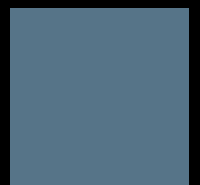




City of Romulus

# Zoning Ordinance

effective November 30, 2011  
amended February 13, 2023



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# How to use this iZone Interactive Zoning Ordinance

## iZone Document Features

The navigation buttons at the bottom of each page direct you to

- Back to Previous View,
- Start of Article,
- Table of Contents,
- Definitions,
- Zoning Map, and
- Table of Uses.

Words that are linked to their definition in Article 24 are not italicized, but when you hover over them with your mouse you will see the cursor changes to a finger, allowing you to click and jump to the definition.

**SLU: Special Land Use:** The use may be permitted by obtaining Special Land Use approval when all applicable standards cited in *Article 18* and Specific Standards of *Section 8.03* are met.

**NP: Not Permitted:** The use is not permitted in the district.

"Other Requirements" indicates additional requirements or conditions applicable to the use. In addition the standards of Part III may also be applicable, in particular *Article 13* General Site Development Requirements, *Article 14* Off-Street Parking, Loading, Access and Circulation Requirements, and *Article 17* Site Plan Review Requirements and Procedures.

**Table 6.02 Schedule of Uses**

Use	O-R	M-1	M-2	M-1	Other Requirements
<b>Institutional and Educational</b>					
Offices and facilities for law enforcement, customs, homeland security and emergency services including fire stations and medical care units	P	P	P	P	
Places of worship		P			11.02(c)
Municipal buildings and uses	P	P	P	P	
Trade, technical and vocational schools, not including truck driving schools	P	P	P	P	
<b>Human Care and Medical</b>					
Child day care centers, nursery schools and day nurseries (more than 12 children less than 24 hours per day)	P	SLU	SLU	SLU	11.03(c)
Hospitals and 24-hour urgent care centers		P			11.03(d)
Therapy and rehabilitation centers		P			11.03(e)
Medical mental clinics	P	P	P	P	
Shelters and social assistance centers		SLU			11.03(g)
Substance abuse rehabilitation centers		SLU			11.03(h)
<b>Retail</b>					
Convenience food store and party store	P	SLU	SLU	SLU	
Flea markets within a completely enclosed building		P	P		
Nurseries and similar outdoor retail sale of trees, fruits, vegetables, shrubbery, plants, seed, topsoil, humus, fertilizer, trellises, lawn furniture, other home garden supplies, and equipment and similar uses		P	P	P	11.04(b)
Open air retail sales as accessory uses		SLU	SLU	SLU	11.04(b)
Retail sales of home improvement supplies		P			
<b>Services</b>					
Personal service establishments which perform services on the premises, such as barber and beauty shops; watch, radio, television, clothing and shoe repair shops; tailors; photographic studios; locksmiths; and similar establishments requiring a retail adjunct	P	P	P		

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The buttons on the side of the page take you to commonly used features:

- General Provisions,
- Site Plan Review,
- Special Land Uses,
- Site Design, and
- Parking.

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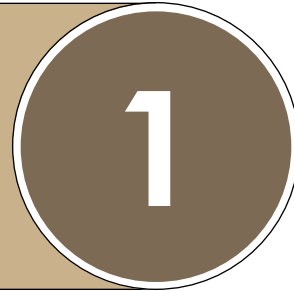
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- Article 10 Reserved
- Article 11 Use Standards
- Article 12 General Provisions
- Article 13 General Site Development Requirements
- Article 14 Off-Street Parking, Loading, Access and Circulation Requirements
- Article 15 Reserved

# Article 1

Purpose and Title



### **Section 1.01 Short Title**

This Ordinance establishes comprehensive zoning regulations for the City of Romulus, and provides for the administration, enforcement, and amendment of those regulations, in accordance with the provisions of the Michigan Zoning Enabling Act (Public Act 110 of 2006, as amended). This Ordinance shall be known and may be cited as the "Zoning Ordinance of the City of Romulus."

### **Section 1.02 Purpose**

The purpose of this Ordinance is to promote and safeguard the public health, safety, morals, prosperity and general welfare of the people. The provisions are intended to, among other things:

- (a) Promote and protect the public health, safety, and welfare of the City's residents.
- (b) Implement the recommendations of the City of Romulus Master Plan.
- (c) Regulate the intensity of land development to ensure compatibility among land uses and where applicable, provide transitions between land uses to reduce the negative physical and visual impacts on adjacent properties.
- (d) Support neighborhood stability and reinvestment, protect residential areas from incompatible land uses, offer a variety of housing opportunities, and support the needs of the residents.
- (e) Promote orderly development and/or redevelopment in neighborhoods and business districts.
- (f) Provide commercial and office uses that offer a diversity of services that are appropriately arranged and designed to reflect the intended character of the area.
- (g) Provide an organized pattern of various industrial land uses that is flexible for business vitality, properly minimizes negative impacts such as noise and truck traffic, is isolated from residential areas, and contributes to the City's long-term fiscal health.
- (h) Protect and enhance natural resources.
- (i) Incorporate open space elements into the land use pattern in a manner that creates an interconnected, unified system and provides habitats and recreation opportunities.
- (j) Ensure aesthetic quality throughout the City.
- (k) Create a diversified and balanced mixture of land uses that will support the economic vitality, tax base, and sustainability in the City.
- (l) Establish controls over incompatible land uses and minimize the hazards of high-impact uses on surrounding neighborhoods.
- (m) Provide opportunities for public input in the zoning approval process, particularly for higher intensity uses and those proposed adjacent to neighborhoods.
- (n) Preserve the capaCity and provide a safe transportation system for all users.
- (o) Provide for infrastructure improvements to mitigate direct impacts of new development where possible.

### **Section 1.03 Preamble and Enacting Clause**

- (a) Whereas, the Michigan Zoning Enabling Act (Public Act 110 of 2006 as amended) empowers the City to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

- (b) Whereas, the City deems it necessary for the purpose of promoting and protecting the health, safety, morals, comfort, convenience, and general welfare of the residents of the City; and
- (c) Whereas, the City has prepared and adopted a master plan designed to lessen congestion on the public streets; to promote public health, safety and welfare; to guide growth in a logical and orderly fashion; and to ensure a well-balanced community from a physical, economic, and social standpoint; and
- (d) Whereas, the City has been divided into districts and regulations have been prepared pertaining to such districts in accordance with the City of Romulus Master Plan and in consideration of the character of the districts and their peculiar suitability for particular uses, with a view to conserving property values and encouraging the most appropriate use of land throughout the City;
- (e) Now therefore be it ordained by the City of Romulus, Michigan that this Ordinance is hereby declared to have been adopted by the City Council of the City of Romulus, Wayne County, Michigan, at a meeting thereof, duly called and held on the 7 day of November 2011, and it is hereby ordered that publication be given in the manner prescribed by law and that this Ordinance be in effect seven (7) days following publication.

#### **Section 1.04 Scope of Application**

---

- (a) No building or structure, or part thereof, shall hereafter be erected, constructed, renovated, altered, or maintained and no new use shall be made of any building or land except in conformity with the provisions of this Ordinance.
- (b) Any building or structure which is erected, repaired, altered, or converted, or any use of premises or land which is begun or changed subsequent to the time of passage of this Ordinance and in violation of any of the provisions thereof is hereby declared to be a public nuisance per se and may be abated by order of any court of competent jurisdiction.
- (c) Nothing in this Ordinance shall be deemed to require a change in the plans, construction, or use of any building on which actual construction was lawfully begun prior to the effective date of this Ordinance. The construction shall be completed within two (2) years from the effective date of this Ordinance.
- (d) The provisions of this Article shall apply to all buildings, structures and uses in any zoning district, unless otherwise noted.
- (e) The regulations established by this Ordinance shall be the minimum necessary and shall apply uniformly to each class or kind of structure, land, or use.
- (f) Whenever any provision of this Ordinance is in conflict with the requirements of another ordinance, this Ordinance shall be controlling. Where another ordinance places additional requirements on a use or structure, those additional requirements shall be met in addition to the requirements of this Ordinance. Nothing in this Ordinance is intended to contravene or limit the applicability of any state or federal laws that expressly contradict or preempt the terms of this Ordinance.
- (g) Where any provision of this Ordinance imposes either greater or lesser restrictions, limitations, conditions, standards, or requirements upon the use of buildings, structures or land; the height of buildings or structures; lot coverage; lot areas; yards, wetlands, woodlands or other open spaces; or any other use or activity which is

regulated by this Ordinance, the provision or standard which is more restrictive or limiting shall govern.

(h) Nothing in this Ordinance shall be deemed to allow a structure or use that would constitute a violation of local, state or federal law.

# Article 2

## Mapped Districts



## **Section 2.01 Districts Established**

---

For the purpose of this Ordinance, the City of Romulus is hereby divided into the following districts:

(a) Single-Family Residential Districts:

- (1) *RE, Rural Estates Single-Family Residential District.*
- (2) *R-1A, Single-Family Residential District.*
- (3) *R-1B, Single-Family Residential District.*
- (4) *RCO, Rural Character Overlay District.*

(b) Multiple-Family Residential:

- (1) *R2, Townhouse Residential District.*
- (2) *RM, Low-Rise Multiple-Family Residential District.*
- (3) *HRM, High-Rise Multiple-Family Residential District.*

(c) Manufactured Home District:

- (1) *RMH, Residential Manufactured Home District.*

(d) Central Business District:

- (1) *CBD-1, Transition District.*
- (2) *CBD-2, Downtown District.*
- (3) *CBD-3, Five Points District.*

(e) Business Districts:

- (1) *O-1, Office District.*
- (2) *C-1, Local Business District.*
- (3) *C-2, General Business District.*
- (4) *C-3, Highway Service District.*
- (5) *RC, Regional Center District.*

(f) Industrial Districts:

- (1) *O-R, Office Research District.*
- (2) *M-1, Light Industrial District.*
- (3) *M-2, General Industrial District.*
- (4) *M-T, Industrial Transportation District.*

(g) Airport District:

- (1) *AP, Airport District.*

## **Section 2.02 Zoning Map**

---

The City of Romulus is hereby divided into zoning districts as shown on the Official Zoning Map which, along with all explanatory matter thereon, is hereby adopted by reference and declared to be part of this Ordinance. The Official Zoning Map shall be identified by the signature of the City Clerk and bear the seal of the City with the date of adoption indicated. The Official Zoning Map shall be located in the office of the City Clerk and shall be the final authority as to the current zoning status of all land areas, buildings, and other structures within the City.

## **Section 2.03 Interpretation of Map**

---

Where uncertainty exists regarding zoning boundary interpretation of the Official Zoning Map, the following guidelines shall apply:

- (a) Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow the center lines.
- (b) Boundaries indicated as approximately following platted lot lines shall be construed as following the lot lines.
- (c) Boundaries indicated as approximately following City limits shall be construed as following the City limits.
- (d) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
- (e) Boundaries indicated as parallel to or extensions of features indicated in subsections (a) through (d) above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
- (f) Where physical or cultural features existing on the ground differ with those shown on the Official Zoning Map, or in other circumstances not covered by subsections (a) through (e) above, the Board of Zoning Appeals shall interpret the district boundaries.
- (g) Where a district boundary line divides a lot which was in a single ownership at the time of passage of this Ordinance, the Board of Zoning Appeals may permit the extension of the regulations for either portion of the lot not to exceed fifty (50) feet beyond the district line into the remaining portion of the lot.

## **Section 2.04 Vacated ROW**

---

Whenever any street or other public way within the City is vacated, such street, alley or other public way or portion thereof shall automatically be zoned consistent with the zoning of the adjacent property or properties, measured from the centerline.

## **Section 2.05 Annexed Territory**

---

Hereafter, any territory annexed to the City shall be considered to be R-1A Single-Family Residential until otherwise classified.

## **Section 2.06 Map Amendment**

---

The City may, from time to time, amend the zoning district boundaries shown on the Official Zoning Map (rezoning) pursuant to the procedures outlined in [Article 23](#) and the provisions of the Michigan Zoning Enabling Act (Public Act 110 of 2006 as amended).

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# Article 3

## Single-Family Residential Districts



### Section 3.01 Statement of Purpose

The RE - Rural Estate, R-1A - Single-Family Residential, R-1B - Single-Family Residential, and RCO - Rural Character Overlay Districts are established as districts in which the principal use of land is for single-family dwellings. In promoting the general purpose of this Ordinance, the specific intent of this Article is to

- (a) Encourage the continued use of the land for single-family dwellings.
- (b) Prohibit incompatible non-residential uses of the land, and to prohibit any other use that would substantially interfere with development or continuation of single-family dwellings.
- (c) Discourage any land use that would generate traffic on minor or local streets other than normal traffic to serve the residences on those streets.
- (d) Discourage any use which, because of its character or size, would create requirements and costs for public services, such as fire and police protection, water supply, and sewer service substantially in excess of the requirements and costs if the district were developed solely for single-family dwellings.
- (e) Maintain a balance between a quiet, rural character of the RCO - Rural Character Overlay District and the suburban subdivision development in order to meet the transitional needs of this area.

### Section 3.02 Schedule of Uses

No building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses, unless otherwise provided for in this Ordinance. Land and/or buildings in the districts indicated at the top of [Table 3.02](#) may be used for the purposes denoted by the following abbreviations:

**P: Permitted Use:** Land and/or buildings in this District may be used for the purposes listed by right.

**SLU: Special Land Use:** The use may be permitted by obtaining Special Land Use approval when all applicable standards cited in [Article 18](#) and specific standards of [Section 3.03](#) are met.

**NP: Not Permitted:** The use is not permitted in the district.

**"Other Requirements"** indicates additional requirements or conditions applicable to the use. In addition the standards of Part III may also be applicable, in particular [Article 13](#) General Site Development Requirements, [Article 14](#) Off-Street Parking, Loading, Access and Circulation Requirements, and [Article 17](#) Site Plan Review Requirements and Procedures. Uses permitted in the RCO District shall be based upon the underlying zoning district.

Table 3.02 Schedule of Uses				
Use	RE	R-1A	R-1B	Other Requirements
<b>Residential</b>				
Single-family detached dwellings	P	P	P	<a href="#">11.01(a)</a>
Two-family dwellings (duplexes)	SLU	SLU	SLU	<a href="#">11.01(b)</a>
Senior assisted living		SLU	SLU	<a href="#">11.01(e)</a>
<b>Institutional and Educational</b>				
Cemeteries	SLU	SLU	SLU	<a href="#">11.02(a)</a>

<b>Table 3.02 Schedule of Uses</b>				
<b>Use</b>	<b>RE</b>	<b>R-1A</b>	<b>R-1B</b>	<b>Other Requirements</b>
Colleges, universities and other institutions of higher learning, public and private, offering courses in general, technical, or religious education	SLU	SLU	SLU	11.02(b)
Places of worship	SLU	SLU	SLU	11.02(c)
Municipal buildings and uses	P	P	P	
Schools, elementary, middle and high schools, public, parochial and private	SLU	SLU	SLU	
<b>Human Care and Medical</b>				
Adult foster care family home (6 or fewer adults)	P	P	P	
Adult foster care small group home (7 to 12 adults)	SLU	SLU	SLU	11.03(a)
Foster family home (1-4 children 24 hours per day)	P	P	P	
Foster family group home (5-6 children 24 hours per day)	P	P	P	
Child day care, family home (6 or fewer children less than 24 hours per day)	P	P	P	
Child day care, group home (7 to 12 children less than 24 hours per day)	SLU	SLU	SLU	11.03(b)
Child day care centers, nursery schools and day nurseries (more than 12 children less than 24 hours per day)	SLU	SLU	SLU	11.03(c)
Nursing and convalescence homes	SLU	SLU	SLU	11.03(f)
<b>Animal/Agricultural</b>				
Agricultural activity as an accessory use	P	P	P	11.15(a)
Farms or farm operations	P	P	P	11.15(a)
Keeping of animals	P	P	P	11.15(b)
Keeping of Bees	SLU	RCO-SLU	RCO-SLU	11.15(b)
Kennels, commercial	SLU	SLU	SLU	11.15(c)
Kennels, private	P	P	P	11.15(c)
Stables, boarding	SLU	SLU	SLU	11.15(e)
<b>Recreation/Leisure/Entertainment</b>				
Golf courses	SLU	SLU	SLU	11.08(c)
Private noncommercial recreational areas and buildings, institutional recreation centers, neighborhood recreational clubhouses, non-profit swimming pool clubs	SLU	SLU	SLU	11.08(e)
Private open space and neighborhood parks	P	P	P	
Publicly owned and operated parks and recreational facilities	P	P	P	
<b>Utilities</b>				
Utility distribution facilities such as water mains, sewer mains, electrical, gas, distribution lines, and associated structures that are designed to serve the immediate vicinity	P	P	P	

Table 3.02 Schedule of Uses				
Use	RE	R-1A	R-1B	Other Requirements
Utility buildings, substations, including pump stations and transformer substations that are necessary to serve the immediate vicinity	SLU	SLU	SLU	11.13(a)
<b>Accessory</b>				
Accessory buildings and uses customarily incidental to any of the above permitted uses	P	P	P	
Home occupations	P	P	P	11.17(c)

### Section 3.03 Requirements Applicable to Specific Uses

Where noted in [Table 3.02](#), uses shall be required to meet the use regulations of [Article 11](#).

### Section 3.04 Accessory Buildings and Structures

(a) **Accessory Buildings.** Residential accessory building and structures shall be subject to the following regulations, except as otherwise permitted in this Ordinance:

- (1) **Principal Building Required.** An accessory building may only be located on a lot that is occupied by a principal building.
- (2) **Attached Accessory Buildings.** An accessory building that is structurally attached to the principal building shall be subject to all regulations of this Ordinance applicable to principal buildings.
- (3) **Detached Accessory Building Size.** The size of detached accessory building shall meet all of the following:
  - a. The total area of all detached accessory buildings shall not cover more than twenty five (25%) of the rear yard and forty (40%) of the required rear yard setback.
  - b. The total area of all detached accessory buildings on a lot shall not exceed the following floor area shall not exceed the following height:

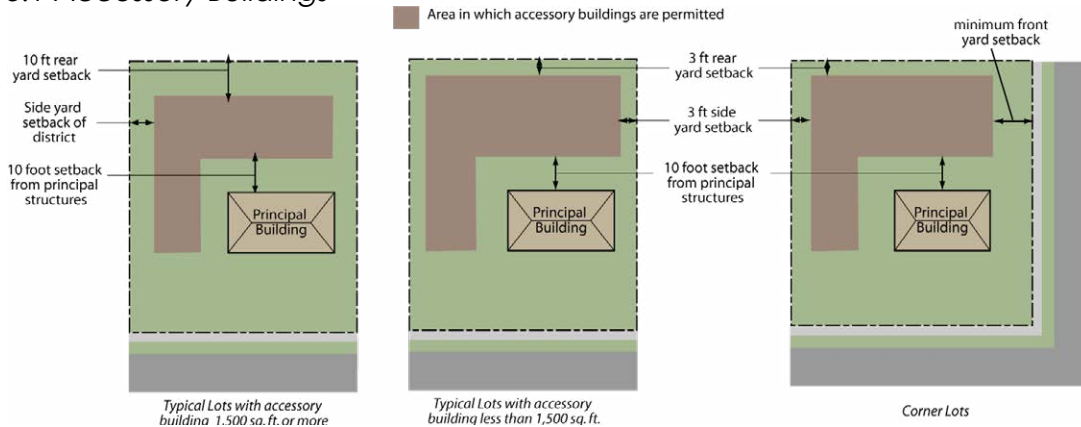
Parcel Size	Max. Square Footage	Max. Height
Up to 12,000 sq. ft.	750 sq. ft.	14 ft.
12,000 to 43,559 sq. ft.	1,500 sq. ft.	17 ft.
43,560 to 87,119 sq. ft. (1 to 2 acres)	1,750 sq. ft.	17 ft.
87,120 sq. ft. or more (2 + acres)	2,400 sq. ft.	17 ft.

- (4) **Detached Accessory Building Setbacks.** Detached accessory buildings shall be at least ten (10) feet from a principal building and shall meet the following setback requirements (see [Figure 3.1](#)):
  - a. Detached accessory buildings with a floor area of less than one thousand five hundred (1,500) square feet shall be at least three (3) feet from any side or

rear lot line.

- b. Detached accessory buildings with a floor area of one thousand five hundred (1,500) square feet or more shall be at least ten (10) feet from the rear lot line and shall meet the side yard setback requirements applicable to principal buildings.

Figure 3.1 Accessory Buildings



- (5) **Front Yard.** Detached accessory buildings shall not be located in any front yard on lots of one (1) acre or less. Accessory buildings on lots over one (1) acre may be located in the front yard; provided that the setbacks for principal buildings are met. Front yard setbacks shall be maintained from each street on corner lots (see [Figure 3.1](#)).

- (b) **Accessory Apartments and Basement Apartments Prohibited.** Accessory apartments, whether in the principal building, basement, or any accessory building shall be prohibited.

- (c) **Pools and Hot Tubs.** Accessory outdoor pools and hot tubs shall comply with all applicable ordinances, Building Codes, and the following conditions:

- (1) Pools and hot tubs shall only be located in a rear yard or non-required side yard. Pools and hot tubs shall not be located in a front yard or required side yard setback. Pools and hot tubs shall be at least ten (10) feet from the rear lot line and meet the side yard setbacks of the district.
- (2) There shall be at least six (6) feet between the outside pool wall and any building located on the same lot. Hot tubs may be adjacent to the dwelling.
- (3) Outdoor pools shall be fenced in accordance with the requirements of the Building Code and [Section 3.05](#).

- (d) **Decks and Porches**

- (1) Attached or unattached decks and unenclosed porches without a solid enclosure may project no more than ten (10) feet into the required front or required rear yard setback and no more than three (3) feet into the required side yard setback.
- (2) Decks and porches with roofs shall be considered to be part of the principal building for purposes of determining setbacks.
- (2) For condominiums, the placement of decks shall be stipulated in the Condominium Master Deed and Exhibit B Site Plan, in conformance with the regulations of this section.

- (e) **Satellite Dish, Television and Radio Antennas.** Satellite dish antennas and other television and radio antennas/receivers, may be permitted as accessory structures. Any antenna, satellite dish or similar aerial reception device may exceed the height limitation of the district within which it is located, as per the requirements of Section 12.03, provided that the requirements of the Building Code are met with respect to the installation and anchoring of the device to ensure public safety.

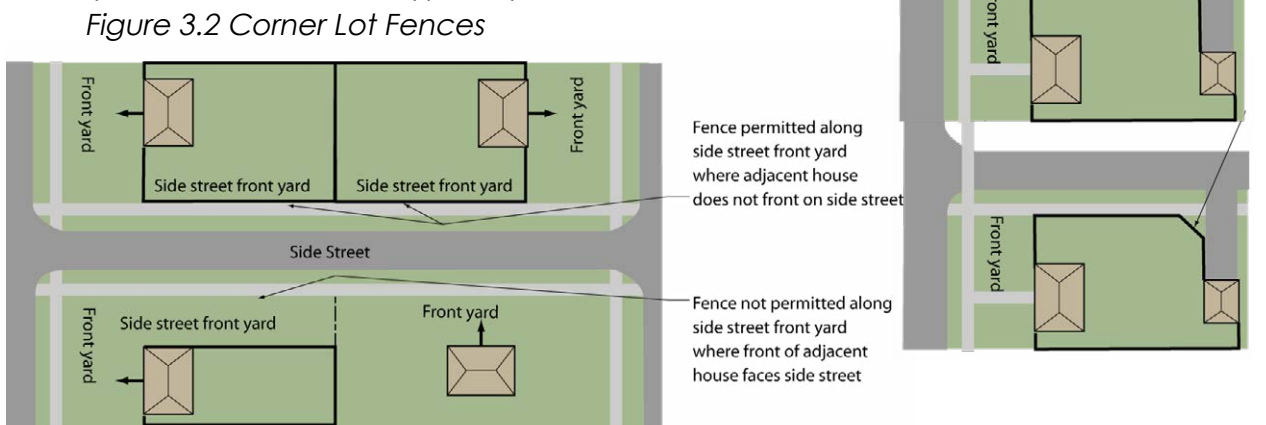
### Section 3.05 Fences

- (a) **Location and Height.** Fences for residential uses in residential zoning districts shall conform to the following requirements (See [Section 13.03](#) for non-residential fences):
- (1) Fences shall be permitted in the side and rear yard. Side or rear yard fences shall not exceed six (6) feet in height.
  - (2) Fences shall not be located in the front yard, except on corner lots. On corner lots, a fence up to six (6) feet in height is permitted within a front yard of a side street only if the dwelling on the adjacent lot does not front towards the same side street. The fence shall not extend beyond the front building line into the front yard of the street that the front of the dwelling faces. (See [Figure 3.2](#).)
  - (3) On all lots, fences or walls over three and a half (3½) feet tall are not allowed within ten (10) feet of the intersection of a driveway and road right-of-way. (See [Figure 3.3](#).) This also applies to driveways located on adjoining lots. On corner lots, fences and walls located within a front yard shall maintain the roadway clear vision area requirement of [Section 12.07](#).

(b) **Materials**

- (1) Fences shall be constructed of durable quality material such as wrought iron; decorative aluminum; painted, stained and/or pressure treated wood; chain link; brick; or stone.
- (2) The finished side of any fence shall face adjacent properties or roadways.
- (3) Barbed wire, razor wire, spikes, nails, or any other sharp point or instrument of any kind on the top or sides of any fence, or fences that carry an electric current or charge that could cause injury, are prohibited on residential lots. This provision does not apply to security fences for utility structures or towers, which shall meet the requirements of [13.03](#).

- (c) **Approval for Fences.** The construction or alteration of any fence, wall or other type of protective barrier shall



be approved by the Building and Safety Director as to its conformance to the requirements of the zoning district in which it is located and to the requirements of this Section.

### **Section 3.06          Parking and Storage of Recreation Vehicles, Commercial Vehicles, and Automobiles in Residential Districts**

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- (a) **Recreational Vehicles Less Than Thirty Two (32) Feet Long.** Recreational vehicles, travel trailers, and boats that are no longer than thirty two (32) feet may be stored or parked in any residential district on a lot on which an occupied residence is located subject to the following requirements:
- (1) A maximum of two (2) recreational vehicles may be stored or parked on a residential lot or parcel of land.
  - (2) Recreational vehicles may be parked or stored in a garage, the rear yard, or in a non-required side yard (i.e. meeting side yard setback). Recreational vehicles may not be parked or stored in a required side yard setback or in the front yard, except as provided for in (3) below.
  - (3) Recreational vehicles may be parked on any part of the lot for not more than forty-eight (48) hours for the purpose of loading and unloading as long as the view of driveways or vehicular and pedestrian traffic of adjoining properties is not obstructed.
  - (4) Storage or parking of recreational vehicles shall not create an unsafe or dangerous condition.
  - (5) Travel trailers and motor homes, if parked or stored, shall not have a fixed connection to electricity, water, gas, or sanitary sewer, and shall not be used for living, sleeping, or housekeeping purposes.
- (b) **Recreational Vehicles Greater Than Thirty Two (32) Feet Long.** Recreational vehicles, motor homes, travel trailers, converted busses, or boats longer than thirty two (32) feet may not be parked or stored on a lot for more than forty-eight (48) hours, except under the following conditions:
- (1) Recreational vehicles, motor homes, travel trailers, converted busses, or boats longer than thirty two (32) feet may be parked or stored inside an enclosed building.
  - (2) On any lot containing an occupied residence, a permit can be issued by the Building Department to store the recreational vehicle outdoors. The permit shall be valid for not more than ten (10) consecutive days in any ninety (90) day period. The permit shall be conspicuously posted in the parked or stored recreational vehicle.
  - (3) The Board of Zoning Appeals may issue a permit to an owner or occupant of land on one (1) acre or more in a residential district to park or store not more than two (2) recreational vehicles in excess of thirty two (32) feet upon their property for a longer period than (1) above but not more than twelve (12) continuous months subject to the following conditions:
    - a. The permit approval shall include the location or area in which the unit(s) is to be stored or parked and all conditions set forth by the Board.
    - b. The permit may be renewed by the Building and Safety Director on an annual basis, if, in the Building and Safety Director's determination, the conditions as

originally established to grant the permit are not substantially changed.

- c. The permit shall be conspicuously posted in a parked or stored recreational vehicle.
- d. The additional conditions set forth in [Section 3.06 \(a\)](#) shall be met.

**(c) Commercial Vehicles**

(1) One (1) commercial vehicle may be parked on a residential lot, where all the following conditions are met:

- a. The vehicle shall be used as the principal means of transportation for a resident in the conduct of such resident's employment or profession or is the resident's sole means of motor vehicle transportation.
- b. The vehicle shall not exceed a gross vehicle weight of ten thousand (10,000) pounds.
- c. The vehicle shall not have more than four (4) rear wheels.
- d. No part of the vehicle may exceed ten (10) feet in overall height, measured from grade.
- e. The vehicle shall not be parked overnight (from 9:00 p.m. – 5:00 a.m) in the front yard; the driveway or any paved surface in the front yard; or in the street right-of-way.

(2) The following commercial vehicles shall not be parked or stored on a residentially used lot or a residential zoning district or in the adjacent right-of-way at any time:

- a. Commercial highway trailers with a rated capacity greater than one and one-half (1½) tons.
- b. A tow-truck, septic tank pumper, or a vehicle that carries flammable or toxic materials or similar utility truck may not be parked on a residentially zoned or used property.
- c. A utility trailer, dump truck, stake truck, flat-bed truck, wrecker, or semi-tractor.

(3) Construction or maintenance vehicles that are currently doing work on the property in conjunction with a valid building permit or delivery/moving trucks making deliveries are permitted.

(d) **Passenger Vehicles.** The parking of licensed and operable passenger vehicles shall be permitted, subject to the requirements of [Article 14](#). Vehicles may only be parked in a garage, driveway, parking lot or street and may not be parked in lawn areas. The parking or storage of inoperable or unlicensed vehicles shall be prohibited, except within an enclosed building.

**Section 3.07            Area, Height, and Placement Requirements**

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(a) **Schedule of Regulations.** All lots and buildings shall meet the following dimensional requirements:

RE Rural Estate and RCO Rural Character Overlay<sup>1,14</sup>

**Lot Size**

Minimum Area	20,000 sq. ft.
Minimum Width <sup>2</sup> :	
RE	100 ft.
RCO	80 ft.
Minimum Depth <sup>3</sup>	175 ft.

**Setbacks<sup>6,7,8,9</sup>**

Min. Front Yard <sup>10,11</sup>	50 ft.
Min. Side Yard:	
one side	15 ft.
total both	35 ft.
Rear Yard <sup>12</sup>	45 ft.

**Building Height**

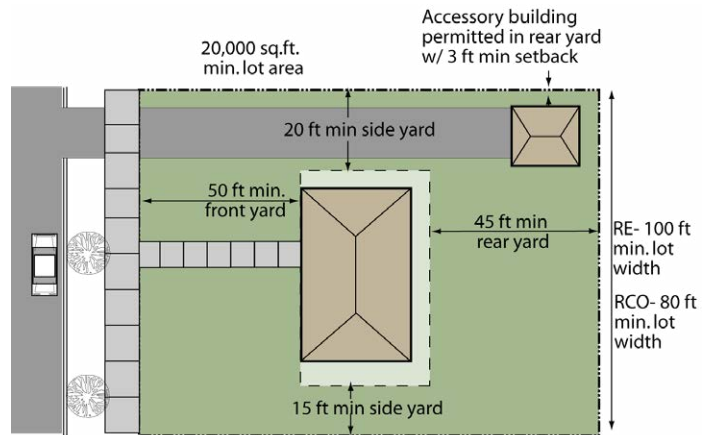
Maximum Stories	2
Maximum Height <sup>4</sup>	30 ft.

**Lot Coverage<sup>5</sup>**

Maximum	30%
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**Floor Area<sup>13</sup>**

Minimum per dwelling unit 1,500 sq. ft.



R1-A Single-Family <sup>1</sup>

**Lot Size**

Minimum Area	9,600 sq. ft.
Minimum Width <sup>2</sup> :	80 ft.
Minimum Depth <sup>3</sup>	120 ft.

**Setbacks<sup>6,7,8,9</sup>**

Min. Front Yard <sup>10,11</sup>	25 ft.
Min. Side Yard:	
one side	7 ft.
total both	20 ft.
Rear Yard <sup>12</sup>	35 ft.

**Building Height**

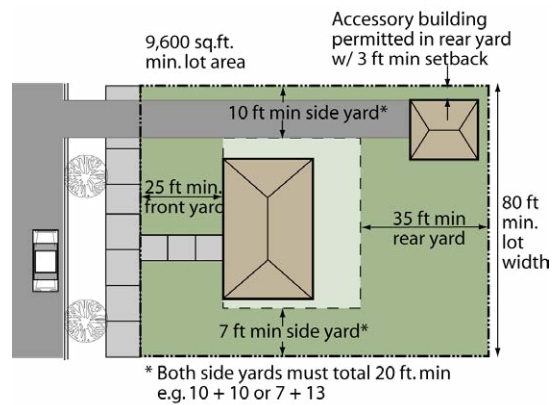
Maximum Stories	2
Maximum Height <sup>4</sup>	30 ft.

**Lot Coverage<sup>5</sup>**

Maximum	30%
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**Floor Area<sup>13</sup>**

Minimum per dwelling unit 1,300 sq. ft.



## R1-B Single-Family <sup>1</sup>

### Lot Size

Minimum Area	7,200 sq. ft.
Minimum Width <sup>2</sup> :	60 ft.
Minimum Depth <sup>3</sup>	105 ft.

### Setbacks<sup>6,7,8,9</sup>

Min. Front Yard <sup>10,11</sup>	25 ft.
Min. Side Yard:	
one side	5 ft.
total both	15 ft.
Rear Yard <sup>12</sup>	35 ft.

### Building Height

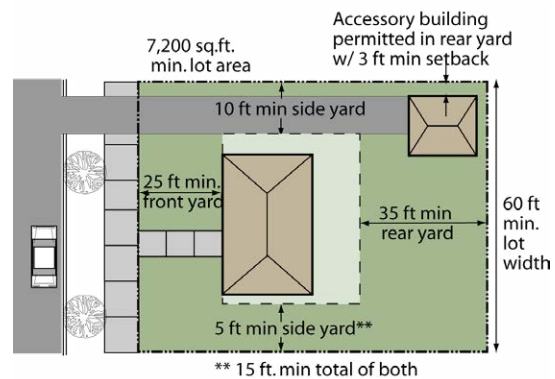
Maximum Stories	2
Maximum Height <sup>4</sup>	30 ft.

### Lot Coverage<sup>5</sup>

Maximum	30%
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### Floor Area<sup>13</sup>

Minimum per dwelling unit	1,100 sq. ft.
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## (b) Footnotes to schedule of regulations

### (1) **Recreational Area.**

- All residential developments containing more than six (6) dwelling units shall provide a recreational area of at least one-thousand five hundred (1,500) square feet for each residential unit. The location of the area shall be approved by the City Council, based upon a recommendation by the Planning Commission.
- This area shall not be included in required setbacks, buffers, greenbelts, or on individual lots, public rights-of-way, private road easements, wetlands and stormwater management areas.
- The area shall be well drained, graded, seeded or sodded, safe from hazard, and accessible to all dwellings.
- Recreational facilities such as playscapes, athletic fields, trails, and picnic tables shall be provided.

(2) **Lot Frontage.** All lots shall have frontage on a dedicated public street in accordance with [Section 12.06](#). The frontage shall be of sufficient width so that the lot meets or exceeds the minimum lot width requirement at the front yard setback for the district in which the lot is located. Flag lots that do not provide adequate frontage shall be prohibited.

(3) **Depth to Width Ratio.** All lots created after the adoption date of this Ordinance shall have a lot depth not more than four (4) times its width, as measured at the front lot line. In the RE District, the Board of Zoning Appeals may permit a greater ratio where steep topography, unusual soil conditions, or drainage problems exist, or when a lot division meeting the required ratio would result in an unnecessary waste of land, create an unusual or odd-shaped lot, or prevent the reasonable use of the property.

- (4) **Building Height.** Exceptions to building height shall be as provided for in [Section 12.03](#).
- (5) **Lot Coverage.** Maximum lot coverage shall be the maximum percent of the lot area that can be covered by buildings or above ground accessory structures such as decks and above ground pools. No more than thirty percent (30%) of the front yard area of any residentially zoned lot shall be paved.
- (6) **Projections into Yards.** Certain structures shall be permitted to project into required yard setbacks as provided for in [Section 12.05](#).
- (7) **Natural Features Setback.** All structures shall be set back at least twenty five (25) feet from all regulated wetlands, natural ponds, lakes and streams.
- (8) **Non-residential Setbacks.** Setbacks for non-residential uses shall be in accordance with the requirements applicable to the specific use or as required by [Section 3.07 \(a\)](#), except side yard setback shall be a minimum of 20 feet.
- (9) **Corner Lot Setbacks.** Corner lots or lots with dual frontage shall meet front setback requirements along all street frontages.
- (10) **Accessory Buildings.** See [3.04\(a\)\(4\)](#) for accessory building setbacks.
- (11) **Detention Ponds.** Detention/retention ponds shall be prohibited in the required front yard setback (i.e. must meet front yard setback), unless the City Engineer determines there is no reasonable alternative due to existing topography and natural drainage problems. This restriction shall not apply to rain gardens, bio-retention swales, irrigation trench planters and other similar stormwater management alternatives to retention or detention ponds.
- (12) **Railroad Setback.** Principal residential structures shall be setback from any railroad right-of-way a distance equal to or greater than the minimum rear yard setback of the zoning district.
- (13) **Floor Area.** The required dwelling unit floor area does not include basements, utility rooms, breezeways, porches, or attached garages.
- (14) **Rural Character Overlay.** Areas that are zoned, Rural Character Overlay (RCO) Zoning District shall be regulated as follows:
  - a. Existing Lots of Record. Any lot of record in the RCO District created prior to being rezoned to RCO District shall be required to comply with the lot area and width requirements of the underlying zoning district.
  - b. Existing Buildings. Any building in the RCO District that was in existence prior to being rezoned to RCO District shall be required to comply with the setback requirements of the underlying zoning district, including additions or renovations thereto.
  - c. Creation of New Lots. Any new lot created in the RCO District or any division to an existing lot shall be required to comply with the lot area and width requirements of the RCO District.
  - d. New Buildings. Any new buildings constructed in the RCO shall be required to comply with the lot area and width requirements of the RCO District.

### **Section 3.08            Open Space Preservation (Cluster) Development**

- (a) **Intent.** This section permits, by special land use approval, residential development which, through innovative design, will encourage creative development benefiting

the total community by preserving desirable open space in the form of woodlands, wetlands and other natural assets, or providing usable open space as an integral part of the residential living environment. This development option is also intended to be applied to infill parcels or sites exhibiting unusual characteristics or land use relationships. These provisions are not intended to result in an increase in density, but rather to allow for a more creative distribution of the permitted number of dwelling units on designated portions of the site.

- (b) **Qualification of Parcel.** At least one (1) of the following qualifications must be demonstrated to approve an open space preservation (cluster) development:
- (1) The parcel contains natural assets, supported by documented evidence, that will be preserved as an integral part of the design. These assets may include natural stands of large trees, land which serves as a natural habitat for wildlife, wetlands, steep topography, bodies of water (i.e. streams, rivers), or other natural features that should be preserved.
  - (2) The parcel contains floodplain or wetlands that would be preserved as undeveloped common open space. A floodplain and wetlands map, certifiable by the appropriate Federal, State or County agency, indicating the extent of the wetlands and floodplain area, shall be submitted as evidence.
  - (3) At least twenty percent (20%) of the site will be set aside as open space for conservation or active recreational purposes.
  - (4) Unusual physical characteristics, such as size or shape of the parcel, are present that reasonably prevent using conventional development.
  - (5) Conventional development would result in a substantial number of the lots abutting a major or minor arterial and be subjected to disturbance by vehicular traffic, noise, and lights.
  - (6) The adjoining or adjacent land uses warrant a creative development alternative to facilitate a suitable transition between uses.
- (c) **Density.** The number of dwelling units allowable within an open space preservation development shall be determined through preparation of a parallel plan. The parallel plan shall show how the site would be developed with a conventional subdivision based upon the existing zoning district. The parallel plan is intended only to illustrate the allowable density for a site based upon the existing zoning district and is not an approved development plan.
- (1) The applicant shall present to the Planning Commission for review, a parallel plan for the project that is consistent with State, County, and City requirements and design criteria for a tentative preliminary plat. The parallel plan shall include sufficient right-of-way for roadways, common park area, and contain sufficient area for storm water detention.
  - (2) The parallel plan shall provide lots meeting all dimensional standards of the zoning district. Lots may include wetlands or other un-buildable land provided that a buildable area for each lot is available.
  - (3) Once the allowed density is determined, then the same number of units shall be used for the open space preservation development.
- (d) **Dwelling Unit Type.** Detached and attached single-family units are permitted. The maximum number of attached units permitted in a single building is six (6).
- (e) **Placement and Building Requirements for Attached Units.** All attached units shall

observe the following requirements:

- (1) Buildings shall be set back at least twenty-five (25) feet from any off-street parking areas. All principal buildings shall have a front yard setback as required by the district in which the site is located. Where there is no public right-of-way or access easement, the required front yard setback shall be measured from a parallel line thirty feet (30) from the centerline of the road.
- (2) A principal building shall be set back at least thirty-five (35) feet from any abutting property lines. Accessory buildings, common parking areas, and driveways shall not be placed closer than ten (10) feet to any adjoining property line.
- (3) A setback of at least fifteen (15) feet shall be provided between the sides of buildings. There shall be at least forty (40) feet between the fronts or backs of residential buildings.
- (4) The minimum required floor area shall be as required by the applicable district within which the parcel is located.
- (5) No dwelling unit shall exceed a height of twenty-five (25) feet.
- (6) Variety in the design of individual groups of units shall be provided through the use of design details to avoid a continuous or repetitious appearance.
- (7) Greater flexibility in site problem areas is available by grouping dwelling units. However, it is also necessary to provide visual and functional open space between dwelling units. It is, therefore, required that each dwelling unit shall:
  - a. Have no more than seventy-five percent (75%) of the length of any exterior wall of living unit shared with any portion of an adjacent dwelling unit.
  - b. Not have common walls on more than two (2) exterior walls of any one (1) dwelling unit.
  - c. Provide at least a six (6) foot variation in building setback between two (2) adjoining dwellings along any common building facade. This variation may be provided by varying the setbacks of dwellings and garages or other similar means, provided that the six (6) foot variations are maintained.
  - d. Provide each group of dwellings with the same architectural appearance through the utilization of the similar style, roof lines, and brick facing material and trim. The Planning Commission may deviate from these building design requirements for attached buildings provided the proposed design meets the intent of providing individuality, and visual and functional open space for each unit.

**(f) Placement Standards for Detached Units**

- (1) To achieve the minimum open space requirement, lot areas and widths may be reduced below the district requirements; provided that an area equal to or greater than the total net area of lot reduction for the development shall be set aside as common open space.
- (2) The setback requirements of the district may be reduced by up to twenty-five percent (25%). The setbacks may be further reduced by the City Council, after a Planning Commission recommendation, with a specific finding that it will result in enhanced buffering from adjacent land uses or public rights-of-way, or preservation of additional natural features.

- (3) The maximum building height shall meet the requirements of the district.
- (4) The minimum dwelling unit floor area shall meet the requirements of the district.

(g) Open Space

- (1) A minimum of twenty percent (20%) of the site shall be set aside as common open space for conservation or recreational purposes. Building sites, parking and roads shall not cover more than eighty percent (80%) of the entire parcel. At least one-half (½) of the required open space shall be usable for active recreation.
- (2) The open space preservation development shall meet the design standards required by the City Subdivision Control Ordinance.
- (3) The applicant shall make provision in the Master Deed, satisfactory to the City, to assure that designated open space will be irrevocably dedicated for that purpose and prohibiting its use for future development. The City may require that conveyances or other documents be placed in escrow to accomplish this purpose. A performance guarantee, as prescribed in [Section 21.10](#), may be required.

(h) **General Development Requirements**

- (1) At least two (2) deciduous or evergreen trees per dwelling unit that meet the size requirements of [Section 13.02](#) shall be planted throughout the development portion of the site.
- (2) A type "A" greenbelt that meets the standards in [Section 13.02](#) with a depth of at least thirty five (35) feet shall be provided, in addition to any required rear yard setback, along any part of the property that abuts an arterial road. The greenbelt shall be landscaped with an undulating landscaped berm with grass and slopes gentle enough to avoid erosion. Berm locations shall be designed so that the view of oncoming traffic is not obscured at access points. The Planning Commission may allow preservation of a wooded area of equivalent size as an alternative to a new landscape feature.
- (3) Sidewalks are required along all streets in accordance with the City's Subdivision Control Ordinance and Sidewalk Ordinance. A pedestrian circulation plan based on the requirements of [Section 13.04](#) shall be submitted and approved by the City for the lands included in the open space.

(i) **Review Procedures.** Applications for residential open space preservation developments shall observe the following processing requirements.

(1) **Special Land Use and Preliminary Plan Review:**

- a. In submitting a Special Land Use application for qualification of a parcel for open space preservation development to the Planning Commission, the petitioner shall include documentation substantiating one (1) or more of the characteristics outlined in [Section 3.08 \(b\)](#), Qualification of Parcel. The qualification approval shall remain valid for a period of one (1) year from the date of the special land use and concept plan approval.
- b. The application shall include an aerial photograph depicting the entire site and a concept plan (drawn to scale) showing how the petitioner intends to develop the site. At a minimum the concept plan shall include the following:
  1. Outline of the property showing the relationship of abutting properties and/or structures.

2. Placement and basic configuration of buildings.
3. Circulation patterns.
4. Preservation/open space areas.
5. Density calculations and number of units proposed.
6. Buffering/screening techniques to be used.

c. The petitioner shall also submit a tentative preliminary plat or a preliminary condominium site plan with the special land use for concurrent review. Tentative preliminary plat applications shall meet all of the requirements of the City Subdivision Regulation Ordinance. Tentative preliminary condominium plans shall meet all of the requirements of [Article 16](#).

d. Upon receipt of the completed application, the request shall be given to the Planning Commission for placement on an agenda as a special land use as provided in [Article 18](#). Following the public hearing, the Planning Commission shall make a recommendation to the City Council on the special land use and the tentative preliminary plat or condominium, as applicable.

e. Once the City Council approves the open space preservation development special land use and the tentative preliminary plat or condominium, as applicable, the approved plan shall become the basis for the final approval process.

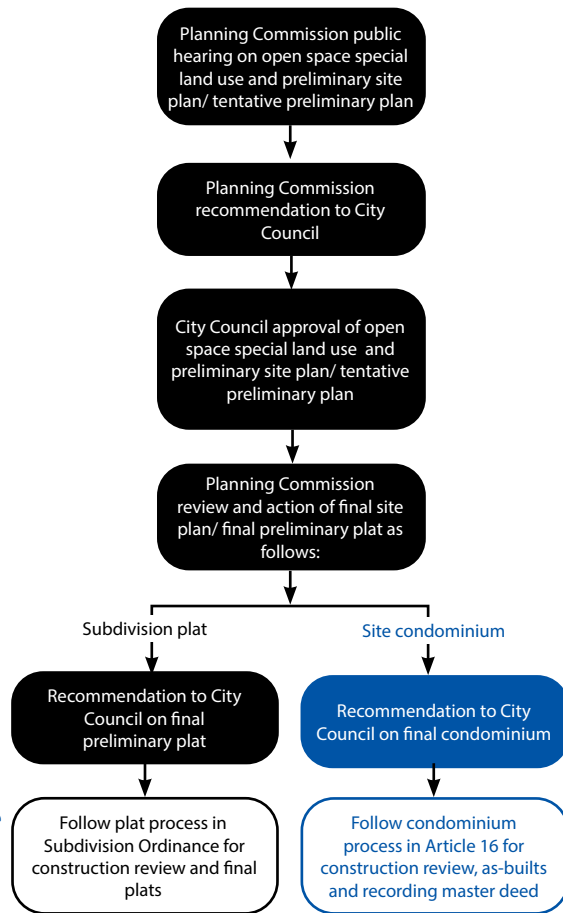
f. Substantial departures from the tentative preliminary plat or condominium shall require a public hearing and approval of a new plan following the process above.

(2) **Final Plan Review.** Following approval of the open space preservation development special land use and tentative preliminary plat approval or site condominium, as applicable, the applicant shall prepare detailed plans for final approval. Final plans shall be submitted for approval of the final preliminary plat or final condominium site plan in accordance with the applicable process under the City Subdivision Regulation Ordinance or, for condominiums, [Article 16](#). All final preliminary plats or condominium plans shall conform with the tentative preliminary plan, all conditions attached to the special land use approval, and the other requirements of this Ordinance.

(j) **Appeals and Waivers**

(1) **Appeals.** The Board of Zoning Appeals shall not have the authority to hear

*Open Space Preservation  
Development Review Process*



appeals of the City Council's decision to approve or deny a special land use for an open space preservation development, nor to grant variances to the specific standards of this Section or any conditions imposed on preliminary approval. The Board of Zoning Appeals may hear requests for variances to dimension requirements of individual lot owners following approval of the final site plan for the development.

- (2) **Waivers.** The City Council shall have the authority to grant waivers to the specific standards of this Section based upon the overall design of the site plan, compatibility with surrounding land uses and consistency with the intent of this Section. Waivers shall be recommended by the Planning Commission in its recommendation on the preliminary site plan to the City Council.

# Article 4

## Multiple-Family Residential Districts



## Section 4.01 Statement of Purpose

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- (a) **R2 Townhouse Residential District.** This district is established to provide a living environment suitable for individuals, couples, and families who have few or no children. It is intended to encourage development which, though multiple-family in nature, is closer in character or scale to single-family development, with duplexes, stacked flats, and attached townhouses, each having individual entrances, yards, driveways, and garages. To achieve this purpose, uses are primarily limited to low density dwelling units, plus certain residentially related uses designated to provide an acceptable neighborhood environment.
- (b) **RM Low-Rise Multiple-Family Residential District.** This district is intended to provide a proper environment for families that are smaller in size than those living in single-family dwellings, who wish to live in low-rise multiple-family dwellings, such as triplexes, quadplexes and six-plexes. The RM District is designed to furnish sites for various types of attached single-family and multiple-family dwelling structures and may serve as a transition between non-residential districts and lower density single-family residential districts. Development in this district, though multiple in nature, is complementary in character to single-family development through the utilization of lower densities, some attached garages, and a limited number of dwelling units per structure.
- (c) **HRM Mid- and High-Rise Multiple-Family Residential District.** The HRM Mid- and High-Rise Multiple-Family Residential District is intended to serve the residential needs of families and single persons desiring greater density, apartment and condominium type accommodation with central services. The site shall be developed so as to service only the residents of the multiple-family development, and any accessory buildings, uses, or services shall be primarily for the use of residents. Uses considered herein as accessory uses include: parking structures, swimming pools, recreation areas, pavilions, cabanas, and other similar uses.

## Section 4.02 Schedule of Uses

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No building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses, unless otherwise provided for in this Ordinance. Land and/or buildings in the districts indicated at the top of [Table 4.02](#) may be used for the purposes denoted by the following abbreviations:

**P: Permitted Use:** Land and/or buildings in this District may be used for the purposes listed by right.

**SLU: Special Land Use:** The use may be permitted by obtaining Special Land Use approval when all applicable standards cited in [Article 18](#) and Specific Standards of [Section 4.03](#) are met.

**NP: Not Permitted:** The use is not permitted in the district.

“**Other Requirements**” indicates additional requirements or conditions applicable to the use. In addition the standards of Part III may also be applicable, in particular [Article 13](#) General Site Development Requirements, [Article 14](#) Off-Street Parking, Loading, Access and Circulation Requirements, and [Article 17](#) Site Plan Review Requirements and

Procedures.

<b>Table 4.02 Schedule of Uses</b>				
<b>Use</b>	<b>R-2</b>	<b>R-M</b>	<b>HRM</b>	<b>Other Requirements</b>
<b>Residential</b>				
Single-family detached dwellings	P	P	P	<i>11.01(a)</i>
Two-family dwellings (duplexes)	P	P	P	<i>11.01(b)</i>
Attached single-family dwellings	P	P	P	
Multiple-family dwellings		P	P	<i>11.01(c)</i>
Senior apartments and senior independent living	SLU	P	P	<i>11.01(d)</i>
Senior assisted living	SLU	P	P	<i>11.01(e)</i>
<b>Institutional and Educational</b>				
Cemeteries		SLU	SLU	<i>11.02(a)</i>
Colleges, universities and other institutions of higher learning, public and private, offering courses in general, technical, or religious education		SLU	SLU	<i>11.02(b)</i>
Places of worship	SLU	SLU	SLU	<i>11.02(c)</i>
Municipal buildings and uses	P	P	P	
Schools, elementary, middle and high schools, public, parochial and private	SLU	SLU	SLU	
<b>Human Care and Medical</b>				
Adult day care	SLU	SLU	SLU	
Adult foster care family home (6 or fewer adults)	P	P	P	
Adult foster care small group home (7 to 12 adults)	P	P	P	<i>11.03(a)</i>
Adult foster care large group home (13 to 20 adults)	SLU	SLU	SLU	<i>11.03(a)</i>
Adult foster congregate care facility (more than 20 adults 24 hours per day)	SLU	SLU	SLU	<i>11.03(a)</i>
Foster family home (1-4 children 24 hours per day)	P	P	P	
Foster family group home (5-6 children 24 hours per day)	P	P	P	
Child day care, family home (6 or fewer children less than 24 hours per day)	P	P	P	
Child day care, group home (7 to 12 children less than 24 hours per day)	P	P	P	<i>11.03(b)</i>
Child day care centers, nursery schools and day nurseries (more than 12 children less than 24 hours per day)	SLU	SLU	SLU	<i>11.03(c)</i>
Therapy and rehabilitation centers		SLU	SLU	<i>11.03(e)</i>
Nursing and convalescence homes	SLU	SLU	SLU	<i>11.03(f)</i>
Shelters and social assistance centers		SLU	SLU	<i>11.03(g)</i>
Substance abuse rehabilitation centers		SLU	SLU	<i>11.03(h)</i>
<b>Recreation/Leisure/Entertainment</b>				
Golf courses	SLU	SLU	SLU	<i>11.08(c)</i>
Private noncommercial recreational areas and buildings, institutional recreation centers, neighborhood recreational clubhouses, non-profit swimming pool clubs	SLU	SLU	SLU	<i>11.08(e)</i>

<b>Table 4.02 Schedule of Uses</b>				
<b>Use</b>	<b>R-2</b>	<b>R-M</b>	<b>HRM</b>	<b>Other Requirements</b>
Private open space and neighborhood parks	P	P	P	
Publicly owned and operated parks and recreational facilities	P	P	P	
<b>Utilities</b>				
Utility distribution facilities such as water mains, sewer mains, electrical, gas, distribution lines, and associated structures that are designed to serve the immediate vicinity	P	P	P	
Utility buildings, substations, including pump stations and transformer substations that are necessary to serve the immediate vicinity	SLU	SLU	SLU	<i>11.13(a)</i>
<b>Accessory</b>				
Accessory buildings and uses customarily incidental to any of the above permitted uses	P	P	P	
Home occupations	P	P	P	<i>11.17(c)</i>

#### **Section 4.03 Requirements Applicable to Specific Uses**

Where noted in [Table 4.02](#), uses shall be required to meet the use regulations of [Article 11](#).

#### **Section 4.04 Accessory Buildings, Structures, Uses, and Fences**

- (a) **Accessory Buildings.** The regulations for accessory buildings and structures contained in [Section 3.04](#) shall apply to all accessory structures, including pools, hot tubs, satellite dishes, and television and radio antennas, in the multiple-family zoning districts.
- (b) **Building Materials.** Accessory buildings shall utilize exterior building materials that are compatible with the main buildings.
- (c) **Large Accessory Buildings.** Accessory buildings greater than seven hundred fifty (750) square feet and carports shall be required to meet requirements of the district applicable to principal buildings. Carports shall not be permitted in the front yard.
- (d) **Fences.** The regulations for fences contained in [Section 3.05](#) shall apply to fences in the multiple-family zoning districts. Location height and materials of fences shall be shown on the site plan. Where a parking lot for a multiple-family use is adjacent to a single-family-zoning district a screening wall or landscape buffer shall be provided where required by [Section 13.02](#).
- (e) **Home Occupations.** The regulations for home occupations contained in [Section 11.17\(c\)](#) shall apply to home occupations in the multiple-family zoning districts.

#### **Section 4.05 Storage of Recreation Vehicles**

- (a) The restrictions on parking and storage of recreation vehicles, commercial vehicles and automobiles contained in [Section 3.06](#) shall apply to all residential uses in the Multiple-Family Zoning Districts, except that the recreation vehicles in a multiple-family development shall be stored within a fenced and screened area that meets the landscape screening requirements of [Section 13.02](#). The maximum

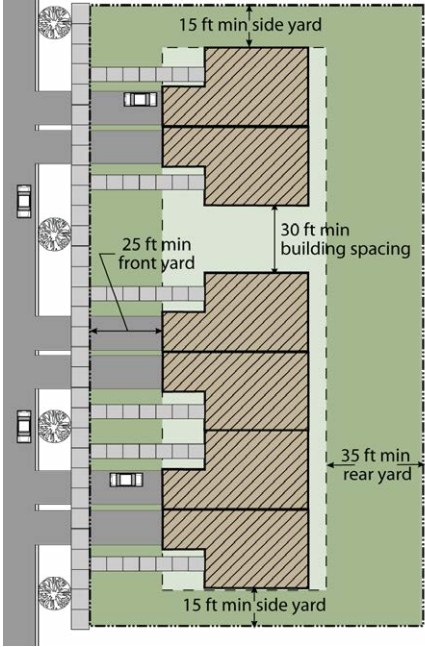
number of recreational vehicles to be stored shall be shown on the site plan and all recreational vehicles shall be owned by occupants residing on-site.

- (b) As part of a site plan for a multiple-family complex, the Planning Commission may require a separate screened area for the parking or storage of travel trailers, boats or other recreational vehicles upon the site. The storage area shall be fenced and paved with asphalt or concrete.

**Section 4.06 Area, Height, and Placement Requirements**

(a) **Schedule of Regulations.** All lots and buildings shall meet the following dimensional

R-2 Townhouse <sup>1,14</sup>	
<b>Lot Size</b>	
Minimum Area	12,000 sq. ft.
Minimum Width	80 ft.
<b>Setbacks</b> <sup>4,5,6,7,8,9,10,11</sup>	
Min. Front Yard <sup>12,13</sup>	25 ft.
Min. Side Yard	15 ft.
Min. Rear Yard:	
Building	35 ft.
Parking	20 ft.
<b>Building Height</b> <sup>2</sup>	
Maximum Stories	2
Maximum Height	25 ft.
<b>Lot Coverage</b> <sup>3</sup>	
Maximum	30%
<b>Maximum Density</b>	
Units per acre	12



### RM Multiple Family<sup>1,14</sup>

#### Lot Size

Minimum Area 12,000 sq. ft.  
 Minimum Width 100 ft.

#### Setbacks<sup>4,5,6,7,8,9,10,11</sup>

Min. Front Yard:<sup>12,13</sup>  
     Building 50 ft.  
     Parking 25 ft.  
 Min. Side Yard:  
     Building 25 ft.  
     Parking 15 ft.  
 Min. Rear Yard:  
     Building 35 ft.  
     Parking 20 ft.

#### Building Height<sup>2</sup>

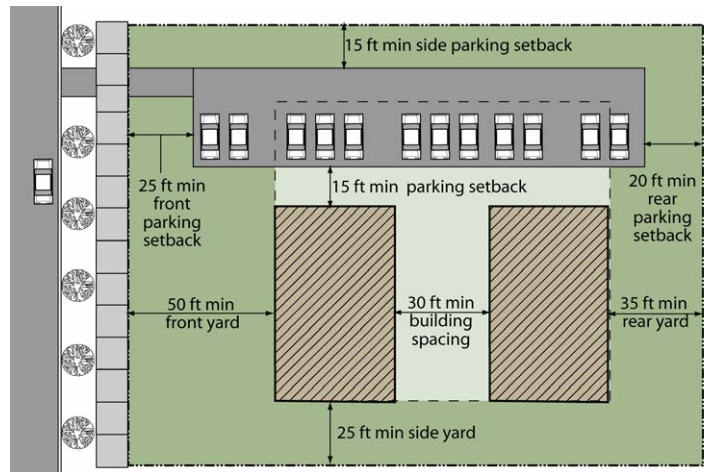
Maximum Stories 3  
 Maximum Height 35 ft.

#### Lot Coverage<sup>3</sup>

Maximum 30%

#### Maximum Density

Units per acre 15



### HRM High Rise Multiple Family<sup>1,14</sup>

#### Lot Size

Minimum Area 5 acres  
 Minimum Width 400 ft.

#### Setbacks<sup>4,5,6,7,8,9,10,11</sup>

Min. Front Yard:<sup>12,13</sup>  
     Building 50 ft.  
     Parking 25 ft.  
 Min. Side Yard:  
     Building 25 ft.  
     Parking 15 ft.  
 Min. Rear Yard:  
     Building 50 ft.  
     Parking 20 ft.

#### Building Height<sup>2</sup>

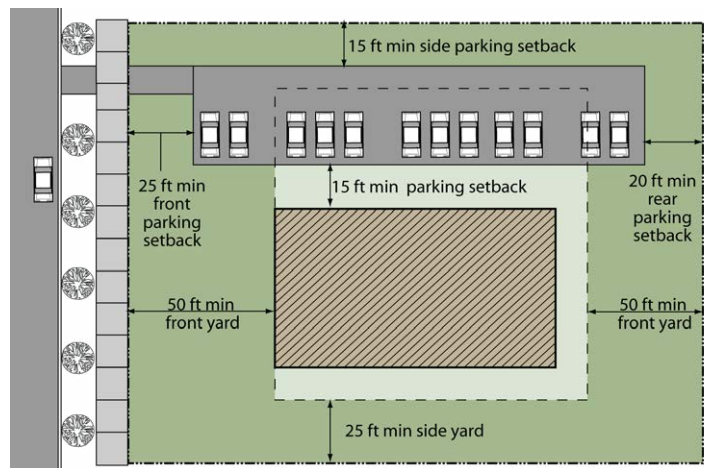
Maximum Stories 15  
 Maximum Height 150 ft.

#### Lot Coverage<sup>3</sup>

Maximum 18%

#### Maximum Density

Units per acre 24



requirements:

(b) **Footnotes to schedule of regulations**

- (1) **Lot Frontage.** All lots shall have frontage on a dedicated public street in accordance with [Section 12.06](#). The frontage shall be of sufficient width so that the lot meets or exceeds the minimum lot width requirement at the front yard setback for in the district in which the lot is located. Flag lots that do not provide adequate frontage shall be prohibited.
- (2) **Building Height.** Exceptions to building height shall be allowed as provided for in [Section 12.03](#).
- (3) **Lot Coverage.** Maximum lot coverage shall be the maximum percent of the lot area that can be covered by buildings or above ground accessory structures such as decks and pools.
- (4) **Projections into Yards.** Certain structures shall be permitted to project into required yard setbacks as provided for in [Section 12.05](#).
- (5) **Front Yard Greenbelt and Side and Rear Yard Buffers.** Setback areas shall be provided with landscape greenbelts and buffer zones as required in [Section 13.02](#). All sites shall meet the landscape requirements of [Section 13.02](#).
- (6) **Corner Lot Setbacks.** Corner lots or lots with dual frontage shall meet front setback requirements along all street frontages.
- (7) **Natural Features Setback.** All structures shall be set back at least twenty five (25) feet from all regulated wetlands, or ponds, lakes and streams.
- (8) **Railroad Setback.** All structures shall be set back at least fifty (50) feet from a railroad right-of-way.
- (9) **Buffer from Single-Family.** The area within setbacks which abut a single-family residential district shall be maintained as landscaped open space unoccupied and unobstructed by any sign, building, paving or any use or activity that may be detrimental to adjacent single-family uses.
- (10) **Single-Family Residential.** Detached single-family residential located on individual lots shall meet the setbacks and building height requirements of the R-1B Single-Family Residential Zoning District.
- (11) **Accessory Buildings.** See [3.04\(a\)\(4\)](#) for accessory building setbacks.
- (12) **Front Yard Setback.** The Planning Commission may decrease the minimum front yard setback requirement for buildings by up to fifty percent (50%) where all of the following are met:
  - a. The building is designed to create a pedestrian friendly environment;
  - b. The parking lot is not located in the front yard or, where there are individual garages, the garages are side entry, rear entry or front entry with a twenty five (25) foot setback from the front lot line and sidewalk; and,
  - c. The building design and reduced setback are consistent with the overall character of the neighborhood and established setback line.
- (13) **Front Yard Detention Ponds.** Detention ponds shall be prohibited in the required front yard setback (i.e. must meet front yard setback), unless the City Engineer determines there is no reasonable alternative due to existing topography and natural drainage problems. This restriction shall not apply to rain gardens, bio-retention swales, irrigation trench planters and other similar stormwater

management alternatives to retention or detention ponds.

(14) **Multiple-Family Developments.** See [Section 11.01\(c\)](#) for additional multiple-family development standards.

**Article 5**  
Residential Manufactured  
Home Districts



## Section 5.01 Statement of Purpose

- (a) The purpose of this Article is to establish areas within the City where manufactured home parks can be located and regulated to assure compatibility with adjacent uses and to provide decent, safe, and physically attractive residential environments. To that end, this Article requires that manufactured home parks provide adequate space and facilities for healthful living conditions and be located proximate to an arterial roadway for easy accessibility. Furthermore, suitable water and sewer facilities should also be available in accordance with State, County, and City health regulations and statutes.
- (b) It is the intent to format this Article to be consistent with the other parts of the Zoning Ordinance, while keeping the regulations dealing with manufacture housing parks the same as was approved by the Michigan Manufactured Housing Commission on December 9th, 1981.

## Section 5.02 Schedule of Uses

No building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses, unless otherwise provided for in this Ordinance. Land and/or buildings in the districts indicated at the top of [Table 5.02](#) may be used for the purposes denoted by the following abbreviations:

**P: Permitted Use:** Land and/or buildings in this District may be used for the purposes listed by right.

**SLU: Special Land Use:** The use may be permitted by obtaining Special Land Use approval when all applicable standards cited in [Article 18](#) and Specific Standards of [Section 5.03](#) are met.

**NP: Not Permitted:** The use is not permitted in the district.

“**Other Requirements**” indicates additional requirements or conditions applicable to the use. In addition the standards of Part III may also be applicable, in particular [Article 13](#) General Site Development Requirements, [Article 14](#) Off-Street Parking, Loading, Access and Circulation Requirements, and [Article 17](#) Site Plan Review Requirements and Procedures.

<b>Use</b>	<b>RMH</b>	<b>Other Requirements</b>
<b>Residential</b>		
Two-family dwellings (duplexes)	SLU	<a href="#">11.01(b)</a>
Manufactured home parks and trailer coach parks	P	<a href="#">5.03</a>
<b>Institutional and Educational</b>		
Cemeteries	SLU	<a href="#">11.02(a)</a>
Colleges, universities and other institutions of higher learning, public and private, offering courses in general, technical, or religious education	SLU	<a href="#">11.02(b)</a>
Places of worship	SLU	<a href="#">11.02(c)</a>
Municipal buildings and uses	P	
Schools, elementary, middle and high schools, public, parochial and private	SLU	

<b>Table 5.02 Schedule of Uses</b>		
<b>Use</b>	<b>RMH</b>	<b>Other Requirements</b>
<b>Human Care and Medical</b>		
Adult foster care family home (6 or fewer adults)	P	
Adult foster care small group home (7 to 12 adults)	SLU	<i>11.03(a)</i>
Foster family home (1-4 children 24 hours per day)	P	
Child day care, family home (6 or fewer children less than 24 hours per day)	P	
Child day care, group home (7 to 12 children less than 24 hours per day)	SLU	<i>11.03(b)</i>
Child day care centers, nursery schools and day nurseries (more than 12 children less than 24 hours per day)	SLU	<i>11.03(c)</i>
<b>Recreation/Leisure/Entertainment</b>		
Golf courses	SLU	<i>11.08(c)</i>
Private noncommercial recreational areas and buildings, institutional recreation centers, neighborhood recreational clubhouses, non-profit swimming pool clubs	SLU	
<b>Utilities</b>		
Utility distribution facilities such as water mains, sewer mains, electrical, gas, distribution lines, and associated structures that are designed to serve the immediate vicinity	P	
Utility buildings, substations, including pump stations and transformer substations that are necessary to serve the immediate vicinity	SLU	<i>11.13(a)</i>
<b>Accessory</b>		
Accessory buildings and uses customarily incidental to any of the above permitted uses	P	
Accessory buildings or structures for manufactured home park management	P	
Home occupations	P	<i>11.17(c)</i>

(1) Where noted in *Table 5.02*, uses shall be required to meet the use regulations of *Article 11*.

### **Section 5.03 Required Conditions for Manufactured Home Parks**

- (a) Manufactured home parks and trailer coach parks shall meet the requirements of Michigan Public Act 419 of the Public Acts of Michigan of 1976 (MCL 125.1101 et seq., MSA 19.855(1) et seq.).
- (b) Manufactured homes shall not be permitted to occupy single or full multiple sites if the manufactured homes are unable to comply with this Section.
- (1) Space between manufactured homes may be used for the parking of motor vehicles if the space is clearly designed for that purpose and the vehicle is parked at least ten (10) feet from the nearest adjacent manufactured home.
  - (2) There shall be unobstructed open spaces of at least twenty (20) feet between the sides or end and the sides of adjacent manufactured homes for the full length of the coaches, and at least twelve (12) feet of unobstructed open space between the ends of adjacent manufactured homes. Hitches shall not extend

beyond the boundary lines of the sites.

- (3) Manufactured homes shall not be parked less than fifteen (15) feet from a building or alley, nor less than twenty-five (25) feet from the boundary of any manufactured home park.
- (c) All roadways and driveways shall be hard-surfaced and so constructed as to handle all anticipated peak loads and adequately drained and lighted for safety and ease of movement of vehicles. All roads must have curbs and gutters and minimum pavement width shall be twenty-eight (28) feet for all roads and ten (10) feet for all driveways. The local roadway system should be so designed to prevent the use of such roadways for through traffic.
- (d) All manufactured home parks shall have access to a paved arterial roadway as designated in the Master Plan by directly abutting thereon for a minimum distance of three hundred (300) feet.
- (e) Minimum site size for manufactured home parks shall be ten (10) acres, with no less than fifty (50) manufactured home lots completed and ready for occupancy before the first occupancy is permitted. Average park density shall not exceed seven (7) manufactured home units per gross acre. Each manufactured home site shall be at least forty (40) feet in width and 4,000 square feet in area.
- (f) Utilities and other services shall be provided as follows:
  - (1) All manufactured home parks shall be served by an approved municipal water and sewerage system and shall meet the requirements of the Wayne County Health Department and the Michigan State Health Department.
  - (2) The plumbing connections to each manufactured home lot shall be constructed so that all lines are protected from freezing, from accidental bumping or from creating any type of nuisance or health hazard.
  - (3) An adequate amount of running water to individual sites shall be piped to and meet the requirements of the County and State Health Departments.
  - (4) Storm drainage facilities shall be constructed to protect those that will reside in the manufactured home park, as well as the property owners adjacent to the park. Such park facilities shall be of such capacity to insure rapid drainage and prevent the accumulation of stagnant pools of water in or adjacent to the park.
  - (5) All electric, telephone and other lines from supply poles to each manufactured home site shall be underground. When meters are installed, they shall be uniformly located.
  - (6) Any fuel oil and gas storage shall be centrally located in underground tanks, at a distance away from any manufactured home lot found to be safe. All fuel lines leading to manufactured home lots shall be underground and designed to conform with the City Building Code and applicable state codes. When separate meters are installed, each shall be located in a uniform manner.
  - (7) Facilities for the storage and disposal of trash and garbage in a sanitary manner shall be provided in each manufactured home park. All refuse shall be stored in fly-tight, watertight, rodent-proof containers which shall be located not more than one hundred and fifty (150) feet from any manufactured home lot. Containers shall be provided in sufficient number and capacity to properly store all refuse. Refuse collection areas shall be provided for all refuse containers. Such areas shall be designed to prevent containers from being tipped, to minimize spillage and container deterioration to facilitate cleaning. Refuse areas which

## RMH Manufactured Home District

### Lot Size

Minimum Area	10 acres
Minimum Width <sup>1</sup>	300 ft.

### Site Size

Minimum Area	4,000 sq. ft.
Minimum Width	40 ft.

### Setbacks<sup>4,5</sup>

Min. Front Yard <sup>6</sup>	25 ft.
Min. Side Yard:	
one side	25 ft.
total both	50 ft.
Min. Rear Yard	25 ft.

### Building Height

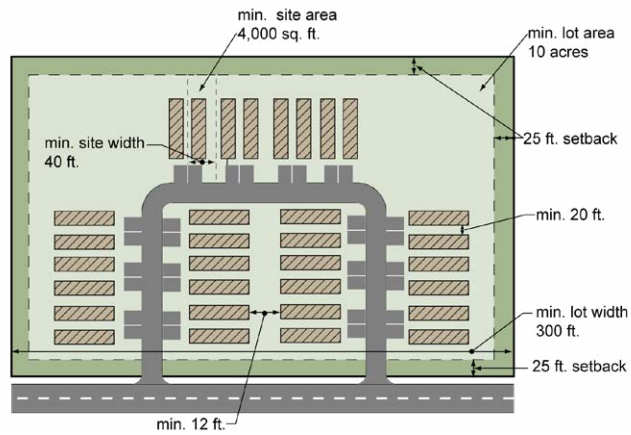
Maximum Stories	2
Maximum Height <sup>2</sup>	25 ft.

### Lot Coverage<sup>3</sup>

Maximum	30%
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### Floor Area<sup>7</sup>

Minimum per dwelling unit	500 sq. ft.
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### (b) Footnotes to schedule of regulations

- (1) **Lot Frontage.** All lots shall have frontage on a dedicated public street in accordance with [Section 12.06](#). The frontage shall be of sufficient width so that the lot meets or exceeds the minimum lot width requirement at the front yard setback for in the district in which the lot is located. Flag lots that do not provide adequate frontage shall be prohibited.
- (2) **Building Height.** Exceptions to building height shall be allowed as provided for in [Section 12.03](#).
- (3) **Lot Coverage.** Maximum lot coverage shall be the maximum percent of the lot area that can be covered by buildings or above ground accessory structures such as decks and pools.
- (4) **Projections into Yards.** Certain structures shall be permitted to project into required yard setbacks as provided for in [Section 12.05](#).
- (5) **Natural Features Setback.** All structures shall be set back at least twenty five (25) feet from all regulated wetlands, or ponds, lakes and streams.
- (6) **Corner Lot Setbacks.** Corner lots or lots with dual frontage shall meet front setback requirements along all street frontages.
- (7) **Floor Area.** The required dwelling unit floor area does not include basements, utility rooms, breezeways, porches, or attached garages.



is not customarily acceptable to prospective occupants. Where outdoor drying space is required or desired, individual clothes drying facilities of the collapsible umbrella type of hanging apparatus shall be allowed, in the rear yard only, with park management providing a concrete-imbedded socket at each side.

- (m) Mail boxes shall be located to permit central mail delivery.
- (n) An outdoor patio area of not less than one hundred eighty (180) square feet of a concrete pad no less than four (4) inches in thickness shall be provided at each manufactured home lot, conveniently located to the entrance of the mobile home and appropriately related to open areas of the lot and other facilities, for the purpose of providing suitable outdoor living space to supplement the limited interior spaces of a manufactured home.
- (o) Fences shall be required along property lines excepting those abutting a public right-of-way. Said fence shall be at least four (4) feet high and not more than six (6) feet in height and consist of a chain link material anchored securely by a steel post imbedded in concrete.
- (p) Public sidewalks meeting the specifications of the City Engineer shall be provided on the street side of each manufactured home site. All public walks, such as from manufactured homes to service buildings and along streets and drives, shall be at least four (4) feet in width.
- (q) One (1) identification sign may be approved in conjunction with the final site plan approval of the manufactured home park. In no case shall such sign be larger than fifty (50) square feet in surface area nor have any moving parts, nor stand higher than fifteen (15) feet from the ground to the top of the sign. Such sign shall be no closer to the public right-of-way line than twenty (20) feet.
- (r) Not more than one (1) entry or one (1) exit sign at each access drive onto the public right-of-way approved in conjunction with the final site plan approval of the manufactured home park may be allowed. In no case shall the sign be larger than two (2) square feet in surface area, nor have any moving parts, nor stand higher than five (5) feet from the ground to the top of the sign.
- (s) There shall be provided, for each manufactured home park a recreation area according to the following standards:

Park Size (in sites)	Required Square Footage/Site
50-100	500
100 +	600

Such recreation areas shall be developed in one (1) or more common use areas. Recreation buildings and swimming pool areas may be counted double towards meeting the open space requirement. Required berm or greenbelt areas may not be counted in meeting this requirement.

**Section 5.04 Site Plan Review**

For all uses permitted in an RMH District excepting single-family dwellings, a site plan must be submitted to the Planning Commission in accordance with [Article 17](#).

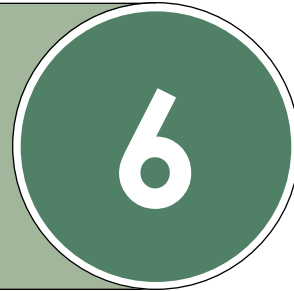
**Section 5.05 Area, Height, and Placement Requirements**

- (a) **Schedule of Regulations.** All lots and buildings shall meet the following dimensional requirements; provided, manufactured homes located within approved

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# Article 6

## Central Business District



manufactured home communities shall meet the dimensional requirements of [Section 5.03](#) above:

## Section 6.01 Statement of Purpose

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- (a) The intent of the Central Business District (CBD) is to retain and create a vibrant, attractive and cohesive center for the Romulus community with a variety of quality places to work, live, shop, learn, recreate and be entertained. This district is intended to recognize and support the Romulus Central Business District (also referred to as 'Downtown') as both a prime retail center and the centerpiece in the City.
- (b) These regulations are intended to assist with the implementation of goals and objectives contained in the Romulus Master Plan, the DDA Plan, the DDA Façade and Site Improvement Guidelines, and any other supporting documents that relate to the development of the Downtown. Among the goals of these plans are to promote development of a compact, walkable, mixed-use district, consisting of a variety of retail, entertainment, office, service, residential, cultural, recreation and municipal uses. To provide for the desired traditional downtown environment this district accommodates a wide variety of compatible uses, permits a mixture of uses within the same building, and describes specific design standards for buildings and sites. Design standards include site layout, setback continuity, building design, pedestrian amenities, parking arrangement, vehicular circulation and coordination of site features between adjoining properties.
- (c) The Central Business District is divided into three different sub-categories as established in the Central City sub-area plan of the City Master Plan to reflect elements common to all and the unique conditions in each. Although some regulations apply to all three districts, there are also specific regulations tailored to each sub-category such as permitted uses and design requirements.
- (1) **CBD-1: Transition District.** The Transition District is intended to provide a land use transition along Goddard Road between the activity areas of the Central Business District by promoting lower intensity uses such as residential, office, and convenience services. A mixture of land uses are encouraged within the same buildings, same sites, and adjoining sites that maintain a residential presence but also offer support services and business opportunities that complement the Downtown or Five Points Districts. Design regulations applicable to the Transition District such as screening, landscaping, parking, and lighting ensure development is compatible with adjoining residential neighborhoods.
- (2) **CBD-2: Downtown District.** The Downtown District is intended to create a pedestrian oriented destination that offers entertainment, shopping, employment, housing, and recreation opportunities for those who live in, work in, or visit Romulus. Allowable land uses encourage activity in the Downtown during day and evening hours. Uses can be mixed within the same building, the same site, and may adjoin one another. The building, site, and streetscape design requirements herein promote a comfortable environment, pedestrian-oriented, that is visually pleasing, with convenient parking to promote repeat and long duration visits.
- (3) **CBD-3: Five Points District.** The Five Points District is intended to provide a commercial area and destination that offers convenient services, offices, and businesses for nearby residential neighborhoods and for new residential uses located within the district. Development in this district shall promote a comfortable pedestrian-oriented environment that is visually pleasing and compatible with the Downtown District but does not generally compete with the entertainment aspect of the Downtown. Uses can be mixed within the same

building, the same site, and may adjoin one another. Convenient parking and circulation are also important aspects of development in the district.

**Section 6.02. Schedule of Uses**

No building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses, unless otherwise provided for in this Ordinance. Land and/or buildings in the districts indicated at the top of [Table 6.02](#) may be used for the purposes denoted by the following abbreviations:

**P: Permitted Use:** Land and/or buildings in this District may be used for the purposes listed by right.

**SLU: Special Land Use:** The use may be permitted by obtaining Special Land Use approval when all applicable standards cited in [Article 18](#) and Specific Standards of [Section 6.03](#) are met.

**NP: Not Permitted:** The use is not permitted in the district.

"Other Requirements" indicates additional requirements or conditions applicable to the use. In addition the standards of Part III may also be applicable, in particular [Article 13](#) General Site Development Requirements, [Article 14](#) Off-Street parking, Loading, Access and Circulation Requirements and [Article 17](#) Site Plan Review Requirements and Procedures.

<b>Table 6.02 Schedule of Uses</b>				
<b>Use</b>	<b>CBD-1</b>	<b>CBD-2</b>	<b>CBD-3</b>	<b>Other Requirements</b>
<b>Residential</b>				
Single-family detached dwellings	P	P	P	<a href="#">11.01(a)</a>
Two-family dwellings (duplexes)	P	P	P	<a href="#">11.01(b)</a>
Attached single-family dwellings	P	P	P	<a href="#">6.03(a)</a>
Multiple-family dwellings	P	P	P	<a href="#">6.03(a)</a>
Residential apartments on upper floor above a retail, personal service or office use on the ground floor	P	P	P	<a href="#">6.03(b)</a>
Boarding homes	P	P	P	
Senior apartments and senior independent living	P	P	P	<a href="#">11.01(d)</a>
Senior assisted living	P	P	P	<a href="#">11.01(e)</a>
<b>Institutional and Educational</b>				
Business schools	P	P	P	
Colleges, universities and other institutions of higher learning, public and private, offering courses in general, technical, or religious education	P	P	P	<a href="#">11.02(b)</a>
Performing and fine arts schools	P	P	P	
Places of worship	P	P	P	<a href="#">11.02(c)</a>
Municipal buildings and uses	P	P	P	
Trade, technical and vocational schools, not including truck driving schools	P	P	P	
<b>Human Care and Medical</b>				
Adult day care	P	P	P	
Adult foster care family home (6 or fewer adults)	P	P	P	
Adult foster care small group home (7 to 12 adults)	P	P	P	<a href="#">11.03(a)</a>

<b>Table 6.02 Schedule of Uses</b>				
<b>Use</b>	<b>CBD-1</b>	<b>CBD-2</b>	<b>CBD-3</b>	<b>Other Requirements</b>
Adult foster care large group home (13 to 20 adults)	SLU	SLU	SLU	11.03(a)
Adult foster congregate care facility (more than 20 adults 24 hours per day)	SLU	SLU	SLU	11.03(a)
Foster family home (1-4 children 24 hours per day)	P	P	P	
Foster family group home (5-6 children 24 hours per day)	P	P	P	
Child day care, family home (6 or fewer children less than 24 hours per day)	P	P	P	
Child day care, group home (7 to 12 children less than 24 hours per day)	P	P	P	11.03(b)
Child day care centers, nursery schools and day nurseries (more than 12 children less than 24 hours per day)	P	P	P	11.03(c)
Hospitals and 24-hour urgent care centers	P		P	11.03(d)
Medical or dental clinics	P	P	P	
Therapy and rehabilitation centers	P		P	
Nursing and convalescence homes	P	P	P	11.03(f)
<b>Animal/Agricultural</b>				
Pet Daycare	P	P	P	11.15(d)
Pet grooming and obedience training with no boarding	P	P	P	
Veterinary hospitals and clinics	P	P	P	
<b>Retail</b>				
Retail businesses of no more than 20,000 square feet gross floor area	P	P	P	
Convenience food store and party store	P	P	P	
Drive-through uses accessory to a principal permitted use (except restaurants)	SLU	SLU	SLU	11.04(a)
Open air retail sales as accessory uses	P		P	11.04(b)
Pharmacies with drive-thru prescription windows	SLU	SLU	SLU	6.03(c)
Pharmacies without drive-thru prescription windows	P	P	P	
Resale and consignment shops	P	P	P	
<b>Services</b>				
Personal service establishments which perform services on the premises, such as watch repair, home electronics, and appliance repair, shoe repair shops, tailors, dressmaker, photographic studios, photographic reproduction locksmiths and similar establishments requiring a retail adjunct	P	P	P	
Barber and beauty shops, tanning salons and health spas	P	P	P	

**Table 6.02 Schedule of Uses**

<b>Use</b>	<b>CBD-1</b>	<b>CBD-2</b>	<b>CBD-3</b>	<b>Other Requirements</b>
Contractor establishment of an office, showroom, or workshop nature, without outdoor storage, of an electrician, plumber, heating, and air-conditioning contractor, decorator, building contractor, painter, upholsterer or similar contractor which requires a retail adjunct, providing such use is within a completely enclosed building and excludes outside storage yards	P		P	
Funeral homes and mortuaries	P	P	P	
Hotel, motel, bed and breakfast inns	P	P	P	
Laundry or dry-cleaning customer outlets, coin operated laundromats, self-serve dry-cleaning centers, and the like. Dry cleaning or laundry plants serving more than one retail outlet are prohibited	P	P	P	
Tattoo and piercing parlors	P	P	P	
<b>Restaurants and Bars</b>				
Carryout restaurants	P	P	P	
Cocktail lounge/night club	P	P	P	
Drive-in restaurants	SLU			11.06(a)
Drive-thru restaurants	SLU			11.06(a)
Restaurants, taverns, brewpubs, and microbreweries	P	P	P	
Restaurants and taverns with outdoor seating	P	P	P	6.03(d)
Restaurants with open front windows	P	P	P	
<b>Vehicle and Truck Repair, Service and Parking</b>				
Vehicle dealerships (new and used), recreation vehicle and mobile home sales			SLU	11.07(a) 11.04(b)
Vehicle maintenance and repair (minor) establishments	SLU		SLU	11.07(e)
Vehicle (car) rental establishments			SLU	14.05
Vehicle service centers/fueling stations	SLU		SLU	11.07(f)
Vehicle wash and auto-detailing	SLU		SLU	11.07(g)
<b>Recreation \ leisure \ entertainment</b>				
Bowling alleys	P	P	P	
Comedy clubs	P	P	P	
Indoor commercial recreation uses such as tennis courts, ice-skating rinks, court sports facilities and similar uses	SLU	SLU	SLU	
Banquet halls, entertainment establishments and poker rooms	P	P	P	
Pool and billiard halls	P	P	P	
Private open space and neighborhood parks	P	P	P	
Private service clubs, fraternal organizations, lodge and union halls	P	P	P	
Publicly owned and operated parks and recreational facilities	P	P	P	

<b>Table 6.02 Schedule of Uses</b>				
<b>Use</b>	<b>CBD-1</b>	<b>CBD-2</b>	<b>CBD-3</b>	<b>Other Requirements</b>
Recreational, health services and related uses including but not limited to: health clubs or gyms; martial arts, instruction or practice; gymnasiums; tanning salons	P	P	P	
Tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving range, children's amusement park or similar outdoor recreation uses	SLU	SLU	SLU	
Theaters, motion picture and live (not including adult)	P	P	P	
<b>Office/Professional/Financial</b>				
Office buildings	P	P	P	
Business services such as mailing, copying, data processing and retail office supplies	P	P	P	
Corporate headquarter offices, administrative, professional, and/or business offices of permitted principal uses, legal, engineering, surveying, accounting, architectural and similar professional offices	P	P	P	
Financial establishments such as banks, credit unions, savings and loan associations	P	P	P	
Financial establishments with drive-through tellers	P	P	P	<i>11.09</i>
Insurance offices and brokerage houses	P	P	P	
Research, experimental or testing laboratories	P		P	
Upper floor office, or warehouse uses, above a retail, personal service uses, cultural uses, offices and medical office/clinic uses on the ground floor	P	P	P	
<b>Transportation and Warehousing</b>				
Bus, railroad and transit terminals	P	P	P	
<b>Utilities</b>				
Utility distribution facilities such as water mains, sewer mains, electrical, gas, distribution lines, and associated structures that are designed to serve the immediate vicinity	P	P	P	
Utility buildings, substations, including pump stations and transformer substations that are necessary to serve the immediate vicinity	P	P	P	<i>11.13(a)</i>
<b>Accessory</b>				
Accessory buildings and uses customarily incidental to any of the above permitted uses	P	P	P	<i>6.03(e)</i>
Home occupations	P	P	P	<i>11.17(c)</i>

### **Section 6.03 Requirements Applicable to Specific Uses**

The following uses shall be required to meet all of the following specific standards when located in a CBD 1, 2 or 3 Zoning District:

(a) **Single-Family Attached and Multiple-Family Dwellings.** Single-family attached and multiple-family dwellings shall comply with the following design requirements:

- (1) A density of fifteen (15) units per acre is permitted for single-family attached

CBD-1 Transition District

**Setbacks**

Front Yard<sup>1,2,3</sup>:

Min	15 ft.
Max	25 ft.

Min. Side Yard:

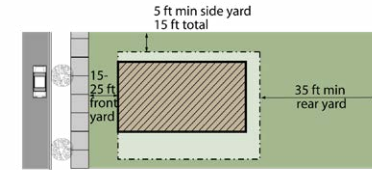
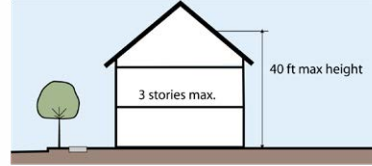
one side	5 ft.
total both	15 ft.

Min. Rear Yard: 35 ft.

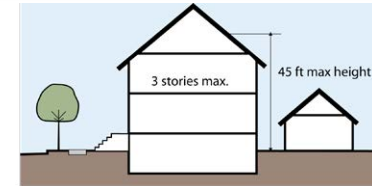
**Building Height<sup>5</sup>**

Maximum Stories	3
Maximum Height	40 ft.

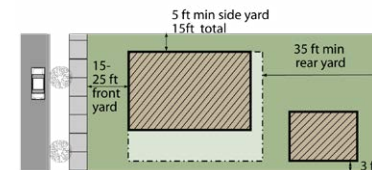
Commercial or Mixed-Use



Residential



Garage & parking in rear yard only  
Garage may be detached or attached



Detached garage permitted in rear yard w/ 3 ft min setback

CBD-2 Downtown District

CBD-3 Five Points District

**Setbacks**

Front Yard<sup>1,2</sup>:  
Commercial or Mixed-Use  
Buildings shall be placed at the front lot line; except where adjacent buildings are set back from the front lot line the building may be setback a distance not greater than any adjacent building, but in no instance greater than 15 feet.

Residential<sup>3</sup>:

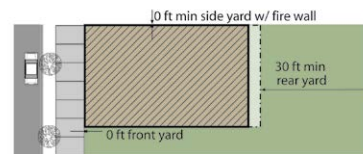
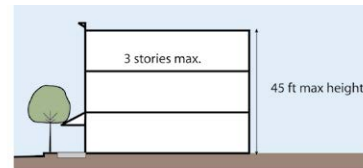
Min	0 ft.
Max	10 ft.

Min. Side Yard	0 ft <sup>4</sup>
Min. Rear Yard	30 ft.

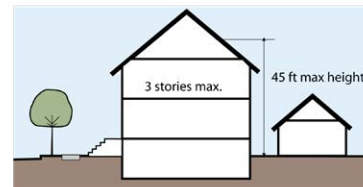
**Building Height<sup>5</sup>**

Maximum Stories	3
Maximum Height	45 ft.

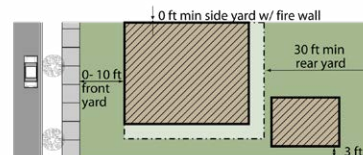
Commercial or Mixed-Use



Residential



Garage & parking in rear yard only  
Garage may be detached or attached



Detached garage permitted in rear yard w/ 3 ft min setback

and multiple-family dwellings. The City Council may grant approval for densities greater than fifteen (15) units per acre by special land use approval, based upon the recommendation of the Planning Commission with a finding that the design meets the intent of the district and will be compatible with other adjacent uses.

- (2) All buildings and pedestrian entrances shall be oriented towards a public street. Parking, garages, and any other accessory structures and uses shall be located in the rear or side yards.
- (3) All units with exterior entrances shall have a porch or stoop at least thirty (30) square feet in area.
- (4) Walls visible from public streets shall include windows and architectural features customarily found on the front facade of a residential dwelling, such as porticos, stoops, gables, dormer windows, cupolas, cornice work, edge detailing, or other decorative finish materials.
- (5) Buildings shall be spaced a minimum of twenty-five (25) feet apart.
- (6) The maximum building length shall be one hundred and eighty feet (180) feet.
- (7) The minimum floor area for each dwelling unit is nine-hundred and fifty (950) total square feet.

(b) **Residential Above Commercial Uses.** Residential units above commercial are permitted upon approval by the Administrative Review Committee provided the following conditions are met and the application demonstrates that the use will not disrupt the character and land use relationships of the district.

- (1) Basements, cellars, and detached accessory structures shall not be used for a residential unit.
- (2) Residential units above commercial shall be entirely within the existing principal structure and shall contain a living area of at least six hundred (600) square feet.
- (3) A separate exterior door is permitted but all other building elevations shall remain unchanged.
- (4) Parking requirements for the residential use must be met in addition to the non-residential use, provided the Planning Commission may reduce the parking requirements for a mixed use building in accordance with [Section 14.01](#).
- (5) No sign is permitted except those that are otherwise exempt, such as 'for sale' or 'for rent signs' under the Sign Ordinance.

(c) **Drive-In/Drive-Thru Uses.** Drive-in/drive-thru uses are subject to the following requirements:

- (1) There shall be a maximum of two (2) drive-thru lanes. For bank/financial institutions, there shall be a maximum of one (1) automatic teller lane in addition to the allowed drive-thru lanes.
- (2) The nearest part of a drive-thru lane shall be in the side or rear yard, at least twenty-five (25) feet from the side or rear property line.
- (3) Methods to minimize noise from outdoor speakers are required.

(d) **Accessory Outdoor Seating Areas.** Outdoor seating areas accessory to a restaurant or bar are permitted between April 1 and October 31, subject to the following requirements:

- (1) Pedestrian circulation and access to the building entrance shall not be impaired.

A minimum sidewalk width of five (5) feet along the curb and leading to the entrance to the establishment must be maintained free of tables, chairs, and other encumbrances.

- (2) The seating area on the public sidewalk shall only be limited to the area directly in front of the permitted restaurant use to which the seating area is accessory and shall not extend into adjoining sites. Seating may also be permitted within the front, side and rear yard area of the lot.
  - (3) The seating area shall be kept free of debris and litter. Written procedures for cleaning and trash containment and removal must be submitted.
  - (4) Permanent attachment of railings must be approved by the Building & Safety Department and permit emergency egress.
  - (5) Tables, chairs, umbrellas, canopies, planters, waste receptacles, and other street furniture shall be compatible with the architectural character of the principal building.
  - (6) Outdoor amplification shall be prohibited.
  - (7) Additional signage shall not be permitted.
  - (8) There shall be no outdoor preparation of food or beverages.
  - (9) Confirmation of appropriate liquor licenses shall be submitted to the City, if proposed.
  - (10) Requests for outdoor seating shall include submission of a sketch plan to determine compliance with the above requirements. The request may be administratively approved by the DDA Director and Building & Safety Department. At the time of approval, a performance guarantee is required that provides liability coverage in an amount determined by the City.
- (e) **Residential Accessory Buildings.** The regulations for accessory buildings and structures contained in [Section 3.04](#) shall apply to all residential accessory buildings and structures in the Central Business Districts.
- (f) Where noted in [Table 6.02](#), uses shall be required to meet the use regulations of [Article 11](#).

#### **Section 6.04            Area, Height, and Placement Requirements**

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- (a) **Schedule of Bulk and Area Requirements.** All lots and buildings shall meet the following dimensional requirements:

(b) **Footnotes to schedule of requirements**

- (1) For existing buildings, the existing front yard setback can be maintained.
- (2) Detention ponds shall be prohibited in the front yard.
- (3) For residential buildings, a front porch or stoop may encroach into the front yard setback. For existing buildings, the established front yard setback may be maintained. Residential buildings shall be compatible with the established setback of buildings on adjoining lots facing the same street.
- (4) Side yard setbacks shall not be required where a fire rated wall is provided. Where a fire wall is not provided, a minimum 10 foot setback shall be provided.
- (5) Basements shall not count towards the maximum number of stories.

**Section 6.05            Development Standards**

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(a) **CBD 1 Transition District Architectural Design**

- (1) When possible, reuse and renovation of existing single-family dwellings is encouraged to maintain the character of the district.
- (2) When new construction or redevelopment is proposed, architectural design and materials must be compatible with the residential character of the area and the design intent as set forth in the Master Plan. Design compatibility includes complementary building style, form, setbacks, size, color and materials. New structures shall not be grossly dissimilar (obviously different) to the exterior design and appearance of existing structures in the district or those found in the nearby residential neighborhoods.
- (3) Walls visible from the public right-of-way shall include architectural features customarily found on the front facade of a building, such as windows, awnings, cornice work, columns, edge detailing or other decorative finish materials. Wall massing shall be broken up with vertical pilasters or other architectural elements to reduce scale.
- (4) A prominent and usable public entrance shall be provided at the front of the building.
- (5) As a part of building design, roof design and materials shall be consistent with the residential character of the area as determined by the Planning Commission. Pitched roofs shall have a slope of not less than 5:12. Roofs shall be covered with asphalt shingles or other material determined to be compatible by the Planning Commission.

(b) **CBD 2 Downtown and CBD 3 Five Points Districts Architectural Design**

- (1) **Building facades.** Building facades visible from the public right-of-way shall contain architectural features, details and ornaments consistent with the predominating architectural style of the
  - a. Downtown. These features may include arches, cornices, pilasters, and decorative light fixtures.
  - b. Facades visible from the public right-of-way shall have a minimum of 75% (exclusive of windows) brick or stone (cut stone, marble, limestone, etc). Acceptable accent materials include split face block, siding, and exterior finish insulation systems (EFIS) that meet the Schedule of Exterior Building Wall Materials contained in [Section 13.01](#).

- (2) **Fenestration.** All facades visible from the street must be glazed with transparent glass, with the following requirements:
  - a. The first floor shall have minimum of sixty percent (60%) transparent, unobstructed, glass windows and a maximum of ninety percent (90%). Glazing on the first floor of a retail building shall be above a height of two (2) feet.
  - b. All other floors shall have a minimum of twenty five percent (25%) transparent, unobstructed, glass windows and a maximum of forty percent (40%).
- (3) **Awnings.** Awnings are permitted to project over the sidewalk, subject to the following:
  - a. Awnings shall be constructed of a durable, material such as canvas or steel other similar material that will not fade or tear easily. Plasticized, vinyl, rigid, cubed or curved awnings or mansard style canopies are prohibited.
  - b. The placement of the awning shall be consistent with the height of other conforming awnings in the district and shall not exceed the top height of the first floor.
  - c. Awnings shall be attached directly to the building, rather than supported by columns or poles.
- (4) **Building materials** shall be consistent with traditional downtown design and with the guidelines set forth in the Master Plan and the DDA Façade and Site Improvement Guidelines.

(c) **Landscaping**

- (1) Large deciduous trees are required along the site's frontage to provide street trees at a rate of one (1) tree for every thirty (30) linear feet of frontage. Street trees shall be located between the sidewalk and the street curb, where possible. In instances where this is not possible, a ten (10) foot wide greenbelt within the required front yard shall be required to accommodate either a hedgerow or street tree plantings depending upon allowable site conditions. A greenbelt shall not be required where the building is within ten (10) feet of the front lot line and the parking lot is located to the side or rear of the building.
- (2) When a non residential use is adjacent to any residential use a screening greenbelt is required that is ten (10) feet wide with a six (6) foot high continuous brick wall or wood, or vinyl fence with plantings at a rate of one (1) large deciduous tree and four (4) shrubs per each thirty (30) linear feet along the property line, rounded upward. The greenbelt requirement may be reduced or waived if equivalent screening is provided by existing or planned parks, parkways, recreation areas, or by existing quality landscaping on the lot, and topographic or other natural conditions.

(d) **Parking Lots and Vehicular Circulation Drives**

- (1) All parking, loading, circulation drives and other paved areas for vehicles shall be provided in the rear or side yard and is not permitted in the front yard of any site.
  - a. There shall be no vehicular circulation or other paved areas in the front yard, with the exception of driveways leading from the street to parking lots located to the side or rear of the building. Paved sidewalks and pedestrian plazas are permitted in the front yard.

- b. The City may waive this requirement and allow front yard parking or vehicle circulation where the site configuration is compatible with surrounding building lines and pedestrian circulation is not disrupted. In such case, the paved area shall be screened in accordance with [Section 6.05\(d\)\(5\)](#) below.
- (2) Parking shall be provided as required by [Article 14](#); provided however, the City may reduce requirements on a case-by-case basis for one of the following reasons, taking into consideration the accessibility and disbursement of parking and the total amount of parking provided in the CBD in comparison to the total floor area of uses and total number of dwelling units:
    - a. A shared parking agreement or leased parking has been provided between two (2) or more buildings or uses.
    - b. Use of a common municipal parking area or on-street parking within six hundred (600) feet.
    - c. Where a parking study or applicable parking research demonstrates another standard would be more appropriate.
    - d. Re-occupancy of an existing building with a similar use without an increase in floor area where it can be demonstrated that existing parking is sufficient based upon historic use of the building.
  - (3) Parking or stacking spaces provided shall not exceed 10% beyond the number required by [Article 14](#).
  - (4) Parking lot landscape islands shall be provided in accordance with [Article 13](#), except that parking lots located in the rear yard of a site shall be exempt from the parking lot landscaping requirements.
  - (5) In cases where parking or other vehicle circulation areas are visible from a public street, a three (3) foot tall brick wall shall be installed between the parking/ vehicle circulation area and the street. Alternatives can be considered by the approving body such as a hedge row with tree clusters, wrought iron fencing with brick pilasters, or a combination of these improvements. The hedgerow shall consist of evergreen shrubs planted four (4) feet on center to create a solid row of shrubs.

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# Article 7

## Business Districts



## Section 7.01 Statement of Purpose

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- (a) **O-1, Office District.** The O-1, Office District is intended to permit lower intensity office and personal service uses in well-landscaped settings, often adjacent to or near residential areas.
- (b) **C-1, Local Business District.** The C-1, Local Business District is intended to permit retail business and service uses which are needed to meet the convenience shopping and service needs of nearby residential areas. In order to promote sustainable business districts and compatibility with nearby uses, uses are prohibited which would create hazards, offensive and loud noises, vibration, smoke, glare, heavy truck traffic, or late hours of operation. The intent of this district is also to concentrate local business areas at strategic locations to the mutual advantage of both the consumers and merchants and to avoid unattractive marginal strip business development along arterial roadways.
- (c) **C-2, General Business District.** The C-2, General Business District is intended to permit a wider range of business and entertainment activities than permitted in the local business district. Commercial establishments in the BC-2 District cater to the convenience and comparison shopping needs of nearby residential areas and customers further away for types of businesses. These uses would generate larger volumes of vehicular traffic, would need more off-street parking and loading and would require more planning to integrate such districts with adjacent residential areas. Special attention is focused on site layout, building design, vehicular and pedestrian circulation and coordination of site features between adjoining sites.
- (d) **C-3, Highway Service District.** The C-3, Highway Service District is intended to permit more intensive business and entertainment activities than that permitted in the Local and General Business Districts. The uses in the C-3 District are more automotive oriented and serve a market that includes City residents, residents from surrounding communities, and pass by traffic. The permitted uses are directed to arterial streets and are generally not appropriate immediately adjacent to residential zoning districts. Standards for site layout, building design, vehicular circulation and buffering from other nearby uses are created to ensure well-designed vibrant districts.
- (e) **RC, Regional Center District.** The RC, Regional Center District is intended to promote large scale commercial and office developments which can take advantage of the potential trade of passengers, visitors and employees at the Metro Airport. It is also recognized that this international air facility will encourage adjacent land uses for conventions, trade centers, educational and training facilities, hotels, restaurants, car rental and parking facilities. and complementary multi-story apartments and condominiums. This district is intended to encourage innovation and variety in type, design and arrangement of uses that create a vibrant and unified Regional Center.

## Section 7.02 Schedule of Uses

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No building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses, unless otherwise provided for in this Ordinance. Land and/or buildings in the districts indicated at the top of [Table 7.02](#) may be used for the purposes denoted by the following abbreviations:

**P: Permitted Use:** Land and/or buildings in this District may be used for the purposes listed by right.

**SLU: Special Land Use:** The use may be permitted by obtaining Special Land Use

approval by the Planning Commission, or City Council for the uses listed in [Section 18.03](#), when all applicable standards cited in [Article 18](#) and Specific Standards of [Section 7.04](#) are met.

**NP: Not Permitted:** The use is not permitted in the district.

"Other Requirements" indicates additional requirements or conditions applicable to the use. In addition the standards of Part III may also be applicable, in particular [Article 13](#) General Site Development Requirements, [Article 14](#) Off-Street parking, Loading, Access and Circulation Requirements and [Article 17](#) Site Plan Review Requirements and Procedures.

<b>Table 7.02 Schedule of Uses</b>						
<b>Use</b>	<b>O-1</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>RC</b>	<b>Other Requirements</b>
<b>Residential</b>						
Multiple-family dwellings					P	<a href="#">11.01(c)</a>
Boarding homes			SLU	SLU		
<b>Institutional and Educational</b>						
Business schools	P	P	P	P	P	
Colleges, universities and other institutions of higher learning, public and private, offering courses in general, technical, or religious education	P		P	P	P	<a href="#">11.02(b)</a>
Law enforcement facilities, customs, homeland security and emergency services including fire stations and medical care units	P	P	P	P	P	
Performing and fine arts schools	P	P	P	P	P	
Places of worship	P	P	P	P	P	<a href="#">11.02(c)</a>
Municipal buildings and uses	P	P	P	P	P	
Trade, technical and vocational schools, not including truck driving schools	P	P	P	P	P	
<b>Human Care and Medical</b>						
Child day care centers, nursery schools and day nurseries (more than 12 children less than 24 hours per day)	P	P	P	P	P	<a href="#">11.03(c)</a>
Hospitals and 24-hour urgent care centers	P	P	P	P	P	<a href="#">11.03(d)</a>
Therapy and rehabilitation centers	P	P	P	P	P	<a href="#">11.03(e)</a>
Medical or dental clinics	P	P	P	P	P	
Nursing and convalescence homes	P	P	P	P	P	<a href="#">11.03(f)</a>
Shelters and social assistance centers	SLU		SLU	SLU		<a href="#">11.03(g)</a>
Substance abuse rehabilitation centers	SLU		SLU	SLU		<a href="#">11.03(h)</a>
Medical, optical and pharmaceutical laboratories	P		P	P	P	
<b>Animal/Agricultural</b>						
Kennels, commercial			SLU	SLU		<a href="#">11.15(c)</a>
Kennels and long-term parking (park and bark)					SLU	<a href="#">11.15(c)</a> , <a href="#">14.05</a>
Pet day care		SLU	SLU	SLU	SLU	<a href="#">11.15(d)</a>
Kennels, commercial			SLU	SLU		<a href="#">11.15(c)</a>

<b>Table 7.02 Schedule of Uses</b>						
<b>Use</b>	<b>O-1</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>RC</b>	<b>Other Requirements</b>
Pet grooming and obedience training with no boarding or daycare		P	P	P	P	
Veterinary hospitals and clinics	P	P	P	P	P	
<b>Retail</b>						
Retail businesses whose principal activity is the sale or rental of merchandise within a completely enclosed building		P	P	P	P	
Convenience food store and party store		P	P	P	P	
Drive-thru uses accessory to a principal permitted use (except restaurants)		SLU	SLU	P	P	11.04(a)
Flea markets within a completely enclosed building			SLU	SLU		
Nurseries and similar commercial outdoor retail sale of trees, fruits, vegetables, shrubbery, plants, seed, topsoil, humus, fertilizer, trellises, lawn furniture, and other home and garden supplies and equipment, and similar uses			SLU	SLU		11.04(b)
Commercial outdoor display, sales and storage (accessory)				P	P	11.04(b)
Pharmacies with drive-thru prescription windows		SLU	SLU	P	P	11.04(a)
Pharmacies without drive-thru prescription windows	P	P	P	P	P	
Pawn shops			SLU	SLU		
Resale and consignment shops		P	P	P		
Retail sales of home improvement supplies			P	P		
<b>Services</b>						
Personal service establishments which perform services on the premises, such as watch repair, home electronics, and appliance repair, shoe repair shops, tailors, dressmaker, photographic studios, photographic reproduction locksmiths and similar establishments requiring a retail adjunct	P	P	P	P	P	
Barber and beauty shops, tanning salons and health spas	P	P	P	P	P	
Funeral homes and mortuaries	P	P	P	P		
Hotel, motel, bed and breakfast inns			P	P	P	
Laundry or dry-cleaning customer outlets, coin operated laundromats, self-serve dry-cleaning centers, and the like. Dry cleaning or laundry plants serving more than one retail outlet are prohibited		P	P	P		
Tattoo and piercing parlors		P	P	P		
Tool and equipment rental without outdoor storage			P	P		
Tool and equipment rental with outdoor storage, but excluding vehicles			SLU	SLU		
<b>Restaurants and Bars</b>						
Carryout restaurants		P	P	P	P	

<b>Table 7.02 Schedule of Uses</b>						
<b>Use</b>	<b>O-1</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>RC</b>	<b>Other Requirements</b>
Cocktail lounge/night club		SLU	P	P	P	
Drive-in restaurants			SLU	SLU	P	11.06(a)
Drive-thru restaurants			SLU	SLU	SLU	11.06(a)
Restaurants, taverns, brewpubs, and microbreweries	SLU	P	P	P	P	
Restaurants and taverns with outdoor seating	SLU	SLU	P	P	P	11.06(b)
Restaurants with open front windows		SLU	P	P	P	
<b>Vehicle and Truck Repair, Service and Parking</b>						
Long-term parking facilities (park-and-fly, vehicle storage)					SLU	14.05
Truck (small – under 10,000 pounds), utility trailer and small equipment sales, rental, or lease				SLU	SLU	11.04(b)
Vehicle dealerships (new) including automobile, motorcycle, boat and recreational vehicle sales, rental or lease; use may include up to 25% used vehicle sales				P	P	11.07(a) 11.04(b)
Vehicle dealerships (used) including automobile, motorcycle, boat and recreational vehicle sales, rental or lease				P		11.07(a) 11.04(b)
Vehicle engine and body repair (major) establishments				SLU		11.07(d)
Vehicle maintenance and repair (minor) establishments				P	P	11.07(e)
Vehicle (car) rental establishments				SLU	SLU	11.07(a) and 14.05
Vehicle service centers/fueling stations				SLU	SLU	11.07(f)
Vehicle wash and auto-detailing				P	SLU	11.07(g)
<b>Recreation \ Leisure \ Entertainment</b>						
Accessory outdoor recreation facilities such as tennis courts and swimming pools when such uses are intended primarily for the guests or tenants of a principal permitted use of the site			P	P	P	
Adult uses			SLU	SLU		11.08(a)
Arcades			SLU	SLU	SLU	11.08(b)
Bowling alleys			P	P	P	
Casinos and racetracks					SLU	
Comedy clubs			P	P	P	
Golf courses					SLU	11.08(c)
Indoor commercial recreation uses such as tennis courts, ice-skating rinks, court sports facilities and similar uses		P	P	P	P	
Banquet halls, entertainment establishments and poker rooms			P	P	P	

<b>Table 7.02 Schedule of Uses</b>						
<b>Use</b>	<b>O-1</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>RC</b>	<b>Other Requirements</b>
Pool and billiard halls			P	P	P	
Private service clubs, fraternal organizations, lodge and union halls	P	P	P	P		
Publicly owned and operated parks and recreational facilities	P	P	P	P	P	
Recreational, health services and related uses including but not limited to: health clubs or gyms; martial arts, instruction or practice; gymnasiums; tanning salons			P	P	P	
Bath houses, saunas or businesses providing whirlpool baths, or mineral baths			SLU	SLU	SLU	
Tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving range, children's amusement park or similar outdoor recreation uses				P	P	
Theaters, motion picture and live (not including adult)			P	P	P	
<b>Office/Professional/Financial</b>						
Office buildings	P	P	P	P	P	
Business services such as mailing, copying, data processing and retail office supplies	P	P	P	P	P	
Corporate headquarter offices, administrative, professional, and/or business offices of permitted principal uses, legal, engineering, surveying, accounting, architectural and similar professional offices	P	P	P	P	P	
Data processing and computer centers, including incidental service and maintenance of electronic data processing	P	P	P	P	P	
Financial establishments such as banks, credit unions, savings and loan associations	P	P	P	P	P	
Financial establishments with drive-thru tellers	P	P	P	P	P	11.09(a)
Free standing automated teller machine kiosks not located on a bank site.	SLU	SLU	SLU	SLU	SLU	
Insurance offices and brokerage houses	P	P	P	P	P	
Management and conference centers, convention facilities, corporate education and training facilities	P		P	P	P	
Specialized or customized photographic or graphic design services	P		P	P		

Table 7.02 Schedule of Uses						
Use	O-1	C-1	C-2	C-3	RC	Other Requirements
<b>Construction Contractors/Supplies</b>						
Contractor establishment of an office, showroom, or workshop nature, without outdoor storage, of an electrician, plumber, heating, and air-conditioning contractor, decorator, building contractor, painter, upholsterer or similar contractor which requires a retail adjunct, providing such use is within a completely enclosed building and excludes outside storage yards		P	P	P		
<b>Transportation and Warehousing</b>						
Bus, railroad and transit terminals	P	P	P	P	P	
<b>Utilities</b>						
Utility distribution facilities such as water mains, sewer mains, electrical, gas, distribution lines, and associated structures that are designed to serve the immediate vicinity	P	P	P	P	P	
Utility buildings, substations, including pump stations and transformer substations that are necessary to serve the immediate vicinity	P	P	P	P	P	11.13(a)
<b>Accessory</b>						
Accessory buildings and uses customarily incidental to any of the above permitted uses	P	P	P	P	P	
Commercial outdoor display, sales, and storage				P	P	11.04(b)
Charitable donation drop boxes	P	P	P	P	P	13.09

### Section 7.03 Requirements Applicable to All Uses

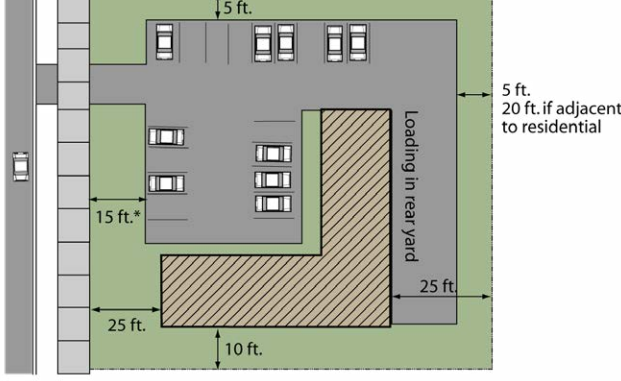
All commercial uses permitted by right or by special land use approval shall be required to meet all of the following requirements:

- (a) All business establishments shall be retail or service establishments dealing directly with customers.
- (b) All goods produced on the premises shall be sold at retail on the premises where produced.
- (c) All businesses or services shall be conducted within a completely enclosed building except where commercial outdoor seating, display, storage, service or sales is permitted as an accessory use and has been approved as part of the site plan in accordance with the standards of [Article 11](#) for the respective use or as otherwise permitted.
- (d) A temporary use permit shall be obtained in accordance with [Section 22.03\(e\)](#) for any temporary building, structure or use.
- (e) Where noted in [Table 7.02](#), uses shall be required to meet the use regulations of [Article 11](#).

## Section 7.04 Area, Height, and Placement Requirements

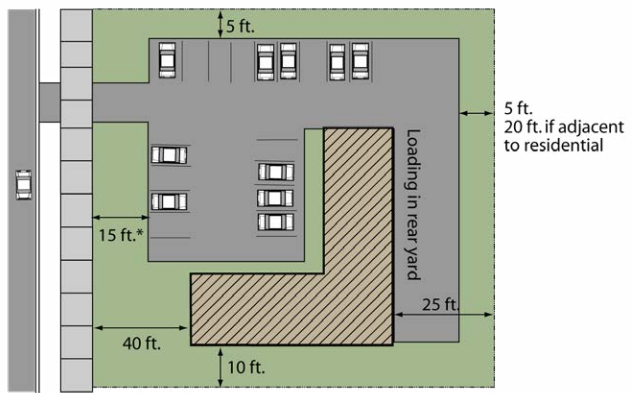
(a) **Schedule of Regulations.** Building height and lot coverage shall be in accordance with the following:

O-1 Office	
C-1 Local Business	
<b>Setbacks</b> <sup>2,3,4,5,9,10,11</sup>	
Min. Front Yard <sup>6,7,8</sup> :	
Building	25 ft.
Parking	15 ft.
Min. Side Yard:	
Building	10 ft.
Parking	5 ft.
Min. Rear Yard:	
Building	25 ft.
Parking	5 ft.
<b>Building Height</b>	
Maximum Stories	2
Maximum Height	25 ft.
<b>Maximum Lot Coverage</b> <sup>1</sup>	
O-1:	
Building	35%
Impervious Surface	75%
C-1:	
Building	40%
Impervious Surface	85%



\*The 15 ft parking lot setback/greenbelt may be reduced to 10 feet where at least 50% of the parking is located to the side or rear of the building.

C-2 General Business	
<b>Setbacks</b> <sup>2,3,4,5,9,10,11</sup>	
Min. Front Yard <sup>6,7,8</sup> :	
Building	40 ft.
Parking	15 ft.
Min. Side Yard:	
Building	10 ft.
Parking	5 ft.
Min. Rear Yard:	
Building	25 ft.
Parking	5 ft.
<b>Building Height</b>	
Maximum Stories	3
Maximum Height	35 ft.
<b>Maximum Lot Coverage</b> <sup>1</sup>	
Building	40%
Impervious Surface	85%



\*The 15 ft parking lot setback/greenbelt may be reduced to 10 feet where at least 50% of the parking is located to the side or rear of the building.

## C-3 Highway Service

### Setbacks<sup>2,3,4,5,9,10,11</sup>

#### Min. Front Yard<sup>6,7,8</sup>:

Building	40 ft.
Parking	15 ft.

#### Min. Side Yard:

Building	10 ft.
Parking	5 ft.

#### Min. Rear Yard:

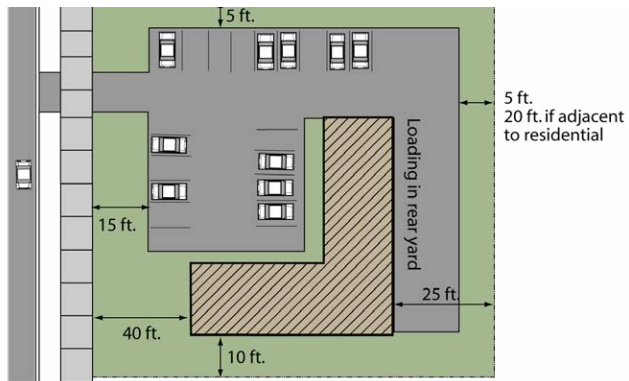
Building	25 ft.
Parking	5 ft.

### Building Height

Maximum Stories	3
Maximum Height	35 ft.

### Maximum Lot Coverage<sup>1</sup>

Building	35%
Impervious Surface	75%



## RC Regional Center

### Setbacks<sup>2,3,4,5,9,10,11</sup>

#### Min. Front Yard<sup>6,7,8</sup>:

Building	50 ft.
Parking	20 ft.

#### Min. Side Yard:

Building	20 ft.
Parking	10 ft.

#### Min. Rear Yard:

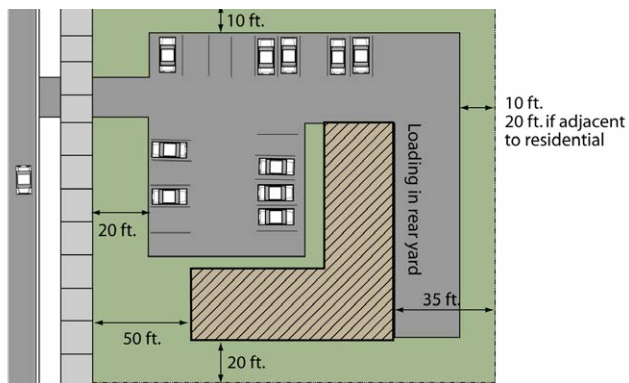
Building	35 ft.
Parking	10 ft.

### Building Height

Maximum Stories	15
Maximum Height <sup>12</sup>	150 ft.

### Maximum Lot Coverage<sup>1</sup>

Building	35%
Impervious Surface	75%



### (b) Footnotes to Schedule of Regulations

- (1) **Lot Coverage.** Maximum lot coverage shall be regulated by two measures: 1) the maximum percent of the lot area that can be covered by buildings, and 2) the maximum percent of the lot area that can be covered by buildings plus other impermeable surfaces, such as pavement.
- (2) **Setback Requirements.** Setback areas shall be provided with landscape greenbelts and buffer zones as required in [Section 13.02](#).
- (3) **Parking lots in setbacks.** Parking lots shall be permitted in all yards meeting the

- setbacks noted in [Section 7.04 \(a\)](#). A greater setback shall be required where necessary to meet the greenbelt or buffer requirement under [Section 13.02](#).
- (4) **Adjoining Residential.** Where a side or rear lot line adjoins a residential use, the parking lot setback shall be increased to a minimum of twenty (20) feet to accommodate a wider buffer zone under [Section 13.02](#).
  - (5) **Shared Access and Cross Circulation.** Where a commercial site adjoins another commercial site where there is shared parking, shared driveway access or service drive connections to allow cross circulation between the adjacent uses, the Planning Commission may waive the parking lot setback and landscaping requirement between the two commercial uses.
  - (6) **Front Parking Lot Setback.** A fifteen (15) foot parking lot setback and frontage greenbelt B under [Section 13.02](#) shall be provided along the site frontage. In RC the setback shall be twenty (20) feet. In the C-1 and C-2 zoning districts, the Planning Commission may reduce the parking lot setback and greenbelt depth requirement to ten (10) feet where a majority (more than 50%) of the parking will be located in the side or rear yard of the site and there is not more than a single row of parking between the building and the front lot line.
  - (7) **Front Yards of Partially Built-Up Blocks:** On platted lots that have a depth of less than one hundred fifty (150) feet, the minimum front yard setback of any new building shall not be required to be more than the average front yard setback of adjacent buildings along the same block.
  - (8) **Detention Ponds.** Detention/retention ponds shall be prohibited in the required front yard setback (i.e. must meet front yard setback), unless the City Engineer determines there is no reasonable alternative due to existing topography and natural drainage problems. This restriction shall not apply to rain gardens, bio-retention swales, irrigation trench planters and other similar stormwater management alternatives to retention or detention ponds.
  - (9) **Accessory Buildings.** Accessory buildings shall be required to meet all of the dimensional requirements for principal buildings, including setback and building height. Accessory buildings shall be constructed of a material that is compatible with the principal building and of a similar color.
  - (10) **Natural Features Setback.** All structures shall be set back at least twenty five (25) feet from all regulated wetlands, natural ponds, lakes and streams.
  - (11) **Multiple-family Dwellings.** Multiple family residential dwellings shall be permitted, provided they comply with the dimensional requirements of the HRM District as contained in [Article 4](#). Residential dwelling units may be included within a mixed-use building with residential on upper floors above retail or service uses meeting the dimensional requirements of the HRM District.
  - (12) **Regional Center Building Height.** The maximum one hundred fifty (150) foot height of structures in the RC District shall be reduced to the height limits set by the Federal Aviation Authority (FAA) in locations where the structure would penetrate the approach, transitional or horizontal surfaces for the airspace surrounding the Detroit Metropolitan Wayne County International Airport. All development applications must submit a Notice of Proposed Construction or Alteration, FAA Form 7460-1 to the FAA.

## Section 7.05 Vining Road Subarea Overlay District

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### (a) Statement of Purpose

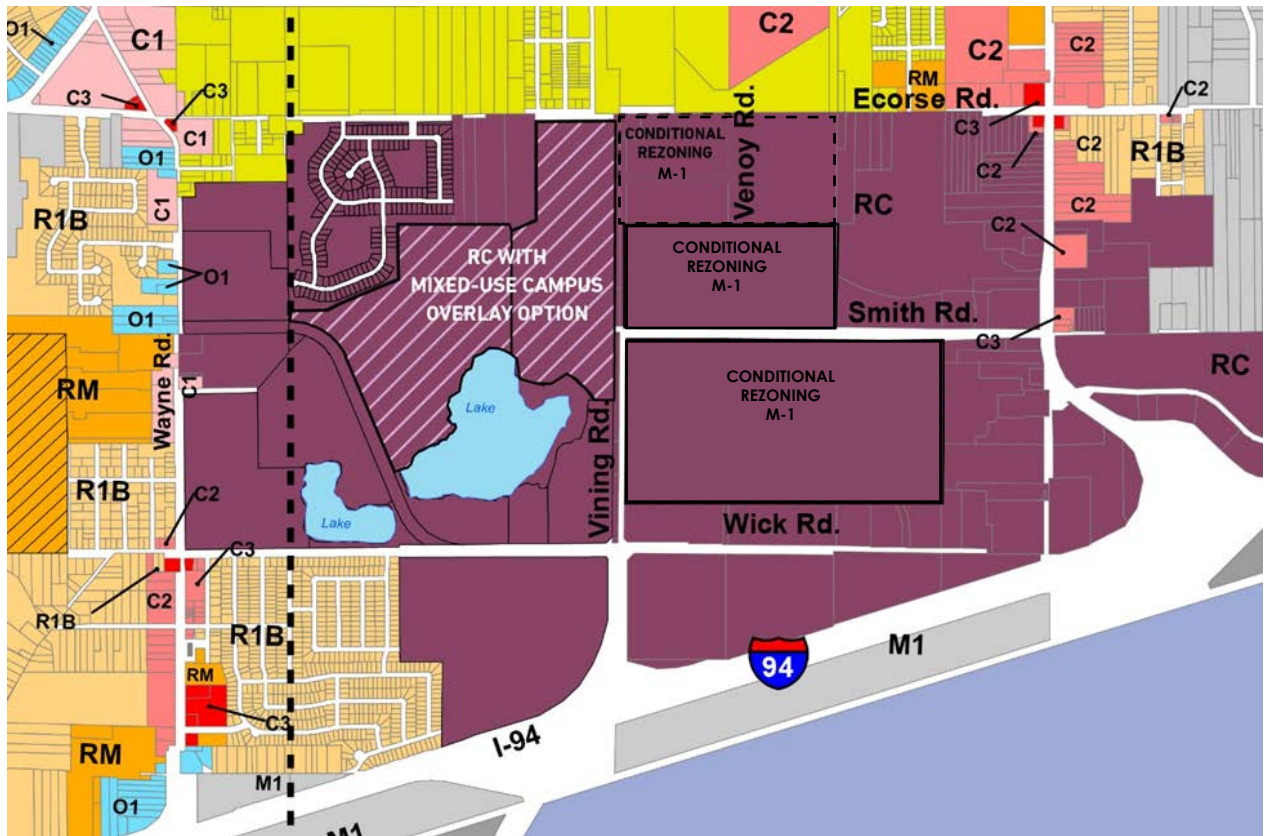
- (1) **Purpose.** The Romulus Vining Road Subarea Overlay District is intended to promote coordinated development of properties along the Vining Road Corridor with a wider array of uses than are permitted by the underlying Regional Center zoning district. This district is intended to meet the following objectives:
- a. Implement recommendations from the Master Plan that are specific to this area.
  - b. Provide higher standards in terms of limits to building sizes, permitted outdoor activities, open space, landscaping, and building design, particularly along public streets, than would typically be required in other districts in the City that permit research and development and some light industrial uses to ensure compatibility with the adjacent RC District and nearby residential areas.
  - c. Allow research and development and some light industrial uses that are limited to those that generate relatively low truck volumes compared to more intense industrial and uses in the City that are primarily engaged in trucking activities. High truck traffic tends to increase vehicle delays, increase crash severity, impacts pavement quality and causes noise and other factors that may not be compatible with the Regional Center uses envisioned for much of the area. Industrial uses that are more intense, especially in terms of heavy truck volumes, or that do not desire to comply with the higher design standards are directed to other manufacturing zoning districts (M-1, M-2 and M-T) in the City.
    - i. The City may require a truck trip generation study be required to estimate the number of trucks, their type, time of day and traffic impacts using data from counts at locations with a similar use.
  - d. Offer enhanced amenities for employees, visitors, and residents including open space, pedestrian pathways, and landscaping.

- (2) **General Provisions.** The overlay district in this Section applies in combination with the underlying base zoning districts to impose regulations and standards that address the specific uses in the overlay district.

In the event of a conflict between the overlay district regulations and the regulations of the underlying base zoning district (Regional Center), the overlay district regulations govern. In all other cases, both the overlay district and the base zoning district (Regional Center) regulations, along with other regulations in the Zoning Ordinance, regulations apply.

- (3) **Description of the Overlay District Application.** This overlay zoning district contains certain site development requirements and an approval process for portions of an area in Romulus that is zoned Regional Center (which is the underlying zoning district). The overlay has two distinct sub-districts which, in addition to permitting the same uses as the Regional Center District, also permit some light industrial uses that can complement permitted RC uses in terms of aesthetics, operations, truck traffic, and other factors. Development in each subdistrict must meet the site and building standards described herein. The following section summarizes the intent and uses permitted in each subdistrict, as depicted on the Zoning Map.

- a. **Mixed-Use Campus.** This subdistrict abuts areas to the west and northwest that are designated for lower intensity uses such as single-family residential and residential mixed. Therefore, light industrial buildings permitted in this subdistrict are restricted to a maximum of 125,000 square feet in size. In addition to the site and building design standards for the district, lots adjacent to the lake in this subdistrict shall meet specific setbacks and other design standards so that the lake retains its environmental, aesthetic, and recreational quality.
- b. **Light Industrial Center.** This subdistrict permits some light industrial uses with buildings up to 350,000 square feet in size. This subdistrict and the increase of permitted building sizes serve as a transition between the M-1 Conditional Use site (the Amazon facility located to the North of this Overlay District along Ecorse Road) and the surrounding Regional Center uses.



**Romulus Vining Road Subarea Overlay District: Zoning Map**

**(b) Schedule of Uses**

The following schedule of uses (*Table 7.05(b)*) reflects uses that are permitted in the subdistricts of this overlay district in addition to the uses permitted in the underlying zoning district (RC).

**P: Permitted Use:** Land and/or buildings in this District may be used for the purposes listed by right.

**SLU: Special Land Use:** The use may be permitted when all applicable Special Land Use standards (Article 18) are met.

**Table 7.05 (b) Schedule of Uses**

<b>Use (See also Section 7.05(d))</b>	<b>Mixed-Use Campus</b>	<b>Light Industrial Center</b>
All Regional Center uses that are permitted by right <sup>1</sup>	P	P
All Regional Center uses that are considered Special Land Uses	SLU	SLU
Planned office parks	P	P
Specialized or customized photographic graphic design services	P	P
Manufacture, assembling, compounding, fabrication or packaging of products from previously prepared materials	P	P
Publishing and printing establishments	P	P
Research, development, experimental, or testing establishments	P	P
Accessory buildings and uses customarily incidental to any of the above permitted uses.	P	P

<sup>1</sup>Subject to Other Requirements in [Article 11](#) of this Zoning Ordinance.

2, Includes area for outdoor storage for trucks and trailers provided that accessory structures shall not be in the front yard, that outdoor storage is limited to areas shown on a site plan, and that truck tractor and trailer storage shall not be located in a front yard and shall generally be for a short term duration

**(c) Change of Use.** Since the adoption date of this Article in the Zoning Ordinance, when an existing use changes and this change results in an increase in intensity of the site which can include, but is not limited to, an increase in the gross floor area on the site, the operations and activities within the building and site shall be consistent with the uses and site plan approved by the City. The site plan application shall describe the use specifically especially in terms of truck operations and outdoor activities. If the use changes or activity intensifies beyond that approved, it is the property owner's responsibility to inform the City Planner of the change. If the change or expansion is determined to be significant, the City Planner may require the new or expanded use to be reviewed by the Planning Commission for a decision before such activity occurs.

**(d) Area, Height, and Placement Requirements**

(1) **Schedule of Regulations.** All lots and buildings shall meet the following dimensional requirements:

a. **Building Size**

- i. **Permitted Light Industrial Uses.** The maximum building size shall be up to 125,000 square feet of gross floor area for buildings on sites within the Mixed-Use Campus subdistrict. The maximum building size shall be up to 350,000 square feet of gross floor area for buildings on sites within the Light Industrial Center subdistrict.

b. **Heights and Setbacks**

- i. **Regional Center Uses.** Any uses permitted in the Regional Center District shall meet the dimensional standards of that district.
- ii. **Permitted Light Industrial Uses.** The maximum building height shall be 38 ft. provided an increase to up to 55 feet is permitted with an increase in the front and side yard setbacks as shown in *Table 7.05 (d)* below, along with additional landscaping standards as described in *Section 7.05(e)(5)*.

- c. **Lake Front Properties.** Along the lake edges, a minimum 50-foot-wide building setback shall be from the ordinary high watermark and retained as open space. Parking and paved areas shall have a minimum 75-foot setback from the lake.

<b>Table 7.05 (d)</b>			
<b>Front Yard and Rear Yard Building and Parking Setbacks</b>			
	<b>Front Yard</b>	<b>Side Yard</b>	<b>Rear Yard</b>
<b>Regional Center Uses</b>	Refer to Section 7.04 Area, Height, and Placement Requirements	Refer to Section 7.04 Area, Height, and Placement Requirements	Refer to Section 7.04 Area, Height, and Placement Requirements
<b>Permitted Industrial Uses</b>	BH: Up to 38 ft. FY: 60 ft. BH: 39- 55 ft. FY: 80 ft.  Parking FY: 20 ft	BH: Up to 38 ft. SY: 20 ft BH: 39-55 ft. SY: 20 ft plus an additional 0.5 feet per foot of height over 38 ft  Parking SY: 10 ft	BH: Up to 55 ft. RY: 50 ft.  Yard adjacent to residential or Regional Center requires a setback minimum of 80 ft.  Parking RY: 10 ft
<b>Lakefront Properties</b>	BH: Up to 38 ft. FY: 60 ft. BH: 39-55 ft. FY: 80 ft.  Parking FY: 20 ft	BH: Up to 38 ft. SY: 20 ft BH: 39-55 ft. SY: 20 ft plus an additional 0.5 feet per foot of height over 38 ft  Parking SY: 10 ft	BH: Up to 55 ft RY: 50 ft.  Parking RY: 75 ft.

BH = Building Height

FY = Front Yard along an existing Primary Road

SY= Side Yard

RY = Rear Yard

d. **Lot Coverage**

i. **Maximum Lot Coverage.**

Buildings = 30%

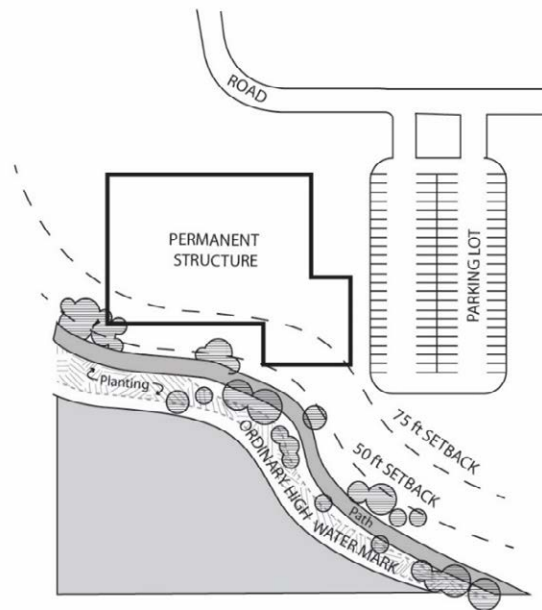
ii. **Total Impermeable Surface.**

Buildings and paved areas (concrete and asphalt) = 60%

For purposes of this calculation, only 50% of the state regulated wetlands shall be counted towards this requirement. Lot coverage does not include any portion of a lake that is part of a property.

e. **Lakefront Properties**

- i. Lakefront properties shall have a minimum of a 50 ft. setback from the ordinary high watermark. Parking lots that are along the lakefront are only permissible if there is a 75 ft. setback. See Figure at right: *Lakefront Property Setbacks*.
- ii. Buildings shall be oriented to enhance views of the lakes from public access points as well as employee/patron areas within new developments.



(e) **General Development Standards**

(1) **Building Design Standards.** The primary purpose of the building design standards is to promote and enforce high-quality architectural design, protecting community identity as well as enhance the City of Romulus' quality of life through design that complements the natural surroundings.

a. **Façade Plane and Material Delineation**

- i. **Horizontal delineation.** Long lengths of building facade wall planes shall be broken up using different materials and offset of planes, to serve as a visual breakup of long exterior walls. The following criteria shall be applied to the horizontal plane of walls with a minimum building length of 100 feet:

Length of Building	Front	Side/Rear (facing primary Roadways and/or RC parcels)	Side/Rear (facing internal lots)	Side/Rear (other)
100' to 500'	Yes	Yes	Yes, at half the primary requirements	No
Over 500'	Yes	Yes	Yes, at half the primary requirements	No

1. Buildings with frontages 100 feet to 500 feet in length

- (i) Require a major material change at a rate of 1.5 times the height of the building.

(ii) Require a shift in wall façade a minimum of 2 feet in dimension every 40 feet.

2. Buildings with frontages over 500 feet in length

(i) Require a major material change at a rate of 1.75 times the height of the building.

(ii) Require a shift in wall façade a minimum of 2 feet in dimension every 40 feet and a shift in wall façade a minimum of 4 feet in dimension every 80 feet.

(iii) If side and/or rear building walls face primary roadways, the same regulations as the guidelines apply to the secondary facades. If the building's side and/or rear walls face internal lots, rates for planar variation can double guidelines.

ii. **Vertical delineation.** To create visual interest and encourage an active street frontage, interruption in the vertical plane should be prevalent on tall buildings. Primary entrances and exits should be highlighted through planar variation and/or difference in height.

1. Buildings up to 38 feet in height

(i) Require a change in material color or texture in a minimum of 3 locations. Height of change is required to be a minimum of 5 feet high.

(ii) Require a shift in wall façade or provide a visual break in wall façade (through canopies or accent bands) at a minimum of two locations.

2. Buildings over 38 feet in height

(i) Require a change in material color or texture in a minimum of 5 locations. Height of change is required to be a minimum of 10 feet high.

(ii) Require a shift in wall façade or provide a visual break in wall façade (through canopies or accent bands/recesses) at a minimum of four locations.

iii. **Corner Articulation.** To ensure that building corners that face or can be viewed from the primary road are distinctive in the use of architectural elements, materials, and design.

1. The continuation of architectural elements that are required for horizontal and vertical material delineation shall also wrap the corners of the building extending at least 50 feet around the corner of the building.

2. Corner articulation may be provided in the form of glass or other types transparent materials.

(2) **Exterior Building Materials**

Refer to [Article 13](#) of this Zoning Ordinance for building appearance standards. In addition to the standards in [Section 13.01](#), the following shall apply to this district:

a. In addition to the building frontage, the front façade permitted materials shall also be utilized on all of the following: 1) elevations facing the primary roadway, 2) corner articulations, and 3) any portions of the building that face

adjacent Regional Center or Residential districts.

- b. Varying patterns and textures shall be introduced to give the building smaller scale relationships of materials vs. monotonous and large surfaces without visual variations.
- c. Glass shall be introduced at the very least on primary facades to provide transparency and visual voids on the façade.
- d. Façade colors shall be neutral in tone and complement the natural and built surroundings. The use of fluorescent and/or bright, intense colors is prohibited.

### (3) **Sightline Requirements**

- a. All mechanical installations and/or features shall be adequately screened from street view or view from nearby public space. The choice of screening shall complement or enhance the building's dominant color and overall character.
- b. Overhead doors, loading areas, and/or storage areas shall be located in the side or rear yard and have appropriate buffer screening between the RC Residential district and any residential zoning district.

### (4) **Pedestrian Pathways and Shared Use Paths**

- a. Sidewalks with a minimum 5 foot wide clear sidewalk area (or the sidewalk area may need to be wider if adjacent to parking spaces) shall be provided to connect parking areas with building entrances and public sidewalks or pathways along the streets. Shared use paths shall be provided along the lakefront and public streets with a minimum of eight (8) feet in width, built in accordance with current the American Association of State Highway and Transportation Officials (AASHTO) guidelines.
- b. Properties that are adjacent to the lakefront shall be required to provide pedestrian pathways to and from the building edge and the lakefront as well as construct a pedestrian pathway within an easement that runs parallel to the lake for the width of their property.

- (5) **Landscaping.** Landscaping requirements are set forth to protect and preserve the appearance, character and value of properties within the Vining Road Subarea Overlay District; to increase water retention and absorption to reduce storm water run-off, flooding and soil erosion; and to assure sufficient buffering and screening of incompatible uses or offensive or unattractive views. All site landscaping shall include native vegetation and support the surrounding natural landscape. Landscaping shall be used to visually break up paved areas and be located directly adjacent to the building. Specific requirements for lakefront properties will maintain the natural quality of the lake and adjacent land and ensure pedestrian access to the lakefront.

Please refer to [Article 13](#) of this Zoning Ordinance for additional landscaping standards, especially for parking lot screening, detention landscaping, and screening for accessory structures. For modifications to the following requirements, please refer to [Section 13.02 \(u\) Modifications and Waivers](#) of this Zoning Ordinance.

- a. **Greenbelt Landscaping (Adjacent to Street Frontage and Internal).** All yards adjacent to roads and rights-of-way shall be landscaped along the entire frontage (except access points) and all new internal roads shall be required

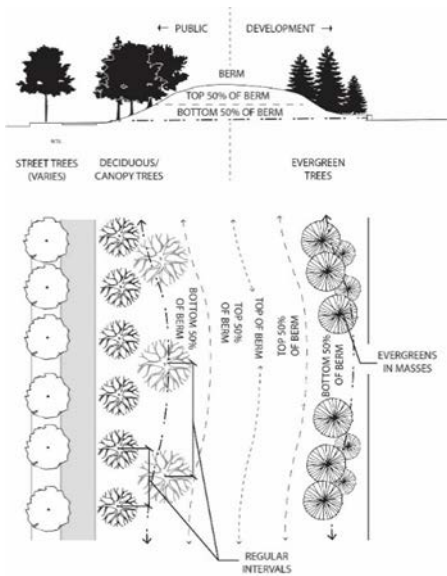
to be landscaped along both sides of the road (except access points) in accordance with the following requirements:

<b>Table 7.05 (e)(5)a Greenbelt Requirements</b>							
<b>Type</b>	<b>Application</b>	<b>Greenbelt Depth</b>	<b>Berm<sup>1</sup></b>	<b>Minimum Plantings per 100 linear ft.</b>			
				<b>Deciduous Trees</b>	<b>Evergreen Trees</b>	<b>Ornamental Trees</b>	<b>Shrubs</b>
B	Street Frontage: Where Commercial, office, and uses permitted in this overlay are mixed	30 ft.	3 ft.	3	3	1	20
C	Street Frontage: Light Industrial and Other uses permitted in this Overlay	60 ft. for buildings 35 ft. 80 ft. for buildings 36-55 ft.	3 ft.	4	4	1	30
B	Internal Streets and Circulation Drives: All uses within this Overlay	30 ft.	3 ft.	3	3	1	20

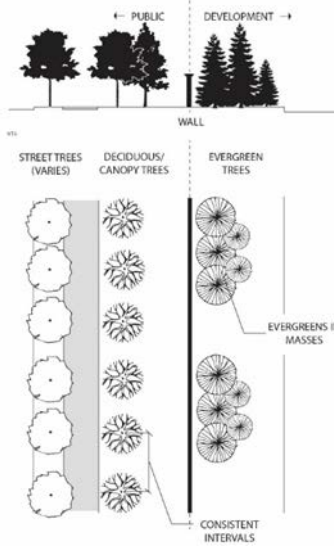
Footnote: <sup>1</sup>Berms may be used to improve visual quality and screen activities. Berms shall be undulating and designed to have a natural appearance.

<b>Table 7.05 (e)(5)b Buffer Zone Requirements</b>				
<b>Proposed Use</b>	<b>Adjacent District for Use</b>			
	<b>SF</b>	<b>MF or MH</b>	<b>Commercial</b>	<b>Institutional</b>
Institutional	B	B	C	None
Commercial/Office	B	B	C <sup>1</sup>	None
Industrial	A	A	A	None

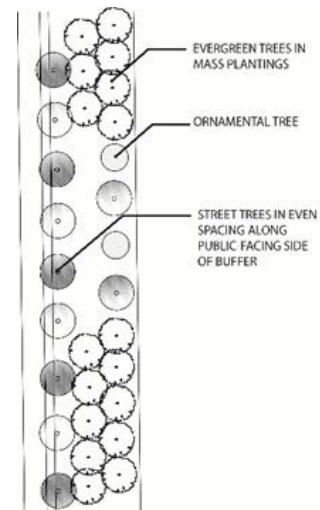
- b. **Buffer Zone Landscaping between Land Uses.** The following buffer zones shall be required where a proposed use shares a common lot line with an adjacent use.
- c. **Buffer zone landscaping** shall not be required between commercial uses where shared access and parking are provided or where there is a zero (0) lot line setback between uses.



Buffer Zone with Berm



Buffer Zone with Wall



Buffer Zone between Street and Building

Buffer Zone	Min Width	Wall/Berm	Min. Plant Materials
A	50 ft	Continuous 6 ft wall or 4 ft high berm <sup>2</sup> (Type A)	1 canopy tree, 2 evergreen trees and 4 shrubs per each 30 linear feet along the property line, rounded upward
B	40 ft.	Continuous 6 foot wall or 4 foot high berm <sup>2,3,4</sup> (Type B)	1 canopy tree, 1 evergreen tree and 4 shrubs per each 30 linear feet along the property line, rounded upward
C	20 ft.	Not Required	1 canopy or evergreen tree or 4 shrubs per each 20 linear feet along the property line, rounded upward

Footnotes to Table 7.05(e)(5)c

- 1 Vertical and horizontal cross sections, at the same scale, of the buffer zones shall be provided with the site plan.
- 2 Berms shall be of consistent height with a meandering shape along its length (see figure above)
- 3 Canopy, ornamental, and evergreen trees are to be planted at the bottom 50% of berm (See figure above).
- 4 Evergreen trees shall be planted in masses on the development side of berm/wall, in strategic locations for privacy and screening purposes. Deciduous trees shall be placed at regular intervals on public side of berm/wall (See figure above). Ornamental trees may be placed on either side.

- d. **Planting Sizes.** The minimum size of all landscape plant material shall comply with the following schedule:

Plant Type	Minimum Size for Buffer Zones and Public Street Frontages	Minimum Size Elsewhere in the Overlay (including internal roads and drives)
Deciduous Tree	3-4 inch caliper (with an average minimum size of 3 ½ inches caliper)	3-4 inch caliper
Ornamental Tree	2 ½ - 3 ½ inch caliper	2 - 3 inch caliper
Evergreen Tree	10-14 feet tall (with an average minimum size of 12 feet tall)	10-12 feet tall
Shrubs and Hedges	30 – 36 inches tall	30 – 36 inches tall

(f) **Qualifying Conditions**

(1) **Site Plan.** Applicants selecting to use the Romulus Vining Road Subarea Overlay District must submit a site plan and supplemental materials to the City of Romulus Planning Department that complies with the following standards:

- a. **Ownership.** Evidence that the applicant has sufficient ownership or control on the site(s) by providing a list of all property owners and associated parcels.
- b. **Building Size.** Limitations on building size are noted in *Section 7.05(d) Area, Height, and Placement Requirements*.
- c. **Multiple Buildings.** More than one building is permitted on a site.
- d. **Open Space.** Open space and green space shall be preserved to protect the natural environment and serve as a place for social interaction for residents, employees, and patrons. Usable open space shall be designated on at least 10% of the site with amenities such as benches, tables, water features, pathways, etc. that are to be maintained by the property owner. Open space areas surrounding a body of water or detention basin that are designed as landscape features and are useable can count towards this open space requirement. This open space does not include the lake, areas within a required freeboard detention basin, regulated wetlands, or areas in the public road right-of-way including the required public pathways or shared use paths in the public road right-of-way.
- e. **Preservation of Natural Features.** If applicable, display how preservation of prime woodlots or other natural features on the property will be handled. Impervious surface space may be increased by Planning Commission on a site from a maximum 60% up to 70% of a site if an equal area of prime woodlots is confirmed and/or if the applicant includes open space amenities such as seating, viewing areas, or similar features. A conservation easement is required to carry out the preservation.
- f. **Internal Roads and Site Access**
  - i. Site access shall be designed for efficient traffic operations along the public roads, including intersections and median crossovers. Given

the nature of traffic in this area, the City's Access Spacing Standards are considered minimums and spacing from intersections, median crossovers and other existing or future access points should generally exceed those minimums to protect the significant public investment for efficient traffic flow along the public roads.

- ii. The site plan shall illustrate access design which may provide for an internal access system of roads or drives built to City standards for pavement with limited and widely spaced access points along the public streets. This internal circulation may include curvilinear drives, frontage roads, drives to connect parking lots, and other linkages between sites and buildings to avoid excessive access points along public roads.
  - g. **Dock Doors.** Dock doors must be located in the side or rear yard and have appropriate buffers between the RC Regional Center district to achieve sight obstruction from abutting residential and commercial uses. To help meet the intent to limit uses with high truck activity, there shall not be more than one truck dock per each 8,000 square feet of building footprint. Dock doors shall be set back 50 feet from the lot line if located within a side yard. If dock doors are located within a side yard, then additional landscaping along the side yard is required using Buffer Zone C according to Table 7.5(e)(5)c to screen the dock doors from view along any primary street.
  - h. **Outdoor Storage.** Accessory uses that include outdoor storage (including for trucks and trailers and loading areas) shall indicate the location of such areas on the site plan. These areas shall not be located in the front yard and shall be no larger than 70% of the total square footage of the building on site. Outdoor storage must have appropriate buffer screen between the RC Regional Center district to achieve site obstruction from abutting residential and commercial uses. Outdoor storage is subject to the site design standards of [Section 11.17 \(b\)](#) of the Zoning Ordinance to the extent not in conflict with the Overlay District requirements.
  - i. **Public Utilities.** The proposed site shall be serviced by public sewer and water systems. The proposed type and density of use shall not result in an unreasonable increase in the use of public services, public facilities, and utility capacities.
  - j. **Consistency with the Master Plan.** The application shall be compatible with the overall goals and recommendations in the City of Romulus Master Plan, specifically with the Vining Road Development District section of the plan.
- (2) **Concept Plan Submittal Information Required.** If a site plan is provided for part of a site under the same ownership, it shall be accompanied by a Concept Plan for the overall site that includes the following information:
- a. A written use statement indicating the proposed uses on the site, a schedule showing the general timeline of construction and phasing of the project, as well as any other pertinent information deemed necessary by the Planning Director or the Administrative Review Committee (ARC);
  - b. A survey of the site that is to be developed, including the metes and bounds description, a survey of the boundary lines, and total acreage of the site;
  - c. A concept plan drawn to scale for the development of the entire area owned by any person, corporation or entity that is involved in the proposal for

an individual site plan. This plan shall illustrate the following:

1. A general location map.
  2. A map indicating the zoning designation(s) of the proposed property.
  3. The internal road system proposed for the site.
  4. The location of existing public and private streets adjacent to the site indicating how these will connect with the proposed internal road system or access points.
  5. General locations and approximate size of any wetland areas, significant woodlands, unusual slopes, streams, and water drainage areas.
  6. The general layout and typical footprints of buildings, parking and paved areas, open space and pathways or shared used paths.
  7. Locations for landscaping (greenbelt, internal greenbelt, and any required buffers).
  8. A general illustration of the overall stormwater system.
- d. A traffic impact study as described in [Section 23.02 \(a\) \(3\)](#) but including a distinct analysis of the volume of commercial vehicles (trucks); the impact on traffic operations at access points, intersections and median crossovers; and improvements that may be required. The projection of trucks shall be based on the ITE Trip Generation Handbook and/or counts taken at similar facilities to what is proposed using ITE methodology.

(3) **Site Plan Submittal Information Required.** A property owner or owner of interest who selects to submit a proposal under this optional overlay zoning district shall submit the following information:

- a. **Submittal.** The application shall be submitted by the owner of an interest in the land for which site plan approval is sought, or the designated agent of the owner, or with a statement signed by the owner granting permission from the property owner for the application. The application shall include the following:
  - i. Proof of ownership;
  - ii. A written use statement;
  - iii. The required fee, as established by the City Council; and
  - iv. A complete signed and sealed site plan that includes the information required by [Section 17.04](#).
- b. A site plan drawn to scale for the development of the entire area owned by any person, corporation or entity that is involved in the proposal for an individual site plan. This plan shall illustrate the following:
  - i. A general location map indicating the zoning designation(s) of the proposed property.
  - i. The internal road system proposed for the site.
  - ii. The location of existing public and private streets adjacent to the site indicating how these will connect with the proposed internal road system.

- iii. General locations and approximate size of any wetland areas, significant woodlands, unusual slopes, streams, and water drainage areas.
  - iv. The general layout and footprints of buildings, parking, open space, landscaping, and designated public open space, and pathways or shared used paths.
  - v. A general description of the proposed sewage treatment and water supply systems and the proposed storm water drainage system.
- c. A traffic impact study as described in [Section 23.02 \(a\) \(3\)](#) and also include a distinct analysis of the volume of commercial vehicles (trucks) on a daily basis in the AM and PM peak hours; the impact on traffic operations at access points, intersections and median crossovers; and improvements that may be required. The projection of trucks shall be based on the ITE Trip Generation Handbook and/or counts taken at similar facilities to what is proposed using ITE methodology. The volume of truck traffic shall not negatively impact traffic operations nor have potential for a significant impact on the suitability for other existing and planned uses in the area, as compared to other uses allowed in the Regional Center zoning district (for this criterion, "trucks" are defined as a semi-truck tractor with a semitrailer or full trailer and having an overall wheel base of 60 feet or more, or defined as Classes 9 thru 13, tractor trailer combinations with 5 or more axles). The traffic impact study shall demonstrate that the number of trucks generated shall not be more than double the volume of trucks that could be expected with permitted Regional Center uses daily or during the AM and PM peak hours. A higher volume of trucks may be permitted by the Planning Commission upon a finding by the City's transportation professionals that the volumes will not have a significant negative impact due to management of the routing of truck traffic, load (weight) classifications for the roads, the time periods the trucks are anticipated to be traveling, improvements to the roads, or other methods that will mitigate impacts.

An applicant may submit, or the City may require, a development agreement which shall describe the design standards and other requirements for future owners and operators, specifics on improvements to be made to public roads and/or utility improvements, and similar features. The development agreement and any related exhibits must be reviewed and approved by City Council upon recommendation of the Planning Commission.

- d. The Planning Commission may require other information that illustrates how the development will meet the overlay district standards.
- (4) **Review and Approval Process.** Site plans for development in the Vining Road Subarea Overlay shall be submitted for review by the Planning Commission in accordance with the site plan review procedures and requirements of [Section 17.03](#) of this Zoning Ordinance.
- (5) **Waivers.** The Planning Commission shall have the authority to grant waivers to the specific standards in this Article for a particular use listed in the district based upon the overall design of the site plan, compatibility with surrounding land uses,

and impacts of the proposed use in consideration of the intent of this Article.

## Section 7.06 Southern Gateway Overlay District

### (a) Statement of Purpose and Provisions

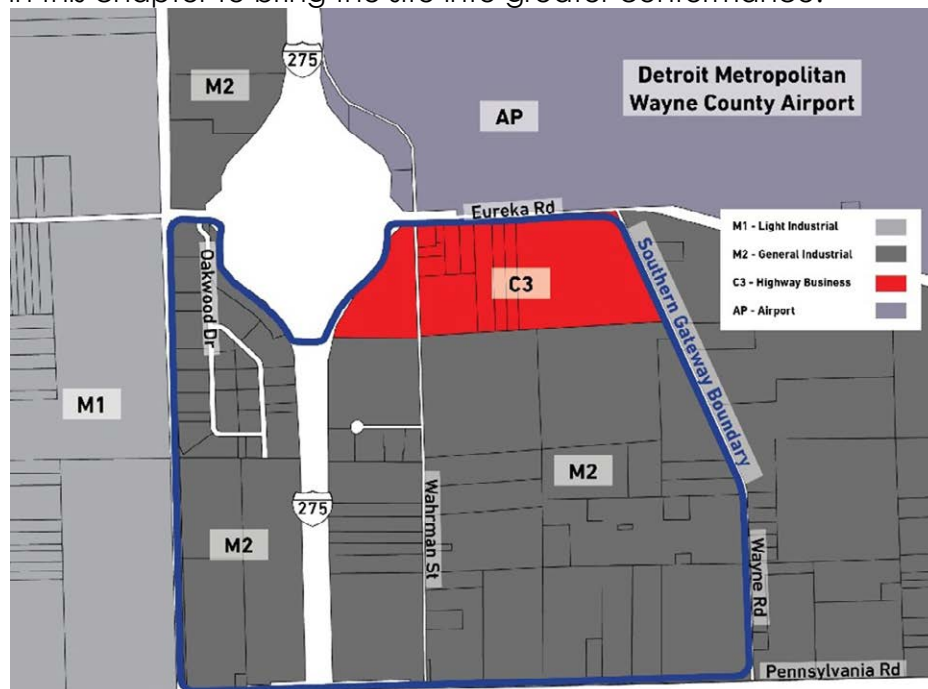
(1) **Purpose.** The Southern Gateway Overlay District is intended to serve as one of the primary entry points into the City of Romulus. This area, adjacent to I-275, is planned to contain a commercial node and concentrated employment center that complements airport-related technology, research, and industrial uses, while also limiting excessive truck traffic and truck parking and storage. The standards in this section ensure the properties along I-275 are treated with a second "front yard" so that the sites and buildings visible from the expressway have higher quality architecture, landscaping, and screening treatments.

(2) **General Provisions and Applicability.** The overlay district in this Section applies in combination with the underlying base zoning districts to impose regulations and standards that address the specific uses in the overlay district. The underlying zoning districts still apply to the area, but with the addition of the overlay district's permitted uses and design standards.

In the event of a conflict between the overlay district regulations and the regulations of the underlying base zoning district, the overlay district regulations govern. In all other cases, both the overlay district and the base zoning district regulations, along with other regulations in the Zoning Ordinance, apply.

(3) **Application to Previously Developed Sites.** Specifically, these standards apply to new construction, changes of uses and/or expansion of a use. When an existing use expands its parking area, storage area, or gross floor area of a building on the site by more than 125% of the original square footage area, than the expansion must comply with the overlay standards.

If a property's changes or expansion falls below the 125% threshold, but is still nonconforming with these regulations, the landscaping standards shall still apply in this chapter to bring the site into greater conformance.



#### (4) Romulus Southern Gateway Overlay District Zoning Map

##### (b) Uses Permitted

This Overlay District shall align with the underlying zoning districts' uses. In cases where a Traffic Impact Study is required per this Overlay District, as noted below, a Permitted use shall become a Special Land Use in terms of traffic and truck impacts. The Special Land Use shall be evaluated on whether the volume of vehicle and truck traffic will negatively impact traffic operations, and the degree to which the impacts have been mitigated. Mitigation could include changes to traffic signals, improvements to intersections, road paving, additional right-of-way for roadway or non-motorized improvements, or other changes endorsed by the City.

##### (c) Traffic Impact Study Requirements

A traffic impact study as described in Section 23.02(a)(3)06 is required with the exception that a distinct analysis of truck traffic shall be provided wherever a use will generate either 50 daily or 10 or more truck trips in a peak hour. The projection of trucks shall be based on the ITE Trip Generation and/or counts taken at similar facilities to what is proposed using ITE methodology, or when required by the City's transportation consultants. The study should follow the methodology of the ITE Trip Generation Manual and Handbook, and be prepared by a qualified transportation engineer.

The analysis shall be based on provide recent traffic counts, and provide a projection and distribution of future trips onto the network, with a review of the condition and capability of the roads to handle those trucks. The staging or travel to and from the site, and its impact, also needs to be addressed. A comparison of the existing conditions to the future conditions should be provided at site access points, adjacent driveway operations, intersections and expressway ramps in the study area. The study area should be approved by the City's Transportation Consultants.

The Study should outline improvements that may be required, and the means to implement those changes. Changes to traffic signal timing may only be suggested where it can be demonstrated that the overall effect on the transportation system will be improved, and other changes that do not include changes to traffic signal timing may be required.

##### (d) Dimensional Standards

- (1) This section only applies to industrial uses within this Overlay District. For all other uses, the underlying zoning dimensional standards apply.
- (2) For industrial uses along I-275 in the Southern Gateway Overlay District, the setback is 80 feet regardless of whether it is for parking, storage, or a front, side or rear yard. All other setbacks in the overlay district shall abide by the underlying zoning district standards.

##### (e) Design Standards

- (1) Building Design and Materials. The primary purpose of building design standards is to promote and enforce high-quality architectural design, protect community identity, and enhance quality of life through design that complements natural surroundings. All buildings shall meet the following requirements:

###### a. Exterior Façade and Material Delineation

- i. **Horizontal.** Long lengths of building façade wall planes over 100 feet shall

be broken up by using different building materials and offset of planes to serve as a visual breakup.

**b. Building Materials**

- i. Durable building materials which provide an attractive, quality appearance shall be utilized at least on the building frontage, corner articulations, and for parts of the building that may face or be visible from I-275. The visibility shall be based on what motorists can view while traveling along a public street or the expressway. Landscaping, preservation of streets, or other approved screening may be used to meet the intent as well as architectural treatments. Please refer to Article 13.01 of this Zoning Ordinance for additional building appearance standards, particularly Section 13.01(h) Allowance for Other Materials.
- ii. For facades that are visible from Warhman Road or I-275, at least 25% of the building material shall consist of quality materials such as earth-toned brick, decorative tilt-up panels, wood, native stone, and tinted/textured concrete masonry units and/or glass products.
- iii. For facades that are visible from Warhman Road or I-275, other materials such as smooth-faced concrete block, undecorated tilt-up concrete dryvit panels, or pre-fabricated steel panels shall only be used as accents and not dominate the building exterior of the structure.

**c. Building and Sign Colors**

- i. Exterior colors shall be of low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors such as neon, metallic, or fluorescent for the facade and/or roof of the building are prohibited except as approved by the Planning Commission for building trim.
- ii. Mechanical and service features such as gutters, ductwork, service doors, etc. that cannot be screened must be of a color that blends in with the color of the building.

**d. Business Signs.** For a use with frontage along I-275, a separate freestanding business sign, for the main business on the premise, may be allowed by the Planning Commission if it is shown on the site plan, is not taller than 10 feet and 200 square feet in area, and the design is integrated with the building. The Planning Commission may require renderings to show the appearance of the sign as part of their evaluation for design approval. Final sign design and lighting shall be approved by the Building Department.

**(2) Sightline Requirements.** Utilities, maintenance areas, service and storage areas, and dock doors shall be screened from public view using landscaping and/or architectural elements subject to the following minimum requirements:

- a. All mechanical installations shall be adequately screened from street view or view from nearby public spaces. These shall be screened with a solid material that is of the same materials as the Principal Structure.
- b. Outdoor storage, trash collection and/or compaction, loading or other such uses shall be located in the rear of the lot. The location of these areas shall be indicated on the site plan. These areas are shall not be located within 20 feet of any sidewalk. For properties along I-275, these areas are preferred to be located in the side yard and shall be screened in accordance with the landscaping section of this overlay district. Outdoor storage is subject to

the site design standards of Section 11.17 (B) of the Zoning Ordinance to the extent not in conflict with the Overlay District requirements.

- c. Dock doors must be located in the side or rear yard and shall be setback at least 100 feet from the lot line if located in a side yard. For properties that abut I-275, dock doors shall be located in the side yard where possible. If dock doors are located in the rear yard that faces I-275, dock doors must be set back at least 150 feet.

(3) **Pedestrian Sidewalks and Shared Use Paths.** Sidewalks with a minimum 5-foot-wide clear sidewalk area (or the sidewalk area may need to be wider if adjacent to parking spaces) shall be provided to connect parking areas with building entrances and public sidewalks or pathways along the streets. Shared use paths shall be provided along public streets (not I-275) with a minimum of eight (8) feet in width, built in accordance with current the American Association of State Highway and Transportation Officials (AASHTO) guidelines.

(4) **Landscaping.** Landscaping requirements are set forth to protect and preserve the appearance, character and value of properties within the Southern Gateway Overlay District; to increase water retention and absorption to reduce storm water run-off, flooding and soil erosion; and to assure sufficient buffering and screening of incompatible uses or offensive or unattractive views. All site landscaping shall include native vegetation and support the surrounding natural landscape. Landscaping shall be used to visually break up paved areas and be located directly adjacent to the building.

Please refer to Article 13 of this Zoning Ordinance for additional landscaping standards, especially for parking lot screening, detention landscaping, and screening for accessory structures. For modifications to the following requirements, please refer to Section 13.02 (u) Modifications and Waivers of this Zoning Ordinance.

- a. **Greenbelt Landscaping (Adjacent to Street Frontage).** All yards adjacent to roads and rights-of-way shall be landscaped along the entire frontage (except access points) in accordance with the following requirements:

Table 7.06(e)(4)a: Greenbelt Requirements							
Minimum Plantings per 100 linear ft.							
Type	Application	Green-belt Depth	Berm <sup>1</sup>	Decid-uous Trees	Ever-green Trees	Orna-mental Trees	Shrubs
A	Public Street Front-age: Where com-mercial, office, and uses permitted in this overlay are mixed	30 ft.	NA	2	1	1	20
B	Public Street Front-age: Industrial uses permitted in this Overlay	50 ft.	3 ft. in height	3	3	1	30

Footnote: <sup>1</sup>Berms may be used to improve visual quality and screen activities. Berms shall be undulating and designed to have a natural appearance.

- b. **Buffer Zone Landscaping.** The following buffers shall be required. Additional buffers may be required per Article 13 of this Zoning Ordinance:

Table 7.06(e)(4)b: Buffer Requirements <sup>1</sup>			
Buffer Zone	Min Width	Wall/Berm	Min. Plant Materials
Industrial Side or Rear yards adjacent to I-275	60 ft.	4 foot high berm <sup>2,3,4</sup>	1 canopy tree, 2 evergreen trees and 4 shrubs per each 30 linear feet along the property line, rounded upward

Footnotes to Table XXX

1. Vertical and horizontal cross sections, at the same scale, of the buffer zones shall be provided with the site plan.
2. Berms shall be of consistent height with a meandering shape along its length.
3. Canopy, ornamental, and evergreen trees are to be planted at the bottom 50% of berm.
4. Evergreen trees shall be planted in masses on the development side of berm/wall, in strategic locations for privacy and screening purposes. Deciduous trees shall be placed at regular intervals on public side of berm/wall. Ornamental trees may be placed on either side.

# Article 8

## Industrial Districts



## Section 8.01 Statement of Purpose

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- (a) **O-R, Office Research District.** The O-R, Office Research District is designed to primarily accommodate office, scientific, business, technological research operations, related testing operations, and other related uses where office, technology and scientific research activities are mutually dependent or developmental in nature; in a spacious, open type environment devoid of nuisance factors commonly present in non-residential districts; and to permit uses which support and complement permitted uses in this district, or which are vital to the principal uses and required to be located close to them; and the result shall be development planned in a coordinated manner with well-designed buildings and sites. It is further the intent of this district to contain all activities within an enclosed building with no outdoor storage and only extremely limited outdoor activities or accessory buildings allowed.
- (b) **M-1, Light Industrial District.** The M-1 District permits light industries, such as light manufacturing, assembly or processing of previously refined materials; small-scale warehousing, distribution and trucking operations; and other industrial uses that have no adverse impact upon neighboring districts along with certain commercial uses that provide supportive services to persons working within or visiting the district. It is further intended that the processing of raw material for shipment in bulk form, to be used in an industrial operation at another location, not be permitted. Uses in this district have less impact on surrounding uses and generate less truck traffic than the industrial districts listed below. Therefore, limitations regarding the degree of noise, smoke, glare, odor, and vibration are placed upon such uses. It is intended that this district act as a transition between heavier industrial uses and residential or commercial areas. The general goals of this use district include, among others, the following specific purposes:
- (1) To provide sufficient space, in appropriate locations, to meet the needs of the City's expected future economy for the types of industrial and related uses described herein.
  - (2) To protect abutting residential districts by separating them from industrial activities, and by prohibiting the use of such industrial areas for new residential development.
  - (3) To promote industrial development which is free from danger of fire, explosion, toxic and noxious matter, radiation, and other hazards, and from offensive noise, vibration, smoke, odor, and other objectionable influences.
  - (4) To promote the most desirable use of land in accordance with a well-considered plan. To protect the character and established pattern of adjacent development, and in each area to conserve the value of land and buildings and other structures, and to protect the City's tax revenue.
- (c) **M-2, General Industrial District.** The M-2 District is intended to permit heavier industrial uses than permitted in the above districts that are primarily of a manufacturing, assembling, and fabricating character, which are large-scale or specialized industrial operations more likely to produce external physical effects. The M-2 District is so structured as to permit the manufacturing, processing, and compounding of semi-finished or finished products from raw materials as well as from previously prepared material. The M-2 District is further designed to provide areas within the City where heavy industrial uses can most efficiently utilize major roadways, utilities and other infrastructure while minimizing any incompatible

aspects with neighboring districts.

(d) **M-T, Industrial Transportation District.** The M-T District permits industries which are of a heavy manufacturing character and truck distribution facilities. The intent is to permit, with certain conditions, larger-scale trucking operations involving interstate and intrastate motor carriers in strategic locations close to complementary uses and other potentially high volume truck traffic areas with direct access to Interstate expressways. These uses often involve merchandise transported to a distribution facility where it is redistributed to other trucks for immediate shipment elsewhere. It is also the intent to permit, with certain conditions, areas for the transfer, treatment, storage, disposal or recycling of trash, refuse and other liquid or solid wastes.

## Section 8.02 Schedule of Uses

No building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses, unless otherwise provided for in this Ordinance. Land and/or buildings in the districts indicated at the top of [Table 8.02](#) may be used for the purposes denoted by the following abbreviations:

**P: Permitted Use:** Land and/or buildings in this District may be used for the purposes listed by right.

**SLU: Special Land Use:** The use may be permitted by obtaining Special Land Use approval when all applicable standards cited in [Article 18](#) and Specific Standards of [Section 8.03](#) are met.

**NP: Not Permitted:** The use is not permitted in the district.

“**Other Requirements**” indicates additional requirements or conditions applicable to the use. In addition the standards of Part III may also be applicable, in particular [Article 13](#) General Site Development Requirements, [Article 14](#) Off-Street Parking, Loading, Access and Circulation Requirements, and [Article 17](#) Site Plan Review Requirements and Procedures.

Table 8.02 Schedule of Uses					
Use	O-R	M-1	M-2	M-T	Other Requirements
<b>Institutional and Educational</b>					
Offices and facilities for law enforcement, customs, homeland security and emergency services including fire stations and medical care units	P	P	P	P	
Places of worship		P			<a href="#">11.02(c)</a>
Municipal buildings and uses	P	P	P	P	
Trade, technical and vocational schools, not including truck driving schools	P	P	P	P	
<b>Human Care and Medical</b>					
Child day care centers, nursery schools and day nurseries (more than 12 children less than 24 hours per day)	P	SLU	SLU	SLU	<a href="#">11.03(c)</a>
Hospitals and 24-hour urgent care centers		P			<a href="#">11.03(d)</a>
Therapy and rehabilitation centers		P			<a href="#">11.03(e)</a>

**Table 8.02 Schedule of Uses**

<b>Use</b>	<b>O-R</b>	<b>M-1</b>	<b>M-2</b>	<b>M-T</b>	<b>Other Requirements</b>
Medical or dental clinics	P	P	P	P	
Shelters and social assistance centers		SLU			11.03(g)
Substance abuse rehabilitation centers		SLU			11.03(h)
<b>Retail</b>					
Convenience food store and party store	P	SLU	SLU	SLU	
Flea markets and resale shops within a completely enclosed building		P	P		
Nurseries and similar outdoor retail sale of trees, fruits, vegetables, shrubbery, plants, seed, topsoil, humus, fertilizer, trellises, lawn furniture, other home garden supplies and equipment and similar uses		P	P	P	11.04(b)
Open air retail sales		SLU	SLU	SLU	11.04(b)
Retail sales of home improvement supplies		P			
<b>Services</b>					
Personal service establishments which perform services on the premises, such as barber and beauty shops; watch, radio, television, clothing and shoe repair shops; tailors; photographic studios; locksmiths; and similar establishments requiring a retail adjunct		P	P	P	
Central dry-cleaning plants and laundries		P	P	P	
Groundsheet advertisements		SLU	SLU	SLU	
Equipment sales, rental and repair without outdoor storage		P	P	P	
<b>Animal/Agricultural</b>					
Bee keeping		P	P	P	11.15(b)
Agricultural activity		SLU	SLU	SLU	11.15(a)
Farms or farm operations	P	P	P	P	11.15(a)
Keeping of animals		SLU	SLU	SLU	11.15(b)
Greenhouses and nurseries, including retail sales		P	P	P	
Pet day care, grooming and obedience training		P	P	P	11.15(d)
Kennels, commercial		P	P	P	11.15(c)
Kennels, private		P	P	P	11.15(c)
Processing and refining of animal products			SLU	SLU	
Boarding stables		SLU	SLU	SLU	11.15(e)
Veterinary hospitals and clinics	P	P	P	P	
<b>Restaurants and Bars</b>					
Carryout restaurants		P	P	P	

<b>Table 8.02 Schedule of Uses</b>					
<b>Use</b>	<b>O-R</b>	<b>M-1</b>	<b>M-2</b>	<b>M-T</b>	<b>Other Requirements</b>
Restaurants, taverns, brewpubs, and microbreweries	P	P	P	P	
Restaurants and taverns with outdoor seating	P	P	P	P	11.06(b)
<b>Vehicle and Truck Repair, Service and Parking</b>					
Cell phone parking lots for airport pickup		P	P	P	
Long-term parking facilities (park-and-fly, vehicle storage)				SLU	14.05
Recreation vehicle outdoor storage		P	P	P	11.12(a) & 11.17(b)
Vehicle and truck auction facilities				SLU	11.07(c)
Vehicle or truck parts (new) sales		P	P	P	11.07(a)
Vehicle and truck dismantling, wrecking, recycling, and sale of used vehicle and truck parts				P	11.07(h)
Truck (small – under 10,000 pounds), utility trailer, and small equipment sales, rental, or lease		P	P	P	11.17(b) & 11.04(b)
Truck, trailer, and construction vehicle and equipment dealerships (new or used) including sales, rentals or leasing			P	P	11.07(a) & 11.04(b)
Truck repair (minor) facility		P	P	P	11.07(d)
Truck and trailer repair (major) facility			P	P	11.07(d)
Truck fueling (gas) stations		P		P	11.07(i)
Truck stops				SLU	11.07(b)
Truck washes as a principal use				P	11.07(g)
Vehicle dealerships (new and used), including automobile, motorcycle, boat and recreational vehicle sales, rental or lease		P	P	P	11.07(a) & 11.04(b)
Vehicle fueling (gas) station		P			11.07(f)
Vehicle impound facilities and towing storage yards				SLU	11.07(c)
Vehicle engine and body repair (major) establishments		P	P	P	11.07(d)
Vehicle maintenance and repair (minor) establishments		P	P	P	11.07(e)
Vehicle (car) rental establishments		P	P	P	11.07(a), 11.04(b) & 14.05

<b>Table 8.02 Schedule of Uses</b>					
<b>Use</b>	<b>O-R</b>	<b>M-1</b>	<b>M-2</b>	<b>M-T</b>	<b>Other Requirements</b>
Vehicle wash and auto-detailing		P	P	P	11.07(g)
<b>Recreation/Leisure/Entertainment</b>					
Indoor commercial recreation uses such as tennis courts, ice-skating rinks, court sports facilities and similar uses		P	P	P	
Indoor shooting ranges		P	P	P	
Outdoor drive-in theaters			SLU	SLU	
Outdoor recreation uses, including batting cages, driving ranges, riding stables, gun clubs, parks, camper and/or tent parks, hay rides, snowmobile and mini-bike trails, picnic grounds, swimming facilities, children's rides and race tracks		SLU	SLU	SLU	11.08(d)
Private service clubs, fraternal organizations, lodge and union halls		P			
Banquet halls and entertainment establishments		P			
<b>Office/Professional/Financial</b>					
Office buildings	P	P	P	P	
Business services such as mailing, copying, data processing and retail office supplies	P	P	P	P	
Corporate headquarter offices, administrative, professional, and/or business offices of permitted principal uses, legal, engineering, surveying, accounting, architectural and similar professional offices	P	P	P	P	
Data processing and computer centers, including incidental service and maintenance of electronic data processing	P	P	P	P	
Design and educational facilities whose principal function is the research and development of new products and processes and technical training	P	P	P	P	
Financial establishments such as banks, credit unions, savings and loan associations	P	P	P	P	
Financial establishments with drive-through tellers	P	P	P	P	
Management and conference centers, convention facilities, corporate education and training facilities	P	P	P	P	
Medical, optical and pharmaceutical laboratories	P	P	P	P	

**Table 8.02 Schedule of Uses**

Use	O-R	M-1	M-2	M-T	Other Requirements	
Planned office research parks	P	P	P	P		
Research, development, and testing facilities for technological, scientific and business establishments, including the development of prototypes	P	P	P	P		
Specialized or customized photographic or graphic design services	P	P	P	P		
<b>Industrial Manufacturing</b>						
Assembling and/or manufacture of automobiles and automobile bodies, trucks, engines, batteries, corrosive acid, or alkali, cement, lime, gypsum or plaster of Paris			P	P		
Blast furnace, steel furnace, blooming or rolling mill; smelting of copper, iron or zinc ore			P	P		
Breweries and distilleries			P	P		
Manufacture, assembly, compounding, fabrication or packaging of products from previously prepared materials such as: electronics, food goods, candy, pharmaceuticals, cosmetics, toiletries, musical instruments, optical goods, toys, electrical equipment, and appliances, pottery, hardware, cutlery and small automobile parts	Up to 80,000 sq. ft. GFA		P	P	P	
	Over 80,000 sq. ft. GFA		SLU	P	P	11.10(a)
Tool and dye machine shops	Up to 80,000 sq. ft. GFA		P	P	P	
	Over 80,000 sq. ft. GFA		SLU	P	P	11.10(a)
Powdercoating, painting in a paint booth		P	P	P		
Painting, sheet metal and welding shops, metal and plastic injection and blow molding and extrusion shops			P	P		
Production, refining, and storage of petroleum and other flammable or combustible materials				P		
Publishing and printing establishments	P	P	P	P		

**Table 8.02 Schedule of Uses**

Use	O-R	M-1	M-2	M-T	Other Requirements
<b>Construction Contractors/Supplies</b>					
Asphalt, concrete or mixing batch plants and crushing operations				SLU	11.11(a)
Contractor establishments including an office, showroom, warehouse or workshop of an electrician, plumber, heating, and air-conditioning contractor, decorator, building contractor, painter, upholsterer or similar contractor which requires a retail adjunct, providing such use is within a completely enclosed building and excludes outside storage yards	P	P	P	P	
Contractor and equipment outdoor storage yards		SLU	P	P	11.11(b)
Wholesale lumber yards and building supply establishments and planing mills		P	P	P	11.11(b)
<b>Transportation and Warehousing</b>					
Bus, railroad and passenger transit terminals	P	P	P	P	
Railroad transfer and storage tracks and railroad terminals			P	P	
Distribution facilities, air freight forwarders expediting and delivery services, and warehousing establishments	Up to 80,000 sq. ft. GFA				
	Over 80,000 sq. ft. GFA				
Self-storage or mini-warehouse facilities		P	P	P	11.12(a)
Taxi dispatching, limousine and shuttle establishments		P	P	P	11.17(b)
Truck driving schools			P	P	
Trucking facilities and truck storage		P	P	P	11.12(c)
Truck terminals				P	11.12(b)
<b>Utilities and Oil and Gas Wells</b>					
Public sewage treatment plants, public water plants, power plants, public works garages, storage yards, and similar uses		SLU	SLU	SLU	11.13(a)
Utility buildings, substations, including pump stations and transformer substations that are necessary to serve the immediate vicinity	P	P	P	P	11.13(a)

<b>Table 8.02 Schedule of Uses</b>					
<b>Use</b>	<b>O-R</b>	<b>M-1</b>	<b>M-2</b>	<b>M-T</b>	<b>Other Requirements</b>
Utility distribution facilities such as water mains, sewer mains, electrical, gas, distribution lines, and associated structures that are designed to serve the immediate vicinity	P	P	P	P	
Oil and gas wells		SLU	SLU	SLU	11.13(b)
Hydraulic fracking wells		SLU	SLU	SLU	11.13(b)
<b>Waste Handling and Disposal</b>					
Deep well injection of hazardous or non-hazardous wastes				SLU	11.14(a)
Incineration of garbage or refuse, when constructed within an approved incinerator plant				SLU	11.14(c)
Junk yards and salvage yards				SLU	11.14(b)
Hazardous waste recycling, incineration, treatment, transfer, storage or disposal				SLU	11.14(c)
Non-hazardous materials outdoor recycling			SLU	P	11.14(e)
Non-hazardous materials recycling within an enclosed building			P	P	11.14(d)
Non-hazardous waste transfer stations, treatment, storage or disposal facilities			SLU	SLU	11.14(e)
Sludge composting			SLU	SLU	11.14(f)
Yard waste composting		SLU	P	P	11.14(g)
<b>Airport</b>					
Airport equipment storage yards			P	P	11.17(b)
<b>Accessory</b>					
Accessory buildings and uses customarily incidental to any of the above permitted uses	P	P	P	P	
Accessory above ground storage tanks and silos		P	P	P	11.17(a)
Accessory above ground fuel storage and dispensing tanks for on-site vehicles and equipment	P	P	P	P	11.17(a)
Accessory maintenance and repair of trucks and equipment used by the business where it is located		P	P	P	11.07(d)
Accessory outdoor storage of raw materials, supplies, equipment and products except for outdoor uses listed above	SLU	P	P	P	11.17(b)
Accessory parking, staging and storage of semi truck tractors or trailers - For a period not exceeding 24 hours	P	P	P	P	
Accessory parking, staging and storage of semi truck tractors or trailers - For a period exceeding 24 hours		P	P	P	11.17(b)

Table 8.02 Schedule of Uses					
Use	O-R	M-1	M-2	M-T	Other Requirements
Accessory retail uses		P	P	P	

### Section 8.03 Requirements Applicable to Specific Uses

Where noted in [Table 8.02](#), uses shall be required to meet the use regulations of [Article 11](#).

### Section 8.04 Area, Height, and Placement Requirements

(a) **Schedule of Regulations.** Building height and lot coverage shall be in accordance with the following:

**O-R Office Research**

<b>Building Height</b>	
Maximum Stories	4
Maximum Height	45 ft.
<b>Setbacks</b> <sup>3,5,6,7</sup>	
Min. Front Yard <sup>1</sup>	40 ft.
Min. Side and Rear Yard	
from adjacent industrial	10 ft.
from adjacent commercial <sup>2</sup>	20 ft.
from adjacent residential <sup>2</sup>	50 ft.
<b>Maximum Lot Coverage</b> <sup>8</sup>	
Buildings	35%
Total impermeable Surface	75%

**M-1 Light Industrial**

<b>Building Height</b>	
Maximum Height	35 ft.
<b>Setbacks</b> <sup>3,4,5,6,7</sup>	
Min. Front Yard <sup>1</sup>	30 ft.
Min. Side and Rear Yard	
from adjacent industrial	10 ft.
from adjacent commercial <sup>2</sup>	20 ft.
from adjacent residential <sup>2</sup>	50 ft.
<b>Maximum Lot Coverage</b> <sup>8</sup>	
Buildings	35%
Total impermeable Surface	75%

\* 50% greater setbacks, greenbelts, buffer zones required for large scale industrial uses

M-2 General Industrial and  
M-T Industrial Transportation

**Building Height**

Maximum Height 45 ft.

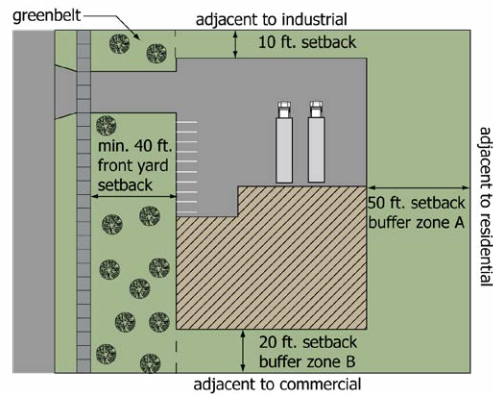
**Setbacks**<sup>3,4,5,6,7</sup>

Min. Front Yard<sup>1</sup> 40 ft.

Min. Side and Rear Yard  
 from adjacent industrial 10 ft.  
 from adjacent commercial<sup>2</sup> 20 ft.  
 from adjacent residential<sup>2</sup> 50 ft.

**Maximum Lot Coverage**<sup>8</sup>

Buildings 35%  
 Total impermeable Surface 75%



\* 50% greater setbacks, greenbelts, buffer zones required for large scale industrial uses

(b) **Footnotes to schedule of regulations**

- (1) **Front Yard Setback.** The front yard setback shall apply to all yards that adjoin a roadway including public roads, private roads and interstate highways. All buildings, parking, loading and storage areas shall meet the front yards setback requirement. Detention/retention ponds shall be prohibited in the required front yard setback (i.e. must meet front yard setback), unless the City Engineer determines there is no reasonable alternative due to existing topography and natural drainage problems. This restriction shall not apply to rain gardens, bio-retention swales, irrigation trench planters and other similar stormwater management alternatives to retention or detention ponds.
- (2) **Yards Maintained as Landscaped Open Space.** All buildings, parking, loading, driveways, circulation aisles, and storage areas shall meet the setback requirement. All required yard setbacks that are adjacent to a non-industrial use shall maintain the minimum yard area as an uninterrupted landscape area.
- (3) **Outdoor Storage.** The outdoor storage of trucks, trailers, vehicles, materials, supplies, equipment, products, etc. shall meet the requirements of [Section 11.17\(b\)](#). Storage areas shall meet the applicable building setback requirements from each lot line.
- (4) **Spacing Between Buildings.** When two (2) or more industrial buildings are located on a single parcel of land, they shall be no closer than thirty (30) feet in the M-1 District and thirty-five (35) feet in the M-2 and M-T Districts.
- (5) **Loading Areas.** All non-industrial districts and uses must be screened from truck loading and unloading activities. The portion of a site used for parking or storage of truck tractors or trailers shall be obscured in accordance with [Section 11.17\(b\)](#) and [Section 13.02](#).
- (6) **Access.**
  - a. All drives used for truck traffic shall enter from or exit to a designated Class A Wayne County Road or a City Road identified as a truck route on the City's truck route map.
  - b. Deceleration lanes shall meet the minimum City of Romulus' Engineering

Standards. Acceleration or passing lanes may be required by the City Engineer.

- c. Driveway entrance width shall be no less than thirty (30) feet. In all cases, driveways shall be hard surface (asphalt or concrete) with concrete curb and gutter.
- d. All buildings and outdoor storage areas shall be readily accessible by fire and emergency vehicles and shall comply with the Fire Prevention Ordinance.

(7) **RESERVED**

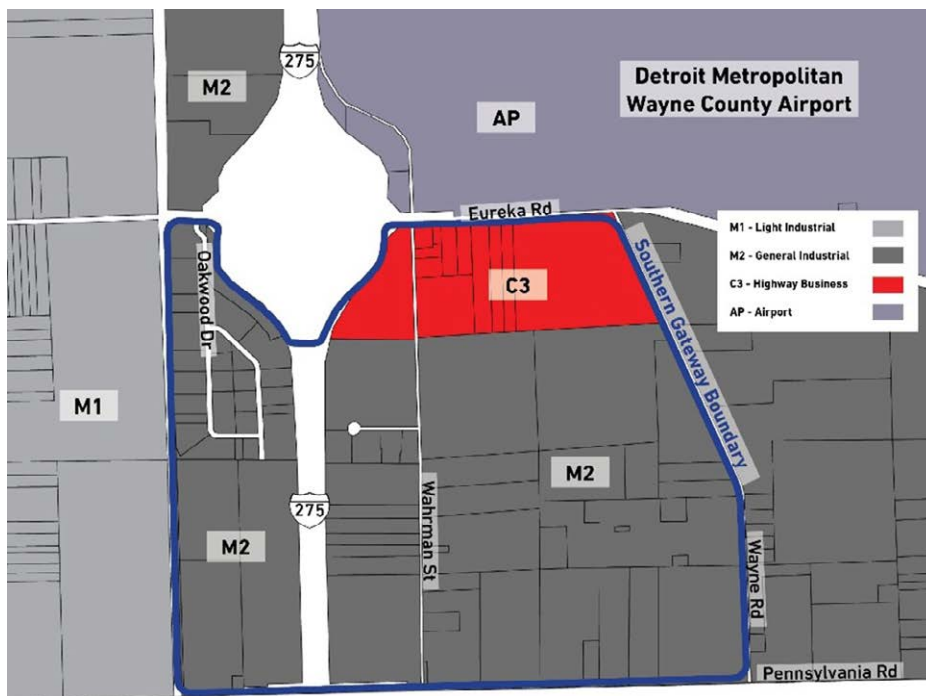
- (8) **Lot Coverage.** Maximum lot coverage shall be regulated by two measures: 1) the maximum percent of the lot area that can be covered by buildings, and 2) the maximum percent of the lot area that can be covered by buildings plus other impermeable or semi-impermeable surfaces, such as pavement or gravel

(9) **Southern Gateway Overlay District**

(a) **Statement of Purpose and Provisions**

- (1) **Purpose.** The Southern Gateway Overlay District is intended to serve as one of the primary entry points into the City of Romulus. This area, adjacent to I-275, is planned to contain a commercial node and concentrated employment center that complements airport-related technology, research, and industrial uses, while also limiting excessive truck traffic and truck parking and storage. The standards in this section ensure the properties along I-275 are treated with a second "front yard" so that the sites and buildings visible from the expressway have higher quality architecture, landscaping, and screening treatments.
- (2) **General Provisions and Applicability.** The overlay district in this Section applies in combination with the underlying base zoning districts to impose regulations and standards that address the specific uses in the overlay district. The underlying zoning districts still apply to the area, but with the addition of the overlay district's permitted uses and design standards.
- In the event of a conflict between the overlay district regulations and the regulations of the underlying base zoning district, the overlay district regulations govern. In all other cases, both the overlay district and the base zoning district regulations, along with other regulations in the Zoning Ordinance, apply.
- (3) **Application to Previously Developed Sites.** Specifically, these standards apply to new construction, changes of uses and/or expansion of a use. When an existing use expands its parking area, storage area, or gross floor area of a building on the site by more than 125% of the original square footage area, than the expansion must comply with the overlay standards.
- If a property's changes or expansion falls below the 125% threshold, but is still nonconforming with these regulations, the landscaping standards shall still apply in this chapter to bring the site into greater conformance.

(4) **Romulus Southern Gateway Overlay District Zoning Map**



**(b) Uses Permitted**

This Overlay District shall align with the underlying zoning districts' uses. In cases where a Traffic Impact Study is required per this Overlay District, as noted below, a Permitted use shall become a Special Land Use in terms of traffic and truck impacts. The Special Land Use shall be evaluated on whether the volume of vehicle and truck traffic will negatively impact traffic operations, and the degree to which the impacts have been mitigated. Mitigation could include changes to traffic signals, improvements to intersections, road paving, additional right-of-way for roadway or non-motorized improvements, or other changes endorsed by the City.

**(c) Traffic Impact Study Requirements**

A traffic impact study as described in Section 23.02(a)(3)06 is required with the exception that a distinct analysis of truck traffic shall be provided wherever a use will generate either 50 daily or 10 or more truck trips in a peak hour. The projection of trucks shall be based on the ITE Trip Generation and/or counts taken at similar facilities to what is proposed using ITE methodology, or when required by the City's transportation consultants. The study should follow the methodology of the ITE Trip Generation Manual and Handbook, and be prepared by a qualified transportation engineer.

The analysis shall be based on provide recent traffic counts, and provide a projection and distribution of future trips onto the network, with a review of the condition and capability of the roads to handle those trucks. The staging or travel to and from the site, and its impact, also needs to be addressed. A comparison of the existing conditions to the future conditions should be provided at site access points, adjacent driveway operations, intersections and expressway ramps in the study area. The study area should be approved by the City's Transportation Consultants.

The Study should outline improvements that may be required, and the

means to implement those changes. Changes to traffic signal timing may only be suggested where it can be demonstrated that the overall effect on the transportation system will be improved, and other changes that do not include changes to traffic signal timing may be required.

**(d) Dimensional Standards**

- (1) This section only applies to industrial uses within this Overlay District. For all other uses, the underlying zoning dimensional standards apply.
- (2) For industrial uses along I-275 in the Southern Gateway Overlay District, the setback is 80 feet regardless of whether it is for parking, storage, or a front, side or rear yard. All other setbacks in the overlay district shall abide by the underlying zoning district standards.

**(e) Design Standards**

- (1) Building Design and Materials. The primary purpose of building design standards is to promote and enforce high-quality architectural design, protect community identity, and enhance quality of life through design that complements natural surroundings. All buildings shall meet the following requirements:

**a. Exterior Façade and Material Delineation**

- i. **Horizontal.** Long lengths of building façade wall planes over 100 feet shall be broken up by using different building materials and offset of planes to serve as a visual breakup.

**b. Building Materials**

- i. Durable building materials which provide an attractive, quality appearance shall be utilized at least on the building frontage, corner articulations, and for parts of the building that may face or be visible from I-275. The visibility shall be based on what motorists can view while traveling along a public street or the expressway. Landscaping, preservation of streets, or other approved screening may be used to meet the intent as well as architectural treatments. Please refer to Article 13.01 of this Zoning Ordinance for additional building appearance standards, particularly Section 13.01 (h) Allowance for Other Materials.
- ii. For facades that are visible from Warhman Road or I-275, at least 25% of the building material shall consist of quality materials such as earth-toned brick, decorative tilt-up panels, wood, native stone, and tinted/textured concrete masonry units and/or glass products.
- iii. For facades that are visible from Warhman Road or I-275, other materials such as smooth-faced concrete block, undecorated tilt-up concrete dryvit panels, or pre-fabricated steel panels shall only be used as accents and not dominate the building exterior of the structure.

**c. Building and Sign Colors**

- i. Exterior colors shall be of low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors such as neon, metallic, or fluorescent for the facade and/or roof of the building are prohibited except as approved by the Planning Commission for building trim.
- ii. Mechanical and service features such as gutters, ductwork, service

doors, etc. that cannot be screened must be of a color that blends in with the color of the building.

d. **Business Signs.** For a use with frontage along I-275, a separate freestanding business sign, for the main business on the premise, may be allowed by the Planning Commission if it is shown on the site plan, is not taller than 10 feet and 200 square feet in area, and the design is integrated with the building. The Planning Commission may require renderings to show the appearance of the sign as part of their evaluation for design approval. Final sign design and lighting shall be approved by the Building Department.

(2) **Sightline Requirements.** Utilities, maintenance areas, service and storage areas, and dock doors shall be screened from public view using landscaping and/or architectural elements subject to the following minimum requirements:

a. All mechanical installations shall be adequately screened from street view or view from nearby public spaces. These shall be screened with a solid material that is of the same materials as the Principal Structure.

b. Outdoor storage, trash collection and/or compaction, loading or other such uses shall be located in the rear of the lot. The location of these areas shall be indicated on the site plan. These areas are shall not be located within 20 feet of any sidewalk. For properties along I-275, these areas are preferred to be located in the side yard and shall be screened in accordance with the landscaping section of this overlay district. Outdoor storage is subject to the site design standards of Section 11.17 (B) of the Zoning Ordinance to the extent not in conflict with the Overlay District requirements.

c. Dock doors must be located in the side or rear yard and shall be setback at least 100 feet from the lot line if located in a side yard. For properties that abut I-275, dock doors shall be located in the side yard where possible. If dock doors are located in the rear yard that faces I-275, dock doors must be set back at least 150 feet.

(3) **Pedestrian Sidewalks and Shared Use Paths.** Sidewalks with a minimum 5-foot-wide clear sidewalk area (or the sidewalk area may need to be wider if adjacent to parking spaces) shall be provided to connect parking areas with building entrances and public sidewalks or pathways along the streets. Shared use paths shall be provided along public streets (not I-275) with a minimum of eight (8) feet in width, built in accordance with current the American Association of State Highway and Transportation Officials (AASHTO) guidelines.

(4) **Landscaping.** Landscaping requirements are set forth to protect and preserve the appearance, character and value of properties within the Southern Gateway Overlay District; to increase water retention and absorption to reduce storm water run-off, flooding and soil erosion; and to assure sufficient buffering and screening of incompatible uses or offensive or unattractive views. All site landscaping shall include native vegetation and support the surrounding natural landscape. Landscaping shall be used to visually break up paved areas and be located directly adjacent to the building.

Please refer to Article 13 of this Zoning Ordinance for additional landscaping standards, especially for parking lot screening, detention landscaping,

and screening for accessory structures. For modifications to the following requirements, please refer to Section 13.02 (u) Modifications and Waivers of this Zoning Ordinance.

- a. **Greenbelt Landscaping (Adjacent to Street Frontage).** All yards adjacent to roads and rights-of-way shall be landscaped along the entire frontage (except access points) in accordance with the following requirements:

Table 8.04(b)(9)(e)(4)a: Greenbelt Requirements							
Minimum Plantings per 100 linear ft.							
Type	Application	Green-belt Depth	Berm <sup>1</sup>	Decid-uous Trees	Ever-green Trees	Ornamen-tal Trees	Shrubs
A	Public Street Front-age: Where com-mercial, office, and uses permitted in this overlay are mixed	30 ft.	NA	2	1	1	20
B	Public Street Front-age: Industrial uses permitted in this Overlay	50 ft.	3 ft. in height	3	3	1	30

Footnote: <sup>1</sup>Berms may be used to improve visual quality and screen activities. Berms shall be undulating and designed to have a natural appearance.

- b. **Buffer Zone Landscaping.** The following buffers shall be required. Additional buffers may be required per Article 13 of this Zoning Ordinance:

Table 8.04(b)(9)(e)(4)b: Buffer Requirements <sup>1</sup>			
Buffer Zone	Min Width	Wall/Berm	Min. Plant Materials
Industrial Side or Rear yards adjacent to I-275	60 ft.	4 foot high berm <sup>2,3,4</sup>	1 canopy tree, 2 evergreen trees and 4 shrubs per each 30 linear feet along the property line, rounded upward

Footnotes to Table XXX

1. Vertical and horizontal cross sections, at the same scale, of the buffer zones shall be provided with the site plan.
2. Berms shall be of consistent height with a meandering shape along its length.
3. Canopy, ornamental, and evergreen trees are to be planted at the

bottom 50% of berm.

4. Evergreen trees shall be planted in masses on the development side of berm/wall, in strategic locations for privacy and screening purposes. Deciduous trees shall be placed at regular intervals on public side of berm/wall. Ornamental trees may be placed on either side.

**Section 8.05 Industrial Performance Standards**

All land uses within the City of Romulus are required to comply with the performance standards of this section. No person shall carry on any operation, activity, or use of land, building, or equipment which violates any City, County, State, or Federal pollution control, environmental protection, or hazardous or toxic materials law or regulation or produces irritants to the sensory perceptions greater than the standards for human safety and welfare as indicated below.

**(a) Noise**

- (1) Noise shall not become objectionable due to intermittence, beat, frequency, or shrillness and shall not exceed the maximum sound pressure levels prescribed below, as measured at the street or property line:

<b>Table 8.05(a) Maximum Permitted Sound Pressure Levels in Decibels</b>		
<b>Octave Band (cycles per second)*</b>	<b>Decibels</b>	
	<b>Day**</b>	<b>Night***</b>
00 to 74	76	70
75 to 149	70	62
150 to 299	64	56
300 to 599	57	49
600 to 1,199	51	44
1,200 to 2,399	45	39
2,400 to 4,799	38	33
4,800 and above	36	31

\*Sound level meter set on the "C" or "flat" scale, slow response.

\*\*Day: 7:00 a.m. to 8:00 p.m. Night: Between 8:00 p.m. and 7:00 a.m.

- (2) A sound level meter and an octave band analyzer shall be used to measure the level and frequency of the sound or noise during the day and/or the night. The sound level meter and octave band analyzer shall be calibrated before and after the measurements. Sounds of very short duration, which cannot be measured accurately with the sound level meter, shall be measured by an impact noise analyzer.
- (3) Objectionable sounds, of an intermittent nature or characterized by high frequencies, even if falling below the specified decibel levels shall be controlled so as not to become a nuisance to adjacent uses.

- (b) **Vibration.** No activity or operation of machines shall cause or create a steady state vibration or an impact vibration, at any point on any property line, with a displacement in excess of the permitted vibration displacement for the frequencies

as set forth below. Steady state vibrations shall be defined as earthborne oscillations that are continuous discrete pulses which occur more frequently than one hundred (100) times per minute. Impact vibrations shall be defined as earthborne oscillations occurring in discrete pulses at less than one hundred (100) pulses per minute.

<b>Table 8.05(b) Maximum Permitted Steady State Vibration Displacement</b>	
<b>Frequency (cycles per second)</b>	<b>Displacement (inches)</b>
10 and below	0.0008
10-20	0.0005
20-30	0.0003
30-40	0.0002
40-50	0.0001
50-60	0.0001
60 and over	0.0001

<b>Table 8.05(C) Maximum Permitted Impact Vibration Displacement</b>	
<b>Frequency (cycles per second)</b>	<b>Displacement (inches)</b>
10 and below	0.0016
10-20	0.0010
20-30	0.0006
30-40	0.0004
40-50	0.0002
50-60	0.0002
60 and over	0.0002

(c) **Odor.** The emission of odorous matter in such quantities as to be readily detectable at any point along property lines or to produce a public nuisance or hazard beyond property lines is prohibited.

(d) **Glare, Heat.** Any activity or operation creating glare or heat, except during a construction period, shall be carried out within an enclosure and in such a manner as not to be perceptible at any property line.

(e) **Industrial Performance Compliance Procedures**

(1) The Building Department is hereby empowered to require the owner or operator of the use in question to submit such data and evidence as may be deemed essential to permit an objective determination of a violation of performance standards. Failure to submit data required shall constitute grounds for denying a permit for that use of land. The evidence may include, but is not limited to, the following items:

- a. Plans of the existing or proposed construction and development.
- b. A description of the existing or proposed machinery, process and products.
- c. Specifications for the mechanisms and techniques used or proposed to

be used in restricting the possible emission of any of the dangerous and objectionable elements as set forth in this Article.

- d. Measurements of the amount or rate of emission of said objectionable elements.
- (2) Where determinations can reasonably be made by the Building Department, using equipment and personnel normally available to the City or obtainable without extraordinary expense, such determinations shall be so made before notice of violation is issued.
- (3) Where determination of violation of performance standards will likely entail the use of highly skilled personnel and expensive or unusual instrumentation not ordinarily available to the City and when, in the considered judgment of the Building Department a violation exists, costs of the determinations will be charged against those responsible in addition to such other penalties as may be appropriate.

### **Section 8.06 Environmental Impact Assessment**

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- (a) Certain industrial uses noted in [Section 8.04](#) are required to prepare an environmental impact assessment to help evaluate implications and effects of the proposed use. These industrial uses are required to prepare an in-depth environmental impact assessment for review by the City, which shall include at the least the following:
  - (1) A full description of the proposed project including:
    - a. The type, characteristics, and design of the project and an analysis of any sewage sludge to be composted;
    - b. The specific measures to be used to ventilate, filter and mitigate odors;
    - c. The activities to be generated by the project both during construction and when in operation;
    - d. The County, State and Federal reviews and approvals which will be required, including supporting data and documents to secure such approvals. All of the documentation and data required to secure said approvals shall be submitted for City review.
  - (2) A full description and location of the natural features on the site and the immediate area in terms of overall natural pattern, types of land areas, topography, drainage, water resources, vegetation, wildlife, geologic features and resources, natural appearance, and general environmental quality.
  - (3) A full description of the social and constructed environmental characteristics of the site and surrounding area in terms of population, patterns of development, housing, commercial trade and service, office, industry, transportation, utilities, facilities, public services, and general quality of development.
  - (4) A full description of the impact of the development of the natural and socio-economic environment including impact on human life, wildlife, fish, aquatic life, and other ecosystems and air, water, groundwater, subsoil, and land resources, and on the community aesthetics, image, finances, and property values.
  - (5) A determination of the probable adverse environmental effects of the development which cannot be avoided, such as air or water pollution, damage to life systems, threats to health or other adverse effects on human life, and

community development and welfare.

- (6) An evaluation of alternatives to the proposed action or the development that might avoid some or all of the environmental effects indicated in the above. This shall include a full explanation of the reasons why the developer decided to pursue the action in its contemplated form rather than an alternative course of action.
  - (7) The possible modifications to the project or methods of operation which would eliminate or minimize the adverse environmental effects, including a discussion of the additional costs involved in the modifications.
  - (8) A summary of unavoidable detrimental effects of the project. This shall include a listing of the resources irreversibly and irretrievably lost as a result of the project in the areas of social change, economic change, changes in the constructed environment, and changes in the natural environment.
  - (9) A complete statement and supporting data for guarantees or enforceable assurances of reparations for any environmental harm, cleanup liability, or costs which could accrue to the City in the event of unforeseen accident or system failure.
- (b) Based on this study or others, the City shall assure itself that the environmental impacts have been identified; adverse impacts have been eliminated or there are no feasible alternatives; adequate conditions and safeguards will be implemented; and that the site and facility will not adversely affect the quality of the City's human and/or physical environment.
- (c) Prior to the Planning Commission's recommendation to City Council, the proposal and studies and materials reviewed by the Commission shall be submitted to the City of Romulus Environmental Protection Board in accordance with Section 11 of the City's Code of Ordinances.

# Article 9

Airport District



## Section 9.01 Statement of Purpose

(a) **AP, Airport District.** The AP District applies to the Detroit Metropolitan Wayne County International Airport (Airport) and is designed to permit those uses, activities, facilities, and structures necessary for the safe and efficient operation of aircraft and for providing the services and facilities required to accommodate passengers and employees of the Airport. The AP District provides locations that will accommodate complementary commercial, industrial and transportation facilities that are compatible and customarily associated with the Airport.

## Section 9.02 Schedule of Uses

(a) No building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses, unless otherwise provided for in this Ordinance. Land and/or buildings in the districts indicated at the top of [Table 9.02](#) may be used for the purposes denoted by the following abbreviations:

**P: Permitted Use:** Land and/or buildings in this district may be used for the purposes listed by right.

**SLU: Special Land Use:** The use may be permitted by obtaining Special Land Use approval when all applicable standards cited in [Article 18](#) and Specific Standards of [Section 9.04](#) are met.

“Other Requirements” indicates additional requirements or conditions applicable to the use. In addition the standards of Part III may also be applicable, in particular [Article 13](#) General Site Development Requirements, [Article 14](#) Off-Street Parking, Loading, Access and Circulation Requirements, and [Article 17](#) Site Plan Review Requirements and Procedures.

Table 9.02 Schedule of Uses		
Use	AP	Other Requirements
<b>Institutional and Educational</b>		
Law enforcement facilities, customs, homeland security and emergency services including fire stations and medical care units	P	
Municipal buildings and uses	P	
<b>Human Care and Medical</b>		
Child day care centers, nursery schools and day nurseries (more than 12 children less than 24 hours per day)	P	<a href="#">11.03(c)</a>
Medical or dental clinics	P	
Medical, optical and pharmaceutical laboratories	P	
<b>Retail</b>		
Retail and service business located at or within the airport intended to serve airport travelers	P	
<b>Services</b>		
Hotel, motel, bed and breakfast inns	P	
<b>Restaurants and Bars</b>		
Carryout restaurants	P	
Restaurants, taverns, brewpubs, and microbreweries	P	
Drive-thru restaurants	SLU	<a href="#">11.06(a)</a>

**Table 9.02 Schedule of Uses**

Use	AP	Other Requirements	
<b>Vehicle Repair, Service and Parking</b>			
Cell phone commuter lots for airport pickup	P		
Long-term parking facilities	P	14.05	
Vehicle rental establishments	P	14.05	
Vehicle service centers/fueling stations	SLU	11.07(f)	
Vehicle wash, automatic, self serve or auto-detailing	SLU	11.07(g)	
<b>Office/Professional/Financial</b>			
Office buildings	P		
Corporate headquarter offices, administrative, professional, and/or business offices of permitted principal uses, legal, engineering, surveying, accounting, architectural and similar professional offices	P		
Data processing and computer centers, including incidental service and maintenance of electronic data processing	P		
Design and educational facilities whose principal function is the research and development of new products and processes and technical training	P		
Financial establishments such as banks, credit unions, savings and loan associations	P		
Financial establishments with drive-through tellers	P		
Management and conference centers, convention facilities, corporate education and training facilities	P		
Planned office research parks	P		
Research, development, and testing facilities for technological, scientific and business establishments, including the development of prototypes	P		
Specialized or customized photographic or graphic design services	P		
<b>Industrial Manufacturing</b>			
Manufacture, assembling, compounding, fabrication or packaging of products from previously prepared materials such as: electronics, food goods, candy, pharmaceuticals, cosmetics, toiletries, musical instruments, optical goods, toys, electrical equipment, and appliances, pottery, hardware, cutlery and small automobile parts, including tool and dye machine shops - Up to 80,000 sq. ft. GFA	P		
Manufacture, assembling, compounding, fabrication or packaging of products - Over 80,000 sq. ft. GFA	SLU	11.10(a)	
Publishing and printing establishments	P		
Research, experimental or testing laboratories	P		
<b>Transportation and Warehousing</b>			
Distribution facilities, air freight forwarders expediting and delivery services, and warehousing establishments providing storage for a single company - may include multiple warehouses in multi-tenant buildings	Up to 80,000 sq. ft. GFA	P	11.12(c)
	Over 80,000 sq. ft. GFA	SLU	
Bus, railroad and transit terminals	P		

**Table 9.02 Schedule of Uses**

Use	AP	Other Requirements
Taxi dispatching	P	
<b>Utilities</b>		
Utility distribution facilities such as water mains, sewer mains, electrical, gas, distribution lines, and associated structures that are designed to serve the immediate vicinity	P	
Utility buildings, substations, including pump stations and transformer substations that are necessary to serve the immediate vicinity	P	11.13(a)
<b>Airport</b>		
Airports, including aircraft landing areas, runways, taxiways, control towers, tie-down areas, aircraft hangars, aircraft fuel, and maintenance facilities, passenger terminals and similar airport related facilities, and structures	P	
Airport administrative offices and governmental offices	P	
Airport equipment storage yards	P	11.17(b)
Offices for airlines, airport contractors and airport-related uses	P	
Vocational and technical training schools for pilots, flight attendants, aircraft maintenance and other airline, and airport operations	P	
<b>Accessory</b>		
Accessory buildings and uses customarily incidental to any of the above permitted uses	P	
Accessory above ground storage tanks and silos	P	11.17(a)
Accessory above ground fuel storage and dispensing tanks for on-site vehicles and equipment		
Accessory maintenance and repair of trucks and equipment used by the business where it is located	SLU	
Accessory outdoor storage of raw materials, supplies, equipment and products - Occupying an area not exceeding 25% of the floor area of the principal building	P	11.17(b)
Accessory parking, staging and storage of semi-truck tractors or trailers - For a period not exceeding 24 hours	P	
Accessory parking, staging and storage of semi-truck tractors or trailers - For a period exceeding 24 hours	SLU	11.17(b)

Notes:

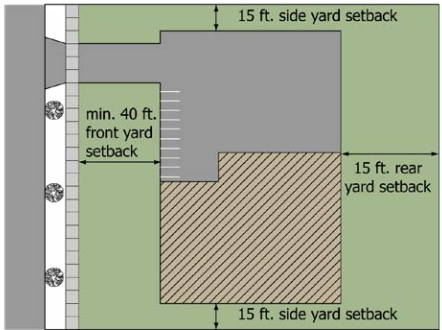
(1) Where noted in Table 9.02, uses shall be requirement to meet the use regulations of Article 11.

## Section 9.03 Area, Height and Placement Requirements

Area, height, and placement regulations shall be in accordance with the following; provided that in no case shall the regulations of the FAA be violated:

### (a) Schedule of Regulations;

AP Airport District	
<b>Building Height</b>	
Maximum Height <sup>a</sup>	45 ft.
<b>Setbacks<sup>b</sup></b>	
Min. Front Yard <sup>c</sup>	40 ft.
Min. Side and Rear Yard	15 ft.
<b>Maximum Lot Coverage</b>	
Buildings	35%
Total impermeable Surface	75%



### (b) Footnotes to Schedule of Regulations

- The maximum height limit shall not apply to airport buildings and structures that are setback at least seven hundred (700) feet from the edge of the AP District.
- Where use of property lines in determination of Table 9.03 would not meet the intent of this Ordinance, lease lines shall be used.
- The front yard setback requirement shall not apply to roadways that are located entirely within Airport property, such as John D. Dingell Drive, Lucas Drive, or William G. Rogell Drive. Internal airport setbacks shall be determined by the Wayne County Airport Authority.

## Section 9.04 Site Plan Review Requirements

A site plan must be submitted to the City in accordance with [Article 17](#) for all structures within seven hundred (700) feet of the AP District boundary. Uses within the AP District that are more than seven hundred (700) feet from the boundary shall not require site plan approval, but shall be subject to all other applicable requirements of the City.

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# Article 10

Reserved



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# Article 11

Use Standards



## Section 11.01 Residential

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### (a) Single-family detached dwellings

- (1) A building permit issued by the City of Romulus shall be required before any dwelling unit is constructed, relocated, or moved into the City. All dwelling units and additions thereto shall meet or exceed the applicable construction standards of the City.
- (2) **Code Requirements**
  - a. Plans for manufactured or modular homes, prefabricated units, and similarly constructed units shall be approved by the State of Michigan Construction Code Commission as meeting the State Construction Code (Public Act 230 of 1972 and Public Act 371 of 1980 as amended) prior to the issuance of a building or occupancy permit.
  - b. Manufactured homes or trailers shall meet or exceed the requirements imposed by the United States Department of Housing and Urban Development Manufactured Home Construction and Safety Standards (24 CFR 3280, and as, from time to time, such standards may be amended). The Building and Safety Director shall be furnished a certificate stating that the dwelling meets the minimum building code requirements applicable to such structure.
  - c. Any addition to the manufactured home must be designed and constructed by the manufacturer of the manufactured home, or must be based upon an architectural plan deemed compatible with the overall design of the manufactured home and approved by the Building and Safety Director.
- (3) All construction shall be in accordance with the area, height, and placement requirements of [Section 3.07](#).
- (4) All single-family dwelling units shall have a minimum width across all front, side, and rear elevations of twenty-four (24) feet.
- (5) All dwelling units shall be attached to a permanent foundation constructed on the site in accordance with the City Building Code and shall have a wall of the same perimeter dimensions of the dwelling and additions thereto and constructed of such materials and type as required in the Building Code. In the event that the dwelling is a manufactured home, as defined herein, such dwelling shall also be installed pursuant to the manufacturer's setup instructions and shall be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Manufactured Home Commission and shall have a continuous perimeter wall as required above.
- (6) Single-family dwellings shall provide all of the following:
  - a. A pitched roof of at least 4:12 or similar roof style that is compatible with existing single-family buildings in the surrounding neighborhood.
  - b. A roof overhang of not less than six (6) inches on all sides, and a roof drainage system concentrating roof drainage at collection points along the sides of the dwelling.
  - c. A minimum of two (2) exterior doors, with the second one (1) being in either the rear or side of the dwelling; and steps provided for the exterior door to the ground where necessary due to a difference in elevation. The main entrance to residential dwellings must open directly onto the residence's front yard.

- d. Single-family dwellings shall be aesthetically compatible in design and appearance with other residences in the vicinity. In making such determination of compatibility, the Building and Safety Director may consider the following factors: total square footage; length to depth proportions; value and quality of construction; exterior building materials; architectural style and design and roof line; as well as the character, design and appearance of a majority of the residential dwellings (excluding mobile home parks) within five hundred (500) feet of the subject dwelling.
  - e. For any new subdivision or condominium, brick or stone shall comprise a minimum of fifty percent (50%) of the front façade and a cumulative total of twenty five percent (25%) of all exterior wall areas of each dwelling unit.
  - f. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard designed home.
  - g. Each dwelling shall be connected to a public sewer and water supply or to private facilities approved by the local health department.
- (7) Deciduous tree(s) shall be planted on each residential lot meeting the requirements of [Section 13.02\(e\)](#).
- (8) The foregoing requirements shall not apply to a manufactured home located in a licensed manufactured home park, except to the extent required by State or Federal law or otherwise specifically required in the Zoning Ordinance of the City.
- (9) Developments in the R-1A and R-1B Districts shall provide five (5) foot wide concrete sidewalks as required by the City of Romulus Subdivision Ordinance and the City of Romulus Sidewalk Ordinance. The requirement to provide sidewalks, curbs, and gutters for subdivisions and site condominiums in the RE and RCO districts may be waived by the Planning Commission subject to the approval of the City Engineer with a payment in lieu of construction towards the City sidewalk fund. The requirement to provide sidewalks in front of dwellings on individual lots that are not part of a new subdivision in the RE and RCO districts may be waived by the Building and Safety Director where there are no existing sidewalks along the same block.
- (b) **Two-family dwellings (duplexes).** The following requirements shall apply to two-family dwellings (duplexes), including stacked flats, in addition to the residential dwelling requirements of (a) above and Article 6, Central Business District if applicable:
- (1) Each unit shall front onto and have direct access to an arterial or collector roadway.
  - (2) All structures shall be connected to a public sewer and water supply.
  - (3) The two-family dwellings shall not adversely affect the normal use or development of the adjacent properties or the neighborhood and the buildings shall be in harmony with the character of the district in which they will be located. Architectural plans for buildings shall be presented to the Planning Commission for approval as part of the Special Land Use application. This review of architectural plans is intended to ensure that two-family dwellings take on the appearance of single-family residential buildings.
  - (4) The two-family dwellings shall comply with all maximum height, minimum yard setback, maximum lot coverage, minimum floor area, rules regarding accessory buildings, and sign requirements for the respective residential district. The

minimum area of lot for each two (2) dwelling units shall be twelve thousand (12,000) feet in R-1A and R-1B and thirty thousand (30,000) in RE. The minimum lot width shall be one hundred (100) feet.

(c) **Multiple-family dwellings**

- (1) **Access.** All multiple-family developments shall have direct access to major or minor arterials. All public roads shall meet the City Street Standards. All private roads shall have a minimum width of twenty seven (27) feet.
- (2) **Front Yard Greenbelt and Side and Rear Yard Buffers.** Setback areas shall be provided with landscape greenbelts and buffer zones as required in [Section 13.02](#). All sites shall meet the landscape requirements of [Section 13.02](#).
- (3) **Building Spacing.** The setback requirements indicated in the Schedule of Area, Height, and Placement Requirements shall be measured from the perimeter of the lot. Internal setbacks shall be as follows:
  - a. There shall be at least thirty (30) feet between any two (2) principal buildings in the R-2 and RM Districts.
  - b. Where two (2) or more multiple-family structures are erected on the same lot or parcel in the HRM District they shall be separated by at least fifty (50) feet, plus one (1) foot for each two (2) feet, or part thereof, of the total combined height of the two (2) structures.
  - c. The minimum yard, spacing, and setback requirements (both perimeter and interior) may be reduced by up to ten (10) feet if the same space is increased by an equal amount on the opposite side of the building.
- (4) **Parking and Building Setbacks.** A minimum fifteen (15) foot setback from all internal roads, drives and parking areas shall be provided for multiple-family, duplexes and attached single-family residential units. This setback shall not apply to individual unit driveways; provided, driveways shall maintain a minimum twenty (20) feet between the building and a sidewalk for the parking of a vehicle without blocking the sidewalk.
- (5) **Buffer from Single-Family.** The area within setbacks which abut a single-family residential district shall be maintained as landscaped open space unoccupied and unobstructed by any sign, building, paving or any use or activity that may be detrimental to adjacent single-family uses.
- (6) **Building Length.** The maximum length of continuous and/or contiguous buildings shall not exceed one hundred eighty (180) feet.
- (7) **Recreational Area.** Recreation areas and facilities shall be provided to sufficiently meet the anticipated needs of the residents of the development.
  - a. Open space/recreation areas equaling four hundred (400) square feet per dwelling unit shall be provided and be clearly delineated on the site plan.
  - b. The Planning Commission shall determine the adequacy of any proposed recreation areas and facilities, considering the type of unit, the recreation needs of anticipated residents and the proximity of nearby recreation facilities.
  - c. Recreational facilities such as playscapes, athletic fields, trails, picnic tables or other suitable recreation facility to meet the needs of the residents shall be provided within the recreation area. Provision of separate adult and youth recreation areas is encouraged.

- d. Recreation facilities generally shall be provided in a central location and should be convenient to the community center. A location adjacent to the community center is preferable for efficient construction, use, and maintenance of all facilities. In larger developments, however, recreation facilities may be decentralized or part of an approved open space area plan.
- e. Required setbacks, buffers, greenbelts, individual lots, public rights-of-way, private road easements, wetlands, and stormwater management areas shall not be considered as recreation areas.
- f. The recreational area shall be well drained, graded, seeded or sodded, safe from hazard, and accessible to all dwellings. Preserved natural features on the site may be counted toward meeting the open space requirement if improvements are provided that allow passive recreation use such as pathways, gazebos and picnic areas. A minimum of 50% of the required recreation area shall be developed for active recreational use.
- g. Recreational areas shall be irrevocably reserved for this use.
- h. In a phased development, a land reservation and a performance guarantee meeting the requirements of [Section 21.10](#) shall be required to guarantee the completion of planned improvements if not completed in the current phase.

**(8) Floor Area**

- a. The minimum floor area, not including area of basements, utility rooms, breezeways, porches, or attached garages, shall be as shown in the Dwelling Unit Size table:

<b>Table 4.06(b)(2) Dwelling Unit Size</b>			
<b>Dwelling Unit Size</b>	<b>Minimum Floor Area (Sq. Ft.)</b>		
	<b>R-2</b>	<b>RM</b>	<b>HRM</b>
Efficiency (Micro)	500	350	350
1-bedroom	600	600	600
2-bedroom	800	800	800
3-bedroom	1,000	1,000	1,000

- b. Each development (with the exception of elderly housing) shall have no more than ten percent (10%) of all units as efficiency (micro) units unless, because of unique design features, market or clientele, the Planning Commission approves a higher percentage.

**(d) Senior apartments and senior independent living**

- (1) Housing for the elderly, including senior apartments and senior independent living shall be provided as a planned development consisting of at least two and one-half (2.5) acres, with a minimum of one thousand six hundred (1,600) square feet of lot area per dwelling unit. This standard may be reduced in the CBD, Central Business District as determined by the Planning Commission.
- (2) The site shall be adjacent to, and have direct access to, a major or minor arterial as defined on the City's Master Plan.
- (3) While each unit shall provide individual kitchens, common services such as central dining rooms, recreational rooms, central lounges and workshops, and

personal service facilities may also be provided.

- (4) Senior apartments and senior independent living developments shall be screened from any adjacent residential lot by a landscape buffer zone B, in accordance with Section 13.02(d).

**(e) Senior assisted living**

- (1) The site shall be a minimum of five (5) acres. This standard may be reduced in the CBD, Central Business District as determined by the Planning Commission.
- (2) The site shall be adjacent to, and have direct access to, a major or minor arterial as defined on the City's Master Plan.
- (3) The required front, side and rear yard setbacks shall be at least eighty-five (85) feet; and for each story above two (2) stories, the required yard setbacks shall be increased by twenty (20) feet.
- (4) Senior assisted living shall be screened from any adjacent residential lot by a landscape buffer zone B, in accordance with [Table 13.02\(d\)\(2\)](#).

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**Section 11.02 Institutional and Educational**

**(a) Cemeteries**

- (1) Cemeteries shall have at least ten (10) acres.
- (2) Cemeteries shall be screened from any adjacent residential lot by a landscape buffer zone B, in accordance with [Section 13.02\(d\)](#).

**(b) Colleges, universities and other institutions of higher learning, public and private, offering courses in general, technical, or religious education**

- (1) The primary vehicular access points shall be on an existing or proposed arterial roadway of at least one hundred twenty (120) feet of right-of-way.
- (2) All buildings and parking lots shall be set back a minimum of eighty (80) feet from all lot lines.
- (3) On-site housing such as dormitories for student housing shall be permitted with a minimum of three thousand (3,000) square feet of lot area per housing unit in single-family residential districts and one thousand six hundred (1,600) square feet of lot area per housing unit in all other districts.
- (4) Landscaping and screening meeting the requirements of [Section 13.02](#) for institutional uses shall be provided.

**(c) Places of worship**

- (1) The lot shall have a minimum area of two (2) acres unless located in the CBD, Central Business District.
- (2) The site shall be adjacent to a paved arterial or collector street.
- (3) Large-scale places of worship with a total floor area of more than fifty-thousand (50,000) square feet shall abut directly onto an arterial roadway having a right-of-way of at least one hundred twenty (120) feet; no access shall be provided from a residential or local street, except for secondary emergency vehicle routes.
- (4) The required front yard setback area shall remain as open space unoccupied and unobstructed from the ground upward except for landscaping, plant materials, vehicle access drives, and a sign conforming to the Romulus Sign

Ordinance.

- (5) Parking lots shall not be permitted within the required front, side, and rear yard setback areas.
- (6) Building setbacks shall be in accordance with the requirements of the district, except side yard setbacks shall be a minimum of 20 feet. Parking lots shall be setback a distance sufficient to meet the buffer zone requirements of [Section 13.02\(d\)](#).
- (7) Landscaping and screening meeting the requirements of [Section 13.02](#) for institutional uses shall be provided.
- (8) Buildings exceeding twenty-five (25) feet in height shall be permitted; provided, the front, side and rear yard building setbacks are increased one (1) foot for each foot the building exceeds twenty-five (25) feet. The building shall not exceed forty-five (45) feet, not including steeples, spires or other similar architectural elements common to the use.
- (9) Accessory uses shall be limited to those typically associated with the principal use and may include living quarters for clergy, ministry or other member of religious orders who carry out their primary duties on the site; religious education classes; private schools; church-sponsored day care; outdoor recreation facilities; religious office space; youth center; and other similar uses provided the requirements of [Article 11](#) are met. Shelters, social assistance and rehabilitation centers, and residences for those no engaged in the ministry and other uses not specifically noted are prohibited.

### **Section 11.03 Human Care and Medical**

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**(a) Adult foster care small/large group home (7 to 12 adults and 13 to 20 adults) and adult foster congregate care facility.**

- (1) A copy of the State license shall be submitted to the Building and Safety Director.

**(b) Child day care, group home (7 to 12 children less than 24 hours per day)**

- (1) Group day care group homes shall be located at least one thousand five hundred (1,500) feet from any other group day care home or congregate care facility.
- (2) An on-site drive shall be provided for drop-offs\loading. This drive shall be arranged to allow maneuvers without affecting traffic flow on the public street.
- (3) There shall be a fenced, contiguous open space with a minimum area of one thousand five hundred (1,500) square feet of outdoor play area provided on the same premises as the group day care home. The required open space shall not be located within a required front yard. Outdoor play areas shall be fenced and located away from heavily traveled roads or other uses that could pose a safety hazard.
- (4) A copy of the State license shall be submitted to the Building and Safety Director prior to operation of the day care.

**(c) Child day care centers, nursery schools and day nurseries**

- (1) There shall be a minimum of fifty (50) square feet of indoor or outdoor play area per child and provided that such total area shall not be less than two thousand

(2,000) square feet.

- (2) The use shall abut and have direct access to an arterial roadway.
- (3) The outdoor play area shall not be located in the required front yard and shall not abut a public road right-of-way. Outdoor play areas shall be fenced and located away from heavily traveled roads or other uses that could pose a safety hazard. As determined by the Planning Commission or the ARC, the outdoor play area shall be enclosed by a minimum three (3) foot tall ornamental or black vinyl-coated chain link fence, and where the site abuts an adjoining single-family residential lot a six (6) foot tall privacy fence shall be provided.
- (4) An on-site drive shall be provided for drop-offs\loading. This drive shall be arranged to allow one way flows for drop off lanes.
- (5) Buildings and parking lots shall be setback a distance sufficient to meet the buffer zone requirements of [Section 13.02\(d\)](#).
- (6) Landscaping and screening meeting the requirements of [Section 13.02](#) for commercial uses shall be provided.
- (7) Where the outdoor play area adjoins an industrial use, adequate buffering shall be provided to ensure that the outdoor play area is safe for children in terms of air quality, noise, traffic, explosive/flammable/hazardous materials or other industrial hazards.
- (8) A copy of the State license shall be submitted to the Building and Safety Director prior to operation of the day care.

**(d) Hospitals and 24-hour urgent care centers**

- (1) The site is adjacent to, and has direct access to, a arterial roadway as defined on the City's Master Plan.
- (2) The required front, side and rear yard setbacks shall be at least fifty (50) feet plus one (1) foot for each foot over thirty (30) feet of building height.

**(e) Therapy and rehabilitation centers**

- (1) Facilities must be licensed and inspected by the State of Michigan and a copy of the state license shall be submitted to the Building and Safety Director.
- (2) Centers shall be residential facilities providing twenty-four (24) hour supervision, care and security on site.
- (3) The site shall have ingress and egress directly onto an arterial roadway having an existing or planned right-of-way width of at least one hundred twenty (120) feet.
- (4) Landscaping meeting the requirements of [Section 13.02](#) for institutional uses shall be provided adjacent to any areas that abut a Single-Family Residential District or use.
- (5) There shall be at least one (1) parking space on site for each employee.
- (6) The building shall be a minimum of five hundred (500) feet from any Single-Family Residential District.

**(f) Nursing and convalescence homes**

- (1) Facilities must be licensed and inspected by the State of Michigan and a copy of the state license shall be submitted to the Building and Safety Director.
- (2) Centers shall be residential facilities providing twenty-four (24) hour supervision, care and security on site.

- (3) The site shall have ingress and egress directly onto an arterial roadway having an existing or planned right-of-way width of at least one hundred twenty (120) feet.
- (4) Landscaping meeting the requirements of [Section 13.02](#) for institutional uses shall be provided adjacent to any areas that about a Single-Family Residential District or use.

**(g) Shelters and social assistance centers**

- (1) The site shall have ingress and egress directly onto an arterial roadway having an existing or planned right-of-way width of at least one hundred twenty (120) feet.
- (2) Landscaping meeting the requirements of [Section 13.02](#) for institutional uses shall be provided adjacent to any areas that about a Single-Family Residential District or use.
- (3) There shall be at least one (1) parking space on site for each employee.
- (4) The building shall be a minimum of five hundred (500) feet from any Single-Family Residential District.

**(h) Substance abuse rehabilitation centers**

- (1) Facilities must be licensed and inspected by the State of Michigan and a copy of the state license shall be submitted to the Building and Safety Director.
- (2) Centers shall be residential facilities providing twenty-four (24) hour supervision, care and security on site.
- (3) The site shall have ingress and egress directly onto an arterial roadway having an existing or planned right-of-way width of at least one hundred twenty (120) feet.
- (4) Landscaping meeting the requirements of [Section 13.02](#) for institutional uses shall be provided adjacent to any areas that about a Single-Family Residential District or use.
- (5) There shall be at least one (1) parking space on site for each employee.
- (6) The building shall be a minimum of five hundred (500) feet from any Single-Family Residential District.

**Section 11.04      Retail**

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**(a) Drive-thru uses accessory to a principal permitted use (except restaurants)**

- (1) The drive-thru window shall be on the side or rear of the building. The side of the building with the drive-thru lane shall be setback a minimum of twenty five (25) feet from any lot line.
- (2) The site will be adjacent to a arterial roadway, and all points of ingress and egress will be directly onto said roadway or onto a commercial or industrial street or service drive meeting the requirements of [Section 14.06](#).
- (3) Adequate waiting or standing areas for vehicles shall be provided on-site so that no vehicle is required to wait, stand, or be stored within a right-of-way, in accordance with the requirements of [Section 14.02\(b\)\(5\)](#).
- (4) Methods to minimize the impact of noise from outdoor speakers on adjacent residential are required.

**(b) Commercial outdoor display, sales, and storage and open air businesses**

- (1) Any open air business or commercial outdoor display, sales, storage or service

- use shall contain a building on the site.
- (2) A separate, clearly defined area shall be provided for commercial display, sales and storage. Parking lots, loading areas, and other site improvements shall not be used to accommodate such uses.
  - (3) Sales, storage or display areas shall meet all the yard setback requirements applicable to buildings in the district. Additional landscaping may be required in the setback areas as determined by the Planning Commission or ARC for adequate screening and buffering.
  - (4) Commercial outdoor sales, display and storage areas shall be hard-surfaced or constructed of a similar substitute acceptable to the Planning Commission.
  - (5) No display, sales or storage areas shall conflict with pedestrian or vehicular circulation. A minimum five (5) foot clear path shall be maintained at all times around the perimeter of buildings for safe pedestrian circulation and compliance with barrier free standards.
  - (6) Opaque screening is required on all sides to block views and contain materials. Screening shall be provided in the form of a five (5) foot tall ornamental fence or wall, capable of keeping paper and other debris from blowing off the premises.
  - (7) The outdoor sale (or lease), display and storage of new or used automobiles, boats, mobile homes, recreational vehicles, contractor's equipment, farm equipment, trailers, trucks, or tractors are subject to the standards of the respective use as applicable.
  - (8) Outdoor storage of vehicles, equipment, or materials not directly available for sale or lease to the general public is strictly prohibited.
  - (9) In the CBD districts, areas designated for open air display, sales or storage shall be located in the rear yard and shall not exceed thirty percent (30%) of the gross floor area of the principal building.

## **Section 11.05 Services**

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### **(a) Groundsheet advertisements**

- (1) Groundsheet advertisements must be located on parcels of at least three (3) undeveloped acres in size.
- (2) A maximum of one (1) groundsheet advertisement is allowed per parcel.
- (3) The maximum groundsheet area shall be 261,360 square feet or six (6) acres. The square footage shall be calculated based on the total size of the groundsheet.
- (4) The maximum groundsheet height shall be four (4) feet above grade.
- (5) The groundsheet shall be setback from all lot lines sufficient to meet the minimum setbacks required for principal buildings.
- (6) A groundsheet may not be located within one thousand five hundred (1,500) feet of another groundsheet.
- (7) Illumination of the groundsheet shall be prohibited.
- (8) Only non-reflective, flame retardant, and permeable materials shall be used.
- (9) Groundsheet shall be securely fastened to the ground or support structure, subject to structural plans approved by the Building and Safety Department. Groundsheet shall be permeable to allow drainage, subject to grading and

drainage plans to be approved by the Building and Safety Department.

- (10) The groundsheet must not be visible from adjacent properties or roads. Where necessary, landscaping shall be installed and maintained to reduce visibility from all property lines at ground level. Legibility shall be directed at aircraft passengers only.

## **Section 11.06 Restaurants and Bars**

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### **(a) Drive-in and drive-thru restaurants**

- (1) The drive-thru window shall be on the side or rear of the building. The side of the building with the drive-thru lane shall be setback a minimum of twenty five (25) feet from any lot line.
- (2) The site will be adjacent to a arterial roadway, and all points of ingress and egress will be directly onto said roadway or onto a commercial or industrial street or service drive meeting the requirements of [Section 14.06](#).
- (3) Adequate waiting or standing areas for vehicles shall be provided on-site so that no vehicle is required to wait, stand, or be stored within a right-of-way, in accordance with the requirements of [Section 14.02\(b\)\(5\)](#).
- (4) Methods to minimize the impact of noise from outdoor speakers on adjacent residential are required.
- (5) In the RC District, drive-thru restaurants shall only be permitted when developed as part of a larger, mixed-use development. The drive-thru restaurant must be designed as part of an integrated development with other uses such as hotels, offices or entertainment uses. Any new drive-thru restaurant in the RC district must be spaced a minimum of four hundred (400) feet from any other existing drive-thru restaurant.

### **(b) Restaurants and taverns with outdoor seating.** Outdoor seating areas accessory to a restaurant or bar are permitted subject to the following requirements:

- (1) The seating area shall be delineated with railings or ornamental walls that are a minimum of three (3) feet tall.
- (2) Pedestrian circulation and access to the building entrance shall not be impaired.
- (3) The seating area shall be kept free of debris and litter. Written procedures for cleaning and trash containment and removal must be submitted.
- (4) Outdoor amplification shall be prohibited.
- (5) Additional signage shall not be permitted.
- (6) There shall be no outdoor preparation of food or beverages.
- (7) Confirmation of appropriate liquor licenses shall be submitted to the City, if proposed.
- (8) Requests for outdoor seating shall include submission of a sketch plan in accordance with [Article 17](#) to determine compliance with the above requirements.

## **Section 11.07 Vehicle and Truck Repair, Service and Parking**

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### **(a) Vehicle, Truck and Trailer Dealerships (New or Used) Sales and Rentals/Construction and Farm Equipment Sales and Rentals/Recreation Vehicle and Manufactured**

## Home Sales and Rentals

- (1) The minimum area of the site shall be one (1) acre.
- (2) The minimum street frontage shall be one hundred (100) feet.
- (3) There shall be provided around the sides and rear of the site where adjoining residential districts or uses a solid fence or wall a minimum of six (6) feet in height in addition to the buffer requirements of [Section 13.02](#).
- (4) Driveway access shall not be permitted to a residential street.
- (5) Loading and unloading of vehicles, trucks, trailers or equipment shall be accommodated on the site. There shall be no loading or unloading of vehicles in the public street right-of-way.
- (6) Vehicle, truck, trailer and equipment storage areas shall be paved unless waived by the Planning Commission in accordance with [Section 14.02\(b\)](#).
- (7) No storage or display of vehicles, trucks, trailers or equipment shall be permitted in any landscape greenbelt area required by [Section 13.02](#).
- (8) Vehicle, truck, trailer or equipment maintenance and repair shall also be subject to the requirements of [Section 11.07\(d\)](#) or [\(e\)](#) below.
- (9) The dismantling, wrecking or recycling of vehicles, trucks, trailers and equipment and/or the sale of used parts is allowed in the M-T District only subject to the requirements of [Section 11.07\(h\)](#).
- (10) A vehicle dealer license from the State of Michigan shall be provided prior to issuance of any occupancy permits for the sale of more than 4 vehicles or trucks.

### (b) Truck Stops

- (1) The Planning Commission shall determine that traffic operations will remain acceptable for the road or roads involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and adequacy of nearby access points, intersections, and interchanges. The City may require a traffic impact study as described in [Section 23.02\(a\)\(3\)](#) to demonstrate compliance with this criterion. All access to the site shall be from class A roads or a City Road identified as a truck route on the City's truck route map.
- (2) The minimum setbacks, greenbelts and landscape buffer zones for the site shall be increased by fifty percent (50%) above the minimum front, side and rear yards setbacks required in [Section 8.04](#). The amount of plant material required by [Section 13.02](#) for landscape greenbelts and buffer zones shall be increased by fifty percent (50%).
- (3) Pump islands shall be a minimum of seventy (70) feet from any public right-of-way or lot line, and at least one hundred fifty (150) feet from any residential lot line. The canopy shall meet the building setback requirements from the front, side or rear lot line.
- (4) The design and materials of the canopy shall be compatible with the main building. The proposed clearance of any canopy shall be noted on the site plan. Any signs, logo or identifying paint scheme on the canopy shall be considered part of the maximum wall sign permitted. Details on the canopy lighting shall be provided to ensure there is no glare on the public streets or adjacent property, and that lighting levels are in accordance with [Section 13.04](#). Canopy lighting shall be recessed such that the light source cannot be seen from off site.

- (5) All driveways providing ingress to or egress from a vehicle service station shall be not more than thirty (30) feet wide at the property line. Curbs, curb cuts, driveway widths and acceleration or deceleration lanes shall meet the requirements of the City of Romulus or other agency having jurisdiction thereof. The lot shall have sufficient road frontage such that all driveways will meet the driveway spacing requirements of [Section 14.06](#). Only one (1) driveway from any abutting street shall be allowed unless the Planning Commission determines that additional drives would improve traffic conditions on site and any abutting streets. A raised, concrete curb shall be erected by the applicant along all adjoining streets, except at driveway entrances.
- (6) There shall be no outdoor storage or display of vehicle components, parts, supplies, equipment, or merchandise except within an area defined on the site plan approved by the Planning Commission and which extends no more than ten (10) feet beyond the building.
- (7) The Planning Commission may require the submission of a Pollution Incidence Protection Plan (PIPP). The PIPP shall describe measures to prevent groundwater contamination caused by accidental gasoline spills or leakage, such as special check valves, drain back catch basins and automatic shut off valves.
- (8) Truck stops that include maintenance and repair, restaurants, accommodations, storage or other uses shall also be subject to the requirements of those other uses.

**(c) Vehicle Impound Facilities, Towing Storage Yards, and Auction Facilities**

- (1) The minimum size of the site shall be not less than four (4) acres.
- (2) All stored vehicles shall be in working condition or vehicles that were damaged in a crash and towed to facility for temporary storage.
- (3) All vehicle storage areas shall be paved.
- (4) Storage areas shall be designed to provide adequate vehicle circulation and fire access.
- (5) The site shall meet the requirements of [Section 11.17\(b\)](#) and provide the landscape greenbelts and buffer zones required for industrial outdoor storage by [Section 11.17\(b\)](#).

**(d) Vehicle Engine and Body Repair (Major) and Truck and Trailer Repair**

- (1) In the M-1, Light Industrial District, truck repair (minor) facilities shall be limited to 5 acres or less.
- (2) In the M-2, General Industrial District, truck repair (major) facilities shall be limited to 15 acres or less.
- (3) Wrecked or damaged vehicles that are not to be repaired shall not be stored on the site.
- (4) All outdoor storage of vehicles, trucks or trailers to be repaired shall meet the requirements of [Section 11.17\(b\)](#).
- (5) All repairs must be performed in a completely enclosed building. In the M-1, Light Industrial District, all painting must be done in a paint booth.
- (6) The required front yard area shall be landscaped according to the requirements of [Section 13.02](#). In no case shall the front yard be used for loading or unloading, or storage of wrecked or damaged vehicles or parts, materials, or equipment.

- (7) For vehicle maintenance and repair establishments, no portion of any structure, facility, access drive or parking or storage area shall be located within fifty (50) feet of any residential district. Any truck repair facility shall be setback a minimum one hundred (100) feet from any residential district. Where such activity is included, a type A buffer shall be installed, as required in [Section 13.02](#).
- (8) The front or side of any building or structure that is within one hundred and fifty (150) feet of a public right-of-way must be constructed of a decorative material.
- (9) The Planning Commission may require the submission of a Pollution Incidence Protection Plan (PIPP). The PIPP shall describe measures to prevent groundwater contamination caused by accidental gasoline spills or leakage, such as special check valves, drain back catch basins and automatic shut off valves.
- (10) There shall be no outdoor storage or display of vehicle components, parts, supplies, equipment, or merchandise except within an area defined on the site plan approved by the Planning Commission or ARC.
- (11) Outside storage areas for trash, used tires, auto parts and similar items shall be prohibited.
- (12) The storage, sale or rental of new or used cars, trucks, trailers, and any other vehicles on the premises shall be considered a separate use and subject to the standards of [Section 11.07\(a\)](#).
- (13) The dismantling of vehicles, automobile recycling or sale of automobile parts vehicles on the premises shall be considered a separate use and subject to the standards of [Section 11.07\(h\)](#).
- (14) All necessary steps shall be taken to insure that any resulting dust, flushing, fumes, gas, noise, odor, smoke, vapor or vibration do not create a condition more detrimental to the surrounding area(s) than would result from other permitted uses.
- (15) A license for a vehicle or truck repair facility from the State of Michigan shall be provided prior to issuance of any occupancy permits.

**(e) Vehicle Repair and Maintenance (Minor)**

- (1) The required front yard area shall be landscaped according to the requirements of [Section 13.02](#). In no case shall the front yard be used for loading or unloading, or storage of wrecked or damaged vehicles or parts, materials, or equipment.
- (2) The front or side of any building or structure that is within one hundred and fifty (150) feet of a public right-of-way must be constructed of a decorative material.
- (3) All repair and maintenance must be performed in a completely enclosed building. In the M-1, Light Industrial District, all painting must be done in a paint booth.
- (4) There shall be no outdoor storage or display of vehicle components, parts, supplies, equipment, or merchandise except within an area defined on the site plan approved by the Planning Commission and which extends no more than ten (10) feet beyond the building. Outside storage areas for trash, used tires, auto parts and similar items shall be prohibited.
- (5) The dismantling of vehicles, automobile recycling or sale of automobile parts vehicles on the premises shall be considered a separate use and subject to the standards of [Section 11.07\(h\)](#).

(6) A license for a vehicle repair facility from the State of Michigan shall be provided prior to issuance of any occupancy permits.

(f) **Vehicle Service Centers/Fueling (Gas) Stations**

(1) Pump islands shall be a minimum of forty (40) feet and canopies a minimum of 25 feet from any public right of way or lot line, and at least fifty (50) feet from any residential lot line.

(2) The design and materials of the canopy shall be visually compatible with the main building. The proposed clearance of any canopy shall be noted on the site plan. Support columns shall be covered with brick or other decorative masonry material to match the principal building in the CBD and commercial districts. Details on the canopy lighting shall be provided to ensure there is no glare on the public streets or adjacent property, and that lighting levels are in accordance with [Section 13.04](#). Canopy lighting shall be recessed such that the light source cannot be seen from off site.

(3) All driveways providing ingress to or egress from a vehicle service station shall be not more than thirty (30) feet wide at the property line. Curbs, curb cuts, driveway widths and acceleration or deceleration lanes shall meet the requirements of the City of Romulus or other agency having jurisdiction thereof. The lot shall have sufficient road frontage such that all driveways will meet the driveway spacing requirements of [Section 14.06](#). Only one (1) driveway from any abutting street shall be allowed unless the Planning Commission determines that additional drives would improve traffic conditions on site and any abutting streets. A raised, concrete curb six (6) inches in height shall be erected by the applicant along all adjoining streets, except at driveway entrances.

(4) A vehicle service station with a vehicle wash on the site may have one (1) additional curb cut. The additional curb cut shall be restricted to an exit only to serve the automobile wash and shall not be located closer than fifty (50) feet from any intersecting street right-of-way line, adjacent Residential District or use property, or other curb cut serving the facility.

(5) There shall be no outdoor storage or display of vehicle components, parts, supplies, equipment, or merchandise except within an area defined on the site plan approved by the Planning Commission and which extends no more than ten (10) feet beyond the building.

(6) The Planning Commission may require the submission of a Pollution Incidence Protection Plan (PIPP). The PIPP shall describe measures to prevent groundwater contamination caused by accidental gasoline spills or leakage, such as special check valves, drain back catch basins and automatic shut off valves.

(7) Vehicle fueling (gas) stations that offer vehicle maintenance and repair shall also be subject to the requirements of [11.07](#) and that include restaurants or other uses shall also be subject to the requirements of those other uses.

(8) Fueling operations designed to accommodate tractor trailer trucks shall be prohibited except on sites zoned M-1 and M-T.

(9) There must be sufficient on-site storage to accommodate at least two queued vehicles waiting to enter or exit without using a portion of the public right-of-way obstructing existing vehicle sight distance, or otherwise interfering with street traffic.

(10) The sale or rental of new or used cars and any other vehicles on the premises is

prohibited.

- (11) If the use is abandoned or terminated, all storage tanks must be removed from the premises in accordance with applicable state or federal regulations.

**(g) Vehicle and Truck Wash (Automatic or Self-Serve) and Auto-Detailing**

- (1) Only one (1) ingress/egress driveway shall be permitted on any single street.
- (2) All washing and detailing facilities shall be within a completely enclosed building.
- (3) Vacuuming and drying may be located outside the building, but shall not be in the required front yard.
- (4) All cars required to wait for access to the facilities shall be provided with the number of stacking spaces required in [Article 14](#), fully off the street right-of-way which does not conflict with vehicle maneuvering areas to access gasoline pumps or vacuums, and as required [Article 14](#).
- (5) A drying line thirty (30) feet long shall also be provided at the exit of each washing stall in order to prevent undue amounts of water from collecting on the public street and thereby creating a traffic hazard.

**(h) Vehicle and Truck Dismantling, Wrecking, Recycling and Sale of Used Parts**

- (1) Vehicle and truck dismantling, wrecking, recycling and the sale of used parts shall be permitted in the M-T District only.
- (2) Any outdoor storage area greater than two hundred (200) square feet used for the keeping of junk including scrap metals or other scrap materials, or reclaimed materials, or for the dismantling, demolition, or abandonment of automobiles or other vehicles, trucks, trailers or machinery or parts thereof shall be considered a salvage yard and subject to special land use review and the standards of [Section 11.14\(b\)](#).
- (3) All dismantling, repair and maintenance must be performed in a completely enclosed building.
- (4) There shall be no outdoor storage or display of vehicle or truck components, parts, supplies, equipment, or merchandise except within an area defined on the site plan approved by the Planning Commission or ARC and which extends no more than ten (10) feet beyond the building. Outside storage areas for trash, used tires, auto parts and similar items shall be prohibited.
- (5) A license for a parts dealer facility from the State of Michigan shall be provided prior to issuance of any occupancy permits.

**(i) Truck Fueling Stations**

- (1) It must be demonstrated by the applicant that the truck fueling station will primarily serve trucks from nearby industrial areas.
- (2) There must be sufficient on-site storage to accommodate at least two queued tractor trailer trucks waiting to enter or exit without using a portion of the public right-of-way obstructing existing vehicle sight distance, or otherwise interfering with street traffic.
- (3) Overnight truck or trailer parking shall be prohibited.
- (4) All access shall be from a Class A road or a City road identified as a truck route on the City's truck route map.
- (5) A traffic study shall demonstrate that site access will operate at Level of Service

C or better.

- (6) Access points shall be curbed in accordance with City standards.
- (7) There shall be a maximum 6 truck fueling spaces.
- (8) The site shall not abut a residential district or use.
- (9) Pump islands shall be setback 50 feet from the ROW.
- (10) Overhead canopies shall be 40 feet from ROW.
- (11) Canopy design and materials shall be visually compatible with principal building.
- (12) The sale or rental of new or used cars, trucks, trailers, and any other vehicles on the premises is prohibited.
- (13) If the use is abandoned or terminated, all storage tanks must be removed from the premises in accordance with applicable state or federal regulations.

## **Section 11.08 Recreation \leisure \entertainment**

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### **(a) Adult uses**

- (1) The use shall not be located within five hundred (500) feet of any:
  - a. single-family or multiple-family residential district;
  - b. public or private school;
  - c. religious facility or institution;
  - d. public park.
- (2) An adult use shall not be nearer than one thousand (1,000) feet to any other adult use.
- (3) The distances provided for in this Section shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the lot upon which the proposed use is located, to the nearest point of the lot or land use district boundary line from which the proposed use is to be separated.
- (4) In order to ensure the safety and protection of the public, if the proposed use contemplates the display of films, video or other motion pictures, or qualifies as an adult motion picture theater or adult mini motion picture theater, as defined in Article 24, then in addition to the requirements of [Section 7.04](#), the use shall comport with the standards for theaters, as specified in the Building Code under use group A-1 theaters.
- (5) In order to protect against the risk of transmission of disease and the development of unsanitary conditions, if the proposed use qualifies as an adult motion picture theater or as an adult mini motion picture theater and has, or is equipped with individual booths for viewing of films, videotape or dancers, or for conversation with employees, agents or dances, the booths shall:
  - a. Be located in a manner to provide an unobstructed view from the manager's desk or duty station.
  - b. Be limited to one (1) occupant at a time.
  - c. Not be equipped with doors, curtains, screens or any other means of closing said booth from view.
- (6) Display of materials offered for sale use or viewing, shall not be visible from any

vantage point outside the building.

(7) Any exterior advertising shall be limited to signs that comply with the Romulus Sign Ordinance.

(8) Violation of any of the provisions in this subsection shall constitute a public nuisance per se and violators shall be subject to the enforcement provisions of [Section 21.14](#).

(b) **Arcades.** (Type "A") defined in [Article 24](#) shall be required to provide written agreement by owner and operator to limit hours of operation so as not to negatively affect the operation of any adjoining or adjacent commercial uses or adjacent residential areas. The agreement shall include the provision of evidence to the Planning Commission that adverse characteristics of arcades will be controlled and kept inside the building. Evidence may include any or all of the following:

- (1) Written plan to control loitering by owner/operator or cooperating with City police in any action they may take near doors of arcade, adjacent uses and in parking lots.
- (2) Written plan to control parking by providing for the storage of bicycles and immediate reporting of parking violations to police.
- (3) At the discretion of the Planning Commission, imposition of performance guarantees in accordance with [Section 21.10](#) to insure compliance with the written plans and agreements.
- (4) Written agreement by owner and operator to control litter through hourly clean-up and the keeping of lot free of paper and debris.
- (5) Data which would indicate that compliance with all City codes and ordinances is not precluded by site factors.
- (6) Type "B" arcades shall be permitted as an accessory use to a use permitted in the district, such as a bar or retail store.

(c) **Golf courses**

- (1) The site plan shall be laid out to ensure pedestrian and vehicular traffic safety between the arterial roadway and any proposed service roads, entrances, driveways, and parking areas.
- (2) All principal or accessory buildings shall be at least two hundred (200) feet from any property lines abutting a residential district; unless the buildings would be screened from view, in which case the Planning Commission may reduce this requirement.
- (3) At least one (1) shelter building with toilet facilities shall be provided per nine (9) holes meeting the County Health Department requirements and Building Code.
- (4) Buildings and parking lots shall be setback a distance sufficient to meet the buffer zone requirements of [Section 13.02\(d\)](#) for commercial uses. The portions of the site developed with buildings or parking lots shall meet the landscaping requirements of [Section 13.02](#) for commercial uses.

(d) **Outdoor recreation uses**, including batting cages, driving ranges, riding stables, gun clubs, parks, camper and/or tent parks, hay rides, snowmobile and mini-bike trails, picnic grounds, swimming facilities, children's rides and race tracks. Large scale recreation uses, operated either privately or for profit, including golf courses, driving ranges, riding stables, gun clubs, parks, camper and/or tent parks (subject to the

state law governing travel trailer parks), hay rides, snowmobile and mini-bike trails, picnic grounds, swimming facilities, children's rides, race tracks, and the like shall comply with the following conditions. Approval shall be for a specific designated use, subject to approval of the uses and site plan. The addition of other uses must be approved through the submission of an amended site plan.

- (1) All approved uses shall be on a parcel of fifteen (15) acres or more in area.
- (2) All vehicular ingress and egress from the site shall be directly onto a public road designated as a arterial roadway on the Master Plan.
- (3) All buildings shall be setback a minimum of two hundred (200) feet from any abutting residential district and public road right-of-way; provided this requirement may be modified where topography conditions provide a screen from view.
- (4) No active recreation facilities or activities shall take place within thirty (30) feet of the perimeter of the recreation area. All recreation activities shall be adequately screened from abutting property by means of a greenbelt constructed according to the standards of [Section 13.02](#).
- (5) Related accessory commercial uses may be permitted in conjunction with the recreation use when it is clearly incidental to the main recreation character of the use. Accessory uses that are of a commercial nature, shall be housed in a single building. Minor accessory uses that are related to the operation of the recreation use, such as a maintenance garage, may be located in separate building. Accessory uses shall not include the sale, servicing, or repair of any vehicles or equipment used on the site except that owned by the proprietor.
- (6) For uses that include a swimming pool, a protective fence six (6) feet in height shall be provided around the swimming pool and entry shall be by means of a controlled gate, which shall be locked when not in use.
- (7) Riding stables are subject to the following additional conditions:
  - a. Stables and paddock areas for instruction or confinement of horses shall be located at least two hundred (200) feet from any property line.
  - b. Manure shall be kept in a safe and sanitary manner and shall be regularly treated so as to properly control flies and insects.
  - c. Boarding stable shall also be subject to the standards of [Section 11.15\(e\)](#).
- (8) Travel trailer parks (as defined in [Article 24](#)) shall also be subject to the following:
  - a. The number of individual unit spaces shall not exceed fifteen (15) per gross acre. The minimum area of any space for a travel trailer shall be at least one thousand two hundred (1,200) square feet with no dimension less than thirty (30) feet. Travel trailers shall be at least ten (10) feet from any other trailer or building within the park.
  - b. Parking of a tent, camper, travel trailer or recreation vehicle shall not exceed thirty (30) days.
  - c. Fire hydrants or fire extinguishers shall be provided as required by the Fire Department.
  - d. Water systems, toilets and sewerage facilities shall be approved by the State of Michigan and Wayne County Health Departments.
  - e. At least twenty-five percent (25%) of the total area shall be reserved for

recreation purposes or open space.

- (9) One (1) single-family residence shall be permitted for the owner or manager, which may also be used as the office or for other commercial activities, provided that the commercial space is for the exclusive use of the park visitors.

**(e) Private noncommercial recreational areas and buildings, institutional recreation centers, neighborhood recreational clubhouses, non-profit swimming pool clubs**

- (1) Should the use serve or intend to serve persons from outside the immediate neighborhood, at least one (1) property line shall abut an arterial roadway.
- (2) Principal buildings and any parking areas shall be set back at least eighty (80) feet from all lot lines. The setback area shall be landscaped in trees, shrubs and grass meeting the landscaping requirements of [Section 13.02](#) for institutional uses.
- (3) Off-street parking shall be provided to accommodate not less than one-half (½) of the member families and/or individual members. Should the members be predominately from immediately adjacent areas, the Planning Commission may modify the off-street parking requirements.

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**Section 11.09 Office/Professional/Financial**

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**(a) Financial establishments with drive-thru tellers**

- (1) The drive-thru window shall be on the side or rear of the building. The side of the building with the drive-thru lane shall be setback a minimum of twenty five (25) feet from any lot line.
- (2) The site will be adjacent to a arterial roadway, and all points of ingress and egress will be directly onto said roadway or onto a commercial or industrial street or service drive meeting the requirements of [Section 14.06](#).
- (3) Adequate waiting or standing areas for vehicles shall be provided on-site so that no vehicle is required to wait, stand, or be stored within a right-of-way, in accordance with the parking requirements of [Article 14](#).
- (4) In the CBD districts, there shall be a maximum of two (2) drive-through lanes, plus one (1) automatic teller lane.
- (5) Methods to minimize the impact of noise from outdoor speakers on adjacent residential are required.

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**Section 11.10 Industrial Manufacturing**

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**(a) Manufacture, Assembling, Compounding, Fabrication or Packaging of Products - Over 80,000 sq. ft. GFA**

- (1) The site shall be designed so that all vehicles are able to enter and leave the site without having to back-out onto the street.
- (2) The Planning Commission shall determine that traffic operations will remain acceptable for the road or roads involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and adequacy of nearby access points, intersections, and interchanges. The City may require a traffic impact study as described in Section 23.02(a)(3) to demonstrate compliance with this criterion. All access to the site shall be from class A roads or a City road identified as a truck route on the City's truck route map.
- (3) The minimum setbacks, greenbelts and landscape buffer zones for the site shall

be increased by fifty percent (50%) above the minimum front, side and rear yards setbacks required in [Section 8.04](#). The amount of plant material required by [Section 13.02](#) for landscape greenbelts and buffer zones shall be increased by fifty percent (50%).

## **Section 11.11 Construction Contractors/Supplies**

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### **(a) Asphalt, Concrete or Mixing Batch Plant and Crushing Operations**

- (1) Mixing batch plants shall have a minimum lot size of five (5) acres; crushing operations shall be prohibited on sites less than twenty (20) acres.
- (2) No portion of any crushing operation shall be located closer than one thousand (1,000) feet from any residential district.
- (3) All access to the site shall be from class A roads.
- (4) The minimum setbacks, greenbelts and landscape buffer zones for the site shall be increased by fifty percent (50%) above the basic front, side and rear yards setbacks required in [Section 8.04](#). The amount of plant material required by [Section 13.02](#) for landscape greenbelts and buffer zones shall be increased by fifty percent (50%).
- (5) A screening wall, fence and/or landscaping eight (8) feet in height as determined by the Planning Commission shall be required along the perimeter of the site.
- (6) Provisions shall be made for the on-site reduction and containment of dust and other particulate matter. Aggregates, fillers, dirt, dust, mud, sludge, or other debris from the vehicles must be removed before they leave the site. All vehicles shall be power-washed prior to leaving the site.
- (7) The type, frequency of occurrence and duration of noise generated by the plant or crushing operation shall not be disruptive to other uses in the vicinity.
- (8) All operations shall be subject to the performance standards of [Section 8.05](#).

### **(b) Contractor Outdoor Storage Yards; Wholesale Lumber Yards and Planing Mills; and Building Supply Establishments**

- (1) In the M-1, Light Industrial District:
  - a. Lot size shall not exceed ten (10) acres.
  - b. A building of at least 1,000 square feet must be provided.
  - c. Outdoor storage shall not exceed 125% of the floor area of the building.
- (2) In the M-2, General Industrial District, outdoor storage shall not exceed 150% of the floor area of the building.
- (3) All accessory structures, vehicle, and equipment storage and stockpiles of materials shall meet the setback requirements of the district. No outdoor storage shall be permitted in any required yard (setback).
- (4) All outdoor storage of raw materials, supplies, equipment, products, stored vehicles and trailers shall be screened from adjoining lots, streets, and highways by an un-pierced minimum six (6) foot masonry wall, as regulated by [Section 13.02](#), or with a dense row of evergreen landscaping and/or black vinyl coated fencing with a 5-foot high berm or combination thereof to provide the same level of screening as determined by the Planning Commission or ARC. Screening

along side and rear lot lines where the adjacent land use is industrial will be as determined by the Planning Commission or ARC.

- (5) Where setbacks and greenbelts are required by Section 8.04, the wall or fence shall meet the setback requirement and the greenbelt shall be provided outside of the wall along the roadway.
- (6) Materials shall not be stacked or stored so as to exceed twenty (20) feet in height, not including vehicles or construction equipment. All cranes must be lowered when not in use.
- (7) Non-operable and wrecked trucks, trailers, and equipment shall be prohibited. All stored products, materials, supplies and other inventory must be useable and related to the business.
- (8) All outdoor storage areas shall be paved with a permanent, durable and dustless surface and shall be graded and drained to dispose stormwater without negatively affecting adjacent property. The City may approve a gravel surface for all or part of the storage area for materials when there will not be large volumes of truck traffic or in instances where construction equipment will be stored that would otherwise break-up pavement. Dust control measures shall be used where gravel storage areas are allowed.
- (9) Six (6) inch tall concrete curbing shall be provided around the storage area.
- (10) Storage shall not be permitted to occupy required parking lots.
- (11) Storage areas providing trailer staging shall either be concrete or provide a minimum ten (10)-foot concrete apron to accommodate the trailer landing gear. Wider aprons may be required for angled storage areas.
- (12) Plans for outdoor storage areas shall provide a twenty (20) foot wide fire lane for emergency vehicle access to all areas of the storage yard.

## **Section 11.12      Transportation and Warehousing**

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### **(a) Self-Storage or Mini-Warehouse Facilities and Recreation Vehicle Storage**

- (1) The minimum size of the site shall be not less than four (4) acres.
- (2) All ingress and egress from the site shall be directly onto a major arterial having a right-of-way equal to or greater than one hundred twenty (120) feet.
- (3) The minimum setbacks, greenbelts and landscape buffer zones for the site shall be increased by fifty percent (50%) above the minimum front, side and rear yards setbacks required in [Section 8.04](#) unless a completely obscuring reinforced masonry wall not less than six feet high or a dense row of evergreens is provided. The amount of plant material required by [Section 13.02](#) for landscape greenbelts and buffer zones shall be increased by fifty percent (50%).
- (4) Self-storage buildings shall be spaced not less than thirty (30) feet apart.
- (5) No storage of combustible or flammable liquids, combustible fibers, or explosive materials as defined in the fire prevention code, or toxic materials, shall be permitted within the self-storage buildings or upon the premises.
- (6) The use of the premises shall be limited to storage of personal items and business items and shall not be used for operating any other business, maintaining or repairing of any vehicles, or for any recreational activity or, hobby.
- (7) No storage outside of the self-storage buildings shall be permitted. Recreation

vehicle (RV) storage is permitted within the buildings or as an accessory use in accordance with the standards of [Section 11.17\(b\)](#).

- (8) The facility may include moving van/truck rental, which shall be required to also meet the applicable requirements for that use.
- (9) Limited retail sales to tenants of products and supplies incidental to the principal use, such as packing materials, packing labels, tape, rope, protective covers, and locks, and chains shall be permitted on the site devoted to this use.
- (10) Doors shall be oriented facing away from a street right-of-way or an adjacent residential district or use and screened from view of the roadway.
- (11) Exterior building walls visible from a public right-of-way or nonindustrial district shall be finished with brick or other high-quality masonry material
- (12) A security manager shall be permitted to reside on the premises in accordance with [Section 12.11](#).

**(b) Truck Terminals**

- (1) The site shall have a minimum area of ten (10) acres, provided the Planning Commission may reduce the site area to no less than five (5) acres where the truck terminal operation will be compatible with other surrounding uses.
- (2) The site shall be designed so that all vehicles are able to enter and leave the site without having to back-out onto the street.
- (3) The Planning Commission shall determine that traffic operations will remain acceptable for the road or roads involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and adequacy of nearby access points, intersections, and interchanges. The City may require a traffic impact study as described in [Section 23.02\(a\)\(3\)](#) to demonstrate compliance with this criterion. All access to the site shall be from class A roads or a City road identified as a truck route on the City's truck route map.
- (4) The minimum setbacks, greenbelts and landscape buffer zones for the site shall be increased by fifty percent (50%) above the minimum front, side and rear yards setbacks required in [Section 8.04](#). The amount of plant material required by [Section 13.02](#) for landscape greenbelts and buffer zones shall be increased by fifty percent (50%).
- (5) There shall be provided, except at entrances and exits, a six-foot decorative wall the full width of the developed area of the terminal site set back fifty (50) feet from the property line. Where the principal building is constructed at the fifty (50) foot setback line and where the front of the building is constructed of a decorative brick compatible with the wall, then the decorative wall shall not be required along that portion of the front yard enclosed by the building. As an alternative to a wall, the Planning Commission may permit a black vinyl-coated fence behind a five (5) foot tall landscape berm.

**(c) Trucking Facilities and Truck and Trailer Storage**

- (1) The site shall be a maximum of 5 acres in the M-1, Light Industrial District and 15 acres in the M-2, General Industrial District.
- (2) Trucking facilities sites in the M-1 and M-2 Districts must include a building of at least 1,000 square feet.
- (3) The outdoor storage of trucks, trailers, equipment, materials, supplies, and

products shall be limited to 125% of the floor area of the building in the M-1 District and up to 150% of the building floor area in the M-2 District.

- (4) The site shall be designed so that all vehicles are able to enter and leave the site without having to back-out onto the street.
- (5) The Planning Commission shall determine that traffic operations will remain acceptable for the road or roads involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and adequacy of nearby access points, intersections, and interchanges. The City may require a traffic impact study as described in Section 23.02(a)(3) to demonstrate compliance with this criterion. All access to the site shall be from class A roads or a City road identified as a truck route on the City's truck route map.
- (6) In the M-1 District, the minimum setbacks, greenbelts and landscape buffer zones for the site shall be increased by fifty percent (50%) above the basic front, side and rear yards setbacks required in [Section 8.04](#). The amount of plant material required by [Section 13.02](#) for landscape greenbelts and buffer zones shall be increased by fifty percent (50%).
- (7) All outdoor storage of trucks, trailers, equipment, materials, supplies, and products shall be screened from adjoining lots, streets, and highways by an unpierced minimum six (6) foot masonry wall, as regulated by [Section 13.02](#); or a dense row of evergreen landscaping to provide the same level of screening. A black vinyl coated chain link fence behind a five (5) foot tall landscaped berm may be permitted. Screening along side and rear lot lines may be waived by the Planning Commission or ARC where the adjacent land use is industrial. Truck and trailer storage areas are also subject to the standards of [Section 11.17\(b\)](#).

**(d) Large Warehouse, Manufacturing, Air Freight Forwarding, Expediting, and Delivery Services and Distribution Facilities**

- (1) The site shall be designed so that all vehicles are able to enter and leave the site without having to back-out onto the street.
- (2) The Planning Commission shall determine that traffic operations will remain acceptable for the road or roads involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and adequacy of nearby access points, intersections, and interchanges. The City may require a traffic impact study as described in Section 23.02(a)(3) to demonstrate compliance with this criterion. All access to the site shall be from class A roads or a City road identified as a truck route on the City's truck route map.
- (3) The minimum setbacks, greenbelts and landscape buffer zones for the site shall be increased by fifty percent (50%) above the minimum front, side and rear yards setbacks required in [Section 8.04](#). The amount of plant material required by [Section 13.02](#) for landscape greenbelts and buffer zones shall be increased by fifty percent (50%).

**Section 11.13 Utilities and Oil and Gas Wells**

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**(a) Public Utility Buildings, Structures and Yards.**

- (1) The perimeter of the developed portion of the public utility buildings and structures including yards shall be landscaped meeting the industrial use greenbelt and buffer zone requirements of [Section 13.02](#).

(2) Public utilities are further subject to the provisions of [Section 12.14](#), Essential Services.

(b) **Oil, Gas and Hydraulic Fracking Wells.** The following requirements shall apply to the location, installation, drilling and operation of any well for the commercial extraction of oil, gas or other hydrocarbons in the City:

(1) The location, installation, drilling, operation, maintenance, completion and abandonment of oil and gas wells shall comply with all applicable federal and state laws, regulations, rules, and permits and shall conform to the rules, regulations, and orders of the Michigan Superintendent of Wells and Department of Environmental Quality and applicable federal laws and regulations.

(2) No new oil or gas well shall be located closer than 1,000 feet from a residential dwelling or place of worship, school, hospital, childcare center or public park or 330 feet from an adjoining property line, unless the adjoining property is pooled with the well site property, and unless the location is at least 660 feet from another well. This paragraph shall not be construed to restrict or prohibit underground horizontal drilling directional or horizontal drilling where lawfully permitted by Michigan Department of Environmental Quality.

(3) The owner or operator of an oil or gas well shall provide the City a copy of the Environmental Impact Assessment filed with the Michigan Department of Environmental Quality in connection with a well permit under Part 615 of the Natural Resources and Environmental Protection Act, MCL 524.61501, et seq, and the administrative rules promulgated under Part 615, as amended, and a hydrogeological study. The owner or operator shall install at least one groundwater monitoring well in close proximity to, and down gradient of, the well location prior to commencing drilling. The owner or operator shall collect a water sample from the monitoring well prior to commencing drilling operations and at approximately three (3) months and six (6) months following drilling completion. Water samples shall be tested for specific conductance, chloride, benzene, ethylbenzene, toluene, and xylene. The owner or operator shall provide the results of the sample analysis to the City Engineer within seven (7) days after the results are available.

(4) The owner or operator of an oil or gas well shall file with the City, and keep updated, the name and contact information for an emergency contact person(s) who will be available at all times on a twenty-four (24) hour basis. The owner or operator shall provide to the City's emergency responders any information necessary to assist the City's emergency responders with an emergency response plan and hazardous materials survey establishing written procedures to minimize any possible hazard resulting from the operation, and shall further provide the emergency responders with a means to contact a responsible representative of the owner or operator on a twenty-four (24) hour basis.

(5) An oil or gas well site shall be completely enclosed with a six (6) feet high fence in accordance with [Section 13.03](#) that is designed to prevent unauthorized entry during well drilling, completion, and operation.

(6) Adequate measures shall be implemented at the oil or gas well site to prevent and control any objectionable dust, noise, vibrations, fumes, or odors from leaving the property or adversely affecting or unreasonably disturbing persons living or working in the vicinity. All operations shall be conducted in

accordance with the best practices determined by the Michigan Department of Environmental Quality for the production of oil, gas and hydrocarbons in urban and residential areas.

- (7) Exterior lighting be shielded to prevent unnecessary light or glare from being directed off-site and shall comply with [Section 13.05](#).
- (8) The installation, drilling, operation, and maintenance of oil and gas wells shall conform to the performance standards of [Section 8.05](#) in regard to airborne emissions, odors, gases, noise, and vibration, hazardous substances, glare, fire and explosive hazards, and waste and rubbish dumping.
- (9) The completed wellhead structure shall not exceed twenty-two (22) feet in height. The temporary drilling rigs shall not exceed 110 feet in height, and must comply with all Federal Aviation Administration requirements.
- (10) An oil or gas well shall include measures or controls satisfactory to the City Engineer to prevent migration, run-off or discharge of any hazardous materials, including but not limited to any chemicals, oil or gas produced or used in the drilling or production of oil or gas, to adjoining property or to the City of Romulus sanitary sewer system, storm water system or any natural or artificial watercourse, pond, lake or wetland. There shall be no off-site discharge of storm water except to an approved drainage system in accordance with the City's engineering requirements.
- (11) All brine, mud, slush, saltwater, chemicals, wastewater, chemical, fluids or waste produced or used in the drilling or production of oil or gas shall, under the supervision of the Michigan Department of Environmental Quality, be safely, lawfully and properly disposed of to prevent infiltration of or damage to any fresh water well, groundwater, watercourse, pond, lake or wetland. Injection wells for disposal of brine or chemicals from production wells or other sources must comply with use standards of [Section 11.14\(a\)](#).
- (12) The oil or gas well site shall be kept in a clean and orderly condition, free of trash and debris, with weeds cut. Machinery and equipment not being used in the operation of the well shall not be stored or kept at the well site.
- (13) Landscaping and screening shall be provided to limit public view of wellheads and equipment after well completion operation. Landscaping and screening shall be in accordance with [Section 13.02](#).
- (14) No drilling rigs, construction vehicles, tanker trucks or heavy equipment used in connection with the drilling or production operations of oil or gas wells in the City shall be moved over the public roads and streets under the City's jurisdiction without obtaining approval from the City's Engineer, who shall specify the streets that may be used and any conditions that may apply.
- (15) Hydraulic fracturing (i.e., the pumping or injection of a mixture of water, sand, and chemicals under pressure into an oil or gas formation) is prohibited in the City, unless it is considered authorized by the Michigan Department of Environmental Quality.

## **Section 11.14 Waste Handling and Disposal**

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### **(a) Deep well injection of hazardous or non-hazardous wastes**

- (1) The use shall be located on a site of not less than thirty (30) acres.

- (2) All truck access to and from the site shall be upon a major or minor arterial Class A road.
- (3) To ensure that the reasonable use of neighboring properties is not adversely affected and to reduce the potential for adverse health, odor or other environmental impacts, the property lines encompassing the proposed use shall only abut industrial districts and comply with the following separation distances:
  - a. Two thousand six hundred forty (2,640) feet from the property lines of any residential district, hospital, nursing home, senior housing project, or any facility designed for use by the physically infirm, or where large numbers of people congregate, such as recreation centers, parks or playgrounds, public meeting halls, places of religious worship, schools or libraries.
  - b. Six hundred sixty (660) feet from the property lines of any existing residential structure or any RC, C-1, C-2, C-3, CBD-1, CBD-2, CBD-3 or O-1 zoning district.
  - c. Additionally, the City shall determine that the proposed use shall not adversely affect nonconforming residential uses and that adequate separation is provided from existing industrial uses that may be particularly sensitive, such as food, beverage or drug processing facilities.
  - d. The separation distances specified above may be reduced by not more than fifty percent (50%) upon a finding by the Planning Commission and City Council that the distance is sufficient to prevent any occurrence of health or obnoxious odor problems or pollution of land, water courses or drainage systems.
- (4) In order to fully assess all implications and effects of the project, an in-depth environmental impact assessment shall be prepared by the petitioner and submitted for review at the public hearing and approval by the City in accordance with [Section 8.06](#).
- (5) The site shall be screened from view by a greenbelt A required under [Section 13.02\(c\)](#) and from adjacent property by a buffer meeting the requirements of [Section 13.02\(d\)](#).
- (6) Environmental Controls as follows shall be provided:
  - a. All processing, treatment, recycling, transfer, unloading and storage shall be within a completely enclosed building or in approved storage tanks. The facility shall be constructed to enclose all equipment which generate significant levels of noise.
  - b. All aggregate and bulk materials shall be stored in the building or in concrete bunkers or silos. The bunkers or silos shall be equipped to control fugitive dust and particles.
  - c. The plan shall indicate that all motor vehicles, which have contained or been in contact with hazardous waste, recycled materials or sludge, shall be washed clean prior to leaving the site. The method and area for washing shall be specified on the site plan.
  - d. The facility shall be equipped with an approved waste water recycling system to avoid contaminated water or liquids from being discharged to ground water, surface water or storm sewers. This shall include a wash-out, wash-down, and secondary containment system to recover and recycle impurities and other by-products processed from trucks, machinery products, supplies

or waste.

- e. All surface areas involved in the loading, unloading, transfer or storage shall be constructed to prevent the runoff of any hazardous material to unpaved areas or non-designated drainage facilities. Potential waste shall be collected with a secondary containment system and processed or disposed of according to State or Federal regulations. Any drainage of fluids shall be on a non-pervious platform so that any liquids will be contained and not discharge to the ground.
- (7) All driveways, surface roads and storage areas on the premises shall be paved with concrete or deep strength asphalt. Deceleration lanes shall be provided in accordance with the minimum of the City of Romulus' Engineering Standards. Acceleration or passing lanes may be required by the City Engineer. The Planning Commission shall take into consideration vehicular turning movements in relation to traffic flow, proximity of curb cuts and intersections.
  - (8) All areas of the site which are not paved for parking, driveways, loading or operation shall be landscaped and maintained in accordance with [Section 13.02](#) of this Ordinance.
  - (9) The facility and all of its operations shall strictly comply with all of the performance standards set forth in [Section 8.06](#), as well as all applicable Federal, State, County and local statutes, regulations, rules, orders and ordinances. Systems shall be employed to contain and process all discharged materials from the facility in an environmentally sound manner.
  - (10) Plans and/or reports shall be filed with the Fire Department, indicating the types of materials and where they are located on the site.
  - (11) All approvals of the City shall be conditioned and subject to the applicant securing all required approvals and permits, as defined by local, County, State and Federal statutes and regulations.
  - (12) The City Council shall establish fees to pay its costs of administration and inspections of the site and facility to ensure that the development is being operated in compliance with the conditions of the special land use approval.
- (b) Junk yards and salvage yards**
- (1) The site shall be located in the interior of the district such that the lot does not abut a non-industrial zoning district.
  - (2) The minimum area of the site shall be five (5) acres.
  - (3) The minimum street frontage shall be three hundred (300) feet.
  - (4) The truck traffic will not cause hazardous nor congested traffic conditions. The Planning Commission shall take into consideration vehicular turning movements in relation to routes of traffic flow, and proximity and adequacy of interchanges. Where necessary, the Planning Commission may require traffic studies, intersection improvements and/or acceleration, deceleration or passing lanes.
  - (5) The burning of tires, oil wastes or other waste products shall be prohibited.
  - (6) All sides of the storage yard shall be screened by a buffer zone A in accordance with [Section 13.02](#).
  - (7) The site shall meet the requirements of [Section 11.17\(b\)](#).
- (c) Hazardous waste recycling, incineration, treatment, transfer, storage or disposal**

Recycling, incineration, treatment, storage or disposal of hazardous waste, including hazardous or non-hazardous deep well injection shall be required to comply with the following requirements:

- (1) The use shall be located on a site of not less than thirty (30) acres.
- (2) All truck access to and from the site shall be upon a major or minor arterial Class A road.
- (3) To ensure that the reasonable use of neighboring properties is not adversely affected and to reduce the potential for adverse health, odor or other environmental impacts, the property lines encompassing the proposed use shall only abut industrial districts and comply with the following separation distances:
  - a. Two thousand six hundred forty (2,640) feet from the property lines of any residential district, hospital, nursing home, senior housing project, or any facility designed for use by the physically infirm, or where large numbers of people congregate, such as recreation centers, parks or playgrounds, public meeting halls, places of religious worship, schools or libraries.
  - b. Six hundred sixty (660) feet from the property lines of any existing residential structure or any RC, C-1, C-2, C-3, CBD-1, CBD-2, CBD-3 or O-1 zoning district.
  - c. Additionally, the City shall determine that the proposed use shall not adversely affect nonconforming residential uses and that adequate separation is provided from existing industrial uses that may be particularly sensitive, such as food, beverage or drug processing facilities.
  - d. The separation distances specified above may be reduced by not more than fifty percent (50%) upon a finding by the Planning Commission and City Council that the distance is sufficient to prevent any occurrence of health or obnoxious odor problems or pollution of land, water courses or drainage systems.
- (4) In order to fully assess all implications and effects of the project, an in-depth environmental impact assessment shall be prepared by the petitioner and submitted for review at the public hearing and approval by the City in accordance with [Section 8.06](#).
- (5) The site shall be screened from view by a greenbelt A required under [Section 13.02\(c\)](#) and from adjacent property by a buffer meeting the requirements of [Section 13.02\(d\)](#).
- (6) **Environmental Controls**
  - a. All processing, treatment, recycling, transfer, unloading and storage shall be within a completely enclosed building or in approved storage tanks. The facility shall be constructed to enclose all equipment which generate significant levels of noise.
  - b. All aggregate and bulk materials shall be stored in the building or in concrete bunkers or silos. The bunkers or silos shall be equipped to control fugitive dust and particles.
  - c. The plan shall indicate that all motor vehicles, which have contained or been in contact with hazardous waste, recycled materials or sludge, shall be washed clean prior to leaving the site. The method and area for washing shall be specified on the site plan.
  - d. The facility shall be equipped with an approved waste water recycling system

to avoid contaminated water or liquids from being discharged to ground water, surface water or storm sewers. This shall include a wash-out, wash-down, and secondary containment system to recover and recycle impurities and other by-products processed from trucks, machinery products, supplies or waste.

- e. All surface areas involved in the loading, unloading, transfer or storage shall be constructed to prevent the runoff of any hazardous material to unpaved areas or non-designated drainage facilities. Potential waste shall be collected with a secondary containment system and processed or disposed of according to State or Federal regulations. Any drainage of fluids shall be on a non-pervious platform so that any liquids will be contained and not discharge to the ground.
  - (7) All driveways, surface roads and storage areas on the premises shall be paved with concrete or deep strength asphalt. Deceleration lanes shall be provided in accordance with the minimum of the City of Romulus' Engineering Standards. Acceleration or passing lanes may be required by the City Engineer. The Planning Commission shall take into consideration vehicular turning movements in relation to traffic flow, proximity of curb cuts and intersections.
  - (8) All areas of the site which are not paved for parking, driveways, loading or operation shall be landscaped and maintained in accordance with [Section 13.02](#) of this Ordinance.
  - (9) The facility and all of its operations shall strictly comply with all of the performance standards set forth in [Section 8.06](#), as well as all applicable federal, state, county and local statutes, regulations, rules, orders and ordinances. Systems shall be employed to contain and process all discharged materials from the facility in an environmentally sound manner.
  - (10) Plans and/or reports shall be filed with the Fire Department, indicating the types of materials and where they are located on the site.
  - (11) All approvals of the City shall be conditioned and subject to the applicant securing all required approvals and permits, as defined by local, county, state and federal statutes and regulations.
  - (12) The Council shall establish fees to pay its costs of administration and inspections of the site and facility to ensure that the development is being operated in compliance with the conditions of the special land use approval.
- (d) **Non-hazardous materials recycling, indoor**
- (1) The minimum area of the site shall be five (5) acres.
  - (2) All recycling shall take place within a building that is enclosed on all sides except that openings in the wall shall be permitted for truck access on the side or rear of the building where not visible from the street.
  - (3) The truck traffic will not cause hazardous nor congested traffic conditions. The Planning Commission shall take into consideration vehicular turning movements in relation to routes of traffic flow, and proximity and adequacy of interchanges. Where necessary, the Planning Commission may require traffic studies, intersection improvements and/or acceleration, deceleration or passing lanes.
- (e) **Non-hazardous waste transfer stations, treatment, outdoor recycling, storage or disposal facilities.** Transfer stations, treatment, storage or disposal facilities for refuse,

garbage, debris, paper, cardboard, wood, liquids, semi-solids, contained gaseous waste material, or other non-hazardous solid or liquid waste shall be required to comply with the following conditions, except where more stringent requirements exist under applicable State or Federal laws, or except where there is conflict with these laws.

- (1) The use shall be located on site of not less than ten (10) acres.
- (2) All truck access to and from the site shall be upon a major or minor arterial which has been constructed to Class A road standards.
- (3) The site location shall abut only land located within a C-2, C-3, M-1, M-2, or M-T zoning district.
- (4) No portion of any structure, facility, access drive, parking area or storage area shall be located within one hundred (100) feet of any property used for residential purposes.
- (5) All areas adjacent to the transfer point, such as the tipping floor and the turning, standing, parking, and storage areas shall be paved with sealed concrete. Adequate standing and parking facilities shall be provided on the site so that no packers or other collection vehicles, at any time, are standing on a public street awaiting entrance to the site. Areas subject to leakage or wash down areas shall have a secondary containment system. All other roads on the premises shall be paved with concrete or a bituminous hard surface.
- (6) Emission of smoke, dirt, dust and fly ash shall be controlled through the use of electrostatic precipitator or other equipment of equal or better efficiency, which shall meet all applicable Federal, State and local air pollution control regulations.
- (7) The transfer facility and the adjacent area shall be kept clean and free of litter.
- (8) All salvage and transfer operations shall be conducted totally within an enclosed building.
- (9) The operation shall be consistent with all applicable performance standards of this Ordinance.
- (10) If refuse is to remain at the transfer facility beyond the working day, that material shall be stored in a leak proof, fly and rodent resistant structure or container located within the building. No overflow from containers shall be permitted.
- (11) Equipment, adequate in size and quantity and in an operational condition, shall be available at all times. If, for any reason, the transfer facility is rendered inoperable for more than twenty-four (24) hours or there is a shutdown of the facility, an alternate plan or method of disposal shall be available to handle the refuse. These plans must be approved as part of the special land use approval process.
- (12) No refuse shall be burned at the transfer facility. Arrangements shall be made for adequate fire protection and extinguishing of accidental fires. Refuse which is burning, or at a temperature which is likely to cause a fire, or is of highly flammable or explosive nature, shall not be accepted at the transfer facility.
- (13) The proposed plan of operation shall be approved by the Wayne County Health Department and other applicable agencies prior to the issuance of a certificate of compliance.
- (14) In order to fully assess all implications and effects of the project, an in-depth

environmental impact assessment shall be prepared by the petitioner and submitted for review at the public hearing and later approval by the City in accordance with [Section 8.06](#).

(f) **Sludge composting**

- (1) The site shall have a minimum area of thirty-five (35) acres.
- (2) The site shall have direct access and all access routes on Class A Wayne County Roads or local roads which meet Class A Standards.
- (3) To ensure that the reasonable use of adjoining properties is not affected and to reduce the potential for adverse health or odor impacts, the property lines encompassing the proposed use shall only abut industrial districts and comply with the following separation distances:
  - a. Two thousand six hundred forty (2,640) feet from the property lines of any residentially-zoned district, major medical facility, nursing home, senior housing project, or any facility which is designed for use by the physically infirm or where large numbers of people congregate, such as senior recreation centers, public meeting halls, churches, schools, and libraries.
  - b. Three hundred (300) feet from the property lines of any RC, C-1, C-2, C-3, O-1, CBD-1, CBD-2 or CBD-3 District.
  - c. Additionally, the City shall determine that the proposed use shall not adversely affect non-conforming residential uses and that adequate separation is provided from existing industrial uses that may be particularly sensitive such as food, beverage or drug processing plants, or industries which employ large numbers of people.
  - d. The separation distances specified above may be reduced by not more than fifty percent (50%) upon a finding by the Planning Commission and City Council that the reduced isolation distances are sufficient to prevent any occurrence of health or obnoxious odor problems.
- (4) All processing, treatment, unloading, and final product storage shall be within a completely enclosed building. The plan shall indicate that all motor vehicles, which have contained or been in contact with sludge, shall be washed clean prior to leaving the site. The method of washing shall be specified on-site.

Vehicles used to transport sludge to the site shall provide for the completely enclosed, sealed containment of the sludge such as provided by concrete transit mix trucks or similar vehicles having a completely enclosed, sealed container, the intent being to prevent any leakage of the sludge material. Open box dump trucks with tarpaulin/canvas covering are prohibited. Vehicles shall comply with federal and state regulations for the transport of these materials.
- (5) No structures, parking areas, retention basins, or facilities shall be located within one hundred (100) feet of the front property line. This area, exclusive of access drives, shall be landscaped, planted open space meeting the requirements of [Section 13.02](#).
- (6) In order to fully assess all implications and effects of the project, an in-depth environmental impact assessment shall be prepared by the petitioner and submitted for review at the public hearing and later approval by the City in

accordance with [Section 8.06](#).

- (7) The owner or operator of the facility shall submit, as part of the application for a building permit, a performance guarantee or other suitable instrument acceptable to the City, to cover the cost of the closing, monitoring, or long-term maintenance of the facility after its capaCity has been reached or its operations otherwise terminated. The amount of the guarantee shall be based on cost estimates established by the City Engineer.
- (8) All approvals of the City shall be conditioned and subject to the applicant securing all required approvals and permits as defined by local, county, state and federal statutes and regulations.
- (9) The City may assess fees to pay its costs of administration and inspections of the site and facility to insure that the development is being operated in compliance with the conditions of the special land use approval.
- (10) Prior to granting special land use approval, the City shall be assured that the impacts have been identified, adverse impacts have been eliminated, there are no feasible alternatives, adequate conditions and safeguards will be implemented and that the site and facility will not adversely affect the quality of the City's human environment.

**(g) Yard waste composting**

- (1) The site shall have a minimum area of ten (10) acres.
- (2) The site shall have direct access and all access routes on Class A Wayne County Roads or local roads which meet Class A Standards.
- (3) Stacking area for a minimum of five (5) vehicles must be provided on site. Any area used for parking or unloading packaged compostable materials must be screened with a six (6) foot enclosure to prevent plastic or paper bagging materials from leaving the unloading area.
- (4) Active composting operations and storage of compostable and composted materials shall not take place closer than one hundred fifty (150) feet from any boundary of the facility site. The setback from active composting and storage of compostable and composted materials shall be increased to five hundred (500) feet from the boundary of any land zoned or used for residential purposes.
- (5) Individual windrows within the composting facility may not exceed six (6) feet in height and ten (10) feet in width as measured from the base. No portion of the composting mound shall be clearly visible from adjacent road rights-of-way.
- (6) Any composting facility operation shall be conducted in accordance with current standards established by the United States Environmental Protection Agency, the United States Department of Agriculture, the Michigan Department of Environmental Quality and other applicable government regulatory agencies. A composting facility designed for anaerobic composting shall not be permitted. Storing, discharging or depositing sewage, human wastes, wash water, garbage or other wastes shall be done in a manner which does not transmit disease. Depositing, storing or disposing of garbage, manure or any other wastes shall not attract vermin, insects or other pests or allow the wastes to become a breeding place for mosquitoes, flies or other disease-carrying insects. Offensive odors shall not interfere with the enjoyment of adjacent properties.
- (7) Storing or disposing of composting or compostable materials of any kind shall not

pollute a water supply or contaminate surrounding land to the extent that public health is endangered. The surface water detained on the site shall be purified of contaminants before leaving the site or must be disposed of in accordance with the requirements of Wayne County.

**Section 11.15 Animal/Agricultural**

**(a) Farms, Farm Operations, and Agricultural Activities**

- (1) Farm and farm operations as defined in the Michigan Right to Farm Act are not regulated by this section.
- (2) Agricultural activities that do not qualify as a farm or farm operation under the Michigan Right to Farm Act shall be subject to the following provisions:
  - a. In residential districts, agricultural activities are permitted as an accessory use on land outside a platted or condominium subdivision for non-commercial purposes with the exception of roadside stands or for sales at farmer’s markets.
  - b. Agricultural activities are allowed after special land use approval in industrial districts.
- (3) The keeping of animals shall be subject to the pertinent provisions of *Section 11.15 (b)*.
- (4) A temporary building for a roadside stand shall be permitted by the Building and Safety Director in any residential district where farms or agricultural activities are permitted for not more than three (3) months.
  - a. The temporary building shall not be more than one (1) story high and a floor area less than four hundred (400) square feet.
  - b. Adequate area shall be provided for off-street parking and vehicular circulation that will not require vehicles to back into the public road right-of-way.
  - c. Signs associated with the roadside stand shall be temporary, and shall be removed when the stand is not in use. No sign shall be placed within a public right-of-way.

**(b) Keeping of Animals**

- (1) The keeping of animals shall be allowed in single-family residential districts as an accessory use for noncommercial purposes (pets or as a source of food) only except as noted under agricultural activities above. All animals shall be owned and managed by the occupants of the residence on the lot as follows:

<b>Animal</b>	<b>Zoning District</b>	<b>Minimum Lot Area for First Animal</b>	<b>Lot Area for Each Additional Animal</b>
Bees	RCO, RE as special land use		
Chickens, ducks, turkeys (roosters are prohibited)	RCO, RE, R-1A, R-1B	1½ acres	10 per acre
Rabbits	RCO, RE	½ acre	10 per acre

<b>Animal</b>	<b>Zoning District</b>	<b>Minimum Lot Area for First Animal</b>	<b>Lot Area for Each Additional Animal</b>
Horses, ponies, equine, donkeys, mules, burros, llamas and alpaca	RCO, RE	1½ acres	1 acre
	R-1A, R-1B	5 acres	1 acre
Sheep and goats	RCO, RE	3 acres	½ acre
	R-1A, R-1B	5 acres	1 acre
Cattle, bison, swine (pigs), ostriches or elk	RCO, RE	10 acres	1 acre

- (2) Notwithstanding the above maximum animal density requirements, newly born large and medium-sized animals may be maintained on said parcel for up to one (1) year. Smaller newly born animals, such as fowl and rabbits, may not be kept on said parcel for more than sixty (60) days.
- (3) The keeping of animals in the M-1, M-2 or M-T Districts requires special land use approval. This does not include the keeping of bees (beehives) if such use is conducted within a building.
- (4) The occupants of the premises shall keep the odor, sounds and movement of the animals from becoming a nuisance to adjacent properties.
- (5) All animal facilities shall be constructed and maintained so that dust and drainage from the facilities shall not create a nuisance or hazard to adjoining property or uses.
- (6) All feed and other items associated with the keeping of animals likely to attract rats, mice or other rodents or vermin shall be secured and protected in sealed containers.
- (7) All raising and keeping or killing and dressing of poultry and animals processed upon the premises shall be for the use or consumption by the occupants of the premises or as otherwise addressed under agricultural activities. The outdoor slaughtering of animals shall be prohibited.
- (8) A corral or pen with a fence sufficient to contain the animals on the site shall be provided.
- (9) In single-family residential districts, all buildings, structures and pavement areas including fenced enclosures and pens shall be located in the rear yard and set back a minimum of fifty (50) feet from the side and rear lot line. All buildings, structures, and pens shall be set back at least one hundred (100) feet from any dwelling on an adjacent lot.
- (10) In industrial districts, all buildings, structures and pavement areas must be set back at least thirty-five (35) feet from a public right-of-way. Buildings and structures in side and rear yards with the exception of fences shall be set back a minimum of twenty (20) feet from all lot lines.
- (11) No storage of manure, odor or dust producing materials shall be permitted within one hundred (100) feet of any lot line.
- (12) The keeping of exotic animals not normally considered livestock, fowl, or household pets, is prohibited.

(13) The keeping, maintaining, and/or raising of animals shall comply with all local, County, State, and Federal regulations.

**(c) Kennels**

- (1) Private kennels and commercial kennels must be located on a lot at least one and one-half (1 ½) acres in area and may not be located within a platted subdivision or site condominium.
- (2) Private kennels and commercial kennels must be licensed in accordance with the City Animal Ordinance.
- (3) All animals must be kept in sanitary conditions and in accordance with State law.
- (4) Commercial kennels shall also meet the following requirements:
  - a. A housing area and dog run of at least one hundred twenty (120) square feet per animal shall be provided and shall include an adequate area for shade from the sun.
  - b. Setbacks for commercial kennels and associated runs and animal enclosures in residential districts shall comply with the required setbacks for the keeping of animals noted above. Setbacks for commercial kennels buildings, dog runs, parking and enclosures in non-residential districts shall equal the front setback of the district and be at least fifteen (15) feet from any side or rear lot line unless adjacent to a residential use.
  - c. All enclosures for breeding, rearing, shelter, or other uses in connection with harboring of animals, shall be hard surfaces and provided with proper drains for washing with water pressure.
  - d. Animals shall not be permitted to remain outdoors overnight.
  - e. Kennel facilities shall be subject to other conditions and requirements necessary to ensure against the occurrence of any possible nuisance (i.e., fencing, sound-proofing, sanitary requirements).
  - f. A landscape buffer zone A, in accordance with Section [13.02](#) shall be provided between any kennel building or dog run and an adjacent residential lot.

**(d) Pet day care**

- (1) A housing area and dog run of at least one hundred twenty (120) square feet per animal shall be provided and shall include an adequate area for shade from the sun. The pens and dog runs shall not be in the front yard.
- (2) An on-site drive shall be provided for drop-offs. This drive shall be arranged to allow one-way flows for drop off lanes with no stacking in the right-of-way.
- (3) Any outdoor play area shall be located in the interior side yard or rear yard.
- (4) A maximum eight (8) foot high fence enclosure is required around the play area and the surface must be easy to maintain.
- (5) All animal waste shall be removed from the outdoor play area daily and disposed of in a sanitary manner.
- (6) A landscape buffer zone B, in accordance with Section [13.02](#) shall be provided between any building or dog run and an adjacent residential lot.

**(e) Boarding stables**

- (1) Boarding stables for private purpose are subject to the standards for the keeping

of animals above.

(2) Boarding stables are considered special land uses as follows:

- (a) A commercial boarding stable shall not be established on any lot less than ten (10) acres in area.
- (b) Commercial boarding stables shall provide off-street parking at a minimum of one parking space per two (2) animals, based on the number of horse stalls or maximum number of horses that can be accommodated in the stable.
- (c) Commercial boarding stables shall not be located in platted subdivisions or condominium subdivisions unless specifically designed as an equestrian community.
- (d) Stables and buildings housing horses shall be set back in accordance with the setbacks for the keeping of animals noted above.
- (e) A landscape buffer zone A, in accordance with Section 13.02 shall be provided between any kennel building or dog run and an adjacent residential lot.
- (f) The commercial boarding facility shall be constructed and maintained so that dust and drainage from the stable will not create a nuisance or hazard to adjoining property or uses.
- (g) Manure shall be removed and/or applied in accordance with the Michigan Commission on Agriculture's Generally Accepted Agricultural management Practices and County Health Department regulations.
- (h) The commercial boarding stable shall not be utilized as a riding stable unless permitted in accordance with this ordinance.

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**Section 11.16      Reserved for Future Use**

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**Section 11.17      Accessory**

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- (a) **Accessory above ground storage tanks and silos.** Above ground storage tanks and silos shall be permitted as an accessory structure to a principal permitted use as follows:
- (1) Storage tanks and silos shall be located in the non-required rear yard or a non-required side yard that does not abut a residential district or use.
  - (2) Storage tanks and silos must be screened from public view from the street or adjacent property by a decorative wall or landscaping. Such screening shall be at least 1 foot higher than the height of storage tank or silo.
  - (3) The location of the tank shall not interfere with the circulation on the site.
  - (4) Required leak detection and secondary containment systems shall be provided as required by state regulations.
  - (5) The location and contents of the tank shall be reviewed and approved by the Fire Chief for access and emergency response. All tanks must be in compliance with applicable State of Michigan and federal regulations related to the use.
  - (6) If the tank is a fuel tank, it shall be used for fueling of fleet vehicles and equipment used on site only. The height of the tank shall not exceed fifteen (15) feet.

**(b) Outdoor Storage of Trucks, Trailers, Raw Materials, Supplies, Equipment and Products**

- (1) The accessory outdoor storage of vehicles, trucks, trailers, equipment, materials, supplies, and products shall be limited to 75% of the floor area of the building in the commercial districts.
- (2) Storage areas shall meet the applicable building setback requirements from each lot line.
- (3) All outdoor storage shall be screened from adjoining lots, streets, and highways by an un-pierced minimum six (6) foot masonry wall, or with a dense row of evergreen landscaping and/or black vinyl coated fencing with a 5-foot high berm or combination thereof to provide complete screening of the storage as determined by the Planning Commission or ARC. The wall or fence shall meet the setback requirement of the district and the greenbelt shall be provided outside of the wall along the roadway. Screening along side and rear lot lines where the adjacent land use is industrial will be as determined by the Planning Commission or ARC.
- (4) Outdoor storage shall not be stacked or stored so as to exceed twenty (20) feet, not including trucks, trailers or construction equipment, unless screening is provided as determined by the Planning Commission or ARC.
- (5) Non-operable and wrecked trucks, trailers, and equipment shall be prohibited. All stored products, materials, supplies and other inventory must be useable and related to the business.
- (6) All outdoor storage areas shall be paved with a permanent, durable and dustless surface and shall be graded and drained to dispose stormwater without negatively affecting adjacent property. The City may approve a gravel surface for all or part of the storage area for materials when there will not be large volumes of truck traffic or in instances where construction equipment will be stored that would otherwise break-up pavement. Supporting documentation for a waiver request must be provided by the applicant. Dust control measures shall be used where gravel storage areas are allowed.
- (7) Six (6) inch tall concrete curbing shall be provided around the storage area.
- (8) Storage shall not be permitted to occupy required parking lots.
- (9) Storage areas providing trailer staging shall either be concrete or provide a minimum ten (10)-foot concrete apron to accommodate the trailer landing gear. Wider aprons may be required for angled storage areas.
- (10) Plans for outdoor storage areas shall provide a twenty (20) foot wide fire lane for emergency vehicle access to all areas of the storage yard.

**(c) Home occupations**

- (1) No person other than members of the family residing on the premises shall be engaged in such occupation.
- (2) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants. No more than twenty five percent (25%) of the floor area of the dwelling unit shall be used in the conduct of the home occupation.
- (3) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of the home occupation other than one (1) sign, not exceeding one (1) square foot in area, non-illuminated, and

mounted flat against the wall of the principal building.

- (4) No home occupation shall be conducted in any accessory building.
- (5) There shall be no retail sales of goods to customers onsite in connection with the home occupation.
- (6) No traffic shall be generated in greater volumes than would normally be expected in a residential neighborhood, and any need for parking for a home occupation shall be met off the street.
- (7) No equipment or process shall be used that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in a two-family dwelling. No equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
- (8) A business license/certificate of business registration must be obtained from the City Clerk's Office.
- (9) Building permits and inspections shall be obtained for any building changes.

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# Article 12

## General Provisions

12



## Section 12.01 Uses Permitted

- (a) Any building erected, converted, enlarged, reconstructed or structurally altered, or land that is used, designed or arranged for any purpose shall conform to the regulations of the district in which the building or land is located, except as otherwise provided in [Article 20](#) and [Section 21.01](#).
- (b) Within each district uses that are "permitted uses" are uses permitted by right. Uses that are "special land uses" require approval by the City Council in accordance with the requirements of [Article 18](#).
- (c) A land use that is not cited by name as a use in any zoning district may be permitted upon determination by the Planning Director/Director of Building and Safety that the use is clearly similar in nature and compatible with the uses that are listed in a particular district. In making this determination, the Planning Director/Director of Building and Safety shall consider the following:
- (1) In making the determination of compatibility, the Planning Director/Director of Building and Safety shall consider specific characteristics of the use in question and compare these characteristics to those of the uses that are listed in the district. Characteristics considered shall include, but are not limited to, traffic generation, types of services offered, types of goods produced, methods of operation, noise, hours of operation and building characteristics.
  - (2) If the Planning Director/Director of Building and Safety determines that the proposed use is consistent and compatible with permitted uses in a district, the Planning Director/Director of Building and Safety shall determine whether the use shall be permitted by right or as a special land use, and the use requirements that the use shall be subject to. The proposed use shall be subject to the review and approval requirements for the district in which it is located.
- (d) Where a use is not clearly similar to a use listed in the Zoning Ordinance and the Planning Director/Director of Building and Safety cannot make a determination of what district the use shall be allowed in, then the use shall be referred to the Planning Commission for a use determination based upon the above criteria.
- (e) The use determination of the Planning Director/Director of Building and Safety or the Planning Commission may be appealed to the Board of Zoning Appeals for an interpretation of the use provisions of the Zoning Ordinance in accordance with [Section 22.03](#).
- (f) Except where a use variance may be granted, a proposed use shall not be permitted in a district under the terms of this Section where the use is specifically listed in any other district, or where the Planning Director/Director of Building and Safety determines that the use is more similar in nature and compatible with the uses that are listed in another district.
- (g) Any use that would constitute a violation of any other Federal, State or local law or regulation shall be prohibited.

## Section 12.02 Uses per Lot

- (a) Except as otherwise specifically provided in this Ordinance, no lot may contain more than one (1) principal building or principal use.
- (b) Groups of multiple-family buildings, retail business buildings, multi-tenant offices, leased industrial space, or other groups of buildings contained within a single

integrated complex may be deemed by the Planning Director Director of Building and Safety to be a principal use collectively. To be considered as an integrated complex the site shall share parking, signs, access, or other similar features, which together form a unified function and appearance.

- (c) Wireless communication facilities may be located on a lot that contains another use, except single-family and two-family dwellings, subject to the requirements of [Section 12.15](#).
- (d) In single-family zoning districts, only one (1) principal building shall be placed on a lot of record. For the purposes of this Ordinance, a two-family dwelling shall be considered as a principal building and principal use occupying one (1) lot. Where a lot contains a single-family or two-family dwelling, no other use may be established on the lot, except accessory uses that are permitted in the district, such as home occupations, residential day care, kennels, stables, and agricultural uses.
- (e) This Section shall not prohibit a mixed-use building where the mixture of uses is specifically allowed by the zoning district, such as residential or office above a retail use in the CBD districts.
- (f) An accessory building may only be located on a lot that is occupied by a principal building.
- (g) Billboards may be permitted on lots with un-related uses subject to the limitations of the Romulus Sign Ordinance.

### **Section 12.03      Height Limit**

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- (a) Except as noted in (b), buildings erected, converted, enlarged, or structurally altered shall not exceed the height limit established for the district in which the building is located.
- (b) Penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, stage lofts and screens, flagpoles, chimneys, individual domestic radio and television aerials and wireless masts, solar panels, water tanks, wind energy conversion systems or similar structures may be erected above the height limits of this Ordinance.
- (c) Unless otherwise provided in this ordinance, none of the structures described in (b), above may be erected to exceed the building height by more than twenty percent (20%) of the building height or ten (10) feet, whichever is greater. If located on a roof, these structures shall not cover an area greater than ten percent (10%) of the roof area of the building.
- (d) None of the structures described in (b), above shall be used for any residential, commercial, or industrial purpose other than a use incidental to the principal use of the building.
- (e) The construction of commercial radio and television transmitting, relay, or other types of antenna towers, where permitted, shall be governed by the regulations set forth in [Section 12.15](#).

### **Section 12.04      Lot and Yard Requirements**

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- (a) No building shall be erected, converted, enlarged, reconstructed, or structurally altered, except in conformity with the area and placement regulations of the district in which the building is located.

- (b) Any space used for a required setback, open space, or lot area for a building may not be counted or calculated to meet the same requirements for any other building.

### Section 12.05 Projections into Required Yards

- (a) Certain structures and architectural features may project into the required yards as follows:

Projection	Front Yard	Side Yard	Rear Yard
Architectural features (cornices, eaves)	3 ft.	3 ft.	3 ft.
Arbors and trellises	Permitted up to 3 ft. from all lot lines		
Awnings and canopies	10 ft.	3 ft.	10 ft.
Bay windows	3 ft.	3 ft.	3 ft.
Chimneys	3 ft.	3 ft.	3 ft.
Decks, open or enclosed (see <a href="#">3.04(d)</a> )	10 ft.	3 ft.	10 ft.
Eaves and gutters	3 ft.	3 ft.	3 ft.
Fences and walls	Permitted as provided for in the district		
Flagpoles	Permitted up to 3 ft. from all lot lines		
Light standard, ornamental	Permitted 3 ft. from all lot lines		
HVAC, generators and other mechanical equipment	None	3 ft.	5 ft.
Paved patios and terraces	10 ft. (c)	3 ft. (c)	10 ft. (c)
Pools and hot tubs enclosed (see <a href="#">3.05(c)</a> )	None	None	10 ft. setback
Porches and stoops, unenclosed	10 ft.	3 ft.	10 ft.
ADA ramps and other structures	Permitted		
Satellite dish, television, radio antennas	Residential District	Permitted if 3.3 ft. or less in diameter	
	Non-residential District	Permitted if 6.6 ft. or less in diameter	
Signs	See Sign Ordinance		
Stairways, open unroofed	10 ft.	3 ft.	10 ft.

- (b) Any structures projecting into a yard shall maintain at least three (3) feet from any lot line to provide adequate emergency access around the building for Fire Department personnel and equipment, except permitted fences and walls.
- (c) Any walk, terrace, patio, drive or other pavement or surface less than ten (10) inches above grade shall not be considered to be a structure, and are permitted in any required yard. No more than thirty percent (30%) of the front yard area of any residentially zoned lot shall be paved.
- (d) In residential districts, accessory buildings shall be permitted in required yards as provided for in [Section 3.07\(a\)](#). In non-residential districts, accessory buildings shall meet the setback requirements of the district.
- (e) Decks and porches that are enclosed by windows or walls with roofs shall be considered to be part of the principal building for purposes of determining setbacks.

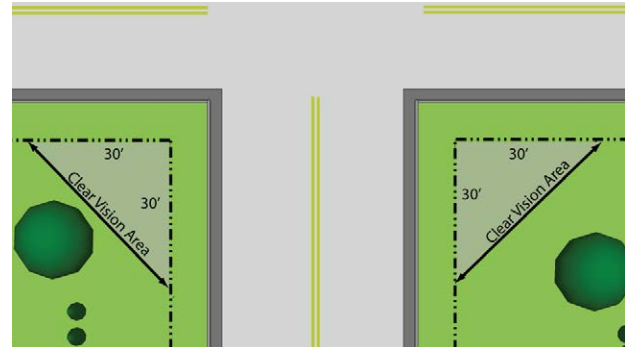
## Section 12.06 Street Frontage and Access

- (a) All lots shall have frontage on a dedicated public street. The frontage shall be of sufficient width so that the lot meets or exceeds the minimum lot width requirement at the front yard setback for the district in which the lot is located. Flag lots that do not provide adequate frontage shall be prohibited. A building permit shall not be issued by the City for construction of a new principal building unless all of the following requirements are met:
- (1) The proposed building shall be on a lot that is provided access by an improved public street. The road and all utilities shall be constructed to City standards along the entire frontage of the lot. Lots that are located on right-of-way that is unimproved or not fully improved to City street standards shall be required to extend the street and all necessary utilities to the lot and along the entire frontage of the lot.
  - (2) Any commercial driveway (i.e. non-single-family home driveway) shall meet the standards of [Section 14.06](#).
  - (3) A copy of an approved driveway permit from the City for a City street or Wayne County for a County road shall be provided for access to an improved public road.
- (b) A lot may satisfy the above street frontage requirement where it has frontage upon an existing private road for the distance required for minimum lot width in the district in which it is located meeting all of the following requirements:
- (1) The existing private road shall have been approved by the City. After the effective date of this Ordinance, no new private road shall be constructed unless a waiver has been obtained from the City Council in accordance with the requirements of the City Land Division Ordinance. Existing private roads shall not be extended beyond their current length unless a waiver has been obtained from the City Council in accordance with the requirements of the City Land Division Ordinance.
  - (2) The private road shall have a permanent and unobstructed private easement of record at the County Register of Deeds and having a width of at least sixty (60) feet.
  - (3) The private road shall be paved meeting City standards for vehicular traffic, leading to a paved public street.
  - (4) Evidence shall be provided that the lot has recorded right to access an easement for a private road.
  - (5) An agreement shall be recorded with the Wayne County Register of Deeds and provided to the City signed by the land owner and all other land owners having access to the private road stating that they agree to:
    - a. Assume complete responsibility for the maintenance of the roadway.
    - b. Notify any purchaser, lessee, or tenant of the property of the existence of the agreement.
- (c) A manufactured home park, a multiple-family complex or a commercial, or industrial development may be provided access by means of a permanent and unobstructed private road easement which has been approved by the City as part of a site plan approval that meets City standards for vehicular traffic. Access to a

non-residential use may also be provided from a shared driveway, frontage road or service drive that meets the requirements of [Section 14.06](#).

### Section 12.07 Clear Vision Areas

- (a) Plantings or structures shall not be established or maintained on any corner lot or along any driveway that will likely result in obstructing the view of a vehicle driver approaching the intersection or entering or exiting the driveway.
- (b) On corner lots, the clear vision area shall mean a triangular area formed by the right-of-way lines and a line connecting them at points thirty (30) feet from the intersection of the right-of-way lines or in the case of a rounded property corner, from the intersection of the right-of-way lines extended.
- (c) For driveways, a twenty-five (25) foot clear vision area shall be maintained from the intersection of the right-of-way lines and the driveway.
- (d) Shrubbery that is less than thirty (30) inches in height or deciduous trees where all branches are at least eight (8) feet above the road level may be planted and maintained in the clear vision area.



### Section 12.08 Building Grades

- (a) Elevations for any site with a building shall have a grade sloping away from the walls of the building to permit the flow of surface water. However, sunken or terraced areas may be permitted if they are constructed to prevent run-off of surface water from flowing onto adjacent properties.
- (b) Established Grade
- (1) Except as noted in (2), below, the established grade elevation shall be the grade at the center line of the road in front of the lot, or the grade determined by the Building and Safety Department or City Engineer when the centerline of the road provides an impractical grade.
  - (2) When a new building is constructed adjacent to a lot or lots with an existing building, the established grade of the adjoining properties at the property line shall not be altered and grade changes within the lot shall not direct runoff of surface water onto any adjacent property.
- (c) A Certificate of Occupancy will not be issued until final grades are approved by the Building and Safety Department or City Engineer. A "Certificate of Grading and Location of Building within the City of Romulus," shall be completed by a registered civil engineer or land surveyor and submitted prior to approval of the final grade.

### Section 12.09 Buildings to be Moved

- (a) A "Special Haul Permit" shall be required from the City of Romulus Department of Public Works for the moving of buildings or structures from one property to another property.

- (b) The Building and Safety Department shall inspect the building prior to moving and only grant a permit where it is found that the building is structurally safe. The Building and Safety Department shall also inspect the location to which the building is to be moved and find that the building will not adversely affect the character of existing buildings in the neighborhood, and complies with the Building Code and other codes regulating the health, safety, and general welfare of the City of Romulus.
- (c) Where the building will be moved along City streets, the street administrator, or designee, shall inspect the route to determine that the building can be moved without damage to public infrastructure and adjoining private property along the route.
- (d) County approvals must be obtained for moving a building along a County road right-of-way.
- (e) Any residential building moved to a lot within the City of Romulus from either another lot within the City or from outside the City shall meet the requirements of [Section 11.01\(a\)](#).

### **Section 12.10 Restoring Unsafe Buildings**

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- (a) Nothing in this Ordinance shall prevent the strengthening or restoration to a safe condition of any part of any building or structure declared unsafe by the Building and Safety Director, or required to comply with his lawful order; provided, however that such restoration shall be subject to and completed in accordance with the Building Code and the City Code of Ordinances.
- (b) Nonconforming buildings and uses shall also be subject to the limitations of [Article 20](#).

### **Section 12.11 Dwellings in Non Residential Districts**

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- (a) It is the intent of this Ordinance to discourage the development of residential structures where not otherwise permitted by this Ordinance.
- (b) As an accessory use for certain non-residential uses, it may be necessary or desirable to permit living or sleeping quarters for watchmen, caretakers, or certain employees subject to the following conditions:
  - (1) A detached dwelling unit for one (1) family may be permitted by the Building and Safety Director upon showing that the unit is necessary for security reasons or that a resident manager is necessary to carry on the business of the use.
  - (2) Dwellings permitted by this Section shall be used only by the security persons or resident managers directly affiliated with the principal business, and their families.
  - (3) Dwelling units, sleeping or living quarters shall be contained wholly within the principal building and be incidental and subordinate to the principal use. Garages, accessory buildings, basements, or cellars shall not be used for living area.
  - (4) All dwelling units and living or sleeping quarters shall meet or exceed the minimum housing standards adopted by the City of Romulus and the State of Michigan. The following minimum floor area requirements shall be met:

Type of Unit	Floor Area
Efficiency unit	350 square feet
One bedroom unit	600 square feet
Two bedroom units	800 square feet

- (5) Individual sleeping rooms shall have a minimum of seventy (70) square feet per room.
- (6) Sleeping quarters shall be inspected and approved prior to issuance of a Certificate of Occupancy. All sleeping, eating and washroom areas shall be maintained in a neat, clean, and orderly manner.
- (7) All new or enlarged dwelling units, living or sleeping quarters shall be required to receive a Certificate of Occupancy separate from the principal use.
- (c) All units governed by this section shall be licensed and regulated according to Chapter VI Article 2 Hotel and Multiple Dwelling Ordinance [Code of Ordinances, Chapter 15, Article III].
- (d) Any violation of this Section shall result in termination of the sleeping quarter's use until the violation is fully corrected.

### **Section 12.12 Signs**

All signs erected or located in any district shall comply with the Romulus Sign Ordinance and shall comply with the design requirements of [Section 13.01\(j\)](#). The preliminary design and style of the sign shall be reviewed by the Planning Commission during site plan review to ensure compatibility with the overall development.

### **Section 12.13 Voting Place**

The provisions of this Ordinance shall not be used to interfere with the temporary use of any property as a voting place in connection with a municipal or other public election.

### **Section 12.14 Essential Services**

- (a) Essential services shall be permitted as authorized under any franchise in effect within the City, subject to regulation as provided in any law of the State of Michigan or in any ordinance of the City. It is the intent of this Section to ensure conformity of all structures and uses to the requirements of this Ordinance wherever such conformity shall be practicable and not in conflict with the specific requirements of such franchise, state legislation or City ordinance. In the absence of such conflict, this Ordinance shall prevail. This Ordinance will treat essential public services under a hierarchy of facilities, as they are allowed in the various zoning districts, as follows:
- (1) Utility distribution facilities such as water mains, sewer mains, electrical, gas, distribution lines, and associated structures that are designed to serve the immediate vicinity shall be permitted in all districts.
  - (2) Public utility buildings, substations, including pump stations and transformer substations that are necessary to serve the immediate vicinity shall be subject to special land use approval in all residential and CBD districts and permitted in all other districts.

- (3) Public sewage treatment plants, public water plants, power plants, transmission substations, essential public service buildings, public works garages, storage yards, and similar uses shall be allowed with special land use approval in industrial districts.

## Section 12.15 Wireless Communication Facilities and Services

- (a) **Purpose and Intent.** The regulations of this Section are intended to conform with federal laws and administrative rules governing facilities needed to operate wireless communication systems and to set forth procedures and standards for review and approval for the location of such facilities within the City of Romulus. It is the City's intent to reasonably regulate the location and design of such facilities to retain the integrity of neighborhoods and the character, property values, and aesthetic quality of the City and to also ensure compliance with FAA height restrictions in the vicinity of the Detroit Metropolitan Wayne County International Airport. Given the increase in the number of wireless communication facilities requested as a result of the new technology and the Federal Telecommunications Act of 1996 and Public Act 143 of 2012, it is the policy of the City that all users should co-locate on attached wireless communication facilities and wireless communication support structures. Collocation is proposed in order to assure the most economic use of land and to prevent the proliferation of duplicative services. In recognition of the City's concern that technological advances may render certain wireless communication facilities obsolete or unnecessary in the future, requirements are set forth for the removal of unused or unnecessary facilities in a timely manner and provide security for removal.
- (b) **Definitions:** The following definitions shall apply in the interpretation of this Section:
- (1) **Wireless Communication Facilities (WCF).** All structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals. This may include, but shall not be limited to, radio antenna, television broadcasting antenna, telephone devices, personal communication transmission equipment and exchanges, microwave relay, telephone transmission equipment buildings, and commercial mobile radio service facilities. This definition does not include satellite dish, television and radio reception antenna for an individual lot as otherwise regulated in the applicable zoning district.
  - (2) **Attached Wireless Communication Facilities.** Wireless communication facilities affixed to existing structures, including but not limited to existing buildings, towers, water tanks, or utility poles.
  - (3) **Wireless Communication Support Structures (WCSS).** Structures erected or modified to support wireless communication antennas. Support structures within this definition include, but shall not be limited to, monopoles, lattice towers, and guyed towers, or other structures that are erected for the purpose of supporting WCF's.
  - (4) **Collocation.** Location by two (2) or more wireless communication providers of wireless communication facilities on a common structure, tower, or building, to reduce the overall number of structures required to support wireless communication antennas within the City.
- (c) **Use Requirements.** Wireless communication facilities may be located within the City in accordance with [Table 12.15 \(c\)](#).

**Table 12.15(c) Wireless Communication Facilities**

Type/Location of Wireless Facility	Location Permitted	Approval Procedure
<b>1. Wireless Communication Facility attached to existing structures:</b>		
Collocation upon an existing wireless communication support structure	All districts	Administrative approval
Replacing an existing wireless communication support structure with a new one to support additional collocation	All districts	Administrative approval if not more than 20 feet taller or 10% of original height, whichever is greater. Planning Commission if more than 20 feet taller or more than 10% greater than original height.
Attached to an existing utility structure	All districts	Administrative approval, with letter of acceptance from the utility company
Attached to an existing building	All non-single-family residential districts	Administrative approval
<b>2. New Wireless Communication Support Structure:</b>		
Replacing an existing tower with a taller tower to permit additional collocation	O-1, C-1, C-2, C-3, RC, O-R, M-1, M-2, M-T, AP districts or a government owned site in any district	Site Plan approval by the Planning Commission in accordance with <a href="#">Article 17</a> .
Monopole	Located on a municipally owned site in any zoning district	Site Plan approval by the Planning Commission in accordance with <a href="#">Article 17</a> .
Monopole	Located on a site owned by county or state governmental entity, places of worship, or public school in any zoning district	Special Land Use approval by the City Council in accordance with <a href="#">Article 18</a> .
Monopole	O-1, C-1, C-2, C-3, RC, O-R, M-1, M-2, M-T, AP districts	Special Land Use approval by the City Council in accordance with <a href="#">Article 18</a> .
Lattice tower where it can be shown that a monopole is not feasible.	<i>M-2, M-T districts</i>	Special Land Use approval by the City Council in accordance with <a href="#">Article 18</a> .

**(d) Application Requirements**

- (1) An application for a wireless communication facility, new towers shall be required to include a site plan that meets the requirements of Article 17. An application for a new wireless communication support structure (i.e. a new tower) shall include the following, in addition to other submittal requirements for site plan, as required in Article 17:
- a. Signed certification by a professional engineer licensed by the State of Michigan with regard to the manner in which the proposed structure will fall in the event of damage, accident or injury (i.e. "fall zone"), and that the setback area provided shall accommodate the structure should it fall or

break and provide a reasonable buffer in the event the structure fails.

- b. A description of performance guarantee to be posted at the time of receiving approval for the facility to ensure removal of the facility when it is abandoned or is no longer needed. The applicant shall demonstrate that funds will be available to the City for removal of any structure used for wireless communication in an amount which reasonably reflects the cost of removal of the facility and restoration of the property or structure upon which the facility is located or placed. Adequate funds shall also be provided to cover the City's administrative costs in the event that the applicant or its successor does not remove the wireless communication facility in a timely manner and the City chooses to undertake removal of the facility. The City may choose to use outside contractors for such purposes.

The security shall, at the election of the City Council, be in the form of: (1) cash; (2) security bond; (3) letter of credit; or, (4) an agreement in a form approved by the City Attorney and recordable at the office of the Register of Deeds, establishing a promise of the applicant and owner of the property, or their successors, to remove the facility in a timely manner as required under this Section of the Ordinance. It shall further be provided that the applicant, owner or successor, shall be responsible for payment of any costs or attorney fees incurred by the City in securing removal.

- c. A map that illustrates existing and known proposed wireless communication facilities within the City of Romulus and adjacent communities, which are relevant in terms of potential collocation or to demonstrate the need for the proposed facility. If the information in question is on file with the City, the applicant shall be required only to update as needed. Any such information which is trade secret and/or other confidential commercial information which, if released would result in commercial disadvantage to the applicant, may be submitted with a request for confidentiality in connection with the development of governmental policy MCL 15.243(l)(g). This Ordinance shall serve as the promise to maintain confidentiality to the extent permitted by law. The request for confidentiality must be prominently stated in order to bring it to the attention of the community.
  - d. A permit for the construction and use of a new wireless communication support structure shall not be granted until the applicant demonstrates a feasible collocation is not available for the coverage area and capaCity needs.
  - e. For all new facilities, in recognition of the City's policy to promote collocation, a written agreement, transferable to all assessors and assigns, that the operator shall make space available on the facility for collocation.
  - f. The name, address and phone number of the person to contact for engineering, maintenance and other notice purposes. This information shall be continuously updated during all times the facility is on the premises.
  - g. A Notice of Proposed Construction or Alteration, Federal Aviation Authority (FAA) Form 7460-1.
- (2) The City shall make a determination as to whether an application is complete. Applicant must be notified of incomplete application within 14 days of receipt of application. The City shall process applications for collocation on existing personal wireless service facilities within forty-five (45) days of receiving a

complete application. The City shall process all other applications, including new towers, within one hundred fifty (150) days of receiving a complete application. Application must be approved in the above time periods or will be deemed approved.

- (e) **Design Standards Applicable to All Facilities.** In addition to the Criteria of Site Plan Review listed in [Article 17](#) and Special Land Use Review listed in [Article 18](#), all new wireless communication facilities shall be constructed and maintained in accordance with the following standards:
- (1) Facilities shall be located and designed to be harmonious with the surrounding areas. The Planning Commission may require unique design of the structure to either diminish the visual impact or to create an architectural feature that will contribute to or enhance community character.
  - (2) All new and modified wireless communication facilities shall be designed and constructed to accommodate collocation, with a written agreement in a format approved by the City Attorney.
  - (3) Landscaping shall be provided to screen the structure base, accessory buildings and enclosure from adjacent uses and public rights-of-way. The City may approve a six (6) to eight (8) foot tall brick wall around the site for screening purposes in any location where landscaping may not survive.
  - (4) Elevations of the accessory buildings shall be provided. All accessory buildings shall be constructed of brick, provided the City may waive this requirement for a building that is not visible from a public right-of-way or any adjacent non-industrial lot.
  - (5) Fencing, six (6) to eight (8) feet in height, shall be provided for protection of the support structure and security from children and other persons who may otherwise access facilities. Fencing shall be black vinyl coated or decorative wrought iron.
  - (6) Any nonconforming situations on the site, such as, but not limited to, outdoor storage, signs, inadequate landscaping, unpaved parking, lack of a sidewalk, improper lighting, or similar conditions shall be brought into conformance to the maximum extent possible prior to the erection of the wireless communication facility in accordance with [Section 20.09](#).
  - (7) The applicant shall demonstrate that the requested height of the new or modified support structure and antenna shall be the minimum height necessary for reasonable communication by the applicant, including additional height to accommodate future collocation where appropriate. All wireless facilities shall be within the maximum height set by the FAA.
  - (8) Minimum required setbacks for a new facility or support structure:
    - a. From the lot line of any residential lot - the height of the structure, provided the engineering information required in (d)(1) is provided. The person or body with authority to approve the facility may decrease this setback to that provided in c. below upon a finding that no residential use exists or is expected on the adjacent site.
    - b. From any existing or proposed rights-of-way or other publicly traveled roads or non-motorized improved pathways - the height of the structure.

- c. From the lot line of any adjacent non-residential lot - one half the height of the structure, provided the engineering information required in (d)(1) above demonstrates such setback is adequate.
- (9) Accessory buildings shall be a maximum of fourteen (14) feet high and shall be set back in accordance with the requirements for principal buildings in that zoning district.
- (10) There shall be unobstructed access to the support structure, for operation, maintenance, repair, and inspection purposes, which may be provided by an easement. This access drive shall be paved and have a minimum width of twenty six (26) feet.
- (11) Where an attached wireless communication facility is proposed on the roof of a building, if the equipment enclosure is proposed as a roof appliance or penthouse on the building, it shall be designed, constructed, and maintained to be architecturally compatible with the principal building. The equipment enclosure may be located within the principal building or may be an accessory building. If proposed as an accessory building, it shall conform with all district requirements for principal buildings, including yard setbacks.
- (12) The support system shall be constructed in accordance with all applicable building codes and shall include the submission of a soils report from a geotechnical engineer, licensed in the State of Michigan. This soils report shall include soil borings and statements confirming the suitability of soil conditions for the proposed use.
- (13) The requirements of the Federal Aviation Administration, Federal Communication Commission, and Michigan Aeronautics Commission shall be met. Any aviation hazard lighting shall be detailed on the plans. An FAA Form 7460-1, Notice of Proposed Construction or Alteration shall be approved by the FAA.
- (14) A maintenance plan, and any applicable maintenance agreement, shall be presented and approved as part of the site plan for the proposed facility. Such plan shall be designed to ensure the long term, continuous maintenance to a reasonably prudent standard.
- (f) **Removal.** As a condition of every approval of a wireless communication facility, adequate provision shall be made for removal of all or part of the facility by users and owners upon the occurrence of one or more of the following events:
- (1) When the facility has not been used for one hundred eighty (180) days or more. For purposes of this Section, the removal of antennas or other equipment from the facility, or the cessation of operations (transmission and/or reception of radio signals) shall be considered as the beginning of a period of non-use.
  - (2) Six (6) months after new technology is available at a reasonable cost, as determined by the City Council, which permits the operation of the communication system without the requirement of the support structure.
  - (3) The situations in which removal of a facility is required, as set forth in paragraph (1) above, may be applied and limited to portions of a facility.
  - (4) Upon the occurrence of one or more of the events requiring removal, specified in paragraph (1) above, the property owner or persons who had used the facility shall immediately apply or secure the application for any required demolition or removal permits, and immediately proceed with and complete the demolition/

removal, restoring the premises to an acceptable condition as reasonably determined by the Building and Safety Director.

- (5) If the required removal of a facility or a portion thereof has not been lawfully completed within sixty (60) days of the applicable deadline, and after at least thirty (30) days written notice, the City may remove or secure the removal of the facility or required portions thereof, with its actual cost and reasonable administrative charge to be drawn or collected and/or enforced from or under the security posted at the time application was made for establishing the facility.

**(g) Collocation**

- (1) **Statement of Policy.** It is the policy of the City of Romulus to minimize the overall number of newly established locations for wireless communication support structures within the City and to encourage the use of existing structures for attached wireless communication facilities. If a provider fails or refuses to permit collocation on a facility owned or controlled by it, where collocation is feasible, the result will be that a new and unnecessary additional structure will be required, in contradiction with City policy. Collocation shall be required unless an applicant demonstrates that collocation is not feasible.

- (2) **Feasibility of Collocation.** Collocation shall be deemed "feasible" for the purpose of this Section where all of the following are met:

- a. The wireless communication provider or property owner where collocation is proposed will accept market rent or other market compensation for collocation and the wireless communication provider seeking the facility will pay such rates.
- b. The site on which collocation is being considered, taking into consideration reasonable modification or replacement of a facility, is able to provide structural support.
- c. The collocation being considered is technically reasonable, e.g. the collocation will not result in unreasonable interference, given appropriate physical and other adjustments in relation to the structure, antennas and the like.
- d. All collocation will be approved administratively if:
  1. The increase in overall height of the wireless communications structure will not be more than 20 feet or 10% of its original height, whichever is greater.
  2. The Increase in width of the wireless communication support structure by more than minimum necessary to permit collocation.
  3. The increase in the area of the existing equipment compound does not cause it to exceed 2,500 square feet.
  4. All building code requests must be complied with.

- (h) **Nonconforming Facilities and Penalties for Not Permitting Collocation.** If a party who owns or otherwise controls a wireless communication support structure shall fail or refuse to alter a structure to accommodate a proposed and otherwise feasible collocation, such facility shall thereupon and thereafter be deemed to be a nonconforming structure and use, and shall not be altered, expanded, or extended in any respect. In addition, if a party refuses to allow collocation in accordance with the intent of this Section, and this action results in construction of a new tower, the City may refuse to approve a new wireless communication

support structure from that party for a period of up to five (5) years. Such a party may seek and obtain a variance from the Board of Zoning Appeals if and to the limited extent the applicant demonstrates entitlement to variance relief which, in this context, shall mean a demonstration that enforcement of the five (5)-year prohibition would unreasonably burden some providers of functionally equivalent wireless communication services, or that such enforcement would have the effect of prohibiting the provision of personal wireless communication services.

- (i) **Variations.** The Board of Zoning Appeals may consider a variance from the standards of this Section, based upon a finding that one or more of the following factors exist, as appropriate for the type of variance requested:
- (1) For location, the applicant has demonstrated that a location within a district or location in accordance with the standards of this Section cannot reasonably meet the coverage or capacity needs of the applicant.
  - (2) For no collocation the applicant has demonstrated that a feasible collocation is not available for the coverage area and capacity needs because existing structures cannot support the facility, that collocation would result in unreasonable interference, or that reasonable financial terms are not available for collocation.
  - (3) For setback, the applicant has provided engineering information that documents that the tower is self-collapsing and that the setback area provided shall accommodate the structure should it fall or break and provide a reasonable buffer in the event the structure fails.
  - (4) For all, the applicant has proposed means to mitigate any negative impacts through provision for future collocation, if found to be appropriate by the City, and special design of the facility and site.
  - (5) For all, the wireless communication and accessory facilities shall be designed to be compatible with the existing character of the proposed site, neighborhood, and general area and may include such features as a steeple, bell tower, or similar form.

### **Section 12.16      Excavations or Holes**

- (a) The construction, maintenance, or existence within the City of any unprotected, unbarricaded, open or dangerous excavations, holes, pits, or wells which constitute or are reasonably likely to constitute a danger or menace to the public health, safety, or welfare, are hereby prohibited.
- (b) Permits may be obtained for an excavation, where the excavation will be properly protected and warning signs posted in a manner approved by the Building and Safety Director. The Building and Safety Director may require security fencing around excavations that are deep or have steep side slopes.
- (c) This Section shall not apply to streams, natural bodies of water, or to ditches, streams, reservoirs, or other major bodies of water created or existing by authority of the State of Michigan, Wayne County, City of Romulus, or other governmental agency.

### **Section 12.17      Private Ponds**

#### **(a) Application and Approvals**

- (1) Construction or alteration of a private pond not used for stormwater detention

- may be approved as an accessory use in any zoning district, except that a private pond may be a principal use on a parcel used for agricultural purposes.
- (2) The Planning Commission shall approve a pond in accordance with the requirements of *Article 17* for ponds included on a site plan otherwise requiring their review.
  - (3) Any other application shall be submitted to the Building & Safety Department. After the review and recommendation of City Engineer the application shall be reviewed by the Administrative Review Committee (ARC). An application meeting the requirements of this Section shall be approved.
  - (4) If private pond is located on more than one (1) parcel, all property owners must agree to the submission of the application.
- (b) A site plan submitted for approval of a pond shall include the following information in addition to what is required by *Article 17*.
- (1) A written statement from a representative of the Wayne County Drain Commissioner or other qualified expert setting forth the expected normal water level from the top elevation upon completion of the pond.
  - (2) Written evidence from the Wayne County Health Department stating the distance and soil conditions separating the pond from any septic system is sufficient to prevent contamination.
  - (3) The site plan shall show the location of the pond on the parcel with detailed information on the following items:
    - a. All existing and proposed drains, ditches, storm sewer and discharge pipes for installation with the pond.
    - b. All structures and water courses within two hundred (200) feet of the proposed pond, including ditches, natural rivers, streams, lakes, ponds, and wetlands. Septic fields, leeching beds and sewage outlets, areas in which livestock are kept shall also be shown, showing distances in running feet from the proposed pond.
    - c. The size of the pond and its percentage of the total ground surface area of the parcel upon which the pond is located.
    - d. The proposed use of the pond.
    - e. The design and method of construction proposed for the pond to assure protection of neighboring properties during construction and after completion.
    - f. Any other necessary information reasonably available that the Planning Commission may determine is necessary to complete the review of the application.
- (c) Private ponds shall be subject to the following:
- (1) The water surface area of any new or altered private ponds shall not exceed ten percent (10%) of the surface area of the parcel upon which the pond is located.
  - (2) Private ponds shall be set back at least twenty-five (25) feet from any existing structure, property line, right-of-way, or public utility easement, and at least two hundred (200) feet from any septic field or any structure housing livestock.
  - (3) The depth of pond water, at the deepest point of the lowest estimated water

level, shall not exceed eight (8) feet. Private ponds must be maintained so as to assure that unsanitary conditions or obnoxious odors will not be created by the growth of biological organisms. Aeration, filtration, and maintenance programs shall be required upon the City Engineer's recommendation to maintain the pond in a sanitary condition and remain free of noxious or obnoxious odors. No private pond shall be maintained or operated in a manner which causes it to become a public nuisance. Proper mosquito abatement measured shall be followed.

- (4) The side slopes of a private pond shall be stable and be no steeper than six (6) horizontal feet to one (1) vertical foot extending into the water to a depth of five (5) feet at the lowest sustainable water level, and three (3) horizontal feet to one (1) vertical feet for depths greater than five (5) feet.
- (5) Sides, banking, and bottoms of private ponds shall be constructed only of stone, sand, or clay.
- (6) Excavated soils from the construction or alteration of a private pond shall not be removed from the parcel upon which the pond is located, unless the City Engineer determines that the parcel could not accommodate the excavated soils. Removal shall be subject to the requirements of the City's Soil, Sand, Clay and Gravel Excavation Ordinance.
- (7) The City may require the installation of warning signs, rescue facilities, safety ramps, gated fences, or any other items necessary to secure the public safety in relation to the proposed pond.
- (d) A permit issued in accordance with the provisions of this Section shall remain valid for six (6) months from the day of issuance. If applied for in writing prior to the permit expiration date, the time limit may be extended by the Building and Safety Director for an additional six (6) months if, in the opinion of the Building and Safety Director, the additional time is necessary to complete the approved improvements. A pond permit shall not extend beyond one (1) year.
- (e) All private ponds in the City shall be allowed an easement for access to the pond water accessible to City of Romulus Fire Department as a water supply.
- (f) If the Building & Safety Department determines that the private pond is not being maintained in accordance with the requirements of this Section or otherwise becomes detrimental to the health and safety of the community, it shall be filled in, at the owner's expense.

### **Section 12.18      Portable Moving and Storage Containers**

- (a) A single (1) portable moving and storage container may be placed on an occupied lot for the purpose of loading or unloading personal belongings to be transported to another location.
- (b) The container may be placed on a paved surface in the side or rear yard of an occupied lot for up to twenty one (21) days. Greater than twenty one (21) days shall only be allowed as a temporary use approved by the Board of Zoning Appeals under [Article 22](#).
- (c) The container may be located on a paved surface/driveway in the front yard for a period not to exceed forty eight (48) hours.
- (d) The container shall not be located in the public right-of-way or a private road

easement.

- (e) This Section shall apply to all uses in all zoning districts, except for freight containers or truck trailers located on a lot in an industrial district where the storage has been approved by the City under the industrial district regulations of *Article 8*.

### **Section 12.19 Outdoor Vending Machines and Drop Boxes**

- (a) Outdoor vending machines and other similar machines shall only be permitted in the front yard adjacent to the building, in the non-required side yard (meeting building setback requirements) or in the rear yard.
- (b) Clothes drop boxes and other similar containers shall only be permitted in the rear yard or non-required side yard (meeting building setback requirements).
- (c) Outdoor vending machines, clothes drop boxes or other similar items shall not be permitted in a location that would obstruct vehicular circulation, fire lanes, sidewalks, parking spaces, or loading areas and shall not be permitted in any landscape greenbelt. At least five (5) foot wide clearance shall be provided on all sidewalks.
- (d) A building permit shall be required for any electrical connections.

### **Section 12.20 Wind Energy Conversion Systems**

- (a) **Intent.** The intent of these regulations is to provide for safe, effective and efficient development of sustainable energy sources while providing regulations that limit the impact of these facilities and protect the community from impacts of Wind Energy Conversion Systems (WECS) facilities as follows:
- (1) Protect the visual character of neighborhoods;
  - (2) Protect neighboring property owners from noise and safety impacts;
  - (3) Ensure structures do not exceed a height that would impact aviation safety, and the airspace around the Airport; and
  - (4) Reduce the onsite consumption of electricity supplied by the utility company.
- (b) **Accessory WECS.** WECS may be allowed as an accessory structure in all districts, and within street or expressway rights-of-way when approved by the road agency with jurisdiction subject to the requirements of this Section.
- (1) **Number.** The permitted maximum number of accessory WECS on a lot shall be three (3). The number within a public right-of-way shall be determined by the spacing requirements below.
  - (2) **Height.** The permitted maximum total height of a WECS shall be fifty (50) feet. The height shall be measured from the ground to the top of the blade at its highest point. The height shall further be limited by restrictions that may be imposed by the FAA. The WECS shall not be located or erected to a height that would exceed the height limits imposed by the approach, transitional, horizontal or conical zones of the airport airspace. The WECS shall further be limited to height necessary to comply with subsection (3) below.
  - (3) **Setbacks.** All towers shall be set back a distance at least equal to one and a half (1 ½) times the WECS height from all property lines. The setback from a pavement edge or sidewalk shall be determined by the City but shall be at least ten (10) feet.

- (4) **Rotor Clearance.** The minimum blade or rotor clearance from the ground shall be twenty (20) feet for a horizontal-axis WECS and ten (10) feet for a vertical-axis WECS. The minimum blade or rotor clearance from a building, tree or utility line shall be twenty (20) feet. Rooftop-mounted WECS shall provide a minimum clearance from the building in accordance with manufacturer specifications.
- (5) **Spacing.** The minimum distance between two (2) WECS shall be equal to the combined height of both WECS.
- (6) **Tower.** WECS shall be constructed with a tubular tower. Lattice towers and guy wires shall be prohibited.
- (7) **Climbing Devices.** Towers shall not have permanent attached tower climbing devices.
- (8) **Color.** WECS shall be painted a non-obtrusive (light color such as white, beige or light gray) color that is non-reflective. No striping or color shall be visible on the blades or tower.
- (9) **Lighting.** Any lighting shall be subject to approval of the City. The lighting plan must describe all lighting that will be utilized, including any lighting that may be required by the FAA. The plan shall include, but is not limited to, the number and location of lights, light color and whether any lights will be flashing. Strobe lights are discouraged and must be shielded from the ground if allowed. All efforts shall be made not to affect any resident with any strobe effect.
- (10) **Electrical Distribution Lines.** All distribution lines from the WECS to the building and the electrical grid connection shall be underground. The generator and all other electrical equipment, and controls shall be enclosed within the nacelle, pole or within a building.
- (11) **Interconnected with Power Grid.** Excess power may be sold back to the local electric utility provider. In the case of WECS to be interconnected with the power grid of the local electric utility, the applicant shall provide proof of written notice to the utility provider of the proposed interconnection and the utility's response. The resident shall comply with all requirements of the servicing utility if the WECS is interfaced with the utility grid. The utility will install appropriate electric metering (for sellback and non-sellback) and the customer will be required to install a disconnecting device adjacent to the electric meter(s).
- (12) **Sign.** Each WECS shall have one (1) sign, not to exceed two (2) square feet in area, posted at the base of the tower. The sign shall contain high voltage warning, emergency numbers and emergency shutdown procedures. If the facility is fenced, signs shall be placed on the fence.
- (13) **Braking Systems.** WECS shall be equipped with both a manual brake and automatic braking systems, or governing device capable of keeping the WECS operation in high winds within eighty percent (80%) of its survival wind speed. All WECS shall be adequately anchored to prevent their being knocked down by high winds.
- (14) **Noise.** Noise emissions from the operation of a WECS shall not exceed fifty (50) decibels on the DBA scale, as measured at the nearest property line or street. Manufacturer's specifications indicating the operating noise levels of the WECS at full RPM shall be provided with the application. The Building and Safety Director may require the owner to pay for a sound evaluation by a qualified professional following installation to determine compliance with the requirements

of this Section.

- (15) **Radio Interference.** WECS shall be designed, constructed and operated so as not to cause radio and television interference. In the event that electromagnetic interference is experienced, the applicant must provide alternate service to each individual resident or property owner affected.
- (16) **Applications.** All applications shall be accompanied by the following information:
- a. Location and height of all proposed buildings, structures, electrical lines, towers, security fencing, and other above ground structures associated with the WECS.
  - b. Locations and height of all adjacent buildings, structures, and above ground utilities located within one hundred (100) feet of the exterior boundaries of the lot where the proposed WECS will be located. Specific distances to other on-site buildings, structures, and utilities shall also be provided.
  - c. The location of all existing and proposed overhead and underground electrical transmission or distribution lines shall be shown.
  - d. Existing and proposed setbacks for the WECS from all structures located on the property where the WECS will be located.
  - e. A Notice of Proposed Construction or Alteration, FAA Form 7460-1 must be submitted to the FAA with a reference to this submittal noted on the site plan and verification of this submittal provided.
  - f. A written description of the procedures to be used to maintain the WECS. The description shall include maintenance schedules, types of maintenance to be performed, and removal procedures and schedules in the event the WECS becomes obsolete or is abandoned.
  - g. A copy of the manufacturer's installation instructions and blueprints shall be provided to the City.
  - h. Manufacturer's specifications showing noise levels at property lines at full RPM.
- (17) **Maintenance.** WECS must be kept and maintained in good repair and condition at all times. If a WECS is not maintained in operational and reasonable condition or poses a potential safety hazard, the applicant shall take expeditious action to correct the situation. In the event the City determines the WECS to pose a safety hazard, it shall have the authority, but shall not be obligated to, take immediate remedial action or order such remedial action be taken.
- (18) **Abandonment.** Any WECS not used for six (6) successive months or longer shall be deemed to be abandoned and shall be promptly dismantled and removed from the property at the applicant's sole cost and expense. All above and below ground materials must be removed. The ground must be restored to its original condition within sixty (60) days of removal.
- (c) **Commercial WECS.** WECS as a principal use and wind farms may be allowed as a special land use in the M1, M2 and MT Districts, subject to the following requirements:
- (1) **Number.** The permitted number of WECS on a lot shall be limited by the setback and spacing requirements of this Section.

- (2) **Height.** The permitted maximum total height of a WECS shall be two hundred (200) feet (with the blade in the vertical position). The height shall further be limited by restrictions that may be imposed by the FAA. The WECS shall not be located or erected to a height that would exceed the height limits imposed by the approach, transitional, horizontal or conical zones of the airport airspace. The WECS shall further be limited to height necessary to comply with subsection (3) below.
- (3) **Setbacks.** All towers shall be set back a distance at least equal to one and a half (1 ½) times the WECS height from all property lines.
- (4) **Rotor Clearance.** The minimum blade or rotor clearance from the ground shall be twenty (20) feet for a horizontal-axis WECS and ten (10) feet for a vertical-axis WECS. The minimum blade or rotor clearance from a building, tree or utility line shall be seventy five (75) feet.
- (5) **Spacing.** The minimum distance between two (2) WECS shall be equal to the combined height of both WECS.
- (6) **Tower.** WECS shall be constructed with a tubular tower. Lattice towers and guy wires shall be prohibited.
- (7) **Climbing Devices.** Towers shall not have permanent attached tower climbing devices.
- (8) **Color.** WECS shall be painted a non-obtrusive (light color such as white, beige or light gray) color that is non-reflective. No striping or color shall be visible on the blades or tower.
- (9) **Lighting.** Any lighting shall be subject to approval of the City. The lighting plan must describe all lighting that will be utilized, including any lighting that may be required by the FAA. The plan shall include, but is not limited to, the number and location of lights, light color and whether any lights will be flashing. Strobe lights are discouraged and must be shielded from the ground if allowed. All efforts shall be made not to affect any resident with any strobe effect.
- (10) **Electrical Distribution Lines.** All distribution lines from the WECS to the building and the electrical grid connection shall be underground. The generator and all other electrical equipment, and controls shall be enclosed within the nacelle, pole or within a building.
- (11) **Sign.** Each WECS shall have one (1) sign, not to exceed two (2) square feet in area, posted at the base of the tower. The sign shall contain high voltage warning, emergency numbers and emergency shutdown procedures. If the facility is fenced, signs shall be placed on the fence.
- (12) **Braking Systems.** WECS shall be equipped with both a manual brake and automatic braking systems, or governing device capable of keeping the WECS operation in high winds within eighty percent (80%) of its survival wind speed. All WECS shall be adequately anchored to prevent their being knocked down by high winds.
- (13) **Noise.** Noise emissions from the operation of a WECS shall not exceed sixty five (65) decibels on the DBA scale, as measured at the nearest property line or street. Manufacturer's specifications indicating the operating noise levels of the WECS at full RPM shall be provided with the application. The Building and Safety Director may require the owner to pay for a sound evaluation by a qualified professional following installation to determine compliance with the requirements of this Section.

- (14) **Radio Interference.** WECS shall be designed, constructed and operated so as not to cause radio and television interference. In the event that electromagnetic interference is experienced, the applicant must provide alternate service to each individual resident or property owner affected.
- (15) **Applications.** All applications for special land use approval shall be accompanied by the following information, in addition to the special land use application required by Article 18 and the site plan required by [Article 17](#):
- a. Location and height of all proposed buildings, structures, electrical lines, towers, security fencing, and other above ground structures associated with the WECS.
  - b. Locations and height of all adjacent buildings, structures, and above ground utilities located within three hundred (300) feet of the exterior boundaries of the lot or parcel where the proposed WECS will be located. Specific distances to other on-site buildings, structures, and utilities shall also be provided.
  - c. The location of all existing and proposed overhead and underground electrical transmission or distribution lines shall be shown.
  - d. Existing and proposed setbacks for the WECS from all structures located on the property where the WECS will be located.
  - e. The site plan submittal shall contain a written description of the procedures to be used to maintain the WECS. The description shall include maintenance schedules, types of maintenance to be performed, and removal procedures and schedules in the event the WECS becomes obsolete or is abandoned.
  - f. A copy of the manufacturer's installation instructions and blueprints shall be provided to the City.
  - g. Drawings and engineering calculations shall be certified by a registered engineer licensed in the State of Michigan.
  - h. A noise modeling and analysis report showing noise levels at property lines at full RPM.
  - i. A shadow flicker analysis shall be prepared if there is any residential buildings or public roadways within 1,000 feet of the proposed system. The analysis shall identify the locations of shadow flicker that may be caused by the WECS blade rotation and the expected durations of the flicker at these locations from sun-rise to sun-set over the course of a year. The analysis shall identify problem areas where shadow flicker may affect residents livestock and traffic. The analysis shall also show measures that shall be taken to eliminate or mitigate the problems.
- (16) **Maintenance.** WECS must be kept and maintained in good repair and condition at all times. If a WECS is not maintained in operational and reasonable condition or poses a potential safety hazard, the applicant shall take expeditious action to correct the situation. The applicant shall keep a maintenance log on each WECS, which the City can review on a monthly basis. In the event the City determines the WECS to pose a safety hazard, it shall have the authority, but shall not be obligated to, take immediate remedial action or order such remedial action be taken.
- (17) **Abandonment.** Any WECS not used for six (6) successive months or longer shall

be deemed to be abandoned and shall be promptly dismantled and removed from the property at the applicant's sole cost and expense. All above and below ground materials must be removed. The ground must be restored to its original condition within sixty (60) days of removal.

- (18) **Transportation.** Any public roads that will be used for transporting WECS equipment shall be identified with the application. The proposed routes on any public road shall be subject to the approval of the Wayne County Department of Public Services and the City Police Department. Any road damage caused by the transportation of WECS equipment shall be repaired to the satisfaction of the Wayne County Department of Public Services. A performance guarantee for road repair shall be required in accordance with the provisions of [Section 21.10](#).
- (19) **Perform and Guarantee.** If a special land use is approved pursuant to this Section, a performance guarantee shall be required in accordance with the provisions of [Section 21.10](#), which will be furnished by the applicant to the City in order to ensure full compliance with this subsection and any conditions of approval. At a minimum, the performance guarantee shall be in an amount determined by the City to be sufficient to have the WECS fully removed and the land returned to its original state should the structure or structures become abandoned, dangerous or obsolete, or not in compliance with this Ordinance or the special land use approval. The performance guarantee shall be kept in full force and effect during the entire time while a WECS exists.

### **Section 12.21 Maintenance of Vacant Non Residential Sites**

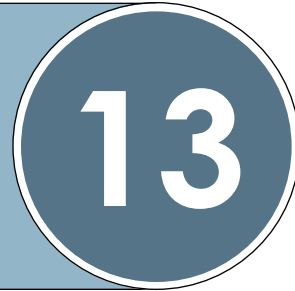
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To prevent proliferation of noxious weeds on undeveloped sites and allow for reasonable management of vacant sites, crop farming shall be permitted on vacant, non residential sites. Farming activities shall be subject to the City's site maintenance ordinance and Generally Accepted Agricultural Management Practices prescribed by the Right to Farm Act.

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# Article 13

Site Design



## Section 13.01 Building Appearance

- (a) **Statement of Purpose.** The purpose of this Section is to provide exterior building wall material standards to enhance the visual environment of the City, thereby improving property values, stimulating investment in various business districts, encouraging quality industrial, and research and development projects, and enhancing the quality of life for City residents. The provisions of this section are to ensure that development projects utilize quality architecture to ensure that a building meets the design recommendations of the Master Plan, protects the investment of adjacent landowners, blends harmoniously into the streetscape, and creates a positive image for business and employment districts.
- (b) **Applicability.** This Section shall apply to all new construction, except single-family and two-family detached residential structures, and shall consist of those materials and combinations of materials as set forth in this Section. Architecture shall be reviewed by the Planning Commission, Administrative Review Committee (ARC), Building & Safety Director as a part of the site plan, sketch plan or building permit review under the requirements of this article.
- (1) Calculations for material wall percentages do not include areas of the façade used for doors and windows.
- (c) **Single and Two-Family Residential.** All single and two-family residential buildings shall meet the requirements of [Section 11.01\(a\) & \(b\)](#).
- (d) **Multiple-Family Residential.** All multiple-family residential buildings located in any district shall meet the following elevation material requirements:

Elevation	Permitted elevation materials	
Front façade and other elevations facing a street	75% minimum brick, face brick or stone	Up to 25% may be wood, vinyl, or fiber cement (hardy board) siding, stucco, or other similar quality material approved by the City
Side and rear facades that do not face a street	Brick, face brick, stone, wood, vinyl, or fiber cement (hardy board) siding, stucco or other similar quality material approved by the City	
Basements and foundations	Concrete block, including split face, and scored block, precast concrete, concrete formed in place	

- (e) **Commercial, Office, and Institutional.** All non residential buildings located in a residential zoning district and all buildings located in the O-1, C-1, C-2, C-3, RC, and O-R zoning districts shall meet the following elevation material requirements. Sites in the CBD Zoning Districts shall meet the architectural requirements in Article 6.

Elevation	Permitted elevation materials	
Front façade and other elevations facing a street, a parking lot or an adjacent residential zoning district	75% minimum brick, face brick or stone	Up to 25% may be split face block, scored block, metal, EIFS, wood, vinyl or fiber cement (hardy board) siding, stucco, or other similar quality material approved by the City
Side and rear facades that do not face a street, a parking lot or an adjacent residential zoning district	Any masonry material or other similar quality material approved by the City	

(f) **Industrial.** All buildings located in the M-1, M-2 and M-T zoning districts shall meet the following elevation material requirements:

Elevation	Permitted elevation materials	
Front façade and other elevations facing a street or an adjacent residential zoning district (3)	50% minimum brick, face brick, stone, cast stone or C-brick (1)(2)	Up to 50% may be any other suitable fire-resistant material that meets the Building and Fire Codes
Side and rear facades that do not face a street, or an adjacent residential zoning district	Any suitable fire-resistant material that meets the Building and Fire Codes and is a color that is compatible with the front façade	

- (1) For buildings over eighty thousand (80,000) square feet that are set back more than one (100) feet from the front lot line, if the amount of required landscape materials within the frontage greenbelt is increased by fifty percent (50%), split face block or tilt-up panels may be substituted for the 50% brick required on the building's front façade.
- (2) The building material requirements of this section shall not apply to the façade of a building of any size that is set back more than three (300) feet from the front lot line and the amount of required landscape materials within the frontage greenbelt is increased by fifty percent (50%).
- (3) Overhead doors for truck loading areas shall meet the requirements of [Section 14.03\(c\)](#).

(g) **Finishes.** Finishes include fiberglass, reinforced concrete, polymer plastic (fypon), exterior insulation and finishing systems (EIFS), plaster, stucco, and similar materials. These materials shall not be used where contact with vehicles may occur, such as parking areas, traffic ways, and loading areas, unless walls are adequately protected to prevent damage.

(h) **Allowance for Other Materials.** The City may waive the materials required by this Section if it finds that a proposed building design and the materials or combinations of materials are in keeping with the purpose of this Section. The City shall also consider the desired character of the area and design recommendations of the Master Plan.

(i) **Design Standards.** Buildings shall have architectural variety, but enhance the overall cohesive community character.

- (1) Buildings shall provide architectural features, details, and ornaments such as archways, colonnades, cornices, peaked roof lines, or towers.
- (2) Building walls over one hundred (100) feet long shall be broken up with varying building lines, vertical architectural features, windows, architectural accents, and trees.
- (3) Building entrances shall utilize windows, canopies, and awnings; provide unity of scale, texture, and color; and clearly identify the entry.
- (4) Building-mounted mechanical equipment shall be screened in accordance with [Section 13.07](#).
- (5) See [Article 6](#) for additional architectural standards for sites in the CBD Zoning Districts.

- (j) **Site Elements.** Signs and other site features shall be designed and located so that they are aesthetically consistent and harmonious with the overall development. Sign bases shall be constructed of material which is compatible with the principal building. Mechanical equipment shall be screened in accordance with [Section 13.07](#).
- (k) **Existing Buildings.** The following shall apply to additions or remodeling of existing buildings or to accessory buildings on existing sites:
  - (1) Where a new wall material is proposed for an existing building wall, only that portion of the building being altered shall be subject to this Section. However, in considering the proposed alteration, the City may modify the material requirements of this Section to ensure consistency with the architecture of the remainder building.
  - (2) Where an addition is proposed to an existing building, the Planning Commission, Administrative Review Committee (ARC) or Building and Safety Director may allow the use of existing or compatible wall materials for the addition; provided that the design of the alteration is consistent with the existing building wall design, and in accordance with [Section 20.09 \(c\)\(18\)](#).

### Section 13.02 Landscaping Requirements

- (a) **Statement of Purpose.** Landscaping requirements are set forth to: protect and preserve the appearance, character and value of properties within the City; to increase water retention and absorption to reducing storm water run-off, flooding and soil erosion; and to assure sufficient buffering and screening of incompatible uses or offensive or unattractive views.
- (b) **Applicability.** The provisions of this Section shall apply to any area proposed for development, redevelopment, or expansion that is subject to site plan approval under Article 17. A site plan submitted for approval under [Article 17](#) shall meet the requirements of this Section.
  - (1) Each requirement of this section must be met independently on a site. Landscaping for one of the requirements may not be double counted towards meeting other requirements of this Ordinance.
  - (2) Fractional number of plantings shall be rounded up to the next whole number.
  - (3) Landscaping for nonconforming sites shall be provided in accordance with [Section 20.09](#).
- (c) **Greenbelt Landscaping Adjacent to Street Frontage.** All yards adjacent to roads and rights-of-way shall be landscaped along the entire frontage (except access points) in accordance with the following requirements:

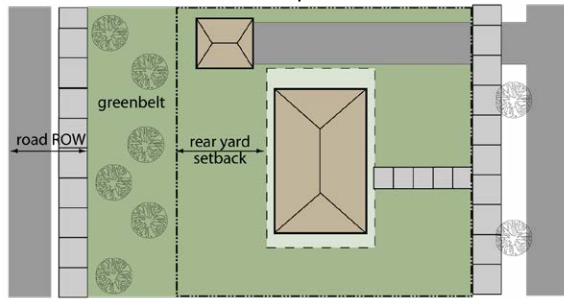
**Table 13.02(c)  
Frontage Greenbelt Requirements**

Type	Application	Greenbelt Depth	Berm	Minimum Plantings per 100 Linear Feet <sup>1</sup>			
				Deciduous trees	Evergreen trees	Ornamental tree	Shrubs
A	Residential subdivision, condominium of multi-family development where units back towards a major road	25 ft. <sup>2</sup>	3 ft.	2	3	1	20
B	Commercial, office and institutional uses <sup>3,4</sup>	15 ft.	3 ft. <sup>5</sup>	2	1	1	20
C	Industrial	40 ft. 30 ft. in M-1	3 ft.	3	3	1	30
D	Industrial: Screening for outdoor storage of trucks and truck loading areas	50 ft.	4 ft.	3	6	1	40

(d) **Footnotes to Table 13.02(c).**

- (1) Calculations shall be based upon total frontage, including yards, buildings, driveways and parking lots.
- (2) Greenbelts around the perimeter of single-family residential developments shall be in addition to the rear yard setback requirement of the district.
- (3) Greenbelts shall not apply in the CBD overlay district.
- (4) In the C-1 and C-2 Districts, the City may reduce the greenbelt depth requirement to ten (10) feet where more than one half (½) of the parking spaces will be located in the side or rear yard and only one row of parking is located in the front yard or where the commercial building is less than ten thousand (10,000) square feet.
- (5) The berm shall not be required along a commercial frontage where a three (3) foot tall brick wall or a combination of a three (3) foot tall wrought iron fence with a continuous evergreen hedge row is provided along the entire frontage (except driveway and sidewalk access points). The hedge row plantings may be credited towards the shrub plantings of [Table 13.02\(c\)](#).

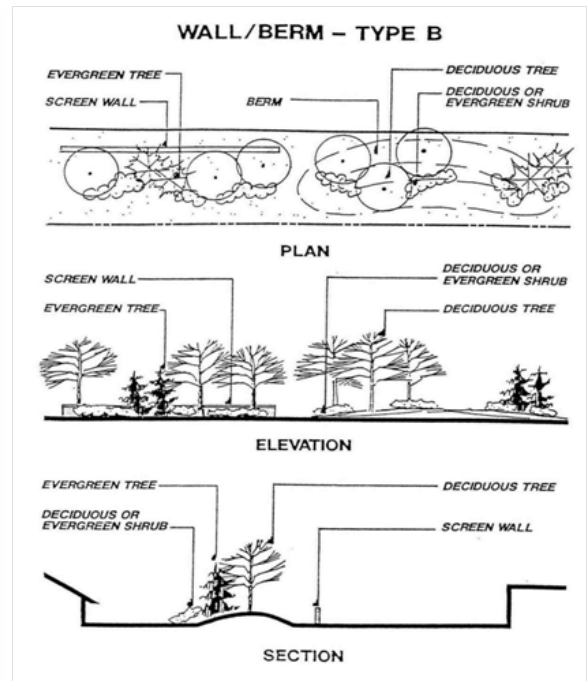
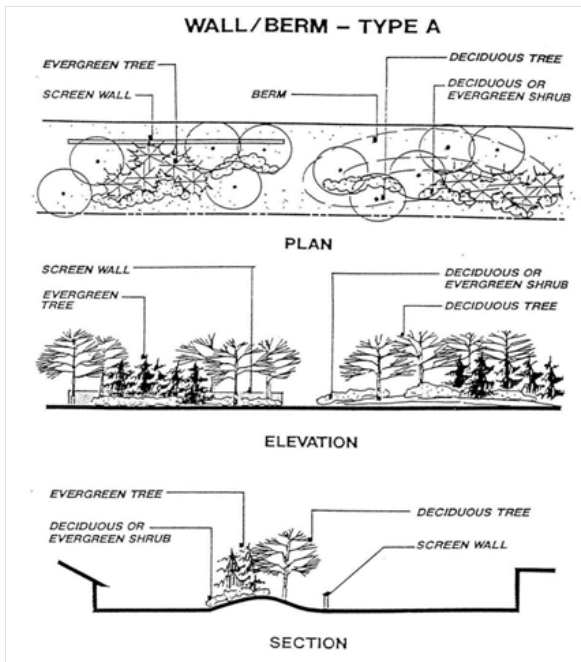
*Residential Development Greenbelt*



(e) **Buffer Zone Landscaping between Land Uses.** The following buffer zones shall be required where a proposed use shares a common lot line with an adjacent use as required in the Buffer Zone Requirements [Table 13.02\(d\)\(1\)](#) and landscaped according to the Description of Required Buffer Zones [Table 13.02\(d\)\(2\)](#):

<b>Table 13.02(d)(1) Buffer Zone Requirements</b>				
<b>Proposed Use</b>	<b>Adjacent District or Use</b>			
	<b>SF</b>	<b>MF or MH</b>	<b>Commercial</b>	<b>Industrial</b>
Single and Two-Family Residential	None	None	C	C
Multiple-Family Residential	B	None	C	C
Manufactured Home Park	B	B	C	C
Institutional	B	B	C	None
Commercial/Office	B	B	C <sup>1</sup>	None
Industrial	A	A	B <sup>2</sup>	None

(1) Buffer zone landscaping shall not be required between commercial uses where shared access, shared parking or service drive connections are provided or where there is a zero (0) lot line setback between uses.



(2) Buffer zone "A" shall be required where an industrial use has outdoor storage or truck loading area adjacent to a commercial use or district.

<b>Table 13.02(d)(2)</b>			
<b>Description of Required Buffer Zones<sup>1</sup></b>			
<b>Buffer Zone</b>	<b>Minimum Width</b>	<b>Wall/Berm</b>	<b>Minimum Plant Materials</b>
A	50 ft.	Continuous 6 foot wall or 4 foot high berm (Type A)	1 canopy tree, 2 evergreen trees and 4 shrubs per each 20 linear feet along the property line, rounded upward
B	20 ft.	Continuous 6 foot wall or 4 foot high berm (Type B)	1 canopy tree, 1 evergreen tree and 4 shrubs per each 30 linear feet along the property line, rounded upward
C	10 ft.	Not Required	1 canopy or evergreen tree or 4 shrubs per each 20 linear feet along the property line, rounded upward

**(f) Footnote to Table 13.02 (d)(2).**

(1) Vertical and horizontal cross sections, at the same scale, of the buffer zones shall be provided with the site plan.

**(g) Residential Streets.** Deciduous trees shall be planted along each residential lot or residential unit within the proposed right-of-way between the street and the sidewalk in accordance with the following schedule:

<b>Table 13.02(e)</b>	
<b>Minimum Required Residential Street Trees</b>	
<b>Linear Feet of Street Frontage/Lot</b>	<b>Minimum # Street Trees</b>
65 feet or less	1
65 feet to 120 feet	2
120 feet or more and corner lots	3

**(h) Parking Lot and Loading Area Landscaping Requirements.** All parking lots of twenty (20) or more spaces and loading areas shall be landscaped according to the following requirements:

- (1) All parking lots of twenty (20) or more spaces shall provide one (1) canopy tree and one hundred (100) square feet of landscape area for every ten (10) parking spaces.
  - a. A minimum of one-third (1/3) of the trees shall be placed on the interior of the parking area and the remaining may be placed surrounding the parking lot within eighteen (18) feet.
  - b. Where parking lots are located in the rear yard, the amount of parking lot landscaping shall be reduced by fifty percent (50%).
- (2) For truck parking facilities, one (1) canopy or evergreen tree and one hundred (100) square feet of landscape area shall be provided for every five (5) truck spaces.
- (3) Where off-street parking areas are located within the required front yard, a berm, hedge row, three (3) foot tall brick wall or a combination of a three (3) foot tall wrought iron fence with a continuous evergreen hedge row shall be provided between the parking spaces and the road way.

- a. The hedge row shall be planted with evergreen or deciduous shrubs, two and a half (2 ½) feet on center.
  - b. The landscape greenbelt required by *Section 13.02(c)* shall also be provided, except the hedge row plantings may be credited towards the shrub plantings of *Section 13.02(c)*.
- (4) Where a parking lot or loading area for a non-residential use adjoins a residential district or use, a minimum six (6) foot tall wall shall be provided between the parking lot and residential lot.
- a. Walls shall be constructed of brick or other masonry material compatible with the front façade of the principal building as determined by the City. Poured concrete with false brick design or plain concrete slag blocks are not permitted.
  - b. The City may approve a privacy fence where it is more compatible with adjacent residential uses.
- (5) Landscaping shall be installed so that, when mature, it does not obscure traffic signs, fire hydrants, lighting, drainage patterns on site or adjacent properties, or obstruct vision for safety of ingress or egress.
- (6) Landscape islands shall be a minimum of ten (10) feet in width.
- (7) All landscaped areas shall be protected by a six (6) inch standard or rolled concrete curb, except where landscape islands are being utilized as part of a stormwater detention or conveyance system.
- (8) Parking structures shall provide one (1) canopy or ornamental tree and four (4) shrubs for every thirty (30) linear feet of parking structure façade length that is visible from a public right-of-way.
- (i) **Detention/Retention Pond Landscaping.** Detention/retention ponds shall be landscaped to provide a natural setting in open space areas as follows:
- (1) Detention and retention ponds shall be landscaped with grass, shrubs, and trees to accomplish a suitable appearance compatible with development on the property and on nearby properties. Landscaping shall be required on all areas disturbed by grading to establish detention/retention ponds.
  - (2) Where possible, ponds or basins shall be “free form” following the natural shape of the land to the greatest practical extent. Side slopes shall not exceed one (1) foot vertical for every three (3) feet of horizontal distance.
  - (3) One (1) deciduous shade or evergreen tree, and ten (10) shrubs or groupings of ornamental grasses shall be planted in a random pattern or in groupings for every fifty (50) lineal feet of pond perimeter, measured along the top of the bank elevation. Required landscaping is not limited to the top of the pond bank, as long as the plant species is adapted to saturated soil conditions. Plantings within rain gardens, bio-retention swales, and irrigation trench planters may be credited towards meeting the landscaping requirements.
  - (4) Any security fencing around ponds shall be decorative in nature or if chain link, black or dark green vinyl coated. Shrub plantings shall be provided around the outside of the fence for screening spaced no more than five (5) feet on-center.
- (j) **Accessory Structure Landscaping.** Accessory structures, mechanical equipment, and utility structures such as trash receptacle enclosures, air conditioning units, transformers, utility substations and clustered mailboxes that are in a visible location

on the site shall be landscaped with evergreens of sufficient height to screen the structure or equipment.

- (k) **Planting Sizes.** The minimum size of all landscape plant material shall comply with the following schedule:

Plant Type	Minimum Size
Deciduous tree	2 ½ - 3 inch caliper
Ornamental tree	2 - 2 ½ inch caliper
Evergreen tree	8 - 10 feet tall
Shrubs and hedges	30 -36 inches tall

- (l) **Mixing of Species.** The overall landscape plan shall not contain more than thirty three percent (33%) of any one plant species. The use of trees native to the area, and mixture of trees from the same species association, is encouraged.
- (m) **Installation and Maintenance Provisions.**
  - (1) All landscaping shall be maintained in a healthy, neat, and orderly state free from refuse and debris.
  - (2) Any dead or diseased plants shall be removed and replaced within one (1) year from the time that the plant dies.
  - (3) In-ground automatic irrigation shall be provided for all landscaped areas.
  - (4) Trees required on the site plan must be maintained to remain in compliance with the site plan. Unhealthy vegetation must be replaced. Required landscaping shall not be removed unless approved by the City as a site plan amendment.
  - (5) Landscaping shall be installed so that when mature, it does not obscure traffic signs, fire hydrants, lighting, drainage patterns on site or adjacent properties, or obstruct vision for safety of ingress or egress.
  - (6) Property owners shall be responsible for maintaining the lawn area and any landscaping within the road right-of-way that abuts the lot's frontage.
  - (7) The landscape plan submitted with the site plan shall include a cost estimate for all plant material and installation. At the time of issuing any certificate of occupancy, a performance guarantee for the amount provided on the cost estimate may be required for the landscaping shown on the site plan.
- (n) **Lawn Grass.** Landscaped areas shall be covered by grass or other living ground cover. Grass areas shall be planted in species normally grown as permanent lawns in the City of Romulus. Grass may be sodded, plugged, sprigged, or seeded except that solid sod shall be used in swales or other areas subject to erosion. In areas where grass is to be established by a method other than complete sodding or seeding, nurse-grass seed shall be sown for immediate effect and protection until coverage is achieved.
- (o) **Living Plant Material.** All areas not occupied by building, pavement or storage shall be landscaped with living plant material. Stones shall not be used as ground cover unless part of a drainage erosion control.
- (p) **Prohibited Trees.** The following trees are prohibited in meeting the landscaping requirements of this Ordinance unless specific exemption is granted by the City: Ash, Box Elder, Soft Maples (Red Silver), Elms (except except disease-resistant American

Liberty Elm), Black or Honey Locust, Mulberry, Poplars, Willows, Horse Chestnut (nut bearing), Tree of Heaven, and Catalpa.

- (q) **Berms.** Berms required under this Ordinance shall meet the height requirements specified in [Section 13.02\(c\)](#) and [\(d\)](#) and shall have a slope no greater than 1:3, i.e., one (1) foot of vertical rise for each three (3) feet of horizontal distance on the exterior side facing the street or adjacent land use.
- (r) **Fire hydrants.** Plant material shall not be located within fifteen (15) feet of a fire hydrant or Fire Department connection.
- (s) **Tree Removal.** The removal of trees shall comply with the City of Romulus Tree and Woodland Preservation Ordinance.
- (t) **Existing Vegetation.** Existing vegetation that is going to be preserved may be counted towards meeting the landscaping requirements of this Article. The Planning Commission during site plan review, or the Administrative Review Committee (ARC) during administrative review may determine that existing landscaping or screening intended to be preserved would provide adequate landscaping and screening.
- (u) **Modifications and Waivers.** Innovation in design of landscaping is encouraged. To that end, the Planning Commission or ARC may modify or waive these landscaping requirements upon a finding that sufficient screening would be provided or the intent of the ordinance is met. Criteria which shall be used when considering a modification or waiver shall include, but shall not be limited to:
  - (1) Existing vegetation;
  - (2) Topography;
  - (3) Existing wetlands, floodplains, or other natural features;
  - (4) Existing and proposed building and parking lot placement;
  - (5) Building heights and views;
  - (6) Adjacent land uses and distance between land uses;
  - (7) Dimensional conditions unique to the parcel;
  - (9) Traffic sight distances;
  - (10) Alternative means of irrigation provided satisfactory to the Planning Commission.

### Section 13.03 Fences and Screening Walls

- (a) **Approval for Fences.** Except as specifically set forth in subsection (d) below, all fences and walls accessory to a non residential use shall comply with the requirements of this Section. Fences in the single-family residential districts shall comply with the requirements of [Section 3.05](#). The construction or alteration of any fence, wall or other type of protective barrier shall be approved by the Building and Safety Director as to its conformance to the requirements of the zoning district in which it is located and to the requirements of this Section.
- (b) **Location and Height.** Fences which are not specifically required under the regulations for the individual zoning districts shall conform to the following requirements:
  - (1) The height of fences in the side or rear yard shall not exceed eight (8) feet; except taller fences shall be permitted for the airport, public recreation facilities, wireless communication facilities, and commercial uses that have received special land use approval for outdoor storage and industrial uses.

- (2) Substantially solid or opaque fences located in the front yard shall not exceed a three (3) feet, and four (4) feet for wrought iron fences. The Planning Commission may permit a taller privacy fence or an obscuring wall in the front yard on non-residential lots where necessary for screening from adjacent uses.
- (3) Fences shall be permitted within all yards in the industrial districts; provided, however, that a fence located in the front yard shall be set back a distance equal to the required front yard setback. The frontage greenbelt required by [Section 13.02](#) shall be planted in the front yard outside of the fence.
- (4) Chain link fences visible from the public street right of way or an adjacent residential district shall be black vinyl-coated.

(c) **Materials**

- (1) The finished side of any fence shall face adjacent properties or roadways.
- (2) During site plan review the Planning Commission may approve barbed wire on fences for sites in the M-1, M-2, and MT Districts. If permitted, the bottom strands of barbed wire shall be at least six (6) feet from the ground.
- (3) The Planning Commission may approve the use of black, vinyl-coated chain link fence or ornamental wrought iron fencing in the front yard of an industrial use when needed for security purposes and there is no outdoor storage of truck loading areas that require screening.

(d) **Electric Fences.** The construction and use of electric fences shall be allowed in the City only in the MT District and only as provided in this Section, subject to the following standards, restrictions, and regulations:

(1) **IEC Standard No. 60335-2-76 and Manufacturer's Specifications:**

- a. Unless otherwise specified herein, electric fences shall be constructed and/or installed in conformance with the specifications set forth in International Electro technical Commission (IEC) Standard No. 60335-2-76 as it pertains to electric fences.
- b. Such IEC Standard No. 60335-2-76 is hereby adopted by reference and incorporated herein to the extent that it is not inconsistent with, and that it provides for electric fence regulations not provided for by, the National Electrical Code or otherwise under the State Construction Code of Michigan. A copy of such IEC Standard No. 60335-2-76 shall be maintained at the Clerk's Office for inspection upon request.
- c. Electric fences shall be constructed in accordance with the standards of the manufacturer. In the event of a difference or conflict between the manufacturer's standards and IEC Standard No. 60335-2-76, the more stringent standard shall govern.

(2) **Electrification:**

- a. The energizer for electric fences must be driven by a commercial storage battery or other remote power source. The electric fence shall not be connected in any way to the power grid.
- b. The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of IEC Standard No. 60335-2-76.
- c. The electric charge produced by the fence upon contact shall be a pulse charge and not a continuous charge.

- d. The electric fence shall be properly grounded at all times.
- e. The electric fence shall contain a readily accessible "kill switch" or other safety device whereby the electrification can be immediately terminated.

(3) **Perimeter Fence or Wall:**

- a. No electric fence shall be installed or used unless it is completely surrounded by a non-electrical fence or wall that is two (2) feet in height less than that of the electric fence itself and in no case less than six (6) feet nor greater than eight (8) feet in height.
- b. The distance between the electric fence and such surrounding fence or wall shall be not less than four (4) inches and not more than twelve (12) inches and otherwise compliant with IEC Standard No. 60335-2-76.
- c. The space between the perimeter fence or wall and the electric fence shall be maintained free from debris, weeds, and other unsightly materials at the owner and/or tenant of the property's sole expense.
- d. Gravel or asphalt, concrete, or other impermeable material shall be provided for the ground surface between the perimeter fence or wall and the electric fence.

(4) **Location and Access:**

- a. Electric fences shall be permitted in non-residential, outdoor storage areas in the MT District.
- b. In addition to being surrounded by a non-electrical fence or wall, electrical fences must be set back a minimum of five (5) feet from any pedestrian sidewalk or other walkway on all sides.
- c. Electric fences must be reasonably and safely accessible by the Fire Department by way of a gated entry point or other reasonable means.

(5) **Height:** Electric fences shall have a height of eight (8) feet.

(6) **Warning Signs:** Electric fences shall be clearly identified with warning signs that read: "Warning-Electric Fence", or something substantially similar, at intervals of not less than forty (40) feet.

(7) **Maintenance:**

- a. If any part of the electric fence becomes dilapidated or appears to be in a state of disrepair, the City of Romulus Building and Safety Director may order the immediate disconnection of the electric fencing from its power source.
- b. Reconnection of the fencing to its power source may only be performed after approval for the reconnection has been granted by the Romulus Building and Safety Director upon inspection. Where the Romulus Building and Safety Director deems it advisable, a third party inspection may be additionally required.
- c. Such inspection(s) shall be at the sole expense of the owner of the property and/or of the tenant of the property.

(8) No electric fence shall be constructed or installed except by the manufacturer of the electric fence or a qualified constructor or installer which is authorized and licensed by the manufacturer. In all cases, such installer and constructor shall carry any and all state, county, and/or federal licenses applicable to

electric fences and shall be insured in amounts equal to or greater than industry standards in the field.

- (9) No electric fence shall be constructed or installed without a permit issued by the Building Department, pursuant to inspection and/or approvals by all applicable City departments.

### Section 13.04 Sidewalks and Non-motorized Pathways

(a) **Intent.** The purpose of this section is to enhance the health, safety and welfare of the public by the development of a comprehensive non-motorized system to allow for improved access and recreation opportunities.

(b) **Applicability.** Unless exempted pursuant to the Romulus Code of Ordinances or this Ordinance, sidewalks shall be required for any site plan, sketch plan, condominium or subdivision plat as follows:

#### (1) Residential

- a. Sidewalks shall be installed along both sides of all streets and private roads or drives in subdivision plats, condominiums, and multiple-family developments.
  - b. Required sidewalks may be installed for a residential lot in a new residential subdivision or condominium after construction of the dwelling unit if the developer has posted a performance guarantee to cover the cost of all sidewalk installation. A certificate of occupancy for the dwelling shall not be issued until the required sidewalk is installed. Sidewalks for dwellings constructed on existing lots of record shall be installed where required by [Section 11.01\(a\)\(9\)](#) as follows:
    1. Developments in the R-1A and R-1B Districts shall provide five (5) foot wide concrete sidewalks as required by the City of Romulus Subdivision Ordinance and the City of Romulus Sidewalk Ordinance.
    2. The requirement to provide sidewalks, curbs, and gutters for subdivisions and site condominiums in the RE and RCO districts may be waived by the Planning Commission subject to the approval of the City Engineer with a payment in lieu of construction towards the City sidewalk fund.
    3. The requirement to provide sidewalks in front of dwellings on individual lots that are not part of a new subdivision in the RE and RCO districts may be waived by the Building and Safety Director where there are no existing sidewalks along the same block.
  - c. Sidewalks shall not be required for infill residential construction within an existing residential subdivision that was originally platted without sidewalks unless sidewalks have been subsequently installed along the frontage of fifty-percent (50%) or more of the lots.
- (2) Sidewalks shall be installed for all uses along street frontages, as required by Chapter 52 of the Romulus Code of Ordinances.
- (3) Sidewalks may be required in other locations, such as along drives and to connect sidewalks along streets to building entrances, as part of site plan review where the Planning Commission determines that they are needed for pedestrian safety or convenience.

**(c) Non-motorized Pathways**

- (1) The Planning Commission may require non-motorized pathways including walking trails within open space areas of residential developments. Pathways shall be a minimum five (5) foot wide asphalt. Alternative pervious materials, such as crushed gravel or wooden boardwalks, may be permitted by the Planning Commission in areas with sensitive environmental features.
- (2) Non-motorized pathways shall conform to State requirements and the City of Romulus Engineering Standards Manual.

(d) **Location.** Sidewalks shall be installed by the developer one (1) foot within the dedicated street right-of-way, private road access easement, or special easement where grades or other factors prevent placement within the right-of-way or access easement. Sidewalks shall be located to align with existing or future sidewalks on adjacent lots.

(e) **Construction Standards.** All sidewalks shall be concrete, at least five (5) feet wide and constructed to the specifications of the City of Romulus Engineering Standards Manual.

(f) **Crosswalks.** An inclined approach shall be required where sidewalks and bike paths intersect curbs for barrier free access to the sidewalk. Crosswalk pavement markings and signs may be required at intersections. Crosswalks may also be required to connect sidewalks across parking lots.

(g) **Payment in Lieu.** The Planning Commission or ARC may allow a payment in lieu of sidewalk construction under the following conditions:

- (1) A road right of way exists, but there is no road physically constructed at the time of site plan approval or planned to be constructed in conjunction with the development.
- (2) The property is adjacent to a freeway or grade separation and pedestrian traffic would not be encountered.
- (3) Within a proposed industrial subdivision, sidewalks could be provided on one (1) side only or eliminated on interior roads.
- (4) There are no other sidewalks within ½ mile of the property.
- (5) The site is nonconforming and payment in lieu of sidewalk construction is in accordance with the provisions of [Section 20.09\(c\)\(3\)](#).

## **Section 13.05      Lighting Regulations**

(a) **Purpose.** The purpose of this Section is to permit reasonable uses of outdoor lighting for night-time safety, utility, security, productivity, enjoyment, and commerce while minimizing the effects of excessive or uncontrolled light to:

- (1) Maintain consistent and uniform light levels for traffic and pedestrian safety along roadways, sidewalks, and in parking lots.
- (2) Ensure uniform lighting for security and law enforcement.
- (3) Minimize glare, obtrusive light, and artificial sky glow by limiting outdoor lighting that is misdirected, excessive, or unnecessary.
- (4) Minimize light pollution and light trespass from light sources onto adjacent properties.

- (5) Preserve the restful quality of nighttime by eliminating intrusive artificial light and lighting that unnecessarily contributes to “sky glow.”
  - (6) Curtail and reverse the degradation of the nighttime environment and the night sky.
  - (7) Preserve the dark night sky for astronomy.
  - (8) Conserve energy and resources to the greatest extent possible.
  - (9) Prevent upward directed intensive lighting that may distract air traffic or conflict with approach lighting for Detroit Metropolitan Wayne County International Airport.
- (b) **Light Levels.** All outdoor lighting for all non-residential uses shall be fully shielded to reduce glare and shall be arranged to reflect light away from all adjacent residential districts or uses. Light levels on a site that is subject to site plan approval under this Ordinance shall meet the following average and maximum requirements for the developed portion of the site containing buildings, drives, and parking lots. In addition, the uniformity ratio between the maximum and minimum illumination within the developed portion of the site shall not exceed ten to one (10:1).

<b>Table 13.05 Required Site Illumination</b>		
	<b>Average Illumination (footcandles)(1)</b>	<b>Maximum Illumination (footcandles)</b>
Parking lots, loading areas, drive aisles	1-3 fc (2)	10 fc (3)
Sidewalks, site and building entrances	3-6 fc	10 fc
Under canopies such as gas stations, drive-thru banks porte-cochere	3 fc	22 fc
Along front lot line adjacent to the street frontage	0.5 fc	3 fc (4)
Along a property line adjoining a non-residential use or district	0.5 fc	3 fc (5)
Along a property line adjoining a residential use or district	0 fc	0.1 fc

(c) **Footnotes to Table 13.05**

- (1) Lighting levels may be reduced to half (0.5) footcandle with a uniformity ratio of not more than ten to one (10:1) after 12:00 PM, or after established hours of operation.
- (2) The average illumination levels shall not apply to portions of the site that are fenced to restrict public access, such as storage yards.
- (3) For automobile dealerships and other types of outdoor sales areas the maximum illumination may be increased to fifteen (15) footcandles, provided the limits at the property line are not exceeded.
- (4) These regulations shall not apply to ornamental street lighting, public street lights, or driveway/intersection lighting necessary for pedestrian and traffic safety.

- (5) The light level along a non-residential property line may be increased to up to five (5) footcandles where there is shared access/vehicular connections with the adjacent use or the adjacent use is a similar use (e.g. commercial adjacent to commercial).
- (d) **Light Fixtures.** Outdoor lighting on all non-residential sites shall be directed downward and confined to the ground areas of lawns or parking lots except as noted elsewhere in this Section. Lighting shall utilize full cutoff fixtures that are recessed sufficiently such that the light source is not visible from off site. Bollard lights are permitted to light driveways and pedestrian areas. All lamps shall be LED lamped luminaires, unless otherwise approved by the City.
- (e) **Fixture Height.** Light fixtures shall not be higher than fourteen (14) feet within three hundred (300) feet of a residential district. Otherwise, fixtures shall be no higher than twenty five (25) feet. Height shall be measured from the parking lot grade.
- (f) **Ornamental/Decorative Lighting.** The requirement for downward directed lighting may be waived for ornamental and decorative lighting which is part of an overall architectural theme and street lighting.
- (g) **Floodlighting Prohibited.** Floodlight type fixtures shall be used only for building accent, landscaping, and sign lighting. Upward directed flood lighting that may distract air traffic or conflict with approach lighting for Detroit Metropolitan Wayne County International Airport shall be prohibited in accordance with FAA standards.
- (h) **Sign Lighting.** Illumination of signs shall comply with the requirements of the City of Romulus Sign Ordinance. Internally illuminated signs shall be permitted and light fixtures directed at a sign may be permitted where the fixtures are shielded so not to cause visible glare to persons on adjacent streets or adjacent property.
- (i) **Photometric Plan.** The evaluation of the photometric plan is intended to permit the City to determine potential adverse effects the site lighting may have on adjoining properties and motorists. Any site plan application for new or revised lighting shall include a photometric plan overlaid on the site plan illustrating the planned layout and footcandles of site lighting. The following are required for review:
- (1) Location of all site lights including pole lights, pedestrian lights, building mounted lights, canopy lights, sign lights, and landscape lights.
  - (2) The designation type for each luminaire.
  - (3) A Luminaire Schedule indicating type ("A", "B", "C", etc.), manufacturer, model number, lamp type, lumen output, wattage, number of heads and the I.E.S. luminaire photometric file number used for the calculations.
  - (4) Mounting height for each luminaire.
  - (5) A photometric grid indicating foot-candle levels over the entire site, including at all property lines, measured at grade level. Grid spacing shall not exceed 20 feet by 20 feet. ISO foot-candle lines may be included.
  - (6) A Photometric Summary and Statistics Table indicating the maximum, minimum and average foot-candle levels, maximum-to-minimum and average-to-minimum ratios.
  - (7) Lighting manufacturers' equipment specifications and data (cut) sheets must be copied on the photometric plan, and
  - (8) Any other presentations required to convey the intent of the design.

### Section 13.06 Trash Receptacles and Enclosures

Trash receptacles and enclosures shall be required for all sites in the O-1, C-1, C-2, C-3, RC, O-R, M-1, M-2, and M-T Districts. Enclosures shall be in accordance with rules and regulations of the Wayne County Health Department and the City of Romulus. Enclosures for trash receptacles, dumpsters, and compactors shall be designed, constructed and maintained according to the requirements of this Section. Trash receptacle enclosure locations and details of construction shall be shown on site plans.

- (a) **Location.** Trash receptacle enclosures shall be located in the rear yard or non-required side yard, unless otherwise approved by the Planning Commission or ARC, at least five (5) feet from any principal building or as determined by the City of Romulus Fire Department. Trash receptacle enclosures for commercial and industrial sites shall be as far as practical from an adjoining residential district. Enclosures that are integrated into the principal building shall include concrete bollards placed at least five (5) feet from the exterior building wall, to minimize damage to the principal building from trucks or fire.
- (b) **Access.** Trash receptacles shall be accessible by refuse vehicles to prevent damage to automobiles in designated parking spaces; provided the enclosure doors shall not be highly visible from traffic entering the site from a public road.
- (c) **Base.** The trash receptacle base shall be at least nine (9) feet by nine (9) feet, constructed of six (6) inches of reinforced concrete pavement. The base shall extend six (6) feet beyond the dumpster pad or gate to support the front axle of a refuse vehicle. Where grease disposal receptacles are used, curbing shall be provided around the enclosure base to contain any spillage.
- (d) **Screening.** Trash receptacles shall have an enclosing lid or cover and be enclosed by a wall on three (3) sides with a wood gate on the fourth side. The enclosure shall be constructed of brick or split face block that matches the building color with a maximum height of six (6) feet or at least one (1) foot higher than the dumpster. Other decorative masonry material may be approved if it matches the material used on the principal building and landscape screening is provided in accordance with [Section 13.02\(h\)](#). Poured concrete with false brick design or plain concrete slag blocks are not permitted.
- (e) **Exceptions.** The Planning Commission or ARC may waive the requirement for a trash receptacle enclosure for businesses, such as banks, that store all waste material indoors or other uses that provide alternate means of handling waste disposal.

### Section 13.07 Mechanical Equipment

Ground-, building-, and roof-mounted mechanical equipment and utility structures including, but not limited to, heating units, cooling units, air handling units, refrigeration units, blowers, ventilating fans, water and gas meters, elevator housing, tanks, generators, and utility transformers are subject to the following regulations:

#### (a) Ground- and Building-Mounted Equipment

- (1) Mechanical equipment and utilities located on or around any non residential building that are visible to the public shall be screened by decorative walls that are compatible with the material used on the building or by landscaping.
- (2) Screening materials for ground- and building-mounted mechanical equipment and utilities shall include a solid wall, fence or other decorative features compatible with the materials used on the main building or plantings or berms in accordance with [Section 13.02\(h\)](#).

- (3) In a non residential district, ground-mounted mechanical equipment shall not be located within twenty (20) feet of any residential district.
- (4) Mechanical equipment may not be located within the required yard setback area, except as provided for in [Section 12.05](#).

**(b) Roof-Mounted Equipment**

- (1) All roof-mounted equipment shall be screened by parapet walls or a pitched roof integrated into the architectural design of the building of sufficient height to screen rooftop equipment and provide sound attenuation. The location, height, and screening methods shall be shown on the site plan.
- (2) All roof-mounted mechanical units must be set back a minimum of twenty (20) feet from the front of the building and any side of the building facing an adjacent Residential District.

**Section 13.08 Mailbox Clusters**

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- (a) The location of mailbox clusters shall not conflict with pedestrian or vehicular circulation. A dedicated pull-off area shall be provided that is out of the main travel lanes.
- (b) The design of the mailbox cluster shall be integrated into the design of the overall development by utilizing decorative structures that are compatible with the site design and building architecture.

**Section 13.09 Charitable Donation Drop Boxes**

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- (a) Charitable donation drop boxes or other similar items shall be permitted in the rear yard or non-required side yard (meeting building setback requirements). These items shall not be permitted in the front yard, or any landscape greenbelt and shall not be permitted in a location that would block parking spaces, or loading areas and shall not obstruct vehicular circulation, fire lanes, or sidewalks.
- (b) Drop boxes are limited to two (2) boxes per property in an area not to exceed a total of 120 square feet.
- (c) Regular collection of dropped items is required and no items shall be left outside the drop box.
- (d) The name and telephone number of the owner/operator, who's responsible for describing the kinds of items sought for donations and removing items must be noted on the outside of the box. A statement must also be included on the box that liquids, hazardous materials and dumping are prohibited.
- (e) Written permission from the property owner is required,
- (f) A zoning compliance permit from the Building and Safety Department and Business Registration from the Clerk's Office are required for any charitable drop box.

# Article 14

## Parking Requirements

14



## Section 14.01 Off Street Parking Requirements

- (a) **Applicability of Parking Requirements.** For all buildings and uses established after the effective date of this Ordinance, off-street parking shall be provided as required by this Article.
- (1) Whenever use of a building or lot is changed to another classification of use, off-street parking facilities shall be provided as required by this Article.
  - (2) If the intensity of use of any building or lot is increased, through the addition of floor area, increase in seating capacity or other means, additional off-street parking shall be provided for such increase in intensity of use.
  - (3) Off-street parking facilities in existence on the effective date of this Ordinance shall not be reduced below the requirements of this Article.
  - (4) An area designated as required off-street parking shall not be changed to another use, unless equal facilities are provided elsewhere in accordance with the provisions of this Article.
- (b) **Location.** Off-street parking facilities required for all other uses shall be located on the lot or within three hundred (300) feet of the building(s) or use they are intended to serve, as measured along lines of public access from the nearest point of the parking facility to the building(s) or use served. In the CBD parking facilities shall be located within six hundred (600) feet of the building or use to be served.
- (c) **Shared/Common Parking**
- (1) Two (2) or more buildings or uses may use a common parking facility provided that the number of parking spaces provided is equal to the required number of spaces for all of the uses computed separately. Cumulative parking requirements for mixed-use developments or shared facilities may be reduced by the Planning Commission or ARC where it can be determined that one or more of the factors listed in subsection (d) below apply.
  - (2) Parking facilities for a church or place of worship may be used to meet not more than fifty percent (50%) of the off-street parking for theaters, stadiums, and other places of public assembly, stores, office buildings, and industrial establishments lying within five hundred (500) feet of a church or place of worship as measured along lines of public access, provided that the other uses are not normally operating between the hours of 6:00 a.m. and 6:00 p.m. on Sundays and that the church or place of worship makes the spaces available.
- (d) **Modification of Parking Requirements.** The City may reduce the parking space requirements based upon one (1) or more of the following conditions:
- (1) Shared parking by multiple uses where there will be a high proportion of multipurpose visits or uses having peak parking demands during differing times of the day or days of the week.
    - a. Pedestrian connections shall be maintained between the uses.
    - b. For separate lots, shared parking shall be adjacent to each other with pedestrian and vehicular connections maintained between the lots.
    - c. Shared parking agreements shall be filed with the County Register of Deeds and the City Clerk after approval by the Planning Commission.
  - (2) Convenient municipal off-street parking or on-street spaces located along the site's frontage.

- (3) Expectation of walk-in trade due to sidewalk connections to adjacent residential neighborhoods or employment centers. In allowing a parking space reduction the site design shall incorporate pedestrian connections to the site and on-site pedestrian circulation providing safe and convenient access to the building entrance.
- (4) Availability of other forms of travel such as transit. In allowing a parking space reduction the Planning Commission may require the site design incorporate transit stops, pedestrian connections to nearby transit stops, or bicycle parking facilities.
- (5) Where the applicant has provided a parking study conducted by a qualified traffic engineer that demonstrates that another standard would be more appropriate based on actual number of employees, expected level of customer traffic, or actual counts at a similar establishment. The Planning Commission may require a parking study to document that any one of the criteria (1) through (4) above would be met.

**(e) Banked Parking**

- (1) Where a reduction in the number of parking spaces is not warranted but an applicant demonstrates that the parking requirements for a proposed use would be excessive, the Planning Commission may defer some of the parking. The site plan shall designate portions of the site for future construction of the required parking spaces. The area which shall be maintained in a landscaped appearance and not occupy required greenbelts, or parking lot setbacks, or be used for any other purpose. Landscaping, such as parking lot trees, that would otherwise be required for the banked parking shall be installed in the area of the banked parking.
- (2) The banked parking shall be required to meet Ordinance requirements if constructed. Construction of the deferred parking area to add parking spaces may be initiated by the owner or required by the City, based on parking needs or observation, and shall require administrative approval of an amended site plan.

**(f) Required Off-Street Parking Spaces.** The minimum number of required off-street parking spaces shall be provided and maintained on the premises or as otherwise allowed by this Article, on the basis of the following schedule.

- (1) When units or measurements determining the number of required parking spaces result in a fraction over one-half ( $\frac{1}{2}$ ), a full parking space shall be required.
- (2) In the case of a use not specifically mentioned, the requirement for off-street parking facilities for a specified use which is most similar shall apply.
- (3) Each twenty-four (24) inches of bench, pew, or similar seating facilities shall be counted as one (1) seat, except that where specifications and plans filed with the Building Department specify a certain seating capacity that may be used as the basis for required parking space.
- (4) Unless otherwise indicated, floor area shall be usable floor area (UFA) as defined in [Section 24.07](#).
- (5) Where parking requirements are based upon maximum seating or occupancy capacity, the capacity shall be as determined by the Building Code and the Fire Code.

(6) In order to minimize excessive areas of pavement which reduces aesthetic standards and contribute to high rates of storm water runoff, exceeding the minimum parking space requirements by ten percent (10%) or less shall only be allowed with approval by the Planning Commission. In granting additional space, the City shall determine that the parking will be required, based on documented evidence, to accommodate the use on a typical day. Exceeding the minimum parking space requirements by more than ten percent (10%) shall only be allowed with approval by the Board of Zoning Appeals.

Use	Number of Parking Spaces
<b>Residential Uses</b>	
Single- family and two-family dwellings	2 spaces for each dwelling unit.
Multiple-family residential dwellings	2 spaces for each dwelling unit, plus 1 guest parking space for every 4 units, which may be met through on-street parking.
Senior apartments and senior assisted living	1.5 spaces for each unit, and 1 space for each employee. Should units revert to general occupancy, 2 spaces per unit shall be provided.
Manufactured home parks	2 for each manufactured home plus 1 for each employee of the manufactured home park. No motorized recreational vehicles shall be parked on individual home sites.
Dormitories or fraternities	1 space for every 2 beds, plus 2 additional spaces for owner or employees.
Bed and breakfast inns	2 for the owner and operator and 1 for each leasable room.
<b>Institutional Uses</b>	
Auditoriums, assembly halls, meeting rooms, theaters, and similar places of assembly	1 space for every 3 seats based on maximum seating capacity in the main place of assembly therein, as established by the City Fire and Building Codes
Child day care centers, nursery schools, and day nurseries; adult day care centers	1 for every 350 sq. ft. of UFA, plus 1 per employee. Sufficient area shall be designated for drop-off of children or adults in a safe manner that will not result in traffic disruptions
Elementary and middle schools	1 for each 1 teacher, employee, or administrator, in addition to the requirements of the auditorium, gymnasium, or stadium
Nursing and convalescent homes	2 for every 3 beds or occupants and 1 space for each staff member or employee on the largest shift.
Hospitals and similar facilities for human care	1 for each 2 beds, plus 1 for each employee on the largest shift.
Public buildings such as government offices, post offices, libraries, and museums	1 space for every 300 sq. ft. of UFA plus 1 space for each person working on the premises.
Places of worship	1 for every 3 seats in the main place of assembly or 1 for every 6 feet of pew or bench.

Use	Number of Parking Spaces	
High schools; colleges and universities; business, trade, technical, vocational, or industrial schools; performing and fine arts schools	1 for each 1 teacher, employee, or administrator, and 1 for every 10 students, in addition to the requirements of the auditorium, gymnasium, or stadium.	
<b>Retail Uses</b>		
Retail stores except as otherwise specified herein	1 for every 250 sq. ft. of UFA.	
Multi-tenant shopping centers	with 60,000 square feet or less of retail	1 for every 250 sq. ft. of retail UFA.
	with over 60,000 square feet of retail	1 for every 220 sq. ft. of retail UFA.
	with restaurants	If a shopping center contains more than 20% of the floor area as restaurants or entertainment uses, the parking requirements for these uses shall be calculated separately. Where the amount of restaurant space is unknown, it shall be calculated at 20%.
Agricultural sales, greenhouses and nurseries or roadside stands	1 for each 1 employee plus 1 for every 100 sq. ft of actual permanent or temporary area devoted primarily to sales.	
Animal grooming, training, day care, and boarding	1 for every 300 sq. ft. of UFA.	
Flea markets	1 for every 150 sq. ft of lot area used for sales or display.	
Furniture and appliance, household equipment, show-room of a plumber, decorator, electrician, hardware, wholesale and repair shop, or other similar uses	1 for every 800 sq. ft of net UFA plus 1 additional space for each employee.	
Grocery store/supermarket	1 for every 200 sq. ft of UFA.	
Home improvement centers	1 for every 300 sq. ft of UFA.	
Open air businesses, except as otherwise specified herein	1 for every 500 sq. ft of lot area for retail sales, uses, and services.	
Vehicle dealerships (new and used), recreation vehicle and mobile home sales	1 for every 300 sq. ft of floor space of sales room and 1 for each automobile service stall, plus 1 for each employee	
Video rental establishments	1 per 250 sq. ft of UFA	
<b>Service Uses</b>		
Motor vehicle service stations (gas stations and truck stops)	1 for each employee, plus additional parking required for other uses within the motor vehicle service station, such as the retail floor area, restaurants or vehicle repair stalls. Each motor vehicle fueling position shall count as one half (1/2) of a required space for the spaces required for other uses within a motor vehicle service station. For truck stops, the applicant shall provide a rationale for the number of designated spaces and their size.	

Use		Number of Parking Spaces
Vehicle repair establishment, major or minor		2 for each service stall, plus 1 for each employee.
Vehicle quick oil change		2 stacking spaces for each service stall, rack or pit plus 1 for each employee.
Vehicle wash	Self-service (coin operated)	4 spaces plus 4 stacking spaces for every washing stall.
	Full-service	4 spaces, plus 1 per employee. 15 stacking spaces for every washing stall or line, plus a minimum 30 foot long drying lane to prevent water from collecting on street.
Banks and other financial institutions		1 for each 200 sq. ft of UFA for the public, plus 3 for each walkup ATM. Drive-up windows shall be provided with 4 stacking spaces for each window and drive-up ATM.
Beauty parlor or barber shop		3 parking spaces for each chair/station.
Dry cleaners		1 per 500 sq. ft of UFA
Laundromats		1 for each 2 combinations of washer-dryer machines plus 1 space for each employee.
Mortuary establishment, funeral home		1 for every 50 sq. ft. of assembly room or parlor floor space.
Motel, hotel or other commercial lodging establishment		0.75 for each unit, plus 1 for each employee. Spaces required for ancillary uses such as lounges, restaurants or conference areas shall be determined on the basis of the individual requirements for that use.
<b>Restaurants, Bars and Club</b>		
Standard sit-down restaurants with liquor license		1 for each 75 sq. ft. of UFA.
Standard sit-down restaurants without liquor license		1 for each 100 sq. ft. of UFA.
Carry-out restaurant (with no or limited seating for eating on premises)		6 per service or counter station, plus 1 for each employee.
Open front restaurant/ice cream stand		6 spaces, plus 1 for each employee and 1 for each 4 seats.
Drive-in restaurant		1 for each employee and 1 for each 75 sq. ft. of UFA.
Drive-thru restaurant		1 for every 2 employees plus 1 for every 2 seats intended for patrons within the building, plus 1 for every 30 sq. ft. of building floor area within the waiting area, plus 10 stacking spaces for each food pickup window.
Bars, lounges, taverns, nightclubs (majority of sales consist of alcoholic beverages)		1 for each 75 sq. ft. of UFA.
Private clubs, lodge halls, or banquet halls		1 for every 3 persons allowed within the maximum occupancy load as established by the City, fire, and building codes.

Use	Number of Parking Spaces
<b>Recreation</b>	
Athletic clubs, exercise establishments, health studios, sauna baths, martial arts schools and other similar uses	1 for each 3 persons allowed within the maximum occupancy load as established by City fire and building codes, plus 1 per employee. In those instances where memberships are provided for, not less than 1 per each 5 memberships shall be provided plus 1 per employee or 1 for each 2 clothing lockers, plus 1 per employee, whichever is the larger.
Billiard parlors	1 for each 3 persons allowed within the maximum occupancy load as established by City building and fire codes or 1 for each 300 square feet of gross floor area, whichever is greater.
Bowling alleys	8 for each bowling lane plus additional for accessory uses such as bars.
Indoor recreation establishments including gymnasiums, tennis courts and handball, roller or ice-skating rinks, exhibition halls, and dance halls	1 space for every 3 persons allowed within the maximum occupancy load as established by the City fire and building codes.
Golf courses open to the public, excepting miniature or "par-3"	6 for each 1 golf hole plus 1 for each employee plus additional for any bar or restaurant.
Miniature or "par-3" courses	3 for each 1 hole plus 1 for each employee.
Stadiums, sports arenas, or similar places of outdoor assembly	1 for every 3 seats or 1 for every 6 feet of bench, plus 1 for each employee. For fields without spectator seating, there shall be a minimum of 30 spaces per field.
<b>Offices</b>	
Business offices, post offices or professional offices of lawyers, architects or similar professionals	1 for every 250 sq. ft. of UFA, but no less than 5 parking spaces.
Medical offices of doctors, dentists, veterinarians or similar professions	1 for every 200 sq. ft. of UFA.
<b>Industrial Uses</b>	
Industrial establishments, including manufacturing, research and testing laboratories, creameries, bottling works, printing, plumbing or electrical work-shops	1 for every 1½ employees or 550 sq. ft. of UFA, whichever is greater.
Warehouses and storage buildings	1 for each employee computed on the basis of the greatest number of persons employed at any one time during the day or night, or 1 for every 1,500 square feet of UFA, whichever is greater.
Mini warehouses/self storage	Unobstructed parking area equal to 1 for every 10 door openings, plus parking for other uses on site such as truck rental.

Use	Number of Parking Spaces
Truck terminals	1 automobile space for each employee plus 2 truck spaces of 10 by 70 feet for each truck berth or docking space.
Air freight forwarders/distribution facilities	1 automobile space for each employee.

## Section 14.02 Off-Street Parking Facility Design

### (a) Off-Street Parking Location and Setbacks

- (1) **Setback.** Off street parking lots shall meet the setback requirements applicable to parking as specified in the zoning district or the standards for the use.
- (2) **Location.** Off-street parking spaces are permitted within a rear yard or side yard, provided the parking lot setbacks in the applicable district or use standards are met.
- (3) **Front Yard Limitation.**
  - (a) In all Multiple-Family Residential, Office and CBD Zoning Districts, the required front yard setback shall not be used for off-street parking, loading or unloading, and shall remain open and unoccupied and unobstructed except for landscaping or vehicle access drives.
  - (b) In all other districts, the Planning Commission may allow parking within the required front yard; provided, parking lot setback requirements are met, and a greenbelt is provided along the site frontage between the front property line and the parking area, in accordance with [Section 13.02](#).
- (4) **Residential.** Off-street parking facilities required for single-and two-family dwellings shall be located on the same lot or plot of ground as the building they are intended to serve, and shall consist of a parking strip, parking apron, and/or garage. All residential driveways shall meet City of Romulus engineering standards. For lots of one (1) acre or less in platted subdivisions or approved site condominiums, the driveway must be paved. For larger lots, the driveway may be constructed of gravel and shall meet the City's engineering standards.

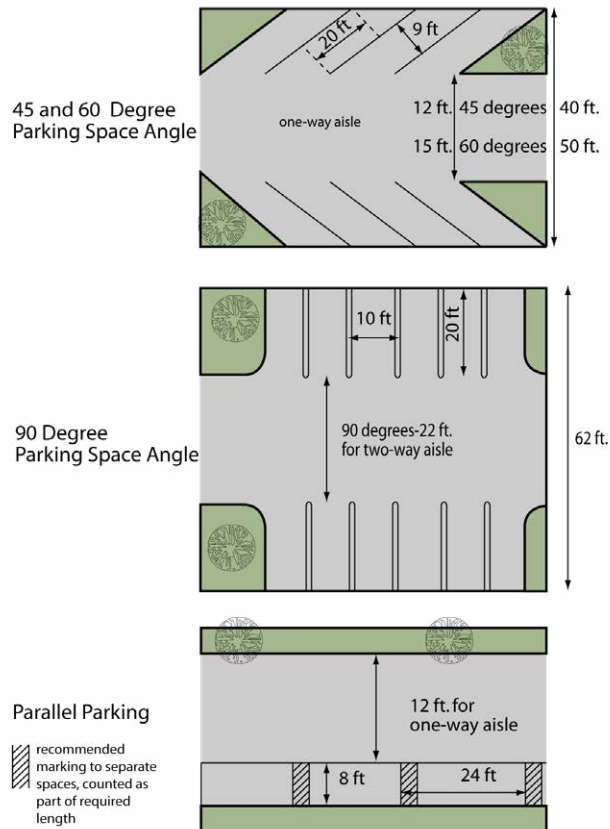
### (b) Parking Construction and Development. The construction of any parking lot shall require approval of a site plan in accordance with [Article 17](#). Construction shall be completed and approved by the Building Department and the City Engineer before actual use of the property as a parking lot.

- (1) **Pavement.** All parking lots and vehicle and equipment storage areas shall be paved with an asphalt or concrete binder, and shall be graded and drained so as to dispose of surface water which might accumulate. The Planning Commission may approve alternative paving materials, such as permeable/grass pavers, for overflow, seasonal or low use parking areas, based upon the review and recommendation of the City Engineer. For storage areas the Planning Commission may approve a substitute for hard-surfaced pavement upon a determination that there are no adverse effects on adjoining properties.
- (2) **Curbing.** A six (6) inch concrete curb, or alternative as determined by the Planning Commission, shall be provided around all sides of the parking lot to protect landscaped areas, sidewalks, buildings, or adjacent property from vehicles that might otherwise extend beyond the edge of the parking lot. Curb openings are allowed for stormwater drainage, as recommended by the City

Engineer. Plantings shall be set back two (2) feet from curbs to allow for bumper overhang.

- (3) **Drainage.** Surface water from parking areas shall be detained on site in accordance with the City of Romulus Engineering Standards.
- (4) **Dimensions.** Parking space and aisle dimensions are in the following table.
  - a. Angled parking between these ranges shall be to the nearest degree.
  - b. Space length may be reduced by up to two (2) feet if an unobstructed overhang of not less than two (2) feet is provided, such as a landscaped area or sidewalk. A sidewalk shall have a minimum width of seven (7) feet where abutting a parking area. There shall be a minimum of seven (7) feet between the parking lot curb and building. Where curbing does not exist, bumper blocks shall be provided to protect pedestrian space adjacent to building.
  - c. All parking lots shall be striped and maintained showing individual parking bays, in accordance with the following dimensions:

	90°	60°	45°	Parallel
Space Width	10 ft.	9 ft.	8 ft.	8 ft.
Space Length	20 ft.	20 ft.	20 ft.	24 ft.
Aisle Width	22 ft.	15 ft.	12 ft.	12 ft.
Total for a row	62 ft.	50 ft.	40 ft.	--



- (5) **Stacking spaces.** Waiting/stacking spaces for drive thru uses (such as banks, restaurants, car washes and oil changes) shall be at least twenty four (24) feet long and ten (10) feet wide. Required stacking spaces shall not block required off-street parking spaces. Where the drive thru waiting lane provides for a single lane of five (5) or more vehicles an escape lane shall be provided to allow vehicles to exit the waiting lane.
- (6) **Ingress and Egress.** Adequate ingress and egress to the parking lot by means of clearly limited and defined drives shall be provided for vehicles in accordance with [Section 14.06](#). All parking lots shall provide on-site circulation aisles and parking spaces shall be designed to not require vehicles to back into public streets. Ingress and egress to a parking lot in a non-residential zoning district shall not be through a residential district, except in instances where access is provided by means of an alley that forms the boundary between a residential and non-residential district.
- (7) **Landscaping.** Off-street parking areas shall be landscaped in accordance with the requirements of [Section 13.02\(f\)](#).
- (8) **Fire Lanes.** Fire lanes shall be designated on the site and posted with signage prior to occupancy. Vehicle circulation shall meet turning radius requirements set by the Fire Department.
- (c) **Barrier Free Parking.** Within each parking lot, signed and marked barrier free spaces shall be provided at a convenient location, in accordance with the following table.

Total Parking Spaces in Lot	Required Number of Barrier Free Parking Spaces
1 - 25	1
26 - 50	2
51 - 75	3
76 - 100	4
101 - 150	5
151 - 200	6
201 - 300	7
301 - 400	8
401 - 500	9
501 - 1,000	2% of total
over 1,000	20 plus 1 for each 100 over 1,000

- (1) Barrier free parking spaces shall comply with the requirements of the Michigan Department of Labor, Construction Code Commission, Barrier Free Design Division.
- (2) Barrier free spaces shall be located as close as possible to building entrances. Where a curb exists between a parking lot surface and a sidewalk entrance, an inclined approach or curb cut with a gradient of not more than a 1:12 slope and width of a minimum four (4) feet shall be provided for wheelchair access.

(d) **Parking Structures**

- (1) **Dimensional Requirements.** Parking stall and driving aisles shall meet the dimensional requirements of subsection (4) above.

- (2) **Internal Arrangement.** Internal arrangement and design shall be reviewed by the City Engineer for appropriate grades, traffic circulation, aisle length, column spacing, ceiling height, exit stairwell and elevator location.
  - (3) **Access Points/Lanes.** Storage areas for entering and exiting traffic should be long enough to minimize backups of traffic onto surrounding streets or within the garage.
  - (4) **Lighting and Security.** Adequate lighting shall be provided for the safe movement of vehicles and pedestrians and for the security of patrons and parked vehicles.
  - (5) **Location and Setback Requirements.** Parking structures shall be set back the same distance as required for main buildings.
  - (6) **Architecture.** Parking structures shall be architecturally compatible with the buildings they serve and shall be subject to the same architectural requirements contained in [Section 13.01](#). Building materials and colors shall match or complement the principal building. Openings within the façade of the parking structure shall have proportions that are similar to the fenestration of the principal building on or adjacent to the site. Structures that are an integral part of a main building shall have the ground level floor area of the parking structure occupied by the main use. Landscaping shall be provided in accordance with [Section 13.02\(f\)\(18\)](#).
- (e) **Maintenance.** All parking lots shall be maintained free of trash and debris. Surface, curbing, light fixtures and signage shall be maintained in good condition.
- (f) **Limitations on Use of Parking Lots**
- (1) It shall be unlawful for any person, firm, or corporation to use private property for vehicle parking without the express consent, authorization, or ratification of the owner, holder, occupant, lessee, agent or trustee of the property.
  - (2) Off-street parking areas are intended only for temporary vehicle parking for public safety by keeping parked cars off the streets. Except when land is used as storage space in connection with the business of a repair or service garage, use of parking areas or open land is not permitted for the storage or parking of wrecked or junked cars, or for creating a junk yard or nuisance in the area.
  - (3) Loading spaces as required in [Section 14.03](#), and parking spaces required in [Section 14.01](#) shall be considered separate and distinct requirements and shall be considered separate components on the proposed site plan. In no case shall one component be construed as meeting the requirements of the other required components.
  - (4) Parking lots and loading areas shall not be used for the storage of trucks or trailers, except for uses approved for this in the Industrial Districts. Overnight parking or storage of commercial vehicles shall be prohibited, except for uses and locations approved for vehicle storage. Illegally parked vehicles shall be towed at the owner's expense and subject to the violation provisions of [Section 21.14](#).
  - (5) It shall be unlawful to use a parking lot or open area to store or park any vehicle for the purpose of displaying vehicles for sale, except in an approved vehicle sales dealership.

## Section 14.03 Off-Street Loading Requirements

- (a) **Uses Requiring Loading Area.** On the same premises with every building, structure or part thereof, erected and occupied for manufacturing, storage, warehouse, retail sales, consumer services or other uses similarly involving the receipt or distribution of vehicles, materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading services in order to avoid undue interference with public use of the streets, alleys and parking spaces.
- (b) **Loading Area Requirements.** Loading and unloading spaces, unless otherwise adequately provided for, shall be ten (10) feet by fifty (50) feet, with fifteen (15) foot height clearance, according to the following schedule:

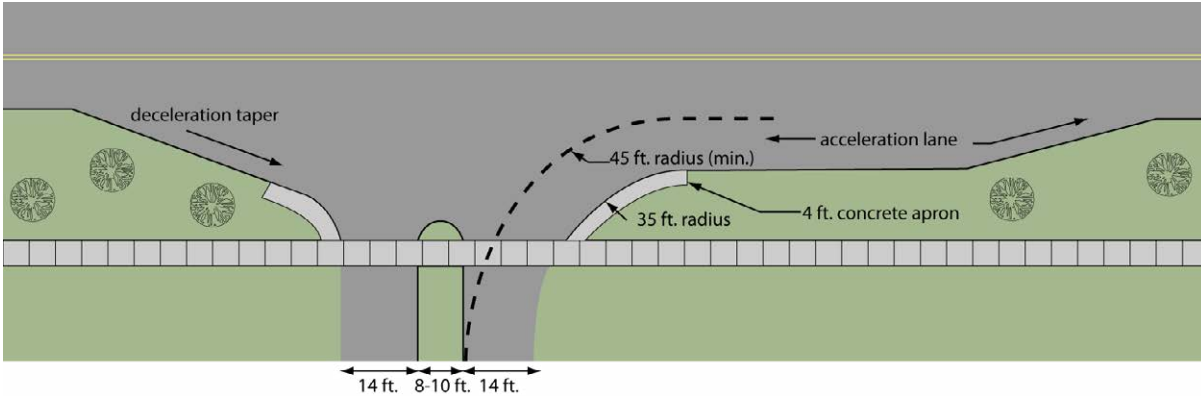
Building Net UFA	Minimum Truck Loading Spaces
0--1,400 sq. ft.	None
1,401--20,000 sq. ft.	1 space
20,001--100,000 sq. ft.	1 space plus 1 space for each 40,000 sq. ft. in excess of 100,000 sq. ft.
100,001--500,000 sq. ft.	5 spaces plus one 1 space for each 40,000 sq. ft. in excess of 100,000 sq. ft.
Over 500,000 sq. ft.	15 spaces plus 1 space for each 80,000 sq. ft. in excess of 500,000 square feet.

- (c) **Orientation of Overhead Doors:** Overhead doors for truck loading areas shall not face a public right-of-way and shall be screened to not be visible from a public street or an adjacent Residential District. This provision shall not apply to industrial uses located in the M-2 and M-T Districts if the building is setback at least two hundred (200) feet from the front lot line. Landscaping in accordance with the requirements for the particular use or a landscape greenbelt "D" that meets the requirements of [Section 13.02\(c\)](#) must also be provided.
- (d) **Limitation on Commercial Vehicle Parking:** In the CBD-1, CBD-2, CBD-3, O-1, C-1, C-2, C-3 and RC Districts the parking of trucks and other commercial vehicles shall be prohibited except for uses and locations approved for such storage. Parking or storage of trucks and other commercial vehicles for longer than twenty four (24) hours shall only be permitted where the vehicles are accessory to a permitted use and the location for parking and storage of vehicles is approved as part of the site plan by the Planning Commission.
- (e) **Limitations on Truck Staging and Storage:** Industrial uses shall be limited in the amount of truck storage and staging based upon the use and respective zoning district as provided for in [Article 8](#) and [Article 11](#).

## Section 14.04 Truck Maneuvering, Access, and Circulation Standards

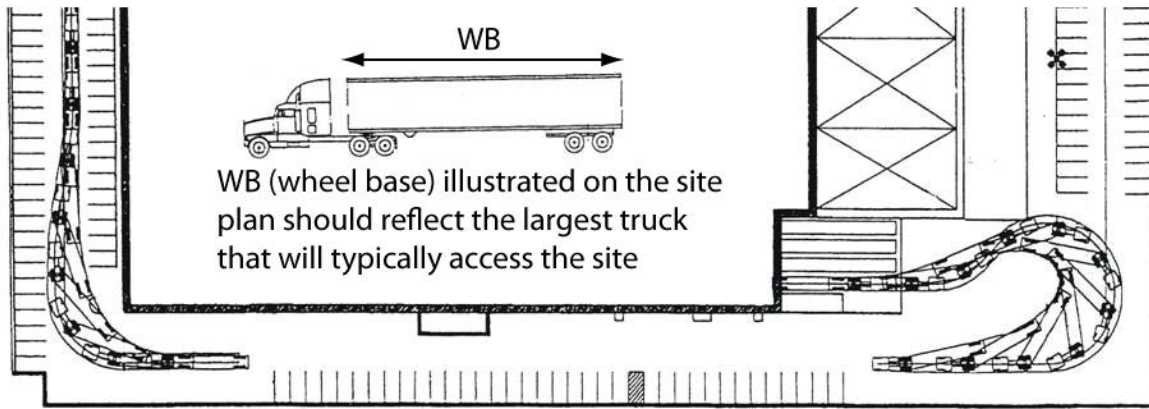
- (a) **Truck Access.** All site plans submitted under [Article 17](#) must indicate the type and volume of truck traffic anticipated at the site, including dimensions of all truck access and circulation lanes, and dimensions of all truck loading/unloading areas. Driveways and roads of commercial and industrial facilities anticipated to receive truck traffic must be designed to adequately accommodate that traffic (see Figure 14.04(a) and Wayne County driveway standards).
- (b) **Truck Circulation Plan.** Site plans must include a diagram with the dimensions of trucks anticipated at the site and show all existing and proposed truck circulation

Figure 14.04(a) Typical Driveway Standards for Truck Access



patterns, including the direction and flow of truck traffic on the site (see Figure 14.04(b)) and dimensions of all truck service drives, berths and dock approaches. Truck service drives, berths and dock approaches shall conform to the following minimum standards. Greater dimensions may be required based on the truck circulation patterns and conditions of each site.

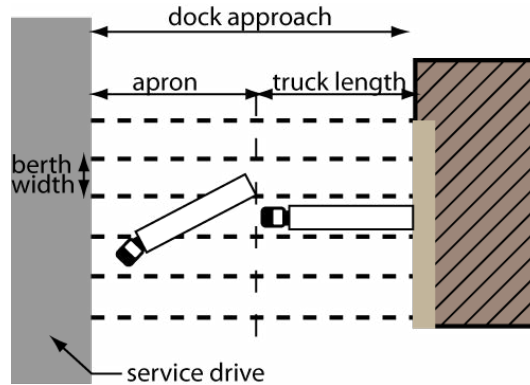
Figure 14.04(b) Truck Circulation and Turning Templates to Illustrate on Site Plan



(c) **Turning Radius.** Design features for trucking facilities shall include larger turning radii and added maneuvering space and pavement design to accommodate trucks. At a minimum these standards shall be those recommended by the American Association of State Highway and Transportation Officials or another standard specified by the City Engineer.

(d) **Truck Dock Design:** Minimum truck dock design standards are provided in the following table and diagram (see Figure 14.04(d)):

Figure 14.04(d) Truck Dock Terms



Truck Wheel Base Length (ft.)	Truck Berth Width (ft.)	Recommended Truck Apron Length (ft.) <sup>1</sup>	Recommended Dock Approach (ft.)
50	10	60	110
	12	57	107
	14	54	104
55	10	65	120
	12	62	117
	14	58	113
60	10	72	132
	12	63	123
	14	60	120
70	10	77	140
	12	68	131
	14	65	138

(1) Additional truck apron length may be needed to accommodate truck turning movements, depending upon the location and design of the service drive.

**Section 14.05 Long-term Parking Facilities, Car Rental, and Leasing Facilities**

(a) **Intent.** Long-term surface parking facilities, car rental, and car leasing facilities do not represent the most efficient and best use of land within the City. The proliferation of large paved areas - create a negative image and large surface parking lots create increased environmental impacts, such as a greater stormwater runoff. Utilizing large land areas in commercial and industrial districts for parking is not consistent with the objective of encouraging other types of commercial uses, such as hotels, offices, and high quality manufacturing facilities that provide a greater contribution to the City's economy and character. It is the intent of these regulations to:

- (1) Minimize the amount of valuable commercial and industrial land that is consumed by long-term parking facilities and ensure there is adequate land available for economic growth of the City for industry and commercial services needed by residents.
- (2) Ensure long-term parking facilities are appropriately located to support other airport-related facilities.

- (3) Minimize traffic impacts from long-term parking facilities.
  - (4) Minimize the amount of woodlands that need to be clear for parking facilities.
  - (5) Minimize the impact to the microclimate and the “heat island” effect of large parking facilities.
  - (6) Minimize the amount of stormwater runoff generated from a parking facility.
- (b) **Long-term Parking Facilities.** Long-term parking facilities must meet the following special land use requirements:
- (1) This section shall apply to long-term parking facilities used by airport travelers or other types of long-term vehicle parking facilities; hotels/motels that provide long-term park-and-fly space; and, parking lots used for storage of new vehicles not located on the same lot as a dealership or automobile manufacturing facility. Long-term parking facilities are only permitted in the RC, M-T, and AP Districts as a special land use. Long term parking facilities must also obtain a Class I Parking License from the City Council in accordance with Chapter 58 – Traffic and Motor Vehicles, following approval of the special land use.
  - (2) Any application for a new long-term parking facility or expansion to an existing facility shall be accompanied by a market study with supporting documentation verifying the need for long term parking. The study will inventory the supply of existing parking, both on and off the airport, and demands created by increased usage. The City Council shall not approve an application for a long-term parking facility unless the study demonstrates that there is a undersupply of long-term parking.
  - (3) Long-term parking facilities in excess of 50 parking spaces, must be entirely contained within a parking structure meeting the requirements of Section 14.02(d). Entrance, driveways, collection booths, and other facilities ancillary to the parking facility may be permitted outside of the structure, but parking spaces outside of the structure are not permitted. In order to minimize the amount of land area consumed by a long-term parking facility, no more than twenty five percent (25%) of the parking may be located on the ground level of the parking structure. All parking spaces, whether on the surface or in parking structure, must be in addition to parking spaces required for any other use of the premises.
  - (4) Long-term parking facilities shall have access to an arterial roadway that has a right-of-way width of at least one hundred twenty (112) feet extending from the entrance of the site to the nearest freeway interchange.
  - (5) All structures and facilities for the long-term parking facility shall be located at least four hundred (400) feet from any road right-of-way.
  - (6) The frontage along the arterial roadway shall be capable of development for uses permitted in the district in which the proposed facility is located. The frontage must be developed in conjunction with the long term parking facility. The development may be completed in phases, provided only fifty percent (50%) of the long term parking can be development prior to the 400-foot setback area in front of the parking being developed. The long term parking facility shall be integrated with the development of the frontage with integrated access and circulation.
  - (7) The access drive to the site shall be at least three (3) traffic lanes wide with a minimum of two (2) incoming lanes.

- (8) A traffic impact study meeting the requirements of Section 23.02(a)(3) shall be submitted with any application for a new or expanded long-term parking facility.
  - (9) The long-term parking facilities shall be designed and located to be compatible with proposed land uses in the district, not adversely affect adjacent land uses, and be located and consistent with the Master Plan.
  - (10) The entrance to the parking area shall be landscaped along both sides of the entrance road. A greenbelt C meeting the requirements of Section 13.02 shall be provided around the entire perimeter of the parking area.
  - (11) Overnight or long-term parking is prohibited for commercial vehicles such as delivery vans or trucks, truck tractors, over-the-road hauling trucks, semi-trucks, trailers or construction equipment, or similar vehicles, and recreational vehicles such as motor homes, travel trailers and similar vehicles.
  - (12) Long-term parking facilities may be prohibited at highly visible locations that may have a negative influence on the character and appearance of the surrounding area. Added screening requirements may be imposed to reduce the visibility of parking facilities.
  - (13) Existing long-term facilities may be permitted to increase the number of parking spaces utilized for long term parking, provided newly creating parking spaces are located in a parking structure within an area that is currently paved for long term parking. Existing surfaced parking may remain, provided there is no expansion in the land area covered by parking and all new spaces are being added in a structure. The site shall be upgraded to comply with the landscaping and driveway design requirements of this Ordinance.
  - (14) A long term parking facility may not be expanded to cover a larger land area unless all of the requirements of this section are met.
  - (15) All long-term parking facilities shall provide security including fencing and lighting of the site and security guards approved by the Planning Commission, adequate security camera systems with storage of the security video for thirty (30) days as approved by the Police Department and other conditions necessary to protect the health, safety, welfare of the inhabitants of the City.
- (c) **Car Rental Establishments.** Car rental establishments must meet the following requirements:
- (1) A greenbelt C landscaping along the site frontage and a landscape buffer zone shall be provided along all other lot lines, as required by [Section 13.02](#).
  - (2) Customer parking may be provided in the required front yard as long as the area is landscaped as required by [Section 13.02](#).

## Section 14.06 Driveway Access Management

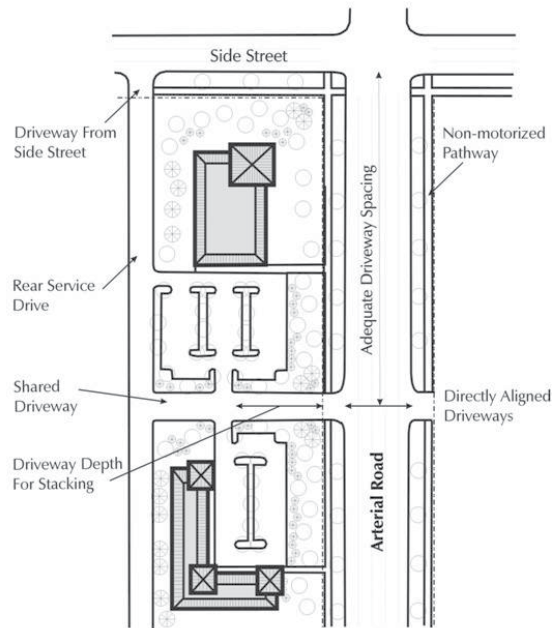
### (a) Purpose and Applicability

The purpose of the driveway standards below is to provide landowners with reasonable access but to regulate that access to reduce conflicts between vehicles turning into or from access points with through traffic, pedestrians and bicyclists, thereby reducing the potential for congestion and crashes. The spacing standards are based on research and publications by numerous national and international transportation organizations and the Michigan Department of Transportation. These standards apply to all roads in the City, including those under the jurisdiction of

the Wayne County Department of Public Services and the Michigan Department of Transportation wherever the City has a more restrictive standard. For those streets, an applicant must also obtain an access permit from the applicable road agency.

**(b) Driveway Location in General**

- (1) The requirements of this Section shall apply to all commercial/industrial driveways, which will include driveways serving all uses except single-family homes.
- (2) Driveways shall be located to minimize interference with the free movement of traffic, provide adequate sight distance, and provide the most favorable driveway grade.
- (3) Driveways, including the radii but not including right turn lanes, passing lanes and tapers, shall be located entirely within the right-of-way frontage, unless approved by the City and upon written certification from the adjacent property owner agreeing to such encroachment.
- (4) Required spacing shall be measured as illustrated in *Figure 14.06*.
  - a. Spacing from intersections from the near edge of the street pavement to the centerline of the driveway. See **A**
  - b. Off-set spacing from the centerline of a driveway to the centerline of a driveway on the other side of the street. See **C**
  - c. Spacing between driveways along the same side of the street centerline to centerline. See **E**



**(c) Number of Commercial Driveways**

- (1) The number of commercial driveways serving a property shall be the minimum necessary to provide reasonable access for traffic and emergency vehicles, while preserving traffic operations and safety along the public roadway.
- (2) Access shall be provided for each separately owned parcel. This access may be from an individual driveway, shared driveway or a service drive. The Planning Commission may permit additional driveways for property meeting the following requirements:
  - a. One (1) additional driveway for properties with a continuous frontage of over three-hundred (300) feet, and one (1) driveway for each additional three-hundred (300) feet of frontage.
  - b. A traffic impact study, per the requirements of *Section 23.02(a)(3)*, is provided that demonstrates to the City Engineer that additional access is justified without compromising traffic operations along the public street.
  - c. The Planning Commission may permit two one-way driveways rather than a single two-way driveway when it is found to be the most reasonable access for a given site, when other spacing standards of this Article are met, the design helps reduce potential conflicts with a nearby intersection

or driveways, when the site has at least 125 feet of frontage, and when it is determined the additional pavement will not create additional conflicts with pedestrians along the street.

**(d) Driveway Spacing from Intersections**

- (1) Minimum spacing requirements between a proposed commercial/industrial driveway and an intersection either adjacent or on the opposite side of the street may be set on a case-by-case basis, but in no instance shall be less than the distances listed in this Section and in Tables 14.06(b), (c), and (d) and illustrated as A in Figure 14.06.

<b>Table 14.06(b)</b>		
<b>Minimum Commercial Driveway Spacing From Street Intersections</b>		
<b>Location of Driveway</b>	<b>Minimum Spacing</b>	
	<b>Full Movement Driveway</b>	<b>Channelized Driveway Restricting Left Turns</b>
Along County primary or City major roadway, intersecting street is signalized or is a County Primary or City Arterial/Major Street	250 feet "A" in Figure 14.06	125 feet "B" in Figure 14.06
Along County primary or City major roadway, intersecting street is not signalized nor a County Primary or City Arterial/Major Street	200 feet "C" in Figure 14.06	125 feet "D" in Figure 14.06
Along local streets near an intersection	As far from an intersection with a major street as practical	

**(e) Driveway Spacing from Other Driveways**

- (1) Minimum spacing, between two (2) commercial/industrial driveways, measured from centerline to centerline, shall be determined based upon posted speed limits along the parcel frontage as indicated below and dependent upon the street's classification on the City's Act 51 Street Map.

<b>Table 14.06(c)</b>		
<b>Minimum Driveway Spacing Same Side of Road</b>		
<b>Posted Speed Limit (Mph)</b>	<b>Minimum Driveway Spacing (Ft.) "E" in Figure 14.06</b>	
	<b>County Primary or City Arterial/Major Street</b>	<b>Local Streets</b>
25	130	90
30	185	120
35	245	150
40	300	185
45 and higher	350	230

- (2) To reduce left-turn conflicts, new commercial/industrial driveways shall be aligned with those across the roadway where possible. If alignment is not possible along arterial streets, driveways shall be offset from those on the opposite side of the roadway as follows:

- a. A proposed drive shall be offset a minimum of one-hundred-fifty (150) feet from a “downstream” access where left-turn conflicts along the street will not occur (see **F** in *Figure 14.06*).
- b. A proposed drive shall have the minimum offset listed in Table 14.06(d) from an “upstream” access where left-turn conflicts could occur (see **G** in *Figure 14.06*).

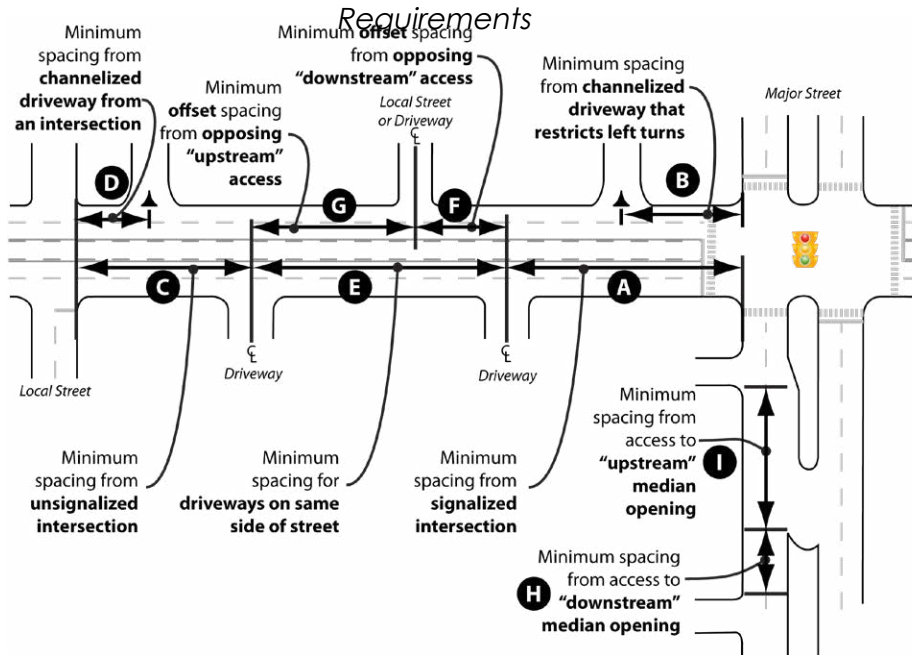
Table 14.06(d) Opposing Driveway Offset	
Peak Hour Trip Generation of Use	Minimum Driveway Offset
less than 200 trips	150 feet
200 – 300 trips	250 feet
more than 300 trips	400 feet

**(f) Driveway Spacing from Median Openings**

For roads that have a center median, to reduce conflicts between traffic entering and exiting a median crossover and driveways, driveways should not be directly aligned with crossovers unless it would be signaled or where direct ingress from the crossover would result in acceptable traffic operation and safety, as determined by the City Engineer or road agency. Driveways shall be offset from median crossovers as follows:

- (1) A proposed driveway shall be offset a minimum of 150 feet from a “downstream” access where turning movements will not interfere with the median crossover

*Figure 14.06 Measurements for Driveway Spacing Requirements*



(see **H** in *Figure 14.06*).

- (2) A proposed driveway shall be offset a minimum of 525 feet from an “upstream” access to provide adequate weaving distance to or from the driveway to or from the median crossover, or as determined by the City Engineer based on anticipated volumes along the road and volumes in the driveway (see **I** in

Figure 14.06).

(g) **Shared Driveways, Frontage Roads and Service Roads**

- (1) Where the spacing standards are not met, the Planning Commission may require a shared commercial driveway or construction of a frontage road or rear service drive connecting two (2) or more properties. In particular, shared access may be required near existing traffic signals or near locations having potential for future signalization; along major streets or arterial roadways with high traffic volumes; and where there is a relatively high number of crashes or limited sight distance. Provisions for shared access or cross access shall be required between sites that are in the same or similar zoning district (e.g. between adjacent commercially zoned properties).
- (2) Shared commercial driveways and service roads shall be within an access easement recorded with the Wayne County Register of Deeds prior to construction. A draft of the access easement shall be provided to the City for approval prior to filing.
- (3) Shared driveways, frontage roads, and service drives shall be designed in accordance with the following standards:
  - a. **Location.** Service roads shall generally be parallel or perpendicular to the front property line and may be in front of, adjacent to, or behind, principal buildings. The Planning Commission shall determine the most appropriate alignment, taking into account setbacks of existing buildings, topography, and anticipated traffic flow.
  - b. **Access Easement.** The service road shall be within an access easement permitting traffic circulation between properties. This easement shall be sixty (60) feet wide, except an access easement parallel to a public street right-of-way may be forty (40) feet wide, if approved by the Planning Commission. The required width shall remain free and clear of obstructions, unless otherwise approved by the Planning Commission.
  - c. **Construction and Materials.** Service roads shall have a base, pavement and curb with gutter in accordance with the public street cross section in the City of Romulus Engineering Standards Manual. The minimum required width of the service road shall be twenty-seven (27) feet, measured back to back of curb.
  - d. **Parking.** The service road is not intended as a parking maneuvering aisle. The Planning Commission may require the posting of "no parking" signs along the service road to be posted by the property owner/developer at the property owner's/developer's expense. The Planning Commission may permit temporary parking in the easement area where a continuous service road is not yet available, provided that the layout provides for the removal of the parking to allow extension of the service road.
  - e. **Access to Service Road.** The Planning Commission shall approve the location of all accesses to the service road, based on the driveway spacing standards of this Section. The Commission may allow additional driveways if recommended by the City Engineer and permitted by Wayne County Department of Public Services.
  - f. **Temporary Access.** The Planning Commission may approve temporary accesses where a continuous service road is not yet available and a

performance guarantee is provided to assure elimination of temporary access when the service road is continued. Building permits shall not be issued until performance guarantee has been deposited with the City.

- g. **Elevation.** The site plan shall indicate the proposed elevation of the service road at the property line. The City shall maintain a record of all service road elevations so that their grades can be coordinated.
- h. **Maintenance.** Each property owner shall be responsible for maintenance of the easement and service drive across their frontage.

(h) **Commercial Driveway Design**

- (1) All commercial driveways shall be constructed according to the City of Romulus Engineering Standards Manual and, where accessing a county road, Wayne County Department of Public Services.
- (2) For high traffic generators, or for commercial driveways along roadways experiencing or expected to experience congestion, the Planning Commission may require two (2) egress lanes.
- (3) For a boulevard entrance, a fully curbed island, at least one-hundred-eighty (180) square feet in area, shall separate the ingress and egress lanes. The radii forming the edges on this island shall be designed to accommodate the largest vehicle that will normally use the driveway. The Planning Commission may require landscaping tolerant of roadway conditions on the section outside the public right-of-way.
- (4) Access points for uses with significant truck traffic shall meet the standards of [Section 14.04\(a\)](#).

(i) **Waiver of Access Standards.** It is recognized that certain existing site conditions may prohibit full compliance with the driveway spacing standards of this Section. The Planning Commission may, after considering the criteria in (j) below, grant a waiver from the standards of this Section in the following situations:

- (1) The request involves a change in use, expansion, alteration or redesign of an existing development where it can be demonstrated that pre-existing conditions prohibit adherence to the minimum commercial driveway spacing standards.
- (2) The modification will allow an existing driveway to remain that does not meet the standards of this Section but that has, or is expected to have very low traffic volumes (less than 50 in- and out-bound trips per day) and is not expected to significantly impact safe traffic operations.
- (3) The use is expected to generate a relatively high number of trips and an additional driveway will improve overall traffic operations.
- (4) Practical difficulties exist on the site that make compliance unreasonable (sight distance limitations, existing development, topography, unique site configuration or shape), or existing off-site driveways make it impractical to fully comply with the standards.
- (5) Because of restricted turning movements or the presence of a median that restricts turning movements, the driveway does not contribute to congestion or an unsafe situation.

(j) **Waiver Criteria**

The Planning Commission may waive certain requirements of this Section upon consideration of the following:

- (1) The proposed modification is consistent with the general intent of the standards of this Section.
- (2) To the degree practical, the access is designed to maximize spacing from any adjacent major intersection, is either aligned with or adequately spaced from access points across the street, and finally, after consideration of the above, is spaced at least 60 feet from other access points.
- (3) For access to an MDOT or County road, the road agency has endorsed the proposed access design.
- (4) Driveway geometrics have been improved to the extent practical to reduce impacts on traffic flow.
- (5) Shared access has been provided, or the applicant has demonstrated it is not practical.
- (6) Such modification is the minimum necessary to provide reasonable access, will not impair public safety or prevent the logical development or redevelopment of adjacent sites and is not simply for convenience of the development.

# Article 15

Reserved

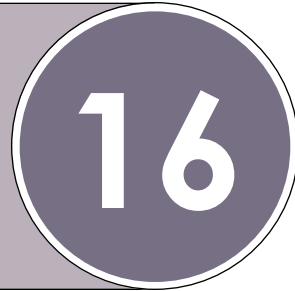
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# Article 16

## Condominiums



## Section 16.01 Intent

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The intent of these requirements is to ensure that all residential and non-residential condominiums, including attached condominiums and detached site condominiums, are developed in compliance with accepted planning and engineering standards applicable to similar forms of development, as reflected in the ordinances and requirements of the City of Romulus. Site condominiums are a permitted form of development for uses permitted within any district, subject to the requirements of that district; requirements applicable to the form of development (i.e. subdivision requirements for site condominiums or multiple-family site plan requirements for attached condominiums); and the regulations of this Article.

## Section 16.02 Review Process

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All condominium plans shall be submitted for review and approval in accordance with the process as outlined in [Article 17](#), Site Plan Review Requirements and Procedures, of this Ordinance prior to the recording of the master deed as required in the Condominium Act (MCL 559.172). In addition, prior to any new construction, engineering plans shall be submitted for review and approval, and all necessary federal, state and local permits shall have been obtained. Condominium plans shall be reviewed under the following procedures and are subject to fees.

- (a) **Tentative Plan (Optional).** Applicants may submit a Tentative Condominium Plan to the City. This opportunity is available for the applicant to better understand what will be required for following submittals for a condominium development. This plan will be reviewed by the City staff and consultants to provide written recommendation and comments.
- (b) **Preliminary Condominium Plan.** The proposed Preliminary Condominium Plan shall be submitted for review by the Planning Commission with recommendation to the City Council. It is encouraged that the proposed site plan associated with the Preliminary Condominium Plan for any development be submitted to be reviewed concurrently with the Preliminary Condominium Plan. This is to ensure full compliance with City standards and ordinances, as revisions to either the condominium plan or site plan could directly impact the other. Revisions to an approved Preliminary Condominium Plan may require resubmittal and approval. The plans shall be reviewed by the City staff and consultants for compliance with City standards and ordinances and written comments will be provided to the Planning Commission.
  - (1) The Planning commission shall review and make a recommendation to the City Council to either approve, approve with conditions, or deny the Preliminary Condominium Plan; the Planning Commission shall approve, approve with conditions, or deny any associated site plan for the proposed development.
  - (2) Following the Planning Commission recommendation the Preliminary Condominium Plan will be forwarded to the City Council for approval, approval with conditions or denial.
- (c) **Engineering Plan Review.** Detailed engineering plans shall be submitted in accordance with the City of Romulus Engineering Design and Construction Standards Manual for review and approval. Plans shall be submitted within eighteen (18) months of the approved site. A one (1) year extension may be granted by the City Council, with all extension requests to be directed through the City Planning

Department. No construction activities may begin for any project until detailed engineering plans have been approved by the City Engineer and performance guarantees in accordance with [Section 21.10](#) are in place, and preconstruction meeting held with the City and property developer or proprietor present.

- (d) **Final Condominium Plan.** The Final Condominium Plan shall be submitted with all parts updated to reflect the site as it is constructed. The site shall have been substantially completed prior to submittal with all paving, utilities and units completed.
- (1) The Final Condominium Plan shall be presented to the Planning Commission for final approval.
  - (2) The Final Condominium Plan will require City Council approval only if it is determined that significant changes to the plan have been made from the approved preliminary condominium plan.

### Section 16.03 Submittal Requirements

- (a) **Tentative Condominium Plan.** The submittal of a tentative condominium plan is optional. The applicant may submit and is encouraged to submit more information but below is the minimum information required to review:
- (1) Name, address and telephone number of:
    - a. The Applicant.
    - b. The Property owner.
    - c. Developer or proprietor of the condominium project.
  - (2) Legal description of the proposed parcel(s) to be developed including tax identification numbers and parcel size.
  - (3) Zoning of the proposed and adjacent parcels.
  - (4) Proposed site use and anticipated number of units.
  - (5) Plan indicating proposed units, size and location.
  - (6) Additional information as required for the preliminary submittal is encouraged.
- (b) **Preliminary Condominium Plan.** A full draft submittal of the condominium plan prepared by an appropriate design professional registered in the State of Michigan. Submittal shall bear the signature and seal of the licensed Architect, Engineer or Surveyor that prepared the plan. All parts as required under section 66 of the Condominium Act shall be submitted where applicable including:
- (1) Cover sheet.
  - (2) Survey plan, signed and sealed by a licensed professional surveyor.
  - (3) Flood plain plan, site is within or abuts a floodplain area.
  - (4) Site plan, as approved by the Planning Commission.
  - (5) Utility Plan.
  - (6) Floor Plan.
  - (7) Size, location, area and horizontal boundaries of each condominium unit.
  - (8) Each unit shall have a number assigned.
  - (9) Any proposed phasing shall be identified on the plan. Items that "must be built" or "need not be built" for each phase shall be clearly identified.

(10) Nature, location and size of common elements.

(11) Draft of the master deed, bylaws and articles of incorporation of the association.

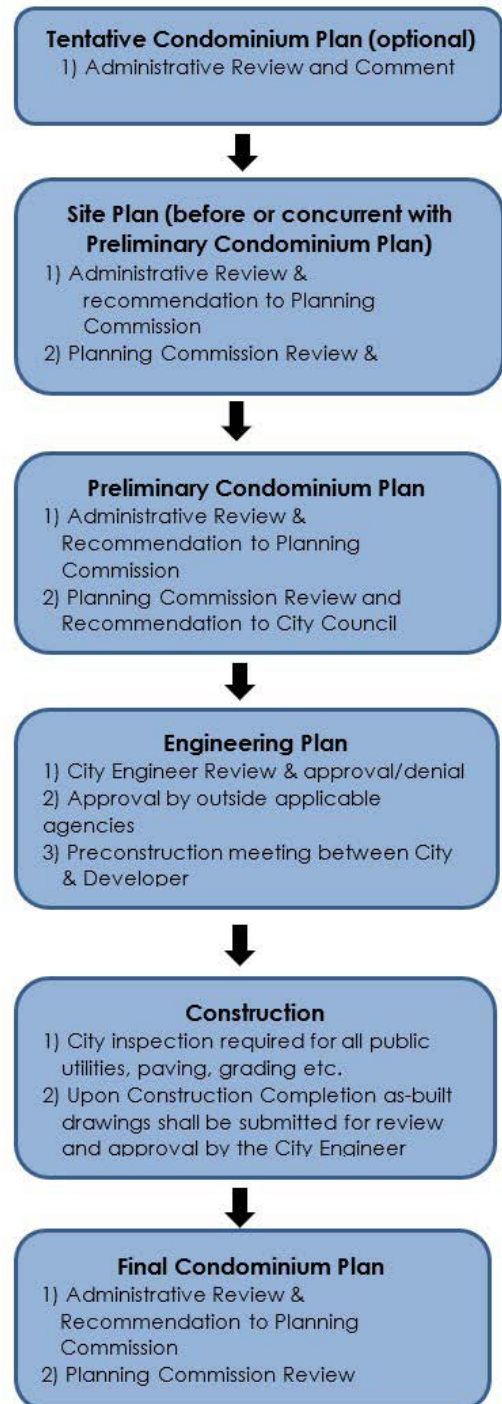
(c) **Engineering Plan.** Detailed engineering drawings shall be submitted to the Building Department in accordance with the City of Romulus Engineering Design and Construction Standards Manual. Plans shall meet the requirements of the City engineering standards and shall include but are not limited to the site plan as approved by the Planning Commission, detailed grading plan, fully dimensioned paving and utility plans, utility profiles, and storm sewer and detention calculations and applicable City standard details. All applicable permits and/or approvals for the proposed development shall be obtained and copies submitted. The City Engineer shall assist the applicant in obtaining appropriate permits for construction of any proposed City owned utilities such as public water main or public sanitary sewer.

(d) **Final Condominium Plan.** All items included in the Preliminary Condominium Plan submittal shall be resubmitted reflecting any conditions required by the City during the Preliminary Condominium Plan submittal, revisions required during the Engineering Plan review and any other revisions made to the plan as it was constructed. All items identified as "must be built" shall have been completed. Documents submitted shall be reproductions of the original drawings and shall be signed and sealed by the appropriate design professionals.

#### Section 16.04 Construction

(a) Construction of proposed development shall begin within eighteen (18) months of the Preliminary Condominium Plan approval. The City Council may grant an extension of one (1) year. All requests for extensions shall be submitted to the City Planning Department prior to expiration of the Preliminary Condominium Plan approval.

(b) During construction the City shall inspect all required improvements such as streets, utilities, stormwater drainage and monumentation. A certificate of occupancy shall not be issued until it is determined that all required improvements have been

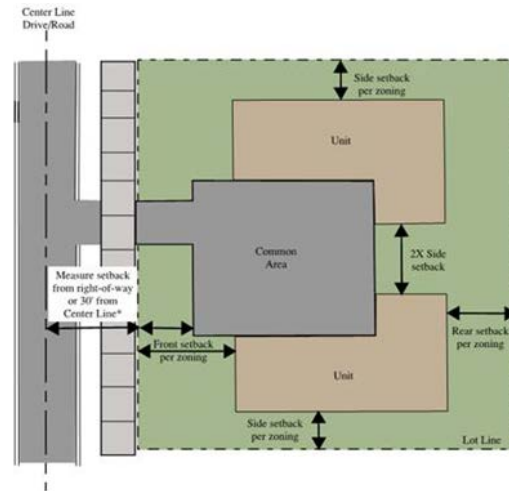


properly installed in accordance with the City and industry standards and permit requirements.

- (c) Following completion of construction the developer or proprietor shall also furnish an as-built survey meeting the requirements outlined in the City of Romulus Engineering Design and Construction Standards Manual.
- (d) Final acceptance of all utilities, infrastructure and streets shall be accomplished prior to issuance of any temporary or final certificate of occupancy. The City may require all appropriate code inspections.
- (e) Final acceptance and release may be completed in phases as approved by the City. Any proposed phases shall be clearly outlined on the approved site plans.

**Section 16.05 District Requirements and Design Standards**

(a) For condominiums with no clearly defined internal unit lines, all improvements shall meet the setback requirements from the exterior lines. Site condominium developments with unit lines (site condominiums) shall meet the setbacks required for the zoning district in which the condominium is located. Any proposed interior front yards shall be measured as defined below. In addition all improvements including buildings, parking, and loading and storage areas within the site shall be constructed no less than 2 times the required side or rear setback for the district from one another.



(1) **Front Yard Setback.** The front yard shall be considered as any existing or proposed public and/or private road right-of-way, or a line parallel to center line of the drive thirty (30) foot offset, whichever is greater.

(2) **Side Yard Setback.** The setback shall be considered as lot/parcel lines generally extending between the front and rear yard or from a front and another side yard line where no rear exists.

(2) **Rear Yard Setback.** The rear yard shall be considered a line generally opposite and parallel to the front yard. In no instance shall a rear yard line ever intersect a front yard line.

(b) **Single Family Residential (Site Condominium).** All detached single family homes shall meet City design requirements for residential subdivisions and shall comply with Article 3, Single-Family Residential Districts. Dwelling density and spacing shall be no different than if the project were to be subdivided, pursuant to the Land Division Act

(c) **Attached or Multi-family Residential.** All attached or multifamily residential development shall meet the requirements of Article 4, Multiple Family Residential Districts.

(d) **Commercial, Office and Industrial.** Non-residential development shall comply with applicable zoning standards applicable for the associated zoning district.

**Section 16.06 Utility Easements**

The Condominium Plan shall identify all easements impacting the site, existing or

proposed. All proposed public easements shall be subject to the review and approval of the City. Standards public utility easement requirements are identified in the City of Romulus Engineering Design and Construction Standards Manual, however additional requirements or easement width may be required based on the site design or other unique existing restrictions.

### **Section 16.07 Access and Roads**

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The Condominium Plan shall clearly define a safe and reasonable access to all identified condominium units. This shall include roads and drives, or shared access defined in the mater deed. Any roads or drives internal to the site intended to benefit more than a single unit shall be constructed in accordance with the City of Romulus Engineering Design and Construction Standards Manual for public roads. Based on the nature of the Condominium Plan, the City will determine the number and layout of the units whether any roads constructed are to be public or private.

Proposed emergency vehicle access route shall be clearly identified on the plan and shall be maintained as required by the Fire Department. Maintenance of the proposed emergency vehicle access shall be addressed in the master deed.

### **Section 16.08 Monuments Required**

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All condominium projects shall be fully monumented as follows.

- (a) Monuments shall be located at all exterior boundary corners and points of curvature, intersections of street lines and intersection of the exterior boundary with street.
- (b) All monuments used shall be made of solid iron or steel bars at least one-half ( $\frac{1}{2}$ ) inch in diameter and thirty-six (36) inches long and completely encased in concrete at least four (4) inches in diameter.
- (c) If the required location of a monument is an inaccessible place, or where the locating of a monument would be clearly impracticable, it is sufficient to place a reference monument at the nearest point possible and indicate the precise location on the plans and referenced to the true point.
- (d) All monuments shall be placed flush to the ground where practical
- (e) For site condominiums, unit corners not otherwise required to be monumented as outlined above, shall be monumented in the field by iron or steel bars or iron pipes at least eighteen (18) inches long and one-half ( $\frac{1}{2}$ ) inch in diameter, or other approved markers.

**Article 17**  
Site Plan Review  
Requirements & Procedures



## Section 17.01 Statement of Purpose

- (a) Site plan review is required to provide the Planning Commission with the opportunity to review the proposed use of a site in relation to surrounding uses, planned future development, accessibility, pedestrian and vehicular circulation, roadway traffic, spatial relationships, off-street parking, public utilities, general drainage, environmental characteristics and other site elements which may affect the public health, safety, and general welfare, and its relationship and harmony with City ordinances and plans.
- (b) It is further the intent of this Article to require the eventual upgrade of existing sites that do not conform with current standards of this Article and ensure that the arrangement, location, design and materials within a site are consistent with the character of the City and the goals and design guidelines in the City of Romulus Master Plan.

## Section 17.02 Uses Requiring Site Plan Review

- (a) Site plan and sketch plan reviews and approvals shall be required for the activities or uses listed in [Table 17.02](#).
- (b) Approvals are obtained from the Planning Commission (PC), City Council (CC), Administrative Review Committee (ARC), or Building and Safety Department (BSD) depending upon the nature of the proposed construction or use. Where City Council approval is required, it shall be based upon the recommendation of the Planning Commission. Where the Ordinance allows the City to grant modifications or waivers to a specific requirement, the approval authority shall be the body with the authority to grant the associated modification or waiver, based upon the standards provided in that section. Variances may only be granted by the Board of Zoning Appeals (BZA).
- (c) Activities and uses that are exempt from site plan/sketch plan approval still require a building permit. All construction or building modification is subject to City building permit requirements of the Building and Safety Department in accordance with [Article 21](#).
- (d) Improvements to nonconforming sites, structures and uses are also subject to review according to [Article 20](#), Nonconforming.

Table 17.02 Plan Review Requirements			
Activity/Use	Site Plan	Sketch Plan	Building Permit/ Zoning Compliance
<b>New Construction</b>			
Construction of any building or structure for a non-residential use	PC	---	---
Multiple-family dwellings, attached single-family dwellings	PC	---	---
Public utility or essential service buildings or structures (see <a href="#">Section 12.14</a> )	PC -Site Plan CC -Special Land Use	---	---

Table 17.02 Plan Review Requirements			
Activity/Use	Site Plan	Sketch Plan	Building Permit/ Zoning Compliance
Establishment of a new special land use (whether in an existing structure or new construction) (see <a href="#">Article 18</a> )	PC -Site Plan CC -Special Land Use	---	---
Planned Development Area (see <a href="#">Article 19</a> )	CC - with PC recommendation		
Planned Development Area (Individual Site Plans)	PC		
Condominiums (see <a href="#">Article 16</a> )	CC - with PC recommendation		
Construction, reconstruction, erection and/or expansion of a single-family or two-family dwelling on a single lot or parcel			BSD
Farms, farm operations, agricultural activities, farm buildings or structures	see <a href="#">Section 11.15(a)</a>		
New or extended road, public or private	CC - with PC recommendation		
Establishment of new long-term parking facility	PC -Site Plan CC -Special Land Use		
Wireless communication facility (new or change) (see <a href="#">Article 12</a> )	<a href="#">Section 12.15</a>	---	---
Wind Energy Conversion Systems (WECS)	<a href="#">Section 12.20</a>		
<b>Expansion/Modification to Existing Building</b>			
Expansion of more than 2,500 sq. ft. or 25% from the existing square footage of a non-residential building, whichever is greater	PC	---	---
Expansion of less than 2,500 sq. ft. or 25% from the existing square footage of the building, whichever is greater (see <a href="#">Section 21.01</a> )	---	ARC	---
Addition of truck docks, loading or storage areas less than 3,000 sq ft. or 25% of the existing area, whichever is greater	---	ARC	---
Construction solely on the building interior that does not increase UFA	---	---	BSD
Modifications to building façade (see <a href="#">Section 21.01</a> )	---	ARC	---
Expansion/intensification of a special land use by more than 20% (see <a href="#">Section 18.07</a> for specific thresholds)	PC -Site Plan CC -Special Land Use		

Table 17.02 Plan Review Requirements			
Activity/Use	Site Plan	Sketch Plan	Building Permit/ Zoning Compliance
Expansion/intensification of a special land use by less than 20% (see <a href="#">Section 18.07</a> for specific thresholds)		ARC	
Expansion to existing long term parking facility	PC -Site Plan CC -Special Land Use	---	---
<b>Change in Use</b>			
Change of land or building to a more intensive use, as determined by the Planning Director and Building and Safety Director, that may involve substantial change in parking, traffic flow, hours of operation, public services, effluent discharge, or substantial alteration of the physical character of the site, such as loss of natural features (see <a href="#">Section 21.01</a> )	---	ARC	---
Reuse or reoccupancy of an existing building where no building expansion is proposed only if the Building and Safety Director determines the new use is similar or less intense use in terms of parking, traffic generation, drainage, utility needs, noise, aesthetics and other external effects (see <a href="#">Section 21.01</a> )	---	---	BSD
Change in use of an existing building to a special land use (see <a href="#">Article 18</a> )	---	PC -Site Plan CC - Special Land Use	
The following uses when requiring a special land use as accessory to a single-family residence: -adult foster care small group homes, group child or day care homes, -commercial kennels, -livestock barns, and -boarding stables	---	PC -Site Plan CC - Special Land Use	---
<b>Accessory Structures and Site Improvements</b>			
Non-residential accessory structures	---	ARC	---
New parking lot, loading area or storage area of more than 3,000 sq. ft., or improvements or expansion of an existing area of more than 3,000 sq. ft. or 25% of the existing area, whichever is greater	PC	---	---

<b>Table 17.02 Plan Review Requirements</b>			
<b>Activity/Use</b>	<b>Site Plan</b>	<b>Sketch Plan</b>	<b>Building Permit/ Zoning Compliance</b>
Improvements or expansion to an existing parking lot, loading area or storage area of less than 3,000 sq. ft. or 25% of the existing area, whichever is greater	---	<b>ARC</b>	---
New driveway for a non-residential use		<b>ARC</b>	---
Residential community buildings and facilities as part of a development	<b>PC</b>	---	---
Commercial outdoor storage, sales and display	<b>PC</b>	---	---
Outdoor storage of trucks, trailers, raw materials, supplies, equipment and products occupying an area of more than 3,000 sq. ft., or 25% of the existing area, whichever is greater	<b>PC</b>	---	---
Outdoor storage of trucks, trailers, raw materials, supplies, equipment and products occupying an area of less than 3,000 sq. ft., or 25% of the existing area, whichever is greater	---	<b>ARC</b>	---
New accessory parking lot/loading area of 10 spaces or more or addition of more than 3,000 sq. ft. or 25% of the existing area of pavement to an existing parking lot or addition of a new driveway for a non-residential use (see <a href="#">Section 14.01</a> )	<b>PC</b>	---	---
Improvements or expansion to an existing parking lot of 10 or fewer new spaces, or less than 3,000 sq. ft. of pavement	---	<b>ARC</b>	---
Construction, relocation or erection of signs, retaining walls, fences, walls, waste receptacles, sidewalks, antennas, lights, poles, cooling/heating or other mechanical equipment	---	---	<b>BSD</b>
Modifications to comply with accessibility requirements	---	---	<b>BSD</b>
Buildings and structures accessory to a single-family or two-family dwelling in any zoning district	---	---	<b>BSD</b>
Private kennels	---	---	
Stormwater detention/retention ponds	---	<b>ARC</b>	---
Grading, excavation, filling, soil removal or tree clearing over 1,000 square feet not associated with an approved site plan or plat	---	<b>ARC</b>	---
Removal or replaced of landscaping		<b>ARC</b>	
Private ponds (See <a href="#">Section 12.17</a> )	---	---	<b>BSD</b>
<b>Temporary Uses</b>			

Activity/Use	Site Plan	Sketch Plan	Building Permit/ Zoning Compliance
Temporary uses, buildings, structures, and seasonal and special events ( See <a href="#">Section 22.03(e)</a> )		BZA/ ARC/ CC	
Temporary portable moving and storage containers (See <a href="#">Section 12.18</a> )	---	---	BSD
Temporary roadside stands (See <a href="#">Section 11.15(a)(4)</a> )			BSD

### Section 17.03 Site Plan and Sketch Plan Review Procedures

Site plans and sketch plans must be submitted in accordance with the following procedures and requirements:

- (a) **Submittal.** The application shall be submitted by the owner of an interest in the land for which site plan approval is sought, or the designated agent of the owner, or with a statement signed by the owner granting permission from the property owner for the application. The application shall include the following:
- (1) Proof of ownership;
  - (2) A written use statement;
  - (3) The required fee, as established by the City Council; and
  - (4) A complete signed and sealed site plan that includes the information required by [Section 17.04](#).
- (b) **Administrative Review**
- (1) **Technical Reviews.** The Planning Department shall forward the application and site plan/sketch plan to the ARC, consisting of City consultants and departments for technical review.
  - (2) **Revised Plan.** Following the ARC review, the applicant shall revise the site/sketch plan as necessary and provide revised plans with a letter describing all changes for follow-up review.
  - (3) **ARC Plan Approval**
    - a. **Sketch Plans for Administrative Approval.** For sketch plans and other types of applications that require administrative approval by ARC under [Table 17.02](#), the sketch plans shall be approved by ARC once they are found to be in compliance with the requirements of the Zoning Ordinance and other applicable ordinances. Once approved by ARC, the process shall follow the requirements of subsections (f) through (k) below.
    - b. **Site Plans for Planning Commission Review.** For applications, site/sketch plans that require Planning Commission or City Council approval, once the plans are in compliance with the requirements of the Zoning Ordinance and other applicable ordinances, the plans shall be forwarded to the Planning Commission for consideration under subsection (c) below.

**(c) Planning Commission Review – Site Plans**

(1) **Application and Review.** Following ARC review, site plans requiring Planning Commission or Council approval shall be placed on the agenda of the Planning Commission. The Planning Commission shall review the application, together with the reports and recommendations from the ARC and other reviewing departments and agencies, as appropriate.

**(2) Planning Commission Action.**

- a. The Planning Commission shall make a determination based on the requirements and standards of this Ordinance.
- b. Where existing nonconforming conditions prevent compliance with these requirements and standards, the Planning Commission may allow reasonable modifications in accordance with [Article 20](#).
- c. The Planning Commission may take action to postpone a decision, approve, approve with conditions, or deny approval of the application.
- d. If approved, any conditions shall be made part of the motion to approve and documented in the Planning Commission's minutes, a copy of which shall be provided to the applicant.

(d) **City Council Approval – Certain Uses.** Certain uses such as special land uses, PDAs and condominiums shall require City Council approval, as noted in [Table 17.02](#). For these uses, the Planning Commission shall hold a public hearing and forward a recommendation for approval, approval with conditions, or denial to the City Council. For special land uses, the Planning Commission shall approve the site plan conditioned on the City Council's approval of the special land use. Plans shall be revised to reflect Planning Commission conditions of recommendation prior to being placed on the City Council agenda.

(e) **Final Approval of Conditionally Approved Site Plan.** The site plan shall be revised to reflect any conditions of approval imposed by the Planning Commission or City Council and submitted to the Planning Department, accompanied by a letter describing all changes. The ARC shall review the revised plans for compliance with conditions of site plan approval. The Planning Director may grant final approval if the ARC finds the site plan to properly address the required revisions and conditions and otherwise complies with this Ordinance. Copies of the approved site plan will be filed with the Planning Department, Building and Safety Department and the Engineering Department and transmitted to applicant.

(f) **Agency Approvals.** The applicant shall obtain all other necessary agency permits from the Michigan Department of Environmental Quality, the Wayne County Office of Public Services, and all applicable utilities. A Notice of Proposed Construction or Alteration, FAA Form 7460-1 must be submitted to the FAA with a reference to this submittal noted on the site plan and verification of this submittal provided. Copies of applications for all applicable outside agencies shall accompany submission of the application and site plan to the City and approvals shall be obtained prior to the issuance of building permits, and before any substantial development activity takes place.

(g) **Engineering Review.** Following Planning Commission or ARC approval of a site plan or sketch plan, the City Engineer shall make a full review of the engineering plans. A building permit shall not be issued without the approval of the City Engineer.

(h) **Building Permit.** An application for a building permit may be submitted following final

approval of the site plan, or sketch plan and engineering plans by the City Engineer. The applicant is responsible for obtaining all other applicable City, County, or State permits before a building permit is received.

- (i) **As-Built Drawings.** Digital files submitted to the City shall be compatible with the City's geographic information system software (ArcGIS). Acceptable data formats are ESRI shapefiles (desired), DXF, or DWG. Digital files shall contain information which references either government corners or existing public right-of-way intersections in distance and direction from the project area. All digital files will be created at a one to one (1:1) scale. Feature or element information within the digital files shall be isolated by both feature groups (files) and layers / levels to meet the City's level specification. Any other information provided within the digital files shall be layer isolated from data included in the City's specification and shall include a written description of both the layer name and the information contained on the layer(s). Digital information provided to the City shall be delivered in a format compatible with the Microsoft Windows operating system. Acceptable delivery media shall be RW-CD.
- (j) **Expiration of Approved Site Plan.** If construction has not commenced within eighteen (18) months of site plan/sketch plan approval, approval becomes null and void and a new application for site plan review shall be required. The applicant may request and the Planning Commission may grant extensions to the approved site plan for a period of one (1) year each, provided a written request is received prior to the expiration date. Planning Commission approval shall be required to extend site plans and Planning Director approval shall be required to extend sketch plans.
- (k) **Property Maintenance.** The owner of a property shall be responsible for maintaining the property on a continuing basis as required by the approved site plan until the property is razed, until new zoning regulations supersede the regulations upon which site approval was based, or until a new site plan approval is sought. Any physical changes to the site shall require approval of the City under the requirements of this Ordinance. This maintenance requirement includes healthy landscaping, walls, fences, pavement, pavement markings, signs, building exterior, drainage facilities and all other elements of a site. Any property owner who fails to maintain a property in compliance with an approved site plan shall be deemed in violation of this Ordinance and a nuisance per se.

#### **Section 17.04 Submittal Requirements**

The following data shall be included with and as part of the site plan(s) or sketch plan(s) submitted for review unless waived by the Planning Director or the ARC. If any of the items are missing and have not been waived by the Planning Director or the ARC, the site plan shall list each missing item and the reason(s) why each listed item is not considered applicable. The Planning Director or the ARC may require that additional data be included with the site plan(s) or sketch plan(s) where determined necessary by the nature of the proposed use or site conditions. Site plans shall be prepared by a professional engineer or registered architect licensed to practice in the State of Michigan.

**Table 17.04 Site Plan Requirements**

Site Plan Data	Required For	
	Site Plan	Sketch Plan
<b>(a) Application Form: The application form provided by the Planning Department shall be completed in full with the following information:</b>		
Name and address of the applicant and property owner	X	X
Address, common description of property, complete legal description, and Sidwell number	X	X
Dimensions of land and total net and gross acreage	X	X
Zoning on the site	X	X
Description of proposed project or use, type of building or structures, and name of proposed development, if applicable	X	X
Description of proposed use(s) as permitted or special land use(s), including any demolition of existing structures	X	X
Name and address of firm or individual who prepared site plan	X	X
Proof of property ownership	X	X
<b>(b) Site Plan Descriptive and Identification Data:</b>		
Site plans shall consist of a plan for the entire development, drawn to an engineer's scale of not less than 1 inch = 50 feet for property less than 3 acres, or 1 inch = 100 feet for property 3 acres or more in size.	X	X
Sheet size shall be at least 24 x 36 inches, collated according to sheet number and folded to a size of 9 x 12 inches. If a large development is shown in sections on multiple sheets, then one overall composite sheet shall be included		
Title block with sheet number/title; name, address and telephone number of the applicant and firm or individual who prepared the plans; and date(s) of submission and any revisions (month, day, year)	X	X
Scale and north-point	X	X
Location map drawn to a separate scale with north-point, showing surrounding land, zoning and streets within a mile	X	-
Legal and common description of property and acreage	X	X
Identification and signature over the seal of the architect or engineer who prepared drawings	X	-
Zoning classification of petitioner's parcel and all abutting parcels	X	X
Proximity to section corner and major arterials	X	-
Net acreage (minus rights-of-way) and total acreage	X	X
Notation that says, "Not to be Used as Construction Drawing"	X	X
Use statement including the proposed number of employees and hours of operation	X	X
Aerial photograph showing the site and all areas within 150 feet of the site, with an outline of the site plan overlaid on top to scale	X	X
<b>(c) Site Data:</b>		
Existing lot lines, building lines, structures, parking areas and other improvements on the site and within 200 feet of the site	X	X
Building footprints, floor plans and floor areas	X	X

Table 17.04 Site Plan Requirements

Site Plan Data	Required For	
	Site Plan	Sketch Plan
On parcels of more than one (1) acre, topography on the site and within 100 feet of the site at two-foot contour intervals, referenced to USGS NGVD 29 Datum	X	-
Proposed lot lines, lot dimensions, property lines, setback dimensions, structures, and other improvements on the site and within 200 feet of the site	X	X
Location of existing drainage courses, wetlands, lakes, streams, and floodplains with elevations	X	-
Tree and woodlands inventory as required by the Woodlands Ordinance, with an identification of materials to be removed, materials to be preserved and methods for woodlands preservation	X	X
All existing and proposed easements	X	X
Location of waste receptacle(s) and transformer pad(s) and method of screening	X	X
Extent of any outdoor sales display or storage area	X	X
Location, height, and outside dimensions of all storage areas and facilities	X	X
Location, size, height and method of shielding for all site and building lighting	X	-
Lighting plan with details for light fixtures on the lighting plans and a photometric plan showing light intensities on the site	X	X
Project phasing, if proposed	X	-
<b>(d) Access and Circulation:</b>		
Existing and planned right-of-way for all streets	X	X
Dimensions, curve radii and centerlines of existing and proposed access points, roads and road rights-of-way or access easements within 100 feet of the site	X	-
Opposing driveways and intersections within 250 feet of site	X	-
Location and cross section details of proposed roads, driveways, parking lots, sidewalks and non-motorized paths illustrating materials and thickness	X	-
Dimensions of acceleration, deceleration, and passing lanes	X	-
Dimensions of parking spaces including barrier free, islands, circulation aisles and loading zones (including loading dock/door orientation and screening)	X	X
Dimension and location of all clear vision areas	X	X
Calculations for required number of parking, stacking and loading spaces	X	X
Shared parking and access easements, if shared parking or access is proposed	X	X
Private road maintenance agreement, if a private road is proposed	X	-
Designation of fire lanes	X	X
Details of traffic regulatory signs, pavement markings and curbing	X	-
Truck circulation plan showing turning templates for trucks and emergency vehicles	X	-
Location of existing and proposed sidewalks/pathways	X	X
Location, dimension and cross-section of sidewalks	X	X
<b>(e) Landscape Plans:</b>		

**Table 17.04 Site Plan Requirements**

Site Plan Data	Required For	
	Site Plan	Sketch Plan
Existing woodlands being preserved	X	X
All landscaping installation and maintenance notes, indicating compliance with the requirements of <i>Article 13</i>	X	-
Calculations of all landscape requirements, as set forth in <i>Article 13</i>	X	-
Details of the proposed irrigation system	X	-
Description of methods to preserve existing landscaping, including fence details	X	-
The location of existing and proposed lawns and landscaped areas	X	X
Landscape plan, including location and type of all existing and proposed shrubs, trees, and other live plant material	X	X
Location, size, height and material of construction for all obscuring wall(s) or berm(s) with cross-sections	X	X
Vertical and horizontal cross sections at the same scale showing all buffer zones	X	-
Planting list for proposed landscape materials with caliper size or height of material, method of installation, botanical and common names, and quantity and cost estimate in accordance with <i>Section 13.02 (m)(7)</i>	X	X
Approximate dates of plant installation	X	-
<b>(f) Building and Structure Details:</b>		
Building elevations for all facades, along with photos or color renderings of the building; elevation drawings shall indicate the height of building, materials, colors, architectural quality, including cross-sections and details of any proposed rooftop equipment and screening	X	-
Location, height, and outside dimensions of all proposed buildings or structures	X	X
Building floor plans and total floor area	X	-
Details on accessory structures and any screening	X	-
Location, size, height, and lighting of all proposed site and wall signs	X	X
Building facade elevations for all sides, drawn at an appropriate scale, including cross-sections and details of any proposed rooftop equipment and screening	X	-
Description of exterior building materials and colors (samples may be required by the Planning Commission or ARC)	X	-
Sign base, location and size	X	X
<b>(g) Information Concerning Existing and Proposed Utilities, Drainage and Related Issues:</b>		
Location of sanitary sewers and septic systems	X	-
Location and size of water mains, well sites, water service, storm sewers loads, and fire hydrants	X	-
Indication of site grading, drainage patterns and other stormwater management measures	X	X
Stormwater retention and detention ponds, including grading, side slopes, depth, high water elevation, volume and outfalls with calculations	X	X

Table 17.04 Site Plan Requirements

Site Plan Data	Required For	
	Site Plan	Sketch Plan
Location and size of underground storm sewers and drains	X	X
Location of above and below ground gas, electric and telephone lines	X	-
Location of transformers and utility boxes	X	-
Locations, description and quantities of hazardous materials to be stored on the site and details for best management practices, such as secondary containment	X	-
<b>(h) Additional information required for Residential Development</b>		
The number and location of each type of residential unit (one bedroom units, two bedroom units, etc.)	X	-
Density calculations by type of residential unit (dwelling units per acre)	X	-
Garage or carport locations and details, if proposed	X	-
Location and design of mailbox clusters	X	-
Location, dimensions, floor plans and elevations of common building(s) (e.g., recreation, laundry, etc.), if applicable	X	-
Swimming pool fencing detail, including height and type of fence, if applicable	X	-
Location and size of recreation and open space areas	X	-
Indication of type of recreation facilities proposed for recreation area	X	-
Description of any performance, site and/or noise impacts	X	-

### Section 17.05 Site Plans Review Standards

A site plan or sketch plan shall be approved if it contains the information required by the Zoning Ordinance and is in compliance with the conditions imposed under the Zoning Ordinance, other statutorily authorized and properly adopted City planning documents, other applicable ordinances, and state and federal statutes, as outlined below:

- (a) **Adequacy of Information.** The site plan shall include all required information in a sufficiently complete and understandable form to provide an accurate description of the proposed use(s) and structure(s).
- (b) **Buildings.** Buildings and structures shall meet the minimum dimensional requirements of this Ordinance. Redevelopment of nonconforming structures shall bring the site into closer conformity to the extent deemed practical by the City. Expansions to nonconforming buildings shall be as provided for in [Article 20](#).
- (c) **Privacy.** The site design shall provide reasonable visual and sound privacy for dwelling units located adjacent to the site. Walls, berms, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and the privacy of adjacent uses.
- (d) **Exterior Lighting.** Exterior lighting shall be designed so that it is deflected away from adjacent properties and so that it does not impede the vision of drivers on public streets.
- (e) **Preservation of Natural Areas.** The landscape shall be preserved in its natural state,

insofar as practicable, by strategic building placement, minimizing tree and soil removal, alteration to the natural drainage courses, and the amount of cutting, filling and grading. Insofar as practical, natural features and the site topography shall be incorporated into the proposed site design. Woodlands shall be preserved as required under the City Woodlands Ordinance.

- (f) **Drainage.** Stormwater management systems and facilities shall preserve natural drainage characteristics and enhance the aesthetics of the site to the maximum extent possible, and shall not substantially reduce or increase the natural retention or storage capacity of any wetland, water body, or water course, or cause alterations which could increase flooding or water pollution on or off the site.
- (g) **Soil Erosion.** Measures shall be included to prevent soil erosion and sedimentation.
- (h) **Hazardous Materials.** Sites that include storage of hazardous materials or waste, fuels, salt, or chemicals shall be designed to prevent spills and discharges of polluting materials to the surface of the ground, groundwater, or nearby surface water bodies. These areas shall be designed to meet all applicable state and federal regulations and incorporate basic management practices for the handling of hazardous materials. Uses that involve the storage of large quantities of hazardous or combustible materials shall be located and designed to ensure no threat to nearby uses and residents is present.
- (i) **Ingress and Egress.** Every structure and dwelling unit shall be provided with adequate means of ingress and egress via public streets and walkways. Access to the site shall be located and designed to ensure minimal impact on the safety and efficiency of traffic flow along all adjoining roadways.
- (j) **Emergency Vehicle Access.** All buildings and site circulation shall be arranged to permit emergency vehicle access by practicable means to all buildings and areas of the site. Vehicle circulation shall meet turning radius requirements set by the Fire Department. Fire lanes shall be designated on the site and posted with signage by the developer/property owner at the developer's/property owner's expense prior to occupancy. Fire hydrants, fire suppression systems, fire detection, and fire extinguishers shall be provided as required by the Fire Department.
- (k) **Vehicular Circulation Layout.** The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian pathways in the area. Public streets adjacent or through the proposed development shall be required when it is essential to promoting and protecting public health, safety and general welfare and to provide continuity to the public road system.
- (l) **Pedestrian Circulation.** The site plan shall provide a pedestrian circulation system which is insulated as completely as is reasonably possible from the vehicular circulation system.
- (m) **Traffic Impact.** The expected volume of traffic to be generated by the proposed use shall not adversely affect existing roads and traffic patterns. Roadway access shall minimize excessive vehicle traffic on local residential streets to reduce the possibility of any adverse effects upon adjacent property. A transportation impact study as described in [Section 23.02\(a\)\(3\)](#) may be required where the trip thresholds noted in that section are met to help determine compliance with this standard.
- (n) **Public Services.** The scale and design of the proposed development shall facilitate the adequate provision of services currently furnished by or that may be required

of the City or other public agency including, but not limited to, fire and police protection, stormwater management, sanitary sewage removal and treatment, traffic control, and administrative services.

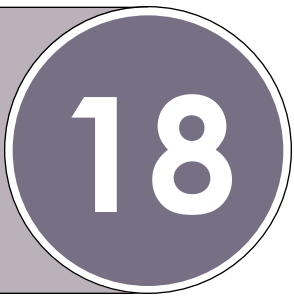
- (o) **Site Redevelopment.** Redevelopment of existing sites shall conform to the site improvement provisions of this Ordinance to the extent deemed practical by the Planning Commission. The extent of upgrade to site improvements shall be relative to and proportionate with the extent of redevelopment or expansion in accordance with the nonconforming site requirements of [Section 20.06](#).

## Section 17.06 Amended Plans

### (a) Minor Changes

- (1) Prior to making any change to an approved site plan/sketch plan the applicant or property owner shall notify the Planning Director of any desired change. The Planning Director shall review the request and determine whether the requested change is minor or major. The following shall be considered minor changes:
- a. Movement of a building or buildings by no more than five (5) feet, provided all setback, parking, landscaping and other site requirements are still met.
  - b. Plantings approved in the landscape plan may be replaced by similar types and sizes of landscaping which provides a similar screening effect on an equal or greater basis.
  - c. Trees to be preserved that were damaged or lost during construction may be replaced by trees of a similar species, with two (2) new trees required for each tree replaced.
  - d. Improvements to site access or circulation, such as deceleration lanes, boulevards, curbing, pedestrian/bicycle paths, but not the addition of new driveways.
  - e. Changes of building materials to another of higher quality, as determined by the Building and Safety Director.
  - f. Changes in interior floor plans which do not alter the character of the use.
  - g. Slight modification of sign placement or reduction of size.
  - h. Changes required or requested by the City, County, State or Federal agency for safety reasons or for compliance with applicable laws.
  - i. Revisions that do not alter the basic design, compliance with the standards of approval, nor any specified conditions of the approved site plan.
  - j. Situations the Building and Safety Director deems similar to the above.
- (2) Minor changes to an approved site plan may be approved by the Planning Director.
- (b) **Major Changes.** All other changes not considered minor shall be considered a major change requiring a new application for site plan review.

**Article 18**  
Special Land Use Review  
Requirements & Procedures



## Section 18.01 Intent

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- (a) The formulation and enactment of the Zoning Ordinance is based upon the division of the City into zoning districts, in each of which are permitted specified uses which are considered to be mutually compatible. In addition to permitted compatible uses there are certain other uses which may be necessary or desirable to allow in certain locations within certain districts; but because of their actual or potential impacts on neighboring uses or public facilities, there is a need to carefully regulate them with respect to their location, site design, and operations. These uses, due to their peculiar locational needs or the nature of the service offered, may be established in a district where they cannot be reasonably allowed as a permitted use, but may be allowed on a case-by-case basis as special land uses upon a finding that the standards of this Article are met.
- (b) Special land uses are uses considered to be more intense, or potentially more disruptive, compared to the various uses permitted by right in a particular zoning district. The uses classified as special land uses vary by district and are listed in the regulations of each zoning district. The special land use procedures and standards are intended to provide a procedure by which special land uses can be evaluated to determine their potential impacts; ensure impacts can be accommodated within the environmental, infrastructure, and public services capacities of the area; provide site design and operational standards to minimize any negative impact on adjoining or nearby properties; and provide for public input through a public hearing.

## Section 18.02 Authority

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- (a) The City Council shall have the sole authority to approve, approve with conditions or deny all special land uses.
- (b) A site/sketch plan conforming to the requirements and procedures of [Article 17](#) is required for all special land uses. The Planning Commission shall be the approving authority for site/sketch plans related to the special land use.
- (c) Approval of a special land use shall be granted only for those uses specified in the application and shown on the site/sketch plan.
- (d) The Board of Zoning Appeals shall not have the authority to hear appeals of the City Council's decision to approve or deny a special land use, nor to grant variances to the specific special land use standards for that use or any conditions imposed on special land use approval. The Board of Zoning Appeals may hear requests for variances to district or site/sketch plan requirements that are not special land use requirements.

## Section 18.03 Procedures

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### (a) Application

- (1) An application for the approval of a special land use shall be made by an owner, lessee, or other person with a legal interest in the property who has the owner's consent to file the application.
- (2) The application shall be accompanied by a complete site/sketch plan and the necessary fees in accordance with the requirements of [Article 17](#), and written information describing the special land use and how the proposed land use will comply with the standards of [Section 18.05](#) shall be provided.

(3) Upon receipt of an application for a special land use, the City shall provide notice of the request as required under [Section 21.11](#).

**(b) Planning Commission Recommendation**

- (1) The Planning Commission shall review the application and site/sketch plan along with recommendations from City staff.
- (2) The Planning Commission shall hold a public hearing on the special land use request and make a recommendation on the special land use along with any suggested conditions they deem necessary.
- (3) The Planning Commission may approve the site plan conditioned on the City Council approval of the special land use or may defer action on the site plan until after the City Council renders a decision on the special land use.
- (4) The minutes of the hearing, the research, any written communications and the recommendation of the Planning Commission, together with the findings that support that recommendation, shall be submitted to the City Council as part of the official record. In making its recommendation the Planning Commission shall review the application for its appropriateness using the general standards of Section 18.05 and the specific standards for that use contained in the district regulations.

**(c) Action by City Council**

- (1) The Council shall review the application and approve, approve with conditions, or deny the application.
  - a. In reaching its decision the Council shall consider the application, Planning Commission recommendation, staff reports, and other relevant materials.
  - b. Upon a finding that the application meets the General Standards of Section 18.05 and the specific standards for that use contained in the district regulations, the Council may approve the special land use. The City Council may attach those conditions it deems necessary, in accordance with the provisions of this Section.
  - c. If the City Council determines that the application for the requested special land use(s) does not meet the standards and requirements of this Ordinance, it shall deny the application.

**(2) Conditions.** In considering the special land use, the Planning Commission may recommend and the City Council may impose conditions or limitations as permitted by the Zoning Act deemed necessary to fulfill the spirit and/or purpose of this Ordinance. The conditions imposed with respect to the approval of a land use or activity shall be recorded in the record of the approval action and shall remain unchanged unless the original process is followed. The City Council shall maintain a record of changes granted in conditions. Conditions imposed shall accomplish the following:

- a. Be designed to protect natural resources, the health, safety, and welfare as well as the social and economic well being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
- b. Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.

- c. Be necessary to meet the intent and purpose of the Zoning Ordinance; be related to the standards established in this Ordinance for the land use or activity under consideration; and be necessary to ensure compliance with those standards.
- (d) **Site Plan Approval.** The site/sketch plan for the special land use shall be subject to review by the Planning Commission after the City Council approves the special land use. However, the Planning Commission may approve the site/sketch plan concurrently with making a recommendation on the special land use to City Council, where there are no significant unresolved issues with the site/sketch plan. Approval of the site/sketch plan concurrent with the recommendation on the special land use shall be with the condition that the City Council approves the special land use and that any conditions set by the City Council shall be incorporated into the site/sketch plan.
- (e) **Period of Validity.** If construction has not commenced within eighteen (18) months of special land use approval, approval becomes null and void and a new application for special land use review shall be required. The City Council may grant an extension not exceeding one (1) year. The special land use approval shall become null and void if the applicant fails to obtain a building permit and begin substantial construction of the project within the time period allotted, or an extension. Any special approval land use that is discontinued or abandoned for a period exceeding one (1) year shall have its approval automatically revoked upon determination that the use has been abandoned.

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#### **Section 18.04      Waivers**

The Planning Commission shall have the authority to grant waivers to the specific special land use standards for a particular use listed in the district based upon the overall design of the site/sketch plan, compatibility with surrounding land uses and impacts of the proposed special land use in consideration of the intent of this Article. Waivers by the Planning Commission shall be noted in its recommendation forwarded to the City Council.

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#### **Section 18.05      General Standards**

In considering all applications for special land uses, the Planning Commission and the City Council as appropriate, shall review each case individually and must find that each of the following standards are satisfied:

- (a) **Consistent with Master Plan.** The proposed special land use shall be compatible with and in accordance with the general principles and objectives of the City of Romulus Master Plan.
- (b) **Consistent with Zoning Ordinance Intent.** The proposed special land use shall be designed, constructed, operated and maintained to meet the stated intent of the zoning district and shall be in harmony with the general purpose and intent of this Ordinance.
- (c) **Compatibility with Adjacent Uses.** The proposed special land use has a location, size and character that will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity. It shall comply with all applicable regulations of the zoning district in which it is to be located and the other requirements of this Ordinance. The location, size and height of buildings or structures, walls, fences, landscaping and height of signs for the proposed use will

not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.

- (d) **Traffic Impacts.** The proposed use will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relations to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing child-vehicle conflicts. A transportation impact study in accordance with [Section 23.02 \(a\)\(3\)](#) may be required to assist the evaluation of compliance with this standard.
- (e) **Impacts to Adjacent Uses.** The location, size, intensity, site layout and periods of operation of the proposed use shall be designed and arranged to minimize any possible nuisance which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.
- (f) **Environmental Impact.** The proposed special land use shall not have an unacceptable significant adverse effect on the quality of the natural environment in comparison to the impacts associated with the district's permitted uses. The Planning Commission or City Council may require a quantitative comparison of the impacts of typical permitted uses and the special land use to assist in making this determination (such as an overlay of conceptual development plans, on a natural features map, illustrating other site development options to demonstrate the impacts have been minimized to the extent practical). If the cumulative impact creates or contributes to a significant environmental problem, mitigation shall be provided to alleviate the impacts associated with the requested use (i.e. ensure the end result is at least similar to the pre-existing conditions).
- (g) **Public Services.** The proposed special land use shall be located where it can be adequately served by essential public facilities and services, such as streets, pedestrian or bicycle facilities, police and fire protection, drainage systems, water and sewage facilities, and schools.

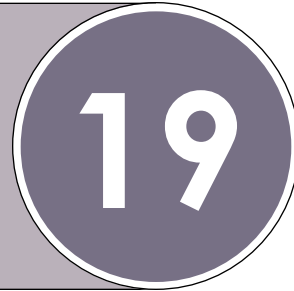
**Section 18.07 Amendments, Expansions, and Change in Use**

- (a) **Amendments.** The property owner shall notify the Planning Director of any desired change in an approved special land use. The Planning Director shall determine whether the proposed amendment constitutes a minor or major amendment, based on the total cumulative expansion since the original special land use approval as follows:
  - (1) Changes that increase the usable floor area of the building(s) by more than twenty percent (20%);
  - (2) Parking lots are expanded by more than twenty percent (20%);
  - (3) The occupancy, capaCity or membership associated with the use is increased by more than twenty percent (20%);
  - (4) The use is expanded to occupy an additional twenty percent (20%) or more land area; or,
  - (5) The expansion will result in a twenty percent (20%) or more increase in traffic generation based upon the latest edition of the Institute of Traffic Engineers Trip Generation Manual or will change the number or location of driveway access points.

- (b) **Major Amendments.** Any major amendment to an approved special land use by the amounts in (a) above or greater shall require a new special land use permit and shall be reviewed using the procedures and requirements of this Article.
- (c) **Minor Amendment.** Minor amendment to an approved special land use less than the amounts noted in (a) above does not require submittal of a new application for a special land use, but shall still be subject to the site/sketch plan review requirements of [Article 17](#).
- (d) **Change in Use.** Change to another type of special land use shall require submission of a new application for a special land use following the review procedures contained in this Article. A change in use that is still the same type of use shall not require a new special land use, unless it involves a major expansion. A change in ownership shall not constitute a change in use.

# Article 19

## Planned Development Area Regulations



## Section 19.01 Intent

The Planned Development Area (PDA) concept is a development option intended to provide a degree of flexibility in the regulation of land development and the arrangement of uses. Through this option, more creative approaches to development can be utilized which take better advantage of the special characteristics of the land than would be possible through the strict enforcement of this Ordinance. The specific objectives of this Article are to:

- (a) Encourage innovation in land use and variety in design, layout and type of structures constructed.
- (b) Achieve economy and efficiency in the use of land, natural resources, energy, and the provision of public services and utilities.
- (c) Permit flexibility in the placement, lot area and building type regulations, and combination of uses while assuring the application of sound site planning standards.
- (d) Encourage the provision of useful open space and more extensive landscaping.
- (e) Provide opportunities for improvements to public streets or facilities, pathways, and natural storm water systems.
- (f) Achieve consistent and coordinated site design (lighting, signs, building design, etc.), and high quality architectural design and materials.
- (g) Encourage the use, reuse, and improvement of existing sites.
- (h) Encourage the use and improvement of land where site conditions make development under conventional zoning difficult and less desirable.

## Section 19.02 Qualifying Conditions

- (a) **Ownership and Minimum Site Area.** Any person or persons having a beneficial interest or right to obtain a beneficial interest in at least five (5) acres of land in any zoning district may apply for development as a PDA under the procedures for, and in compliance with, the standards of this Article. The Planning Commission may permit an application on less land for an infill project; provided, that the project substantially forwards the objectives and recognizable, and substantial benefits of the PDA, that the development is designed to be compatible with surrounding land uses and the PDA can be integrated into the planned development of the surrounding area.
- (b) **Public Utilities.** The PDA site shall be serviced by public sewer and water systems. The proposed type and density of use shall not result in an unreasonable increase in the use of public services, public facilities, and utility capacities.
- (c) **Recognizable and Substantial Benefits.** The PDA application shall demonstrate that the project will result in recognizable and substantial benefits to the residents, users, visitors, adjacent neighbors, and the City overall that would not be available under the existing, underlying zoning classification. Benefits beyond those otherwise required by this Ordinance include, but are not limited to:
  - (1) Preservation of significant natural features.
  - (2) A complementary mixture of uses.
  - (3) Extensive open space and recreational amenities.
  - (4) Open space greenways to link to adjacent greenway corridors.

- (5) Transition areas from adjacent land uses.
- (6) Preservation of historical buildings or site features.
- (7) Improvements to the public street system to mitigate traffic impacts or other public facility improvements to mitigate impacts of development.
- (8) Coordinated development of multiple assembled small parcels.
- (9) Removal or renovation of blighted buildings or sites or clean-up of site contamination.

(d) **Consistency with the Master Plan.** The PDA shall be compatible with the overall goals and recommendations as proposed in the City of Romulus Master Plan.

**Section 19.03 Use Requirements**

(a) **Uses Allowed.** Uses allowed as part of a PDA shall be based upon the underlying zoning district. Uses shall be permitted based upon the following table and a determination by the City Council that the uses will be suitable for the site and compatible with the surrounding area. All uses shall be required to comply with the specific use requirements contained in the district. Special land uses shall be required to comply with the special land use general standards of Section 18.05; however the PDA public hearing and review process shall satisfy the public hearing requirements for the special land use.

Underlying Zoning District	Uses Allowed in PDA	Uses Allowed Subject to Additional Requirements	
PDA located in a residential district: RE, R-1A, R-1B, R-2, RM or HRM	All uses listed as permitted and special land use in the RE, R-1A, R-1B, R-2, RM, C-1, CBD-1, CBD-2, CBD-3 and O-1 Districts	None	
PDA located in a business district: O-1, C-1, C-2, C-3, RC, CBD-1, CBD-2 or CBD-3	All uses listed as permitted and special land use in the O-1, C-1, C-2, C-3, RC, CBD-1, CBD-2 and CBD-3 Districts	Restaurants with drive-thru	19.03(b)(1)
		Vehicle service stations	19.03(b)(2)
		Outdoor display of goods for sale	19.03(b)(3)
PDA located in an industrial district: OR, M-1, M-2 or M-T	Uses listed as permitted and special land use in the O-1, M-1, M-2 and M-T Districts	Uses in a Foreign Trade Zone related to foreign and domestic merchandise	19.03(b)(4)
		Outdoor storage of trucks, trailers, materials, equipment, or products	19.03(b)(5)

(b) **Use Requirements.** All uses shall be subject to the use requirements contained in the zoning district wherein the use is listed. The uses listed below shall comply with the following regulations in addition to the use regulations of the district.

(1) **Restaurants with Drive-Thru Service**

- a. A maximum of two (2) fast food restaurants with a drive-thru facility may be permitted in a PDA that includes an aggregate gross floor area (GFA) of at least five hundred thousand (500,000) square feet. One (1) additional fast food restaurant with a drive-thru facility may be permitted for each additional two hundred fifty thousand (250,000) square feet of GFA of the PDA.
- b. No site shall be located within five hundred (500) feet of any Residential District or use.
- c. A landscaped planting area with a depth of at least twenty five (25) feet shall be provided across the entire frontage of any yard adjacent to a street. All landscaping shall meet the standards of [Section 13.02](#).
- d. Consumption of food shall be permitted only within the dining area or patio as indicated on the approved site plan.

(2) **Vehicle Service Stations**

- a. One (1) vehicle service station shall be permitted in a PDA. One (1) additional vehicle service station may be permitted in developments with an aggregate gross floor area of at least five hundred thousand (500,000) square feet.
- b. Vehicle service stations may not have direct access onto an arterial roadway. Access shall be from collector streets, or an internal circulation street.
- c. Vehicle service stations shall not be located within five hundred (500) feet of any Residential District or use.
- d. A landscaped planting area with a depth of at least twenty five (25) feet shall be provided across the entire frontage of any yard adjacent to a street. All landscaping shall meet the standards of [Section 13.02](#).
- e. All vehicle service stations, including canopy structures, shall be designed as an integral element of the proposed PDA and shall be consistent in character and style with the primary buildings on the site.
- f. The principal building of the vehicle service station shall be set back at least eighty five (85) feet from any street right-of-way. Canopies shall be set back at least forty (40) feet from any street right-of-way.
- g. The sale, storage, or rental of new or used cars, trucks, trailers, and any other vehicles on the premises is prohibited.
- h. Vehicle service stations shall be designed in a manner which promotes pedestrian and vehicular safety.

(3) **Outdoor Display of Goods for Sale at Retail or Discount Retail**

- a. Permanent outdoor displays may be permitted for uses with a minimum of one hundred thousand (100,000) square feet located in developments which include a multi-tenant shopping center and out parcels with an aggregate area of at least five hundred thousand (500,000) square feet.
- b. Temporary outdoor displays may be permitted in accordance with Section 22.03(e).
- c. No display area shall conflict with pedestrian or vehicular circulation. A minimum five (5) foot clear path shall be maintained at all times around the

perimeter of buildings for safe pedestrian circulation and compliance with barrier free standards.

- d. Outdoor storage of vehicles, equipment, or materials not directly available for sale or lease to the general public is strictly prohibited.

(4) **Uses in a Foreign Trade Zone related to foreign and domestic merchandise**, described by the Foreign Trade Zone Act of 1934, as amended (19 USC § 81 et seq.).

- a. The City Council shall determine the use is consistent with the uses allowed in the underlying zoning district, they are suitable for the site, compatible with the surrounding area, and comply with all applicable Ordinance requirements, except as may be modified through the PDA.
- b. Foreign and domestic merchandise lawfully brought into the Foreign Trade Zone may be stored, sold, exhibited, broken up, packaged, repackaged, assembled, distributed, sorted, graded, cleaned, mixed with foreign or domestic merchandise, or otherwise manipulated, or be manufactured unless otherwise provided, and be exported, destroyed or sent into a customs territory of the United States therefrom.

(5) **Outdoor Storage of Trucks, Trailers, Materials, Equipment, or Products**

- a. Outdoor storage areas shall be located no closer than one hundred fifty (150) feet from any street right-of-way.
- b. Outdoor storage areas shall comply with all applicable building setbacks of the district.
- c. Outdoor storage areas shall be screened on all sides which abut a residential, commercial or office district by a wall or fence in accordance with [Section 13.03](#).
- d. No equipment, supplies, or material shall be stored above the height of the enclosure or screen.
- e. Access to the storage areas shall be provided for fire and emergency services.

(c) **Modifications.** The City Council may modify the requirements of (1)-(5) above provided the applicant can demonstrate that the proposed modifications will be consistent with the intent of the regulation.

**Section 19.04 Residential Requirements**

(a) **Density.**

- (1) In computing the residential density of the PDA, the net site area excluding public and private road easements or right-of-ways shall be used.
- (2) Residential density within the R-1A, R-1B shall not exceed an average of five (5) units per acre.
- (3) Density permitted for PDA's in the RE, R-2, RM and HRM District shall not exceed the density allowed for that district.
- (4) In a non-residential district, the residential components of a mixed use PDA shall not exceed twelve (12) units per acre.

(b) **Attached Residential in Single-family Districts.** For PDAs in the R-1A or R-1B Districts, attached dwelling units are permitted for up to sixty-five (65%) percent of all

dwelling units. No more than fifteen (15%) percent shall be one (1) bedroom or efficiency apartments. Land area used in computing density shall only be counted once.

## Section 19.05 Open Space

### (a) Residential Areas

- (1) At least twenty percent (20%) of that portion of a PDA devoted to residential development shall be open space.
- (2) Open space shall not include streets, schools, utility easements, detention/retention ponds and required yards. Common open space shall be in parcels not less than three (3) acres in size and in configuration and locations easily accessible from all parts of the residential area of the PDA.
- (3) In PDAs containing residential development, at least fifty (50%) percent of the open space requirement shall be dedicated in common use by all residents for recreational purposes and shall not include wetlands and land under water.
- (4) Twenty-five (25%) percent of land dedicated for recreational purposes must be for active recreational uses (i.e., swimming pools, tennis courts, community buildings, play equipment), with the remainder developed in park-like, passive recreational uses.

- (b) **Non-residential Areas.** For any non-residential PDA or non-residential portion of a mixed use PDA, at least fifteen percent (15%) of the gross acreage of the PDA or non-residential portion of the PDA must be devoted to common open space. Common open space shall not include stormwater detention or retention, wetlands and land under water, and landscaped areas required in [Section 13.02](#).

## Section 19.06 General Development Requirements

- (a) **District Requirements Apply.** All uses permitted within the applicable zoning districts shall be subject to the requirements of the respective districts, unless the City Council approves any modifications or deviations from the requirements of the district. Only those deviations consistent with the intent of this Ordinance shall be considered. As a condition of approving any modification or deviation, the Council may attach additional conditions deemed necessary for the protection of the public health, safety, and welfare in lieu of the regulations.
- (b) **Single-Family Dimensional Requirements.** The minimum lot area, height, and placement requirements in all single-family areas of a PDA shall meet the area, height and placement requirements for the R-1A District, unless otherwise modified by the City Council and illustrated on the approved development plan.
- (c) **Multiple-Family Dimensional Requirements.** All multiple-family and attached residential development shall meet the area, height and placement requirements of the RM District, unless otherwise modified by the approved development plan.
- (d) **Departures from Dimensional Requirements.** To encourage flexibility and creativity in development consistent with the objectives of the PDA in [Section 19.01](#), departures from the requirements in this Ordinance may be granted by the City Council as part of preliminary site plan approval. Departures may be approved on the condition that the design of the project shall result in a higher quality development with no greater adverse impact than if the project had been developed without

the departures. Departures shall be noted on the preliminary site plan with the requirement and the deviation both noted and incorporated into the PDA Agreement.

- (e) **Screening and Buffering.** Yards, fences, walls or vegetative screening shall be provided where needed to protect residents from undesirable views, lighting, noise or other off-site influences, or to protect residential occupants of neighboring areas from similar adverse influences within the PDA. In particular, screening shall be provided for large off-street parking areas, service areas for loading and unloading delivery vehicles, and areas for storage and collection of refuse and garbage.
- (f) **Transitional Areas.** That portion of a PDA abutting a single-family district shall include an acceptable land use transition or fifty (50) foot wide buffer zone consisting of acceptable landscaping or compatible land use.
- (g) **Access and Circulation.** The PDA must have direct access to and abut a major or minor arterial, as defined by the Master Plan. Access shall be fully integrated within the site to allow cross circulation between uses within the PDA and provide a shared access system with major streets. All streets shall meet the street design standards in the City Subdivision Ordinance. Street connections shall be provided to existing adjacent streets and allow for future connection to adjacent vacant land.
- (h) **Architecture.** Architectural features of all non-residential structures, regardless of use, shall be compatible with the overall character and image of the PDA and integrated into a unified appearance.
- (i) **Flooding and Other Hazards.** The site shall be developed without hazards to persons or property, whether within the PDA or not, and be reasonably free from probability of flooding, erosion or other dangers, annoyances, or inconvenience. Drainage and topography of the final grade of the site shall be consistent throughout the PDA and to adjacent properties.
- (j) **Unified Development.** Land in the PDA may be divided by streets, rights-of-way or easements, waterways, or other separation; but shall be arranged to permit unified planning and development as well as promote compatible development between land uses in the PDA and surrounding areas.

**Section 19.07 Review and Approval Procedures**

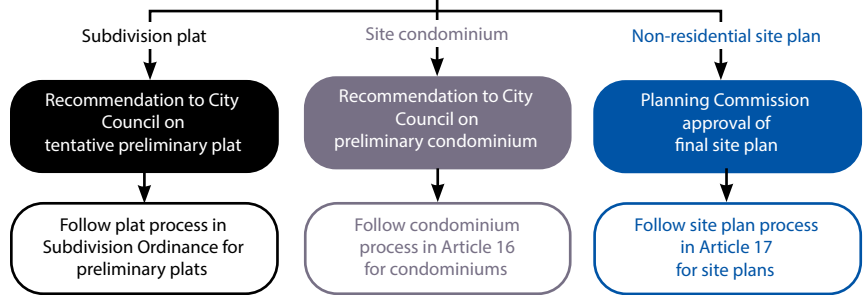
- (a) **Concept Plan Review.** Prior to making a formal application, a concept plan for the proposed PDA project, meeting the requirements of [Section 19.08\(a\)](#), shall be presented to the Planning Commission, then the City Council for comment. No formal action shall be taken on the PDA as the concept plan is intended to give the applicant direction on the merits of the PDA proposal. The concept plan review does not constitute any form of approval of the PDA or the preliminary site plan. The process is intended to give the applicant an indication of the issues and concerns that must be resolved prior to preliminary PDA submittal.
- (b) **PDA Rezoning and Preliminary Site Plan Review.** Establishment of a PDA shall be a amendment to the Zoning Map creating a PDA Overlay District. Review of applications for PDA rezoning shall be in accordance with the requirements of [Article 23](#) for other amendments to this Ordinance, and the Ordinance amendment procedures shall be followed.
  - (1) **Planning Commission Public Hearing.** Upon receipt of a preliminary PDA application, prepared in accordance with [Section 19.08\(b\)](#), the request shall be

referred to the Planning Commission for review and recommendation to the City Council. The Planning Commission shall hold a public hearing to hear and consider the PDA rezoning and preliminary site plan. Notice and procedures for the public hearing shall follow the requirements of [Section 21.11](#) and [Article 23](#).

(2) **Planning Commission Recommendation on Rezoning and Preliminary PDA Site Plan Review.**

Following the public hearing, the Planning Commission will forward a report and recommendation to the City Council. In its review and recommendation, the Planning Commission shall consider:

- a. That all applicable provisions of this Article and this Ordinance have been met, including the requirements of [Section 19.02](#). If any provision of this Article conflicts with any other provisions of this Ordinance, this Article shall apply to lands within the PDA.



- b. That adequate areas have been provided for all common areas, utilities, schools, walkways, playgrounds, recreation areas, parking areas and other spaces.
- c. The site shall be served by adequate public infrastructure, including roadways, sanitary sewer, storm drainage and water, or provisions shall be made in the PDA Agreement for the developer to provide the necessary improvements as part of the PDA development.
- d. The preliminary PDA site plan provides for an efficient, aesthetic and desirable use of the open areas, and the plan is in keeping with the physical character of the City and the area surrounding the development.

(3) **City Council Action on the Rezoning and Preliminary PDA Site Plan.** Upon receipt of the recommendation from the Planning Commission, the City Council shall hold a public hearing to hear and consider the PDA rezoning and preliminary site plan. Notice for the public hearing shall follow the requirements of [Section 21.11](#). The City Council shall consider the recommendation of the Planning Commission and the public hearing comments on the PDA rezoning and preliminary PDA site plan as follows:

- a. The City Council may postpone, approve, approve with conditions, or deny the application and accompanying PDA preliminary site plan based on the provisions of [Section 23.04](#) and this Article.

- b. If the application is denied, the City Council shall indicate in writing which standards and requirements the proposed PDA District failed to meet.
  - c. Approval of the application and preliminary PDA site plan constitutes a rezoning of the property and a notice will be published in accordance with the provisions of the Zoning Enabling Act and the City of Romulus Charter.
  - d. Once rezoned to a PDA no use or development may take place except in accordance with the rezoning and approved plan. The petitioner shall have two (2) years from the date of City Council approval of the PDA rezoning to obtain final site plan approval. Failure to obtain final site plan approval within two (2) years shall cause the land to automatically revert back to its pre-PDA zoning, provided the City Council may grant a one (1) year extension upon written request by the applicant.
- (c) **Final Site Plan.** A final PDA site plan for the phase or area to be constructed shall be submitted to the Planning Commission for approval before any building permits are issued.
- (1) Application for final PDA site plan approval shall be made according to the requirements of [Article 17](#).
  - (2) Final PDA site plan approval does not require public notice or hearing, but the Planning Commission may choose to conduct hearings as it deems appropriate.
  - (3) Review and approval of final PDA site plans shall comply with this Ordinance and any other applicable ordinances, except as modified in the approved development plan. If necessary, review and approval of a plat shall comply with the Land Division Act and the Subdivision Ordinance of the City, in addition to the requirements of this Article.
  - (4) In reviewing the final PDA site plans, the Planning Commission shall ensure that the following conditions shall be completed prior to issuance of building permits:
    - a. A dedication of all public streets to ensure continuity of public access between the adjacent arterial roadways and ingress and egress to all private development within the plan.
    - b. That the open space and common areas have been irrevocably committed to those uses by dedication, restrictive covenants, or in a manner satisfactory to the City Council.
    - c. That the final PDA site plan generally conforms to the approved preliminary PDA site plan.
  - (5) Approval of the final PDA site plan shall be effective for a period of three (3) years of the date the final site plan was approved. Failure to complete development in that period shall void the PDA rezoning, and final site plan and the PDA zoning designation shall automatically revert back to its pre-PDA zoning. The City Council may grant a one (1) year extension upon written request by the applicant.

## **Section 19.08      Application Requirements**

- (a) **Concept Plan Requirements.** At a minimum the following information shall be provided for the concept plan review:
- (1) The name, address and phone number of all persons with ownership interests in the property; all professionals associated with the project including engineers,

architects, land surveys or attorneys (if known); the developer, proprietor or applicant for the PDA.

- (2) Application and other required fees.
  - (3) The legal description and tax identification number(s) of the proposed PDA property.
  - (4) The gross and net area (in acres) of the proposed PDA property.
  - (5) A concept plan drawn to scale that showing the proposed development. The concept plan shall illustrate the following:
    - a. A general location map.
    - b. A map indicating the zoning designation(s) of the proposed PDA property.
    - c. The vehicular circulation system proposed for the PDA.
    - d. The location of existing public and private streets adjacent to the proposed PDA with an indication of how they will connect with the proposed circulation system for the new development.
    - e. General locations and approximate size of any wetland areas (regulated or non-regulated), significant woodlands, unusual slopes, streams and water drainage areas.
    - f. The general layout of dwelling units, non-residential buildings, parking, open space and recreation areas.
    - g. Locations for landscape screening along the perimeter of the proposed PDA.
    - h. A general description of the proposed sewage treatment and water supply systems and the proposed storm water drainage system.
  - (6) A description of how the proposed PDA will result in recognizable and substantial benefits to the residents, users, visitors, adjacent neighbors, and the City overall that would not be available under the existing, underlying zoning classification.
- (b) **Preliminary PDA Site Plan Requirements.** The following information shall accompany the PDA rezoning and preliminary site plan application:
- (1) The name, signature, and address of the owner of the subject property; a statement of the applicant's interest in the subject property if not the owner in fee simple title, and proof of consent from the property owner.
  - (2) Application and other required fees.
  - (3) A preliminary PDA site plan providing the following information:
    - a. Cover sheet providing: the applicant's name, the name of the development, the preparer's name and professional seal of preparer, date of preparation and any revisions, north arrow, property lines and dimensions, legal description, size of property in acres, small location sketch, zoning and current land use of site and all abutting properties.
    - b. An existing site conditions providing: lot lines and all structures on the property and within one-hundred (100) feet of the site, rights-of-way and easements, access points on both sides of the street within two-hundred (200) feet of the site, topography of the entire site at two (2) foot contour intervals, significant natural, and historical features, existing drainage patterns, surface water bodies, floodplain areas, wetlands and woodlands in accordance with the City's Woodland Protection Ordinance.

- c. A site plan sheet providing:
    1. Conceptual layout of proposed land use, acreage allotted to each use, residential density, lot sizes, building footprints, structures, setbacks and building spacing.
    2. Proposed right-of-way, roadways, driveways, parking areas, loading areas and non-motorized pathways.
    3. General location and type of landscaping proposed noting existing trees over eight (8) inches in caliper to be retained, and any woodlands that will be designated as "areas not to be disturbed" in development of the PDA.
    4. A preliminary layout of contemplated storm water drainage, detention pond location, water supply and wastewater disposal systems, connection points to existing utilities, concepts for layout, size, and phasing of utilities, any public or private easements and a note of any utility lines to be relocated.
    5. Open space areas and locations for recreational facilities, including calculations to demonstrate compliance with minimum open space requirements.
    6. If a multi-phase PDA is proposed, identification of the areas included in each phase. For residential uses identify the number, type, and density proposed by phase.
  - d. Conceptual elevation drawings of all non-residential buildings and typical elevations for residential buildings.
- (4) A table shall be provided on the site plan that specifically details any requested deviations from the applicable district regulations. The table shall identify the provisions Ordinance from which deviations are sought, the reasons the deviations are necessary and mechanisms to be utilized to minimize any impacts.
- (5) Sufficient documentation, in the form of written development and design standards and supporting graphics, to ensure that the design of the individual elements of the proposed PDA will be designed in a cohesive and compatible manner, and consistent with the City's desire to establish and maintain a high level of quality design.
- (6) A written statement explaining in detail the full intent of the applicant, indicating the type and number of dwelling units planned, estimated population, expected number of elementary school children, and supporting documentation such as, but not limited to, soil surveys, market studies, and scheduling of the development.
- (7) A transportation impact study as described in [Section 23.02\(a\)\(3\)](#) to demonstrate that traffic impacts will be accommodated.
- (c) **Final PDA Site Plan Requirements.** Final PDA site plans shall contain all of the information required for site plan approval in [Article 17](#). For condominium projects, the final PDA site plan shall also include all information required under [Article 16](#). For subdivision plats and site condominiums, the final PDA site plan shall comply with the final preliminary plat requirements of the City's Subdivision Ordinance.

## Section 19.09 Development Agreement

- (a) A PDA Agreement acceptable to the City shall be entered into for all Planned Development Areas. A PDA Agreement shall include all of the requirements specified in the Section above and the following:
- (1) The permitted uses within the PDA, including the approved preliminary site plan for the site.
  - (2) The conditions upon which the approval is based, including phasing requirements, requirements for on-site improvements and contributions to required improvements to public facilities.
  - (3) Open space or common areas which shall be conveyed in fee or committed by dedication to an association of the property owners. As part of the final site plan approval, documentation shall be recorded establishing a homeowners association for the maintenance of the open space.
  - (4) A program and financing for maintaining common areas and features, such as walkways, signs, lighting and landscaping. A fund shall be established for continual maintenance of the open space.
  - (5) Architectural standards and requirements for building elevations and building materials.
  - (6) Assurance that trees and woodlands will be preserved as shown on the site plan, or replaced on a caliper for caliper basis or as required by the City's Woodland's Tree Protection Ordinance.
  - (7) Assurance that the construction and maintenance of all streets and utilities (including public water, waste water collection and treatment) and recreational facilities will be completed. Such assurance may include bonds or other financial guarantees and the establishment of a condominium or owner's association with appropriate assessments to ensure the ongoing maintenance of all streets, storm drainage improvements, landscaping and all other common areas. If private roads are proposed, the association or condominium documents shall include provisions for a sinking or reserve fund on accumulative basis in an acceptable form to pay for the long-term maintenance and reconstruction of roads.
  - (8) Provisions addressing any other concerns of the City regarding construction and maintenance of roads and common area improvements.
  - (9) Provisions including specific terms or conditions regarding the expiration or revocation of the PDA zoning.
- (b) The PDA Agreement shall be submitted to the City for review at the time of application for rezoning and preliminary PDA site plan approval. Following City Council approval of the rezoning and preliminary PDA site plan the Agreement shall be recorded with the Office of the Wayne County Register of Deeds at the expense of the applicant and a certified copy of the recorded agreement has been delivered to the City.

## Section 19.10 Deviations from Approved Final PDA Site Plan

- (a) Deviations and amendments from the approved final PDA site plan shall be reviewed and approved in accordance with [Section 17.06](#).
- (b) Should the Planning Commission determine that the modifications to the final PDA site plan significantly alter the intent of the preliminary PDA site plan, a new submittal

illustrating the modification shall be required and must be approved by the City Council as a new preliminary PDA plan.

- (c) Any amendment to the PDA agreement shall be adopted by resolution of the City Council, upon recommendation of the Planning Commission.

**Section 19.11      Appeals and Variances**

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The Board of Zoning Appeals shall only have the authority to hear and decide appeal requests by individual lot owners for variances from the Zoning Ordinance following final approval of the PDA. However, the Board of Zoning Appeals shall not have the authority to reverse the decision of the City Council, or Planning Commission on a PDA preliminary, or final site plan, change any conditions placed by the Planning Commission, or City Council or grant variances to the PDA agreement or the requirements of this article.

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# Article 20

## Nonconforming

20



City of Romulus Zoning Ordinance

## Section 20.01 Intent

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Non conformities are lots, uses, structures, buildings, or site plans for developed sites which do not conform to one or more provisions or requirements of this Ordinance or to any subsequent amendment, but which were lawfully established prior to the time of adoption of the Ordinance or amendment. Such non conformities are considered to be incompatible with the current or intended use of land, buildings or structures in the district in which they are located. It is therefore the intent of this section to:

- (a) Meet the objectives stated below by establishing regulations that govern the completion, restoration, reconstruction, extension, and/or substitution of non-conformities, and specify the circumstances and conditions under which non conformities shall be permitted to continue.
- (b) Discourage the continuation of nonconforming uses that are more intense than the uses permitted within the zoning district and are considered to be incompatible with permitted uses, or encourage their redevelopment into a more conforming use.
- (c) Permit legal nonconforming buildings, structures or uses to remain until they are discontinued, removed or abandoned. This Ordinance also has special provisions to permit certain nonconforming situations considered to be less harmful to continue under certain conditions, but to discourage their expansion, enlargement, or extension.
- (d) Encourage a gradual upgrading to a more conforming status of site landscaping, parking, paving, signs or other features of a site developed in compliance with the Zoning Ordinance requirements at the time of their construction, but which do not meet the site requirements of this Ordinance.
- (e) Encourage the combination of contiguous nonconforming lots of record to create lots which conform or more closely conform to current requirements and are compatible with other lots in the zoning districts in which they are located, to promote the public health, safety and welfare and to eliminate problems associated with the overcrowding of land.

## Section 20.02 Applicability

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- (a) To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance, upon which actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where demolition or removal of an existing building has been substantially begun preparatory to rebuilding such work shall be deemed to be actual construction, provided that such work shall be diligently continued until completion of the building involved.
- (b) Nothing in this section shall be construed to supplant or supersede the requirements of Chapter 5 of the Romulus Code of Ordinances, any Michigan statute adopted by the City of Romulus, or any other Romulus ordinance setting forth requirements or procedures pertaining to deteriorated, dangerous, dilapidated, and/or unsafe buildings and/or structures.

**Section 20.03 Change of Tenancy or Ownership**

In the event there is a change in tenancy, ownership, or management of an existing non conforming use, structure and/or building, such non-conformity shall be allowed to continue provided there is no change in the nature or character of the non conformity and the use, structure, and/or building is otherwise in compliance with this Ordinance.

**Section 20.04 Nonconforming Uses**

Where, at the effective date of adoption or amendment of this Ordinance, a lawful use on open land, a lot(s), building(s), or accessory structure(s) exists that is made nonconforming by this Ordinance or its amendments, such use may be continued, as it remains otherwise lawful, subject to the following provisions:

- (a) **Expansions.** Any nonconforming use may be expanded to occupy any part of a building which was originally built for such use, and which existed at the effective date of this Ordinance. Except for single-family uses as discussed in [Section 20.05](#) below, a nonconforming use shall not be enlarged, expanded or extended to occupy a greater area of land, constructed or reconstruction or structurally altered except with approval by the Board of Zoning Appeals.
- (b) **Change in Use.**
  - (1) The Board of Zoning Appeals may allow a change in use from one nonconforming use to another nonconforming use, upon finding that the proposed use complies with all of the following:
    - a. The proposed use does not substantially differ from the existing use in terms of compatibility with the character of the area in which it is located;
    - b. The proposed use does not increase the degree of nonconformity existing prior to such change of use; and,
    - c. No structural alteration of the existing structure will be required to accommodate the new use.
  - (2) In permitting the change, the Board of Zoning Appeals may require conditions and safeguards in accord with the purpose and intent of this Ordinance.
  - (3) Where a nonconforming use of a structure, land, or structure and land in combination is hereafter changed to a more conforming use, it shall not thereafter be changed to a less conforming use.
- (c) **Removal of Structures Containing Nonconforming Use.** Removal of a structure containing a nonconforming use shall eliminate the nonconforming status of the land.
- (d) **Restoration from Damage.** If a structure that is occupied by a nonconforming use, other than a single-family dwelling, is damaged by any means or in any manner to the extent that the cost of reconstruction or restoration exceeds fifty percent (50%) the value of such structure prior to the damaging occurrence, as determined by the most recent assessment of the market value of the structure, excluding the value of land, for purposes of taxation, such structure may be reconstructed or restored only if its use conforms with the provisions of this Ordinance.
- (e) **Discontinuance or Termination of Nonconforming Use.** When a nonconforming use is discontinued or abandoned for twelve (12) consecutive months, the structure or structure and land in combination, shall not thereafter be used except in conformance with the regulations of the zoning district in which it is located.

## Section 20.05 Residential Uses within a Non-residential District

- (a) Single-family residential uses in existence prior to the date of the enactment or amendment of this Ordinance that are now located in zoning districts where residential uses are not permitted shall be allowed to continue so long as the principal use of the property remains single-family residential.
- (b) The dwelling shall be subject to the dimensional requirements of the R-1B Single-Family Zoning District, except the lot area and width of the zoning district in which the lot is situated shall apply.
- (c) Customary residential accessory structures may be permitted as provided for in [Article 3](#).
- (d) Expansions to a nonconforming single-family dwelling shall be permitted if the dwelling and additions will comply with the dimensional requirements of the R-1B Single-Family Zoning District.
- (e) Ordinary repairs and modernization of nonconforming single-family dwellings shall be permitted.
- (f) A nonconforming single-family dwelling that is damaged by fire or other means may be reconstructed or restored.
- (g) The building and land shall not be divided for the purpose of creating additional dwelling units.
- (h) When a nonconforming residential use is discontinued or abandoned for twenty-four (24) consecutive months, the structure or structure and land in combination, shall not thereafter be used except in conformance with one of the following:
  - (1) The use is in conformance with the regulations of the zoning district in which it is located; or,
  - (2) In cases where buildings containing nonconforming residential uses are vacant for a longer period due to real estate delays or other factors beyond the owner's control (not including health or safety related issues), the Board of Zoning Appeals may permit re-occupancy of the structure or structure and land in combination.

## Section 20.06 Nonconforming Residential Buildings or Structures

- (a) **Reconstruction.** In the event a nonconforming residential structure or building is damaged by fire or other natural cause, a residential structure may be reconstructed on the same foundation provided the first floor footprint and the total floor area does not exceed the size of the previous residence, except as provided for below.
- (b) **Expansion.** A residential nonconforming building may be expanded provided the expansion will be within required setbacks and other dimensional and building code requirements are met (spacing between structures, height, maximum lot coverage, etc.). (Example: a home with a nonconforming front yard setback may be expanded in the rear so long as the rear yard setback remains conforming and maximum lot coverage is not exceeded).

## Section 20.07 Nonconforming Non-residential Buildings or Structures

- (a) **Restrictions on Creating Nonconformities.** Nonconforming structures and buildings shall not be enlarged nor altered in a way which increases its nonconformity within

the provisions of this Ordinance, unless approved by the Board of Zoning Appeals under *Article 22*.

- (b) **Restrictions on Alteration or Modification.** If a nonconforming structure or building is altered or modified so as to eliminate, remove or lessen any or all of its nonconforming characteristics, then the nonconforming characteristics shall not be later re-established or increased.
- (c) **Repairs and Reconstruction.** Nonconforming structures or buildings that are damaged by any means or in any manner may be reconstructed or restored only in conformity with the following.
  - (1) **Replacements Exceeding One-Half of Value.** Where the cost of repair, reconstruction or restoration exceeds fifty percent (50%) of the current True Cash Value of the structure, exclusive of the land value, as determined by the City Assessor, the structure may only be reconstructed when in compliance with the regulations of the district in which it is located.
  - (2) **Replacements Less Than or Equal to One-Half of Value.** Where the cost of repair, reconstruction or restoration is equal to or less than fifty percent (50%) of the current True Cash Value of the structure, exclusive of the land value, as determined by the City Assessor, reconstruction or restoration shall be permitted, provided a building permit is issued within one (1) year of the occurrence of the damage.
- (d) **Permitted Building Improvements.** A building that is nonconforming may be altered or rehabilitated if such activity serves to clearly increase conformity to this Ordinance and the Building Code.
- (e) **Permitted Expansion of Non-residential Nonconforming Buildings.** Non-residential nonconforming buildings shall not be expanded, unless a variance is obtained from the Board of Zoning Appeals.
- (f) **Safety Repairs.** Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any structure or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

**Section 20.08 Nonconforming Lots**

Use of or development on a nonconforming lot are subject to the following regulations:

- (a) **Use of Nonconforming Lots.** Any nonconforming lot may be used only for a use permitted in the zoning district in which it is located. This provision shall apply even though the lot fails to meet the requirements for area or width, or both, that are applicable in the district, provided that the lot is in conformance with all other applicable yard setback, minimum floor area and maximum height requirements for the district in which it is located.
- (b) **Compliance with Other Requirements.** Regulations regarding development, including dimensional requirements and review standards imposed by other provisions of this Ordinance shall still apply.
- (c) **Contiguous Nonconforming Lots in Common Ownership**
  - (1) For any two (2) or more nonconforming lots of record, or combination of lots and portions of lots of record in existence at the effective date of this Ordinance, the lands involved shall be combined into a lot or lots complying as nearly as possible to the lot width and lot size requirements of this Ordinance if they:

- a. Are in common ownership;
  - b. Designated by a single permanent parcel number;
  - c. Are adjacent to each other or have continuous frontage, and;
  - d. Individually do not meet the lot width or lot area requirements of the District.
- (2) No portion of the parcel shall be further divided in a manner that is less than the lot width and area requirements of this Ordinance.

## Section 20.09 Nonconforming Sites

- (a) **Intent.** The purpose of this Section is to encourage improvements to existing sites in the City that were developed before the site design standards of this Ordinance were established or amended. It is recognized that certain sites are nonconforming with the current paving, lighting, landscaping and other non-safety related site development requirements. This Section is intended to:
- (1) Allow for reasonable re-use, maintenance and improvements to these sites that will gradually improve compliance with these requirements.
  - (2) Permit a proportionate amount of improvements to nonconforming sites relative to the amount of expansion or improvement proposed to the use or building.
  - (3) Allow the needed flexibility in the regulations to encourage gradual site improvements and increased compliance with the intent of the zoning ordinance requirements.
- (b) **Required Reviews**
- (1) This Section provides for the conditions under which reoccupancy, improvement and modification to nonconforming sites may occur. It does not replace other reviews and requirements contained elsewhere in this Ordinance. Therefore, where reoccupancy, improvements and modifications are proposed to nonconforming sites, they shall be subject to review according to [Section 17.02](#), Activities Requiring Site Plan Review.
  - (2) A reasonable timeline and associated performance guarantee as determined by the City for completion of site improvements to a nonconforming site may be approved as part of any plan approval. Failure to complete improvements in accordance with an approved timeline shall be deemed a violation of this Ordinance.
- (c) **Standards for Review.** Applications to reoccupy, improve or modify nonconforming sites shall be conducted by the board or official designated in [Section 17.02](#). Such activity may only be permitted if the following standards are met:
- (1) **General Standards:**
    - a. Expansions to nonconforming structures or buildings comply with [Section 20.02](#) Nonconforming Structures and Buildings.
    - b. Changes to nonconforming uses comply with [Section 20.03](#) Nonconforming Uses.
    - c. The applicant is proposing reasonable site improvements to the overall site in relation to the scale and construction cost of any proposed building improvements or expansion.
    - d. The applicant has addressed safety related site issues on the overall site. The proposed site improvements shall resolve public safety deficiencies, including

building and fire code violations, emergency access and pedestrian/vehicle conflicts.

- e. The improvements or minor expansion will not increase noncompliance with other site requirements.

(2) **Driveways.** Driveways that do not conform to the access standards of [Section 14.06](#) shall be removed or redesigned to the greatest extent possible. Where required to maintain reasonable access to sites, waivers of those standards may be permitted by the reviewing board or official. Waivers may be permitted after consideration of the Waiver of Access Standards and Waiver Criteria listed in [Section 14.06](#).

(3) **Sidewalks.**

- a. Whenever any expansion to the building, parking lot, loading area, storage area, or site is proposed that is greater than fifty percent (50%) of the existing building, parking lot, loading area, storage area, or site, then sidewalks shall be installed along the total site frontage, as required by [Section 13.04](#).
- b. If the expansion to a building, parking lot, loading area, storage area, or site is proposed that is less than fifty percent (50%) of the existing, a payment will be made into the sidewalk fund equal to the same percentage the expansion is to the total cost of the sidewalk as determined by the City engineer. For example, if there is a 25% expansion to the building and 10% increase to the loading area, 35% of the total cost of sidewalks for the site will be paid into the City sidewalk escrow account by the property owner.

(4) **Parking, Loading, Storage.** Existing parking, loading and storage areas must be in good condition, and as part of any reoccupancy or expansion, improvements necessary to provide a safe durable surface shall be as determined by the Building and Safety Director. Parking, loading and storage areas that are nonconforming in terms of required number of parking or loading spaces, dimensions, surface materials, landscaping, setbacks, lighting or other requirement of this Ordinance, shall be brought into full compliance with this Ordinance as follows, noting that where full compliance is not possible due to existing site conditions, a variance may be requested.

- a. **Expansion.** The nonconforming parking, loading or storage area is expanded by an area that is fifty percent (50%) or more of the original area.
- b. **Reconstruction.** Twenty-five percent (25%) or more of the surface area of the parking, loading or storage area is reconstructed (existing pavement removed and replaced).
- c. **Reoccupancy.** Whenever reoccupancy is proposed, or the parking, loading or storage area is not proposed to be expanded or reconstructed beyond the percentages noted in (1) and (2) above, then any necessary repairs shall be made to the existing parking lot, loading area or storage area pavement, as determined by the Building and Safety Director.

(5) **Screening.** Whenever reoccupancy or façade improvement is proposed, or any expansion to the building, parking, loading areas, storage areas or site, then required screening shall be provided as follows.

- a. Where existing screening walls, enclosures, fences, etc. are in disrepair, they shall be improved to a sturdy and attractive condition.

- b. Waste Receptacles. An enclosure shall be provided for any existing dumpster or new waste receptacle in accordance with [Section 13.06](#). Landscaping shall be included per [Section 13.02](#).
  - c. Outdoor Storage. Screening for any existing nonconforming outdoor storage shall be provided as described in [Section 11.17\(b\)](#). All outdoor storage areas shall be screened from adjacent residential uses as required in [Section 13.02](#).
- (6) **Landscaping.** Sites that are nonconforming by reason of landscaping required by this Ordinance, either by required area, materials, or other requirement of this Ordinance, shall be brought into compliance with this Ordinance under the following conditions:
- a. Whenever the size of the site, building, parking, loading or outdoor storage is expanded by an area that is fifty percent (50%) or more of the original area, all landscaping on the site shall be brought into compliance with this Ordinance.
  - b. If the expansion to a building, parking lot, loading area, storage area, or site is proposed that is less than fifty percent (50%) of the existing, the applicant shall bring the site toward conformity at twice the rate of building, parking lot, loading area, storage area or site expansions (for example, a five percent (5%) building expansion will provide at least ten percent (10%) of the required landscaping).
  - c. Whenever twenty-five percent (25%) or more of the surface area of the landscaped area is reconstructed (existing materials and ground cover removed and replaced) the reconstructed portion of the landscaped area shall be brought into compliance with this Ordinance.
- (7) **Lighting.** To the greatest extent reasonable, lighting should be brought into compliance with [Section 13.05](#). At a minimum, existing lighting must be shielded to prevent off-site glare.
- (8) **Building Materials.** Building expansions are subject to the standards of [Section 13.01\(k\)](#).
- (9) **Signs.** Nonconforming signs shall be reviewed pursuant to Section 48-8 of the Romulus Sign Ordinance.

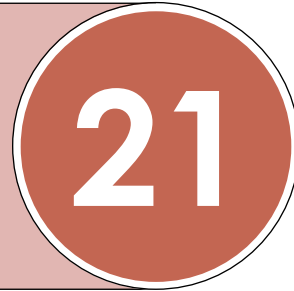
### **Section 20.10 Nonconforming Resulting from Right-of-way Dedication**

Where a nonconforming front yard setback, parking lot setback or greenbelt is created as a result of additional road right-of-way width being acquired by a road agency, the building or parking lot may be improved or expanded without the need to obtain a variance from the Board of Zoning Appeals, provided the following conditions are met:

- (a) The building or parking lot complied with the front yard setback prior to the acquisition of the additional road right-of-way.
- (b) The building or parking lot expansion will not reduce the depth of the front yard setback.
- (c) All other Ordinance requirements are met and necessary approvals obtained.

# Article 21

## Administration and Enforcement



## Section 21.01 Process and Applicability

The table below summarizes the approval and level of compliance required for development and re-occupancy applications. The following abbreviations represent the approval authorities for projects listed in the table:

SPR: Site Plan Review in accordance with [Article 17](#), particularly [Section 17.02](#)

SLU: Special Land Use review by Planning Commission or City Council, see [Article 18](#)

ARC: Administrative Review Committee review and approval in accordance with [Article 17](#)

BSD: Building and Safety Department approval (with input from the Planning Director)

Type of Project	Definition	Approval Required	Level of Compliance
New development	New buildings or principal structure, tear downs and complete rebuilds	SPR	Application shall show full compliance with the ordinance and all applicable site plan standards for the project as detailed in <a href="#">Article 17</a> .
Special land use	Establishment, change, or expansion of a special land use.	SLU	Application shall meet the standards of <a href="#">Article 18</a> and applicable site plan standards for the type of project in <a href="#">Article 17</a> .
Major expansion	Expansion of building by more than 2,500 sq ft. or parking, loading or storage area by more than 3,000 sq. ft. or 25% or more from the existing current area, whichever is greater.	SPR	Application shall include information on site and building conditions and changes as described in <a href="#">Article 17</a> . Improvements needed to ensure public safety and safe circulation shall be required. See <a href="#">Article 20</a> for the extent of site upgrades required where the building or site do not meet current standards.
Minor building and/or parking expansions	Expansion of building by less than 2,500 sq. ft. or parking, loading or storage area by less than 3,000 sq. ft. or 25% or less from the existing current area, whichever is greater.	ARC	
Façade and site improvements beyond typical building maintenance and repair	Building or architecture changes or site improvements that do not involve expansion of the building or parking but will alter the physical character of the site.	ARC	Improvements shall be required to comply with the requirements of this Ordinance to an extent proportionate and reasonably related to the specific request. Improvements needed to ensure public safety, safe circulation, and compliance with other City codes shall be required.

Change in a permitted use, new occupancy, or re-occupancy	Change in use or re-occupancy of a building with a similar or less intense use.	BSD	Site improvements shall be required particularly those related to impacts associated with the new use such as the amount of parking to meet standards for the new use. If the site or building does not meet current City standards, improvements shall be required to bring the site and building into compliance, or greater compliance, with this and other City codes as noted in <a href="#">Article 20</a> .
	Change in use or re-occupancy of a building with a permitted but more intense use.	ARC	
Nonconforming situation	Change in nonconforming use, building, structure, or site (i.e. where the existing building or site improvements do not meet the current zoning ordinance standard	See <a href="#">Article 20</a>	Level of compliance and approval body is dependent upon situation as described in <a href="#">Article 20</a> .

**Section 21.02 Enforcement/Zoning Permit**

- (a) The Director of Public Services, Building and Safety Director, Police Officers, Ordinance Enforcement Officers, and Building Inspectors (collectively "Enforcement Officers") shall administer and enforce the provisions of this Ordinance and may be assisted by the Planning Director and the Administrative Review Committee (ARC).
- (b) If an Enforcement Officer finds that any violations of the provisions of this Ordinance exist, he may notify in writing the person responsible for the violation, indicating the nature of the violation and ordering the action necessary to correct it.
  - (1) The Enforcement Officers shall order the discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of illegal additions, alterations, or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions.
  - (2) Under no circumstances are Enforcement Officers permitted to grant exceptions to the actual meaning of any clause, order or regulation contained in this Ordinance, nor are the Enforcement Officers permitted to modify or vary the terms of this Ordinance.

**Section 21.03 Building Permit Required**

- (a) No building or other structure shall be erected, moved, added to, or structurally altered without a permit therefore, issued by the Building and Safety Director.
- (b) No building permit shall be issued by the Building and Safety Director except in conformity with the provisions of this Ordinance, unless the Board of Zoning Appeals has granted relief in the form of a variance as provided under this Ordinance.
- (c) The Building and Safety Director shall have the power to issue permits and to make inspections of buildings or premises necessary to carry out his duties in the enforcement of this Ordinance. It shall be unlawful for the Building and Safety Director to approve any plans or any permits for any excavation or construction

until he has inspected such plans in detail and found them in conformity with this Ordinance.

### **Section 21.04 Application for Building Permit**

- (a) The Building and Safety Director shall require that every application for a permit for excavation, construction, moving, or alteration or change in type of use or the type of occupancy be filed in triplicate and accompanied by written statement and, as applicable, dimensioned plans or plats drawn to scale, and showing the following, to enable the Building and Safety Director to ascertain whether the proposed work or use is in conformance with this Ordinance:
- (1) The actual shape, location, and dimensions of the lot.
  - (2) The shape, size, and location of all buildings or other structures to be erected, altered, or moved, and of any buildings or other structures already on the lot.
  - (3) The existing and intended use of the lot and of all structures upon it, including, in residential areas, the number of dwelling units the building is intended to accommodate.
  - (4) The lines of the lot or parcels under separate ownership therein.
  - (5) The names and widths of abutting pavements and rights-of-way.
  - (6) The signature of the fee holder of the premises concerned.
  - (7) Other information concerning the lot, adjoining lots, or use necessary for determining whether the provisions of this Ordinance are being observed.
- (b) One (1) copy of the application shall be returned to the applicant by the Building and Safety Director, after he shall have marked the copy either as approved or disapproved and attested to same by his signature on that copy. The original and one (1) copy of the application, similarly marked, shall be retained by the Building and Safety Director, maintained on file and available to the public for inspection upon request during normal business hours. In all cases when the Building and Safety Director shall refuse to issue a building permit, he shall state the cause and reasons for refusal in writing. Issuance of a permit shall in no case be construed as waiving the terms of this Ordinance.

### **Section 21.05 Expiration of Building Permit**

- (a) If the work described in any building permit has not begun within one hundred eighty (180) days from the date of issuance thereof, it shall expire and be cancelled by the Building and Safety Director, and written notice given to the persons affected.
- (b) If the work described in any building permit has been abandoned for six (6) months or more, the permit shall expire and be cancelled by the Building and Safety Director, and written notice given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new building permit has been obtained.

### **Section 21.06 Certificates of Occupancy**

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, extended, converted, re-occupied, moved, or wholly or partly altered or enlarged in its use or structure until

the Building and Safety Director has issued and attested with his signature, a Certificate of Occupancy to the applicant for the building permit in effect stating that the provisions of this Ordinance have been complied with. Failure to obtain a Certificate of Occupancy shall be a violation of this Ordinance punishable under the penalties of this Ordinance.

- (a) **Certificates for Existing Buildings.** Certificates of Occupancy shall only be issued for existing buildings, structures or parts thereof, or existing uses of land if after inspection it is found that those buildings, structures or parts thereof, or the use of land conform with the provisions of this Ordinance.
- (b) **Temporary Certificates for Buildings.** Certificates of Temporary Occupancy may be issued for a part of a building or structure prior to the occupancy of the entire building or structure, provided that those portions of the building or structure conform to the provisions of this Ordinance. Temporary Certificates for buildings shall not be granted for more than ninety (90) days. The expiration date shall be clearly indicated upon the Certificate. Failure to obtain the permanent Certificate of Occupancy within the specified time shall constitute a violation of this Ordinance. A Temporary Certificate may include conditions, bonds, and safeguards intended to protect the safety of the occupants and the public and preserve the intent of the Ordinance.
- (c) **Temporary Certificates for Site Improvements.** No Certificate of Occupancy shall be granted until all improvements shown on an approved site plan have been completed, provided, that if the Building and Safety Director finds that certain site improvements cannot be completed due to seasonal or other factors beyond the control of the developer he may issue a Temporary Certificate of Occupancy. He shall also find that temporary occupancy prior to completion will not involve any health or safety hazard. The certificate shall include an expiration date that allows a reasonable time for completion.
  - (1) A performance guarantee in the sum estimated by the Building and Safety Director needed to complete all required site improvements shall be provided, conditioned on completion of all required improvements prior to the date of expiration of the Temporary Certificate of Occupancy.
  - (2) Acceptance of a Temporary Certificate of Occupancy implies consent to use the performance guarantee to complete any required site improvements not finished by the expiration date of the Temporary Certificate of Occupancy.
  - (3) No action or inaction by the City in respect to any required improvement shall serve to extend the expiration date of any Temporary Certificate of Occupancy or excuse any violation of this Ordinance. A Temporary Certificate of Occupancy may, however, be extended for good cause shown, and the extension shall extend the time for completion under the terms of the guarantee.
- (d) **Records of Certificates.** A record of all Certificates of Occupancy shall be kept in the office of the Building and Safety Director and copies shall be furnished upon request.
- (e) **Certificates for Accessory Buildings to Dwellings.** Accessory buildings or structures to dwellings may be included in the Certificate of Occupancy for the principal dwelling, building or structure on the same lot when completed at the same time as the principal building.
- (f) **Application for Certificates.** Certificates of Occupancy shall be applied for in writing to the Building and Safety Director simultaneously with application for building

permits and shall be issued within five (5) days after notification of completion of the building, if it is found that the building or structure, or part thereof, or the use of the land is in accordance with the provisions of this Ordinance. If a Certificate is refused for cause, the applicant shall be notified of the cause thereof within the five (5) day period.

### **Section 21.07 Final Inspection**

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The recipient of any building permit for the construction, reconstruction, alteration, repair or moving of any building, structure, or part thereof, shall notify the Building and Safety Director immediately upon the completion of the work authorized by the permit for a final inspection.

### **Section 21.08 Construction and Use to be as Provided in Applications, Plans, Permits, and Certificates of Occupancy**

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Building permits or Certificates of Occupancy issued on the basis of plans and applications approved by the Building and Safety Director authorize only the use, arrangement, and construction set forth in approved plans and applications, and any other use, arrangement, or construction that does not meet the authorized use, arrangement, and construction shall be deemed a violation of this Ordinance and subject to the penalties of this Ordinance.

### **Section 21.09 Establishment of Fees**

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- (a) With recommendation of the Building and Safety Director, the City Council shall, by resolution, establish a schedule of fees, charges, and expenses for permits, certificates, inspections, appeals, and other matters pertaining to this Ordinance. The schedule of fees shall be posted in the office of the Building and Safety Director and may only be amended by action of the City Council.
- (b) Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

### **Section 21.10 Performance Guarantees**

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To insure compliance with the Ordinance and any conditions imposed or approvals granted under this Ordinance, the Planning Commission, City Council, Board of Zoning Appeals or Building and Safety Director may require that a performance guarantee be provided in the form of a cash deposit, certified check, irrevocable bank letter of credit, from a bank located in Wayne County, acceptable to the City covering the estimated cost of improvements associated with a project. The guarantee shall comply with the following:

- (a) The performance guarantee shall not exceed the costs of improvements as estimated by the City.
- (b) The performance guarantee shall be deposited with the City Treasurer at the time of the issuance of the permit authorizing the activity or project.
- (c) As a condition for the issuance of a performance guarantee, the City shall establish in writing with a copy provided to the depositor an expiration date which allows reasonable time for completion of required improvements. Failure to complete improvements within the allotted time period shall cause forfeiture of that portion of the guarantee required to complete improvements if the City must take actions

necessary to complete the improvement. The date of expiration for completion of all improvements may be extended in time for good cause shown. The performance guarantee shall be returned in its entirety upon completion of all improvements and upon certification by the Building Department that the improvements are satisfactorily completed. There shall be an additional administrative fee payable to the City in an amount set by City Council resolution to cover the City's administrative costs.

- (d) At the request of the depositor, and the approval of the Building and Safety Director, the City shall rebate cash deposits in reasonable proportion to the ratio of work completed on the required improvements as work progresses. Rebates shall be made at the one-third (1/3) and two-thirds (2/3) points of project completion. The City may retain any performance guarantee for landscaping for one growing season to ensure plant material survives.

### **Section 21.11 Public Hearing Notices**

In instances where a public hearing is required under this Ordinance with the Planning Commission or the Board of Zoning Appeals, written notice of the public hearing shall be as follows:

- (a) **Notice Content.** The notice shall do all of the following:
- (1) Describe the nature of the request.
  - (2) Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.
  - (3) State when and where the request will be considered.
  - (4) Indicate when and where written comments will be received concerning the request.
- (b) **Notice Publication and Mailing.** Notice shall be published and mailed no less than fifteen (15) days prior to the public hearing as follows:
- (1) Notice of the request shall be published in a newspaper of general circulation in the City, in accordance with the City Charter.
  - (2) Notice shall be sent by mail or personal delivery to the owners of property for which approval is being considered.
  - (3) Notice shall also be sent to all persons to whom real property is assessed within three hundred (300) feet of the subject property and to the occupants of all structures within three hundred (300) feet of the subject property regardless of whether the property or structure is located in the zoning jurisdiction. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased by different persons, one (1) occupant of each unit or spatial area shall be given notice. If a single structure contains more than four (4) dwelling units or other distinct spatial areas owned or leased by different persons, notice may be given to the manager or owner of the structure, who shall be requested to post the notice at the primary entrance to the structure. If the name of the occupant is not known, the term "occupant" may be used in making notification under this subsection.

- (4) The notice under subsection (3) is considered to be given when personally delivered or when deposited during normal business hours for delivery with the United States Postal Service or other public or private delivery service.
- (c) **Ordinance Amendments and Rezoning of More Than Ten (10) Properties.** Public hearings for an amendment to the Zoning Ordinance, or the zoning map that affects eleven (11) or more properties shall only require notice in a newspaper, which shall not be required to indicate the property subject to the request under (a)(2) above, and notice shall not be required to be mailed to individual properties under (b)(2) and (b)(3) above.
- (d) **BZA Interpretations and Appeals.** Public hearings for ordinance interpretations and appeals of administrative decisions by the Board of Zoning Appeals shall only require notice in a newspaper, as required in (b)(1) above and if the interpretation or appeal of an administrative decision involves a specific property, notice shall also be given to the person bringing the appeal, as required in (b)(2) above. Variances shall require full notification under (b)(1) through (3) above.

### Section 21.12 Planning Commission

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The City of Romulus Planning Commission is created pursuant to the Michigan Planning Enabling Act, Public Act 33 of 2008. The Planning Commission shall have the following duties:

- (a) **Zoning Ordinance Amendments:** The Planning Commission shall be responsible for formulation of amendments to the Zoning Ordinance, including rezonings, holding hearings on a proposed Zoning Ordinance or amendments, and reporting its findings and recommendations concerning the Zoning Ordinance or amendments to the City Council. The City Council shall be solely responsible for approval of any proposed Zoning Ordinance amendment.
- (b) **Site Plan Review:** The Planning Commission shall be responsible for review of all applications for site plan approval for the uses designated under [Article 17](#), and making a determination to grant approval, approval subject to revisions, or denial of approval or a recommendation to City Council in the case of special land uses and PDA's.
- (c) **Special Land Use and Planned Development Area Review:** The Planning Commission shall be responsible for holding hearings and review of all applications for special land use approval in accordance with [Article 18](#) and Planned Development Areas in accordance with Article 19 and forwarding recommendation to the City Council for approval, approval subject to revisions or denial.
- (d) **Formulation of a Basic Plan:** The Planning Commission shall be responsible for formulation and adoption of a master plan or comprehensive plan as a guide for the development of the City, in accordance with Michigan Public Act 33 of 2008.
- (e) **Review of Matters Referred by the City Council:** The Planning Commission shall be responsible for review of plats or other matters relating to land development referred to it by the City Council. The Planning Commission shall recommend appropriate regulations and action on such matters.

### Section 21.13 Complaints Regarding Violations of Ordinance

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Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written complaint. The complaint, stating the causes and basis,

shall be filed with the Building and Safety Director. The complaint shall be recorded, investigated, and action taken as necessary, as provided by this Ordinance.

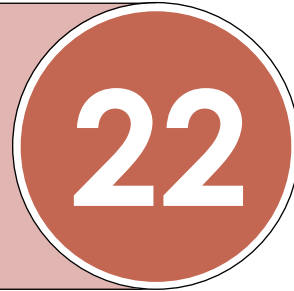
**Section 21.14 Violations and Penalties**

- (a) **Nuisances.** Uses of land, and dwellings, buildings, or structures, including tents, trailer coaches and manufactured homes, used, erected, altered, razed, or converted in violation of any provision of this Ordinance, are hereby declared to be nuisances per se, and may be abated by order of any court of competent jurisdiction.
- (b) **Cease and Desist Orders.** The Building and Safety Director shall have the authority to issue a cease and desist order in the form of a written notice for the violation of any provisions of this Zoning Ordinance. A cease and desist order may be issued to any person that is subject to the requirements of this Ordinance. Such cease and desist order shall become effective once it has been posted on the property where the violation has occurred and a copy of the notice has been sent to the person involved by first class mail at the person's last known address. Once a cease and desist order is effective, any use or work done in violation of the Zoning Ordinance shall stop immediately and shall not be recommenced until the Building and Safety Director issues written notice dissolving the cease and desist order. Any person who violates a cease and desist order shall be guilty of a municipal civil infraction as authorized below. Any decision of the Building and Safety Director regarding a cease and desist order may be appealed to the Board of Zoning Appeals. A cease and desist order shall be in addition to the other violation penalties and remedies provided in this Ordinance.
- (c) **Penalties – First Offense.** Every person, corporation or firm who violates, disobeys, or omits, neglects or refuses to comply with any provision of this Ordinance or any permit, license or exception granted hereunder, or any lawful order of the Building and Safety Director, Planning Director, Planning Commission, Board of Zoning Appeals or City Council issued in pursuance of this Ordinance shall be guilty of a municipal civil infraction and upon conviction thereof shall be fined not more than \$500.00 for each violation. Each day a violation continues to exist shall be a separate violation subject to an additional penalty of not more than \$500.00 for each such separate violation; provided, however, that a separate or additional ticket for each such separate violation shall not be required. All monies received from penalties assessed shall be paid to the City Treasurer and shall be deposited in the general fund. Fines shall be in addition to other remedies available by statute and shall not exempt the offender from complying with the requirements of this Ordinance.
- (d) **Penalties – Second Offense.** Any person, corporation, or firm who pleads or is found responsible for a first offense under subsection (c) above, and who subsequently fails to correct the violation or commits another violation of this Ordinance or any permit, license or exception granted hereunder, or any lawful order of the Building and Safety Director, Planning Director, Planning Commission, Board of Zoning Appeals or City Council issued in pursuance of this Ordinance shall be guilty of a misdemeanor and shall upon conviction be subject to a fine of not more than five hundred (\$500.00) dollars and the costs of prosecution or by imprisonment for a period not to exceed ninety (90) days, or by both fine and imprisonment in the discretion of the Court. Each day a violation continues shall be considered a separate offense. The imposition of any sentence shall be in addition to other remedies available by statute and shall not exempt the offender from complying with the requirements of this Ordinance.

- (e) **Separate Offense.** The owner of record or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent or person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense. The imposition of any penalty shall not exempt the violator from compliance with the provisions of this Ordinance.
- (f) **Remedies.** The City may institute injunction, mandamus, abatement or other appropriate proceedings to prevent, enjoin, abate or remove any unlawful erection, alteration, maintenance or use. The rights and remedies herein provided are civil in nature. The rights and remedies provided in this Ordinance are cumulative and are in addition to all other remedies provided by law.

# Article 22

## Zoning Board of Appeals



City of Romulus Zoning Ordinance

## Section 22.01 Creation and Membership

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- (a) There is hereby established a Board of Zoning Appeals (BZA) which shall perform its duties and exercise its powers as provided in the Zoning Act.
- (b) **Membership and Terms**
- (1) **Membership.** The Board of Zoning Appeals shall consist of five (5) regular members, one (1) of whom shall be a member of the Planning Commission, and two (2) alternate members. A member of the City Council may be appointed to the Board of Zoning Appeals, but shall not serve as chair.
  - (2) **Terms.** Members shall be appointed for a term of three (3) years, expiring on June 30th in the year of expiration, except that the terms for the Planning Commission or Council members shall be the same as that for their office. All vacancies for unexpired terms shall be filled for the remainder of the term in the same manner as the original appointment.
  - (3) **Alternates**
    - a. The City Council may appoint up to two (2) alternate members to serve on the Board of Zoning Appeals, appointed by the City Council to serve a three-year term.
    - b. The alternate members shall be called to sit as regular members of the Board of Zoning Appeals in the absence of a regular member or for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest.
    - c. Once an alternate has been called to serve in a particular case, he or she shall continue to participate in that case until a decision has been rendered.
  - (4) **Removal.** Members of the Board of Zoning Appeals or alternates shall be removable by the City Council for nonperformance of duty or misconduct in office upon written charges and after a public hearing.
  - (5) **Conflict of Interest.** A member shall disqualify himself or herself from a vote in which the member has a conflict of interest. Failure of a member to disqualify himself or herself from a vote in which the member has a conflict of interest constitutes malfeasance in office. Any Planning Commissioner or City Council member on the Board of Zoning Appeals shall abstain from any vote on an issue which they have previously voted upon as a member of the Planning Commission or City Council or which might otherwise contravene the due process rights of an impartial vote.

## Section 22.02 Proceedings of the Board

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- (a) The Board of Zoning Appeals may establish rules and procedures in accordance with the provisions of this Ordinance, and the applicable State law. Compensation for members of the Board of Zoning Appeals shall be established by City Council.
- (b) All meetings of the Board of Zoning Appeals shall be held at the call of the Chairman or the Board of Zoning Appeals and at other times as the Board of Zoning Appeals shall determine or specify in its rules of procedure.
- (c) The Board of Zoning Appeals shall not conduct business unless a majority of its members are present.
- (d) All meetings, including hearings, conducted by the Board of Zoning Appeals shall be open to the public, except those authorized to be conducted in closed sessions

pursuant to the Open Meetings Act, Act 267 of the Public Acts of 1976. The public shall be afforded an opportunity to speak at any public hearing in accordance with the rules of procedure and by-laws of the Board of Zoning Appeals.

- (e) Applications submitted to the Board of Zoning Appeals shall consist of the following, as applicable:
  - (1) A signed and dated application form, as provided by the City;
  - (2) A scaled drawing, if applicable, with sufficient detail to indicate the nature and necessity of the request;
  - (3) Payment of a fee, as may be prescribed from time to time by the City Council, by resolution; and
  - (4) The City or the Board of Zoning Appeals, in furtherance of decisions related to the application, may request other materials deemed necessary.
- (f) The Board of Zoning Appeals may subpoena and require the attendance of witnesses, administer oaths, and compel testimony and the production of books, papers, files, and other evidence pertinent to the matters before it.

**Section 22.03 Powers and Duties**

**(a) Ordinance Interpretations**

- (1) The Board of Zoning Appeals shall have the power to interpret the Ordinance text and map and all matters relating thereto whenever a question arises in the administration of this Ordinance as to the meaning and intent of any provision or part of this Ordinance.
- (2) The Board shall have the authority to render an opinion in case of what appears to be inconsistent language, error in grammar, graphic, numbering, or reference. In such cases, the Board shall consider the opinion of City staff, the overall intent of this Ordinance, and may rely on previous editions for reference.
- (3) Text interpretations shall be narrow and in a manner as to carry out the intent and purpose of this Ordinance. Interpretations shall not amend the Ordinance. The Board of Zoning Appeals is not permitted to change the terms, or have the effect of amending, this Ordinance. Nor shall the interpretation add to the uses permitted in any zoning district.
- (4) Map interpretations should be based on the rules of the Ordinance ([Article 2](#)) and any relevant historical information. The Board of Zoning Appeals is not permitted to make any change to the zoning map.

**(b) Appeals of Administrative Decisions**

- (1) The Board of Zoning Appeals shall hear and decide appeals where it is alleged by the appellant that there is error in any order, interpretation, requirement, permit, decision or refusal made by any administrative official or body in enforcing any provision of this Ordinance. Appeals may be taken by a person aggrieved or by an officer, department, board, or commission of the City acting under authority of this Ordinance.

**(2) Filing and Hearing of Appeal**

- a. Application for an appeal may be filed as described in [Section 22.02](#) accompanied by a fee set by City Council resolution. The application shall include grounds upon which the appeal is based. Appeals shall be filed within thirty (30) days of the action being appealed.

- b. The Planning Department and any person from whom the appeal is taken shall transmit to the Board of Zoning Appeals all of the documents and records related to the appeal.
- c. The Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal and shall provide notice as required by [Section 21.11](#).
- d. The applicant, or their duly authorized agent, must appear in person at the hearing in order for the Board of Zoning Appeals to take action. Failure to appear may result in tabling or denial of the application.

(3) **Decisions on Appeal**

- a. In deciding the appeal, the Board of Zoning Appeals shall first determine whether or not the official or body making the decision used the proper standards and guidelines in the Ordinance. The decision of the Board of Zoning Appeals is limited to the information that was available to the administrative official or body who made the decision initially. Additional testimony is not appropriate.
- b. If a determination is made that the administrative official or body making the decision did so improperly, the Board of Zoning Appeals may reverse or affirm, wholly or partly, or may modify, the order, requirement, decision or determination appealed from, and may make an order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the administrative official or body from whom the appeal was taken.

(c) **Dimensional (Nonuse) Variances.** A dimensional variance may be allowed by the Board of Zoning Appeals only in cases where there is evidence of practical difficulty in the official record of the hearing and that all of the following standards are met:

- (1) There are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district. Exceptional or extraordinary circumstances or conditions may include:
  - a. Exceptional narrowness, shallowness or shape of a specific property on the effective date of this Ordinance; or
  - b. By reason of exceptional topographic or environmental conditions or other extraordinary situation on the land, building or structure; or
  - c. By reason of the use or development of the property immediately adjoining the property in question;
 

whereby the literal enforcement of the requirements of this Ordinance would involve practical difficulties.
- (2) The variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity. The possibility that compliance with this Ordinance may prove to be more costly shall not be part of the consideration of the Board of Zoning Appeals.
- (3) The variance will not be detrimental to adjacent property and the surrounding neighborhood.
- (4) The variance will not materially impair the intent and purpose of this Ordinance.
- (5) That the immediate practical difficulty causing the need for the variance request was not created by the applicant.

- (d) **Use Variances.** The Board of Zoning Appeals shall not grant a use variance unless there is evidence of unnecessary hardship in the official record of the hearing that all of the following standards are met:
- (1) That the condition, location, or situation of the specific piece of property or of the intended use of the property is unique to that property. Exceptional or extraordinary circumstances or conditions may include:
    - a. Exceptional narrowness, shallowness or shape of a specific property on the effective date of this Ordinance; or
    - b. By reason of exceptional topographic or environmental conditions or other extraordinary situation on the land, building or structure; or
    - c. By reason of the use or development of the property immediately adjoining the property in question;
 

whereby the literal enforcement of the requirements of this Ordinance would involve practical difficulties.
  - (2) That the building, structure or land cannot be reasonably used in a manner consistent with the uses allowed in the zoning district in which it is located.
  - (3) That the use variance will not alter the essential character of the neighborhood or the intent of the Master Plan, nor be a detriment to adjacent properties.
  - (4) The variance will not materially impair the intent and purpose of this Ordinance or the district in which the property is located.
  - (5) That the immediate unnecessary hardship causing the need for the variance request was not created by the applicant.
- (e) **Temporary Building and Uses.** Temporary buildings, structures and uses may be permitted as follows:
- (1) The Board of Zoning Appeals may permit temporary buildings, structures, and uses for up to twelve (12) months in a calendar year from the date of BZA approval provided that all requirements and conditions relative to the type of structure and use, and timing and arrangements for termination and removal, are specified in writing.
    - a. The Board of Zoning Appeals may condition approvals related to setbacks; screening; off-street parking; liability coverage; security including fencing, lighting of the site, security guards and cameras supplied with storage of the security video for thirty (30) days as approved by the Police Department; and other conditions considered necessary to protect the health, safety, welfare, and comfort of the inhabitants of the City.
    - b. A single six (6) month extension may be granted if the Board of Zoning Appeals is petitioned by the applicant prior to the expiration of the original approval.
    - c. Applicants who are dissatisfied with the decision of the Administrative Review Committee (ARC) set forth below may appeal the decision to the Board of Zoning Appeals to determine whether the ARC properly applied the conditions set forth in this Ordinance below in its decision, or in the Food Handlers Ordinance.
  - (2) The Administrative Review Committee (ARC) may approve temporary buildings, structures and uses for not to exceed a period of one-hundred eighty (180)

- days in a calendar year, provided the proposed use is an accessory use to an approved principal permitted use for the site, the principal permitted use is in compliance with City ordinances, and the applicant has a business located in the City that has a current business registration issued by the City with such additional conditions as may be determined by the ARC, including but not limited to security, fencing, lighting and cameras.
- a. ARC may also approve temporary structures and uses (not temporary buildings) for not to exceed thirty (30) days in a calendar year if the proposed use is not an accessory use for the site, the principal permitted use is in compliance with this zoning ordinance, and the applicant has a business located in the City that has a current business registration issued by the City with such additional conditions as may be determined by the ARC.
  - b. Applicants who are dissatisfied with the decision of the Administrative Review Committee (ARC) as set forth above may appeal the decision to the Board of Zoning Appeals to determine whether the ARC properly applied the conditions set forth in this Ordinance below in its decision, or in the Food Handlers Ordinance.
- (3) Any special event on any City street, park or public area of the City shall be subject to Chapter 52 Article II Section 52-84 of the Code of Ordinances for the City of Romulus.
- (4) Non-profit entities that have obtained tax exempt status from the Federal Internal Revenue or have applied for such tax exemption may have temporary structures and uses on property they own or lease for their tax-exempt purpose, for up to three (3) consecutive days, not more than three (3) times in a calendar year without obtaining the consent of the Board of Zoning Appeals or the ARC.
- (5) To receive Board of Zoning Appeals or ARC approval, the following are required:
- a. The applicant and the property owner must not be delinquent on any property taxes or fees owed to the City;
  - b. The use must not be prohibited by any other ordinance of the City;
  - c. The applicant must provide written permission from the property owner for the proposed temporary use;
  - d. If there is an existing occupied use of the property, a Certificate of Occupancy must be provided;
  - e. A written application shall be provided to the Planning Department for any temporary use. The application to the Board of Zoning Appeals or ARC shall comply with the requirements of Section 17.03(b);
  - f. Upon approval by the Board of Zoning Appeals or ARC, a business registration must be obtained from the City Clerk's office; and
  - g. Other information as may be required in the application by ARC or BZA.
- (f) **Use Standards.** The Board of Zoning Appeals may grant variances to use standards for uses that are permitted by right, but may not grant variances to use standards associated with a special land use, as outlined in subsection [22.04\(f\)\(1\)](#) below.
- (g) The Board of Zoning Appeals shall also hear and decide on all matters referred to it or upon which it is required to pass under this Ordinance.

#### **Section 22.04 Decisions of the Board**

- (a) **Decision.** The record and decisions of the Board of Zoning Appeals shall meet all of the following:
- (1) Comply with the constitution and laws of this State;
  - (2) Be based upon proper procedure;
  - (3) Be supported by competent material and substantial evidence on the record; and
  - (4) Represent the reasonable exercise of discretion granted by law to the Board of Zoning Appeals.
- (b) **Voting.** The Board of Zoning Appeals shall observe the following voting requirements.
- (1) The concurring vote of three (3) members of the Board of Zoning Appeals shall be necessary to decide any appeal, interpretation or dimensional variance.
  - (2) The concurring vote of four (4) members of the Board of Zoning Appeals shall be necessary to approve a use variance. If there is not a full membership if the Board of Zoning Appeals present, the applicant may request to be tabled until a future meeting.
- (c) **Conditions.** In authorizing an action within its authority, the Board of Zoning Appeals may attach any conditions deemed necessary, provided any conditions comply with each of the following standards:
- (1) Be designed to protect natural resources, the health, safety and welfare, as well as the social and economic well being of those who will use the land use or activity under consideration, residents and land owners immediately adjacent to the proposed land use or activity and the community as a whole.
  - (2) Be related to the valid exercise of the police power and purposes which are affected by the proposed activity.
  - (3) Be necessary to meet the intent and purpose of the zoning regulations; be related to the standards established in this Ordinance for the land use or activity under consideration; and be necessary to ensure compliance with those standards.
- (d) **Record of Decisions**
- (1) Decisions of the Board of Zoning Appeals shall be based upon findings of fact which shall be supported in the record of the proceedings of the Board of Zoning Appeals.
  - (2) The Board of Zoning Appeals shall prepare an official record for each application and shall base its decision on this record. The official record shall include:
    - a. Any relevant administrative record or administrative orders (for appeals);
    - b. A copy of the application form and required notices;
    - c. Any documents, exhibits, photographs, or written reports as may be submitted to the Board of Zoning Appeals for its consideration; and
    - d. The minutes of the hearing, findings of fact, and decisions and orders of the Board of Zoning Appeals.
- (e) **Approval Period**
- (1) **Dimensional variance.** Approval of a dimensional variance by the Board of Zoning Appeals shall be valid for a period not longer than twelve (12) months, unless a building permit for the construction or alteration is obtained and

construction or alteration is started and proceeds to completion in accordance with the terms of the permit and the requirements of the Board of Zoning Appeals.

(2) **Use variance.** Approval of a use variance by the Board of Zoning Appeals shall be valid for a period not longer than twelve (12) months unless the use is established within that period. Approval shall continue in force and effect if a building permit for construction or alteration is obtained within this period, and the construction or alteration begins and proceeds to completion in accordance with terms of the permit and the requirements of the Board of Zoning Appeals.

(3) Any variance may be revoked and declared invalid should any of the requirements of this Ordinance, conditions imposed by the Board of Zoning Appeals, or standards of Section [22.03\(c\)](#) or [\(d\)](#) no longer apply or are not complied with.

(f) **Special Land Uses and Planned Development Areas**

(1) The Board of Zoning Appeals may grant dimensional or other site plan related variances for special land uses; however, the Board of Zoning Appeals shall not have the power to reverse or modify the City Council's decision to approve or deny a special land use permit nor grant variances to any conditions placed on special land use approval. The use specific regulations for special land uses contained in each of the districts may be waived by the Planning Commission following the special land use public hearing and are not subject Board of Zoning Appeals review. The Board of Zoning Appeals may grant variances to use standards for uses that are permitted by right.

(2) The Board of Zoning Appeals shall not have the power to reverse or modify the City Council's decision to approve or deny a PDA site plan, change any conditions placed by the City Council on approval of a PDA, modify the terms of a written PDA agreement or grant variances to the requirements of [Article 19](#). However, the Board of Zoning Appeals shall have the authority to hear and decide appeal requests by individual lot owners for variances from the other articles of the Zoning Ordinance following final approval of the PDA.

## **Section 22.05 Appeals to Circuit Court**

Any person or persons, or any board, taxpayer, department, or commission of the City aggrieved by a decision of the Board of Zoning Appeals may seek review by the Circuit Court in the manner provided by the laws of this State and particularly the Zoning Enabling Act. An appeal from a decision of a Board of Zoning Appeals shall be filed within whichever of the following deadlines comes first: thirty (30) days after the Board of Zoning Appeals issues its decision in writing signed by the chairperson; or within twenty one (21) days after the Board of Zoning Appeals approves the minutes of its decision.

# Article 23

## Amendments to Ordinance

23



City of Romulus Zoning Ordinance

## Section 23.01 Initiation of Rezoning and Zoning Ordinance Text Amendments

The City may, from time to time, amend, modify, supplement, or delete any provision of this Ordinance (text amendment) or change the zoning district boundaries shown on the Official Zoning Map (rezoning) pursuant to the provisions of the Michigan Zoning Enabling Act (Public Act 110 of 2006).

- (a) **Initiation of Rezoning.** An amendment to the zoning district boundaries contained on the Official Zoning Map (rezoning) may be initiated by the City Council, the Planning Commission, the owner or owners of property, or with permission of the owner which is the subject of the proposed amendment.
- (b) **Initiation of Text Amendment.** Amendments to the text provisions of this Ordinance may be initiated by the City Council, the Planning Commission, or by petition of one (1) or more residents or property owners of the City.

## Section 23.02 Application Procedure

A rezoning or text amendment request, except those initiated by the City Council or Planning Commission, shall be initiated by submission of a completed application on a form supplied by the City, including an application fee to cover publication, administrative costs, and fees for any consultant reviews. Such fee and escrow shall be established from time to time by resolution of the City Council.

### (a) Application for Rezoning

- (1) **Application Information.** The following information shall accompany the rezoning application form:
  - a. A legal description and street address of the subject property.
  - b. A map identifying the subject property in relation to surrounding properties.
  - c. The name, signature, and address of the owner of the subject property; a statement of the applicant's interest in the subject property if not the owner in fee simple title, and proof of consent from the property owner.
  - d. The existing and proposed zoning district designation of the subject property.
  - e. A site analysis at a scale not less than 1"=100', or aerial photograph illustrating existing conditions on the site and adjacent properties; such as woodlands, wetlands, soil conditions, topography, drainage patterns, existing buildings, adjacent land uses, any sight distance limitations, and access points on both sides of the streets within two hundred (200) feet of the subject site.
  - f. A written description of the environmental characteristics of the site prior to development and following development, i.e., topography, soils, geology, wildlife, woodlands, mature trees (eight inch caliper or greater), ground water (depth to aquifer(s), impermeable soil layers and identification of nearby wells), wetlands, drainage, lakes, streams, creeks, ponds, and surface and ground water quality; documentation by a qualified wetland specialist shall be required wherever the City determines that there is a potential regulated wetland; written material may be accompanied by reduced copies of the site analysis or aerial photographs.
  - g. A conceptual plan at a scale not less than 1"=100', demonstrating that the site could be developed with representative uses permitted in the requested

zoning district meeting requirements for setbacks, lot coverage, building spacing, parking, loading, drainage, general landscaping, and other site design factors; while the anticipated use can be shown, an illustration of the maximum development permitted under current zoning shall also be provided.

h. A written evaluation to support that the request addresses consistency with the City's Master Plan, demonstrates all uses in the requested zoning district will be compatible with the surrounding area, and other similar factors.

(2) **Site Requirements.** In the case of an amendment to the official zoning map (rezoning), the following are required:

- a. The site must be staked to clearly indicate the location of the requested amendment. Flagged stakes shall be placed at each parcel corner.
- b. A sign shall be posted on the property by the applicant indicating that the property is proposed to be rezoned. The sign shall:
  - 1. Be four (4) feet by eight (8) feet in size.
  - 2. Be erected in full public view along the road frontage.
    - i. If the property to be rezoned is located at an intersection, a sign for each road frontage must be provided.
    - ii. If the property exceeds eighty (80) acres in area, two (2) signs must be provided.
  - 3. State "THIS PROPERTY PROPOSED TO BE REZONED."
  - 4. Include the current and proposed zoning, area in acres of the property and a generalized map of the property.
  - 5. Indicate the date, time, and location of the Planning Commission public hearing where the proposal will be reviewed.
  - 6. Be erected prior to the scheduled public hearing and removed after the public hearing.
  - 7. Be erected and maintained through the public hearing date by the applicant.
  - 8. Be exempt from the regulations of the Romulus Sign Ordinance; provided a temporary sign permit be obtained from the Building Department in accordance with City requirements.

(3) **Transportation Impact Analysis.** A transportation impact analysis for projects expected to have fifty (50) or more peak hour directional trips or five hundred (500) or more vehicle trips daily. Contents of the transportation impact study shall include:

- a. Illustrations and a narrative which describes the study area and existing operations for the street system (right of way, functional classification, lane configuration, speed limits, any sight distances limitations, driveways on both sides of streets adjacent to the site, current traffic conflicts, etc.)
- b. An evaluation for the a.m. and p.m. peak hour of both the use(s) and adjacent street system. This level of service evaluation shall be conducted for representative uses allowed under both the current and requested zoning districts. For uses expected to generate more than one hundred (100) peak

hour directional trips or seven hundred fifty (750) trips daily, an evaluation of operations at major signalized or non signalized intersections in proximity to the site is required in addition to site access points.

- c. A table that describes the peak hour and daily trips for representative uses under both the current and requested zoning district. The City may require concept or schematic drawings or other information to confirm the size of development permitted under each scenario.
- d. The traffic impact analysis shall be developed in accordance with published recommended practice in Michigan, the ITE handbook, and the Highway CapaCity Manual. The preparation shall be conducted by a qualified professional. Traffic count data shall be collected using accepted practices and shall not be over two (2) years old. The forecasts shall be based on the data and procedures outlined in the most recent edition of Trip Generation published by the Institute of Transportation Engineers (ITE). The applicant may use other commonly accepted sources of data or supplement the standard data with data from at least 3 projects in similar locations in Michigan.
- e. The transportation study shall provide at least three (3) levels of analysis: current conditions, project impacts (projects permitted under requested zoning + existing), and future conditions (existing + project traffic + background traffic growth + traffic associated with other developments in the immediate area approved or under construction). The City may require corridor level computer modeling when multiple uses or projects are being considered or where multiple traffic signals will be impacted.
- f. In areas with observed pedestrian activity and near parks or schools, a multi-modal level of service evaluation (pedestrians and bicyclists) shall be include along with recommendations to improve the quality of such travel.
- g. Any trip reduction for pass by trips, transit, ridesharing, other modes, internal capture rates, etc. shall be based both on ITE findings and documented survey results acceptable to the City and applicable road agency. The community may elect to reduce the trip reduction rates used.
- h. The report shall evaluate the design of proposed access including conformance to the standards in [Section 14.06](#) or support for an exception from those standards, any sight distance limitations, proper spacing, and relationship to other access points, and potential for shared access facilities.
- i. The study shall outline mitigation measures and demonstrate any changes to the level of service achieved by these measures. Any alternatives or suggested phasing of improvements should be described. The mitigation measures may include items such as roadway widening, need for bypass lanes or deceleration tapers/lanes, changes to signalization, use of access management techniques, or a reduction in the proposed intensity of use. Proposed mitigation measures must be acceptable to the applicable road agency (City, Wayne County, or MDOT). The responsibility, timing of roadway improvements, and relationship to available right-of-way shall be described.
- j. The requirement for a transportation impact study, or the specific study elements required may be waived or modified by the City. Reasons for the waiver or modification shall be documented. Factors to be considered include:

- 1. Roadway improvements are scheduled which are expected to mitigate any impacts associated with the proposed project.
- 2. The existing traffic level of service (LOS) along the roadway is not expected to drop below LOS "D" due to the proposed project.
- 3. The existing level of service for all modes is considered acceptable and is not expected to be significantly impacted by the proposed project due to specific conditions at the location.
- 4. A similar transportation study was previously prepared for the site and is still considered applicable.

**(4) Exemptions**

- a. A proposed rezoning of any platted lot to a single-family residential district shall be exempt from requirements (a) (1) e-i of this Section if the rezoning is consistent with the designation noted on the Future Land Use Map of the Master Plan.
- b. Any rezoning initiated by the City for updates to the Zoning Ordinance or Zoning Map or a City initiated rezoning consistent with the City of Romulus Master Plan shall be exempt from Section 23.02(a)(1) and (2) of this Section.

(b) **Application for Zoning Ordinance Text Amendment.** An application for a text amendment shall include a general description and indication of the purpose of the proposed amendment.

**Section 23.03 Rezoning and Zoning Ordinance Text Amendment Procedure**

(a) **Pre-application Conference (optional).** An optional pre-applicant conference with City staff to review the amendments, discuss the level of environmental information, concept plan uses, and type of traffic study required including intersections to be evaluated, background traffic, and data availability, may be requested by the applicant.

(b) **Public Hearing.** Upon initiation of a rezoning or zoning ordinance text amendment, a public hearing on the proposed amendment shall be scheduled before the Planning Commission. Notice of the hearing shall be provided in accordance with Section 21.11 and the Zoning Enabling Act.

(c) **Planning Commission Review and Recommendation.** Following the public hearing, the Planning Commission shall identify and evaluate all factors relevant to the petition and shall report its findings and recommendation to the City Council. In the case of a rezoning request, the Planning Commission shall consider the criteria contained in Section 23.04 Criteria for Amendment of the Official Zoning Map (Rezoning), below, in making its finding and recommendation.

(d) **City Council Review and Action.** Following receipt of the findings and recommendation of the Planning Commission, the City Council shall consider the proposed amendment.

(1) In the case of a rezoning request, the City Council shall approve or deny the request, which may be based on the consideration of the criteria contained in Section 23.04 Criteria for Amendment of the Official Zoning Map (Rezoning), below.

(2) In the case of a text amendment, the City Council may modify or revise the proposed amendment, prior to enactment.

- (e) **Notice of Adoption.** Following adoption of a zoning map amendment (rezoning) or text amendment by the City Council, a notice will be published in accordance with the provisions of the Zoning Act and the City of Romulus Charter.
- (f) **Resubmittal.** No petition for rezoning or zoning ordinance text amendment that has been denied by the City Council shall be resubmitted for a period of one (1) year from the date of denial except on the grounds of new evidence or proof of changed conditions relating to all of the reasons noted for the denial found to be valid by the Planning Commission.

### **Section 23.04      Criteria for Amendment of the Official Zoning Map (Rezoning)**

- (a) In considering any rezoning application, the Planning Commission and the City Council shall consider the following criteria in making its findings, recommendations, and decisions:
  - (1) Consistency with the goals, policies and Future Land Use Map of the City of Romulus Master Plan, including all applicable subarea and corridor studies. If conditions have changed significantly since the Master Plan was adopted, then consistency with recent development trends in the area and the overall intent and policies of the Master Plan shall be considered.
  - (2) Whether development under current zoning is impractical or less reasonable than requested or other zoning district given factors such as development trends and other factors.
  - (3) Capability of the site's physical, geological, hydrological, and other environmental features to accommodate the host of potential uses allowed in the proposed zoning district based on the proposed concept plan.
  - (4) Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, noise, density, nature of use, traffic impacts, aesthetics, infrastructure, impact on ability to develop adjacent properties under existing zoning, and potential influence on property values.
  - (5) CapaCity of City infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety, and welfare of the City.
  - (6) The extent to which traffic impacts can be accommodated to maintain at least a Level of Service D by the existing road system or programmed improvement.
  - (7) The apparent public need for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate that need.
  - (8) Compatibility with the basic intent and purpose of the Zoning Ordinance.
  - (9) Other factors as determined by the Planning Commission and the City Council.
- (b) Where a rezoning is reasonable given the above criteria, a determination shall be made that the requested zoning district is more appropriate than another district or amending the list of permitted or special land uses within a district.

**Section 23.05 Amendments Required to Conform to Court Decree**

Any amendment for the purpose of conforming to a decree of a court of competent jurisdiction shall be adopted by the City Council and published, without necessity of a public hearing or referral thereof to any other commission or agency.

**Section 23.06 Conditional Zoning Agreement**

(a) **Conditional Zoning Agreement.** An applicant requesting a rezoning may voluntarily offer a conditional zoning agreement along with an application for rezoning before or following the public hearing for a proposed rezoning. An election to submit a conditional zoning agreement shall be pursuant to the Zoning Act and this Article.

- (1) The conditional zoning agreement shall be in writing, executed by the applicant and the City and recorded with the Wayne County Register of Deeds.
- (2) The conditional zoning agreement may include limitations on the uses permitted on the property in question, specification of lower density or less intensity of development and use, or may impose more restrictions on the location, size, height, or other measure for buildings, structures, improvements, setbacks, landscaping, buffers, design, architecture and other features.
- (3) The conditional zoning agreement shall not authorize uses or developments of greater intensity or density, or which are not permitted in the proposed zoning district; nor may a conditional zoning agreement permit variations from height, area, setback or similar dimensional requirements that are less restrictive than the proposed zoning district.
- (4) The conditional zoning agreement shall include conditions that bear a reasonable and rational relationship and/or benefit to the property in question. The conditional zoning agreement may include conditions related to the use and development of the property that are necessary to:
  - a. Serve the property with improvements, including but not limited to, the extension, widening, or realignment of streets; construction, or extension of utilities, or other infrastructure improvements serving the site; or the construction of recreational facilities;
  - b. Minimize the impact of the development on surrounding properties and the City overall; or,
  - c. Preserve natural features and open space beyond what is normally required.

(b) **Content of Agreement.** In addition to any limitations on use or development of the site, preservation of site features or improvements described above, the conditional zoning agreement shall also include the following:

- (1) An acknowledgement that the conditional zoning agreement was proposed voluntarily by the applicant.
- (2) A statement that the property shall not be developed or used in any manner that is not consistent with the conditional zoning agreement.
- (3) A statement that the approval of the rezoning and the conditional zoning agreement shall be binding upon and inure to the benefit of the property owner and the City, and also their respective heirs, successors, assigns, receivers or transferees. Where the applicant for rezoning is acting on behalf of the landowner through some form of purchase agreement or other mechanism, then the landowner must also consent and sign the agreement.

- (4) A statement that, if a rezoning with a conditional zoning agreement becomes void in accordance with this Section, that no further development shall take place and no permits shall be issued unless and until a new zoning district classification for the property has been established.
  - (5) A statement that no part of the conditional zoning agreement shall permit any activity, use, or condition that would otherwise violate any requirement or standard that is otherwise applicable in the new zoning district.
  - (6) A legal description of the land to which the agreement pertains.
  - (7) Any other provisions as are agreed upon by the parties.
- (c) **Process.** The conditional zoning agreement shall be reviewed concurrently with the petition for rezoning following the process in [Section 23.02](#) and the following:
- (1) The conditional zoning agreement may be submitted prior to or following the Planning Commission public hearing. If the agreement is provided following the public hearing it must be reviewed by the Planning Commission prior to Planning Commission making its recommendation on the rezoning to the City Council. The conditional zoning agreement shall be reviewed by the City Attorney to determine that the conditional zoning agreement conforms to the requirements of this Section and the Zoning Act and shall confirm that the conditional zoning agreement is in a form acceptable for recording with the Wayne County Register of Deeds.
  - (2) Following the public hearing for a proposed zoning amendment, the Planning Commission shall make a recommendation to the City Council based upon the Criteria listed in [Section 23.04](#). In addition, the Planning Commission shall consider whether the proposed conditional zoning agreement:
    - a. Is consistent with the intent of this Article;
    - b. Bears a reasonable and rational connection or benefit to the property being proposed for rezoning;
    - c. Is necessary to insure that the property develops in such a way that protects the surrounding neighborhood and minimizes any potential impacts to adjacent properties;
    - d. Is necessary to allow the rezoning to be approved, in that the property could not or would not be rezoned without the proposed conditional zoning agreement;
    - e. Leads to a development that is more compatible with abutting or surrounding uses than would have been likely if the property had been rezoned without a conditional zoning agreement, or if the property were left to develop under the existing zoning classification; and,
    - f. Is clearly in the public interest and not inconsistent with the recommendations of the Master Plan.
  - (3) If a conditional zoning agreement has been offered by the applicant and recommended for approval by the Planning Commission, the City Council may approve the conditional zoning agreement as a condition to the rezoning if it meets all requirements of subsection (b) above. The conditional zoning agreement shall be incorporated by attachment or otherwise as an inseparable part of the ordinance adopted by the City Council to accomplish the requested rezoning.

- (4) If the rezoning and conditional zoning agreement are approved, the zoning classification of the rezoned property shall consist of the district to which the property has been rezoned, and a reference to the conditional zoning agreement. The Zoning Map shall specify the new district, plus a small letter "a" to indicate that the property is subject to a conditional zoning agreement (i.e., "R-1a"). The City Clerk shall maintain a listing of all properties subject to conditional zoning agreements and shall provide copies of the Agreements upon request.
- (5) The approved conditional zoning agreement shall be recorded with the Wayne County Register of Deeds.
- (6) Any uses proposed as part of a conditional zoning agreement that would otherwise require approval of a special land use or site plan approval shall be subject to the applicable review and approval requirements of Articles 17 and 18.

(d) **Expiration**

- (1) The rezoning and conditional zoning agreement shall expire two (2) years after adoption of the rezoning and conditional zoning agreement, unless substantial construction on the approved development of the property pursuant to building and other required permits issued by the City commences within the two (2) year period and proceeds diligently to completion, unless extended by the City Council for good cause.
- (2) In the event that substantial construction on the approved development has not commenced within the aforementioned two (2) years, the conditional zoning agreement shall be void and of no effect.
- (3) Should the conditional zoning agreement become void, all development on the subject property shall cease, and no further development shall be permitted. Until action satisfactory to the City is taken to bring the property into compliance with the conditional zoning agreement, the City may withhold or, following notice to the applicant and being given an opportunity to be heard, revoke permits and certificates, in addition to or in lieu of any other lawful action to achieve compliance.
- (4) Notwithstanding the above, if the property owner applies in writing for an extension of the conditional zoning agreement at least thirty (30) days prior to the expiration date, the City Council may grant an extension of up to one (1) year. Further extensions may be granted by the City Council, although the number of previous extensions granted to a particular conditional zoning agreement shall be considered in relation to the diligent effort of the land owner to satisfy the conditions of the agreement.

- (e) **Reversion of Zoning.** If the rezoning and conditional zoning agreement becomes void as outlined above, then the land shall automatically revert back to its original zoning classification as set forth in the Zoning Act. The City Clerk will advise the land owner and/or developer, by registered letter, of the reversion of zoning.
- (f) **Continuation.** Provided that all development and/or use of the property in question is in compliance with the conditional zoning agreement, a use or development authorized there under may continue indefinitely, provided that all terms of the conditional zoning agreement continue to be met.

- (g) **Amendment.** The conditional zoning agreement may be amended by the City with the landowner's consent in the same manner as was prescribed for the original rezoning and conditional zoning agreement.
- (h) **Violation of Agreement.** Failure to comply with the conditional zoning agreement at any time after approval will constitute a breach of the agreement and also a violation of this Ordinance and further use of the property may be subject to legal remedies available to the City.
- (i) **Subsequent Rezoning of Land.** Nothing in the conditional zoning agreement, nor any statement or other provision, shall prohibit the City from later rezoning all or any portion of the property that is the subject of the conditional zoning agreement to another zoning classification. Any rezoning shall be conducted in compliance with this Ordinance and the Zoning Act.
- (j) **Failure to Offer Conditions.** The City shall not require an owner to offer conditions as a requirement for rezoning. The lack of an offer of conditions shall not affect the owner's rights under this Ordinance.
- (k) **City Not Obligated.** The City is not required or obligated to accept any or all conditions offered by a developer on a rezoning application. In no way is an offer of a conditional zoning agreement the basis for requiring the City to approve a rezoning application.

# Article 24

## Definitions

24



City of Romulus Zoning Ordinance

## Section 24.01 Construction of Language

### (a) Interpretations

- (1) If the meaning of this Ordinance is unclear in a particular circumstance, then the individual or body charged with interpreting or applying the Ordinance shall construe the provision to carry out the intent of the Ordinance, if the intent can be discerned from other provisions of the Ordinance or law.
- (2) All words and phrases shall be construed and understood according to the common preferred use of the language; but technical words and phrases that may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to that peculiar and appropriate meaning.
- (3) The definitions contained in this Article are for the purposes of this Ordinance.

### (b) Terms

- (1) The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
  - (2) The terms "Ordinance" and "Act" shall be understood to include the term "as amended" where the context is appropriate.
  - (3) The particular shall control the general. For terms used in this Ordinance the use of a general term shall not be taken to be the same as the use of any other specific term. For example, a "pharmacy," as used in this Ordinance, shall not be interpreted to be the same as a "retail business" since each is listed as a separate and distinct use.
  - (4) Words used in the present tense shall include the future; words used in the singular number shall include the plural; and the plural the singular, unless the context clearly indicates otherwise.
  - (5) A "building" or "structure" includes any part thereof.
  - (6) The word "build" includes to "erect" or "construct."
  - (7) The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity. A masculine term shall include the feminine version of the term and vice versa.
  - (8) Unless the context clearly indicates the contrary, the conjunctions noted below shall be interpreted as follows.
    - a. "And" indicates that all connected items, conditions, provisions, or events shall apply.
    - b. "Or," indicates that the connected items, conditions, provisions or events may apply separately or in combination.
    - c. "Either...or" indicates that the connected items, conditions, provisions or events shall apply separately, not in combination.
- (c) Computing the number of days, the first day is excluded and the last day is included. If the last day of any period during which an application, filing, or request is required to be made to the City or other governmental agency is a Saturday, Sunday, or legal holiday, the period is extended to include the next day which is not a Saturday, Sunday, or legal holiday.
- (d) All measurements shall be to the nearest integer, unless otherwise specified herein.

- (e) The phrase “used for” includes “arranged for,” “intended for,” “occupied for,” and “maintained for.”
- (f) Whenever a word or term defined hereinafter in the text of this Ordinance, its meaning shall be construed as defined herein. Words or terms not herein defined shall have the meaning customarily assigned to them.
- (g) Unless the context clearly indicates to the contrary, where an illustration accompanies any item in this Ordinance, the written text shall have precedence over said illustration.
- (h) The terms “abutting” or “adjacent to” include property along the lot lines of the subject site including those in another community, but do not include lands separated by a public street right-of-way.

**Section 24.02 Definitions “A”**

**Accessible:** A term used to describe a parcel of land that has frontage on, and vehicular access to, an improved public road or an improved private road that has been approved by the City.

**Access Management:** A technique to improve traffic operations along a major roadway and decrease the potential for accidents through the control of driveway locations and design; consideration of the relationship of traffic activity for properties adjacent to, and across from, one another; and the promotion of alternatives to direct access.

**Accessory Use, Building, or Structure:** A use, building or structure which is clearly incidental to, customarily found in connection with, subordinate to, and located on the same zoning lot as the principal use to which it is related, and devoted exclusively to the main use of the premises.

**Administrative Review Committee:** A committee composed of members of the City Building, Planning, Fire, Police, Assessing, Public Works, Engineering, and Parks and Recreation Departments, whose responsibility is to review and comment on site plan submittals prior to Planning Commission review.

**Adult Care Facilities**

- (a) **Adult Care Facilities, State-Licensed:** A facility for the care of adults, over eighteen (18) years of age, as licensed and regulated by the State under Michigan Public Act 218 of 1979, and rules promulgated by the State Department of Human Services, providing foster care to adults. It includes facilities and foster care homes for adults who are aged, mentally ill, developmentally disabled, or physically handicapped who require supervision on an ongoing basis, but do not require continuous nursing care. An adult foster care facility does not include nursing homes, homes for the aged, hospitals, alcohol or substance abuse rehabilitation center, or a residential center for persons released from or assigned to a correctional facility.
- (b) **Adult Day-Care Facility:** A facility other than a private residence, which provides care for more than six (6) adults for less than twenty-four (24) hour period.
- (c) **Adult Foster Care Family Home:** means a private home with the approved capacity to receive 6 or fewer adults to be provided with foster care for twenty-four (24) hours a day for 5 or more days a week and for 2 or more consecutive weeks. This may include adult day care for 6 or fewer adults. The adult foster care family home licensee must be a member of the household and an occupant of the residence.
- (d) **Adult Foster Care Large Group Home:** A private home with approved capacity to

receive at least thirteen (13) but not more than twenty (20) adults to be provided supervision, personal care, and protection, in addition to room and board, for compensation, for twenty-four (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive weeks. This may include adult day care for 20 or fewer adults.

- (d) **Adult Foster Care Small Group Home:** A private home with the approved capacity to receive more than six (6) but not more than twelve (12) or fewer adults who are provided supervision, personal care, and protection in addition to room and board, for twenty-four (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive weeks for compensation. This may include adult day care for 12 or fewer adults.
- (f) **Adult Foster Congregate Care Facility:** A private home with the approved capacity to receive more than twenty (20) adults for twenty-four (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive weeks.

#### Adult Use

- (a) **Adult Use:** A parlor, nude body painting or modeling studio, adult bookstore, adult novelty store, adult video store, cabaret, adult motion picture theater, adult outdoor motion picture theater, adult mini motion picture theater, escort services, massage.
- (b) **Adult Bookstore, Adult Novelty Store and Adult Video Store:** A commercial establishment which offers for sale or rental for any form of consideration, and which has more than ten percent (10%) of its stock in trade, books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, videocassettes, slides or other visual representations, recordings, other audio matter, and novelties or devices which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas," as defined herein. Other business purposes shall not exempt an establishment from being categorized as an adult bookstore, adult novelty store or adult video store so long as more than ten percent (10%) of its business includes the offering for sale or rental for consideration of the specified materials which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas," as defined herein.
- (c) **Adult Mini Motion Picture Theater:** An enclosed building with a capacity for fewer than twenty (20) persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas," as defined herein, for observation by patrons therein.
- (d) **Adult Motion Picture Theater:** An enclosed building with a capacity of twenty (20) or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas," as defined herein, for observation by patrons therein.
- (e) **Cabaret:** An establishment which permits topless and/or bottomless dancers, go-go dancers, strippers, exotic dancers, male or female impersonators, or similar entertainers.
- (f) **Escort Services:** An establishment which provides the services of escorting members of the opposite sex for payment of a fee.

- (g) **Massage:** Any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external soft parts of the body with the hands or with the aid of any mechanical or electrical apparatus or appliance with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments or other similar preparations commonly used in the practice.
- (h) **Massage Parlor:** Any modeling school, modeling studio, baths, bath houses, mineral baths, sauna bath, steam bath, magnetic healing institute, or any room, place, establishment, or institution where non-medical and non-surgical manipulative exercises are practiced upon the body or where treatment of any nature for the body by massage is made available, or where treatment of any nature for the human body is given by means of massage, as herein defined, and where a massage, alcohol rub, fomentation, bath, physiotherapy, manipulation of the body or similar treatment is given. A "Massage Parlor" shall not include medical offices where message therapy is provided by a physician, or person of a similarly registered status, professionally licensed massage therapists and massage services provided at salons or spas.
- (i) **Massage School:** Any place, establishment or facility which instructs students or apprentices in the theory, method and practice of massage, as defined herein.
- (j) **Nude Body Painting or Modeling Studio:** An establishment which provides or allows the services of body painting or offers for observation of patrons a nude human body or "Specified Anatomical Areas," as herein defined.
- (k) **Specified Anatomical Areas:** less than completely and opaquely covered human genitals, pubic regions, buttock, or female breast below a point immediately above the top of the areola; and male genitals in a discernible turgid state, even if completely and opaquely covered.
- (l) **Specified Sexual Activities:** human genitals in a state of sexual stimulation or arousal; acts of masturbation, sexual intercourse or sodomy; and fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

**Agricultural Activity or Use:** Any agricultural activity or the raising of livestock or small animals that does not qualify as a farm or farm operation under the Michigan Right to Farm Act.

**Air Freight Forwarder:** A premises and building utilized for the loading or unloading of trucks concerned with the delivery to or receipt of freight shipped via aircraft where shipments are coming from or going to the airport. Such facility may include, as an accessory use, warehouse space necessary for the transitory storage of air freight and may be a 24-hour operation.

**Alley:** See "*Street.*"

**Animals:**

- (a) **Domestic:** Any animal customarily kept by humans for companionship, including but not limited to dogs, cats, birds, fish, rabbits, ferrets, gerbils, hamsters, turtles, and the like.
- (b) **Exotic:** Any species of animal not considered domestic or livestock, including but not limited to alligators, badgers, bears, beavers, bobcats, cheetah, chinchilla, chipmunks, cougars, coyotes, crows, doves, dog-wolves, eagles, elk, foxes, hawks, jaguars, kangaroos, lions, lynx, monkeys, mink, opossums, owls, porcupines, potbelly pigs, prairie dogs, raccoons, skunks, squirrels, tigers, wild turkeys, wolverines, wolves,

wild hybrids or the offspring of any animals that have been bred to a wild animal, poisonous and nonpoisonous reptiles, spiders and insects and endangered species.

- (c) **Livestock:** Cattle, sheep, goats, and other domestic animals normally kept or raised on a farm. Wild, vicious or exotic animals shall not be considered livestock.

**Apartment:** See "*Dwelling.*"

**Arcade:** Any place of business or establishment containing mechanical or electrical devices which provide amusement or entertainment, and which may be operated or set in motion upon the insertion of a coin or token.

- (a) **Type "A" Arcade:** A principal use of a business or establishment containing five (5) or more devices.
- (b) **Type "B" Arcade:** Any place of business or establishment containing four (4) or fewer devices.

**Arterial:** See "*Street.*"

**Auto Dealership:** See "*Vehicle Dealership.*"

### Section 24.03 Definitions "B"

#### Bars

- (a) **Brewpub:** A restaurant or tavern (as defined in this Ordinance) licensed by the State of Michigan to produce and manufacture not more than five-thousand (5,000) barrels of beer per calendar year in Michigan, and sell at retail on the premises the beer produced and manufactured for consumption on or off the premises in the manner provided for in MCLA 436.31b and 436.31c.
- (b) **Cocktail Lounge (Night Club):** An establishment licensed by the State of Michigan to sell at retail and serve alcoholic beverages on the premises where more than thirty percent (30%) of the gross floor area is made up of a bar, being a barrier or counter at which any alcoholic beverages are sold or served to and consumed by customers, and also including areas dedicated for the use of stages, dance floors, standing-room areas, pool tables and similar mechanical amusement devices.
- (c) **Microbrewery:** A brewer licensed by the State of Michigan which produces and manufactures in total less than thirty-thousand (30,000) barrels of beer per year, and who may sell at the licensed brewery premises the beer produced and manufactured to consumers for consumption on or off the licensed brewery premises. In determining the thirty-thousand (30,000) barrel threshold, all brands and labels of a brewer, whether brewed in this state or outside this state, shall be combined and all facilities for the production and manufacture of beer that are owned or controlled by the person(s) shall be treated as a single facility.
- (d) **Tavern (Pub):** A restaurant licensed by the State of Michigan to sell at retail and serve alcoholic beverages on the premises where less than thirty percent (30%) of the gross floor area is made up of a bar, being a barrier or counter at which any alcoholic beverages are sold or served to and consumed by customers, and also including areas dedicated for the use of stages, dance floors, standing-room areas, pool tables and other mechanical amusement devices.

**Basement** That portion of a building which is partly or wholly below grade but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. A basement shall not be counted as a story.

**Bed and Breakfast:** A dwelling in which overnight accommodations are provided or offered for transient guests for compensation, including provisions for a morning meal for overnight guests only.

**Berm:** A man-made mound of earth that is graded and shaped to a specified height and slope and improved with landscaping in such a fashion as to be used for visual and/or audible screening purposes.

**Billboard:** Any structure or portion thereof designed or intended to be used for posting, printing, or otherwise affixing any advertising sign, larger than twenty (20) square feet, which advertising sign does not pertain to the premises on which the billboard is located or where goods sold or services rendered or activities.

**Block:** The property, abutting one (1) side of a street lying between the two (2) nearest intersecting streets or between an intersecting street and a railroad right-of-way; unsubdivided acreage, river or stream; or between any of the foregoing and any other barrier to the continuity of development.

**Board of Zoning Appeals:** See *"City Officials, Board of Zoning Appeals or Board."*

**Boarding House:** Dwellings with rooms rented or leased to persons outside of the immediate family. Such dwellings shall have only one (1) set of kitchen facilities.

**Building:**

(a) **Alterations:** Any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as walls, partitions, columns, beams, girders; or any change which may be referred to herein as "altered" or "reconstructed."

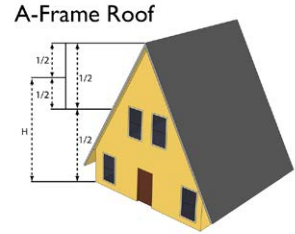
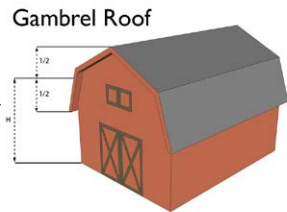
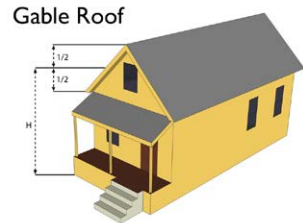
(b) **Building:** A structure, either temporary or permanent, having a roof supported by columns, or walls, for the shelter, support or enclosure of persons, animals or chattels, is a building. When any portion thereof is completely separated from every other part thereof by division walls from the ground up, and without openings allowing ingress or egress of persons, each separated portion of the building shall be deemed a separate building.

(c) **Building Envelope** (also called "buildable area"): The ground area of a lot which is defined by the minimum setback and spacing requirements within which construction of a principal and any attached accessory structures (such as a garage) is permitted by the Ordinance. For condominium developments, the building envelope shall be illustrated on a site plan.

(d) **Building Height:** The vertical distance measured from the established grade to the highest point of the roof surface for a flat roof and the midpoint between the peak and eave of a pitched roof. This definition and method of measuring building height shall apply to all structures including principal buildings and accessory structures.

(e) **Building Line:** A horizontal line generally parallel to a front, rear, or side lot line which is located at the point of the foundation of a principal building nearest to the front, rear, or side lot line.

(f) **Building Permit:** An authorization issued by the Building and Safety Director (Building Code Official) to move, erect or alter a



*Building Height  
(continued on next page)*

structure within the City.

**Building Department:** City of Romulus Building and Safety Department.

**Building and Safety Director:** See "City Officials, Building and Safety Director."

**Building Line:** See "*Setback or Building Line.*"

**Buffer Zone:** A strip of land often required between certain zoning districts reserved for plant material, berms, walls or fencing singularly or in combination to serve as a visual and/or noise barrier.

**Bulk:** The term used to indicate the size and setbacks of buildings and structures and the location of same with respect to one another, including standards for the height and area of buildings; the location of exterior walls in relation to lot lines, streets, and other buildings; gross floor area of buildings in relation to lot area; open space; and, the amount of lot area required for each dwelling unit.

**Business Service Establishment:** A business which provides business type services to patrons including but not limited to copy centers, postal centers, data centers and computer repair establishments.

## Section 24.04 Definitions "C"

**Caliper:** The diameter of a tree trunk, measured at breast height.

**Campgrounds:** A family recreation-oriented facility for the overnight or short-term parking of recreational vehicles and installation of tents for the establishment of temporary living quarters. May also be known as a travel trailer park.

**Caretaker Living Quarters:** An independent residential dwelling unit designed for and occupied by an employee and their family, where at least one (1) is employed to look after goods, buildings, or property on the parcel on which the living quarters are located.

**Carport:** A shelter for vehicles consisting of a roof extended from a wall or a building or a partially open structure consisting of a roof and possibly walls. Carports shall comply with all yard requirements applicable to private garages.

**Carry-Out Restaurant:** See "*Restaurant.*"

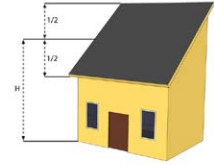
**Cemetery:** A parcel of land intended for the burial of deceased humans (or pets within pet cemeteries). A marker or memorial is erected at each gravesite for permanent remembrance of the deceased. Cemeteries may include mausoleums.

**Certificate of Zoning Compliance:** A document signed by the Building and Safety Director as a condition precedent to the commencement of a use or the construction/reconstruction of a structure or building which acknowledges that such use, structure or building complies with the provisions of this Ordinance.

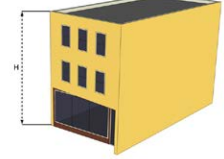
### Child Care/Residential Care Facilities:

- (a) **Child Care Facility:** A facility for the care of children under eighteen (18) years of age, as licensed and regulated by the State under Michigan Public Act 116 of 1973 and the associated rules promulgated by the State Department of Human Services.
- (b) **Child Care Centers, Nursery Schools, and Day Nurseries:** A facility, other than a private residence, receiving pre-school or school age children for group care

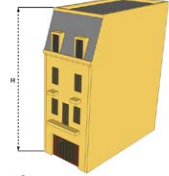
Shed Roof



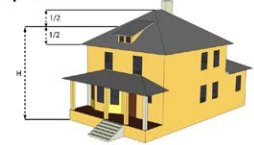
Flat Roof



Mansard Roof



Hip Roof



Building Height

for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility which provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. "Child care center" or "day care center" does not include a Sunday school conducted by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services.

- (c) **Family day care home** (six (6) or fewer children less than twenty-four (24) hours per day): A private home in which not more than six (6) minor children are received for care and supervision for periods of less than twenty-four (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. It includes a home that gives care to an unrelated child for more than four (4) weeks during a calendar year.
- (d) **Group day care home** (seven (7) to twelve (12) children less than twenty-four (24) hours per day): A private home in which more than six (6) but not more than twelve (12) children are given care and supervision for periods of less than twenty-four (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. It includes a home that gives care to an unrelated child for more than four (4) weeks during a calendar year.
- (e) **Foster Family Group Home:** A private home in which more than four (4) but less than seven (7) children, who are not related to an adult member of the household by blood, marriage, or adoption, are provided care for twenty-four (24) hours a day, for four (4) or more days a week, for two (2) or more consecutive weeks, unattended by a parent or legal guardian.
- (f) **Foster Family Home:** A private home in which one (1) but not more than six (6) minor children, who are not related to an adult member of the household by blood, marriage, or adoption, are given care and supervision for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent or legal guardian.

#### City Officials:

- (a) **Board of Zoning Appeals or Board:** The Board of Zoning Appeals of the City of Romulus. Members are appointed by City Council pursuant to the Zoning Act.
- (b) **Building and Safety Director:** The Director of Building and Safety for the City of Romulus or his authorized representative.
- (c) **City Attorney:** The corporate council for the City of Romulus appointed by the Mayor and approved by the City Council.
- (d) **City Council or Council:** The elected, legislative body of the City of Romulus.
- (e) **City Engineer:** The DPW Director for the City of Romulus, or the official or organization designated by the City Council.
- (f) **City Planning Director:** The planner for the City of Romulus, or the official or organization designated by the City Council.
- (g) **Planning Commission or Commission:** The Planning Commission of the City of Romulus, as appointed by the Mayor and endorsed by the City Council.

**Clinic, Medical:** An establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians, dentists or similar professionals. A medical clinic may incorporate customary laboratories and pharmacies incidental to or necessary for its operation or to the service of its patients, but may not include facilities for overnight patient care or major surgery.

**Club:** A non-profit organization of persons for charitable, fraternal or social purposes or for the promulgation of agriculture, sports, arts, science, literature, politics or the like, but not operated to espouse beliefs or further activity that is not in conformance with the Constitution of the United States or any laws or ordinances. The facilities owned or used by such organization may be referred to as a "club" in this Ordinance.

**Cocktail Lounge/Night Club:** See "*Bars.*"

**Collector Street:** See "*Street.*"

**Commercial District:** See "*District.*"

**Commercial Kennel:** See "*Kennel, Commercial.*"

**Commercial Outdoor Display, Sales, or Storage:** Outdoor display, sales, or storage that is accessory to a permitted commercial use or a business operated substantially or entirely outside of any building, including: retail sales of garden supplies and equipment (including but not limited to, trees, shrubbery, plants, flowers, seed, topsoil, trellises, and lawn furniture); sale of building and lumber supplies; automobiles, recreational vehicles, boats, mobile homes, garages, swimming pools, playground equipment, mowing equipment, farm implements, construction equipment and similar materials or equipment; and rental and leasing establishments.

**Commercial Use:** The use of property for retail sales or similar businesses where goods or services are sold or provided directly to the consumer. As used in this Ordinance, "commercial use" shall not include industrial, manufacturing, or wholesale businesses.

**Commercial Vehicle:** Any vehicle bearing or required to bear commercial license plates and which falls into one (1) or more of the following categories:

- (a) Truck tractor;
- (b) Semi-trailer, which shall include flat beds, stake beds, roll-off containers, tanker bodies, dump bodies and full or partial box-type enclosures;
- (c) Vehicles of a type that are commonly used for the delivery of ice cream, milk, bread, fruit or similar vending supply or deliver trucks. This category shall include vehicles of a similar nature which are also of a type commonly used by electrical, plumbing, heating and cooling, and other construction oriented contractors;
- (d) Tow trucks;
- (e) Commercial hauling trucks;
- (f) Vehicle repair service trucks;
- (g) Snow plowing trucks;
- (h) Food trucks;
- (i) A motor vehicle designed to transport sixteen (16) or more passengers, including the driver;
- (h) Any other vehicle with a commercial license plate having a gross vehicle weight in excess of ten thousand (10,000) pounds.

**Commercial Use:** The use of property for retail sales or similar businesses where goods or services are sold or provided directly to the consumer. As used in this Ordinance,

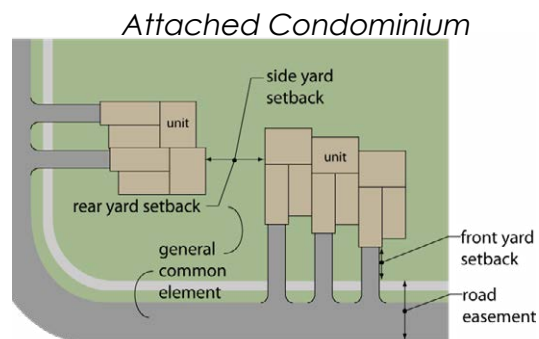
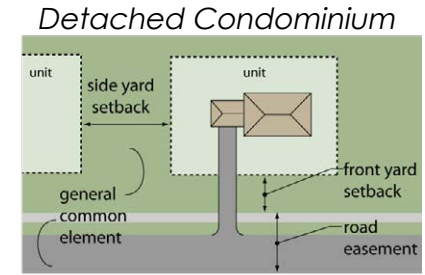
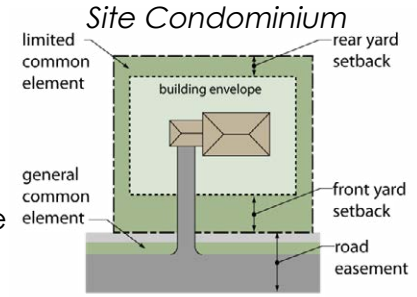
“commercial use” shall not include industrial, manufacturing, or wholesale businesses.

**Commercial Vehicle:** Any vehicle bearing or required to bear commercial license plates and which falls into one (1) or more of the following categories:

- (a) Truck tractor;
- (b) Semi-trailer, which shall include flat beds, stake beds, roll-off containers, tanker bodies, dump bodies and full or partial box-type enclosures;
- (c) Vehicles of a type that are commonly used for the delivery of ice cream, milk, bread, fruit or similar vending supply or deliver trucks. This category shall include vehicles of a similar nature which are also of a type commonly used by electrical, plumbing, heating and cooling, and other construction oriented contractors;
- (d) Tow trucks;
- (e) Commercial hauling trucks;
- (f) Vehicle repair service trucks;
- (g) Snow plowing trucks;
- (h) Food trucks;
- (i) A motor vehicle designed to transport sixteen (16) or more passengers, including the driver;
- (h) Any other vehicle with a commercial license plate having a gross vehicle weight in excess of ten thousand (10,000) pounds.

**Condominium:**

- (a) **Building Area:** The portion of the condominium project designed and intended for separate ownership as described in the Master Deed, regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time-share unit, or any other type of use.
- (b) **Condominium:** A system of separate ownership of individual units and/or multiple-unit projects according to the Condominium Act.
- (c) **Condominium Act:** State of Michigan Public Act 59 of 1978.
- (d) **Condominium Subdivision Plan:** Drawings and information which show the size, location, area, and boundaries of each condominium unit, building locations, the nature, location, and approximate size of common elements, and other information required by Section 66 of the Condominium Act.
- (e) **General Common Element:** The area of common elements other than the limited common elements intended for the common use of all co-owners.
- (f) **Limited Common Element:** Area of the common elements reserved in the master



deed for the exclusive use of less than all of the co-owners.

- (g) **Master Deed:** The condominium document recording the condominium project as approved by the City including attached exhibits and incorporated by reference the approved by-laws for the project and the approved condominium subdivision plan for the project.
- (h) **Site Condominium Lot:** The area designating the perimeter within which the condominium unit must be built. After construction of the condominium unit, the balance of the condominium unit site shall become a limited common element. The term "condominium unit site" shall be equivalent to the term "lot" for purposes of determining compliance of a site condominium subdivision with the provisions of this Ordinance pertaining to minimum lot size, minimum lot width, minimum lot coverage and maximum floor area ratio.
- (i) **Site Condominium Project:** A condominium project designed to function in a similar manner, or as an alternative, to a platted subdivision. A residential site condominium project shall be considered as equivalent to a platted subdivision for purposes of regulation in this Ordinance.

**Congregate Facility:** See "[Adult Care Facilities.](#)"

**Contractor's Yard:** A site on which a building or construction contractor stores equipment, tools, vehicles, building materials, and other appurtenances used in or associated with building or construction. A contractor's yard may include outdoor or indoor storage, or a combination of both.

**Conservation Easement:** A legal agreement in which the landowner retains ownership of private property, but conveys certain specifically identified rights to a land conservation organization or a public body.

**Construction:** Any act or process that is carried out under a current and valid building permit consisting of on-site erection, fabrication, installation, alteration, demolition, or removal of any structure, facilities or addition thereto, including related activities. Construction implies a diligent continuance of action toward completion, and any construction that has ceased due to expiration of a permit shall be considered inactive.

**Corner Lot:** See "[Lot Type.](#)"

**Cul-de-sac:** See "[Street.](#)"

**Curb Cut:** An opening from the public street to a private driveway or public drive serving an individual site or group of sites.

## Section 24.05 Definitions "D"

**Deep Well Injection or Underground Injection Well:** A well used for pumping hazardous or non-hazardous waste or substances into deep wells, where it is intended that it be contained in the pores of permeable subsurface rock.

**Density:** The number of dwelling units situated on or to be developed per net acre of land. For purposes of calculating maximum density, only twenty-five percent (25%) of the acreage determined to be wetlands protected by the Goemaere-Anderson Wetland Protection Act, PA 203 of 1979, or land within the 100 year floodplain elevation shall be calculated toward the total site acreage. All open bodies of water, public rights-of-way and private road easements are excluded from this calculation.

**Detention Pond:** See: "[Pond, Detention/Retention.](#)"

**Development:** The construction of a new building or other structure, the relocation of an existing building, or a new use of open land.

**Disposal:** The final placement or destruction of either hazardous or non-hazardous substances or waste. Disposal includes placing the above substances in landfills, surface impoundments, land farms, deep well injection or underground injection wells or incineration.

**Distribution Center:** A use which typically involves both warehouse and office/administration functions, where short and/or long term storage takes place in connection with the distribution operations of a wholesale or retail supply business.

**District:** A portion of the City within which, on a uniform basis, certain uses of land and buildings are permitted and within which certain regulations and requirements apply under the provisions of the Ordinance. Districts in the City of Romulus include:

- (a) **Commercial District:** A zoning district with one (1) of the following zoning designations on the City of Romulus Zoning Map: CBD-1, CBD-2, CBD-3, O-1, C-1, C-2, C-3, RC, and O-R.
- (b) **Non-residential District:** A zoning district with one (1) of the following zoning designations on the City of Romulus Zoning Map: CBD-1, CBD-2, CBD-3, O-1, C-1, C-2, C-3, RC, O-R, M-1, M-2, M-T, and AP.
- (c) **Industrial District:** A zoning district with one (1) of the following zoning designations on the City of Romulus Zoning Map: M-1, M-2 and M-T.
- (d) **Residential District:** A zoning district with one (1) of the following zoning designations on the City of Romulus Zoning Map: RE, R-1A, R-1B, RCO, R2, RM, HRM and RMH.
- (e) **Zoning District or District:** A portion of the City of Romulus where certain uses of land and buildings are permitted and certain yards, open spaces, lot areas, and other requirements are established.

**Domestic Animal:** See *"Animal/Domestic."*

**Double Frontage Lot:** See *"Lot Type."*

**Drive-in Establishment:** A business establishment developed so that its principal retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle rather than within a building or structure, including customer communication facilities for banks or other uses. A drive-in restaurant is distinct from a drive-through restaurant in that the majority of drive-in patrons consume food and beverages while in the vehicle and while parked on the premises.

**Drive-In Restaurant:** See *"Restaurant."*

**Drive-thru Facilities:** A business establishment in which all or at least ten percent (10%) of the business consists of providing goods and services from a drive-thru window to patrons in motor vehicles.

**Drive-Thru Restaurant:** See *"Restaurant."*

**Dumpster or Waste Receptacle:** Any accessory exterior container used for the temporary storage of rubbish, pending collection, having the capacity of at least one cubic yard. Recycling stations and exterior compactors shall be considered to be dumpsters or waste receptacles for the purposes of screening regulations.

**Dwelling:**

- (a) **Apartment Dwelling:** An apartment is an attached dwelling unit with party or

common walls, contained in a building with other dwelling units or sharing the occupancy of a building with other than a residential use. Apartments are commonly accessed by a common stair landing or walkway. Apartments are typically rented by the occupants, but may be condominiums. Apartment buildings often may have a central heating system and other central utility connections. Apartments typically do not have their own yard space. Apartments are also commonly known as garden apartments or flats.

- (b) **Manufactured:** A dwelling which is substantially built, constructed, assembled, and finished off the premises upon which it is intended to be located.
- (c) **Multiple-Family:** A building, or portion thereof, used or designed as residences for three (3) or more families living independently of each other and each doing their own cooking in the building, with the number of families in residence not exceeding the number of dwelling units provided. This definition includes three-family houses, four-family houses, and apartment houses.
  - (1) **Triplex:** A multiple-family building containing three (3) separate dwelling units, also known as a three-family house.
  - (2) **Quadplex:** A multiple-family building containing four (4) separate dwelling units, also known as a four-family house.
  - (3) **Six-plex:** A multiple-family building containing six (6) separate dwelling units.
- (d) **Single-Family:** A detached building or manufactured home designed exclusively for the complete living accommodations of one (1) family, and containing one (1) dwelling unit only.
- (e) **Single-Family, Attached:** A single-family dwelling erected side by side to another similar unit as a single building, each unit being separated from the adjoining unit by an uninterrupted wall extending from the basement floor to the roof. Units may be attached to each other only by one (1) or more of the following methods:
  - (1) Through a common party wall which does not have over eighty percent (80%) of its area in common with an abutting dwelling wall;
  - (2) By means of an architectural wall detail which does not form interior room space; or
  - (3) Through a common party wall in only the garage portion of an abutting structure.
- (f) **Site Built:** A dwelling which is substantially built, constructed, assembled, and finished on the premises which are intended to serve as its final location. Site built dwellings include those constructed of precut materials and panelized wall, roof and floor sections when such sections require substantial assembly and finishing on the premises which are intended to serve as its final location.
- (g) **Two-Family (Duplex):** A detached building, designed for or occupied exclusively by two (2) families living independently of each other.
  - (1) **Stacked Flats:** A type of two-family building with one dwelling unit as a ground level and one dwelling above, divided by party walls in the horizontal plane. Occupants for second-floor units climb stairs to get to their homes, but once there, have no additional stairs.

**Dwelling Unit:**

- (a) **Dwelling Unit:** A dwelling unit is any house or building or portion thereof having

cooking facilities, which is occupied wholly as the home, residence or sleeping place of one (1) family, either permanently or transiently, but in no case shall an automobile chassis or tent be considered a dwelling. In case of mixed occupancy, where a building is occupied in part as a dwelling unit, the part so occupied shall be deemed a dwelling unit for the purpose of this Ordinance and shall comply with the provisions thereof relative to dwellings. A dwelling unit shall include both manufactured units (mobile homes and modular homes) and site built units.

- (b) **Efficiency (Micro) Unit:** An efficiency unit, also known as a micro unit, is a dwelling unit consisting of one room, exclusive of bathroom, kitchen, hallway, closets, or dining alcove directly off the principal room providing not less than three hundred and fifty (350) square feet of floor area.

**Section 24.06 Definitions “E”**

**Easement:** A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose and within which the owner of the property shall not erect any permanent structures.

**Erected:** Includes built, constructed, reconstructed, moved upon, and/or physical operations on the premises required for the building. Excavations, fill, drainage, and similar activities shall be considered erection.

**Essential Services and Public Utility:**

- (a) **Essential Services:** The erection, construction, alteration, or maintenance of public utilities or municipal departments or commissions of underground, surface or overhead distribution of gas, electrical, cable TV, fuel, steam, or water transmission or distribution systems, collection, communication, supply or disposal systems, including mains, drains, sewers, pipes, conduits, wires, cables, transformers, splice boxes, police call boxes, fire alarm boxes, traffic signals, hydrants, towers, poles, and other similar equipment, and accessories in connection therewith but not including buildings or storage yards, other than such buildings as are primarily enclosures or shelters of the above essential service equipment reasonably necessary for furnishing adequate service to the City of Romulus and immediate surrounding territory.
- (b) **Public Utility:** Any persons, firm, corporation, municipal department, board or commission duly authorized to furnish and furnishing, under Federal, State or municipal regulations, to the public, electricity, gas, steam, communications, telephone lines, transportation, water services or sewage disposal.

**Excavation:**

- (a) **Excavating:** Excavating shall be the removal of sand, stone, gravel or fill dirt below the average grade of the surrounding land and/or road grade, whichever shall be the highest.
- (b) **Quarry Excavation:** Any breaking of the ground to hollow out by cutting or digging or removing any soil or other matter to a depth greater than twelve (12) inches from the surface.
- (c) **Soil Removal:** Soil removal shall include the removal of any kind of soil or earth matter, including topsoil, sand, gravel, clay, or rock to a depth greater than twelve (12) inches.

**Exotic Animal:** See “Animals.”

**Section 24.07 Definitions “F”.**

**Façade:** The exterior wall of a building exposed to public view.

**Family:** Family means either of the following:

- (a) A domestic family which is one (1) or more persons living together and related by the bonds of blood, marriage or adoption, together with caretaker of the principal occupants and not more than one (1) additional unrelated person, with all of such individuals being domiciled together as a single, domestic housekeeping unit in a dwelling, or
- (b) The functional equivalent of the domestic family which is persons living together in a dwelling unit whose relationship is of a permanent and distinct character with a demonstrable and recognizable bond which render the persons a cohesive unit. All persons must be cooking and otherwise operating as a single housekeeping unit.
- (c) This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization or group where the common living arrangement and/or the basis for the establishment of the functional equivalency of the domestic family is likely or contemplated to exist for a limited or temporary duration.

**Family Day Care Home:** See *"Child Care/Residential Care Facilities."*

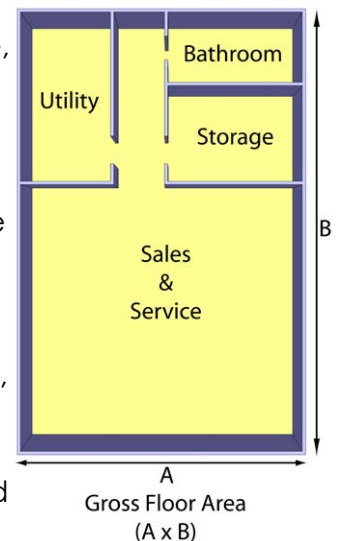
**Farm:** The land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products.

**Farm Building:** A structure on farm land designed, constructed, and used to house farm implements, livestock, or agricultural produce or products used by the owner, lessee, or sub-lessee or their immediate families, their employees, and persons engaged in the pick up or delivery of agricultural produce or products grown or raised on the premises. The term "farm building" shall not include dwellings.

**Farm or Farm Operations:** The land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products. Farm operations must conform to generally accepted agricultural and management practices according to policy determined by the Michigan Commission of Agriculture and it must have existed before a change in land use that prohibited farm use and would have been a permitted use prior to that change. All such farm operations must be in compliance with the Michigan Right to Farm Act, as amended.

**Fence:**

- (a) **Decorative/Ornamental Fence:** A fence, ornamental in nature, that is more than fifty (50%) percent open to the free passage of air and light, not intended to provide a barrier to passage or for screening, including but not limited to: picket fences, wrought iron fences, and split rail fences. Decorative fencing does not include chain link or privacy fencing and may not be used as pool, protective or security fencing.
- (b) **Fence:** An artificially constructed barrier of wood, masonry, stone, wire, metal or any other manufactured material or combination of materials, used to prevent or control entrance, confine within, or mark a boundary.
- (c) **Privacy Fence:** A fence or wall that is designed to be used as a visual barrier to inhibit or prevent observation of an area and



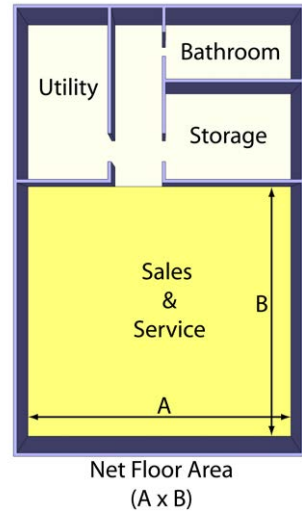
which is less than fifty (50%) percent open to the free passage of air and light.

**Fill, Filling:** The deposit or dumping of any matter onto or into the ground, except for common household gardening, farming and general ground care.

**Flea Market:** A place where vendors come to sell or trade goods. The goods are usually inexpensive and are often second-hand, but may also include new items or surplus goods. Flea markets may be located within a building or have outdoor sales and display as an accessory use. If there is outdoor sales and display, then this shall be considered an open air retail sales use.

**Floor Area:**

- (a) **Gross Floor Area (GFA):** The area within the perimeter of the outside walls of the building under consideration, without deduction for hallways, stairs, closets/ storage rooms, thickness of walls, columns, or other features.
- (b) **Residential Floor Area:** For the purposes of computing the minimum allowable floor area in a residential dwelling unit, the sum of the horizontal areas of each story of the building shall be measured from the exterior faces of the exterior wall. The floor area measurement is exclusive of areas of basements, unfinished attics, attached garages, breezeways, and enclosed or unenclosed porches.
- (c) **Usable Floor Area (UFA):** That area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients or customers. Such floor area which is used or intended to be used principally for the storage of merchandise, or areas such as hallways, stairways, elevator shafts, utilities space or sanitary facilities, shall be excluded from this computation of UFA. Measurement of UFA shall be the sum of the horizontal areas of the several floors of the building, measured from the exterior faces of the exterior walls. When a detailed floor plan is not available, a factor of eighty percent (80%) shall be used to estimate the useable floor area for purposes of calculating parking requirements and other standards based on useable floor area.



**Foster Care:** See: *“Child Care/Residential Care Facilities.”*

**Foster Family Home:** See *“Child Care/Residential Care Facilities.”*

**Front Lot line:** See *“Lot Line.”*

**Front Yard:** See *“Yard.”*

**Section 24.08 Definitions “G”.**

**Garage:** An accessory building or portion of a principal building designed or used solely for the storage of motor vehicles, boats, and similar vehicles owned and used by the occupants of the building to which it is accessory.

**General Common Element:** See *“Condominium.”*

**Glare:** The effect, measured at the lot line, of excessive brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

**Grade:**

- (a) **Grade, Average:** The arithmetic average of the lowest and highest grade elevations in an area within five (5) feet of the foundation line of a building or structure.
- (b) **Grade:** The ground elevation established for the purpose of regulating the number of stories and the height of buildings.
- (c) **Grade, Natural:** The elevation of the ground surface in its natural state, before construction begins.

**Greenbelt:** A strip of land located between the property line and the front yard building or parking setback line dedicated to for the planting of shrubs, trees or grasses to serve as an obscuring screen or buffer between the property and the adjacent roadway.

**Group Day Care Home:** See "[Child Care/Residential Care Facilities](#)."

**Groundsheets Advertisement:** An off-premise advertisement placed horizontal to and secured to the ground or an approved support structure that is designed to be seen primarily by passengers either landing or departing Detroit Metropolitan-Wayne County International Airport.

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**Section 24.09 Definitions "H".**

**Height:** See "[Building, Height](#)."

**Home Occupation:** Any use customarily conducted entirely within the dwelling and carried on by the inhabitants thereof that is clearly incidental and secondary to the use of the dwelling for dwelling purposes, does not change the character thereof, and which does not endanger the health, safety, and welfare of any other persons residing in that area by reasons of noise, noxious odors, unsanitary or unsightly conditions, excessive traffic, fire hazards and the like, involved in or resulting from such occupation, profession or hobby. Activities not deemed to be home occupations include among others, medical clinics, barber shops, nurseries, day medical clinics, day care centers, beauty parlors, tea rooms, veterinarian's offices, animal hospitals, kennels, professional offices where clients visit the premises (i.e. insurance, real estate, lawyer).

**Hospital:** An institution where sick or injured persons are given medical care and, in the course of same, are housed overnight, fed and provided nursing and related services. This definition shall include any related, accessory facilities such as laboratories, outpatient departments, training facilities, central service facilities and staff offices which are integral parts of the facility. This definition shall not include drug rehabilitation facilities, halfway houses, convalescent or nursing homes, institutions for mentally ill individuals, or other similar facilities.

**Hotel:** A series of attached, semidetached, or detached rental units which provide lodging on a temporary basis, and are offered to the public for compensation. The term "hotel" shall include tourists cabins and homes, motor courts, and motels. A hotel shall not be considered or construed to be a multiple-family dwelling.

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**Section 24.10 Definitions "I".**

**Impervious Surface:** Any man-made material which covers the surface of land and substantially reduces the infiltration of storm water to a rate of five percent (5%) or less. Impervious surfaces include but are not limited to pavement, buildings, and structures.

**Indoor Recreation Facility:** An establishment which provides indoor exercise facilities and/or indoor court and field sports facilities, and which may include spectator seating

in conjunction with the sports facilities such as skating rinks, swimming pools, indoor golf facilities, pool or billiard halls and bowling alleys. Auditoriums and stadiums are not included.

**Industrial:**

- (a) **Industrial Park:** A planned, coordinated development of a tract of land with two (2) or more separate industrial buildings that is planned, designed, constructed, and managed on an integrated and coordinated basis with special attention given to on-site vehicular circulation, parking, stormwater and utility needs, building design and orientation, screening and open space.
- (b) **General Industrial:** A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions, and trucking facilities and major vehicle and truck repair facilities that do not exceed 15 acres.
- (c) **Light Industrial:** A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, and tire retreading for vehicles and trucks where not removed and installed on vehicles and trucks on site, incidental storage, sales, and distribution of such products, but excluding basic industrial processing, and truck storage, trucking facilities, and minor vehicle and truck repair, and maintenance facilities that do not exceed 5 acres.

**Industrial District:** See "*District.*"

**Interior Lot:** See "*Lot Type.*"

**Section 24.11 Definitions "J".**

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**Junk:** For the purpose of this Ordinance, the term "junk" shall mean any motor vehicles, machinery, appliances, product, or merchandise with parts missing or scrap metals or other scrap materials that are damaged, deteriorated, or are in a condition which cannot be used for the purpose for which the product was manufactured.

**Junk Yard/Scrap Metal Yard:** Any area of more than two hundred (200) square feet unless entirely within an enclosed building, used for storage, keeping or abandonment of junk, including scrap metals, other scrap materials, or reclaimed materials, or for the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof.

**Section 24.12 Definitions "K".**

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**Kennel:**

- (a) **Private Kennel:** Any lot or premises on which four (4) to five (5) dogs, cats, or other domestic animals age four (4) months or older are kept, either permanently or temporarily, for hobby, sporting activity, protection or pets, foster or rescue care, and are not kept for breeding or sale.
- (b) **Commercial Kennel:** Any lot or premises on which:
  - (1) Six (6) or more dogs, cats, or other domestic animals age six (6) months or older are kept, either permanently or temporarily, for hobby, sporting activity, protection or pets; or,

- (2) Any number of dogs, cats, or other domestic animals four (4) months or older are kept for sale, boarding, breeding, training, grooming, transfer or handling.

### Section 24.13 Definitions "L".

**Land Division Act:** P.A. 288 of 1967, as amended (MCLA 560.101).

**Limited Common Element:** See "*Condominium.*"

**Livestock:** See "*Animals, Livestock.*"

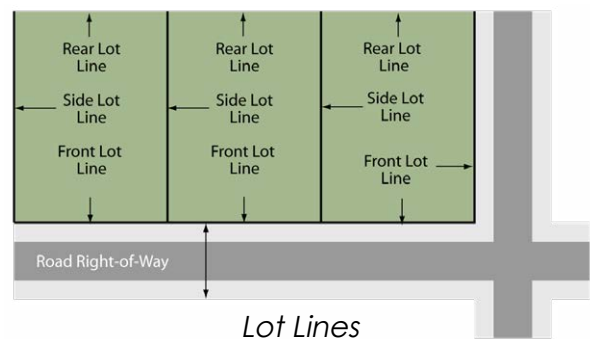
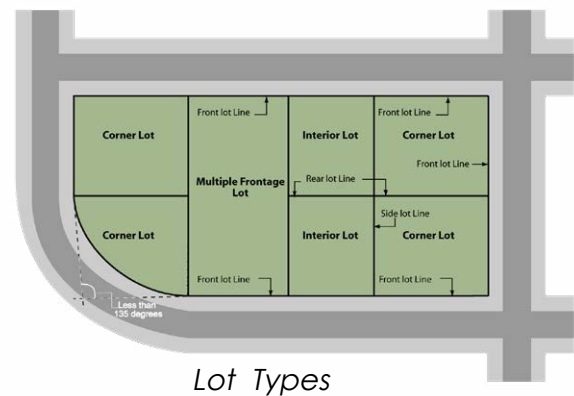
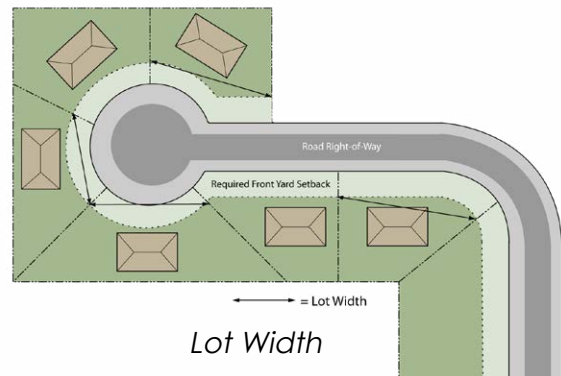
**Loading Space:** See "*Parking and Loading.*"

**Local Street:** See "*Street.*"

**Long-term Parking Facilities:** See "*Parking and Loading.*"

#### Lot:

- (a) **Lot or Parcel of Record:** A lot which actually exists in a subdivision plat as shown on the records of the County Register of Deeds, or a lot or parcel described by metes and bounds, the description of which has been so recorded. A lot may also mean a portion of a condominium project, as regulated by the Condominium Act, designed and intended for separate ownership and use. The term "lot" includes the term "plot" or "parcel."
- (b) **Lot:** A parcel of land occupied, or intended to be occupied, by a main building or a group of such buildings and accessory buildings, or utilized for the principal use and uses accessory thereto, together with such yards and open spaces as are required under the provisions of this Ordinance. A lot may or may not be specifically designated as such on public records. For purposes of meeting the dimensional standards of this Ordinance, a lot does not include public rights-of-way or private road easements, but does include access easements for a service drive. A lot may be a single lot of record, a portion of a lot of record, a combination of contiguous lots of record, contiguous portions of lots of record, or a parcel of land described by metes and bounds.
- (b) **Lot Area:** The total horizontal area within the lot lines of a lot excluding public or private road right-of-ways or road easements.
- (c) **Lot Coverage:** The part or percent of the lot occupied by buildings or structures, including accessory buildings or structures.
- (d) **Lot Depth:** The mean horizontal distance from the front street line to the rear lot line



- (e) **Lot Frontage:** a straight line connecting the points where the side lot lines intersect the street right-of-way or private road easement.
- (f) **Lot Width:** The horizontal distance between the side lot lines, measured at the two (2) points where the minimum required front setback line intersects the side lot lines.

**Lot Type:**

- (a) **Corner Lot:** A lot located at the intersection of two (2) streets or a lot bounded on two (2) sides by a curving street, any two (2) chords of which form an angle of one hundred thirty-five (135) degrees or less. The point of intersection of the street lot lines is the "corner." For a curved street line, the corner is that point on the street lot line nearest to the point of intersection of the tangents described above.
- (b) **Double Frontage Lot:** An interior lot having frontages on two (2) more or less parallel streets as distinguished from a corner lot. In the case of a row of double frontage lots, one (1) street will be designated as the front street for all lots in the plat. If there are existing structures in the same block fronting on one (1) or both of the streets, the required front yard setback shall be maintained along both street frontages.
- (c) **Interior Lot:** A lot other than a corner lot with only one (1) lot line fronting on a street.

**Lot Line:**

- (a) **Front Lot line:** In the case of an interior lot, abutting upon one (1) public or private street, the front lot line shall mean the line separating the lot from the street right-of-way. In the case of a double frontage lot, the front lot line shall be that line separating the lot from the street designated as the front street in the plat or in the request for a building permit.
- (b) **Rear Lot Line:** The rear lot line is that boundary which is opposite and most distant from the front lot line. In the case of an irregular shaped lot, the rear lot line shall be that assumed line parallel to the front lot line not less than ten (10) feet long lying farthest from the front lot line and wholly within the lot.
- (c) **Side Lot Line:** Any lot line not a front lot line or a rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

**Section 24.14 Definitions "M".**

**Major Truck Repair:** See *"Truck Repair Facility."*

**Major Vehicle Repair Establishment:** See *"Vehicle Related Uses."*

**Manufactured Home:**

- (a) **Manufactured Home:** Any vehicle or structure constructed to permit occupancy as sleeping or living quarters for one (1) or more persons, containing living, cooking, sleeping, heating, lighting, toilet and bathing facilities, and so designed that it is or may be mounted on wheels and used as a conveyance on streets or highways, propelled or drawn or carried to and installed on a lot (site). This definition does not include a vehicle such as a tent trailer, travel trailer, self-contained trailer, motor home or camp trailer twenty-four (24) feet or less.
- (b) **Manufactured Home Lot:** A parcel of ground or a lot within a manufactured home park designed for the accommodation of one (1) manufactured home.
- (c) **Manufactured Home Park:** A parcel of land which has been designed and/or improved for the placement of manufactured homes for residential use, approved under P.A. 419 of 1976.

**Marginal Access Street:** See "*Street.*"

**Master Deed:** See "*Condominium.*"

**Master Plan:** The comprehensive long-range plan, adopted by the Romulus City Council, intended to guide growth and development within the City of Romulus and that includes analysis, recommendation, and proposals for the community's population, economy, housing, transportation, community facilities and land use.

**Medical Clinic:** See "*Clinic, Medical.*"

**Mezzanine:** An intermediate floor in any story occupying not to exceed one-third (1/3) of the floor area of such story.

**Micro Unit:** See "*Dwelling Unit, Efficiency (Micro) Unit.*"

**Mini-or Self-storage Warehouse or Facility:** A building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers for the storage of customer's goods or wares.

**Minor Truck Repair and Maintenance Facility:** See "*Truck and Truck Repair.*"

**Minor Vehicle Repair Establishment:** See "*Vehicle Related Uses.*"

**Motel:** A series of attached, semi-detached, or detached rental units containing a bedroom, bathroom and closet space which provide for overnight lodging and are offered to the public for compensation and cater primarily to the public traveling by motor vehicle. A motel may include a restaurant or cocktail lounge, public banquet halls, ballrooms or meeting rooms.

**Multiple-Family:** See "*Dwelling, Multiple-Family.*"

## Section 24.15 Definitions "N".

### Nonconforming:

- (a) **Nonconforming Building:** A building or portion thereof lawfully existing at the effective date of this Ordinance or amendments thereto, that does not conform to the provisions of this Ordinance for the district in which it is located.
- (b) **Nonconforming Lot:** Any lot which was of record at the time of adoption of this Ordinance that does not meet the requirements of this Ordinance for lot width and depth and available space for yards.
- (c) **Nonconforming Site:** A site that lawfully occupied land on the effective date of this Article or any amendments thereto, that does not conform to the site regulations of the district in which it is located, including landscaping, lighting, and parking requirements.
- (d) **Nonconforming Use:** A use that lawfully occupied a building or land on the effective date of this Article or any amendments thereto, that does not conform to the use regulations of the district in which it is located.

**Non-residential District:** See "*District.*"

**Nuisance:** An offensive, annoying, unpleasant, or obnoxious thing or practice, a cause or source of annoyance, especially a continuing or repeating invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects a human being, or the generation of an excessive or concentrated movement of people or things, such as, but not limited to: noise, dust, smoke, odor, glare, fumes, flashes, vibration, shock waves, heat, electronic or atomic radiation, objectionable

effluent, noise of congregation of people and traffic.

**Nursery School, and Child Care Center:** See: *“Child Care/Residential Care Facilities.”*

**Nursing or Convalescent Home:** A nursing care facility, including a county medical care facility, but excluding a hospital or a facility created by Act No. 152 of the Public Acts of 1985, as amended, being Sections 36.1 to 36.12 of the Michigan Compiled Laws, which provides organized nursing care and medical treatment to seven (7) or more unrelated individuals suffering or recovering from illness, injury, or infirmity. Nursing or convalescent home provides a place of residence for people who require constant nursing care and have significant deficiencies with activities of daily living.

**Section 24.16 Definitions “O”.**

**Off-street Parking Lot:** See *“Parking and Loading.”*

**Open Air Business:** Any business that is conducted primarily outside of a building. Unless otherwise specified herein, open air business shall include:

- (a) Outdoor display and sale of automobiles and other motor vehicles, recreation vehicles, trucks, trailers, and similar uses.
- (b) Outdoor display and sale of garages, swimming pools, playground equipment, and similar uses.
- (c) Retail sale of trees, fruit, vegetables, shrubbery, plants, flowers, seed, topsoil, humus, fertilizer, trellises, lawn furniture, and other home and garden supplies and equipment.
- (d) Sale of building and lumber supplies.
- (e) Outdoor recreation uses including tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving range, children's amusement park or similar recreation uses.

**Open Space:** An area that is intended to provide light and air, and is designed for either environmental, scenic, or recreational purposes. Open space may include, lawns, decorative planting, walkways, gazebos, active and passive recreation areas, playgrounds, fountains, swimming pools, woodlands, wetlands and water courses. Open space shall not be deemed to include driveways, parking lots or other surfaces designed or intended for vehicular travel, but may include a recreational clubhouse or recreation center.

**Open Space, Usable:** An area that is intended for recreational use. Usable open space may include, lawns, walkways, gazebos, active and passive recreation areas, playgrounds, fountains, swimming pools, woodlands, but shall not include wetlands, water courses or submerged land.

**Outdoor Display, Sales, or Storage:** Outdoor display, sales, or storage that is accessory to a permitted commercial use or a business operated substantially or entirely outside of any building, including: retail sales of garden supplies and equipment (including but not limited to, trees, shrubbery, plants, flowers, seed, topsoil, trellises, and lawn furniture); sale of building and lumber supplies; automobiles, recreational vehicles, boats, mobile homes, garages, swimming pools, playground equipment, mowing equipment, farm implements, construction equipment and similar materials or equipment; rental and leasing establishments; and year-round flea markets farmer's markets, roadside stands, and auctions.

**Outdoor Recreation:** See "*Recreation.*"

**Overhead Door:** Any at-grade door in excess of sixty-four (64) square feet.

## Section 24.17 Definitions "P".

### Parking and Loading:

- (a) **Loading Space:** An off-street space on the same lot with a building or group of buildings, for temporary parking for a commercial vehicle while loading and unloading merchandise or materials.
- (b) **Long-term Parking Facilities:** Any property used for the storage of privately owned, personal motor vehicles for a period of twelve (12) hours or more that is not required to meet the parking requirements of a permitted principal use other than the long-term parking facility.
- (c) **Off-street Parking Lot:** A facility providing vehicular parking spaces along with adequate drives and aisles for maneuvering so as to provide access for entrance and exit for parking of more than two (2) vehicles.

**Party Store /Wine Shop:** A retail establishment licensed by the State of Michigan where more than ten percent (10%) of the gross floor area is utilized for the storage, display, and sale of alcoholic liquor, wine, beer, and other alcoholic beverages in the original package for consumption off the premises.

**Passenger Vehicle:** A privately owned and licensed motor vehicle intended primarily for the transport of people.

**Pawn Shop:** Any business that loans money on deposit of personal property or deals in the purchase or possession of personal property on condition of selling the same back again to the pledger or depositor, or loans or advances money on personal property by taking chattel mortgage security thereon, and takes or receives such personal property.

**Performance Guarantee:** A security, in the form of cash deposit, certified check, irrevocable bank letter of credit, or surety bond, in an amount sufficient to cover the estimated cost of improvements required as part of an application for development that is deposited with the municipality to ensure that said improvements are satisfactorily completed.

**Personal Service Establishment:** A use that performs services on the premises, such as barber and beauty shops; watch, radio, television, clothing and shoe repair shops; tailor photographic studios; locksmiths; and similar establishments requiring some minor retail activity.

**Pet, Domestic:** See: "*Animal, Domestic*"

**Place of Worship:** A site used for the regular assembly of persons for the conducting of religious services and accessory uses therewith. Such accessory uses may include rectories, living quarters for church ministry and other members of the religious order who carry out their duties primarily on the site, religious education classes, day care, outdoor recreation facilities, religious office space and youth centers. Rescue missions, tent revivals and other temporary assemblies are not included in this definition.

**Place of Worship, Large Scale:** A place of worship with a total floor area of more than fifty-thousand (50,000) square feet.

**Planned Development Area:** An area of land under single ownership and unified control, to be planned, designed and developed as one project using creative

approaches to development in order to take better advantage of the special characteristics of the land and to achieve consistent and coordinated design to make the most efficient use of the land, natural resources, energy, public services, utilities and roads than would be possible through the strict enforcement of general Ordinance provisions.

**Planning Commission:** See "*City Officials, Planning Commission or Commission.*"

**Pond, Private:** An outdoor body of standing water, accumulated in an artificially constructed basin or depression in the earth, partly or completely above or below the grade of the ground surface existing prior to construction, capable of holding water to a depth greater than twenty-four (24) inches filled to capacity. Temporary basins or depressions excavated in conjunction with construction of building foundations or building basements and swimming pools, and storm water detention ponds having permanent water surfaces, are not included in this definition.

**Pond, Detention/Retention:** An artificially created pond or basin that holds collected stormwater that has run off the surrounding landscape of lawns, roads, and rooftops. A detention pond has an outlet that releases water at a controlled rate. Detention basins are designed to reduce how quickly runoff enters our natural waterways to protect downstream areas from flooding and erosion. Retention ponds are designed to hold water until it infiltrates the soil or evaporates without an outlet to a drainage way, except emergency overflows. Where this ordinance specifies requirements or restrictions on detention ponds, these regulations shall also apply to retention ponds.

**Pool or Billiard Hall:** An establishment wherein the substantial or significant portion of all usable floor area is devoted to the use of pool or billiard tables. See also "Indoor Recreation Facility."

**Porch:**

- (a) **Enclosed Porch:** A covered projection from the main wall of a building, enclosed on three (3) sides by permanent or detachable glass sash, but not used as general living space. A porch shall become general living space when the enclosed space is heated or air-conditioned and when the percentage of window area to wall is less than fifty percent (50%).
- (b) **Open Porch:** A covered projection from the main wall of a building, open on three sides except for wire screening. A porch shall not be considered open if enclosed by either permanent or detachable glass sash.

**Portable Moving and Storage Containers:** Mobile storage containers that are delivered to a lot, unloaded from a truck and left on the lot to be packed or unpacked by the occupant of the lot over a period of time, with a truck returning at a later date to remove the storage container. For the purpose of this Article, this definition shall not include freight containers located on an industrial site with City approval for storage of containers.

**Principal Building and Use:**

- (a) **Principal Building:** (also called a "main building") A building or, where the context so indicates, a group of buildings in which is conducted the principal use of the lot on which the building is situated.

(b) **Principal Use:** (also called a “main use”) The primary use to which the premises are devoted and the primary purpose for which the premises exist.

**Private Kennel:** See “*Kennel, Private.*”

**Private Ponds:** See “*Pond, Private.*”

**Private Road:** See “*Street.*”

**Public Street:** See “*Street.*”

**Public Utility:** See “*Essential Services and Public Utility.*”

### Section 24.17a Definitions “Q”.

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**Quadplex:** See “*Dwelling, Multiple-Family.*”

### Section 24.18 Definitions “R”.

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**Rear Lot Line:** See “*Lot Line.*”

**Rear Yard:** See “*Yard.*”

#### Recreation:

(a) **Outdoor Recreation:** Tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving range, children’s amusement park or similar recreation uses.

(b) **Recreation Vehicles:**

- (1) **Boats and Boat Trailers:** Boats, personal watercrafts, canoes and rafts, and the normal equipment to transport the same on the highway.
- (2) **Folding Tent Trailer:** A canvas folding structure, mounted on wheels and designed for travel and vacation use.
- (3) **Motorized Home:** A portable dwelling designed and constructed as an integral part of a self-propelled vehicle.
- (4) **Pickup Camper:** A structure designed primarily to be mounted on a pickup or truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational, and vacation uses.
- (5) **Snow mobile and all terrain vehicles:** The normal equipment to transport them on the highway.
- (6) **Travel Trailer:** A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses, permanently

**Recycling Collection Center:** A facility for the drop-off and temporary holding of materials such as paper, cardboard, glass, metal, plastic, batteries, and motor oil. Processing of materials is limited to glass breaking and separation. Recycling materials are not sold to a recycling drop-off center. A recycling dropoff center is intended for household or consumer use. Use by commercial or industrial establishments is not included. Unattended drop-off stations for single materials, such as newsprint, are also not included.

**Recycling Facility:** A facility that accepts recyclable materials and may perform some processing activities. The principal function is to separate and store materials that are ready for shipment to end-use markets, such as paper mills, aluminum smelters, or plastic remanufacturing plants. The presence of power-driven processing equipment

distinguishes a processing facility from a collection facility. The facility receives and processes only residential and commercial recyclables such as food and beverage containers and paper.

**Recycling Plant:** A facility that is not a salvage yard and in which recoverable resources, such as newspapers, magazines, books, and other paper products, glass, metal cans, and other products are recycled, reprocessed, and treated to return such products to a condition in which they may again be used for production.

**Required Yard:** See *"Yard."*

**Resale or Consignment Shop:** Second-hand stores that offer used goods.

**Residential Care Facilities:** See: *"Child Care/Residential Care Facilities."*

**Residential District:** See *"District."*

**Restaurant:** Any establishment whose principal business is the sale of food and beverages to the customer in a ready-to-consume state, and whose method of operation is characteristic of a carry-out, drive-in, drive-through, fast food, standard restaurant, or bar/lounge, or combination thereof, as defined below:

- (a) **Restaurant, Carry-Out:** A business establishment whose method of operation involves sale of food, beverages, and/or frozen desserts in disposable or edible containers or wrappers in a ready-to-consume state for consumption primarily off the premises.
- (b) **Delicatessen:** A restaurant typically offering both carry-out and seating of sandwiches and other foods and beverages. A delicatessen also typically offers meats, cheese and prepared foods on a retail basis.
- (c) **Restaurant, Drive-In:** A business establishment whose method of operation involves delivery of prepared food so as to allow its consumption in a motor vehicle or elsewhere on the premises, but outside of an enclosed building. A drive-in restaurant may also have interior seating.
- (d) **Restaurant, Drive-Thru:** A business establishment whose method of operation involves the delivery of the prepared food to the customer in a motor vehicle, typically through a drive-through window, for consumption off the premises.
- (e) **Restaurant, Standard:** A business establishment whose method of operation involves either the delivery of prepared food by waiters and waitresses to customers seated at tables within a completely enclosed building or the prepared food is acquired by customers at a cafeteria line and is subsequently consumed by the customers at tables within a completely enclosed building.
- (f) **Bar/Lounge/Tavern:** See: *"Bars"*

**Retail Store:** Any building or structure in which goods, wares, or merchandise are sold to the consumer for direct consumption and not for resale.

**Retention Pond:** See: *"Pond, Detention/Retention."*

**Right-of-Way:** A street, alley or other thoroughfare or easement intended to be occupied by a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or other facility or use, permanently established for passage of persons or vehicles and under the legal authority of the agency having jurisdiction over the right-of-way.

**Roadside Stand:** A structure erected for the display and sale of agricultural products produced on the premises upon which such roadside stand is located.

## Section 24.19 Definitions "S".

**Satellite Dish and Television and Radio Antenna:** A structure or an apparatus capable of receiving communications from a transmitter or a transmitter relay located in a planetary orbit.

**School:** An institution for the teaching of children or adults including primary (elementary) and secondary (middle, intermediate, high) schools, colleges, professional schools, dance schools, business schools, trade schools, art schools, and similar facilities.

- (a) **Charter:** A public school established by a contract with a district governing board, the state board of education or the state board for charter schools pursuant to [state law] to provide learning that will improve pupil achievement.
- (b) **Parochial:** Any building or group of buildings, the use of which meets state requirements for primary, secondary, or higher education, offers instruction in the several branches of learning and study required to be taught in the public schools.
- (c) **Private or Business:** Any building or group of buildings, the use of which meets state requirements for primary, secondary, or higher education, offers instruction in the several branches of learning and study required to be taught in the public schools and which does not secure the major part of its funding from any governmental agency.
- (d) **Business, Trade, Technical, Industrial or Vocational:** A school established to provide for the teaching of industrial, aviation, clerical, managerial, or artistic skills. This definition applies to schools that are owned and operated privately for profit and that do not offer a complete educational curriculum (e.g., beauty school, modeling school).

**Secondhand Store:** Retail sales of previously used merchandise, such as clothing, household furnishings or appliances, sports/recreational equipment. This classification does not include secondhand motor vehicles, parts, or accessories.

**Semi-Trailer:** A trailer, which may be enclosed or not enclosed, having wheels generally only at the rear, and supported in front by a truck tractor or towing vehicle.

**Senior Assisted Living:** A type of semi independent housing facility for senior citizens containing congregate kitchen, dining, and living areas, but with separate sleeping rooms. Such facilities typically provide special support services, such as transportation, limited medical care and monitoring of resident activities to help to ensure their health, safety, and well-being.

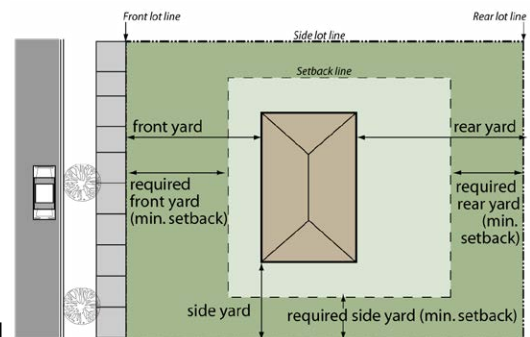
**Senior Apartments and Senior Independent Living:** Single- and multiple-family dwelling units occupied by persons 55 years of age or older. Units will include individual kitchen facilities; however, common dining and community facilities may be provided.

**Service Road:** See "*Street.*"

**Service Station:** See "*Vehicle Related Uses.*"

**Service Truck:** A pick-up or van that is used in conjunction with a repair or maintenance business, such as a plumbing, electrical or carpentry business.

**Setback or Building Line:**



- (a) **Setback:** The minimum horizontal distance, as required under this Ordinance, for the front, side, or rear property line as appropriate.
- (b) **Building Line:** An imaginary line parallel to the front lot line at a distance specified by this Ordinance for the district in which the lot is located. A building line is the same as the front setback line.

**Shelters and Social Assistance Centers:** Centers operated by philanthropic or non-profit institutions that assist individuals with social needs. These centers typically provide one or more of the following: temporary housing, meals, counseling, health services, education, job placement assistance and leisure-time activities. Therapy and rehabilitation facilities, community centers, hospitals, medical clinics, medical/psychiatric offices, shelters for abused women, and children, substance abuse rehabilitation centers and county/state health/social services facilities are not regulated as "shelters and social assistance centers." Churches or other places of worship that provide community outreach services are also not regulated under this definition, unless they also operate an onsite homeless shelter.

**Shopping Center:** A structure or group of structures located on the same lot or parcel which is developed in accordance to an overall plan and designed and built as an interrelated project that provides a variety of commercial uses and also provides for common off-street parking, pedestrian access and vehicular movements. Buildings constructed on outlots shall not be considered part of the shopping center unless access and parking easements are provided.

**Side Lot Line:** See "[Lot Line.](#)"

**Side Yard:** See "[Yard.](#)"

**Sign:** Any device designed to inform or attract the attention of persons not on the premises on which the sign is located.

**Sight Distance:** The length of roadway visible to the driver. Generally related to the distance or time (perception/reaction time) sufficient for the driver to execute a maneuver (turn from driveway or side street, stop or pass) without striking another vehicle or object in the roadway. Required sight distance shall be based on the standards of the Wayne County Department of Public Services.

**Single-Family, Attached:** See "Dwelling, Single-Family, Attached."

**Single-Family:** See "[Dwelling, Single-Family.](#)"

**Site Condominium Lot:** See "[Condominium.](#)"

**Site Condominium Project:** See "[Condominium.](#)"

**Site Plan:** A scaled drawing, containing all required information and drawn in compliance with Article 17, illustrating existing conditions and containing the elements required herein as applicable to the proposed development to ensure compliance with zoning provisions. Site Plans must be prepared, signed and sealed by a licensed engineer or registered land surveyor registered in the State of Michigan.

**Six-plex:** See "[Dwelling, Multiple-Family.](#)"

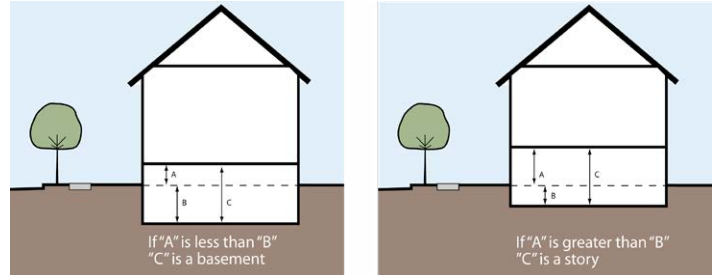
**Sketch Plan:** A drawing, containing less information than a site plan, drawn in compliance with Article 17, development to ensure compliance with zoning provisions. A sketch plan need not be prepared by a licensed engineer or registered land surveyor.

**Special Event:** A temporary outdoor use on public property including City street, park or public area that extends beyond the normal uses and standards allowed by the zoning

ordinance of the City. "Special event" includes, but is not limited to, parades, runs/walks, art shows, concerts, carnivals, festivals, and block parties.

**Special Land Use:** A use of land for an activity which, under usual circumstances, could be detrimental to other land uses permitted within the same district but which may be permitted because of circumstances unique to the location of the particular use and which use can be conditionally permitted without jeopardy to uses permitted within such district. A special land use requires that a special land use approval be obtained.

**Stable, Boarding:** A structure, building or use on the premises wherein horses, ponies or other equine are kept for boarding, breeding, rearing, or training purposes for a fee or for sale.



**Stable, Private:** An accessory building in which horses are kept for private use and not for remuneration, hire or sale.

**Stable, Riding:** A commercial facility or equestrian center providing boarding, training, horse shows, training exhibitions, or any other activity typically characterized by the gathering of spectators or observers. See "Commercial Recreation"

**Stacked Flats:** See "Dwelling, Two-Family (Duplex)."

#### Story:

- Full Story:** That portion of a building, other than a basement or mezzanine, included between the surface of any floor and the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling above it.
- Half Story:** The part of a building between a pitched roof and the uppermost full story, said part having a floor area which does not exceed fifty percent (50%) of the floor area of the story immediately below. Tri-level shall be considered as one and one-half (1½) stories.

#### Street:

- Alley:** A dedicated public way which affords only a secondary means of access to abutting property and not intended for general traffic circulation, parking, standing or loading.
- Arterial:** A main traffic artery, designated on the functional classification map of the Master Plan as a principal arterial or minor arterial (aka major/minor thoroughfare) or having a planned right-of-way of at least one hundred twenty (120) feet in the County Right-of-way Master Plan. The following roads shall be included as major arterials: Van Born, Ecorse, Wick, Goddard, Northline, Eureka, Pennsylvania, Hannan, Huron River, Wayne, Vining, Merriman, Middlebelt, and Inkster.
- Collector Street:** A street used to carry traffic from local streets to arterials, including principal entrance streets of large residential developments or having a planned right-of-way of at least eighty-six (86) feet in the County Right-of-way Master Plan.
- Cul-de-sac:** A local street of short length, having one (1) end permanently terminated by a vehicular turnaround.
- Local Street:** A street used primarily for access to abutting properties.

- (f) **Marginal Access Street:** A local street that is parallel and adjacent to major arterials and which provides access to abutting properties and protection from through traffic.
- (g) **Private Road:** A street that is owned, and maintained by the landowners served and has not been dedicated to the City, county or state as a public street.
- (h) **Public Street:** A public dedicated right-of-way which affords traffic circulation and principal means of access to abutting property, including avenue, place, way, drive, line, boulevard, highway, road, and other thoroughfare, except an alley.
- (i) **Service Road:** A road, typically private, that provides for cross circulation between adjacent properties. Service roads may be parallel to and follow the frontage along a major arterial allowing travel between adjacent commercial businesses without the need to travel on the arterial. service roads may also be located behind businesses or shared along common side lot lines.

**Structure:** Anything constructed or erected, the use of which requires location above the ground or attached to something having location on the ground. A structure will include buildings (see "[Buildings](#)"), fences, walls, decks, towers, pools, and other similar above ground structures.

**Structural Alteration:** Any change in the supporting members of a building or structure, such as bearing walls or partitions, columns, beams or girders, or any change in the width or number of exits, or any substantial change in the roof.

**Substance Abuse Rehabilitation Centers:** A facility offering counseling, care and treatment for individuals addicted to drugs and alcohol licensed by the Michigan Department of Mental Health, Office of Substance Abuse Services. Such a facility may include or detoxification services. A generally recognized pharmacy or licensed hospital dispensing prescription medicines shall not be considered a substance abuse treatment facility.

#### **Supermarket and Hypermarket:**

- (a) **Hypermarket:** A retail store with more than sixty-thousand (60,000) square feet of gross floor area offering a combination of groceries, fresh meat and produce, food services, personal services, home improvement, general retail merchandise and ancillary outdoor uses, such as an outdoor garden center, an automotive repair center, an automotive fueling station, or a party store.
- (b) **Supermarket:** A retail store with more than twenty-thousand (20,000) square feet of gross floor area offering groceries, meats, poultry, seafood, dairy products, produce, bakery products, other food products, and other associated merchandise, and may have facilities for a butcher shop, fresh seafood, a delicatessen, a bakery, a party store, a restaurant, an ice cream parlor, a florist, a pharmacy, a financial institution, or other services.

**Swimming Pool:** A permanent, structure or container located either above or below grade designed to allow holding of water to a depth of greater than 24 inches, intended for swimming, bathing or relaxation. The definition of swimming pool includes spa, hot tubs and similar devices.

#### **Section 24.20 Definitions "T".**

**Tavern (Pub):** See: "[Bar](#)."

**Temporary Building or Structure:** A building or structure which is not permanently affixed to the property, and is permitted to exist for a specific reason for a specific period of

time. Examples include trailers used on a construction site, portable batch plants, tents and other similar buildings and structures.

**Temporary Use:** A use or special event permitted to exist during a specified period of time under conditions and procedures as provided in this ordinance.

**Therapy and Rehabilitation Centers:** A facility providing therapy aimed at improving cognitive function, mental health, and life skills that has been lost or diminished by disease, traumatic injury, or mental illness.

**Triplex:** See "*Dwelling, Multiple-Family.*"

**Truck:**

- (a) **Single Unit Truck:** Any vehicle used to haul goods and materials for commercial purposes, such vehicle consisting of a single unit, not having a tractor with a separate trailer connected by a swivel hitch.
- (b) **Semi-or Tractor Trailer Truck, Combined:** A vehicle used to haul goods and materials for commercial purposes with a trailer attached to a tractor with a swivel hitch.
- (c) **Truck:** Any single unit or combined vehicle used to carry people, goods, material or equipment for commercial purposes, such single or combined vehicle having a combined gross vehicle weight rating of twenty-two thousand (22,000) pounds or more as rated by the Michigan State Police Motor Carrier Division.
- (d) **Trucking Facility/Truck Storage:** A facility, excluding warehousing and other industrial uses where staging and parking of trucks is incidental to the permitted principal use, designed to accommodate the storage of trucks as defined by this Ordinance (including only the trailer portion of a combined, tractor trailer truck) for more than a continuous twenty-four (24) hour period.
- (e) **Truck Terminal:** A facility to which goods, except raw or unprocessed agricultural products, natural minerals, equipment or other resources, are delivered for immediate distribution or to be amalgamated or divided for delivery in larger or smaller units to other points, or for distribution, amalgamation, or division involving transfer to other modes of transportation.

**Truck Repair Facility:** As defined, a truck repair facility may include one or both of the following:

- (a) **Truck and Trailer Repair (Major):** Any facility where major repairs are performed on trucks or trailers. Major repairs include engine rebuilding, rebuilding or reconditioning of trucks and trailers, collision service, such as body, frame, or fender straightening and repair; overall painting and undercoating of trucks, major overhauling of engine requiring removal of cylinder-head or crankcase pan, recapping or retreading of tires installed on site, or steam cleaning and similar activities.
- (b) **Truck Repair and Maintenance Facility (Minor):** A facility where maintenance and repairs are performed on not more than two (2) trucks and trailers. Minor repairs and maintenance includes replacement of minor engine or body parts such as replacement of tires, ignition parts, air and oil filter, replacement of fluids and refueling and cleaning and washing the body and engine. Minor truck repair may be considered an accessory use to an approved industrial use.

**Truck Stop:** Any building, premises or land in which or upon which a business, service or industry involving the maintenance, servicing, storage or repair of commercial vehicles is conducted or rendered including the dispensing of motor fuel or other petroleum

products directly into motor vehicles, the sale of accessories or equipment for trucks and similar commercial vehicles. A truck stop may include overnight accommodations and restaurant facilities solely for use of truck crews.

**Trucking Facility:** A facility that has tractors and trailers stored on site that are dispatched for the transport of goods in intrastate and interstate commerce.

**Two-Family:** See *"Dwelling, Two-Family."*

## Section 24.21 Definitions "U"

**Underground Storage Tank System:** A tank or combination of tanks, including underground pipes connected to the tank or tanks, which is, was, or may have been used to contain an accumulation of hazardous substances, as defined in Part 213 of the State of Michigan Natural Resources and Environmental Protection Act, 1994 Public Act 451, as amended.

**Urgent Care Center or Emergency Medical Station:** A facility offering immediate or emergency health care treatment and can be considered either a principal or accessory use.

**Use:** See *"Accessory Use, Building or Structure"* and/or *"Principal Building or Use"*

**Use Variance:** See *"Variance."*

## Section 24.22 Definitions "V".

**Variance:** A relaxation or modification of the requirements of this Ordinance as authorized by the ZBA under the provisions of this Ordinance and Act 207 of the Public Acts of 1921, as amended.

- (a) **Non-Use Variance:** A variance approved by the Board of Zoning Appeals relaxing one (1) or more requirements of this Ordinance related to buildings, lots, and other dimensional requirements.
- (b) **Use Variance:** A variance approved by the Board of Zoning Appeals allowing a use of land not otherwise permitted in a zoning district.

### Vehicle Related Uses:

- (a) **Vehicle Engine and Body Repair Establishment (Major):** An automotive repair establishment which may conduct in addition to activities defined below as "minor repairs" one (1) or more of the following: general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles, collision service, such as body, frame, or fender straightening and repair; overall painting and undercoating of automobiles, major overhauling of engine requiring removal of cylinder-head or crank case pan, recapping or retreading of tires, steam cleaning and similar activities.
- (b) **Vehicle Repair and Maintenance Facilities (Minor):** A building or premises used primarily to provide general maintenance on automobiles such as oil changes and lubrication; servicing and repair of spark plugs, batteries, pumps, belts, hoses, air filters, and windshield wipers ; replacement of mufflers and exhaust systems, brakes and shock absorbers; radiator cleaning and flushing; auto detailing; sale and installation of automobile accessories such as tires, radios and air conditioners; wheel alignment, balancing; but excluding tire recapping or grooving or any major mechanical repairs, collision work, undercoating or painting. An automobile maintenance/service establishment may be located in the same building and be a

part of a vehicle service station.

- (c) **Service Station:** A building or structure designed or used for the retail sale or provision of fuels (which must be stored only in underground tanks), lubricants, air, batteries, water and other operating commodities for motor vehicles, and including the customary space and facilities for the installation of these commodities on or in vehicles, and including space for facilities for the temporary short-term storage, minor repair, or servicing. The definition shall not include bumping, painting, refinishing, major repairs and overhauling, steam cleaning, rust-proofing whether a principal or accessory use, nor shall it be construed as automobile repair or body shop. A service station may also include other uses such as a convenience store or carryout restaurant.
- (d) **Vehicle Dealership:** A building or premises used primarily for the sale of new and used automobiles and other motor vehicles such as motorcycles, boats, recreational vehicles or other similar methods of transportation. Such a dealership may include outdoor display and accessory indoor maintenance and repair.
- (e) **Wash Establishment:** A building, or portion thereof, with a primary purpose of washing motor vehicles.
- (f) **Vehicle Dismantling, Wrecking and Recycling:** The business of buying, dismantling, wrecking, or recycling of motor vehicles or in the business of buying, selling, delivering or dealing in used or secondhand motor vehicle parts in the City.
- (g) **Used Vehicle Parts Sales:** Any person engaged in or operating a business of buying, selling or delivering used or secondhand motor vehicle parts in the City.

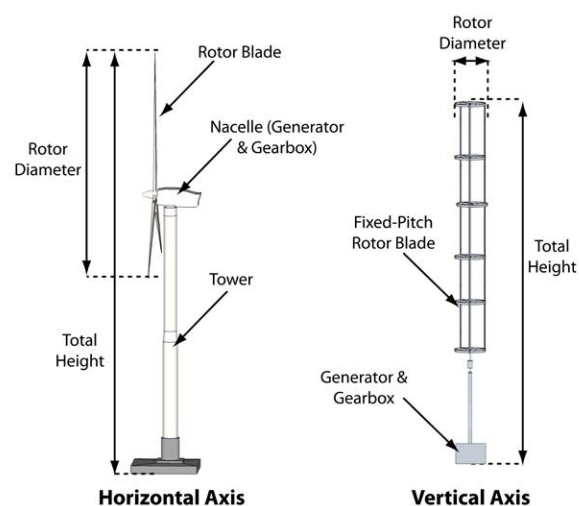
**Veterinary Clinic:** An institution which is licensed by the Michigan Department of Health to provide for the care, diagnosis, and treatment of sick or injured animals, including those in need of medical or surgical attention. A veterinary clinic may include customary pens or cages for the overnight boarding of animals and such related facilities as laboratories, testing services, and offices.

### Section 24.23 Definitions "W".

**Warehouse:** A building used for long-term and short-term storage and wholesale of manufactured products, supplies, and equipment related to the operation of a single business and material for "just in time" delivery to a manufacturing facility. The use will include truck loading and unloading, provided the area dedicated to the outdoor storage of trucks and trailers is no more than the area of the warehouse building. Where the area dedicated to the outdoor storage of trucks and trailers exceeds the area of the warehouse building or the number of truck parking spaces exceeds the number of dock doors, the use shall be considered a truck terminal.

**Wash Establishment:** See "[Vehicle Related Uses.](#)"

**Wells:** An oil or gas well that is under the jurisdiction of the Superintendent



of Wells and is regulated by the State of Michigan, Department of Environmental Quality.

**Wind Energy Conversion System (WECS) Definitions:**

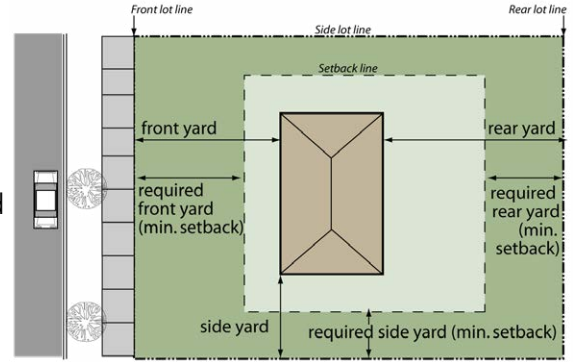
- (a) **Wind Energy Conversion System (WECS):** Shall mean all, or any combination of:
  - (1) A surface area, either variable or fixed, for utilizing the wind for electrical power; and
  - (2) A shaft, gearing, belt, or coupling utilized to convert the rotation of the surface area into a form suitable for driving a generator, alternator, or other electricity-producing device; and
  - (3) The generator, alternator, or other device to convert the mechanical energy of the surface area into electrical energy; and
  - (4) The tower upon which any, all, or some combination of the above are mounted.
  - (5) Wind monitoring station.
  - (6) Other components not listed above but associated with the normal construction, operation, and maintenance of a WECS.
  - (7) WECS include horizontal, and vertical axis wind turbines.
- (b) **Horizontal axis WECS:** A WECS which converts wind energy into electricity through the use of a wind turbine generator with a horizontal axis of rotation. This type of WECS is directional in that it achieves optimal energy production while pointed into or away from the direction of the wind.
- (c) **Vertical axis WECS:** A WECS which converts wind energy into electricity through the use of a wind turbine generator with a vertical axis of rotation. This type of WECS is not directional in that it does not need to be pointed into or away from the direction of the wind in order to achieve optimal energy production.
- (d) **WECS Height:** The distance between the ground (at normal grade) and the highest point of the WECS (being the tip of the blade, when the blade is in the full vertical position or the top of the pole, whichever is higher).
- (e) **WECS Survival Wind Speed:** The maximum wind speed, as designated by the WECS manufacturer, at which a WECS in unattended operation (not necessarily producing power) is designed to survive without damage to any structural equipment or loss of the ability to function normally.

**Wireless Communication:**

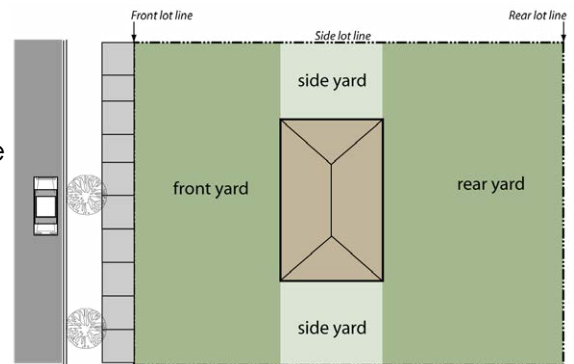
- (a) **Attached Wireless Communication Facility (Antennae):** Any wireless communication facility affixed to an existing structure, such as a building, tower, water tank, utility pole, etc., utilized to receive and transmit federally or state licensed communications services via dually licensed segments of the radio frequency spectrum. This definition shall not include support structures.
- (b) **Wireless Communication Facility:** All facilities, structural, attached, accessory or otherwise, related to the use of the radio frequency spectrum for the purposes of transmitting or receiving radio signals and may include, but is not limited to, radio and television towers, telephone devices and exchanges, microwave relay towers, telephone transmission equipment buildings, and commercial mobile radio service

facilities. Not included within this definition are: citizen band radio facilities, short wave facilities, ham and amateur radio facilities, television reception antennae, satellite dishes, and governmental facilities which are subject to state and federal law or regulations that preempt municipal regulatory authority. A wireless communication facility shall not be included under the existing definition of "essential services."

- (c) **Collocation:** The location by two (2) or more wireless communications providers, public authority or other dually authorized party of wireless communications facilities on a common structure, tower or building, in a manner that reduces the overall need for additional or multiple freestanding single use communications facilities and/or support structures within the City of Romulus.



- (d) **Wireless Communication Support Structure (Tower):** Any wireless communication facility erected or modified to support attached wireless communication facilities, or other antennae or facilities, including supporting lines, cables, wires, braces and masts intended primarily for the purpose of mounting an attached wireless communication facility or similar apparatus above grade. This includes, but is not limited to, any ground or roof-mounted pole, monopole, lattice tower, light pole, utility pole, wood pole, guy wired tower, spire, other similar structure or combination thereof, or other structures which appear to be something other than a mere support structure.



## Section 24.24 Definitions "Y".

### Yard:

- (a) **Front Yard:** The space between the front line of the building and the front lot line adjacent to a street, public road row, or private road easement, extending from one side lot line to the other side lot line. A corner lot will be considered to have two front yards: a front yard and a sided street front yard.
- (b) **Rear Yard:** The space between the rear line of the building and the rear lot line, extending from one side lot line to the other side lot line. In the case of a corner lot, the rear yard may be opposite either street frontage, but there shall be only one (1) rear yard.
- (c) **Required Yard:** That portion of a lot that meets the required minimum front, side, or rear setback of the zoning district in which the property is located.
- (d) **Side Yard:** A yard on the same lot with a building between the side lot line and the nearest side line of the building and extending from the rear to the front yard. A side yard will also be referred to as an interior side yard where it adjoins another lot. An "exterior side yard" is a side yard on a corner lot that faces a side street and will be considered a "side street front yard," as noted above under "front yard."
- (e) **Yard:** An open space, unoccupied and unobstructed from the ground upward and

not including stormwater detention/retention facilities, except as otherwise provided herein, and being on the same lot with a building. The measurement of a yard shall be construed as the minimum horizontal distance between the lot line and the building or structure.

**Section 24.25**      **Definitions “Z”.**

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**Zoning Compliance Permit:** A permit issued by the Building and Safety Department for construction that is found to be in conformance with this Ordinance.

**Zoning District or District:** See *“District.”*

**Zoning Enabling Act:** The Michigan Zoning Enabling Act, P. A. 110 of 2006, as amended.

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# Article 25

## Enactment Provisions

25



City of Romulus Zoning Ordinance

**Section 25.01      Repeal of Conflicting Ordinances**

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All prior Ordinances enacted pursuant to the Michigan Zoning Enabling Act (Public Act 110 of 2006 as amended) are hereby repealed. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

**Section 25.02      Severability**

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This Ordinance and its various articles, sections, paragraphs, and clauses are hereby declared to be severable. If any article, section, paragraph, or clause is adjudged unconstitutional or invalid, the remainder of the Ordinance shall not be affected.

**Section 25.03      Enactment and Effective Date**

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This Ordinance is hereby declared to have been adopted by the City Council of the City of Romulus, Wayne County, Michigan, at a meeting duly called and held on November 7, 2011, and it is hereby ordered that publication be given in the manner prescribed by law and that this Ordinance be given effect seven (7) days after publication.

# Appendix

# A



City of Romulus Zoning Ordinance



The purpose of this combined use table is to provide a snapshot of uses allowed by district. It is not intended to replace the specific use tables in each chapter. Please refer to the specific article in which that district is found.

**Table A.1 Table of Uses by District**

Use	RE	R1-A	R-1B	R2	RM	HRM	RMH	CBD1	CBD2	CBD3	O-1	C-1	C-2	C-3	RC	O-R	M-1	M-2	M-T	AP
<b>Residential</b>																				
Single-family detached dwellings	P	P	P	P	P	P		P	P	P										
Two-family dwellings (duplexes)	SLU	SLU	SLU	P	P	P	SLU	P	P	P										
Attached single-family dwellings				P	P	P		P	P	P										
Multiple-family dwellings					P	P		P	P	P					P					
Residential apartments on upper floor above a retail, personal service or office use on the ground floor								P	P	P										
Boarding homes								P	P	P			SLU	SLU						
Senior apartments and senior independent living				SLU	P	P		P	P	P										
Senior assisted living		SLU	SLU	SLU	P	P		P	P	P										
Manufactured home parks, and trailer coach parks							P													
<b>Institutional and Educational</b>																				
Business schools								P	P	P	P	P	P	P	P					
Cemeteries	SLU	SLU	SLU		SLU	SLU	SLU													
Colleges, universities and other institutions of higher learning, public and private, offering courses in general, technical, or religious education	SLU	SLU	SLU		SLU	SLU	SLU	P	P	P	P		P	P	P					
Municipal buildings and uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Offices and facilities for law enforcement, customs, homeland security and emergency services including fire stations, and medical care units																P	P	P	P	P
Performing and fine art schools								P	P	P	P	P	P	P	P					
Places of worship	SLU	SLU	SLU		SLU	SLU	SLU	P	P	P	P	P	P	P	P		P			
Schools, elementary, middle and high schools, parochial and private	SLU	SLU	SLU		SLU	SLU	SLU													
Trade, technical and vocational schools, not including truck driving schools								p	p	p	P	P	P	P	P	P	P	P	P	P
<b>Human Care and Medical</b>																				
Adult Day Care				SLU	SLU	SLU		P	P	P										
Adult foster care family home (6 or fewer adults)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P					
Adult foster care large group home (13 to 20 adults)				SLU	SLU	SLU		SLU	SLU	SLU	P	P	P	P						
Adult foster care large group home (13 to 20 adults)				SLU	SLU	SLU		SLU	SLU	SLU	P	P	P	P						
Adult foster care small group home (7 to 12 adults)	SLU	SLU	SLU	P	P	P	SLU	P	P	P	P	P	P	P						
Child day care centers, nursery schools and day nurseries (more than 12 children less than 24 hours per day)	SLU	SLU	SLU	SLU	SLU	SLU	SLU	P	P	P	P	P	P	P	P	P	SLU	SLU	SLU	P
Child day care, family home (6 or fewer children less than 24 hours per day)	P	P	P	P	P	P	P	P	P	P										
Child day care, group home (7 to 12 children less than 24 hours per day)	SLU	SLU	SLU	P	P	P	SLU	P	P	P										
Foster family group home (5-6 children 24 hours per day)	P	P	P	P	P	P		P	P	P										
Foster family home (1-4 children 24 hours per day)	P	P	P	P	P	P	P	P	P	P										
Hospitals and 24-hour urgent care centers								P		P	P	P	P	P	P		P			
Therapy and rehabilitation centers					SLU	SLU		P		P	P		P	P	P		P			
Medical or dental clinics								P	P	P	P	P	P	P	P	P	P	P	P	P
Nursing and convalescence homes	SLU	SLU	SLU		SLU	SLU		P	P	P										
Shelters and social assistance centers					SLU	SLU					SLU		SLU	SLU			SLU			
Substance abuse rehabilitation centers					SLU	SLU					SLU		SLU	SLU			SLU			

Table A.1 Table of Uses by District

Use	RE	R1-A	R-1B	R2	RM	HRM	RMH	CBD1	CBD2	CBD3	O-1	C-1	C-2	C-3	RC	O-R	M-1	M-2	M-T	AP
<b>Animal/Agricultural</b>																				
Bee keeping																	P	P	P	
Farms or farm operations	P	P	P													P	P	P	P	
Fowl and small animal pens	P	P	P																	
Greenhouses and nurseries, including retail sales																	P	P	P	
Kennels, commercial	SLU	SLU	SLU										SLU	SLU	SLU		P	P	P	
Kennels and long-term parking (park and bark)															SLU					
Kennels, commercial, including boarding	SLU	SLU	SLU																	
Kennels, private	P	P	P														P	P	P	
Pet daycare								P	P	P		SLU	SLU	SLU	SLU		P	P	P	
Pet grooming and obedience training with no boarding								P	P	P		P	P	P						
Stables, livestock barns and boarding stables	SLU	SLU	SLU																	
Agricultural activity																	SLU	SLU	SLU	
Keeping of animals																	SLU	SLU	SLU	
Processing and refining of animal products																		SLU	SLU	
Boarding stables																	SLU	SLU	SLU	
Veterinary hospitals and clinics								P	P	P	P	P	P	P	P	P	P	P	P	
<b>Retail</b>																				
Retail businesses of no more than 20,000 square feet gross floor area								P	P	P										
Retail businesses whose principal activity is the sale or rental of merchandise within a completely enclosed building												P	P	P	P					
Accessory service or retail uses customarily incidental to a permitted principal medical office or hospital use, such as but not limited to: a pharmacy, barbershop, health salon, stores limited to corrective garments or bandages, optical shops											SLU	P	P	P	P					
Convenience food store or party store								P	P	P		P	P	P	P	P	SLU	SLU	SLU	
Drive-through uses accessory to a principal permitted use (except restaurants)								SLU	SLU	SLU		SLU	SLU	P	P					
Flea markets and retail shops within a completely enclosed building												P	P	P			P	P		
Nurseries and similar outdoor retail sale of trees, fruits, vegetables, shrubbery, plants, seed, topsoil, humus, fertilizer, trellises, lawn furniture, other home garden supplies, and equipment and similar uses													SLU	SLU			P	P	P	
Open air retail sales as accessory uses								P		P			SLU	SLU			SLU	SLU	SLU	
Pharmacies with drive-through prescription windows								SLU	SLU	SLU		SLU	SLU	P	P					
Pharmacies without drive-through prescription windows								P	P	P	P	P	P	P	P					
Retail and service business located at or within the airport intended to serve airport travelers																				P
Retail sales of home improvement supplies													P	P			P			
Resale and consignment shops								P	P	P										
Pawn shops													SLU	SLU						
<b>Services</b>																				

Table A.1 Table of Uses by District

Use	RE	R1-A	R-1B	R2	RM	HRM	RMH	CBD1	CBD2	CBD3	O-1	C-1	C-2	C-3	RC	O-R	M-1	M-2	M-T	AP
Personal service establishments which perform services on the premises, such as barber and beauty shops; watch, radio, television, clothing and shoe repair shops; tailors; photographic studios; locksmiths; and similar establishments requiring a retail adjunct								P	P	P	P	P	P	P	P	P	P	P		
Barber and beauty shops, tanning salons and health spas								P	P	P	P	P	P	P	P					
Central dry-cleaning plants and laundries																P	P	P		
Funeral homes and mortuaries								P	P	P	P	P	P	P						
Groundsheet advertisements																SLU	SLU	SLU		
Hotel, motel, bed and breakfast inns								P	P	P			P	P	P					P
Laundry or dry-cleaning customer outlets, coin operated laundromats, self-serve dry-cleaning centers, and the like. Dry cleaning or laundry plants serving more than one retail outlet are prohibited								P	P	P		P	P	P						
Tattoo and piercing parlors								P	P	P		P	P	P						
Tool and equipment rental without outdoor storage													P	P						
Equipment sales, rental and repair without outdoor storage																P	P	P		
Contractor establishment of an office, showroom, or workshop nature, without outdoor storage, of an electrician, plumber, heating, and air-conditioning contractor, decorator, building contractor, painter, upholsterer or similar contractor which requires a retail adjunct, providing such use is within a completely enclosed building and excludes outside storage yards								P		P										
Tool and equipment rental with outdoor storage, but excluding vehicles													SLU	SLU						
<b>Restaurants and Bars</b>																				
Carryout restaurants								P	P	P		P	P	P	P		P	P	P	P
Cocktail lounge/night club								P	P	P		SLU	P	P	P					
Drive- in restaurants								SLU					SLU	SLU	P					
Drive-thru restaurants								SLU					SLU	SLU	SLU					
Restaurants, taverns, brewpubs, and microbreweries								P	P	P	SLU	P	P	P	P	P	P	P	P	P
Restaurants and taverns with outdoor seating								P	P	P	SLU	SLU	P	P	P	P	P	P	P	
Restaurants with open front windows								P	P	P		SLU	P	P	P					
<b>Vehicle and Truck Repair, Service and Parking</b>																				
Cell phone parking lots for airport pickup																	P	P	P	P
Long-term parking facilities (park-and-fly, vehicle storage)															SLU				SLU	P
Recreation vehicle outdoor storage																	P	P	P	
Truck (small – under 10,000 pounds), utility trailer and small equipment sales, rental or leasing																	P	P	P	
Truck, trailer and construction vehicle and equipment dealership (new or used) including sales, rentals or leasing																		P	P	
Truck repair (minor) facility																	P	P	P	
Truck and trailer repair (major) facility																		P	P	
Truck dismantling, wrecking, recycling and sale of used truck parts																			P	
Truck stops																			SLU	
Truck washes as principal use																			P	
Vehicle and truck auction facilities																			SLU	

Table A.1 Table of Uses by District

Use	RE	R1-A	R-1B	R2	RM	HRM	RMH	CBD1	CBD2	CBD3	O-1	C-1	C-2	C-3	RC	O-R	M-1	M-2	M-T	AP
Vehicle dealerships (used) including automobile, motorcycle, boat and recreational vehicle sales										SLU										
Vehicle dealerships (new) including automobile, motorcycle, boat and recreational vehicle sales, may include up to 25% used vehicle sales										SLU										
Vehicle dealerships (new and used) including automobile, motorcycle, boat and recreational vehicle sales, rental or lease														P	P		P	P	P	
Vehicle impound facilities and towing storage yards																				SLU
Vehicle maintenance and repair (minor) establishments								SLU		SLU				P	P		P	P	P	
Vehicle engine and body repair (major) establishments														SLU	P		P	P	P	
Vehicle rental establishments										SLU				SLU	SLU		P	P	P	P
Vehicle service centers/fueling stations								SLU		SLU				SLU	SLU					SLU
Vehicle or truck parts (new) sales as an accessory use																	P	P	P	
Vehicle and truck dismantling, wrecking, recycling and sale of used vehicle and truck parts																				P
Vehicle fueling (gas) station																	P			
Truck fueling (gas) stations																	P			P
Vehicle wash, automatic, self serve or auto-detailing								SLU		SLU				P	SLU		P	P	P	SLU
<b>Recreation \ leisure \ entertainment</b>																				
Accessory outdoor recreation facilities such as golf courses, tennis courts and swimming pools when such uses are intended primarily for the guests or tenants of a principal permitted use of the site														P	P	P				
Adult uses														SLU	SLU					
Arcades														SLU	SLU	SLU				
Bath houses, saunas or businesses providing whirlpool baths, or mineral baths														SLU	SLU	SLU				
Bowling alleys								P	P	P				P	P	P				
Casinos and racetracks																				SLU
Golf courses	SLU	SLU	SLU	SLU	SLU	SLU	SLU													SLU
Indoor commercial recreation uses such as tennis courts, ice-skating rinks, court sports facilities and similar uses								SLU	SLU	SLU		P	P	P	P		P	P	P	
Indoor shooting ranges																	P	P	P	
Outdoor drive-in theaters																		SLU	SLU	
Outdoor recreation uses, including batting cages, driving ranges, riding stables, gun clubs, parks, camper and/or tent parks, hay rides, snowmobile and mini-bike trails, picnic grounds, swimming facilities, children's rides and race tracks																	SLU	SLU	SLU	
Comedy clubs								P	P	P										
Pool and billiard halls								P	P	P				P	P	P				
Private noncommercial recreational areas and buildings, institutional recreation centers, neighborhood recreational clubhouses, non-profit swimming pool clubs	SLU	SLU	SLU	SLU	SLU	SLU	SLU													
Private open space and neighborhood parks	P	P	P	P	P	P		P	P	P										
Private service clubs, fraternal organizations, lodge and union halls								P	P	P	P	P	P	P			P			
Publicly owned and operated parks and recreational facilities	P	P	P	P	P	P		P	P	P	P	P	P	P	P					

Table A.1 Table of Uses by District

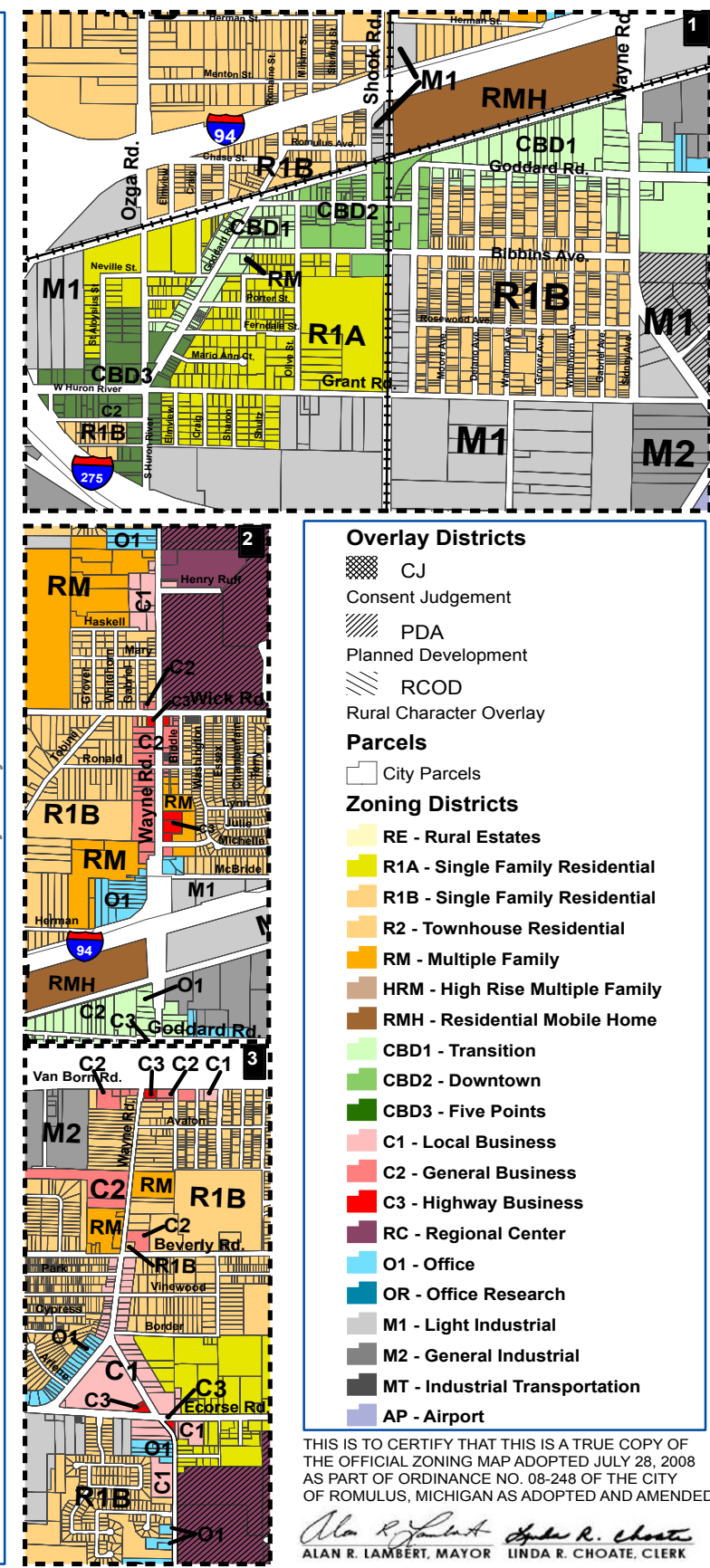
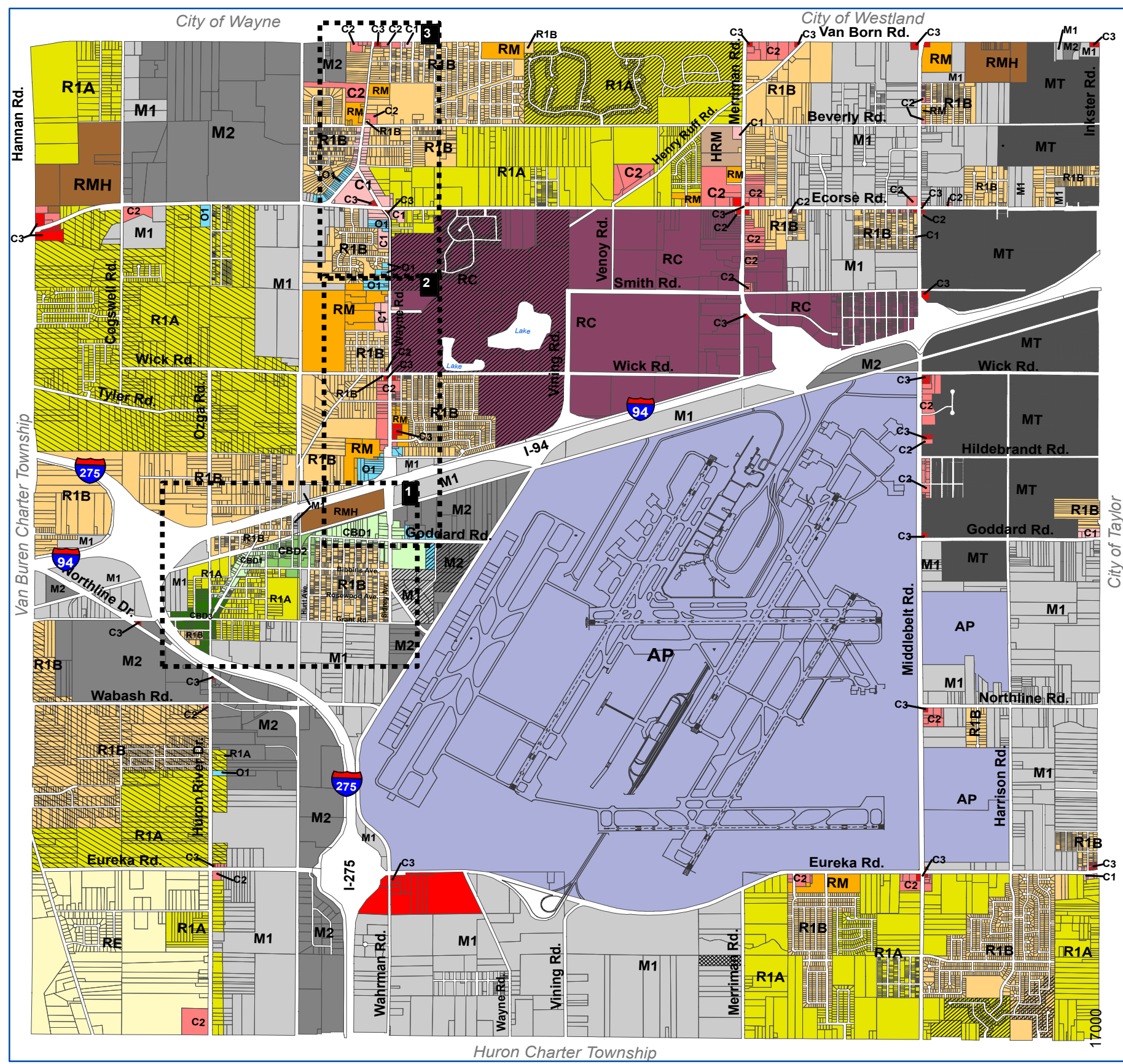
Use	RE	R1-A	R-1B	R2	RM	HRM	RMH	CBD1	CBD2	CBD3	O-1	C-1	C-2	C-3	RC	O-R	M-1	M-2	M-T	AP
Recreational, health services and related uses including but not limited to: health clubs or gyms; martial arts, instruction or practice; gymnasiums; tanning salons								P	P	P			P	P	P					
Tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving range, children's amusement park or similar outdoor recreation uses								SLU	SLU	SLU				P	P					
Banquet halls, entertainment establishments and poker rooms								P	P	P										
Banquet halls and entertainment establishments																	P			
Theaters, motion picture and live (not including adult)								P	P	P			P	P	P					
<b>Office/Professional/Financial</b>																				
Office buildings								P	P	P	P	P	P	P	P	P	P	P	P	P
Business services such as mailing, copying, data processing and retail office supplies								P	P	P	P	P	P	P	P	P	P	P	P	P
Corporate headquarter offices, administrative, professional, and/or business offices of permitted principal uses, legal, engineering, surveying, accounting, architectural, and similar professional offices								P	P	P	P	P	P	P	P	P	P	P	P	P
Data processing and computer centers, including incidental service and maintenance of electronic data processing											P	P	P	P	P	P	P	P	P	P
Design and educational facilities whose principal function is the research and development of new products and processes and technical training																P	P	P	P	P
Financial establishments such as banks, credit unions, savings and loan associations								P	P	P	P	P	P	P	P	P	P	P	P	P
Financial establishments with drive-through tellers								P	P	P	P	P	P	P	P	P	P	P	P	P
Free standing automated teller machine kiosks not located on a bank site.											SLU	SLU	SLU	SLU	SLU					
Insurance offices and brokerage houses								P	P	P	P	P	P	P	P					
Management and conference centers, convention facilities, corporate education and training facilities											P		P	P	P	P	P	P	P	P
Planned office research parks																P	P	P	P	P
Research, experimental or testing laboratories								P	P	P										
Research, development, and testing facilities for technological, scientific and business establishments, including the development of prototypes																P	P	P	P	P
Specialized or customized photographic or graphic design services											P		P	P		P	P	P	P	P
Upper floor office, or warehouse uses, above a retail, personal service uses, cultural uses, offices and medical office/clinic uses on the ground floor								P	P	P										
Medical, optical, pharmaceutical laboratories											P		P	P	P	P	P	P	P	P
<b>Industrial Manufacturing</b>																				
Assembling and/or manufacture of automobiles and automobile bodies, trucks, engines, batteries, corrosive acid or alkali, cement, lime, gypsum, or plaster of Paris																		P	P	
Blast furnace, steel furnace, blooming or rolling mill; smelting of copper, iron or zinc ore																		P	P	
Breweries and distilleries																		P	P	

Table A.1 Table of Uses by District

Use	RE	R1-A	R-1B	R2	RM	HRM	RMH	CBD1	CBD2	CBD3	O-1	C-1	C-2	C-3	RC	O-R	M-1	M-2	M-T	AP
Manufacture, assembling, compounding, fabrication or packaging of products from previously prepared materials such as: electronics, food goods, candy, pharmaceuticals, cosmetics, toiletries, musical instruments, optical goods, toys, electrical equipment and appliances, pottery, hardware and cutlery and small automobile parts and accessories, including tool and dye machine shops	Up to 80,000 sq. ft. GFA																P	P	P	P
	Over 80,000 sq. ft. GFA																SLU	P	P	SLU
Painting and sheet metal and welding shops; metal and plastic injection and blow molding and extrusion shops																		P	P	
Production, refining, storage of petroleum and other flammable, or combustible materials																			P	
Publishing and printing establishments																P	P	P	P	P
Tool and dye machine shops	Up to 80,000 sq. ft GFA																P	P	P	
	Over 80,000 sq. ft GFA																SLU	P	P	
Powercoating, painting in a paint booth																	P	P	P	
<b>Construction Contractors/Supplies</b>																				
Contractor establishment including an office, showroom, warehouse or workshop of an electrician, plumber, heating, and air-conditioning contractor, decorator, building contractor, painter, upholsterer or similar contractor which requires a retail adjunct, providing such use is within a completely enclosed building and excludes outside storage yards														P	P	P	P	P	P	
Landscape contractor supply yard																	P	P		
Asphalt, concrete or mixing batch plants and crushing operations																			SLU	
Contractor and equipment outdoor storage yards																	SLU	P	P	
Wholesale lumber yards and building supply establishments and planning mills																	P	P	P	P
<b>Transportation and Warehousing</b>																				
Bus, railroad, and passenger transit terminals								P	P	P	P	P	P	P	P	P	P	P	P	P
Railroad transfer and storage tracks and railroad terminals																		P	P	
Taxi dispatching, limousine and shuttle establishments																	P	P	P	P
Self-storage or mini-warehouse facilities																	P	P	P	
Truck driving schools																			P	
Truck facilities and truck storage																	P	P	P	
Truck terminals																			P	
Distribution facilities, air freight forwarders expediting and delivery services, and warehousing establishments providing storage for a single company - may include multiple warehouses in multi-tenant buildings	Up to 80,000 sq. ft. GFA																P	P	P	P
	Over 80,000 sq. ft. GFA																SLU	P	P	SLU
<b>Utilities and Oil and Gas Wells</b>																				
Public sewage treatment plants, public water plants, power plants, public works garages, storage yards and similar uses																	SLU	SLU	SLU	
Oil and gas wells																	SLU	SLU	SLU	
Hydraulic fracking wells																	SLU	SLU	SLU	

Table A.1 Table of Uses by District

Use	RE	R1-A	R-1B	R2	RM	HRM	RMH	CBD1	CBD2	CBD3	O-1	C-1	C-2	C-3	RC	O-R	M-1	M-2	M-T	AP				
Utility buildings, substations, including pump stations and transformer substations that are necessary to serve the immediate vicinity	SLU	SLU	SLU	SLU	SLU	SLU	SLU	P	P	P	P	P	P	P	P	P	P	P	P	P				
Utility distribution facilities such as water mains, sewer mains, electrical, gas, distribution lines, and associated structures that are designed to serve the immediate vicinity	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P				
<b>Waste Handling and Disposal</b>																								
Deep well injection of hazardous or non-hazardous waste																				SLU				
Incineration of garbage or refuse, when constructed within an approved incinerator plant																				SLU				
Junk yards, salvage yards																				SLU				
Hazardous waste recycling, incineration, treatment, transfer, storage or disposal																				SLU				
Non-hazardous materials outdoor recycling																				SLU	P			
Non-hazardous materials recycling within an enclosed building																				P	P			
Non-hazardous waste transfer stations, treatment, storage or disposal facilities																				SLU	SLU			
Sludge composting																				SLU	SLU			
Yard waste composting																				SLU	P	P		
<b>Airports</b>																								
Airport equipment storage yards																				P	P	P		
<b>Accessory</b>																								
Accessory buildings and uses customarily incidental to any of the above permitted uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Accessory above ground storage tanks																				P	P	P		
Accessory above ground fuel storage and dispensing tanks for on-site vehicles and equipment																				P	P	P		
Accessory maintenance and repair of trucks and equipment used by the business where it is located																				P	P	P		
Accessory buildings or structures for manufactured home park management																				P				
Accessory outdoor storage of raw materials, supplies, equipment and products - except for outdoor uses listed above																				SLU	P	P	P	
Accessory parking, staging and storage of semi truck tractors or trailers - For a period exceeding 24 hours																					P	P	P	SLU
Accessory parking, staging and storage of semi truck tractors or trailers - For a period not exceeding 24 hours																					P	P	P	P
Accessory retail uses																					P	P	P	
Commercial outdoor display, sales, and storage																					P	P		
Charitable donation drop boxes																					P	P	P	
Home occupations	P	P	P	P	P	P	P	P	P	P		P	P	P	P									



# Official Zoning Map

**Overlay Districts**

- CJ Consent Judgement
- PDA Planned Development
- RCOD Rural Character Overlay

**Parcels**

- City Parcels

**Zoning Districts**

- RE - Rural Estates
- R1A - Single Family Residential
- R1B - Single Family Residential
- R2 - Townhouse Residential
- RM - Multiple Family
- HRM - High Rise Multiple Family
- RMH - Residential Mobile Home
- CBD1 - Transition
- CBD2 - Downtown
- CBD3 - Five Points
- C1 - Local Business
- C2 - General Business
- C3 - Highway Business
- RC - Regional Center
- O1 - Office
- OR - Office Research
- M1 - Light Industrial
- M2 - General Industrial
- MT - Industrial Transportation
- AP - Airport

The parcel lines of this map are representative of the actual parcel lines and are not intended to be substituted for an official survey or used to resolve boundary or area issues.

Consult official City of Romulus records for dimensions and areas of parcels and boundaries.

Basemap Source: Wade-Trim, Updated by LSL Planning (2008) Data Source: City of Romulus

THIS IS TO CERTIFY THAT THIS IS A TRUE COPY OF THE OFFICIAL ZONING MAP ADOPTED JULY 28, 2008 AS PART OF ORDINANCE NO. 08-248 OF THE CITY OF ROMULUS, MICHIGAN AS ADOPTED AND AMENDED.

*Alan R. Lambert* *Linda R. Choate*  
ALAN R. LAMBERT, MAYOR LINDA R. CHOATE, CLERK

