

ORDINANCE NO. 1729

A Council-initiated Zoning Ordinance Text Amendment to amend Title V, Zoning and Planning, Chapter 45, Zoning, of the Code of the City of Southfield by amending Section 5.7 Definitions (L-M) of Article 2 Definitions to provide a definition of a Mobile Medical Trailer and to amend Section 5.103 Uses Permitted of Article 9 Office-Service District (O-S), Section 5.127 Uses Permitted of Article 13 Neighborhood Shopping District (NS), Section 5.133 Uses Permitted of Article 14 Regional Shopping District (RS), Section 5.139 Uses Permitted of Article 15 Regional Center District (RC), Section 5.149 Uses Permitted of Article 16 Neighborhood Business District (B-1), Section 5.158 Uses Permitted of Article 17 Planned Business District (B-2), and Section 5.168 Uses Permitted of Article 18 General Business District (B-3) to outline provisions and enclosure requirements for Mobile Medical Trailers and other amendments that may become necessary as needed for the City of Southfield.

THE CITY OF SOUTHFIELD ORDAINS:

1. THE CODE OF THE CITY OF SOUTHFIELD IS HEREBY AMENDED BY UPDATING SECTION 5.7 DEFINITIONS (L-M) OF ARTICLE 2 DEFINITIONS OF CHAPTER 45, ZONING, OF TITLE V, ZONING AND PLANNING, WHICH SHALL BE DESIGNATED AS FOLLOWS:

ARTICLE 2 DEFINITIONS

5.7 Definitions (L-M)

- (18) **MOBILE MEDICAL TRAILER:** a mobile trailer that is not permanently attached to the ground and that is used solely for purposes of performing Magnetic Resonance Imaging (MRI) or other similar imaging, diagnostic, or testing procedures for the patients of an existing and occupied medical office/facility on the property on which the trailer is located, which medical office has requested a pending determination by the State of Michigan concerning the need, or lack of need for a permanent facility for such testing and diagnostics at the site.
- (19) **MOTEL:** a building or buildings of attached, semidetached or detached rental units, containing a bedroom and a bathroom, designed for overnight lodging and which may not be used as a domicile. The term motel may include rooms with cooking facilities, suites, motor courts, tourist courts, motor lodges, residence inns, or residence hotels which lack the full-service requirements of a hotel in Section 5.6 (5) (Amended - Ordinance 1220 - 2/26/87; Amended - Ordinance 1434 - 9/24/98).

2. THE CODE OF THE CITY OF SOUTHFIELD IS HEREBY AMENDED BY UPDATING SECTION 5.103 USES PERMITTED OF ARTICLE 9 OFFICE-SERVICE DISTRICT (O-S) OF CHAPTER 45, ZONING, OF TITLE V,

ZONING AND PLANNING, WHICH SHALL BE DESIGNATED AS FOLLOWS:

ARTICLE 9 OFFICE-SERVICE DISTRICT (O-S)

Section 5.103 Uses Permitted

- (2) Medical offices, including clinics and medical laboratories, and Medical Marihuana Safety Compliance Centers (See Article 4 Section 5.22-7 for requirements). (Amended – Ordinance 1709 – 10/3/19)
 - (a) Mobile Medical Trailers are permitted in conjunction with an existing and occupied medical office/facility use on the same property in accordance with the following:
 - i. Mobile Medical Trailers must be housed in attached or detached accessory structures, with or without a roof, with overhead and/or access door(s) to maneuver the Mobile Medical Trailer into and out of the structure, with the following conditions:
 - a. If no roof is proposed, the enclosing walls shall be not less in height than the height of the highest portion of the Mobile Medical Trailer;
 - b. All structure facades are to exhibit a durable material (i.e. stone, brick, or other materials determined to be adequately durable for commercial application by the city planner and/or building official) at the base of the structure either 3' in height or to the sill line of any exterior windows (whichever is lower);
 - c. If not attached to the principal building, an accessible route from the primary medical office use/facility to the Mobile Medical Trailer must be designated as part of the Planning Department review process and designed in accordance with relevant State of Michigan Barrier-Free and Federal ADA requirements;
 - ii. Any unenclosed Mobile Medical Trailer which was unlawfully located and/or operated prior to the effective date of this section must be removed as of the effective date of this section.
 - iii. All Mobile Medical Trailers and enclosing structures must adhere to requirements set forth by the State of Michigan Department of Community Health regarding approval for operation of the Mobile Medical Trailer.
3. THE CODE OF THE CITY OF SOUTHFIELD IS HEREBY AMENDED BY UPDATING SECTION 5.127 USES PERMITTED OF ARTICLE 13 NEIGHBORHOOD SHOPPING DISTRICT (NS) OF CHAPTER 45, ZONING,

OF TITLE V, ZONING AND PLANNING, WHICH SHALL BE DESIGNATED AS FOLLOWS:

ARTICLE 13 NEIGHBORHOOD SHOPPING DISTRICT (NS)

Section 5.127 Uses Permitted

- (2) Medical offices and clinics. (Amended - Ordinance 1483 - 2/16/03)
 - (a) Mobile Medical Trailers are permitted in conjunction with an existing and occupied medical office/facility use on the same property in accordance with the following:
 - i. Mobile Medical Trailers must be housed in attached or detached accessory structures, with or without a roof, with overhead and/or access door(s) to maneuver the Mobile Medical Trailer into and out of the structure, with the following conditions:
 - a. If no roof is proposed, the enclosing walls shall be not less in height than the height of the highest portion of the Mobile Medical Trailer;
 - b. All structure facades are to exhibit a durable material (i.e. stone, brick, or other materials determined to be adequately durable for commercial application by the city planner and/or building official) at the base of the structure either 3' in height or to the sill line of any exterior windows (whichever is lower);
 - c. If not attached to the principal building, an accessible route from the primary medical office use/facility to the Mobile Medical Trailer must be designated as part of the Planning Department review process and designed in accordance with relevant State of Michigan Barrier-Free and Federal ADA requirements;
 - ii. Any unenclosed Mobile Medical Trailer which was unlawfully located and/or operated prior to the effective date of this section must be removed as of the effective date of this section.
 - iii. All Mobile Medical Trailers and enclosing structures must adhere to requirements set forth by the State of Michigan Department of Community Health regarding approval for operation of the Mobile Medical Trailer.
4. THE CODE OF THE CITY OF SOUTHFIELD IS HEREBY AMENDED BY UPDATING SECTION 5.133 USES PERMITTED OF ARTICLE 14 REGIONAL SHOPPING DISTRICT (RS) OF CHAPTER 45, ZONING, OF TITLE V, ZONING AND PLANNING, WHICH SHALL BE DESIGNATED AS FOLLOWS:

ARTICLE 14 REGIONAL SHOPPING DISTRICT (RS)

Section 5.133 Uses Permitted

- (2) Medical offices and clinics. (Amended - Ordinance 1484 - 2/16/03)
- (a) Mobile Medical Trailers are permitted in conjunction with an existing and occupied medical office/facility use on the same property in accordance with the following:
- i. Mobile Medical Trailers must be housed in attached or detached accessory structures, with or without a roof, with overhead and/or access door(s) to maneuver the Mobile Medical Trailer into and out of the structure, with the following conditions:
 - a. If no roof is proposed, the enclosing walls shall be not less in height than the height of the highest portion of the Mobile Medical Trailer;
 - b. All structure facades are to exhibit a durable material (i.e. stone, brick, or other materials determined to be adequately durable for commercial application by the city planner and/or building official) at the base of the structure either 3' in height or to the sill line of any exterior windows (whichever is lower);
 - c. If not attached to the principal building, an accessible route from the primary medical office use/facility to the Mobile Medical Trailer must be designated as part of the Planning Department review process and designed in accordance with relevant State of Michigan Barrier-Free and Federal ADA requirements;
 - ii. Any unenclosed Mobile Medical Trailer which was unlawfully located and/or operated prior to the effective date of this section must be removed as of the effective date of this section.
 - iii. All Mobile Medical Trailers and enclosing structures must adhere to requirements set forth by the State of Michigan Department of Community Health regarding approval for operation of the Mobile Medical Trailer.
5. THE CODE OF THE CITY OF SOUTHFIELD IS HEREBY AMENDED BY UPDATING SECTION 5.139 USES PERMITTED OF ARTICLE 15 REGIONAL CENTER DISTRICT (RC) OF CHAPTER 45, ZONING, OF TITLE V, ZONING AND PLANNING, WHICH SHALL BE DESIGNATED AS FOLLOWS:

ARTICLE 15 REGIONAL CENTER DISTRICT (RC)

Section 5.139 Uses Permitted

(1)(a)

2. Medical offices, including clinics and laboratories.

(a) Mobile Medical Trailers are permitted in conjunction with an existing and occupied medical office/facility use on the same property in accordance with the following:

i. Mobile Medical Trailers must be housed in attached or detached accessory structures, with or without a roof, with overhead and/or access door(s) to maneuver the Mobile Medical Trailer into and out of the structure, with the following conditions:

- a. If no roof is proposed, the enclosing walls shall be not less in height than the height of the highest portion of the Mobile Medical Trailer;
- b. All structure facades are to exhibit a durable material (i.e. stone, brick, or other materials determined to be adequately durable for commercial application by the city planner and/or building official) at the base of the structure either 3' in height or to the sill line of any exterior windows (whichever is lower);
- c. If not attached to the principal building, an accessible route from the primary medical office use/facility to the Mobile Medical Trailer must be designated as part of the Planning Department review process and designed in accordance with relevant State of Michigan Barrier-Free and Federal ADA requirements;

ii. Any unenclosed Mobile Medical Trailer which was unlawfully located and/or operated prior to the effective date of this section must be removed as of the effective date of this section.

iii. All Mobile Medical Trailers and enclosing structures must adhere to requirements set forth by the State of Michigan Department of Community Health regarding approval for operation of the Mobile Medical Trailer.

6. THE CODE OF THE CITY OF SOUTHFIELD IS HEREBY AMENDED BY UPDATING SECTION 5.149 USES PERMITTED OF ARTICLE 16

NEIGHBORHOOD BUSINESS DISTRICT (B-1) OF CHAPTER 45, ZONING,
OF TITLE V, ZONING AND PLANNING, WHICH SHALL BE DESIGNATED
AS FOLLOWS:

ARTICLE 16 NEIGHBORHOOD BUSINESS DISTRICT (B-1)

Section 5.149 Uses Permitted

- (1) Medical offices and clinics.
 - (a) Mobile Medical Trailers are permitted in conjunction with an existing and occupied medical office/facility use on the same property in accordance with the following:
 - i. Mobile Medical Trailers must be housed in attached or detached accessory structures, with or without a roof, with overhead and/or access door(s) to maneuver the Mobile Medical Trailer into and out of the structure, with the following conditions:
 - a. If no roof is proposed, the enclosing walls shall be not less in height than the height of the highest portion of the Mobile Medical Trailer;
 - b. All structure facades are to exhibit a durable material (i.e. stone, brick, or other materials determined to be adequately durable for commercial application by the city planner and/or building official) at the base of the structure either 3' in height or to the sill line of any exterior windows (whichever is lower);
 - c. If not attached to the principal building, an accessible route from the primary medical office use/facility to the Mobile Medical Trailer must be designated as part of the Planning Department review process and designed in accordance with relevant State of Michigan Barrier-Free and Federal ADA requirements;
 - ii. Any unenclosed Mobile Medical Trailer which was unlawfully located and/or operated prior to the effective date of this section must be removed as of the effective date of this section.
 - iii. All Mobile Medical Trailers and enclosing structures must adhere to requirements set forth by the State of Michigan Department of Community Health regarding approval for operation of the Mobile Medical Trailer.

7. THE CODE OF THE CITY OF SOUTHFIELD IS HEREBY AMENDED BY
UPDATING SECTION 5.158 USES PERMITTED OF ARTICLE 17 PLANNED

BUSINESS DISTRICT (B-2) OF CHAPTER 45, ZONING, OF TITLE V,
ZONING AND PLANNING, WHICH SHALL BE DESIGNATED AS
FOLLOWS:

ARTICLE 17 PLANNED BUSINESS DISTRICT (B-2)

Section 5.158 Uses Permitted

- (1) Medical offices and clinics.
 - (a) Mobile Medical Trailers are permitted in conjunction with an existing and occupied medical office/facility use on the same property in accordance with the following:
 - i. Mobile Medical Trailers must be housed in attached or detached accessory structures, with or without a roof, with overhead and/or access door(s) to maneuver the Mobile Medical Trailer into and out of the structure, with the following conditions:
 - a. If no roof is proposed, the enclosing walls shall be not less in height than the height of the highest portion of the Mobile Medical Trailer;
 - b. All structure facades are to exhibit a durable material (i.e. stone, brick, or other materials determined to be adequately durable for commercial application by the city planner and/or building official) at the base of the structure either 3' in height or to the sill line of any exterior windows (whichever is lower);
 - c. If not attached to the principal building, an accessible route from the primary medical office use/facility to the Mobile Medical Trailer must be designated as part of the Planning Department review process and designed in accordance with relevant State of Michigan Barrier-Free and Federal ADA requirements;
 - ii. Any unenclosed Mobile Medical Trailer which was unlawfully located and/or operated prior to the effective date of this section must be removed as of the effective date of this section.
 - iii. All Mobile Medical Trailers and enclosing structures must adhere to requirements set forth by the State of Michigan Department of Community Health regarding approval for operation of the Mobile Medical Trailer.
8. THE CODE OF THE CITY OF SOUTHFIELD IS HEREBY AMENDED BY UPDATING SECTION 5.168 USES PERMITTED OF ARTICLE 18 GENERAL BUSINESS DISTRICT (B-3) OF CHAPTER 45, ZONING, OF TITLE V,

ZONING AND PLANNING, WHICH SHALL BE DESIGNATED AS FOLLOWS:

ARTICLE 18 GENERAL BUSINESS DISTRICT (B-3)

Section 5.168 Uses Permitted

- (2) Medical offices, including clinics, and medical laboratories, and Medical Marihuana Safety Compliance Centers (See Article 4 Section 5.22-7 for requirements). (Amended – Ordinance 1709 – 10/3/19).
 - (a) Mobile Medical Trailers are permitted in conjunction with an existing and occupied medical office/facility use on the same property in accordance with the following:
 - i. Mobile Medical Trailers must be housed in attached or detached accessory structures, with or without a roof, with overhead and/or access door(s) to maneuver the Mobile Medical Trailer into and out of the structure, with the following conditions:
 - a. If no roof is proposed, the enclosing walls shall be not less in height than the height of the highest portion of the Mobile Medical Trailer;
 - b. All structure facades are to exhibit a durable material (i.e. stone, brick, or other materials determined to be adequately durable for commercial application by the city planner and/or building official) at the base of the structure either 3' in height or to the sill line of any exterior windows (whichever is lower);
 - c. If not attached to the principal building, an accessible route from the primary medical office use/facility to the Mobile Medical Trailer must be designated as part of the Planning Department review process and designed in accordance with relevant State of Michigan Barrier-Free and Federal ADA requirements;
 - ii. Any unenclosed Mobile Medical Trailer which was unlawfully located and/or operated prior to the effective date of this section must be removed as of the effective date of this section.
 - iii. All Mobile Medical Trailers and enclosing structures must adhere to requirements set forth by the State of Michigan Department of Community Health regarding approval for operation of the Mobile Medical Trailer.
 9. Every person, firm, or corporation who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred dollars (\$500.00) and cost of

prosecution or by imprisonment for not more than ninety (90) days, or both such fine and imprisonment. The City, in addition to other remedies, may institute any appropriate action or proceeding to prevent, abate, or restrain the violation. Each day's continuance of a violation shall be deemed a separate and distinct offense. Any person violating the provisions of this Ordinance shall in addition become liable to the City for any expense or loss or damage occasioned by the City by reason of such violation.

10. Should any Section, clause, or paragraph of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same will not affect the validity of the Ordinance as a whole or part thereof other than the part declared to be invalid.
11. All Ordinances in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.
12. This Ordinance shall become effective upon passage and publication.

KENSON J. SIVER, Mayor

SHERIKIA L. HAWKINS, City Clerk

PZTA20-0003

Introduced: 11/16/20

Enacted: 11/30/20

Published: 12/10/20

A COPY OF THIS ORDINANCE MAY BE PURCHASED OR INSPECTED AT THE SOUTHFIELD CITY CLERK'S OFFICE LOCATED AT 26000 EVERGREEN ROAD, MONDAY THROUGH FRIDAY, FROM 8:00 A.M. TO 5:00 P.M.