

**CITY OF DEARBORN HEIGHTS**

**COUNTY OF WAYNE**

**STATE OF MICHIGAN**

**ORDINANCE NO. H-13-04**

**ZONING ORDINANCE AMENDMENT**

AN ORDINANCE TO AMEND THE DEARBORN HEIGHTS ZONING ORDINANCE, CHAPTER 36, AS AMENDED, TO AMEND THE REGULATIONS CONTAINED IN THE C-3 DISTRICT.

THE CITY OF DEARBORN HEIGHTS ORDAINS:

Section 1.

**PART A.** The City of Dearborn Heights Zoning Ordinance, Article VI, Use Standards, Division 1, Residential Uses, section 36-144, Hotels and Motels, is hereby amended to read as follows:

Sec. 36-144. Hotels and Motels

- (a) **Design.** Each rental unit in a hotel or motel shall contain at least a bedroom and bathroom. The minimum gross floor area of each unit shall be 250 square feet.
- (b) **Services.** A hotel or motel shall provide services customary to such facilities, including maid service, linen service, telephone and/or desk service, and the use of furniture.
- (c) **Amenities.** A hotel shall provide at least one of the following amenities:
  - (1) An attached dining room with seating capacity for at least 20 occupants, serviced by a full service kitchen, or
  - (2) An unattached standard restaurant, as defined in this Ordinance, with seating capacity for not less than 50 occupants, located on the same site as the hotel or on a site contiguous with the hotel and developed simultaneously or in advance of the hotel site.
- (d) **Off-street Parking.** Off-street parking shall be provided in accordance with Article IX, Parking, Loading, and Access Management.

**PART B.** The City of Dearborn Heights Zoning Ordinance, Article VI, Use Standards, Division 2, Commercial Uses, is amended to delete Sec. 36-167, Commercial Greenhouses, and the text of sections 36-162, Automobile or Vehicle Dealerships, 36-169, Open-Air Business, and 36-173, Veterinary Clinics, are hereby amended to read as follows:

Sec. 36-162. Automobile or Vehicle Dealerships

Automobile or vehicle dealers, including those establishments with repair facilities and/or outdoor sales space, shall be subject to the requirements of this section. These requirements shall apply to operations involved in the sale, lease or rental of new or used vehicles, house trailers, recreational vehicles, trucks, and other vehicles. Recreational vehicle dealers shall be further subject to the requirements of Section 6.603:

- (1) **Frontage.** All automobile dealerships shall have a minimum frontage of 60 feet along a major thoroughfare.
- (2) **Setbacks.** Outdoor sales lots, parking areas, and other vehicle maneuvering areas shall comply with the locational requirements for parking lots, as specified in Section 9.03, General Standards.
- (3) **Landscaping Adjacent to Road.** The required greenbelt for an Automobile Dealership may be sodded in lieu of other plantings required in section 10.08.
- (4) **Grading, Surfacing, and Drainage.** Outdoor sales lots, parking areas, and other vehicle maneuvering areas shall be hard-surfaced with concrete or plant-mixed bituminous material, and shall be graded and drained so as to dispose of surface waters. Grading, surfacing, and drainage plans shall be subject to review and approval by the City Engineer.
- (5) **Servicing of Vehicles.** Any servicing of vehicles shall be subject to the following requirements:
  - a. Service activities shall be clearly incidental to the vehicle sales operation.
  - b. Vehicle service activities shall occur within a completely enclosed building.
  - c. Partially dismantled vehicles, damaged vehicles, new and used parts, and discarded parts shall be stored within a completely enclosed building.
  - d. There shall be no external evidence of the service operations, in the form of dust, odors, or noise, beyond the service building.
- (6) **Additional Use Standards.**
  - a. **Broadcasting devices prohibited.** Devices for the transmission or broadcasting of voice or music shall be prohibited outside of any building.
  - b. **Permanent building required.** There shall be provided on the site a permanent building within which records of the dealership shall be stored.
  - c. Any automobile dealership shall comply with applicable city and county health regulations.

36-169, Open-Air Business

- (a) **Applicability.** Open air businesses and outdoor display areas for the sale, exhibition, rental or leasing of retail merchandise, manufactured or modular housing products, trailers, boats, building supplies, hardware, plant materials not grown on the site, lawn furniture, playground equipment, lawn and garden supplies, and similar items shall be subject to the following:
- (1) **Site plan approval.** Creation, expansion or alteration of an open air business and/or outdoor display area on a zoning lot shall be subject to site plan approval per Article XIV, Division 2, Site Plan Review.
  - (2) **Lot area.** The minimum lot size for open-air businesses shall be 5,000 square feet.
  - (3) **Location requirements.** All sales activity and outdoor display shall be limited to the areas specified on an approved site plan.
    - a. No sales activity or display of merchandise shall be permitted within a street right-of-way or required setback area.
    - b. Open air businesses and outdoor display areas shall be set back a minimum of 10 feet from any parking area, driveway or access drive, and 20 feet from any residential district or use.
    - c. The proposed activity shall be located so as to ensure safe vehicular and pedestrian circulation. A minimum of five feet of sidewalk width to the entrance of the establishment shall be maintained free for pedestrian circulation.
  - (4) **Screening.** Such uses shall be screened from street rights-of-way and abutting residential districts or uses in accordance with Section 36-392 (e), Screening.
  - (5) **Use standards.** Open air businesses and outdoor display areas shall conform to the following use limitations:
    - a. Such areas shall be kept clean and litter-free, with outdoor waste receptacles provided.
    - b. Devices for the outdoor broadcasting of voice, telephone monitoring, music or any other amplified sound shall be prohibited.
    - c. The storage of any soil, fertilizer or other loose, unpacked materials shall be contained so as to prevent any effects on adjacent uses.
    - d. Operational hours for open air businesses, outdoor display area, and exterior lighting may be restricted by the Planning Commission to protect nearby residential districts.
  - (6) **Outdoor display of vehicles.** Outdoor sales space for the sale of new or used motor vehicles, house trailers, boats, boat trailers and/or recreational vehicles may be permitted only if carried on in conjunction with a regularly authorized automobile or recreational vehicle dealership that is housed in a permanent building on the same parcel of land or on contiguous parcels of land, subject to Section 6.202. This provision shall not prohibit a private individual, on his own property, from offering for sale not more than one of his personally owned motor vehicles or boats at any one time; but he shall not so offer for sale more than three motor vehicles or boats per year without complying with the zoning requirements for the sale of used motor vehicles or boats.

- (b) **Temporary Outdoor Displays in the CX, Commercial-Residential Mixed Use District.** The standards of this Section shall not apply to temporary outdoor display areas within the street right-of-way in the CX District. Such displays shall be subject to City Council approval.

36-173, Veterinary Clinics

- (a) **Landscaping and Screening.** Outdoor enclosures or runs shall be screened from street rights-of-way and adjacent residential districts and uses per Section 36-392 (e), Screening.
- (b) **Operating Requirements.** The clinic shall be operated by a licensed or registered veterinarian, and shall be subject to the following:
- (1) All boarding shall be limited to animals brought in for treatment or surgery, unless the site has also been approved as a kennel per Section 36-232, Kennels.
  - (2) Other than outdoor runs, all other activities shall be conducted within a completely enclosed building constructed to ensure that noise and odors shall not be perceptible beyond the lot boundaries.
  - (3) Outdoor exercising is allowed, provided that the pet is accompanied by an employee and that all animal waste is immediately disposed of in a sealed container. Animals shall not be kept or quartered outside of the buildings between 8:00 p.m. and 8:00 a.m.
  - (4) **Other Conditions.** Veterinary clinics and hospitals shall be subject to all permit and operational requirements established by appropriate regulatory agencies. The Planning Commission may impose other conditions and limitations deemed necessary to prevent or mitigate possible nuisances related to noise or odor.

**PART C.** The City of Dearborn Heights Zoning Ordinance, Article VI, Use Standards, Division 3, Automobile-Oriented Uses, Sec. 36-181, Car Wash, Sec. 36-182 Drive-in Business, Sec. 36-183, Drive-Through Businesses, and Sec. 36-184, Gas Stations, Service Stations and Automotive Repair Garages, are hereby amended to read as follows:

Sec. 36-181, Car Wash

- (a) **Minimum Lot Size.** All car wash establishments shall have a minimum lot area of 21,780 sq. ft. (one half acre).
- (b) **Setbacks.** All buildings shall maintain a 20 foot setback from any residential district or use.
- (c) **Use Standards.**
- (1) **Washing.** All washing activities shall be carried on within a fully enclosed building (or a covered vehicle bay for a self-service car wash).
  - (2) **Drying.** Automatic drying equipment shall be provided within the wash facility, or adequate drying area shall be provided at the wash facility exit.
  - (3) **Vacuumping.** Vacuumping activities must be located at least 50 feet from adjacent residentially zoned or used property.
- (d) **Layout and Stacking Spaces.**

- (1) All maneuvering areas, stacking lanes, and exit aprons shall be located on the car wash parcel itself. Streets and alleys shall not be used for maneuvering or parking by vehicles to be serviced by the car wash.
  - (2) Sufficient space shall be provided on the lot so that vehicles do not enter or exit the wash building directly from an adjacent street or alley.
  - (3) Off-street stacking spaces shall be provided in accordance with Section 36-365(c), Schedule of Required Parking by Use.
- (e) **Orientation of Open Bays.** Buildings should be oriented so that open bays, particularly for self-serve car washes, do not face onto adjacent streets or residentially zoned or used property unless screened by landscaping.
- (f) **Entrances and Exits.**
- (1) Entrances and exits to a car wash shall not face residentially zoned or used property.
  - (2) Exit lanes shall be sloped to drain water back to the wash building or to drainage grates.
  - (3) Drains shall be provided at all entrances and exits to prevent surface drainage from flowing across public sidewalks or into the street right-of-way.
- (g) **Access.** Curb openings for drives shall not be permitted where such drive would create a safety hazard or traffic nuisance for other ingress and egress drives, traffic generated by other buildings or uses, or adjacent pedestrian crossings.
- (h) **Traffic Impacts.** A traffic impact study may be required by the Planning Commission, per Section 36-395 (11), Transportation Impact Studies.

#### Sec. 36-182 Drive-in Business

- (a) **General Provisions.** The following provisions shall apply to all drive-in establishments:
- (1) **Frontage.** Drive-in businesses shall front onto a paved major thoroughfare and the main means of access shall be via the thoroughfare.
  - (2) **Screening.** All drive-in businesses shall be screened from all street rights-of-way and abutting residential districts or uses in accordance with Section 36-392 (e), Screening. The standards of Section 36-392 shall be a minimum; additional requirements for specific uses are detailed below.
  - (3) **Traffic.** A traffic impact study may be required by the Planning Commission, per Section 36-495 (11), Transportation Impact Studies.
- (b) **Drive-In Theaters.** In addition to the provisions of subsection A, the following regulations shall apply to outdoor drive-in theaters:
- (1) **Lot Size.** The minimum lot size for a drive-in theater shall be ten acres.
  - (2) **Setbacks.**
    - a. Buildings or other structures associated with a drive-in theater shall be set back a minimum of 100 feet from any lot line.
    - b. The face of the theater screen shall be constructed so it is not visible from any street or highway. No viewing areas may be located closer than 40 feet to any lot line.

- (3) **Access Drive Design.** The access drive shall be designed with separate entrance and exit lanes which shall be separated by a landscaped median strip at least 20 feet in width. There shall be a minimum of three entrance and three exit lanes, and each lane shall be at least ten feet in width.
- (4) **Stacking Space.** A minimum of 50 stacking spaces shall be provided on the premises for vehicles waiting to enter the theater.
- (5) **Perimeter Screening.** The entire drive-in theater site shall be screened with an eight-foot high fence or screening wall, constructed according to the specifications in Section 36-398, Obscuring Walls and Fences.
- (6) **Road Access.** In no case shall access to a drive-in theater be off of a residential street.
- (c) **Drive-in Restaurants.** In addition to the provisions of Chapter 16, Article III, of the City's Code of Ordinances and the provisions of subsection A, the following regulations shall apply to all drive-in restaurants:
  - 1. **Frontage.** All drive-in restaurants shall have a minimum frontage of 60 feet along a major thoroughfare.
  - 2. **Access.** Vehicular access to the site must be available from at least two points at all times, and such access points must be kept clear to permit emergency egress and ingress.
  - 3. **Illumination.** The parking area of any drive-in restaurant shall be adequately illuminated. Such illumination shall be arranged so as to reflect away from any adjoining residential area.
  - 4. **Control of Sound Level.** Devices for the transmission of voices shall be so directed or muffled as to prevent sound from being audible beyond the boundaries of the site.
  - 5. **Prohibited Uses.** Sales of alcoholic beverages shall be prohibited at any drive-in service facility.

Sec. 36-183, Drive-Through Businesses

- (a) **General Provisions.** The following provisions shall apply to all establishments (restaurants, banks, pharmacies, cleaners, etc.) with a drive-through lane or lanes, in addition to any other requirements for the principal use:
  - (1) **Frontage.** Drive-through businesses shall have a minimum of 60 feet of frontage along a paved major thoroughfare and the main means of access shall be via the thoroughfare.
  - (2) **Access.** Curb openings for drives shall not be permitted where the drive would create a safety hazard or traffic nuisance for other ingress and egress drives, traffic generated by other buildings or uses, or adjacent pedestrian crossings.
  - (3) **Off-street Parking and Stacking.** Parking and stacking spaces shall be provided according to the provisions of Article IX, Parking, Loading, and Access Management.
  - (4) **Bypass lane.** A bypass lane or similar means of exiting or avoiding the drive-through facility shall be provided, subject to Planning Commission approval.
  - (5) **Screening.** All drive-through businesses shall be screened from all street rights-of-way and abutting residential districts or uses in accordance with Section 36-392 (e), Methods

of Screening and Buffering. The standards of Section 36-392 shall be a minimum; additional requirements for specific uses are detailed below.

- (6) **Traffic.** A traffic impact study may be required by the Planning Commission, per Section 36-495 (11), Transportation Impact Studies.
  - (7) **Control of Sound Level.** Devices for the transmission of voices shall be so directed or muffled as to prevent sound from being audible beyond the boundaries of the site.
  - (8) **Prohibited Uses.** Sales of alcoholic beverages shall be prohibited through any drive-through window.
  - (9) **Drive-through Window Location.** Any drive-through window, as defined in Article II, shall be located at least 35 feet from any lot line.
- (b) **Drive-Through Restaurants.** In addition to the provisions of Chapter 16, Article III, of the City's Code of Ordinances and the provisions of subsection A, the following shall apply to all drive-through restaurants:
- (1) **Illumination.** The parking area of any drive-through restaurant shall be adequately illuminated. Such illumination shall be arranged so as to reflect away from any adjoining residential area.
  - (2) **Menu Boards.** Menu boards may be erected as an accessory use to a drive-through lane for a restaurant, subject to the following:
    - a. Such signs shall be located on the interior of the lot and shall be shielded so that they are not visible from street rights-of-way and abutting residential districts or uses.
    - b. The location, size, content, coloring, or manner of illumination of a menu board shall not constitute a traffic or pedestrian hazard, or impair vehicular or pedestrian traffic flow in any manner.
    - c. Each menu board shall not exceed six feet in height and 48 square feet in sign area.

Sec. 36-184, Gas Stations, Service Stations and Automotive Repair Garages

- (a) **Intent.** In order to regulate and control the problems of noise, odor, light, fumes, vibration, dust, danger of fire and explosion, and traffic congestion which result from the unrestricted and unregulated construction and operation of gas stations, service stations, and automotive repair garages, and to regulate and control the adverse effects that these and other problems incidental to such uses may exercise upon adjacent and surrounding areas, the following regulations and requirements are provided herein for gas stations, service stations, and automotive repair garages located in any zoning district.
- (1) **Applicability.** All gas stations, service stations, and automotive repair garages erected after the effective date of this Section or any amendment thereafter shall comply with all requirements of this Section. No gas station, service station, or automotive repair garage existing on such date shall be structurally altered so as to provide a lesser degree of conformity with the provisions of this Section than existed on such date.
- (b) **Minimum Lot Width.** A gas station, service station, or automotive repair garage shall be located on a lot having not less than 60 feet of frontage along a major thoroughfare.

- (c) **Separation from Incompatible Uses.** No gas station, service station, or automotive repair garage shall be located nearer than 500 feet as measured from any point on the property line to any church, public or private school, or playground.
- (d) **Setbacks.** In addition to the requirements below, all canopies, fuel pumps, and pump islands shall be located no closer than 40 feet to property zoned or used for residential purposes.
  - (1) All buildings shall comply with the setback requirements for the district in which the use is located.
  - (2) Pump island canopies shall be set back a minimum of 20 feet from any right-of-way line.
  - (3) Fuel pump islands shall be set back a minimum of 30 feet from any right-of-way line.
- (e) **Layout.** All lubrication equipment, motor vehicle washing equipment, hydraulic hoists, and pits shall be enclosed entirely within a building. All gasoline pumps shall be located not less than 15 feet from any lot line and shall be arranged so that motor vehicles shall not be supplied with gasoline or serviced while parked upon or overhanging any landscaped area, sidewalk, street, or adjoining property.
- (f) **Ingress and Egress**
  - (1) The nearest edge of any drive shall be located at least 25 feet from the nearest point of any property zoned or used for residential purposes.
  - (2) No driveway shall be located closer than 30 feet, as measured along the property line, to any other access drive to the same site.
  - (3) Curb openings for access drives shall not be permitted where the drive would create a safety hazard or traffic nuisance because of its location in relation to other ingress and egress drives, its location in relation to the traffic generated by other buildings or uses or adjacent to pedestrian crossings.
- (g) **Curbs.** Except for access drives, a curb of at least six inches in height shall be installed to prevent vehicles from being driven onto or parked with any part of the vehicle extending within two feet of abutting landscaped areas, sidewalks, streets, buildings, or adjoining property.
- (h) **Lot Paving.** The entire lot, excluding the area occupied by a building, shall be hard-surfaced with concrete or a plant-mixed bituminous material, or, if any part of the lot is not so surfaced, then that area shall be landscaped and separated from all paved areas by a low barrier or curb.
- (i) **Screening.**
  - (1) **Adjacent To Rights-Of-Way.** Any gas station, service station, or automotive repair garage shall be screened from all street rights-of-way in accordance with Section 36-392 (e), Screening.
  - (2) **Adjacent To Residential Uses.** Where a gas station, service station, or automotive repair garage adjoins any property located in any residential zone, or is separated from any such property by a public alley only, a decorative masonry wall six feet in height shall be erected and maintained along the common lot line or along the alley lot line. All masonry

walls shall be protected by a fixed curb or barrier to prevent vehicles from contacting the wall.

- (j) **Overhead Doors.** Overhead doors shall not face residential districts or uses. The Planning Commission may modify this requirement upon determining that there is no reasonable alternative and that adequate screening has been provided per Section 36-392 (e), Screening.
- (k) **Exterior Lighting.** All exterior lighting, including illuminated signs, shall be erected and hooded or shielded so as to be deflected away from adjacent and neighboring property.
  - (1) **Pump Island Canopy Lighting.** All lighting fixtures under the canopy shall be fully recessed into the canopy structure. A maximum illumination intensity of 10.0 footcandles shall be permitted under the canopy.
- (l) **Noise and Odors.** There shall be no external evidence of service and repair operations, in the form of dust, odors, or noise, beyond the interior of any automotive service building. Building walls facing any residential districts or uses shall be of masonry construction with soundproofing.
- (m) **Temporary Vehicle Storage.** The storage, sale, rental or display of new or used cars, trucks, trailers, and any other vehicles, vehicle components and parts, materials, commodities, supplies or equipment on the premises is prohibited except in conformance with the requirements of this Section and Ordinance.
  - (1) Inoperable vehicles shall not be stored or parked outside of a service station. Inoperable vehicles may be stored or parked outside an automotive repair garage. Outdoor storage of inoperable vehicles shall be prohibited at any gas station.
  - (2) Partially dismantled vehicles, damaged vehicles, new and used parts, and discarded parts shall be stored within a completely enclosed building.
- (n) **Accessory Uses.** Accessory retail and restaurant uses shall conform to the standards for such uses, as specified in this Ordinance.
- (o) **Traffic.** A traffic impact study may be required by the Planning Commission, per Section 14.205K, Transportation Impact Studies.
- (p) **Use Restrictions.**
  - (1) **Approved Containers.** No gasoline or flammable liquid shall be kept or conveyed in open receptacles or in glass bottles or other breakable containers on the premises of a gas station, service station, or automotive repair garage, except in glass bottles of not more than eight ounces' capacity used for sample purposes, and shall not be used for cleaning purposes on such premises.
  - (2) **Pump Location.** No gasoline pump shall be installed in any building.
  - (3) **Approved Fuel Hoses.** No fuel tank shall be filled at a gas station or service station except through a hose connected to a pump of a type approved by the Underwriters' Laboratories, Incorporated.
  - (4) **Disposal of Hazardous Materials.** All combustible waste and rubbish, including crankcase drainings, shall be kept in metal receptacles fitted with a tight cover until removed from the premises. No gasoline, oil, grease, or flammable liquid shall be

allowed to flow into or be placed in the drainage system. Oil and grease shall not be allowed to accumulate on the floor. Sawdust shall not be kept in any gas station, service station, automotive repair garage, or place of storage therein, and sawdust or other combustible material shall not be used to absorb oil, grease, or gasoline.

- (5) **Compliance with City Inspectors.** All gas station, service station, or automotive repair garage proprietors and attendants, upon being notified by any city inspector of the presence of gasoline or volatile liquids in sewers, shall cooperate in ascertaining the reason therefor.
- (6) **Fire Protection.** There shall be constantly maintained in good working order at least two two-and-one-half-gallon fully charged portable foam-type fire extinguishers at each gas station, service station, or automotive repair garage.

**PART D.** The City of Dearborn Heights Zoning Ordinance, Article IX, Parking, Loading and Access Management, Sec. 36-368(c), Accessory Off-street Parking, and subsections 36-368(c)(7) and (8), are hereby amended to read as follows:

Sec. 36-368, Accessory Off-street Parking

(c) Accessory Off-Street Parking Areas shall be considered a conditional accessory use to adjoining business property, and as such the same shall be used for customer vehicle parking of such adjoining business only. Further, penetration of residence property for the establishment of Accessory Off-Street Parking Areas shall not exceed one hundred thirty (130) feet measured at right angles from the residential property line adjoining the business or industrial district, except as may be provided in an officially adopted Master Plan or project, and shall be subject to the following requirements:

(7) Side yards shall be maintained for a space of not less than ten (10) feet between the side lot lines of adjoining lots and the parking area. The depth of the front yard or setback line shall be five feet from the sidewalk. No person shall use the space between such setback line and the sidewalk for the parking of motor vehicles. However, the barrier described in paragraph C.8 hereof, shall be located on the setback line as required in this paragraph.

(8) Whenever such parking area adjoins residential property and/or a residential street or alley, a solid masonry wall or fence constructed of other acceptable materials and not less than four feet or more than six, shall be erected and maintained between the required yard space and the area to be used for parking. Such walls shall be constructed of the same materials as that of the main or principal buildings, and be faced with either brick, decorative block, or pre-cast concrete formed into a decorative pattern and painted in the same color scheme as that of the principal building. The Planning Commission may allow a greenbelt used for screening as defined in Section 36-392(e), Screening. Bumper guards of a type described in Section 36-366(i)(2), Parking Lot Layout shall be provided to prevent vehicles from striking such wall or shrubbery. All required walls, fences or other barriers shall be properly maintained and kept free of debris, signs or advertising.

**PART E.** The City of Dearborn Heights Zoning Ordinance, Article X, Landscaping and Screening, Sec. 36-391 Intent and Scope of Requirements, subsection (g) Summary of Minimum Landscaping Requirements, Sec. 36-392, General Landscaping Requirements, subsection (f)(1), Parking Lot Landscaping, and Sec. 36-393, Specific Landscape Requirements For Zoning Districts, subsection (b)(3), Landscape Requirements for Commercial, Office and Industrial Districts, are hereby amended to read as follows:

Sec. 36-391 Intent and Scope of Requirements.

**(g) Summary of Minimum Landscaping Requirements.** The following table summarizes the landscaping regulations contained in this Article:

| <b>SUMMARY OF PLANTING REQUIREMENTS (See §36-392 and §36-393 for details)</b> |                           |                     |                            |                              |                     |   |
|---|---------------------------|---------------------|----------------------------|------------------------------|---------------------|---|
|   | Landscape Ratio           | Height              | Minimum Width <sup>1</sup> | Deciduous or Evergreen Trees | Ornamental Trees    | Deciduous or Evergreen Shrubs                       |
| General site landscaping<br><i>See §36-392(a)</i>                             | --                        | --                  | --                         | 1 per 3,000 sq ft*           | --                  | --  |
| Landscaping adjacent to roads<br><i>See §36-392(b)</i>                        | --                        | --                  | 5 ft                       | 1 per 40 lineal ft           | 1 per 100 lineal ft | 8 per 40 lineal ft                                  |
| Berms<br><i>See §36-392(c)</i>  | --                        | <b>Maximum 3 ft</b> | 5 ft                       | 1 per 40 lineal ft           | 1 per 100 lineal ft | 8 per 40 lineal ft                                  |
| Greenbelts<br><i>See §36-392(d)</i>   | --                        | --                  | 5 ft                       | 1 per 30 lineal ft           | --                  | <i>Eight shrubs may be substituted for one tree</i> |
| Greenbelts used for screening<br><i>See §36-392(e)</i>                        | --                        | <b>Minimum 6 ft</b> | 5 ft                       | <i>See §36-392(e)</i>        | --                  | --  |
| Parking lot landscaping<br><i>See §36-392(f)</i>                              | <b>10 sq ft per space</b> | --                  | 5 ft                       | 1 per 300 sq ft              | --                  | --  |

\* See alternate standards in §36-393 for mobile home parks and multiple-family dwellings.

<sup>1</sup> These specifications apply to non-residential properties, except for industrial districts.

Sec. 36-392 General Landscaping Requirements.

(f) **Parking Lot Landscaping.** In addition to required screening, all off street parking areas shall also provide landscaping as follows:

(1) **Screening.** Parking areas located in front or on the side of a building shall be screened from the road with a three foot high wall or fence, evergreen landscaping, or an approved alternative. If an evergreen screen is selected, the use of dwarf species is recommended in the interest of minimizing pruning and maintaining the natural form of the plant material. A list of suggested species for parking lot screening can be found in Section 36-400, Recommended Plant Materials.

Sec. 36-393 Specific Landscape Requirements for Zoning Districts

**(b) Landscape Requirements for Commercial, Office, and Industrial Districts.** All developed parcels of land located in the C1, C2, C3, CX, O, M1, M2, and MX zoning districts shall comply with the following landscaping requirements:

(3) **Screening.** Screening in the form of a greenbelt, wall, or fence shall be required wherever a non-residential use in a commercial, office, or industrial district abuts directly upon land zoned for residential purposes. Landscaped screening shall comply with the requirements in Section 36-392(e). If a wall is used instead of landscaping, the requirements in Section 36-398 shall be complied with.

Section 2.

**REPEAL**

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 3.

**SEVERABILITY**

Should any section, subsection, clause, or phrase of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be invalid.

Section 4.

**SAVINGS**

The proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law when they were commenced.

Section 5.

**EFFECTIVE DATE**

This ordinance shall become effective upon publication as provided by law.

Section 6.

**AUTHENTICATION**

This is to certify that the undersigned do hereby authenticate the foregoing record of the ordinance herein set forth.

\_\_\_\_\_  
DANIEL S. PALETKO, Mayor

\_\_\_\_\_  
WALTER J. PRUSIEWICZ, Clerk

**CERTIFICATION**

I hereby certify that the foregoing is a true and correct copy of this ordinance adopted by the Council for the City of Dearborn Heights at a regular meeting of the Council held on the 8<sup>th</sup> day of October 2013, and became effective by publication in the official newspaper of the City of Dearborn Heights on the 27<sup>th</sup> day of November 2013.

\_\_\_\_\_  
WALTER J. PRUSIEWICZ, Clerk

Publication Date: November 27, 2013

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