

155.040 Article 3 Zoning District Regulations

155.041 R-1A Through R-1C One-Family Residential Districts

(A) Intent

The intent of the R-1A through R-1C One Family Residential Districts is to provide areas within the City for the construction and continued use of one-family dwellings within stable neighborhoods. It is intended that the principal use of land is for single-family dwellings, but each district has different minimum area, density, and placement requirements to provide different housing types and to accommodate the varied needs of the population. It is also the intent of this district to prohibit multiple family, office, business, commercial or industrial use of the land, and to prohibit any other use which would substantially interfere with development or continuation of single family dwellings in the districts.

(B) Principal Uses Permitted

In a One-Family Residential District (R-1A through R-1C) no building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Code:

- (1) One-family detached dwellings.
- (2) Agriculture on those parcels of land separately owned outside the boundaries of either a proprietary or supervisor's plat, having an area of not less than five acres, all subject to the health and sanitation provisions of the city code.

It shall be unlawful for any person, firm or corporation to grow or to permit the growing of household food products in residential areas between the front lot line and the setback line.
- (3) Publicly owned and operated libraries, parks, parkways and recreational facilities.
- (4) Instructions in crafts or fine arts when conducted within the confines of a principal use and provided all requirements of the City's ordinances are met.
- (5) Child or Adult foster care for 6 or less persons as licensed by the State of Michigan.
- (6) Cemeteries, which lawfully occupied land at the time of adoption of this chapter.
- (7) Temporary buildings and uses for construction purposes for a period not to exceed one year. Land in R-1A through R-1C districts shall not be used as a construction staging area for any project other than a project on the parcel of land where construction is taking place.
- (8) Accessory buildings provided that they shall be designed and located as provided in Section 155.070 Article 5 General Development Standards.
- (9) Nameplates and signs as provided in Section 155.230 Article 12 Signs.

- (10) Automobile parking space to be provided as required in Section 155.070 Article 5 General Development Standards.

(C) Uses Permitted Subject to Special Conditions

The following uses shall be permitted, subject to the conditions set forth in this Article, Article 5 Special Conditions and Land Use Standards, all applicable codes and ordinances set forth in this Zoning Code and other codes and regulations hereinafter imposed for each use. The following uses are further subject to the review and approval of the Planning Commission:

- (1) Churches and other facilities normally incidental thereto.
- (2) Public, parochial and other private elementary, intermediate schools and/or high schools offering courses in general education, not operated for profit.
- (3) Child and Adult Foster Care serving more than 7 but fewer than 12 persons.
- (4) Utility and public service buildings and uses (without storage yards) when operating requirements necessitate the locating of said building within the district in order to serve the immediate vicinity.
- (5) Nursery schools, day nurseries and child care centers (not including dormitories).
- (6) Private noncommercial recreational areas or institutional or community recreation centers.
- (7) Golf courses, which may or may not be operated for profit.
- (8) Colleges, universities and other such institutions of higher learning, public and private, offering courses in general, technical or religious education and not operated for profit.
- (9) Amateur Radio Antenna, subject to regulations of Section 155.210 Article 11 Wireless Communication Towers and Antennas.
- (10) Utility and Public Service Buildings without storage yards.

(D) Area and Bulk Requirements

Requirements limiting the height and bulk of buildings, the minimum size of lot permitted by land use, maximum density permitted, and minimum yard setbacks are set forth in Section 155.060 Article 4 Schedule of Regulations.

155.042 RM Restricted Multiple-Family Dwelling District

(A) Intent

The RM Restricted Multiple Dwelling District is designed to accommodate those types of low rise multiple dwelling structures which are similar, in terms of use and architectural character, to one-family dwellings. The RM District is further designed to encourage a more intensive use of residential land through the elimination of certain exterior yard areas and the development of building types and/or modules, which will contain private interior open spaces or provide common exterior open space areas. The RM District is typically mapped adjacent to major and secondary thoroughfares, due to location and/or restrictive dimensions, may not be desirable for detached single-family dwellings.

(B) **Principal Uses Permitted**

In the RM District no building or land, except as otherwise provided in this chapter, shall be erected or used except for one or more of the following specified purposes and shall be permitted subject to the review and approval of the site plan by the Planning Commission. Such review of the site plan is required to find proper relationships between the following development features as they relate to traffic safety and, further, to minimize the possibility of any adverse effects upon adjacent properties, driveways, parking areas, accessory buildings and uses and open space. No site plan review is necessary on single family homes.

- (1) All principal uses permitted in the R-1 One-Family Residential Districts subject to the lot area, yard and floor area requirements as specified therein.
- (2) Townhomes and duplexes (two stories or less) subject to the conditions imposed in Section 155.110 Article 6 Special Conditions and Land Use Standards.
- (3) Multiple-family dwellings (two stories or less) subject to the conditions imposed in Section 155.110 Article 6 Special Conditions and Land Use Standards.
- (4) Instruction in crafts or fine arts when conducted within the confines of a principal use and provided all requirements of the City's ordinances are met.
- (5) Accessory buildings, provided that they shall be designed and located as permitted in Article 4 General Development Standards.
- (6) Child and Adult foster care for 6 or less persons as licensed by the State of Michigan.
- (7) Nameplates and signs as provided in Section 155.230 Article 12 Signs.
- (8) Automobile parking spaces to be provided as required in Section 155.070 Article 5 General Development Standards.

(C) **Uses Permitted Subject to Special Conditions**

The following uses shall be permitted, subject to the conditions set forth in this Article, Section 155.110 Article 6 Special Land Use Standards and all applicable codes and ordinances set forth in this Zoning Code and other codes and regulations hereinafter imposed for each use and subject further to the review and approval of the Planning Commission:

- (1) Churches and other facilities normally incidental thereto.
- (2) Child and Adult Foster Care serving more than 7 but fewer than 12 persons.
- (3) Townhomes of 3 or fewer stories.
- (4) Multiple-Family dwellings of 3 or fewer stories.
- (5) Nursery schools, day nurseries, and child care centers (not including dormitories).

- (6) Amateur Radio Antenna, subject to regulations of Section 155.210 Article 11 Wireless Communication Towers and Antennas.
 - (7) Nursing and Convalescent Homes.
 - (8) Utility and Public Service Buildings without storage yards.
 - (9) Public, parochial and other private elementary, intermediate schools and/or high schools offering courses in general education, not operated for profit.
- (D) **Area and Bulk Requirements.** Requirements limiting the height and bulk of buildings, the minimum size of lot permitted by land use, maximum density permitted, and minimum yard setbacks are set forth in Section 155.060 Article 4 Schedule of Regulations.

155.043 RM-1 Multiple-Family Residential District

- (A) **Intent**
 The intent of the RM-1 Multiple-Family Residential Districts is to address the varied housing needs of the City residents by providing locations for development of multiple family housing at a higher density than is permitted in the single family districts. In addressing those housing needs, multiple family housing in the RM-1 district should be designed in consideration of the following planning objectives so as to provide a quality living environment:
- (1) Provided with necessary public services and utilities,
 - (2) Provided with useable outdoor recreation space.
 - (3) Sited to units respecting the public street, and conducive to a public area.
 - (4) Provided with connections to the public sidewalk system.
 - (5) Provided with a well-designed internal street and pedestrian walk network.
 - (6) Compatible in scale and character with surrounding or nearby one-family housing.
- (B) **Principal Uses Permitted**
 In the RM-1 District, no building or land, except as otherwise provided in this chapter, shall be erected or used except for one or more of the following specified purposes and shall be permitted subject to the review and approval of the site plan by the Planning Commission. Such review of the site plan is required to find proper relationships between development features, traffic safety, adverse effects upon adjacent properties, service roads, driveways, pedestrian sidewalk system, parking areas, accessory buildings and uses and open space.
- (1) All principal uses permitted in the RM Restricted Multiple-Family Residential Districts with the lot area, yards and floor area requirements equal to at least the requirements of the immediately abutting residential district.

- (2) Multiple-family dwellings and Townhomes (3 stories or less) subject to the conditions imposed in Section 155.110 Article 6 Special Conditions and Land Use Standards.
- (3) Accessory buildings and uses customarily incident to any of the above uses provided that they shall be designed and located as permitted in Section 155.070 Article 5 General Development Standards.
- (4) Child and Adult foster care for 6 or less persons as licensed by the State of Michigan.
- (5) Nameplates and signs as provided in Section 155.230 Article 12 Signs.
- (6) Automobile parking space to be provided as required in Section 155.070 Article 5 General Development Standards.
- (7) Businesses offering instruction in Crafts and the Fine Arts.

(C) **Uses Permitted Subject to Special Conditions**

The following uses shall be permitted, subject to the conditions set forth in this Article, Article 6 Special Conditions and Land Use Standards and all applicable codes and ordinances set forth in this Zoning Code and other codes and regulations hereinafter imposed for each use. The following uses are subject further to the review and approval of the Planning Commission per standards set forth in this Zoning Code:

- (1) Child and Adult Foster Care serving more than 7 but fewer than 12 persons.
- (2) Nursery schools, day nurseries and child care centers (not including dormitories).
- (3) General hospitals, except those for criminals and those solely for the treatment of persons who are mentally ill or have contagious disease, with no maximum height restrictions.
- (4) Senior housing, assisted living and other similar types of housing for the elderly.
- (5) Churches and other facilities normally incidental thereto.
- (6) Multiple-family dwelling units in high rise structures (4 stories or greater).
- (7) Amateur Radio Antenna, subject to regulations of Section 155.210 Article 11 Wireless Communication Towers and Antennas.
- (8) Nursing and Convalescent Homes.
- (9) Utility and Public Service Buildings without storage yards.
- (10) Public, parochial and other private elementary, intermediate schools and/or high schools offering courses in general education, not operated for profit.

(D) **Area and Bulk Requirements**

Requirements limiting the height and bulk of buildings, the minimum size of lot permitted by land use, maximum density permitted, and minimum yard setbacks are set forth in Section 155.060 Article 4 Schedule of Regulations.

155.044 O-1 Office Building District

(A) Intent

The O-1 Office Building District is designed to accommodate office uses that provide limited impact on adjacent residential neighborhoods. These districts are intended to be located adjacent to major shopping centers or other large establishments generating greater volumes of vehicular and pedestrian traffic.

(B) Principal uses permitted

The following regulations shall apply in all O-1 Districts and no building, structure or premises, except as otherwise provided in the Zoning Code, shall be erect altered or used except for one or more of the following uses:

- (1) Office buildings for any of the following occupations: executive; administrative and professional, subject to the limitations contained below in division (D) of this section.
- (2) Medical and dental offices, including clinics, but excluding substance abuse treatment centers.
- (3) Publicly owned buildings, exchanges and public utility offices, but not including storage yards, transformer stations, substations or gas regulator stations, subject to the limitations contained below in division (D) of this section.
- (4) Other uses similar to the above uses.
- (5) Publicly owned Libraries, Post Offices, and similar Government offices.
- (6) Accessory buildings and structures.
- (7) Accessory uses and businesses.
- (8) Automobile parking space to be provided as required in Section 155.070 Article 6 General Development Standards.

(C) Uses permitted subject to special conditions

The following uses shall be permitted, subject to the conditions set forth in this Article, Article 5 Special Conditions and Land Use Standards and all applicable codes and ordinances set forth in this Zoning Code and other codes and regulations hereinafter imposed for each use. The following uses are subject further to the review and approval of the Planning Commission per standards set forth in this Zoning Code:

- (1) An accessory use customarily related to a principal use authorized by this section, such as a pharmacy or apothecary shop, stores limited to corrective garments or bandages, optical company or restaurant may be permitted, provided it is within the building to which it is accessory and does not have a direct outside entrance for customers.
- (2) Nursing and convalescent homes.
- (3) Amateur Radio Antenna, subject to regulations of Section 155.210 Article 11 Wireless Communication Towers and Antennas.
- (4) Utility and Public Service Buildings without storage yards.
- (5) Nursery Schools.

(D) **Required conditions**

- (1) No interior display shall be visible from the exterior of the building, and the total area devoted to display, including both the objects displayed and the floor space set aside for persons observing the displayed objects, shall not exceed 25% of the usable floor area or either the first or second story, or in the basement.
- (2) The outdoor storage of goods or materials shall be prohibited.
- (3) Warehousing or indoor storage of goods or material, beyond that normally incident to the above permitted uses, shall be prohibited.

(E) **Area and bulk requirements**

For requirements limiting the height and bulk of buildings, the minimum size of lot by permitted land use, and providing minimum yard setback requirements see Section 155.060 Article 4 Schedule of Regulations.

155.045 B-1 Local Business District

(A) **Intent**

The intent of the B-1 Local Business Districts is to provide residential scale convenience shopping and personal service uses to meet the day-to-day needs of persons residing in adjacent residential areas. Uses exhibiting low-intensity, limited hours of operation, low volumes of traffic, low noise levels and developed at scale and character of nearby neighborhoods are intended for the B-1 district.

(B) **Principal Uses Permitted**

The following regulations shall apply in all B-1 Districts and no building, structure or premises, except as otherwise provided in this chapter, shall be erected, altered or used except for one or more of the following specified uses:

- (1) Generally recognized retail business which supplies commodities on the premises, for persons residing in adjacent residential areas, such as but not limited to: groceries, meats, dairy products, baked goods or other foods, drugs, dry goods, clothing and notions, or hardware. All business establishments shall be retail or service establishments dealing directly with consumers.
- (2) Personal service establishment which performs services on the premises, such as but not limited to: repair shops (watches, radio, television, shoe, and the like,) tailor shops, beauty parlors or barber shops, photographic studios, and self-service laundries.
- (3) Dry cleaning establishments or pick-up stations dealing directly with consumers. Central dry cleaning plants serving more than one retail outlet shall be prohibited.
- (5) Other uses similar to the above uses.
- (6) Accessory structures and uses customarily incident to the above permitted uses, provided that they shall be designed and located as permitted in Section 155.070 Article 5 General Development Standards.
- (7) Automobile Parking space to be provided as required in Section 155.070 Article 5 General Development Standards.

(C) **Required Conditions**

All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on premises where produced.

- (1) A restroom shall be provided for public use for all retail establishments in excess of 12,000 square feet of gross floor area.

(D) **Uses Permitted Subject to Special Conditions**

The following uses shall be permitted, subject to the conditions set forth in this Article, Section 155.110 Article 6 Special Conditions and Land Use Standards and all applicable codes and ordinances set forth in this Zoning Code and other codes and regulations hereinafter imposed for each use. The following uses are subject further to the review and approval of the Planning Commission per standards set forth in this Zoning Code:

- (1) Mixed-Use Business and Residential Buildings.
- (2) Nursery schools, day nurseries and child care centers (not including dormitories).
- (3) Amateur Radio Antenna, subject to regulations of Section 155.210 Article 11 Wireless Communication Towers and Antennas.
- (4) Utility and Public Service Buildings without storage yards.
- (5) Publicly owned buildings without storage yards.

(E) **Area and Bulk Requirements**

Requirements limiting the height and bulk of buildings, the minimum size of lot permitted by land use, maximum density permitted, and minimum yard setbacks are set forth in Section 155.060 Article 4 Schedule of Regulations.

155.046 B-2 Thoroughfare Mixed-Use District

(A) **Intent**

The Thoroughfare Mixed-Use District intends to provide for a mixed-use environment of business and higher density residential land uses. The district further intends to permit business establishments that balance both the convenience and comparison shopping needs of neighboring residents. These uses are more intensive than those permitted in the B-1 Local Business District, but not large scale vehicle dominated establishments as found in the B-3 General Business District. Because of the variety of business types and residential dwellings permitted, critical attention must be focused on site layout, building design, vehicular circulation, and coordination of site features between adjoining sites. Development should be:

- (1) Designed as part of a planned shopping center or in coordination with development on adjoining commercial sites.
- (2) Larger than in B-1 Districts.
- (3) Located away from sensitive residential areas.
- (4) Contributing to the development of a unified district in scale and character.
- (5) Served by and connected to a major thoroughfare.

(B) **Principal Uses Permitted**

The following regulations shall apply in all B-2 Districts and no building, structure or premises, except as otherwise provided in this chapter, shall be erected, altered or used except for one or more of the following specified uses:

- (1) Any retail business or service establishment permitted in B-1 Districts as principally permitted.
- (2) All retail business, service establishments or processing uses as follows:
 - (a) Any retail business whose principal activity is the sale of merchandise in an enclosed building.
 - (b) Any service establishment of an office, showroom or workshop nature of an electrician, decorator, dressmaker, tailor, baker, painter, upholsterer, or an establishment doing radio or home appliance repair, photographic reproduction and similar service establishments that require a retail adjunct.
- (3) Private clubs, fraternal organizations and lodge halls.
- (4) Standard restaurants.
- (5) Business establishments that perform services on the premises, such as but not limited to banks, loan companies, insurance offices, and real estate offices.
- (6) Professional services, including the following: medical clinics (outpatient only), and offices of doctors, dentists, osteopaths, and similar or allied professions.
- (7) Post office and similar governmental office buildings, serving persons living in the adjacent residential area.
- (8) Office buildings for any of the following occupations: executive; administrative and professional, writing, clerical, stenographic, drafting and sales, subject to the limitations contained below in division (D) of this section.
- (9) Medical and dental offices, including clinics and laboratories, but excluding substance abuse centers.
- (10) Publicly owned buildings, exchanges and public utility offices, but not including storage yards, transformer stations, substations or gas regulator stations, subject to the limitations contained below in division (D) of this section.
- (11) Veterinary hospitals and clinics.
- (12) Dance schools, music and voice schools, and art studios.
- (13) Art shops, photographic studios design studios and other similar uses.
- (14) Office equipment and sales.
- (15) Reproduction services where the primary use is serving walk-in customers with small volume copying or word processing services, not including blueprinting and similar industrial type operations.

- (16) Personal service establishments, including barber shops, beauty shops, health salons and similar uses.
- (17) Townhomes (3 stories or less).
- (18) Multiple-family dwellings (3 stories or less).
- (19) Other uses similar to the above uses.
- (20) Accessory structures and uses customarily incident to the above permitted uses provided that they shall be designed and located as permitted in Section 155.070 Article 5 General Development Standards.
- (21) Veterinary hospitals and clinics.
- (22) Mortuaries.
- (23) Automobile Parking space to be provided as required in Section 155.070 Article 5 General Development Standards

(C) Required Conditions

- (1) All business establishments shall be retail or service establishments dealing directly with consumers. All goods provided on the premises shall be sold at retail on the premises where produced.
- (2) All business, servicing or processing, except for off-street parking, loading and those open air uses indicated as being subject to special conditions in division (D) of this section, shall be conducted within completely enclosed buildings.
- (3) Site plans shall be planned so as to recognize the front, rear, and side relationship of adjacent development. The Planning Commission and Council may recommend physical features to be provided which will insure harmony in these yard relationships.
- (4) A restroom shall be provided for public use for all retail establishments in excess of 12,000 square feet of gross floor area.

(D) Uses Permitted Subject to Special Conditions

The following uses shall be permitted, subject to the conditions set forth in this Article, Section 155.110 Article 6 Special Conditions and Land Use Standards and all applicable codes and ordinances set forth in this Zoning Code and other codes and regulations hereinafter imposed for each use. The following uses are subject further to the review and approval of the Planning Commission per standards set forth in this Zoning Code:

- (1) Open air business uses when developed in planned relationship with Permitted uses within the B-2 District.
- (2) Bowling alley, billiard hall, indoor archery range, or indoor skating rink, or similar forms of indoor commercial recreation when located at least 100 feet from any front, rear or side yard of any residential lot in an adjacent residential district. Firearm ranges are expressly prohibited.
- (3) Public utility buildings, telephone exchange buildings, electric transformer stations and substations, gas regulator stations with service yards but without storage yards, water and sewage pumping stations.

- (4) Automobile service centers, when developed as part of a larger planned shopping center designed so as to integrate the automobile service center within the site plan and architecture of the total shopping center; and provided further that a building permit shall not be issued separately for the construction of any automobile service center within the B-2 District.
- (5) Nursing and convalescent homes.
- (6) Senior housing, assisted living and similar types of housing for the elderly not to exceed a height of 3 stories.
- (7) Carryout, fast food, drive-thru or drive-in restaurants.
- (8) Mixed-Use Business and Residential Buildings.
- (9) Business schools and colleges, or vocational training centers, such as trade schools.
- (10) Nursery schools, day nurseries and child care centers.
- (11) Theaters, assembly halls, concert halls or similar places of assembly when conducted completely within enclosed buildings.
- (12) Private schools operated for profit.
- (13) Amateur Radio Antenna, subject to regulations of Section 155.210 Article 11 Wireless Communication Towers and Antennas.
- (14) Utility and Public Service Buildings without storage yards.
- (15) Public, parochial and other private elementary, intermediate schools and/or high schools offering courses in general education, not operated for profit.

(E) **Area and Bulk Requirements**

Requirements limiting the height and bulk of buildings, the minimum size of lot permitted by land use, maximum density permitted, and minimum yard setbacks are set forth in Section 155.060 Article 4 Schedule of Regulations.

155.047 B-3 General Business District

(A) **Intent**

The intent of the B-3 General Business District intends to provide locations for development of businesses which cater primarily to the comparison shopping needs of the City's and surrounding communities' residents on an intermittent or semi-monthly or greater basis. Convenience type commercial uses are permitted in combination with the predominant comparison uses in planned shopping center developments where a combination of such uses is considered appropriate based on the desired economic function and quality and range of businesses in the B-3 District.

(B) **Principal Uses Permitted**

The following regulations shall apply to all B-3 Districts and no building, structure or premises, except as otherwise provided in this chapter, shall be erected, altered or used except for one or more of the following specified uses:

- (1) Any retail business or service establishment permitted in B-2 Districts as principally permitted.
- (2) Mortuary establishments, when adequate assembly area is provided off-street for vehicles to be used in funeral procession; provided further that such assembly area shall be provided in addition to any required off-street parking area. A caretaker's residence may be provided within the main building of mortuary establishments.
- (3) Bus passenger stations.
- (4) New and used vehicle and trailer indoor sales, showroom or office.
- (5) Governmental offices or other governmental use, public utility offices, exchange transformer stations, pump stations and service yards, but not including outdoor storage.
- (6) Standard restaurants.
- (7) Massage practitioner offices.
- (8) Electronic data processing or computer centers.
- (9) Bowling alley, billiard hall, indoor archery range, or indoor skating rink, or similar forms of indoor commercial recreation when located at least 100 feet from any residential lot in an adjacent residential district.
- (10) Reproduction services where the primary use is serving walk-in customers with small volume copying or word processing services, not including blueprinting and similar industrial type operations.
- (11) Veterinary hospitals or clinics provided all activities are conducted within a totally enclosed main building and provided further that no property line abuts a district zoned for residential use.
- (12) Public utility buildings.
- (13) Accessory structures and uses customarily incident to the above permitted uses, provided that they shall be designed and located as permitted in Section 155.110 Article 6 General Development Standards.
- (14) Utility and Public Service Buildings without storage yards.
- (15) Computer and Electronic Data Processing centers.
- (16) Automobile parking space to be provided as required in Section 155.070 Article 5 General Development Standards.

(C) Required Conditions

- (1) All business establishments shall be retail or service establishments dealing directly with consumers. All goods provided on the premises shall be sold at retail on the premises where produced.
- (2) All business, servicing or processing, except for off-street parking, loading and those open air uses indicated as being subject to special conditions in division (D) of this section, shall be conducted within completely enclosed buildings.
- (3) Site plans shall be planned so as to recognize the front, rear, and side relationship of adjacent development. The Planning Commission and

Council may recommend physical features to be provided which will insure harmony in these yard relationships.

- (4) A restroom shall be provided for public use for all retail establishments in excess of 20,000 square feet of gross floor area.

(D) Uses Permitted Subject to Special Conditions

The following uses shall be permitted, subject to the conditions set forth in this Article, Section 155.110 Article 6 Special Conditions and Land Use Standards and all applicable codes and ordinances set forth in this Zoning Code and other codes and regulations hereinafter imposed for each use. The following uses are subject further to the review and approval of the Planning Commission per standards set forth in this Zoning Code:

- (1) All uses allowed in a B-2 District which shall be subject to the same special conditions as in a B-2 District.
- (2) Outdoor sales space for exclusive sale of new or secondhand vehicles or house trailers.
- (3) Open air business uses for the retail sales of plant material not grown on the site, and sales of lawn furniture, playground equipment and garden supplies; provided further that such uses shall be located at the exterior end of the building mass.
- (4) Adult supply stores.
- (5) Adult motion picture theaters.
- (6) Arcades.
- (7) Bar or establishment for the sale of beer or intoxicating liquor for consumption on the premises.
- (8) Cabaret.
- (9) Firearms sales establishments.
- (10) Motels, inns and travel lodges.
- (11) Hotels.
- (12) Massage establishments.
- (13) Pawnshops.
- (14) Pool or Billiard halls.
- (15) Public lodging house, transient housing, rooming houses.
- (16) Secondhand stores.
- (17) Specially Designated Distributor (SDD)
- (18) Specially Designated Merchant (SDM)
- (19) Tattoo establishments.
- (20) Carryout, fast food, drive-thru or drive-in restaurants.
- (21) Vehicle wash establishments, when completely enclosed in building.

- (22) Commercial kennel provided all activities are conducted within a totally enclosed main building and provided further that no property line abuts a district zoned for residential use.
 - (23) Automobile service stations.
 - (24) Automobile service centers, when developed as part of a larger planned shopping center. The design shall integrate the automobile service center within the site plan and architectural character of the total shopping center. A building permit shall not be issued separately for the construction of any automobile service center.
 - (25) General hospitals, except those for criminals and those solely for the treatment of persons who are mentally ill or have contagious disease, with no maximum height.
 - (26) Greenhouse and florist operations involving the growing, wholesaling and/or retailing of plant materials.
 - (27) Nursing and convalescent homes.
 - (28) Theaters, assembly halls, concert halls or similar places of assembly when conducted completely within enclosed buildings.
 - (29) Business schools and colleges or private schools operated for profit.
 - (30) Amateur Radio Antenna, subject to regulations of Section 155.210 Article 11 Wireless Communication Towers and Antennas.
 - (31) Research and Development facilities.
 - (32) Manufactured Housing Communities, subject to requirements of Section 155.140.
 - (33) Fast food restaurants without drive-thru service.
- (D) **Area and Bulk Requirements**
 Requirements limiting the height and bulk of buildings, the minimum size of lot permitted by land use, maximum density permitted, and minimum yard setbacks are set forth in Section 155.060 Article 4 Schedule of Regulations.

155.048 M-1 Light Industrial District

- (A) **Intent**
 The M-1 Light Industrial District intends to provide locations for planned industrial development, including planned industrial park subdivisions. Permitted activities or operations shall produce no external impacts that are detrimental in any way to other uses in the district or to properties in adjoining districts. Accordingly, light industrial, research, and related office uses permitted in this district should be fully contained within well-designed buildings on amply landscaped sites, with adequate off-street parking and loading areas, and with no outside storage. Heavy industrial uses, such as those involving the processing of raw material for shipment in bulk form to be used at another location, shall not be permitted in this district.

(B) **Principal Uses Permitted**

The following regulations shall apply to M-1 Districts, and no building, structure or premises, except as otherwise provided in this chapter, shall be erected, altered or used except for one or more of the following uses:

- (1) Any of the following uses when the manufacturing, compounding or processing is conducted wholly within a completely enclosed building. Open storage facilities for materials or equipment shall be located in rear or side yards and totally obscured by a masonry wall on those sides abutting R-1A through R-1C, RM, RM-1, O-1, B-1, B-2 and B-3 Districts, and from view of any public land or thoroughfare. In M-1 Districts the extent of such wall may be determined by the Planning Commission on the basis of usage. Such wall shall conform to the standards established in Section 155.074 Walls, and shall meet the requirements of Section 155.070 Article 5 General Development Standards.
 - (a) The manufacture, compounding, processing, packaging or treatment of such products as: bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food products, hardware and cutlery; and tool, die, gauge and machine shops.
 - (b) The manufacture, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, sheet metal (excluding large stampings such as automobile fenders or bodies), shell, textiles, tobacco, wax, wire, wood (excluding saw and planing mills) and yams.
 - (c) The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas.
 - (d) Manufacture of musical instruments, toys, novelties and metal or rubber stamps, or other small molded rubber products.
 - (e) Manufacture or assembly of electrical appliances, electronic instruments and devices radios, and phonographs.
- (2) Laboratories, experimental, film or testing.
- (3) Manufacture and repair of electric or neon signs, light sheet metal products, including heating and ventilating equipment, cornices, eaves and the like.
- (4) Warehouse and wholesale establishments and truck terminal facilities.
- (5) Self-service storage facilities
- (6) Reproduction plants, which may include accessory retail operations.

- (7) Central dry cleaning plants or laundries, which shall not offer storefront service or in any other manner interact with the general public as a retail Laundromat or dry cleaner service.
- (8) All public utilities, including buildings, necessary structures, storage yards and other related uses.
- (9) Trade or industrial schools.
- (10) Private clubs, fraternal organizations and lodge halls.
- (11) Electronic data processing or computer centers.
- (12) Offices, showrooms or workshops of an electrician, decorator, dressmaker, tailor, baker, painter, upholsterer, or an establishment doing radio or home appliance repair, photographic reproduction or similar use.
- (13) Accessory structures and uses customarily incident to the above permitted uses, provided that they shall be designed and located as permitted in Section 155.070 Article 5 General Development Standards..
- (14) Nonaccessory freestanding signs, provided all signs meet the requirements of Section 155.230 Article 12 Signs.
- (15) Other uses of a similar and no more objectionable character to those principal uses permitted.
- (16) Utility and Public Service Buildings without storage yards.
- (17) Automobile parking space to be provided as required in Section 155.070 Article 6 General Development Standards.
- (18) Trade schools.
- (19) Truck or terminal facilities.

(C) **Uses Permitted Subject to Special Conditions**

The following uses shall be permitted, subject to the conditions set forth in this Article, Section 155.110 Article 6 Special Conditions and Land Use Standards and all applicable codes and ordinances set forth in this Zoning Code and other codes and regulations hereinafter imposed for each use. The following uses are subject further to the review and approval of the Planning Commission per standards set forth in this Zoning Code:

- (1) Convenience services which in the opinion of the Planning Commission intend to serve the daily needs of persons working in the M-1 District. Such uses include restaurants or other places serving food or beverage, except those having the character of drive-ins, automobile service stations, newsstands and tobacco shops.

- (2) Major and minor vehicle repair centers, painting and varnishing shops, undercoating shops,
- (3) Lumber and planing mills.
- (4) Automobile or other machinery assembly plants.
- (5) Canning factories (but not including slaughtering or rendering).
- (6) Storage facilities for building materials, sand, gravel, stone, lumber, open storage or construction contractor's equipment and supplies, provided such is enclosed within a building or within an obscuring wall on those sides abutting R-1A through R-1C, R-2, RM, RM-1, O-1, B-1, B-2, or B-3 districts and on any front yard abutting public land or thoroughfare. In M-1 Districts the extent of such wall may be determined by the Planning Commission on the basis of usage. Such wall shall be not less than four and one-half feet in height and may, depending upon land usage, be required to be eight feet in height, and shall be subject further to the requirements of Section 155.070 Article 5 General Development Standards. Junk yards, when permitted, shall be entirely enclosed within an obscuring masonry wall 6 feet in height on all sides of sufficient strength to serve as a retaining wall. All applications for junk yards must receive the approval of the Mayor and the City Council as prescribed in Section 155.270 Article 14 Powers and Duties of Boards, Commissions and Departments and Inkster City Council.
- (7) Metal plating, buffing and polishing, subject to appropriate measures to control the type of process to prevent noxious results and/or nuisances.
- (8) Metal working, stamping, punching or pressing machines, subject to appropriate measures to control the type of process to prevent noxious results and/or nuisances.
- (9) Greenhouse and florist operations involving the growing, wholesaling and/or retailing of plant materials.
- (10) Other uses of a similar and no more objectionable character, and which will not be injurious or have an adverse effect on adjacent areas, and may therefore be permitted subject to such conditions, restrictions and safeguards as may be deemed necessary in the interest of public health, safety and welfare.
- (11) Amateur Radio Antenna, subject to regulations of Section 155.210 Article 11 Wireless Communication Towers and Antennas.
- (12) Wireless towers and antennas, subject to the requirements of Section 155.210 Article 11 Wireless Communication Towers and Antennas.
- (13) Greenhouses.

(14) Manufactured Housing Communities, subject to requirements of Section 155.140.

(D) **Area and Bulk Requirements**

Requirements limiting the height and bulk of buildings, the minimum size of lot permitted by land use, maximum density permitted, and minimum yard setbacks are set forth in Section 155.060 Article 4 Schedule of Regulations.

155.049 TCD Town Center District

(A) **Intent**

The TCD Town Center District intends to provide a vibrant mixed-use civic center. Experience has shown that successful cities have a town center focal point that integrates civic, convenience and community retail businesses and residences in a coordinated and pedestrian-friendly land use strategy. To this end, this district intends to achieve integrated site planning of adjoining developments to achieve a pedestrian-friendly environment, compatibility of architectural scale and character, compatibility of land uses, higher-density residential developments, support retail and civic core.

In keeping with the above intent, the TCD Town Center District is intended to serve the following specific goals:

- (1) Meet the goals and intent of the master plan and provide for land uses and design that supports and furthers the concept and vision of the town center.
- (2) Realize the full economic potential of this center through coordinated mixed-use and high-intensity planning concepts.
- (3) Promote and enhance recreation opportunities through well-designed private parks in new residential communities and improved connections to the Rouge River.
- (4) Promote coordination of private and public efforts in the planning and development of needed infrastructure improvements.
- (5) Provide for orderly and integrated planning to avoid fragmentary or speculative development.
- (6) Prevent long-term vacancy, blight, decay or abandonment.

(B) **Principal Uses Permitted**

In the TCD District, no building or land, except as otherwise provided in this chapter, shall be erected or used except for one or more of the following specified purposes. Review of site architectural and landscape plans is required to find proper relationships between architectural scale and character; vehicular and pedestrian traffic safety; interconnected open space and recreation areas; interconnected pedestrian and non-motorized walks and paths; and appropriate mixture of land uses.

- (1) Multiple-Family Residential Buildings.
- (2) Retail Businesses that are consistent with the vision of the district.
- (3) Personal Service Establishments.
- (4) Hotels.

- (5) Professional Offices.
- (6) Financial Institutions.
- (7) Restaurants (Carry-out and Standard) – Delivery services shall be accessory to the primary use only.
- (8) Public Parks and Parkways.
- (9) Public and Civic Buildings.
- (10) Child and Adult Day Care Center as a limited accessory use.
- (11) Uses similar to the above that are consistent with the vision of the district.
- (12) Uses and structures accessory to the above.
- (13) Theaters, Assembly Halls, and Concert Halls.
- (14) Automobile Parking space to be provided as required in Section 155.070 Article 5 General Development Standards.

(C) **Application Procedure and Submission Requirements**

The Planning Commission shall approve any proposed development, as well as any exterior renovations, additions, structures, signs, and changes of uses either existing at the time any parcel is zoned TCD Town Center District or commenced or erected thereafter. An owner or applicant shall submit a written application to the Commission describing proposed uses, design, extent, and development timetable and the legal interest of the applicant. In addition, the applicant shall provide the following requirements along with relevant supporting documentation:

- (1) A recent “as built” survey, certified to the City of Inkster and containing a metes and bounds legal description or plat description of the property exhibiting the location of all property improvements, total acreage, and site measurements.
- (2) Copies of all instruments creating restrictions hindering development of the property.
- (3) A site plan conforming to the requirements of Section 155.286 Site Plan Review.
- (4) Buildings and development elevations from four major directions, including exterior dimensions.
- (5) Floor plans including overall floor plan, projected number of units and their projected area, and number of bedrooms per unit.
- (6) Landscape plan and schedule depicting species location, size and quantity.
- (7) Soil Studies.
- (8) Signage plans.
- (9) Sight lines and public access connections to the river corridor, where applicable.

- (10) Pedestrian connections to proposed buildings and land uses, to the public sidewalk system and to adjacent properties.
- (11) Development timetable setting forth expected starting and completion dates for construction, and the date on which the project will begin operation. If the development is to be constructed in phases, a timetable showing applicable starting and completion dates for each phase shall be submitted along with the part of the overall property allocated to each phase which shall be indicated on the site plan.
- (12) A development and financial resume for the applicant and developer, if other than the applicant, which demonstrates a past performance of proving a level of skill and organizational activity necessary for project completion. Significant financial documentation indicating finance capability and methods shall, in addition, be submitted.
- (13) Traffic studies indicating daily peak traffic demands and direction of such traffic as expected to be generated by the project. All traffic shall be accommodated safely and efficiently on-site and by the abutting street system. If a deficiency will occur, the applicant shall submit plans to improve the street system along with a proposal to provide feasible financing methods. Development accessing Michigan Avenue shall meet all requirements of the Michigan Department of Transportation (MDOT).
- (14) Parking studies and data indicating the number of spaces required and if all spaces are not provided on-site, where these spaces will be located.

The Planning Commission, upon recommendation of the City Planner may waive submissions requirements 11-14, or portions thereof, if it has been determined that the information is not necessary for project evaluation or that sufficient documentation has been previously submitted. However, in all instances, the applicant shall submit at least one elevation and a site plan to scale, which shows the renovation or modification.

(D) **Planning Commission Review and Approval:**

The Planning Commission shall review the project application with regard to specified standards and requirements of the TCD Town Center District and as set forth below:

- (1) The review procedure shall be conducted in conformance to Section 155.288 Procedures for Special Condition Use Review and Section 155.289 Standards for Special Condition Use Approval.
- (2) The Planning Commission shall conduct its review of all new projects or changes in site or building conditions of existing developments in conformance with the notice and public hearing requirements for Special Condition Uses subject to discretionary decisions as specified in Section 155.291 Public Hearing Notification Requirements and in Public Act 207 of 1921, as amended.

Following the review process, the Commission may approve or deny the application based on specified standards and requirements set forth in this section. Specific conditions applied to an approved plan shall be made part of

the record of approval as set forth in the approval resolution. The specified conditions shall be modified only as provided for in this section.

(E) Standards and Requirements for Review and Approval

The Planning Commission shall make conclusions for a proposed development application based on the following standards and requirements:

- (1) All proposed uses shall promote and be consistent with the spirit and specific intent and purposes of the City of Inkster Town Center District and master plan.
- (2) The application proposal shall set forth specific written descriptions of heights, setbacks, density, parking, vehicular and pedestrian circulation, landscaping, and other design elements which affect the impact of this project with adjacent properties, to other developments in the District, to the overall plans and goals of the District and to future users and inhabitants of the development. Standards of Section 155.060 Article 4 Schedule of Regulations are not specifically required except as contained in the proposal approved by the Commission, or in any specified condition that has been made subject in the Commission's resolution of approval. However, the requirements of Section 155.070 Article 5 General Development Standards must be adhered to.
- (3) Signs must meet the requirements of this ordinance and shall be limited in size and numbers to avoid visual clutter associated with overall effect of multiple signs. Billboards are expressly prohibited.
- (4) Proposed uses shall encourage pedestrian usage and encourage business patrons to remain in the district for an extended time period. Businesses that cater to transient vehicular traffic such as drive-in or drive-through facilities, auto service stations or centers or similar uses shall not generally be approved. The Planning Commission may approve such transient automobile dependent use, if in its judgment, such use is needed for the viability of the district.
- (5) The proposed use(s) must not exceed the capacity of the existing and available public services, including utilities and public roads. However, the development proposal can contain adequate plans for providing needed services or evidence that such services will be available by the date the project is completed. This plan must meet Planning Commission's satisfaction.
- (6) The project and its uses must be in compliance with all applicable federal, state and local laws and regulations.
- (7) All project submission documents are subject to a review by a qualified professional city planner or other professional, who may be retained by the City of Inkster for this purpose.

(F) Permit and Certificate Issuance

- (1) Subsequent to approval by the Commission, the Building Division shall not issue building permits or Certificates of Occupancy until the plans and proposed uses comply with Planning Commission's resolution of approval.

- (2) An applicant may file an appeal of an unfavorable determination by the City Planner or Planning Commission to the Board of Zoning Appeals. If the Board decides that the project complies with the approval resolution, then a permit or certificate shall be issued. Should the Board of Zoning Appeals sustain the determination of the City Planner of Planning Commission, the applicant may appeal their decision to the Circuit Court.

(G) Modification of Approved Plans

- (1) Approved development proposals may be modified by resolution of the Planning Commission after submission and review of an application in accordance with standards and requirements stated in this section.
- (2) Approved development proposals may be administratively modified, upon discretion of the City Planner, provided the following conditions are met:
 - (a) Building or structure area or height is not increased.
 - (b) Dwelling unit density is not increased.
 - (c) Off-street parking requirements are not modified.
 - (d) The traffic pattern is not modified.
 - (e) Trip generation is not increased.

(H) Abandonment or Expiration of Time Limits

Approval of a project and any building permit or certificate may become null and void if any of the following conditions arise:

- (1) The approved project is abandoned.
- (2) A project has not achieved its 1-year construction progress as set forth in the submitted development timetable upon expiration of 1 year after the effective date of issuance of the initial building permit.
- (3) An approved project has not begun construction within 6 months.
- (4) The approved project has not been completed 3 years after the effective date of issuance of the initial building permit.

Upon application, the Commission may approve extensions, provided that the application is received by the City Planner prior to the expiration date, on display of sound reasons which meet the satisfaction of the Commission. The applicant or designee of the applicant shall appear in person to apply for an extension.

(I) Prior Consultation

All persons contemplating the development of any property located within the district are advised to contact and confer with the City Planner and staff prior to investing significant amounts of time, energy, and funds in preparing extensive plans, proposals, and submissions.