SUMMARY

This ordinance amends Chapter 50 of the 2019 Detroit City Code, *Zoning*, to ...

by repealing ..., and

by adding ..., and

by amending ...

DRAFT

BY COUNCIL MEMBER _____:

AN ORDINANCE to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, to ...

by repealing ..., and

by adding ..., and

by amending ...

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

Section 1. Chapter 50 of the Detroit City Code, Zoning, is amended by repealing ..., and by adding ..., and by amending ... as follows:

CHAPTER 50. ZONING

ARTICLE VIII. RESIDENTIAL ZONING DISTRICTS

DIVISION 2. R1 SINGLE-FAMILY RESIDENTIAL DISTRICT

~~**Sec. 50-8-25. Intensity and dimensional standards.**~~ **[REPEALED]**

~~Development in the R1 Single-Family Residential District shall comply with the intensity and dimensional standards provided for in Article XIII, Division 1, Subdivisions A, and B of this chapter.~~

DIVISION 3. R2 TWO-FAMILY RESIDENTIAL DISTRICT

~~**Sec. 50-8-55. Intensity and dimensional standards.**~~ **[REPEALED]**

~~Development in the R2 Two-Family Residential District shall comply with the intensity and dimensional standards provided for in Article XIII, Division 1, Subdivisions A and B, of this chapter.~~

DIVISION 4. R3 LOW DENSITY RESIDENTIAL DISTRICT

~~**Sec. 50-8-85. Intensity and dimensional standards.**~~ **[REPEALED]**

~~Development in the R3 Low Density Residential District shall comply with the intensity and dimensional standards provided for in Article XIII, Division 1, Subdivisions A and B, of this chapter.~~

DIVISION 5. R4 THOROUGHFARE RESIDENTIAL DISTRICT

~~Sec. 50-8-115. Intensity and dimensional standards.~~ [REPEALED]

~~Development in the R4 Thoroughfare Residential District shall comply with the intensity and dimensional standards provided for in Article XIII, Division 1, Subdivisions A and B, of this chapter.~~

DIVISION 6. R5 MEDIUM DENSITY RESIDENTIAL DISTRICT

~~Sec. 50-8-145. Intensity and dimensional standards.~~ [REPEALED]

~~Development in the R5 Medium Density Residential District shall comply with the intensity and dimensional standards provided for in Article XIII, Division 1, Subdivision A, of this chapter and in Article XIII, Division 2, of this chapter.~~

DIVISION 7. R6 HIGH DENSITY RESIDENTIAL DISTRICT

~~Sec. 50-8-175. Intensity and dimensional standards.~~ [REPEALED]

~~Development in the R6 High Density Residential District shall comply with the intensity and dimensional standards provided for in Article XIII, Division 1, Subdivisions A and B, of this chapter.~~

ARTICLE IX. BUSINESS ZONING DISTRICTS

DIVISION 2. B1 RESTRICTED BUSINESS DISTRICT

~~Sec. 50-9-25. Intensity and dimensional standards.~~ [REPEALED]

~~Development in the B1 Restricted Business District shall comply with the intensity and dimensional standards provided for in Article XIII, Division 1, Subdivisions C and D, of this chapter.~~

DIVISION 3. B2 LOCAL BUSINESS AND RESIDENTIAL DISTRICT

~~Sec. 50-9-55. Intensity and dimensional standards.~~ [REPEALED]

~~Development in the B2 Local Business and Residential District shall comply with the intensity and dimensional standards provided for in Article XIII, Division 1, Subdivisions C and D, of this chapter.~~

Secs. 50-9-55—50-9-70. Reserved.

DIVISION 4. B3 SHOPPING DISTRICT

~~Sec. 50-9-85. Intensity and dimensional standards.~~ [REPEALED]

~~Development in the B3 Shopping District shall comply with the intensity and dimensional standards provided for in Article XIII, Division 1, Subdivisions C and D, of this chapter.~~

DIVISION 5. B4 GENERAL BUSINESS DISTRICT

~~Sec. 50-9-115. Intensity and dimensional standards.~~ [REPEALED]

~~Development in the B4 General Business District shall comply with the intensity and dimensional standards provided for in Article XIII, Division 1, Subdivisions C and D, of this chapter.~~

DIVISION 6. B5 MAJOR BUSINESS DISTRICT

~~Sec. 50-9-145. Intensity and dimensional standards.~~ [REPEALED]

~~Development in the B5 Major Business District shall comply with the intensity and dimensional standards provided for in Article XIII, Division 1, Subdivisions C and D, of this chapter.~~

DIVISION 7. B6 GENERAL SERVICES DISTRICT

~~Sec. 50-9-175. Intensity and dimensional standards.~~ [REPEALED]

~~Development in the B6 General Services District shall comply with the intensity and dimensional standards provided for in Article XIII, Division 1, Subdivisions C and D, of this chapter.~~

ARTICLE X. INDUSTRIAL ZONING DISTRICTS

DIVISION 2. M1 LIMITED INDUSTRIAL DISTRICT

~~Sec. 50-10-25. Intensity and dimensional standards.~~ [REPEALED]

~~Development in the M1 Limited Industrial District shall comply with the intensity and dimensional standards provided for in Article XIII, Division 1, Subdivisions E and F, of this chapter.~~

Secs. 50-10-25—50-10-40. Reserved.

DIVISION 3. M2 RESTRICTED INDUSTRIAL DISTRICT

~~Sec. 50-10-55. Intensity and dimensional standards.~~ [REPEALED]

~~Development in the M2 Restricted Industrial District shall comply with the intensity and dimensional standards provided for in Article XIII, Division 1, Subdivisions E and F, of this chapter.~~

Secs. 50-10-55—50-10-70. Reserved.

DIVISION 4. M3 GENERAL INDUSTRIAL DISTRICT

~~Sec. 50-10-85. Intensity and dimensional standards.~~ [REPEALED]

~~Development in the M3 General Industrial District shall comply with the intensity and dimensional standards provided for in Article XIII, Division 1, Subdivision E, of this chapter.~~

Secs. 50-10-85—50-10-100. Reserved.

DIVISION 5. M4 INTENSIVE INDUSTRIAL DISTRICT

~~**Sec. 50-10-115. Intensity and dimensional standards.**~~ **[REPEALED]**

~~Development in the M4 Intensive Industrial District shall comply with the intensity and dimensional standards provided for in Article XIII, Division 1, Subdivision E, of this chapter.~~

Secs. 50-10-115—50-10-130. Reserved.

DIVISION 6. M5 SPECIAL INDUSTRIAL DISTRICT

~~**Sec. 50-10-145. Intensity and dimensional standards.**~~ **[REPEALED]**

~~Development in the M5 Special Industrial District shall comply with the intensity and dimensional standards provided in Article XIII, Division 1, Subdivisions E and F, of this chapter.~~

Secs. 50-10-145—50-10-160. Reserved.

ARTICLE XI. SPECIAL PURPOSE ZONING DISTRICTS AND OVERLAY AREAS

DIVISION 2. PD PLANNED DEVELOPMENT DISTRICT

~~**Sec. 50-11-14. Intensity and dimensional standards.**~~ **[REPEALED]**

~~Lot dimensions, setbacks, height limitations, lot coverage percentages, and floor area ratios should be appropriate to the nature of the project and relate well to surrounding development.~~

DIVISION 3. P1 OPEN PARKING DISTRICT

~~**Sec. 50-11-35. General intensity and dimensional standards.**~~ **[REPEALED]**

~~Development in the P1 Open Parking District shall comply with the general intensity and dimensional standards provided for in Section 50-13-123 of this Code.~~

DIVISION 4. PC PUBLIC CENTER DISTRICT

~~**Sec. 50-11-65. General intensity and dimensional standards.**~~ **[REPEALED]**

~~Development in the PC Public Center District shall comply with the general intensity and dimensional standards provided for in Section 50-13-124 of this Code.~~

DIVISION 5. PCA PUBLIC CENTER ADJACENT DISTRICT

(RESTRICTED CENTRAL BUSINESS DISTRICT)

~~**Sec. 50-11-95. General intensity and dimensional standards.**~~ **[REPEALED]**

~~Development in the PCA Public Center Adjacent District (Restricted Central Business District) shall comply with the general intensity and dimensional standards provided for in Section 50-13-125 of this Code.~~

DIVISION 6. TM TRANSITIONAL-INDUSTRIAL DISTRICT

~~**Sec. 50-11-125. Intensity and dimensional standards.**~~ **[REPEALED]**

~~Development in the TM Transitional-Industrial District shall comply with the intensity and dimensional standards provided for in Section 50-13-126 of this Code and in Section 50-13-152 through Section 50-13-155 of this Code.~~

DIVISION 7. PR PARKS AND RECREATION

~~**Sec. 50-11-155. Intensity and dimensional standards.**~~ **[REPEALED]**

~~Development in the PR Parks and Recreation District shall comply with the intensity and dimensional standards provided for in Section 50-13-127 of this Code.~~

DIVISION 8. W1 WATERFRONT-INDUSTRIAL DISTRICT

~~**Sec. 50-11-185. General intensity and dimensional standards.**~~ **[REPEALED]**

~~Development in the W1 Waterfront-Industrial District shall comply with the general intensity and dimensional standards provided for in Section 50-13-128 of this Code.~~

~~**Sec. 50-11-186. Reserved.**~~

Secs. 50-11-185—50-11-200. Reserved.

DIVISION 9. MKT MARKET AND DISTRIBUTION DISTRICT

~~**Sec. 50-11-215. Intensity and dimensional standards.**~~ **[REPEALED]**

~~Development in the MKT Market and Distribution District is subject to Section 50-13-129 of this Code. Parking shall be prohibited between the street and front façade of the building.~~

Secs. 50-11-215—50-11-230. Reserved.

DIVISION 10. SD1—SPECIAL DEVELOPMENT DISTRICT, SMALL-SCALE, MIXED-USE

~~Sec. 50-11-245. General intensity and dimensional standards.~~ [REPEALED AND RELOCATED]

~~Development in the SD1 Special Development District shall comply with the general intensity and dimensional standards provided in Section 50-13-130 of this Code and as follows:~~

~~(1) *Front Setback:*~~

~~a. A minimum front setback is not required.~~

~~b. The maximum front setback allowed shall be the average of the front setback of the buildings located on the adjacent lots on each side of the subject building or 20 feet, whichever is less.~~

~~c. Off-street parking shall be prohibited in the front setback.~~

~~(2) *Rear Setback:*~~

~~a. If a street or alley is to the rear of a single-story building, a minimum rear setback is not required. If no street or alley is present, single-story buildings shall have a minimum rear setback of ten feet.~~

~~b. Where land zoned R1, R2, R3, R4, R5, R6, residential PD, or SD1 is located across a street or alley from the rear of a multi-story building, the multi-story buildings shall have a rear setback of ten feet; where a street or alley is not present to separate the rear of a multi-story building from land zoned~~

~~R1, R2, R3, R4, R5, R6, residential PD, or SD1, the multi-story building shall have a rear setback of 20 feet.~~

~~c. Buildings containing dwelling units, other than single- or two-family dwellings, shall have a rear setback of ten feet if a street or alley is present at the rear and 20 feet if a street or alley is not present.~~

~~(3) *Side Setback:* No minimum side setback is required except where a building is adjacent to land zoned R1, R2, R3, or R4. Where adjacent to land zoned R1, R2, R3, or R4, the side setback shall be calculated using Formula A.~~

~~(4) *Off-street parking location:* Parking shall be prohibited between the street and front façade of the building.~~

~~(5) *Maximum height:* 35 feet for non-mixed-use, 50 feet for mixed-use. Where a lot fronts on a right-of-way which is more than 50 feet wide and where the outermost point of the proposed mixed-use building is at least 40 feet from all R1, R2, and R3 Districts, the maximum height may be increased one foot for each one foot of right-of-way width greater than 50 feet. The building shall not exceed 60 feet in height.~~

DIVISION 11. SD2—SPECIAL DEVELOPMENT DISTRICT, MIXED-USE

~~Sec. 50-11-275. Intensity and dimensional standards.~~ [REPEALED AND RELOCATED]

~~Development in the SD2 Special Development District, Mixed-Use, is subject to Section 50-13-131 of this Code and as follows:~~

~~(1) *Front Setback.*~~

~~a. A minimum front setback is not required.~~

~~b. The maximum front setback allowed shall be the average of the front setback of the buildings located on each side of the subject building or 20~~

~~feet, whichever is less. Parking in front of a neighboring building does not count as a front setback.~~

~~c. Off-street parking shall be prohibited in the front setback.~~

~~(2) *Rear Setback.*~~

~~a. If a street or alley is to the rear of a single-story building, a minimum rear setback is not required. If no street or alley is present, single-story buildings shall have a minimum rear setback of ten feet.~~

~~b. Where a single- or two-family dwelling is located across a street or alley from the rear of a multi-story building, the multi-story building shall have a rear setback of ten feet; where a street or alley is not present to separate the rear of a multi-story building from a single- or two-family dwelling, the multi-story building shall have a rear setback of 20 feet.~~

~~c. Buildings containing dwelling units, other than single- or two-family dwellings, shall have a rear setback of ten feet if a street or alley is present at the rear and 20 feet if a street or alley is not present.~~

~~(3) *Side Setback.* No minimum side setback is required except where a building is adjacent to land zoned R1, R2, R3, or R4. Where adjacent to land zoned R1, R2, R3, or R4, the side setback shall be calculated using Formula A.~~

~~(4) *Off-street parking location.* Parking shall be prohibited between the street and front façade of the building.~~

~~(5) *Maximum height.* 45 feet for nonmixed-use, 60 feet for mixed-use. Where a lot fronts on a right-of-way which is more than 60 feet wide and where the outermost point of the proposed mixed-use building is at least 40 feet from all R1, R2, and R3~~

~~Districts, the maximum height may be increased one foot for each one foot of right-of-way width greater than 60 feet. The mixed-use building must not exceed 80 feet in height.~~

Secs. 50-11-275—50-11-280. 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 ~~with~~in 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		
Formula A and Formula B are calculated as set forth in Section 50-13-229 of this Code									
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~~ 4,000	~~50~~ 40	~~20~~ 15	~~4 ft. minimum/ 14 ft. combined~~ 5	~~30~~ 20	35	40 ~~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~~ 4 each side, 14 combined	30	35	35		

(b) Intensity and dimensional standards in the R1 Single-Family Residential District for certain uses on lots that did not, as of January 1, 2027, and currently 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		
Single-family dwellings			15	3 each side, 8 combined	20	35	45		Sections 50-13-23, 50-13-29, 50-13-184; Article XIV, Division 3, Subdivision A

Sec. 50-13-3. R2 District.

(a) Intensity and dimensional standards ~~with~~in the R2 Two-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		
Formula A and Formula B are calculated as set forth in Section 50-13-229 of this Code									
Accessory buildings/ structures						15			Section 50-13-206
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
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~~ 3,200	~~50~~ 32	~~20~~ 15	~~4 ft. minimum/ 14 ft. Combined~~ 4	~~30~~ 20	35	45 ~~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~~ 15	Formula B	~~30~~ 20	35	35		Sections 50-13-23, 50-13-184, 50-13-186
Two-family dwellings	~~6,000~~ 3,200	~~55~~ 32	~~20~~ 15	~~4 ft. minimum/ 14 ft. Combined~~ 4	~~30~~ 20	35	45 ~~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~~ 4 each side, 14 combined	20	35	35		

(b) Intensity and dimensional standards in the R2 Two-Family Residential District for certain uses on lots that did not, as of January 1, 2027, and currently 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		
Single-family dwellings			10	3	20	35	50		Section 50-13-23, 50-13-29, 50-13-184; Article XIV,

									Division 3, Subdivision A
Two-family dwellings			10	3	20	35	50		Sections 50-13-23, 50-13-184; Article XIV, Division 3, Subdivision A

Sec. 50-13-4. R3 District.

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

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	Section 50-13-222		Section 50-16-382	Section 50-16-382	Section 50-13-231	Section 50-13-232	Section 50-13-236 Section 50-13-237		
Formula A and Formula B are calculated as set forth in Section 50-13-229 of this Code									
Accessory buildings/ structures						15			Section 50-13-206
Cemeteries									Sections 50-13-26, 50-13-211(2)
Fire or police stations			20	15	30			0.70	
Libraries or museums	10,000	70	20	Formula B	30	35			Section 50-13-29
Multiple-family dwellings	7,000	70	20	Formula A	30		(0.12 RSR)	0.70	Section 50-13-23
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~~ 3,200	~~50~~ 32	~~20~~ 15	~~4 ft. minimum/ 14 ft. Combined~~ 4	~~30~~ 20	35	45 ~~35 (See also Section 50-13-185)~~		Sections 50-13-2350-13-29, 50-13-184; Article XIV, Division 3, Subdivision A
Townhouses (attached group)	7,000	70	~~20~~ 15	Formula A	~~30~~ 20			0.70	Sections 50-13-23, 50-13-184, 50-13-186
Two-family dwellings	~~6,000~~ 3,200	~~60~~ 32	~~20~~ 15	~~4 ft. minimum/ 14 ft. Combined~~ 4	~~30~~ 20	35	45 ~~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			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 did not, as of January 1, 2027, and currently 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 FAR**	**Add'l. Regs.**

	Area (sq. ft.)	**Width (feet)**	**Front**	**Side***	**Rear**	**Max. Height (feet)**	**Max. Lot Coverage (%)**		
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		
Single-family dwellings			10	3	20	35	50		Sections 50-13-2350-13-29, 50-13-184; Article XIV, Division 3, Subdivision A
Two-family dwellings			10	3	20	35	50		Sections 50-13-23, 50-13-184; Article XIV, Division 3, Subdivision A

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. 50-13-22.~~

Sec. 50-13-22. Traffic safety sight area.

In order to provide a clear line of sight for the drivers of approaching motor vehicles, the following requirements shall apply:

(1) On a corner lot in the R1, R2, R3, R4, R5, R6, and residential PD Districts, no opaque fence, wall, hedge, or other structure, shrubbery, mounds of earth or other visual obstruction over 36 inches in height above the nearest street curb elevation ~~shall~~ may be erected, placed, planted, or allowed to grow within the ~~"~~clear vision triangle~~," as described in Subsection (3) of this section~~.

(2) Subsection (1) of this section shall not apply to public utility poles; trees trimmed to the trunk to a line at least six feet above the level of the intersection; saplings or plant species of open growth habits and not planted in the form of a hedge, which are so planted and trimmed as to leave a clear and unobstructed cross view during all seasons; supporting members of appurtenances to permanent structures existing ~~on the date this section became effective, which is~~ as of May 28, 2005; and official ~~warning~~ signs or signals.

~~(3) The "clear vision triangle" is that area formed by extending the two curb lines a distance of 45 feet from their point of intersection and connecting these points with an imaginary line, thereby making a triangle.~~

~~(4) In cases where streets do not intersect at approximately right angles, the Department of Public Works Traffic Engineering Division shall have the authority to vary these requirements as it deems necessary to provide safety for both vehicular and pedestrian traffic, provided, that site distance in excess of 275 feet shall not be required.~~

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:~~ this section.

(1) For purposes of this section, a zoning lot's "neighboring residential properties" means the zoning lots used for residential purposes located on the same side of the street as the subject zoning lot and within 60 feet, measured linearly, on either side of the subject zoning lot. ~~In the event one or both of the existing abutting residential dwellings has been erected at~~ If a residential dwelling is located in 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~~ a neighboring residential property, then such property 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's neighboring residential properties contain at least one residential dwelling then the minimum front setback for such lot is the lesser of: (i) the smallest of the front setbacks of the dwellings on the neighboring residential properties or (ii) 20 feet.

~~(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:~~

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

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

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

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(3) If a zoning lot's neighboring residential properties are all vacant on both sides of the lot, the minimum front setback for such lot is as specified in Sections 50-13-2 through 50-13-7 of this Code.

~~**Sec. 50-13-24. Special provisions for side setbacks for single- or two-family dwellings.**~~ **[REPEALED]**

~~The following special provisions for side setbacks shall apply for single- or 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;~~

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

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

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

~~Sec. 50-13-25. Rear and side setback exceptions for multiple-family dwellings.~~ [REPEALED AND RELOCATED]

~~The following rear and side setback exceptions shall apply for multiple-family dwellings:~~

~~(1) *Rear setback.* Each zoning lot upon which a multiple-family dwelling is placed or erected where the only entrance of a unit within the building opens directly on a rear yard, shall provide a rear yard of not less than 45 feet, and the five feet nearest the building shall not be used for vehicular parking. Where the balance of the yard is utilized for vehicular parking purposes, the five feet or greater space shall be separated from the parking area by precast concrete wheel stops or their equivalent, at least six inches in height, and located on the parking area not less than three feet from the edge of the five feet or greater space. Firmly implanted bumper guards that are located at the edge of the parking area may be substituted for the above-required wheel stops;~~

~~(2) *Side setback.* Where any side setback is used in whole or in part for vehicular parking, the five feet nearest the principal building shall not be used for vehicular parking or driveway purposes, and this five feet or greater space shall be separated from the balance of the setback by a barrier as described in Subsection (1) of this section;~~

~~(3) *Side setback.* Except as provided for in~~ 50-13-181 ~~of this Code, each zoning lot upon which a multiple-family dwelling is placed or erected where the only entrance of a unit within the structure opens directly on a side yard not abutting a street, shall provide a side setback of not less than 20 feet; and~~

~~(4) The provisions with respect to parking in Article XIV, Division 1, Subdivision I (off-street parking area design); Article XIV, Division 1, Subdivision E (use of accessory parking lots and areas); and Article XIV, Division 2, Subdivision C, of this chapter (off-street parking areas) shall also apply.~~

~~Sec. 50-13-28. Lofts.~~ [REPEALED AND RELOCATED]

~~The setback requirements for "all other uses" in the R3, R4, R5, and R6 Districts do not apply to lofts.~~

~~Sec. 50-13-29. Setback requirements; lot area and lot width requirements.~~ [REPEALED AND RELOCATED]

~~The setback requirements, the lot area requirements, and the lot width requirements for residential uses and public, civic, and institutional uses, do not apply where such a use is established in an existing building, provided, that any expansion of such use shall comply with applicable setback requirements.~~

Secs. 50-13-28~~—~~50-13-40. - Reserved.

Subdivision D. General Dimensional Standards for Business Districts

Sec. 50-13-62. Setback requirements; lot area and lot width requirements.

~~(a) Where a dwelling unit is erected, located, or placed above another type of use in a B2 or B4 District, no setbacks shall be required for the dwelling unit, except a rear setback which may begin at the lowest floor occupied for dwelling purposes.~~

~~(b) The setback requirements for "all other residential and public, civic and institutional uses" in the B1, B2, B3, and B4 Districts do not apply to lofts;~~

~~(c) The setback requirements for "all other residential uses and public, civic, and institutional uses" do not apply to "residential uses combined in structures with permitted~~

~~commercial uses" on land zoned B2, B3, or B4 in designated Traditional Main Street Overlay Areas, as provided in Section 50-11-382 of this Code~~ If any setback standards set forth in Subdivision C of this division are in conflict with any setback standards for Traditional Main Street Overlay Areas, as set forth in Section 50-11-382 of this Code, the standards for Traditional Main Street Overlay Areas must control.

~~(d) The setback requirements, the lot area requirements, and the lot width requirements for residential uses and public, civic, and institutional uses do not apply where such a use is established in an existing building, provided, that any expansion of such use shall comply with applicable setback requirements.~~

Subdivision G. Special Purpose Zoning Districts

Sec. 50-13-130. SD1 District.

(a) Intensity and dimensional standards in the SD1 Special Development District, ~~Residential/Commercial~~ Small-Scale, Mixed-Use, 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 and Formula B are calculated as set forth in Section 50-13-229 of this Code									
Gas regulator stations, electric transformer stations, telephone exchange buildings			As set forth in Section 50-13-157.1						
Establishment for the sale of beer or alcoholic liquor for			As set forth in Section 50-13-157.1						

consumption on the premises						
Fraternity or sorority houses	7,000	70	As set forth in Section 50-13-157.1			
Hotels	7,000	70	As set forth in Section 50-13-157.1			
Libraries or museums	10,000	70	As set forth in Section 50-13-157.1			
Marinas			20	20		Section 50-13-172
Multiple-family dwellings	7,000	70	As set forth in Section 50-13-157.1	(0.07 RSR)		
Neighborhood centers (non-profit)	7,000	70	As set forth in Section 50-13-157.1			
Outdoor recreation facilities						Section 50-13-211
Parking lots or parking areas			As set forth in Section 50-13-157.1			Article XIV, Division 1, Subdivision I
Parking structures			As set forth in Section 50-13-157.1			Section 50-13-183
Personal service establishment as defined in Section 50-16-341			As set forth in Section 50-13-157.1			
Radio, television, or household appliance repair shop			As set forth in Section 50-13-157.1			
Religious institutions	10,000	70	As set forth in Section 50-13-157.1			

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Residential use combined in structures with permitted (first floor) commercial uses			As set forth in Section 50-13-157.1			50, not to exceed 4 stories;			
Restaurants			As set forth in Section 50-13-157.1						
Rooming houses	7,000	70	As set forth in Section 50-13-157.1				(0.07 RSR)		
Schools	10,000	70	As set forth in Section 50-13-157.1						
Single-family dwellings; religious residential facilities	5,000	50	20	4 ft. minimum/14 ft. combined	30	35			
Specially designated distributor's (SDD) establishments			As set forth in Section 50-13-157.1						
Specially designated merchant's (SDM) establishments			As set forth in Section 50-13-157.1						
Stores of a generally recognized retail nature whose primary business is the sale of new merchandise			As set forth in Section 50-13-157.1						
Townhouses (attached group)	7,000	70	20	Formula A	30		35	1.50	Section 50-13-186

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Agricultural uses			See Section 50-12-400				Section 50-12-409
All mixed use			As set forth in Section 50-13-157.1	50, not to exceed 4 stories			
All other uses, other than mixed use	7,000	70	As set forth in Section 50-13-157.1	35			

Sec. 50-13-131. SD2 District.

Intensity and dimensional standards in the SD2 Special Development District, ~~Commercial/Residential,~~ Mixed-Use, 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 and Formula B are calculated as set forth in Section 50-13-229 of this Code									
Fraternity or sorority houses	7,000	70	20	Formula A	30			1.50	
Hotels	7,000	70	As set forth in Section 50-13-157.2						
Libraries or museums	10,000	70	As set forth in Section 50-13-157.2						
Motor vehicle filling station	See Section 50-13-173		See Sections 50-13-178 and 50-13-179				See Section 50-13-177		
Multiple-family dwellings	7,000	70	As set forth in Section 50-13-157.2				(0.07 RSR)		
Neighborhood centers (non-profit)	7,000	70	As set forth in Section 50-13-157.2						

Outdoor recreation facilities							Section 50-13-211
Parking lots or parking areas			As set forth in Section 50-13-157.2				Article XIV, Division 1, Subdivision I
Parking structures			As set forth in Section 50-13-157.2				Section 50-13-183
Religious institutions	10,000	70	As set forth in Section 50-13-157.2				Section 50-13-184
Rooming houses	7,000	70	As set forth in Section 50-13-157.2		(0.07 RSR)		
Schools	10,000	70	As set forth in Section 50-13-157.2				Section 50-13-211
Townhouses (attached group)	7,000	70	As set forth in Section 50-13-157.2				Section 50-13-186
All mixed use			As set forth in Section 50-13-157.2	60, not to exceed 5 stories; ~~see Section 50-11-275~~			
All other uses, other than mixed use			As set forth in Section 50-13-157.2	45			Section 50-13-211

Subdivision H. General Intensity and Dimensional Standards for Special Purpose Zoning Districts

Sec. 50-13-157.1. SD1 District Requirements.

Development in the SD1 Special Development District shall comply with the general intensity and dimensional standards provided in Section 50-13-130 of this Code and as follows:

(1) *Front Setback:*

a. A minimum front setback is not required.

b. The maximum front setback allowed shall be the average of the front setback of the buildings located on the adjacent lots on each side of the subject building or 20 feet, whichever is less.

c. Off-street parking shall be prohibited in the front setback.

(2) *Rear Setback:*

a. If a street or alley is to the rear of a single-story building, a minimum rear setback is not required. If no street or alley is present, single-story buildings shall have a minimum rear setback of ten feet.

b. Where land zoned R1, R2, R3, R4, R5, R6, residential PD, or SD1 is located across a street or alley from the rear of a multi-story building, the multi-story buildings shall have a rear setback of ten feet; where a street or alley is not present to separate the rear of a multi-story building from land zoned R1, R2, R3, R4, R5, R6, residential PD, or SD1, the multi-story building shall have a rear setback of 20 feet.

c. Buildings containing dwelling units, other than single- or two-family dwellings, shall have a rear setback of ten feet if a street or alley is present at the rear and 20 feet if a street or alley is not present.

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(3) *Side Setback:* No minimum side setback is required except where a building is adjacent to land zoned R1, R2, R3, or R4. Where adjacent to land zoned R1, R2, R3, or R4, the side setback shall be calculated using Formula A.

(4) *Off-street parking location:* Parking shall be prohibited between the street and front façade of the building.

(5) *Maximum height:* 35 feet for non-mixed-use, 50 feet for mixed-use. Where a lot fronts on a right-of-way which is more than 50 feet wide and where the outermost point of the proposed mixed-use building is at least 40 feet from all R1, R2, and R3 Districts, the maximum height may be increased one foot for each one foot of right-of-way width greater than 50 feet. The building shall not exceed 60 feet in height.

Sec. 50-13-157.2. SD2 District Requirements.

Development in the SD2 Special Development District, Mixed-Use, is subject to Section 50-13-131 of this Code and as follows:

(1) *Front Setback.*

a. A minimum front setback is not required.

b. The maximum front setback allowed shall be the average of the front setback of the buildings located on each side of the subject building or 20 feet, whichever is less. Parking in front of a neighboring building does not count as a front setback.

c. Off-street parking shall be prohibited in the front setback.

(2) *Rear Setback.*

a. If a street or alley is to the rear of a single-story building, a minimum rear setback is not required. If no street or alley is present, single-story buildings shall have a minimum rear setback of ten feet.

b. Where a single- or two-family dwelling is located across a street or alley from the rear of a multi-story building, the multi-story building shall have a rear setback of ten feet; where a street or alley is not present to separate the rear of a multi-story building from a single- or two-family dwelling, the multi-story building shall have a rear setback of 20 feet.

c. Buildings containing dwelling units, other than single- or two-family dwellings, shall have a rear setback of ten feet if a street or alley is present at the rear and 20 feet if a street or alley is not present.

(3) *Side Setback.* No minimum side setback is required except where a building is adjacent to land zoned R1, R2, R3, or R4. Where adjacent to land zoned R1, R2, R3, or R4, the side setback shall be calculated using Formula A.

(4) *Off-street parking location.* Parking shall be prohibited between the street and front façade of the building.

(5) *Maximum height.* 45 feet for nonmixed-use, 60 feet for mixed-use. Where a lot fronts on a right-of-way which is more than 60 feet wide and where the outermost point of the proposed mixed-use building is at least 40 feet from all R1, R2, and R3 Districts, the maximum height may be increased one foot for each one foot of right-of-way width greater than 60 feet. The mixed-use building must not exceed 80 feet in height.

Subdivision I. Intensity and Dimensional Standards for Specific Uses

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

~~Multiple-family dwellings in the R2 District shall have minimum side setbacks of ten feet which shall be increased by one foot for each five feet, or part thereof, where the structure exceeds~~

~~50 feet in overall dimension along the side setback. Further, a side setback shall be provided that is not less than 30 feet for multiple-family dwellings which contain principal or secondary entrances to one or more dwelling units along the side setback.~~ A multiple-family dwelling that contains a dwelling unit for which the only entrance opens directly to the side or rear of the building must provide an accessible pathway of not less than five feet in width along the length of such side or rear of the building.

Sec. 50-13-184. ~~Religious institutions; residential uses and public, civic, or institutional uses.~~ [REPEALED AND RELOCATED]

~~There shall be no setback requirements, lot area requirements, or lot width requirements where an existing building, or portion thereof, is converted to a residential use, chapel, church, mosque, synagogue, or temple, or to any other public, civic, or institutional use.~~

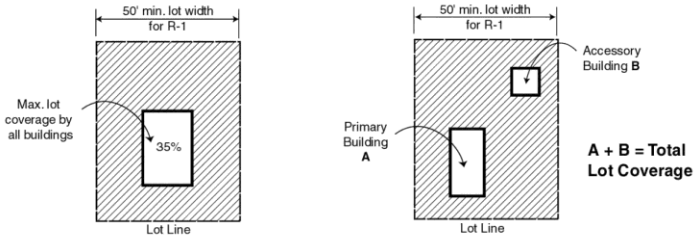
~~Sec. 50-13-185. Single-family dwellings and religious residential facilities.~~ [REPEALED]

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

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

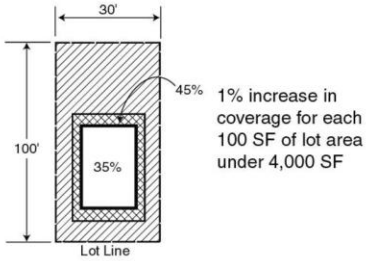
~~(2) Additional "small lot" development standards are stated in Section 50-13-254 of this Code.~~

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



SINGLE-FAMILY DETATCHED 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)



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

~~Sec. 50-13-186. Townhouses.~~ [REPEALED]

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

~~(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;~~

~~(3) In the R2, R3, and R4 Districts, the following minimum dimensional standards shall apply to individual townhouses: 2,000 square feet of lot area and 20 feet width;~~

~~(4) In the R5, R6, B1, B2, B4, and B5 Districts, the following minimum dimensional standards shall apply to individual townhouses: 1,800 square feet of lot area and 18 feet width;~~

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

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

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

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

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

(See Figure 50-13-187(b)).
Figures 50-13-187(a) and (b)
(For Informational Purposes Only)

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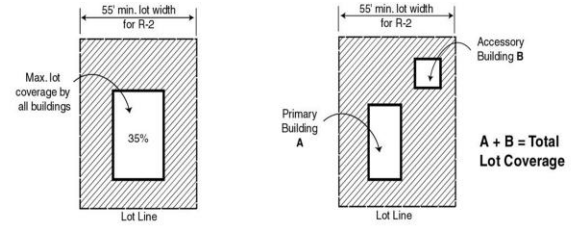
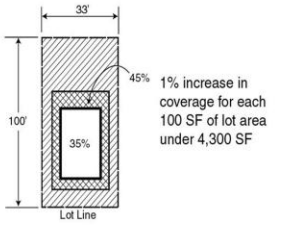


TWO FAMILY DWELLINGS AND ACCESSORY BUILDINGS
IN R-2 ON LOTS OF 4,300 SF OR GREATER



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

Secs. 50-13-187—50-13-200. Reserved.

Subdivision J. Miscellaneous Intensity and Dimensional Standards

Sec. 50-13-212. Dimensional standards for uses in existing buildings.

(a) A use established within an existing building or structure is not subject to applicable minimum lot dimensions, minimum setbacks, maximum height, and maximum lot coverage requirements, as set forth in this Division. However, any portion of such use not contained within the existing building, including any portion of the use located in an addition to the existing building, in a new building or structure, or outside is subject to applicable dimensional standards.

(b) Single-unit, two-unit, and multi-unit Lofts that are subject to dimensional standards pursuant to Subsection (a) of this section are subject to those standards for single-family, two-family, or multi-family dwellings, respectively, as applicable.

Secs. 50-13-213—50-13-220. Reserved.

DIVISION 2. MEASUREMENTS, REQUIREMENTS, AND EXCEPTIONS

Sec. 50-13-224. Setback requirements.

~~(a) Except as provided for in Section 50-13-24 of this Code for single- and two-family dwellings, setbacks shall be provided as required under each zoning district, subject to administrative adjustment as provided for in Section 50-4-122 of this Code.~~

~~(b)~~ ~~Setbacks shall~~ Portions of a lot within required setback areas must be ~~unobstructed~~ undeveloped from the ground level to the sky, except as ~~permitted~~ set forth in Section 50-13-226 of this Code.

Sec. 50-13-226. Features allowed within required setbacks. [REFORMATTED]

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

~~**Feature That May Encroach or Project Into Required Setback**~~	~~**Standards**~~

The following features may be located within required setback areas, subject to applicable standards and restrictions:

(1) *Access roads and driveways*. ~~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 and driveways leading to accessory parking ~~and/~~or loading areas, parking ~~and/or~~ structures, ~~and/~~or pedestrian pick-up/drop-off areas may be located in setback areas, except that multiple-lane access road are prohibited in setback areas in the R1 and R2 Districts. ~~Does not apply to access roads in R1, R2.~~

(2) *Air conditioners and mechanical equipment*. Ground-based air conditioners and other mechanical equipment may be located in side and rear setback areas but must be not less than three feet from any property line. Window air conditioning units may project not more than two feet into setback areas.

(3) *Antennas*. 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 be located in or 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.

(4) *Awnings, patio covers, and pergolas* ~~(attached)~~. ~~No portion of the~~ Awning, patio, or pergola structures may be located in or project into a setback area. Such structures may be located in or project into a rear setback area not less than 10 ~~within ten~~ feet from the rear property line, or ~~within~~ not less than five feet ~~of~~ from a rear property line along which a solid masonry wall at least five feet in height is constructed. ~~No portion of the structure may be located within~~ Such structures may be located in or project into a side setback area not less than18 inches from a side property line. ~~The area of the structure, or portion thereof located within the setback, including any eaves or overhangs, must not exceed one third of the area of the portion of the zoning lot within the setback. Detached shade structures and carports are treated as "accessory" structures.~~

(5) *Balconies*. Balconies may project not more than six feet into a front or rear setback area, and three feet into a side setback area, but must be not less than three feet from any property line.

(6) *Bay windows*. Bay windows may project not more than ~~2.5~~ three feet into a ~~required~~ setback area, but must be not less than three feet from any property line.

(7) *Carports* ~~(attached)~~. Carports may be located in a setback area only if attached. Carports may ~~not~~ be located only in a rear or side setback not less than three feet from a side property line~~, and may not be located in required front setback~~. ~~In addition, carports shall~~ Carports located in setback areas must be designed so as to prevent runoff onto adjacent properties.

(8) *Chimneys*. Chimneys, fireplaces, pilasters, and smokestacks~~, and window air conditioners~~ may project not more than two feet into setback areas, but must not exceed~~ing~~ six square feet in area and must not be less than three feet from any property line. ~~May protect or encroach not more than 16 inches into a required setback.~~

(9) *Clothesline posts*. ~~No limitations in side or rear setbacks.~~ Clothesline posts may ~~not to~~ be located in ~~required~~ side or rear, but not front, setback areas.

~~Cornices, eaves, mechanical equipment, and ornamental features. May project not more than 14 inches into any required side setback.~~

~~Curbs and sidewalks. No limitations.~~

(10) Eaves. Eaves may project into setback areas, but must be not less than two feet from any property line. Eaves must be equipped with gutters or otherwise be designed so as to prevent runoff onto adjacent properties.

(11) *Fences and walls*. ~~Subject to the~~ Fences and walls constructed in accordance with applicable standards set forth in Article XIV, Division 2, Subdivision C of this chapter may be located in setback areas.

(12) Fire escapes. Fire escapes, external stairways, and ~~balconies which are open and unenclosed, and~~ marquees~~.~~ may project not more than five feet into a ~~required~~ setback area, but in residential zoning districts must be not less than three feet from any property line.

(13) *Flagpoles*. ~~No limitations.~~ Flagpoles may be located in or project into setback areas. Ground-based flagpoles must be not less than three feet from any property line.

(14) *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. Unattached garages and other accessory structures may not be located less than three feet from a side property line except for the reconstruction of damaged accessory structures on an existing foundation, and may not be located in required front setback.~~ Attached garages shall be subject to the setback provisions for the dwellings to which they are attached. In addition, garages and other accessory structures shall be designed so as to prevent runoff onto adjacent properties. Unattached garages and other enclosed accessory structures may be located in a rear or side, but not front, setback area, as follows:

(i) If a lot line abuts an alley that provides vehicular access to the property, then such structures may be located up to the lot line.

(ii) A garage that reconstructs or replaces a damaged structure within the footprint of the preexisting structure may be located up to the lot line.

(ii) Otherwise, such structures may be located up to three feet from the lot line. Any such structure must be designed so as to prevent runoff onto adjacent properties.

(15) *Lighting poles*. Lighting poles and other fixtures may be located in setback areas, but privately-owned poles must be not less than three feet from any lot line.

(16) *Ornamental features*. Cornices and other ornamental architectural features may be located in or project into setback areas.

~~*Parking and driveways*. Operable private passenger vehicles may be parked on the driveway in only one side setback and the continuation of that side setback into the front setback to the property line. The area shall be maintained in a dust-free condition at all times. No mechanical maintenance or vehicular repairs shall be conducted in this area.~~

(17) ~~Porches (enclosed)~~*Porches and decks*. Porches, either enclosed or unenclosed, and decks may project not more than eight feet into ~~required~~ only front and rear ~~setbacks, subject to applicable sections of Chapter 8, Article II of this Code that pertain to such existing porches. Additionally subject to regulations set forth in Subsection (1) of this section.~~ areas, not less than three feet from the lot line. Enclosed porches projecting into setback areas may be enclosed with kickplates not exceeding 42

inches in height above the floor of the porch and must not be enclosed by opaque materials above beyond 42 inches in height above the porch floor.

~~Porches (unenclosed) and decks. project not more than eight feet into a required front or rear setback. No enclosed porch shall be constructed within any required side setback.~~

(18) *Ramps*. Ramps for persons with disabilities may be located in setback areas not less than two feet of any lot line. ~~Subject to Chapter 8, Article II of this Code. Additionally subject to regulations set forth in Subsection (2) of this section.~~

(19) *Sidewalks*. Sidewalks and associated curbing may be located in setback areas.

(20) *Signs*. ~~Regulated in accordance with~~ Signs constructed in accordance with applicable standards set forth in Chapter 4 of this Code may be located in setback areas.

(21) *Vegetation*. Trees, shrubs, flowers, ~~fences, walls,~~ hedges, and other landscape features may be located within any required setback. ~~In addition, the following table lists features that may be located within any required setbacks, subject to the associated standards:~~

~~Yard and service lighting fixtures, poles. May not be located less than three feet from any lot line.~~

~~(1) Porches (enclosed).~~

~~a. Enclosed porches are subject to the approval of the Buildings, Safety Engineering, and Environmental Department after receipt of a report and recommendation from the Planning and Development Department. Such report and recommendation shall be submitted within 15 working days of~~

~~the receipt of the request from the Buildings, Safety Engineering Department, after which time the Buildings, Safety Engineering, and Environmental Department may proceed with or without said report and recommendation. The Planning and Development Department may recommend changes and special conditions to the proposed structures, and recommend approval of the proposed structure as adjusted. The Planning and Development Department shall review and determine the following:~~

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

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

~~b. Such structure shall be erected and maintained in accordance with the following criteria:~~

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

~~2. The structure shall not be enclosed in any way by opaque materials, beyond 42 inches in height above the porch floor.~~

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

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

~~(2) Ramps. Ramps for persons with disabilities, subject to applicable provisions of Chapter 8, Article II of this Code, are permitted in rear setbacks and may project into required front and side setbacks. No part of any such ramp may be located nearer within two feet of any property line. Such structures shall be erected and maintained in accordance with the following criteria:~~

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

~~b. Open areas underneath ramps for persons with disabilities shall 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 required by Chapter 8, Article II of this Code, ramps for persons with disabilities shall be provided with 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.

(a) In ~~many~~ some instances, side setback requirements are determined ~~through the use of the following formula~~ by certain formulas, 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.~~

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

~~Sec. 50-13-231. Rear setback; definition.~~ [REPEALED]

~~The term "rear setback" means a setback that is required from the rear lot line and that extends the full width of the lot.~~

~~Sec. 50-13-236. Bulk measurement and requirements; lot coverage.~~ [REPEALED]

~~Lot coverage means the portion of a site that is covered by principal and accessory buildings and structures, as measured from the outside of the building or structure at ground level, and expressed as a percentage of total site area.~~

DIVISION 3. ALTERNATIVE RESIDENTIAL DEVELOPMENT OPTIONS

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

~~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.~~

~~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.~~

~~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.~~

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~~Sec. 50-13-257. Zero lot line development; in general.~~ [REPEALED]

~~In a zero lot line development, houses are shifted to one side of their lot. This provides for greater usable yard space on each lot. These developments require that planning for all of the house locations be done at the same time. Because the exact location of each house is predetermined, greater flexibility in site development is possible while ensuring that the single-family detached character is maintained.~~

~~Sec. 50-13-258. Zero lot line development; applicability.~~ [REPEALED]

~~Zero lot line developments are allowed by right in any residential district as an alternative residential development option.~~

~~Sec. 50-13-259. Zero lot line development; review and approval.~~ [REPEALED]

~~Review for compliance with the standards of Section 50-13-260 and Section 50-13-261 of this Code that involve zero lot line development shall occur during the platting process or in the preliminary stages of site condominium development. Restrictions that ensure the minimum distance between houses and any required easements must be recorded on the deeds of the applicable lots. Proof of such recordation must be submitted as part of the building permit application.~~

~~Sec. 50-13-260. Zero lot line development; setbacks.~~ [REPEALED]

~~The side building setback on one side of the house may be reduced to zero. This reduction does not apply to the street side setback or to the interior side setback that is adjacent to lots, which are not part of the zero lot line project.~~

~~Sec. 50-13-261. Zero lot line development; additional standards.~~ [REPEALED]

~~The following additional zero lot line development standards shall apply:~~

~~(1) *Distance between houses.* The minimum distance between all buildings in the development must be equal to twice the minimum required side setbacks that are specified in the underlying zoning district. A deed restriction must be recorded on the deed of each applicable lot to ensure continued compliance with this setback;~~

~~(2) *Eaves.* The eaves on the side of a house with a reduced setback may project a maximum of 24 inches over the adjacent property line. In this case, an easement for the eave projection must be recorded on the deed for the lot where the projection occurs; and~~

~~(3) *Maintenance easement.* An easement to allow for maintenance or repair is required where the eaves or side wall of a house are within four feet of the adjacent property line. The easement on the adjacent property must provide at least ten feet of unobstructed space between the furthermost project of the structure and be wide enough to allow five feet between the eaves or side wall and the edge of the easement.~~

ARTICLE XIV. DEVELOPMENT STANDARDS

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

Subdivision K. Off-Street Parking Facilities in Residential Districts

Sec. 50-14-286. Location of off-street parking ~~on land zoned R1 and R2~~in residential districts.

~~The following requirements, with respect to the location of~~ In the R1, R2, R3, R4, R5, and R6 Districts, off-street parking ~~in the R1 and R2 Districts, shall apply~~ of operable private passenger vehicles is subject to the following:

~~(1) In the R1 and R2 Districts, off-street parking of operable private passenger vehicles on~~ For zoning lots ~~that contain single-family or two-family dwellings shall be permitted only off-street parking:~~

~~a. In garages;~~

~~b. On approved parking areas in the rear yard as specified in Subsection (3) of this section;~~

~~c. On approved driveways as defined in Section 50-16-172 of this Code, in only one side yard and the continuation of that side yard into the front yard to the property line. There shall be not more than one driveway per residential dwelling unit, except as provided for in Subsection (5) of this section; or~~

~~d. On semicircular drives, as specified in Subsection (5) of this section;~~

~~(2) In R1 and R2 Districts, off-street parking on the site of an allowed non-residential use shall not be allowed within required front or side setbacks;~~

~~(3) In R1 and R2 Districts, where dwelling units are built without an attached garage, a solid paved access shall be required from the street or alley to a garage or paved parking area and the solid paved access shall follow the most direct route from the street to any garage or paved parking area on the lot. Where no garage is provided, the paved parking area shall be located completely within the rear yard area and shall have maximum dimensions of 20 feet by 30 feet and shall not cover more than 50 percent of the rear yard. No parking shall be permitted on lawns or other unpaved areas on residential lots. The required parking area and access shall be paved with an asphaltic or Portland cement binder or solid paver;~~

~~(4) In R1 and R2 Districts, where dwelling units are built with an attached garage, a solid paved access shall be provided from the street, or, where applicable, the alley, to the attached garage. The access shall be paved with an asphaltic or Portland cement binder or solid paver;~~

~~(5) In R1 and R2 Districts, semicircular drives, or other drives with more than one point of access to a street shall be permitted only on zoning lots having a lot width of at least 60 feet and a front yard having at least 2,100 square feet;~~

~~(6) See Figure 50-14-286 and Section 50-8-27 and Section 50-8-57 of this Code for additional regulations; see also Section 46-4-16 of this Code; and~~

~~(7) Off-street parking on the site of an allowed multiple-family dwelling or non-residential use shall be allowed only in the rear yard or in not more than one of the side yards. (See also Section 50-13-25 of this Code.)~~

(1) *Single-family and two-family dwellings*. For a zoning lot that contains either a single-family or two-family dwelling, off-street parking is permissible only within the following locations:

a. Garage or carport, in accordance with Subsection (3) of this section;

b. Designated parking area;

c. Driveway; or

d. Semi-circular drive.

(2) *All other residential and non-residential uses*. For a zoning lot that contains either a residential use other than a single-family or two-family dwelling or a non-residential use, or some combination thereof, off-street parking is permissible only

within designated parking areas located in the rear yard or not more than one of the side yards.

(3) *Garages and carports*. Garages and carports may be either attached or detached from the residential dwelling. If detached, a garage or carport must be located either in the rear or one of the side yards. For each garage or carport, a driveway must provide access to either a street or alley right of way.

(4) *Designated parking areas*.

(i) Designated parking areas must be located in the rear yard and must not exceed dimensions of 20 by 30 feet or 50 percent of the rear yard area, except that for lots for which no side setback is required and that do not abut an alley along either the rear or side lot lines.

(ii) On corner lots, parking areas are subject to a front setback equal to the front yard of the abutting structure, or 20 feet, whichever is less, and a side setback of five feet, except that if the side lot line is substantially a continuation of the front lot line of a residentially-zoned lot to its rear, the side setback must be 10 feet.

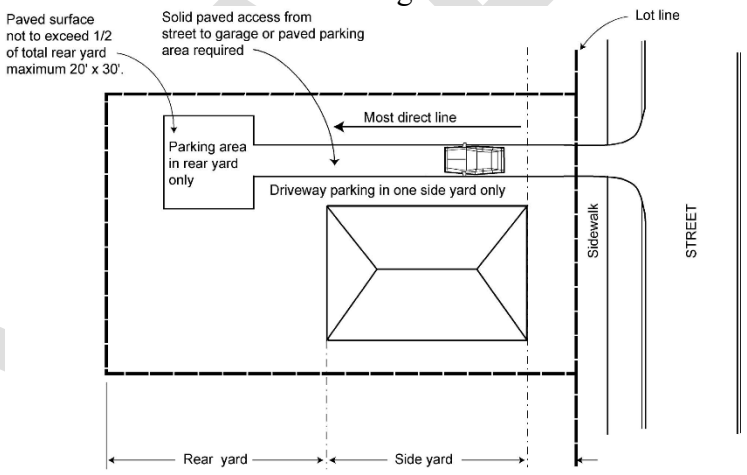
(iii) For each designated parking area, a driveway must provide access to either a street or alley right of way. Parking areas must be paved with an asphaltic or Portland cement binder or solid paver.

(5) *Driveways*. Driveways must be located in the side yard, extended to either the front, side, or rear lot line, as applicable, except that driveways providing access to attached garages or carports that are oriented toward the front of the lot may be located in the front yard. Driveways must follow the most direct route from a garage,

carport, or designated parking area or paved parking area to a street or alley right of way. Driveways must be paved with an asphaltic or Portland cement binder or solid paver.

(6) *Semi-circular drives*. Semicircular drives, or other drives with more than one point of access to a street, are permissible only on zoning lots that are at least 60 feet in width and that contain a front yard of not less than 2,100 square feet. Such drives may be located in the front yard. Such drives must be paved with an asphaltic or Portland cement binder or solid paver.

~~Figure 50-14-286~~
~~(For Informational Purposes Only)~~
~~Location of Parking in R1 and R2~~



~~Sec. 50-14-287. - R-3, R-4, R-5 and R6 Districts.~~ [REPEALED]

~~Off-street parking on land zoned~~ In the R3, R4, R5, and R6 ~~shall also be subject to the following:~~

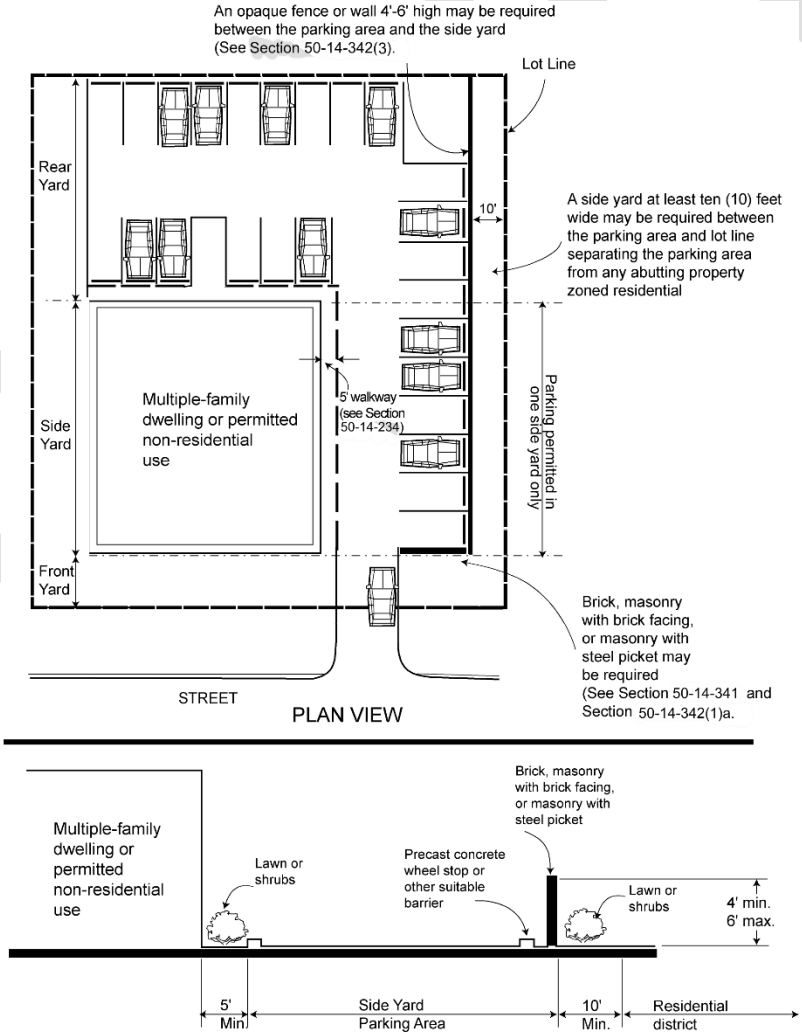
~~(1) In R3, R4, R5, and R6 Districts, off-street parking on the site of an allowed multiple-family dwelling or non-residential use shall be allowed only in the rear yard or in not more than one of the side yards (See also Section 50-13-25 of this Code);~~

~~(2) Single- and two-family dwellings in the R3, R4, R5, and R6 Districts shall abide by Section 50-14-286 of this Code;~~

~~(3) Zoning lots in the R3, R4, R5, and R6 Districts that are used exclusively for parking purposes and not in conjunction with a building on the same zoning lot shall be landscaped and screened in accordance with Division 2, Subdivision C, of this article; and~~

~~(4) See Figure 50-14-287.~~

~~Figure 50-14-287~~
~~(For Informational Purposes Only)~~
~~Open Parking Areas for Multi-Family and Permitted Non-Residential Uses in R3, R4, R5, and R6 Districts~~



~~Sec. 50-14-288. Off-street parking on corner lots in R3, R4, R5, and R6 Districts.~~ [REPEALED]

~~Setback provisions for off-street parking on corner lots in R3, R4, R5, and R6 Districts are specified as follows (See also Section 50-13-22 of this Code and Figure 50-14-288):~~

~~(1) *Front setback.* A front setback equal to the front yard of the abutting structure shall be provided. Where the abutting structure is located on the rear one-half of the lot or where the abutting lot is vacant, a front setback of at least 20 feet shall be provided between the parking area and the front lot line; and~~

~~(2) *Side setback.* A side setback of at least five feet shall be provided between the parking area and the side lot line that is adjacent to the street, provided, that where the side lot line is substantially a continuation of the front lot line of a Residentially-zoned lot to its rear, the required street side setback shall be at least ten feet.~~

Secs. 50-14-287—50-14-300. Reserved.

DIVISION 3. ARCHITECTURAL AND SITE DESIGN STANDARDS

Subdivision A. Residential Development

Sec. 50-14-395. Residential compatibility requirement; floor area.

~~(a) *Single-family dwelling units.* To the maximum extent practicable,~~ For a new single-family or two-family dwelling, the gross floor area ~~of a proposed dwelling unit shall~~ must be no less than ~~90~~ 65 percent and not more than 135 percent of the average floor area of other single-family or two-family dwelling units located within 200 feet ~~of the subject lot, along both sides of the street of the same block~~ along the same block face.

(b) ~~*Two-family dwelling units.* To the maximum extent practicable, the floor area of a proposed dwelling unit shall be no less than 90 percent and not more than 135 percent of the~~

~~average floor area of other two-family dwelling units within 200 feet of the subject lot, along both sides of the street of the same block.~~ The minimum gross floor area standards set forth in Subsection (a) of this section do not apply to new single-family or two-family dwellings that are not able to comply with such standards due to lot dimensions, applicable setback requirements, or other site features that limit such dwelling's potential gross floor area.

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

~~(a)~~ ~~To the maximum extent practicable,~~ Except on block faces where fewer than half of the residential lots contain occupied dwelling units, a new single-family and two-family dwelling units~~ shall be constructed to~~ must be generally compatible with other existing dwelling units of the same type ~~on~~ located within 200 feet along 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~~, are similar~~ are of a "common style" to the majority of ~~other dwelling units within 200 feet on the block face on both sides of the street~~ such neighboring dwellings. ~~(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 be considered as a "common style." Where a common style is shared for each of the six features, then the infill dwelling should exhibit three of those six features. Where a common style is shared for five of the features, then the infill dwelling should exhibit three of those five. Where a common style is shared for four of the features, then the infill dwelling should exhibit three of those four. Where~~ If 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, flat;

(2) Garage orientation and design, whether attached or detached;

(3) Building massing including, but not limited to, shape, height, volume and number of stories ~~ranch with two-story attached garage; two-story with attached garage; 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; offset door and four windows.

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

ARTICLE XV. NONCONFORMITIES

DIVISION 2. NONCONFORMING USES

Sec. 50-15-32. Damage or destruction to principal structures containing nonconforming uses.

The following provisions shall apply with respect to damage or destruction to principal structures that contain nonconforming uses:

(1) Where a structure that contains a nonconforming use is damaged or destroyed by any means to the extent of more than 60 percent of the assessed valuation, as defined in Section 50-16-113 of this Code, of the structure at the time the damage occurred, the use shall not be re-established except in compliance with all applicable regulations of Article XII, Article XIII, and Article XIV of this chapter.

No repairs or reconstructions shall be undertaken, unless a building permit for such repairs/construction has been obtained within two years of the date of the damage or destruction. The Board of Zoning Appeals may modify the applicable regulations of Article XII, Article XIII, and Article XIV of this chapter only after a public hearing, upon satisfying the approval criteria of Article IV, Division 6, of this chapter. The Board may impose any limitations or conditions that the Body deems necessary to carry out the intent, spirit, and purpose of this chapter;

(2) Pursuant to the authority that is specified in Section 208 of the Michigan Zoning Enabling Act, being MCL 125.3208, and notwithstanding Subsection (1) of this section, a nonconforming ~~single-family~~ residential dwelling which is damaged or destroyed may be repaired or reconstructed without need for approval by the Board of Zoning Appeals; such repair or reconstruction shall not result in an increase in the gross floor area of the ~~single-family~~ residential dwelling as existed at the time that the damage or destruction occurred. No repairs or reconstruction shall be undertaken, unless a building permit for such repairs/construction has been obtained within two years of the date of the damage or destruction.

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.~~

ARTICLE XVI. RULES OF CONSTRUCTION AND DEFINITIONS

DIVISION 2. WORDS AND TERMS DEFINED

Subdivision D. Letter "C"

Sec. 50-16-152. Words and terms (Ch—Cm).

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

Term	Definition
Change of use or occupancy	The discontinuance of one land use and its replacement by a different land use. Also, the addition of a land use to the operation of an existing land use; for example, the addition of a cabaret to a Class C bar constitutes a change of use or occupancy. A mere change of ownership shall not constitute a change of use or occupancy.
Child care center	A facility, other than a private residence, receiving one or more children under 13 years of age for care for periods of less than 24 hours a day, where the parents or guardians are not immediately available to the child. Child care center includes a facility that provides care for not less than two consecutive weeks regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, before- or after-school program, or drop-in center. Child care center does not include any of the following: 1) A Sunday school, a vacation bible school, or a religious instructional class that is conducted by a religious organization where children are attending for not more than three hours per day for an indefinite period or for not more than eight hours per day for a period not to exceed four weeks during a 12-month period. 2) A facility operated by a religious organization where children are in the religious organization's care for not more than three hours while persons responsible for the children are attending religious services. 3) A program that is primarily supervised, school-age-child-focused training in a specific subject, including, but not limited to, dance, drama, music, or religion. This exclusion applies only to the time a child is involved in supervised, school-age-child-focused training. 4) A program that is primarily an incident of group athletic or social activities for school-age children sponsored by or under the supervision of an organized club or hobby group, including, but not limited to, youth clubs, scouting, and school-age recreational

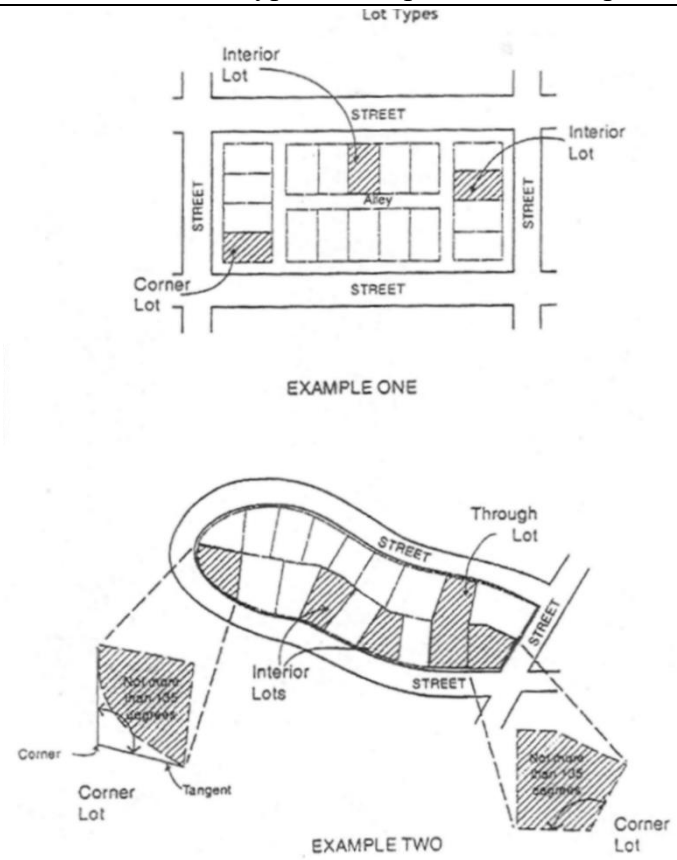
	or supplementary education programs. This exclusion applies only to the time the school-age child is engaged in the group athletic or social activities and if the school-age child can come and go at will. 5) A program that primarily provides therapeutic services to a child.
Child caring institution	A child care facility that is organized for the purpose of receiving minor children for care, maintenance and supervision, usually on a 24-hour basis, in buildings maintained by the child caring institution for that purpose and operated throughout the year. An educational program may be provided, but the educational program shall not be the primary purpose of the facility. Child caring institution includes a maternity home for the care of unmarried mothers who are minors and an agency group home that is described as a small child caring institution, which is leased or rented by a licensed agency providing care for more than four but less than 13 minor children. Child caring institution also includes an institution for developmentally disabled or emotionally disturbed minor children. A child caring institution does not include a hospital, nursing home, or home for the aged licensed under Article 17 of the Michigan Public Health Code, being MCL 333.20101 through MCL 333.22260, a boarding school licensed under Section 1335 of the Michigan Revised School Code, being MCL 380.1335, a hospital or facility operated by the state or licensed under the Michigan Mental Health Code, being MCL 330.1001 through MCL 330.2106, or an adult foster care family home or an adult foster care small group home licensed under the Michigan Adult Foster Care Facility Licensing Act, MCL 400.701 through MCL 400.737, where a child has been placed in accordance with Section 5(6) of the Michigan Child Care Organizations Act, being MCL 722.115(6).
City	The word "City" means the City of Detroit.
Clear vision triangle	That area formed by extending the two curb lines a distance of ~~45~~ 15 feet from their point of intersection and connecting these points with an imaginary line thereby making a triangle.

Subdivision K. Letters "K" Through "L"

Sec. 50-16-284. - Words and terms (Ln—Lz).

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

Term	Definition
Lodging house, public	A commercial establishment or place where five or more members of the public, whether travelers or not, are charged for or pay for sleeping quarters in the form of cots or beds in the same room.
Loft	A dwelling unit in a building originally constructed for other than primarily residential use containing one or more rooms or enclosed floor space arranged for living, eating, sleeping and/or home occupations; such units shall include bathroom and kitchen facilities as required by applicable codes.
Lot	Same as "Zoning lot." (See *Lot, zoning.*)
Lot area	The area contained within the boundary lines of a lot, excluding any street, easement for street purposes, or street right-of-way.
Lot, corner	A lot of which at least two sides abut (for their full length) upon a street, provided, that the two sides intersect at an angle of not more than 135 degrees. Where a lot is on a curve, if tangents through the extreme points of the street line of such lot make an interior angle of not more than 135 degrees, it is a corner lot. In the case of a corner lot with a curved street line, the corner shall be considered to be that point on the street line nearest to the point of intersection of the tangent herein described. (See Figure 50-16-284.)
Lot coverage	The portion of a zoning lot, expressed as a percentage, that is physically occupied by principal and accessory buildings and structures, as measured from the outside of the building or structure at ground level.
Lot, interior	A lot other than a corner lot, with only one frontage on a street. (See Figure 50-16-284.)
Lot line	A line bounding a lot that divides one lot from another lot or from a street or any other public or private space.
Lot line, boundary	A lot line that separates a property in one zoning district from a property in a different zoning district.
Lot line, front	The line dividing a lot from a street. On a corner lot, the shorter street line shall be considered the front lot line; provided, that for a lot comprised of more than one lot of record, the front lot line shall be the same as indicated on the plat for the individual parcels comprising the lot. In unusual circumstances the Planning and Development Department shall designate which shall be the front lot line. Where a zoning lot is bounded on two opposite sides by public streets, the zoning lot line fronting on the street having the wider right-of-way shall be the front zoning lot line.
Lot line, rear	That lot line that is parallel to and most distant from the front lot line of the lot; in the case of a triangular, or an irregular lot, a line 20 feet in length, entirely within the lot, parallel to and at the maximum possible distance from, the street lot line shall be considered to be the rear lot line. In the case of corner lots, the rear lot line shall be opposite the lot line along which the lot takes access to a street.
Lot line, side	A lot line other than the front lot line or rear lot line.
Lot of record	A lot that is part of a subdivision, the plat of which has been recorded in the office of the County Register of Deeds; or a parcel of land, the deed of which is recorded in the office of the County Register of Deeds.
Lot, through	A lot other than a corner lot with frontage on more than one street. (See Figure 50-16-284.)

Lot width	Refers to the horizontal distance between side lot lines. Lot width shall be measured at right angles to the lot depth at points 20 feet from the front lot line and 20 feet from the rear lot line.
Lot, zoning	A single tract of land located within a single block that at the time of filing for a building permit is designated by its owner or developer as a tract to be used, developed, or built upon as a unit under single or unified ownership or control. Such lot shall have frontage on a street, or permanent means of access to a street, other than an alley, and may consist of: (1) A single lot of record; (2) A portion of a lot of record; (3) A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record; (4) A parcel of land described by metes and bounds.
	Figure 50-16-284 (For Informational Purposes Only) Lot Types, Example 1 and Example 2
	
Low/medium-impact manufacturing or processing	Examples include: • Art needlework (factory); • Assembly of small parts; • Awnings, cloth, custom manufacture or assembly; • Bleaching powder compounding (blending of materials only and not involving chemicals manufacturing);

	• Bookbinding; • Braces, orthopedic manufacture; • Broom manufacture; • Canvas goods manufacture; • Cigar or cigarette manufacture; • Cinema production or development; • Clock or watch manufacture; • Coffee roasting; • Display designer's or builder's shops; • Dog or cat food cannery or manufacture excluding rendering or the use of fish products; • Door, sash, or trim manufacture; • Draperies manufacture; • Electric equipment assembly; • Flag or banner manufacture; • Furs: manufacture, cutting, or assembly; • Glass blowing; • Glass laminating; • Heating or ventilating apparatus assembly (not including fabrication or sheet metal ductwork); • Industrial laundry; • Ink or paint products compounding, cold mix only; • Knit goods manufacture; • Leather goods manufacture or fabrication; • Mattress manufacturing; • Paper or cardboard box forming or assembly, excluding corrugating; • Pattern shop; • Plastic products forming or molding; • Vending machine assembly; • Wire rope assembly.
Low-impact fireworks	Ground and hand-held sparkling devices as the phrase is defined under APA Standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.
Low-impact manufacturing or processing	Examples include: • Bakeries; • Bottling of alcoholic products; • Creameries; • Food products manufacturing or processing, but excluding slaughtering or rendering; • Manufacturing of musical instruments, toys, novelties, metal or rubber stamps, or other small molded rubber products; • Soda water or soft drink manufacturing or bottling establishments.

Subdivision P. Letter "S"

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

For the purposes of this chapter, the following words and phrases beginning with the letters “Sm” through “Ss,” shall have the meaning respectively ascribed to them by this section:

Term	Definition
Small distillery	A facility operated by a manufacturer of spirits licensed in Michigan by the Michigan Liquor Control Commission as a small distiller, annually manufacturing 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 in Michigan 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, 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, 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-premises 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	An energy generation facility in excess of one acre comprised of one or more freestanding, ground-mounted devices that capture and convert solar energy into electrical energy for use in locations other than where it is generated. (Also known as "solar farm.")
Solid waste	Includes garbage, rubbish, ash, 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.

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