

INKSTER CITY COUNCIL

November 19, 2018
26215 Trowbridge, Inkster, MI 48141
(313) 563-4232 www.cityofinkster.com

Mayor – Byron Nolen
Mayor Pro Tem – Timothy Williams, District I

Council Members:

Clarence Oden, Jr., District II
Sandra K. Watley., District III
Steven Chisholm, District IV
Kim Howard, District V
Connie R. Mitchell, District VI

FELICIA RUTLEDGE
CITY CLERK

BYRON NOLEN
MAYOR

TREASURER
DARIN CARRINGTON

DAVID JONES
CITY ATTORNEY

Council may be addressed during the Regular Meeting by filling out the Public Participation Form. Address Council as a whole through the Mayor. Please state your name and your address for the record prior to providing your comments. Comments are limited to three (3) minutes.

Council Orientation Agenda – 6:00 PM

1. Call to Order

2. Discussion

A. Agenda Discussion

Public Participation (limit to 3 minutes)

3. CLOSED SESSION – Council may enter into Closed Session to discuss contract negotiations, purchase or lease of real property and/or pending litigation in accordance with MCL 15.268 (a), (c), (d), (e) and/or (f).

4. Adjournment

November 19, 2018
Regular City Council Agenda – 7:00 PM

1. Call Meeting to Order

- A. Pledge of Allegiance
- B. Roll Call

2. Approval of Agenda

3. Presentations/Discussion

- A. Viking Football Team Presentation – Mayor Pro-Tem, Timothy Williams
- B. District I Beautification Presentation – Mayor Pro-Tem, Timothy Williams

4. Public Hearing

5. Consent Agenda

- A. November 5, 2018 Regular City Council Meeting Minutes. **Pg.1**

6. Boards and Commissions

- A. Update of current list of appointments to Boards & Commissions. **Pg. 5**

7. Previous Business

8. Ordinance(s)

A. First Reading(s)

B. Second Reading(s)

2. Council to offer a **second** reading and **approval** of text amendments (TA 18-27) to the City's Zoning Ordinance to create and implement an approval process for murals per the recommendations of the Planning Commission. For a list of affected ordinance sections please see "background information. **Pg. 12**

9. New Business

- A. Discussion/Action: (Sharde Fleming) Consideration and approval of an offer to purchase (Case # LD 17-58) one (1) vacant industrial lot which is located on the north side of Cherry St. between Springhill and Middlebelt and is legally described

as 25N44 LOT 44 DEARBORN ACRES SUB NO. 2 T2S R9E L33 P79 WCR (Property I.D. 44 009 02 0044 000) in the amount of \$15,000 to Zakia Pope-Gibson.

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- B. Discussion/Action: (Adrianna Jordan) Consideration and approval Council to consider approval of a \$21,500 scope of work, budget, and contract with Hamilton Anderson Associates (HAA) for the preparation of feasibility studies, precedent studies, photorealistic renderings, and streetscape cross-sections related to the northeast quadrant of the downtown area.

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10. Public Participation (limit to 3 minutes)

11. City Clerk

12. City Treasurer

13. Mayor and Council Communication

14. Closed Session

Council may enter into Closed Session to discuss contract negotiations, purchase or lease of real property and/or pending litigation in accordance with MCL 15.268 (a), (c), (d), (e) and/or (f).

15. Adjournment

Felicia Rutledge
City Clerk

November 5, 2018
Regular City Council Meeting – 7:00 PM

The regular meeting of the Council of the City of Inkster, Wayne County, Michigan convened in the Council Chambers, 26215 Trowbridge, on Monday, November 5, 2018

Prior to the Regular Council Meeting: City Council members discussed:

A. Agenda Discussion

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Chisholm to go into Executive Session 6:39 p.m. to discuss pending litigation, personnel and land sales in accordance with MCL 15.286 (e). Motion carried unanimously

Moved by Councilmember Oden, Seconded by Councilmember Howard adjourn the closed Executive Session at 7:19 p.m. – Motion carried unanimously.

Call Meeting to Order

Mayor Nolen called the meeting to order at 7:28 p.m.

Pledge of Allegiance

City Council and the public in attendance pledged allegiance to the flag of the United States of America.

Prayer

Prayer was led by Evangelist Johnston

Roll Call

Mayor Nolen	Present	Councilwoman Howard	Present
Councilwoman Watley	Present	Mayor Pro-Tem Williams	Present
Councilman Oden	Present	Councilman Chisholm	Present
Councilwoman Mitchell	Present		

Approval of Agenda

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Mitchell
to approve the agenda with added items "E" and "F" under New Business.
11-18-216R - Motion carried.

Presentations/Discussion

Public Hearings

Consent Agenda

- A. October 15, 2018 Regular City Council Meeting Minutes.
- B. Allen Brother's and Attorney's PLLC Invoice \$ 47,979.94

**Moved by Councilmember Chisholm, Seconded by Mayor Pro-Williams
to approve the November 5, 2018 Consent Agenda.
Resolution 11-18-217R – Motion carried.**

Boards and Commission

- A. Update of current list of appointments to Boards & Commissions.

**Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Chisholm
to appoint Mac Willis to the Zoning Board of Appeals.
Resolution 11-18-218R – Motion carried.**

- Nomination of LaGina Washington to the Parks and Recreation Commission
(need to check her District)

Previous Business

Ordinance(s)

- A. First Reading(s)

1. Council to offer a first reading of text amendments (TA 18-27) to the City's Zoning Ordinance to create and implement an approval process for murals per the recommendations of the Planning Commission. For a list of affected ordinance sections please see "background information".

- B. Second Reading(s)

New Business

- A. Discussion/Action: (Felicia Rutledge) Consideration and Approval of the City Council 2019 meeting dates.

**Moved by Councilmember Howard, Seconded Mayor Pro-Tem Williams
to approve of the City Council 2019 meeting dates.
Resolution 11-18-219R – Motion carried.**

- B. Discussion/Action: (Adrianna Jordan) Consideration and approval for city council to approve the adoption of a Downtown Revitalization Plan.

**Moved by Councilmember Oden, Seconded by Councilmember Howard
to approve the adoption of a Downtown Revitalization Plan.
Resolution 11-18-220R – Motion carried.**

- C. Discussion/Action: (Sharde Fleming) Consideration and approval of issuing a replacement deed for 27138 Penn St. located on the North side of Penn St. between Wellington Ave. and Sylvia St. and is legally described as Lot 263, and the adjacent ½ adj. vacated alley, WESTWOOD SUBDIVISION, as recorded in Liber 40, Page 29 & 30 of Plats, WCR (Property I.D. 44 022 01 0263 000) in the amount of \$1.00 to Michael C. Byrd.

**Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Chisholm
to approve of issuing a replacement deed for 27138 Penn St. located on the**

**North side of Penn St. between Wellington Ave. and Sylvia St. and is legally described as Lot 263, and the adjacent ½ adj. vacated alley, WESTWOOD SUBDIVISION, as recorded in Liber 40, Page 29 & 30 of Plats, WCR (Property I.D. 44 022 01 0263 000) in the amount of \$1.00 to Michael C. Byrd.
Resolution 11-18-221R – Motion carried**

D. Discussion/Action: (Darin Carrington) Consideration and approval of the agreement with the International Association of Fire Fighters.

**Moved by Councilmember Mitchell, Seconded by Councilmember Oden to approve of the agreement with the International Association of Fire Fighters.
Resolution 11-18-222R – Motion carried**

E. Discussion/Action: (City Council) To Vote in accordance with the vote taken in closed session (Salt Marshall)

**Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Howard to approve the vote taken in closed session (Salt Marshall)
Resolution 11-18-223R – Motion carried
NAY: (Mitchell)**

F. Discussion/Action: (City Council) To Vote in accordance with the vote taken in closed session (Beauvis)

**Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Howard to approve the vote taken in closed session (Beauvais)
Resolution 11-18-224R – Motion carried
NAY: (Watley)**

Public Participation

Evonne Moore – Thanked the Mayor and I-CAN for the Candy Convoy. She said the children that could not make it to the Recreation Complex enjoyed them coming to them. She further stated that Inkster Housing Resident Council is getting ready for the annual Christmas Party and accepting all donations.

Officer Lebo – Thanked everyone that participated in the Halloween party at the Recreation Complex. She announced Coffee with a Cop on November 7, 2018 and the Bake Sale on November 14, 2018 at the Police department. She said the proceeds of the bake sale go to movie night for the children.

Lucy Byrd – Announced an outreach program for 2019. She stated that February 23rd will kick off the Alzheimer's and Diabetes program.

Willie Johnson – Stated the city needed more Police. He further asked residents to vote democratic.

Lillie Lester – Announced she would be honored on Sunday November 4, 2018. She was the first African American Sergeant at Arms. The event will be held at Burton Manor and tickets are \$50.00

City Clerk

Encouraged residents to get out and vote.

City Treasurer

No comments.

Mayor and Council

Councilwoman Howard – Asked residents not to let the rain deter them from voting.

Councilman Chisholm – Stated he wanted to reiterate and encourage everyone to get out and vote. He further stated that St. Clemmons church would be hosting prayer on voting day.

Councilwoman Mitchell – Asked residents to get ready for voting and pay attention to the proposals.

Councilman Oden – Asked residents to get out and vote. He thanked everyone for the I-CAN Candy Convoy and the Inkster Halloween party.

Mayor Pro-Tem Williams – Gave a shout-out to the Parks and Recreation Director for the handling of the Halloween party.

Mayor Nolen – Announced the Lunch with the Mayor. He said that the Halloween party was a success and thanked Sharde Fleming, Adrianna Jordan and Anthony Backley and all staff that assisted. He stated to Lillie Lester he would see her Sunday. He further encouraged all to get out and vote.

Closed Session

Adjournment

There being no further business to come before Council, on a motion duly made
By Councilmember Oden, Seconded by Mayor Pro-Tem Williams and carried,
the Regular Council meeting of November 5, 2018 was adjourned at 8:11 p.m.



Felicia Rutledge, City Clerk
City of Inkster

CITY OF INKSTER
Boards & Commissions

[MADE OPERATIVE BY STATE LAW, CITY OF INKSTER CHARTER PROVISION OR CITY OF INKSTER ORDINANCE]

AGING COMMISSION

[MEETINGS: Third Friday of each month at 1:00 p.m., Twin Towers Activity Room]

2 Year Term

9 Members

Ordinances: 414,457 & 508

Denise Champagne, Project Dir.
 - (Ex-Officio Member)

Tenure

Rochelle Wells

Exp. 8/06/20

Doris Horne

Exp. 08/06/20

Henry Wade

Exp. 08/06/20

Toni Bailey

Exp. 07/07/19

Vacant

Exp. 01/17/20

Gabe Henderson

Exp. 08/06/20

Jean Liddell

Exp. 08/06/20

Iris Long

Exp. 01/17/20

June Patter son

Exp. 01/17/20

Debra Owens

Exp. 05/21/20

Chuck Coleman

Exp. 08/20/20

BOARD OF REVIEW

[MEETINGS: March, July and December]

Annual Appointment

3 Members

Charter Provision and State Law

WCA Assessing

Clerk of the Board – Non Voting

William Miller

Exp. 03/05/2019

Gina Triplett (Alternate)

Exp. 03/05/2019

Lenoria Warmack

Exp. 03/06/2019

Vacant**BEAUTIFICATION COMMITTEE**

[MEETINGS: Second Monday of each month @ 6:00 p.m., Recreation Center]

2 Year Term

Toni Bailey

Exp. 07/16/20

Kathleen Gibbs

Exp. 02/06/19

Gabe Henderson

Exp. 05/16/18

Avis Love

Exp. 11/6/19

George Williams

Exp. 11/6/19

Vacant**Vacant****Vacant****Vacant****Vacant****Vacant****Vacant****Vacant****Vacant****Vacant****Vacant****Vacant****Vacant****Vacant****Vacant****Vacant****Vacant**

BUILDING AUTHORITY COMMISSION - Inactive

[MEETINGS: Second Monday in January]

3 Year Term

5 Members

State Law and Resolution 74-1-39

Nathaniel Elcock
 Hersey Bryant, (C)
 Horace Wells

Exp. 12/31/05
 Exp. 12/31/00
 Exp. 12/31/01

CABLE TELEVISION COMMISSION

[MEETINGS: Second Tuesday of each month at 6:00 p.m., Recreation Center]

3 Year Term

9 Members

Ordinances 593 and 609

Timothy Williams Ex-Official

Troy Seaton Dist. 1

Exp. 01/17/20

~~Leon Houston Dist. 2~~~~Exp. Served Notice; Returned~~**Vacant Dist. 3****Exp.**

Octavia Smith Dist. 4

Exp. 07/03/20

Thelma Jean Overman Dist. 5

Exp. 02/06/20

Dist. 6

Exp. 01/04/19

Sandra Watley **Mayoral**

Exp. 01/03/20

Steven Chisholm At-Large

Exp. 01/17/20

CIVIL SERVICE COMMISSION AND BOARD OF ETHICS

[MEETINGS: Monthly]

3 Year Term

3 Members

Ordinances 237 & 559

Clarence Oden

Exp. 6/18/15

Vacant - (Employee Representative)

~~James White~~**Exp. 12/04/11**~~- (Commission Appointment)~~**CONDEMNATION BOARD**

[MEETINGS: AS NEEDED]

5 Members

Ordinance 150.140 thru 150.145

Mark Minch (Building Contractor)
 Deborah Owens (General Member)
 Guy Borrusch General Member
 Dorsey Williams (Contractor)
 James Garrett (Engineer)

Exp. 9/19 (1 Year Term)
 Exp. 9/19 (2 Year Term)
 Exp. 9/19 (2 Year Term)
 Exp. 9/20 (3 Year Term)
 Exp. 9/20 (3 Year Term)

CONSTRUCTION BOARD OF APPEALS/PROPERTY MAINTENANCE BOARD

[MEETINGS: As required]

3 Year Term	3 Members	Ordinance
Henry Wade		Exp. 12/17
- (Licensed Plumber)		
Stephen Lawrence		Exp. 12/17
Tiara Jones		Exp. 10/17
Kenyatta Mason		Exp. 10/17
- (Licensed Electrician)		
Marcus Hendricks –		Exp. 12/17
- (Licensed Electrician)		
- Tom Michelin		Exp. 04/19
– Building Inspector		
- (Licensed Engineer/Inspector)		

DOWNTOWN DEVELOPMENT AUTHORITY

[MEETINGS: Third Tuesday of each month, 6:00 p.m. City Hall Council Chambers]

4 Year Term	12 Members	State Law and Ordinances 687 and 741
Connie R. Mitchell		Tenure
Martha Theis		Exp. 01/14/18
Angela Dodson		Exp. 02/19/22
Cynthia Adams (Secretary)		Exp. 01/14/18
Brittini Abiolu (Vice Chair)		Exp. 05/18/19
Peter Cimeot		Exp. 01/21/18
Akindele Akinyemi (Chair)		Exp. 02/16/19
Val Ogbonaya		Exp. 07/20/19
Winston Wade		Exp. 07/17/21
Rerhi Onomake (Treasurer)		Exp. 3/16/19
Uche Ndubuisi		Exp. 7/20/19

ECONOMIC DEVELOPMENT CORPORATION (BOARD OF DIRECTORS)

[MEETINGS: Second Thursday each month, held in the Conference Room, City Hall]

6 Year Term	11 Members	State Law and Ordinances 517 and 570
Bishop Walter Starghill, Jr.		Exp. 06/07/16
Winnie Nwankwo		Exp. 05/18/21
Akindele Akinyemi		Exp. 05/18/21
Deborah Walker		Exp. 06/07/16
Mary Weislo		Exp. 03/07/17
Cassandra Leonard		Exp. 06/07/16
Herbert Johnson		Exp. 06/07/16
Dennis Weislo		Exp. 06/07/19
Charmaine Kennedy		Exp. 01/17/23
Connie R. Mitchell		Exp. 02/06/23

ELECTRICAL EXAMINING BOARD

Indefinite Terms	4 Members	State Law and Ordinance 616
Walter Bays (Elec. Cont.)		
Andrew Hughes (Adm. Official)		
Carlton Trouteaud (Rep. of Detroit Edison)		

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Jason Kaye
Sandra K. Watley
Velma Overman

Fire Rep
City Council Rep Exp. 12/18
Board of Trustee Rep

WATER REVIEW COMMITTEE

[MEETINGS: Scheduled by Chairman Marcus Hendricks, City Hall TIFA Room]

Sam Brown	App. 01/07/13
Carl Woods	App. 01/07/13
Ann Coleman	App. 01/07/13
Courtney Owens	App. 01/07/13
Councilmember Williams	App. 02/04/13
Marcus Hendricks	App. 02/18/13
Dennis Welsio	App. 02/18/13

ZONING BOARD OF APPEALS (ZBA)

[MEETINGS: First Thursday of each month at 6:00 P.M., City Council Chambers]

3 Year Term 7 Members State Law and Ordinance 277

Ruth E. Williams	Dist. 1	Exp. 02/15/19
Clarence Oden, Jr. (VC)	Dist. 2	Exp. 04/03/20
James Cross	Dist. 3	Exp. 07/01/16
Roosevelt Stubbs (S)	Dist. 4	Exp. 08/21/20
Vanola Williams	Dist. 5	Exp. 02/06/20
Norma McDaniel	Dist. 6	Exp. 10/05/18
Tom Michelini		Exp. 04/18/19
Teresa Patton		Exp. 08/06/21
Mac Willis		Exp. 11/05/21

Nankin Transit

[Meetings: Third Thursday of each month at 5:45 p.m., Nankin Transit [Jefferson Barns Community CTR. 32150 Dorsey Westland, MI. 48186]

Mayor Pro-Tem Timothy Williams	Exp. Tenure
Denise Champagne, Community Appointee	Exp. (Appointed in 2009)

2015 Community Development Block Grant Advisory Council (CDBG)

[Meetings: Dates and times are quarterly and locations are various]

Timothy Williams, Council Appointee	Exp. Tenure
Clarence Oden (Alternate)	Exp. Tenure

COMMITTEES FORMED BY COUNCIL RESOLUTIONS

TAX INCREMENT FINANCE AUTHORITY

[MEETINGS: Second Thursday of each month at 6:30 P.M., City Hall Council]

6 Year Term 13 Members Resolution 85-8-331

Connie R. Mitchell	Tenure
Brittni Abiolu	Exp. 6/06/22
Avis Love	Exp. 03/20/23
Rerhi Onomake	Exp. 03/16/21
Dennis Weislow	Exp. 06/07/19
Charmaine Kennedy	Exp. 02/20/21

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Mary Weislow (Treasurer)
Winnie Nwankwo
Akindele Akinyemi

Exp. 06/06/22
Exp. 05/18/21
Exp. 05/18/21

BROWNFIELD REDEVELOPMENT AUTHORITY

[MEETINGS: Second Tuesday of each month at 5:00 P.M., City Hall Council Chambers]

Terms 1, 2 and 3 years Up to 9 members

Resolution 02-9-458

Timothy Williams, City Council Representative

Tenure

Darin Carrington, Treasurer

Tenure

Vacant Community

Tenure

Tonia C. Williams

Exp. 02/20/19

Vacant:

Exp. 11/6/20

NOTES:

Vacancies and/or Expired terms

*Has not taken the oath

REQUEST FOR COUNCIL ACTION

To: Byron H. Nolen, Mayor

Date: November 13, 2018

From: Adrianna Jordan
City Planner

Date for Council Consideration: November 19, 2018

ACTION REQUESTED: Council to offer a second reading of text amendments (TA 18-27) to the City's Zoning Ordinance to create and implement an approval process for murals per the recommendations of the Planning Commission. For a list of affected ordinance sections please see "background information".

Current Action ☒ Emergency ☐ Future ☐

Funds Budgeted: If Yes ☐ Account # ☐ No ☐ N/A ☒

Mayor's Approval



BACKGROUND INFORMATION

A public hearing was held and the amendments were recommended for approval by the Planning Commission on Monday, October 22, 2018. No public comments were received on the amendments at the public hearing. Draft meeting minutes are attached. Council then held a first reading on the proposed text amendments on Monday, November 5, 2018.

Proposed modifications include changes to §155.029 "Definitions", §155.036 "Schedule of Land Uses", §155.045 "B-1 Local Business District", §155.048 "M-1 Light Industrial District", and §155.049 "TCD Town Center District", and establishment of new section §155.261 "Murals".

SCOPE OF SERVICES

N/A

JUSTIFICATION

The proposed mural text amendments are being initiated by the City of Inkster due to recent expressed interest in the promotion of public art within the City. Currently, the City's zoning code and fee schedule does not address an approval process for murals that is different from the standard site plan review process and fee which is intended for buildings, not public art.

The text amendment language is attached for review.

PROJECT OR IMPROVEMENT TASKS

1. Revitalize the Michigan Avenue Corridor and the area covered by the DDA.
2. Improve and promote the image of Inkster.

COSTS

There are no direct costs for the City.

PROJECT TIME TABLE

If the request is approved by Council, the amendment will be published and posted and become effective after thirty (30) days.

RESOLUTION

Resolved by _____

Seconded by _____

Yes:

No:

Absent:

**CITY OF INKSTER
PLANNING COMMISSION
MINUTES**

A regular meeting was held on **Monday, October 22, 2018**, in the Inkster City Council Chambers, located at 26215 Trowbridge, Inkster, Michigan.

A quorum was reached. Secretary Cain called the meeting to order at 6:39 p.m.

I. ROLL CALL

Present: Chairman Chisholm, Secretary Cain, Faison, Davis, Nolen, Willis, Garrett, and Williams.

Absent: Vice Chairman Ratliff

Others in attendance: Adrianna Jordan, City Planner
Kaitlyn Hines, Planning Technician
Mike Walker, Applicant
Patrick Hare, Engineer
Jeff Steffani, Applicant
David Landry, Lawyer

Public in attendance: Brittini Abiolu, Inkster DDA
Councilwoman Connie Mitchell
Akindele Akinyemi, Inkster DDA

II. ADOPTION OF AGENDA

MOVED by Williams, Seconded by Garrett to Adopt the Agenda. **MOTION CARRIED unanimously.**

III. ADOPTION OF MINUTES OF September 24, 2018

MOVED by Garrett, Seconded by Williams to Adopt the Minutes. **MOTION CARRIED unanimously.**

IV. PUBLIC HEARINGS

A. Case # 18-27 (TA) – Murals

Consideration of proposed text amendments to the City's Zoning Ordinance pertaining to provisions for mural installation. Proposed modifications include changes to §155.029 "Definitions", §155.036 "Schedule of Land Uses", §155.045 "B-1, Local Business District", §155.048 "M-1, Light Industrial District", §155.049 "TCD Town Center District", and the establishment of §155.261, "Murals".

MOVED by Nolen, Seconded Garrett by to open the public hearing for Case # 18-27 (TA) – Murals. **MOTION CARRIED unanimously.**

Commissioners Concerns:

1. Commissioners asked to add language for bonding so that applicants would have more time to start their projects if weather does not allow for completion.
2. Commissioner Faison had concerns about how things will be judged to be tasteful, as art is subjective. The planner assured her that with nine planning commissioners a majority vote would decide whether something is appropriate.

Public Remarks:

NONE

MOVED by Nolen, Seconded by Willis to close the public hearing. **MOTION CARRIED unanimously.**

MOVED by Nolen, Seconded by Willis to recommend approval of Case # 18-27 (TA) – Murals with the following conditions:

1. The language must be changed to allow for a bond to be placed on the project.

MOTION CARRIED unanimously.

B. Downtown Revitalization Plan

Planning Commission to review and consider recommendation of approval of the public draft of the Downtown Revitalization Plan prepared by McKenna Associates.

MOVED by Nolen, Seconded Garrett by to open the public hearing for the Downtown Strategic Plan. **MOTION CARRIED unanimously.**

Commissioners Concerns:

1. Commissioner Williams asked about the possibility of an educational space. Mayor Nolen assured him that this is just a phase one conceptual plan, so anything is possible.
2. Commissioner Davis had concerns with the proposed Kayak launch and the amount of debris within the Rouge River. The Planning Technician mentioned that Friends of the Rouge is looking to assist communities in their effort to keep the river clear.

Public Remarks:

1. Akindele Akinyemi asked if there has been an assessment of revenue for the proposed development and whether or not there would be a Farmers Market. Mayor Nolen replied that we are in the beginning phases of the plan so things may change and that we want a true farmers market within the city.
2. Brittini Abiolu asked about the previous public hearing on Murals and what happens to those that are already in place. The planner assured her that finished projects would not be affected, but any that were previously submitted and expired from lack of activity will need to be resubmitted. Ms. Abiolu then asked if the Envision Center could be downtown. Mayor Nolen replied that it could be as this is only conceptual.

MOVED by Williams, Seconded by Davis to close the public hearing. **MOTION CARRIED unanimously.**

MOVED by Williams, Seconded by Davis to recommend approval of the Downtown Revitalization Plan with the following conditions:

1. Add the DDA to the acknowledgements.

V. **OLD BUSINESS**

A. **Case # 18-01 (SP) – Consideration of a Wall Waiver**

Planning Commission to review and consider approval of a conditional waiver of the screening wall requirement for the SMART Bus Terminal located in the M-1, Light Industrial District at 30000 North Industrial Drive. John C. Hertel on behalf of SMART is the applicant. The subject property is located on the north side of North Industrial, between Henry Ruff Road and East Industrial Drive.

Commissioners Concerns:

1. Commissioners asked the applicant to come back to Planning if the adjacent lot is developed and that it be properly screened.

MOVED by Nolen, Seconded by Garrett to approve the Screening Wall Waiver for Case #18-01 (SP) with the following conditions:

1. If and when the site is developed the applicant must return to the Planning Department for approval of a screening wall.
2. The length of any future screening wall must be long enough to properly screen overnight bus storage and accessory uses and structures.
3. Any future screening wall must include noise abatement measures that comply with Ordinance requirements.

MOTION CARRIED unanimously.

VII. **NEW BUSINESS**

A. **Case # 17-14 (SP) – U-Haul Moving and Storage Facility**

Planning Commission to review and consider approval of the site plan for an existing U-Haul Moving and Storage facility located in the B-3, General Business District at 29500 and 29600 Michigan Avenue. David Laundry on behalf of U-Haul of Central Michigan/Amerco Real Estate is the applicant. The subject property is located on the north side of Michigan Avenue, between Henry Ruff Road and Middlebelt Road.

Commissioners Concerns:

1. Commissioners asked if the amount of parking was necessary; there was discussion over the parking minimums that are required by the ordinance. Planning Commission tabled the issue of screening until January to give the applicant time to work with the administration to develop a reasonable screening and landscaping plan.

MOVED by Nolen, Seconded by Garrett to approve Case # 17-14 (SP) with the following conditions:

1. A maximum of 361 parking spaces are approved for the land uses associated with the subject site.
2. The applicant must return to the Planning Commission in January for consideration of approval of a landscaping and screening plan.

MOTION CARRIED unanimously.

VIII. MISCELLANEOUS

NONE.

VIII. ADJOURNMENT – 8:16 pm

MOVED by Nolen, Seconded by Garrett to adjourn the Planning Commission meeting held on August 13, 2018. **MOTION CARRIED unanimously**

Respectfully submitted,

Steven Chisholm, Chairman

Lynnette O. Cain, Secretary

Adrianna Jordan, City Planner



October 15th, 2018

Planning Commission
City of Inkster
26215 Trowbridge
Inkster, MI 48141

Subject: TA 18-27 Mural Zoning Text Amendments

The City of Inkster Planning Department is submitting the above-referenced draft zoning text amendments for the Planning Commission's review and consideration.

DESCRIPTION

The proposed zoning text amendments are being initiated by the City of Inkster due to the need for a process to classify and approve murals.

The following modifications to the Zoning Ordinance are proposed as part of this text amendment:

- In §155.029 "Definitions", create new definitions for "Mural – Type One", and "Mural – Type Two",
- In §155.036 "Schedule of Land Uses", create separate land use for "murals".
- In §155.045 "B-1 Local Business District", add "murals" as permitted uses in §155.045(B).
- In §155.048 "M-1 Light Industrial District", add "murals" as a permitted use in §155.048(B).
- In §155.049 "TCD Town Center District", add "murals" as a permitted use in §155.049(B).
- Establish new "Public Art" zoning ordinance chapter between "Signs" and "Powers and Duties of Boards and Departments", and create new ordinance subsection §155.261 "Murals".

Respectfully,

Kaitlyn Hines
Planning Technician

TA18-27

Draft Zoning Text Amendments for Murals

City of Inkster

10/04/18

- In §155.029 “Definitions”, create new definitions for “Mural – Type One”, and “Mural – Type Two”.
- In §155.036 “Schedule of Land Uses”, create separate land use for “murals”.
- In §155.045 “B-1 Local Business District”, add “murals” as permitted uses in §155.045(B).
- In §155.048 “M-1 Light Industrial District”, add “murals” as a permitted use in §155.048(B).
- In §155.049 “TCD Town Center District”, add “murals” as a permitted use in §155.049(B).
- Establish new “*Public Art*” zoning ordinance chapter between “*Signs*” and “*Powers and Duties of Boards and Departments*”, and create new ordinance subsection §155.261 “Murals”.

All edits are highlighted in red with new text underlined and deleted text marked with a ~~strikethrough~~.

§ 155.029 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABUT OR ABUTTING. Having a common border with.

ACCESSORY BUILDING OR STRUCTURE. A building or structure clearly incidental to, customarily found in connection with, and located on the same zoning lot or site (groups of lots used together) as the principal structure to which it is related. An ***ACCESSORY BUILDING OR STRUCTURE*** includes, but is not limited to the following:

- (1) Any detached building/structure or any building/structure which does not share a common footing wall with the main structure on the premises.
- (2) Any structure attached to the main building on the premises via a roof overhang, breezeway, porch, or other similar form of attachment.
- (3) Barns, sheds and similar structures.

ACCESSORY USE. A use clearly incidental to, customarily found in connection with, and (except in the case of accessory off-street parking spaces or loading) located on the same zoning lot as the principal use to which it is related. An ***ACCESSORY USE*** includes, but is not limited to, the following:

- (1) Swimming pools for use of the occupants of a residence or their guests;

(2) Domestic or agricultural storage in a barn, shed, tool room or similar accessory building or other structure;

(3) A newsstand primarily for the convenience of the occupants of a building, which is located wholly within such building and has no exterior signs or displays;

(4) Storage of merchandise normally carried in stock in connection with a business or industrial use, unless such storage is excluded from the applicable district regulations;

(5) Storage of goods used in or produced by industrial uses or related activities, unless such storage is excluded in the applicable district regulations;

(6) Accessory off-street parking spaces, open or enclosed, subject to all requirements of this chapter;

(7) Accessory off-street loading, subject to all requirements of this chapter;

(8) Accessory signs, subject to the sign regulations of this chapter;

(9) Garden plots subject to all requirements of this chapter; and

(10) Similar incidental uses.

ADDITION. Construction or alteration of a building or structure that increases the square footage, number of dwelling units, bulk or other extent.

ADJACENT. Same as **ABUT** or **ABUTTING**.

ADULT AMUSEMENT DEVICE CENTER. An enclosed building containing coin-operated amusement devices or machines for presenting material for observation by patrons therein, distinguished or characterized by an emphasis on matter depicting, describing, or relating to “specific sexual activities” or specified anatomical areas”, as defined below.

ADULT BOOKSTORE. A business having as its principal activity the sale of books, magazines, newspapers, and motion picture films which are characterized by their emphasis on portrayals of human genitals and pubic regions or acts of human masturbation, sexual intercourse or sodomy.

ADULT BUSINESS ACTIVITY. A business whose principal service or activity is one of the following types of businesses: adult live conduct business, adult bookstore, adult motion picture theater, adult mini-motion picture theater, adult personal service business.

ADULT LIVE CONDUCT ACTIVITY. Any work or entertainment activity carried on in a business where the physical human body is nude, as defined below.

(1) **NUDE.** Having less than completely and/or opaquely covered human genitals, pubic region, buttock, or female breast below a point immediately above the top of the areola.

(2) **NUDE MODELING STUDIO.** A business where an employee or entertainment personnel appears in nude (as defined below) and is also provided or allowed to be observed, sketched, drawn, painted, sculpted, photographed, or similarly depicted to customers.

(3) **SEXUAL ACTIVITIES AND ANATOMICAL AREAS.** For the purposes of this chapter, “specified sexual activities” shall include:

- (a) Human genitals in a state of sexual stimulation or arousal.
- (b) Acts of human masturbation, sexual intercourse, or sodomy.
- (c) Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast. For the purposes of this section, "specified anatomical areas" is defined as:
 - 1. Less than complete and/or opaquely covered human, pubic region, buttock, or female breast below a point immediately above the top of the areola.
 - 2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

ADULT LIVE CONDUCT BUSINESS. A business, any part of whose service or function consists of adult live conduct activity (as defined above) whether as work assignment or entertainment.

ADULT MINI-MOTION PICTURE THEATER. An enclosed building with a capacity for less than 50 persons used for presenting material for observation by patrons therein, distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas," as defined in this section.

ADULT MOTION PICTURE THEATER. An enclosed building with a capacity of 50 or more persons used for presenting material, for observation by patrons therein, distinguished or characterized by an emphasis on matter depicted, described, or relating to "specific sexual activities" or "specified anatomical areas," as defined below.

ADULT OUTDOOR MOTION PICTURE THEATER. An exterior area used for presenting material, for observation by patrons, distinguished or characterized by an emphasis on matter depicted, described, or relating to "specific sexual activities" or "specified anatomical areas," as defined.

ADULT PERSONAL SERVICE BUSINESS. A business whose activities include a person, while nude (as defined above) providing personal services for another person on an individual basis in a closed room. It includes, but is not limited to, the following activities and services: massage parlors, exotic rubs, modeling studios, body painting studios, wrestling studios, individual theatrical performances. It does not include activities performed by persons pursuant to, and in accordance with, licenses issued to such persons by the state.

ADULT SUPPLY STORE. A business selling or offering merchandise that is characterized by emphasis on the act of human masturbation, sexual intercourse or sodomy or portrayal of human genitals and pubic regions.

AGRICULTURE. Farms and general farming, including horticulture, floriculture, dairying, livestock and poultry raising, farm forestry and other similar enterprises or uses, but no farm shall be operated as piggeries or for the disposal of garbage, sewage, rubbish, offal or rendering plants, or for the slaughtering of animals, except such animals as have been raised on the premises or have been maintained on the premises for at least a period of one year immediately prior thereto and for the use and consumption of persons residing on the premises.

ALLEY. Any dedicated public way affording a secondary means of vehicular access to abutting property, and not intended for general traffic circulation.

ALTERATIONS. Any change, addition or modification in construction or type of occupancy, any change in the structural members of a building, such as walls or partitions, columns, beams or girders, the consummated act of which may be referred to herein as altered or reconstructed.

APARTMENT. A room or suite of rooms in a multiple-family building arranged and intended for a place of residence of a single-family or group of individuals living together as a single housekeeping unit.

(1) **LOFT.** A dwelling unit in a building originally constructed for other than primarily residential use containing one or more rooms or enclosed floor space arranged for living, eating, sleeping and/or home occupations; such units shall include bathroom and kitchen facilities as required by applicable codes.

(2) **EFFICIENCY STUDIO APARTMENT.** A dwelling unit containing not over 500 square feet of floor area, and consisting of not more than one room in addition to kitchen, dining and necessary sanitary facilities, and for the purposes of computing density shall be considered as a one-room unit.

(3) **ONE-BEDROOM UNIT.** A dwelling unit containing a minimum floor area of at least 600 square feet per unit, consisting of not more than two rooms in addition to kitchen, dining and necessary sanitary facilities and for the purposes of computing density shall be considered a two-room unit.

(4) **TWO-BEDROOM UNIT.** A dwelling unit containing a minimum floor area of at least 750 square feet per unit, consisting of not more than three rooms in addition to kitchen, dining and necessary sanitary facilities, and for the purpose of computing density shall be considered as a three-room unit.

(5) **THREE OR MORE BEDROOM UNIT.** A dwelling unit containing wherein for each room, in addition to the three rooms permitted in a two-bedroom unit, there shall be provided for the first additional room, an additional area of 150 square feet and 200 square feet for the second or more additional rooms to the minimum area of 750 square feet. For the purpose of computing density, said three-bedroom unit shall be considered a four-room unit, and each increase in a bedroom over three shall be an increase in the room count by one over the four.

ARCADE. A place, premises or establishment or room set aside in a retail or commercial establishment in which three or more coin-operated amusement devices are located, defined herein as a machine or device operated by means of the insertion of a coin, token or similar object, for the purpose of amusement or skill and for the playing of which a fee is charged.

ARENA. An enclosed structure with tiers of seats rising around a sports field, playing court or public exhibition area.

ASSEMBLY HALL. An enclosed space of assembly for the exclusive use of the owners of the facility or by the members of the association controlling the premises.

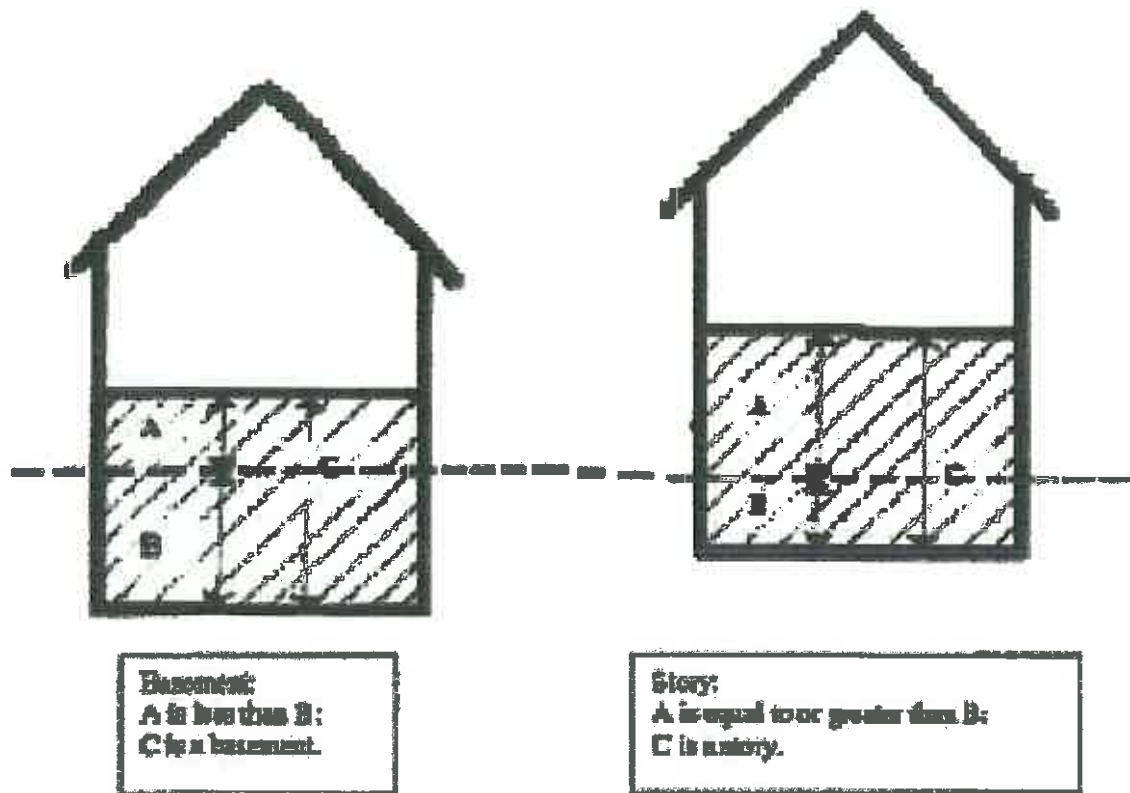
ASSISTED LIVING FACILITY. A facility providing responsible adult supervision of or assistance with routine living functions of an individual in an instance where the individual's condition necessitates that supervision or assistance. Permitted services include but are not limited to staff-supervised meals, housekeeping and personal care, medication supervision and

social activities. Facilities providing regular care under supervision of physicians are not considered assisted living facilities.

AUTOMOBILE. All passenger cars, as well as light duty trucks, vans and sport utility vehicles.

AUTOMOBILE SERVICE STATION. A place where gasoline (stored only in underground tanks), kerosene or motor oil and lubricants or grease (for operation of automobiles) are retailed directly to public on premises, including sale of minor accessories and minor services for automobiles.

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 below is greater than the average grade to the ceiling. A basement shall not be counted as a story.



BED AND BREAKFAST INN. A single-family residential structure that meets the following criteria:

- (1) Has eight or fewer sleeping rooms, including sleeping rooms occupied by the innkeeper, one or more of which are available for rent to transient tenants.
- (2) Serves breakfast at no extra cost to its transient tenants.

(3) Has a smoke detector in proper working order in every sleeping room and a fire extinguisher in proper working order on every floor.

BLOCK. The property abutting one side of a street and lying between the two nearest intersecting streets (crossing or terminating) or between the nearest such street and railroad right-of-way unsubdivided acreage, river or live stream, or between the foregoing and any other barrier to development, or corporate boundary lines of the city.

BLOCK FACE. All lots abutting both sides of a street between two intersecting points.

BOARD. The Zoning Board of Appeals.

BOARDING HOUSE OR ROOMING HOUSE. A building other than a hotel where for compensation and by pre-arrangement for definite periods, meals or lodging and meals are provided for three or more persons, but not exceeding ten sleeping rooms. A rooming house or a furnished room house shall be deemed a **BOARDING HOUSE** for the purposes of this chapter.

BREW PUB. A facility licensed by the Michigan Liquor Control Commission, in conjunction with a Class "C" tavern, Class "A" hotel, or Class "B" hotel, that annually manufactures and sells not more than 2,000 barrels of beer only for consumption therein.

BUFFER ZONES. A strip of land reserved for plant material, berms, walls, or fencing to serve as a visual and/or sound barrier between properties, often between abutting properties and properties in different zoning districts. Landscaping berms, fencing or open space can also be used to buffer noise, light and related impacts from abutting properties.

BUILDING. Any structure, either temporary or permanent, having a roof and used or built for the shelter or enclosure of persons, animals, chattels or property of any kind. This shall include tents, awnings or vehicles situated on private property and used for purposes of a building. The word **BUILDING** includes the word structure, and dwelling includes residence. A **BUILDING** or structure includes any part thereof.

BUILDING HEIGHT. The vertical distance measured from the established grade to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip and gambrel roofs. Where a building is located on sloping terrain, the height may be measured from the average ground level of the grade at the building wall.

BUILDING LINE. A line formed by the face of the building, and for the purposes of this chapter a minimum **BUILDING LINE** is the same as a front setback line.

BUILDING, MAIN OR PRINCIPAL. A building in which is conducted the principal use of the lot which it is situated.

BUILDING OFFICIAL. An individual established by the city to administer and enforce the provisions of all building codes as adopted and amended.

CARPORT. A partially open structure, intended to shelter one or more vehicles. Such structures shall comply with all yard requirements applicable to garages.

CHANGE OF OCCUPANCY. A discontinuance of an existing use and the substitution or the addition thereto of a use of a different kind or class.

CHARITABLE GAMING ROOM. A building or space within a building used, owned, rented, or leased by non-profit qualified organizations for gaming activities permitted pursuant to Michigan Public Act 382 of 1972, as amended.

CHURCH. A building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose. Includes churches, synagogue, temple, mosque, or other such place for worship and religious activities.

CLINIC. An establishment where human patients, who are not lodged overnight, are admitted for examination and treatment by a group of physicians, dentists or similar professions.

CLUB. An organization of persons for special purposes or for the promulgation of sports, arts, sciences, literature, politics or the like, but not operated for profit.

COMMERCIAL VEHICLE. All motor vehicles used for the transportation of passengers for hire, or constructed or used for the transportation of goods, wares or merchandise or all motor vehicles designed and used for drawing other vehicles.

COMMISSION. The Planning Commission of the City of Inkster.

COMMON AREA, GENERAL. That portion of a site condominium project designed and intended for joint ownership and maintenance by the condominium association as described in the condominium master deed.

COMMON AREA, LIMITED. That portion of a site condominium project designed and intended for separate ownership, but outside the building setbacks for the zoning district the property is located in as described in the condominium master deed.

COMMUNITY DEVELOPMENT DEPARTMENT. Includes the Community Development Director, the City Planner, and other City Official(s) authorized to administer the Zoning Regulations on a day-to-day basis, including but not limited to processing applications, granting ministerial approvals, maintaining the records of Planning Commission actions, ending notices of public hearings, and similar work.

CONDOMINIUM. Ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all of the occupants, such as yards, foundations, basements, floors, walls, hallways, stairways, elevators and all other related common elements, together with individual ownership in fee of a particular dwelling unit in such building. Condominiums shall be subject to the regulations set forth in Michigan Public Act 59 of 1978, as amended.

CONDOMINIUM MASTER DEED. The document recorded as part of a condominium subdivision to which are attached as exhibits and incorporated by reference the approved bylaws for the condominium subdivision and the condominium subdivision plan.

CONDOMINIUM SUBDIVISION. A division of land on the basis of condominium ownership, pursuant to the Condominium Act and which is not subject to the provisions of the Land Division Act, Public Act 288 of 1967, as amended. Also known as a site condominium.

CONDOMINIUM SUBDIVISION PLAN. The drawings attached to the master deed for a condominium subdivision project which describe the size, location, area, horizontal and vertical

boundaries and volume of each condominium unit contained in the condominium subdivision project, as well as the nature, location and size of common elements.

CONDOMINIUM UNIT. That portion of a condominium project or condominium subdivision project which is designed and intended for separate ownership and use, 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. A **CONDOMINIUM UNIT** may consist of either vacant land or space which either encloses or is enclosed by a building structure. Any **CONDOMINIUM UNIT** consisting of vacant land shall be equivalent to the term "lot" for the purposes of determining compliance of a condominium subdivision project with the provisions of this chapter pertaining to minimum lot size, minimum lot width, maximum lot coverage and maximum floor area ratio.

CONVALESCENT AND NURSING HOME. An installation other than a hospital or private home where two or more persons afflicted with illness, injury or an infirmity are housed or lodged, and furnished with 24 hour nursing care. Restorative therapies may be provided as an accessory use and clearly incidental to the facility's primary function.

CONVENIENCE RETAIL STORE. A one story, retail store that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a "supermarket"). **CONVENIENCE RETAIL STORES** are designed to attract a large volume of stop-and-go traffic.

COUNCIL. The City Council of the City of Inkster.

COURT. An open, unoccupied space, other than a yard, and bounded on at least two sides by a building. A court extending to the front yard or front lot line or to the rear yard or rear lot line is outer court. Any other court is an inner court.

CUL-DE-SAC. A street ending in a turn-around designed and intended as a permanent or temporary terminus.

DAY CARE.

(1) **CHILD DAY CARE (HOME).** A private home in which more than six but not more than 12 minor children are given care and supervision for periods of less than 24 hours unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. The state shall license these facilities.

(2) **CHILD DAY CARE.** A facility other than a private residence, receiving one or more minor children for care periods of less than 24 hours a day, and where the parents or guardians are not immediately available to the child. The facility is generally described as child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. Childcare 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 services are attending religious activities. The state shall license these facilities.

(3) **ADULT DAY CARE.** A facility, whether in a private home or institutional setting, providing temporary care and supervision for persons 18 years of age or older. Care is provided for periods of less than 24 hours a day. The state shall license these facilities.

(4) **GROUP DAY CARE HOME.** A licensed day care center in a private home as an accessory use in which more than 6 but less than 12 minor children are given care and supervision for periods of less than 24 hours per day and for more than four weeks during a calendar year.

DENSITY. The number of dwelling units situated on or to be developed on a net acre (or smaller unit) of land, which shall be calculated by taking the total gross acreage and subtracting surface water, undevelopable lands (e.g., wetlands) and the area in rights-of-way for streets and roads.

DEVELOPMENT. The construction of a new building or other structures on a zoning lot, the relocation of an existing building on another zoning lot, or the use of open land for a new use. Development also means any man-made change to improved or unimproved real estate, including but not limited to parking, fences, pools, signs, temporary uses, clearing of land, mining, dredging, filling, grading, paving, excavation, or drilling operations.

DISTRICT. A portion of the incorporated area of the city within which certain regulations and requirements or various combinations thereof apply under the provisions of this chapter.

DRIVE-IN. A business establishment so developed that its retail or service character is primarily 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.

DRIVE-THROUGH. A business establishment, or portion thereof, developed to serve patrons in motor vehicles from a designated lane providing access to a service window.

DRIVEWAY. A means of access for vehicles from a street or approved alley across a lot or parcel to a parking or loading area, garage, dwelling or other structure or area on the same lot, that is located and constructed in accordance with the requirements of this chapter and any requirements of the city or state.

DRY CLEANING PLANT. A building, portion of a building, or premises used or intended to be used for cleaning fabrics, textiles, wearing apparel, or articles of any sort by immersion and agitation, or by immersions only, in volatile solvents including, but not by way of limitation, solvents of the petroleum distillate type, and/or the chlorinated hydrocarbon type, and the processes incidental thereto.

DWELLING, MULTIPLE-FAMILY. A building or portion thereof designed for occupancy by three or more families living independently of each other.

DWELLING, ONE-FAMILY. A building designed exclusively for occupancy by one family.

DWELLING, TWO-FAMILY. A building designed exclusively for occupancy by two families, independent of each other, such as a duplex dwelling unit.

DWELLING UNIT. A building, or a portion thereof, designed for occupancy by one family for residential purposes and having cooking and sanitary facilities.

EASEMENT. A right, distinct from the ownership of the land, to cross property with facilities such as, but not limited to, driveways, roads, utility corridors, sewer lines, water lines, and transmission lines, or the right, distinct from the ownership of the land, to reserve and hold an area for open space, recreation, drainage or access purposes.

EMERGENCY SHELTER. A facility providing congregate style temporary lodging with or without meals and ancillary services to primarily the homeless for more than four weeks in any calendar year. An emergency shelter does not provide lodging to any individual who is required because of age, mental disability or other reason to reside in a private or public institution or to any individual who is imprisoned or otherwise detained pursuant to federal or state law. An **EMERGENCY SHELTER** shall be considered a different land use than an adult foster care facility or nursing homes.

ENCLOSED. Surrounded on all sides.

ERECTED. Built, constructed, altered, reconstructed, moved upon or any physical operations on the premises which are required for the construction. Excavation, fill, drainage and the like shall be considered a part of erection.

ESSENTIAL SERVICES. The erection, construction, alteration or maintenance by public utilities or municipal departments or commissions of underground, surface or overhead gas, electrical, steam, fuel or water transmission or distribution systems, collection, communication, supply or disposal systems, including mains, drains, sewers, pipes, conduits, wires, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, poles and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions for the public health, safety or general welfare, but not including buildings other than such primary enclosures or shelters for the above essential service equipment.

EXCAVATION. Any breaking of ground, except common household gardening and ground care.

FAMILY. One or two persons or parents, with their direct lineal descendants and adopted children (and including the domestic employees thereof) together with not more than two persons not so related, living together in the whole or part of a dwelling comprising a single housekeeping unit. Every additional group of two or less persons living in such housekeeping unit shall be considered a separate **FAMILY** for the purpose of this chapter.

FILLING. The depositing or dumping of any matter onto or into the ground, except common household gardening and ground care.

FIREARMS SALES ESTABLISHMENT. A place of business of a firearms dealer. A firearms dealer is any person engaged in the wholesale or retail sale of firearms, the repair of firearms, or the creation or fitting of special barrels, stocks, or trigger mechanisms for firearms. A **FIREARMS SALES ESTABLISHMENT** shall be defined as only those establishments principally engaged in the display or sale of firearms or ammunition. A **FIREARMS SALES ESTABLISHMENT** is not a store of a generally recognized retail nature, which may include firearms or ammunition as an incidental and accessory use.

FLOODPLAIN. See § [155.142](#), National Flood Insurance Program, for specific definitions.

FLOOR AREA, GROSS. The sum total of all floors of a building as measured from the interior faces of the exterior walls. Stairwells and elevator shafts are excluded from this definition for the purpose of area calculations.

FLOOR AREA, RESIDENTIAL. 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 measured from the interior faces of the exterior walls. The **FLOOR AREA** measurement is exclusive of areas of basements, unfinished attics, attached garages, breezeways, and enclosed and unenclosed porches.

FOSTER CARE FACILITIES.

(1) **ADULT FOSTER FAMILY HOME.** An establishment that provides supervision, assistance, protection or personal care, in addition to room and board, to seven or more adults. An adult foster care facility is other than a home for the aged or a nursing home or a mental hospital for mental patients or a pre-release adjustment center. The state shall license these facilities.

(2) **FOSTER FAMILY GROUP HOME.** A private home in which more than four but fewer than seven minor children, who are not related to an adult member of the household by blood, marriage, guardianship or adoption, are provided care 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.

(3) **FOSTER FAMILY HOME.** A private home in which one but not more than four minor children, who are not related to an adult member of the household by blood, marriage, guardianship or adoption, are given care and supervision for 24 hours a day, or four or more days a week, of two or more consecutive weeks, unattended by a parent or legal guardian.

GARAGE, PRIVATE. An accessory building for parking or storage of not more than that number of vehicles as may be required in connection with the permitted use of the principal building. In residential areas the storage of not more than one commercial vehicle of a rated capacity not exceeding three-fourths ton is permitted.

GARAGE, PUBLIC. Any garage other than a private garage available to the public, operated for gain, and used for storage, repair, rental, greasing, washing, sales, servicing, adjusting or equipping of automobiles or other motor vehicles.

GRADE. A ground elevation established for the purpose of regulating the number of stories and the height of the building. The building **GRADE** shall be the level of the ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level, the **GRADE** shall be determined by averaging the elevation of the ground for each face of the building.

GROSS LEASABLE AREA. The gross floor area minus deductions for public lobbies, common mall areas, atriums, courtyards, and permanently designated corridors which are not subject to relocation by specific lease requirements. (Attributed to interior mall parking calculations. May not be needed in Inkster).

HAZARDOUS SUBSTANCE. A chemical or other material which is or may become injurious to the public health, safety or welfare or to the environment.

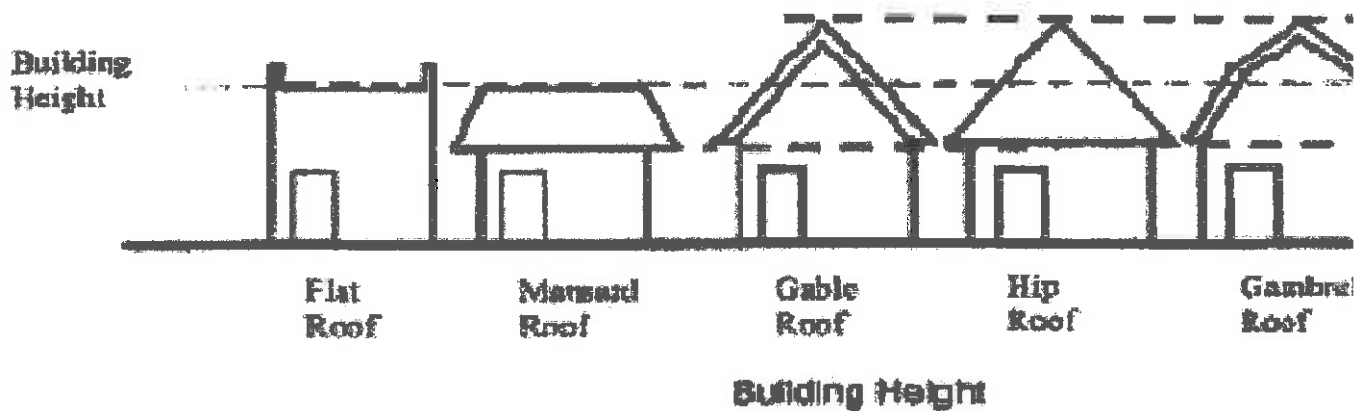
HAZARDOUS WASTE. Waste or a combination of waste and other discarded material including solid, liquid, semi-solid or contained gaseous material that because of its quantity, quality, concentration or physical, chemical or infectious characteristics may cause or significantly contribute to an increase in mortality, serious irreversible illness, serious

incapacitating but reversible illness or pose a substantial present or potential hazard to human health or the environment if properly treated, stored, transported, disposed of, or otherwise managed.

HAZARDOUS WASTE FACILITY. A facility or part of a facility that is used for the treatment, storage or disposal of hazardous waste.

HEALTH CLUB. Gymnasiums (except public), private athletic, health or recreational clubs, reducing salons and weight control establishments, but excluding "adult personal service establishments".

HEIGHT. The vertical distance measured from the established grade at the front of the building to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and to the average **HEIGHT** between eaves and ridge for gable, hip and gambrel roofs. Where a building is located on sloping terrain, the height may be measured from the average ground level of the grade at the building wall. The **HEIGHT** of an accessory building or structure shall be determined as the vertical distance from the average finished grade to the highest point of the roof surface.



HOME OCCUPATION. An occupation or profession carried on by an occupant of a dwelling unit as a secondary use, which is clearly subservient to the use of the dwelling for residential purposes. Any such use shall not be visible or noticeable in any manner or form from outside the walls of the dwelling.

HOSPITAL. A building, structure or installation in which mentally ill, or sick or injured persons are given medical or surgical treatment and operating under license by the Health Department and the state, including such related facilities as laboratories, out-patient departments, central service facilities, and staff offices.

HOTEL. A building, part of a building or group of buildings containing rooming or dwelling units, with a common entrance and lobby, accessed from the interior, used for transient

occupancy by the public traveling in a motor vehicle, offered to the public for compensation and in which one or more of the following services are offered:

- (1) Maid service.
- (2) Furnishing of linen.
- (3) Telephone, secretarial or desk service.
- (4) Room service.

Units shall not be re-rented, sub-rented or rented again within a 24-hour period following a room rental. A **HOTEL** may include a restaurant or cocktail lounge, public banquet halls, ballrooms, or meeting rooms. A **HOTEL** shall not be considered or construed to be a multiple family dwelling, transient housing for persons transitioning from emergency shelters or an emergency shelter.

HOUSING FOR THE ELDERLY. A building or group of buildings containing dwellings intended to be occupied by, elderly persons as defined by the Federal Fair Housing Act, as amended. **HOUSING FOR THE ELDERLY** may include independent and/or assisted living arrangements but shall not include convalescent or home for the aged facilities regulated by the state. Independent and assisted living **HOUSING FOR THE ELDERLY** are defined as follows:

(1) **INDEPENDENT LIVING FOR THE ELDERLY.** Housing that is designed and operated for elderly people in good health who desire and are capable of maintaining independent households. Such housing may provide certain services such as meals, linkages to health care, transportation, security, housekeeping and recreational and social activities.

(2) **ASSISTED LIVING FACILITY.** A facility providing responsible adult supervision of or assistance with routine living functions of an individual in an instance where the individual's condition necessitates that supervision or assistance. Permitted services include but are not limited to staff-supervised meals, housekeeping and personal care, medication supervision and social activities. Facilities providing regular care under supervision of physicians are not considered **ASSISTED LIVING FACILITIES**.

INGRESS AND EGRESS. As used in this chapter, **INGRESS AND EGRESS** generally is used in reference to a driveway which allows vehicles to enter or leave a parcel of property, or to a sidewalk which allows pedestrians to enter or leave a property, a building, or another location.

JUNK. Any motor vehicles, machinery, appliances, products, or merchandise with parts missing or scrap metals or other trash, solid waste, refuse or scrap materials that are damaged or deteriorated, except if in a completely enclosed building. It includes any inoperable or abandoned motor vehicle which is not licensed for use upon the highways of the state for a period in excess of 48 hours and shall also include whether so licensed or not, any motor vehicle which is inoperative for any reason for a period in excess of 48 hours and which is not in a completely enclosed building.

JUNK YARD. An open area where waste, used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled or handled, including but not limited to: scrap iron and other metals, paper, rags, rubber tires, and bottles. A **JUNK YARD** includes automobile

wrecking yards and includes any area of more than 200 square feet for storage, keeping or abandonment of junk, but does not include uses established entirely within enclosed buildings.

KENNEL, COMMERCIAL. Any lot or premises on which more than three dogs or cats or other household pets are either permanently or temporarily boarded. **KENNEL** shall also include any lot or premises where household pets are bred and/or sold.

LANDSCAPING. The treatment of the ground surface with live plant materials such as, but not limited to grass, ground cover, trees, shrubs, vines, and other man-made material. In addition, a landscape design may include other decorative man-made materials, such as woodchips, crushed stone, boulders, or mulch. Structural features such as fountains, pools, statues, and benches shall also be considered a part of **LANDSCAPING**, but only if provided in combination with live plant material. Artificial plant materials shall not be counted toward meeting requirements for **LANDSCAPING**. Various **LANDSCAPING**-related terms are defined as follows:

(1) **BERM.** A continuous, raised earthen mound with a flattened top and sloped sides, capable of supporting live **LANDSCAPING** materials, and with a height and width that complies with the requirements of this chapter.

(2) **GRASS.** Any of a family of plants with narrow leaves normally grown as permanent lawns. Also referred to as “turf”.

(3) **GREENBELTS.** A strip of land of definite width and location reserved for the planting of a combination of shrubs, trees, and ground cover to serve as an obscuring screen or buffer for noise or visual enhancement, in accordance with the requirements of this chapter.

(4) **GROUND COVER.** Low-growing plants that form a dense, extensive growth after one complete growing season, and tend to prevent weeds and soil erosion.

(5) **HEDGE.** A row of closely planted shrubs or low-growing trees which commonly form a continuous visual screen, boundary or fence.

(6) **INTERIOR LANDSCAPING AREA.** A landscaped area located in the interior of a parking lot in such a manner as to improve the safety of pedestrian and vehicular traffic, guide traffic movement, and improve the appearance of the parking area.

(7) **NURSE GRASS.** Any of a variety of rapidly-growing annual or perennial rye grasses used to quickly established ground cover to prevent dust or soil erosion.

(8) **SCREEN OR SCREENING.** A wall, wood fencing, or combination of plantings of sufficient height, length, and opacity to form a visual barrier. If the **SCREEN** is composed of nonliving material, such materials shall be compatible with materials used in the construction of the main building, but in no case shall include wire fencing.

(9) **SHRUB.** A self-supporting, deciduous or evergreen woody plant normally branched near the base, bushy and less than 15 feet in height.

(10) **SOD.** An area of grass-covered surface soil held together by matted roots.

(11) **TREE.** A self-supporting, woody deciduous or evergreen plant with a well-defined central stem which normally grows to a mature height of 15 feet or more in Wayne County, Michigan. Types of **TREES** are defined as follows:

(a) **DECIDUOUS TREE.** A variety of **TREE** that has foliage that is shed at the end of the growing season.

(b) **EVERGREEN TREE.** A variety of **TREE** that has foliage that persists and remains green throughout the year.

(c) **ORNAMENTAL TREE.** A deciduous tree which is typically grown because of its shape, flowering characteristics, or other attractive features, and which grows to a mature height of about 25 feet or less.

(d) **SHADE TREE.** For the purposes of this chapter, a **SHADE TREE** is a deciduous tree which has a mature crown spread of 15 feet or greater in Wayne County, Michigan, and having a trunk with at least five feet of clear stem at maturity.

(e) **VINE.** A plant with a flexible stem supported by climbing, twining, or creeping along the surface, and which may require physical support to reach maturity.

LOADING SPACE. An off-street space on the same lot with a building or group of buildings, for temporary parking of a commercial vehicle while loading and unloading merchandise or materials.

LOT. A parcel of land occupied, or intended to be occupied, by a main building or group of such buildings and accessory buildings, or utilized for the principal use and uses accessory thereto, together with such open spaces as are required under the provisions of this chapter.

LOT AREA. The total horizontal area within the lot lines of a lot.

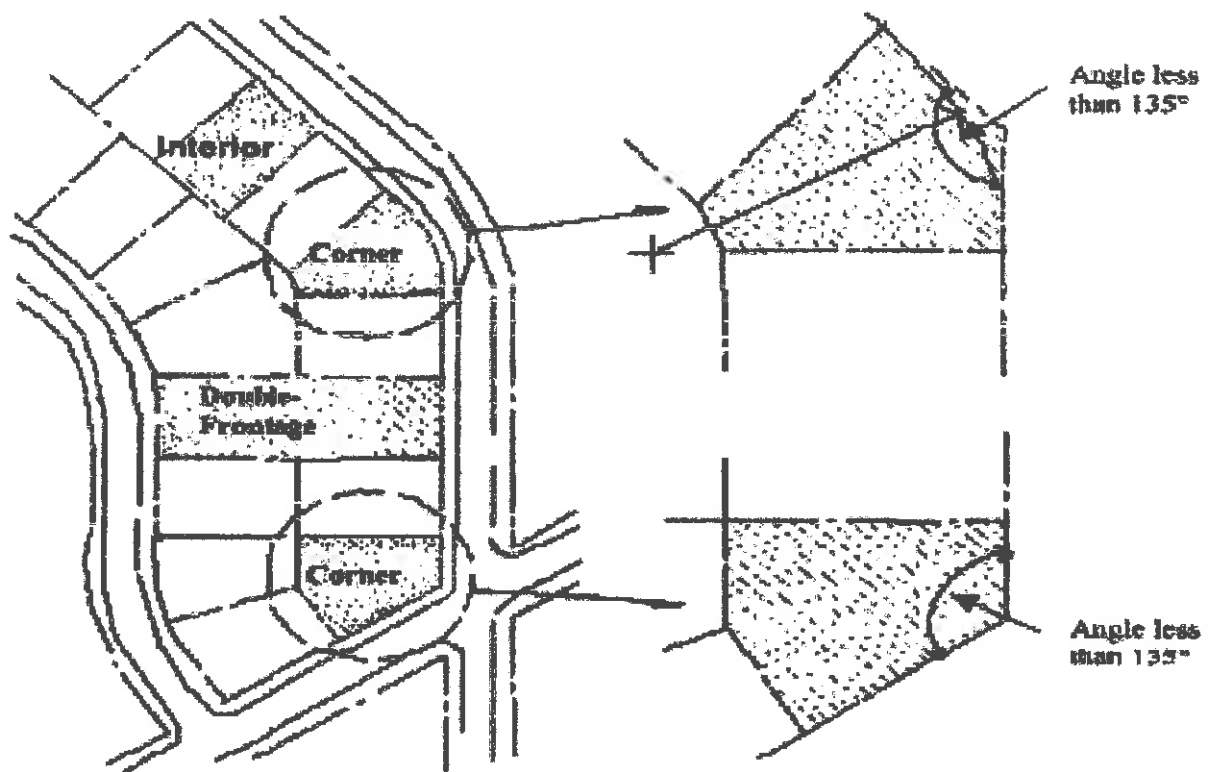
LOT, CORNER. A lot where the interior angle or two adjacent sides at the intersection of two streets is less than 135°. A lot abutting upon a curved street or streets shall be considered a **CORNER LOT** for the purposes of this chapter if the area is of less radius than 150 feet and the tangents to the curve, at the two points where the lot lines meet the curve or at the straight street line extended, form an interior angle of less than 135°.

LOT COVERAGE. That part or percent of the lot occupied by buildings, including accessory buildings.

LOT DEPTH. The horizontal distance between the front and rear lot lines, measured along the median between the side lot lines.

LOT, DOUBLE FRONTAGE. Any interior lot having frontages on two more or less parallel streets as distinguished from a corner lot. In the case of a row of **DOUBLE FRONTAGE LOTS**, all sides of said lots adjacent to streets shall be considered frontage, and front yards shall be provided as required.

LOT INTERIOR. Any lot other than a corner lot.



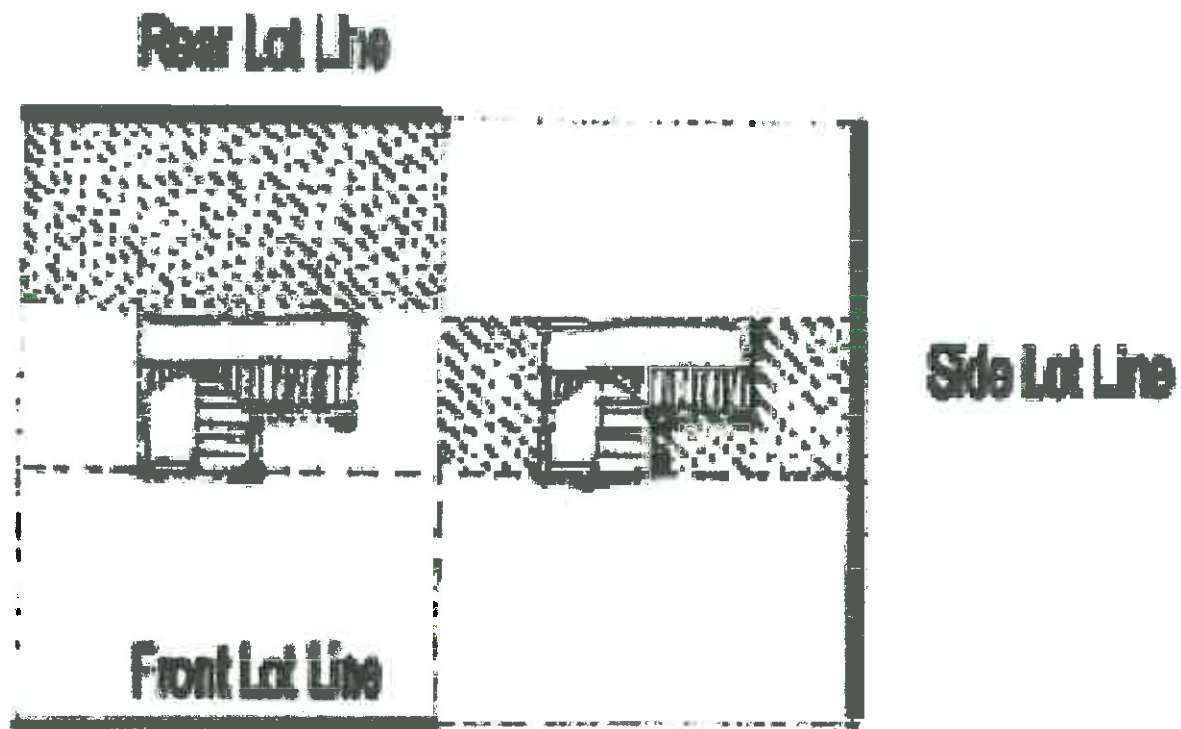
Lot Types

LOT LINES. The lines bounding a lot as defined herein:

(1) **FRONT LOT LINE.** In the case of an interior lot, that line separating said lot from the street. In the case of a corner lot or double frontage lot, **FRONT LOT LINE** shall mean that line separating said lot from that street which is designated as the front street in the plat and in the application for a zoning compliance permit. In the case of a cul-de-sac, the front setback line shall be determined by drawing a straight line from points established at the front setback depth along the side property lines.

(2) **REAR LOT LINE.** That lot line opposite the front lot line. In the case of a lot pointed at the rear, the **REAR LOT LINE** shall be an imaginary line parallel to the front lot line, not less than ten feet long lying farthest from the front lot line and wholly within the lot.

(3) **SIDE LOT LINE.** Any lot line other than the front lot line or 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.



LOT OF RECORD. A parcel of land, the dimensions of which are shown on a recorded plat on file with the County Register of Deeds, at the time of inception of this chapter, or in common use by city or county officials, and which actually exists as so shown, or any part of such parcel held in recognizing ownership separate from that of the remainder thereof.

LOT WIDTH. The straight line distance between the side lot lines, measured at the two points where the minimum building line or setback intersects the side lot lines.

LOT, ZONING. A single tract of land located within a single block, which at the time of filing for a building permit is designated by its owner or developer as a tract to be used, developed or built upon as a unit under single ownership or control. A **ZONING LOT** shall satisfy this chapter with respect to area, size, dimensions and frontage as required in the district in which the zoning lot is located. A **ZONING LOT**, therefore, may not coincide with a lot of record as filed with the County Register of Deeds.

MAIN BUILDING. A building in which is conducted the principal use of the lot upon which it is situated.

MAIN USE. The principal use to which the premises are devoted and the principal purpose for which the premises exist.

MAJOR THOROUGHFARE. An arterial street which is intended to serve as a large volume traffic way for both the immediate area and the region beyond, and may be designated as a **MAJOR THOROUGHFARE**, parkway or equivalent term to identify those streets comprising the basic structure of the street plan. Any street with a width, existing or proposed, of 120 feet or greater shall be considered a **MAJOR THOROUGHFARE**.

MANUFACTURED HOUSING COMMUNITY. A parcel or tract of land upon which three or more mobile homes are located on a continual, nontransient basis together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home.

MANUFACTURED HOUSING UNIT. A transportable, factory-built structure that is manufactured in accordance with the federal Manufactured Housing Construction and Safety Standards Act of 1974. Such structure is designed to be used as a single-family dwelling unit.

MARGINAL ACCESS DRIVE. A service roadway parallel to a major thoroughfare intended to provide access to abutting properties and protection from through traffic.

MASSAGE ESTABLISHMENT. An establishment in which a licensed or certified massage therapist provides such services in compliance with provisions of this chapter. This does not include establishments which routinely provide services performed by a licensed physician, chiropractor, osteopath, nurse, or other medical professional. This also does not include establishments in which the martial arts or organized athletic activities take place, hospitals, nursing homes, medical clinics or offices, barbershops or beauty parlors which offer massages to the scalp, face, neck or shoulders only, or those in which a licensed operator performs electrolysis.

MASTER PLAN. The Comprehensive Plan including graphic and written proposals indicating the general location for streets, parks, schools, public buildings and all physical development of the city, and includes any unit or part of such plan, and any amendment to such plan or parts thereof.

MECHANICAL AMUSEMENT DEVICE. Any machine containing no automatic payoff device which may, on the insertion of a coin or slug, operate or be operated or used as a game, contest or amusement of any sort or description and which may or may not consist of electronic play appearing on a video screen and which is so constructed that it may not be converted into an automatic payoff device for the return or discharge of money, tokens, coins, checks or merchandise, or which provides no such payoff by any means whatsoever, provided that the term shall not include any coin-operated device used solely for the playing of music and provided further that the term shall include mechanical, electrical and electronic video games.

MEDICAL MARIJUANA CULTIVATION FACILITY. A licensed commercial grower that cultivates, dries, trims, cures, and packages marijuana for sale to a processor or provisioning center, as defined by Public Act 281 of 2016, the Medical Marijuana Facilities Licensing Act, as amended.

MEDICAL MARIJUANA PROVISIONING CENTERS. A commercial entity that acquires, possesses, delivers, transfers, or transports medical marijuana and sells, supplies, or provides to registered qualifying patients, directly or through the patients' registered primary caregiver, to the extent that is authorized by State of Michigan regulations. Provisioning center includes any

commercial property where medical marijuana is sold to registered qualifying patients or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver in accordance with State of Michigan regulations is excluded from this definition.

MEDICAL MARIJUANA PROCESSING FACILITY. A licensed commercial processing facility that purchases marijuana from a grower and extracts resin from the marijuana or creates a marijuana-infused usable product for sale and transfer in packaged form to a provisioning center, as defined by Public Act 281 of 2016, the Medical Marijuana Facilities Licensing Act, as amended.

MEDICAL MARIJUANA TESTING FACILITY. A licensed commercial safety compliance facility that receives marijuana from a marijuana facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marijuana to the marijuana facility, as defined by Public Act 281 of 2016, the Medical Marijuana Facilities Licensing Act, as amended.

MEDICAL MARIJUANA TRANSPORTATION FACILITY. A licensed commercial entity that stores and/or transports marijuana between marijuana facilities for a fee, defined by Public Act 281 of 2016, the Medical Marijuana Facilities Licensing Act, as amended.

MEZZANINE. An intermediate or fractional story between the floor and ceiling or main story occupying not more than one-third of the floor area of such main story. See graphic for “story.”

MICRO BREWERY. A facility licensed by the Michigan Liquor Control Commission that annually produces less than 20,000 barrels of beer.

MOBILE HOME. A structure, transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure. The term **MOBILE HOME** shall not include pick-up campers, travel trailers, motor homes, modular homes, recreational vehicles, converted buses, tent trailers, or other transportable structures designed for temporary use.

MOBILE HOME PARK. Same as **MANUFACTURED HOUSING COMMUNITY**.

MODULAR HOUSING UNIT. A dwelling unit constructed solely within a factory, as a single unit, or in various sized modules or components, which are then transported to a site where they are assembled on a permanent foundation to form a dwelling unit, and meeting all codes and regulations applicable to conventional single-family home construction.

MOTEL. A building, part of a building or group of buildings containing ten or more rooming or dwelling units with 25% or more of the units having individual exterior room entrances, primarily used for transient occupancy by the public traveling in a motor vehicle, offered to the public for compensation and in which one or more of the following services are offered:

- (1) Maid service.
- (2) Furnishing of linen.
- (3) Telephone, secretarial or desk service.

(4) Room service.

Units shall not be re-rented, sub-rented or rented again within a 24-hour period following a room rental. The term **MOTEL** shall include buildings designated as auto courts, tourist courts, motor courts, motor hotel, and similar titles which are designed as integrated units of individual rooms under common ownership. A **MOTEL** shall not be considered or construed to be a multiple-family dwelling, transient housing for persons transitioning from an emergency shelter or a rooming house.

MULTIPLE-FAMILY DWELLING. A structure, located on a single lot, containing three or more dwelling units, which is designed for or occupied by one family only, with housekeeping and cooking facilities for each.

MURAL.

- (1) **TYPE ONE.** A design or representation which does not contain promotional or commercial advertising painted or drawn on a wall.
- (2) **TYPE TWO.** An original, one-of-a-kind unique design or representation which contains limited references to the establishment, product, or service provided on the site which is painted or drawn on a wall on that site.

NIGHTCLUB. An establishment, excluding an “adult business activity,” where live entertainment is provided, presented, permitted or performed, including, but not limited to, a dance, comic, theatrical, or musical performance and alcoholic beverages are consumed on premises.

NONCONFORMING BUILDING. A building or portion thereof, existing at the effective date of this chapter or amendments thereto, and that does not conform to the provisions of this chapter relative to height, bulk, area or yards for the district in which it is located.

NONCONFORMING LOT. A lot which was lawfully in existence at the effective date of this chapter, or amendments thereto, and which does not now conform to the lot size, lot width, or other regulations pertaining to lots in the zoning district in which it is located.

NONCONFORMING USE. A use which lawfully occupied a building or land at the effective date of this chapter or amendments thereto, and that does not conform to the use regulations of the district in which it is located.

NON-PROFIT. An organization recognized by the United States Internal Revenue Service as holding a **NON-PROFIT** tax-exempt status.

NON-PROFIT QUALIFIED ORGANIZATION. A bona fide religious, educational, service, senior citizens, fraternal, or veterans’ organization that operates without profit to its members and that either has been in existence continuously as an organization for a period of five years or is exempt from taxation pursuant to Michigan Public Act 382 of 1972, as amended.

NUISANCE. This term shall be held to embrace public **NUISANCE** as known at common law or in equity jurisprudence; and whatever is dangerous to human life or detrimental to health; whatever dwelling is overcrowded with occupants or is not provided with adequate ingress and egress to or from the same, or is not sufficiently supported, ventilated, sewered, drained, cleaned or lighted; whatever is unwholesome; whatever renders or makes an unusual noise, sound, racket

or vibration sufficient to annoy and destroy the usual peace and quiet of any persons of the city; whatever pollutes the air to create an ill-smelling condition so offensive as to annoy the public; whatever is conducive to the harboring of insects, vermin, rats or rodents; all ponds of stagnant water, any yard or area housing old and useless or nearly useless automobiles or parts thereof, or other waste, machinery, logs, old lumber, rubbish or construction rubbish, so that the same is offensive to the general public.

NURSERY, PLANT MATERIAL. A space, building or structure, or combination thereof, for the storage of live trees, shrubs or plants offered for wholesale or retail sale on the premises, including products used for gardening or landscaping. The definition of **NURSERY** within the meaning of this chapter does not include any space, building or structure used for the sale of fruits, vegetables or Christmas trees.

NURSING HOME. Same as **CONVALESCENT AND NURSING HOME**.

OFF-STREET PARKING LOT. A facility other than for single-family dwellings providing vehicular parking spaces along with adequate drives and aisles, for maneuvering, so as to provide access for entrance and exit for the parking of more than three vehicles.

OPEN FRONT STORE. A business establishment so developed that service to the patron may be extended beyond the walls of the structure onto a dedicated outdoor seating area and not requiring the patron to enter the structure. The term **OPEN FRONT STORE** shall not include automobile repair stations or automobile service stations,

OPEN SPACE. The part of the zoning lot, including courts and/or yards. Which is open and unobstructed from its lowest level to the sky, and is accessible to all residents upon the zoning lot.

OUTDOOR RECREATION FACILITY. The use of land for the purposes of a golf course, skating rink, park, playfield, playground, swimming pool, tennis court and similar recreation uses.

OWNER. The owner of the premises or lesser estate in the premises, a mortgagee or vendee in possession, an assignee of rents, receiver, executor, trustee, leasee, or any other person, sole proprietorship, partnership, association, or corporation directly or indirectly in control of a building, structure, or real property, or his or her duly authorized agent.

PARK. A parcel of land, building or structure used for recreational purposes including but not limited to playgrounds, sport fields, game courts, beaches, trails, picnicking areas, and leisure time activities.

PARKING. The temporary placement of operable motor vehicles having valid and current license plate or registration sticker as required by the Secretary of State.

PARKING SPACE. An area exclusive of drives, aisles or entrances giving access thereto and shall be fully accessible for the storage or parking of permitted vehicles. Such space shall meet the requirements of this chapter.

PAWNSHOP. A shop that lends money in exchange for valuable personal property as security. This definition includes the sale of such securities after repossession and the sale of new merchandise generally found in retail stores.

PERSON. An individual a corporation, a partnership, an incorporated association or any other similar entity.

PIERCING PARLOR. A personal service establishment at which body piercing is provided. For purposes of this chapter, jewelry stores, other retail stores or clinics that provide this service as an incidental and accessory use shall be classified as **PIERCING PARLORS**.

PLANNED UNIT DEVELOPMENT. A tract of land or lot, developed under single ownership or management as a separate neighborhood or community unit. The development shall be based on an approved site plan which allows flexibility of design not available under normal zoning district requirements. The plan may contain a mixture of housing types, commercial and industrial uses, common open space and other land uses as provided in this chapter.

PLANNER, CITY. The person or firm designated by the City Council and Planning Commission to advise the City Council, City Manager, City Planning Commission, and city staff on planning, zoning, land use, housing, and other related planning and development issues. The **CITY PLANNER** may be a consultant or an employee of the city.

PLANNING COMMISSION. The **PLANNING COMMISSION** of the city.

PORCH. A covered or uncovered entrance to a building or a roofed structure projecting from the exterior wall or walls of a principal structure and supported by piers, posts or columns and commonly open to the weather.

PRINCIPAL BUILDING. The main building on a lot in which the principal use exists or is served by.

PRINCIPAL USE. The main use to which the premises are devoted and the main purpose for which the premises exist.

PRIVATE CLUB. An association, incorporated or unincorporated, organized for a common purpose, goals, interest or activities, but not commercial or business. A **PRIVATE CLUB** is characterized by membership qualifications, payment of fees and dues, regular meetings, a constitution and bylaws.

PUBLIC UTILITY. Any person, firm or corporation, municipal department, board or commission duly authorized to furnish and furnishing under federal, state or municipal regulations to the public: gas, steam, electricity, sewage disposal, communication, telegraph, transportation or water.

RECREATION EQUIPMENT. Includes equipment such as boats and boat trailers, snowmobiles, horse trailer, dune buggies, "pickup campers", trailer coach, folding tent trailer and other similar items.

RECREATION, INDOOR COMMERCIAL. Includes indoor commercial uses such as bowling centers, basketball courts, archery ranges, golf domes and ranges, tennis facilities and skating rinks. For the purposes of this chapter, firearms target practice ranges shall not be included.

RECREATION VEHICLE. A vehicle intended for temporary human habitation, sleeping and/or eating, mounted upon a chassis with wheels, and self-propelled or capable of being pulled by another vehicle.

REGULATED USE. A classification of uses, as specified in this ordinance, that is considered nuisances and negatively impact public health, safety and welfare when located in close proximity to one another.

RELIGIOUS INSTITUTIONS. See **CHURCH**.

RESTAURANT.

(1) **BAR LOUNGE.** An establishment operated primarily for the dispensing of alcoholic beverages, although the sale of prepared food or snacks may also be permitted. If a bar or lounge is part of a larger banquet facility, it shall be defined as that part of the structure so designated or operated.

(2) **CARRY-OUT RESTAURANT.** Any establishment whose principal business is the sale of foods, frozen desserts or beverage to the customer in a ready-to-consume state, and whose design, or method of operation includes both of the following characteristics:

(a) Foods, frozen desserts or beverages are usually served in edible containers or in paper, plastic or other disposable containers.

(b) The consumption of foods, frozen desserts or beverages within the restaurant building is secondary to food consumed off premises.

(3) **DRIVE-IN RESTAURANT.** Any establishment whose principal business is the sale of foods, frozen dessert or beverages to the customer in a ready-to-consume state, and whose design or method of operation, includes one or both of the following characteristics:

(a) Foods, frozen desserts or beverages are served directly to the customer in a motor vehicle, either by a carhop, or by other means which eliminate the need for the customer to exit the motor vehicle.

(b) The consumption of foods, frozen desserts or beverages within a motor vehicle parked upon the premises, or at other facilities on the premises outside the restaurant building is permitted.

(4) **DRIVE-THRU RESTAURANT.** A business establishment serving food and/or beverages to patrons in a motor vehicle for consumption off the premises.

(5) **FAST FOOD RESTAURANT.** Any establishment whose principal business is the sale of foods, frozen desserts or beverages to the customer in a ready-to-consume state for consumption either within the restaurant whose design or principal method of operation includes both of the following characteristics:

(a) Foods, frozen desserts or beverages are usually served in edible containers or in paper, plastic, or other disposable containers.

(b) The consumption of foods, frozen desserts or beverages within a motor vehicle parked upon the premises is posted as being prohibited and the restaurateur strictly enforces such prohibition.

(6) **STANDARD RESTAURANT.** An establishment whose principal business is the sale of foods, frozen desserts, beverages to a customer in a ready-to-consume state, and whose design or principal method of operation includes one or both of the following characteristics:

(a) Customers, normally provided with an individual menu, are served their foods, frozen desserts or beverages by a restaurant employee at the same table or counter at which said items are consumed.

(b) A cafeteria type of operation where foods, frozen desserts, beverages generally are consumed within the restaurant building.

RIGHT-OF-WAY. A street, alley, or other thoroughfare or easement permanently established for passage of persons, vehicles, or the location of utilities. The **RIGHT-OF-WAY** is delineated by legally established lines or boundaries.

ROOMING, LODGING AND BOARDING HOUSE. A dwelling having one kitchen and used for the purpose of providing meals and/or lodging for pay or compensation of any kind, computed by day, week, or month to persons other than members of the family occupying such dwellings.

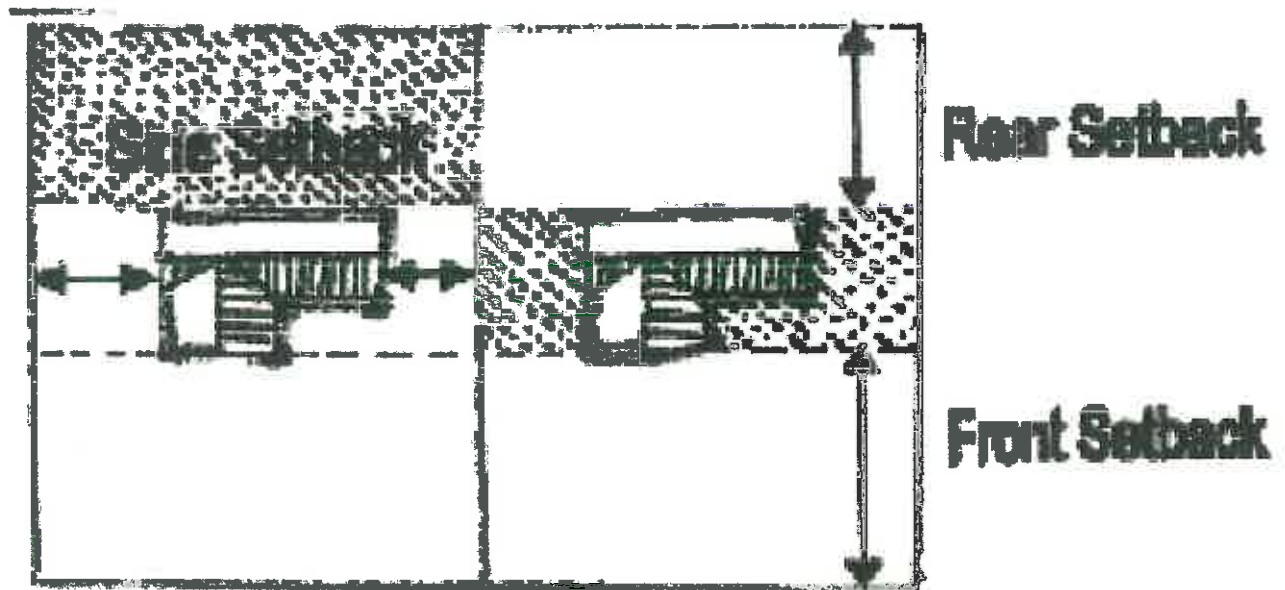
SCREENING. A method of reducing the impact of noise and/or unsightly visual intrusions with less offensive and more harmonious elements such as plants, trees, berms, fences, walls or any appropriate combination.

SECONDHAND STORE. A building, structure, or premises used solely or partially for the sale of secondhand clothing, furniture, books, jewelry, household goods or appliances.

SELF-STORAGE FACILITY. A building or groups of buildings divided into separate units or compartments used to meet the temporary storage needs of businesses, apartment dwellers and other individuals or firms, and is also known as a miniwarehouse.

SENIOR HOUSING. See **ASSISTED LIVING**, and **HOUSING FOR THE ELDERLY**.

SETBACK. The required minimum horizontal distance between the nearest part of a building line or structure and the related front, side or rear yard lot lines. **SETBACK** are open from ground to the sky, except as otherwise allowed by this chapter.



SIGN. See §§ [155.231](#) through [155.252](#) for specific definitions.

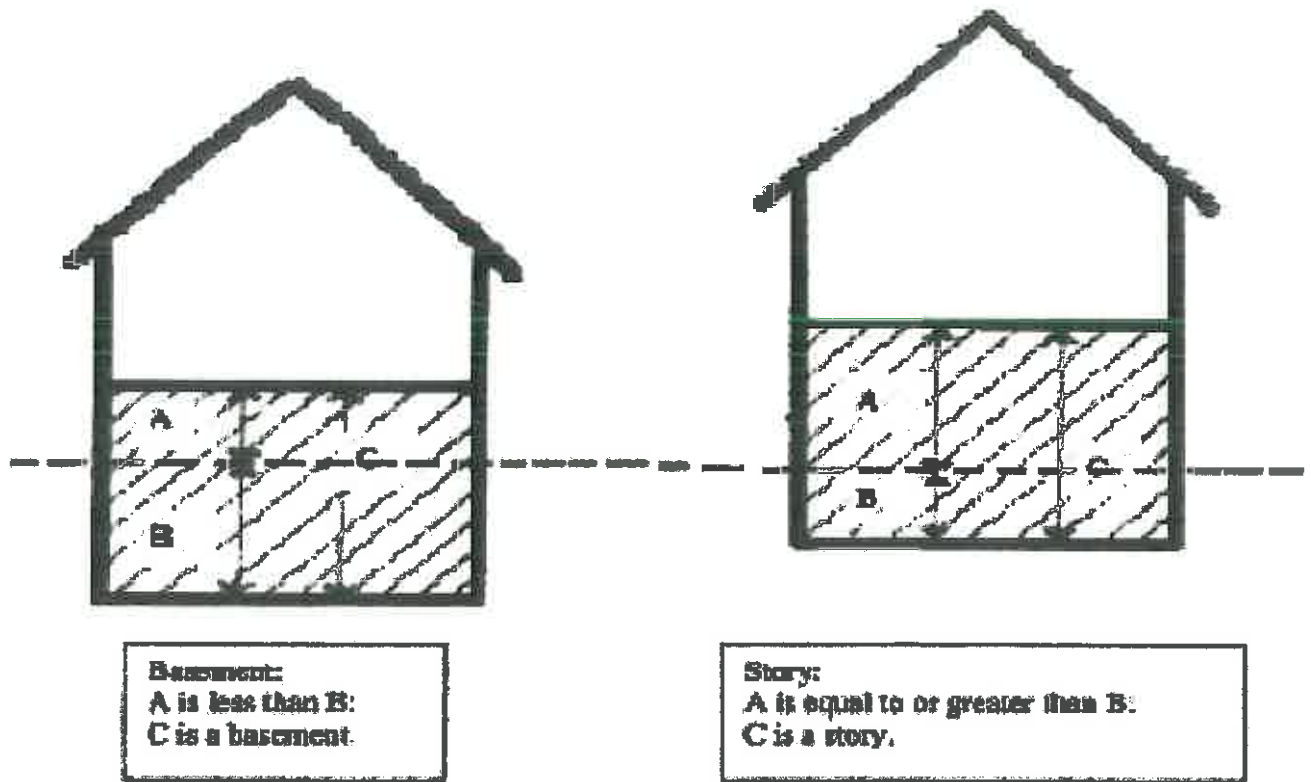
SINGLE-FAMILY DWELLING. A detached dwelling unit located on a single-lot with no other dwelling units designed or occupied by one family.

SPECIAL LAND USE. A use of land, permitted within certain zoning districts, whose characteristics may create nuisance-like impacts on adjoining lands unless carefully sited according to standards established in this chapter. Approval for establishing a special land use is indicated by issuance of a special use permit.

SPECIALLY DESIGNATED DISTRIBUTOR (SDD). A retail establishment licensed by the State Liquor Control Commission to distribute alcoholic liquor in the original package for consumption off the premises.

SPECIALLY DESIGNATED MERCHANT (SDM). A retail establishment licensed by the State Liquor Control Commission to sell beer and/or wine for consumption off premises.

STORY. That part of a building, except a mezzanine as defined in this section, included between the surface of one floor and the surface of the next floor, or if there is no floor above, then the ceiling next above. A **STORY** thus defined shall not be counted as a **STORY** when more than 50%, by cubic content is below the height level of the adjoining ground.



STORY, HALF. An uppermost story lying under a sloping roof, the usable floor area of which, at height of 4 feet above the floor, does not exceed $\frac{2}{3}$ of the floor area in the **STORY** direct below, and the height above at least 200 square feet of floor space is seven feet, six inches.

STREET. A public thoroughfare which affords the principal means of access to abutting property.

STRUCTURAL ALTERATIONS. Any change in the supporting members of a building, such as bearing walls, columns, beams or girders, or any substantial change in the roof or in exterior walls.

STRUCTURE. Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

TATTOO PARLOR. An establishment offering tattoo services including the creation of marks or figures upon the human body, by insertion of pigment under the skin or by the production of scars or otherwise.

TEMPORARY USE. A use or building permitted by the Zoning Board of Appeals to exist during periods of construction of the main building or use, or for special events.

TOWNHOME. A type of multiple-family dwelling exhibiting two or more stories, primary and secondary entrances per each unit at grade level and wholly enclosed in vertical arrangement of floors. These units are attached to other similar units in a side-by-side arrangement and separated by common party walls rated for appropriate fire protection by city's codes.

TRANSIENT HOUSING. Rental housing for persons whose most recent address has been a homeless shelter.

TWO-FAMILY DWELLING. A structure located on one lot containing two dwelling units each of which is designed for or occupied by one family with separate housekeeping and cooking facilities.

USE. The purpose for which land or a building is arranged, designed or intended, or for which land or a building is or may be occupied.

USE FOR. Includes "Arranged For", "Designed For", "Intended For", "Maintained For", or "Occupied For".

UTILITIES, BASIC. Infrastructure services that need to be located near the area where the service is provided. **BASIC UTILITY** uses generally do not have on site employees. Examples include electric transformer stations, gas regulator stations and telephone exchanges.

UTILITIES, MAJOR. Area-wide infrastructure services that typically have employees on site. Examples include water works, reservoir, pumping station or filtration plants; power or heating plants; or, steam generating plants.

UTILITY, PUBLIC. A private enterprise regulated by the State Public Service Commission with an exclusive franchise for providing an essential public service such as Detroit Edison, Ameritech and Michigan Consolidated Gas. Wireless telecommunications carriers are not **PUBLIC UTILITIES**.

VARIANCE. A modification of the literal provisions of this chapter granted when strict enforcement this chapter would cause undue hardship owing to circumstances unique to the individual property on which the **VARIANCE** is granted. Such hardship shall not be specifically interpreted as meaning economic hardship. The crucial elements of a **VARIANCE** are: undue hardship, unique circumstances, and applying to the subject property. A **VARIANCE** is not justified unless all three elements are present in the case.

VEHICLE REPAIR FACILITY, MAJOR. A place defines as a business offering repair and replacement services including, but not limited to, steam cleaning or undercoating, vehicle body repair, painting, tire recapping, engine rebuilding, auto dismantling, upholstery, auto glass work, and such other activities whose external effects shall adversely extend beyond the property line, but not including the sale of gasoline.

VEHICLE REPAIR FACILITY, MINOR. A place defined as a business offering maintenance and repair services, the sale of oil and minor accessories, where no repair work is done other than incidental service, but not including the sale of gasoline, steam cleaning or undercoating, vehicle body repair, painting, tire recapping, engine rebuilding, auto dismantling, upholstery, auto glass work, and such other activities whose external effects could adversely extend beyond the property line. Such repairs shall be limited to passenger automobiles or light trucks.

VEHICLE SALES AREA/DEALERSHIP. An open area other than a street used for the display, sale, or rental of new or used automobiles or other motor vehicles.

VEHICLE WASH ESTABLISHMENT. A building or portion thereof where vehicles are washed. Such facilities shall include:

(1) **AUTOMATIC WASH.** Any facility, its structures, accessory uses, or paved area used wholly or partly to wash, clean and dry the exterior of automobiles, using conveyors to move the vehicle, or equipment that moves over or around the vehicle, or other automated equipment intended to mechanically wash such vehicles.

(2) **SELF-SERVICE WASH.** Any facility, its structures, accessory uses or paved area used wholly or partly to wash, clean and dry the exterior of automobiles using hand-held equipment.

WAREHOUSE. A building used for short and/or long term storage in connection with production and marketing or in connection with manufacturing, freight handling, and retailing.

WHOLESALE ESTABLISHMENT. A building used for the sale of goods in large amounts to retailers, or where merchandise is purchased in bulk amounts by consumers who must enroll in a membership at said establishment.

WIRELESS COMMUNICATION FACILITIES.

(1) See §§ [155.211](#) through [155.217](#) for specific definitions.

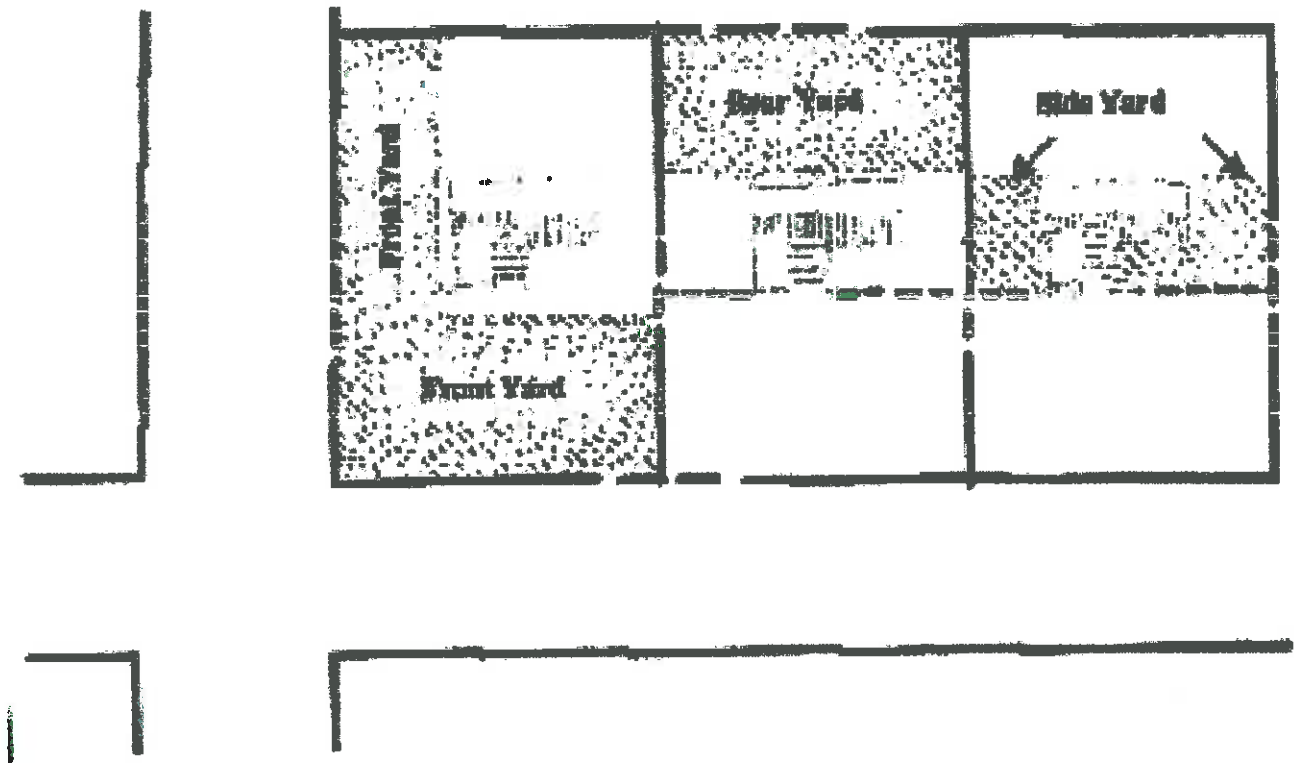
(2) **COLLATION.** The use of a wireless telecommunication support facility by more than one wireless telecommunication provider.

YARD. The open spaces on the same lot with a main building unoccupied and unobstructed from the ground upward except as otherwise provided in this chapter and as defined herein:

(1) **FRONT YARD.** An open space extending the full width of the lot, the depth of which is the minimum required horizontal distance between the front lot line and the nearest line of a main building.

(2) **REAR YARD.** An open space extending the full width of the lot, the depth of which is the minimum required horizontal distance between the rear lot line and the nearest line of a main building.

(3) **SIDE YARD.** An open space between a main building and the side lot line, extending from the front yard to the rear yard, the width of which is the minimum required horizontal distance from the nearest point of the side lot line to the nearest point of the main building.



(Ord. 792, passed 12-3-01; Am. Ord. 836, passed 2-21-11; Am. Ord. 852, passed 3-16-15; Am. Ord. passed 2-20-17; Am. Ord. 862, passed 9-18-17)

§ 155.036 SCHEDULE OF LAND USES.

Table 2-1. Schedule of Land Uses displays specific land uses in reference to their respective zoning districts. The schedule is general and intended to provide initial guidance for users. A complete list with land use conditions is set forth in §§ [155.041](#) through [155.049](#). Regulations in §§ [155.041](#) through [155.049](#) take precedent over Table 2-1 below.

Table 2-1 Schedule of Land Uses by Zoning District									
Residential Land Use Types	Zoning Districts								
	R-1 A,	RM	RM -1	O-1	B-1	B-2	B-3	M-1	TCD

	<i>B, C</i>								
One-Family Detached Dwelling	P	P	P						P
Two-Family Dwellings/Duplexes		P	P						
Townhomes (2 story max.)		P	P			P			
Townhomes (3 story max.)		SLU							
Multiple-Family Dwellings (2 story max.)		P	P						P
Multiple-Family Dwellings (3 story max.)		SLU	P			P			P
Multiple-Family Dwellings (4+ stories)			SLU						P
Mixed-Use Residential and Business (Lofts)					SLU	SLU			SLU
Manufactured Housing Community							SLU	SLU	
Public/Quasi-Public Land Use Types									
Charitable Gaming Room						SLU	SLU	SLU	P
Child/Adult Foster Care (6 or less persons)	P	P	P						P
Child/Adult Foster Care (7, but fewer than 12 persons)	SLU	SLU	SLU						
Assisted Living Facilities/Elderly Housing		SLU	SLU			SLU	SLU		
Nursing and Convalescent Homes		SLU	SLU	SLU		SLU			
Transient Residential and Rooming Houses						SLU	SLU		
Publicly Owned Libraries	P	P	P	P					P
Publicly Owned Parks and Parkways	P	P	P	P					P
Publicly Owned Recreation Facilities	P	P	P	P					P
Post Offices and Similar Government Offices				P		P	P		P

Utility and Public Owned Buildings w/o storage yards	SLU	SLU	SLU	SLU	SLU	P/SLU	P	P	P
General Hospitals			SLU				SLU		
Religious Institutions and Incidental Facilities	SLU	SLU	SLU		SLU	SLU	SLU		SLU
Cemeteries	P	P	P						
Private Noncommercial Recreational Areas	SLU	SLU	SLU						
Institutional or Community Recreation Centers	SLU	SLU	SLU						P
Golf Courses	SLU								
Non-Profit Public, Parochial and Private Elementary, Intermediate or High Schools	SLU	SLU	SLU			SLU	SLU		
Colleges, Universities and Institutions of Higher Learning, Public and Private	SLU	SLU	SLU				SLU		
Business Schools and Colleges							SLU		
Vocational Training Centers and Schools						SLU	SLU		
Private For-Profit Schools, Business Schools and Colleges						SLU	SLU		
Theaters						SLU	SLU		P
Assembly Halls						SLU	SLU		P
Concert Halls						SLU	SLU		P
Private Clubs						P	P	P/SLU	
Fraternal Organizations						P	P	P/SLU	
Lodge Halls						P	P	P/SLU	
Business and Office Land Use Types									
Adult Businesses and Uses							SLU		
Arcades							SLU		

Art, Photographic and Design Studios						P	P		P
Automobile Repair (Minor)							SLU	SLU	
Automobile Service Centers (as part of planned shopping center)						SLU	SLU		
Automobile Service Stations							SLU	SLU	
Banks and Similar Financial Institutions						P	P		P
Bar or Lounge						SLU	SLU		SLU
Bus Passenger Stations						P	P	P	P
Cabaret							SLU		
Carry-out Restaurants						SLU	SLU		P
Crafts and Fine Arts (Instruction in)	P	P	P			P	P		P
Computer Centers							P	P	
Dance, Music and Voice Schools						P	P		
Drive-in Restaurants						SLU	SLU		
Drive-Through Facilities						SLU	SLU		
Drive-Through Restaurants						SLU	SLU		
Dry Cleaners					P	P	P		P
Electronic Data Processing Centers							P	P	
Fast Food Restaurants w/o drive- through						SLU	SLU	SLU	
Firearms sales establishments							SLU		
Hotels (Full Service)							SLU		P
Indoor Commercial Recreation						SLU	SLU /P		P
Kennel, Commercial							SLU		P
Liquor, Beer and Wine Sales							SLU		
Massage Businesses							SLU /P		

Medical and Dental Laboratories						P	P		
Medical and Dental Offices and Clinics				P	P	P	P		
Mortuaries						P	P		
Motels							SLU		
<u>Murals</u>					<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
New and Used Vehicle Sales (Indoor)							SLU		
New and Used Vehicle Sales (Outdoor)							SLU		
Nursery Schools, Day Nurseries and Child/Adult Care Centers	SLU	SLU	SLU	SLU	SLU	SLU	P		P
Office Equipment - Sales and Service						P	P		
Open Air Businesses						SLU	SLU		
Pawnshops							SLU		
Personal Service Establishments					P	P	P		P
Professional and Financial Services						P	P		P
Professional Offices				P		P	P		P
Public Utility Offices w/o storage yards				P		P	P	P	
Retail Reproduction Services						P	P	P	P
Retail Businesses (Convenience)					P	P	P	SLU	P
Retail (within enclosed building)						P	P		P
Secondhand Stores						SLU	SLU		
Showrooms and Workshops						P	P	P	
Specially Designated Distributor (SDD)							SLU		
Specially Designated Merchant (SDM)							SLU		
Standard Restaurants						P	P	SLU	P
Substance Abuse Rehabilitation Clinics							SLU		
Tattoo Establishments						SLU	SLU		

Temporary Pop-Up Retail Commercial Use						P	P		P
Vehicle Wash Establishments							SLU		
Veterinary Hospitals and Clinics						P	P		
Industrial Land Use Types									
Automobile or other machinery assembly plants								SLU	
Automobile and Vehicle Repair (Major), including Collision, Transmission and Undercoating Shops								SLU	
Canning Factories								SLU	
Central Dry Cleaning Plants (no retail permitted)								P	
Greenhouse and Similar Uses								SLU	
Laboratories								P	
Lumber and Planing Mills								SLU	
Manufacturing and Assembly Operations (enclosed; not including large stampings)								P	
Metal Plating and Similar Uses								SL U	
Metal Stamping and Similar Uses								SLU	
Painting and Varnishing Shops								SLU	
Reproduction Plants								P	
Research and Development Facilities							SLU	P	
Self-Service Storage Facilities							SLU	P	
Sign Repair/Manufacturing								P	
Storage Yards for Public Utilities								P	
Storage Facilities for Building Materials, Contractor's Equipment, Open Storage and Junk Yards								SLU	

Trade or Industrial Schools								P	
Truck and Terminal Facilities								P	
Utility and Public Service Buildings w/o storage yards		SLU	SLU	P	SLU	P	P	P	
Vehicle and Machinery Assembly Plants								SL U	
Warehouse and Wholesale Businesses								P	
Miscellaneous Land Use Types									
Accessory Buildings and Structures	P	P	P	P	P	P	P	P	
Accessory Businesses				P	P	P	P	P	P
Accessory Uses				P	P	P	P	P	
Agricultural (5+ acres)	P	P	P						
Amateur Radio Antenna	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	
Automobile Parking	P	P	P	P	P	P	P	P	P
Electric Transformer Stations w/o storage yards						SLU	P	P	
Gas Regulator Stations w/o storage yards						SLU	P	P	
Medical Marijuana Cultivation Facility								SL U	
Medical Marijuana Provisioning Center					SLU	SLU	SLU		SLU
Medical Marijuana Processing Facility								SL U	
Medical Marijuana Testing Facility								SL U	
Medical Marijuana Transportation Facility								SLU	
Telephone Exchanges w/o storage yards						SLU	P	P	
Temporary Buildings for Construction	P	P	P						
Water and Sewage Pumping Stations w/o storage yards						SLU	P	P	
Wireless Towers and Antennas							SLU	SLU	

(Ord. 792, passed 12-3-01; Am. Ord. 836, passed 2-21-11; Am. Ord. passed 2-20-17; Am. Ord. 862, passed 9-18-17)

§ 155.045 B-1 LOCAL BUSINESS DISTRICT.

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

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

(1) Generally recognized retail business which supplies commodities on the premises, for persons residing in adjacent residential areas, such as but not limited to: groceries, meats, dairy products, baked goods or other foods, drugs, dry goods, clothing and notions, or hardware. All business establishments shall be retail or service establishments dealing directly with consumers.

(2) Personal service establishment which performs services on the premises, such as but not limited to: repair shops (watches, radio, television, shoe, and the like) tailor shops, beauty parlors or barber shops, photographic studios, and self-service laundries.

(3) Dry cleaning establishments or pick-up stations dealing directly with consumers. Central dry cleaning plants serving more than one retail outlet shall be prohibited.

(4) Other uses similar to the above uses.

(5) Accessory structures and uses customarily incident to the above permitted uses, provided that they shall be designed and located as permitted in §§ [155.071](#) through [155.082](#), General Development Standards.

(6) Automobile parking space to be provided as required in §§ [155.071](#) through [155.082](#), General Development Standards.

(7) Murals.

(C) Required conditions.

(1) All business establishments shall be retail or service establishments dealing directly with consumers.

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

(D) Special land uses. The following uses shall be permitted, subject to the conditions set forth in this subchapter, §§ [155.111](#) through [155.142](#), Special Land Use Standards, and all applicable codes and ordinances set forth in this chapter and other codes and regulations

hereinafter imposed for each use. The following uses are subject further to the review and approval of the Planning Commission per standards set forth in this chapter:

- (1) Mixed-use business and residential buildings.
 - (2) Nursery schools, day nurseries and child care centers (not including dormitories).
 - (3) Amateur radio antenna, subject to regulations of §§ [155.211](#) through [155.217](#), Wireless Communication Towers and Antennas.
 - (4) Utility and public service buildings without storage yards.
 - (5) Publicly owned buildings without storage yards.
 - (6) Medical marijuana provisioning centers subject to the regulations of § [155.148](#).
 - (7) Religious institutions.
- (E) Area and bulk requirements. Requirements limiting the height and bulk of buildings, the minimum size of lot permitted by land use, maximum density permitted, and minimum yard setbacks are set forth in § [155.061](#).

(Ord. 792, passed 12-3-01; Am. Ord. passed 2-20-17)

§ 155.048 M-1 LIGHT INDUSTRIAL DISTRICT.

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

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

(1) Any of the following uses when the manufacturing, compounding or processing is conducted wholly within a completely enclosed building. Open storage facilities for materials or equipment shall be located in rear or side yards and totally obscured by a masonry wall on those sides abutting R-1A through R-1C, RM, RM-1, O-1, B-1, B-2 and B-3 Districts, and from view of any public land or thoroughfare. In M-1 Districts the extent of such wall may be determined by the Planning Commission on the basis of usage. Such wall shall conform to the standards established in § [155.074](#), Walls, and shall meet the requirements of §§ [155.071](#) through [155.082](#), General Development Standards.

(a) The manufacture, compounding, processing, packaging or treatment of such products as: bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food products, hardware and cutlery; and tool, die, gauge and machine shops.

(b) The manufacture, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, sheet metal (excluding large stampings such as automobile fenders or bodies), shell, textiles, tobacco, wax, wire, wood (excluding saw and planing mills) and yams.

(c) The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas.

(d) Manufacture of musical instruments, toys, novelties and metal or rubber stamps, or other small molded rubber products.

(e) Manufacture or assembly of electrical appliances, electronic instruments and devices radios, and phonographs.

(2) Laboratories, experimental, film or testing.

(3) Manufacture and repair of electric or neon signs, light sheet metal products, including heating and ventilating equipment, cornices, eaves and the like.

(4) Warehouse and wholesale establishments and truck terminal facilities.

(5) Self-service storage facilities.

(6) Reproduction plants, which may include accessory retail operations.

(7) Central dry cleaning plants or laundries, which shall not offer storefront service or in any other manner interact with the general public as a retail laundromat or dry cleaner service.

(8) All public utilities, including buildings, necessary structures, storage yards and other related uses.

(9) Trade or industrial schools.

(10) Private clubs, fraternal organizations and lodge halls, subject to the requirements of § [155.218](#).

(11) Electronic data processing or computer centers.

(12) Offices, showrooms or workshops of an electrician, decorator, dressmaker, tailor, baker, painter, upholsterer, or an establishment doing radio or home appliance repair, photographic reproduction or similar use.

(13) Accessory structures and uses customarily incident to the above permitted uses, provided that they shall be designed and located as permitted in §§ [155.071](#) through [155.082](#), General Development Standards.

(14) Non-accessory freestanding signs, provided all signs meet the requirements of §§ [155.231](#) through [155.252](#).

(15) Other uses of a similar and no more objectionable character to those principal uses permitted.

(16) Utility and public service buildings without storage yards.

(17) Automobile parking space to be provided as required in §§ [155.071](#) through [155.082](#), General Development Standards.

(18) Trade schools.

(19) Truck or terminal facilities.

(20) Bus passenger station.

(21) Murals.

(C) Special land uses. The following uses shall be permitted, subject to the conditions set forth in this subchapter, §§ [155.111](#) through [155.142](#), Special Land Use Standards and all applicable codes and ordinances set forth in this chapter and other codes and regulations hereinafter imposed for each use. The following uses are subject further to the review and approval of the Planning Commission per standards set forth in this chapter:

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

(2) Major and minor vehicle repair centers, painting and varnishing shops, undercoating shops.

(3) Lumber and planing mills.

(4) Automobile or other machinery assembly plants.

(5) Canning factories (but not including slaughtering or rendering).

(6) Storage facilities for building materials, sand, gravel, stone, lumber, open storage or construction contractor's equipment and supplies, provided such is enclosed within a building or within an obscuring wall on those sides abutting R-1A through R-1 C, R-2, RM, RM-1, O-1, B-1, B-2, or B-3 Districts and on any front yard abutting public land or thoroughfare. In M-1 Districts the extent of such wall may be determined by the Planning Commission on the basis of usage. Such wall shall be not less than four and one-half feet in height and may, depending upon land usage, be required to be eight feet in height, and shall be subject further to the requirements of §§ [155.071](#) through [155.082](#). Junk yards, when permitted, shall be entirely enclosed within an obscuring masonry wall six feet in height on all sides of sufficient strength to serve as a retaining wall. All applications for junk yards must receive the approval of the Mayor and the City Council as prescribed in §§ [155.271](#) through [155.275](#), Powers and Duties of Boards, Commissions and Departments.

(7) Metal plating, buffing and polishing, subject to appropriate measures to control the type of process to prevent noxious results and/or nuisances.

(8) Metal working, stamping, punching or pressing machines, subject to appropriate measures to control the type of process to prevent noxious results and/or nuisances.

(9) Greenhouse and florist operations involving the growing, wholesaling and/or retailing of plant materials.

(10) Other uses of a similar and no more objectionable character, and which will not be injurious or have an adverse effect on adjacent areas, and may therefore be permitted subject to such conditions, restrictions and safeguards as may be deemed necessary in the interest of public health, safety and welfare.

(11) Amateur radio antenna, subject to regulations of §§ [155.211](#) through [155.217](#), Wireless Communication Towers and Antennas.

(12) Wireless towers and antennas, subject to the requirements of §§ [155.211](#) through [155.217](#), Wireless Communication Towers and Antennas.

(13) Greenhouses.

(14) Manufactured housing communities, subject to requirements of § [155.140](#).

(15) Charitable gaming room customarily accessory to a use permitted (principal or subject to special land use) in the M-1 District such as a fraternal organization or lodge hall subject to the regulations of § [155.145](#).

(16) Medical marijuana cultivation facilities subject to the regulations of § [155.021](#) (Conflict of laws and prohibited land uses).

(17) Medical marijuana processing facilities subject to the regulations of § [155.021](#) (Conflict of laws and prohibited land uses).

(18) Medical marijuana testing facilities subject to the regulations of § [155.021](#) (Conflict of laws and prohibited land uses).

(19) Medical marijuana transportation facilities subject to the regulations of § [155.021](#) (Conflict of laws and prohibited land uses).

(D) Area and bulk requirements. Requirements limiting the height and bulk of buildings, the minimum size of lot permitted by land use, maximum density permitted, and minimum yard setbacks are set forth in § [155.061](#).

(Ord. 792, passed 12-3-01; Am. Ord. 836, passed 2-21-11; Am. Ord. 838, passed 8-15-11; Am. Ord. 852, passed 3-16-15; Am. Ord. passed 2-20-17; Am. Ord. 862, passed 9-18-17)

§ 155.049 TCD TOWN CENTER DISTRICT.

(A) Intent. The TCD Town Center District intends to provide a vibrant mixed-use civic center. Experience has shown that successful cities have a town center focal point that integrates civic, convenience and community retail businesses and residences in a coordinated and pedestrian-friendly land use strategy. To this end, this district intends to achieve integrated site planning of adjoining developments to achieve a pedestrian-friendly environment, compatibility of architectural scale and character, compatibility of land uses, higher-density residential developments, support retail and civic core. In keeping with the above intent, the TCD Town Center District is intended to serve the following specific goals:

(1) Meet the goals and intent of the master plan and provide for land uses and design that supports and furthers the concept and vision of the town center.

(2) Realize the full economic potential of this center through coordinated mixed-use and high-intensity planning concepts.

(3) Promote and enhance recreation opportunities through well-designed private parks in new residential communities and improved connections to the Rouge River.

(4) Promote coordination of private and public efforts in the planning and development of needed infrastructure improvements.

(5) Provide for orderly and integrated planning to avoid fragmentary or speculative development.

(6) Prevent long-term vacancy, blight, decay or abandonment.

(B) Principal uses permitted. In the TCD District, no building or land, except as otherwise provided in this chapter, shall be erected or used except for one or more of the following specific purposes. Review of site architectural and landscape plans is required by the Planning Commission for change in use of existing tenant space greater than 5,000 square feet and new construction to find proper relationships between architectural scale and character; vehicular and pedestrian traffic safety; interconnected open space and recreation areas; interconnected pedestrian and non-motorized walks and paths; and appropriate mixture of land uses. Change in use of existing tenant space 5,000 square feet and under may be approved administratively by the City Planner.

(1) Multiple-family residential buildings.

(2) Retail businesses that are consistent with the vision of the district.

(3) Personal service establishments.

(4) Hotels.

(5) Professional offices.

(6) Financial institutions.

(7) Restaurants (carry-out and standard); delivery services shall be accessory to the primary use only.

(8) Public parks and parkways.

(9) Public and civic buildings.

(10) Child and adult day care center as a limited accessory use.

(11) Uses similar to the above that are consistent with the vision of the district.

(12) Uses and structures accessory to the above.

(13) Theaters, assembly halls, and concert halls, subject to the requirements of § [155.218](#).

(14) Automobile parking space to be provided as required in §§ [155.071](#) through [155.082](#), General Development Standards.

(15) Charitable gaming room subject to the regulations of § [155.145](#).

- (16) Religious institutions.
- (17) Temporary pop-up commercial use.
- (18) Bus passenger stations.

(19) Murals.

(C) Special land use. Planning Commission may approve uses listed in § [155.047](#), B-3, General Business District (D) that are consistent with the specific goals of the TCD, Town Center District § [155.049](#)(A), subject to the conditions set forth in this subchapter, §§ [155.111](#) through [155.149](#), Special Land Use Standards, and all applicable codes and ordinances set forth in this chapter and other codes and regulations hereinafter imposed for each use. Auto-oriented and adult business uses, including: vehicle sales, vehicle repair, vehicle wash establishments, automobile service stations, manufactured home communities, adult book stores, adult motion picture theaters, adult cabarets, and similar uses are strictly prohibited.

(D) Application procedure and submission requirements. When required, the Planning Commission shall recommend to City Council that the site plan and special land use be approved, conditionally approved, or denied. Any proposed development within the boundaries zoned TCD Town Center District, including but not limited to exterior renovations, additions, new structures, new signs, and changes of uses, either existing at the time any parcel was zoned TCD Town Center District or commenced or erected thereafter, shall be subject to the provisions of this chapter. An owner or applicant shall submit a written application to the Commission describing proposed uses, design, extent, and development timetable and the legal interest of the applicant. In addition, the applicant shall provide the following requirements along with relevant supporting documentation:

(1) A recent “as built” survey, certified to the city and containing a metes and bounds legal description or plat description of the property exhibiting the location of all property improvements, total acreage, and site measurements.

(2) Copies of all instruments creating restrictions hindering development of the property.

(3) A site plan conforming to the requirements of § [155.286](#), Site plan review.

(4) Buildings and development elevations from four major directions, including exterior dimensions.

(5) Floor plans including overall floor plan, projected number of units and their projected area, and number of bedrooms per unit.

(6) Landscape plan and schedule depicting species location, size and quantity.

(7) Soil studies.

(8) Signage plans.

(9) Sight lines and public access connections to the river corridor, where applicable.

(10) Pedestrian connections to proposed buildings and land uses, to the public sidewalk system and to adjacent properties.

(11) Development timetable setting forth expected starting and completion dates for construction, and the date on which the project will begin operation. If the development is to be constructed in phases, a timetable showing applicable starting and completion dates for each phase shall be submitted along with the part of the overall property allocated to each phase which shall be indicated on the site plan.

(12) A development and financial resume for the applicant and developer, other than the applicant, which demonstrates a past performance of proving a level of skill and organizational activity necessary for project completion. Significant financial documentation indicating finance capability and methods shall, in addition, be submitted.

(13) Traffic studies indicating daily peak traffic demands and direction of such traffic as expected to be generated by the project. All traffic shall be accommodated safely and efficiently on-site and by the abutting street system. If a deficiency will occur, the applicant shall submit plans to improve the street system along with a proposal to provide feasible financing methods. Development accessing Michigan Avenue shall meet all requirements of the Michigan Department of Transportation (MDOT).

(14) Parking spaces and data indicating the number of vehicle spaces and/or bicycle racks required for the proposed use. The Planning Commission, upon recommendation of the City Planner may waive submissions requirements detailed in divisions (11) through (14) above, or portions thereof, if it has been determined that the information is not necessary for project evaluation or that sufficient documentation has been previously submitted. However, in all instances, the applicant shall submit at least one elevation and a site plan to scale, which shows the renovation or modification.

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

(1) The review procedure shall be conducted in conformance to § [155.288](#), Procedures for special land use review, and § [155.289](#), Standards for special land use approval.

(2) The Planning Commission shall conduct its review of all new projects or changes in site or building conditions of existing developments in conformance with the notice and public hearing requirements for special land uses subject to discretionary decisions as specified in § [155.291](#), Public hearing notification requirements, and in Public Act 207 of 1921, as amended. Following the review process, the Commission may approve or deny the application based on specified standards and requirements set forth in this section. Specific conditions applied to an approved plan shall be made part of the record of approval as set forth in the approval resolution. The specified conditions shall be modified only as provided for in this section.

(F) Standards and requirements for review and approval. The Planning Commission shall make conclusions for a proposed development application based on the following standards and requirements:

(1) All proposed uses shall comply with the Master Plan and be consistent with the spirit, specific intent, and purposes of the Town Center District.

(2) The application proposal shall set forth specific written descriptions of heights, setbacks, density, parking, vehicular and pedestrian circulation, landscaping, and other design elements which affect the impact of this project with adjacent properties, to other developments in the district, to the overall plans and goals of the district and to future users and inhabitants of the development. Standards of § [155.061](#) are not specifically required except as contained in the proposal approved by the Commission, or in any specified condition that has been made subject in the Commission's resolution of approval. However, the requirements of §§ [155.071](#) through [155.076](#) and §§ [155.078](#) through [155.082](#), General Development Standards, must be adhered to.

(3) Planning Commission may, at the recommendation of the City Planner, modify the off-street parking requirements of § [155.077](#). The off-street parking space requirements established in § [155.077](#)(B) shall be the maximum parking permitted in the TCD Town Center District. The minimum parking requirements in the TCD Town Center District shall be 100% of the off-street parking space requirements established in § [155.077](#)(B). The off-street parking space requirements may be modified based on site uses, the provision of shared parking, and the provision of bicycle parking, and parking studies.

(4) Signs must meet the requirements of this chapter and shall be limited in size and numbers to avoid visual clutter associated with overall effect of multiple signs. Billboards are expressly prohibited.

(5) Proposed uses shall encourage pedestrian usage and encourage business patrons to remain in the district for an extended time period. Businesses that cater to transient vehicular traffic such as auto service stations or centers or similar uses are strictly prohibited.

(6) The proposed use(s) must not exceed the capacity of the existing and available public services, including utilities and public roads. However, the development proposal can contain adequate plans for providing needed services or evidence that such services will be available by the date the project is completed. This plan must meet Planning Commission's satisfaction.

(7) The project and its uses must be in compliance with all applicable federal, state and local laws and regulations.

(8) All project submission documents are subject to a review by a qualified professional city planner or other professional, who may be retained by the city for this purpose.

(G) Permit and certificate issuance.

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

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

(H) Modification of approved plans.

(1) Approved development proposals may be modified by resolution of the Planning Commission after submission and review of an application in accordance with standards and requirements stated in this section.

(2) Approved development proposals may be administratively modified, upon discretion of the City Planner, provided the following conditions are met:

- (a) Building or structure area or height is not increased.
- (b) Dwelling unit density is not increased.
- (c) Off-street parking requirements are not modified.
- (d) The traffic pattern is not modified.
- (e) Trip generation is not increased.

(I) Abandonment or expiration of time limits. Approval of a project and any building permit or certificate may become null and void if any of the following conditions arise:

(1) The approved project is abandoned.

(2) A project has not achieved its one year construction progress as set forth in the submitted development timetable upon expiration of one year after the effective date of issuance of the initial building permit.

(3) An approved project has not obtained building permits within six months of final site plan approval.

(4) The approved project has not been completed six years after the effective date of issuance of the initial building permit. Upon application, the Commission may approve extensions, provided that the application is received by the City Planner prior to the expiration date, on display of sound reasons which meet the satisfaction of the Commission. The applicant or designee of the applicant shall appear in person to apply for an extension.

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

(Ord. 792, passed 12-3-01; Am. Ord. 827, passed 12-7-09; Am. Ord. 836, passed 2-21-11; Am. Ord. 838, passed 8-15-11; Am. Ord. 844, passed 9-17-12; Am. Ord. 849, passed 12-17-14; Am. Ord. passed 2-20-17; Am. Ord. 863, passed 10-2-17)

§155.261 PUBLIC ART

(A) MURALS

(1) Murals shall be maintained in good repair, free from peeling paint or damage due to age, weather, and vandalism.

(2) Murals shall not contain words (in any language), symbols or representations that are obscene, offensive, of a political nature or are derogatory.

(3) Application Requirements:

(a) The property owner or tenant (with written permission of the property owner) shall apply for a determination of whether the proposed design representation is a sign (which would fall under the sign ordinance), a Type One Mural or a Type Two Mural and, if the proposed design or representations is a Type Two Mural, whether it complies with the requirements of this section.

(b) A design sketch, photos of the proposed site, and a review fee of \$450 shall be submitted to the Planning Department. The mural application will then be reviewed, and if it is complete it will be placed on a Planning Commission agenda for review and consideration of approval based on compliance with this section.

(4) Type Two Mural Additional Requirements:

(a) The graphics, words, and/or symbols referencing the establishment, product, or service are limited in scope and dominance, and not readily construed as commercial advertising. References must be subtle and integrated into the overall mural design.

(b) The references to an establishment, product, or service are not to be in the form of traditional building signage. Traditional signs on the same wall will be reviewed separately under applicable sign requirements.

(5) An aggrieved applicant may file an appeal to the zoning board of appeals for review of a decision relating to a mural.

(6) If the mural application is approved, the applicant must complete the approved mural within six months from the date of approval, or must resubmit the application, except when the mural is approved between October 1 and February 1, in which case the applicant shall post a performance bond to ensure installation of the mural in the spring.

REQUEST FOR COUNCIL ACTION

To: Byron Nolen, Mayor

Date: November 13, 2018

From: Sharde Fleming
Special Projects, Director

Date for Council Consideration: November 19, 2018

ACTION REQUESTED: Consider approval of offer to purchase (Case # LD 17-58) one (1) vacant industrial lot which is located on the north side of Cherry St. between Springhill and Middlebelt and is legally described as 25N44 LOT 44 DEARBORN ACRES SUB NO. 2 T2S R9E L33 P79 WCR (Property I.D. 44 009 02 0044 000) in the amount of \$15,000 to Zakia Pope-Gibson.

Current Action X Emergency Future

Funds Budgeted: If Yes X Account # 101.721.673.130 No N/A

Mayor's Approval Byron Nolen

BACKGROUND INFORMATION

Zakia Pope-Gibson has made application to purchase one (1) vacant lot which is located on the north side of Cherry St. between Springhill and Middlebelt and is legally described as 25N44 LOT 44 DEARBORN ACRES SUB NO. 2 T2S R9E L33 P79 WCR (Property I.D. 44 009 02 0044 000).

SCOPE OF SERVICES

Preparation and execution of purchase agreement, quit claim deed, property transfer affidavit, and recording the deed. It is highly recommended by the Planning Division that the applicant complete a title search of the property.

JUSTIFICATION

The parcel is located in the M-1 zoning district. The applicant intends to use the lots for expanded medical marijuana cultivation.

PROJECT OR IMPROVEMENT TASK

1. Develop a plan to address the City's current debt and legacy costs.
2. Improve and promote the image of Inkster.

COST

The applicant is offering the total purchase price of \$15,000.00.

RESOLUTION

Authorization is hereby given for the sale of one (1) vacant industrial lot which is located on the north side of Cherry St. between Springhill and Middlebelt and is legally described as 25N44 LOT 44 DEARBORN ACRES SUB NO. 2 T2S R9E L33 P79 WCR (Property I.D. 44 009 02 0044 000) in the amount of \$15,000 to Zakia Pope-Gibson, subject to the following conditions:

Complete closing on the property within thirty (30) days by paying the balance of the price of the sale (\$15,000.00), paying the cost of recording the deed (\$18.00), entering into a purchase agreement and executing a property transfer affidavit.

Finally, it is highly recommended that the applicant complete a title search of the property.

Resolved by _____

Seconded by _____

Yes:

No:

Absent:



Deposit/Administrative Fee Received _____
Date Received 11-2-18
Case # 17-58

CITY OF INKSTER
APPLICATION TO PURCHASE CITY-OWNED PROPERTY

APPLICANT INFORMATION (Please Print Clearly)

Applicant's Name LAKIA POPE-GIBSON
Applicant's Address 51604 HALE LANE, CHESTERFIELD MI 48051-2343
Applicant's Phone Number: 404-218-4206
Proposed Owner's Name (as indicated on deed): LAKIA POPE-GIBSON

PROPERTY INFORMATION -- Purchase Offer \$ 15,000⁰⁰

Property Location: on North side of Cherry Street/Avenue
Between Spring Hill Street/Avenue and Middlebelt Street/Avenue
Tax ID, Legal Description, and Address if Structure _____

44009020044000

Parcel Size: _____ (Width) _____ X (Length) _____ Current Zoning _____

☐ Additional Parcels/Lots (attach Request for Additional Property Form)

Summary of Proposed Use: _____
Use additional sheets as needed

I understand and accept as evidenced by the good-faith deposit of \$_____.00 for the offer to purchase city-owned property. I also understand that the offer to purchase is subject to acceptance and approval by the City of Inkster City Council. I further understand that the Council can reject the offer in the best interest of the City, but that acceptance of this offer binds me to the specific use of the property as provided by the codes and ordinances of the City.

NOTE: All City-owned property is sold "AS IS". The City is not responsible for clear title.

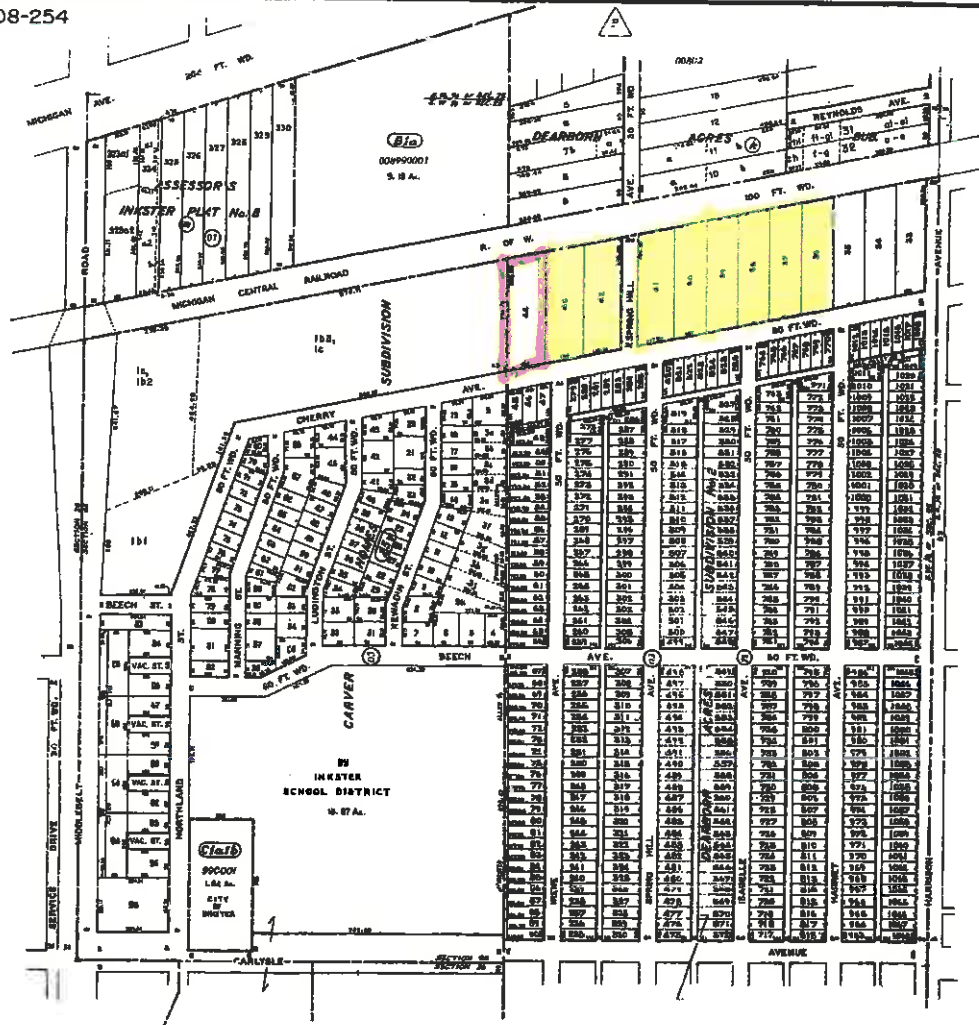
Lakia Pope-Gibson
Applicant's Signature

11-1-2018
Date

Broker's Name _____

82-08-254

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S.W. 1/4 SECTION 25
CITY OF INKSTER
 T. 2 S. R. 9 E.
 WAYNE COUNTY, MICHIGAN
 SCALE: 1" = 300' FEET
 DEPARTMENT OF MANAGEMENT AND BUDGET
 ASSESSMENT AND EQUALIZATION DIVISION
 © 2005 COUNTY OF WAYNE, STATE OF MICHIGAN
ALL RIGHTS RESERVED. NO PART OF THIS MAP MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM THE OFFICE OF THE COUNTY CLERK. ANY VIOLATION OF THIS PROHIBITION SHALL BE SUBJECT TO THE PENALTIES PROVIDED BY LAW. THIS MAP IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED THEREIN.

REQUEST FOR COUNCIL ACTION

To: Byron H. Nolen, Mayor

Date: November 13, 2018

From: Adrianna Jordan
City Planner

Date for Council Consideration: November 19, 2018

ACTION REQUESTED: Council to consider approval of a \$21,500 scope of work, budget, and contract with Hamilton Anderson Associates (HAA) for the preparation of feasibility studies, precedent studies, photorealistic renderings, and streetscape cross-sections related to the northeast quadrant of the downtown area.

Current Action ☒ Emergency ☐ Future ☐

Funds Budgeted: If Yes ☐ Account # ☐ No ☒ N/A ☐

Mayor's Approval

Byron H. Nolen

BACKGROUND INFORMATION

The City of Inkster recently adopted a Downtown Revitalization Plan that was prepared by McKenna Associates. As a next step, the City would like to retain HAA to prepare a developer-ready detailed plan of the northeast quadrant of Inkster's downtown area, using the McKenna plan as a basis. The HAA plan will include feasibility studies, precedent studies, three photorealistic renderings, and streetscape cross-sections.

SCOPE OF SERVICES

McKenna Associates spent the previous five months working on the creation of a Downtown Revitalization Plan. Pending approval of their proposal, Hamilton Anderson Associates will use McKenna's plan to work with a Council-approved developer to create an urban design palette and photorealistic renderings of the northeast quadrant of Inkster's downtown (the old civic campus). Please see the attached proposal, scope of work, and sample rendering from HAA for more information.

JUSTIFICATION

The City is considering a public-private-partnership (PPP) with a developer to revitalize the northeast quadrant of the TCD, and these planning and urban design items are crucial for the City, the public, and the developer to buy-in to the plan to revitalize the northeast quadrant of the downtown.

PROJECT OR IMPROVEMENT TASKS

1. Revitalize the Michigan Avenue Corridor and the area covered by the DDA.
2. Develop a plan to diversify the tax base to ensure a sustainable budget for Inkster.
3. Improve and promote the image of Inkster.

COSTS

Costs for the HAA planning and urban design work would be paid for with General Fund money. The proposed scope of work would cost approximately \$21,500.

PROJECT TIME TABLE

HAA anticipates that it can complete its planning and urban design work by December 31, 2018.

RESOLUTION

Resolved by _____

Seconded by _____

Yes:

No:

Absent:

HamiltonAnderson

HamiltonAnderson

November 9, 2018

Ms. Adrianna Jordan, AICP
City Planner
City of Inkster
26215 Trowbridge St.
Inkster, MI 48141

Re: Proposal for City of Inkster Planning, 2018131.M, Revision 2

Dear Ms. Jordan:

Hamilton Anderson Associates, Inc. (HAA) is pleased to submit this proposal to provide professional services for master planning and visualization for the City of Inkster. We have outlined our understanding of the project and Scope of Basic Services to assist you in achieving your goals. We have structured the proposal for your review as follows:

PROJECT UNDERSTANDING

SCOPE OF BASIC SERVICES

COMPENSATION

REIMBURSABLE EXPENSES

PAYMENT FOR SERVICES

PROJECT SCHEDULE

EXHIBIT A – 2018 STANDARD RATE SCHEDULE FOR PROFESSIONAL SERVICES

EXHIBIT B – STANDARD TERMS AND CONDITIONS

EXHIBIT C – ADDITIONAL SERVICES

PROJECT UNDERSTANDING

HAA understands that the City of Inkster is looking for urban design and visualization services for the northeast quadrant of intersection of Michigan and Inkster (hereafter referred to as "Project Area"). We understand the City has completed project planning for the Community Core, a vision for a vibrant and walkable mixed-use town center. We understand the primary outcome of this phase of work to be high-quality illustrations to be used to foster community buy-in and build project momentum.

SCOPE OF BASIC SERVICES

Based on the Project Understanding outlined above, HAA proposes the following Scope of Basic Services:

TASK 1 - MASTER PLAN REFINEMENT AND ILLUSTRATION (\$8,500)

HAA will use the Community Core Plan as the basis for our design and will complete initial studies to inform our final master plan concept for the Project Area. As part of our process, we will study the Community Core Plan in the Project Area in the following ways:

- Create feasibility studies for proposed new development.
- Identify logistical traffic patterns (loading, trash etc.).
- Ensure proposed developments have necessary parking.
- Ensure parking deck layout is efficient and feasible.

HAA will then create an illustrative master plan of the Project Area. This plan will be developed to a level of detail that allows the City to establish discrete development projects. It will identify existing buildings to remain, new development, active and secondary building frontages, public spaces, parking areas, streetscape improvements, park improvements and other components as determined by the master plan. Through our conversations with the City, we understand the following changes should be included in our refined master plan:

- Relocate amphitheater to accommodate existing site conditions.
- Limit new streets to those surrounding the new public space.

We will also tabulate square footages of new development, approximated unit counts, commercial square footages and vehicular circulation and parking. Our team will identify opportunities for urban design best practices, including enhancements that contribute to pedestrian walkability, green infrastructure and sustainable development. We will create sections and diagrams to convey master plan concepts.

TASK 2 - PRECEDENT STUDIES AND BEST PRACTICES (\$2,000)

HAA will support the master plan with precedent studies and examples of best practices for new development, public spaces, streetscape enhancements and park improvements. These studies will illustrate the look and feel of proposed improvements. We will compile this information into a digital presentation.

TASK 3 - PHOTOREALISTIC RENDERINGS (\$9,500)

Visualization of the Community Core project will happen simultaneously with Task 1. Renderings will establish building massing and form, as well as public space character and material. This, in concert with the master plan and precedent studies will convey the spatial and cultural quality of the urban realm.

HAA will digitally model the project site in order to create high-quality photorealistic renderings which can be plotted at 24" x 36". Rendering focus areas will be established with during our scope of work. Additional photorealistic renderings will be provided at **One Thousand Seven Hundred and Fifty Dollars (\$1,750)** each.

TASK 4 - MICHIGAN AVENUE ROAD DIET STUDY (\$1,500)

HAA will assess the current cross section of Michigan Avenue study for traffic calming, green infrastructure and public transportation opportunities. We will provide cross sections of existing and proposed conditions, along with any other graphics needed to meet task outcome.

DELIVERABLES

Our final deliverables will be:

- Final Conceptual Rendered Master Plan with Supporting Graphics.
- Collection of Precedent Studies and Best Practices.
- Three (3) Photorealistic Renderings.
- Study of Michigan Avenue Road Diet.

CLIENT REVIEW

Our team anticipates the following engagements:

Kickoff

Our team has begun reviewing material provided by the City of Inkster. As such, we will conduct a phone conference to review our project understanding and review any updates which will affect the project scope and delivery.

Design Meeting 1

Agenda will include review of progress on the illustrative master plan, precedent studies and best practices. We will solicit feedback and refine our deliverables per your direction. This meeting may be held in person at the City of Inkster.

Design Meeting 2

Agenda will include presentation of a draft final illustrative master plan, precedent studies and best practices. We will provide progress on the Road Diet Study, and will review screenshots from the digital model in order to identify your desired views and focus areas. This meeting may be held in person at the City of Inkster.

Design Meeting 3 - Final Presentation

We will conduct a final in-person meeting with you to review our final deliverables and discuss next steps. This meeting may be held in person at the City of Inkster.

COMPENSATION

HAA proposes the Lump Sum Fee of **Twenty One Thousand Five Hundred Dollars (\$21,500)**. The Standard Rate Schedule for Professional Services is enclosed (Exhibit A).

REIMBURSABLE EXPENSES

In addition to our fee, we will invoice for all reimbursable expenses incurred in connection with this project. We estimate the reimbursable expenses to be **Seven Hundred and Fifty Dollars (\$750)**. These reimbursable expenses will be billed at cost. Reimbursable expenses include but are not limited to the following:

- Reproductions
 - Plotting Services
 - Printing
 - Postage
- Mileage at the current IRS Standard Mileage rate
- Renderings and Sketches not listed in Scope of Basic Services

PAYMENT FOR SERVICES

HAA invoices for services monthly based on the percentage of our work that has been completed in the previous month. Payment in full for services is due within thirty (30) days upon receipt of the invoice. If payment in full is not received within thirty (30) days, the past due amount per month will be subject to a late fee of 1% per month of the amount due calculated from the invoice due date. Payment not received after forty-five (45) days may give cause for HAA to suspend or discontinue service.

Please make checks payable to Hamilton Anderson Associates, Inc. and send to the attention of the Controller.

PROJECT SCHEDULE

Hamilton Anderson Associates, Inc. will start our services upon receipt of your signed written authorization to proceed. HAA can accommodate the City of Inkster's request for the master plan and renderings before December 31, 2018.

In closing, we thank you for the opportunity to submit this proposal. We trust that it meets with your approval, and we look forward to assisting you in your efforts. If there are any questions concerning our proposal, please contact Angela Hicks or Chris Riggert at your convenience.

Sincerely,
Hamilton Anderson Associates, Inc.



Rainy Hamilton, Jr., FAIA, NOMA

President



Angela Hicks, ASLA, APA

Project Manager

ACCEPTANCE

If the information presented in this proposal and Exhibits A, B, and C meets with your approval, please sign below on the acceptance line and return one signed copy as your acceptance and authorization for us to proceed.

Ms. Adrianna Jordan

City of Inkster

Date

RH/AMH

Enclosures: (3)

Exhibit A – Fee and Rate Schedule for Professional Services

Exhibit B – Standard Terms and Conditions

Exhibit C – Additional Services

cc: HAA Controller

Marketing File (2018131.m)

DET-v.2018

EXHIBIT A

2018 STANDARD RATE SCHEDULE FOR PROFESSIONAL SERVICES

	Range/Hour	
Principal	\$ 290	\$ 340
Director	\$ 160	\$ 190
Senior Project Manager	\$ 160	\$ 175
Project Manager	\$ 125	\$ 135
Senior Architect	\$ 130	\$ 170
Architect	\$ 115	\$ 135
Senior Design Professional	\$ 110	\$ 150
Design Professional	\$ 80	\$ 95
Landscape Architect	\$ 115	\$ 135
Landscape Designer	\$ 85	\$ 95
Senior Interior Designer	\$ 120	\$ 150
Interior Designer	\$ 80	\$ 90
Professional Support Staff	\$ 85	\$ 110
Administrative Support Staff	\$ 60	\$ 95

These billing rates are valid through December 31, 2018. The billing rates will be adjusted annually, January 1st of each year, to reflect adjustment in compensation for HAA employees.

EXHIBIT B

Standard Terms and Conditions

Scope of Basic Services The Scope of Basic Services is outlined in our enclosed Proposal. Changes to our Scope of Basic Services, including any changes, delays or extensions that occur in the project schedule which are beyond the control of Hamilton Anderson Associates, Inc. or suspension of services will warrant adjustment of our fees.

Contractual Agreements This Proposal will serve as our agreement for the Scope of Basic Services as described in the enclosed Proposal to be followed by a fully executed AIA contract or specific contract developed by the Client.

Proposal Offer This Proposal is valid for sixty (60) calendar days.

Client Responsibilities The Client shall provide full information including a program which shall set forth the Client's objectives, schedule, constraints, budget with reasonable contingencies, and criteria. The Client shall furnish additional data and reports as may be necessary for the performance of services on the Project.

Construction Cost The Construction Cost shall be the total cost or estimated cost to the Client of all elements of the Project designed or specified by HAA. The Construction Cost shall include the cost at current market rates of labor and materials furnished by the Client and equipment designed, specified, selected or specially provided for by HAA, plus a reasonable allowance for the Contractor's overhead and profit. In addition, a reasonable allowance for contingencies shall be included for market conditions at the time of bidding and for changes in the Work during construction.

Responsibility for Construction Cost It is recognized that neither HAA nor the Client has control over the cost of labor, materials or equipment, over the Contractor's methods of determining bid prices, or over competitive bidding, market or negotiating conditions. Accordingly HAA cannot and does not warrant or represent that bids or negotiated prices will not vary from any estimate of Construction Cost or evaluation prepared or agreed to by HAA.

Responsibility of Contractor HAA shall not have control over or charge of and shall not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Work, since these are solely the Contractor's responsibility under the Contract for Construction. HAA shall not be responsible for the Contractor's schedules or failure to carry out the Work in accordance with the Contract Documents. HAA shall not have control or charge of acts or omissions of the Contractor, subcontractors or their agents or employees, or of any other persons performing portions of the Work.

Use of Hamilton Anderson Associates, Inc. Drawings, Specifications and Other Documents The drawings, specifications and other documents prepared by HAA for this Project are instruments of HAA service for use solely with respect to this Project and, unless otherwise provided, HAA shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including the copyright. The Client shall be permitted to retain copies, including reproducible copies of HAA Drawings, Specifications and other documents for information and reference in connection with the Client's use and occupancy of the Project. HAA Drawings, Specifications or other documents shall not be used by the Client or others on other projects, for additions to this Project or for completion of the Project by others, unless HAA is adjudged to be in default under this Agreement, except by agreement in writing and with appropriate compensation to HAA.

Staffing HAA will provide professional staff with the requisite skills and abilities to complete the project with the agreed upon schedule.

Survey of Existing Buildings HAA will develop general, overall plans, sections and elevations. Some assumptions will be made and extensive field measurements and checking of existing buildings to be renovated will not be performed. As such, HAA cannot warrant the complete accuracy of the Existing Conditions drawings. There may be conditions that are not plumb, out of square and the like, as well as other hidden conditions that may require planned construction to be modified and/or adjusted in the field during construction.

Environmental Conditions The Client is responsible for providing boundary surveys, topographic surveys, site utility plans and all environmental testing reports, and for any remediation, and/or abatement of the site as may be required.

Collection Costs If the Client fails to make payments when due, the Client agrees to pay Hamilton Anderson Associates, Inc. for any collection costs incurred. Such collection costs include legal fees, collection agency fees and expenses, court costs, and HAA staff costs at standard billing rates for time spent in the effort to collect past due amounts. These monies are due immediately and are not forfeited with the termination of any agreement between HAA and the Client.

Suspension of Services If the Client fails to make timely payments or otherwise is in breach of this Agreement, HAA may suspend performance of services upon seven (7) calendar days' written notice to the Client. HAA shall have no liability whatsoever to the Client for any costs or damages as a result of such suspension caused by any breach of this Agreement by the Client. Upon payment in full by the Client, HAA shall resume services under this Agreement, and the project schedule and compensation shall be equitably adjusted to compensate for the period of suspension plus any other reasonable time and expense necessary for HAA to resume performance.

Termination Either party may terminate the contract with seven (7) days written notice. Termination notices for Hamilton Anderson Associates, Inc. shall be sent to the attention of the Owner, with a copy to the Project Manager. Termination notices for the Client shall be sent to the attention of the Client. Hamilton Anderson Associates, Inc. shall be paid for services rendered, including closeout costs, and reimbursable expenses incurred to the date of termination.

Credit Project credit, where identified on the drawings, documents or other material prepared by the Hamilton Anderson Associates, Inc. team will include Hamilton Anderson Associates, Inc. whenever and wherever it is possible and appropriate as follows: Hamilton Anderson Associates, Inc. Credit shall also be included in the Client's project sign at the construction site at no cost to HAA.

Hamilton Anderson Associates, Inc.
1435 Randolph Street
Suite 200
Detroit, Michigan 48226

EXHIBIT C ADDITIONAL SERVICES

Hamilton Anderson Associates, Inc. has the capability to provide other services not included in the Scope of Basic Services described in the Proposal. These services can be provided as Additional Services on an hourly or lump sum basis. Such services include the following:

Changes to Scope of Basic Services Any changes that reflect the modifications to the Scope of Basic Services that have been authorized by the Client;

Additions to Scope of Basic Services Any additions that reflect services not contained in the Scope of Basic Services that have been authorized by the Client;

Additional Meetings Preparation for and attendance at meetings and/or presentations specifically requested and authorized by the Client beyond those included in the Scope of Basic Services;

Photorealistic 3D modeling Digital model that can be used to create photorealistic computer rendering in a variety of views;

3D Animation Digital model that can be used to create a fully rendered virtual tour or other type of animation;

Artist Renderings High quality artist renderings of the project that can be used for a variety of purposes;

Models / Mock-ups HAA can facilitate the construction of mock-ups, selected parts of a building design and professional quality models. Both can be used to better simulate and evaluate the performance of design options. If required, the final project design model would be suitable for fundraising purposes;

Construction Estimating Probable construction costs based on the design concept and may include more detailed cost estimates;

Civil Engineering State of the art engineering solutions to challenging site development problems include: site master planning, site evaluation and design, road and street design, infrastructure and utility design, Best Management Practices (BMP), traffic control plans, storm water management;

Public Participation The HAA Team uses a highly interactive process with open work sessions, design charrettes and public meetings to share ideas and develop project goals. Our process identifies factors that have an impact on what is conceptually appropriate and unique to the building and site;

Thank You!

HamiltonAnderson

1435 randolph street, ste. 200
detroit, michigan 48226

313-964-0270 // 313-964-0170

www.hamilton-anderson.com

www.rogueHAA.com // @HAADetroit

