

ARTICLE 9.00

SITE DEVELOPMENT STANDARDS FOR SPECIFIC USES

Section 9.01 -- INTENT AND SCOPE OF APPLICATION

Each use listed in this Article, whether permitted by right or subject to approval as a conditional land use, shall be subject to the site development standards specified, in addition to applicable standards and requirements for the district in which the use is located. These standards are intended to mitigate the impact from a use which is of a size or type, or which possesses characteristics which are unique or atypical in the district in which the use is located. These standards are further intended to assure that such uses will be compatible with surrounding uses and the orderly development of the district.

Unless otherwise specified, each use listed in this Article shall be subject to all applicable yard, bulk and other standards for the district in which the use is located. Compliance with the standards in this Article does not relieve the owner or operator of a permitted use from complying with additional standards in other applicable City ordinances.

Section 9.02 -- SITE DEVELOPMENT STANDARDS FOR NON-RESIDENTIAL USES

A. Adult Book or Supply Stores, Adult Motion Picture Theaters, Adult Live Stage Performing Theaters, Adult Outdoor Motion Picture Theaters, Group "A" Cabarets, and Massage Parlors or Massage Establishments

In the development and execution of this Ordinance and this Section, it is recognized that there are certain uses which, because of their very nature, have serious objectionable characteristics, particularly when several of them are concentrated under certain circumstances, thereby having a deleterious effect upon the adjacent areas. The special regulations in this section are intended to prevent a concentration of these uses in any one area, so as to prevent the blighting, deterioration, or downgrading of an area. The following requirements are intended to accomplish these purposes:

1. The establishment of the types of Adult Regulated Uses listed below shall be prohibited if the establishment of such use will constitute the second such use within a one thousand (1,000) foot radius (i.e., not more than one such use within one thousand (1,000) feet of another). The distance between uses shall be measured horizontally between the nearest property lines.
 - a. Adult Book or Supply Stores
 - b. Adult Motion Picture Theaters
 - c. Adult Motion Picture Arcade
 - d. Adult Motel
 - e. Adult Model Studio
 - f. Adult Live Stage Performing Theaters

- g. Adult Outdoor Motion Picture Theaters
 - h. Group "A" Cabarets
 - i. Massage Parlors or Massage Establishments
2. It shall be unlawful to hereafter establish any Adult Regulated Use if the proposed regulated use will be within a five hundred (500) foot radius of the following:
- a. Any "Class C" establishment licensed by the Michigan Liquor Control Commission.
 - b. Pool or billiard halls.
 - c. Coin-operated amusement centers.
 - d. Disco or dance centers which typically cater to teens.
 - e. Ice or roller skating rinks.
 - f. Pawn shops.
 - g. Indoor or drive-in movie theaters.
 - h. Public parks, playgrounds, or other recreation uses.
 - i. Churches, convents, monasteries, synagogue, or similar religious institutions.
 - j. Day care centers or nurseries.
 - k. Any public, private or parochial nursery, primary, or secondary school.
 - l. Any residentially used or zoned land.
 - m. Art gallery.
 - n. Theater
 - o. Museum
 - p. Civic building

The distance between uses shall be measured horizontally between the nearest property lines.

3. The building and premises shall be designed and constructed so that material depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Area" (as defined in this Ordinance) cannot be observed by pedestrians or from vehicles on any public right-of-way. This provision shall apply to any display, decoration, sign, show window, or other opening.

B. Automobile or Vehicle Dealers, Mobile Home Sales

Automobile or vehicle dealers with repair facilities or outdoor sales space shall be subject to the following requirements. These requirements shall apply to operations involved in the sale, lease or rental of new or used vehicles, house trailers, recreational vehicles, trucks, mobile homes, and other vehicles.

1. 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.

2. Servicing of Vehicles

Any servicing of vehicles, including major motor repair, auto body repair and refinishing, 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 or an open storage yard in compliance with the provisions of sub-section J.
- d. The building containing service operations shall be located a minimum of fifty (50) feet from any property line.
- e. There shall be no external evidence of the service operations, in the form of dust, odors, or noise, at the property line.

3. Setbacks

Outdoor sales lots, parking areas, and other vehicle maneuvering areas shall comply with the requirements for parking lots, as specified in Section 5.01, subsection B.

4. Landscaping and Screening

Outside storage areas for vehicles shall be screened on all sides, except the side facing a street, with an obscuring wall or fence constructed in accordance with Section 7.01.

C. Automobile Filling Stations, Automobile or Vehicle

Service Stations, Automobile Repair Garages, Parking Garages.

The following regulations shall apply to Automobile Filling Stations, Automobile or Vehicle Service Stations, Automobile Repair Garages and Parking Garages, including tire, battery, muffler and undercoating shops:

1. Minimum Setbacks

All buildings and accessory structures shall be set back a minimum of forty (40) feet from any lot line abutting a parcel zoned or used for residential purposes. The nearest edge of pump islands shall be located a minimum of thirty (30) feet from any lot line. Overhead canopies shall be set back a minimum of twenty (20) feet from any right-of-way line.

2. Above Ground Tanks

There shall be no above ground tanks for the storage of gasoline, diesel fuel, or oil.

3. Ingress and Egress

Filling or service stations are permitted one (1) access drive, except stations located on a corner lot shall be permitted one (1) access drive on each street.

4. Layout

All automobile service equipment, such as lubrication equipment, automobile wash equipment, hoists, and pits shall be enclosed entirely within a building. Gasoline pumps shall be located so that motor vehicles do not park on or extend over abutting landscaped areas, sidewalks, streets, buildings, or adjoining property while being served.

5. Outside Storage and Activity

Wrecked or partially dismantled vehicles shall be stored in the rear yard within a masonry screening wall or obscuring fence that is not less than six (6) feet in height, per Section 7.01. All activities, except those required to be performed at the fuel pump, shall be carried on inside a building. All vehicles upon which work is performed shall be located entirely within a building.

6. 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, subject to the requirements in Section 3.12.

7. Screening

When adjoining residentially zoned property, a screening wall or landscaping shall be provided subject to the requirements in Articles 6.00 and 7.00. A fixed curb or barrier shall be installed to prevent vehicles from contacting the screening.

D. Automobile Wash or Car Wash Establishment

The following regulations shall apply to Automobile Wash or Car Wash Establishments:

1. Layout

All washing activities shall be carried on within an enclosed building. Vacuuming activities shall be permitted, provided such activities are located at least fifty (50) feet from adjacent residentially zoned or used property. Entrances and exits shall not face abutting residentially zoned or used property.

2. Entrances and Exits

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. 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 automobile wash.

3. Orientation of Open Bays

Buildings should be oriented so that open bays, particularly for self-serve automobile washes, do not face onto adjacent thoroughfares unless screened by landscaping.

4. Exit Lane Drainage

Exit lanes shall be sloped to drain water back to the wash building to drainage grates.

E. Clubs and Lodges

Clubs and Fraternal organizations may only be located above the first floor.

F. Colleges and Universities

The following regulations shall apply to colleges and universities located in Agricultural Districts:

1. The site shall be at least twenty (20) acres in area.
2. Primary access shall be onto a major thoroughfare.

3. No building or other use of the land, except passive landscaped areas, shall be within one hundred (100) feet of any abutting residential use.

G. Drive-Up Establishments

1. An obscuring wall or fence shall be provided along all property lines abutting property that is zoned for residential or agricultural use, subject to the requirements in Section 7.01.
2. These structures shall be placed at the perimeter of parking areas or in an area dedicated to their use and apart from general parking lot circulation.
3. Facilities may be designed for use by vehicles and nonmotorized transportation.
4. The height and placement shall not create a physical or sight obstruction to traffic circulation or any principal use on the parcel.
5. Any signage shall be located on the walls of the structure. Roof signs and moving signs are prohibited.

H. Mini-Warehouses

The following regulations shall apply to mini-warehouses:

1. Permitted Use

Mini-warehouse establishments shall provide for storage only.

2. Site Enclosure

The entire site, exclusive of access drives, shall be enclosed with a six (6) foot high obscuring wall or fence, constructed in accordance with Article 7.01.

3. On-Site Circulation and Parking

- a. All one-way aisle ways shall be designed with one (1) ten (10) foot wide loading/unloading lane and one (1) fifteen (15) foot travel lane.
- b. The parking lanes may be eliminated if the driveway does not serve storage units. Signs and painted lines shall be used to indicate parking and traffic direction throughout the site.

I. Congregate Housing, Dependent Housing Facilities, Residential Treatment Centers, Transitional Housing and Day Shelters

The following regulations shall apply to Congregate Housing, Dependent Housing Facilities, Residential Treatment Centers, Transitional Housing and Day Shelters:

1. Location and number

Nonresidential uses as listed in this section may not be located within one thousand (1000') feet of a school or Day Care Center, excluding Nursing and Convalescent Homes. No more than one nonresidential use may be located in a block, as defined by this ordinance.

2. Height

The maximum height of buildings may exceed the maximum height permitted provided that additional setback is provided as follows:

- a. When abutting or across the street from zoning districts Residential A-1 through Residential A-4, all yards shall be increased by one and one half (1½) feet for each foot of building height greater than the maximum height permitted in Article 26.

3. Screening

All outdoor activity such as waiting, eating and recreation areas must be screened from

adjacent residentially used or zoned property. Screening shall be with an opaque, solid fence six (6') feet in height. Landscaping must adhere to the requirements for newly constructed sites and should be used to provide additional screening.

4. Outdoor Activity

Outdoor activity must be conducted between the hours of 7:00am and 9:00pm and must be lighted during non daylight hours. Lighting must be screened from all adjacent property.

5. Security

Provisions for additional security measures shall be planned for the property on a site specific basis.

6. Transportation

Drop off and pick up areas shall be provided to accommodate individual vehicles and busses.

7. Parking

Parking shall be screened from adjacent residential uses. The minimum number of spaces required by Section 5.01, Table 5.3 may be modified by the Planning Commission to meet the specific needs of the facility.

J. Open Storage Yards

All open storage yards in industrial districts shall comply with the following regulations:

1. Setbacks from Residential Districts and Uses

All open storage yards shall have a minimum setback of fifty (50) feet from any property line of a parcel in a residential district or with a residential use.

2. Screening

All open storage yards shall be enclosed by an obscuring fence or wall to prevent loose material from blowing into adjacent properties.

3. Storage in Required Front Yard Setbacks

Open storage yards are prohibited in required front yard setbacks.

K. Public Utility Facilities

1. Public Utility Facilities in Residential A and B Districts

Public utility facilities may be permitted in Residential A and B districts subject to the following requirements:

a. No structure may be higher than twenty eight (28) feet.

b. No outdoor storage is permitted.

c. A minimum setback of fifty (50) feet from any property line is required.

2. Public Utility Facilities in Agricultural, Residential D, Community and OS Districts

Public utility facilities may be permitted in Agricultural, Residential D, Community and OS districts subject to the following requirements:

a. No outdoor storage is permitted

b. A minimum setback of fifty (50) feet from any property line is required.

3. Public Utility Facilities in D, D-O, DNO, C, NC, CC, RC and LCMR Districts

Public utility facilities may be permitted in D, D-O, DNO, C, NC, CC, RC and LCMR Districts provided that no outdoor storage is permitted.

L. Recreation Facilities

The following regulations apply to private recreation facilities, whether or not a fee or membership is required, and not to private facilities for the use of the property owner or tenant and their gratuitous guests. These regulations apply to outdoor recreational facilities, such as ski facilities, courses for off-road vehicles and snowmobiles, campgrounds, baseball facilities, playgrounds, sports fields, game courts, picnic areas, and swimming pools; and to indoor facilities, such as bowling establishments, billiard halls, indoor archery ranges, indoor tennis courts, indoor skating rinks, arcades, indoor driving ranges, and similar indoor recreation uses.

1. Setbacks for Outdoor Uses

Principal and accessory buildings shall be set back at least seventy-five (75) feet from all property lines, unless otherwise specified herein.

2. Setbacks for Indoor Uses

Principal and accessory buildings shall be set back at least fifty (50) feet from all property lines, unless otherwise specified herein.

3. Screening.

The Planning Commission may require outdoor recreation uses to be screened from view with landscaping from adjacent property zoned or used for residential purposes, in accordance with Section 6.02 E.

4. Accessory Retail Facilities

Accessory retail or commercial facilities, such as food and beverage facilities or equipment shops, shall be designed to serve only the patrons of the recreation facility, unless the retail or commercial facility is listed as a permitted use in the district in which the facility is located.

M. Correctional Facilities

The following regulations shall apply to correctional facilities:

1. All correctional facilities should have access to a major thoroughfare.
2. Any entrance where prisoners are brought into the facility should be from a major thoroughfare street.
3. Setback and Buffer from Residential Dwellings – Any part of the correctional facility or grounds accessible to prisoners shall be a minimum of three hundred (300) feet from any adjacent residential dwelling.
4. A buffer designed to minimize the visual and acoustic impacts of the facility shall be constructed in the required setback. The buffer may consist of an earth berm, trees, landscaping or other materials acceptable to the City Council. A fence or wall without landscaping shall not be considered an acceptable buffer.
5. Site lighting for all correctional facilities shall meet the following requirements:
 - a. Only non-glare, color-corrected lighting shall be permitted.
 - b. All outdoor lighting shall be shielded, so as to focus the light downward onto the site and away from abutting lots. The light source, or “hotspots” shall not be directly visible from abutting lots.

- c. Light trespass from a property shall not exceed 1.0 foot-candles at the lot line, measured five feet above the average grade.
- d. To prevent sky glow and glare or interference with the vision of motorists, lighting shall be shielded or designed to prevent light from projecting above a ninety (90) degree horizontal plane. The City Council may allow fixtures that allow light to project above a 90-degree horizontal plane if the fixture is directed at a building internal to the facility, and the light source of the fixture is not visible from any public roads or any abutting residentially used or zoned lots.

N. Off Street Parking Lots

The following provisions shall apply to off street parking lots constructed in Residential A-1, A-2, A-3, A-4 and Residential B zoning districts.

1. The off street parking lot must be accessory to and for use in connection with one or more offices or businesses located in an adjoining office or business district.
2. The lot must be constructed and maintained in accord with the provisions of Article 5.
3. Off street parking lots shall have access in accord with Article 3, Section 3.10.
4. Off street parking lots shall directly abut a non-residential zoning district(s).
5. Parking lots permitted under this provision shall not be used for off street loading, storage, display or sale of merchandise or vehicles or service or repair work of any kind.
6. Parking lots will not be used to locate refuse receptacles.
7. Display of signs, except those used to designate entrances, exits, and conditions of use of the off-street parking area, shall be prohibited.
8. The off street parking lot shall be screened from residential uses in accord with Article 6, Section 6.03 A.
9. All exterior lighting shall be in accord with Article 3, Section 3.12.
10. Street yard setbacks shall, at a minimum, equal the minimum setback of the abutting residential district.
11. Screening in accord with Article 6, Section 6.03, shall be required along the required front yard when located within 100' of, or when located across any public or private street from, a residential zoning district.
12. A minimum setback of 10' shall be provided between the side and / or rear property line and the edge of the parking lot.
13. All other uses of the property shall comply with the requirements of the district in which the parcel is located.

Section 9.03 -- SITE DEVELOPMENT STANDARDS FOR RESIDENTIAL USES

A. Multiple Family, Two Family and Townhouse Development

The following site development standards shall apply to all multiple family, two family, and townhouse development, including Elderly Housing Complexes and Senior Apartments:

1. Lot Dimensions

- a. Lot Width and Maximum Lot Percentage
All multiple family, two family and townhouse developments shall meet the minimum lot width and maximum lot percentage in the Schedule of Regulations for the zoning district in which the development is located.
- b. Side Yard Setback
All two family and townhouse developments and multiple family developments with a height of three (3) stories or less shall meet the side yard setback in the Schedule of Regulations for the zoning district in which the development is located. All multiple family developments with a height of four (4) stories or greater located adjacent to a single family residential dwelling zoning district shall have a side yard setback of fifty (50) feet.
- c. Minimum Lot Area
Multiple-family developments and townhouses one (1) to three (3) stories in height shall comply with the lot dimensional requirements per dwelling unit specified in Table 9.1:

Table 9.1: LOT AREA REQUIRED PER DWELLING UNIT

Building Height	Square Feet of Lot Area Required Per:			
	Efficiency Unit	One-Bedroom Unit	Two-Bedroom Unit	Three or more Bedroom Unit
One Story Townhouse	3,600	3,600	4,000	4,400
Two or Three Story Apartments	2,000	2,000	2,500	3,500
Four Story Apartments	320	640	960	1,360
Five Story Apartments	300	600	900	1,280
Six Story or greater Apartments	280	560	840	1,200

2. Minimum Floor Area

The minimum floor area for each unit shall comply with the requirements in Table 9.2:

Table 9.2: MINIMUM FLOOR AREA PER DWELLING UNIT

Dwelling Unit Size	Minimum Floor Area
Efficiency Unit	360 sq. ft.
1 Bedroom Unit	500 sq. ft.
2 Bedroom Unit	620 sq. ft.
3 Bedroom Unit	760 sq. ft.
4 or more Bedroom Unit	840 sq. ft. + 80 sq. ft. for each additional bedroom

3. Building Spacing

The minimum distance between any two (2) multiple family or townhouse buildings shall be as required by the following Table 9.3:

Table 9.3: MINIMUM BUILDING SPACING

Relationship Between Buildings	Minimum Distance Between Buildings
Front to Front	40 ft.
Front to Rear	40 ft.
Rear to Rear	40 ft.
Side to Side	20 ft.
Front to Side	30 ft.
Rear to Side	30 ft.

4. Access and Circulation

Multiple family and townhouse developments shall comply with the following requirements for access and circulation:

a. Access to Roads

Multiple family and townhouse developments shall have direct access to paved roads by at least two (2) means of ingress and egress provided that the requirement for a second means of access may be waived by the approval authority when the approval authority determines that only one (1) means of ingress or egress is necessary to provide safe and sufficient access to the site.

b. Emergency Access

All dwelling units, including those under construction, shall be readily accessible by fire and emergency vehicles from a paved public road, paved private access road, or other approved paved area. Private roads or driveways dedicated as fire lanes shall be posted with signs indicating "Fire Lane, No Parking." To facilitate emergency vehicle access, the following guidelines shall be complied with:

- (1) All roads shall be paved and bi-directional allowing for both ingress and egress. A boulevard may be utilized to provide bi-directional traffic movement, provided that the width of each paved moving lane in each direction is at least fifteen (15) feet.
- (2) Streets with no outlet shall be terminated with a cul-de-sac, designed in accordance with standards of the City of Midland. Streets with no outlet shall not exceed one thousand (1,000) feet in length unless:
 - A. Reviewed by the Engineering, Fire, Planning and Public Services Departments; and
 - B. Approved, with or without conditions, by City Council.
 - C. On street parking within a cul-de-sac turnaround shall be prohibited.

c. Street Dimensions

On-site streets and drives shall comply with the standards in the Subdivision Control Ordinance, Section 3.10C, and the engineering standards of the City of Midland.

5. Sidewalks

Sidewalks shall be provided within multiple-family, two-family and townhouse developments. Sidewalks shall also provide convenient access to community buildings and between parking

areas and dwelling units. The sidewalks shall be designed and constructed in accordance with City of Midland engineering standards.

6. Parking

In addition to the requirements set forth in Article 5.00, multiple family developments shall comply with the following requirements:

a. Location

Required parking shall be located in parking lots or individual driveways. Parking may be permitted in required side and rear yard setback areas provided that parking lots and access drives shall be located a minimum of ten (10) feet from any property line or road right-of-way. Parking lots and access drives shall not be located closer than twenty-five (25) feet to a wall of any residential structure which contains windows or doors, nor closer than ten (10) feet to a wall of any residential structure which does not contain openings.

b. Parking for Community Building

Parking shall be provided for community buildings as specified in Article 5.00.