

**ORDINANCE NO. 15-006**  
**CITY OF ROMULUS**  
**APPENDIX A - ZONING**  
**AMENDMENT 1.218**

**AN ORDINANCE AMENDING ARTICLE 7 BUSINESS DISTRICTS, SECTION 7.03 (c); ARTICLE 17, SITE PLAN REVIEW REQUIREMENTS AND PROCEDURES, TABLE 17.02 AND SECTION 17.03(b)(2); ARTICLE 19.03(b)(3)b. OUTDOOR DISPLAY; ARTICLE 22, ZONING BOARD OF APPEALS, SECTION 22.03(e); AND ARTICLE 24.19 DEFINITIONS, SPECIAL EVENT of the ZONING ORDINANCE FOR THE CITY OF ROMULUS.**

**THE CITY OF ROMULUS ORDAINS:**

**SECTION 1.**            *Article 7 Section 7.03(c) is amended to read as follows:*

(c) A temporary use permit shall be obtained in accordance with Section 22.03(e) for any temporary building, structure or use.

**SECTION 2.**            *Article 17 Table 17.02 is amended to read as follows:*

Activity/Use	Site Plan	Sketch Plan	Building Permit
Temporary uses, buildings, structures, and seasonal and special events (See Section 22.03(e))	---	BZA/ ARC/CC	---
Portable moving and storage containers (See Section 12.18)	---	BZA	BSD
Farm buildings or structures (See Section 11.15(a)(5) for roadside stands)			BSD

**SECTION 3.**            *Article 17 Section 17.03(b)(2) is amended to read as follows:*

**(b) Administrative Review**

- (1) **Technical Reviews.** The Planning Department shall forward the application and site plan/sketch plan to the ARC, consisting of City consultants and departments for technical review.
- (2) **Revised Plan.** Following the ARC review, the applicant shall revise the site/sketch plan as necessary and provide revised plans with a letter describing all changes for follow-up review.

**(3) ARC Plan Approval**

- a. **Sketch Plans for Administrative Approval.** For sketch plans and other types of applications that require administrative approval by ARC under Table 17.02, the sketch plans shall be approved by ARC once they are found to be in compliance with the requirements of the Zoning Ordinance and other applicable ordinances. Once approved by ARC, the process shall follow the requirements of subsections (f) through (k) below.
- b. **Site Plans for Planning Commission Review.** For applications, site/sketch plans that require Planning Commission or City Council approval, once the plans are in compliance with the requirements of the Zoning Ordinance and other applicable ordinances, the plans shall be forwarded to the Planning Commission for consideration under subsection (c) below.

**SECTION 4.**            *Article 19, Section 19.03(b)(3)b. is amended to read as follows:*

**(3) Outdoor Display of Goods for Sale at Retail or Discount Retail**

- a. Permanent outdoor displays may be permitted for uses with a minimum of one hundred thousand (100,000) square feet located in developments which include a multi-tenant shopping center and out parcels with an aggregate area of at least five hundred thousand (500,000) square feet.
- b. Temporary outdoor displays may be permitted in accordance with Section 22.03(e).
- c. No display area shall conflict with pedestrian or vehicular circulation. A minimum five (5) foot clear path shall be maintained at all times around the perimeter of buildings for safe pedestrian circulation and compliance with barrier free standards.
- d. Outdoor storage of vehicles, equipment, or materials not directly available for sale or lease to the general public is strictly prohibited.

**SECTION 5.**            *Article 22 Section 22.03(e) is amended to read as follows:*

- (e) **Temporary Building and Uses.** Temporary buildings, structures and uses may be permitted as follows:
  - (1) The Board of Zoning Appeals may permit temporary buildings, structures, and uses for up to twelve (12) months in a calendar year provided that all requirements and conditions relative to the type of structure and use, and timing and arrangements for termination and removal, are specified in writing.
    - a. The Board of Zoning Appeals may condition approvals related to setbacks, screening, off-street parking, liability coverage, and other conditions considered necessary to protect the health, safety, welfare, and comfort of the inhabitants of the City.
    - b. A single six (6) month extension may be granted if the Board of Zoning Appeals is petitioned by the applicant prior to the expiration of the original approval.
    - c. Applicants who are dissatisfied with the decision of the Administrative Review Committee (ARC) set forth below may appeal the decision to the Board of Zoning

Appeals to determine whether the ARC properly applied the conditions set forth in this Ordinance below in its decision, or in the Food Handlers Ordinance.

- (2) The Administrative Review Committee (ARC) may approve temporary structures and uses (not temporary buildings) for not to exceed a period of one hundred eighty (180) days in a calendar year, provided the proposed use is an accessory use to an approved principal permitted use for the site, the principal permitted use is in compliance with city ordinances, and the applicant has a business located in the City that has a current business registration issued by the City with such additional conditions as may be determined by the ARC.
  - a. ARC may also approve temporary structures and uses (not temporary buildings) for not to exceed thirty (30) days in a calendar year if the proposed use is not an accessory use for the site, the principal permitted use is in compliance with this zoning ordinance, and the applicant has a business located in the City that has a current business registration issued by the City with such additional conditions as may be determined by the ARC.
  - b. Applicants who are dissatisfied with the decision of the Administrative Review Committee (ARC) as set forth above may appeal the decision to the Board of Zoning Appeals to determine whether the ARC properly applied the conditions set forth in this Ordinance below in its decision, or in the Food Handlers Ordinance.
- (3) Any special event on any city street, park or public area of the city shall be subject to Chapter 52 Article II Section 52-84 of the Code of Ordinances for the City of Romulus.
- (4) Non-profit entities that have obtained tax exempt status from the Federal Internal Revenue Service or have applied for such tax exemption may have temporary structures and uses on property they own or lease for their tax exempt purpose, for up to three (3) consecutive days, not more than three (3) times in a calendar year without obtaining the consent of the Board of Zoning Appeals or the ARC.
- (5) To receive Board of Zoning Appeals or ARC approval, the following are required:
  - a. The applicant and the property owner must not be delinquent on any property taxes or fees owed to the City.
  - b. The use must not be prohibited by any other ordinance of the City.
  - c. The applicant must provide written permission from the property owner for the proposed temporary use.
  - d. If there is an existing occupied use of the property, a Certificate of Occupancy must be provided.
  - e. A written application shall be provided to the Planning Department for any temporary use. The application to the Board of Zoning Appeals or ARC shall comply with the requirements of Section 17.03(b).
  - f. Upon approval by the Board of Zoning Appeals or ARC, a business registration must be obtained from the city clerk's office.

- g. And such other information as may be required in the application by ARC or BZA.

**SECTION 6.**            *Article 24, Section 24.19 is amended to read as follows:*

**Special Event:** A temporary outdoor use on public property including city street, park or public area that extends beyond the normal uses and standards allowed by the zoning ordinance of the city. "Special event" includes, but is not limited to, parades, runs/walks, art shows, concerts, carnivals, festivals, and block parties.

**SECTION 7:**            *Severability.*

Should any word, sentence, phrase or any portion of this ordinance be held in any manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such words, sentence, phrase, or any portion of the ordinance held to be so invalid and shall not be construed as effecting the validity of any of the remaining words, sentences, phrases or portions of this ordinance.

**SECTION 8:**            *Conflicting Ordinances.*

All prior existing ordinances adopted by the City of Romulus inconsistent or in conflict with the provisions of this ordinance are, to the extent of such conflict or inconsistency hereby expressly repealed.

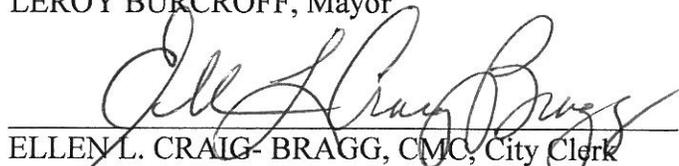
**SECTION 9:**            *Effective Date.*

This ordinance shall take effect upon publication thereof in an official newspaper, which publication shall be made when the minutes passing the ordinance are published subject to revocation at will of the City of Romulus at any time.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Romulus this 6<sup>th</sup> day of April, 2015.



LERROY BURCROFF, Mayor

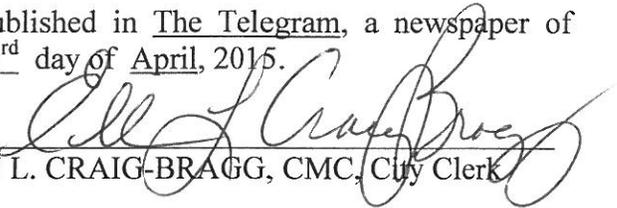


ELLEN L. CRAIG- BRAGG, CMC, City Clerk

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the City Council of the City of Romulus at a regular Council Meeting held in the City Council Room in said City on the 6<sup>th</sup> day of April, 2015.

  
ELLEN L. CRAIG-BRAGG, CMC, City Clerk

I further certify that the foregoing was published in The Telegram, a newspaper of general circulation in the City of Romulus, on the 23<sup>rd</sup> day of April, 2015.

  
ELLEN L. CRAIG-BRAGG, CMC, City Clerk

Within forty-five (45) days after publication of any ordinance duly passed by the Council, a petition may be presented to the Council protesting against such ordinance continuing in effect. Said petition shall contain the text of such ordinance and shall be signed by not less than six percent (6%) of the registered electors registered at the last preceding election at which a Mayor of the City was elected. Said ordinance shall thereupon and thereby be suspended from operation and the Council shall immediately reconsider such ordinance.

Introduced: December 8, 2014  
Second Reading: April 6, 2015  
Published/Effective: April 23, 2015