>	<u>Permitted</u>
<u>Ornamental metal (aluminum/steel/iron)</u>	<u>Permitted</u>	<u>Permitted</u>	<u>Permitted</u>
<u>Brick/stone masonry</u>	<u>Permitted</u>	<u>Permitted</u>	<u>Permitted</u>
<u>Concrete pre-cast/masonry</u>	<u>Permitted</u>	<u>Permitted</u>	<u>Permitted</u>
<u>Vinyl/PVC</u>	<u>Permitted</u>	<u>Prohibited</u>	<u>Prohibited</u>
<u>Wood boards/slats (e.g. cedar)</u>	<u>Permitted</u>	<u>Permitted</u>	<u>Prohibited</u>
<u>Wood-like composite materials</u>	<u>Permitted</u>	<u>Permitted</u>	<u>Prohibited</u>
<u>Barbed/Razor wire attached³ (see Section 50-14-383(4))</u>	<u>Prohibited</u>	<u>Prohibited</u>	<u>Permitted</u>
Footnotes			
¹ <u>Non-residential uses in residential districts may use the material standards for business and special districts. Basic and major utilities in any zoning district may use the material standards for industrial districts.</u>			
² <u>Chain link fences are prohibited facing a Traditional Main Street in accordance with Section 50-14-433(b)(3) of this Code.</u>			
³ <u>Barbed or razor wire is prohibited on all property lines adjacent to single- or two-family dwellings.</u>			

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(2) Corrugated, box-ribbed, or smooth metal panels; fiberglass, polycarbonate, or wood sheets/panels; manufactured wood/board, (e.g., plywood, MDF, chipboard, hardboard); salvaged or repurposed building materials (e.g. residential doors, shipping containers); tires; motor vehicle doors; tarp; and discarded or recycled materials are prohibited fence or wall materials in all zoning districts.

- 1 (3) Other materials of similar construction, quality, and durability not listed in Table 50-14-383
2 may be permitted with approval by the Planning and Development Department, excluding
3 prohibited materials.
- 4 (4) Where permitted, barbed wire or razor wire must be attached to arms or brackets on a wall or
5 fence that extend inward over private property and shall be placed no closer to the ground
6 than six feet.
- 7 (5) Electrified fencing may be permitted on land zoned in an industrial district classification
8 subject to approval by the Buildings, Safety Engineering, and Environmental Department.
- 9 (6) Fence posts and supporting rails must face inward toward the zoning lot being fenced and the
10 finished face of the fence must be oriented towards the adjacent zoning lot or street, as
11 applicable.
- 12 (7) All fences, constructed or reconstructed, shall be of 1 5/8-inch iron pipe or two-inch angle
13 irons embedded in concrete in the ground, or four-inch wood posts, or four-inch reinforced
14 concrete posts or any other member of equal stability sunk in the soil at least three feet and
15 that has a height above the average grade of the two adjoining lots of not less than two feet.
16 On the posts shall be properly fastened approved materials.

17 **Sec. 50-14-384. - Opacity.**

- 18 (1) Transparent fences shall be considered chain link, aluminum or wrought iron or other
19 decorative metal fence, as well as picket or board fence with spacing between boards
20 equivalent to the board width of that fence that have an opacity equal to or less than 75%.
- 21 (2) Opaque fences and walls are constructed of opaque materials and block the passage of light
22 that have an opacity of greater than 75%.

23 **Sec. 50-14-385. - Height.**

- 24 (1) The minimum height for fences, walls, and gates in all zoning districts is two feet.

1 (2) The maximum height for fences, walls, and gates shall be as follows:

Maximum Height Permitted by District						
Fence or Wall Opacity	Residential Districts¹		Business and Special Districts		Industrial Districts	
	Maximum heights within yards²					
	Front	Side/Rear	Front	Side/Rear	Front	Side/Rear
<u>Transparent (<75% Opacity) Fence or Wall Materials</u>	<u>4'</u>	<u>6'</u>	<u>8'</u>	<u>8'</u>	<u>12'</u>	<u>12'</u>
<u>Opaque (≥75% Opacity) Fences or Walls, where screening is not required</u>	<u>3'</u>	<u>6'</u>	<u>Prohibited</u>	<u>8'</u>	<u>Prohibited</u>	<u>12'</u>
<u>Opaque (≥75% Opacity) Fences or Walls, where screening is required</u>	<u>3'</u>	<u>6'</u>	<u>3'/8'³</u>	<u>8'</u>	<u>12'</u>	<u>12'</u>
Footnotes						
¹ <u>Non-residential uses in residential districts may use the height standards for business and special districts. Basic and major utilities in any zoning district may use the height standards for industrial districts.</u>						
² <u>No fence facing a Traditional Main Street shall exceed six feet in height. Opaque fences or walls facing a Traditional Main Street shall not exceed three feet in height, except as specified for screening purposes according to Section 50-14-372.</u>						
³ <u>Maximum wall height is limited to three feet when right-of-way screening is required by Section 50-14-341, otherwise the maximum height for screening walls is eight feet.</u>						

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3 (3) For vacant land, lots, or parcels where a principal building or structure is not existing or

4 proposed that establishes the front, side, and rear yards for a zoning lot, the requirements of

5 50-14-384(2) shall apply to any fence or wall located between the front, side, or rear lot lines,

6 as defined by this chapter, and the corresponding required setbacks of the zoning district.

7 **Secs. 50-14-3826—50-14-390. Reserved.**

8 **ARTICLE XVI. DEFINITIONS AND RULES OF CONSTRUCTION**

9 **DIVISION 2. WORDS AND TERMS DEFINED**

10 **Subdivision Q. Letter "T"**

11 **Sec. 50-16-402. - Words and terms (Tn—Tz).**

- 1 For the purposes of this chapter, the following words and phrases beginning with the letters "Tn"
 2 through "Tz," shall have the meaning respectively ascribed to them by this section:

Term	Definition
Towing service storage yard	Any private storage lot or yard of a towing enterprise where inoperable or distressed motor vehicles are temporarily held for retrieval or redemption by their owner, whether such enterprise is a contractor for a Police Department precinct or not. Such storage yards shall not function as a junkyard; no stripping or dismantling or outdoor storage of parts is permitted; no sale of used vehicle parts is permitted; no stacking of vehicles is permitted. Towing service storage yards shall be considered a principal use of the land except when same vehicles are awaiting repairs or service at a facility located on the same zoning lot, in which case they operate as an accessory use of the land. Any land use previously classified as a "Police Department authorized abandoned vehicle storage yard" shall now be considered a "towing service storage yard" without need for issuance of any additional permit or change of use.
Townhouse	One of three or more attached single-family dwelling units, each having its own entrance, and each extending from the basement to the roof and having no side yards except end units which have one side yard.
Toxic substance disposal facility	A facility that disposes of, destroys, or incinerates "PCB," or "PBB" substances, in accordance with the Toxic Substances Control Act of 1976, being 15 USC 2601 <i>et seq.</i> , and Section 324.20120a of the Michigan Resources and Environmental Protection Act, being MCL 324.20120a.
Trade services, general	Offices or shops for plumbing, electrical, heating or air conditioning, cabinet-making, carpenter, and furniture repair or upholstering shops, furniture and/or carpet and/or rug cleaning establishments, and similar uses.
Traditional Main Street Overlay Area	An area, designated by ordinance, as being or having the potential to be, a high quality, pedestrian-scale, walkable area with a traditional urban atmosphere.
Transfer station	An intermediate destination for nonhazardous solid waste materials where refuse awaiting transportation to a disposal site is transferred from

	one type of vehicle to another. May include the separation of different types of waste and aggregation of smaller shipments with larger ones, and compaction to reduce the bulk of the waste.
Trailer	Every vehicle, without motive power, other than a pole-trailer, which is designed for carrying property or persons and for being drawn by a motor vehicle, and is so constructed that no part of its weight rests upon the towing vehicle.
Transitional housing	Typically refers to rental housing for persons whose most recent address has been a homeless shelter and who anticipate finding a permanent residence after leaving the transitional housing facility and after accumulating funds for a rental security deposit. Unlike residents of emergency shelters who may move after 30 days, transitional housing residents may spend many months before relocating. Transitional housing may differ from typical apartment house living insofar as the residents may be expected or may be able to avail themselves of counseling or life skills training or job training on the premises. When transitional housing offers space for three or more families and provides separate housekeeping and cooking facilities for each, it should be regulated as any other multiple-family dwelling, provided, that when residents are not free to come and go because the program is part of a correctional program, the facility should be regulated as a pre-release adjustment center. When residents require supervision, assistance, protection or personal care, the facility should be regulated as an adult foster care facility. When the facility offers congregate style temporary lodging primarily to the homeless, it should be regulated as an emergency shelter. When the facility offers sleeping quarters in the form of cots or beds in the same room, it should be regulated as a public lodging house. When the transitional housing facility includes a residential substance abuse treatment program, it shall be regulated as a residential substance abuse service facility. When the facility provides sleeping accommodations in ten or fewer rooms or dwelling units that lack separate housekeeping and cooking facilities in each unit, it should be regulated as a rooming house.

Transitional surfaces	Transitional surfaces exist adjacent to each runway as indicated on the Flight Obstruction Area Map on file at the Buildings, Safety Engineering, and Environmental Department. These surfaces begin at the centerline of the runways and extend outward, at the elevation of the runway, for 500 feet in the case of instrument runways, and for 250 feet in the case of non-instrument runways, and then slope upward and outward one foot vertically for each seven feet horizontally to the point where they intersect horizontal surface "A." Further, transitional surfaces exist adjacent to all approach surfaces and extend the entire length of the approach surfaces, beginning at the edges and extending upward and outward at the same 1:7 slope ratio to the point where they intersect horizontal surface "A."
Tree	A large woody plant having one or several self-supporting stems or trunks and numerous branches. Trees may be classified as deciduous or evergreen.
Tree farm	Any parcel of land used to raise or harvest more than ten trees for wood products, Christmas trees, or for transplant, where forest products are sold on site or transported to market. A tree farm as a principal use is considered an urban farm.
<u>Truck</u>	<u>Any vehicle designed, used, or maintained primarily for the transportation of property with a gross weight of 10,000 pounds or more.</u>
Truck stop	Any premises where diesel fuel for motor vehicles is sold on a retail basis, providing adequate maneuvering room and access for fueling facilities to be simultaneously used by at least three semi-trailer trucks, and which provides at least one of the following: (1) An off-street parking area proportioned for at least three semi-trailer trucks; (2) A motor vehicle washing and steam cleaning facility adequately sized to service tractor trucks; (3) A truck scale; or (4) Commercial shower facilities.
Tunnel plaza and terminal, vehicular	That property immediately contiguous to a vehicular tunnel where motor vehicles enter and exit the tunnel. Certain uses and activities, if oriented and available exclusively to tunnel traffic, shall be considered incidental and

	<p>accessory to the vehicular bridge plaza and terminal: toll booths, inspection and weigh stations, customs and immigration facilities, duty-free retail stores, motor vehicle filling stations, and uses similar to the preceding.</p>
<p>Two-family dwelling</p>	<p>A structure, located on one lot, containing two dwelling units, each of which is designed for or occupied by one family only, with separate housekeeping and cooking facilities for each.</p>

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

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

Section 4. This ordinance shall become effective on the eighth (8th) day after publication in accordance with Section 401(6) of Public Act 110 of 2006, as amended, MCL 125.3401(6), and Section 4-118, paragraph 3 of the 2012 Detroit City Charter.

Approved as to Form:

Conrad L. Mallett,
 Corporation Counsel