

Donovan Smith, AICP
Chairperson
Rachel M. Udabe
Vice Chair/Secretary

Marcell R. Todd, Jr.
Director
Christopher Gulock, AICP
Deputy Director

City of Detroit

CITY PLANNING COMMISSION
208 Coleman A. Young Municipal Center
Detroit, Michigan 48226
Phone: (313) 224-6225 Fax: (313) 224-4336
e-mail: cpc@detroitmi.gov

Adrian-Keith Bennett
Kenneth R. Daniels
David Esparza, AIA, LEED
Ritchie Harrison
Gwendolyn A. Lewis, MBA
Frederick E. Russell, Jr.

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HONORABLE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

RE: Zoning Ordinance text amendment, Chapter 50 of the 2019 Detroit City Code – to update regulations, procedures and definitions relative to housing and parking requirements (**RECOMMEND APPROVAL**)

REQUEST

The City Planning Commission has received and process a request drafted by the Administration's Office of the Chief Operating Officer for proposed text amendment to Chapter 50, *Zoning*, of the 2019 Detroit City Code. The proposed amendment has been developed as an initial step toward addressing the national housing crisis as it is manifest in the City of Detroit. In General the ordinance is aimed at encouraging the construction of more units of housing and to reduce barriers to new construction and rehabilitation by expanding what is allowable in the R2 (Two Family Residential) zoning district and more flexible dimensional and parking requirements. Much of this effort is centered around the work that the CPC and our colleagues have doing through the Zone Detroit Process. This matter appeared before the Commission on four occasions since July of this year with public hearings on July 31st and October 2nd with the Commission taking action on the latter date.

Below please find our report and recommendation. More background, analysis and additional detail will follow in a supplemental report. The staff of the Commission has worked closely with the office of the Chief Operating Officer (COO) as well as the other members of the Working Group at the Planning and Development Department (PDD), Building Safety Engineering and Environmental (BSEED), Housing and Revitalization Department (HRD), The Board of Zoning Appeals (BZA) and the Jobs and Economy Team (JET) to develop a reasonable but somewhat ambitious proposal within a compressed timeframe and process from that normally conducted by the Commission.

BACKGROUND

The Mayor's Office has explored ways to encourage the construction of additional housing (thus increasing the housing supply and affordability) and ways to reduce barriers to small business development. Toward this end, the Administration proposed significant updates to the Detroit Zoning Ordinance for CPC consideration as summarized below.

The Administration indicates dozens of major cities across the country, such as Grand Rapids, Minneapolis, and Buffalo, are updating zoning to help build more housing and thus lower housing costs. The Administration is proposing two key updates regarding housing:

1. To build more housing by expanding the types of housing that can be built in R2 (Two-Family Residential); and
2. To make it easier to rebuild houses (new infill housing) on vacant lots.

Furthermore, the Administration indicates the current parking space requirements for both new housing and commercial uses limits development and makes it harder for new business to open. The Administration is proposing three key updates regarding parking:

1. For small commercial buildings, expand the policy to allow the business to decide how many spaces to provide;
2. Reduce parking requirements for multiple-family dwellings; and
3. Make it more feasible for projects to propose alternative parking plans.

SCOPE OF THE ORDINANCE

The proposed text amendments are summarized below.

Article VIII. Residential Zoning Districts, R2 Two-Family Residential District

In general, the proposed changes allow townhouses, 3-unit residential buildings, and 4-unit residential buildings by-right in R2 districts and increases the number of residential units permitted conditionally after a public hearing from 8 units to 12 units in R2 districts.

- **Section 50-8-41** – Edit R2 description to add multiple-family dwellings up to four units by-right
- **Section 50-8-44** – Add townhouses (up to 8 units attached) and multiple-family dwellings (up to 4 units) as by-right uses in the R2 district
- **Section 50-8-50** – Allow nine to twelve attached townhouses and multiple-family dwellings units up to 12 units (from 8) as conditional uses in the R2 district
- **Section 50-8-56** – Specify that the residential compatibility standards apply to three- and four- unit multiple-family dwellings in addition to single- and two-family dwellings

CPC Notes: Currently, the R2 district only allows one and two-family dwellings by-right and multiple-family dwellings and townhouses up to 8 units conditionally. The request is to allow 3-unit and 4-unit residential buildings and townhouses (up to eight attached) by-right in R2 districts, and to allow multiple-family dwellings and townhouses with up to 12 units conditionally.

Article IX. Business Zoning Districts, B2 Local Business & Residential and B4 General Business Districts

- **Section 50-9-44** – Allow multiple-family dwellings by-right in the B2 district

- **Section 50-9-50** – Remove multiple-family dwellings as a conditional use in B2 (as they would be allowed by-right)
- **Section 50-9-104** - Allow multiple-family dwellings by-right in the B4 district
- **Section 50-9-50** – Remove multiple-family dwellings as a conditional use in B4 (as they would be allowed by-right)

CPC Notes: Multiple-family dwellings are currently allowed conditionally in the B2 and B4 districts. Mixed-use developments (residential and commercial uses combined in one building) are also currently conditional uses in the B2 and B4 districts, but they are proposed to be changed to a by-right use by the Sixth General Text Amendment which is under consideration by the City Council. The proposal in this amendment is to allow multiple-family dwellings by-right in the B2 and B4 districts.

Article XII Use Regulations, Multiple-family dwellings and Accessory dwelling units

- **Section 50-12-22** – Update the use table to allow multiple-family dwellings in R2 both conditionally and by-right; allow townhouses both by-right and conditionally (depending on the number of units attached)
- **Section 50-12-162** – Increase the maximum number of multiple-family units to twelve (from eight) in R2
- **Section 50-12-454** – Remove the prohibition on using accessory buildings for dwellings
- **Section 50-12-466** – Add use regulations for accessory dwelling units, specifically:
 - Permitted in R2, R3, R4, R5, and R6 districts only where located on a lot with a single-family, two-family, or 3-unit multiple-family dwelling
 - Maximum floor area of 1200 square feet or 60% of the principal residential use, whichever is smaller
 - No more than one accessory dwelling unit on a lot
 - Must contain a complete residential unit including sleeping, cooking, eating, and sanitation areas
 - No minimum lot area or width for an accessory dwelling unit
 - Where existing parking is eliminated by the addition of an accessory dwelling unit, it is not required to be replaced. Further, no additional off-street parking is required for an accessory dwelling unit.

CPC notes: Article XII includes both the use table and use regulations including residential in R2. The proposed changes make Article XII consistent with proposed changes to Article VIII. The changes also add regulations for accessory dwelling units. This request provided CPC with the opportunity make needed organization changes to this part of the ordinance and present the proposed and exiting data in an easier to follow manner.

Article XIII. Intensity and Dimensional Standards

In general, the changes seek to promote infill housing development on vacant lots that align with existing neighborhood character by amending the dimensional requirements that apply to residential lots below the minimum size or width currently required.

- **Section 50-13-2 R1 District** – Add a secondary table with alternate dimensional requirements for lots below the minimum 50-foot width and 5,000 square foot area for a single-family dwelling. Below are the existing and proposed regulations for comparison.

R1 EXISTING REGULATIONS									
Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Single-family dwellings, religious residential facilities	5,000	50	20	4 ft. minimum/ 14 ft. combined	30	35	35		Section 50-13-184; Article XIV, Division 3, Subdivision A

R1 PROPOSED REGULATIONS FOR LOTS BELOW MINIMUM AREA/WIDTH									
Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
<i>*Formula C = 13 feet minus (0.5 feet * (50 feet - Lot Width))</i>									
Single-family dwellings			10	3 ft. minimum / Formula C for combined, with minimum of 10 ft.	20	35	60		Section 50-13-23; Article XIV, Division 3, Subdivision A

- **Sections 50-13-3 to 50-13-7 R2, R3, R4, R5, R6 Districts** – Add a new row in each table for accessory dwelling unit dimensional requirements as shown below.

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
<u>Accessory dwelling units</u>				<u>3</u>	<u>3</u>	<u>25</u>			<u>Section 50-13-212</u>

- **Section 50-13-3 R2 District** – Add a secondary table with alternate dimensional requirements for lots below the minimum width or area for single-family, two-family, townhouses, or multiple-family dwellings. Below are the existing and proposed regulations for comparison.

R2 EXISTING REGULATIONS									
Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
<i>*Formula A = Length (feet) + 2 (height) / 15</i>					<i>*Formula B = Length (feet) + 2 (height) / 6</i>				
Multiple-family dwellings	7,000	70	20	10	30		35	0.50	Section 50-13-181
Single-family dwellings, religious residential facilities	5,000	50	20	4 ft. minimum/ 14 ft. combined	30	35	35		Section 50-13-184
Townhouses (attached group)	7,000	70	20	Formula B	30	35	35		Section 50-13-186
Two-family dwellings	6,000	55	20	4 ft. minimum/ 14 ft. combined	30	35	35		

R2 PROPOSED REGULATIONS FOR LOTS BELOW MINIMUM AREA/WIDTH									
Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
*Formula C = 13 feet minus (0.5 feet * (50 feet - Lot Width))									
Multiple-family dwellings	3,000	30	10	3 ft. minimum / 8 ft. combined	20	35	60		Section 50-13-23
Single-family dwellings			10	3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.	20	35	60		Section 50-13-23; Article XIV, Division 3, Subdivision A
Townhouses (attached group)	3,000	30	10	3 ft. minimum / 8 ft. combined	20	35	60		Section 50-13-23
Two-family dwellings	2,000	25	10	3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.	20	35	60		Section 50-13-23

- **Section 50-13-4 R3 District** – Add a secondary table with alternate dimensional requirements for lots below the minimum width or area for single-family, two-family, townhouses, or multiple-family dwellings. Below are the existing and proposed regulations for comparison.

R3 EXISTING REGULATIONS									
Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
<i>*Formula A = Length (feet) + 2 (height) / 15</i>					<i>*Formula B = Length (feet) + 2 (height) / 6</i>				
Multiple-family dwellings	7,000	70	20	Formula A	30		(0.12 RSR)	0.70	
Single-family dwellings, religious residential facilities	5,000	50	20	4 ft. minimum/ 14 ft. combined	30	35	35		
Townhouses (attached group)	7,000	70	20	Formula A	30			0.70	Section 50-13-186
Two-family dwellings	6,000	60	20	4 ft. minimum/ 14 ft. combined	30	35	35		

R3 PROPOSED REGULATIONS FOR LOTS BELOW MINIMUM AREA/WIDTH									
Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
*Formula C = 13 feet minus (0.5 feet * (50 feet - Lot Width))									
Multiple-family dwellings	3,000	30	10	3 ft. minimum / 8 ft. combined	20	35	60		Section 50-13-23
Single-family dwellings			10	3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.	20	35	60		Section 50-13-23; Article XIV, Division 3, Subdivision A
Townhouses (attached group)	3,000	30	10	3 ft. minimum / 8 ft. combined	20	35	60		Section 50-13-23
Two-family dwellings	2,000	25	10	3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.	20	35	60		Section 50-13-23

- **Section 50-13-5 R4 District** – Add a secondary table with alternate dimensional requirements for lots below the minimum width or area for single-family, two-family, townhouses, or multiple-family dwellings. Below are the existing and proposed regulations for comparison.

R4 EXISTING REGULATIONS									
Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
*Formula A = Length (feet) + 2 (height) / 15					*Formula B = Length (feet) + 2 (height) / 6				
Multiple-family dwellings	7,000	70	20	Formula A	30		(0.10 RSR)	1.00	
Single-family dwellings, religious residential facilities	5,000	50	20	4 ft. minimum/ 14 ft. combined	30	35	35		
Townhouses (attached group)	7,000	70	20	Formula A	30			1.00	Section 50-13-186
Two-family dwellings	6,000	55	20	4 ft. minimum/ 14 ft. combined	30	35	35		

R4 PROPOSED REGULATIONS FOR LOTS BELOW MINIMUM AREA/WIDTH									
Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
*Formula C = 13 feet minus (0.5 feet * (50 feet - Lot Width))									
Multiple-family dwellings	3,000	30	10	3 ft. minimum / 8 ft. combined	20		60	2.00	Section 50-13-23
Single-family dwellings			10	3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.	20	35	60		Section 50-13-23; Article XIV, Division 3, Subdivision A
Townhouses (attached group)	3,000	30	10	3 ft. minimum / 8 ft. combined	20		60	2.00	Section 50-13-23
Two-family dwellings	2,000	25	10	3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.	20	35	60		Section 50-13-23

- **Section 50-13-6 R5 District** – Add a secondary table with alternate dimensional requirements for lots below the minimum width or area for single-family, two-family, townhouses, or multiple-family dwellings. Below are the existing and proposed regulations for comparison.

R5 EXISTING REGULATIONS									
Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
*Formula A = Length (feet) + 2 (height) / 15					*Formula B = Length (feet) + 2 (height) / 6				
Multiple-family dwellings	7,000	70	20	Formula A	30		(0.085 RSR)	1.50	
Single-family dwellings, religious residential facilities	5,000	50	20	4 ft. minimum/ 14 ft. combined	30	35	35		
Townhouses (attached group)	7,000	70	20	Formula A	30			1.50	Section 50-13-186
Two-family dwellings	6,000	55	20	4 ft. minimum/ 14 ft. combined	30	35	35		

R5 PROPOSED REGULATIONS FOR LOTS BELOW MINIMUM AREA/WIDTH									
Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
*Formula C = 13 feet minus (0.5 feet * (50 feet - Lot Width))									
Multiple-family dwellings	3,000	30	10	3 ft. minimum / 8 ft. combined	20		60	2.00	Section 50-13-23
Single-family dwellings			10	3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.	20	35	60		Section 50-13-23; Article XIV, Division 3, Subdivision A
Townhouses (attached group)	3,000	30	10	3 ft. minimum / 8 ft. combined	20		60	2.00	Section 50-13-23
Two-family dwellings	2,000	25	10	3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.	20	35	60		Section 50-13-23

- **Section 50-13-7 R6 District** – Add a secondary table with alternate dimensional requirements for lots below the minimum width or area for single-family, two-family, townhouses, or multiple-family dwellings. Below are the existing and proposed regulations for comparison.

R6 EXISTING REGULATIONS									
Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
*Formula A = Length (feet) + 2 (height) / 15					*Formula B = Length (feet) + 2 (height) / 6				
Multiple-family dwellings	7,000	70	20	Formula A	30		(0.07 RSR)	2.00	
Single-family dwellings, religious residential facilities	5,000	50	20	4 ft. minimum/ 14 ft. combined	30	35	35		
Townhouses (attached group)	7,000	70	20	Formula A	30			2.00	Section 50-13-186
Two-family dwellings	6,000	55	20	4 ft. minimum/ 14 ft. combined	30	35	35		

R6 PROPOSED REGULATIONS FOR LOTS BELOW MINIMUM AREA/WIDTH									
Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
*Formula C = 13 feet minus (0.5 feet * (50 feet - Lot Width))									
Multiple-family dwellings	3,000	30	10	3 ft. minimum / 8 ft. combined	20		60	2.00	Section 50-13-23
Single-family dwellings			10	3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.	20	35	60		Section 50-13-23; Article XIV, Division 3, Subdivision A
Townhouses (attached group)	3,000	30	10	3 ft. minimum / 8 ft. combined	20		60	2.00	Section 50-13-23
Two-family dwellings	2,000	25	10	3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.	20	35	60		Section 50-13-23

- **Section 50-13-21** – This section is currently the alternate standards for lots that are below the minimum size requirements. Because the additional tables now provide those regulations, this section is proposed to be eliminated.
- **Section 50-13-23** – This section provides additional guidance on front setbacks to be more consistent with existing surrounding development. The proposed changes simplify the regulations.
- **Section 50-13-24** – This provides exceptions to side setbacks for lots of less than minimum width. The proposed changes eliminate and update provisions to be consistent with earlier changes.
- **Section 50-13-181** – This section provides additional setback requirements for multiple-family dwellings in R2 districts. The proposed changes make it consistent with the earlier changes and eliminate a requirement for a 30-foot side setback if a building entrance is located along the side setback.
- **Section 50-13-185** – This section currently allows single-family dwellings more lot coverage on lots below minimum standards. The earlier proposed changes render this section unnecessary, therefore it is proposed to be removed.
- **Section 50-13-186** – This section provides additional regulation regarding townhouses. The proposed changes are for consistency with earlier changes (more attached townhouses permitted in the R2 district).
- **Section 50-13-187** – This section currently allows two-family dwellings more lot coverage on lots below minimum standards. The earlier proposed changes render this section unnecessary, therefore it is proposed to be removed.
- **Section 50-13-206** – This section covers dimensional standards for accessory structures. It is being amended to include the newly-added section about accessory dwelling units.
- **Section 50-13-208** – This section covers regulations for accessory structures. The proposed change is to add an exception for accessory dwelling units which have separate requirements in the following section.
- **Section 50-13-212** – This newly-added section provides standards for accessory dwelling units, specifically:
 - Accessory dwelling units must be located at least 10 feet from a principal building and 5 feet from a porch or deck. They also cannot be located in a front yard.
 - Accessory dwelling units must be located at least 10 feet from electrical lines. This setback can be waived by the Buildings, Safety Engineering, and Environmental Department (BSEED) if it will not interfere with utility service.
 - On zoning lots abutting an alley to the rear, no rear setback is required.
- **Section 50-13-226** – This section covers features that are allowed to encroach into required setbacks. Proposed changes add minimum distances for certain features from the

property line to ensure adequate space between structures. Specifically, these additions are proposed:

- Balconies are allowed to project six feet into a front or rear setback, and three feet into a side setback. It proposes to add a minimum setback of 3 feet from a side property line.
 - Bay windows are allowed to project 2.5 feet into a required setback. It proposes to add a minimum setback of 3 feet from a side property line.
 - Chimneys, fireplaces, pilasters, smokestacks, and window air conditioners are allowed to project 16 inches into a required side setback. It proposes to add a minimum setback of 2 feet from a side property line.
 - Cornices, eaves, mechanical equipment, and ornamental features are allowed to project 14 inches into a required side setback. It proposes to add a minimum setback of 2 feet from a side property line.
 - Fire escapes, stairways, and balconies which are open and unenclosed, and marquees are allowed to project 5 feet into a required side setback. It proposes to add a minimum setback of 3 feet from a side property line.
 - Flagpoles are currently not limited in their encroachment. It proposes to add a minimum setback of 3 feet from any property line.
 - Window wells are not currently mentioned. Propose to add allowed encroachment up to 3 feet into a side setback but not less than 18 inches from a side property line.
- **Section 50-13-229** – This section currently describes Formula A and B for calculating certain side setbacks. The draft proposes to add the new Formula C which is based on the current exception for side setbacks on lots below minimum width.
 - **Sections 50-13-254, 50-13-255, 50-13-256** – These sections provide alternate regulations for small lot developments. The earlier proposed changes render these sections unnecessary, therefore they are proposed to be eliminated.

Article XIV, Development Standards, Off-street Parking

- **Section 50-14-7(2)** – This subsection currently allows retail, service, and commercial uses (other than vehicle sales, repair, and service uses) located in Traditional Main Street Overlay Areas, SD1 and SD2 Districts, and within ½ mile of high-frequency transit corridors to provide their parking within 1320 feet of the use instead of the distance specified (often 100 feet) as long as a “district approach” to parking is being used. The proposed change is to allow this extended distance anywhere in the city. Additionally, any shared parking agreement is required to be effective for a minimum of five years initially.
- **Section 50-14-7(3)** – This subsection currently waives off-street parking requirements for buildings constructed prior to April 9, 1998 and up to 3,000 square feet (other than religious institutions). The proposed changes would eliminate the building age requirement and expand the size to 6,000 square feet, but restrict the waiver to only retail, service, and commercial uses.
- **Section 50-14-7(4)** – This subsection currently waives off-street parking requirements for a use that is expanding into a structure constructed prior to April 9, 1998 and occupying

up to 4,000 square feet total. It is proposed to be eliminated based on the changes listed in the previous subsection.

- **Section 50-14-34** – This section contains the off-street parking requirements for household living uses. The proposed change is to simplify the various requirements for lofts and multiple-family dwellings (which currently range between 0.75 to 1.25 spaces per unit) and require 0.75 spaces per unit regardless of the location. Also, it proposes to update the requirement for the distance within which the parking is to be located to allow a “district approach” to parking anywhere in the city.
- **Section 50-14-151** – This section covers the scope of the alternative parking plans. The proposed change is to clarify that the number of parking spaces required is after any allowed credits, reductions, exemptions, or waivers are applied.
- **Section 50-14-152** – This section covers applicability of alternative parking plans. The proposed change is to clarify that the number of parking spaces required is after any allowed credits, reductions, exemptions, or waivers are applied. Also, to specify that BSEED may promulgate administrative rules to administer.
- **Section 50-14-153(b)(1)** – This subsection allows the Planning & Development Department (PDD) to waive off-street parking requirements for the first 3,000 square feet of pedestrian-oriented retail, service, or commercial uses. The proposed change is to remove a phrase referencing a waiver in 50-14-7 that is proposed to be changed.
- **Section 50-14-154** – This section outlines the procedure for alternative parking plan review. The proposed change is to allow them for certain uses by-right instead of conditionally (eliminate the public hearing requirement). For by-right uses in the residential, public/service/institutional, and retail/service/commercial categories (with the exception of vehicle sales, repair, and service), PDD would be the decision-maker in consultation with BSEED and the Department of Public Works Traffic Engineering Division. For conditional uses and use groups other than those previously specified, the alternative parking plan would be reviewed as part of a conditional use hearing. The approval criteria for alternative parking plans is also proposed to be expanded.
- **Section 50-14-155** – This section outlines the contents of alternative parking plans and is currently vague. The proposed changes detail the required submissions for alternative parking plans.
- **Section 50-14-156** – This section currently requires alternative parking plans to be recorded with the County Register of Deeds. The proposed change is to eliminate this requirement.
- **Section 50-14-159** – This section discusses shared parking agreements. The proposed change is to eliminate the requirement to record shared parking agreements with the County Register of Deeds.
- **Section 50-14-160** – This section discusses remote parking requirements. The proposed change is to eliminate the requirement to record remote parking agreements with the County Register of Deeds.

- **Section 50-14-163** – This section covers how to administer credit for public parking lots. The proposed changes include expanding the distance within which the lot must be located from 100 feet to 1,320 feet (this is currently allowed for land zoned SD1 and SD2 only; the Sixth General Text Amendment proposed to expand it to Traditional Main Street Overlay Areas). It also adds details about the required written agreement with the Municipal Parking Department and removes the requirement for it to be recorded.

CPC staff notes: BSEED does not believe that the current alternative parking plan provisions have been utilized since added the last time a major revision of the Zoning Ordinance was adopted in 2005. The proposed amendment would make the provision more viable, providing a more project-specific relief from parking requirements.

Article XIV, Development Standards, Architectural and Site Design Standards

- **Section 50-14-396** – This section covers the requirements for new single- and two-family dwellings to be compatible with existing residential development. The proposed change is to expand the requirements to apply to multiple-family dwellings with three or four units.

Article XVI, Rules of Construction and Definitions

- **Section 50-16-111** – This section defines terms beginning with the letters “Aa” to “Ag”. The proposed change is to add a definition for accessory dwelling unit, specifically:
A building or structure used as a dwelling unit that:
 - (1) Is subordinate to a principal residential building or principal residential use legally existing on the same zoning lot;
 - (2) Is subordinate in area to the principal building or use and is detached from the principal building or use;
 - (3) Contains independent living facilities, including sleeping, cooking, eating and sanitation areas, and is designed to function as a complete, self-contained residence.
- **Section 50-16-242** – This section defines terms beginning with the letters “Hh” to “Hm”. The proposed change is to add two new high-frequency transit corridors, specifically:
 - Corridor No. 11, consisting of: Eight Mile, between Lahser and Kelly Rd.
 - Corridor No. 12, consisting of: Washington Blvd. between W. Jefferson Ave. and Michigan Ave.; Cass Ave. between Michigan Ave. and West Grand Blvd.; West Grand Blvd. between Cass Ave. and Dexter Ave.; Dexter Ave. between West Grand Blvd. and John C. Lodge Service Drive North; Belden St. between John C. Lodge Service Drive North and Puritan; Puritan between Belden St. and Livernois; Livernois between Puritan and Curtis St.; Curtis St. between Livernois and W. Outer Drive; and W. Outer Drive from Curtis St. to W. McNichols; and W. McNichols between W. Outer Drive and Trinity St.
- **Section 50-16-384** – This section defines terms beginning with the letters “Sm” to “Ss”. The proposed change is to eliminate the definition of “small lot” as the provisions for them are proposed to be eliminated in favor of more general standards.

PARTIAL ANALYSIS

Initially, CPC found the original ask of the COO's office to be too ambitious both in terms of the scope and content of the proposed amendments as well as the timeline. The proposed ordinance now presented by the Commission represents the compromise and consensus reached among CPC staff and the Working Group. The proposed changes to the residential provisions, including the R2 (Two Family Residential) zoning district and the addition of ADUs, are generally present new opportunities for all parties participating in the local housing market. There are also changes to some of these sections of the Ordinance in other text amendments presently before City Council. For this reason, and the compressed timeline to have this addressed before Your Honorable Body before recess, Commission is heavily dependent upon the Law Department to reconcile these items during the approval as to form review and ensure the integrity of the ordinance.

As CPC staff and the working group's deliberations concluded, there were only two points of uncertainty where CPC staff subsequently yielded to the majority of the working group members. The first issue concerned whether or not any specific recreation/open-space requirement would need for R2 property to ensure open space beyond that, which will result from the setback requirements. The second item concerns ADUs and the question posed is whether or not any parking space lost as a result of adding an ADU should be replaced. On larger lots with driveways and garages in the rear, this may not be an issue, However, for narrow lots without driveways and a garage that is access from an alley. The Commission supported the conclusion of the staff.

CONCLUSION

The ordinance as drafted clearly attempts to address some of the regulatory hinderances to housing development in the City. While the driver of this initiative and intended benefit is increased housing production, the ordinance itself primarily has direct impact to the R2 zoning district and facilitating infill housing. A good portion of the amendment alters parking regulations, impacting more than just residential land uses as spoken to above. While the CPC intends to propose more significant housing-related amendments to the Zoning Ordinance in the future as we work in conjunction with Plan Detroit and the work to be done with HRD under the Pro Housing Grant, we believe this amendment will serve to support increased housing development in the near term as we continue to refresh and rethink the Zoning Ordinance.

RECOMMENDATION

Based up the Commissions deliberations, the work of staff the Administration as describe above and in forthcoming reports the Commission recommends approval of this request to amend the text of the Zoning Ordinance.

Attached you will find a draft copy of the proposed ordinance which is currently at the Law Department for review and approval as to form. Also attached in a copy of the presentation received by the Commission for the October 2nd public hearing. Additional information will follow proving further analysis, and information about public engagement and the public hearing results.

Attachments COO Memo
DLBA Memo
Draft Ordinance

cc: Alexa Bush, Director PDD
David Bell, Director BSEED
Julie Schneider, Director, HRD
Joshua Roberson, Deputy Director, Department of Neighborhoods
Hassan Beydoun, Group Executive Jobs and Economy
Raymond Solomon, II, Chief of Staff
Bruce Goldman, Law Department
Daniel Arking, Law Department

SUMMARY

This ordinance amends Chapter 50 of the 2019 Detroit City Code, *Zoning*, to help build more housing and level the playing field for small, local developers by amending Article VIII, *Residential Zoning Districts*, Division 3, *R2 Two-Family Residential District*, Section 50-8-41, *Description*, Section 50-8-44, *By-right residential uses*, Section 50-8-50, *Conditional residential uses*, and Section 50-8-56, *Other regulations*; Article IX, *Business Zoning Districts*, Division 3, *B2 Local Business and Residential District*, Section 50-9-44, *By-right residential uses*, Section 50-9-50, *Conditional residential uses*, Division 5 *B4 General Business District*, Section 50-9-104, *By-right residential uses*, Section 50-9-110, *Conditional residential uses*; Article XII, *Use Regulations*, Division 1, *Use Table*, Subdivision B, *Residential Uses*, Section 50-12-22, *Household Living*, Division 3, *Specific Use Standards*, Subdivision A, *Residential Uses*, Section 50-12-162, *Multi-family dwellings*, Division 5, *Accessory Uses and Structures*, Subdivision A, *In General*, Section 50-12-454, *General provisions; limitations on use of accessory structures* and adding Section 50-12-466, *Accessory dwelling units*; by amending Article XIII, *Intensity and Dimensional Standards*, Division 1, *Tables of Intensity and Dimensional Standards*, Subdivision A, *Residential Districts*, by adding Section 50-13-8, *R1 District: Lots below minimum size*, Section 50-13-9, *R2 and R3 Districts: Lots below minimum size*, and Section 50-13-10, *R4, R5, and R6 Districts: Lots below minimum size*, and by amending Subdivision B, *General Dimensional Standards for Residential Districts*, Section 50-13-21, *Lot size requirements*, Section 50-13-23, *Exceptions to the required depth of front setbacks*, Section 50-13-24, *Special provisions for side setbacks for single- or two-family dwellings*, Subdivision I, *Intensity and Dimensional Standards for Specific Uses*, Section 50-13-181, *Multiple-family dwellings*, Section 50-13-185, *Single-family dwellings and religious residential facilities*, by repealing Section 50-13-187, *Two-family dwellings*, by amending Subdivision J, *Miscellaneous Intensity and Dimensional Standards*, Section 50-13-207, *Location of accessory buildings and structures*, Section 50-13-208, *Accessory buildings or structures in rear setback; setbacks from principal buildings*, by adding Section 50-13-212, *Accessory dwelling units*, by amending Division 2, *Measurements, Requirements, and Exceptions*, Section 50-13-226, *Features allowed within required setbacks*, Division 3, *Alternative Residential Development Options*, by amending and renaming Section 50-13-254, *Lots of less than 2,000 square feet*; by amending Article XIV, *Development Standards*, Division 1, *Off-street Parking, Loading, and Access*, Subdivision A, *In General*, Section 50-14-7, *Off-street parking exemptions, reductions, and allowances*, Subdivision B, *Off-Street Parking Schedule "A"*, Section 50-14-34, *Household living*, and Subdivision F, *Waivers and Alternative Parking Plans*, Section 50-14-151, *Scope*, Section 50-14-152, *Applicability*, Section 50-14-153, *Waiver of off-street parking requirements for uses or buildings minimally deficient*, Section 50-14-154, *Alternative parking plan review and approval procedure and criteria*, Section 50-14-155, *Contents*, by repealing Section 50-14-156, *Recording*, and by amending Section 50-14-159, *Shared parking*, Section 50-14-160, *Remote parking*, and Section 50-14-163, *Credit for public parking*, Division 3, *Architectural and Site Design Standards*, Subdivision A, *Residential Development*, Section 50-14-396, *Residential compatibility requirement; appearance*; by amending Article XVI, *Rules of Construction and Definition*, Division 2, *Words and Terms Defined*, Subdivision B, Letter "A", Section 50-16-111, *Words and terms (Aa – Ag)*, Subdivision I, Letter "H", Section 50-16-242, *Words and Terms (Hh – Hm)*, Subdivision P, Letter "S", Section 50-16-384, *Words and terms (Sm-Ss)*.

BY COUNCIL MEMBER _____ :

AN ORDINANCE to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, to help build more housing and level the playing field for small, local developers by amending Article VIII, *Residential Zoning Districts*, Division 3, *R2 Two-Family Residential District*, Section 50-8-41, *Description*, Section 50-8-44, *By-right residential uses*, Section 50-8-50, *Conditional residential uses*, and Section 50-8-56, *Other regulations*; Article IX *Business Zoning Districts*, Division 3, *B2 Local Business and Residential District*, Section 50-9-44, *By-right residential uses*, Section 50-9-50, *Conditional residential uses*, Division 5 *B4 General Business District*, Section 50-9-104, *By-right residential uses*, Section 50-9-110, *Conditional residential uses*; Article XII, *Use Regulations*, Division 1, *Use Table*, Subdivision B, *Residential Uses*, Section 50-12-22, *Household Living*, Division 3, *Specific Use Standards*, Subdivision A, *Residential Uses*, Section 50-12-162, *Multi-family dwellings*, Division 5, *Accessory Uses and Structures*, Subdivision A, *In General*, Section 50-12-454, *General provisions; limitations on use of accessory structures* and adding Section 50-12-466, *Accessory dwelling units*; by amending Article XIII, *Intensity and Dimensional Standards*, Division 1, *Tables of Intensity and Dimensional Standards*, Subdivision A, *Residential Districts*, by adding Section 50-13-8, *R1 District: Lots below minimum size*, Section 50-13-9, *R2 and R3 Districts: Lots below minimum size*, and Section 50-13-10, *R4, R5, and R6 Districts: Lots below minimum size*, and by amending Subdivision B, *General Dimensional Standards for Residential Districts*, Section 50-13-21, *Lot size requirements*, Section 50-13-23, *Exceptions to the required depth of front setbacks*, Section 50-13-24, *Special provisions for side setbacks for single- or two-family dwellings*, Subdivision I, *Intensity and Dimensional Standards for Specific Uses*, Section 50-13-181, *Multiple-family dwellings*, Section 50-13-185, *Single-family dwellings and religious residential facilities*, by repealing Section 50-13-187, *Two-family*

*dwelling*s, by amending Subdivision J, *Miscellaneous Intensity and Dimensional Standards*, Section 50-13-207, *Location of accessory buildings and structures*, Section 50-13-208, *Accessory buildings or structures in rear setback; setbacks from principal buildings*, by adding Section 50-13-212, *Accessory dwelling units*, by amending Division 2, *Measurements, Requirements, and Exceptions*, Section 50-13-226, *Features allowed within required setbacks*, Division 3, *Alternative Residential Development Options*, by amending and renaming Section 50-13-254, *Lots of less than 2,000 square feet*; by amending Article XIV, *Development Standards*, Division 1, *Off-street Parking, Loading, and Access*, Subdivision A, *In General*, Section 50-14-7, *Off-street parking exemptions, reductions, and allowances*, Subdivision B, *Off-Street Parking Schedule “A”*, Section 50-14-34, *Household living*, and Subdivision F, *Waivers and Alternative Parking Plans*, Section 50-14-151, *Scope*, Section 50-14-152, *Applicability*, Section 50-14-153, *Waiver of off-street parking requirements for uses or buildings minimally deficient*, Section 50-14-154, *Alternative parking plan review and approval procedure and criteria*, Section 50-14-155, *Contents*, by repealing Section 50-14-156, *Recording*, and by amending Section 50-14-159, *Shared parking*, Section 50-14-160, *Remote parking*, and Section 50-14-163, *Credit for public parking*, Division 3, *Architectural and Site Design Standards*, Subdivision A, *Residential Development*, Section 50-14-396, *Residential compatibility requirement; appearance*; by amending Article XVI, *Rules of Construction and Definition*, Division 2, *Words and Terms Defined*, Subdivision B, Letter “A”, Section 50-16-111, *Words and terms (Aa – Ag)*, Subdivision I, Letter “H”, Section 50-16-242, *Words and Terms (Hh – Hm)*, Subdivision P, Letter “S”, Section 50-16-384, *Words and terms (Sm-Ss)* in order to help build more housing.

1 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**
2 **THAT:**

Section 1. Chapter 50 of the Detroit City Code, *Zoning*, is amended by amending Article VIII, Division 3, Section 50-8-41, Section 50-8-44, Section 50-8-50, and Section 50-8-56; Article IX, Division 3, Section 50-9-44, Section 50-9-50, Division, Section 50-9-104, Section 50-9-110; Article XII, Division 1, Subdivision B, Section 50-12-22, Division 3, Subdivision A, Section 50-12-162, Division 5, Subdivision A, Section 50-12-454, and adding Section 50-12-466; by amending Article XIII, Division 1, Subdivision A, by adding Section 50-13-8, Section 50-13-9, , and Section 50-13-10, by amending Subdivision B, General Dimensional Standards for Residential Districts, Section 50-13-21, Lot size requirements, Section 50-13-23, Exceptions to the required depth of front setbacks, Section 50-13-24, Subdivision I, Section 50-13-181, Section 50-13-185, by repealing Section 50-13-187, by amending Subdivision J, Section 50-13-207, Section 50-13-208, by adding Section 50-13-212, by amending Division 2, Section 50-13-226, Division 3, by amending and renaming Section 50-13-254; by amending Article XIV, Division 1, Subdivision A, Section 50-14-7, Subdivision B, Section 50-14-34, and Subdivision F, Section 50-14-151, Section 50-14-152, Section 50-14-153, Section 50-14-154, Section 50-14-155, by repealing Section 50-14-156, and by amending Section 50-14-159, Section 50-14-160, and Section 50-14-163, Division 3, Subdivision A, Section 50-14-396; by amending Article XVI, Division 2, Subdivision B, Section 50-16-111, Subdivision I, Section 50-16-242, Subdivision P, Section 50-16-384 in order to help build more housing.

CHAPTER 50. ZONING

ARTICLE VIII. RESIDENTIAL ZONING DISTRICTS

DIVISION 3. R2 TWO-FAMILY RESIDENTIAL DISTRICT

Sec. 50-8-41. Description.

The R2 Two-Family Residential District is designed to protect and enhance those areas developed or likely to develop with single- or two-family dwellings, as well as multiple-family dwellings. The district regulations are designed to promote a suitable environment for homes and for activities connected with family life. The only principal uses permitted by right are single-family dwellings, ~~and two-family dwellings, townhouses, and multiple-family dwellings with no more than four units~~. Additional uses are conditional.

Sec. 50-8-44. By-right residential uses.

By-right residential uses within the R2 Two-Family Residential District are as follows:

(1) Shelter for survivors of domestic violence, as limited by Section 50-12-165(b).

(2) Single-family detached dwelling.

(3) Two-family dwelling.

(4) Townhouses with a maximum of eight in any group of attached townhouses.

(5) Multiple-family dwelling, which has not more than four units.

Sec. 50-8-50. Conditional residential uses.

Conditional residential uses within the R2 Two-Family Residential District are as follows:

(1) Multiple-family dwelling, which has not more than ~~eight~~ twelve dwelling units.

(2) Townhouses with a minimum of nine and a maximum of ~~eight~~ twelve in any group of attached townhouses.

~~(3)~~ (2) Religious residential facilities.

~~(4)~~ (3) School building adaptive reuses, residential.

Sec. 50-8-56. Other regulations.

The following regulations shall also apply on land zoned R2:

(1) New single- and two-family dwellings, as well as three-unit and four-unit multi-family dwellings, in the R2 Two-Family Residential District shall comply with the residential compatibility requirements set forth in Article XIV, Division 3, Subdivision A, of this chapter;

(2) In the R2 District, not more than one principal detached residential building shall be located on a zoning lot. Likewise, no principal detached residential building shall be located on the same zoning lot with any other principal building in the R1 and R2 Districts, except in the case of buildings used for educational or religious purposes;

(3) Open parking areas.

a. Open parking areas, where located on the same zoning lot as the dwelling they are intended to serve, shall be permitted in the rear yard;

b. In addition, operable private passenger vehicles may also be parked on the driveway in only one side yard and the continuation of that side yard into the front yard to the property line;

c. Operable private passenger vehicles may also be parked on semicircular drives, as specified in Section 50-14-286(5) of this Code;

d. No mechanical maintenance or vehicular repairs may be conducted on the portions of the driveway that are specified in Subsection (3)b of this section or on any semicircular drive;

e. Driveways shall be paved as provided for in Section 50-14-286 of this Code;

f. Where the Michigan Secretary of State requires a valid and current license plate or registration sticker to use or transport any vehicle or piece of recreational equipment as defined in Section 50-16-361 of this Code, each vehicle or piece of

recreational equipment shall bear and properly display said valid and current license plate or registration sticker at all times when parked in accordance with this section.

See also Article XIV, Division 1, Subdivision E, of this chapter, "Use of Accessory Parking Lots and Areas," and Article XIV, Division 1, Subdivision K, of this chapter, "Off-Street Parking Facilities in Residential Districts."

ARTICLE IX. BUSINESS ZONING DISTRICTS

DIVISION 3. B2 LOCAL BUSINESS AND RESIDENTIAL DISTRICT

Sec. 50-9-44. By-right residential uses.

By-right residential uses in the B2 Local Business and Residential District are as follows:

- (1) Adult foster care facility.
- (2) Assisted living facility.
- (3) Boarding school and dormitory.
- (4) Child caring institution.
- (5) Convalescent, nursing, or rest home.
- (6) Home for the aged.
- (7) Loft, subject to Section 50-12-159 of this Code.
- (8) Multiple-family dwelling.
- (9) Religious residential facilities.
- (10) Residential use combined in structures with permitted commercial or industrial uses, subject to Section 50-12-159 of this Code.
- (11) Shelter for survivors of domestic violence.

Sec. 50-9-50. Conditional residential uses.

Conditional residential uses in the B2 Local Business and Residential District are as follows:

- (1) Fraternity or sorority house.
- (2) Loft, subject to Section 50-12-159 of this Code.
- ~~(3) Multiple family dwelling.~~
- (3) Pre-release adjustment center, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (4) Residential substance abuse service facility.
- (5) Residential use, combined in structures with permitted commercial uses, subject to Section 50-12-159 of this Code.
- (6) Rooming house.
- (7) Single-family detached dwelling.
- (8) Single-room-occupancy housing, non-profit.
- (9) Townhouse.
- (10) Two-family dwelling.

DIVISION 5. B4 GENERAL BUSINESS DISTRICT

Sec. 50-9-104. By-right residential uses.

By-right residential uses within the B4 General Business District are as follows:

- (1) Assisted living facility.
- (2) Boarding school and dormitory.
- (3) Child caring institution.
- (4) Convalescent, nursing, or rest home.
- (5) Lofts, subject to Section 50-12-159 of this Code.

(6) Multiple-family dwelling.

(7) Religious residential facilities.

(8) Residential use combined in structures with permitted commercial ~~and~~ or industrial uses, subject to Section 50-12-159 of this Code.

(9) Shelter for survivors of domestic violence.

Sec. 50-9-110. Conditional residential uses.

Conditional residential uses in the B4 General Business District are as follows:

(1) Emergency shelter, except such use shall not be permitted on any zoning lot abutting a designated Gateway Radial Thoroughfare.

(2) Fraternity or sorority house.

(3) Loft, subject to Section 50-12-159 of this Code.

~~(3) Multiple-family dwelling.~~

(4) Pre-release adjustment center, except such use shall not be permitted on any zoning lot abutting a designated Gateway Radial Thoroughfare.

(5) Residential substance abuse service facility.

(6) Residential use combined in structures with permitted commercial uses, subject to Section 50-12-159 of this Code.

(7) Rooming house.

(8) Single-family detached dwelling.

(9) Single-room-occupancy housing, non-profit.

(10) Townhouse.

(11) Two-family dwelling.

ARTICLE XII. USE REGULATIONS

1 **DIVISION 1. USE TABLE**

2 **Subdivision B. Residential Uses**

3 **Sec. 50-12-22. Household living.**

4 Regulations regarding household living uses are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)		
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2			S D 4
Household living	Loft			R	R	R	R	C	C / R	C / R	C / R	R	C	C	C	C	C		L			R				R	R	R	R		Sections 50-12-157, 50-12-159
	Mobile home park					C													L												Section 50-12-160
	Multiple family dwelling		C / R	C / R	R	R	R	C	C / R		C / R	R / C							L			R / C					R	C / R	R		Sections 50-12-157, 50-12-161, 50-12-162
	Residential use combined in structures with permitted commercial uses					R	R	C	C / R	C / R	C / R	C	C	C	C	C	C		L			R					R	R	R		Section 50-12-159
	Residential use combined in structures with permitted commercial or industrial uses																									C					Section 50-12-159
	Single-family detached dwelling	R	R	R	R	R	C	C	C		C								L								C				Sections 50-12-157, 50-12-159

DIVISION 3. SPECIFIC USE STANDARDS

Subdivision A. Residential Uses

Sec. 50-12-162. Multiple-family dwellings.

Multiple-family dwellings shall be subject to the following requirements:

(1) In the R2 District, such uses shall have a maximum of ~~eight~~ twelve dwelling units, except where developed under the "school building adaptive reuse" provision as defined in Section 50-16-381 of this Code. This regulation may not be waived by the Board of Zoning Appeals;

(2) In the R3 District, multiple-family dwellings, where fewer than 50 percent of the units are efficiency units, are permitted by right; multiple-family dwellings, where 50 percent or more of the units are efficiency units, are a conditional use;

(3) In the B5 District, ground-floor commercial uses shall be required along at least 50 percent of the building façade fronting Woodward Avenue, and may be required in other portions of the B5 District;

(4) The required recreational space ratios for multiple-family dwellings are listed as follows:

a. R3 District: 0.12;

b. R4 District: 0.10;

c. R5 District: 0.085;

d. R6 District: 0.07;

e. SD1 District: 0.07;

f. SD2 District: 0.07.

(See Section 50-13-239 of this Code for information on recreational space requirements.)

(5) For certain permitted accessory uses in the R5, R6, and B1 Districts, see Section 50-12-514 of this Code;

(6) In the B5 and PCA Districts, multiple-family dwellings that have ground-floor commercial space or other space oriented to pedestrian traffic are permitted by right. Multiple-family dwellings not having such ground floor space are a conditional use;

(7) Multiple-family dwelling developments that exceed 12 units are subject to site plan review as provided for in Section 50-3-113 of this Code;

(8) In the SD4 District, specially designated merchant's (SDM) establishments and specially designated distributor's (SDD) establishments are permitted when incidental to, accessory to, and on the same zoning lot as a multiple-family dwelling, that ~~have~~ has not fewer than 50 dwelling units;

(9) Multiple-family dwellings for the elderly, as defined in Section 50-16-304 of this Code, are subject to a lesser off-street parking requirement than other multiple-family dwellings. Where a multiple-family dwelling for the elderly converts to a general population multiple-family dwelling, the full off-street parking requirement must be satisfied.

DIVISION 5. ACCESSORY USES AND STRUCTURES

Subdivision A. In General

Sec. 50-12-454. General provisions; limitations on use of accessory structure.

In the R1 ~~and R2~~ Districts, accessory buildings shall not be occupied for dwelling purposes or used for any business profession, trade, or occupation, except, that carriage houses built prior to 1940 may continue to be occupied for dwelling purposes.

In the R2 District, accessory buildings shall not be used for any business profession, trade, or occupation.

1 **Sec. 50-12-466 Accessory dwelling units**

2 The following provisions shall apply to accessory structures used as dwelling units or
3 accessory dwelling units:

4 (a) Accessory dwelling units are permitted in the R2, R3, R4, R5, and R6 Districts provided
5 that:

6 (1) An accessory dwelling unit is permitted only on a zoning lot on which the principal
7 residential use is a single-family dwelling, two-family dwelling, or multiple-family
8 dwelling containing no more than three units;

9 (2) The accessory dwelling unit shall have a gross floor area that is a maximum of 1,200
10 square feet or 60 percent of the gross floor area of the principal residential use,
11 whichever is smaller;

12 (3) No more than one accessory dwelling unit shall be permitted on a zoning lot;

13 (4) An accessory dwelling unit shall contain independent living facilities, including
14 sleeping, cooking, eating, and sanitation areas, and shall be designed to function as a
15 complete, self-contained residence;

16 (5) Accessory dwelling units shall be subject to the development and design standards set
17 forth in Section 50-13-212 of this chapter.

18 (b) Accessory dwelling units shall not be considered a second principal structure on a zoning
19 lot, rather they are accessory and subordinate to the principal residential use.

20 (c) An accessory dwelling unit is permitted on any floor of the structure, including but not
21 limited to the ground floor. An accessory dwelling unit can be combined with a garage, but
22 is not required to be.

(d) No minimum lot area or width for the principal residential use shall be required to establish an accessory dwelling unit.

(e) When existing parking spaces are eliminated due to the addition of an accessory dwelling unit, replacement of those parking spaces is not required. No additional off-street parking is required for an accessory dwelling unit.

Sec. 50-12-4667--50-12-480. Reserved.

ARTICLE XIII. INTENSITY AND DIMENSIONAL STANDARDS

DIVISION 1. TABLES OF INTENSITY AND DIMENSIONAL STANDARDS

Subdivision A. Residential Districts

Sec. 50-13-2. R1 District.

(a) Intensity and dimensional standards within the R1 Single-Family Residential District are as follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	<u>Section 50-13-222</u>		<u>Section 50-16-382</u>	<u>Section 50-16-382</u>	<u>Section 50-13-231</u>	<u>Section 50-13-232</u>	<u>Section 50-13-236</u> <u>Section 50-13-237</u>		
$*Formula A = Length (feet) + 2 (height) / 15$ $*Formula B = Length (feet) + 2 (height) / 6$									
Accessory buildings/ structures						15			Section 50-13-206
Cemeteries									Sections 50-13-26, 50-13-211(2)
Neighborhood center (non-profit)	10,000	70	20	Formula B	30	35	35		Section 50-13-29
Outdoor recreation facilities									Section 50-13-211
Parking lots or parking areas			20	10					Section 50-13-182; Article XIV, Division I, Subdivision I
Public utilities			20	15	30	35			

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	<u>Section 50-13-222</u>	<u>Section 50-16-382</u>	<u>Section 50-16-382</u>	<u>Section 50-16-382</u>	<u>Section 50-13-231</u>	<u>Section 50-13-232</u>	<u>Section 50-13-236</u> <u>Section 50-13-237</u>		
$*Formula A = Length (feet) + 2 (height) / 15$ $*Formula B = Length (feet) + 2 (height) / 6$									
Religious institutions	10,000	70	20	Formula B	30	45	35		Sections 50-13-29, 50-13-184
Schools	10,000	70	20	Formula B	30	—	35	0.70	Sections 50-13-29, 50-13-211
Single-family dwellings, religious residential facilities	5,000	50	20	4 ft. minimum/ 14 ft. combined	30	35	35 including all accessory buildings/structures. (See also Section 50-13-185.)		Section 50-13-184; Article XIV, Division 3, Subdivision A
Agricultural uses			See Section 50-12-400			35	35		Section 50-12-409
All other uses	5,000	50	20	4 ft. minimum/ 14 ft. combined	30	35	35		

- 1 (b) Intensity and dimensional standards within the R1 Single-Family Residential District on a lot
- 2 below the minimum area or width specified in Section 50-13-2 (a) are as follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	<u>Section 50-13-222</u>	<u>Section 50-16-382</u>	<u>Section 50-16-382</u>	<u>Section 50-16-382</u>	<u>Section 50-13-231</u>	<u>Section 50-13-232</u>	<u>Section 50-13-236</u> <u>Section 50-13-237</u>		
$*Formula C = 13 \text{ feet minus } (0.5 \text{ feet} * (50 \text{ feet} - \text{Lot Width}))$									
<u>Single-family dwellings</u>			<u>10</u>	<u>3 ft. minimum / Formula C for combined, with minimum of 10 ft.</u>	<u>20</u>	<u>35</u>	<u>60</u>		<u>Section 50-13-23; Article XIV, Division 3, Subdivision A</u>

3 **Sec. 50-13-3. R2 District.**

- 4 (a) Intensity and dimensional standards within the R2 Two-Family Residential District are as
- 5 follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
$*Formula A = Length (feet) + 2 (height) / 15$ $*Formula B = Length (feet) + 2 (height) / 6$									
Accessory non-dwelling buildings/ structures						15			Section 50-13-206
<u>Accessory dwelling units</u>				<u>3</u>	<u>3</u>	<u>25</u>			<u>Section 50-13-212</u>
Cemeteries									Section 50-13-26, 50-13-211(2)
Multiple-family dwellings	7,000	70	20	10	30		35	0.50	Section 50-13-181
Neighborhood center, (non-profit)	10,000	50	20	Formula B	30	35	35		Section 50-13-29
Outdoor recreation facilities									Section 50-13-211
Parking lots or parking areas			20	10					Section 50-13-182; Article XIV, Division 1, Subdivision I
Public utilities			20	15	30	35			
Religious institutions	10,000	70	20	Formula B	30	45	35		Sections 50-13-29; 50-13-184
Schools	10,000	70	20	Formula B	30		35	0.70	Sections 50-13-29, 50-13-211
Single-family dwellings, religious residential facilities	5,000	50	20	4 ft. minimum/ 14 ft. combined	30	35	35 (See also Section 50-13-185)		Section 50-13-184; Article XIV, Division 3, Subdivision A
Townhouses (attached group)	7,000	70	20	Formula B	30	35	35		Section 50-13-186
Two-family dwellings	6,000	55	20	4 ft. minimum/ 14 ft. combined	30	35	35 (See also Section 50-13-187)		Article XIV, Division 3, Subdivision A
Agricultural uses			See Section 50-12-400			35	35		Section 50-12-409
All other uses	5,000	50	20	4 ft. minimum/ 14 ft. combined	20	35	35		

- 1 (b) Intensity and dimensional standards within the R2 Two-Family Residential District on a lot
 2 below the minimum area or width specified in Section 50-13-3 (a) are as follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
<i>*Formula C = 13 feet minus (0.5 feet * (50 feet - Lot Width))</i>									
Multiple-family dwellings	3,000	30	10	3 ft. minimum / 8 ft. combined	20	35	60		Section 50-13-23
Single-family dwellings			10	3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.	20	35	60		Section 50-13-23; Article XIV, Division 3, Subdivision A
Townhouses (attached group)	3,000	30	10	3 ft. minimum / 8 ft. combined	20	35	60		Section 50-13-23
Two-family dwellings	2,000	25	10	3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.	20	35	60		Section 50-13-23

3 **Sec. 50-13-4. R3 District.**

- 4 (a) Intensity and dimensional standards in the R3 Low Density Residential District are as follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
<i>*Formula A = Length (feet) + 2 (height) / 15 *Formula B = Length (feet) + 2 (height) / 6</i>									
Accessory non-dwelling buildings/ structures						15			Section 50-13-206
Accessory dwelling units				3	3	25			Section 50-13-212

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
<i>*Formula A = Length (feet) + 2 (height) / 15 *Formula B = Length (feet) + 2 (height) / 6</i>									
Cemeteries									Sections 50-13-26, 50-13-211(2)
Fire or police stations			20	15	30			0.70	
Libraries or museums	10,000	70	20	Formula B	30	35			Section 50-13-29
Multiple-family dwellings	7,000	70	20	Formula A	30		(0.12 RSR)	0.70	
Neighborhood center, (non-profit)	7,000	70	20	Formula B	30	35		0.70	Section 50-13-29
Outdoor recreation facilities									Section 50-13-211
Parking lots or parking areas			20	10					Section 50-13-182; Article XIV, Division 1, Subdivision I
Public utilities			20	15	30			0.70	
Religious institutions	10,000	70	20	Formula B	30			0.70	Sections 50-13-29, 50-13-184
Schools	10,000	70	20	Formula B	30			0.70	Sections 50-13-29, 50-13-211
Single-family dwellings, religious residential facilities	5,000	50	20	4 ft. minimum/ 14 ft. combined	30	35	35 (See also Section 50-13-185)		
Townhouses (attached group)	7,000	70	20	Formula A	30			0.70	Section 50-13-186
Two-family dwellings	6,000	60	20	4 ft. minimum/ 14 ft. combined	30	35	35 (See also Section 50-13-187)		
Agricultural uses			See Section 50-12-400			35			Section 50-12-409
All other uses	7,000	70	20	Formula B	30	35		0.70	

- 1 (b) Intensity and dimensional standards within the R3 Low Density Residential District on a lot
 2 below the minimum area or width specified in Section 50-13-4 (a) are as follows:

<u>Use</u>	<u>Minimum Lot Dimensions</u>		<u>Minimum Setbacks (feet)</u>			<u>Max. Height (feet)</u>	<u>Max. Lot Coverage (%)</u>	<u>Max FAR</u>	<u>Add'l. Regs.</u>
	<u>Area (sq. ft.)</u>	<u>Width (feet)</u>	<u>Front</u>	<u>Side*</u>	<u>Rear</u>				
<u>Sec. Reference</u>	<u>Section 50-13-222</u>		<u>Section 50-16-382</u>	<u>Section 50-16-382</u>	<u>Section 50-13-231</u>	<u>Section 50-13-232</u>	<u>Section 50-13-236</u> <u>Section 50-13-237</u>		
<i>*Formula C = 13 feet minus (0.5 feet * (50 feet - Lot Width))</i>									
<u>Multiple-family dwellings</u>	<u>3,000</u>	<u>30</u>	<u>10</u>	<u>3 ft. minimum / 8 ft. combined</u>	<u>20</u>	<u>35</u>	<u>60</u>		<u>Section 50-13-23</u>
<u>Single-family dwellings</u>			<u>10</u>	<u>3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.</u>	<u>20</u>	<u>35</u>	<u>60</u>		<u>Section 50-13-23; Article XIV, Division 3, Subdivision A</u>
<u>Townhouses (attached group)</u>	<u>3,000</u>	<u>30</u>	<u>10</u>	<u>3 ft. minimum / 8 ft. combined</u>	<u>20</u>	<u>35</u>	<u>60</u>		<u>Section 50-13-23</u>
<u>Two-family dwellings</u>	<u>2,000</u>	<u>25</u>	<u>10</u>	<u>3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.</u>	<u>20</u>	<u>35</u>	<u>60</u>		<u>Section 50-13-23</u>

3 **Sec. 50-13-5. R4 District.**

- 4 (a) Intensity and dimensional standards within the R4 Thoroughfare Residential District are as
 5 follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236	Section 50-13-237	
$*Formula A = Length (feet) + 2 (height) / 15$ $*Formula B = Length (feet) + 2 (height) / 6$									
Accessory <u>non-dwelling</u> buildings/ structures						15			Section 50-13-206
<u>Accessory dwelling units</u>				<u>3</u>	<u>3</u>	<u>25</u>			<u>Section 50-13-212</u>
Educational institutions	7,000	70	20	Formula B	30		(0.10 RSR)	1.00	Sections 50-13-29, 50-13-211
Fire or police stations			20	15	30			1.00	
Fraternity or sorority houses	7,000	70	20	Formula A	30			1.00	
Libraries or museums	10,000	70	20	Formula B	30	35			Section 50-13-29
Multiple-family dwellings	7,000	70	20	Formula A	30		(0.10 RSR)	1.00	
Neighborhood center, (non-profit)	7,000	70	20	Formula B	30			1.00	Section 50-13-29
Outdoor recreation facilities									Section 50-13-211
Parking lots or parking areas			20	10					Section 50-13-182; Article XIV, Division 1, Subdivision I
Public utilities			20	15	30			1.00	
Religious institutions	10,000	70	20	Formula B	30			1.00	Sections 50-13-29, 50-13-184
Rooming houses	7,000	70	20	Formula A	30		(0.10 RSR)	1.00	
Schools	10,000	70	20	Formula B	30			1.00	Section 50-13-211
Single-family dwellings, religious residential facilities	5,000	50	20	4 ft. minimum/ 14 ft. combined	30	35	35 (See also Section 50-13-185)		
Townhouses (attached group)	7,000	70	20	Formula A	30			1.00	Section 50-13-186

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
$*Formula A = Length (feet) + 2 (height) / 15$ $*Formula B = Length (feet) + 2 (height) / 6$									
Two-family dwellings	6,000	55	20	4 ft. minimum/ 14 ft. combined	30	35	35 (See also Section 50-13-187)		
Agricultural uses			See Section 50-12-400						Section 50-12-409
All other uses	7,000	70	20	Formula B	30			1.00	

- 1 (b) Intensity and dimensional standards within the R4 Thoroughfare Residential District on a lot
- 2 below the minimum area or width specified in Section 50-13-5 (a) are as follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
$*Formula C = 13 \text{ feet minus } (0.5 \text{ feet} * (50 \text{ feet} - \text{Lot Width}))$									
Multiple-family dwellings	3,000	30	10	3 ft. minimum / 8 ft. combined	20		60	2.00	Section 50-13-23
Single-family dwellings			10	3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.	20	35	60		Section 50-13-23; Article XIV, Division 3, Subdivision A
Townhouses (attached group)	3,000	30	10	3 ft. minimum / 8 ft. combined	20		60	2.00	Section 50-13-23
Two-family dwellings	2,000	25	10	3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.	20	35	60		Section 50-13-23

1 **Sec. 50-13-6. R5 District.**

- 2 (a) Intensity and dimensional standards within the R5 Medium Density Residential District are as
- 3 follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
<i>*Formula A = Length (feet) + 2 (height) / 15 *Formula B = Length (feet) + 2 (height) / 6</i>									
Accessory non-dwelling buildings/ structures						15			Section 50-13-206
Accessory dwelling units				<u>3</u>	<u>3</u>	<u>25</u>			<u>Section 50-13-212</u>
Educational Institutions	7,000	70	20	Formula B	30			1.50	Sections 50-13-29, 50-13-211
Fire or police stations			20	15	20			1.50	
Libraries or museums	10,000	70	20	Formula B	30			1.50	Section 50-13-29
Marinas			20	20		35			Section 50-13-172
Mobile home park		100	20	25	30				Section 50-13-27
Multiple-family dwellings	7,000	70	20	Formula A	30		(0.085 RSR)	1.50	
Neighborhood center, (non-profit)	7,000	70	20	Formula B	30			1.50	
Outdoor recreation facilities									Section 50-13-211
Parking lots or parking areas			20	10					Section 50-13-182; Article XIV, Division 1, Subdivision I
Parking structures			20	Formula B				1.50	Section 50-13-183
Public utilities			20	15	30			1.50	
Religious institutions	10,000	70	20	Formula B	30			1.50	Sections 50-13-29, 50-13-184
Rooming houses	7,000	70	20	Formula A	30		(0.085 RSR)	1.50	

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
<i>*Formula A = Length (feet) + 2 (height) / 15 *Formula B = Length (feet) + 2 (height) / 6</i>									
Schools	10,000	70	20	Formula B	30			1.00	Sections 50-13-29, 50-13-211
Single-family dwellings, religious residential facilities	5,000	50	20	4 ft. minimum/ 14 ft. combined	30	35	35 (See also Section 50-13-185)		
Townhouses (attached group)	7,000	70	20	Formula A	30			1.50	Section 50-13-186
Two-family dwellings	6,000	55	20	4 ft. minimum/ 14 ft. combined	30	35	35 (See also Section 50-13-187)		Section 50-13-187
Agricultural uses			See Section 50-12-400						Section 50-12-409
All other uses	7,000	70	20	Formula B	30			1.50	

- 1 (b) Intensity and dimensional standards within the R5 Medium Density Residential District on a
- 2 lot below the minimum area or width specified in Section 50-13-6 (a) are as follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
$*Formula C = 13 \text{ feet minus } (0.5 \text{ feet} * (50 \text{ feet} - \text{Lot Width}))$									
Multiple-family dwellings	3,000	30	10	3 ft. minimum / 8 ft. combined	20		60	2.00	Section 50-13-23
Single-family dwellings			10	3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.	20	35	60		Section 50-13-23; Article XIV, Division 3, Subdivision A

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
Townhouses (attached group)	3,000	30	10	3 ft. minimum / 8 ft. combined	20		60	2.00	Section 50-13-23
Two-family dwellings	2,000	25	10	3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.	20	35	60		Section 50-13-23

1 **Sec. 50-13-7. R6 District.**

- 2 (a) Intensity and dimensional standards within the R6 High Density Residential District are as
- 3 follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
$*Formula A = Length (feet) + 2 (height) / 15$ $*Formula B = Length (feet) + 2 (height) / 6$									
Accessory non-dwelling buildings/structures						15			Section 50-13-206
Accessory dwelling units				3	3	25			Section 50-13-212
Educational institutions	7,000	70	20	Formula B	30			2.00	Sections 50-13-29, 50-13-211
Fire or police stations			20	15	30			2.00	
Libraries or museums	10,000	70	20	Formula B	30			2.00	Section 50-13-29
Marinas			20	20		35			Section 50-13-172
Multiple-family dwellings	7,000	70	20	Formula A	30		(0.07 RSR)	2.00	

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
$*Formula A = Length (feet) + 2 (height) / 15$ $*Formula B = Length (feet) + 2 (height) / 6$									
Neighborhood center (non-profit)	7,000	70	20	Formula B	30			1.50	Section 50-13-29
Outdoor recreation facilities									Section 50-13-211
Parking lots or parking areas			20	10					Section 50-13-182; Article XIV, Division 1, Subdivision I
Parking structures			20	Formula B	5			2.00	Section 50-13-183
Public utilities			20	15	30			2.00	
Religious institutions	10,000	70	20	Formula B	30			2.00	Sections 50-13-29, 50-13-184
Rooming houses	7,000	70	20	Formula A	30		(0.07 RSR)	2.00	
Schools	10,000	70	20	Formula B	30			2.00	Sections 50-13-29, 50-13-211
Single-family dwellings, religious residential facilities	5,000	50	20	4 ft. minimum/ 14 ft. combined	30	35	35 (See also Section 50-13-185)		
Townhouses (attached group)	7,000	70	20	Formula A	30			2.00	Section 50-13-186
Two-family dwellings	6,000	55	20	4 ft. minimum/ 14 ft. combined	30	35	35 (See also Section 50-13-187)		Section 50-13-187
Agricultural uses			See Section 50-12-400			35	35		Section 50-12-409
All other uses	7,000	70	20	Formula B	30			2.00	

- 1 (b) Intensity and dimensional standards within the R6 High Density Residential District on a lot
- 2 below the minimum area or width specified in Section 50-13-7 (a) are as follows:

<u>Use</u>	<u>Minimum Lot Dimensions</u>		<u>Minimum Setbacks (feet)</u>			<u>Max. Height (feet)</u>	<u>Max. Lot Coverage (%)</u>	<u>Max FAR</u>	<u>Add'l. Regs.</u>
	<u>Area (sq. ft.)</u>	<u>Width (feet)</u>	<u>Front</u>	<u>Side*</u>	<u>Rear</u>				
<u>Sec. Reference</u>	<u>Section 50-13-222</u>		<u>Section 50-16-382</u>	<u>Section 50-16-382</u>	<u>Section 50-13-231</u>	<u>Section 50-13-232</u>	<u>Section 50-13-236</u> <u>Section 50-13-237</u>		
<i>*Formula C = 13 feet minus (0.5 feet * (50 feet - Lot Width))</i>									
<u>Multiple-family dwellings</u>	<u>3,000</u>	<u>30</u>	<u>10</u>	<u>3 ft. minimum / 8 ft. combined</u>	<u>20</u>		<u>60</u>	<u>2.00</u>	<u>Section 50-13-23</u>
<u>Single-family dwellings</u>			<u>10</u>	<u>3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.</u>	<u>20</u>	<u>35</u>	<u>60</u>		<u>Section 50-13-23; Article XIV, Division 3, Subdivision A</u>
<u>Townhouses (attached group)</u>	<u>3,000</u>	<u>30</u>	<u>10</u>	<u>3 ft. minimum / 8 ft. combined</u>	<u>20</u>		<u>60</u>	<u>2.00</u>	<u>Section 50-13-23</u>
<u>Two-family dwellings</u>	<u>2,000</u>	<u>25</u>	<u>10</u>	<u>3 ft. minimum / Formula C for combined, with minimum of 6.5 ft.</u>	<u>20</u>	<u>35</u>	<u>60</u>		<u>Section 50-13-23</u>

Subdivision B. General Dimensional Standards for Residential Districts

Sec. 50-13-21. ~~Lot size requirements~~ **REPEALED.**

~~Lot size requirements are specified for each zoning district in this article. In addition, the following general regulations are applicable to all residential zoning districts:~~

~~(1) No use shall be established on a lot platted and recorded on or after December 22, 1968, which is of less area or width than prescribed in this section for such use in the zoning district where it is to be located. This provision shall not apply where approvals have been given for the division of recorded lots in accordance with Chapter 24 of this Code, *Land Division and Subdivision*. If parts of two or more parcels of land, any part of which was platted and identified as a single unit on a plat officially approved and recorded prior to December 22, 1968, are combined to create a zoning lot upon which a building for residential purposes is to be built, the~~

1 ~~ensuing zoning lots shall be no smaller in width or area than the larger or largest of such parcels~~
2 ~~which were platted and identified as a single unit on a plat officially approved and recorded prior~~
3 ~~to December 22, 1968, provided, that no zoning lot so created need be larger than the minimum~~
4 ~~size as specified for the district where it is located;~~

5 ~~(2) In the R1, R2, R3, R4, R5 and R6 Districts, a single family detached dwelling,~~
6 ~~parsonage, rectory, or parish house may be established on a lot of record on December 22, 1968,~~
7 ~~regardless of the size of the lot, provided, and all other requirements of this chapter are met;~~

8 ~~(3) In the R2, R3, R4, R5, and R6 Districts, a two family dwelling, may be established on~~
9 ~~a lot of record on December 22, 1968, of a lesser width or area than the required, provided, that all~~
10 ~~other requirements the district where it is located are met. In no instance, shall a two family~~
11 ~~dwelling be established on a lot having a width of less than 40 feet or an area of less than 4,000~~
12 ~~square feet;~~

13 ~~(4) In the R3, R4, R5, and R6 Districts, a multiple family dwelling may be established on~~
14 ~~a lot of record on December 22, 1968, of a lesser width or area than that required, provided, that~~
15 ~~all other requirements of the district where the dwelling is located are met. In no instance, shall a~~
16 ~~multiple family dwelling be established on a lot having a width of less than 50 feet or an area of~~
17 ~~less than 6,000 square feet;~~

18 ~~(5) Unless otherwise specified, lot width shall be measured at a distance of 20 feet from~~
19 ~~the front line of the subject zoning lot.~~

20 **Sec. 50-13-23. Exceptions to the required depth of front setbacks.**

21 Front setbacks of zoning lots used for residential purposes shall be increased or may be
22 reduced in accordance with the following conditions:

(1) In the event one or both of the existing abutting residential dwellings has been erected at the rear one-half of the zoning lot, said dwelling shall be disregarded for purposes of computing the required front setback and said zoning lot shall be considered to be vacant for purposes of this section;

~~(2) In cases wherein residential dwellings that have a front setback greater than 20 feet in depth have been erected on both sides of a zoning lot, the required front setback of the zoning lot to be built upon shall be at least as large as the smaller front setback of the adjacent residential dwellings~~ Notwithstanding the front setbacks specified in Section 50-13-2 through Section 50-13-7, where residential dwellings have been erected on both sides of a zoning lot to be built upon, the required front setback of the proposed structure shall be at least as deep as the smaller front setback of the adjacent residential dwellings;

(3) Notwithstanding the front setbacks specified in Sections 50-13-2 through 50-13-7, where a residential dwelling has been erected on one side of a zoning lot to be built upon, the required front setback of the proposed structure shall be at least as deep as the front setback of the adjacent residential dwelling; ~~In cases where residential dwellings, that have front setbacks of less than 20 feet or more than 20 feet in depth, have been erected on one or both sides of a subject lot, except as regulated in Subsection (2) of this section, the required front setback of the zoning lot is to be reduced or increased in accordance with the following rules:~~

~~a. In cases where the zoning lot to be built upon is situated between two zoning lots, both of which have been built upon, and either or both of which has a front setback less than 20 feet or more than 20 feet in depth, the center point of the front wall of the proposed structure shall be located on, or to the rear of, a straight line drawn between the center points of the front walls of the existing buildings on these two zoning lots;~~

1 ~~b. In such cases where the zoning lot to be built upon has a vacant lot on one side~~
2 ~~not built upon, but there is a zoning lot on the other side already built upon with a front~~
3 ~~setback less than 20 feet or more than 20 feet in depth, the required minimum depth of the~~
4 ~~front setback for the lot to be built upon shall be determined as follows: A straight line shall~~
5 ~~be drawn between the center point of the front wall of the existing building and a point 20~~
6 ~~feet inside of the front lot line and 80 feet distant from the zoning lot to be built upon and~~
7 ~~on the other side thereof. The center point of the front wall of the proposed building shall~~
8 ~~be located on or to the rear of this line; and~~

9 ~~c. In such cases where the zoning lot to be built upon is bounded on one side by a~~
10 ~~street or alley and on the other side by a zoning lot already built upon with a front setback~~
11 ~~less than 20 feet or more than 20 feet in depth, the required minimum depth of the front~~
12 ~~setback for the zoning lot to be built upon shall be equal to the existing depth of the front~~
13 ~~setback on the adjoining lot.~~

14 ~~(4) In cases where abutting lots or parcels on both sides of a subject lot are vacant, the~~
15 ~~required front setback of the zoning lot shall be the front setback specified in Section 50-13-2~~
16 ~~through Section 50-13-7.~~

17 **Sec. 50-13-24. Special provisions for side setbacks for single- or two-family dwellings.**

18 The following special provisions for side setbacks shall apply for single- or two-family
19 dwellings:

20 ~~(1) *Side setbacks on zoning lots of less than minimum width.* The required combined width~~
21 ~~of side setbacks may be reduced by six inches for each foot or major fraction thereof by which the~~
22 ~~width of such lot is less than that required, provided, that the combined width of both side setbacks~~

~~shall not be less than ten feet, six inches, nor shall the width of either side setback be less than three feet;~~

~~(2) (1) Side setbacks on zoning lots abutting an alley and whose width is less than 35 feet.~~

The required combined width of side setbacks may be reduced by nine-tenths of a foot for each foot or major fraction thereof by which the width of such lot is less than 35 feet, provided, that the combined width of both side setbacks shall not be less than six feet, and that the width of either side setback shall not be less than three feet, provided further, that in no instance shall a two-family dwelling be established on a lot having a width of less than 25 ~~40~~ feet or an area of less than 2,000 ~~4,000~~ square feet;

~~(3) (2) Side setback.~~ Each zoning lot upon which a two-family dwelling is placed or erected where the dwelling units are located one behind the other, shall provide minimum side setbacks of not less than five ~~ten~~ feet on each side; and

~~(4) (3)~~ See also "Alternative Residential Development Options," Division 3 of this article.

Subdivision I. Intensity and Dimensional Standards for Specific Uses

Sec. 50-13-181. Multiple-family dwellings.

With the exception of multiple-family dwellings established under Section 50-13-3(b),
~~Multiple multiple-family dwellings in the R2 District shall have minimum side setbacks of ten feet which shall be increased by one foot for each five feet, or part thereof, where the structure exceeds 50 feet in overall dimension along the side setback. Further, a side setback shall be provided that is not less than 30 feet for multiple family dwellings which contain principal or secondary entrances to one or more dwelling units along the side setback.~~

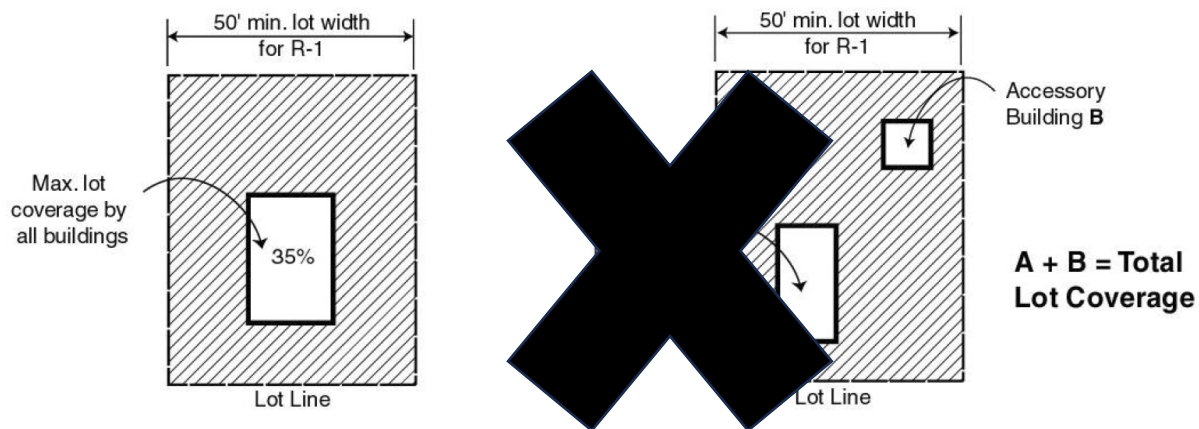
Sec. 50-13-185. Single family dwellings and religious residential facilities REPEALED.

Single-family dwellings and religious residential facilities shall be subject to the following requirements:

(1) The combined area occupied by all buildings used as, or accessory to, single-family dwellings or religious residential facilities, shall not exceed 35 percent of the area of the zoning lot (see Figure 50-13-185(a)), provided, that on zoning lots of less than 4,000 square feet in area on land zoned R1, R2, R3, R4, R5, or R6, the allowable percentage of lot coverage may be increased by one percent for each 100 square feet where the area of the zoning lot is less than 4,000 square feet, with a maximum coverage that is not in excess of 45 percent (see Figure 50-13-185(b)); and

(2) Additional "small lot" development standards are stated in Section 50-13-254 of this Code.

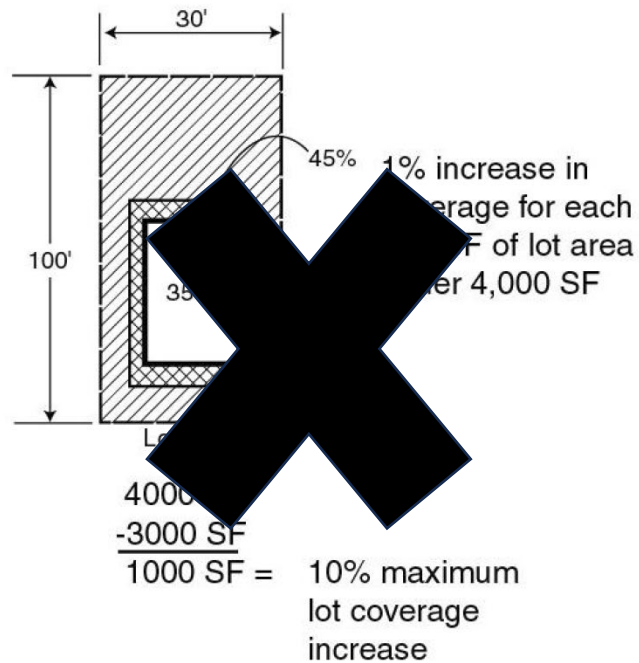
Figure 50-13-185(a)
(For Informational Purposes Only)



SINGLE-FAMILY DETACHED DWELLINGS AND ACCESSORY BUILDINGS
IN R-1 THROUGH R-6 ON LOTS OF 4,000 SQUARE FEET OR GREATER

Figure 50-13-185(b)
(For Informational Purposes Only)

1



SINGLE-FAMILY DETACHED DWELLINGS AND ACCESSORY BUILDINGS
IN R-1 THROUGH R-6 ON LOTS OF 4,000 SQUARE FEET

2 **Sec. 50-13-186. Townhouses.**

3 Townhouses shall be subject to the following requirements:

- 4 (1) In the R2 District, a maximum of ~~eight~~ 12 townhouses shall be permitted in any group of
- 5 attached townhouses;
- 6 (2) In the R3 District, a maximum of ~~ten~~ 12 townhouses shall be permitted in any group of
- 7 attached townhouses;
- 8 (3) In the R2, R3, and R4 Districts, the following minimum dimensional standards shall apply
- 9 to individual townhouses: 2,000 square feet of lot area and 20 feet lot width;
- 10 (4) In the R5, R6, B1, B2, B4, and B5 Districts, the following minimum dimensional
- 11 standards shall apply to individual townhouses: 1,800 square feet of lot area and 18 feet
- 12 lot width;

(5) In all zoning districts, setback requirements shall be applied only on those sides of a dwelling unit which have exposed walls;

(6) Townhouse developments exceeding 12 units are subject to site plan review as provided for in Section 50-3-113 of this Code.

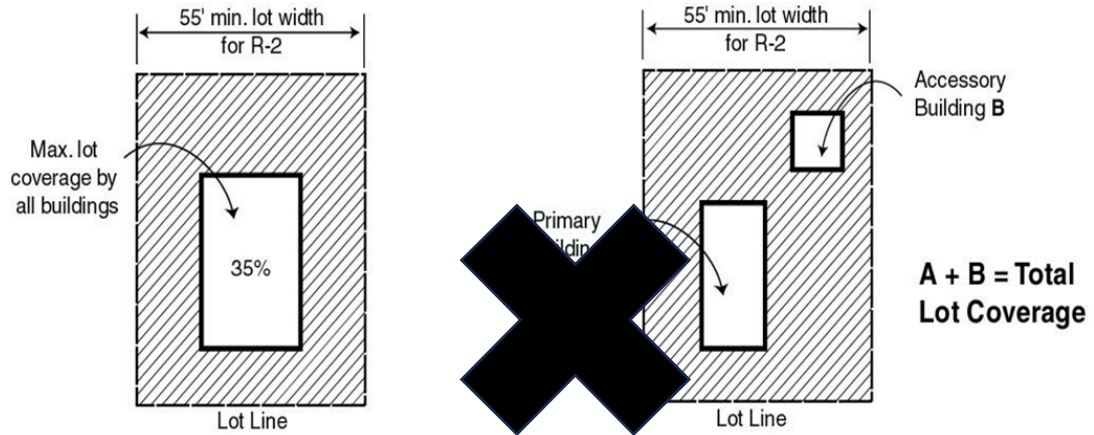
Sec. 50-13-187. ~~Two-family dwellings~~ REPEALED.

~~(a) The combined area occupied by all buildings used for two-family dwellings and accessory buildings on land zoned R2, R3, R4, R5, and R6 shall not exceed 35 percent of the area of the zoning lot. (See Figure 50-13-187(a)).~~

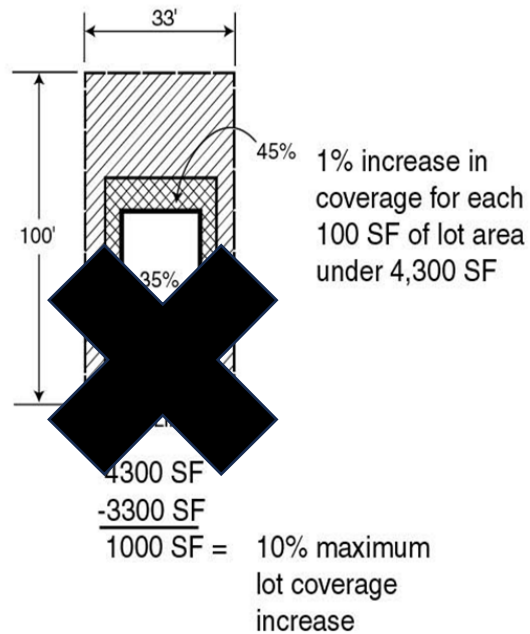
~~(b) On zoning lots of less than 4,300 square feet in area, the allowable percentage of lot coverage may be increased by one percent for each 100 square feet by which the area of the zoning lot is less than 4,300 square feet, with a maximum coverage of 45 percent. (See Figure 50-13-187(b)).~~

~~Figures 50-13-187(a) and (b)~~

~~(For Informational Purposes Only)~~



**TWO FAMILY DWELLINGS AND ACCESSORY BUILDINGS
IN R-2 ON LOTS OF 4,300 SF OR GREATER**



**TWO FAMILY DWELLINGS AND ACCESSORY BUILDINGS
IN R-2 ON LOTS OF LESS THAN 4,300 SF**

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2

Subdivision J. Miscellaneous Intensity and Dimensional Standards

Sec. 50-13-206. Dimensional standards for accessory structures.

Most accessory uses will take place within the primary structure on a site. Accessory uses that take place in separate, accessory structures shall comply with the requirements of Section 50-13-207 through Section 50-13-214~~2~~ of this Code. The requirements of this section shall apply in all districts unless otherwise expressly stated. See also Article XII, Division 5, of this chapter.

Sec. 50-13-208. Accessory buildings or structures in rear setback; setbacks from principal buildings.

~~Unless otherwise specified~~ Except as provided in Section 50-13-212, accessory buildings or structures shall be subject to the following requirements:

(1) No detached accessory building or structure in an R1 or R2 District shall occupy more than 50 percent of the area of the required rear setback area;

(2) No detached accessory building or structure in an R1 or R2 District shall be located closer than ten feet to any principal building, or any porch or deck of that principal building; and

(3) No detached accessory building or structure shall be located closer than ten feet to any single- or two-family dwelling in any zoning district.

Secs. 50-13-212. Accessory dwelling units.

Accessory dwelling units shall not be subject to the dimensional standards in Section 50-13-208 through Section 50-13-210. Instead, accessory dwelling units shall be subject to the following dimensional standards:

(1) No accessory dwelling unit shall be located closer than ten feet from any principal building or closer than five feet from a porch or deck of that principal building.

(2) No accessory dwelling unit shall be located in a front yard.

(2) No accessory dwelling unit shall be located closer than ten feet to any electrical line; the Buildings, Safety Engineering, and Environmental Department may reduce or waive this setback during building permit review if the Department determines that such a reduction or waiver will not interfere with electrical or other utility service.

(3) On zoning lots abutting an alley to the rear, no rear setback is required.

Secs. 50-13-2123—50-13-220. Reserved

DIVISION 2. MEASUREMENTS, REQUIREMENTS, AND EXCEPTIONS

Sec. 50-13-226. Features allowed within required setbacks.

~~Trees, shrubs, flowers~~ Vegetation, fences, walls, hedges, and other landscape features may be located within any required setback. In addition, the following table lists features that may be located within any required setbacks, subject to the specific limitations that are delineated:

Feature That May Encroach or Project Into Required Setback	Limitation
Driveways leading directly to accessory off-street parking and/or loading areas and/or structures and/or pedestrian pick-up/drop-of areas.	No limitations, unless otherwise specified.

Access roads leading to accessory parking and/or loading areas and/or structures and/or pedestrian pick-up/drop-off areas.	Does not apply to access roads in R1, R2.
Antennas, including satellite dishes in excess of 36 inches in diameter, amateur licensed radio antennas, and similar personal communication device reception towers and facilities	May project into or encroach upon a required front or side setback area only where prohibition of such devices or facilities would substantially interfere with reception to the extent they are rendered inoperable.
Awnings, patio covers, and pergolas (attached)	May not be located less than ten feet from the rear property line and 18 inches from a side property line, measured from the eave, provided, that the roof area does not exceed one-third of the area of the required rear setback. The required setback may be reduced to five feet from the rear property line and 18 inches from a side property line, measured from the eave, provided; that the setback is bounded by a solid masonry fence at least five feet in height. (Detached shade structures and carports are treated as "accessory structures").

Balconies	May project not more than six feet into a front or rear setback, and three feet into a side setback. <u>May not be located less than three feet from a side property line.</u>
Bay windows	May project not more than 2.5 feet into a required setback. <u>May not be located less than three feet from a side property line.</u>
Carports, {attached}	May not be located less than three feet from a side property line, and may not be located in required front setback. In addition, carports shall be designed so as to prevent runoff onto adjacent properties. (See also Section 50-16-151.)
Chimneys, fireplaces, pilasters, smokestacks, and window air conditioners not exceeding six square feet in area	May project or encroach not more than 16 inches into a required side setback. <u>May not be located less than two feet from a side property line.</u>
Clothesline posts	No limitations in side or rear setbacks. May not be located in required front setback.
Cornices, eaves, mechanical equipment, and ornamental features	May project not more than 14 inches into any required side setback. <u>May not be located less than two feet from a side property line.</u>
Curbs, and sidewalks	No limitations.
Fences	See Section 50-14-381.

Fire escapes, stairways, and balconies which are open and unenclosed, and marquees	May project not more than five feet into a required setback. <u>May not be located less than three feet from a side property line.</u>
Flagpoles	No limitations. <u>May not be located less than three feet from any property line.</u>
Garages and other accessory structures, (attached or unattached)	May encroach into the rear setback up to the lot line where an alley provides vehicle access to the property. Where there is no alley, garages and other accessory structures may not be located less than three feet from the rear lot line except for the reconstruction of damaged accessory structures on an existing foundation <u>or the conversion of an existing accessory structure to an accessory dwelling unit.</u> Unattached garages and other accessory structures may not be located less than three feet from a side property line except for the reconstruction of damaged accessory structures on an existing foundation <u>or the conversion of an existing accessory structure to an accessory dwelling unit,</u> and may not be located in required front setback. Attached garages shall be subject to the setback provisions for the dwellings to which they are attached. In addition, garages and other accessory structures shall be designed so as to prevent runoff onto adjacent properties.
Parking and driveways	Operable private passenger vehicles may be parked on the driveway in only one side setback and the continuation of that side setback into the front setback to the property line. The area shall be maintained in a dust-

	free condition at all times. No mechanical maintenance or vehicular repairs shall be conducted in this area. (See a <u>Additional</u> regulations in Article XIV, Division 1, Subdivision K.)
Porches, (enclosed)	May project not more than eight feet into required front and rear setbacks, subject to applicable sections of Chapter 8, Article II, of this Code, Building Code, that pertain to such existing porches. (See <u>Aadditional</u> regulations in Section 50-13-226(2)).
Porches, (unenclosed) and decks	May project not more than eight feet into a required front or rear setback. No unenclosed porch shall be constructed within any required side setback.
Ramps for persons with disabilities	Subject to applicable sections of Chapter 8, Article II, of this Code, Building Code. (See also <u>Additional regulations</u> in Section 50-13-226(3)).
Signs	Regulated in accordance with Chapter 4 of this Code.
<u>Window well</u>	<u>May project not more than three feet into any required side setback. May not be located less than 18 inches from a side property line.</u>
Yard and service lighting fixtures, poles	May not be located less than three feet from any lot line.

1

2 (1) *Fences*. See Section 50-14-381 of this Code.

3 (2) *Porches*, ~~(enclosed)~~. Front and rear porches may project not more than eight feet into
4 required front and rear setbacks subject to applicable sections of Chapter 8, Article II, of this Code,
5 *Building Code*, that pertain to such existing porches:

a. Such structures are subject to the approval of the Buildings, Safety Engineering, and Environmental Department after receipt of a report and recommendation from the Planning and Development Department. Such report and recommendation shall be submitted within 15 working days of the receipt of the request from the Buildings, Safety Engineering, and Environmental Department, after which time the Buildings, Safety Engineering, and Environmental Department may proceed with or without said report and recommendation. The Planning and Development Department may recommend changes and/or special conditions to the proposed structure, and recommend approval of the proposed structure as adjusted. The Planning and Development Department shall review and determine the following:

1. That the proposed structure is compatible with the existing structure and surrounding area; and

2. That the proposed structure does not alter or damage significant architectural elements of the existing residential structure.

b. Such structure shall be erected and maintained in accordance with the following criteria. (Note: Front and rear porches that do not project into a required setback are not subject to the following criteria.)

1. The structure shall be enclosed with screen panels or windows, or a combination thereof. The structure may be enclosed with kickplates not exceeding 42 inches in height above the floor of the porch. Existing opaque materials, not exceeding 42 inches in height above the floor of the existing porch, shall be permitted;

2. The structure shall not be enclosed in any way by opaque materials, with the exception of railings, kickplates, or existing opaque material, none of which may exceed 42 inches in height above the floor of the existing porch;

1 3. The exterior of the entire structure shall be maintained in a color consistent with
2 the existing residential structure or with the surrounding residential neighborhood; and

3 4. The structure shall not be weather-insulated, nor have any heating system
4 installed which makes such structure habitable year round, or usable as a general living
5 area.

6 (3) *Ramps*. Ramps for persons with disabilities subject to applicable provisions of Chapter
7 8, Article II, of this Code, *Building Code*, are permitted in rear setbacks and may project into
8 required front and side setbacks by right. In no instance shall any part of such ramps be located
9 nearer than two feet to any property line. Such structures shall be erected and maintained in
10 accordance with the following criteria:

11 a. Ramps for persons with disabilities that project into the required front or side
12 setbacks and are constructed of material other than masonry or concrete or pressure-treated
13 wood or pre-treated synthetics, shall be painted or treated to match the color of the exterior
14 trim or siding of the principal building or painted to blend with the exterior landscaping of
15 the lot;

16 b. Open areas underneath ramps for persons with disabilities shall be screened from
17 view by appropriate shrubbery or raised flower beds or raised berm areas, or their
18 equivalent;

19 c. In addition to handrails or guardrails as required by Chapter 8, Article II, of this
20 Code, *Building Code*, ramps for persons with disabilities shall be provided with a top rail
21 that covers the exposed tops of the support posts or piers.

22 **Sec. 50-13-229. Side setback; Formula A and Formula B.**

(a) In many instances, side setback requirements are determined through the use of the following formula:

(1) Formula "A" for determining each required side setback shall be computed by adding the length of the building in feet, as measured in overall dimensions along the adjoining zoning lot line, to twice the height of the building in feet, and dividing the resulting sum by 15.

(2) Formula "B" for determining each required side setback shall be computed by adding the length of the building in feet, as measured in overall dimensions along the adjoining zoning lot line, to twice the height of the building in feet, and dividing the resulting sum by six. However, in no instance shall a side setback be less than five feet.

(3) Formula "C" for determining each required side setback shall be computed by subtracting the width of the lot in feet from 50, multiplying by 0.5, and subtracting that number from 13.

(b) The term "side setback" is defined in Section 50-16-382 of this Code. See Figure 50-13-229.

DIVISION 3. ALTERNATIVE RESIDENTIAL DEVELOPMENT OPTIONS

Sec. 50-13-254. ~~Lots of less than 5,000 square feet (small lots).~~ REPEALED.

~~Lots of less than 5,000 square feet that are intended for development of single-family detached houses are referred to as "small lots," and are permitted in some zoning districts in order to encourage creative site designs for smaller lots as provided in Section 50-13-255 and Section 50-13-256 of this Code.~~

Sec. 50-13-255. ~~Small lot development; design objective.~~ REPEALED.

~~The objective of the small lot single-family design standards is to provide housing for individuals and families who seek convenience and a minimized home maintenance lifestyle. The small lot site plan shall be specifically designed to provide adequate light and air between units, adequate drainage between lots, interior and exterior privacy, open space relief on the individual lot, innovative and architecturally interesting home design, attractive streetscapes, and adequate parking.~~

Sec. 50-13-256. Small lot development standards. REPEALED.

All small lots shall comply with the standards in the following table:

Item	Standard
Maximum number of units per lot	1
Maximum block length	500 feet
Types of housing permitted	Single family dwellings only
Avoiding garage dominance	Attached garages shall conform to the garage provisions of Section 50-14-393 of this Code.
Minimum usable private open space per dwelling unit	Each lot shall incorporate a private, usable outdoor space with direct access to the lot's dwelling unit. Such a space shall contain at least 350 square feet with minimum dimension in both directions of 18 feet. Driveway and parking areas shall not be counted toward meeting this space requirement.
Private storage	No detached outdoor storage sheds are allowed on small lots.

ARTICLE XIV. DEVELOPMENT STANDARDS

DIVISION 1. OFF-STREET PARKING, LOADING, AND ACCESS

Subdivision A. In General

Sec. 50-14-7. Off-street parking exemptions, reductions, and allowances.

1 (a) *Off-street parking*. The following exemptions and allowances to the off-street parking
2 requirements shall apply:

3 (1) Uses in the B5, MKT, and PC Districts, in the Central Business District, or in the New
4 Center Major Commercial area as defined in Section 50-16-321 of this Code shall be exempt from
5 the off-street parking requirements of Subdivisions B and C of this division;

6 (2) For retail, service, and commercial uses specified in Article XII, Division 1,
7 Subdivision D of this chapter, with the exception of those uses in Section 50-12-71 *Vehicle sales,*
8 *repair, and service* of this Code, ~~on zoning lots abutting a Traditional Main Street Overlay Area~~
9 ~~or on land zoned SD1 or SD2, or where located within 0.50 miles of a high frequency transit~~
10 ~~corridor as defined in Section 50-16-242 of this Code,~~ the maximum distance that off-street
11 parking shall be provided from the principal use specified in Subdivision B of this division, may
12 be increased to 1,320 feet where the applicant can show to the satisfaction of the Planning and
13 Development Department that a "district approach" to parking is being used in the ~~Traditional~~
14 ~~Main Street Overlay Area or other area nearby,~~ including as applicable in a Traditional Main Street
15 Overlay Area. To show a district approach to parking, the applicant shall provide the following:

16 a. A signage plan to show how the business will direct customers and employees to the off-
17 site parking lot, including parking signage and wayfinding;

18 b. A plan for who will manage and maintain the off-site parking facility, including safety
19 and security measures; and

20 c. Where the parking area or parking structure is owned by someone other than the
21 applicant, ~~a shared parking agreement shall be required according to Section 50-14-156 and~~
22 ~~Section 50-14-159 of this Code~~ the applicant shall provide a written agreement, such as a lease,
23 terms of use, memorandum of understanding, or similar document, confirming the applicant's

ability to use parking spaces in the parking area or parking structure for a minimum of five years;
such written agreement may permit the applicant to share parking spaces with other establishments
or land uses that have different peak parking demands or different operating hours.

(3) No ~~additional off-street parking, beyond that already provided,~~ shall be required for
retail, service, and commercial uses, with the exception of those uses listed in Section 50-12-71 of
this Code, that are located in structures erected prior to April 9, 1998, other than religious
institutions, that do not exceed 6,000 ~~3,000~~ square feet of gross floor area; and

~~(4) When a use located in a structure erected prior to April 9, 1998, expands into an existing~~
~~adjacent structure erected prior to April 9, 1998, and the total gross floor area of the combined~~
~~structures does not exceed 4,000 square feet, no additional off-street parking shall be required.~~

~~(5)~~ (4) Additional parking reductions are set forth in Section 50-14-153 and Section 50-14-
163 of this Code.

(b) *Credit for on-street parking.* Within the Woodward and Grand River/Lahser Traditional
Main Street Overlay Areas, any on-street parking space adjacent to a use, each such space
consisting of not less than 23 feet of contiguous linear permissible on-street parking that is
immediately adjacent to the use, may be counted as one space against applicable off-street parking
requirements for such use.

Subdivision B. Off-Street Parking Schedule "A"

Sec. 50-14-34. Household living.

Off-street parking regulations for household living are as follows:

Use Category	Specific Land Use	Off-Street Parking Spaces Required, Minimum. (References are to square feet of gross floor area unless otherwise indicated.)	Maximum Distance (feet)
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Household living	Loft and Multiple-family dwelling, in general	0.75-1.25 per dwelling unit; 0.75 per dwelling unit for multiple-family dwelling for the elderly as defined in Section 50-16-304; see also Section 50-14-74. On land zoned SD1 or SD2: 1.0 per dwelling unit. Where located within 0.50 miles of a high-frequency transit corridor in any zoning district, or within the Lahser or Livernois/West McNichols Traditional Main Street Overlay Areas: 0.75 per dwelling unit.	100; except where developed under the "school building adaptive reuses" provision as defined in Section 50-16-381; same lot; and except on land zoned SD1 or SD2: 1,320 where a "district approach" to parking as provided in Section 50-14-7(2)a, b, and c has been recognized by the Planning and Development Department: 1,320.
	Multiple-family dwelling, where located within 0.50 miles of a high-frequency transit corridor	0.75 per dwelling unit	1,320 where a "district approach" to parking as provided in Section 50-14-7(2)a, b, and c has been recognized by the Planning and Development Department.
	Mobile home park	2 per dwelling unit	Same lot
	Single room occupancy housing (non-profit)	1 per 2 employees + 1 per 10 residents	100
	Single-family detached dwelling	2 per dwelling unit	Same lot
	Townhouse	1.5 per dwelling unit	100
	Two-family dwelling	1.5 per dwelling unit	Same lot

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Subdivision F. Waivers and Alternative Parking Plans

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Sec. 50-14-151. Scope.

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An alternative parking plan represents a proposal to meet vehicle parking and

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transportation access needs by means other than providing parking in accordance with the ratios

that are established in Subdivisions B and C of this division, after applying any credits, reductions, exemptions, or waivers permissible under this division to calculate the required number of spaces and the permitted distance from the land use, or by providing an alternative to the off-street parking area design standards of Subdivision I of this division. Alternative parking plans may not be used to reduce required setbacks, landscaping, or screening of off-street parking areas.

Sec. 50-14-152. Applicability and rulemaking.

Applicants who are unable to provide the required number of off-street parking spaces within the maximum distance ~~that is specified in Subdivisions B and C of this division~~ permitted, after applying any credits, reductions, exemptions, or waivers permissible under this division to calculate the required number of spaces and the permitted distance from the land use, may seek approval of an alternative parking plan in accordance with the standards of this subdivision in lieu of requesting a parking variance from the Board of Zoning Appeals. The Buildings, Safety Engineering, and Environmental Department may promulgate administrative rules, in accordance with Section 2-111 of the Detroit City Charter, to administer this subdivision.

Sec. 50-14-153. Waiver of off-street parking requirements for uses or buildings minimally deficient.

(a) *In general.* Where the Buildings, Safety Engineering, and Environmental Department determines that:

(1) A building or use requires no variance or other action under the jurisdiction of the Board of Zoning Appeals, other than the parking deficiency; and

(2) The building or use can provide at least 80 percent of the required off-street parking spaces; then, upon request of the petitioner and in conjunction with the Municipal Parking Department and the Department of Public Works Traffic Engineering Division, the Department

may grant a waiver of the off-street parking requirements, not exceeding ten parking spaces or 20 percent of the required off-street parking requirement, whichever is less. Such waiver shall not be granted unless, in the judgment of the Buildings, Safety Engineering, and Environmental Department, with the sign-off of the Municipal Parking Department and the Department of Public Works Traffic Engineering Division, the waiver of the parking requirement for the building or use involved is not injurious to the adjacent or surrounding areas by creating or increasing traffic congestion or by disrupting traffic circulation, provided, that in those instances where a building or use is subject to site plan review, the Planning and Development Department has sole authority to consider such waiver.

(b) Traditional Main Street Overlay Areas.

(1) Applicability. In addition to the parking waiver granted ~~for buildings not exceeding 3,000 square feet~~ per Section 50-14-7(3) of this Code, in a Traditional Main Street Overlay Area, as provided in Section 50-11-382 of this Code, the Planning and Development Department may grant a waiver of the off-street parking requirements for the first 3,000 square feet of pedestrian-oriented retail, service, or commercial uses. The Planning and Development Department shall have authority to consider such waiver, ensuring that the waiver will not be injurious to the adjacent or surrounding areas by creating or increasing traffic congestion or by disrupting traffic circulation.

(2) Eligibility. In order to qualify for the waiver, the following criteria shall be met:

(a) The pedestrian-oriented use shall fall into one of the following use categories:

(i) Section 50-12-62 of this Code, Food and beverage service;

(ii) Section 50-12-69 of this Code, Retail sales and service, sales-oriented; and

1 (iii) Section 50-12-70 of this Code, Retail sales and service, service-oriented,
2 except motor vehicle sales, motorcycles sales, and any use with drive-up or drive-through
3 facilities.

4 (b) New buildings must comply with all of the requirements in the Traditional Main Street
5 Overlay standards, as specified in Section 50-14-432 through Section 50-14-450 of this Code,
6 except that only the provisions of Section 50-14-153(b)(2)(c)(1) and Section 50-14-153(b)(2)(c)(2)
7 and Section 50-14-153 (b)(2)(c)(3) shall apply to the East Warren and West Warren Traditional
8 Main Street Overlay Areas and the portion of the Grand River Traditional Main Street Overlay
9 Area between Greenfield and Woodmont and between Evergreen and Lahser, and to the Van Dyke
10 Street Traditional Main Street Overlay Area.

11 (c) Except for within the East Warren and West Warren Traditional Main Street Overlay
12 Areas and the portion of the Grand River Traditional Main Street Overlay Area between Greenfield
13 and Woodmont, and between Evergreen and Lahser, and to the Van Dyke Street Traditional Main
14 Street Overlay Area, new uses in existing buildings shall be eligible for this waiver only if, at a
15 minimum, the building complies with the following standards from Division 3, Subdivision C, of
16 this article:

17 (i) The front façade of the building is located on the lot line facing the Traditional
18 Main Street or set back a maximum of ten feet, in accordance with the standards in Section
19 50-14-432 of this Code;

20 (ii) The street level façade of the building has a minimum of 60 percent
21 transparency according to Section 50-14-436 of this Code;

22 (iii) The building has an active entryway located on the façade facing the
23 Traditional Main Street, according to Section 50-14-439 of this Code.

(d) In the case where one building or development contains multiple retail, service, or commercial uses, the total number of spaces that may be waived for a building or development using this waiver shall not exceed 45 spaces.

(c) ~~SD1/ and SD2 Districts and high-frequency transit corridors areas~~. In addition to the parking waiver granted ~~for buildings under 3,000 square feet~~ per Section 50-14-7(3) of this Code, on properties zoned SD1 or SD2 or within 0.5 miles of a high-frequency transit corridor, the Planning and Development Department may grant a waiver of the off-street parking requirements, for the first 3,000 square feet of pedestrian-oriented retail, service, or commercial uses. The Planning and Development Department shall have authority to consider such waiver, ensuring that the waiver will not be injurious to the adjacent or surrounding areas by creating or increasing traffic congestion or by disrupting traffic circulation. In the case where one building or development contains multiple retail, service, or commercial uses, the total number of spaces that may be waived for a building or development using this waiver shall not exceed 45 spaces.

(d) *Additional parking reductions and waivers*. Additional parking reductions and waivers are set forth in Section 50-14-7 and Section 50-14-163 of this Code.

Sec. 50-14-154. Alternative parking plan review and approval procedure and criteria.

Alternative parking plans ~~shall require review and approval in accordance with the conditional use procedures of Article III, Division 7, of this chapter, provided, that no conditional use hearing shall be held at the Buildings, Safety Engineering, and Environmental Department for an alternative parking plan~~ may be considered as specified below where the building or use in question requires a no variance or ~~some~~ other action, that is unrelated to parking, and is under the jurisdiction of the Board of Zoning Appeals. :

- 1 (a) Certain by-right uses. The Planning and Development Department, in consultation
2 with the Buildings, Safety Engineering, and Environmental Department and the
3 Department of Public Works Traffic Engineering Division, may approve an
4 alternative parking plan through the building permit application review process for
5 by-right residential uses, public, civic, and institutional uses, and retail, service, and
6 commercial uses, except for land uses specified in Sec. 50-12-71 *Vehicle sales,*
7 *repair, and service.*
- 8 (b) Conditional uses. For conditional residential uses or other uses not specified in
9 Subsection (a) of this section, the Buildings, Safety Engineering, and Environmental
10 Department, in consultation with the Planning and Development Department and the
11 Department of Public Works Traffic Engineering Division, shall review the
12 alternative parking plan as part of a Conditional Use hearing.
- 13 (c) In order to approve an alternative parking plan, ~~a~~ the decision-making body must
14 determine that the proposed plan will do at least as good of a job as would strict
15 compliance with otherwise applicable off-street parking standards in:
- 16 1. protecting the transportation, environmental, and community development
17 needs of the proposed use;
 - 18 2. protecting the quality of life of surrounding neighborhoods, meaning whether
19 the alternative parking plan will avoid injury to the use and enjoyment of other
20 property in the immediate vicinity;
 - 21 3. maintaining traffic circulation patterns; and
 - 22 4. promoting quality urban design ~~as would strict compliance with otherwise~~
23 ~~applicable off-street parking standards.~~

Sec. 50-14-155. Contents.

Alternative parking plans shall be submitted in a form that is developed by the Buildings, Safety Engineering, and Environmental Department and made available to the public. ~~At a minimum, such plans shall detail the type of alternative proposed and the rationale behind the proposal.~~

(1) For developments required to develop a traffic impact study under Sec. 50-14-491(1), the following information and analysis shall be submitted:

- a) Traffic impact study
- b) Required number of parking spaces under this Code
- c) Assessment of the number of patrons who will require parking for a private automobile and the resulting average number of parking spaces in use during hours of operation
- d) Quantitative and/or qualitative data, research, experience, comparisons, or other information that informs the assessment
- e) Data and/or description of patron characteristics that inform the assessment
- f) Data and/or description of transportation modes, besides private automobile, that residents, customers, and/or patrons are expected to utilize, including walking, biking, ride-share, public transit, scooters, or other modes
- g) Any amenities, investments, or other actions taken to incentivize the use of transportation modes besides private automobile
- h) Data and/or description of available on- or off-street parking nearby
- i) The alternative parking plan proposed

j) The rationale for how the alternative plan would do at least as good of a job protecting the transportation, environmental, and community development needs of the proposed use and the surrounding neighborhoods, maintaining traffic circulation patterns, and promoting quality urban design as would strict compliance with otherwise applicable off-street parking standards

(2) For all other developments, the following information and analysis shall be submitted:

a) Required number of parking spaces under this Code

b) Assessment of the number of patrons who will require parking for a private automobile and the resulting average number of parking spaces in use during hours of operation

c) Quantitative and/or qualitative data, research, experience, comparisons, or other information that informs the assessment

d) Data and/or description of patron characteristics that inform the assessment

e) Data and/or description of transportation modes, besides private automobile, that residents, customers, and/or patrons are expected to utilize, including walking, biking, ride-share, public transit, scooters, or other modes

f) Data and/or description of available on- or off-street parking nearby

g) The alternative parking plan proposed

h) A rationale for how the alternative plan would do at least as good of a job protecting the transportation, environmental, and community development needs of the proposed use and the surrounding neighborhoods, maintaining traffic circulation patterns, and promoting quality urban design as would strict compliance with otherwise applicable off-street parking standards

1 **Sec. 50-14-156. ~~Recording.~~ REPEALED**

2 ~~Approved alternative parking plans, as set out in this subdivision, shall be recorded with~~
3 ~~the County Register of Deeds as part of the land use grant. No building permits or certificates of~~
4 ~~occupancy shall be issued until proof of recordation of the agreement has been presented to the~~
5 ~~Buildings, Safety Engineering, and Environmental Department.~~

6 **Sec. 50-14-159. Shared parking.**

7 It is the City's stated intention to encourage the efficient use of land and resources by
8 allowing users, wherever feasible, to share off-street parking facilities. Where a theater, concert
9 café, religious institution, bowling alley, dance hall, or establishments for the sale and consumption
10 of alcoholic liquor on the premises can provide at least 50 percent of the required off-street parking,
11 decision-making bodies may authorize a reduction in the number of required off-street parking
12 spaces when such use is in the immediate vicinity of another use, such as a bank, business office,
13 retail store, personal service shop, household equipment or furniture shop, manufacturing building,
14 and similar uses, which have different peak parking demands or different operating hours. Shared
15 parking shall be subject to the following standards:

16 (1) *Location.* Shared off-street parking spaces shall be located within the distance that is
17 specified in parking Schedules A, B and C of Subdivisions B and C of this division or as approved
18 pursuant to the remote parking provisions of Section 50-14-160 of this Code;

19 (2) *Zoning classification.* Shared parking facilities may be located in any zoning district
20 that allows commercial parking lots;

21 (3) *Required study and analysis.* The applicant shall submit a shared parking analysis to
22 the decision-making body clearly demonstrating the feasibility of shared parking. At a minimum,
23 the study shall address the size and type of the proposed development, the composition of tenants,

the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces; and

(4) *Shared parking agreement.* A shared parking plan, ~~that is duly recorded, as specified in Section 50-14-156 of this Code,~~ shall be enforced through written agreement, which consists of a permanent property easement, lease, or memorandum of lease among the owners of record. The agreement shall specify that the shared parking agreement may be revoked by the parties to the agreement only where off-street parking is provided pursuant to Subdivisions B and C of this division or where another alternative parking plan is approved.

Sec. 50-14-160. Remote parking.

For land use that requires off-street parking of 100 or more spaces, decision-making bodies may permit all or a portion of required off-street parking to be located beyond the otherwise applicable distance requirements established in parking Schedule A of Subdivisions B and C of this division, subject to the standards of this section:

(1) *Location.* The maximum distance limitation that is specified in Subdivision B of this division may be waived by the decision-making body where adequate assurances are made that van or shuttle service will be operated between the remote lot and the principal use;

(2) *Zoning classification.* Remote parking facilities may be located in any zoning district that allows commercial parking lots; and

(3) *Remote parking agreement.* Where a remote parking area is not under the same ownership as the principal use served, a remote parking plan, ~~that is duly recorded, as specified in Section 50-14-156 of this Code,~~ shall be enforced through written agreement, which consists of a permanent property easement, lease, or memorandum of lease among the owners of record. The agreement shall specify that the remote parking agreement may be revoked by the parties to the

agreement only where off-street parking is provided pursuant to Subdivisions B and C of this division, or where another alternative parking plan is approved.

Sec. 50-14-163. Credit for public parking.

Where City public parking lots directly abut or are within ~~100~~ 1,320 feet of a site that is proposed for occupancy, such City public parking areas may be credited to the amount of off-street parking required by this article, provided, that ~~no other land use has claimed credit for the same City public parking lot.~~ the applicant provides a written agreement with the Municipal Parking Department, such as a lease, terms of use, memorandum of understanding, or similar document, confirming the applicant's ability to use parking spaces in the parking facility. Such written agreement may permit the applicant to share parking spaces with other establishments or land uses that have different peak parking demands or different operating hours, provided that the maximum number of parking spaces in a City public parking lot committed to meeting off-street parking requirements for land uses nearby, individually or when shared between multiple users, shall not exceed the total number of spaces in the City public parking lot. For properties zoned SD1 or SD2, City public parking lots within 1,320 feet of the site proposed for occupancy may be used toward the required amount of off-street parking. A shared parking agreement shall be duly recorded with the Municipal Parking Department.

DIVISION 3. ARCHITECTURAL AND SITE DESIGN STANDARDS

Subdivision A. Residential Development

Sec. 50-14-396. Residential compatibility requirement; appearance.

(a) To the maximum extent practicable, new single-family and two-family dwelling units, as well as multiple-family dwellings with three or four units, shall be constructed to be generally compatible with other existing dwelling units of the same type on the same

1 block face within 200 feet. This provision may be satisfied by constructing the subject
2 dwelling unit so that at least three of the six features, which are delineated in this section,
3 are similar to the majority of other dwelling units within 200 feet on the block face on both
4 sides of the street. (See Figure 50-14-396.) As an example, where there are 15 other single-
5 family or two-family dwelling units within 200 feet of the proposed infill dwelling unit,
6 any of the six features specified in this section that appear on a majority of those 15
7 dwellings, or eight of 15, should be considered as a "common style." Where a common
8 style is shared for each of the six features, then the infill dwelling should exhibit three of
9 those six features. Where a common style is shared for five of the features, then the infill
10 dwelling should exhibit three of those five. Where a common style is shared for four of the
11 features, then the infill dwelling should exhibit three of those four. Where a common style
12 is shared for only one or two or three of the features, then the features of the infill dwelling
13 should be similar to each of those. The six features are:

- 14 (1) Roof style and overhang, including, but not limited to, gable, mansard, hip, A-
15 frame, flat;
- 16 (2) Garage orientation and design, whether attached or detached;
- 17 (3) Building massing including, but not limited to, ranch with two-story attached
18 garage; two-story with attached garage; bungalow;
- 19 (4) Front porches, whether present or not;
- 20 (5) Exterior building material; or
- 21 (6) Pattern of window and door openings including, but not limited to, central door
22 and three windows; offset door and four windows.

(b) As indicated in Section 50-14-394 of this Code, this provision shall not apply to infill situations on block faces where fewer than 50 percent of the residential lots contain occupied dwelling units.

ARTICLE XVI. RULES OF CONSTRUCTION AND DEFINITION

DIVISION 2. WORDS AND TERMS DEFINED

Subdivision B. Letter "A"

Sec. 50-16-111. Words and terms (Aa—Ag).

For the purposes of this chapter, the following words and phrases beginning with the letters "Aa" through "Ag," shall have the meaning respectively ascribed to them by this section:

Term	Definition
Abut or abutting	Having a common border with.
Access drive	A paved surface that provides vehicular access from a public street to a parking area or parking garage or pedestrian pick-up/drop-off area.
Accessory building or accessory structure	A building or structure that: (1) Is subordinate to and services a principal building or a principal use legally existing on the same zoning lot; (2) Is subordinate in area, extent and purpose to the principal building or principal use; and (3) Contributes to the comfort, convenience or necessity of the occupants, business or industry of the principal structure or principal use served.
<u>Accessory dwelling unit</u>	<u>A building or structure used as a dwelling unit that:</u>

	<p><u>(1) Is subordinate to a principal residential building or principal residential use legally existing on the same zoning lot;</u></p> <p><u>(2) Is subordinate in area to the principal building or use and is detached from the principal building or use;</u></p> <p><u>(3) Contains independent living facilities, including sleeping, cooking, eating and sanitation areas, and is designed to function as a complete, self-contained residence.</u></p>
Accessory parking	See "Parking, accessory."
Accessory use	<p>A use that:</p> <p>(1) Is incidental and subordinate to and devoted exclusively to a principal building or a principal use legally existing on the same zoning lot;</p> <p>(2) Is subordinate in area, extent and purpose to the principal building or principal use; and</p> <p>(3) Contributes to the comfort, convenience or necessity of the occupants, business or industry of the principal structure or principal use served.</p>
Addition	Construction or alteration that increases the square footage, number of dwelling units, bulk or other extent of a building or structure, but the term "addition" does not apply in a situation where, for example, all but one wall of an existing building is demolished for the purposes of reconstructing the building with a larger footprint and containing a

	greater gross floor area. For regulatory purposes, such a situation is considered as demolition and new construction.
Adjacent	Same as "abut or abutting"
Adult-use marijuana establishment	A location where a licensee operates one of the following commercial entities or activities under the authority of the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951, et seq. (MRTMA”): grower, processor, retailer, secure transporter, safety compliance facility, marijuana microbusiness, excess marijuana grower, marijuana event organizer, temporary marijuana event, or designated marijuana consumption establishment, or any other type of marijuana- related business licensed to operate in accordance with the MRTMA.
Adult bookstore or adult video store	A commercial establishment which, as one of its principal business activities, offers for sale or rental for any form of consideration any one or more of the following: books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual representations, which are characterized by their emphasis upon the display of "specified sexual activities" or "specified anatomical areas;" or instruments, devices, or paraphernalia, which are designed or marketed primarily for stimulation of human genital organs or anus, including but not limited to dildos, vibrators, penis pumps, cock rings, anal beads, butt plugs, and physical representations of the human

	<p>genital organs; but not including condoms or other items primarily intended for protection against sexually-transmitted diseases or for preventing pregnancy. A "principal business activity" exists where the commercial establishment meets any one or more of the following criteria: (1) At least 35 percent of the establishment's displayed merchandise consists of said items; or (2) At least 35 percent of the establishment's revenues derive from the sale or rental, for any form of consideration, of said items; or (3) The establishment maintains at least 35 percent of its floor space for the display, sale, and/or rental of said items (aisles and walkways used to access said items shall be included in "floor space" maintained for the display, sale, or rental of said items); or (4) The establishment maintains at least 500 square feet of its floor space for the display, sale, and/or rental of said items (aisles and walkways used to access said items shall be included in "floor space" maintained for the display, sale, or rental of said items) and regularly advertises itself or holds itself out, by using "adult," "adults- only," "XXX," "sex," "erotic," "novelties," or substantially similar language, as an establishment that caters to adult sexual interests; or (5) The establishment maintains an "adult arcade," which means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show</p>
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	images to five or fewer persons per machine at any one time, and where the images so displayed are characterized by their emphasis upon matter exhibiting "specified sexual activities" or "specified anatomical areas."
Adult cabaret	A nightclub, bar, juice bar, restaurant, bottle club, or similar commercial establishment, regardless of whether alcoholic liquor is served, which regularly features live conduct characterized by semi-nude persons. An establishment shall not avoid classification as an adult cabaret by offering or featuring nudity.
Adult day care	A facility, whether in a private home or institutional setting, providing temporary care and supervision for persons 18 years of age or older. Care is provided for periods of less than 24 hours a day.
Adult foster care facility	An establishment that provides supervision, assistance, protection or personal care, in addition to room and board, to seven or more adults. An adult foster care facility is other than a nursing home, a home for the aged, a mental <u>psychiatric</u> hospital for mental patients , or a pre-release adjustment center.
Adult motion picture theater	A commercial establishment where films, motion pictures, videocassettes, slides, or similar photographic reproductions, which are characterized by their emphasis upon the display of "specified sexual activity" or "specified anatomical areas" are regularly shown to more than five persons for any form of consideration.

Adult use or adult use/ sexually-oriented business (use category)	<p>Sexually-oriented businesses, including the following:</p> <ul style="list-style-type: none"> • Adult bookstore or adult video store • Adult cabaret • Adult motion picture theater • Semi-nude model studio (See Section 50-16-381)
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Subdivision I. Letter “H”

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Sec. 50-16-242. Words and terms (Hh—Hm).

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For the purposes of this chapter, the following words and phrases beginning with the

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letters "Hh" through "Hm," shall have the meaning respectively ascribed to them by this section:

Term	Definition
High-frequency transit corridor	<p>High-frequency transit corridors consist of:</p> <ul style="list-style-type: none"> • Corridor No. 1, consisting of: Vernor, between Riverside and 21st; 21st, between Vernor Highway and Bagley; Bagley, between 21st and Trumbull; Trumbull, between Bagley and Lafayette; and Lafayette, between Trumbull and Griswold. • Corridor No. 2, consisting of: Michigan, between Woodward and Wyoming. • Corridor No. 3, consisting of: Grand River, between Woodward and Five Points. • Corridor No. 4, consisting of: Woodward, between Eight Mile and Jefferson.

	<ul style="list-style-type: none"> • Corridor No. 5, consisting of: Van Dyke, between Eight Mile and Lafayette; and Lafayette, between Van Dyke and Randolph. • Corridor No. 6, consisting of: Gratiot, between Woodward and Eight Mile. • Corridor No. 7, consisting of Lahser, between Grand River and Seven Mile; Seven Mile, between Lahser and Morang; Morang, between Seven Mile and Harper; Harper, between Morang and Moross; and Moross, between Harper and Mack. • Corridor No. 8, consisting of: Warren, between Edward N Hines and Greenfield and between McDonald and Mack; and Forest, between Dequindre and Cadillac. • Corridor No. 9, consisting of: Jefferson, between Washington and Alter. • Corridor No. 10, consisting of: Greenfield, between Paul and Eight Mile. • <u>Corridor No. 11, consisting of: Eight Mile, between Lahser and Kelly Rd.</u> • <u>Corridor No. 12, consisting of: Washington Blvd. between W. Jefferson Ave. and Michigan Ave.; Cass Ave. between Michigan Ave. and West Grand Blvd.; West Grand Blvd. between Cass Ave. and Dexter Ave.; Dexter Ave. between West Grand Blvd. and John C. Lodge Service Drive North; Belden St. between John C. Lodge Service Drive North and Puritan; Puritan between Belden St. and</u>
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	<u>Livernois; Livernois between Puritan and Curtis St.; Curtis St.</u> <u>between Livernois and W. Outer Drive; and W. Outer Drive from</u> <u>Curtis St. to W. McNichols; and W. McNichols between W. Outer</u> <u>Drive and Trinity St.</u>
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Subdivision P. Letter “S”

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Sec. 50-16-384. Words and terms (Sm—Ss).

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For the purposes of this chapter, the following words and phrases beginning with the

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letters "Sm" through "Ss," shall have the meaning respectively ascribed to them by this section:

Term	Definition
Small distillery	A facility operated by a manufacturer of spirits licensed by the Michigan Liquor Control Commission as a small distiller, annually manufacturing in Michigan not more than 60,000 gallons of spirits, of all brands combined.
Small lot	Any residential lot less than 50 feet in width and 5,000 square feet in area.
Small winery	A facility operated by a small winemaker licensed by the Michigan Liquor Control Commission for the manufacturing or bottling of not more than 50,000 gallons of wine in one calendar year.
Smoking lounge, cigar	An establishment or area within an establishment that constitutes a “cigar bar” as defined by Section 12601 of the Michigan Smoke-Free Indoor Air Law, PA 188 of 2009, being MCL 333.12601. Smoking lounge, cigar, does not include smoking lounge, other, medical

	marijuana facilities, or adult-use marijuana establishments as defined by this article.
Smoking lounge, other	A retail establishment that constitutes a “tobacco specialty retail store” as defined by Section 12601 of the Michigan Smoke-Free Indoor Air Law, PA 188 of 2009, being MCL 333.12601 and that is designated wholly or in part for the on-premises smoking of tobacco products or nontobacco smoking products or substances, which may include the on-premise use of hookah as defined by this article. Smoking lounge, other, does not include tobacco retail store, smoking lounge, cigar, medical marijuana facilities, or adult-use marijuana establishments as defined by this article.
Snack food	Prepared and commercially prepackaged non-potentially hazardous food.
Solar array	A photovoltaic panel, solar thermal collector, or collection of panels or collectors in a solar energy system that collects solar radiation.
Solar generation station	A ground-mounted solar energy system utilizing a solar array to generate more than two megawatts of electricity for the primary purpose of off-site use through the electrical grid or export to the wholesale market. (Also known as a “solar farm or solar park.”)
Solid waste	Includes garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings, municipal and industrial sludges, solid commercial and solid industrial waste, and animal waste, but does not include human body waste, liquid or other waste regulated by statute, ferrous or

	nonferrous scrap directed to a scrap metal processor or to a re- user of ferrous or nonferrous products, and slag or slag products directed to a slag processor or to a re-user of slag or slag products.
Special effects	A combination of chemical elements or chemical compounds capable of burning independently of the oxygen of the atmosphere, and designed and intended to produce an audible, visual, mechanical, or thermal effect as an integral part of a motion picture, radio, television, theatrical, or opera production or live entertainment.
Specially designated distributor's (SDD) establishment	A retail establishment, consisting of less than 15,000 square feet of gross floor area, licensed by the Michigan Liquor Control Commission to distribute alcoholic liquor in the original package for consumption off the premises, which alcoholic liquor is other than beer and other than wine under 20 percent alcohol by volume; an SDD is also any retail establishment, regardless of size, where more than ten percent of the usable retail space is utilized for the display or distribution of alcoholic liquor other than beer and other than wine under 20 percent alcohol by volume, for consumption off the premises.
Specially designated merchant's (SDM) establishment	A retail establishment, consisting of less than 15,000 square feet of gross floor area, utilized for the distribution of alcoholic liquor, licensed by the Michigan Liquor Control Commission to sell beer and/or wine for consumption off the premises; an SDM is also any retail establishment, regardless of size, where more than ten percent of the usable retail space is utilized for the display or distribution of alcoholic

	liquor and is licensed to sell beer and/or wine for consumption off the premises.
Specified anatomical areas	Specified anatomical areas means and includes less than completely and opaquely covered: (1) Female breasts below a point immediately above the top of the areola; (2) Male or female buttocks; (3) Male or female genitals and pubic area; and (4) A penis in a discernibly erect state, even if completely and opaquely covered.
Specified sexual activity	Specified sexual activity means any of the following: (1) Intercourse, oral copulation, masturbation or sodomy; or (2) Excretory functions as a part of or in connection with any of the activities described in Subsection (1) of this definition.

1 **Section 2.** All ordinances or parts of ordinances in conflict with this ordinance are repealed.

2 **Section 3.** This ordinance is declared necessary for the preservation of the public peace,
3 health, safety, and welfare of the people of the City of Detroit.

4 **Section 4.** This ordinance shall become effective ninety (90) days after publication in
5 accordance with MCL 125.3401(6) and Section 4-118, paragraph 3 of the 2012 Detroit City
6 Charter.

Approved as to form:

Conrad L. Mallett
Corporation Counsel

Let's Build More Housing, Detroit



**Opportunity
Rising**

October 2025

Level Setting: Where Are We in the Process?



Date	Step
July – Sept.	Community engagement meetings
July 17	Introductory briefing to CPC
July 31	First public hearing
Sept. 18	Update to CPC; follow ups from July 31 hearing
★ Oct. 2	Second public hearing Respectfully requesting same day action to vote
Oct. 3 – Nov. 25	City Council consideration

Goals of Proposal:

- 1) Increase Housing Supply to Reduce Price Pressure**
- 2) Expand Opportunities for Residents and Small, Local Developers to Build**

Detroit Needs To Build More Housing To Protect Long-time Residents

Detroit leads the state in population growth, adding nearly 7,000 residents last year, but housing growth did not keep up

Urgent need to build more housing:

- 2,700 – 3,500 new units needed per year
- 1,600 new units created per year

We need to build at least 1,100 more units per year

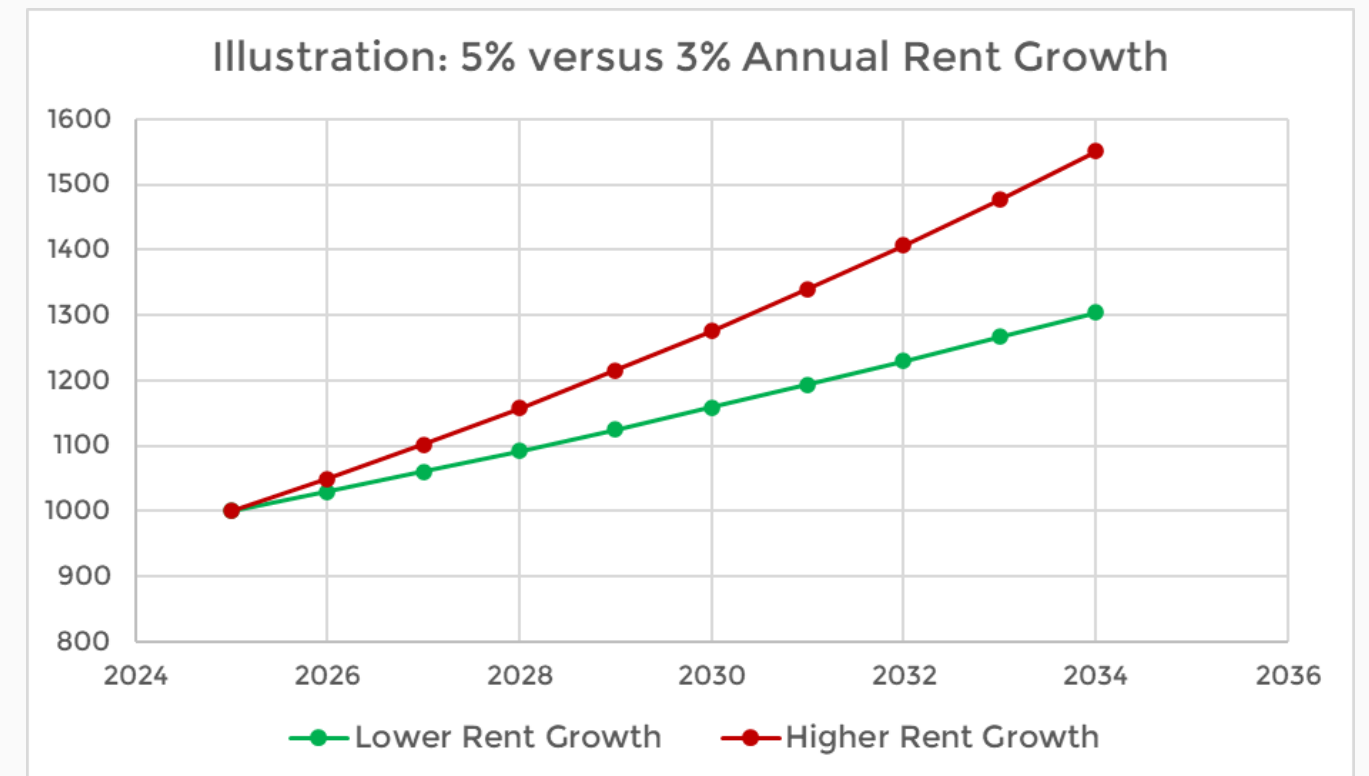


Building More Housing Helps Keep Prices Lower

In cities that don't build enough housing:

- More competition for limited homes
- Rent grows faster
- Families who cannot afford higher rents are displaced
- Homelessness rises

Increasing supply moderates the upward pressure on prices

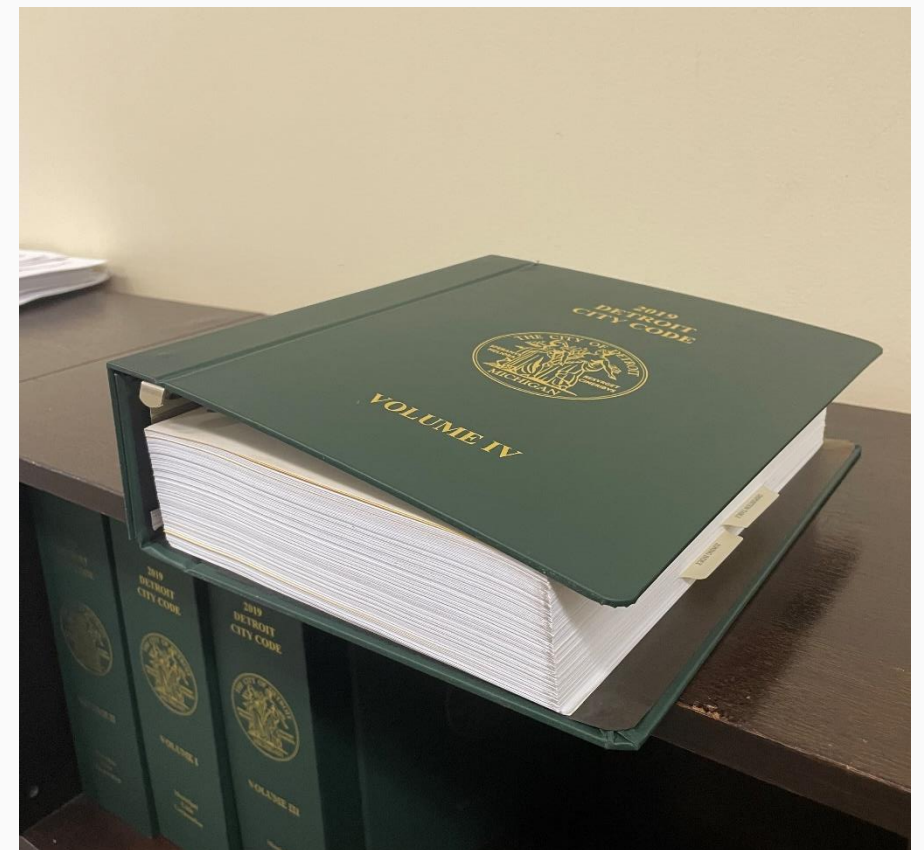


Updating Zoning Can Level the Playing Field for Small, Local Developers

Current rules are complex & restrictive. That puts small, local developers at a disadvantage compared to large, sophisticated ones

- Big developers can hire consultants & attorneys to:
 - Navigate complicated rules
 - Seek special approvals & exemptions
- Many Detroiters don't have the same resources: residents, small or new developers
- Change can level the playing field

Detroit's 936 Page Zoning Code



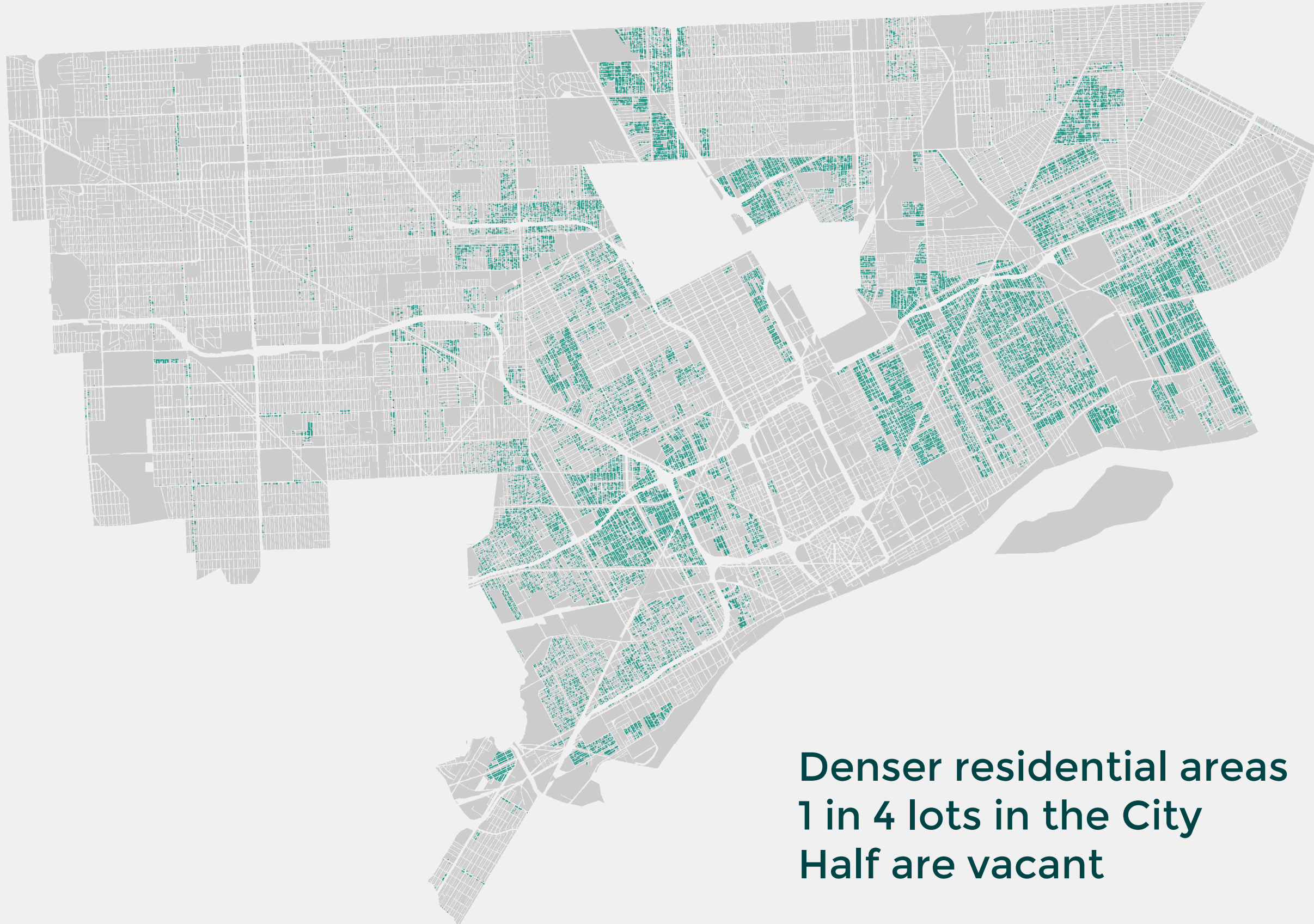
Key Updates Proposed

- 1 Allow more types of housing in R2: triplexes, quads, townhouses
- 2 Allow accessory dwelling units in R2 – R6
- 3 Allow fully residential apartments on commercial corridors
- 4 Make it easier to rebuild homes on vacant lots
- 5 Offer more flexibility on the size of parking lots in targeted cases



Housing Proposals Primarily Affect R2 Districts

R2 Districts

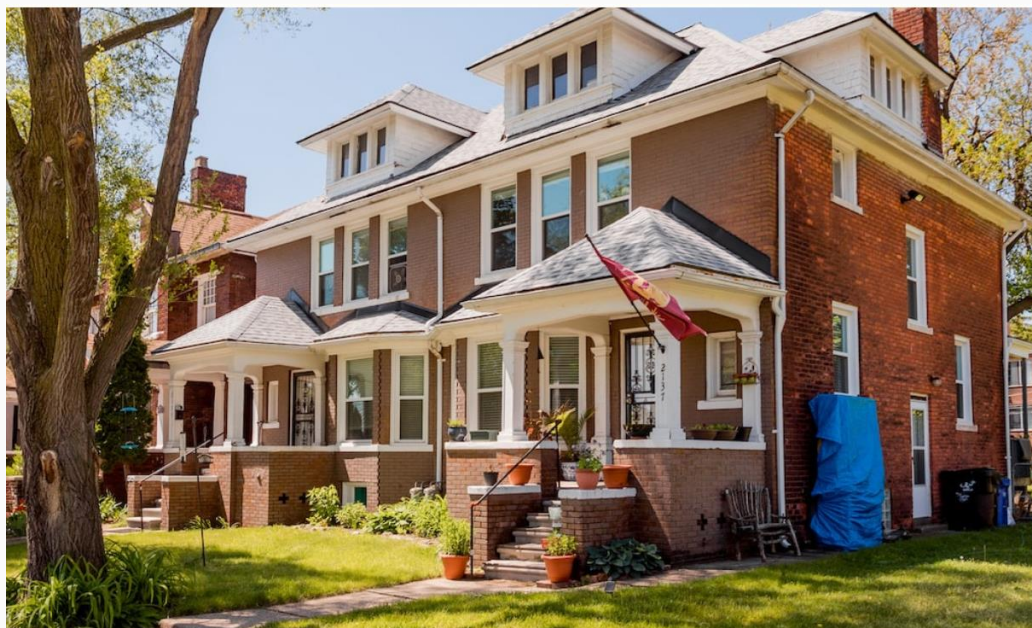


Denser residential areas
1 in 4 lots in the City
Half are vacant

1 Allow More Housing Types in R2

- Before current rules took effect, triplexes, fourplexes, and townhouses were commonly built in R2 zones
 - Over 900 triplexes & fourplexes in R2: half of the total in the City
- Now, they require special approval from the City to build (conditional zoning)
- Proposal: Allow them to be built again without special approval (i.e., by-right)

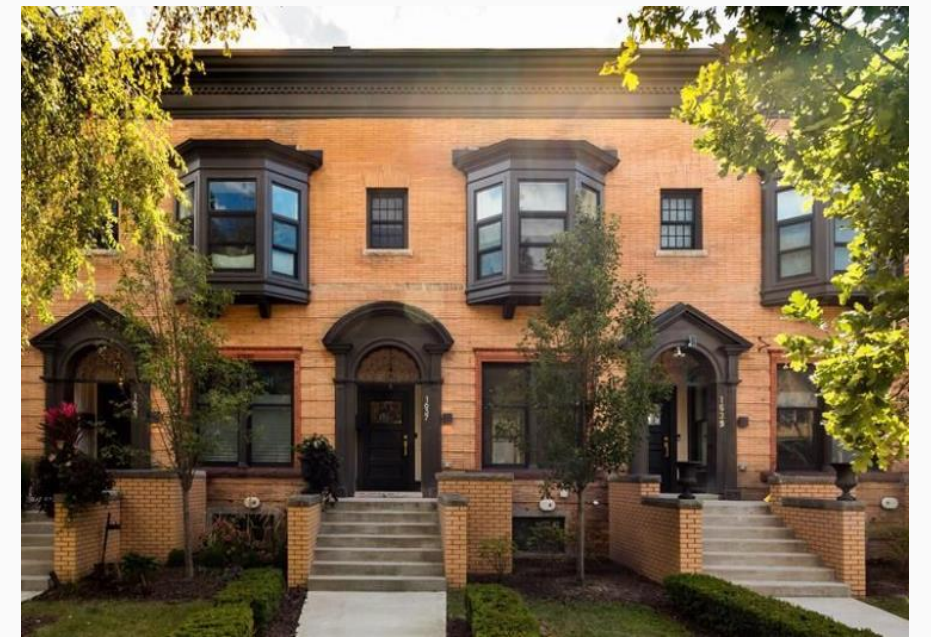
Current: Single Family or Duplex



Proposed: 3 to 4 Unit



Proposed: Townhouse



What Are These Buildings Like?



Dexter Linwood



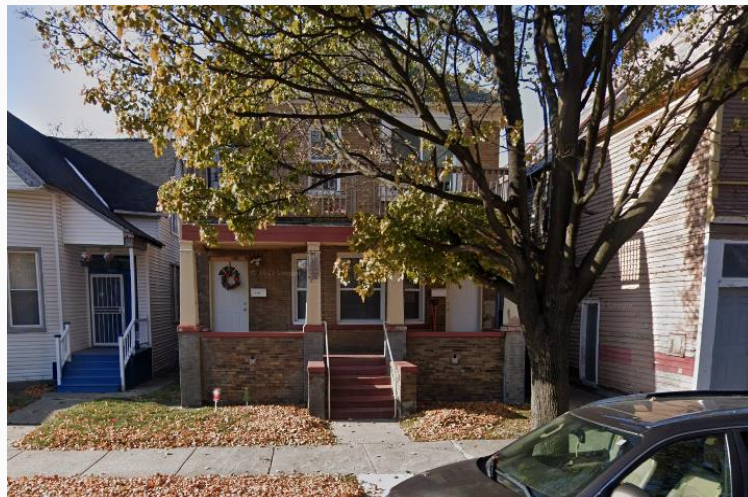
Hubbard Farms



Woodbridge



East Village



Gratiot-Grand



Central Southwest



Grant



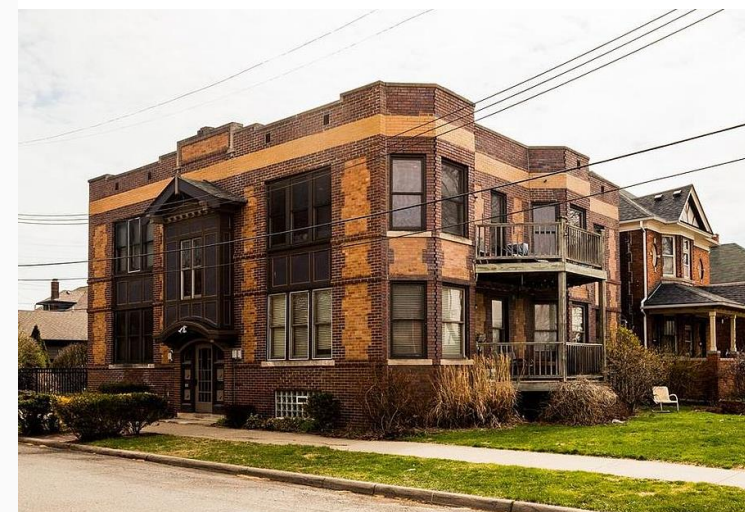
Regent Park



Wade



East Village



Woodbridge



Maple Ridge

1 Allow More Housing Types in R2

- Conditional zoning allows certain homes to be built only after a public hearing where neighbors can weigh in
- Proposal: increase the number of units that could be approved conditionally

Current: Up to 8 units can be approved

Proposed: Up to 12 units could be approved; maximum of 2 – 3 stories tall



Springwells, 8 units



Dexter Linwood, 10 units



Virginia Park, 9 units

There are dozens of these buildings already in R2 districts

2 Allow Accessory Dwelling Units in R2 – R6

- “ADUs” are independent dwellings in the backyard, detached from main house (e.g., carriage houses)
- Built in some Detroit neighborhoods before current zoning rules took effect
- Currently barred in R2 & very challenging to build in other districts
- Proposal: allow ADUs in R2 - R6
- Rationale:
 - Offers diverse housing options: in-law suites, family members, lower-cost options
 - Present low-cost infill option for residents



2 Allow Accessory Dwelling Units in R2 – R6

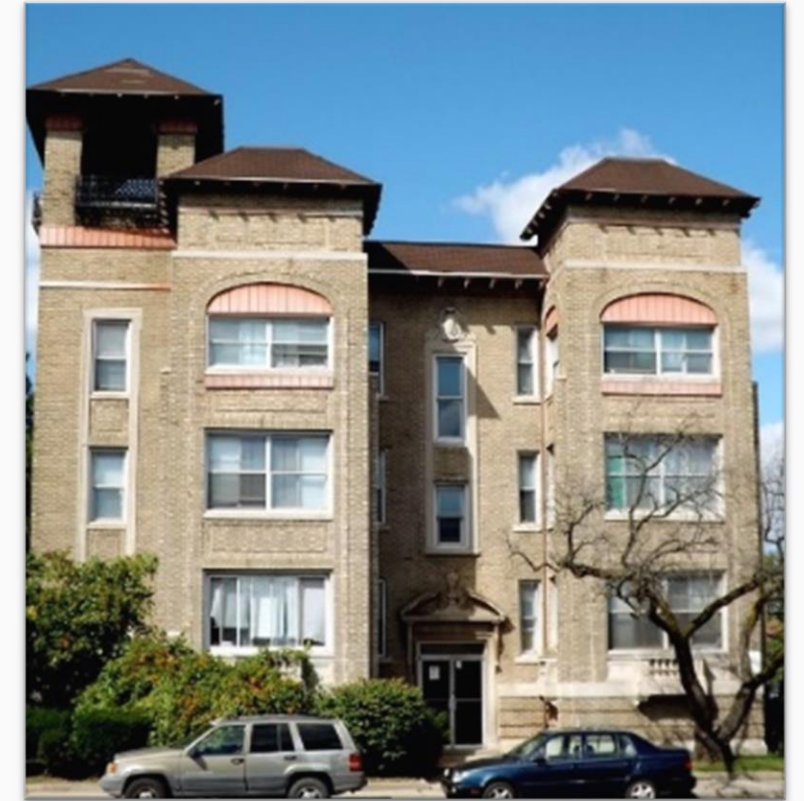
- Approach: pilot ADUs with guidelines erring on side of caution; expand over time if appropriate
 - Only allowed when principal use is single family, duplex, or triplex
 - One per lot, detached from principal building
 - Limited to 1,200 sq. ft. or 60% of floor area of principal residence (whichever less)
 - Limited to height of 25 ft. or principal dwelling height (whichever less)
- Memo submitted on ADU dimensional standards: proposing largely same setbacks as garages



3 Allow Apartments on Commercial Corridors

- 500+ apartment buildings exist on B2 & B4 parcels
- Now require special approval (conditional use)
 - Last year, CPC recommended making mixed-use buildings on commercial corridors by-right
- Proposal: allow residential-only apartments by-right on B2 and B4 parcels
- Rationale:
 - Gives residents more housing options
 - More residents on corridors = more small business customers & thriving corridors
 - Broader vision of mixed use

B4: LaSalle Gardens



B2: McDougall-Hunt



4 Make it Easier to Rebuild Vacant Lots

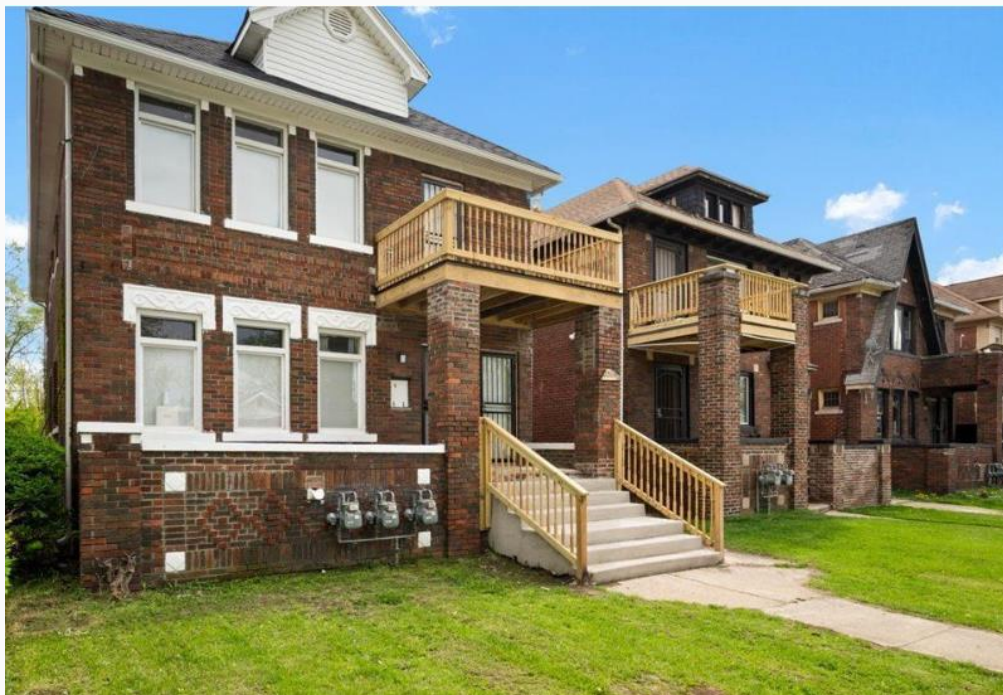
Current: dimensional rules make it difficult to rebuild homes on vacant lots

- Typically requires special approval to build, or can build small single-family home by combining a complex series of exceptions in current code

Proposal: make it easier to rebuild by allowing size, spacing & housing types that match earlier homes in the neighborhood

- Affects over 25,000 side lots sold to Detroiters

Existing Homes with Sizing Requirements Like Proposal



Newly Built Homes Similar to Proposal



4 Make it Easier to Rebuild Vacant Lots

Citywide: applies to lots below minimum size or width (5,000 sq. ft. or 50 ft.)

- Most impact for R2 – R6
- Very minimal impact for R1
- Historic District review will continue to apply in all designated districts

	Current (43 x 100 lot)	Proposed
Homes allowed	Single family only	Any type allowed in zone
Side setback	10.5' combined	Sliding scale by lot width, with minimum of 6.5 – 10' combined Larger requirements for R1, larger lots, and for multi-family or townhouses
Front setback	20' – but must match neighbors	10' – but must match neighbors
Rear setback	30'	20'
Height	Typically 35' limit	35'
Lot coverage	45%	60%

5 Giving Flexibility on Parking Lot Size in Targeted Cases

Current: Zoning often requires that each building have a large parking lot – but the land & money used to build lot reduces what’s available for housing

- Each parking space costs \$10k to build; cost gets passed on to Detroiters
 - 1 in 3 families doesn’t have a car but still bears this cost
- Some housing projects cannot move forward because parking lot can’t fit

Proposal: give more flexibility on minimum parking lot size in targeted cases

- Projects have more choices based on location, clients, needs – and can still build as many spaces as needed



5 Give Flexibility on Parking Lot Size in Targeted Cases

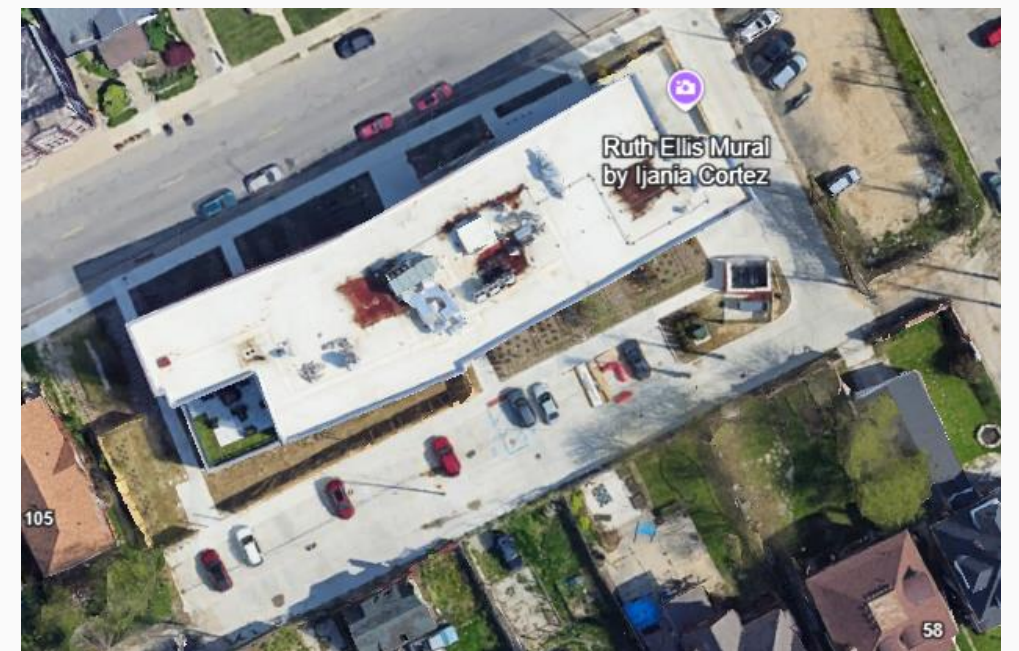
Residential-focused policies

- **Proposal:** Allow 0.75 spaces / unit for multi-family buildings citywide
 - Standardizes multi-family requirement; currently 0.75 spaces / unit near key transit lines and 1.25 / unit elsewhere
- **Proposal:** Allow alternative parking plans to be approved via building permit review for residential, civic & commercial uses (except auto-related)
 - Alternatives could include smaller lots based on resident needs, car sharing spaces, rideshare drop-off, bike parking, or shared lots

Current Approach



Proposed Approach



5 Give Flexibility on Parking Lot Size in Targeted Cases

Small business-focused policies

- Exempt small commercial buildings up to 6,000 sq. ft. from parking lot size requirements
 - Currently up to 3,000 sq. ft. exempt
- Allow retail & commercial uses citywide to offer parking within 1,320 ft., using a “district approach”
 - Currently allowed in TMSO, SD1, SD2
- Offer discount in parking calculation for small commercial spaces in mixed-use buildings near transit lines
 - Currently allowed in TMSO, SD1, SD2



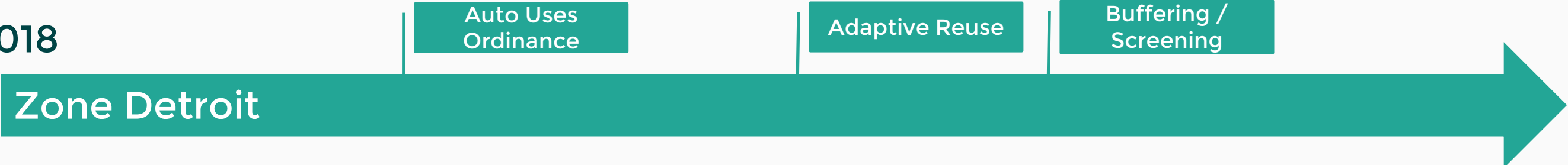
How Does This Proposal Fit With Broader Planning Efforts?

“Let’s Build More Housing” ordinance is a downpayment on passing key policies that align with comprehensive planning efforts

2016



2018



2024



2025



Additional alignment with Detroit’s strategies for affordable housing, transit system, and vacant land use

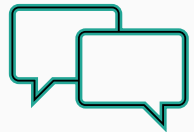
Community Engagement

14 Community meetings: citywide, district & neighborhood specific

300+ Residents engaged



60 – 90% support for each proposal in each meeting
(each meeting includes item-by-item show of hands pro/con)



Themes:

- Solid community support; robust Q&A on development process and how Detroit approaches housing and land use more broadly
- Detroiters have diverse needs and living situations
- Strong support for infill housing, especially in areas with high vacancy
- Residents in R1 neighborhoods with large lots often voiced support for maintaining existing policies there, which this proposal does

July 31 Public Hearing

Robust public comment:

- 24 in support
 - Included local developers Sonia Mays, David Alade, Edward Carrington, Stephanie Osterland (Habitat for Humanity) & Todd Sachse
- 2 opposed

19 letters of support from non-profits, advocates & local builders, including:

- | | |
|----------------------------|--|
| ▪ Building Community Value | ▪ Transportation Riders United |
| ▪ Ethos Development | ▪ Detroiters for Parking Reform |
| ▪ Cinnaire | ▪ Southwest Detroit Business Assoc. |
| ▪ IFF | ▪ Osborn Neighborhood Alliance |
| ▪ Ginosko | ▪ Strong Towns Detroit |
| ▪ TRIBE Development | ▪ Central Detroit Christian |
| ▪ Jefferson East Inc. | ▪ Imam Arif Huskic, Common Word Alliance |
| ▪ The Roxbury Group | |



Thank You & Questions?