

SUMMARY

This Ordinance amends Chapter 50 of the 2019 Detroit City Code, *Zoning*, by repealing Article III, *Review and Approval Procedures (Part 1)*, Division 4, *Planned Developments*, Section 50-3-98, *Lapse of approval*; by adding Article XII, *Use Regulations*, Division 3, *Specific Use Standards*, Subdivision C, *Retail, Service, and Commercial Uses; Generally*, Section 50-12-213.5, *Art gallery*, Section 50-12-214.5, *Automated teller machine, without drive-up or drive-through*, Section 50-12-215.5, *Bank without drive-up or drive-through facilities*, Section 50-12-237, *Banquet facility*, Subdivision E, *Retail, Service, and Commercial Uses; Generally*, Section 50-12-306.5, *Radio, television, or household appliance repair shop*, Section 50-12-307.5, *Recording studio or photo studio or video studio, no assembly hall*, Section 50-12-326, *Smoking lounge, cigar*, Section 50-12-327, *Shoe repair shop*; and by amending Article III, *Review and Approval Procedures (Part 1)*, Division 1, *General Provisions*, Section 50-3-10, *Notices; published (newspaper) notice*, Article IV, *Review and Approval Procedures (Part 2)*, Division 6, *Variances and Administrative Adjustments*, Section 50-4-131, *Permitted dimensional variances*; Article VIII, *Residential Zoning Districts*, Division 2, *R1 Single-Family Residential District*, Section 50-8-20, *Conditional residential uses*, Division 3, *R2 Two-Family Residential District*, Section 50-8-50, *Conditional residential uses*, Division 6, *R5 Medium Density Residential District*, Section 50-8-142, *Conditional retail, service, and commercial uses*, Division 7, *R6 High Density Residential District*, Section 50-8-172, *Conditional retail, service, and commercial uses*; Article IX, *Business Zoning Districts*, Division 3, *B2 Local Business and Residential District*, Section 50-9-44, *By-right residential uses*, Section 50-9-50, *Conditional residential uses*, Section 50-9-52, *Conditional retail, service, and commercial uses*, Division 4, *B3 Shopping District*, Section 50-9-74, *By-right residential uses*, Section 50-9-76, *By-right retail, service, and commercial uses*, Section 50-9-80, *Conditional residential uses*, Section 50-9-82, *Conditional retail, service, and commercial uses*, Division 5, *B4 General Business District*, Section 50-9-104, *By-right residential uses*, Section 50-9-106, *By-right retail, service, and commercial uses*, Section 50-9-110, *Conditional residential uses*, Section 50-9-112, *Conditional retail, service, and commercial uses*, Division 6, *B5 Major Business District*, Section 50-9-136, *By-right retail, service, and commercial uses*, Section 50-9-142, *Conditional retail, service, and commercial uses*, Division 7, *B6 General Services District*, Section 50-9-166, *By-right retail, service, and commercial uses*, Section 50-9-172, *Conditional retail, service, and commercial uses*; Article X, *Industrial Zoning Districts*, Division 2, *M1 Limited Industrial District*, Section 50-10-16, *By-right retail, service, and commercial uses*, Section 50-10-22, *Conditional retail, service, and commercial uses*, Division 3, *M2 Restricted Industrial District*, Section 50-10-46, *By-right retail, service, and commercial uses*, Section 50-10-52, *Conditional retail, service, and commercial uses*, Division 4, *M3 General Industrial District*, Section 50-10-76, *By-right retail, service, and commercial uses*, Section 50-10-82, *Conditional retail, service, and commercial uses*, Division 5, *M4 Intensive Industrial District*, Section 50-10-106, *By-right retail, service, and commercial uses*, Section 50-10-112, *Conditional retail, service, and commercial uses*, Division 6, *TM Transitional-Industrial District*, Section 50-11-116, *By-right retail, service, and commercial uses*; Article XI, *Special Purpose Zoning Districts and Overlay Areas*, Division 10, *SD1 Special Development District, Small-Scale, Mixed-Use*, Section 50-11-242, *Conditional retail, service, and commercial uses*, Division 11, *SD2 Special Development District, Mixed-Use*, Section 50-11-266, *By-right retail, service, and commercial uses*, Section 50-

11-272, *Conditional retail, service, and commercial uses*, Division 12, *SD4 – Special Development District, Riverfront Mixed-Use*, Section 50-11-292, *By-right retail, service, and commercial uses*, Division 14, *Overlay Areas*, Section 50-11-361, *Description*; Article XII, *Use Regulations*, Division 1, *Use Table*, Subdivision B, *Residential Uses*, Section 50-12-22, *Household living*, 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 50-12-66, *Recreation/entertainment, indoor*, Section 50-12-67, *Recreation/entertainment, outdoor*, Section 50-12-69, *Retail sales and service, sales-oriented*, Section 50-12-70, *Retail sales and service, service-oriented*, Subdivision E, *Manufacturing and Industrial Uses*, Section 50-12-81, *Industrial service*, Division 2, *General Use Standards*, Section 50-12-123, *GRT (Gateway Radial Thoroughfare)*, Section 50-12-125, *P (petition)*, Section 50-12-131, *Retail, service, and commercial uses—Spacing*, Division 3, *Specific Use Standards*, Subdivision A, *Residential Uses*, Section 50-12-156, *Emergency shelter*, Section 50-12-159, *Lofts; residential uses combined in structures with permitted commercial or industrial uses*, Section 50-12-163, *Pre-release adjustment centers*, Subdivision B, *Public, Civic, and Institutional Uses*, Section 50-12-191, *Substance abuse service facility*, Subdivision C, *Retail, Service, and Commercial Uses; Generally*, Section 50-12-212, *Animal-grooming shop*, Section 50-12-214, *Assembly hall*, Section 50-12-215, *Bake shop*, Section 50-12-217, *Brewpub and microbrewery and small distillery and small winery*, Section 50-12-220, *Establishment for the sale of beer or alcoholic liquor for consumption on the premises*, Section 50-12-221, *Dry cleaning, laundry, or laundromat*, Section 50-12-226, *Go-cart track*, Section 50-12-227, *Golf course (miniature)*, Section 50-12-229, *Kennel, commercial*, Section 50-12-232, *Medical/dental/physical therapy clinic and massage facility*, Section 50-12-235, *Barber or beauty shop*, Section 50-12-236, *Nail salons*, Subdivision E, *Retail, Service, and Commercial Uses; Generally*, Section 50-12-296, *Motor vehicle washing and steam cleaning*, Section 50-12-298, *Office, business or professional*, Section 50-12-299, *Parking lots or parking areas*, Section 50-12-300, *Body art facilities*, Section 50-12-302, *Pawnshops*, Section 50-12-303, *Pet shops*, Section 50-12-304, *Precious metal and gem dealers*, Section 50-12-307, *Rebound tumbling centers*, Section 50-12-308, *Recreation, indoor commercial and health club; recreation, outdoor commercial*, Section 50-12-309, *Rental halls*, Section 50-12-310, *Restaurants, carry-out and fast-food*, Section 50-12-311, *Restaurants, standard*, Section 50-12-313, *Schools or studios of dance, gymnastics, music, art or cooking*, Section 50-12-316, *Taxicab dispatch and/or storage facilities*, Section 50-12-318, *Trade schools, commercial*, Section 50-12-320, *Used goods dealers; precious metal and gem dealers*, Section 50-12-321, *Veterinary clinic for small animals*, Section 50-12-323, *Printing or engraving shops*, 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*, Subdivision F, *Manufacturing and Industrial Uses*, Section 50-12-336, *Food catering establishments*, Section 50-12-348, *Research or testing laboratories*, Section 50-12-351, *Tool, die, and gauge manufacturing*, Section 50-12-358, *Wholesaling, warehousing, storage buildings, or public storage facilities*; Article XIII, *Intensity and Dimensional Standards*, Division 1, *Tables of Intensity and Dimensional Standards*, Subdivision D, *General Dimensional Standards for Business Districts*, Section 50-13-63, *B3 and B4 District height limitations*; 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*, Subdivision

B, *Off-Street Parking Schedule "A"*, Section 50-14-49, *Retail, service, and commercial uses located on land zoned SD1 or SD2 or where the use is located within 0.50 miles of a high-frequency transit corridor*, Section 50-14-56, *Recreation, outdoor*, Section 50-14-58, *Retail sales and service (sales-oriented)*, Section 50-14-59, *Retail sales and service (service-oriented)*, Section 50-14-60, *Vehicle repair and service*, Subdivision D, *Off-Street Loading*, Section 50-14-111, *Off-street loading schedule and exemptions*, Subdivision F, *Waivers and Alternative Parking Plans*, Section 50-14-163, *Credit for public parking*, Division 3, *Architectural and Site Design Standards*, Subdivision A, *Residential Development*, Section 50-14-398, *Other residential development standards*, Subdivision B, *Non-Residential Development*, Section 50-14-414, *Quality of materials*, Subdivision C, *Traditional Main Street Overlay Areas*, Section 50-14-440, *Building design standards—Materials*; Article XVI, *Rules of Construction and Definitions*, Division 2, *Words and Terms Defined*, Subdivision B, *Letter "A"*, Section 50-16-113, *Words and terms (An—As)*, Subdivision G, *Letter "F"*, Section 50-16-201, *Words and terms (Fa—Fg)*, Subdivision H, *Letter "G"*, Section 50-16-221, *Words and terms (Ga—Gm)*, Subdivision K, *Letters "K" Through "L"*, Section 50-16-281, *Words and terms (Ka—Kz)*, Section 50-16-284, *Words and terms (Ln—Lz)*, Subdivision O, *Letters "Q" Through "R"*, Section 50-16-362, *Words and terms (Red—Rm)*, Subdivision Q, *Letter "T"*, Section 50-16-402, *Words and terms (Tn—Tz)*; and Appendix A, *Assignment of Specific Use Types to General Use Categories*, Division 1, *Letter "A"*, Division 7, *Letter "G"*, Division 11, *Letter "K"*, and Division 19, *Letter "S"*, collectively in order to revise the published public notice requirements to be consistent with the City Charter and State law; remove the section regarding lapse of approval for Planned Developments; to allow lofts conditionally in R1 and R2 districts; to allow lofts and mixed residential-commercial development by-right in B2, B3, and B4 districts; to allow body art facilities conditionally in B2, B3, and SD1 districts, and by-right in B4, SD2, and SD4 districts; to allow brewpubs, microbreweries, small distilleries, and small wineries conditionally in B2 districts and by-right in B3, B4, B5, B6, M1, M2, M3, and M4 districts; to change the name of the use "Kennel, commercial" to "Animal care facility" to include animal shelters; to allow miniature golf conditionally in SD1 and SD2 districts; to revise the definition of Gateway Radial Thoroughfare Overlay to include zoning districts other than B4; to add uses currently permitted in the R5 and R6 districts to the use table, and update several additional sections for consistency; to add that crematories and pet crematories are allowed in PD districts with legislative approval; to remove the requirement for a neighborhood petition to establish a miniature golf course; to remove the prohibition of miniature golf within 500 feet of residentially-zoned land; to clarify that the prohibition of several uses in Gateway Radial Thoroughfare Overlay areas is not waivable by the Board of Zoning Appeals; to clarify that brewpubs, microbreweries, small distilleries, and small wineries are not controlled uses; to clarify the allowability of food catering in SD2 districts; to clarify that the permissibility of additional height is based on the width of the right-of-way; to decrease the minimum parking required for miniature golf courses; to clarify that required loading space for a residential use can be located in an alley; to allow properties in Traditional Main Street Overlay Areas to use off-street parking in public parking lots toward satisfying their parking requirement; to add provisions requiring mechanical, electrical, and telecommunications equipment to be screened in residential districts; to add provisions regarding the thickness of metal panels; to add provisions regarding fiber cement and metal panels in Traditional Main Street Overly areas; to add a definition for "Animal care

facility”; to revise the definition of “Family” to increase the number of unrelated persons qualifying as a family from two to four; to revise the definition of “Loft” to exclude accessory buildings’ to broaden the definition of “Truck stop” to include additional accessory uses and not require fuel sales; and to correct inconsistencies in several sections.

DRAFT

1 **BY COUNCIL MEMBER** _____ :

2 AN ORDINANCE to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by
3 repealing Article III, *Review and Approval Procedures (Part 1)*, Division 4, *Planned*
4 *Developments*, Section 50-3-98, *Lapse of approval*; by adding Article XII, *Use Regulations*,
5 Division 3, *Specific Use Standards*, Subdivision C, *Retail, Service, and Commercial Uses*;
6 *Generally*, Section 50-12-213.5, *Art gallery*, Section 50-12-214.5, *Automated teller machine,*
7 *without drive-up or drive-through*, Section 50-12-215.5, *Bank without drive-up or drive-through*
8 *facilities*, Section 50-12-237, *Banquet facility*, Subdivision E, *Retail, Service, and Commercial*
9 *Uses; Generally*, Section 50-12-306.5, *Radio, television, or household appliance repair shop,*
10 Section 50-12-307.5, *Recording studio or photo studio or video studio, no assembly hall*, Section
11 50-12-326, *Smoking lounge, cigar*; Section 50-12-327, *Shoe repair shop*; and by amending Article
12 III, *Review and Approval Procedures (Part 1)*, Division 1, *General Provisions*, Section 50-3-10,
13 *Notices; published (newspaper) notice*, Article IV, *Review and Approval Procedures (Part 2)*,
14 Division 6, *Variances and Administrative Adjustments*, Section 50-4-131, *Permitted dimensional*
15 *variances*; Article VIII, *Residential Zoning Districts*, Division 2, *R1 Single-Family Residential*
16 *District*, Section 50-8-20, *Conditional residential uses*, Division 3, *R2 Two-Family Residential*
17 *District*, Section 50-8-50, *Conditional residential uses*, Division 6, *R5 Medium Density Residential*
18 *District*, Section 50-8-142, *Conditional retail, service, and commercial uses*, Division 7, *R6 High*
19 *Density Residential District*, Section 50-8-172, *Conditional retail, service, and commercial uses*;
20 Article IX, *Business Zoning Districts*, Division 3, *B2 Local Business and Residential District*,
21 Section 50-9-44, *By-right residential uses*, Section 50-9-50, *Conditional residential uses*, Section
22 50-9-52, *Conditional retail, service, and commercial uses*, Division 4, *B3 Shopping District*,
23 Section 50-9-74, *By-right residential uses*, Section 50-9-76, *By-right retail, service, and*

1 *commercial uses, Section 50-9-80, Conditional residential uses, Section 50-9-82, Conditional*
2 *retail, service, and commercial uses, Division 5, B4 General Business District, Section 50-9-104,*
3 *By-right residential uses, Section 50-9-106, By-right retail, service, and commercial uses, Section*
4 *50-9-110, Conditional residential uses, Section 50-9-112, Conditional retail, service, and*
5 *commercial uses, Division 6, B5 Major Business District, Section 50-9-136, By-right retail,*
6 *service, and commercial uses, Section 50-9-142, Conditional retail, service, and commercial uses,*
7 *Division 7, B6 General Services District, Section 50-9-166, By-right retail, service, and*
8 *commercial uses, Section 50-9-172, Conditional retail, service, and commercial uses; Article X,*
9 *Industrial Zoning Districts, Division 2, M1 Limited Industrial District, Section 50-10-16, By-right*
10 *retail, service, and commercial uses, Section 50-10-22, Conditional retail, service, and*
11 *commercial uses, Division 3, M2 Restricted Industrial District, Section 50-10-46, By-right retail,*
12 *service, and commercial uses, Section 50-10-52, Conditional retail, service, and commercial uses,*
13 *Division 4, M3 General Industrial District, Section 50-10-76, By-right retail, service, and*
14 *commercial uses, Section 50-10-82, Conditional retail, service, and commercial uses, Division 5,*
15 *M4 Intensive Industrial District, Section 50-10-106, By-right retail, service, and commercial uses,*
16 *Section 50-10-112, Conditional retail, service, and commercial uses, Division 6, TM Transitional-*
17 *Industrial District, Section 50-11-116, By-right retail, service, and commercial uses; Article XI,*
18 *Special Purpose Zoning Districts and Overlay Areas, Division 10, SD1 Special Development*
19 *District, Small-Scale, Mixed-Use, Section 50-11-242, Conditional retail, service, and commercial*
20 *uses, Division 11, SD2 Special Development District, Mixed-Use, Section 50-11-266, By-right*
21 *retail, service, and commercial uses, Section 50-11-272, Conditional retail, service, and*
22 *commercial uses, Division 12, SD4 – Special Development District, Riverfront Mixed-Use, Section*
23 *50-11-292, By-right retail, service, and commercial uses, Division 14, Overlay Areas, Section 50-*

1 11-361, *Description*; Article XII, *Use Regulations*, Division 1, *Use Table*, Subdivision B,
2 *Residential Uses*, Section 50-12-22, *Household living*, Subdivision D, *Retail, service, and*
3 *commercial uses*, Section 50-12-61, *Assembly*, Section 50-12-62, *Food and beverage service*,
4 Section 50-12-63, *Office*, Section 50-12-66, *Recreation/entertainment, indoor*, Section 50-12-67,
5 *Recreation/entertainment, outdoor*, Section 50-12-69, *Retail sales and service, sales-oriented*,
6 Section 50-12-70, *Retail sales and service, service-oriented*, Subdivision E, *Manufacturing and*
7 *Industrial Uses*, Section 50-12-81, *Industrial service*, Division 2, *General Use Standards*, Section
8 50-12-123, *GRT (Gateway Radial Thoroughfare)*, Section 50-12-125, *P (petition)*, Section 50-12-
9 131, *Retail, service, and commercial uses—Spacing*, Division 3, *Specific Use Standards*,
10 Subdivision A, *Residential Uses*, Section 50-12-156, *Emergency shelter*, Section 50-12-159, *Lofts*;
11 *residential uses combined in structures with permitted commercial or industrial uses*, Section 50-
12 12-163, *Pre-release adjustment centers*, Subdivision B, *Public, Civic, and Institutional Uses*,
13 Section 50-12-191, *Substance abuse service facility*, Subdivision C, *Retail, Service, and*
14 *Commercial Uses; Generally*, Section 50-12-212, *Animal-grooming shop*, Section 50-12-214,
15 *Assembly hall*, Section 50-12-215, *Bake shop*, Section 50-12-217, *Brewpub and microbrewery and*
16 *small distillery and small winery*, Section 50-12-220, *Establishment for the sale of beer or*
17 *alcoholic liquor for consumption on the premises*, Section 50-12-221, *Dry cleaning, laundry, or*
18 *laundromat*, Section 50-12-226, *Go-cart track*, Section 50-12-227, *Golf course (miniature)*,
19 Section 50-12-229, *Kennel, commercial*, Section 50-12-232, *Medical/dental/physical therapy*
20 *clinic and massage facility*, Section 50-12-235, *Barber or beauty shop*, Section 50-12-236, *Nail*
21 *salons*, Subdivision E, *Retail, Service, and Commercial Uses; Generally*, Section 50-12-296,
22 *Motor vehicle washing and steam cleaning*, Section 50-12-298, *Office, business or professional*,
23 Section 50-12-299, *Parking lots or parking areas*, Section 50-12-300, *Body art facilities*, Section

1 50-12-302, *Pawnshops*, Section 50-12-303, *Pet shops*, Section 50-12-304, *Precious metal and gem*
2 *dealers*, Section 50-12-307, *Rebound tumbling centers*, Section 50-12-308, *Recreation, indoor*
3 *commercial and health club; recreation, outdoor commercial*, Section 50-12-309, *Rental halls*,
4 Section 50-12-310, *Restaurants, carry-out and fast-food*, Section 50-12-311, *Restaurants,*
5 *standard*, Section 50-12-313, *Schools or studios of dance, gymnastics, music, art or cooking*,
6 Section 50-12-316, *Taxicab dispatch and/or storage facilities*, Section 50-12-318, *Trade schools,*
7 *commercial*, Section 50-12-320, *Used goods dealers; precious metal and gem dealers*, Section 50-
8 12-321, *Veterinary clinic for small animals*, Section 50-12-323, *Printing or engraving shops*,
9 Section 50-12-324, *Stores of a generally recognized retail nature whose primary business is the*
10 *sale of new merchandise, without drive-up or drive-through facilities*, Subdivision F,
11 *Manufacturing and Industrial Uses*, Section 50-12-336, *Food catering establishments*, Section 50-
12 12-348, *Research or testing laboratories*, Section 50-12-351, *Tool, die, and gauge manufacturing*,
13 Section 50-12-358, *Wholesaling, warehousing, storage buildings, or public storage facilities;*
14 *Article XIII, Intensity and Dimensional Standards*, Division 1, *Tables of Intensity and Dimensional*
15 *Standards*, Subdivision D, *General Dimensional Standards for Business Districts*, Section 50-13-
16 63, *B3 and B4 District height limitations*; Article XIV, *Development Standards*, Division 1, *Off-*
17 *Street Parking, Loading, and Access*, Subdivision A, *In General*, Section 50-14-7, *Off-street*
18 *parking exemptions, reductions, and allowances*, Subdivision B, *Off-Street Parking Schedule "A"*,
19 Section 50-14-49, *Retail, service, and commercial uses located on land zoned SD1 or SD2 or*
20 *where the use is located within 0.50 miles of a high-frequency transit corridor*, Section 50-14-56,
21 *Recreation, outdoor*, Section 50-14-58, *Retail sales and service (sales-oriented)*, Section 50-14-
22 59, *Retail sales and service (service-oriented)*, Section 50-14-60, *Vehicle repair and service*,
23 Subdivision D, *Off-Street Loading*, Section 50-14-111, *Off-street loading schedule and*

1 *exemptions, Subdivision F, Waivers and Alternative Parking Plans, Section 50-14-163, Credit for*
2 *public parking, Division 3, Architectural and Site Design Standards, Subdivision A, Residential*
3 *Development, Section 50-14-398, Other residential development standards, Subdivision B, Non-*
4 *Residential Development, Section 50-14-414, Quality of materials, Subdivision C, Traditional*
5 *Main Street Overlay Areas, Section 50-14-440, Building design standards—Materials; Article*
6 *XVI, Rules of Construction and Definitions, Division 2, Words and Terms Defined, Subdivision B,*
7 *Letter “A”, Section 50-16-113, Words and terms (An—As), Subdivision G, Letter “F”, Section 50-*
8 *16-201, Words and terms (Fa—Fg), Subdivision H, Letter “G”, Section 50-16-221, Words and*
9 *terms (Ga—Gm), Subdivision K, Letters “K” Through “L”, Section 50-16-281, Words and terms*
10 *(Ka—Kz), Section 50-16-284, Words and terms (Ln—Lz), Subdivision O, Letters “Q” Through “R”,*
11 *Section 50-16-362, Words and terms (Red—Rm), Subdivision Q, Letter “T”, Section 50-16-402,*
12 *Words and terms (Tn—Tz); and Appendix A, Assignment of Specific Use Types to General Use*
13 *Categories, Division 1, Letter “A”, Division 7, Letter “G”, Division 11, Letter “K”, and Division*
14 *19, Letter “S”, collectively in order to revise the published public notice requirements to be*
15 *consistent with the City Charter and State law; remove the section regarding lapse of approval for*
16 *Planned Developments; to allow lofts conditionally in R1 and R2 districts; to allow lofts and mixed*
17 *residential-commercial development by-right in B2, B3, and B4 districts; to allow body art*
18 *facilities conditionally in B2, B3, and SD1 districts, and by-right in B4, SD2, and SD4 districts; to*
19 *allow brewpubs, microbreweries, small distilleries, and small wineries conditionally in B2 districts*
20 *and by-right in B3, B4, B5, B6, M1, M2, M3, and M4 districts; to change the name of the use*
21 *“Kennel, commercial” to “Animal care facility” to include animal shelters; to allow miniature golf*
22 *conditionally in SD1 and SD2 districts; to revise the definition of Gateway Radial Thoroughfare*
23 *Overlay to include zoning districts other than B4; to add uses currently permitted in the R5 and R6*

1 districts to the use table, and update several additional sections for consistency; to add that
2 crematories and pet crematories are allowed in PD districts with legislative approval; to remove
3 the requirement for a neighborhood petition to establish a miniature golf course; to remove the
4 prohibition of miniature golf within 500 feet of residentially-zoned land; to clarify that the
5 prohibition of several uses in Gateway Radial Thoroughfare Overlay areas is not waivable by the
6 Board of Zoning Appeals; to clarify that brewpubs, microbreweries, small distilleries, and small
7 wineries are not controlled uses; to clarify the allowability of food catering in SD2 districts; to
8 clarify that the permissibility of additional height is based on the width of the right-of-way; to
9 decrease the minimum parking required for miniature golf courses; to clarify that required loading
10 space for a residential use can be located in an alley; to allow properties in Traditional Main Street
11 Overlay Areas to use off-street parking in public parking lots toward satisfying their parking
12 requirement; to add provisions requiring mechanical, electrical, and telecommunications
13 equipment to be screened in residential districts; to add provisions regarding the thickness of metal
14 panels; to add provisions regarding fiber cement and metal panels in Traditional Main Street
15 Overlay areas; to add a definition for “Animal care facility”; to revise the definition of “Family” to
16 increase the number of unrelated persons qualifying as a family from two to four; to revise the
17 definition of “Loft” to exclude accessory buildings’ to broaden the definition of “Truck stop” to
18 include additional accessory uses and not require fuel sales; and to correct inconsistencies in
19 several sections.

20 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**

21 **THAT:**

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

23 **CHAPTER 50. ZONING**

1 **ARTICLE III. REVIEW AND APPROVAL PROCEDURES (PART 1)**

2 **DIVISION 1. GENERAL PROVISIONS**

3 **Sec. 50-3-10. Notices; published (newspaper) notice.**

4 Where the provisions of this chapter require that notice be published, the agency
5 responsible for giving notice shall ensure that it is published in a newspaper of general circulation
6 within the City. The notice shall be published not less than 15 days before the date of a public
7 hearing being held before the Buildings, Safety Engineering, and Environmental Department; the
8 Board of Zoning Appeals; the City Planning Commission; or the City Council;

9 ~~(1) At least 15 days prior to a public hearing being held before the Buildings, Safety Engineering,~~
10 ~~and Environmental Department; or~~

11 ~~(2) At least 15 days prior to a public hearing being held before the Board of Zoning Appeals; or~~

12 ~~(3) At least 15 days prior to a public hearing being held before the City Planning Commission; or~~

13 ~~(4) At least five days prior to a public hearing being held before the City Council in accordance~~
14 ~~with Section 4-115(2) of the Charter.~~

15 **DIVISION 4. PLANNED DEVELOPMENTS**

16 **Sec. 50-3-98. Lapse of approval Reserved.**

17 ~~The authorization for a planned development shall lapse and be of no further effect:~~

18 ~~(1) Upon the abandonment of a particular project that is approved under this division; or~~

19 ~~(2) Three years from the effective date of approval of a planned development where the~~
20 ~~planned development has not been completed; or~~

21 ~~(3) Upon the expiration of any extension of time that is granted by the City Planning~~
22 ~~Commission.~~

1 ~~Where one of these conditions exists, the City Council shall act to rezone the property to the zoning~~
2 ~~district classification which existed immediately prior to the time of rezoning to planned~~
3 ~~development, or to another zoning district classification as deemed appropriate.~~

4 **ARTICLE IV. REVIEW AND APPROVAL PROCEDURES (PART 2)**

5 **DIVISION 6. VARIANCES AND ADMINISTRATIVE ADJUSTMENTS**

6 **Sec. 50-4-131. Permitted dimensional variances.**

7 The Board of Zoning Appeals shall be authorized to hear dimensional variance requests for
8 matters that are beyond the scope of Buildings, Safety Engineering, and Environmental
9 Department's ten percent administrative adjustments as provided for in ~~(see Section 50-2-21(9) of~~
10 ~~this Code)~~. Said dimensional variances may be granted in the following ~~seven~~ instances based on
11 the approval criteria of Section 50-4-121 of this Code, ~~except as may be limited or restricted by~~
12 ~~other provisions of this chapter:~~

13 (1) *Location or amount of off-street parking.* For a variance from the required location of off-
14 street parking facilities or the amount of off-street parking facilities required, or both,
15 where, after investigation by the Board, it is found that such modification is necessary to
16 secure an appropriate development of a specific parcel of land, provided, that any such
17 modification will not be inconsistent with other requirements and general purpose of this
18 chapter;

19 (2) *Loading spaces.* For a variance of the loading space provisions of Article XIV, Division
20 1, Subdivision D, of this chapter where, after investigation by the Board, it is ascertained
21 that the volume of vehicular service will not require complete compliance with said
22 provisions, or that variance will not cause undue interference with the public use of the

1 streets or alleys or imperil public safety, and where the requested variance will not be
2 inconsistent with the spirit and purpose of this chapter;

3 (3) *Height requirements in airport overlay zones.* For a variance of the height requirements,
4 as specified in the airport overlay zones "A," "B," or "AA," after obtaining and giving
5 due consideration to a report and favorable recommendation from the Airport Department
6 regarding its interests in the matter under consideration, provided, that said modification
7 variance will not be injurious to contiguous or neighboring properties, or contrary to the
8 spirit and intent of this chapter;

9 (4) *General dimensional standards.* For a variance of the minimum lot area, minimum lot
10 width, minimum setbacks, maximum height (except as provided in Section 50-13-157 of
11 this Code for the SD4 District), maximum lot coverage, recreational space ratio (RSR),
12 maximum floor area ratio (FAR) (except as provided in Section 50-13-157 of this Code
13 for the SD4 District), bulk, or cubical content as specified in Article XIII of this chapter,
14 except for signs, antennas, and other similar structures, the dimensional variances or
15 adjustments of which are provided for in this chapter, provided:

- 16 a. That the open space needs of the potential occupants are adequately served; and
- 17 b. That said facility complies with all appropriate federal and state statutes, Wayne
18 County Code, this Code and their accompanying regulations that control or regulate
19 such use, including all applicable standards of this chapter; or

20 (5) *Antenna limitations.* For a variance of the dimensional limitations of antennas as provided
21 for in Article XII, Division 3, Subdivision G, of this chapter.

22 **ARTICLE VIII. RESIDENTIAL ZONING DISTRICTS**

23 **DIVISION 2. R1 SINGLE-FAMILY RESIDENTIAL DISTRICT**

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

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

- 3 (1) Loft.
- 4 (2) Religious residential facilities.
- 5 (3) School building adaptive reuses, residential.

6 **DIVISION 3. R2 TWO-FAMILY RESIDENTIAL DISTRICT**

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

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

- 9 (1) Loft.
- 10 (2) Multiple-family dwelling, which has not more than eight dwelling units.
- 11 (3) Townhouses with a maximum of eight in any group of attached townhouses.
- 12 (4) Religious residential facilities.
- 13 (5) School building adaptive reuses, residential.

14 **DIVISION 6. R5 MEDIUM DENSITY RESIDENTIAL DISTRICT**

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

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

- 18 (1) Animal-grooming shop, subject to Section 50-12-212 of this Code.
- 19 (2) Art gallery, subject to Section 50-12-213.5 of this Code.
- 20 (3) Assembly hall, subject to Section 50-12-214 of this Code.
- 21 (4) Automated teller machine without drive-up or drive-through facilities, subject to Section
22 50-12-214.5 of this Code.
- 23 (5) Bake shop, retail, subject to Section 50-12-215 of this Code.

- 1 (6) Bank without drive-up or drive-through facilities, subject to Section 50-12-215.5 of this
2 Code.
- 3 (7) Banquet facility, subject to Section 50-12-237 of this Code.
- 4 (8) Barber or beauty shop, subject to Section 50-12-235 of this Code.
- 5 (9) Bed and breakfast inn.
- 6 (10) Body art facility, subject to Section 50-12-300 of this Code.
- 7 (11) Brewpub or microbrewery or small distillery or small winery, subject to Section 50-12-
8 217 of this Code.
- 9 (12) Dry cleaning, laundry, or laundromat, subject to Section 50-12-221 of this Code.
- 10 (13) Establishment for the sale of beer or alcoholic liquor for consumption on the premises,
11 subject to Section 50-12-220 of this Code.
- 12 (14) Hotel.
- 13 (15) Medical or dental clinic, physical therapy clinic, or massage facility, subject to Section
14 50-12-232 of this Code.
- 15 (16) Motel.
- 16 (17) Nail salon, subject to Section 50-12-236 of this Code.
- 17 (18) Office, business or professional, subject to Section 50-12-298 of this Code.
- 18 (19) Parking structure.
- 19 (20) Pet shop, subject to Section 50-12-303 of this Code.
- 20 (21) Printing or engraving shops, subject to Section 50-12-323 of this Code.
- 21 (22) Private club, lodge, or similar use, non-profit.
- 22 (23) Radio, television, or household appliance repair shop, subject to Section 50-12-306.5 of
23 this Code.

- 1 (24) Recording studio or photo studio or video studio, no assembly hall, subject to Section 50-
2 12-307.5 of this Code.
- 3 (25) Recreation, indoor commercial and health club, subject to Section 50-12-308 of this
4 Code.
- 5 (26) Rental hall, ~~not exceeding 3,000 square feet~~, subject to Section 50-12-309 of this Code.
- 6 (27) Restaurant, carry-out, without drive-up or drive-through facilities, subject to Section 50-
7 12-310 of this Code.
- 8 (28) Restaurant, fast-food, without drive-up or drive-through facilities, subject to Section 50-
9 12-310 of this Code.
- 10 (29) Restaurant, standard, without drive-up or drive-through facilities, and subject to Section
11 50-12-311 of this Code.
- 12 (30) Retail sales and personal service in multiple-residential structures, as provided for in
13 Section 50-12-312 of this Code.
- 14 (31) School building adaptive reuses—retail, service, and commercial.
- 15 (32) School or studio of dance, gymnastics, music, art or cooking, subject to Section 50-12-
16 313 of this Code.
- 17 (33) Shoe repair shop, subject to Section 50-12-327 of this Code.
- 18 (34) Smoking lounge, cigar, subject to Section 50-12-326 of this Code.
- 19 (35) Stores of a generally recognized retail nature whose primary business is the sale of new
20 merchandise, without drive-up or drive-through facilities, subject to Section 50-12-324
21 of this Code.
- 22 (36) Veterinary clinic for small animals, subject to Section 50-12-321 of this Code.
- 23 (37) Youth hostel/hostel.

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

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

7 ~~a.—Animal-grooming shop.~~

8 ~~b.—Art gallery.~~

9 ~~c.—Automated teller machine not accessory to another use on the same zoning lot.~~

10 ~~d.—Bank.~~

11 ~~e.—Bake shop, retail.~~

12 ~~f.—Body art facility.~~

13 ~~g.—Office, business or professional.~~

14 ~~h.—Personal service establishments, as defined in Section 50-16-341 of this Code.~~

15 ~~i.—Printing or engraving shops.~~

16 ~~j.—Radio, television, or household appliance repair shop.~~

17 ~~k.—Restaurants of any type, as each is defined in Section 50-16-362 of this Code, without~~
18 ~~beer or alcoholic liquor for consumption on the premises.~~

19 ~~l.—School or studio of dance, gymnastics, music, art, or cooking.~~

20 ~~m.—Veterinary clinic for small animals.~~

21 **DIVISION 7. R6 HIGH DENSITY RESIDENTIAL DISTRICT**

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

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

- 3 (1) Animal-grooming shop, subject to Section 50-12-212 of this Code.
- 4 (2) Art gallery, subject to Section 50-12-213.5 of this Code.
- 5 (3) Automated teller machine without drive-up or drive-through facilities, subject to Section
6 50-12-214.5 of this Code.
- 7 (4) Bake shop, retail, subject to Section 50-12-215 of this Code.
- 8 (5) Bank without drive-up or drive-through facilities, subject to Section 50-12-215.5 of this
9 Code.
- 10 (6) Barber or beauty shop, subject to Section 50-12-235 of this Code.
- 11 (7) Bed and breakfast inn.
- 12 (8) Body art facility, subject to Section 50-12-300 of this Code.
- 13 (9) Business college or commercial trade school, other than truck driving school, subject to
14 Section 50-12-XXX of this Code.
- 15 (10) Dry cleaning, laundry, or laundromat, subject to Section 50-12-221 of this Code.
- 16 (11) Hotel.
- 17 (12) Motel.
- 18 (13) Nail salon, subject to Section 50-12-236 of this Code.
- 19 (14) Office, business or professional, subject to Section 50-12-298 of this Code.
- 20 (15) Parking structure.
- 21 (16) Printing or engraving shops, subject to Section 50-12-323 of this Code.
- 22 (17) Private club, lodge, or similar use, non-profit.

- 1 (18) Radio, television, or household appliance repair shop, subject to Section 50-12-306.5 of
2 this Code.
- 3 (19) Restaurant, carry-out, without drive-up or drive-through facilities, subject to Section 50-
4 12-310 of this Code.
- 5 (20) Restaurant, fast-food, without drive-up or drive-through facilities, subject to Section 50-
6 12-310 of this Code.
- 7 (21) Restaurant, standard, without drive-up or drive-through facilities, and subject to Section
8 50-12-311 of this Code.
- 9 (22) School building adaptive reuses—retail, service, and commercial.
- 10 (23) School or studio of dance, gymnastics, music, art or cooking, subject to Section 50-12-
11 313 of this Code.
- 12 (24) Shoe repair shop, subject to Section 50-12-327 of this Code.
- 13 (25) Veterinary clinic for small animals, subject to Section 50-12-321 of this Code.
- 14 (26) Youth hostel/hostel.
- 15 ~~(8) The following uses, occupying not more than 3,000 square feet of gross floor area, where~~
16 ~~located in a building constructed prior to January 1, 2017, and not having drive-up or~~
17 ~~drive-through facilities, strictly limited to:~~
- 18 ~~a. Animal grooming shop.~~
- 19 ~~b. Art gallery.~~
- 20 ~~c. Automated teller machine not accessory to another use on the same zoning lot.~~
- 21 ~~d. Bank.~~
- 22 ~~e. Bake shop, retail.~~
- 23 ~~f. Business college or commercial trade school, other than truck driving school.~~

- 1 ~~h. Office, business or professional.~~
- 2 ~~i. Personal service establishments, as defined in Section 50-16-341 of this Code.~~
- 3 ~~j. Printing or engraving shops.~~
- 4 ~~k. Radio, television, or household appliance repair shop.~~
- 5 ~~l. Restaurants of any type, as each is defined in Section 50-16-362 of this Code, without~~
6 ~~beer or alcoholic liquor for consumption on the premises.~~
- 7 ~~m. School or studio of dance, gymnastics, music, art, or cooking.~~
- 8 ~~n. Tattoo and/or piercing parlor.~~
- 9 ~~o. Veterinary clinic for small animals.~~

10 **ARTICLE IX. BUSINESS ZONING DISTRICTS**

11 **DIVISION 3. B2 LOCAL BUSINESS AND RESIDENTIAL DISTRICT**

12 **Sec. 50-9-44. By-right residential uses.**

13 By-right residential uses in the B2 Local Business and Residential District are as follows:

- 14 (1) Adult foster care facility.
- 15 (2) Assisted living facility.
- 16 (3) Boarding school and dormitory.
- 17 (4) Child caring institution.
- 18 (5) Convalescent, nursing, or rest home.
- 19 (6) Home for the aged.
- 20 (7) Loft, ~~subject to Section 50-12-159 of this Code.~~
- 21 (8) Religious residential facilities.
- 22 (9) Residential use combined in structures with permitted commercial or industrial uses,
23 ~~subject to Section 50-12-159 of this Code.~~

1 (10) Shelter for survivors of domestic violence.

2 **Sec. 50-9-50. Conditional residential uses.**

3 Conditional residential uses in the B2 Local Business and Residential District are as follows:

4 (1) Fraternity or sorority house.

5 ~~(2) Loft, subject to Section 50-12-159 of this Code.~~

6 (2) Multiple-family dwelling.

7 (3) Pre-release adjustment center, except such use is not permitted on any zoning lot abutting
8 a Gateway Radial Thoroughfare.

9 (4) Residential substance abuse service facility.

10 ~~(6) Residential use, combined in structures with permitted commercial uses, subject to~~
11 ~~Section 50-12-159 of this Code.~~

12 (5) Rooming house.

13 (6) Single-family detached dwelling.

14 (7) Single-room-occupancy housing, non-profit.

15 (8) Townhouse.

16 (9) Two-family dwelling.

17 **Sec. 50-9-52. Conditional retail, service, and commercial uses.**

18 Conditional retail, service, and commercial uses in the B2 Local Business and Residential
19 District are as follows:

20 (1) Automated teller machine not accessory to another use on the same zoning lot, which is
21 stand-alone, with drive-up or drive-through facilities.

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

23 (3) Banquet facility.

- 1 (4) Bed and breakfast inn.
- 2 (5) Body art facility.
- 3 (6) Brewpub or microbrewery or small distillery or small winery.
- 4 (7) Cabaret, subject to Section 50-12-218 of this Code.
- 5 (8) Customer service center with drive-up or drive-through facilities.
- 6 (9) Establishment for the sale of beer or alcoholic liquor for consumption on the premises,
7 subject to Section 50-12-220 of this Code.
- 8 (10) Financial services center.
- 9 (11) Food stamp distribution center.
- 10 (12) Hotel.
- 11 (13) Mortuary or funeral home.
- 12 (14) Motel.
- 13 (15) Plasma donation center, except such use is not permitted on any zoning lot abutting
14 Gateway Radial Thoroughfare.
- 15 (16) Printing or engraving shops with building size not exceeding 6,000 square feet.
- 16 (17) Private club, lodge, or similar use.
- 17 (18) Radio or television station.
- 18 (19) Recording studio or photo studio or video studio, no assembly hall.
- 19 (20) Restaurant, fast-food without drive-up or drive-through facilities.
- 20 (21) Restaurant, standard, with the sale of beer or alcoholic liquor for consumption on the
21 premises and without drive-up or drive-through facilities, subject to Section 50-12-311
22 of this Code.

1 (22) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
2 establishment.

3 (23) Youth hostel/hostel.

4 DIVISION 4. B3 SHOPPING DISTRICT

5 **Sec. 50-9-74. By-right residential uses.**

6 By-right residential uses in the B3 Shopping District are as follows:

7 (1) Loft.

8 (2) Residential use combined in structures with permitted commercial or industrial uses;
9 ~~subject to Section 50-12-159 of this Code. Loft, subject to Section 50-12-159 of this~~
10 ~~Code.~~

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

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

13 (1) Animal-grooming shop.

14 (2) Art gallery.

15 (3) Automated teller machine not accessory to another use on the same zoning lot, which is
16 stand-alone, without drive-up or drive-through facilities.

17 (4) Bake shop, retail.

18 (5) Bank without drive-up or drive-through facilities.

19 (6) Barber or beauty shop.

20 (7) Brewpub or microbrewery or small distillery or small winery.

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

22 (9) Dry cleaning, laundry, or laundromat.

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

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

18 **Sec. 50-9-80. Conditional residential uses.**

19 Conditional residential uses in the B3 Shopping District are as follows:

- 20 ~~(1) Loft, subject to Section 50-12-159 of this Code.~~
- 21 (1) Religious residential facilities.
- 22 ~~(3) Residential use combined in structures with permitted commercial uses, subject to~~
- 23 ~~Section 50-12-159 of this Code.~~

1 **Sec. 50-9-82. Conditional retail, service, and commercial uses.**

2 Conditional retail, service, and commercial uses in the B3 Shopping District are as follows:

3 (1) Arcade.

4 (2) Automated teller machine not accessory to another use on the same zoning lot, which is
5 stand-alone, with drive-up or drive-through facilities.

6 (3) Bank with drive-up or drive-through facilities.

7 (4) Banquet facility.

8 (5) Business college or commercial trade school.

9 ~~(6) Brewpub or microbrewery or small distillery or small winery, subject to Section 50-12-~~
10 ~~217 of this Code.~~

11 (6) Body art facility.

12 (7) Cabaret.

13 (8) Customer service center with drive-up or drive-through facilities.

14 (9) Dance hall, public.

15 (10) Establishment for the sale of beer or alcoholic liquor for consumption on the premises.

16 (11) Financial services center.

17 (12) Firearms dealership.

18 (13) Firearms target practice range, indoor.

19 (14) Food stamp distribution center.

20 (15) Hotel.

21 (16) Mortuary or funeral home.

22 (17) Motel.

- 1 (18) Motor vehicle filling station, subject to Article XII, Division 3, Subdivision D of this
- 2 Chapter.
- 3 (19) Motor vehicles, new, salesroom or sales lot.
- 4 (20) Plasma donation center.
- 5 (21) Pool hall.
- 6 (22) Private club, lodge, or similar use.
- 7 (23) Restaurant, carry-out with drive-up or drive-through facilities.
- 8 (24) Restaurant, fast-food with or without drive-up or drive-through facilities.
- 9 (25) Restaurant, standard, subject to Section 50-12-311 of this Code.
- 10 (26) Smoking lounge, other.
- 11 (27) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
- 12 establishment.
- 13 (28) Tobacco retail store.

14 **DIVISION 5. B4 GENERAL BUSINESS DISTRICT**

15 **Sec. 50-9-104. By-right residential uses.**

16 By-right residential uses in the B4 General Business District are as follows:

- 17 (1) Assisted living facility.
- 18 (2) Boarding school and dormitory.
- 19 (3) Child caring institution.
- 20 (4) Convalescent, nursing, or rest home.
- 21 (5) Lofts, ~~subject to Section 50-12-159 of this Code.~~
- 22 (6) Religious residential facilities.

1 (7) Residential use combined in structures with permitted commercial or industrial uses;
2 subject to ~~Section 50-12-159 of this Code.~~

3 (8) Shelter for survivors of domestic violence.

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

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

7 (1) Animal-grooming shop.

8 (2) Art gallery.

9 (3) Assembly hall.

10 (4) Automated teller machine not accessory to another use on the same zoning lot, which is
11 stand-alone, without drive-up or drive-through facilities.

12 (5) Bake shop, retail.

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

14 (7) Barber or beauty shop.

15 (8) Body art facility.

16 (9) Brewpub or microbrewery or small distillery or small winery, inside the Central Business
17 District.

18 (10) Business college or commercial trade school.

19 (11) Cabaret, inside the Central Business District.

20 (12) Commissary.

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

22 (14) Dance hall, public, inside the Central Business District.

23 (15) Dry cleaning, laundry, or laundromat.

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

1 Thoroughfare where not located in a multi-story building and integrated into a mixed-use
2 or multi-tenant development.

3 (33) Restaurant, fast-food, without drive-up or drive-through facilities, where located in a
4 multi-story building and integrated into a mixed use or multi-tenant development.

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

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

7 (36) Retail sales and personal service in multiple-residential structures, subject to Section 50-
8 12-312 of this Code.

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

10 (38) Shoe repair shop.

11 (39) Smoking lounge, cigar.

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

14 (41) Veterinary clinic for small animals.

15 **Sec. 50-9-110. Conditional residential uses.**

16 Conditional residential uses in the B4 General Business District are as follows:

17 (1) Emergency shelter, except such use shall not be permitted on any zoning lot abutting a
18 designated Gateway Radial Thoroughfare.

19 (2) Fraternity or sorority house.

20 ~~(3) Loft, subject to Section 50-12-159 of this Code.~~

21 (3) Multiple-family dwelling.

22 (4) Pre-release adjustment center, except such use shall not be permitted on any zoning lot
23 abutting a designated Gateway Radial Thoroughfare.

- 1 (5) Residential substance abuse service facility.
- 2 ~~(7) Residential use combined in structures with permitted commercial uses, subject to~~
- 3 ~~Section 50-12-159 of this Code.~~
- 4 (6) Rooming house.
- 5 (7) Single-family detached dwelling.
- 6 (8) Single-room-occupancy housing, non-profit.
- 7 (9) Townhouse.
- 8 (10) Two-family dwelling.

9 **Sec. 50-9-112. Conditional retail, service, and commercial uses.**

10 Conditional retail, service, and commercial uses in the B4 General Business District are as
11 follows:

- 12 (1) Amusement park.
- 13 (2) Animal care facility.
- 14 (3) Arcade.
- 15 (4) Automated teller machine not accessory to another use on the same zoning lot, which is
- 16 stand-alone, with drive-up or drive-through facilities.
- 17 (5) Bank with drive-up or drive-through facilities.
- 18 (6) Banquet facility.
- 19 (7) Bed and breakfast inn.
- 20 ~~(7) Body art facility.~~
- 21 ~~(8) Brewpub or microbrewery or small distillery or small winery, outside the Central~~
- 22 ~~Business District.~~
- 23 (8) Cabaret, outside the Central Business District.

- 1 (9) Customer service center with drive-up or drive-through facilities.
- 2 (10) Dance hall, public, outside the Central Business District.
- 3 (11) Employee recruitment center.
- 4 (12) Establishment for the sale of beer or alcoholic liquor for consumption on the premises,
5 outside the Central Business District.
- 6 (13) Financial services center.
- 7 (14) Firearms dealership.
- 8 (15) Firearms target practice range, indoor.
- 9 (16) Food stamp distribution center.
- 10 (17) Go-cart track, subject to Section 50-11-364 of this Code.
- 11 (18) Golf course, miniature.
- 12 (19) Hotel, outside the Central Business District.
- 13 ~~(21) Kennel, commercial.~~
- 14 (20) Light duty vehicle service establishment.
- 15 (21) Lodging house, public.
- 16 (22) Motel.
- 17 (23) Motor vehicle filling station.
- 18 (24) Motor vehicle washing and steam cleaning, subject to Section 50-11-364 of this Code.
- 19 (25) Motorcycles, retail sales, rental or service.
- 20 (26) Outdoor commercial recreation, not otherwise specified.
- 21 (27) Parking lots or parking areas for operable private passenger vehicles, subject to Section
22 50-12-299(9)e of this Code.
- 23 (28) Pawnshop, subject to Section 50-11-364 of this Code.

- 1 (29) Plasma donation center, subject to Section 50-11-364 of this Code.
- 2 (30) Pool hall.
- 3 (31) Precious metal and gem dealer, subject to Section 50-11-364 of this Code.
- 4 (32) Printing or engraving shops.
- 5 (33) Rebound tumbling center, subject to Section 50-11-364 of this Code.
- 6 (34) Rental hall.
- 7 (35) Restaurant, carry-out, with drive-up or drive-through facilities, subject to Section 50-11-
- 8 364 of this Code.
- 9 (36) Restaurant, fast-food, with drive-up or drive-through facilities, subject to Section 50-11-
- 10 364 of this Code.
- 11 (37) Restaurant, fast-food, without drive-up or drive-through facilities, subject to Section 50-
- 12 11-364 of this Code.
- 13 (38) Restaurant, standard, subject to Section 50-12-311 of this Code.
- 14 (39) Smoking lounge, other.
- 15 (40) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
- 16 establishment.
- 17 (41) Taxicab dispatch and/or storage facility, subject to Section 50-11-364 of this Code.
- 18 (42) Theater and concert café, excluding drive-in theaters.
- 19 (43) Tobacco retail store.
- 20 (44) Trailer coaches or boat sale or rental, open air display, subject to Section 50-11-364 of
- 21 this Code.
- 22 (45) Trailers, utility—sales, rental or service; moving truck/trailer rental lots.
- 23 (46) Used goods dealer, subject to Section 50-11-364 of this Code.

1 (47) Youth hostel/hostel.

2 **DIVISION 6. B5 MAJOR BUSINESS DISTRICT**

3 **Sec. 50-9-136. By-right retail, service, and commercial uses.**

4 By-right retail, service, and commercial uses within the B5 Major Business District are as
5 follows:

6 (1) Animal-grooming shop.

7 (2) Art gallery.

8 (3) Assembly hall.

9 (4) Automated teller machine not accessory to another use on the same zoning lot, which is
10 stand-alone, without drive-up or drive-through facilities.

11 (5) Bake shop, retail.

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

13 (7) Banquet facility.

14 (8) Barber or beauty shop.

15 (9) Body art facility.

16 (10) Brewpub or microbrewery or small distillery or small winery, ~~inside the Central Business~~
17 ~~District.~~

18 (11) Business college or commercial trade school.

19 (12) Cabaret, inside the Central Business District.

20 (13) Commissary.

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

22 (15) Dance hall, public, inside the Central Business District.

23 (16) Dry cleaning, laundry, or laundromat.

- 1 (17) Employee recruitment center.
- 2 (18) Establishment for the sale of beer or alcoholic liquor for consumption on the premises,
3 inside the Central Business District.
- 4 (19) Financial services center without drive-up or drive-through facilities.
- 5 (20) Food stamp distribution center without drive-up or drive-through facilities.
- 6 (21) Hotel, inside the Central Business District.
- 7 (22) Medical or dental clinic, physical therapy clinic, or massage facility.
- 8 (23) Mortuary or funeral home.
- 9 (24) Motor vehicles, new, salesroom or sales lot.
- 10 (25) Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor
11 vehicles.
- 12 (26) Nail salon.
- 13 (27) Office, business or professional.
- 14 (28) Parking lots or parking areas for operable private passenger vehicles.
- 15 (29) Parking structure having ground floor commercial space or other space oriented to
16 pedestrian traffic.
- 17 (30) Pet shop.
- 18 (31) Pool hall.
- 19 (32) Printing or engraving shops.
- 20 (33) Private club, lodge, or similar use.
- 21 (34) Radio or television station.
- 22 (35) Radio, television, or household appliance repair shop.
- 23 (36) Recording studio or photo studio or video studio, no assembly hall.

- 1 (37) Recreation, indoor commercial and health club.
- 2 (38) Rental hall.
- 3 (39) Restaurant, carry-out and fast-food, subject to Section 50-12-310 of this Code.
- 4 (40) Restaurant, standard, without drive-up or drive-through facilities.
- 5 (41) Retail sales and personal service in business and professional offices.
- 6 (42) Retail sales and personal service in multiple-residential structures, subject to Section 50-
- 7 12-312 of this Code.
- 8 (43) School or studio of dance, gymnastics, music, art, or cooking.
- 9 (44) Shoe repair shop.
- 10 (45) Smoking lounge, cigar.
- 11 (46) Stores of a generally recognized retail nature whose primary business is the sale of new
- 12 merchandise without drive-up or drive-through facilities.
- 13 (47) Theater and concert café, excluding drive-in theaters.
- 14 (48) Tobacco retail store.
- 15 (49) Veterinary clinic for small animals.

16 **Sec. 50-9-142. Conditional retail, service, and commercial uses.**

17 Conditional retail, service, and commercial uses within the B5 Major Business District are as
18 follows:

- 19 (1) Arcade.
- 20 (2) Automated teller machine not accessory to another use on the same zoning lot, which is
- 21 stand-alone, with drive-up or drive-through facilities.
- 22 ~~(3) Brewpub or microbrewery or small distillery or small winery, outside the Central~~
- 23 ~~Business District.~~

- 1 (3) Cabaret, outside the Central Business District.
- 2 (4) Dance hall, public, outside the Central Business District.
- 3 (5) Establishment for the sale of beer or alcoholic liquor for consumption on the premises,
- 4 outside the Central Business District.
- 5 (6) Firearms dealership.
- 6 (7) Firearms target practice range, indoor.
- 7 (8) Hotel, outside the Central Business District.
- 8 (9) Lodging house, public.
- 9 (10) Motel.
- 10 (11) Motor vehicle filling station.
- 11 (12) Motor vehicle washing and steam cleaning.
- 12 (13) Parking structure not having ground floor commercial space or other space oriented to
- 13 pedestrian traffic.
- 14 (14) Plasma donation center.
- 15 (15) Precious metal and gem dealer.
- 16 (16) Restaurant, carry-out or fast-food, subject to Section 50-12-310 of this Code.
- 17 (17) Restaurant, standard, with drive-up or drive-through facilities, subject to Section 50-12-
- 18 311 of this Code.
- 19 (18) Smoking lounge, other.
- 20 (19) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
- 21 establishment.
- 22 (20) Stores of a generally recognized retail nature whose primary business is the sale of new
- 23 merchandise with drive-up or drive-through facilities.

1 (21) Taxicab dispatch and/or storage facility.

2 (22) Used goods dealer.

3 (23) Youth hostel/hostel.

4 **DIVISION 7. B6 GENERAL SERVICES DISTRICT**

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

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

8 (1) Animal care facility.

9 (2) Art gallery.

10 (3) Assembly hall.

11 (4) Automated teller machine not accessory to another use on the same zoning lot, which is
 12 stand-alone.

13 (5) Bake shop, retail.

14 (6) Bank.

15 (7) Banquet facility.

16 (8) Barber or beauty shop.

17 (9) Body art facility.

18 (10) Brewpub or microbrewery or small distillery or small winery, inside the Central Business
 19 District.

20 (11) Business college or commercial trade school.

21 (12) Cabaret, inside the Central Business District.

22 (13) Commissary.

23 (14) Customer service center.

- 1 (15) Dance hall, public, inside the Central Business District.
- 2 (16) Dry cleaning, laundry, or laundromat.
- 3 (17) Employee recruitment center.
- 4 (18) Establishment for the sale of beer or alcoholic liquor for consumption on the premises,
5 inside the Central Business District.
- 6 (19) Financial services center.
- 7 (20) Food stamp distribution center.
- 8 (21) Hotel, inside the Central Business District.
- 9 ~~(21) Kennel, commercial.~~
- 10 (22) Medical or dental clinic, physical therapy clinic, or massage facility.
- 11 (23) Mortuary or funeral home.
- 12 (24) Motor vehicle filling station, subject to Article XII, Division 3, Subdivision D of this
13 Chapter.
- 14 (25) Motor vehicle washing and steam cleaning.
- 15 (26) Motor vehicles, new, salesroom or sales lot.
- 16 (27) Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor
17 vehicles.
- 18 (28) Nail salon.
- 19 (29) Office, business or professional.
- 20 (30) Parking lots or parking areas for operable private passenger vehicles.
- 21 (31) Parking structure.
- 22 (32) Pet shop.
- 23 (33) Pool hall.

- 1 (34) Private club, lodge, or similar use.
- 2 (35) Produce or food markets, wholesale.
- 3 (36) Radio or television station.
- 4 (37) Radio, television, or household appliance repair shop.
- 5 (38) Recording studio or photo studio or video studio, no assembly hall.
- 6 (39) Recreation, indoor commercial and health club.
- 7 (40) Rental hall.
- 8 (41) Restaurant, carry-out or fast-food.
- 9 (42) Restaurant, standard, subject to Section 50-12-311 of this Code.
- 10 (43) Retail sales and personal service in business and professional offices.
- 11 (44) Shoe repair shop.
- 12 (45) Smoking lounge, cigar.
- 13 (46) Storage or killing of poultry or small game for direct, retail sale on the premises or for
- 14 wholesale trade.
- 15 (47) Stores of a generally recognized retail nature whose primary business is the sale of new
- 16 merchandise with or without drive-up or drive-through facilities.
- 17 (48) Taxicab dispatch and/or storage facility.
- 18 (49) Tobacco retail store.
- 19 (50) Trailer coaches or boat sale or rental, open air display.
- 20 (51) Trailers, utility—sales, rental or service; moving truck/trailer rental lots.

21 **Sec. 50-9-172. Conditional retail, service, and commercial uses.**

22 Conditional retail, service, and commercial uses within the B6 General Services District are
23 as follows:

- 1 (1) Amusement park.
- 2 (2) Arcade.
- 3 ~~(3) Brewpub or microbrewery or small distillery or small winery, outside the Central~~
- 4 ~~Business District.~~
- 5 (3) Cabaret, outside the Central Business District.
- 6 (4) Dance hall, public, outside the Central Business District.
- 7 (5) Establishment for the sale of beer or alcoholic liquor for consumption on the premises,
- 8 outside the Central Business District.
- 9 (6) Firearms dealership.
- 10 (7) Firearms target practice range, indoor.
- 11 (8) Hotel, outside the Central Business District.
- 12 (9) Light duty vehicle service establishment.
- 13 (10) Motel.
- 14 (11) Motor vehicle filling station other than as provided for in Section 50-12-252(2) of this
- 15 Code.
- 16 (12) Outdoor commercial recreation, not otherwise specified.
- 17 (13) Plasma donation center.
- 18 (14) Precious metal and gem dealer.
- 19 (15) Smoking lounge, other.
- 20 (16) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
- 21 establishment.
- 22 (17) Used goods dealer.

23 **ARTICLE X. INDUSTRIAL ZONING DISTRICTS**

DIVISION 2. M1 LIMITED INDUSTRIAL DISTRICT

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

By-right ~~residential~~ retail, service, and commercial uses within the M1 Limited Industrial District are as follows:

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

- 1 (18) Financial services center without drive-up or drive-through facilities.
- 2 (19) Food stamp distribution center.
- 3 (20) Go-cart track.
- 4 (21) Golf course, miniature.
- 5 ~~(21) Kennel, commercial.~~
- 6 (22) Medical or dental clinic, physical therapy clinic, or massage facility.
- 7 (23) Mortuary or funeral home.
- 8 (24) Motor vehicle filling station, subject to Article XII, Division 3, Subdivision D of this
- 9 Chapter.
- 10 (25) Motor vehicle washing and steam cleaning.
- 11 (26) Motor vehicles, new, salesroom or sales lot.
- 12 (27) Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor
- 13 vehicles.
- 14 (28) Nail salon.
- 15 (29) Office, business or professional.
- 16 (30) Parking lots or parking areas for operable private passenger vehicles.
- 17 (31) Parking structure.
- 18 (32) Pet shop.
- 19 (33) Pool hall.
- 20 (34) Precious metal and gem dealer.
- 21 (35) Printing or engraving shops.
- 22 (36) Private club, lodge, or similar use.
- 23 (37) Produce or food markets, wholesale.

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

19 **Sec. 50-10-22. Conditional retail, service, and commercial uses.**

20 Conditional retail, service, and commercial uses within the M1 Limited Industrial District are
21 as follows:

- 22 (1) Amusement park.
- 23 (2) Bank with drive-up or drive-through facilities.

1 ~~(3) Brewpub or microbrewery or small distillery or small winery, subject to Section 50-12-~~
2 ~~217 of this Code.~~

3 (3) Cabaret.

4 (4) Dance hall, public.

5 (5) Establishment for the sale of beer or alcoholic liquor for consumption on the premises.

6 (6) Financial services center with drive-up or drive-through facilities.

7 (7) Firearms dealership.

8 (8) Firearms target practice range, indoor.

9 (9) Hotel.

10 (10) Light duty vehicle service establishment.

11 (11) Motel.

12 (12) Motor vehicle filling station other than as provided for in Section 50-12-252(2) of this
13 Code.

14 (13) Motorcycles, retail sales, rental or service.

15 (14) Outdoor commercial recreation, not otherwise specified.

16 (15) Pawnshop.

17 (16) Plasma donation center.

18 (17) Restaurant, carry-out or fast-food.

19 (18) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
20 establishment.

21 **DIVISION 3. M2 RESTRICTED INDUSTRIAL DISTRICT**

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

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

- 3 (1) Animal care facility.
- 4 (2) Animal-grooming shop.
- 5 (3) Arcade.
- 6 (4) Art gallery.
- 7 (5) Assembly hall.
- 8 (6) Automated teller machine not accessory to another use on the same zoning lot, which is
9 stand-alone.
- 10 (7) Bake shop, retail.
- 11 (8) Bank.
- 12 (9) Banquet facility.
- 13 (10) Barber or beauty shop.
- 14 (11) Body art facility.
- 15 (12) Brewpub or microbrewery or small distillery or small winery, subject to Section 50-12-
16 217 of this Code.
- 17 (13) Business college or commercial trade school.
- 18 (14) Commissary.
- 19 (15) Customer service center.
- 20 (16) Dry cleaning, laundry, or laundromat.
- 21 (17) Employee recruitment center.
- 22 (18) Financial services center.
- 23 (19) Food stamp distribution center.

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

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

19 **Sec. 50-10-52. Conditional retail, service, and commercial uses.**

20 Conditional retail, service, and commercial uses within the M2 Restricted Industrial District
21 are as follows:

- 22 (1) Amusement park.

1 ~~(2) Brewpub or microbrewery or small distillery or small winery, subject to Section 50-12-~~
2 ~~217 of this Code.~~

3 (2) Cabaret.

4 (3) Dance hall, public.

5 (4) Establishment for the sale of beer or alcoholic liquor for consumption on the premises.

6 (5) Firearms dealership.

7 (6) Firearms target practice range, indoor.

8 (7) Hotel.

9 (8) Light duty vehicle service establishment.

10 (9) Motel.

11 (10) Motor vehicle filling station other than as provided for in Section 50-12-252(2) of this
12 Code.

13 (11) Motor vehicles, used, salesroom or sales lot.

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

16 (13) Outdoor commercial recreation, not otherwise specified.

17 (14) Pawnshop.

18 (15) Plasma donation center.

19 (16) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
20 establishment.

21 **DIVISION 4. M3 GENERAL INDUSTRIAL DISTRICT**

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

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

- 3 (1) Animal care facility.
- 4 (2) Animal-grooming shop.
- 5 (3) Arcade.
- 6 (4) Art gallery.
- 7 (5) Assembly hall.
- 8 (6) Automated teller machine not accessory to another use on the same zoning lot, which is
9 stand-alone.
- 10 (7) Bake shop, retail.
- 11 (8) Bank.
- 12 (9) Banquet facility.
- 13 (10) Barber or beauty shop.
- 14 (11) Body art facility.
- 15 (12) Brewpub or microbrewery or small distillery or small winery, subject to Section 50-12-
16 217 of this Code.
- 17 (13) Business college or commercial trade school.
- 18 (14) Commissary.
- 19 (15) Customer service center.
- 20 (16) Dry cleaning, laundry, or laundromat.
- 21 (17) Employee recruitment center.
- 22 (18) Financial services center.
- 23 (19) Food stamp distribution center.

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

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

19 **Sec. 50-10-82. Conditional retail, service, and commercial uses.**

20 Conditional retail, service, and commercial uses within the M3 General Industrial District are
21 as follows:

- 22 (1) Amusement park.

1 ~~(2) Brewpub or microbrewery or small distillery or small winery, subject to Section 50-12-~~
2 ~~217 of this Code.~~

3 (2) Cabaret.

4 (3) Dance hall, public.

5 (4) Establishment for the sale of beer or alcoholic liquor for consumption on the premises.

6 (5) Firearms dealership.

7 (6) Firearms target practice range, indoor.

8 (7) Fireworks sales, consumer.

9 (8) Hotel.

10 (9) Light duty vehicle repair establishment, subject to Section 50-11-364 of this Code.

11 (10) Light duty vehicle service establishment.

12 (11) Motel.

13 (12) Motor vehicle filling station other than as provided for in Section 50-12-252(2) of this
14 Code.

15 (13) Motor vehicles, used, sales room or sales lot, subject to Section 50-11-364 of this Code.

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

18 (15) Outdoor commercial recreation, not otherwise specified.

19 (16) Pawnshop.

20 (17) Plasma donation center.

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

23 **DIVISION 5. M4 INTENSIVE INDUSTRIAL DISTRICT**

1 **Sec. 50-10-106. By-right retail, service, and commercial uses.**

2 By-right retail, service, and commercial uses within the M4 Intensive Industrial District are
3 as follows:

4 (1) Animal care facility.

5 (2) Animal-grooming shop.

6 (3) Arcade.

7 (4) Art gallery.

8 (5) Assembly hall.

9 (6) Automated teller machine not accessory to another use on the same zoning lot, which is
10 stand-alone.

11 (7) Bake shop, retail.

12 (8) Bank.

13 (9) Banquet facility.

14 (10) Barber or beauty shop.

15 (11) Body art facility.

16 (12) Brewpub or microbrewery or small distillery or small winery, subject to Section 50-12-
17 217 of this Code.

18 (13) Business college or commercial trade school.

19 (14) Commissary

20 (15) Customer service center.

21 (16) Dry cleaning, laundry, or laundromat.

22 (17) Employee recruitment center.

23 (18) Financial services center.

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

- 1 (39) Radio or television station.
- 2 (40) Radio, television, or household appliance repair shop.
- 3 (41) Rebound tumbling center.
- 4 (42) Recording studio or photo studio or video studio, no assembly hall.
- 5 (43) Recreation, indoor commercial and health club.
- 6 (44) Rental hall.
- 7 (45) Restaurant, carry-out or fast-food with or without drive-up or drive-through facilities.
- 8 (46) Restaurant, standard, subject to Section 50-12-311 of this Code.
- 9 (47) Retail sales and personal service in business and professional offices.
- 10 (48) School or studio of dance, gymnastics, music, art, or cooking.
- 11 (49) Shoe repair shop.
- 12 (50) Stores of a generally recognized retail nature whose primary business is the sale of new
- 13 merchandise, with or without drive-up or drive-through facilities.
- 14 (51) Taxicab dispatch and/or storage facility.
- 15 (52) Theater and concert café, excluding drive-in theaters.
- 16 (53) Trailer coaches or boat sale or rental, open air display.
- 17 (54) Trailers, utility—sales, rental or service; moving truck/trailer rental lots.
- 18 (55) Used goods dealer.
- 19 (56) Veterinary clinic for small animals.

20 **Sec. 50-10-112. Conditional retail, service, and commercial uses.**

21 Conditional retail, service, and commercial uses within the M4 Intensive Industrial District
22 are as follows:

- 23 (1) Amusement park.

- 1 ~~(2) Brewpub or microbrewery or small distillery or small winery, subject to Section 50-12-~~
2 ~~217 of this Code.~~
- 3 (2) Cabaret.
- 4 (3) Dance hall, public.
- 5 (4) Drive-in theater.
- 6 (5) Establishment for the sale of beer or alcoholic liquor for consumption on the premises.
- 7 (6) Firearms dealership.
- 8 (7) Firearms target practice range, indoor.
- 9 (8) Fireworks sales, consumer.
- 10 (9) Light duty vehicle repair establishment, subject to Section 50-11-364 of this Code.
- 11 (10) Light duty vehicle service establishment.
- 12 (11) Medium/heavy duty vehicle or equipment repair establishment, subject to Section 50-11-
13 364 of this Code.
- 14 (12) Motor vehicle filling station other than as provided for in Section 50-12-252(2) of this
15 Code.
- 16 (13) Motor vehicles, used, sales room or sales lot, subject to Section 50-11-364 of this Code.
- 17 (14) Motor vehicles, used, storage lot accessory to a salesroom or sales lot for used motor
18 vehicles, subject to Section 50-11-364 of this Code.
- 19 (15) Outdoor commercial recreation, not otherwise specified.
- 20 (16) Pawnshop.
- 21 (17) Plasma donation center.
- 22 (18) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
23 establishment.

DIVISION 6. TM TRANSITIONAL-INDUSTRIAL DISTRICT

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

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

- (1) Animal care facility.
- (2) Animal-grooming shop.
- (3) Arcade.
- (4) Assembly hall.
- (5) Automated teller machine not accessory to another use on the same zoning lot, which is stand-alone.
- (6) Bake shop, retail.
- (7) Bank.
- (8) Banquet facility.
- (9) Barber or beauty shop.
- (10) Body art facility.
- (11) Brewpub or microbrewery or small distillery or small winery, subject to Section 50-12-217 of this Code.
- (12) Business college or commercial trade school.
- (13) Commissary.
- (14) Customer service center.
- (15) Dry cleaning, laundry, or laundromat.
- (16) Employee recruitment center.
- (17) Financial services center.

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

- 1 (38) Radio or television station.
- 2 (39) Radio, television, or household appliance repair shop.
- 3 (40) Rebound tumbling center.
- 4 (41) Recording studio or photo studio or video studio, no assembly hall.
- 5 (42) Recreation, indoor commercial and health club.
- 6 (43) Rental hall.
- 7 (44) Restaurant, carry-out or fast-food.
- 8 (45) Restaurant, standard, subject to Section 50-12-311 of this Code.
- 9 (46) Retail sales and service in business and professional offices.
- 10 (47) Shoe repair shop.
- 11 (48) Stores of a generally recognized retail nature whose primary business is the sale of new
- 12 merchandise, with or without drive-up or drive-through facilities.
- 13 (49) Taxicab dispatch and/or storage facility.
- 14 (50) Theater and concert café, excluding drive-in theaters.
- 15 (51) Trailer coaches or boat sale or rental, open air display.
- 16 (52) Trailers, utility—sales, rental or service; moving truck/trailer rental lots.
- 17 (53) Used goods dealer.
- 18 (54) Veterinary clinic for small animals.

ARTICLE XI. SPECIAL PURPOSE ZONING DISTRICTS AND OVERLAY AREAS

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

USE

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

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

3 (1) Animal care facility.

4 (2) Bed and breakfast inn.

5 (3) Body art facility.

6 (4) Brewpub or microbrewery or small distillery or small winery that exceeds 3,000 square feet
7 or that is located adjacent to or across an alley from a lot containing a single- or two-family
8 dwelling that is located on a street other than a major thoroughfare.

9 (5) Establishment for the sale of beer or alcoholic liquor for consumption on the premises that
10 exceeds 3,000 square feet or that is located adjacent to or across an alley from a lot containing
11 a single- or two-family dwelling that is located on a street other than a major thoroughfare.

12 (6) Golf course, miniature.

13 (7) Hotel.

14 (5) ~~Kennel, commercial.~~

15 (8) Parking lots or parking areas, commercial and accessory parking farther than the maximum
16 distance specified in Article XIV, Division 1, of this chapter.

17 (9) Parking structure having at least 60 percent of the ground floor level façade abutting a public
18 street dedicated to commercial space or other space oriented to pedestrian traffic.

19 (10) Pool hall.

20 (11) Precious metal and gem dealer.

21 (12) Private club, lodge, or similar use.

22 (13) Radio or television station.

23 (14) Radio, television, or household appliance repair shop.

- 1 (15) Rental hall that exceeds 3,000 square feet.
- 2 (16) Restaurant, standard, located adjacent to or across an alley from a lot containing a single- or
- 3 two-family dwelling that is located on a street other than a major thoroughfare.
- 4 (17) Smoking lounge, other.
- 5 (18) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
- 6 establishment.
- 7 (19) Theater, excluding concert café and drive-in theater, not exceeding 150 fixed seats.
- 8 (20) Tobacco retail store.
- 9 (21) Used goods dealer.
- 10 (22) Youth hostel/hostel.

11 **DIVISION 11. SD2 – SPECIAL DEVELOPMENT DISTRICT, MIXED-USE**

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

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

- 15 (1) Animal-grooming shop.
- 16 (2) Art gallery.
- 17 (3) Assembly hall.
- 18 (4) Automated teller machine not accessory to another use on the same zoning lot, which is
- 19 stand-alone, without drive-up or drive-through facilities.
- 20 (5) Bake shop, retail.
- 21 (6) Bank without drive-up or drive-through facilities.
- 22 (7) Banquet facility.
- 23 (8) Barber or beauty shop.

- 1 (9) Body art facility.
- 2 (10) Brewpub or microbrewery or small distillery or small winery.
- 3 (11) Dry cleaning, laundry, or laundromat.
- 4 (12) Establishment for the sale of beer or alcoholic liquor for consumption on the premises.
- 5 (13) Medical or dental clinic, physical therapy clinic, or massage facility.
- 6 (14) Mortuary or funeral home.
- 7 (15) Nail salon.
- 8 (16) Office, business or professional.
- 9 (17) Parking lots or parking areas, accessory, for operable private passenger vehicles, not
- 10 farther than the maximum distance specified in Article XIV, Division 1, of this chapter.
- 11 (18) Pet shop.
- 12 (19) Printing or engraving shops not exceeding 5,000 square feet of gross floor area with a
- 13 minimum of ten percent of the gross floor area being used as a retail store for the sale of
- 14 the goods produced.
- 15 (20) Radio or television station.
- 16 (21) Recording studio or photo studio or video studio, no assembly hall.
- 17 (22) Recreation, indoor commercial and health club, excluding golf dome.
- 18 (23) Rental hall.
- 19 (24) Restaurant, carry-out or fast-food, located in a multi-story building and integrated into a
- 20 mixed-use or multi-tenant development, and without drive-up or drive-through
- 21 facilities.
- 22 (25) Restaurant, standard, without drive-up or drive-through facilities.
- 23 (26) Retail sales and personal service in business and professional offices.

1 (27) Retail sales and personal service in multiple-residential structures, subject to Section
2 50-12-312 of this Code.

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

4 (29) Shoe repair shop.

5 (30) Smoking lounge, cigar.

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

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

9 (33) Veterinary clinic for small animals.

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

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

13 (1) Animal care facility.

14 (2) Arcade.

15 ~~(2) Body art facility.~~

16 (3) Business college or trade school.

17 (4) Cabaret.

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

19 (6) Dance hall, public.

20 (7) Golf course, miniature.

21 (8) Hotel.

22 ~~(8) Kennel, commercial.~~

23 (9) Light duty vehicle service establishment.

- 1 (10) Motel.
- 2 (11) Motor vehicle filling station.
- 3 (12) Parking lots or parking areas, commercial.
- 4 (13) Parking lots or parking areas, accessory for operable private passenger vehicles, farther
5 than the maximum distance specified in Article XIV, Division 1 of this chapter.
- 6 (14) Parking structure having at least 60 percent of the ground floor devoted to commercial
7 space or other space oriented to pedestrian traffic.
- 8 (15) Pool hall.
- 9 (16) Precious metal and gem dealer.
- 10 (17) Printing or engraving shops exceeding 5,000 square feet of gross floor area with a
11 minimum of 10 percent of the gross floor area being used as a retail store for the sale of
12 the goods produced.
- 13 (18) Private club, lodge, or similar use.
- 14 (19) Radio, television, or household appliance repair shop.
- 15 (20) School building adaptive reuses - retail, service, and commercial.
- 16 (21) Smoking lounge, other.
- 17 (22) Specially designated distributor's (SDD) or specially designated merchant's (SDM)
18 establishment.
- 19 (23) Theater, excluding concert café and drive-in theaters, exceeding 150 fixed seats.
- 20 (24) Tobacco retail store.
- 21 (25) Used goods dealer.
- 22 (26) Youth hostel/hostel.

1 **DIVISION 12. SD4 – SPECIAL DEVELOPMENT DISTRICT, RIVERFRONT MIXED-**
2 **USE**

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

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

- 6 (1) Automated teller machine without drive-up or drive-through facilities.
- 7 (2) Bake shop, retail.
- 8 (3) Bank without drive-up or drive-through facilities.
- 9 (4) Barber or beauty shop.
- 10 (5) Body art facility.
- 11 (6) Business college or commercial trade school.
- 12 (7) Cabaret, inside the Central Business District.
- 13 (8) Dry cleaning, laundry, or laundromat.
- 14 (9) Establishments for the sale of beer or alcoholic liquor for consumption on the premises,
15 inside the Central Business District.
- 16 (10) Hotel, inside the Central Business District.
- 17 (11) Medical or dental clinic, physical therapy clinic or massage facility.
- 18 (12) Nail salon.
- 19 (13) Office, business or professional.
- 20 (14) Private club, lodge, or similar use.
- 21 (15) Radio or television station.
- 22 (16) Recording studio or photo studio or video studio, no assembly hall.
- 23 (17) Recreation, indoor commercial and health club.

1 (18) Restaurant, carry-out or fast-food, when integrated into a mixed use or multi-tenant
2 development, and without drive-up or drive-through facilities.

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

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

5 (21) Retail sales and personal service in multiple-residential structures, subject to Section
6 50-12-312 of this Code.

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

8 (23) Shoe repair shop.

9 (24) Smoking lounge, cigar.

10 (25) Stores of a generally recognized retail nature whose primary business is the sale of new
11 merchandise, without drive-up or drive-through facilities except as provided in Section
12 50-11-318 of this Code.

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

DIVISION 14. OVERLAY AREAS

Subdivision A. Gateway Radial Thoroughfare Overlay Areas

Sec. 50-11-361. Description.

17 The Gateway Radial Thoroughfare Overlay Areas consist of property abutting ~~those~~ major
18 radial streets, within and leading to the Central Business District, where certain uses may be
19 undesirable ~~upon which the Master Plan of Policies has generally proposed a rezoning from B4~~
20 ~~General Business District to a Special Development zoning district.~~

ARTICLE XII. USE REGULATIONS

DIVISION 1. USE TABLE

Subdivision B. Residential Uses

Sec. 50-12-22. Household living.

1 Regulations regarding household living uses are as follows:

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| 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 | P7 | P8 | P9 | | P10 | P11 | P12 | P13 | P14 | P15 | M16 | M17 |
| Household living | Loft | C | C | R | R | R | R | C | C/R | C/R | C/R | R | C | C | C | C | C | L | | | | R | | | | | | | | R | R | R | R | Sections 50-12-157, 50-12-159 | | |
| | Mobile home park | | | | | C | | | | | | | | | | | | | L | | | | | | | | | | | | | | Section 50-12-160 | | | |
| | Multiple-family dwelling | | C | C/R | R | R | R | C | C | | C | R/C | | | | | | | L | | | R/C | | | | | | | R | C/R | R | Sections 50-12-157, 50-12-161, 50-12-162 | | | | |
| | Residential use combined in structures with permitted commercial uses | | | | | R | R | C | C/R | C/R | C/R | C | C | C | C | C | C | L | | | | R | | | | | | | R | R | R | Section 50-12-159 | | | | |
| | Residential use combined in structures with permitted commercial or industrial uses | | | | | | | | R | R | R | | | | | | | | | | | | | | | | | C | | | | Section 50-12-159 | | | | |
| | Single-family detached dwelling | R | R | R | R | R | C | C | C | | C | | | | | | | | L | | | | | | | | | | C | | | Sections 50-12-157, 50-12-159 | | | | |
| | Single-room-occupancy (SRO) housing, non-profit | | | | C | C | C | C | C | | C | C | | | | | | | L | | | | | | | | | | C | C | | SPC; Section 50-12-166 | | | | |
| | Townhouse | | C | R | R | R | R | C | C | | C | C | | | | | | | L | | | | | | | | | | C | C | R | Sections 50-12-157, 50-12-167 | | | | |
| | Two-family dwelling | | R | R | R | R | C | C | C | | C | | | | | | | | L | | | | | | | | | | C | | | Sections 50-12-157, 50-12-159 | | | | |
| | All other | | | | C | C | C | C | C | | C | C | | | | | | | | | | | | | | | | | C | | | Sections 50-12-157, 50-12-159 | | | | |

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Subdivision D. Retail, Service, and Commercial Uses

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Sec. 50-12-61. Assembly.

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Regulations regarding assembly 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 | T | M | R | W | | K | T | S1 | S2 | S3 | S4 | S5 | |
| Assembly | Assembly hall | | | | | C | | | | | R | R | R | R | R | R | R | R | R | L | | | | | R | | | | R | R | | | | | | | Section 50-12-214 |
| | Banquet facility | | | | | C | | | C | C | C | R | R | R | R | R | R | R | R | L | | | | C | R | | | R | R | R | | | | | | | Section 50-12-237 |
| | Dance hall, public | | | | | | | | | C | C/R | C/R | C/R | C | C | C | C | C | L | | | | C/R | | | | R | | C | | | | | | | P; RU; SPC; Section 50-12-219 | |
| | Private club, lodge, or similar use | | | | C | C | C | C | C | C | R | R | R | R | R | R | R | R | R | L | | | | R | R | | | C | C | C | R | | | | | | Section 50-12-306 |
| | Rental hall | | | | | C | | | | | C | R | R | R | R | R | R | R | L | | | | C | R | | | | | C/R | R | | | | | | | Section 50-12-309; P |
| | All other | | | | | | | | | | C | C | C | C | C | C | C | L | | | | | | | C | | | | | | | | | | | | Section 50-12-551 |

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

3 Regulations regarding food and beverage 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 | T | M | R | W | | K | T | S1 | S2 | S3 | S4 | S5 | |
| Food and beverage service | Brewpub or microbrewery or small distillery or small winery | | | | | C | | | C | C | C/R | C/R | C/R | C/R | C/R | C/R | C/R | C/R | L | | | | R | C/R | | | R | C/R | R | C | | | | | | | CU; RU; Section 50-12-217 |
| | Commissary | | | | | | | R | | R | R | R | R | R | R | R | R | L | | | | | R | | | | R | | | | | | | | | | |
| | Establishment for the sale of beer or alcoholic liquor for consumption on the premises | | | | | C | | | C | C | C/R | C/R | C/R | C | C | C | C | L | | | | | C/R | C | | | R | C/R | R | C | | | | | | | RU; SPC; Section 50-12-220 |
| | Restaurant, carry-out, with drive-up or drive-through facilities | | | | | | | | | C | C | C/R | R | C | R | R | R | L | | | | | | | R | | | | | | | | | | | | SPC; Sections 50-12-310, 50-12-511 |

| | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|--|--|--|----------|----------|--|-----|-----|-----|-----|---|---|---|---|---|---|---|-----|---|--|---|-----|---|---|------------------------------------|
| Restaurant, carry-out, without drive-up or drive-through facilities | | | | | <u>C</u> | <u>C</u> | | R | R | R | C/R | R | C | R | R | R | L | | R/C | R | | R | R | R | R | SPC; Sections 50-12-310, 50-12-511 |
| Restaurant, fast food, with drive-up or drive-through facilities | | | | | | | | C | C | C/R | R | C | R | R | R | L | | | R | | | | | | | SPC; Sections 50-12-310, 50-12-511 |
| Restaurant, fast food, without drive-up or drive-through facilities | | | | | <u>C</u> | <u>C</u> | | C | C | C/R | C/R | R | C | R | R | R | L | | R/C | R | | R | R | R | R | SPC; Sections 50-12-310, 50-12-511 |
| Restaurant, standard, with drive-up or drive-through facilities | | | | | | | | C/R | C/R | C/R | R | R | R | R | R | L | | | R | | | | | | | SPC; Sections 50-12-311, 50-12-511 |
| Restaurant, standard, without drive-up or drive-through facilities | | | | | <u>C</u> | <u>C</u> | | C/R | C/R | C/R | C/R | R | R | R | R | R | L | | R | R | | R | C/R | R | R | SPC; Sections 50-12-311, 50-12-511 |
| All others | | | | | | | | C | C | C | C | C | C | C | C | L | | C | | | | | | | C | |

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1 **Sec. 50-12-63. Office.**

2 Regulations regarding office uses are as follows:

| Use Category | Specific Land Use | Residential | | | | | | Business | | | | | | Industrial | | | | | Special and Overlay | | | | | | | | | | Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3) | | | | |
|--------------|--|-------------|-----|-----|-----|----------|----------|----------|-----|-----|-----|-----|-----|------------|-----|-----|-----|-----|---------------------|-----|-----|-------|-----|-----|-----|-------|-------|-------|--|-------|-------|----------------------------|-------------------|
| | | R 1 | R 2 | R 3 | R 4 | R 5 | R 6 | B 1 | B 2 | B 3 | B 4 | B 5 | B 6 | M 1 | M 2 | M 3 | M 4 | M 5 | P D | P 1 | P C | P C A | T M | P R | W 1 | M K T | S D 1 | S D 2 | | S D 4 | S D 5 | | |
| Office | Medical or dental clinic, physical therapy clinic, or massage facility | | | | C | R | R | R | R | R | R | R | R | R | R | R | R | R | | | | L | | | R | R | | | C | R | R | R | Section 50-12-232 |
| | Office, business or professional | | | | | <u>C</u> | <u>C</u> | R | R | R | R | R | R | R | R | R | R | R | | | L | | R | C/R | R | | | C/R | R | R | R | Section 50-12-298 | |
| | Plasma donation center | | | | | | | | C | C | C | C | C | C | C | C | C | C | | | L | | | | | | | | | | | RU; SPC | |
| | Radio or television station | | | | | | | | C | | R | R | R | R | R | R | R | R | | | L | | | R | R | | | R | C | R | R | | |
| | Recording studio or photo studio or video studio, no assembly hall | | | | | | <u>C</u> | | C | | R | R | R | R | R | R | R | R | | | L | | | R | R | | | R | R | R | R | <u>Section 50-12-307.5</u> | |
| | All other | | | | | | | C | C | C | C | C | C | C | C | C | C | C | | | L | | | C | C | | | | C | C | C | Section 50-12-298 | |

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4 **Sec. 50-12-66. Recreation/entertainment, indoor.**

5 Regulations regarding indoor recreation and entertainment 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 | T | P | W | M | S | S | | | S | S | K | D |
| Recreation/ entertainment, indoor | Arcade | | | | | | | | | C | C | C | C | R | R | R | R | | L | | R | R | R | | | | R | | C | | | CU; P; SPC; Sections 50-12-213, 50-12-515 | | |
| | Cabaret | | | | | | | C | C | C/R | C/R | C/R | C | C | C | C | | L | | C/R | C | | | | | C | | C | C | | RU; SPC; Section 50-12-218 | | | |
| | Casinos and casino complexes | | | | | | | | | | | | | | | | | | L | | | | | | | | | | | R | | | | |
| | Firearms target practice range, indoor | | | | | | | | | C | C | C | C | C | C | C | C | C | L | | | | | | | | | | | | | P; Section 50-12-224 | | |
| | Pool hall | | | | | | | | | C | C | R | R | R | R | R | R | | L | | R | R | | | | | C | C | | | | CU; P; SPC; Section 50-12-305 | | |
| | Recreation, indoor commercial and health club | | | | C | | | R | R | R | R | R | | R | R | R | R | | L | | R | R | R | | | | C | R | R | R | | Section 50-12-308 | | |
| | Smoking lounge, cigar | | | | C | | | R | R | R | R | R | | | | | | | L | | R | | | | | | R | R | R | R | | Section 50-12-326 | | |
| | Smoking lounge, other | | | | | | | | | C | C | C | C | | | | | | L | | C | | | | | | C | C | C | | | SPC; Section 50-12-325 | | |
| | Theater and concert café, excluding drive-in theaters | | | | | | | | | R | C | R | | R | R | R | R | | L | | R | R | | | | | C | C/R | R | | | Section 50-12-317 | | |

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2 **Sec. 50-12-67. Recreation/entertainment, outdoor.**

3 Regulations regarding recreation, entertainment and outdoor 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 | T | P | W | M | S | S | | | S | S | K | D |
| | Amusement park | | | | | | | | | | | C | C | C | C | C | C | | L | | | | | | | | | | | | | P; Section 50-12-211 | | |

| 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 | R | W | | M | S | S | S | S | S | | |
| Retail sales and service; sales-oriented | Stores of a generally recognized retail nature whose primary business is the sale of new merchandise, with drive-up or drive-through facilities | | | | | | | | | R | R | C/R | R | R | R | R | R | | | | | | | L | | | | | | | | | | | | * | *Section 50-11-318 |
| | Stores of a generally recognized retail nature whose primary business is the sale of new merchandise, without drive-up or drive-through facilities | | | | | C | | R | R | R | R | R | R | R | R | R | R | | | | | | | L | | | R | R | | R | R | R | R | | | | Sections 50-11-318, 50-12-324 |
| | Art gallery | | | | | C | C | R | R | R | R | R | R | R | R | R | R | | | | | | | L | | | | | | R | R | R | | | | <u>Section 50-12-213.5</u> | |
| | Bake shop, retail | | | | | C | C | R | R | R | R | R | R | R | R | R | R | | | | | | | L | | | R | R | | R | R | R | R | | | Section 50-12-215 | |
| | Firearms dealership | | | | | | | | | C | C | C | C | C | C | C | C | | | | | | | L | | | | | | | | | | | | Section 50-12-223 | |
| | Fireworks sales, consumer | | | | | | | | | | | | | | | C | C | | | | | | | L | | | | | | | | | | | | Section 50-12-225 | |
| | Motorcycles, retail sales, rental or service | | | | | | | | | C | | | | C | R | R | R | | | | | | | L | | | R | | | | | | | | | P; Section 50-12-297 | |
| | Pawnshop | | | | | | | | | C | | | | C | C | C | C | | | | | | | L | | | C | | | | | | | | | P; RU; SPC; GRT; Section 50-12-302 | |
| | Pet shop | | | | | C | | R | R | R | R | R | R | R | R | R | R | | | | | | | L | | | R | | | | R | R | | | | | Section 50-12-303 |
| | Precious metal and gem dealers | | | | | | | | | C | C | C | R | R | R | R | R | | | | | | | L | | | C | C | | | C | C | | | | | SPC; Section 50-12-304 |
| | Produce or food markets, wholesale | | | | | | | | | | | | R | R | R | R | R | | | | | | | L | | | R | | | R | | | | | | | |
| | Specially designated distributor's (SDD) or specially designated merchant's (SDM) establishment | | | | | | | | | C | C | C | C | C | C | C | C | | | | | | | L | | | C | | | C | C | C | C | | | | CU; P; SPC; Section 50-12-314 |

| 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 | T | P | W | M | S | S | | S | S | D1 | D2 |
| Retail sales and service; service-oriented | Animal care facility | | | | | | | | | | C | R | R | R | R | R | | | | | | | R | | | | | C | C | | Section 50-12-229 | | |
| | Animal-grooming shop | | | | | C | C | R | R | R | R | | R | R | R | R | | L | | | | | R | | | R | R | R | | | | Section 50-12-212 | |
| | Automated teller machine, without drive-up or drive-through facilities | | | | | C | C | R | R | R | R | C/R | R | R | R | R | R | L | | | | | R | R | | R | R | R | R | | | Section 50-12-214.5 | |
| | Automated teller machine, with drive-up or drive-through facilities | | | | | | | C | C | C | C | R | R | R | R | R | R | R | L | | | | | C | R | | | | | C | | Article XIV, Division 1, Subdivision H; Section 50-11-318 | |
| | Bank, without drive-up or drive-through facilities | | | | | C | C | R | R | R | R | R | R | R | R | R | R | | L | | | | | R | R | | R | R | R | R | | | Section 50-12-215.5 |
| | Bank, with drive-up or drive-through facilities | | | | | | | C | C | C | C | | R | C | R | R | R | | L | | | | | C | R | | | | R | C | | Article XIV, Division 1, Subdivision H; Section 50-11-318 | |
| | Barber or beauty shop | | | | | C | | R | R | R | R | R | R | R | R | R | R | | L | | | | | R | R | | C/R | R | R | R | | Section 50-12-518 | |
| | Body art facility | | | | | C | C | | C | C | C/R | R | R | R | R | R | R | | L | | | | | R | | | R | C | C/R | R | | Section 50-12-300 | |
| | Business college or commercial trade school | | | | | R | C | | | C | R | R | R | R | R | R | R | | L | | | | | R | R | | C | | | R | | Section 50-12-318 | |
| | Customer service center, with drive-up or drive-through facilities | | | | | | | C | C | C | C | | R | R | R | R | R | | L | | | | | R | | | | | | | | Article XIV, Division 1, Subdivision H | |
| | Customer service center, without drive-up or drive-through facilities | | | | | | | R | R | R | R | R | R | R | R | R | R | | L | | | | | R | | | C | | C | | | | |
| | Dry cleaning, laundry, or laundromat | | | | | C | | R | R | R | R | R | R | R | R | R | R | | L | | | | | R | R | | R | R | R | R | | | Section 50-12-221 |
| | Employee recruitment center | | | | | | | | | | C | R | R | R | R | R | R | | L | | | | | R | | | | | | | | | |
| | Financial services center, with drive-up or drive-through facilities | | | | | | | | C | C | C | | R | C | R | R | R | | L | | | | | C | R | | | | | | | Section 50-12-222; Article XIV, Division 1, Subdivision H | |

| 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 | P | W | M | | S | S | S |
| Industrial service | Blueprinting shop | | | | | | | C | | R | R | R | R | R | R | R | R | L | | | | R | R | | | | | | | | C | Section 50-12-333 |
| | Boiler repairing | | | | | | | | | | | | C | R | R | R | R | L | | | | | | | | | | | | | | Section 50-12-458 |
| | Contractor yard, landscape or construction | | | | | | | | | | | R | R | R | R | R | R | L | | | | R | | | | | | | | | | Section 50-12-458 |
| | Crematory or pet crematory | | | | | | | | | | | | R | R | R | R | R | L | | | | | | | | | | | | | | Section 50-12-367 |
| | Junkyard | | | | | | | | | | | | | | | | C | L | | | | | | | | | | | | | | GRT; SPC; SWFRC; Section 50-12-341 |
| | Laundry, industrial | | | | | | | | | | | | C | R | R | R | R | L | | | | R | | | | | | | | | | |
| | Lumber yard | | | | | | | | | | | R | R | R | R | R | R | L | | | | R | | | | | | | | | | Section 50-12-343 |
| | Machine shop | | | | | | | C | | C | | | C | R | R | R | R | L | | | | | | | | | | C | C | | | Sections 50-12-363, 50-12-458 |
| | Outdoor storage yard | | | | | | | | | | | | | | C | R | R | L | | | | | | | | | | | | | | Sections 50-12-344, 50-12-458 |
| | Research facilities | | | | | | | | | | | | | | | | | L | | | | | | | | | | | | | | |
| | Tires, used; sales and/or service | | | | | | | | | | | | | | | C | C | L | | | | | | | | | | | | | | GRT; SPC; Section 50-12-350 |
| | Tool sharpening or grinding | | | | | | | | | | | | C | R | R | R | R | L | | | | R | | | | | | | | | | Section 50-12-516 |
| | Towing service storage yard | | | | | | | | | | | | | | | C | C | L | | | | | | | | | | | | | | GRT; SPC; Section 50-12-352 |
| | Trade services, general | | | | | | | C/R | | R | R | R | R | R | R | R | R | L | | | | R | | | | | | C/R | C/R | | | Section 50-12-353 |
| | Truck stops | | | | | | | | | | | C | | | | C | C | C | L | | | | | | | | | | | | | Section 50-12-519 |

DIVISION 2. GENERAL USE STANDARDS**Sec. 50-12-123. GRT (Gateway Radial Thoroughfare).**

Uses ~~in the B4 District~~ may be subject to the provisions of the Gateway Radial Thoroughfare Overlay Area as provided for in Article XI, Division 14, Subdivision A, of this chapter.

Sec. 50-12-125. P (petition).

(a) Restrictions on the location of the use may in some cases require presentation of a valid petition signed by nearby property owners and other parties, as indicated in the following subsections:

- (1) Amusement parks, see Section 50-12-211 of this Code;
- (2) Concert cafés and concert halls, see Section 50-12-317 of this Code;
- (3) Controlled uses, see Section 50-3-402 and Section 50-3-442 of this Code;
- (4) Dance halls, public, see Section 50-3-362 of this Code;
- (5) Firearms target practice ranges, see Section 50-12-224 of this Code;
- (6) Go-cart tracks, see Section 50-12-226 of this Code;
- ~~(7) Golf courses, miniature, see Section 50-12-227 of this Code;~~
- (7) Motor vehicle filling stations, see Section 50-12-260 of this Code;
- (8) Motorcycle clubs, see Section 50-12-306(5) of this Code; for motorcycle sales, rental, or service establishments, see Section 50-12-297 of this Code;
- (9) Pawnshops, see Section 50-3-362 of this Code;
- (10) Rebound tumbling centers, see Section 50-12-307 of this Code;
- (11) Recreation facilities, commercial (selected), see Section 50-12-308 of this Code; and
- (12) Rental halls, see Section 50-12-309 of this Code.

1 (b) In accordance with Section 2-111 of the Charter, the Director of the Buildings, Safety
2 Engineering, and Environmental Department shall adopt administrative rules, which govern
3 verification of the petition that may be required by this chapter. The rules shall provide, among
4 other things, that the circulator of the petition who is requesting a waiver shall not be less than
5 18 years of age and shall subscribe to an affidavit attesting to the fact that the petition was
6 circulated in accordance with such rules, that the circulator personally witnessed the
7 signatures on the petition, and that such signatures were affixed to the petition by the persons
8 whose names appeared thereon.

9 (c) Where a petition is required for a use that also requires a public hearing, no hearing shall be
10 scheduled at the Buildings, Safety Engineering, and Environmental Department or at the
11 Board of Zoning Appeals until the petition has been verified by the Buildings, Safety
12 Engineering, and Environmental Department.

13 **Sec. 50-12-131. Retail, service, and commercial uses—Spacing.**

14 Regulations regarding spacing of retail, service, and commercial uses are as follows:

| Use Type | Minimum Distance from Same Use Type (Existing or Approved) | Minimum Distance from Other Use Types (Existing or Approved) | Comment |
|--|--|--|---|
| Amusement park | N/A | Residentially zoned area: 2,500 feet | Section 50-12-211 |
| Concert café and concert hall | N/A | Residentially zoned area: 500 feet | Section 50-12-317(3) |
| Firearms target practice range, indoor | N/A | Residentially zoned area: 500 feet | Section 50-12-224 |
| Go-cart | N/A | Residentially zoned area: 500 feet | Section 50-12-226 |
| Golf course, miniature | N/A | Residentially zoned area: 500 feet; applies to playing surface only | Section 50-12-227 |
| Motor vehicle filling station, not possessing locational suitability | 1,000 feet | N/A | Sections 50-12-135, 50-12-258 through 50-12-262 |
| Light duty vehicle repair establishment | 1,000 radial feet | Any other vehicle service or repair use: 1,000 radial feet; Zoning lot zoned R1, R2, R3, R4, R5, R6, residential PD: 100 radial feet | Section 50-12-294 |
| Light duty vehicle service establishment | 1,000 radial feet | Any other vehicle service or repair use: 1,000 radial feet | Section 50-12-295 |
| Medium/heavy duty vehicle or equipment repair establishment | 1,000 radial feet | Any other vehicle service or repair use: 1,000 radial feet; Zoning lot zoned R1, R2, R3, R4, R5, R6, residential PD: 100 radial feet | Section 50-12-295.1 |
| Motor vehicle, used, salesroom or sales lot | 2,000 radial feet | N/A | Sections 50-12-293, 50-12-517 |
| Motor vehicles, used, storage lot accessory to salesroom or sales lots for used motor vehicles | N/A | Residentially zoned area: 250 feet | Section 50-12-291 |
| Motorcycle club | N/A | Residentially zoned area: 500 feet | Section 50-12-306(5) |
| Motorcycle rentals | N/A | Residentially zoned area: 500 feet | Section 50-12-297 |
| Rebound tumbling center | N/A | Residentially zoned area: 500 feet | Section 50-12-307 |
| Recreation, facilities, commercial (selected) | N/A | Residentially zoned area: 500 feet | Section 50-12-308 |
| Rental hall | N/A | Residentially zoned area: 500 feet (Inside Central Business District only) Rental hall and public dance hall; 1,000 feet | Section 50-12-309 |
| Restaurant, carry-out or fast-food | N/A | School (not including educational institutions): 500 feet | Sections 50-12-136, 50-12-310 |
| Restaurant, standard | N/A | School (not including educational institutions): 500 feet | Sections 50-12-135, 50-12-136, 50-12-311 |
| Smoking lounge, other | 1,000 feet | Advertisement-sensitive property as defined in Section 4-1-1 of this Code: 1,000 feet | Section 50-12-325 |

| | | | |
|----------------------|-----|---|-------------------|
| Tobacco retail store | N/A | Advertisement-sensitive property as defined in Section 4-1-1 of this Code: 1,000 feet | Section 50-12-325 |
|----------------------|-----|---|-------------------|

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DIVISION 3. SPECIFIC USE STANDARDS

Subdivision A. Residential Uses

Sec. 50-12-156. Emergency shelter.

The only conditional use general approval criteria that shall apply to emergency shelters are contained in Section 50-3-281(6) and Section 50-3-281(9) of this Code as well as the following provisions:

- (1) *Capacity limitations.* The maximum capacity of an emergency shelter shall be established by the Buildings, Safety Engineering, and Environmental Department in accordance with the terms of the Life Safety Code, but in no case shall that capacity exceed 50 persons, including children, in the R4, R5, and B4 Districts.
- (2) *Other standards:*
 - a. The emergency shelter will in other respects conform to the applicable regulations of the district where it is located;
 - b. Where the emergency shelter is proposed within or in the immediate vicinity of an area which has a written, approved, and disseminated plan for area development, the establishment of the emergency shelter will not impede the normal and orderly development and improvement of surrounding property for uses permitted in that area.
- (3) *Conditions.* The Buildings, Safety Engineering, and Environmental Department may impose reasonable conditions designed to protect natural resources, and the health, safety and welfare, as well as the social and economic well-being, of those who will use the

1 emergency shelter, and the residents and landowners immediately adjacent or across an
 2 alley, and the community as a whole;

- 3 (4) *Gateway Radial Thoroughfares*. In the B2 and B4 Districts, emergency shelters are not
 4 permitted along designated Gateway Radial Thoroughfares; this regulation may not be
 5 waived by the Board of Zoning Appeals.

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

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

- 12 ~~(1) Loft conversions are prohibited in the R1 and R2 Districts except where developed under~~
 13 ~~the "school building adaptive reuses" provision as defined in Section 50-16-381 of this~~
 14 ~~Code.~~

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

- 18 (2) Similarly, single-family dwellings, two-family dwellings, and multiple-family dwellings
 19 are permitted in commercial or industrial structures combined with those permitted retail,
 20 service, and commercial, and industrial uses specified in Division 1, Subdivision D, of
 21 this article, except for "adult uses/sexually-oriented businesses" as specified in Section
 22 50-12-108 of this Code.

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

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

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

14 ~~(6) In B2, B3, and B4 Districts, residential uses combined in structures with permitted
15 commercial uses are permissible on a by-right basis only where located in a Traditional
16 Main Street Overlay Area, and otherwise are permissible conditionally.~~

17 (3) In M1, M2, M3, and M4 Districts, new construction of a "residential use combined with
18 permitted commercial uses" is limited to not more than two residential units. However,
19 any time three or more residential units are combined with permitted commercial uses in
20 an existing commercial or industrial structure in the B6, M1, M2, M3, M4, or SD4
21 District, the use shall be subject to the review of the Loft Review Committee as provided
22 for in Article II, Division 6, Subdivision C, of this chapter.

1 (4) In the MKT District, residential uses combined in structures with permissible commercial
2 or industrial uses are permissible conditionally only if one or more permitted commercial
3 or industrial use is located on the ground floor of the structure, except that new residential
4 uses are impermissible in the area where setbacks are required by Section 50-13-157 of
5 this Code.

6 (5) In the SD4 District, specially designated merchant's (SDM) establishments and specially
7 designated distributor's (SDD) establishments are permitted when incidental to, accessory
8 to, and on the same zoning lot as a loft development that has not fewer than 50 dwelling
9 units.

10 (6) In designated Traditional Main Street Overlay Areas, as provided for in Section 50-11-
11 382 of this Code, residential uses combined in structures with commercial or industrial
12 uses that are permitted in the respective zoning district shall be permitted by right.

13 **Sec. 50-12-163. Pre-release adjustment centers.**

14 Pre-release adjustment centers are subject to the following requirements:

- 15 (1) Such uses shall not have a capacity in excess of 50 persons;
- 16 (2) Such uses shall be located along, or within 200 feet of, a major or secondary thoroughfare
17 unless such location requirement is specifically modified by the Board of Zoning Appeals
18 after finding that such waiver will:
- 19 a. Not be injurious to the contiguous property;
- 20 b. Not have a detrimental effect on the surrounding neighborhood; and
- 21 c. Not be contrary to any other policy expressed in this chapter;

- 1 (3) Where possible, such pre-release adjustment center shall not occupy an entire building, but
2 should preferably share such building with other permitted uses of service or benefit to the
3 neighborhood where the building is located;
- 4 (4) In the B2 and B4 ~~and B2~~ Districts, pre-release adjustment centers are prohibited on zoning
5 lots that abut a Gateway Radial Thoroughfare; this regulation may not be waived by the Board
6 of Zoning Appeals;
- 7 (5) In the B5 District, pre-release adjustment centers that conform to the spacing requirements of
8 Section 50-12-127 and Section 50-12-129 of this Code, and the standards provided for in
9 Subsections (1), (2), and (3) of this section, shall be permitted by right.

10 **Subdivision B. Public, Civic, and Institutional Uses**

11 **Sec. 50-12-191. Substance abuse service facility.**

12 Substance abuse service facilities shall comply with all appropriate state laws and
13 regulations, County ordinances and this Code, which control or regulate such uses. Such facilities
14 are prohibited in the B2 and B4 Districts on zoning lots that abut designated Gateway Radial
15 Thoroughfares; this regulation may not be waived by the Board of Zoning Appeals.

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

17 **Sec. 50-12-212. Animal-grooming shop.**

- 18 (a) All facilities of an animal-grooming shop, including all grooming areas, cages, pens and
19 kennels, shall be maintained within a completely enclosed, soundproof building.
- 20 (b) All animal-grooming shops shall be designed and constructed in a manner that eliminates
21 any emission of odor offensive to persons owning, occupying or patronizing properties
22 adjacent to the use.

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

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

5 (e) In the R5 District, animal-grooming shops are permitted conditionally. Additionally,
6 where located farther than one-half mile from a high-frequency transit corridor, animal-
7 grooming shops must not occupy more than 3,000 square feet of gross floor area, must
8 not have drive-up or drive-through facilities, and must be located in a building constructed
9 prior to January 1, 2017.

10 (f) In the R6 District, animal-grooming shops are permitted conditionally where not
11 occupying more than 3,000 square feet of gross floor area, not having drive-up or drive-
12 through facilities, and where located in a building constructed prior to January 1, 2017.

13 **Sec. 50-12-213.5. Art gallery.**

14 Art galleries shall be subject to the following provisions:

15 (1) In the R5 District, art galleries are permitted conditionally. Additionally, where located
16 farther than one-half mile from a high-frequency transit corridor, art galleries must not
17 occupy more than 3,000 square feet of gross floor area, must not have drive-up or drive-
18 through facilities, and must be located in a building constructed prior to January 1, 2017.

19 (2) In the R6 District, art galleries are permitted conditionally where not occupying more
20 than 3,000 square feet of gross floor area, not having drive-up or drive-through facilities,
21 and where located in a building constructed prior to January 1, 2017.

22 **Sec. 50-12-214. Assembly hall.**

23 Assembly halls shall be subject to the following provisions:

1 (1) Assembly halls require licensing by the Buildings, Safety Engineering, and
2 Environmental Department Business License Center in accordance with Chapter 38 of
3 this Code, *Rental Halls and Banquet Facilities*.

4 (2) For large outdoor assemblies and special events, see Section 50-12-551 and Section 50-
5 12-552 of this Code.

6 (3) In the R5 District, assembly halls are permitted conditionally only where located on a
7 zoning lot within one-half mile of a high-frequency transit corridor.

8 **Sec. 50-12-214.5. Automated teller machine, without drive-up or drive-through.**

9 Automated teller machines, without drive-up or drive-through, shall be subject to the
10 following provisions:

11 (1) In the R5 District, automated teller machines, without drive-up or drive-through, are
12 permitted conditionally.

13 (2) In the R6 District, automated teller machines, without drive-up or drive-through, are
14 permitted conditionally.

15 **Sec. 50-12-215. Bake shop.**

16 Bake shops shall be subject to the following provisions:

17 (1) Such uses shall not have more than 4,000 square feet gross floor area;

18 (2) Drive-up or drive-through facilities shall not be permitted; and

19 (3) Bakeries larger than 4,000 square feet of gross floor area are regulated as a low-impact
20 manufacturing or processing use.

21 (4) In the R5 District, retail bake shops are permitted conditionally. Additionally, where
22 located farther than one-half mile from a high-frequency transit corridor, retail bake shops

1 must not occupy more than 3,000 square feet of gross floor area, and must be located in
2 a building constructed prior to January 1, 2017.

3 (5) In the R6 District, retail bake shops are permitted conditionally where not occupying
4 more than 3,000 square feet of gross floor area, and where located in a building
5 constructed prior to January 1, 2017.

6 **Sec. 50-12-215.5. Bank without drive-up or drive-through facilities.**

7 Banks without drive-up or drive-through facilities shall be subject to the following provisions:

8 (1) In the R5 District, banks without drive-up or drive-through facilities are permitted
9 conditionally. Additionally, where located farther than one-half mile from a high-
10 frequency transit corridor, banks must not occupy more than 3,000 square feet of gross
11 floor area, and must be located in a building constructed prior to January 1, 2017.

12 (2) In the R6 District, banks without drive-up or drive-through facilities are permitted
13 conditionally where not occupying more than 3,000 square feet of gross floor area, and
14 where located in a building constructed prior to January 1, 2017.

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

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

18 (1) Regulated use provisions of Article III, Division 8, of this chapter where there is
19 consumption of beer or alcoholic liquor on the premises, located outside of the Central
20 Business District and outside the SD2 District; however, a brewpub, microbrewery, or
21 small distillery, or small winery operating in conjunction with and located on the same
22 zoning lot as a standard restaurant, as defined in Section 50-16-362 of this Code, shall
23 not be considered a regulated use, as provided in Section 50-3-323(1) of this Code;

1 ~~(2) Controlled use provisions of Article III, Division 9, of this chapter where beer or wine or~~
2 ~~alcoholic liquor are sold to the general public for consumption off the premises at a~~
3 ~~brewpub or small distillery or small winery;~~

4 ~~(3) In the M1, M2, M3, and M4 Districts, where a brewpub, microbrewery, small distillery,~~
5 ~~or small winery is classified as a regulated use or a controlled use, the use may be~~
6 ~~permitted on a conditional basis; where a brewpub, microbrewery, small distillery, or~~
7 ~~small winery in an M1, M2, M3, or M4 District is not classified as either a regulated use~~
8 ~~or a controlled use, the use may be permitted on a by-right basis; and~~

9 (2) In the SD1 District, a brewpub or microbrewery or small distillery or small winery may
10 be permitted on a by-right basis where such establishments do not exceed 3,000 square
11 feet and are not located adjacent to or across an alley from a lot containing a single- or
12 two-family dwelling that is located on a street other than a major thoroughfare, and on a
13 conditional basis where such establishments exceed 3,000 square feet or are located
14 adjacent to or across an alley from a lot containing a single- or two-family dwelling that
15 is located on a street other than a major thoroughfare.

16 ~~(5) In the B3 District, a brewpub or microbrewery or small distillery or small winery is~~
17 ~~permissible conditionally where located within a Traditional Main Street Overlay Area.~~

18 (3) In the R5 District, a brewpub or microbrewery or small distillery or small winery is
19 permitted conditionally only where located on a zoning lot within one-half mile of a high-
20 frequency transit corridor.

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

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

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

7 (2) Establishments for the sale of beer or alcoholic liquor for consumption on the premises
8 are permitted conditionally in the R5 District and by right in the R6 District only where
9 they are located in a multiple-family dwelling, hotel, or motel that has at least 50 units
10 and, provided, that the establishment for consumption on the premises:

- 11 a. Does not exceed 2,000 square feet in gross floor area;
- 12 b. Is accessible only from the interior of the building; and
- 13 c. Has no advertising or display of said use visible from the exterior of the building.

14 (3) In addition to the locations permitted in subsection (2) of this section, establishments for
15 the sale of beer or alcoholic liquor for consumption on the premises are permitted
16 conditionally in the R5 District where located on a zoning lot within one-half mile of a
17 high-frequency transit corridor.

18 (4) In the B2 District, establishments for the sale of beer or alcoholic liquor for consumption
19 on the premises are permissible conditionally only if located outside a Traditional Main
20 Street Overlay Area.

21 (5) In the SD1 District, establishments for the sale of beer or alcoholic liquor for consumption
22 on the premises shall be permitted on a by-right basis where such establishments do not
23 exceed 3,000 square feet and are not located adjacent to or across an alley from a lot

1 containing a single- or two-family dwelling that is located on a street other than a major
2 thoroughfare, and on a conditional basis where such establishments do exceed 3,000
3 square feet or are located adjacent to or across an alley from a lot containing a single- or
4 two-family dwelling that is located on a street other than a major thoroughfare.

5 (6) In the B2 District, establishments for the sale of beer or alcoholic liquor for consumption
6 on the premises are not permitted either by right or as a conditional use, in accordance
7 with Article IX, Division 3, of this chapter, except where located in a Traditional Main
8 Street Overlay Area; while such establishments are generally prohibited on land zoned
9 B2 as a stand-alone use, standard restaurants, as defined in Section 50-16-362 of this
10 Code, located on land zoned B2, may provide for the sale of beer or alcoholic liquor for
11 consumption on the premises.

12 (7) The gross floor area specifications set forth in this section may not be waived by the
13 Board of Zoning Appeals.

14 **Sec. 50-12-221. Dry cleaning, laundry, or laundromat.**

15 (a) Dry cleaning facilities must receive an air permit from the Michigan Department of
16 Environment, Great Lakes, and Energy to conduct operations subject to the U.S.
17 Environmental Protection Agency (EPA) National Emission Standards for Hazardous Air
18 pollutants (NESHAP). All dry cleaning facilities, which use perchloroethylene (PCE) in their
19 cleaning process, are subject to NESHAP. Presentation of the state permit to the Buildings,
20 Safety Engineering, and Environmental Department by dry cleaners that use PCE shall be
21 required as a condition for the City's permit. In addition, dry cleaning facilities and laundries
22 shall comply with materials storage, handling and disposal requirements, and pollution
23 prevention and waste minimization requirements.

- 1 (b) In the B1, B2, B3, B4, B5, B6, M1, M2, M3, M4, PCA, TM, SD1, and SD2 Districts, dry
2 cleaning, laundry, or laundromat establishments may provide:
- 3 (1) Pick-up stations; and
4 (2) Customer operated washer, dryer, or dry cleaning machines for family washing or dry
5 cleaning; laundromat.
- 6 (c) In the B2, B3, and SD4 Districts, dry cleaning, laundry, or laundromat establishments:
7 (1) Shall employ a maximum of ten persons on site; and
8 (2) Shall not exceed 4,000 square feet in gross floor area.
- 9 (d) In the B4, B5, B6, and M1 Districts, dry cleaning, laundry or laundromat establishments:
10 (1) Shall include a retail service; and
11 (2) Shall employ a maximum of 25 persons on site.
- 12 (e) Dry cleaners and laundries are subject to the licensing requirements of Chapter 25 of this
13 Code, *Laundering*.
- 14 (f) For industrial laundries, see the term "laundry, industrial" in Section 50-16-282 of this Code.
- 15 (g) In the R5 District, dry cleaning, laundry, or laundromat establishments are permitted
16 conditionally. Additionally, where located farther than one-half mile from a high-frequency
17 transit corridor, dry cleaning, laundry, or laundromat establishments must not occupy more
18 than 3,000 square feet of gross floor area, must not have drive-up or drive-through facilities,
19 and must be located in a building constructed prior to January 1, 2017.
- 20 (h) In the R6 District, dry cleaning, laundry, or laundromat establishments are permitted
21 conditionally where not occupying more than 3,000 square feet of gross floor area, not having
22 drive-up or drive-through facilities, and where located in a building constructed prior to
23 January 1, 2017.

1 **Sec. 50-12-226. Go-cart track.**

2 Go-cart tracks are subject to the following requirements:

3 ~~(1) Accessory parking areas shall be provided in accordance with Section 50-14-56 of this~~
4 ~~Code;~~

5 (1) Ingress or egress shall be only from the principal, or busier, street as determined by the
6 Planning and Development Department;

7 (2) No part of the driving track shall be within 300 feet of property zoned in a residential
8 district classification;

9 (3) Any track surface or other area to be used for the operation of a go-cart shall be of an
10 asphaltic or concrete material;

11 (4) All light standards, poles, or other appurtenances shall be effectively padded or screened
12 so as to prevent injury to drivers of the vehicles. Baled hay or other suitable shock
13 absorbing material shall be placed around all turns or curves in the track;

14 (5) All vehicles shall be provided with mufflers to eliminate objectionable noise. The
15 Buildings, Safety Engineering, and Environmental Department may require a change in
16 mufflers to reduce exhaust noises where, in its opinion, such noise has become a nuisance;

17 (6) Permitted hours of operation shall be 10:00 a.m. to 10:00 p.m. Monday through Saturday,
18 and 12:00 noon to 10:00 p.m. on Sunday;

19 (7) Go-cart tracks are prohibited in the B2 and B4 Districts on zoning lots abutting designated
20 Gateway Radial Thoroughfares; this regulation may not be waived by the Board of
21 Zoning Appeals;

22 (8) It shall be unlawful to establish any go-cart track within 500 feet of land zoned R1, R2,
23 R3, R4, R5, R6, or residential PD. Said prohibition shall be waived upon presentation to

1 the Buildings, Safety Engineering, and Environmental Department of a verified petition
 2 requesting such waiver, signed by two-thirds of those persons owning, residing, or doing
 3 business on land, other than vacant land that is designated by the City Assessor as
 4 "unimproved," within 500 feet of the proposed location;

5 (9) Go-cart tracks shall be licensed as such by the Buildings, Safety Engineering, and
 6 Environmental Department Business License Center in accordance with Chapter 5,
 7 Article XI, of this Code, *Amusements and Entertainments*.

8 **Sec. 50-12-227. Golf course, (miniature).**

9 Miniature golf courses are subject to the following requirements:

10 ~~(1) Accessory parking areas shall be provided in accordance with Section 50-14-56 of this~~
 11 ~~Code;~~

12 (1) Ingress or egress shall be only from the principal, or busier, street as determined by the
 13 Planning and Development Department;

14 (2) Loudspeakers or public address systems may be used only for control purposes, shall play
 15 no music, and shall be removed where, in the opinion of the Buildings, Safety
 16 Engineering, and Environmental Department, such operation constitutes a nuisance;

17 (3) No part of the playing surface of a miniature golf course shall be located within 50 feet
 18 of any property zoned in a residential district classification;

19 (4) Permitted hours of operation shall be 8:00 a.m. to 10:30 p.m. Monday through Saturday,
 20 and 12:00 noon to 10:30 p.m. Sunday;

21 ~~(6) It shall be unlawful to establish any miniature golf course within 500 feet of land zoned~~
 22 ~~R1, R2, R3, R4, R5, R6, or residential PD; said prohibition shall be waived upon~~
 23 ~~presentation to the Buildings, Safety Engineering, and Environmental Department of a~~

1 ~~verified petition requesting such waiver, signed by two thirds of those persons owning,~~
2 ~~residing, or doing business on land, other than vacant land that is designated by the City~~
3 ~~Assessor as "unimproved," within 500 feet of the proposed location;~~

4 (5) Miniature golf courses shall be licensed as such by the Buildings, Safety Engineering,
5 and Environmental Department Business License Center in accordance with Chapter 5,
6 Article XI, of this Code, *Amusements and Entertainments*.

7 **Sec. 50-12-229. ~~kennel, commercial~~ Animal care facility.**

8 ~~Commercial kennels~~ Animal care facilities shall be subject to the following requirements:

9 (1) ~~No outdoor kennel shall be permitted in any zoning district;~~

10 (2) All cages, pens, and grooming areas shall be maintained with a completely enclosed,
11 soundproof building. The facility shall conform to the noise restrictions of Chapter 6 of
12 this Code, Animal Care, Control, and Regulation;

13 (2) All facilities shall be designed and constructed in a manner that eliminates any emission
14 of odor offensive to persons owning, occupying, or patronizing properties adjacent to, or
15 across an alley from, the use;

16 (3) Outdoor yards and runs may be allowed as an accessory use and operated during the hours
17 of 7:00 AM and 9:00 PM.

18 (4) No outdoor exercise run area shall be permitted less than 50 feet from any land zoned
19 residential or residential PD.

20 (5) All outdoor yards or runs must be fenced for the safe confinement of animals.

21 **Sec. 50-12-232. ~~Medical~~ or dental clinic, ~~physical therapy clinic,~~ and or massage facility.**

22 (1) Massage facilities shall be subject to applicable licensing provisions of Chapter 20,
23 Article V, of this Code, *Massage Facilities and Massage Schools*.

1 (2) In the R5 District, medical or dental clinics, physical therapy clinics, and massage
2 facilities are permitted conditionally only where located on a zoning lot within one-half
3 mile of a high-frequency transit corridor.

4 **Sec. 50-12-235. Barber or beauty shop.**

5 Barber or beauty shops shall be subject to the following requirements:

6 (1) In the MKT District, barber or beauty shops are not permissible if located on the first
7 floor of a multi-story building, but are permissible on a conditional basis if located in a
8 single-story building.

9 (2) In the R5 District, barber or beauty shops are permitted conditionally. Additionally, where
10 located farther than one-half mile from a high-frequency transit corridor, barber or beauty
11 shops must not occupy more than 3,000 square feet of gross floor area, must not have
12 drive-up or drive-through facilities, and must be located in a building constructed prior
13 to January 1, 2017.

14 (3) In the R6 District, barber or beauty shops are permitted conditionally where not
15 occupying more than 3,000 square feet of gross floor area, not having drive-up or drive-
16 through facilities, and where located in a building constructed prior to January 1, 2017.

17 **Sec. 50-12-236. Nail salons.**

18 Nail salons shall be subject to the following requirements:

19 (1) In the MKT District, nail salons are not permissible in located on the first floor.

20 (2) In the R5 District, nail salons are permitted conditionally. Additionally, where located
21 farther than one-half mile from a high-frequency transit corridor, nail salons must not
22 occupy more than 3,000 square feet of gross floor area, must not have drive-up or drive-
23 through facilities, and must be located in a building constructed prior to January 1, 2017.

1 (3) In the R6 District, nail salons are permitted conditionally where not occupying more than
2 3,000 square feet of gross floor area, not having drive-up or drive-through facilities, and
3 where located in a building constructed prior to January 1, 2017.

4 **Sec. 50-12-237. Banquet facility.**

5 In the R5 District, banquet facilities are permitted conditionally only where located on a
6 zoning lot within one-half mile of a high-frequency transit corridor.

7 **Secs. 50-12-2378—50-12-250. Reserved.**

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

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

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

- 11 (1) The lot to be built upon shall be located on a street designated as a major or secondary
12 thoroughfare and all means of vehicular ingress and egress shall be located on a major or
13 secondary thoroughfare, and not from an adjoining residential street or alley. A residential
14 street or alley shall not be used as a maneuvering or parking area for vehicles using the
15 facility;
- 16 (2) All portions of each area designed or used for the washing of motor vehicles shall be
17 located a minimum of 25 feet from the boundaries of residential zoning districts;
- 18 (3) A hard surfaced driveway of one or more lanes shall be constructed on the property in
19 such manner as to provide for a continuous movement of vehicles into the wash-rack (See
20 Figure 50-12-296 and Section 50-14-202 of this Code):
- 21 a. The driveway so provided shall be not less than ten feet wide for a single lane and
22 not less than ten additional feet in width for each additional lane;

- 1 b. Where only a single lane is provided, the lane shall be used for no other purpose than
2 to provide access to the wash-rack. All lanes provided shall be suitably protected
3 from incursions of other traffic;
- 4 c. The total length of the required stacking lanes so provided shall be determined by the
5 overall length of the wash line, measured from the point that mechanical washing or
6 cleaning begins, to the end of the mechanical washing or drying operation. In any
7 development where the washing operation moves in other than a straight line, the
8 length of the building or wash line for purposes of this section shall be the distance
9 measured along the center-line of the conveyor or wash line. The greater of the above
10 measurements shall be used in the determination of the length of the required lane or
11 lanes. The overall length of the required lane or lanes, as measured along the center-
12 line, shall be determined in accordance with the following formula: Where the
13 building or total length of all wash lines is 80 feet or less in overall length, the total
14 required lane or lanes exclusive of the wash line shall be not less than 200 feet in
15 length. Where the building or total length of all wash lines exceed 80 feet in length,
16 the length of the required lane or lanes exclusive of the wash line shall be increased
17 20 feet for each ten feet, or fraction thereof, by which the building or wash lines
18 exceed 80 feet in overall length;
- 19 d. Not fewer than two stacking spaces, which measure ten feet by 20 feet, shall be
20 provided for each stall at a self-service/customer-operated car wash. In addition, one
21 stacking space shall be provided between the vehicle exit door and the point of
22 vehicular egress to the right-of-way;

- 1 e. Not fewer than two stacking spaces, which measure ten feet by 20 feet, shall be
2 provided for each designated wash area at a "hand car wash";
- 3 f. The premises shall be screened by six-foot-high opaque walls where adjacent to land
4 zoned R1, R2, R3, R4, R5, R6, or residential PD, in accordance with Section 50-14-
5 367 of this Code;
- 6 (4) A barrier, that is a minimum of 18 inches in height, shall be constructed and maintained
7 on all lot lines within nine feet of a required stacking lane, except where the above
8 required masonry wall is constructed on the lot line;
- 9 (5) The operating equipment shall be located or buffered so as to prevent unreasonably high
10 noise levels at any point on the property boundary;
- 11 (6) Permitted hours of operation shall be from 7:00 a.m. to 10:00 p.m.;
- 12 (7) There shall be no aboveground outdoor storage/dispensing tanks on the site;
- 13 (8) All washing activities shall be conducted within an enclosed structure, except for a
14 designated wash area for not more than one tall vehicle. Customer-operated "car washes"
15 are exempt from this provision;
- 16 (9) Vacuuming activities shall be at least 25 feet from any lot line, except where the property
17 abuts a residential zoning district, in which case a 50-foot separation shall be maintained;
- 18 (10) All drains shall be properly connected to a public sewer system;
- 19 (11) Such uses shall be graded and drained in conformance with the requirements of Chapter
20 8, Article V, of this Code, *Plumbing Code*, so as to dispose of all surface water
21 accumulation within the parking area;
- 22 (12) Motor vehicle washing and steam cleaning facilities are also subject to Chapter 9 of this
23 Code, *Car Washes*;

1 (13) In the B2 and B4 Districts, motor vehicle washing and steam cleaning establishments
2 shall not be permitted on any zoning lot abutting a designated Gateway Radial
3 Thoroughfare; this regulation may not be waived by the Board of Zoning Appeals; and

4 (14) As may be required, landscaping shall be provided in accordance with Article XIV,
5 Division 2, of this chapter.

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

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

8 (b) In the MKT District, office uses:

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

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

15 (c) In the R5 District, office uses are permitted conditionally. Additionally, where located farther
16 than one-half mile from a high-frequency transit corridor, office uses must not occupy more
17 than 3,000 square feet of gross floor area, must not have drive-up or drive-through facilities,
18 and must be located in a building constructed prior to January 1, 2017.

19 (d) In the R6 District, office uses are permitted conditionally where not occupying more than
20 3,000 square feet of gross floor area, not having drive-up or drive-through facilities, and where
21 located in a building constructed prior to January 1, 2017.

22 **Sec. 50-12-299. Parking lots or parking areas.**

1 The definitions for commercial parking, accessory parking, and remote accessory parking are
2 specified in Section 50-16-341 of this Code. Parking lots shall be subject to the following
3 provisions:

- 4 (1) Parking lots are limited to the parking of operable private passenger vehicles and the
5 accessory parking of other vehicles associated with a land use to which the parking lot is
6 accessory. All such vehicles shall bear current and valid license plates;
- 7 (2) No parking lot or parking area may be used as a towing service storage yard as defined
8 in Section 50-16-402 of this Code;
- 9 (3) No permit is required for accessory parking on the same zoning lot as the use to which
10 the parking is accessory. A permit from the Buildings, Safety Engineering, and
11 Environmental Department is required for any commercial parking lot or remote
12 accessory parking lot, and for any accessory parking lot that is located on a zoning lot
13 separate from the principal use;
- 14 (4) Commercial parking lots must be licensed by the Buildings, Safety Engineering, and
15 Environmental Department Business License Center as provided for in Chapter 32,
16 Article I, of this Code, *Off-Street Parking*;
- 17 (5) Vending on parking lots that are licensed for commercial parking is prohibited as
18 provided for in Section 32-1-18 of this Code;
- 19 (6) Vending on parking lots or parking areas that are not licensed for commercial parking is
20 prohibited, except as provided for in Section 50-12-557 of this Code;
- 21 (7) No commercial parking lot shall be located within 1,000 radial feet of any stadium or
22 sports arena, except on land that, on August 13, 1999:
 - 23 a. Was vacant; or

1 b. For which the most recently recorded permitted use was for parking purposes;

2 (8) Parking lots and parking areas shall conform to:

3 a. The specifications for "Accessible Parking for Physically Disabled Persons" as
4 provided for in Article XIV, Division 1, Subdivision G, of this chapter;

5 b. The "Off-Street Parking Area Design" standards for "Off-Street Parking Areas" as
6 provided for in Article XIV, Division 1, Subdivision I, of this chapter; and

7 c. The "Landscaping and Screening" standards for "Off-Street Parking Areas" as
8 provided for in Article XIV, Division 2, Subdivision C, of this chapter; and

9 (9) In addition, the following specific standards shall apply for the zoning districts that are
10 specified (see Figure 50-12-299(9)):

11 a. *Districts R1—R2.* A parking lot may be allowed when accessory to any non-
12 residential use permitted in the subject district, and where located on a separate
13 zoning lot and not involving any trade, business, profession, or occupation;

14 b. *Districts R1—R3.* Where a zoning lot abuts, or is separated by an alley or easement
15 along its side zoning lot line from a business or industrial zoning district, a parking
16 lot may be allowed provided, that it does not exceed 70 feet in width and not more
17 than 8,500 square feet in area. Any off-street parking spaces so furnished may be
18 considered as supplying either required or surplus off-street parking facilities for
19 new, converted, or expanded uses;

20 c. *Districts R3—R4.* A parking lot shall be allowed only when accessory to uses
21 permitted in the subject zoning district, where located on a separate zoning lot, and
22 where not involving any trade, business, profession, or occupation;

- 1 d. *Districts R1—R3.* A parking lot may be permitted on land designated non-residential
2 on the generalized land use plan of the Master Plan;
- 3 e. *Districts B2 and B4.* A lot for commercial parking, which abuts a designated
4 Gateway Radial Thoroughfare, may be permitted as a conditional use only; however,
5 accessory parking is permitted by right; this regulation may not be waived by the
6 Board of Zoning Appeals;
- 7 f. *District P1.* Parking lots shall conform to:
- 8 1. The specifications for accessible parking for physically disabled persons as
9 provided for in Article XIV, Division 1, Subdivision G, of this chapter;
 - 10 2. The off-street parking area design standards as provided for in Article XIV,
11 Division 1, Subdivision I, of this chapter; and
 - 12 3. The landscaping and screening standards for off-street parking areas as provided
13 for in Article XIV, Division 2, Subdivision C, of this chapter.

14 **Sec. 50-12-300. Body art facilities.**

15 Body art facilities shall be subject to the following requirements:

- 16 (1) Body art facilities shall be subject to licensing by the Buildings, Safety Engineering, and
17 Environmental Department Business License Center under Chapter 20, Article III, of this
18 Code, *Health*.
- 19 (2) In the R5 District, body art facilities are permitted conditionally. Additionally, where
20 located farther than one-half mile from a high-frequency transit corridor, body art
21 facilities must not occupy more than 3,000 square feet of gross floor area, must not have
22 drive-up or drive-through facilities, and must be located in a building constructed prior
23 to January 1, 2017.

1 (3) In the R6 District, body art facilities are permitted conditionally where not occupying
2 more than 3,000 square feet of gross floor area, not having drive-up or drive-through
3 facilities, and where located in a building constructed prior to January 1, 2017.

4 **Sec. 50-12-302. Pawnshops.**

5 Pawnshops shall be subject to the following requirements:

6 (1) Pawnshops are prohibited in all zoning districts within the Central Business District;

7 (2) In the B2 and B4 Districts, pawnshops are prohibited on zoning lots abutting designated
8 Gateway Radial Thoroughfares; this regulation may not be waived by the Board of
9 Zoning Appeals;

10 (3) Pawnshops are subject to the regulated use provisions of Article III, Division 8, of this
11 chapter; and

12 (4) Pawnbrokers are subject to the licensing provisions of Chapter 41, Article II, of this Code,
13 *Secondhand Goods.*

14 **Sec. 50-12-303. Pet shops.**

15 Pet shops shall be subject to the following provisions:

16 (1) Pet shops are subject to the licensing provisions of Chapter 6, Article VII, of this Code,
17 *Animal Care, Control, and Regulation;* and

18 (2) ~~Commercial kennel~~ Animal boarding facilities shall be governed separately by Section
19 50-12-229 of this Code.

20 (3) In the R5 District, pet shops are permitted conditionally only where located on a zoning
21 lot within one-half mile of a high-frequency transit corridor.

22 **Sec. 50-12-304. Precious metal and gem dealers.**

1 Precious metal and gem dealers are subject to the regulated use provisions of Article III,
2 Division 8, of this chapter and shall be subject to the following provisions:

3 (1) Such uses shall comply with the licensing provisions of Chapter 41, Article III, of this
4 Code, *Secondhand Goods*; and

5 (2) Such uses shall not be permitted in the B2 and B4 Districts on any zoning lot abutting a
6 designated Gateway Radial Thoroughfare; this regulation may not be waived by the
7 Board of Zoning Appeals.

8 **Sec. 50-12-306.5. Radio, television, or household appliance repair shop.**

9 Radio, television, or household appliance repair shops are subject to the following
10 requirements:

11 (1) In the R5 District, radio, television, or household appliance repair shops are permitted
12 conditionally. Additionally, where located farther than one-half mile from a high-
13 frequency transit corridor, radio, television, or household appliance repair shops must not
14 occupy more than 3,000 square feet of gross floor area, must not have drive-up or drive-
15 through facilities, and must be located in a building constructed prior to January 1, 2017.

16 (2) In the R6 District, radio, television, or household appliance repair shops are permitted
17 conditionally where not occupying more than 3,000 square feet of gross floor area, not
18 having drive-up or drive-through facilities, and where located in a building constructed
19 prior to January 1, 2017.

20 **Sec. 50-12-307. Rebound tumbling centers.**

21 Rebound tumbling centers are subject to the following requirements:

22 (1) ~~Accessory parking areas shall be provided in accordance with Article XIV, Division 1,~~
23 ~~of this chapter;~~

- 1 (1) Ingress or egress shall be only from the principal, or busier, street as determined by the
2 Planning and Development Department;
- 3 (2) Loudspeakers or public address systems may be used only for control purposes, shall play
4 no music, and shall be removed where, in the opinion of the Buildings, Safety
5 Engineering, and Environmental Department, such operation constitutes a nuisance;
- 6 (3) No rebound tumbling apparatus, or part thereof, shall be located within 100 feet of any
7 property zoned in a residential district classification;
- 8 (4) Permitted hours of operation shall be 8:00 a.m. to 10:30 p.m., Monday through Saturday,
9 and 12:00 noon to 10:30 p.m. Sunday;
- 10 (5) Rebound tumbling centers are prohibited in the B2 and B4 Districts on zoning lots
11 abutting designated Gateway Radial Thoroughfares; this regulation may not be waived
12 by the Board of Zoning Appeals;
- 13 (6) It shall be unlawful to establish any rebound tumbling center within 500 feet of land zoned
14 R1, R2, R3, R4, R5, R6, or residential PD. Said prohibition shall be waived upon
15 presentation to the Buildings, Safety Engineering, and Environmental Department of a
16 verified petition requesting such waiver, signed by two-thirds of those persons owning,
17 residing, or doing business within 500 feet of the proposed location;
- 18 (7) Rebound tumbling centers shall be licensed by the Buildings, Safety Engineering, and
19 Environmental Department Business License Center as provided in Chapter 5, Article XI,
20 of this Code, *Amusements and Entertainments*.

21 **Sec. 50-12-307.5. Recording studio or photo studio or video studio, no assembly hall.**

1 In the R5 District, recording studios or photo studios or video studios without assembly halls
2 are permitted conditionally only where located on a zoning lot within one-half mile of a high-
3 frequency transit corridor.

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

6 ~~Indoor commercial recreation is prohibited in the R1, R2, R3, R4, R5, and R6 Districts, except~~
7 ~~where developed under the "school building adaptive reuses" provision as defined in Section 50-~~
8 ~~16-381 of this Code. C~~ommercial recreation uses or activities are subject to the following
9 requirements:

- 10 (1) It shall be unlawful to establish any of the following uses within 500 feet of land zoned
11 R1, R2, R3, R4, R5, R6, or residential PD:
- 12 a. Archery gallery, range, or school;
 - 13 b. Baseball batting practice net;
 - 14 c. Golf practice driving range, golf practice driving net, golf practice putting green, or
15 golf school; and
 - 16 d. Track for bicycles, or velodromes, except where operated exclusively indoors.
- 17 Said prohibition shall be waived upon presentation to the Buildings, Safety Engineering,
18 and Environmental Department of a verified petition requesting such waiver, signed by
19 two-thirds of those persons owning, residing, or doing business on land, other than vacant
20 land that is designated by the City Assessor as "unimproved," within 500 feet of the
21 proposed location.
- 22 (2) Archery ranges are subject to the licensing provisions of Chapter 5, Article XI, of this
23 Code, *Amusements and Entertainments*;

- 1 (3) Baseball batting practice nets are subject to the licensing provisions of Chapter 5, Article
2 XI, of this Code, *Amusements and Entertainments*;
- 3 (4) Bicycle tracks or velodromes are subject to the licensing provisions of Chapter 5, Article
4 XI, of this Code, *Amusements and Entertainments*, except where such licensing
5 provisions conflict with the provisions of this section;
- 6 (5) Bowling alleys are subject to the licensing provisions of Chapter 5, Article II, of this
7 Code, *Amusements and Entertainments*;
- 8 (6) Golf domes are not permitted in the SD2 District;
- 9 (7) Golf schools are subject to the licensing provisions of Chapter 5, Article XI, of this Code,
10 *Amusements and Entertainments*;
- 11 (8) Ice skating rinks are subject to the licensing provisions of Chapter 5, Article XI, of this
12 Code, *Amusements and Entertainments*;
- 13 (9) Public bathhouses are subject to the licensing provisions of Chapter 20, Article VIII, of
14 this Code, *Public Bathhouses*; and
- 15 (10) Roller skating rinks are subject to the licensing provisions of Chapter 5, Article XI, of
16 this Code, *Amusements and Entertainments*.
- 17 (11) Indoor commercial recreation facilities on land zoned B2 shall not exceed 10,000 square
18 feet of gross floor area as specified in Section 50-9-46(16) of this Code; this regulation
19 may not be waived by the Board of Zoning Appeals, and indoor commercial recreation
20 facilities on land zoned B2 shall not contain a spectator seating area.
- 21 (12) In the R5 District, indoor commercial recreation facilities are permitted conditionally
22 only where located on a zoning lot within one-half mile of a high-frequency transit
23 corridor.

1 **Sec. 50-12-309. Rental halls.**

2 Rental halls shall be subject to the following requirements:

3 (1) Rental halls shall be prohibited within 500 feet of land zoned R1, R2, R3, R4, R5, R6, or
4 residential PD. Said prohibition shall be waived upon presentation to the Buildings,
5 Safety Engineering, and Environmental Department of a verified petition requesting such
6 waiver, signed by two-thirds of those persons owning, residing, or doing business on land,
7 other than vacant land that is designated by the City Assessor as "unimproved," within
8 500 feet of the proposed location;

9 (2) In the Central Business District, rental halls shall be prohibited within 1,000 feet of any
10 other rental hall or public dance hall;

11 (3) Rental halls are subject to the licensing requirements of Chapter 38 of this Code, *Rental*
12 *Halls and Banquet Facilities*; and

13 (4) Rental halls, not exceeding 3,000 square feet are permitted by-right in the SD1 District;
14 rental halls that exceed 3,000 square feet are permitted on a conditional basis in SD1.
15 This provision may not be waived by the Board of Zoning Appeals.

16 (5) Rental halls, not exceeding 3,000 square feet, are permitted conditionally in the R5
17 District only where located on a zoning lot within one-half mile of a high-frequency
18 transit corridor.

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

20 Carry-out restaurants and fast-food restaurants shall be located on a street designated as a
21 major or secondary thoroughfare, and shall be subject to the spacing provisions of Section 50-12-
22 132 of this Code and to the following provisions:

- 1 (1) Points of vehicular ingress and egress shall be approved by the Department of Public
2 Works, Traffic Engineering Division in accordance with Article VI of Chapter 43 of this
3 Code, *Streets, Sidewalks, and Other Public Places*;
- 4 (2) Except as provided in Subsection (5) of this section, food consumption upon the premises
5 outside the restaurant building shall be prohibited, and, where deemed advisable by the
6 enforcing official to assure compliance with this prohibition, the premises shall be
7 properly posted with signs stating that the consumption of foods, frozen desserts, or
8 beverages within vehicles parked upon the premises is unlawful and that violators are
9 subject to fines as prescribed by law. A minimum of two such signs shall be posted within
10 the building near the checkout counter of the restaurant, and a minimum of four such
11 signs shall be posted within the parking area so as to be clearly visible from all vehicles
12 on the premises;
- 13 (3) Drive-up, drive-through facilities may be provided in the B3, B4, and B5 Districts only
14 where approved as conditional uses and subject to the provisions for vehicle stacking in
15 Article XIV, Division 1, Subdivision H, of this chapter. Where practicable, there shall be
16 at least one temporary vehicle stopping space after the delivery window so motorists may
17 prepare themselves for a safe exit onto the public roadway;
- 18 (4) Carry-out or fast-food restaurants with drive-up or drive-through facilities are prohibited
19 on land zoned B2, PCA, SD1, or SD2. In addition, as provided in Section 50-9-112 of
20 this Code, carry-out or fast-food restaurants are prohibited altogether on the Woodward
21 Avenue Gateway Radial Thoroughfare unless located in a multi-story building having a
22 mixed-use or multi-tenant development; the regulations contained in this subsection may
23 not be waived by the Board of Zoning Appeals;

- 1 (5) Designated outdoor eating areas accessory to fast-food restaurants, such as in a courtyard
2 or on a roof or deck, may be provided in the B2, B3, B4 and B5 Districts only where
3 approved as conditional uses. Such feature may be provided on a by-right basis in those
4 other zoning districts where carry-out or fast-food restaurants are permitted by right.
5 Designated outdoor eating areas shall be added to the gross floor area of the building for
6 purposes of computing off-street parking requirements. Outdoor eating areas shall not be
7 designated in required parking areas. Outdoor eating areas on the sidewalk or elsewhere
8 in the right-of-way are prohibited except upon the recommendation of the Department of
9 Public Works and subject to approval by City Council;
- 10 (6) Any carry-out or fast-food restaurant that operates as a concert café or coffee house is
11 subject to the licensing provisions of Chapter 5, Article V, of this Code, *Amusements and*
12 *Entertainments*;
- 13 (7) In the B5 and PCA Districts:
- 14 a. Any carry-out or fast-food restaurant that is located in a multi-story building and
15 integrated into a mixed-use or multi-tenant development, rather than a single-use
16 building, shall be a by-right use in the B5 and PCA Districts. Stand-alone carry-out
17 or fast-food restaurants shall be a conditional use; and
- 18 b. Any carry-out or fast-food restaurant that includes service which eliminates the need
19 for the customer to enter the building shall be a conditional use;
- 20 (8) In the PR District, carry-out or fast-food restaurants operated as concession stands under
21 contract with the Recreation Department shall be permitted as accessory uses as provided
22 for in Section 50-12-511(2) of this Code;

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

5 (10) In the R5 District, carry-out and fast-food restaurants are permitted conditionally.
6 Additionally, where located farther than one-half mile from a high-frequency transit
7 corridor, carry-out and fast-food restaurants must not occupy more than 3,000 square feet
8 of gross floor area, must not have drive-up or drive-through facilities, and must be located
9 in a building constructed prior to January 1, 2017;

10 (11) In the R6 District, carry-out and fast-food restaurants are permitted conditionally where
11 not occupying more than 3,000 square feet of gross floor area, not having drive-up or
12 drive-through facilities, and where located in a building constructed prior to January 1,
13 2017; and

14 (12) See also Section 50-12-511 of this Code for applicable accessory use standards.

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

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

18 (1) Such uses may include the sale of beer or alcoholic liquor for consumption on the
19 premises and shall not constitute a regulated use; however, in the SD1 District, any such
20 restaurant that includes the sale of beer or intoxicating liquor for consumption on the
21 premises and that is located adjacent to or across an alley from a lot containing a single-
22 or two-family dwelling that is located on a street other than a major thoroughfare may be
23 permitted only as a conditional use;

- 1 (2) Points of vehicular ingress and egress shall be determined by the Department of Public
2 Works, Traffic Engineering Division;
- 3 (3) Except as provided in Subsection (5) of this section, food consumption upon the premises
4 outside the restaurant shall be prohibited, and, where deemed advisable by the enforcing
5 official to assure compliance with this prohibition, the premises shall be properly posted
6 with signs stating that the consumption of foods, frozen desserts, or beverages within
7 vehicles parked upon the premises is unlawful and that violators are subject to fines as
8 prescribed by law. A minimum of two such signs shall be posted within the building near
9 the checkout counter of the restaurant, and a minimum of four such signs shall be posted
10 within the parking area so as to be clearly visible from all vehicles on the premises;
- 11 (4) Drive-up, drive-through facilities may be provided in the B3 and B4 Districts only where
12 approved as conditional uses and subject to the provisions for vehicle stacking in Article
13 XIV, Division 1, Subdivision H, of this chapter. Where practicable, there shall be at least
14 one temporary vehicle stopping space after the delivery window so motorists may prepare
15 themselves for a safe exit onto the public roadway. In accordance with Article IX and
16 Article XI of this chapter, in the B2, PCA, SD1, SD2, and SD4 Districts, such drive-
17 through facilities are prohibited; this regulation may not be waived by the Board of
18 Zoning Appeals. In the M2, M3, M4, and TM Districts, such drive-through facilities are
19 permitted by right, subject to the provisions of Article XIV, Division 1, Subdivision H,
20 of this chapter. Standard restaurants with drive-up or drive-through facilities are
21 prohibited on any zoning lot abutting a Gateway Radial Thoroughfare; this regulation
22 may not be waived by the Board of Zoning Appeals;

1 (5) Designated outdoor eating areas, such as in a courtyard or on a roof or deck, may be
2 provided in the B2, B3, or B4 District only where approved as conditional uses, except
3 in a Traditional Main Street Overlay Area, where outdoor eating areas that are on the
4 front or in front of the building shall be permitted on a matter of right basis. Such feature
5 may be provided on a by-right basis in those other zoning districts where standard
6 restaurants are permitted by right. Designated outdoor eating areas shall be added to the
7 gross floor area of the building for purposes of computing off-street parking requirements.
8 Outdoor eating areas shall not be designated in required parking areas; ~~and~~

9 (6) Any standard restaurant operating as a coffee house is subject to the licensing provisions
10 of Chapter 5, Article V, of this Code, *Amusements and Entertainments*;

11 (7) In the R5 District, standard restaurants are permitted conditionally. Additionally, where
12 located farther than one-half mile from a high-frequency transit corridor, standard
13 restaurants must not occupy more than 3,000 square feet of gross floor area, must not
14 have drive-up or drive-through facilities, and must be located in a building constructed
15 prior to January 1, 2017; and

16 (8) In the R6 District, standard restaurants are permitted conditionally where not occupying
17 more than 3,000 square feet of gross floor area, not having drive-up or drive-through
18 facilities, and where located in a building constructed prior to January 1, 2017.

19 **Sec. 50-12-313. Schools or studios of dance, gymnastics, music, art or cooking.**

20 Schools or studios of dance, gymnastics, music, art or cooking are subject to the following
21 requirements:

22 (1) Dance studios shall be licensed in accordance with Chapter 5, Article VIII, of this Code,
23 *Amusements and Entertainments.*

1 (2) In the R5 District, schools or studios of dance, gymnastics, music, art or cooking are
2 permitted conditionally. Additionally, where located farther than one-half mile from a
3 high-frequency transit corridor, schools or studios of dance, gymnastics, music, art or
4 cooking must not occupy more than 3,000 square feet of gross floor area, must not have
5 drive-up or drive-through facilities, and must be located in a building constructed prior
6 to January 1, 2017.

7 (3) In the R6 District, schools or studios of dance, gymnastics, music, art or cooking are
8 permitted conditionally where not occupying more than 3,000 square feet of gross floor
9 area, not having drive-up or drive-through facilities, and where located in a building
10 constructed prior to January 1, 2017.

11 **Sec. 50-12-316. Taxicab dispatch and/or storage facilities.**

12 Taxicab dispatch and/or storage facilities shall be subject to the following requirements:

- 13 (1) Where taxicabs are stored on the premises, any portion of the storage lot that is visible
14 from a public street shall include a landscape buffer strip with a minimum width of five
15 feet between the storage area and the right-of-way;
- 16 (2) Where required, the landscape buffer shall be landscaped in the manner that is specified
17 in Section 50-14-362 of this Code;
- 18 (3) A screen wall may be required as provided for in Section 50-14-342 of this Code;
- 19 (4) Only operable taxicabs, bearing a current license may be stored on the premises. No junk
20 vehicles may be stored unless a permit for a junkyard has been issued by the Buildings,
21 Safety Engineering, and Environmental Department;
- 22 (5) Motor vehicle services may be performed on site only upon receipt of a separate permit
23 from the Buildings, Safety Engineering, and Environmental Department for said services

1 and subject to Section 50-12-294 of this Code for ~~major motor~~ light duty vehicle services
2 repair or Section 50-12-295 of this Code for ~~minor motor~~ light duty vehicle services; and

- 3 (6) In the B2 and B4 Districts, taxicab dispatch and/or storage facilities shall not be located
4 on any zoning lot abutting a designated Gateway Radial Thoroughfare; this regulation
5 may not be waived by the Board of Zoning Appeals.

6 **Sec. 50-12-318. Business college or Trade schools, commercial.**

7 (a) Truck driving schools are subject to the provisions of Chapter 16, Article I, of this Code,
8 *Noise*, and are excluded from the "school building adaptive reuse" provision as defined in
9 Section 50-16-381 of this Code.

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

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

12 (d) In the R6 District, business colleges or commercial trade schools are permitted conditionally
13 where not occupying more than 3,000 square feet of gross floor area, and where located in a
14 building constructed prior to January 1, 2017.

15 **Sec. 50-12-320. Used goods dealers; precious metal and gem dealers.**

16 Used goods dealers, and precious metal and gem dealers, are subject to the following
17 requirements:

18 (1) Used goods dealers shall comply with the licensing provisions of Chapter 41, Article VII,
19 of this Code, *Secondhand Goods*;

20 (2) Precious metal and gem dealers shall comply with the licensing provisions of Chapter 41,
21 Article III, of this Code, *Secondhand Goods*;

1 (3) Such uses shall not be permitted in the B2 and B4 Districts on any zoning lot abutting a
2 designated Gateway Radial Thoroughfare; this regulation may not be waived by the
3 Board of Zoning Appeals; and

4 (4) In the PCA District, used goods dealers shall be limited to antique stores and auction
5 houses.

6 **Sec. 50-12-321. Veterinary clinic for small animals.**

7 Veterinary clinics for small animals shall be subject to the following requirements:

8 (1) Kennel facilities shall be governed separately by Section 50-12-229 of this Code for
9 ~~commercial kennels~~ animal care facilities;

10 (2) All facilities of a veterinary clinic, including all grooming areas, cages, pens, and kennels,
11 shall be maintained within a completely enclosed, soundproof building;

12 (3) All veterinary clinics shall be designed and constructed in a manner that eliminates any
13 emission of odor which is offensive to persons owning, occupying or patronizing
14 properties adjacent to, or across an alley from, the use; and

15 (4) No outdoor exercise run area shall be permitted less than 50 feet from any land zoned R1,
16 R2, R3, R4, R5, R6, or residential PD.

17 (5) In the R5 District, veterinary clinics are permitted conditionally. Additionally, where
18 located farther than one-half mile from a high-frequency transit corridor, veterinary
19 clinics must not occupy more than 3,000 square feet of gross floor area, must not have
20 drive-up or drive-through facilities, and must be located in a building constructed prior
21 to January 1, 2017.

1 (6) In the R6 District, veterinary clinics are permitted conditionally where not occupying
2 more than 3,000 square feet of gross floor area, not having drive-up or drive-through
3 facilities, and where located in a building constructed prior to January 1, 2017.

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

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

9 (b) In the SD2 District, printing or engraving shops not exceeding 5,000 square feet may be
10 permitted on a matter of right basis where a minimum of ten percent of the gross floor area is
11 used as a retail store for the sale of the goods produced. Printing or engraving shops exceeding
12 5,000 square feet may be permitted on a conditional basis where a minimum of ten percent of
13 the gross floor area is used as a retail store for the sale of the goods produced.

14 (c) In the R5 District, printing or engraving shops are permitted conditionally. Additionally,
15 where located farther than one-half mile from a high-frequency transit corridor, printing or
16 engraving shops must not occupy more than 3,000 square feet of gross floor area, must not
17 have drive-up or drive-through facilities, and must be located in a building constructed prior
18 to January 1, 2017.

19 (d) In the R6 District, printing or engraving shops are permitted conditionally where not
20 occupying more than 3,000 square feet of gross floor area, not having drive-up or drive-
21 through facilities, and where located in a building constructed prior to January 1, 2017.

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

1 (1) In the MKT District, stores of a generally recognized retail nature whose primary business is
2 the sale of new merchandise, without drive-up or drive-through facilities must not exceed
3 15,000 square feet in gross floor area.

4 (2) In the R5 District, stores of a generally recognized retail nature whose primary business is the
5 sale of new merchandise, without drive-up or drive-through facilities are permitted
6 conditionally only where located on a zoning lot within one-half mile of a high-frequency
7 transit corridor.

8 **Sec. 50-12-326. Smoking lounge, cigar.**

9 In the R5 District, smoking lounges, cigar, are permitted conditionally only where located on
10 a zoning lot within one-half mile of a high-frequency transit corridor.

11 **Sec. 50-12-327. Shoe repair shop.**

12 Shoe repair shops shall be subject to the following requirements:

13 (1) In the R5 District, shoe repair shops are permitted conditionally. Additionally, where
14 located farther than one-half mile from a high-frequency transit corridor, shoe repair
15 shops must not occupy more than 3,000 square feet of gross floor area, must not have
16 drive-up or drive-through facilities, and must be located in a building constructed prior
17 to January 1, 2017.

18 (2) In the R6 District, shoe repair shops are permitted conditionally where not occupying
19 more than 3,000 square feet of gross floor area, not having drive-up or drive-through
20 facilities, and where located in a building constructed prior to January 1, 2017.

21 **Secs. 50-12-3268—50-12-330. Reserved.**

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

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

15 **Subdivision F. Manufacturing and Industrial Uses**

16 **Sec. 50-12-348. Research or testing laboratories.**

17 ~~In the B4, SD1, and SD2 Districts, no research or testing laboratory shall be permitted to~~
18 ~~utilize large animals.~~ In the B4 and B5 Districts, the utilization of large animals is prohibited.

19 **Sec. 50-12-351. Tool, die, and gauge manufacturing.**

20 Tool, die, and gauge manufacturing establishments are subject to the following provisions:

- 21 (1) In the B4 District:
22 a. ~~B~~building size for special small tool, die, and gauge manufacturing shall not exceed
23 5,000 square feet of gross floor area; ~~and~~.

1 (2) ~~b.~~ In the B2 and B4 Districts, sSuch establishments shall not be permitted on any zoning
2 lot abutting a designated Gateway Radial Thoroughfare; this regulation may not be
3 waived by the Board of Zoning Appeals.

4 (3) In the B4, M1, and M2 Districts, stamping is limited to tryout stamping only; and

5 (4) For die casting, see "High-medium impact manufacturing processing."

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

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

9 (1) In the B2 and B4 Districts, such facilities shall not be permitted on any zoning lot abutting
10 a designated Gateway Radial Thoroughfare, except Gratiot; this regulation may not be
11 waived by the Board of Zoning Appeals;

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

13 (3) Storage of bulk petroleum or related products, garbage, refuse, rubbish, or scrap tires are
14 prohibited;

15 (4) All materials shall be completely enclosed within a building, except as provided for in
16 Subsection (6) of this section;

17 (5) There shall be a minimum of 35 feet, or 45 feet if the driveway is two-way, between
18 warehouses for driveway, parking, and fire lane purposes. Where no parking is permitted
19 within the building separation areas, the building separation need only be 25 feet. Traffic
20 direction and parking in such areas shall be designated by signaling or painting;

21 (6) Permitted outdoor accessory storage is subject to Section 50-12-458 of this Code and
22 shall be placed only on asphalt or concrete paved surfaces, and screening shall be subject
23 to the applicable provisions of Article XIV, Division 2, Subdivision D, of this chapter;

- 1 (7) No storage of hazardous substances, toxic, or explosive materials shall be permitted.
2 Signs shall be posted at the facility describing such restrictions;
- 3 (8) Public storage facilities are subject to the licensing provisions of Chapter 30, Article II,
4 of this Code, *Moving and Storage*, and shall comply with the following standards:
- 5 a. No residential use shall be allowed in any public storage unit; and
 - 6 b. No retail, wholesale, fabrication, manufacturing, or service activities shall be
7 conducted from within public storage units; and
- 8 (9) In the MKT District, warehousing and storage of food-related products are permissible
9 by-right and warehousing and storage of nonfood-related products are permissible
10 conditionally.

11 **ARTICLE XIII. INTENSITY AND DIMENSIONAL STANDARDS**

12 **DIVISION 1. TABLES OF INTENSITY AND DIMENSIONAL STANDARDS**

13 **Subdivision D. General Dimensional Standards for Business Districts**

14 **Sec. 50-13-63. B3 and B4 District height limitations.**

15 The following provisions shall apply to B3 and B4 Districts:

- 16 (1) The maximum height for each principal use in the B3 and B4 Districts shall not exceed
17 35 feet;
- 18 (2) Where the zoning lot fronts on a street right-of-way ~~which~~ that is 80 feet or more in width,
19 and is designated by the Master Plan as a major or secondary thoroughfare, and where
20 the outermost point of the proposed building on said zoning lot is 40 feet or more from
21 the nearest point of the lot line of all R1, R2, and R3 Districts, the maximum height may
22 be increased, as a matter of right, one foot for each one foot of ~~street~~ right-of-way width

1 greater than 80 feet, provided, that in no case shall the building exceed 80 feet in height;
 2 and

- 3 (3) Where the zoning lot fronts on a street right-of-way ~~which that~~ is 80 feet or more in width,
 4 and is designated by the Master Plan as a major or secondary thoroughfare, and where
 5 the zoning lot abuts, is adjacent to, or across an alley from any zoning district other than
 6 an R1, R2, R3 or residential PD District, the maximum height may be increased, by right,
 7 one foot for each one foot of street right-of-way width greater than 80 feet, regardless of
 8 the location of the proposed structure, provided, that in no case shall the building exceed
 9 80 feet in height.

10 ARTICLE XIV. DEVELOPMENT STANDARDS

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

12 Subdivision A. In General

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

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

- 16 (1) Uses in the B5, MKT, and PC Districts, in the Central Business District, or in the New
 17 Center Major Commercial area ~~as defined in Section 50-16-321 of this Code~~, shall be
 18 exempt from the off-street parking requirements of Subdivisions B and C of this division;
- 19 (2) For retail, service, and commercial uses on zoning lots ~~abutting in~~ a Traditional Main
 20 Street Overlay Area or on land zoned SD1 or SD2, or where located ~~within 0.50 miles of~~
 21 less than one-half mile from a high-frequency transit corridor as defined in Section 50-
 22 16-242 of this Code, the maximum distance that off-street parking shall be provided from
 23 the principal use specified in Subdivision B of this division, may be increased to 1,320

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

- 5 a. A signage plan to show how the business will direct customers and employees to the
6 off-site parking lot, including parking signage and wayfinding;
- 7 b. A plan for who will manage and maintain the off-site parking facility, including
8 safety and security measures; and
- 9 c. Where the parking area or parking structure is owned by someone other than the
10 applicant, a shared parking agreement shall be required according to Section 50-14-
11 156 and Section 50-14-159 of this Code;

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

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

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

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

1 adjacent to the use, may be counted as one space against applicable off-street parking
 2 requirements for such use.

3 **Subdivision B. Off-Street Parking Schedule “A”**

4 **Sec. 50-14-49. Retail, service, and commercial uses located ~~on land zoned SD1 or SD2 or~~**
 5 **~~where the use is located within 0.50 miles of a high-frequency transit corridor~~ in specific**
 6 **areas.**

7 Off-street parking regulations for retail, service, and commercial uses located ~~on land zoned~~
 8 ~~SD1 or SD2~~ in specific areas are as follows:

| Use Category | Specific Land Use | Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.) | Maximum Distance (feet) |
|---|--|--|--|
| Retail, service, and commercial uses located on land zoned SD1 or SD2 or where the use is located within 0.50 miles of a high-frequency transit corridor or located within the Livernois/West McNichols, or Lahser Traditional Main Street Overlay Area | All, with the exception of “Vehicle Repair and Service” uses specified in Sec. 61-14-50 of this Code and excluding “Motor vehicles, used, salesrooms or sales lots.” | 0.75 of the minimum required off-street spaces specified in Sections 50-14-50 through 50-14-60. | 1,320, where a “district approach” to parking as provided in Section 50-14-7(2)a, b, and c has been recognized by the Planning and Development Department. |

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10 **Sec. 50-14-56. Recreation, outdoor.**

11 Off-street parking regulations for outdoor recreation facilities are as follows:

| Use Category | Specific Land Use | Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.) | Maximum Distance (feet) |
|---------------------|-------------------------|--|-------------------------|
| Recreation, outdoor | Amusement park | 1 per 200 square feet of public activity area | 1,000 |
| | Go-cart track | 15 per track | 100 |
| | Golf driving range | 1 per 2 employees + 1 per tee | 100 |
| | Golf course, miniature | ≥ 1 per hole | 100 |
| | Rebound tumbling center | 1 per tumbling apparatus | 100 |
| | All other | As required for most similar use type or Schedule C | |

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Sec. 50-14-58. Retail sales and service (sales-oriented).

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

| Use Category | Specific Land Use | Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.) | Maximum Distance (feet) |
|---|--|---|-------------------------|
| Retail sales and service (sales-oriented) | Bake shop | See Schedule B | 100 |
| | Firearms dealership | See Schedule B | 100 |
| | kennel, commercial | Schedule B | 100 |
| | Motor vehicles, new or used, salesroom or sales lot | 2 spaces + 1 per 800 square feet of floor area over 1,600 square feet, or 2 spaces + 1 per 2,400 square feet of lot area, whichever is greater | 100 |
| | Motorcycles, retail sales, rental or service | 2 spaces + 1 per 800 square feet of floor area over 1,600 square feet | 100 |
| | Pawnshop | Schedule B | 100 |
| | Pet shop | Schedule B | 100 |
| | Precious metal and gem dealer | Schedule B | 100 |
| | Specially designated distributor's (SDD) or specially designated merchant's (SDM) establishment | Schedule B | 100 |
| | Stores of a generally recognized retail nature whose primary business is the sale of new merchandise | Schedule B | 100 |
| | Tobacco retail store | Schedule B | 100 |
| | Trailer coaches or boat sale or rental, open air display | 2 spaces + 1 per 800 square feet of floor area over 1,600 square feet | 100 |
| | Trailers, utility—sales, rental, or service; moving truck/trailer rental lots | 2 spaces + 1 per 800 square feet of floor area over 1,600 square feet | 100 |
| | Used goods dealer | Schedule B | 100 |
| | All other | See Schedule B | 100 |

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

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

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

| Use Category | Specific Land Use | Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.) | Maximum Distance (feet) |
|--|---|--|---|
| | Food stamp distribution center (with drive-through window) | 1 per 200 square feet + stacking spaces per Subdivision H of this division | 100 |
| | Laundromat | 1 per 200 square feet | 100 |
| Retail sales and service (service-oriented) (cont'd) | Mortuary or funeral home | 1 per 100 square feet + 1 per dwelling unit | Same lot |
| | Nail salon | 1 per 100 square feet | 100 |
| | Photocopying and computing self-service establishment | See-Schedule B for the area accessible to customers + 1 per 800 square feet or 1 per 3 employees (whichever is greater) for that portion of building not accessible to customers | 100 |
| | Printing or engraving shops | 1 per 800 square feet or 1 per 3 employees, whichever is greater | 500 |
| | Radio, television, or household appliance repair shop | 2 spaces + 1 per 800 square feet of floor area over 1,600 square feet | 100 |
| | School or studio of dance, gymnastics, music, art, or cooking | 1 per employee + 1 per 5 students based on maximum number of students that can be accommodated at one time | 500; except where developed under the "school building adaptive reuses" provision as defined in <u>Section 50-16-381</u> ; same lot |
| | Shoe repair shop | See-Schedule B | 100 |
| | Shoeshine parlor | See-Schedule B | 100 |
| | Veterinary clinic for small animals | See-Schedule B | 100 |
| | All other | See-Schedule B | 100 |

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2 **Sec. 50-14-60. Vehicle sales, repair, and service.**

3 Off-street parking regulations for vehicle repair and service facilities are as follows:

| Use Category | Specific Land Use | Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.) | Maximum Distance (feet) |
|----------------------------|--|--|-------------------------|
| Vehicle repair and service | Light duty vehicle repair establishment | 1 per 300 square feet (all required spaces shall be outside principal building) | 100 |
| | Light duty vehicle service establishment | 1 per 300 square feet (all required spaces shall be outside principal building); 2 per 3 employees at quick oil change facilities. | 100 |

| Use Category | Specific Land Use | Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.) | Maximum Distance (feet) |
|--------------|--|---|-------------------------|
| | Medium/heavy duty vehicle or equipment repair establishment | 1 per 300 square feet (all required spaces shall be outside principal building) | 100 |
| | Motor vehicle filling station | 1 space for each service bay, plus one space for each 200 square feet of gross floor area, excluding service bays, or two spaces, whichever is greater. | Same lot |
| | Motor vehicle washing and steam cleaning | 2 per 3 employees | 100 |
| | <u>Motor vehicles, new or used, salesroom or sales lot</u> | <u>2 spaces + 1 per 800 square feet of floor area over 1,600 square feet, or 2 spaces + 1 per 2,400 square feet of lot area, whichever is greater</u> | <u>100</u> |
| | Motor vehicles, new or used: storage lots accessory to salesroom or sales lot for new or used motor vehicles | None | N/A |
| | All other | 1 per 300 square feet | 100 |

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Subdivision D. Off-Street Loading

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

- (a) Off-street loading spaces shall be provided on the same zoning lot in accordance with the following schedule and with Subdivision J of this division. An open, adjacent alley may be credited toward one off-street loading space for residential and retail, service, or commercial uses if access for loading into the building is available in the rear and the alley is not less than 18 feet wide.
- (b) The following uses shall be exempt from off-street loading requirements: Docks (water-related facilities); ~~major and minor motor vehicle services~~ light duty vehicle repair and service establishments, medium/heavy duty vehicle or equipment repair establishments, and outdoor recreation uses.

Subdivision F. Waivers and Alternative Parking Plans

1 **Section 50-14-163. Credit for public parking.**

2 Where City public parking lots directly abut or are within 100 feet of a site that is proposed
 3 for occupancy, such City public parking areas may be credited to the amount of off-street parking
 4 required by this article, provided, that no other land use has claimed credit for the same City public
 5 parking lot. For properties zoned SD1 or SD2 or located within a Traditional Main Street Overlay
 6 Area, City public parking lots within 1,320 feet of the site proposed for occupancy may be used
 7 toward the required amount of off-street parking. A shared parking agreement shall be duly
 8 recorded with the Municipal Parking Department.

9 **DIVISION 3. ARCHITECTURAL AND SITE DESIGN STANDARDS**

10 **Subdivision A. Residential Development**

11 **Sec. 50-14-398. Other residential development standards.**

12 The following additional standards shall also apply to residential development:

- 13 (1) Where a new residential development incorporates private streets, they shall be designed
 14 to meet the City standards for street width, gutters, sidewalks, and the area between
 15 sidewalk and curb for comparable public streets;
- 16 (2) Residential lot shapes ~~should~~ must be simple and rectilinear, or wedge-shaped where
 17 located at the end of a cul-de-sac. The creation of new flag lots or irregularly shaped lots
 18 is discouraged, unless it is necessary to match the existing pattern of surrounding lots;
- 19 (3) Mechanical, electrical, and telecommunications equipment screening:
- 20 (a) All mechanical equipment, including gas and electric meters, shall be architecturally
 21 screened from view where located on the street side of a house; and
- 22 (b) With the exception of renewable energy generation equipment such as solar panels
 23 and wind turbines, all roof-mounted, building-mounted, and ground-mounted

1 mechanical, electrical, and telecommunications equipment shall be screened from
2 view or isolated so as not to be visible, within 150 feet of the zoning lot on which the
3 equipment is located:

4 (i) From land zoned R1, R2, R3, R4, R5, R6, or residential PD, measured at a point
5 five feet above grade (see Figure 50-14-416(a)(1)); or

6 (ii) From any public right-of-way, measured at a point five feet above grade (see
7 Figure 50-14-416(a)(2)).

8 (c) Where used, roof screens shall be coordinated with the building to maintain a unified
9 appearance and to effectively conceal or camouflage the equipment. This provision
10 shall not require that screening be taller than the objects being screened.

11 (4) Phased projects shall be designed so that each phase is completed in its functional, traffic,
12 parking, visual, drainage and landscaping aspects;

13 (5) Circulation systems shall be designed to avoid conflicts between vehicular, bicycle, and
14 pedestrian traffic;

15 (6) Where the dwelling unit does not have a basement, a crawl space is permitted in
16 accordance with Chapter 8, Article VII, of this Code, *Residential Code*. Alternatively,
17 construction on slab may be permitted where the distance from the finished floor to the
18 floor joists of the second floor is not less than eight feet; additionally, construction on
19 slab may be permitted for a single-story dwelling where the distance from the finished
20 floor to the ceiling is not less than eight feet; ~~and~~

21 (7) All reasonable measures shall be taken to ensure that the off-site spillover of light and
22 nightglow are minimized to the greatest extent possible; ~~and-~~

1 prohibition, architectural metal panels may be used upon the approval of the Planning and
2 Development Department; and

- 3 (5) To the maximum extent practicable, mirrored glass with a reflectance greater than 40
4 percent shall not be used to cover more than 40 percent of the exterior walls of any
5 building.

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

7 **Sec. 50-14-440. Building design standards—Materials.**

8 (a) The objectives of this section are:

- 9 (1) To reinforce durable and traditional building materials consistent with urban context; and
10 (2) To encourage the use of durable construction materials.

11 (b) The standards of Subsection (c) of this Section do not apply to the East Warren, West Warren,
12 Van Dyke Street, Grand River between Evergreen and Lahser or between Woodmont and
13 Greenfield, or Lahser Road Traditional Main Street Overlay Areas.

14 (c) To achieve the objectives of this section, the following standards shall apply, subject to
15 Subsection (b) of this Section:

- 16 (1) Within the Grand River, Livernois/West McNichols, East Jefferson, Woodward,
17 Grand Boulevard, Michigan Avenue, and Vernor/Springwells Overlay Areas, a
18 minimum of 80 percent of any building façade that faces a public street, excluding
19 window and door openings, shall consist of the following building materials:
20 masonry (preferably brick), stone, or porcelain. Fiber cement and architectural metal
21 panel may be used upon approval of the Design Review Advisory Committee;

- 22 (2) Within the West Seven Mile and the Bagley/Vernor Overlay Areas, a minimum of
23 30 percent of any building façade that faces a public street, excluding window and

1 door openings, shall consist of the following building materials: masonry (preferably
2 brick), stone, or porcelain. Fiber cement and architectural metal panel may be used
3 upon approval of the Design Review Advisory Committee;

4 (3) For buildings within the Traditional Main Street Overlay Area, the following
5 materials are prohibited on any façade facing a Traditional Main Street, major
6 thoroughfare, or secondary thoroughfare: vinyl or plywood siding, corrugated
7 fiberglass, non-corrugated and highly reflective sheet metal, ~~corrugated metal panels~~
8 ~~such as those used for roof decking or shipping containers~~, painted or unfinished
9 concrete block, rough-textured concrete block, and split-face block;

10 (4) Exterior Insulation and Finish System (EIFS) and other similar troweled finishes
11 shall be trimmed in wood or masonry and shall not be located within the first two
12 feet of the grade plane;

13 (5) Building materials that are neither delineated in Subsection (b)(1) or (2) of this
14 section nor prohibited in Subsection (b)(3) or (4) of this section may only be used
15 upon consideration and recommendation of the Design Review Advisory
16 Committee; and

17 (6) Accent building materials that may be used include, but are not limited to:
18 architectural metals such as stainless steel, copper, clear or color anodized aluminum;
19 other pre-finished metal; finished or painted exterior-grade wood.

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

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

22 **Subdivision B. Letter "A"**

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

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

| Term | Definition |
|----------------------|---|
| Animal care facility | An establishment that provides for the care of domestic animals with limited outdoor activity. Typical examples include commercial kennel, animal boarding, animal shelter and dog day care. |
| Antenna | Any system of wires, poles, rods, reflecting discs, or similar devices, together with any supporting structure, used for the reception and/or transmission of electromagnetic waves. |
| Antenna - Category A | Television antennas not 28 square feet in area or six feet in dish diameter, customarily though not exclusively erected for residential use, such as microwave-receiving antennas, and dipole "rod and mast" VHF-UHF antennas, hereinafter referred to as "conventional" television antennas. |
| Antenna - Category B | Radio antennas and antenna towers, such as amateur radio antennas for ham/shortwave operations, and fixed-station antennas for business-band radio, citizens band radio, general mobile radio service and two-way radio. |
| Antenna - Category C | Dish antennas, such as satellite television antennas, also known as satellite dishes, earth stations, television receive-only (TVRO) antennas, earth terminals, and earth terminal antennas; other parabolic dish antennas and parabolic reflectors exceeding six feet in diameter, including, but not limited to, microwave-receiving antennas and studio-to-transmitter-link (STL) antennas. |
| Antenna - Category D | Antenna towers and poles exceeding 75 feet in height from established grade, customarily though not necessarily housing multiple antennas, such as radio broadcasting towers, television broadcasting towers, microwave antenna towers, studio-to-transmitter links, and other communications antennas, including antennas for cellular telephone systems. |
| Approach surfaces | (1) Instrument approach surfaces and non-instrument approach surfaces having a runway at least 5,000 feet in length; and (2) Non-instrument approach surface having a runway with a length of 2,000 feet or more up to, but not including, 5,000 feet in length. Instrument Approach Surface and Non-instrument Approach Surfaces are defined in Section 50-16-262 and Section 50-16-322 of this Code. |
| Aquaculture | The cultivation of marine or freshwater food fish, shellfish, or plants under controlled conditions. |
| Aquaponics | The integration of aquaculture with hydroponics, in which the waste products from fish are treated and then used to fertilize hydroponically growing plants. |

| Term | Definition |
|-------------------------|---|
| Arcade | A place, premises or establishment or room set aside in a retail or commercial establishment where three or more coin-operated amusement devices are located, defined herein as a machine or device operated by means of the insertion of a coin, token or similar object, for the purpose of amusement or skill and for the playing of which a fee is charged. The term "arcade" does not include vending machines in which are not incorporated gaming or amusement features, nor coin-operated mechanical music devices; nor mechanical motion picture devices. The definition shall not apply to coin-operated amusement devices owned or leased to establishments that are properly licensed for the sale of beer or alcoholic liquor for consumption on the premises. |
| Arena | An enclosed structure with tiers of seats rising around a sports field, playing court or public exhibition area. Arenas are typically used for sports, entertainment and other public gathering purposes, such as athletic events, concerts, conventions, circuses and conferences. |
| Articles pyrotechnic | Pyrotechnic devices for professional use that are similar to consumer fireworks in chemical composition and construction but not intended for consumer use, that meet the weight limit for consumer fireworks but are not labeled as such, and that are classified as UN0431 or UN0432 under 49 CFR 172.101. |
| Ash | The residue from the burning of wood, coal, coke or other combustible materials including incinerator ash and residue. |
| Assembly (use category) | Activities or structures, generally of a commercial nature that draw members of the general public to specific events or shows. Examples include the following uses: <ul style="list-style-type: none"> • Assembly hall • Banquet facility • Dance hall, public • Private club • Private lodge • Rental hall |
| Assembly hall | An enclosed place of assembly for the exclusive use of the owners of the facility or by the members of the association or organization controlling the premises. Such facility shall not be available for rental to the general public. Assembly halls are typically accessory to private clubs and private lodges and are located in a non-residential building. |
| Assessed valuation | The assessed valuation in the records of the Assessor of the City. With respect to exempt properties for which the assessed valuation is zero, an independent valuation from a reputable source, subject to review and acceptance by the Buildings, Safety Engineering, and Environmental Department, may be presented by the owner as the basis for determinations required by this chapter. |

| Term | Definition |
|--------------------------|---|
| Assisted living facility | A residential care facility designed primarily for older people who typically have no serious health problems but who may have chronic or debilitating conditions requiring assistance with daily activities. Permitted services include but are not limited to staff-supervised meals, housekeeping and personal care, medication supervision, and social activities. Both private and shared sleeping rooms may be provided. Facilities providing regular care under supervision of physicians are not considered assisted living facilities. |

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Subdivision G. Letter "F"

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Sec. 50-16-201. Words and terms (Fa—Fg).

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For the purposes of this chapter, the following words and phrases beginning with the letters

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"Fa" through "Fg," shall have the meaning respectively ascribed to them by this section:

| Term | Definition |
|----------------------|--|
| Family | <p>(1) One person, or a group of two or more persons living together, and interrelated by bonds of consanguinity, marriage, legal adoption, or guardianship, and occupying the whole or part of a dwelling as a separate housekeeping unit with a common and a single set of culinary facilities. The persons thus constituting a family may also include domestic servants employed solely on the premises. It may also include not more than four foster children provided, that the home is licensed as a foster home by the State of Michigan.</p> <p>(2) Two persons, interrelated by bonds of consanguinity, marriage, legal adoption, or guardianship, and one person not so interrelated, occupying the whole or part of a dwelling as a separate housekeeping unit with a common and a single set of culinary facilities.</p> <p>(3) <u>Two</u> <u>Not more than four</u> persons not interrelated by bonds of consanguinity, marriage, legal adoption, or guardianship, provided, that such group lives together and occupies a dwelling as a single housekeeping unit with a single set of culinary facilities, and provided, that both members of the group have full access to all portions of the dwelling.</p> <p>A dwelling occupied under this definition shall not be operated as a rooming house or an adult foster care home or child caring institution. See also "functional family."</p> |
| Family day care home | <p>A licensed day care center as an accessory use in a residential dwelling unit where at least one but fewer than seven minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. The term "family day care home" includes a home that gives care to an unrelated minor child for more than four weeks during a calendar year. For the purpose of this definition, the term "private home" means a private residence where the licensee or registrant permanently resides as a member of the household, which residency shall not be contingent upon caring for children. Notwithstanding its status as an accessory use, a family day care home requires a permit. A family day care home may not operate unless also licensed by the Michigan Department of Human Services.</p> |
| Family, functional | <p>A group of persons that does not otherwise meet the definition of "family," living in a dwelling unit as a single housekeeping unit and intended to live together as a group for the indefinite future. This definition shall not include any private club, fraternity, hotel, motel, rooming house or any other group of persons whose association is temporary or commercial in nature. (See Section 50-12-157 of this Code for specific use regulations that may apply to dwelling units occupied by a functional family.)</p> |
| Farm stand | <p>A temporary structure, accessory to an urban garden or urban farm for the display and sale of vegetables or produce, flowers, orchard products, locally-produced packaged food products and similar non-animal products grown or produced on the general property of the urban garden or urban farm upon which the stand is located.</p> |

| | |
|-----------------|---|
| Farmers' market | A pre-designed non-municipality-owned or -operated area, with or without temporary structures, where vendors and individuals who have raised the vegetables or produce or have taken the same on consignment for retail sale, sell vegetables or produce, flowers, orchard products, locally-produced packaged food products and/or animal agricultural products. |
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Subdivision H. Letter "G"

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Sec. 50-16-221. Words and terms (Ga—Gm).

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For the purposes of this chapter, the following words and phrases beginning with the letters

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"Ga" through "Gm," shall have the meaning respectively ascribed to them by this section:

| Term | Definition |
|--|---|
| Garage, private (accessory to residential dwelling unit) | An accessory building or portion of a principal building not over one story or 15 feet in height designed or used for the storage of not more than five passenger vehicles or recreational equipment. |
| Garbage | Putrescible solid waste that consists of rejected food waste being the waste accumulation of animal, fruit or vegetable matter intended for or used as food or utilized for preparation, cooking, dealing in or storing of meat, fish, fowl, fruit or vegetables, and of animal and fowl excrement. |

| Term | Definition |
|---|--|
| <p>Gateway radial thoroughfare</p> | <p>Those major radial streets, within and leading to the Central Business District, upon which the Master Plan of Policies has generally proposed a rezoning from B4 (General Business) districts to a Special Development zoning district, are hereby designated Gateway Radial Thoroughfares. The five Gateway Radial Thoroughfares are designated as:</p> <p>(1) Woodward Avenue between Euclid Avenue and the Fisher Freeway (I-75);</p> <p>(2) Grand River Avenue between the Edsel Ford Freeway (I-94) and Cass Avenue;</p> <p>(3) Gratiot Avenue between Mount Elliott Avenue and Randolph Street/Broadway Avenue;</p> <p>(4) Michigan Avenue between the Jeffries Freeway (I-96) and the John C. Lodge Freeway (M-10); and</p> <p>(5) East Jefferson Avenue between Water Works Park (Garland Avenue/Marquette Ave.) and the Chrysler Freeway (I-375).</p> |

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Subdivision K. Letters "K" Through "L"

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Sec. 50-16-281. Words and terms (Ka—Kz).

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For the purposes of this chapter, the following words and phrases beginning with the letters

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"Ka" through "Kz," shall have the meaning respectively ascribed to them by this section:

| Term | Definition |
|------|------------|
|------|------------|

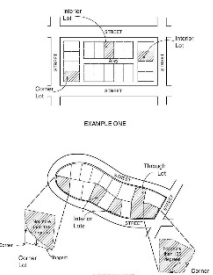
| | |
|--------------------|--|
| Kennel, commercial | Any facility except a duly licensed pet shop wherein three or more licensable dogs or other household animals are boarded, confined, kept or maintained for remuneration for the purpose of breeding, boarding, sale, sporting, or any commercial or training purposes. <u>For zoning purposes, kennels are regulated as “animal care facilities”.</u> |
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2 **Sec. 50-16-284. Words and terms (Ln—Lz).**

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

| Term | Definition |
|-----------------------|--|
| Lodging house, public | A commercial establishment or place where five or more members of the public, whether travelers or not, are charged for or pay for sleeping quarters in the form of cots or beds in the same room. |
| Loft | A dwelling unit in a building originally constructed for other than primarily residential use containing one or more rooms or enclosed floor space arranged for living, eating, sleeping and/or home occupations; <u>The residential conversion of a principal building originally constructed for other than residential use for inclusion of a dwelling unit;</u> such units shall include bathroom and kitchen facilities as required by applicable codes. |
| Lot | Same as "Zoning lot." (See <i>Lot, zoning.</i>) |
| Lot area | The area contained within the boundary lines of a lot, excluding any street, easement for street purposes, or street right-of-way. |

| Term | Definition |
|--------------------|---|
| Lot, corner | <p>A lot of which at least two sides abut (for their full length) upon a street, provided, that the two sides intersect at an angle of not more than 135 degrees. Where a lot is on a curve, if tangents through the extreme points of the street line of such lot make an interior angle of not more than 135 degrees, it is a corner lot. In the case of a corner lot with a curved street line, the corner shall be considered to be that point on the street line nearest to the point of intersection of the tangent herein described. (See Figure 50-16-284.)</p> <p style="text-align: center;">Figure 50-16-284 Lot Types (For Informational Purposes Only)</p>  |
| Lot, interior | A lot other than a corner lot, with only one frontage on a street. (See Figure 50-16-284.) |
| Lot line | A line bounding a lot that divides one lot from another lot or from a street or any other public or private space. |
| Lot line, boundary | A lot line that separates a property in one zoning district from a property in a different zoning district. |
| Lot line, front | The line dividing a lot from a street. On a corner lot, the shorter street line shall be considered the front lot line; provided, that for a lot comprised of more than one lot of record, the front lot line shall be the same as indicated on the plat for the individual parcels comprising the lot. In unusual circumstances the Planning and Development Department shall designate which shall be the front lot line. Where a zoning lot is bounded on two opposite sides by public streets, the zoning lot line fronting on the street having the wider right-of-way shall be the front zoning lot line. |
| Lot line, rear | That lot line that is parallel to and most distant from the front lot line of the lot; in the case of a triangular, or an irregular lot, a line 20 feet in length, entirely within the lot, parallel to and at the maximum possible distance from, the street lot line shall be considered to be the rear lot line. In the case of corner lots, the rear lot line shall be opposite the lot line along which the lot takes access to a street. |
| Lot line, side | A lot line other than the front lot line or rear lot line. |
| Lot of record | A lot that is part of a subdivision, the plat of which has been recorded in the office of the County Register of Deeds; or a parcel of land, the deed of which is recorded in the office of the County Register of Deeds. |
| Lot, through | A lot other than a corner lot with frontage on more than one street. (See Figure 50-16-284.) |

| Term | Definition |
|-------------|---|
| Lot width | Refers to the horizontal distance between side lot lines. Lot width shall be measured at right angles to the lot depth at points 20 feet from the front lot line and 20 feet from the rear lot line. |
| Lot, zoning | <p>A single tract of land located within a single block that at the time of filing for a building permit is designated by its owner or developer as a tract to be used, developed, or built upon as a unit under single or unified ownership or control. Such lot shall have frontage on a street, or permanent means of access to a street, other than an alley, and may consist of:</p> <ol style="list-style-type: none"> (1) A single lot of record; (2) A portion of a lot of record; (3) A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record; (4) A parcel of land described by metes and bounds. |

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| <p>Low/medium- impact manufacturing or processing</p> | <p>Examples include:</p> <ul style="list-style-type: none"> • Art needlework (factory); • Assembly of small parts; • Awnings, cloth, custom manufacture or assembly; • Bleaching powder compounding (blending of materials only and not involving chemicals manufacturing); • Bookbinding; • Braces, orthopedic manufacture; • Broom manufacture; • Canvas goods manufacture; • Cigar or cigarette manufacture; • Cinema production or development; • Clock or watch manufacture; • Coffee roasting; • Display designer's or builder's shops; • Dog or cat food cannery or manufacture excluding rendering or the use of fish products; • Door, sash, or trim manufacture; • Draperies manufacture; • Electric equipment assembly; • Flag or banner manufacture; • Furs: manufacture, cutting, or assembly; • Glass blowing; |
|---|--|

| Term | Definition |
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| | <ul style="list-style-type: none"> • Glass laminating; • Heating or ventilating apparatus assembly (not including fabrication or sheet metal ductwork); • Industrial laundry; • Ink or paint products compounding, cold mix only; • Knit goods manufacture; • Leather goods manufacture or fabrication; • Mattress manufacturing; • Paper or cardboard box forming or assembly, excluding corrugating; • Pattern shop; • Plastic products forming or molding; • Vending machine assembly; • Wire rope assembly. |
| Low-impact fireworks | Ground and hand-held sparkling devices as the phrase is defined under APA Standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5. |
| Low-impact manufacturing or processing | <p>Examples include:</p> <ul style="list-style-type: none"> • Bakeries; • Bottling of alcoholic products; • Creameries; • Food products manufacturing or processing, but excluding slaughtering or rendering; • Manufacturing of musical instruments, toys, novelties, metal or rubber stamps, or other small molded rubber products; • Soda water or soft drink manufacturing or bottling establishments. |

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Subdivision O. Letters "Q" Through "R"

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

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

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| Term | Definition |
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| Refuse | Putrescible and nonputrescible solid waste, except body wastes, including garbage, rubbish, ash, incinerator ash, incinerator residue, and solid market, industrial and construction refuse. |
| Regulated use | 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 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. |
| Religious institutions (use category) | Uses primarily engaged in providing meeting areas for religious activities. Typical examples include chapels, churches, mosques, synagogues, and temples. Affiliated preschools are classified as day care uses. Affiliated schools are classified as schools. |
| Religious residential facilities | Rectories, parsonages, monasteries, convents, seminaries, religious retreats and the like. |
| Rental hall | 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." |
| Rental merchandise store | 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. |

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| 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 residential 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 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. |

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| <p>Restaurant, standard</p> | <p>An establishment for the sale of foods, frozen desserts, or beverages to the customer in a ready-to-consume state, and whose design or principal method of operation includes one or both of the following characteristics: (1) Customers are normally provided with an individual menu, are served foods, frozen desserts, or beverages by a restaurant employee at the same table or counter at which said items are consumed; (2) A cafeteria-type operation where foods, frozen desserts, or beverages generally are consumed within the restaurant building.</p> |
| <p>Retail sales and service, occupant-oriented (use category)</p> | <p>Ancillary and accessory uses to principal multi-family, office or employment uses. They are involved in providing goods and services to residents or employees of the principal use and to visitors to the site. Examples include the following uses: <ul style="list-style-type: none"> • Retail sales and personal service in multiple-residential structures; • Retail sales and personal service in business and professional offices. </p> |

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| Retail sales and service, sales-oriented (use category) | <p>Uses involved in the sale, lease or rent of new or used products to the general public. Examples include the following uses:</p> <ul style="list-style-type: none"> • Stores of a generally recognized retail nature whose primary business is the sale of new merchandise; • <u>Animal care facility;</u> • <u>Art gallery;</u> • Bake shop, retail; • Firearms dealership; • <u>Fireworks sales, consumer;</u> • Garden center; • Kennel, commercial; • Motor vehicles, new or used, salesroom or sales lot; • Motorcycles, retail sales, rental or service; • Pawnshop; • Pet shop; • Poultry or small game (storage or killing for direct, retail sale on the premises or for wholesale trade); • Precious metal and gem dealer; • Produce or food markets, wholesale; • Specially designated distributor's (SDD) establishment; • Specially designated merchant's (SDM) establishment; • Tobacco retail store; • Trailer coaches, or boat sale or rental, open air display; |
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| | <ul style="list-style-type: none">• Trailers, pneumatic-tired utility type, cement mixers: sales, rental, or service (outdoor);• Used goods dealer. <p>Sales, rental, or leasing of heavy trucks and equipment or manufactured housing units are classified as wholesale sales.</p> |
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| <p>Retail sales and service, service-oriented (use category)</p> | <p>Uses providing retail consumer services to the general public.</p> <p>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; • <u>Radio, television, or household appliance repair shop;</u> • School or studio of dance, gymnastics, music, art, or cooking; • Shoe repair shop; • Veterinary clinic for small animals. |
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| Review body | The entity that is authorized to recommend approval or denial of an application or permit required under this chapter. |
| Right-of-way | 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. |

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Subdivision Q. Letter "T"

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

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

| Term | Definition |
|----------------------|--|
| Tobacco retail store | A retail establishment in which the primary purpose is the retail sale of “tobacco products” and “Smoking paraphernalia” as defined by Section 12601 of the Michigan Smoke-Free Indoor Air Law, PA 188 of 2009 2009, being MCL 333.12601, and that is not designated wholly or in part for the on-premises smoking of tobacco products or non- tobacco smoking products or substances. Tobacco retail store does not include smoking lounge, cigar, smoking lounge, other, medical marijuana facilities, or adult- use marijuana establishments, as defined by this article, a tobacco department or section of a larger commercial establishment, or any establishment with any type of liquor, food, or restaurant license. |

| 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. |

| Term | Definition |
|-----------------------|---|
| Transitional housing | <p>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.</p> <p>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.</p> <p>When residents require supervision, assistance, protection or personal care, the facility should be regulated as an adult foster care facility.</p> <p>When the facility offers congregate style temporary lodging primarily to the homeless, it should be regulated as an emergency shelter.</p> <p>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.</p> <p>When the transitional housing facility includes a residential substance abuse treatment program, it shall be regulated as a residential substance abuse service facility.</p> <p>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.</p> |
| Transitional surfaces | <p>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."</p> <p>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."</p> |
| Tree | <p>A large woody plant having one or several self-supporting stems or trunks and numerous branches. Trees may be classified as deciduous or evergreen.</p> |
| Tree farm | <p>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.</p> |

| Term | Definition |
|--------------------------------------|--|
| Truck stop | <p>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:</p> <p>(1) An off-street parking area proportioned for at least three semi-trailer trucks;</p> <p>(2) A motor vehicle washing and steam cleaning facility adequately sized to service tractor trucks;</p> <p>(3) A truck scale; or</p> <p>(4) Commercial shower facilities.</p> <p>An establishment providing services to the trucking industry, including any combination of the following activities primarily for the use of truck crews: dispensing of fuel, minor repair facilities, convenience store, motor vehicle wash, restaurants, overnight parking, overnight or rest-break accommodations, and commercial shower facilities; all as part of the facility.”</p> |
| Tunnel plaza and terminal, vehicular | <p>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 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> |
| Two-family dwelling | <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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APPENDIX A. ASSIGNMENT OF SPECIFIC USE TYPES TO GENERAL USE CATEGORIES

Division 1. Letter "A."

- 1 Specific use types, beginning with the letter "A," assigned to general use categories are as
 2 follows:

| Specific Land Use | Use Category |
|---|---|
| Abattoirs (slaughter houses) | Manufacturing and production |
| Abrasives manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Acetylene manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Acid manufacture | Manufacturing and production (very high-impact manufacturing or processing) |
| Acoustical material manufacture | Manufacturing and production (very high-impact manufacturing or processing) |
| Adult bookstore or adult video store | Adult use/sexually-oriented business |
| Adult day care center | Day care |
| Adult cabaret | Adult use/sexually-oriented business |
| Adult foster care facility | Group living |
| Adult motion picture theater | Adult use/sexually-oriented business |
| Air conditioning (contractor) shop | Industrial service (trade services, general) |
| Aircraft landing areas for winged aircraft | Aviation and surface transportation facilities |
| Airplane manufacture | Manufacturing and production (very high-impact manufacturing or processing) |
| Alkali manufacture | Manufacturing and production (very high-impact manufacturing or processing) |
| Amusement park | Recreation/entertainment, outdoor |
| <u>Animal care facility</u> | <u>Retail sales and service (service-oriented)</u> |
| Animal-grooming shop | Retail sales and service (service-oriented) |
| Annealing or heat treating plants | Manufacturing and production (high-impact manufacturing or processing) |
| Antennas - Categories A, B, C, D or others | Telecommunications facilities |
| Apartment building (see <i>Multiple-family dwelling</i>) | Household living |
| Arcade | Recreation/entertainment, indoor |
| Arena, sports | Auditorium or stadium |
| Armory | Auditorium or stadium |
| Art gallery | Retail sales and service (sales-oriented) |

| Specific Land Use | Use Category |
|---|---|
| Art needlework (factory) | Manufacturing and production (low/medium-impact manufacturing or processing) |
| Asphalt manufacture | Manufacturing and production (very high-impact manufacturing or processing) |
| Assembly of small parts | Manufacturing and production (low/medium-impact manufacturing or processing) |
| Assembly hall | Auditorium or stadium |
| Assisted living facility | Group living |
| Auditoriums, public | Auditorium or stadium |
| Auto (see <i>Automobile</i> or <i>Motor vehicle</i>) | |
| Automated teller machine | Retail sales and service (service-oriented) |
| Automatic screw machine operations | Manufacturing and production (high/medium-impact manufacturing or processing) |
| Automobile (see also <i>Motor vehicle</i>) | |
| Automobile accessory manufacture | Manufacturing and production (high/medium-impact manufacturing or processing) |
| Automobile body plant | Manufacturing and production (very high-impact manufacturing or processing) |
| Automobile dismantling and wrecking yard (junkyard) | Industrial service |
| Automotive, agricultural or other heavy machinery manufacturing | Manufacturing and production (high/medium-impact manufacturing or processing) |
| Automotive services (see <i>Motor vehicle services</i>) | Vehicle repair and service |
| Awnings, cloth, custom manufacture or assembly | Manufacturing and production (low/medium-impact manufacturing or processing) |

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Division 7. Letter "G."

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Specific use types, beginning with the letter "G," assigned to general use categories are as

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follows:

| Specific Land Use | Use Category |
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| Garbage, offal, or dead animal reduction | Waste-related use |
| Garden center (See <i>Stores of a generally recognized retail nature for the sale of new merchandise</i>) | Retail sales and service (sales-oriented) |
| Gas regulator station | Utility, basic |
| Gas station (see <i>Motor vehicle filling station</i>) | Vehicle repair and service |

| Specific Land Use | Use Category |
|--|--|
| Glass blowing | Manufacturing and production (low/medium-impact manufacturing or processing) |
| Glass laminating | Manufacturing and production (low/medium-impact manufacturing or processing) |
| Glass manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Glucose manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Glue manufacture | Manufacturing and production (very high-impact manufacturing or processing) |
| Go-cart track | Recreation/entertainment, outdoor |
| Golf course | Park and open space |
| Golf course, miniature | Recreation/entertainment, outdoor |
| Governmental service agency | Community service |
| Graphite manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Group day care home | Day care |
| Group home (see <i>Adult foster care facility</i> or <i>Emergency shelter</i> or <i>Home for the aged</i> or <i>Residential substance abuse service facility</i> or <i>Shelter for victims survivors of domestic violence</i>) | Group living |
| (See also <i>Pre-release adjustment center.</i>) | Institutional living |

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Division 11. Letter "K."

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Specific use types, beginning with the letter "K," assigned to general use categories are as

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follows:

| Specific Land Use | Use Category |
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| Kennel, commercial | Retail sales and service (sales service-oriented) |
| Knit goods manufacture | Manufacturing and production (low/medium-impact manufacturing or processing) |

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Division 19. Letter “S.”

Specific use types, beginning with the letter "S," assigned to general use categories are as follows:

| Specific Land Use | Use Category |
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| Salt works | Manufacturing and production |
| Schools, elementary, middle/junior high, or high | Schools |
| School or studio of dance, gymnastics, music, art, or cooking | Retail sales and service (service-oriented) |
| Scrap iron and metal processor (junkyard) | Industrial service |
| Scrap tire storage, processing, or recycling facility | Waste-related use |
| Semi-nude model studio | Adult use/sexually-oriented business |
| Sewage disposal plant | Waste-related use |
| Sexually-oriented business | Adult use/sexually-oriented business |
| Sheet metal works | Manufacturing and production (high/medium-impact manufacturing or processing) |
| Shelter for victims survivors of domestic violence | Group living |
| Shoe polish manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Shoe repair shop | Retail sales and service (service-oriented) |
| Sign shop (see <i>Lithographing</i>) | Manufacturing and production |
| Silk screening (see <i>Lithographing</i>) | Manufacturing and production |
| Single-family detached dwelling | Household living |
| Single-room-occupancy (SRO) housing, non-profit | Household living |
| Small distillery | Food and beverage service |
| Small winery | Food and beverage service |
| Smelting or refining of metals or ores | Manufacturing and production (very high-impact manufacturing or processing) |
| Smoking lounge, cigar | Recreation and entertainment, indoor |
| Smoking lounge, other | Recreation and entertainment, indoor |
| Soap manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Soda water or soft drink manufacturing or bottling establishments | Manufacturing and production (low-impact manufacturing or processing) |

| Specific Land Use | Use Category |
|---|---|
| Solar generation station | Utility, basic |
| Sorority house | Group living |
| Specially designated distributor's (SDD) or specially designated merchant's (SDM) establishment | Retail sales and service (sales-oriented) |
| Stadium or sports arena | Auditorium or stadium |
| Stamping or pressing plants | Manufacturing and production (very high-impact manufacturing or processing) |
| Starch manufacture | Manufacturing and production (high-impact manufacturing or processing) |
| Steam generating plant | Utility, major |
| Steel barrel, drum, or pail renovation or reclaiming | Manufacturing and production (very high-impact manufacturing or processing) |
| Steel mills | Manufacturing and production (very high-impact manufacturing or processing) |
| Steel warehousing | Warehouse and freight movement |
| Storage building | Warehouse and freight movement |
| Storage or killing of poultry or small game for direct retail sale on the premises or for wholesale trade | Retail sales and service (sales-oriented) |
| Stores of a generally recognized retail nature whose primary business is the sale of new merchandise | Retail sales and service (sales-oriented) |
| Substance abuse service facility | Community service |
| Sugar refining | Manufacturing and production (high-impact manufacturing or processing) |
| Surgical goods manufacture | Manufacturing and production |
| Swimming pool | Park and open space |

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

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

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

Approved as to Form:

Conrad L. Mallett
Corporation Counsel

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