

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*, and Section 50-9-110, *Conditional residential uses*; Article XII, *Use Regulations*, Division 1, *Use Tables*, Subdivision B, *Residential Uses*, Section 50-12-22, *Household Living*, Division 3, *Specific Use Standards*, Subdivision A, *Residential Uses*, by amending and renaming Section 50-12-162, *Multi-family dwellings*, by amending Section 50-12-167, *Townhouses*, 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*, Section 50-13-2, *R1 District*, Section 50-13-3, *R2 District*, Section 50-13-4, *R3 District*, Section 50-13-5, *R4 District*, Section 50-13-6, *R5 District*, Section 50-13-7, *R6 District*, Subdivision B, *General Dimensional Standards for Residential Districts*, by repealing Section 50-13-21, *Lot size requirements*, by amending 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*, by repealing Section 50-13-185, *Single-family dwellings and religious residential facilities*, by amending Section 50-13-186, *Townhouses*, by repealing Section 50-13-187, *Two-family dwellings*, by amending Subdivision J, *Miscellaneous Intensity and Dimensional Standards*, Section 50-13-206, *Dimensional standards for accessory structures*, by repealing Section 50-13-207, *Location of accessory buildings and structures*, by amending Section 50-13-208, *Accessory buildings or structures in rear setback; setbacks from principal buildings*, Section 50-13-209, *Height of accessory buildings*, Section 50-13-210, *Corner-lot regulations*, 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*, by amending and renaming Section 50-13-229, *Side setback; Formula A and Formula B*, by amending Division 3, *Alternative Residential Development Options*, by repealing Section 50-13-254, *Lots of less than 5,000 square feet (small lots)*, Section 50-13-255, *Small lot development; design objective*, and Section 50-13-256, *Small lot development standards*; 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*, Subdivision F, *Waivers and Alternative Parking Plans*, Section 50-14-151, *Scope*, by amending and renaming Section 50-14-152, *Applicability*, by amending 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*, by amending Section 50-14-159, *Shared parking*, Section 50-14-160, *Remote parking*, Section 50-14-163, *Credit for public parking*, Division 3, *Architectural and Site Design Standards*, Subdivision A, *Residential*

Development, and Section 50-14-396, *Residential compatibility requirement; appearance*; by amending Article XV, *Nonconformities*, Division 4, *Nonconforming Lots*, Section 50-15-71, *In general*, and by amending Article XVI, *Rules of Construction and Definitions*, 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)*, and Subdivision P, *Letter “S”*, Section 50-16-384, *Words and terms (Sm-Ss)*.

1 **BY COUNCIL MEMBER _____ :**

2 **AN ORDINANCE** to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, to help
3 build more housing and level the playing field for small, local developers by amending Article
4 VIII, *Residential Zoning Districts*, Division 3, *R2 Two-Family Residential District*, Section
5 50-8-41, *Description*, Section 50-8-44, *By-right residential uses*, Section 50-8-50, *Conditional*
6 *residential uses*, and Section 50-8-56, *Other regulations*; Article IX, *Business Zoning Districts*,
7 Division 3, *B2 Local Business and Residential District*, Section 50-9-44, *By-right residential uses*,
8 Section 50-9-50, *Conditional residential uses*, Division 5, *B4 General Business District*, Section
9 50-9-104, *By-right residential uses*, and Section 50-9-110, *Conditional residential uses*; Article
10 XII, *Use Regulations*, Division 1, *Use Tables*, Subdivision B, *Residential Uses*, Section 50-12-22,
11 *Household Living*, Division 3, *Specific Use Standards*, Subdivision A, *Residential Uses*, by
12 amending and renaming Section 50-12-162, *Multi-family dwellings*, by amending Section
13 50-12-167, *Townhouses*, Division 5, *Accessory Uses and Structures*, Subdivision A, *In General*,
14 Section 50-12-454, *General provisions; limitations on use of accessory structures*, and adding
15 Section 50-12-466, *Accessory dwelling units*; by amending Article XIII, *Intensity and Dimensional*
16 *Standards*, Division 1, *Tables of Intensity and Dimensional Standards*, Subdivision A, *Residential*
17 *Districts*, Section 50-13-2, *R1 District*, Section 50-13-3, *R2 District*, Section 50-13-4, *R3 District*,
18 Section 50-13-5, *R4 District*, Section 50-13-6, *R5 District*, Section 50-13-7, *R6 District*,
19 Subdivision B, *General Dimensional Standards for Residential Districts*, by repealing Section
20 50-13-21, *Lot size requirements*, by amending Section 50-13-23, *Exceptions to the required depth*
21 *of front setbacks*, Section 50-13-24, *Special provisions for side setbacks for single- or two-family*
22 *dwellings*, Subdivision I, *Intensity and Dimensional Standards for Specific Uses*, Section
23 50-13-181, *Multiple-family dwellings*, by repealing Section 50-13-185, *Single-family dwellings*

1 *and religious residential facilities*, by amending Section 50-13-186, *Townhouses*, by repealing
2 Section 50-13-187, *Two-family dwellings*, by amending Subdivision J, *Miscellaneous Intensity*
3 *and Dimensional Standards*, Section 50-13-206, *Dimensional standards for accessory structures*,
4 by repealing Section 50-13-207, *Location of accessory buildings and structures*, by amending
5 Section 50-13-208, *Accessory buildings or structures in rear setback; setbacks from principal*
6 *buildings*, Section 50-13-209, *Height of accessory buildings*, Section 50-13-210, *Corner-lot*
7 *regulations*, by adding Section 50-13-212, *Accessory dwelling units*, by amending Division 2,
8 *Measurements, Requirements, and Exceptions*, Section 50-13-226, *Features allowed within*
9 *required setbacks*, by amending and renaming Section 50-13-229, *Side setback; Formula A and*
10 *Formula B*, by amending Division 3, *Alternative Residential Development Options*, by repealing
11 Section 50-13-254, *Lots of less than 5,000 square feet (small lots)*, Section 50-13-255, *Small lot*
12 *development; design objective*, and Section 50-13-256, *Small lot development standards*; by
13 amending Article XIV, *Development Standards*, Division 1, *Off-street Parking, Loading, and*
14 *Access*, Subdivision A, *In General*, Section 50-14-7, *Off-street parking exemptions, reductions,*
15 *and allowances*, Subdivision B, *Off-Street Parking Schedule "A"*, Section 50-14-34, *Household*
16 *living*, Subdivision F, *Waivers and Alternative Parking Plans*, Section 50-14-151, *Scope*, by
17 amending and renaming Section 50-14-152, *Applicability*, by amending Section 50-14-153,
18 *Waiver of off-street parking requirements for uses or buildings minimally deficient*, Section
19 50-14-154, *Alternative parking plan review and approval procedure and criteria*, Section
20 50-14-155, *Contents*, by repealing Section 50-14-156, *Recording*, by amending Section
21 50-14-159, *Shared parking*, Section 50-14-160, *Remote parking*, Section 50-14-163, *Credit for*
22 *public parking*, Division 3, *Architectural and Site Design Standards*, Subdivision A, *Residential*
23 *Development*, and Section 50-14-396, *Residential compatibility requirement; appearance*; by

1 amending Article XV, *Nonconformities*, Division 4, *Nonconforming Lots*, Section 50-15-71, *In*
2 *general*, and by amending Article XVI, *Rules of Construction and Definitions*, Division 2, *Words*
3 *and Terms Defined*, Subdivision B, *Letter “A”*, Section 50-16-111, *Words and terms (Aa – Ag)*,
4 Subdivision I, *Letter “H”*, Section 50-16-242, *Words and Terms (Hh – Hm)*, and Subdivision P,
5 *Letter “S”*, Section 50-16-384, *Words and terms (Sm-Ss)*.

6 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**
7 **THAT:**

8 **Section 1.** Chapter 50 of the Detroit City Code, *Zoning*, is amended by amending Article
9 VIII, Division 3, Section 50-8-41, Section 50-8-44, Section 50-8-50, and Section 50-8-56; Article
10 IX, Division 3, Section 50-9-44, Section 50-9-50, Division 5, Section 50-9-104, and Section
11 50-9-110; Article XII, Division 1, Subdivision B, Section 50-12-22, Division 3, Subdivision A, by
12 amending and renaming Section 50-12-162, by amending Section 50-12-167, Division 5,
13 Subdivision A, Section 50-12-454, and adding Section 50-12-466; by amending Article XIII,
14 Division 1, Subdivision A, Section 50-13-2, Section 50-13-3, Section 50-13-4, Section 50-13-5,
15 Section 50-13-6, Section 50-13-7, Subdivision B, by repealing Section 50-13-21, by amending
16 Section 50-13-23, Section 50-13-24, Subdivision I, Section 50-13-181, by repealing Section 50-
17 13-185, by amending Section 50-13-186, by repealing Section 50-13-187, by amending
18 Subdivision J, Section 50-13-206, by repealing Section 50-13-207, by amending Section
19 50-13-208, Section 50-13-209, Section 50-13-210, by adding Section 50-13-212, by amending
20 Division 2, Section 50-13-226, by amending and renaming Section 50-13-229, by amending
21 Division 3, by repealing Section 50-13-254, Section 50-13-255, and Section 50-13-256; by
22 amending Article XIV, Division 1, Subdivision A, Section 50-14-7, Subdivision B, Section
23 50-14-34, Subdivision F, Section 50-14-151, by amending and renaming Section 50-14-152, by

amending Section 50-14-153, Section 50-14-154, Section 50-14-155, by repealing Section 50-14-156, by amending Section 50-14-159, Section 50-14-160, Section 50-14-163, Division 3, Subdivision A, and Section 50-14-396; by amending Article XV, Division 4, Section 50-15-71, and by amending Article XVI, Division 2, Subdivision B, Section 50-16-111, Subdivision I, *Letter “H”, Words and Terms (Hh – Hm)*, and Subdivision P, *Letter “S”*, Section 50-16-384, *Words and terms (Sm-Ss)* to read as follows:

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 that are developed, or likely to be developed, with single- or two-family dwellings, townhouses, and small multiple-family dwellings. The district regulations are ~~designed~~ intended to promote a suitable environment for homes and for activities ~~connected~~ compatible with family life. ~~The only principal uses permitted by right are single and two family dwellings. 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) Multiple-family dwelling, subject to Section 50-12-162 of this Code.

(2) Shelter for survivors of domestic violence ~~as limited by,~~ subject to Section 50-12-165(b) of this Code.

(3) Single-family detached dwelling.

(4) Townhouse, subject to Section 50-12-167 of this Code.

(5) Two-family dwelling.

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 dwelling units~~ subject to Section 50-12-162 of this Code.

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

(2) Religious residential facilities.

(3) School building adaptive reuses, residential.

(4) Townhouse, subject to Section 50-12-167 of this Code.

Sec. 50-8-56. Other regulations.

The following regulations ~~shall also apply on land zoned~~ are applicable to R2 Districts:

(1) New single- and two-family dwellings ~~in the R2 Two-Family Residential District shall~~, as well as three-unit and four-unit multiple-family dwellings, must comply with the residential compatibility requirements architectural and site design standards 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~~ may be located on the same zoning lot with as another principal detached residential building or 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.

- 1 a. Open parking areas, ~~where~~ that are located on the same zoning lot as the
2 dwelling they are intended to serve, ~~shall be permitted~~ must be located in
3 the rear yard; of such zoning lot.
- 4 b. ~~In addition,~~ Operable private passenger vehicles may ~~also~~ be parked on ~~the~~
5 a driveway, which may be located only in ~~only~~ one side yard and the
6 continuation of that side yard into the front yard to the property line;.
- 7 c. Operable private passenger vehicles may ~~also~~ be parked on semicircular
8 drives, as specified in Section 50-14-286(5) of this Code;.
- 9 d. ~~No Mechanical maintenance or~~ and vehicular repairs ~~may be conducted on~~
10 are prohibited in the portions of ~~the~~ any driveway ~~that are~~ specified in
11 Subsection (3)b. of this section or ~~on~~ in any ~~semi-circular~~ semicircular
12 drive;.
- 13 e. Driveways shall be paved ~~as provided for~~ in accordance with Section 50-
14 14-286 of this Code;.
- 15 f. ~~Where~~ If the Michigan Secretary of State requires a valid and current license
16 plate or registration sticker to use or transport any vehicle or piece of
17 recreational equipment, as defined in Section 50-16-361 of this Code, each
18 vehicle or piece of recreational equipment shall bear and properly display
19 ~~said~~ such valid and current license plate or registration sticker at all times
20 when parked in ~~accordance with~~ any driveway or other open parking area
21 authorized by this section.

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

4 **ARTICLE IX. BUSINESS ZONING DISTRICTS**

5 **DIVISION 3. B2 LOCAL BUSINESS AND RESIDENTIAL DISTRICT**

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

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

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

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

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

- 23 (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~~ subject to Section 50-12-163 of this Code.
- (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~~ subject to Section 50-12-156 of this Code.

(2) Fraternity or sorority house.

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

~~(4) 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~~ subject to Section 50-12-163 of this Code.

(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

DIVISION 1. USE TABLES

Subdivision B. Residential Uses

Sec. 50-12-22. Household living.

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	SD 5
Household living	Loft			R	R	R	R	C	<u>R / C</u>	<u>R / C</u>	<u>R / C</u>	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		<u>R / C</u>	<u>R / C</u>	R	R	R	C	<u>C / R</u>		<u>C / R</u>	R / C							L			R / C					R	<u>R / C</u>	R		Sections 50-12-157, 50-12-161 , 50-12-162
	Residential use combined in structures with permitted commercial uses					R	R	C	<u>R / C</u>	<u>R / C</u>	<u>R / C</u>	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
	Single-room-occupancy (SRO) housing, non-profit				C	C	C	C	C		C	C							L								C	C			SPC; Section 50-12-166
	Townhouse		<u>R / C</u>	R	R	R	R	C	C		C	C							L								C	C	R		Sections 50-12-157, 50-12-167
	Two-family dwelling		R	R	R	R	C	C	C		C								L								C				Sections 50-12-157, 50-12-159
	All other					C	C	C	C	C		C	C														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~~ are subject to the following ~~requirements~~ provisions:

- (1) In the R2 District, ~~such uses shall have a maximum of eight dwelling units~~
multiple-family dwellings with not more than four units are permissible by-right;
multiple-family dwellings with more than four and not more than 12 units are
permissible conditionally; and multiple-family dwellings with more than 12 units
are prohibited; except where if developed under the "school building adaptive
reuse" provision as defined in accordance with Section 50-12-138 of this Code;, in
which case such limits are not applicable. The requirements in this subsection may
not be waived by the Board of Zoning Appeals.
- (2) In the R3 District, multiple-family dwellings, ~~where~~ in which fewer than 50 percent
of the number of units are efficiency units, are ~~permitted~~ permissible by right;
multiple-family dwellings, ~~where~~ in which 50 percent or more of the number of
units are efficiency units, are ~~a conditional use;~~ permissible conditionally.
- (3) In the B5 District, ground-floor commercial uses ~~shall be~~ is required along at least
50 percent of ~~the~~ any multiple-family dwelling 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, for purposes
of the calculations set forth in Section 50-13-239 of this Code, 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; and
- f. SD2 District: 0.07.

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

(5) ~~For certain permitted~~ Regulations regarding accessory retail sales and service uses
~~in the R5, R6, and B1 Districts, see~~ multiple-family dwellings are set forth in
Section 50-12-514 of this Code;

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

(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, which 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.~~

Sec. 50-12-167. Townhouses.

Townhouses ~~shall be~~ are subject to the following ~~requirements~~ provisions:

(1) In the R2 District, ~~a maximum of eight townhouses shall be permitted in any group of attached townhouses;~~ townhouses in groups of not more than eight units are permissible by-right, townhouses in groups of more than eight units and not more than 12 units are permissible conditionally, and townhouses in groups of more than 12 units are prohibited.

(2) In the R3 District, ~~a maximum of ten townhouses shall be permitted in any group of attached;~~ and townhouses in groups of more than 102 units are prohibited.

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

~~See also Section 50-13-186 of this Code.~~

DIVISION 5. ACCESSORY USES AND STRUCTURES

Subdivision A. In General

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

(a) In the ~~R1 and R2 Districts~~ District, accessory buildings ~~shall~~ must 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.

(b) In the R2 District, accessory buildings must not be used for any business, profession, trade, or occupation.

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

2 Accessory structures used as dwelling units or accessory dwelling units are subject to the
3 following provisions:

4 (1) Accessory dwelling units are permissible only in the R2, R3, R4, R5, and R6
5 Districts, subject to the following standards:

6 a. The accessory dwelling unit must be located on the same zoning lot as, and
7 must be incidental and subordinate to, a principal residential use, which
8 must be a single-family dwelling, a two-family dwelling, or a multiple-
9 family dwelling containing no more than three units.

10 b. Not more than one accessory dwelling unit is permissible on any single
11 zoning lot.

12 c. The accessory dwelling unit may be located on any story, including the
13 ground story or any upper story, of a building or structure.

14 d. The accessory dwelling unit must be detached from the principal residential
15 use and may be freestanding or combined in a building or structure that also
16 contains a garage.

17 e. The gross floor area of the accessory dwelling unit must be no more than
18 the smaller of 1,200 square feet or 60 percent of the gross floor area of the
19 principal residential use.

20 f. The accessory dwelling unit must contain independent living facilities,
21 including sleeping, cooking, eating, and sanitation areas, and must be
22 designed to function as a complete, self-contained residence.

g. Occupation of the accessory dwelling unit for residential or public accommodation purposes under a lease, license, rental, or other contractual interest for a period of 27 or fewer consecutive days is prohibited.

h. The accessory dwelling unit must be designed in accordance with the dimensional standards set forth in Section 50-13-212 of this Code.

(3) An accessory dwelling unit may be established on a zoning of any lot area or width.

(4) If an accessory dwelling unit is established in or on a garage, carport, open parking area, or any other space that is utilized by the principal residential use for off-street parking, the off-street parking requirements for the principal residential use, including those requirements set forth in Section 50-14-34 of this Code, are reduced by the number of off-street parking spaces that are eliminated by establishment of such accessory dwelling unit.

(5) The off-street parking requirements for the principal residential use must not be increased by establishment of an accessory dwelling unit.

Sec. ~~50-12-467~~–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	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 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 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 including all accessory buildings/ structures. (See also Section 50-13-185.)		Sections 50-13-23, 50-13-29, 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		

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- 2 (b) Intensity and dimensional standards in the R1 Single-Family Residential District
- 3 for certain uses on lots that do not achieve the minimum area or minimum width specified in
- 4 Subsection (a) of this section 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 - ((50 - [Lot Width, in feet]) / 2)</i>									
Single-family dwellings			10	3 ft. minimum / Formula C with minimum 10 ft. combined	20	35	60		Sections 50-13-23, 50-13-29, 50-13-184; Article XIV, Division 3, Subdivision A

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- 2 **Sec. 50-13-3. R2 District.**
- 3 (a) Intensity and dimensional standards within the R2 Two-Family Residential District
- 4 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 buildings/ structures, <u>not dwelling units</u>						15			Section 50-13-206
<u>Accessory dwelling units</u>				3	3	25			Section 50-13-212
Cemeteries									Sections 50-13-26, 50-13-211(2)
Multiple-family dwellings	7,000	70	20	10	30		35	0.50	Sections 50-13-23, 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

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	
$*Formula A = Length (feet) + 2 (height) / 15$ $*Formula B = Length (feet) + 2 (height) / 6$									
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 ₂ , 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)		Sections 50-13-23, 50-13-29, 50-13-184; Article XIV, Division 3, Subdivision A
Townhouses (attached group)	7,000	70	20	Formula B	30	35	35		Sections 50-13-23, 50-13-184, 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)		Sections 50-13-23, 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	20	35	35		

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(b) Intensity and dimensional standards in the R2 Two-Family Residential District for

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certain uses on lots that do not achieve the minimum area or minimum width specified in

4

Subsection (a) of this section 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 - ((50 - [Lot Width, in feet]) / 2)</i>									
Multiple-family dwellings	3,000	30	10	<u>3 ft. minimum/8 ft. combined</u>	20	35	60		Sections 50-13-23, 50-13-181
Single-family dwellings			10	<u>3 ft. minimum/Formula C with minimum 6.5 ft. combined</u>	20	35	60		Section 50-13-23, 50-13-29, 50-13-184; Article XIV, Division 3, Subdivision A
Townhouses (attached group)	3,000	30	10	<u>3 ft. minimum/8 ft. combined</u>	20	35	60		Sections 50-13-23, 50-13-184, 50-13-186
Two-family dwellings	2,000	25	10	<u>3 ft. minimum/Formula C with minimum 6.5 ft. combined</u>	20	35	60		Sections 50-13-23, 50-13-184; Article XIV, Division 3, Subdivision A

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2 Sec. 50-13-4. R3 District.

3 (a) Intensity and dimensional standards in the R3 Low Density Residential District are
4 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 buildings/ structures, <u>not dwelling units</u>						15			Section 50-13-206
Accessory dwelling units				<u>3</u>	<u>3</u>	<u>25</u>			Section 50-13-212
Cemeteries									Sections 50-13-26, 50-13-211(2)

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>									
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	<u>Section 50-13-23</u>
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)		<u>Sections 50-13-2350-13-29, 50-13-184; Article XIV, Division 3, Subdivision A</u>
Townhouses (attached group)	7,000	70	20	Formula A	30			0.70	<u>Sections 50-13-23, 50-13-184, 50-13-186</u>
Two-family dwellings	6,000	60	20	4 ft. minimum/ 14 ft. combined	30	35	35 (See also Section 50-13-187)		<u>Sections 50-13-23, 50-13-184; Article XIV, Division 3, Subdivision A</u>
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	

(b) Intensity and dimensional standards in the R3 Low Density Residential District for certain uses on lots that do not achieve the minimum area or minimum width specified in Subsection (a) of this section 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 - ((50 - [Lot Width, in feet]) / 2)</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 with minimum 6.5 ft. combined	20	35	60		Sections 50-13-2350-13-29, 50-13-184; 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, 50-13-184, 50-13-186
Two-family dwellings	2,000	25	10	3 ft. minimum/ Formula C with minimum 6.5 ft. combined	20	35	60		Sections 50-13-23, 50-13-184; Article XIV, Division 3, Subdivision A

Sec. 50-13-5. R4 District.

(a) Intensity and dimensional standards within the R4 Thoroughfare 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 buildings/ structures, <u>not dwelling units</u>						15			<u>Section 50-13-206</u>
<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	<u>Section 50-13-23</u>
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	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)		<u>Sections 50-13-23, 50-13-29, 50-13-184; Article XIV, Division 3, Subdivision A</u>

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>									
Townhouses (attached group)	7,000	70	20	Formula A	30			1.00	Sections <u>50-13-23</u> , <u>50-13-184</u> , 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)		<u>Sections 50-13-23</u> , <u>50-13-184</u> ; <u>Article XIV, Division 3, Subdivision A</u>
Agricultural uses			See Section 50-12-400						Section 50-12-409
All other uses	7,000	70	20	Formula B	30			1.00	

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2 (b) Intensity and dimensional standards in the R4 Thoroughfare Residential District for

3 certain uses on lots that do not achieve the minimum area or minimum width specified in

4 Subsection (a) of this section 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 - ((50 – [Lot Width, in feet]) / 2)									
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 with minimum 6.5 ft. combined	20	35	60		Section 50-13-23, 50-13-29, 50-13-184; Article XIV, Division 3, Subdivision A
Townhouses (attached group)	3,000	30	10	3 ft. minimum/ 8 ft. combined	20		60	2.00	Sections 50-13-23, 50-13-184, 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	
<i>Formula C = 13 - ((50 - [Lot Width, in feet]) / 2)</i>									
Two-family dwellings	2,000	25	10	<u>3 ft. minimum/Formula C with minimum 6.5 ft. combined</u>	20	35	60		Sections 50-13-23, 50-13-184; Article XIV, Division 3, Subdivision A

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2 Sec. 50-13-6. R5 District.

- 3 (a) Intensity and dimensional standards within the R5 Medium Density Residential
- 4 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	
*Formula A = Length (feet) + 2 (height) / 15 *Formula B = Length (feet) + 2 (height) / 6									
Accessory buildings/ structures, <u>not dwelling units</u>						15			Section 50-13-206
Accessory dwelling units				<u>3</u>	<u>3</u>	<u>25</u>			Section 50-13-212
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	Section 50-13-23
Neighborhood center, (non-profit)	7,000	70	20	Formula B	30			1.50	Section 50-13-29
Outdoor recreation facilities									Section 50-13-211

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									
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	
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)		<u>Sections 50-13-23, 50-13-29, 50-13-184; Article XIV, Division 3, Subdivision A</u>
Townhouses (attached group)	7,000	70	20	Formula A	30			1.50	<u>Sections 50-13-23, 50-13-184, 50-13-186</u>
Two-family dwellings	6,000	55	20	4 ft. minimum/ 14 ft. combined	30	35	35 (See also Section 50-13-187)		<u>Sections 50-13-186, 50-13-23, 50-13-184; Article XIV, Division 3, Subdivision A</u>
Agricultural uses			See Section 50-12-400						Section 50-12-409
All other uses	7,000	70	20	Formula B	30			1.50	

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2 (b) Intensity and dimensional standards in the R5 Medium Density Residential District

3 for certain uses on lots that do not achieve the minimum area or minimum width specified in

4 Subsection (a) of this section 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 - ((50 – [Lot Width, in feet]) / 2)									
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 with minimum 6.5 ft. combined	20	35	60		Sections 50-13-23, 50-13-29, 50-13-184; Article XIV, Division 3, Subdivision A
Townhouses (attached group)	3,000	30	10	3 ft. minimum/ 8 ft. combined	20		60	2.00	Sections 50-13-23 50-13-184, 50-13-186
Two-family dwellings	2,000	25	10	3 ft. minimum/ Formula C with minimum 6.5 ft. combined	20	35	60		Sections 50-13-23, 50-13-184; Article XIV, Division 3, Subdivision A

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

2 (a) Intensity and dimensional standards within the R6 High Density Residential

3 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	
$*Formula A = Length (feet) + 2 (height) / 15$ $*Formula B = Length (feet) + 2 (height) / 6$									
Accessory buildings/ structures, <u>not dwelling units</u>						15			Section 50-13-206
Accessory <u>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			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	<u>Section 50-13-23</u>
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

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	
$*Formula A = Length (feet) + 2 (height) / 15$ $*Formula B = Length (feet) + 2 (height) / 6$									
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)		Sections 50-13-23, 50-13-29, 50-13-184; Article XIV, Division 3, Subdivision A
Townhouses (attached group)	7,000	70	20	Formula A	30			2.00	Sections 50-13-23, 50-13-184, 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)		Sections 50-13-186, 50-13-23, 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	7,000	70	20	Formula B	30			2.00	

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- 2 (b) Intensity and dimensional standards in the R6 High Density Residential District for
- 3 certain uses on lots that do not achieve the minimum area or minimum width specified in
- 4 Subsection (a) of this section 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	
$Formula C = 13 - ((50 - [Lot Width, in feet]) / 2)$									
Multiple-family dwellings	<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>	Section 50-13-23
Single-family dwellings			<u>10</u>	<u>3 ft. minimum/ Formula C with minimum 6.5 ft. combined</u>	<u>20</u>	<u>35</u>	<u>60</u>		Sections 50-13-23, 50-13-29, 50-13-184; Article XIV, Division 3, Subdivision A

<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>	
<u>Formula C = 13 - ((50 – [Lot Width, in feet]) / 2)</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>Sections 50-13-23, 50-13-184, 50-13-186</u>
<u>Two-family dwellings</u>	<u>2,000</u>	<u>25</u>	<u>10</u>	<u>3 ft. minimum/Formula C with minimum 6.5 ft. combined</u>	<u>20</u>	<u>35</u>	<u>60</u>		<u>Sections 50-13-23, 50-13-184; Article XIV, Division 3, Subdivision A</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 ensuing zoning lots shall be no smaller in width or area than the larger or largest of such parcels which were platted and identified as a single unit on a plat officially approved and recorded prior to December 22, 1968, provided, that no zoning lot so~~

created need be larger than the minimum size as specified for the district where it is located;

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

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

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

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

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

Front setbacks of zoning lots used for residential purposes shall be increased or may be 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, if a zoning lot is adjacent on both sides to lots containing residential dwellings, the minimum front setback for any building or structure on such lot is the smaller of the front setbacks of the adjacent residential dwellings.~~

(3) ~~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: Notwithstanding the front setbacks specified in Sections 50-13-2 through 50-13-7, if a zoning lot is adjacent to a residential dwelling on one side and a vacant lot on the other side, the minimum front setback for any building or structure on such lot is the front setback of the adjacent residential dwelling.~~

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~~

1 of, a straight line drawn between the center points of the front walls of the
2 existing buildings on these two zoning lots;

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

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

18 (4) If a zoning lot is adjacent on both side to vacant lots, neither of which has been
19 built upon, the minimum front setback of the zoning lot is as specified in Sections
20 50-13-2 through 50-13-7 of this Code.

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

22 The following special provisions for side setbacks ~~shall apply for~~ are applicable to single-
23 ~~or~~ and two-family dwellings:

(1) ~~Side setbacks on zoning lots of less than minimum width. The required combined width of side setbacks may be reduced by six inches for each foot or major fraction thereof by which the 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;~~

(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, and~~ that in no instance ~~shall~~ may a two-family dwelling be established on a lot having a width of less than ~~40~~ 25 feet or an area of less than ~~4,000~~ 2,000 square feet;

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

(4) ~~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.

In the R2 District, multiple-family dwellings in the R2 District shall established in compliance with Section 50-13-3(a) of this Code must have minimum side setbacks of ten feet which shall be increased by equal to 10 feet plus one foot for each five feet, or part thereof, where that the structure exceeds 50 feet in overall dimension length 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]

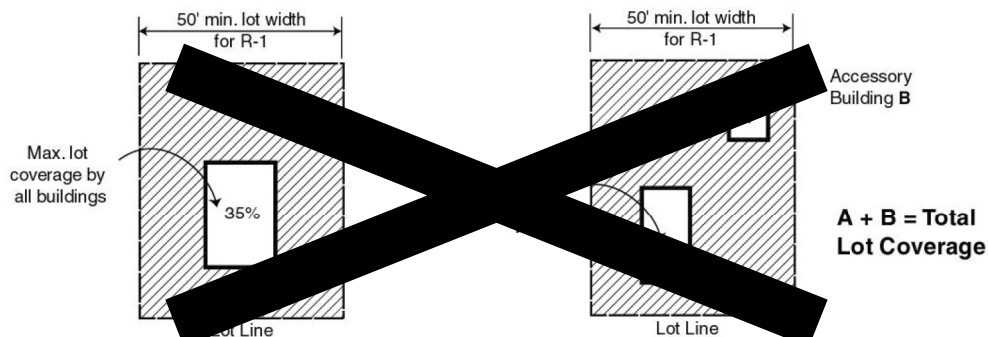
Single-family dwellings and religious residential facilities shall be subject to the following requirements:

(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 2,000 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 2,000 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)

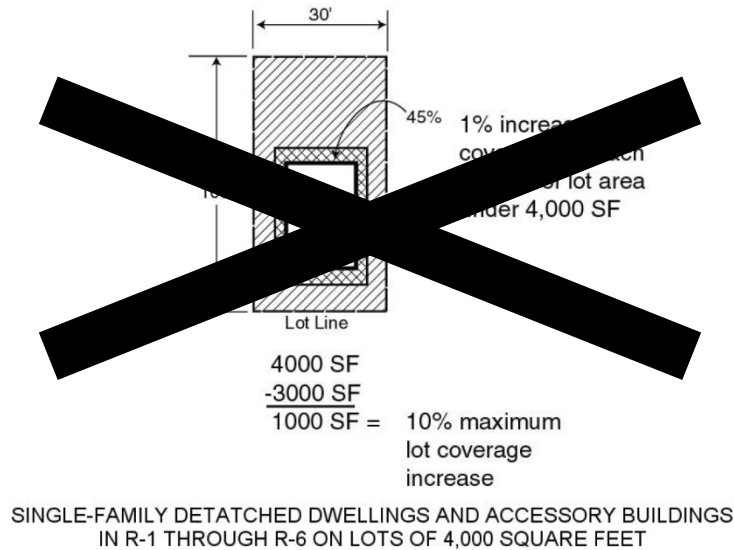
(For Informational Purposes Only)



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)



Sec. 50-13-186. Townhouses.

Townhouses ~~shall be~~ are subject to the following ~~requirements~~ provisions:

(1) ~~In the R2 District, a maximum of eight townhouses shall be permitted in any group of attached townhouses;~~

(2) ~~In the R3 District, a maximum of ten townhouses shall be permitted in any group of attached townhouses;~~

(1) In the R2, R3, and R4 Districts, ~~the following minimum dimensional standards shall apply to individual townhouses:~~ each individual townhouse must be a minimum of 2,000 square feet of lot in parcel area and 20 feet in width;

(2) In the R5, R6, B1, B2, B4, and B5 Districts, ~~the following minimum dimensional standards shall apply to individual townhouses:~~ each individual townhouse must be a minimum of 1,800 square feet of lot in parcel area and 18 feet in width; and

1 (3) In all zoning districts, setback requirements ~~shall be applied~~ apply only on those
2 sides of a dwelling unit ~~which~~ that have exposed walls;

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

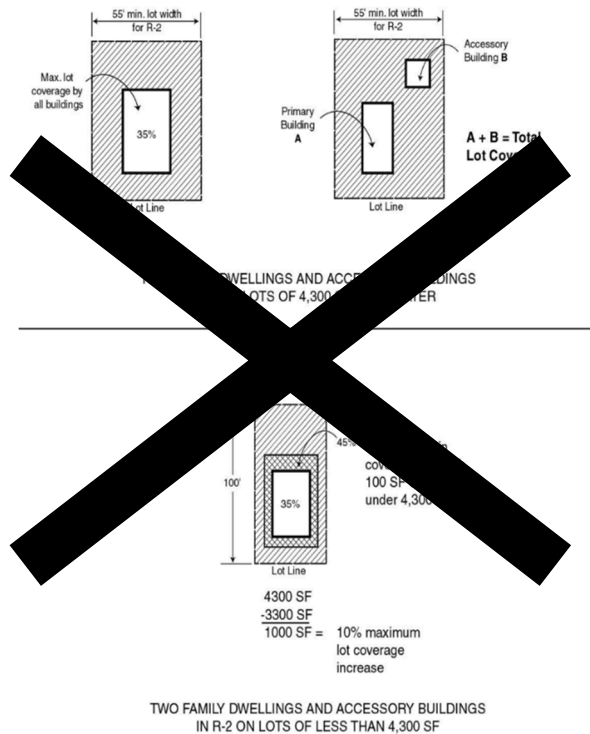
5 **~~Sec. 50-13-187. Two-family dwellings. [REPEALED]~~**

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

9 ~~(b) — On zoning lots of less than 4,300 square feet in area, the allowable percentage of~~
10 ~~lot coverage may be increased by one percent for each 100 square feet by which the area of the~~
11 ~~zoning lot is less than 4,300 square feet, with a maximum coverage of 45 percent. (See Figure 50-~~
12 ~~13-187(b)).~~

1

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



2

(For Informational Purposes Only)

3

Secs. 50-13-187—50-13-200. Reserved.

4

Subdivision J. Miscellaneous Intensity and Dimensional Standards

5

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

6

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 50-13-212 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.~~

10

~~Sec. 50-13-207. Location of accessory buildings and structures. [REPEALED]~~

11

~~In residential districts and in the B1 and B2 business districts, all accessory buildings and structures, including category "B" and category "C" antennas for which a building permit is required, shall be built in the rear yard except where built as part of the principal building, or except~~

1 where said antennas do not exceed 28 square feet in area or six feet in dish diameter, in which case
2 they may be erected on the roof. Accessory buildings and structures shall be considered a part of
3 the principal building where the distance between structures is solidly covered by a breezeway,
4 portico, or similar architectural device that is at least four feet in width. See Section 50-13-226 of
5 this Code for the setback of accessory buildings and structures from lot lines.

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

8 ~~Unless otherwise specified, Accessory buildings or structures, other than accessory~~
9 ~~dwelling units that are subject to Section 50-12-212 of this Code, shall be~~ are subject to the
10 following requirements:

- 11 (1) ~~In R1 and R2 Districts, no detached accessory building or structure in an R1 or R2~~
12 ~~District shall~~ may occupy more than 50 percent of the area of the ~~required~~ rear
13 setback area;
- 14 (2) ~~No In the R1 and R2 Districts, a detached accessory building or structure in an R1~~
15 ~~or R2 District shall~~ must not be located closer than ~~ten~~ 10 feet to any principal
16 building, or any porch or deck of that principal building; ~~and.~~
- 17 (3) ~~No In all zoning districts, a detached accessory building or structure shall~~ must not
18 be located closer than ~~ten~~ 10 feet to any single- or two-family dwelling ~~in any~~
19 ~~zoning district.~~

20 **Sec. 50-13-209. Height of accessory buildings.**

21 Accessory buildings or structures, other than accessory dwelling units that are subject to
22 Section 50-12-212 of this Code, are subject to the following:

(1) ~~No~~ In the R1 and R2 Districts, a detached accessory building or structure in any R1 or R2 District shall must not exceed the lesser of the height of the principal building or structure, or 15 feet, whichever is less.

(2) In all zoning districts, the height of any buildings building accessory to a single-family and or two-family detached dwellings shall dwelling must be limited to one story; and ~~shall~~ must not exceed 15 feet in height.

Sec. 50-13-210. Corner-lot regulations.

In all residential districts where, if an accessory building, other than an accessory dwelling unit that is subject to Section 50-12-212 of this Code, is located on a corner lot, said such accessory building shall must be set back not less than ~~ten~~ 10 feet from the side lot line abutting the street.

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

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

(1) Accessory dwelling units must be located not less than ten feet from any principal building and not less than five feet from a porch or deck of that principal building.

(2) Accessory dwelling units must not be located in a front yard.

(3) Accessory dwelling units must be located not less than ten feet from any electrical line. The Buildings, Safety Engineering, and Environmental Department may reduce or waive this setback if it determines that such a reduction or waiver will not cause interference with electrical or other utility service.

(4) Accessory dwelling units located on zoning lots that abut an alley to the rear are not subject to any rear setback requirements.

1 Secs. 50-13-213—50-13-220. Reserved

2 **DIVISION 2. MEASUREMENTS, REQUIREMENTS, AND EXCEPTIONS**

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

4 ~~Trees, shrubs, flowers,~~ Vegetation, fences, walls, hedges, and other landscape features may
5 be located within any required setback. In addition, the following table lists features that may be
6 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-off 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, <u>or R2 Districts</u> .
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 <u>10</u> feet from the rear property line and 18 inches from a side property line, measured from the eave eave , provided, that if 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 eave , provided, that if the setback is bounded by a solid masonry fence at least five feet in height. (Detached shade structures and carports are treated as “ assessor ” <u>“accessory structures.”</u>)
Balconies	May project not more than six feet into a front or rear setback, and three feet into a side setback. <u>Must be located not 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>Must be located not less than three feet from a side property line.</u>

Carports (attached)	May not <u>Must</u> be located <u>not</u> less than three feet from a side property line, and may <u>must</u> not be located in required front setback. In addition, carports shall <u>Must</u> 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>Must not be located less than two feet from a side property line.</u>
Clothesline posts	No limitations in side or rear setbacks. May <u>Must</u> 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>Must not be located less than two feet from a side property line.</u>
Curbs; and sidewalks	No limitations.
Fences	<u>See Subject to Section 50-14-381 of this Code.</u>
Fire escapes, stairways, and balconies which <u>that</u> are open and unenclosed, and marquees	May protect <u>project</u> not more than five feet into a required setback. <u>May be located not less than three feet from a side property line.</u>
Flagpoles	No limitations. <u>May be located not 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 establishment of an accessory dwelling unit in an existing accessory structure.</u> Unattached garages and other accessory structures may not be located <u>not</u> less than three feet from a side property line except for the reconstruction of damaged accessory structures on an existing foundation <u>or the establishment of an accessory dwelling unit in an existing accessory structure,</u> and may <u>must</u> not be located in <u>the</u> required front setback. Attached garages shall be <u>are</u> subject to the setback provisions for the dwellings to which they are attached. In addition, garages and other accessory structures shall <u>must</u> 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 <u>must</u> be maintained in a dust- free condition at all times. No mechanical maintenance or vehicular repairs shall <u>may</u> be conducted in this area. (See additional)

	Must comply with applicable regulations set forth in Article XIV, Division 1, Subdivision K. of this chapter.
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 additional regulations in Section 50-13-226(2)). Subject to Subsection (1) of this section.
Porches (unenclosed) and decks	May project not more than eight feet into a required front or rear setback. No unenclosed porch shall Must not be constructed within any required side setback.
Ramps for persons with disabilities	Subject to applicable section of Chapter 8, Article II, of this Code, Building Code. (See also Section 50-13-226(3).) Subject to Subsection (2) of this section.
Signs	Regulated in accordance with Chapter 4 of this Code.
Window well	May project not more than three feet into any required side setback. Must be located not less than 18 inches from a side property line.
Yard and service lighting fixtures, poles	May not Must be located not less than three feet from any lot line.

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

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

- a. ~~Such structures~~ Front and rear enclosed porches that project into required front and rear setbacks 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 ~~requires~~ request from the Buildings, Safety Engineering, and Environmental Department, after which time the Buildings, Safety

1 Engineering, and Environmental Department may proceed with or without
2 said report and recommendation. The Planning and Development
3 Department may recommend approval of the structure as proposed or
4 subject to certain changes ~~and/or special conditions to the proposed~~
5 ~~structure, and recommend approval of the proposed structure as adjusted.~~
6 The Planning and Development Department shall review and determine the
7 following:

- 8 1. That the proposed structure is compatible with the existing structure
9 and surrounding area; and
- 10 2. That the proposed structure does not alter or damage significant
11 architectural elements of the existing residential structure.

12 b. ~~Such structure shall~~ Front and rear enclosed porches that project into
13 required front and rear setbacks must be erected and maintained in
14 accordance with the following criteria. ~~(Note: Front and rear porches that~~
15 ~~do not project into a required setback are not subject to the following~~
16 ~~criteria.);~~

- 17 1. The structure ~~shall~~ must be enclosed with screen panels or windows,
18 or a combination thereof. ~~The structure may be enclosed with , and~~
19 must not be enclosed with opaque materials, except for railings,
20 kickplates not exceeding, or existing opaque materials, none of
21 which may exceed 42 inches in height above the floor of the porch.
22 ~~Existing opaque materials, not exceeding 42 inches in height above~~
23 ~~the floor of the existing porch, shall be permitted;~~

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

5 2. The exterior colors of the entire structure ~~shall~~ must be maintained
6 ~~in a color~~ consistent with the existing residential structure or with
7 the surrounding residential neighborhood; ~~and~~ .

8 3. The structure ~~shall~~ must not be weather-insulated, nor have any
9 heating system installed ~~which~~ that makes such structure habitable
10 year round, or usable as a general living area.

11 (2) *Ramps.* Ramps for persons with disabilities that are subject to applicable provisions
12 of Chapter 8, Article II; of this Code, ~~Building Code~~, are ~~permitted~~ permissible in
13 rear setbacks and may project into required front and side setbacks ~~by right~~. ~~In no~~
14 ~~instance shall any~~ No part of any such ramps may be located nearer than two feet
15 to any property line. ~~Such structures shall~~ Ramps for persons with disabilities must
16 be erected and maintained in accordance with the following criteria:

17 a. Ramps for persons with disabilities, ~~which~~ that project into the required
18 front or side setbacks and are constructed of material other than masonry or
19 concrete, ~~or~~ pressure-treated wood, or pre-treated synthetics, ~~shall~~ must be
20 painted or treated to match the color of the exterior trim or siding of the
21 principal building or ~~painted~~ to blend with the exterior landscaping of the
22 lot; .

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

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

Sec. 50-13-229. Side setback; ~~Formula A and Formula B~~ formulas.

(a) In ~~many some~~ instances, side setback requirements are determined ~~through the use of the following~~ by certain formulas, referenced as Formula "A", Formula "B", and Formula "C", which are computed as follows:

(1) Formula "A" ~~for determining each required side setback shall be~~ is 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~~ is 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" is computed by subtracting the lot width, in feet, from 50, then dividing that difference by two, and then subtracting that resulting quotient 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.

(a) *Off-street parking.* ~~The following exemptions and allowances to the off street parking requirements shall apply~~ Off-street parking requirements are subject to the following exemptions, reductions, and allowances:

- (1) ~~Uses~~ In the B5, MKT, and PC Districts, as well as in the Central Business District, ~~or and~~ in the New Center Major Commercial Area, as defined in Section 50-16-321 of this Code, ~~shall be~~ all uses are exempt from ~~the~~ applicable off-street parking requirements ~~of~~ set forth in Subdivisions B and C of this division;
- (2) For retail, service, and commercial uses ~~specified~~ listed in Article XII, Division 1, Subdivision D, of this chapter, with the exception of those uses listed in Section 50-12-71 of this Code, ~~Vehicle Repair and Service, and in Motor Vehicles, Used, Salesroom or Sales Lots, specified in Section 50-12-69 of this Code, Retail Sales and Service, Sales-Oriented, located on zoning lots abutting a Traditional Main Street Overlay Area or on land zoned SD1 or SD2, or where located within 0.50 miles of a high-frequency transit corridor as defined in Section 50-16-242 of this Code, the maximum distance that off-street parking shall be provided from the principal use specified in Subdivision B of this division, where parking may be increased to provided by such use is 1,320 feet where~~ if the applicant can show to

1 the satisfaction of the Planning and Development Department that a "district
2 approach" to parking is being used in the ~~Traditional Main Street Overlay Area or~~
3 ~~other~~ area nearby, including as applicable in a Traditional Main Street Overlay
4 Area. To show a district approach to parking, the applicant shall provide the
5 following:

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

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

11 c. ~~Where~~ If the parking area or parking structure is owned by someone other
12 than the applicant, a shared parking agreement shall be required according
13 to Section 50-14-156 and Section 50-14-159 of this Code; the applicant
14 shall provide a written agreement, such as a lease, terms of use,
15 memorandum of understanding, or similar document, confirming the
16 applicant's ability to use parking spaces in the parking area or parking
17 structure for a minimum of five years. Such written agreement may permit
18 the applicant to share parking spaces with other establishments or land uses
19 that have different peak parking demands or different operating hours.

20 (3) No ~~additional off-street parking, beyond that already provided,~~ shall be required for
21 retail, service, and commercial uses, with the exception of those uses listed in
22 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 3,000 6,000 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.~~

(4) Additional Off-street parking requirements are additionally subject to further parking reductions are as set forth in Section 50-14-153 and Section 50-14-163 of this Code.

~~(b) Additional off-street parking reductions. These 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 bus rapid transit, street car/trolley or light rail line a high-frequency transit corridor in any zoning district, or within the Grand River/Lahser or Livemore/West McNichols Traditional Main Street Overlay Areas: 0.75 per dwelling unit.	100; except: where If 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 If 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

1

2

Subdivision F. Waivers and Alternative Parking Plans

3

Sec. 50-14-151. Scope.

4

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

5

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

1 ~~that are established~~ requirements set forth in Subdivisions B and C of this division, after applying
2 any credits, reductions, exemptions, or waivers permissible under this division, or by providing an
3 alternative to the off-street parking area design standards of Subdivision I of this division.
4 Alternative parking plans may not be used to reduce required setbacks, landscaping, or screening
5 of off-street parking areas.

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

7 Applicants who are unable to provide the required number of off-street parking spaces
8 within the maximum permissible distance ~~that is specified in Subdivisions B and C of this division~~
9 may seek approval of an alternative parking plan in accordance with the standards of this
10 subdivision in lieu of requesting a parking variance from the Board of Zoning Appeals. Pursuant
11 to Section 2-111 of the Charter, the Buildings, Safety Engineering, and Environmental Department
12 is authorized to promulgate administrative rules to administer this subdivision.

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

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

- 17 (1) A building or use requires no variance or other action under the jurisdiction of the
18 Board of Zoning Appeals, other than the parking deficiency; and
19 (2) The building or use can provide at least 80 percent of the required off-street parking
20 spaces; then, upon request of the petitioner and in conjunction with the Municipal
21 Parking Department and the Department of Public Works Traffic Engineering
22 Division, the Buildings, Safety Engineering, and Environmental Department may
23 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~~ under Section 50-14-7(3)(a) 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:

1. Food and beverage services, as set forth in Section 50-12-62 of this Code,~~Food and beverage service;~~
 2. Retail sales and service, sales-oriented, as set forth in Section 50-12-69 of this Code,~~Retail sales and service, sales-oriented;~~ and
or
 3. Retail sales and service, service oriented, as set forth in Section 50-12-70 of this Code, ~~Retail sales and service, service-oriented,~~
except ~~motor vehicle sales,~~ motorcycle sales, and any use with drive-up or drive-through facilities.
- b. New buildings must comply with all of the requirements in the Traditional Main Street Overlay standards, as specified in Section 50-14-432 through Section 50-14-450 of this Code, except that only the provisions of Subsections (b)(2)c.1., (b)(2)c.2., and (b)(2)c.3. of this section shall apply to the East Warren and West Warren Traditional Main Street Overlay Areas, ~~and~~ to the portion of the Grand River/Lahser Traditional Main Street Overlay Area between Greenfield and Woodmont and between Evergreen and Lahser, and to the Van Dyke Traditional Main Street Overlay Area.
- c. Except for within the East Warren and West Warren Traditional Main Street Overlay Areas, ~~and~~ the portion of the Grand River/Lahser Traditional Main Street Overlay Area between Greenfield and Woodmont, and between Evergreen and Lahser, and to the Van Dyke Traditional Main Street Overlay Area, new uses in existing buildings shall be eligible for this waiver only if,

1 at a minimum, the building complies with the following standards from
2 Division 3, Subdivision C, of this article:

- 3 1. The front façade of the building is located on the lot line facing the
4 Traditional Main Street or set back a maximum of ten feet, in
5 accordance with the standards in Section 50-14-432 of this Code;
- 6 2. The street level façade of the building has a minimum of 60 percent
7 transparency according to Section 50-14-436 of this Code; and
- 8 3. The building has an active entryway located on the façade facing the
9 Traditional Main Street, according to Section 50-14-439 of this
10 Code.

- 11 d. In the case where one building or development contains multiple retail,
12 service, or commercial uses, the total number of spaces that may be waived
13 for a building or development using this waiver ~~shall~~ must not exceed 45
14 spaces.

15 (c) ~~SD1 and SD2 Areas~~ Districts and high-frequency transit corridors. In addition to
16 the parking waiver granted ~~for buildings under 3,000 square feet~~ under Section 50-14-7(a)(3) of
17 this Code, on properties zoned SD1 or SD2 or within 0.5 miles of a high-frequency transit corridor,
18 the Planning and Development Department may grant a waiver of the off-street parking
19 requirements; for the first 3,000 square feet of pedestrian-oriented retail, service, or commercial
20 uses. The Planning and Development Department shall have authority to consider such waiver,
21 ensuring that the waiver will not be injurious to the adjacent or surrounding areas by creating or
22 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~~ must 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) *Certain by-right uses.* The Planning and Development Department, in consultation with the Buildings, Safety Engineering, and Environmental Department and the Department of Public Works Traffic Engineering Division, may approve an alternative parking plan through the building permit application review process for by-right residential uses, public, civic, and institutional uses, and retail, service, and commercial uses, except for uses specified in Section 50-12-71 of this Code.

(2) *Conditional uses.* For conditional residential uses or other uses not specified in Subsection (1) of this section, the Buildings, Safety Engineering, and Environmental Department, in consultation with the Planning and Development Department and the Department of Public Works Traffic Engineering Division, shall review the alternative parking plan as part of a conditional use hearing.

(3) In order to approve an alternative parking plan, a the decision-making body must determine that the proposed plan will do at least as good of a job as would strict compliance with otherwise applicable off-street parking standards with regard to the following:

a. Protecting the transportation, environmental, and community development needs of the proposed use;

b. Protecting the quality of life of surrounding neighborhoods, meaning whether the alternative parking plan will avoid injury to the use and enjoyment of other property in the immediate vicinity;

c. Maintaining traffic circulation patterns; and

d. Promoting quality urban design as would strict compliance with otherwise applicable off-street parking standards.

Sec. 50-14-155. Contents.

(a) 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.~~

(b) For developments that are required to develop a traffic impact study under Section 50-14-491(1) of this Code, the following information and analysis shall be submitted:

(1) A traffic impact study;

(2) The number of parking spaces required under this chapter;

1 (3) An assessment of the number of patrons who will require parking for a private
2 automobile and the resulting average number of parking spaces in use during hours
3 of operation;

4 (4) Quantitative or qualitative data, research, experience, comparisons, or other
5 information that informs the assessment;

6 (5) Data or a description of patron characteristics that inform the assessment;

7 (6) Data or a description of transportation modes, besides private automobile, that
8 occupants and patrons are expected to utilize, including walking, biking, ride-share,
9 public transit, scooters, or other modes;

10 (7) Any amenities, investments, or other actions taken to incentivize the use of
11 transportation modes besides private automobile;

12 (8) Data or a description of available on- or off-street parking nearby;

13 (9) The alternative parking plan proposed; and

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

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

21 (1) The number of parking spaces required under this chapter;

1 (2) An assessment of the number of patrons who will require parking for a private
2 automobile and the resulting average number of parking spaces in use during hours
3 of operation;

4 (3) Quantitative or qualitative data, research, experience, comparisons, or other
5 information that informs the assessment;

6 (4) Data or a description of patron characteristics that inform the assessment;

7 (5) Data or a description of transportation modes, besides private automobile, that
8 occupants and patrons are expected to utilize, including walking, biking, ride-share,
9 public transit, scooters, or other modes;

10 (6) Data or a description of available on- or off-street parking nearby;

11 (7) The alternative parking plan proposed; and

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

17 ~~**Sec. 50-14-156. Recording. [REPEALED]**~~

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

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

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

- 11 (1) *Location.* Shared off-street parking spaces shall be located within the distance that
12 is specified in parking Schedules A, B, and C of Subdivisions B and C of this
13 division or as approved pursuant to the remote parking provisions of Section 50-
14 14-160 of this Code;
- 15 (2) *Zoning classification.* Shared parking facilities may be located in any zoning
16 district that allows commercial parking lots;
- 17 (3) *Required study and analysis.* The applicant shall submit a shared parking analysis
18 to the decision-making body clearly demonstrating the feasibility of shared parking.
19 At a minimum, the study shall address the size and type of the proposed
20 development, the composition of tenants, the anticipated rate of parking turnover,
21 and the anticipated peak parking and traffic loads for all uses that will be sharing
22 off-street parking spaces; and

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

8 **Sec. 50-14-160. Remote parking.**

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

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

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

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

1 that the remote parking agreement may be revoked by the parties to the agreement
2 only where off-street parking is provided pursuant to Subdivisions B and C of this
3 division, or where another alternative parking plan is approved.

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

5 Where City public parking lots directly abut or are within ~~400~~ 1,320 feet of a site that is
6 proposed for occupancy, such City public parking areas may be credited to the amount of off-street
7 parking required by this article, provided; that ~~no other land use has claimed credit for the same~~
8 ~~City public parking lot. For properties zoned SD1 or SD2, City public parking lots within 1,320~~
9 ~~feet of the site proposed for occupancy may be used toward the required amount of off-street~~
10 ~~parking. A shared parking agreement shall be duly recorded with the Municipal Parking~~
11 ~~Department.~~ the applicant provides a written agreement with the Municipal Parking Department,
12 such as a lease, license, terms of use, memorandum of understanding, or similar document
13 confirming the applicant's ability to use parking spaces in the parking facility. Such written
14 agreement may permit the applicant to share parking spaces with other establishments or land uses
15 that have different peak parking demands or different operating hours, provided that the maximum
16 number of parking spaces in a City public parking lot committed to meeting off-street parking
17 requirements for land uses nearby, individually or when shared between multiple users, shall not
18 exceed the total number of spaces in the City public parking lot.

19 **DIVISION 3. ARCHITECTURAL AND SITE DESIGN STANDARDS**

20 **Subdivision A. Residential Development**

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

22 (a) To the maximum extent practicable, new single-family and two-family dwelling
23 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 block face within 200 feet. This provision may be satisfied by constructing the subject dwelling unit so that at least three of the six features, which are delineated in this section and depicted in Figure 50-14-396, are similar to the majority of other dwelling units within 200 feet on the block face on both sides of the street. (~~See Figure 50-14-396.~~) As an example, where there are 15 other single-family or two-family dwelling units within 200 feet of the proposed infill dwelling unit, any of the six features specified in this section that appear on a majority of those 15 dwellings, or eight of 15, ~~should~~ may be considered as a "common style." Where a common style is shared for each of the six features, then the infill dwelling ~~should~~ may exhibit no fewer than three of those six features. Where a common style is shared for five of the features, then the infill dwelling ~~should~~ may exhibit no fewer than three of those five. Where a common style is shared for four of the features, then the infill dwelling ~~should~~ may exhibit no fewer than three of those four. Where a common style is shared for only one, ~~or~~ two, or three of the features, then the features of the infill dwelling should be similar to each of those. The six features are:

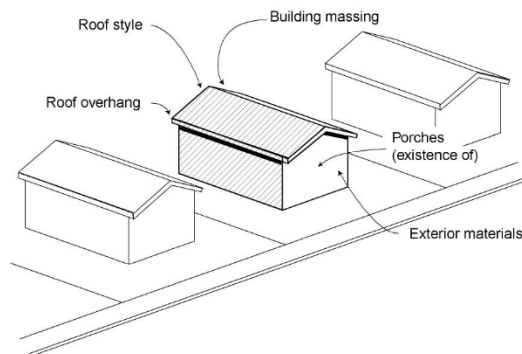
- (1) Roof style and overhang, including, but not limited to, gable, mansard, hip, A-frame, or flat;
- (2) Garage orientation and design, whether attached or detached;
- (3) Building massing, including, but not limited to, ranch with two-story attached garage; two-story with attached garage; or bungalow;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

Figure 50-14-396

(For Informational Purposes Only)

Appearance and Compatibility



New single and two-family dwelling units shall have at least 3 of 6 features similar to other dwelling units within 200' and on the blockface.

ARTICLE XV. NONCONFORMITIES

DIVISION 4. NONCONFORMING LOTS

Sec. 50-15-71. In general.

Nonconforming lots are those lots or land parcels which were legally created but no longer comply with the minimum area or width standards of the underlying zoning district as specified in Article XIII of this chapter. ~~Nonconforming lots may be occupied and used in accordance with the standards of Section 50-13-21 and Section 50-13-254 through Section 50-13-256 of this Code.~~

1 **ARTICLE XVI. RULES OF CONSTRUCTION AND DEFINITIONS**

2 **DIVISION 2. WORDS AND TERMS DEFINED**

3 **Subdivision B. Letter "A"**

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

5 For the purposes of this chapter, the following words and phrases beginning with the letters
6 "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> <u>(1) Is subordinate to a principal residential building or principal residential use legally existing on the same zoning lot;</u> <u>(2) Is subordinate in area to the principal building or use and is detached from the principal building or use;</u> <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>
Accessory parking	See "Parking, accessory."
Accessory use	A use that: (1) Is incidental and subordinate to and devoted exclusively to 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.
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, being MCL 333.27951 <i>et seq.</i> ("MRTMA"): grower, processor, retailer, secure transporter, safety compliance facility, marijuana microbusiness, excess marijuana grower, marijuana event organizer, temporary marijuana event, 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 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 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 psychiatric 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)	Sexually-oriented businesses, including the following: • 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 letters

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

Term	Definition
High-frequency transit corridor	High-frequency transit corridors consist of: • Corridor No. 1₂ consisting of: Vernor Highway between Riverside and 21st Street; 21st Street between Vernor Highway and Bagley; Bagley between 21st Street and Trumbull; Trumbull between Bagley and West Lafayette; and West Lafayette between Trumbull and Griswold. • Corridor No. 2₂ consisting of: Michigan between Woodward and Wyoming. • Corridor No. 3₂ consisting of: Grand River between Woodward and Five Points. • Corridor No. 4₂ consisting of: Woodward between Eight Mile and East Jefferson. • Corridor No. 5₂ consisting of: Van Dyke between Eight Mile and East Lafayette; and East Lafayette between Van Dyke and Randolph. • Corridor No. 6₂ consisting of: Gratiot between Woodward and Eight Mile. • Corridor No. 7₂ 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. 8₂ consisting of: Warren between Edward N. Hines and Greenfield and between McDonald and Mack; and Forest between Dequindre and Cadillac. • Corridor No. 9₂ consisting of: East and West Jefferson between Washington and Alter. • Corridor No. 10₂ 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 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.</u>
High/medium-impact manufacturing or processing	Examples include: • Automatic screw machine operations; • Automobile accessory manufacture (not including tires, heat treating, or foundry work);

	• Automotive, agricultural, or other heavy machinery manufacturing (not including heat treating); • Bolt or nut manufacture (not including heat treating); • Book publishing, printing, or engraving; • Brake debonding; • Brewing or distilling of liquors; • Brewery; • Buffing shop; • Business machines or equipment manufacture; • Can, barrel, drum, or pail manufacture; • Canning factories, excluding fish products; • Die casting; • Disinfectant or insecticide manufacture; • Distilling of alcoholic products not including small distillery or small winery, which are defined in Section 50-16-384 of this Code; • Electric fixtures, batteries, or other electrical apparatus; manufacture but excluding battery rebuilding; • Emery cloth or sandpaper manufacture; • Furniture manufacture; • Heating or ventilating apparatus manufacture or assembly; • Mattress manufacture; • Millwork, lumber, or planing mills; • Monument works; • Painting or varnishing shops; • Paper box or cardboard products manufacture; • Plastic products manufacture; • Plating or anodizing; • Replating; • Sheet metal works; • Tire recapping; and • Wrought iron, custom decorative shops.
High-impact manufacturing or processing	Examples include: • Abrasives manufacture; • Acetylene manufacture; • Annealing or heat treating plants; • Balls or bearings manufacture; • Battery rebuilding; • Bed spring manufacture; • Bleaching powder manufacture; • Boiler manufacture; • Bolts or nuts manufacture; • Creek <u>Brick</u> or building block manufacture; • Candle manufacture; • Carbonic gas manufacture or storage; • Carbonic ice manufacture; • Cattle or sheep dip manufacture;

	• Cellophane or celluloid manufacture; • Ceramic products manufacture; • Chlorine gas manufacture; • Clay products manufacture; • Concrete batching plants; • Concrete pipe or concrete pipe products manufacture; • Dextrine manufacture; • Dyestuffs manufacture; • Engine manufacture; • Felt manufacture; • Glass manufacture; • Glucose manufacture; • Graphite manufacture; • Gutta percha manufacture or treatment; • Ink manufacture (from basic substance); • Jute fabrication; • Meat products manufacturing or processing; • Pharmaceutical products manufacture; • Phenol manufacture; • Pyroxylin plastic manufacture or processing; • Roofing materials manufacture, excluding tar products; • Rope manufacture; • Rug manufacture; • Shoe polish manufacture; • Soap manufacture; • Starch manufacture; • Sugar refining; • Terra cotta manufacture; • Tire manufacture; • Turpentine manufacture; • Wall board manufacture; • Wire manufacture; and • Yeast manufacture.
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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 letters

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"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 non-tobacco 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