

**ORDINANCE NO. 2022-5  
CHAPTER 50  
ARTICLES VIII, IX, XI, XII, XIV, XVI**

**AN ORDINANCE to amend Chapter 50 of the Detroit City Code, *Zoning*:**

(1) By amending Article VIII, *Residential Zoning Districts*, Division 3, *R2 Two-Family Residential District*, Section 50-8-44, *By-right residential uses*; Division 4, *R3 Low-Density Residential District*, Section 50-8-74, *By-right residential uses*; Division 5, *R4 Thoroughfare Residential District*, Section 50-8-104, *By-right residential uses*, and Section 5-8-110, *Conditional residential uses*; Division 6, *R5 Medium-Density Residential District*, Section 50-8-134, *By-right residential uses*; and Division 7, *R6 High-Density Residential District*, Section 50-8-164, *By-right residential uses*, to add shelters for survivors of domestic violence as a by-right use in R2 zoning districts and to change the term “shelter for victims of domestic violence” to “shelters for survivors of domestic violence” in the R3, R4, R5, and R6 zoning districts;

(2) By amending Article IX, *Business Zoning Districts*, Division 2, *B1 Restricted Business District*, Section 50-9-14, *By-right residential uses*; Division 3, *B2 Local Business and Residential District*, Section 50-9-44, *By-right residential uses*; Division 5, *B4 General Business District*, Section 50-9-104, *By-right residential uses*; and Division 6, *B5 Major Business District*, Section 50-9-134, *By-right residential uses* to change the term “shelter for victims of domestic violence” to “shelters for survivors of domestic violence” in the B1, B2, B4, and B5 zoning districts;

(3) By amending Article XI, *Special Purpose Zoning District and Overlay Areas*, Division 9, *SD1 — Special Development District, Small-Scale, Mixed-Use*, Section 50-11-204, *By-right residential uses*, to change the term “shelter for victims of domestic violence” to “shelters for survivors of domestic violence” in the SD1 zoning districts;

(4) By amending Article XII, *Use Regulations*, Division 1, *Use Table*, Subdivision B, *Residential Uses*, Section 50-12-21, *Group living*; Division 3, *Specific Use Standards*, Subdivision A, *Residential Uses*, Section 50-12-165, *Shelters for victims of domestic violence*, and Section 50-12-492, *Prohibited uses and activities*, to change the term “shelter for victims of domestic violence” to “shelters for survivors of domestic violence” and to change use regulations for shelters for survivors of domestic violence;

(5) By amending Article XIV, *Development Standards*, Division 1, *Off-Street Parking, Loading, and Access*, Subdivision B, *Off-Street Parking Schedule “A”*, Section 50-14-33, *Group living*, to change the term “shelter for victims of domestic violence” to “shelters for survivors of domestic violence”; and

(6) By amending Article XVI, *Definitions and Rules of Construction*, Division 2, *Words and Terms Defined*, Subdivision H, *Letter “G,”* Section 50-16-222, *Words and terms (Gn-Gz)*, and Subdivision P, *Letter “S,”* Section 50-16-382, *Words and terms (Se-Sh)*, to change the term “shelter for victims of domestic violence” to “shelters for survivors of domestic violence.”

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

**Section 1.** Chapter 50 of the Detroit City Code, *Zoning*, be amended by amending Sections 50-8-44, 50-8-74, 50-8-104, 5-8-110, 50-8-134, 50-8-164, 50-9-14, 50-9-44, 50-9-104, 50-9-134, 50-11-204, 50-12-21, 50-12-165, 50-12-492, 50-14-33, 50-16-222 and 50-16-382, to read as follows:

**CHAPTER 50. ZONING  
ARTICLE VIII. RESIDENTIAL ZONING DISTRICTS  
DIVISION 3. R2 TWO-FAMILY RESIDENTIAL DISTRICT**

**Sec. 50-8-44. By-right residential uses.**

By-right residential uses within the R2 Two-Family Residential District are as follows:

- (1) Shelter for survivors of domestic violence, as limited by Section 50-12-165(b).
- (2) Single-family detached dwelling.
- (3) Two-family dwelling.

**DIVISION 4. R3 LOW-DENSITY RESIDENTIAL DISTRICT**

**Sec. 50-8-74. By-right residential uses.**

By-right residential uses within the R3 Low-Density Residential District are as follows:

- (1) Boarding school and dormitory.
- (2) Child caring institution.
- (3) Loft.
- (4) Multiple-family dwellings with fewer than 50 percent of the units in the structure being efficiency units.
- (5) Religious residential facilities.
- (6) Shelter for survivors of domestic violence.
- (7) Single-family detached dwelling.
- (8) Townhouse.
- (9) Two-family dwelling.

#### **DIVISION 5. R4 THOROUGHFARE RESIDENTIAL DISTRICT**

##### **Sec. 50-8-104. By-right residential uses.**

By-right residential uses within the R4 Thoroughfare Residential District are as follows:

- (1) Boarding school and dormitory.
- (2) Child caring institution.
- (3) Convalescent, nursing, or rest home.
- (4) Fraternity or sorority house.
- (5) Loft.
- (6) Multiple-family dwelling.
- (7) Religious residential facilities.
- (8) Rooming house.
- (9) Shelter for survivors of domestic violence.
- (10) Single-family detached dwelling.
- (11) Townhouse.
- (12) Two-family dwelling.

##### **Sec. 50-8-110. Conditional residential uses.**

Conditional residential uses within the R4 Thoroughfare Residential District are as follows:

- (1) Adult foster care facility.
- (2) Assisted living facility.
- (3) Emergency shelter.
- (4) Home for the aged.
- (5) Pre-release adjustment center.
- (6) Residential substance abuse service facility.
- (7) Single-room-occupancy housing, non-profit.

#### **DIVISION 6. R5 MEDIUM-DENSITY RESIDENTIAL DISTRICT**

##### **Sec. 50-8-134. By-right residential uses.**

By-right residential uses in the R5 Medium Density District are as follows:

- (1) Assisted living facility.
- (2) Boarding school and dormitory.
- (3) Child caring institution.
- (4) Convalescent, nursing, or rest home.
- (5) Fraternity or sorority house.
- (6) Loft.
- (7) Multiple-family dwelling.
- (8) Religious residential facilities.
- (9) Residential use combined in structures with permitted commercial use.
- (10) Rooming house.
- (11) Shelter for survivors of domestic violence.
- (12) Single-family detached dwelling.
- (13) Townhouse.
- (14) Two-family dwelling.

#### **DIVISION 7. R6 HIGH-DENSITY RESIDENTIAL DISTRICT**

##### **Sec. 50-8-164. By-right residential uses.**

By-right residential uses within the R6 High-Density Residential District are as follows:

- (1) Assisted living facility.
- (2) Boarding school and dormitory.
- (3) Child caring institution.
- (4) Convalescent, nursing, or rest home.
- (5) Fraternity or sorority house.
- (6) Loft.

- (7) Multiple-family dwelling.
- (8) Religious residential facilities.
- (9) Residential use combined in structures with permitted commercial use.
- (10) Rooming house.
- (11) Shelter for survivors of domestic violence.
- (12) Townhouse.

**ARTICLE IX. BUSINESS ZONING DISTRICTS**  
**DIVISION 2. B1 RESTRICTED BUSINESS DISTRICT**

**Sec. 50-9-14. By-right residential uses.**

By-right residential uses in the B1 Restricted Business District are as follows:

- (1) Adult foster care facility.
- (2) Assisted living facility.
- (3) Boarding school and dormitory.
- (4) Child caring institution.
- (5) Convalescent, nursing, or rest home.
- (6) Home for the aged.
- (7) Religious residential facilities.
- (8) Shelter for survivors of domestic violence.

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

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

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

- (1) Adult foster care facility.
- (2) Assisted living facility.
- (3) Boarding school and dormitory.
- (4) Child caring institution.
- (5) Convalescent, nursing, or rest home.
- (6) Home for the aged.
- (7) Loft, subject to Section 50-12-159 of this Code.
- (8) Religious residential facilities.
- (9) Residential use combined in structures with permitted commercial or industrial uses, subject to Section 50-12-159 of this Code.
- (10) Shelter for survivors of domestic violence.

**DIVISION 5. B4 GENERAL BUSINESS DISTRICT**

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

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

- (1) Assisted living facility.
- (2) Boarding school and dormitory.
- (3) Child caring institution.
- (4) Convalescent, nursing, or rest home.
- (5) Lofts, subject to Section 50-12-159 of this Code.
- (6) Religious residential facilities.
- (7) Residential use combined in structures with permitted commercial and industrial uses, subject to Section 50-12-159 of this Code.
- (8) Shelter for survivors of domestic violence.

**DIVISION 6. B5 MAJOR BUSINESS DISTRICT**

**Sec. 50-9-134. By-right residential uses.**

By-right residential uses within the B5 Major Business District are as follows:

- (1) Assisted living facility.
- (2) Boarding school and dormitory.
- (3) Child caring institution.
- (4) Convalescent, nursing, or rest home.
- (5) Loft.
- (6) Multiple-family dwelling having ground floor commercial space or other space oriented to pedestrian traffic.
- (7) Pre-release adjustment center.
- (8) Religious residential facilities.
- (9) Shelter for survivors of domestic violence.

**ARTICLE XI. SPECIAL PURPOSE ZONING DISTRICTS AND OVERLAY AREAS**

**DIVISION 9. SD1 — SPECIAL DEVELOPMENT DISTRICT,  
SMALL-SCALE, MIXED-USE**

**Sec. 50-11-204. By-right residential uses.**

By-right residential uses within the SD1 Special Development District are as follows:

- (1) Assisted living facility.

- (2) Boarding school and dormitory.
- (3) Loft.
- (4) Multiple-family dwelling.
- (5) Religious residential facilities (in conjunction with religious institutions in the immediate vicinity).
- (6) Residential use combined in structures with permitted (first-floor) uses.
- (7) Shelter for survivors of domestic violence.

**ARTICLE XII. USE REGULATIONS**

**DIVISION 1. USE TABLE**

***Subdivision B. Residential Uses***

**Sec. 50-12-21. Group living.**

Regulations regarding group living uses are as follows:

Use Category	Specific Land Use										Residential			Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
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### **DIVISION 3. SPECIFIC USE STANDARDS**

#### ***Subdivision A. Residential Uses***

##### **Sec. 50-12-165. Shelters for survivors of domestic violence.**

(a) The maximum capacity of any shelter for survivors of domestic violence in the R2, R3, R4, R5, R6, B1, B2, B4, B5, and SD1 zoning classifications shall be specified by the Buildings, Safety Engineering, and Environmental Department in accordance with adopted building standards and regulations.

(b) In the R2 District, such uses may be established only in former religious residential structures, nonconforming multi-family residential structures, or a former school building; this provision may not be waived by the Board of Zoning Appeals.

(c) Shelters for survivors of domestic violence shall not be permitted in the R1 District, except that, where a shelter for victims of domestic violence, duly recognized by the Michigan Domestic and Sexual Violence Prevention and Treatment Board, has been established in such zoning district, was operated as such a shelter since April 26, 1995, and has secured an occupancy or change of use permit for a shelter for victims of domestic abuse not later than October 26, 1995, said shelter shall be permitted to continue as a nonconforming use. Such shelter shall be subject to the restrictions set forth in Article XV of this chapter and to other provisions of this Code.

### **DIVISION 5. ACCESSORY USES AND STRUCTURES**

#### ***Subdivision B. Home Occupations***

##### **Sec. 50-12-492. Prohibited uses and activities.**

(a) Any sale of fireworks, and any firearms dealership, any materials or service characterized by an emphasis on "specified anatomical areas" or "specified sexual activities" as defined in Section 50-16-384 of this Code, and any type of repair or assembly of vehicles or equipment with internal combustion engines, such as automobiles, motorcycles, scooters, snowmobiles, outboard marine engines, lawn mowers, chain saws and other small engines, are prohibited. Any other work related to automobiles and their parts that is not conducted as a home occupation and that is merely incidental and accessory to the principal use is subject to Section 50-8-27 of this Code.

(b) In addition, no home occupation may use, store, handle, or manage "significant quantities" of hazardous substances as defined in Section 50-16-241 of this Code. For purposes of this provision, the term "significant quantities" means amounts exceeding those commonly used for typical residential or office purposes, provided, that this does not include gasoline, oil, or other vehicle fluids that are contained in vehicles traversing or parked at a property for individual use or on a short-term basis.

(c) Further, those land uses specified in Section 50-12-21 of this Code, the "group living" use category, being an adult foster care facility, assisted living facility, convalescent, nursing or rest home, emergency shelter, fraternity or sorority house, home for the aged, religious residential facility, residential substance abuse service facility, rooming house, and shelter for survivors of domestic violence, and in Section 50-12-23 of this Code, the "institutional living" use category, being boarding school, dormitory, child caring institution, penal or correctional institution, detention facility, and pre-release adjustment center, may only be permitted as principal uses of the land in those zoning districts where such uses are permitted. In no instance shall such uses be considered as a home occupation accessory to a single-family dwelling, two-family dwelling, multiple-family dwelling, townhouse, or loft.

(d) Use of a dwelling to accommodate paid overnight guests is prohibited as a home occupation; notwithstanding this regulation, public accommodations, including bed and breakfast inns outside the R1 and R2 Districts, are permitted as provided for in Section 50-12-65 of this Code.

### **ARTICLE XIV. DEVELOPMENT STANDARDS**

#### **DIVISION 1. OFF-STREET PARKING, LOADING, AND ACCESS**

##### ***Subdivision B. Off-Street Parking Schedule "A"***

##### **Sec. 50-14-33. Group living.**

Off-street parking regulations for group living facilities are as follows:

Use Category	Specified Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
Group living.	Adult foster care facility	1 space per each 4 persons based on maximum capacity as specified in state license	100
	Assisted living facility	0.50 per dwelling unit plus 1 per 2 employees	Same lot
	Convalescent, nursing, or rest home	1 per 4 beds	100; except where developed under the "school building adoptive reuses" provision as defined in Section 50-16-381; same lot
	Emergency shelter	1 per 2 employees	100
	Fraternity or sorority house; dormitory	1 per 3 beds	100
	Home for the aged	1 space per each 4 persons based on maximum capacity as specified in state license	100
	Religious residential facility	2 per rectory or personage; 1 per convent or monastery plus 1 for each 10 residents	Same lot
	Residential substance facility	1 per 2 employees	100
	Rooming house	2 per 3 guestrooms or 1 per 4 residents, whichever is greater + 1 per dwelling unit	100
	Shelter for survivors of domestic violence	1 per 2 employees	100

**ARTICLE XVI. DEFINITIONS AND RULES OF CONSTRUCTION  
DIVISION 2. WORDS AND TERMS DEFINED**

***Subdivision H. Letter "G"***

**Sec. 50-16-222. Words and terms (Gn-Gz).**

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

<b>Term</b>	<b>Definition</b>
Governmental service agency	A facility, generally operated by an agency of the government, that provides assistance, benefits, licenses, or advisory services to members of the public. These services may include counseling, legal aid, vocational rehabilitation, aid to the disabled, welfare, or other social services.
Grade, established	For purposes of regulating and determining the height or bulk of a building or structure, the term "established grade" shall mean the elevation of the sidewalk grade as fixed by the City. In those cases where no sidewalk exists or when the natural level of the ground is higher or lower than the grade established by the City Engineer, the average natural level of the ground shall be taken as the established grade.
Grade, existing or natural	The vertical elevation of the existing ground surface prior to excavation or filling.
Grade plane	A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building.
Greenhouse	A building or structure whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of plants for personal use and/or for subsequent sale. A greenhouse may or may not be a permanent structure. Garden centers are not greenhouses. Garden centers, which may include a nursery or greenhouse as an accessory use, import most of the items sold — items such as plants, potting soil, and garden equipment. Garden centers shall be considered "stores of a generally recognized retail nature" for regulatory purposes
Gross floor area	The sum of the gross horizontal floor areas including: Areas occupied by fixtures and equipment for display or sale of merchandise, and mezzanines and other partial floor areas. Such area shall be measured from the exterior faces of exterior walls or from the centerline of walls separating two buildings or structures, excluding stairwells at each floor, elevator shafts as each floor, floors or parts of floors devoted exclusively to vehicular parking or loading, and all floors below the first or ground floor, except when used for or intended to be used for service by customers, patrons, clients, patients, or tenants.
Group "A" cabaret	An establishment open to the public which sells or serves alcoholic liquor for consumption on the premises with or without food, and either allows dancing with or without live entertainment, or provides three or more live entertainers at one time with or without dancing.



Group "B" cabaret	An establishment which sells or serves alcoholic liquor for consumption on the premises with or without food, and is a club, as defined within Section 107(5) of the Michigan Liquor Control Code of 1998, being MCL 436.1107(5), which is licensed by the Michigan Liquor Control Commission.
Group "C" cabaret	An establishment open to the public which sells or serves alcoholic liquor for consumption on the premises with or without food, provides only one or two entertainers at one time, and does not allow dancing.
Group day care home	An accessory use to a private home, licensed by the Michigan Department of Human Services, where more than six but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group day care home includes a home that gives care to an unrelated minor child for more than four weeks during a calendar year. Notwithstanding its status as an accessory use, a group day care home requires a permit.
Group living (use category)	Residential occupancy of a dwelling unit by a group of people who do not meet the definition of the term "household living." The size of the group may be larger than the average size of a family. Tenancy is arranged on a monthly or longer basis. Uses where Tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the retail sales and service and community service categories). Generally, group living structures have a common eating area for residents. The residents may receive care, training, or treatment, as long as the care givers also reside at the site. Examples include the following uses: • Adult foster care facility; • Assisted living facility; • Convalescent, nursing, or rest home; • Emergency shelter; • Fraternity or sorority house; • Home for the aged; • Residential substance abuse service facility; • Rooming house; • Shelter for survivors of domestic violence. Lodging where tenancy may be arranged for periods of less than 30 days is to be considered a hotel or motel use and classified in the retail sales and service category. Lodging where the residents meet the definition of a "family" and where tenancy is arranged on a month-to-month basis, or for a longer period is classified as household living. Facilities for people who are under judicial detainment and under the supervision of sworn officers are included in the detention facilities category.

**Subdivision P. Letter "S"**

**Sec. 50-16-382. Words and terms (Se-Sh).**

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

<b>Term</b>	<b>Definition</b>
Semi-nude or semi-nudity	The showing of the male or female buttocks, or the showing of the female breast below a horizontal line across the top of the areola and extending across the width of the breast at that point, but does not mean the showing of any portion of the cleavage of female breasts exhibited by a bikini, dress, blouse, skirt, leotard, or similar wearing apparel.
Semi-nude model - studio	A place where persons regularly appear in a state of semi-nudity for money or any form of consideration in order to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons. This definition does not apply to any place where persons appearing in a state of semi-nudity did so in a class operated: (1) By a college, junior college, or university supported entirely or partly by taxation; (2) By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or (3) In a structure: a. Which has no sign visible from the exterior of the structure and no other advertising that indicates a semi-nude person is available for viewing; and b. Where, in order to participate in a class, a student must enroll at least three days in advance of the class.
Semi-trailer	Every vehicle without motive power, other than a pole-trailer, which is designed for carrying persons or property and for being drawn by a motor vehicle and which is so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.
Setback	The required minimum horizontal distance between the nearest part of the structure or the building line and the related front, side, or rear lot lines. Setbacks are open from the ground to the sky, except as otherwise expressly allowed by this chapter.
Setback, front	A setback that is required from the front lot line (extending the full width of the lot).
Setback, rear	A setback that is required from the rear lot line (extending the full width of the lot). On a corner lot, this rear setback shall extend only to the side setback abutting the street.
Setback, side	A setback that is required from the side lot line (extending from the front building line of the principal building to the rear building line of the principal building).
Sexually-oriented business	An adult bookstore or adult video store, an adult cabaret, an adult motion picture theater, or a semi-nude model studio.
Shade tree	A deciduous tree (rarely an evergreen) planted primarily for its high crown of foliage.

Shelter for survivors of domestic violence	A residential facility providing temporary accommodation and support to survivors of domestic violence with or without their minor children. Such shelter shall be operated by a non-profit, charitable, or religious agency that meets the pre-contract standards of the Michigan Domestic and Sexual Violence Prevention and Treatment Board. Such shelter shall be considered a different land use than an adult foster care facility, a pre-release adjustment center, and a substance abuse service facility. For confidentiality and security of their locations, such shelters shall be permitted on a matter of right basis in certain zoning districts. Shelters for survivors of domestic violence are subject to licensing by the Buildings, Safety Engineering, and Environmental Department Business License Center.
Show-cause hearings	A hearing before a designated hearing officer to show cause why a specific action should not be taken. (See also Section 50-5-73 of this Code.)
Shrub	A woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground; may be deciduous or evergreen.

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

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

**Section 4.** This ordinance shall become effective on the eighth day after publication in accordance with Section 401(6) of the Michigan Zoning Enabling Act, being MCL 125.3401(6), and Section 4-118(3) of the 2012 Detroit City Charter.

(J.C.C. Page     ):

Passed:

Approved:

Published:

Effective:

October 26, 2021

March 1, 2022

March 7, 2022

March 15, 2022

March 23, 2022

JANICE M. WINFREY  
City Clerk

