

LAND USE & ZONING BASICS

LAND USE PLANNING

Governments use land use planning to regulate and plan within their boundaries. This area of public policy seeks to order and regulate land use in an efficient way, hopefully preventing land use conflicts. The amount of power a government has to control land use varies from state to state. The goal of land use planning is to “further the welfare of people and their communities by creating convenient, equitable, healthful, efficient, and attractive environments for current and future generations” (American Planning Association).

ZONING

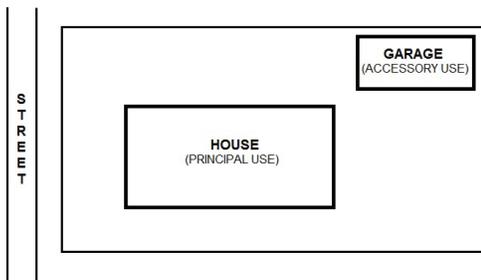
The section of a city’s ordinance (or laws) that regulates land use. Every parcel of land is categorized (or “zoned”), with the most common zones being residential, business, and industrial. Within each zone, there are allowed and prohibited uses and specific standards.

KEY ZONING TERMS

PRINCIPAL USE: The main activity on a property, based on its zoning category.

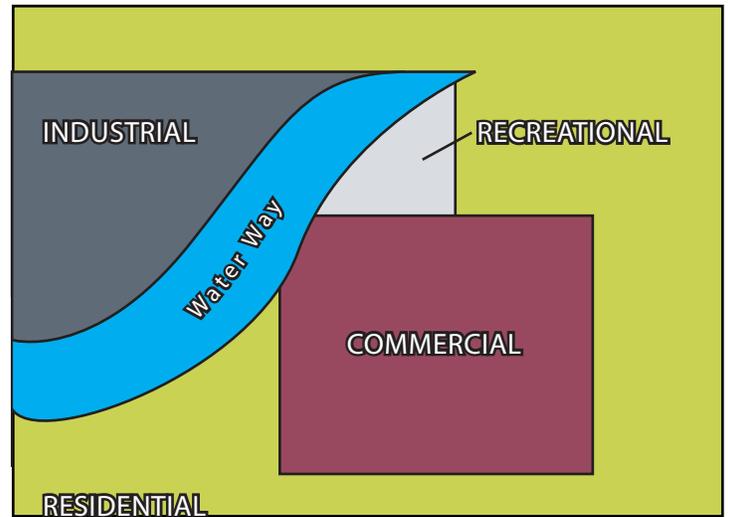
ACCESSORY USE: Another activity on a property that is not the main use.

Example: On a residential lot, the house is the principle use. An accessory use could be a garage or a garden.



BY RIGHT USE: A use that is allowed by right in a zone, as long as you follow regulations. Requires a land use permit.

CONDITIONAL USE: A use that’s impact on neighboring uses needs to be considered, so an additional review process is required. Requires a site plan review in addition to a land use permit.



RESIDENTIAL ZONE: Areas where people live. Zones range from single-family houses to very high density areas with rental apartment units.

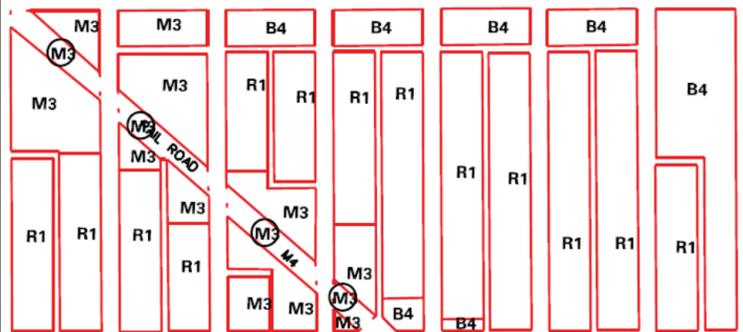
COMMERCIAL ZONE: Areas where retail stores and offices are located, ranging from small business areas to a large retail center.

INDUSTRIAL ZONE: Areas for manufacturing, warehousing, and wholesale retail outlets. These areas are generally kept away from residential zones.

RECREATIONAL ZONE: Areas preserved as park space or other recreational uses.

KNOW YOUR ZONE!

Check out the City of Detroit Zoning Maps at <http://www.detroitmi.gov/How-Do-I/Apply-for-Permits/Zoning-Map-Index>



URBAN AGRICULTURE ZONING IN DETROIT

In Detroit, gardening has always been allowed as an accessory use (in backyards and side lots). In 2013, urban gardens and other agriculture activities were added as allowed principal uses in most land use categories. The use table below is a guide to what agriculture activities are allowed and where. Included in the zoning ordinance are specific rules or “standards” for design and maintenance of agriculture projects in each zoning category.

USE TABLE

Use Category	Specific Land Use	Residential						Business						Industrial						Special and Overlay						Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)							
		R1	R2	R3	R4	R5	R6	B1	B2	B3	B4	B5	B6	I1	I2	I3	I4	I5	P1	P2	P3	P4	P5	P6	PCA		TCM	PR1	PR2	SD1	SD2	SD3	SD4
Sec. 61-12-79. Agricultural Uses (Ord. No. 10-13, §1, 04-16-13)	Aquaculture							C	C	R	R	R	R	R	R	L									R								
	Aquaponics							C	C	R	R	R	R	R	R	L									R								
	Farmers market	*	*	*	*	*	*	R	R	R	C	R	R	R	R	R	L	*	C	C	R	*				R	R					C	*As accessory use only as provided in Sec. 61-12-411
	Greenhouse	C	C	C	R	R	R	R	R	R	C	R	R	R	R	L									R				C	C	C		
	Hoophouse	C	C	C	R	R	R	R	R	R	C	R	R	R	R	L									R				C	C	C		
	Hydroponics							C	C	R	R	R	R	R	R	L									R					C	C		
	Urban farm (including orchard and tree farm when principal use)	C	C	C	R	R	R	R	R	R	C	R	C	C	C	C	L									C				C	C	C	
	Urban garden	R	R	R	R	R	R	R	R	R	C	R	C	C	C	C	L									C				C	C		

C = Conditional Use / R = By-Right Use / L = Subject to approval by the Legislative Body / Blank Cell = Not Allowed

SPECIFIC USE STANDARDS

Setbacks & Height Requirements: Sec. 61-12-329

- Crops must be setback at least 5 feet from all property lines and covered with ground plants (not intended to be harvested)
- Orchards & tree farms must be set back at least 15 feet from any developed lot
- Accessory structures must comply with zone’s setback & height requirements, with the exception of the rear yard requirements

Compost: Sec. 61-12-338

- Must be located as close as possible to rear crop setback
- Must be at least 20 feet from nearest principal residential structure

Prohibited Products & Uses: Sec. 61-12-326

- Farm animals
- Invasive plants & trees
- Grain crops (oats, wheat, rye)

Property Maintenance: Sec. 61-12-333

- Free of high grass, weeds, debris
- Plants cannot encroach onto sidewalks or other properties
- Remove dead plants by November 30th

“Good Neighbor Provisions”: Sec. 61-12-334-6

- Prevent freeflow of stormwater, irrigation water, chemicals, dirt, or mud
- Prevent noise, smoke, fumes, dust, odors, and vibrations
- Tools, supplies, and machinery stored in enclosed structure or off-site
- Hours of operation for motorized equipment are 8 a.m. to 8 p.m. (in residential area)

Other Regulations:

- Restrooms: Sec. 61-12-337
- Lighting: Sec. 61-12-330
- Trash Storage: Sec. 61-12-328
- Signage: Sec. 61-12-331

