

Sec. 61-12-326 | Farm products and uses; prohibited.

- (a) Subject to review by the Wireless Telecommunications Site Review Committee; and
- (b) Provided the antennas are effectively concealed or camouflaged; and
- (c) As a Conditional Use, subject to the provisions of ARTICLE III, DIVISION 7 of this Chapter.

(Ord. No. 11-05, §1, 5-28-05; Ord. No. 44-06, §1, 12-21-06; Ord. No. 13-09, §1, 8-21-09)

Secs. 61-12-322–61-12-325. Reserved.**Subdivision H. Other Uses—Urban Agriculture****Sec. 61-12-326. Farm products and uses; prohibited.**

The following farm products are prohibited from being produced on an urban garden or urban farm:

- (1) Farm animals, as described in Chapter 6 of the Detroit City Code
- (2) Prohibited tree species (Sec. 61-14-204) and any other plants prohibited under Chapter 57 of this Code or otherwise deemed injurious or invasive by the Forestry Division of the General Services Department
- (3) Oats, wheat, and rye, (in order to prevent rodents) except when used as a winter cover crop and not grown to full maturity

(Ord. No. 10-13, §1, 04-16-13)

Sec. 61-12-327. Sale of farm products.

Sale of farm products grown or produced at urban gardens and urban farms is allowed as an accessory use at a farm stand located on the property of the urban garden or urban farm from which the farm product is grown or produced as defined in Sec. 61-16-81. Sale of farm products grown or produced at urban gardens and urban farms is also allowed at farmers markets as defined in Sec. 61-16-81 and subject to the provisions of Sec. 61-12-79, or directly to public or private entities, retail or wholesale.

(Ord. No. 10-13, §1, 04-16-13)

Sec. 61-12-328. Trash storage.

Trash containers shall be located to the rear of the property unless the Department of Public Works determines that another location creates less impact on the adjacent properties.

(Ord. No. 10-13, §1, 04-16-13)

Sec. 61-12-329. Setbacks and height requirements.

- (a) Buildings and structures related to agricultural uses must comply with the accessory structure setback and height requirements in ARTICLE XIII.DIVISION 1 of this Chapter, with the exception of rear yard requirements.
- (b) Cultivation must comply with the following additional setback requirements:
 - (1) Crop areas must be set back at least five (5) feet from all property lines. The required setback must be covered with ground plants, not planted with the intent to harvest, which may include grasses (including native species and ornamental grasses).
 - (2) Orchards and tree farms shall be set back at least fifteen (15) feet from the lot line of any lot developed with a residential, public/civic/institutional, retail/service/commercial, or manufacturing/industrial land use.
 - (3) Greenhouses and hoopouses shall be set back at least five (5) feet from the rear property line.

(Ord. No. 10-13, §1, 04-16-13; Ord. No. 38-14, §1, 10-16-2014)

Sec. 61-12-330. Lighting.

Lighting, if provided, shall be shielded so that all directly emitted light falls within the property.

(Ord. No. 10-13, §1, 04-16-13)

Sec. 61-12-331. Signage.

All signs are subject to ARTICLE VI of this Chapter.

(Ord. No. 10-13, §1, 04-16-13)

Sec. 61-12-332. Notice to abutting propetyowners and/or occupants.

All urban gardens permitted on a conditional use basis and all urban farms shall provide each abutting property owner or occupant, and/or the first nearest property owner or occupant of an occupied dwelling or business, written notice of the garden or farm owner's or owner's agent's name, address, and telephone number for the urban garden or urban farm, no less than thirty (30) days prior to the start of any agricultural development or site preparation. The notice shall include a description of the planned agricultural use.

(Ord. No. 10-13, §1, 04-16-13)

Sec. 61-12-333. Property maintenance.

- (a) The property shall be maintained free of high grass (with the exception of purposely cultivated native species, which shall be allowed), weeds, or debris. Dead garden plants shall be removed regularly, and in any instance, no later than November 30th of each year.

- (b) Plants from cultivated areas shall be prevented from encroaching onto adjacent properties or onto the public right-of-way.
- (c) The property shall generally be maintained in an orderly and neat condition.

(Ord. No. 10-13, §1, 04-16-13)

Sec. 61-12-334. Drainage.

The property shall be maintained so as to prevent the free flow of stormwater, irrigation water, chemicals, dirt, or mud across or onto adjacent lots, properties, public streets, alleys, or into sewers through the use of appropriate best management practices such as planting cover crops, mulching, and using erosion control barriers to prevent the discharge of nutrient- and sediment-laden runoff.

(Ord. No. 10-13, §1, 04-16-13; Ord. No. 37-17, §1, 2-6-2018)

Sec. 61-12-335. Nuisance; general.

Agricultural uses shall not be detrimental to the physical environment or to public health and general welfare by reason of excessive production of noise, smoke, fumes, vibrations, or odors. All operating equipment, such as fans, shall be located or buffered so as to prevent unreasonably high noise levels at any point on the property boundary.

(Ord. No. 10-13, §1, 04-16-13)

Sec. 61-12-336. Motorized and other equipment; storage; noise; hours of operation.

- (a) Tools, supplies, and machinery shall be stored in an enclosed structure or removed from the property daily. All chemicals and fuels shall be stored off the ground, in an enclosed, locked structure when the site is unattended.
- (b) Motorized equipment within a residential zoning district or residential planned development district shall be restricted to hours beginning at 8:00 A.M. and ending at 8:00 P.M. Equipment, such as fans, necessary for the operation of greenhouses is exempted from this provision.

(Ord. No. 10-13, §1, 04-16-13)

Sec. 61-12-337. Restroom facilities.

If temporary restroom facilities are provided on site, they shall be screened on at least three (3) sides from public view by an opaque impact-resistant fence of sufficient height to screen the facility.

(Ord. No. 10-13, §1, 04-16-13)

Sec. 61-12-338. Compost.

Compost, as defined in Sec. 61-16-53 of this Code, must be located as close as is practicable to the rear crop setback (five (5) feet from the property line) and at least twenty (20) feet from the nearest principal residential structure.

Sec. 61-12-339 | Compliance with other regulations.

(Ord. No. 10-13, §1, 04-16-13)

Sec. 61-12-339. Compliance with other regulations.

Agricultural uses shall comply with all applicable local, state, and federal regulations.

(Ord. No. 10-13, §1, 04-16-13)

Sec. 61-12-340. Reserved.**Subdivision I. Other Uses—Miscellaneous****Sec. 61-12-341. Heliports.**

In the B5 and B6 Districts, heliports shall be permitted only after report and recommendation from the Detroit Airport Department and upon finding that such use is suitable in relation to the features and objectives of the Master Plan and not contrary to the spirit, intent, and purpose of this district.

(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-12-342. Adult uses/sexually oriented businesses.

Adult uses/sexually oriented businesses shall be subject to the following provisions:

- (1) Adult uses/sexually oriented businesses shall comply with the requirements in Chapter 5, Article XV of the Detroit City Code;
- (2) Adult uses/sexually oriented businesses shall comply with the general development standards of Article XIV of this Chapter, pursuant to Sec. 61-14-2; all required parking shall be provided on the same zoning lot as the proposed Adult Use;
- (3) All proposed on-premises business signage for the Adult Use shall comply with the provisions of Chapter 3, Article VII of this Code; and
- (4) The establishment of the Adult Use will not violate any land use prohibition of any adopted development plan as provided in Article IV, DIVISION 1 of this Chapter.

(Ord. No. 01-10, §1, 04-01-10)

Sec. 61-12-343. Medical marihuana caregiver centers.

Medical marihuana caregiver centers are subject to the following:

- (1) Prior to the issuance of any permit to operate a medical marihuana caregiver center, and no later than December 31st of each subsequent year, the applicant or operator shall submit to the Buildings, Safety Engineering and Environmental Department a photocopy of the operator's valid and current registered primary caregiver's license issued by the State of Michigan in accordance with the General Rules of the