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**TO:** City Planning Commission

**FROM:** Kimani Jeffrey, City Planner

**RE:** Proposed text amendment that would amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, relating to Intensity and Dimensional Standards and other housing items **(RECOMMEND APPROVAL)**

**DATE:** November 18, 2026

On November 5, 2026, the City Planning Commission (CPC) heard the proposal to consider a text amendment that would amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, pertaining to Small Lot Code Reform for intensity and dimensional standards and other housing items as follows (see CPC report dated November 4, 2026), specifically to:

- Update intensity and dimensional standards for single- and two-family dwellings in the R1 (Single-family Residential District), R2 (Two-Family Residential District) and R3 (Low Density Residential District) zoning classifications, in order to make it easier to build single and two-family homes on vacant lots.

- Update provisions related to small-lots in order to make it easier to build single- and two-family homes on lots under a certain size threshold, as well as provide clarity through clean-up of relevant sections.

- Revise the nonconformity provisions to allow existing nonconforming residential structures that become damaged or destroyed, to be reconstructed or rebuilt within a specified timeframe, not to result in an increase in gross floor area.

- Update contextual setback requirements for single- and two-family dwellings and front rear setback requirements for townhomes in the R2 and R3 districts.

- Repeal, relocate, and reorganize zoning district intensity and dimensional standards within Article XIII; update standards for features permitted within setbacks; update terms and definitions and other minor or non-substantive changes as may be warranted.

**PROPOSAL**
This proposed ordinance seeks to bring small lot code reform by changing the dimensional standards for the R1-R3 zoning classifications as it pertains primarily to single and two family housing.

The dimensional standards in the zoning ordinance establish the minimum size that a lot must be to be eligible to build a home. The current standards are out of alignment with over 90% of lots in the city, rendering the lots non-conforming to the rules. Other dimensional standards such as front, side and rear setbacks, as well as maximum lot coverage standards can also add to making a parcel harder to build on, requiring exceptions, administrative adjustments, variances and processes that add time, money and complexity to build single- and two-family homes. Minimum dimensional standards were first introduced when the first zoning ordinance was adopted for the City of Detroit and became effective in December of 1940. Since then, the dimensional standards have evolved slightly, but are still close to the original numbers. The original 1940 ordinance listed a minimum lot size of 4,000 square feet in area, which was increased by the 1960's to the current minimum standard of 5,000 square feet and width of 50ft.

By lowering the minimum area lot size and width requirements, many more parcels can come into conformance with the zoning ordinance than are today. By amending Article XIII Tables of Intensity and Dimensional Standards, for the R1-R3 districts, the number of parcels that are brought into conformance can greatly increase. Based on the language in the proposed ordinance, a lot would only have to meet one of these dimensional standards to be conforming, that being minimum lot size **or** lot width. The tables below show the proposed reduction in minimums and the percentage of lots in the city that increase in conformity by the proposed amendment reduction for each zoning district.

**IMPORTANT PROVISIONS OF THE ORDINANCE**

**Lot Sizes**

| R1 | Percent Conforming | R2 | Percent Conforming | R3 | Percent Conforming |
|---|---|---|---|---|---|
| Current 5,000 | 35.8% | Current 5,000 | 11.9% | Current 5,000 | 13.5% |
| Proposed 4,000 | 75% | Proposed 3,200 | 67% | Proposed 3,200 | 77% |

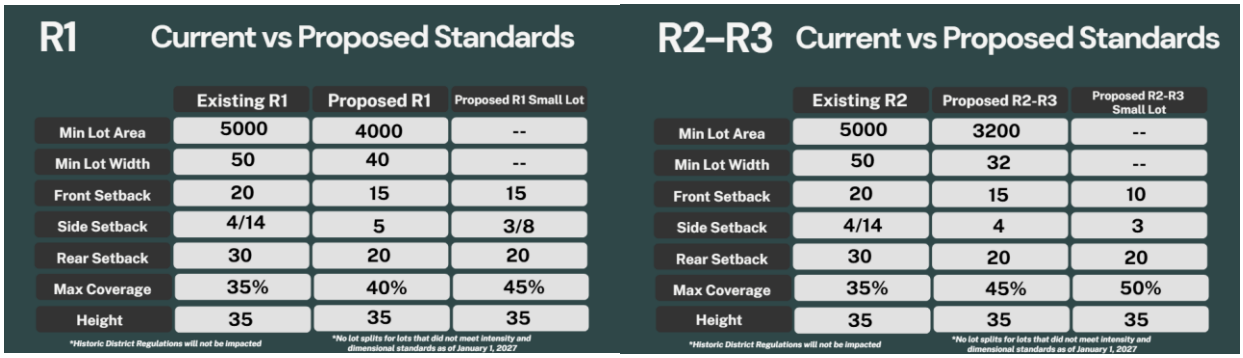
**Lot Widths**

| R1 | Percent Conforming | R2 | Percent Conforming | R3 | Percent Conforming |
|---|---|---|---|---|---|
| Current 50' | 14.8% | Current 50' | 6.8% | Current 50' | 6.8% |
| Proposed 40' | 60% | Proposed 32' | 48% | Proposed 32' | 60% |

***Sections 50-13-2 through 50-13-4***

In addition to new minimum lot sizes and widths, the proposal also sets forth new front, side and rear setbacks and new maximum lot coverage standards. This policy separates those dimensions into two categories, those that are essentially standard lots and those that fall below the standard lot minimum, which have historically been referred to as small lots. The new standard lot and small lot standards can be found in Sections 50-13-2 through 50-13-4 in the draft ordinance and are also shown in the graphs below for the R1-R3 districts. These standards will replace the former Sec. 50-13-256 small lot development standards which has been repealed through this ordinance along with other sections.

By reducing the minimum lot area, minimum lot widths, setbacks and increasing the maximum coverage area percentage that buildings can cover, this allows for the parcels in the city to become more viable for building the scale of housing that once existed on many of these lots.




**Charts of the existing and proposed new R1-R3 dimensional standards**

***Sec. 50-15-32 Allow Rebuilding of Existing Multi-unit Housing After Fire or Disaster***

An additional part of this policy is the proposal to amend Sec. 50-15-32 *Damage or destruction to principal structures containing nonconforming uses.* This section of the ordinance prohibits the re-establishment of a use and rebuilding of non-conforming use other than single-family homes if more than 60 percent of the assessed valuation is damaged or destroyed.

The purpose of this provision is to phase out non-conformities over time. However, it may not be advantageous in the case of residential homes. It may not be the best policy to take away the potential for residents to rebuild their home that is destroyed, although the structure has existed in the community for likely decades or longer. The city should be in the business of facilitating the retention of housing for people in a time such as this. The proposed amendment is to simply allow the current exemption to be applicable to all residential buildings, instead of only applying to single-family homes. The proposed amended language is shown below:

*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.*

**Other Miscellaneous House Keeping Items**

There are other various minor housekeeping items in the draft ordinance. Most are non-substantive, and are aimed to repeal, relocate, and reorganize zoning district intensity and dimensional standards within Article XIII; update standards for features permitted within setbacks; update terms and definitions such as Sec. 50-13-226 Features allowed within required setbacks which deals with access roads, awnings, ornamental features etc. Also, Sec. 50-13-22 *Traffic Safety Sight area* was amended to clean-up language for clarity. Lastly, in Sec. 50-13-3 and 50-13-4, the front and rear setbacks for townhomes are amended to 15 and 20 respectively, to be in alignment with single and two-family homes setbacks as townhomes are also currently permissible in the R2-R3 zoning districts.

**PUBLIC HEARING RESULTS**

During the November 5th public hearing, 13 residents spoke during public comment portion of the hearing. Approximately eight of those residents spoke in support while about five residents share concerns or opposed for various reasons.

Staff also received 15 letters of support for this initiative from various organizations, residents,

developers and others (see attached).

**COMMUNITY ENGAGEMENT AND INPUT**

The community engagement for this initiative has been broad and is still continuing. So far there have been targeted focus group efforts with groups that were involved with the zoning amendments from 2025 as well as others.

There have also been four public meetings so far with additional meetings planned for each district. The meetings held so far are as follows:

***Public Meetings***

- Mayoral Youth Cabinet (26)
- Faith Based Learning Series (41)
- All-District In-person Meeting (200)
- Virtual Citywide DON-Cast (139)
- District 1 DON meeting
- District 2 DON meeting
- District 3 DON meeting
- District 4 DON meeting
- District 5 DON meeting
- District 6 DON meeting
- District 7 DON meeting

***Focus Groups***

- Mayor's departments
- Council Members and staffs
- Immigrant community Roundtable (23)
- Historic District Alliance
- READ

***Feedback***

Through the engagement the CPC staff has done with the Mayoral Departments thus far, we have garnered a lot of good feedback which has been overwhelmingly positive with constructive feedback, questions and additions for weighs to enhance the policy and adjacent programs. We have learned that there is a lot of excitement around this effort. Residents want to see growth in their communities, but also want to be able to take part in the growth. A major piece of this has been surrounding questions about processes for land acquisition for Land Bank or City owned properties, streamlined permitting and development processes. Residents have asked about opportunities to learn about the development process from start to finish and other similar requests. Survey responses can be found below.





***Notice of Public Hearing***

CPC staff emailed the public hearing notice for this matter to 6,000+ subscribers to CPC updates. We additionally sent a physical mailing out to approximately 1,337 community organizations and block clubs, alerting them of the public hearing for this matter. Lastly, the information has been posted on the CPC website for review. The City has also created a website for this holistic initiative.

**ANALYSIS & CONCLUSION**

**Text Amendment Criteria and Analysis**

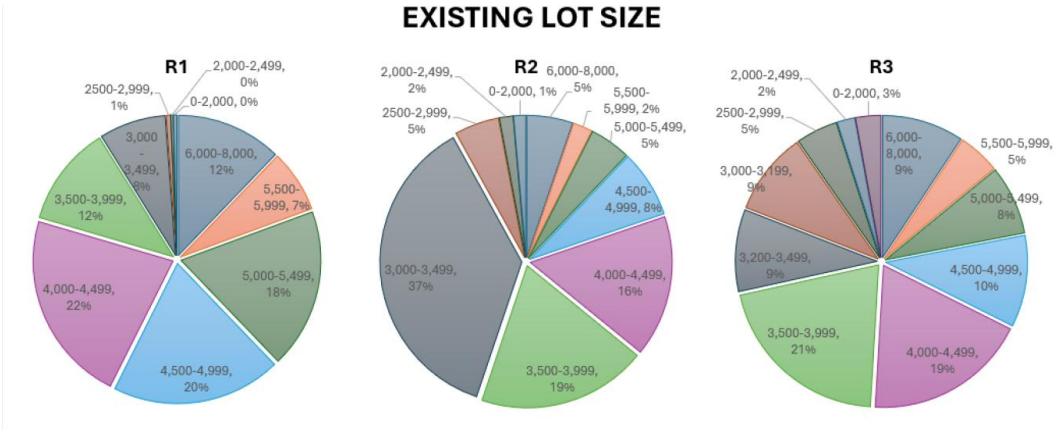
The Zoning Ordinance Sec. 50-3-49 cites that recommendations on all proposed Zoning Ordinance text amendments be based on the following criteria (CPC staff's analysis is in italics):

(1) Whether the proposed amendment is consistent with the stated purposes of this chapter;
*According to Sec. 50-1-5 Purpose and intent;, This proposal seeks to make residentially zoned land in R1-R3 easier to build upon while also protecting for the health, safety and welfare of residents. The proposed amendment is in conformance with the purposes of Chapter 50, Zoning, in the fact that it sets forth development standards for land. The proposal seeks to enhance property values by restoring the property to productive use and to prevent incompatible uses by maintaining the same typologies that are currently allowed in the respective zoning districts. The proposed amendment also plans for adequate rear yard surface stall parking or garage parking to limit impacts of unloading and storage on public streets where possible.*

(2) Whether the proposed amendment will protect the health, safety, or general welfare of the public; and
*The proposed amendment protects the health, safety and general welfare of the public by facilitating the revitalization of neighborhoods that have underutilized land or infill lots that are difficult to develop homes on. This policy will allow neighborhoods to more easily rebuild the fabric of community that once existed. The soft costs and zoning challenges of building housing will be reduced, which will help builders to produce more building stock.*

(3) Whether the proposed amendment corrects an error or meets the challenge of some changing condition, trend or fact.
*The proposed amendment corrects a challenge in that the vast majority of the lots in the city are smaller than the required minimum lot sizes or widths' therefore making them non-conforming. It makes sense that the platted lots should be more aligned with the regulated dimensional standards in the zoning ordinance, than less than 10% being in conformance with zoning regulations. This ordinance corrects this error or challenge. Additionally, the same approach is applied to setbacks and lot coverage, to make lots more conducive for building homes similar to those that once existed on these lots. Non-conformity rebuilding permissions are also amended in this proposal, to allow for residential buildings to be repaired and rebuilt if damaged or destroyed, even if non-conforming to the district they*

*reside in. This should be permissible without having to seek a BZA grant. This will not apply to commercial or industrial use or structures.*




**FRIENDLY AMENDMENTS TO LANGUAGE**

***Sec. 50-13-23 (2)* Exceptions to the required depth of front setbacks.**

Staff is proposing a friendly text amendment to change the language in the current draft as follows: *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 may range from the lesser of: (i) the smallest of the front setbacks of the dwellings on the neighboring residential properties or up to (ii) 20 feet.*

- This change in language simply clarifies that a contextual setback can range from the lesser of the surrounding home setbacks up to the 20 feet as a required setback.

**Sec. 50-13-24. Exceptions to the required depth of front setbacks.**

Here we would seek to respond to a request from DTE representatives heard during the engagement process. Due to the Occupational Safety and Health Administration's new safety standards for maintaining electrical poll lines, it has been determined that in rare circumstances a larger setback is needed for homes that sit on a corner lot. The proposed language is below.

On a corner lot, where a homes side setback is adjacent to an alley, notwithstanding the side setbacks specified in Section 50-13-2 through Section 50-13-7, the minimum side setback shall be 20 feet unless the applicant receives a waiver from the setback requirement from DTE Energy. This is to ensure that space for servicing poll lines is adequate.

**CONCLUSION**

The amount of positivity for this effort has been astounding. CPC staff in conjunction with the Administration Departments has visited every district and met with focus groups regarding this effort and have heard resounding support for the initiative. Little and or no opposition was expressed during this engagement effort after meeting with some hundreds of residents.

For this reason, as well as all of those stated in this report and CPC staff's original report on this matter, CPC staff is recommending **APPROVAL** of this proposed small lot code reform, zoning text amendment, as presented with the two outlined friendly amendments to the original draft ordinance language.

Attachments: Draft Ordinance
Support Letters
Calendar

cc: Dara O'Byrne, Interim Director, PDD
Greg Moots, Lead Planer PDD
David Bell, Director, BSEED
James Foster, BSEED
Jayda Sanford Philson, BSEED
Eric Johnson, BSEED
Conrad Mallett, Corporation Counsel
Tonja Long, Law
Bryan Coe, Law
Daniel Arking, Law