

SUMMARY

This ordinance amends Chapter 50 of the 2019 Detroit City Code, *Zoning*, to help build more housing and make housing more affordable by amending Article VIII, *Residential Zoning Districts*, Division 3, *R2 Two-Family Residential District*, Section 50-8-41, *Description*, Section 50-8-44, *By-right residential uses*, Section 50-8-50, *Conditional residential uses*, and Section 50-8-56, *Other regulations*; Article XII, *Use Regulations*, Division 1, *Use Table*, Subdivision B, *Residential Uses*, Section 50-12-22, *Household Living*, and Division 3, *Specific use standards*, Subdivision A, *Residential Uses*, Section 50-12-162, *Multi-family dwellings*; Article XIII, *Intensity and Dimensional Standards*, Division 1, *Tables of Intensity and Dimensional Standards*, Subdivision B, *General Dimensional Standards for Residential Districts*, by amending and renaming Section 50-13-21, *Lot size and dimensional requirements for parcels platted before 1968*, and by amending Section 50-13-23, *Special provisions for side setbacks for single- or two-family dwellings*, Subdivision I, *Intensity and Dimensional Standards for Specific Uses*, Section 50-13-185, *Single-family dwellings and religious residential facilities*, and Section 50-13-187, *Two-family dwellings*, and Division 3, *Alternative Residential Development Options*, by amending and renaming Section 50-13-254, *Lots of less than 2,000 square feet*; by amending Article XIV, *Development Standards*, Division 1, *Off-street Parking, Loading, and Access*, Subdivision A, *In General*, Section 50-14-7, *Off-street parking exemptions, reductions, and allowances*, and Subdivision F, *Waivers and Alternative Parking Plans*, Section 50-14-152, *Applicability*, Section 50-14-153, *Waiver of off-street parking requirements for uses or buildings minimally deficient*, Section 50-14-154, *Alternative parking plan review and approval procedure and criteria*, Section 50-14-155, *Contents*, and by repealing Section 50-14-156, *Recording*; by amending Article XVI, *Rules of Construction and Definition*, Division 2, *Words and Terms Defined*, Subdivision I, *Letter “H”*, Section 50-16-242, *Words and Terms (Hh – Hm)*, Subdivision P, *Letter “S”*, Section 50-16-384, *Words and terms (Sm-Ss)*.

BY COUNCIL MEMBER _____ :

AN ORDINANCE to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, to help build more housing and make housing more affordable by amending Article VIII, *Residential Zoning Districts*, Division 3, *R2 Two-Family Residential District*, Section 50-8-41, *Description*, Section 50-8-44, *By-right residential uses*, Section 50-8-50, *Conditional residential uses*, and Section 50-8-56, *Other regulations*; by amending Article XII, *Use Regulations*, Division 1, *Use Table*, Subdivision B, *Residential Uses*, Section 50-12-22, *Household Living*, and by amending Division 3, *Specific use standards*, Subdivision A, *Residential Uses*, Section 50-12-162, *Multi-family dwellings*; by amending Article XIII, *Intensity and Dimensional Standards*, Division 1, *Tables of Intensity and Dimensional Standards*, Subdivision B, *General Dimensional Standards for Residential Districts*, by amending and renaming Section 50-13-21, *Lot size and dimensional requirements for parcels platted before 1968*, and by amending Section 50-13-23, *Special provisions for side setbacks for single- or two-family dwellings*, Subdivision I, *Intensity and Dimensional Standards for Specific Uses*, Section 50-13-185, *Single-family dwellings and religious residential facilities*, and Section 50-13-187, *Two-family dwellings*, and by amending Division 3, *Alternative Residential Development Options*, by amending and renaming Section 50-13-254, *Lots of less than 2,000 square feet*; by amending Article XIV, *Development Standards*, Division 1, *Off-street Parking, Loading, and Access*, Subdivision A, *In General*, Section 50-14-7,

Off-street parking exemptions, reductions, and allowances, and Subdivision F, Waivers and Alternative Parking Plans, Section 50-14-152, Applicability, Section 50-14-153, Waiver of off-street parking requirements for uses or buildings minimally deficient, Section 50-14-154, Alternative parking plan review and approval procedure and criteria, Section 50-14-155, Contents, and by repealing Section 50-14-156, Recording; by amending Article XVI, Rules of Construction and Definition, Division 2, Words and Terms Defined, Subdivision I, Letter “H”, Section 50-16-242, Words and Terms (Hh – Hm), Subdivision P, Letter “S”, Section 50-16-384, Words and terms (Sm-Ss) in order to help build more housing and make housing more affordable.

CHAPTER 50. ZONING

ARTICLE VIII. RESIDENTIAL ZONING DISTRICTS

DIVISION 3. R2 TWO-FAMILY RESIDENTIAL DISTRICT

Sec. 50-8-41. Description.

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

(Code 1984, § 61-8-31; Ord. No. 11-05, § 1(61-8-31), eff. 5-28-2005)

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

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

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

(2) Single-family detached dwelling.

(3) Two-family dwelling.

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

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

(Code 1984, § 61-8-34; Ord. No. 11-05, § 1(61-8-34), eff. 5-28-2005; Ord. No. 2022-5, § 1(50-8-44), eff. 3-23-2022)

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

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

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

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

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

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

(Code 1984, § 61-8-40; Ord. No. 11-05, § 1(61-8-40), eff. 5-28-2005; Ord. No. 21-12, § 1(61-8-40), eff. 11-2-2012)

Sec. 50-8-56. Other regulations.

The following regulations shall also apply on land zoned R2:

(1) New ~~single and two-family~~ residential dwellings in the R2 Two-Family Residential

District shall comply with the residential compatibility requirements set forth in Article

XIV, Division 3, Subdivision A, of this chapter;

(2) In the R2 District, not more than one principal detached residential building shall be

located on a zoning lot. Likewise, no principal detached residential building shall be

located on the same zoning lot with any other principal building in the R1 and R2

Districts, except in the case of buildings used for educational or religious purposes;

(3) Open parking areas.

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

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

21 (Code 1984, § 61-8-46; Ord. No. 11-05, § 1(61-8-46), eff. 5-28-2005; Ord. No. 44-06, § 1(61-8-
22 46), eff. 12-21-2006)

23 **CHAPTER 50. ZONING**

1 **ARTICLE XII. USE REGULATIONS**

2 **DIVISION 3. SPECIFIC USE STANDARDS**

3 **Subdivision A. Residential Uses**

4 **Sec. 50-12-162. Multi-family dwellings.**

5 Multi-family dwellings shall be subject to the following requirements:

6 (1) In the R2 District, such uses shall have a maximum of ~~eight~~ twelve dwelling units,
7 except where developed under the "school building adaptive reuse" provision as defined in
8 Section 50-16-381 of this Code;

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

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

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

16 a. R3 District: 0.12;

17 b. R4 District: 0.10;

18 c. R5 District: 0.085;

19 d. R6 District: 0.07;

20 e. SD1 District: 0.07;

21 f. SD2 District: 0.07.

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

1 (5) For certain permitted accessory uses in the R5, R6, and B1 Districts, see Section 50-
2 12-514 of this Code;

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

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

8 (8) In the SD4 District, specially designated merchant's (SDM) establishments and
9 specially designated distributor's (SDD) establishments are permitted when incidental to,
10 accessory to, and on the same zoning lot as a multiple-family dwelling, that have not fewer than
11 50 dwelling units;

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

16 (Code 1984, § 61-12-121; Ord. No. 11-05, § 1(61-12-121), eff. 5-28-2005; Ord. No. 21-12, §
17 1(61-12-121), eff. 11-2-2012; Ord. No. 13-16, § 1(61-12-121), eff. 5-20-2016; Ord. No. 2020-21,
18 § 1(50-12-162), eff. 8-8-2020)

19 20 **CHAPTER 50. ZONING**

21 **ARTICLE XIII. INTENSITY AND DIMENSIONAL STANDARDS**

22 **DIVISION 1. TABLES OF INTENSITY AND DIMENSIONAL STANDARDS**

23 **Subdivision B. General Dimensional Standards for Residential Districts**

1
2 **Sec. 50-13-21. Lot size and dimensional requirements for parcels platted before 1968.**

3 In order to allow for the development of residential lots platted before December 22,
4 1968, the following requirements shall apply in all residential districts:

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

7 ~~(1)~~ (a) No use shall be established on a lot platted and recorded on or after December 22,
8 1968, which is of less area or width than prescribed in this section for such use in the zoning
9 district where it is to be located. This provision shall not apply where approvals have been given
10 for the division of recorded lots in accordance with Chapter 24 of this Code, *Land Division and*
11 *Subdivision*. If parts of two or more parcels of land, any part of which was platted and identified
12 as a single unit on a plat officially approved and recorded prior to December 22, 1968, are
13 combined to create a zoning lot upon which a building for residential purposes is to be built, the
14 ensuing zoning lots shall be no smaller in width or area than the larger or largest of such parcels
15 which were platted and identified as a single unit on a plat officially approved and recorded prior
16 to December 22, 1968, provided, that no zoning lot so created need be larger than the minimum
17 size as specified for the district where it is located;

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

21 ~~(3)~~ (c) In the R2, R3, R4, R5, and R6 Districts, a two-family dwelling or townhouse may
22 be established on a lot of record on December 22, 1968, of a lesser width or area than the
23 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 ~~25~~ 40 feet or an area of less than ~~2,000~~ 4,000 square feet;

~~(4)~~ (d) In the R2, 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 25 ~~50~~ feet or an area of less than 2,000 ~~6,000~~ square feet;

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

(2) Front, rear, and side setbacks are specified for each zoning district in this article. In addition, the following general regulations are applicable to all residential zoning districts to uses established under Section 50-13-21(1)(b – e) on lots of a lesser width or area than required by Section 50-13-1 through Section 50-13-7:

(a) In the R1, R2, R3, R4, R5 and R6 Districts, a single-family detached dwelling shall have a combined width of both side setbacks not less than ten feet, nor shall the width of either side setback be less than three feet;

(b) In the R2, R3, R4, R5 and R6 Districts, a townhouse, two-family dwelling, or multiple-family dwelling shall have a combined width of both side setbacks not less than ten feet, nor shall the width of either side setback be less than three feet;

(c) In the R1, R2, R3, R4, R5 and R6 Districts, a single-family detached dwelling shall have a front setback not less than ten feet, or if one or both of the abutting zoning lots have dwellings erected on the front one-half of the lot, the smaller front setback of the adjacent dwellings, whichever is greater;

1 (d) In the R2, R3, R4, R5 and R6 Districts, a townhouse, two-family dwelling, or
2 multiple-family dwelling shall have a front setback not less than ten feet, or if one or both of the
3 abutting zoning lots have dwellings erected on the front one-half of the lot, the smaller front
4 setback of the adjacent dwellings, whichever is greater;

5 (e) In the R1, R2, R3, R4, R5 and R6 Districts, a single-family detached dwelling shall
6 have a rear setback not be less than twenty feet.

7 (f) In the R2, R3, R4, R5 and R6 Districts, a townhouse, two-family dwelling, or
8 multiple-family dwelling shall have a rear setback not be less than twenty feet.

9 (3) Maximum height, maximum lot coverage, and maximum floor area ratio are specified
10 for certain zoning districts in this article. In addition, the following general regulations are
11 applicable to all residential zoning districts to uses established under Sec. 50-13-21(1)(b – e) on
12 lots of a lesser width or area than required by Section 50-13-1 through Section 50-13-7:

13 (a) In the R1, R2, R3, R4, R5 and R6 Districts, a single-family detached dwelling shall
14 have a lot coverage percentage no greater than 60 percent;

15 (b) In the R2, R3, R4, R5, and R6 Districts, a townhouse, two-family dwelling, or
16 multiple-family dwelling shall have a lot coverage percentage no greater than 60 percent.

17 (c) In the R2 and R3 Districts, a townhouse, two-family dwelling, or multiple-family
18 dwellling shall have a maximum height of 35 feet.

19 (d) In the R2 and R3 Districts, a townhouse, two-family dwelling, or multiple-family
20 dwellling shall not be subject to a maximum floor area ratio.

21 (Code 1984, § 61-13-11; Ord. No. 11-05, § 1(61-13-11), eff. 5-28-2005)

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

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)~~ (1) Side setbacks on zoning lots abutting an alley and whose width is less than 35 feet. The required combined width of side setbacks may be reduced by nine-tenths of a foot for each foot or major fraction thereof by which the width of such lot is less than 35 feet, provided, that the combined width of both side setbacks shall not be less than six feet, and that the width of either side setback shall not be less than three feet, provided further, that in no instance shall a two-family dwelling be established on a lot having a width of less than 25 ~~40~~ feet or an area of less than 2,000 ~~4,000~~ square feet;

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

~~(4)~~ (3) See also "Alternative Residential Development Options," Division 3 of this article. (Code 1984, § 61-13-14; Ord. No. 11-05, § 1(61-13-14), eff. 5-28-2005)

CHAPTER 50. ZONING

ARTICLE XIII. INTENSITY AND DIMENSIONAL STANDARDS

DIVISION 1. TABLES OF INTENSITY AND DIMENSIONAL STANDARDS

Subdivision I. Intensity and Dimensional Standards for Specific Uses

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

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

4 (1) The combined area occupied by all buildings used as, or accessory to, single-family
5 dwellings or religious residential facilities, shall not exceed 35 percent of the area of the zoning
6 lot (see Figure 50-13-185(a)), provided, that on zoning lots of less than 2,000 ~~4,000~~ square feet
7 in area on land zoned R1, R2, R3, R4, R5, or R6, the allowable percentage of lot coverage may
8 be increased by one percent for each 100 square feet where the area of the zoning lot is less than
9 2,000 ~~4,000~~ square feet, with a maximum coverage that is not in excess of 45 percent (see Figure
10 50-13-185(b)); and

11 (2) Additional "small lot" development standards are stated in Section 50-13-254 of this Code.
12 (Code 1984, § 61-13-105; Ord. No. 11-05, § 1(61-13-105), eff. 5-28-2005)

13 **Sec. 50-13-187. Two-family dwellings.**

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

17 (b) On zoning lots of less than 2,000 ~~4,300~~ square feet in area, the allowable percentage
18 of lot coverage may be increased by one percent for each 100 square feet by which the area of
19 the zoning lot is less than 2,000 ~~4,300~~ square feet, with a maximum coverage of 45 percent. (See
20 Figure 50-13-187(b)).

21 (Code 1984, § 61-13-107; Ord. No. 11-05, § 1(61-13-107), eff. 5-28-2005)

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2 **CHAPTER 50. ZONING**

3 **ARTICLE XIII. INTENSITY AND DIMENSIONAL STANDARDS**

4 **DIVISION 3. ALTERNATIVE RESIDENTIAL DEVELOPMENT OPTIONS**

5 **Sec. 50-13-254. Lots of less than 2,000 ~~5,000~~ square feet (small lots).**

6 Lots of less than 2,000 ~~5,000~~ square feet that are intended for development of single-
7 family detached houses are referred to as "small lots," and are permitted in some zoning districts
8 in order to encourage creative site designs for smaller lots as provided in Section 50-13-255 and
9 Section 50-13-256 of this Code.

10 (Code 1984, § 61-13-174; Ord. No. 11-05, § 1(61-13-174), eff. 5-28-2005)

11

12 **CHAPTER 50. ZONING**

13 **ARTICLE XIV. DEVELOPMENT STANDARDS**

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

15 **Subdivision A. In General**

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

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

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

22 (2) For retail, service, and commercial uses on zoning lots abutting a Traditional Main
23 Street Overlay Area or on land zoned SD1 or SD2, or where located within 0.50 miles of a high-

frequency transit corridor as defined in Section 50-16-242 of this Code, the maximum distance that off-street parking shall be provided from the principal use specified in Subdivision B of this division, may be increased to 1,320 feet where the applicant can show to the satisfaction of the Planning and Development Department that a "district approach" to parking is being used in the Traditional Main Street Overlay Area or other area nearby. To show a district approach to parking, the applicant shall provide the following:

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

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

c. Where the parking area or parking structure is owned by someone other than the applicant, a shared parking agreement shall be required according to Section 50-14-156 and Section 50-14-159 of this Code;

(3) No additional off-street parking, beyond that already provided, shall be required for structures erected prior to April 9, 1998, other than religious institutions, that do not exceed 6,000 ~~3,000~~ square feet of gross floor area; and

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

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

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

6 (Code 1984, § 61-14-7; Ord. No. 11-05, § 1(61-14-7), eff. 5-28-2005; Ord. No. 34-05, § 1(61-14-
7 7), eff. 12-6-2005; Ord. No. 13-11, § 1(61-14-7), eff. 8-23-2011; Ord. No. 23-13, § 1(61-14-7),
8 eff. 8-28-2013; Ord. No. 23-14, § 1(61-14-7), eff. 7-24-2014; Ord. No. 18-18, § 1(61-14-7), eff.
9 8-23-2018; Ord. No. 2020-21, § 1(50-14-7), eff. 8-8-2020; Ord. No. 2022-17, § 1(50-14-7), eff.
10 10-4-2022)

11 **CHAPTER 50. ZONING**

12 **ARTICLE XIV. DEVELOPMENT STANDARDS**

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

14 **Subdivision F. Waivers and Alternative Parking Plans**

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

16 Applicants who are unable to provide the required number of off-street parking spaces
17 within the maximum distance that is specified in Subdivisions B and C of this division may seek
18 approval of an alternative parking plan in accordance with the standards of this subdivision in
19 lieu of requesting a parking variance from the Board of Zoning Appeals. The Buildings, Safety
20 Engineering, and Environmental Department may promulgate administrative rules, in accordance
21 with Section 2-111 of the Detroit City Charter, to administer this subdivision.

22 (Code 1984, § 61-14-102; Ord. No. 11-05, § 1(61-14-102), eff. 5-28-2005)

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

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

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

7 (2) The building or use can provide at least 80 percent of the required off-street parking
8 spaces; then, upon request of the petitioner and in conjunction with the Municipal Parking
9 Department and the Department of Public Works Traffic Engineering Division, the Department
10 may grant a waiver of the off-street parking requirements, not exceeding ten parking spaces or 20
11 percent of the required off-street parking requirement, whichever is less. Such waiver shall not
12 be granted unless, in the judgment of the Buildings, Safety Engineering, and Environmental
13 Department, with the sign-off of the Municipal Parking Department and the Department of
14 Public Works Traffic Engineering Division, the waiver of the parking requirement for the
15 building or use involved is not injurious to the adjacent or surrounding areas by creating or
16 increasing traffic congestion or by disrupting traffic circulation, provided, that in those instances
17 where a building or use is subject to site plan review, the Planning and Development Department
18 has sole authority to consider such waiver.

19 (3) For residential uses; public, civic, and institutional uses; and retail, service, and
20 commercial uses, except for vehicle repair and service, within 0.5 miles of a high-frequency
21 transit corridor, that can provide at least 70 percent of the required off-street parking spaces; the
22 Department may grant a waiver of the off-street parking requirements, not exceeding twenty
23 spaces or 30 percent of the required off-street parking spaces, whichever is less.

1 (b) *Traditional Main Street Overlay Areas.*

2 (1) *Applicability.* In addition to the parking waiver granted for buildings not exceeding
3 6,000 ~~3,000~~ square feet per Section 50-14-7(3) of this Code, in a Traditional Main Street Overlay
4 Area, as provided in Section 50-11-382 of this Code, the Planning and Development Department
5 may grant a waiver of the off-street parking requirements for the first 3,000 square feet of
6 pedestrian-oriented retail, service, or commercial uses. The Planning and Development
7 Department shall have authority to consider such waiver, ensuring that the waiver will not be
8 injurious to the adjacent or surrounding areas by creating or increasing traffic congestion or by
9 disrupting traffic circulation.

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

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

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

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

14 (iii) Section 50-12-70 of this Code, Retail sales and service, service-oriented,

15 except motor vehicle sales, motorcycles sales, and any use with drive-up or drive-through
16 facilities.

17 (b) New buildings must comply with all of the requirements in the Traditional Main
18 Street Overlay standards, as specified in Section 50-14-432 through Section 50-14-450 of this
19 Code, except that only the provisions of Section 50-14-153(b)(2)(c)(1) and Section 50-14-
20 153(b)(2)(c)(2) and Section 50-14-153 (b)(2)(c)(3) shall apply to the East Warren and West
21 Warren Traditional Main Street Overlay Areas and the portion of the Grand River Traditional
22 Main Street Overlay Area between Greenfield and Woodmont and between Evergreen and
23 Lahser, and to the Van Dyke Street Traditional Main Street Overlay Area.

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

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

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

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

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

(c) *SD1/SD2 and high-frequency transit corridors areas*. In addition to the parking waiver granted for buildings under 6,000 ~~3,000~~ square feet per Section 50-14-7(3) of this Code, on properties zoned SD1 or SD2 or within 0.5 miles of a high-frequency transit corridor, the Planning and Development Department may grant a waiver of the off-street parking requirements, for the first 3,000 square feet of pedestrian-oriented retail, service, or commercial uses. The Planning and Development Department shall have authority to consider such waiver, ensuring that the waiver will not be injurious to the adjacent or surrounding areas by creating or

1 increasing traffic congestion or by disrupting traffic circulation. In the case where one building
2 or development contains multiple retail, service, or commercial uses, the total number of spaces
3 that may be waived for a building or development using this waiver shall not exceed 45 spaces.

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

6 (Code 1984, § 61-14-103; Ord. No. 11-05, § 1(61-14-103), eff. 5-28-2005; Ord. No. 20-05, §
7 1(61-14-103), eff. 5-29-2005; Ord. No. 44-06, § 1(61-14-103), eff. 12-21-2006; Ord. No. 23-13,
8 § 1(61-14-103), eff. 8-28-2013; Ord. No. 23-14, § 1(61-14-103), eff. 7-24-2014; Ord. No. 37-17,
9 § 1(61-14-103), eff. 2-6-2018; Ord. No. 2020-21, § 1(50-14-153), eff. 8-8-2020)

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

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

16 The Buildings, Safety Engineering, and Environmental Department, in consultation with
17 the Planning and Development Department, may approve an alternative parking plan through the
18 building permit application review process for residential uses, public, civic, and institutional
19 uses, and retail, service, and commercial uses, except for vehicle repair and service.

20 In order to approve an alternative parking plan, ~~a decision-making body~~ the Buildings,
21 Safety Engineering, and Environmental Department must determine that the proposed plan will
22 do at least as good of a job protecting the transportation, environmental, and community
23 development needs of the proposed use and the surrounding neighborhoods, maintaining traffic

1 circulation patterns, and promoting quality urban design as would strict compliance with
2 otherwise applicable off-street parking standards.

3 (Code 1984, § 61-14-104; Ord. No. 11-05, § 1(61-14-104), eff. 5-28-2005)

4 **Sec. 50-14-155. Contents.**

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

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

- 11 a) Traffic impact study completed for Sec. 50-14-491
- 12 b) Required number of parking spaces under this Code
- 13 c) Assessment of the number of patrons who will require parking for a private
14 automobile and the resulting average number of parking spaces in use during
15 hours of operation
- 16 d) Quantitative and/or qualitative data, research, experience, comparisons, or
17 other information that informs the assessment
- 18 e) Data and/or description of patron characteristics that inform the assessment
- 19 f) Data and/or description of transportation modes, besides private automobile,
20 that residents, customers, and/or patrons are expected to utilize, including
21 walking, biking, ride-share, public transit, scooters, or other modes
- 22 g) Any amenities, investments, or other actions taken to incentivize the use of
23 transportation modes besides private automobile

- h) Data and/or description of available on- or off-street parking nearby
- i) The alternative parking plan proposed and rationale for how it meets the identified transportation needs of the development

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

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

(Code 1984, § 61-14-105; Ord. No. 11-05, § 1(61-14-105), eff. 5-28-2005)

Sec. 50-14-156. Recording. REPEALED

~~Approved alternative parking plans, as set out in this subdivision, shall be recorded with the County Register of Deeds as part of the land use grant. No building permits or certificates of~~

~~occupancy shall be issued until proof of recordation of the agreement has been presented to the Buildings, Safety Engineering, and Environmental Department.~~

~~(Code 1984, § 61-14-106; Ord. No. 11-05, § 1(61-14-106), eff. 5-28-2005)~~

CHAPTER 50. ZONING

ARTICLE XVI. RULES OF CONSTRUCTION AND DEFINITION

DIVISION 2. WORDS AND TERMS DEFINED

Subdivision I. Letter "H"

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

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

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

- Corridor No. 5, consisting of: Van Dyke, between Eight Mile and Lafayette; and Lafayette, between Van Dyke and Randolph.
- Corridor No. 6, consisting of: Gratiot, between Woodward and Eight Mile.
- Corridor No. 7, consisting of Lahser, between Grand River and Seven Mile; Seven Mile, between Lahser and Morang; Morang, between Seven Mile and Harper; Harper, between Morang and Moross; and Moross, between Harper and Mack.
- Corridor No. 8, consisting of: Warren, between Edward N Hines and Greenfield and between McDonald and Mack; and Forest, between Dequindre and Cadillac.
- Corridor No. 9, consisting of: Jefferson, between Washington and Alter.
- Corridor No. 10, consisting of: Greenfield, between Paul and Eight Mile.
- Corridor No. 11, consisting of: Eight Mile, between Lahser and Kelly Rd.
- Corridor No. 12, consisting of: West Grand Blvd. between Cass Ave. and Dexter Ave.; Dexter Ave. between West Grand Blvd. and John C. Lodge Service Drive North; Belden St. between John C. Lodge Service Drive North and Puritan; Fairfield St. between Puritan and W. McNichols; W. McNichols between Fairfield and Livernois; Livernois between W. McNichols and Curtis St.; Curtis

St. between Livernois and West Outer Drive; and West Outer Drive
from Curtis St. to Southfield Freeway.

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 by the Michigan Liquor Control Commission as a small distiller, annually manufacturing in Michigan not more than 60,000 gallons of spirits, of all brands combined.
Small lot	Any residential lot less than 50 feet in width and 5,000 <u>2,000</u> square feet in area.
Small winery	A facility operated by a small winemaker licensed by the Michigan Liquor Control Commission for the manufacturing or bottling of not more than 50,000 gallons of wine in one calendar year.
Smoking lounge, cigar	An establishment or area within an establishment that constitutes a “cigar bar” as defined by Section 12601 of the Michigan Smoke-Free Indoor Air Law, PA 188 of 2009, being MCL 333.12601. Smoking lounge, cigar, does not include smoking lounge, other, medical marijuana facilities, or adult-use marijuana establishments as defined by this article.

Smoking lounge, other	A retail establishment that constitutes a “tobacco specialty retail store” as defined by Section 12601 of the Michigan Smoke-Free Indoor Air Law, PA 188 of 2009, being MCL 333.12601 and that is designated wholly or in part for the on-premises smoking of tobacco products or nontobacco smoking products or substances, which may include the on-premise use of hookah as defined by this article. Smoking lounge, other, does not include tobacco retail store, smoking lounge, cigar, medical marijuana facilities, or adult-use marijuana establishments as defined by this article.
Snack food	Prepared and commercially prepackaged non-potentially hazardous food.
Solar generation station	An energy generation facility in excess of one acre comprised of one or more freestanding, ground-mounted devices that capture solar energy and convert it to electrical energy for use in locations other than where it is generated. (Also known as "solar farm.")
Solid waste	Includes garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings, municipal and industrial sludges, solid commercial and solid industrial waste, and animal waste, but does not include human body waste, liquid or other waste regulated by statute, ferrous or nonferrous scrap directed to a scrap metal processor or to a re- user of ferrous or nonferrous products, and slag or slag products directed to a slag processor or to a re-user of slag or slag products.

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

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

ARTICLE XII. USE REGULATIONS

DIVISION 1. USE TABLE

Subdivision B. Residential Uses

Sec. 50-12-22. Household living.

Regulations regarding household living are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)		
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2		S D 4	S D 5
Household living	Loft			R	R	R	R	C	C/R	C/R	C/R	R	C	C	C	C	C		L			R				R	R	R	R		Sections 50-12-157, 50-12-159
	Mobile home park					C													L												Section 50-12-160
	Multiple family dwelling		C / R	C/R	R	R	R	C	C		C	R/C							L			R/C					R	C/R	R		Sections <u>50-8-44</u> , <u>50-8-50</u> , 50-12-157, 50-12-161, 50-12-162
	Residential use combined in structures with permitted commercial uses								C/R	C/R	C/R								L			R					R	R	R		Section 50-12-159
	Residential use combined in structures with permitted commercial or industrial uses																									C					Section 50-12-159
	Single-family detached dwelling	R	R	R	R	R	C	C	C		C								L								C				Sections 50-12-157, 50-12-159
	Single-room-occupancy housing, non-profit				C	C	C	C	C		C	C							L								C	C			SPC; Section 50-12-166

	Townhouse	G R	R	R	R	R	C	C		C	C						L								C	C	R		Sections 50-12-157, 50-12-167
	Two-family dwelling	R	R	R	R	C	C	C		C							L								C				Sections 50-12-157, 50-12-159
	All other				C	C	C	C	C		C	C													C				Sections 0-12-157, 50-12-159

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

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

4 **Section 4.** This ordinance shall become effective eight (8) days after publication in
5 accordance with MCL 125.3401(6) and Section 4-118, paragraph 3 of the 2012 Detroit City
6 Charter.

Approved as to form:

Conrad L. Mallett
Corporation Counsel