



Meeting Date: January 25, 2024

Applicant: The City of Grand Rapids Planning Department

Requesting: **Requesting amendment of various sections of the Zoning Ordinance (Chapter 61 of the City Code). Notable amendments modify regulations pertaining to accessory dwelling units, unrelated occupants, group living uses, small scale residential infill and residential parking requirements, all intended to address the need for housing supply, diversified housing types and housing affordability. Other text amendments are intended to provide additional information, clarity, and consistency.**

Requirements: 5.12.10. Zoning Ordinance Text and Map Amendments

Case Number: PC-TXT-2023-0115

Staff Assigned: Kristin Turkelson

Type of Case: Text Amendment

Effective Date: City Commission approval

BACKGROUND

In the spring of 2023, an update to the 2020 Housing Needs Assessment was presented by the City's Housing Practice Leader, Ryan Kilpatrick of Housing Next. The update determined that by 2027, approximately 34,700 dwelling units are needed countywide, with 14,106 of the units in the City of Grand Rapids, to accommodate household growth and older home replacement. In response to the Assessment, the City Commission expressed a desire to evaluate the City's housing policies and requested that the Planning Commission provide them with recommendations.

To ensure general alignment on potential zoning changes, a joint Planning Commission/City Commission meeting was held on July 13, 2023. During the meeting, the Planning Director facilitated a discussion around five categories identified by staff as starting points for consideration. These categories were chosen because of past planning work (i.e. Great Housing Strategies and Housing NOW!), current planning work (update to the 2002 Community Master Plan) and State and National zoning reform work. These five categories included Accessory Dwelling Units, Unrelated Occupants, Group Living Uses, Small Scale Residential Infill/Missing Middle Housing Types and Parking Requirements. Both Commissions generally agreed that zoning amendments pertaining to the five categories held the potential to increase housing supply, diversify housing types, and increase housing affordability.

Since July 2023, the Planning Commission, with the support of city staff, began thorough deliberation on each of the five categories. On September 28, 2023, the Commission discussed changes to regulations for accessory dwelling units (ADUs) and the number of unrelated occupants that may occupy a household. On November 9, 2023, the Commission discussed group living uses, small scale residential infill/missing middle housing, and parking requirements. And finally, on January 11, 2024, the Commission reviewed the draft text

amendments to ensure the desired changes were accurately captured and were ready for a public hearing.

SUMMARY OF PROPOSED HOUSING POLICY TEXT AMENDMENTS

Accessory Dwelling Units

- Streamline review process and allow as a permitted use
- Remove owner occupancy requirement
- Modify height and setback requirements
- Permit in association with single- and two-family dwellings
- Eliminate parking requirement

Unrelated Occupants

- Modify definition of Family, increasing unrelated occupants from four (4) to six (6)

Group Living

- Modify Single-Room Occupancy (SRO) requirements:
 - Modify SRO definition
 - Allow small-scale SROs in residential zone districts
 - Provide a tiered review process for small, medium and large-scale SROs
 - Require a Good Neighbor Plan when permitted as a Special Land Use
 - Increase tenancy requirement from 32 to 90 days
- Modify Transitional/Emergency Shelter requirements:
 - Allow small-scale shelters in residential zone districts
 - Add additional use regulations
 - Require a Good Neighbor Plan when permitted as a Special Land Use

Small Scale Residential Infill

- Within the TN-LDR Zone District:
 - Reduce lot area and width requirements for two-family and multiple-family residential developments of six (6) or fewer units
 - Permit multiple-family residential developments of six (6) or fewer units when located on Link Residential or Network residential streets (as defined by the Vital Streets plan)
 - Eliminate established (i.e. median) lot area and width requirements
 - Allow conversion of existing single- and two-family housing stock to higher densities

Parking

- Within the TN-LDR Zone District, eliminate parking requirements for developments of six (6) or fewer dwelling units on Link Residential or Network residential streets
- Modify the required distance to transit (from 300 feet to ½-mile) to allow for increased utilization of the parking reduction

ADDITIONAL CONTEXT

The proposed zoning text amendments represent significant changes from existing policies. However, it's important to remember that these changes are heavily informed by past planning work (2015 Great Housing Strategies and the 2018 Housing NOW! effort), current Community Master Planning (CMP) work, state and national zoning reform publications and best practices from around the country.

It is relevant to note that the Request for Proposals for the current Community Master Plan update, approved by the appointed 50-member steering committee, the City Planning Commission and City Commission, states the City's willingness to advance critical housing discussions and recommendations prior to the adoption of the CMP adoption (page 10 of the approved CMP contract with Planning Next). It is staff's opinion that the proposed text amendments align with the community feedback we have received thus far.

It is important to consider these changes in the context of today's economic market, housing trends, building code requirements and advances in mobility options. To provide more detail on some of these items, the City's Housing Practice Leader, Ryan Kilpatrick and the Mobile GR Department, provided the following input:

Housing Next

The proposed zoning amendments must be considered within the context of current economic and cultural conditions within the City of Grand Rapids. While the housing need is significant, it is highly unlikely that the proposed zoning changes will produce dramatic changes in local neighborhoods over a short period of time for the following reasons:

1. Housing availability. A major factor that is influencing affordability right now is the relative scarcity of available homes on the market. When fewer homes are available for sale, local buyers are forced to compete for the handful of homes that are available. This competition pushes prices up.
 - a. In the current market, even though a homeowner could potentially sell their home for two or three times what they paid for it, the limited housing options for relocation in the community that would suit their needs and budget may drive them not to sell, further reducing housing availability.
 - b. When homes do become available for sale, recent market trends have been favoring homeowners rather than landlords. The current average price to purchase an older home in Grand Rapids cannot be justified by local rental rates. In other words, many landlords cannot recoup their costs when buying older homes given the repairs that may be necessary to satisfy code requirements. For example, in the 49507 zip code between the 2011 and 2021 census years, there was a decrease in the number of two-unit, three-unit, and four-unit structures (-410), and there was an increase in the number of single family homes (+220). There was also an increase in the number of owner-occupied structures (+424). These trends occurred despite the fact that the City Zoning Ordinance was amended to allow for duplexes by-right on corner lots. While market forces currently favor homeowners, the majority of homeowners entering the

housing market are earning well over the median income and are not representative of the income demographics of the households that have traditionally lived in these neighborhoods for the last 30-40 years.

2. Culture. In West Michigan, we do not currently have a strong culture of entrepreneurial spirit baked into our housing choices. In other words, we don't have a lot of homeowners who want to be landlords. Generally, homeowners in West Michigan are accustomed to the privacy and spaciousness of having their entire property to themselves. This cultural pattern will likely need to change as housing scarcity continues to grow. However, culture does not change overnight. Most homeowners will not choose to add a second dwelling unit to their property because of both the financial cost of creating the extra unit and the change in their sense of privacy that can occur when sharing a property with another household. Our hope is that somewhere between 2% and 5% of homeowners will take advantage of the new zoning over the next decade. In order to achieve that rate of change, a fairly robust communications and marketing effort may be required in partnership with local Realtors and other landlord associations to help homeowners understand the process and the financial calculations.
3. Incentives. The proposed zoning changes are unlikely to reverse the trend of higher income owner-occupied households moving into historically lower-income neighborhoods. However, the proposed zoning changes will likely create opportunities to slow the pace of change and, when paired with new financial incentives like Brownfield TIF for housing and scattered site Payment in Lieu of Tax options, the proposed changes can provide non-profit entities and Benefit Corporations with greater options to acquire and preserve naturally occurring affordable housing.
4. Investment. Some properties will begin to make more financial sense for a third-party, for-profit property manager to acquire; however, this will occur on a case-by-case basis and will be highly dependent upon the condition on the existing structure and whether the mechanicals, electrical, and plumbing must be updated in addition to creating a fully separated secondary dwelling unit. The proposed zoning changes are designed as a small-scale, incremental adjustment to allow for one-degree of change within selected zone districts and key corridors. This is the preferred method of allowing for finely calibrated adjustments, evaluating the results over a few years, and assessing whether additional adjustments are necessary.
5. Equitable Development. Several organizations are currently working to establish an Equitable Development Initiative in Kent County that would support small-scale emerging developers and minority developers. As the region grows and more housing is created, our collective goal is to ensure that smaller scale developers and minority developers have an equitable opportunity to capture a share of the wealth that is created in the process of growing local/regional housing supply. This initiative is expected to include a mentorship component as well as direct access to capital for developers who do not have access to significant assets to start their first development on their own.

Creating small-scale, financially viable opportunities to break into the development business is important to catalyze more emerging developers in this space. A critical component of this

is aligning local zoning codes with housing needs and financially viable product types – assuming impact capital as the lead investor.

Mobile GR

Mobile GR Department staff have been participating in conversations and discussions with City staff and the City Planning Commission related to Housing Policy Zoning Ordinance Text Amendments. In particular, Mobile GR staff have been helping to review, collect data and analyze potential recommendations related to mobility, traffic and parking for the various text amendments. Mobile GR staff is in full support of eliminating parking minimums across the City, but at a minimum in all Traditional Neighborhood Zone Districts, both residential and commercial.

Over the last five years, the Mobile GR Department has been annually producing parking counts for every street in the entire City of Grand Rapids. This data is regularly included in the various City staff reports as part of Planning Commission packets. According to this data, there are 122,508 on-street parking spaces available across the City with an average percentage occupancy of 21.7%. Of that total, 62,968 spaces (51.4%) are in the Traditional Neighborhoods with an average percentage occupancy of 30.4%. Based solely on this data, there is excess parking capacity across the City and in Traditional Neighborhoods to absorb additional housing development and the proposed Housing Policy Zoning Ordinance Text Amendments.

The City has a tool to help manage additional demand for on street parking in neighborhoods with a residential parking permit program. On neighborhood streets or areas in the City where parking capacity exceeds 75 percent occupancy at a peak period, a parking permit program can be implemented to ensure that parking spaces are available to residents. The Neighbors of Belknap Lookout is the only neighborhood in the City that has a residential parking permit program and a handful of streets have had one implemented where metered parking abuts a residential parking area. Those streets include Alabama Street and Lake Drive with a handful of permits.

Every year, Mobile GR assesses parking demand and availability in residential neighborhoods and business districts. In qualifying areas with heavy parking demand, City staff propose Residential Parking Permit (RPP) Zones. RPP Zones prioritize parking spots for residents within the area. To park within an RPP Zone, you must be a resident or a guest of a resident and must have a Residential Parking Permit. Vehicles parked within an RPP zone without a permit will be subject to parking enforcement. Residents within RPP Zones can apply for a permit for a small permit fee. Permit fees are \$30 and the program allows for fee waivers for qualified residents as well as free caregiver permits. Additional information about the RPP program can be found on the City's website [here](#).

GR Forward, adopted by City Commission in December 2015, included a recommendation to eliminate parking minimums in the Downtown Zone District. Parking minimums were eliminated in 2016 for the Downtown Zone District. Since that time parking has still been included as part of new developments. However, without a parking minimum, constructed parking has been driven by private sector demand. Since 2016, the City has increased mobility investments to better support transportation access across the City. The City's DASH service was

recently expanded to a new route that extends Wednesday – Sunday service to westside neighborhoods at the Creston neighborhood in addition to downtown. This service includes late night weekend service. The City also continues to partner with the Rapid on making service improvements to existing fixed route bus service across the City. Currently, the Rapid is developing a Transit Master Plan in coordination with the City’s Community Master Plan to ensure that transit service can adequately address the growing needs of the City of Grand Rapids.

The City developed, piloted and established a full time micromobility program in partnership with Lime that provides access to e-scooters and e-bikes across the City. These new and environmentally friendly options allow for commuters, visitors and residents to get around Grand Rapids in new and fun ways. The current service area includes 12 square miles, much of which is centered on Traditional Neighborhoods. Ridership continues to grow each year. Through September 2023, more than 262,000 rides have been taken on scooters and e-bikes with the average ride being 15.8 minutes and average distance of just over one mile. Mobile GR staff continue to work with Lime on improvements to the program including installing additional designated parking zones, promotion of access programs, a new affordability pass program and safety messaging.

In early 2024, the Mobile GR Department will be launching a neighborhood electric vehicle (EV) carsharing program to maximize equity outcomes. The goals of the program are to:

- Provide an affordable electric car sharing service,
- Improve the awareness, perception, and adoption of EVs in low- and moderate-income households,
- Enhance the ability of visitors, residents, and businesses to reduce private vehicle usage,
- Encourage community-wide behavior shift towards greater use of shared mobility and electric vehicles,
- Provide a high-quality user experience that attracts and retains long-term members so that the program is financially sustainable after initial startup funds are exhausted.

The City is currently in Phase 1 of the project, working to procure and install EV chargers at three to four neighborhood sites. The carshare vendor is scheduled to procure vehicles and prepare the program infrastructure. The City anticipates the program to launch in March/April 2024. The current planned sites are in Burton Heights, Madison Heights, Eastown, and the John Ball Zoo area, with a few more cars located at existing downtown charging facilities where market needs and equipment availability dictate. The City is currently starting neighborhood engagement related to the Phase 1 program. Additional phases of the program are expected to expand to 12-15 vehicles in other neighborhoods by December 2024. This program will also help reduce vehicle ownership needs for Grand Rapids residents.

The City also maintains an annual capital project program to improve biking and walking across the City. Annual projects include investments in protected bicycling infrastructure and

pedestrian crossing improvements. In November 2023, the City completed a two-way curb lane protected bicycle facility on Turner Avenue from Richmond to 6th Street on the west side of the Grand River. Additional annual investments in protected bicycling projects and neighborhood bicycling greenways are budgeted for future years.

All of these mobility investments combined with the on-street parking data collected support elimination of parking minimums being considered as zoning text amendments for additional housing development. At a minimum, the parking minimum elimination should be implemented in the Traditional Neighborhood Zone Districts but can support elimination across the City.

SUMMARY OF OTHER PROPOSED TEXT AMENDMENTS

A number of additional text amendments are proposed. The intent is to provide additional information, clarity, and consistency. Changes include clarifying that temporary assembly or fundraising events may be permitted in residential zone districts on lot approved for institutional, educational, or governmental uses (rather than on any residential property); allowing a height increase in the SD-IT Zone District with Special Land Use approval; and allowing limited parking in the front yard in the SD-IT Zone District; among other amendments.

CONCLUSION

On January 25th, 2024 the Planning Commission will hold a public hearing on the proposed text amendments. Following the hearing, the Planning Commission must deliberate the amendments and determine whether the standards of Section 5.12.10.E are met. The Planning Commission will have the option to make a recommendation on the proposed amendments to City Commission or postpone the item and request additional time (to consider the public input) and/or request additional changes.



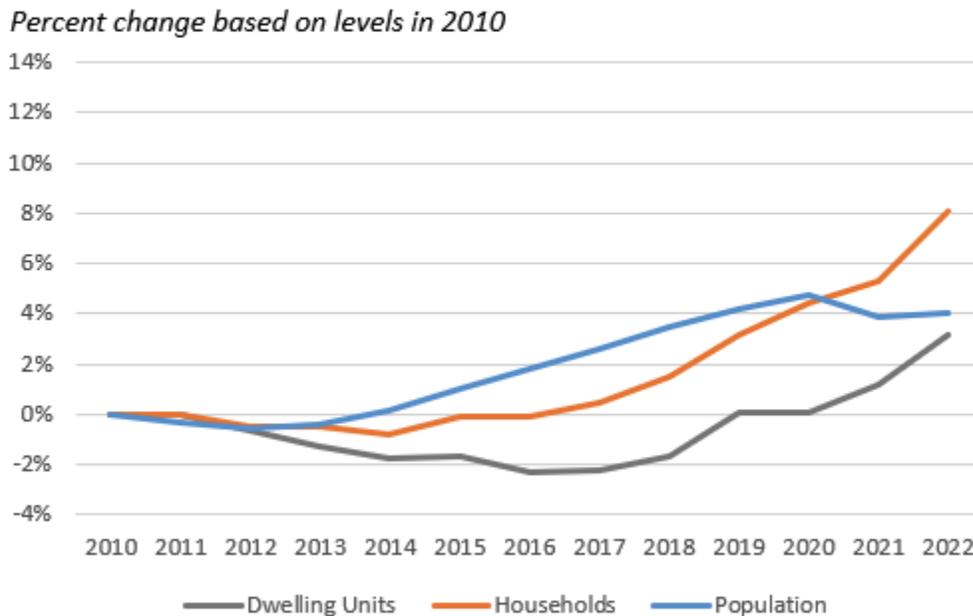
Housing needs and related data in Grand Rapids and Kent County.

There has been some conversation in the community in recent months about changes in the data trends that have not perfectly aligned with the projections of the Bowen National Research Housing Needs Assessment. Specifically, there have been questions about the recent decline in overall population in the City of Grand Rapids (population decreased slightly between 2019 and 2023 census estimates), and whether this decline in overall population should be taken as a signal that new housing is no longer needed.

Overall population is one of several factors which influence how much housing is needed. Other factors include local and regional job growth, regional construction patterns, commuting patterns, work-from-home trends, and household growth. None of these factors are predictive on their own, but taken together, they can provide a reasonable estimate of needs. The Bowen National Research housing needs assessment used all of these factors to create its Housing Gap Estimates published in 2022.

One specific indicator which may explain the recent decline in population while pressure for additional housing continues unabated is growth in the number of households compared to the growth in population and the growth in total dwelling units.

Grand Rapids population increased faster than dwelling units



Source: 2010 – 2022 American Community Survey DP10 and B01003



During the period between 2010 and 2022, the overall population in Grand Rapids increased by a total of about 4%. This 12-year growth includes the slight decline that has occurred over the last couple of years. However, over the same period of time, the number of households in Grand Rapids increased by just over 8% and the number of dwelling units increased by only 3%. Most notably, the period between 2021 and 2022 showed the sharpest increase in households¹.

Despite a three year time period that shows a clear dip in population, the gap between new household formations in the City and new housing units created remains stark. Grand Rapids will likely need several years of robust housing development to make up the difference - even if the overall population remains stagnant.

Why would the population decline while the number of households has grown?

It's important to understand the demographic trends that underlie these seemingly contradictory data points.

- 1) Baby Boomers are currently the largest cohort of homeowners in the City of Grand Rapids. The youngest members of this generation will be turning 60 years old this year. The vast majority of these homeowners no longer have children living at home. Meanwhile, they are still a major force in the housing market among single family homes in the City. And, while they once had an average of 3.6 people per household living with them, the Boomer generation is now living in households with an average of just 1.4 people per household. They are consuming the same amount of homes but with far fewer people per home².

Secondarily, despite the majority of this generation having reached the age of retirement - or approaching it very soon - relatively few are inclined to downsize their living arrangements. This is especially true in the current environment of high interest rates and historically low housing supply. Many Boomers purchased homes for well under \$150,000 in the City and have had interest rates in the low 3% range for the last 8-10 years. Attempting to sell their homes and downsize now would likely result in less home for much more money. It simply doesn't make a lot of financial sense for this generation to downsize at this stage of the market.

¹ US Census Bureau. American Community Survey. Grand Rapids City, Michigan. United States Census Bureau. Accessed January 22, 2024.

² Botros, Alena. Boomers' dominance of the housing market is so complete that empty nesters own twice as many large homes as millennials with kids, Redfin analysis reveals. Fortune, January 16, 2024. <https://fortune.com/2024/01/16/redfin-baby-boomers-empty-nesters-millennials-housing-market/>



Finally, Baby Boomers over the age of 65 have a longer life expectancy than any generation before them. This generation is far less inclined to seek assisted living or other types of group homes until they are in their 80s or early 90s. It is very likely that this generation will continue to be a significant force in the single family home market for at least another decade and they will likely continue to have more wealth than younger generations³.

- 2) Millennials are now the second largest generation in U.S. history and the youngest members of this generation will be 28 years old in 2024. The vast majority of this generation has finally moved out of their parent's homes, but many are waiting much longer than previous generations to start families and have children. In fact, the marriage rate among young adults has fallen from 61% among Boomers to just 44% among millennials⁴. The households formed by millennials are also much smaller, on average, than previous generations.

Overall, the millennial generation prefers living in locations that are more walkable and more urban when compared to older generations. This is especially true among more highly educated millennials who also tend to be higher earners⁵. This often means that, as prices increase in a given neighborhood, it is often smaller and more affluent households who are more capable of affording those price increases when compared to larger households with more children.

Secondary to this is the matter of access to perceived quality education. Numerous studies have shown that families with children often make locational choices based on local school rankings. Those with the income to afford the best quality education, often locate in those districts with higher ranking schools⁶. While Grand Rapids Public Schools has some very high performing schools within its district, on average, it does not rank as well as some of its suburban counterparts⁷. This may be driving some families with children into those higher ranking suburban districts.

³ Gavin, Kara. Most Older Adults Want to Age in Place. University of Michigan. 2022.

<https://news.umich.edu/most-older-adults-want-to-age-in-place-but-many-havent-taken-steps-to-help-them-do-so/>

⁴ Statista - Share of Americans married between the ages of 23 and 38.

<https://www.statista.com/statistics/318927/percentage-of-americans-whe-were-married-between-age-18-32-by-generation/>

⁵ Choi, Jung, Zhu, Jun, Goodman, Laurie. Millennial Homeownership - Why is it so low and how can we increase it? Urban Institute. July 2018. https://www.urban.org/sites/default/files/publication/98729/millennial_homeownership.pdf

⁶ Goldstein, Adam and Hastings, Orestes. "Buying In - Positional Competition, schools, income, Inequality, and Housing Consumption." Sociological Science. 2019.

https://sociologicalscience.com/download/vol-6/may/SocSci_v6_416to445.pdf

⁷ "Best Michigan Elementary Schools. U.S. News & World Report. 2023.

<https://www.usnews.com/education/k12/elementary-schools/michigan>



This leads to an important exploration of what is fueling gentrification in the City of Grand Rapids, where it is most likely to occur, and how the City might be able to reduce its influence. In a recent study published by the New York University Furman Center, Looking at new research, the analysis reaffirms the finding of past studies that new construction can drive rents down — at least across entire cities or regions. Furthermore, *“one of the clearest illustrations of new housing’s positive impact on a region is looking at its chain effect: Building new housing can set off other moves from building to building that quickly free up units for lower-income renters, new studies show.”*⁸

Similar research has been compiled and analyzed by the Urban Institute. Their research has found conclusive evidence that *“high housing costs—resulting from a lack of available housing—cause affluent buyers to look for homes in low- and moderate-income neighborhoods. That means cities’ housing supply can determine how fast gentrification may occur. Boosting the supply of housing can slow the pace of new buyers moving into lower-income neighborhoods.”*⁹

Finally, examining the somewhat unique characteristics of Grand Rapids reveals a mixed picture, but one that is not dissimilar to other midwestern cities. In another 2020 study by the Urban Institute, researchers noted several large rust belt cities that recorded simultaneous population decline and household growth¹⁰. What they found was that there are specific neighborhoods with a high demand for housing due to the amenities in that area. If adequate supply is not available for the types of households in search of housing, that high demand for the neighborhood will spillover into adjacent neighborhoods and create more powerful symptoms of gentrification. This effect was most pronounced where high income neighborhoods with strong amenities were located in close proximity to low income neighborhoods. These higher income neighborhoods also tend to be the neighborhoods where NIMBY sentiment is strongest¹¹.

⁸ Holder, Sarah. “No, Really. Building More Housing Can Combat Rising Rents.” Bloomberg, City Lab. November 20, 2023. <https://www.bloomberg.com/news/articles/2023-11-20/does-building-new-housing-cause-gentrification>

⁹ Goodman, Laurie. Seidman, Ellen. Zhu, Jun. “To Understand the Pace of a Cities Gentrification, Look at Its Housing Supply.” Urban Institute. June 2020.

¹⁰ Treskon, Mark. “Cities Losing Population Could Still Be Gaining Households”. Urban Institute. January 2020.

¹¹ Einstein, Katherine Levine. Palmer, Maxwell. Glick, David. “Who Participates in Local Government? Evidence from Meeting Minutes.” Boston University. 2017

ACCESSORY DWELLING UNITS

Sec. 5.5.05. Uses of Land.

Table 5.5.05.B. Uses: Residential Zone Districts				
Use Category	Specific Use	TN, MCN, MON		Use or Other Regulations
		LDR	MDR	
RESIDENTIAL				
Accessory Uses	Accessory dwelling unit	P	P	5.9.03.

Sec. 5.9.02. Applicability.

Table 5.9.02. Use Regulations and Approval Process					
Use	Section	Counter Review	Director Review	Qualified Review	Special Land Use
Accessory dwelling units	5.9.03.	LDR, MDR	CC, TCC, TBA, TOD, C, NOS		—

Sec. 5.9.03. Accessory Dwelling Units (ADU).

- A. Not more than one (1) Accessory Dwelling Unit (ADU) may be permitted per lot .
- B. An ADU may be permitted only in association with a single-family or two-family dwelling.
- C. *Minimum Lot Area.* An ADU may be developed on a lot meeting the minimum lot size for the applicable zone district.
- D. *Residential Density.* An ADU shall be excluded from maximum residential density requirements.
- E. *Setbacks.*
 1. An attached ADU shall be subject to the zone district setback requirements for a primary structure.
 2. A detached ADU shall be subject to the zone district setback requirements for an accessory structure.
- F. *Floor Area.*
 1. The maximum permitted floor area for an accessory structure that contains a second floor ADU may be increased by one hundred (100) percent solely for the construction of a second-floor unit.
 2. *Maximum ADU Size.* The ADU shall not exceed forty (40) percent of the gross floor area of the primary structure or four hundred (400) square feet, whichever is larger. In no case shall the ADU exceed eight hundred fifty (850) square feet in gross floor area.
- G. *Building Height.* The maximum permitted height of a detached ADU is twenty-five (25) feet.
- H. *Bedroom Maximum.* A maximum of two (2) bedrooms are permitted within an ADU.
- I. *Rental.* No ADU shall be rented for fewer than thirty (30) days and shall not be used as a short-term rental. If the ADU is not occupied as a residence by the owner, it shall be registered and certified as required in Chapter 140 of the City Code.

ACCESSORY DWELLING UNITS

- J. *Alterations or New Construction.* Any alterations to existing buildings or structures or the construction of a new structure to accommodate an ADU shall be designed to maintain the architectural design, style, appearance and character of the main building , including but not limited to entrances, roof pitch, siding and windows.
- K. *Deed Restriction.* A deed restriction enforceable by the City shall be recorded prior to the issuance of a building permit stipulating that the ADU will not be conveyed separately from the primary dwelling unit(s). An alternative form of security may be substituted if it meets the intent of this provision and is approved by the City Attorney.

ACCESSORY DWELLING UNITS

Sec. 5.10.04. - Off-Street Parking: Space Requirements.

Table 5.10.04.C. Off-Street Parking Requirements					
Use Category	Use	Zone District			Measurement/Additional Requirements
		TN-TCC; TN-TOD	TN-MDR; TN-TBA; MCN-TOD; MON-TOD	All Other Zone Districts	
		Number of Parking Spaces			
RESIDENTIAL					
Accessory Uses	Accessory dwelling unit	0	0	0	

Sec. 5.16.02. Definitions.

DWELLING UNIT, ACCESSORY. A secondary and clearly subordinate dwelling unit that is contained within a detached single-family or two-family dwelling, included within an accessory structure, or separate from but located on the same lot as a detached single-family or two-family dwelling. Also known as a "granny flat."

ACCESSORY DWELLING UNITS

Sec. 5.5.05. Uses of Land.

Table 5.5.05.B. Uses: Residential Zone Districts				
Use Category	Specific Use	TN, MCN, MON		Use or Other Regulations
		LDR	MDR	
RESIDENTIAL				
Accessory Uses	Accessory dwelling unit	<u>QRP</u>	<u>QRP</u>	5.9.03.

Sec. 5.9.02. Applicability.

Table 5.9.02. Use Regulations and Approval Process					
Use	Section	Counter Review	Director Review	Qualified Review	Special Land Use
Accessory dwelling units	5.9.03.	— <u>LDR, MDR</u>	CC, TCC, TBA, TOD, C, NOS	<u>LDR, MDR</u>	—

Sec. 5.9.03. Accessory Dwelling Units (ADU).

~~The following ADU use regulations shall not be waived or altered by the Planning Commission.~~

- A. ~~Not more than one (1) Accessory Dwelling Unit (ADU) may be permitted per lot included within a detached single-family dwelling (primary dwelling unit), or accessory structure, or separate from but located on the same lot as a detached single-family dwelling.~~
- B. ~~An ADU may be permitted only in association with a single-family or two-family dwelling.~~
- C. ~~Minimum Lot Area.~~ An ADU may be developed on a lot meeting the minimum lot size for the applicable zone district.
- ~~CD.~~ ~~Residential Density.~~ ~~An~~The ADU shall be excluded from maximum residential density requirements.
- ~~DE.~~ ~~Setbacks.~~
 - 1. ~~An attached ADU shall be subject to the zone district setback requirements for a primary structure.~~
 - 2. ~~A detached ADU shall be subject to the zone district setback requirements for an accessory structure.~~

~~Building Height.~~

- 1. ~~The portion of a single family detached dwelling with an ADU, when newly added, shall not exceed the permissible main building height of the Zone District. The Planning Commission may increase the height of an accessory structure occupied by an ADU up to a maximum of twenty-five (25) feet.~~
- 2. ~~The maximum permitted height for a detached ADU is twenty five (25) feet where the applicable zone district setback requirements for a primary structure are met. Where zone district setback requirements for a primary structure cannot be satisfied, the detached ADU shall be no higher than (20) feet.~~

ACCESSORY DWELLING UNITS

FE. Floor Area.

1. The maximum permitted floor area for an accessory structure that contains a second floor ADU may be increased by one hundred (100) percent solely for the construction of a second-floor unit.
2. Maximum ADU Size. The ADU shall not exceed forty (40) percent of the gross floor area of the primary structure or four hundred (400) square feet, whichever is larger. In no case shall the ADU exceed eight hundred fifty (850) square feet in gross floor area.~~Maximum Floor Area. The maximum permitted floor area for an accessory structure that contains an ADU may be increased by one hundred (100) percent solely for the construction of a second-floor unit.~~ Minimum/Maximum ADU Size. The ADU shall not exceed forty (40) percent of the gross floor area of the primary dwelling unit, but in any case shall be at least four hundred (400) square feet and not larger than eight hundred fifty (850) square feet in gross floor area.

GF. Building Height. The maximum permitted height of a detached ADU is twenty-five (25) feet. Front Yard Prohibited. If not part of the main building, the ADU shall not be in the front yard.

~~HG. Minimum/Maximum ADU Size. The ADU shall not exceed forty (40) percent of the gross floor area of the primary dwelling unit, but in any case shall be at least four hundred (400) square feet and not larger than eight hundred fifty (850) square feet in gross floor area.~~

~~H. Bedroom Maximum. A maximum of two (2) bedrooms are permitted within an ADU.~~

~~I. Owner Occupancy. One (1) of the dwelling units shall be owner-occupied. If the ADU is leased, it shall be registered with the City as required in Chapter 140 of the City Code.~~

~~J. Leasing or Rental. No ADU shall be leased or rented for fewer less than thirty (30) days, and days and shall not be used as a short-term rental. If the ADU is leased not occupied as a residence by the owner, it shall be registered and certified with the City as required in Chapter 140 of the City Code.~~

~~JK. Alterations or New Construction. Any alterations to existing buildings or structures or the construction of a new structure to accommodate the an ADU shall be designed to maintain the architectural design, style, appearance and character of the main building as a detached single-family dwelling, including but not limited to entrances, roof pitch, siding and windows.~~

~~KL. Deed Restriction. A deed restriction enforceable by the City shall be recorded prior to the issuance of a building permit stipulating that the ADU will not be conveyed separately from the primary dwelling unit(s). An alternative form of security may be substituted if it meets the intent of this provision and is approved by the City Attorney.~~

ACCESSORY DWELLING UNITS

Sec. 5.10.04. - Off-Street Parking: Space Requirements.

Table 5.10.04.C. Off-Street Parking Requirements					
Use Category	Use	Zone District			Measurement/Additional Requirements
		TN-TCC; TN-TOD	TN-MDR; TN-TBA; MCN-TOD; MON-TOD	All Other Zone Districts	
RESIDENTIAL					
Accessory Uses	Accessory dwelling unit	1-0	1-0	1-0	Per dwelling unit plus .25/per bedroom over 1 bedroom

Sec. 5.16.02. Definitions.

DWELLING UNIT, ACCESSORY. A secondary and clearly subordinate dwelling unit that is contained within a detached single-family or two-family dwelling (~~primary dwelling unit~~), included within an accessory structure, or separate from but located on the same lot as a detached single-family or two-family dwelling. Also known as a "granny flat."

SINGLE ROOM OCCUPANCY (SRO)

Sec. 5.5.05. Uses of Land.

Table 5.5.05.B. Uses: Residential Zone Districts					
Use Category	Specific Use	TN, MCN, MON			Use or Other Regulations
		LDR	MDR		
RESIDENTIAL					
Household Living	Single room occupancy (SRO)	6 or fewer units	P	P	5.9.32.
		7-12 units	S	S	
		13 or more units	X	S	

Sec. 5.9.02. Applicability.

Table 5.9.02. Use Regulations and Approval Process					
Use	Section	Counter Review	Director Review	Qualified Review	Special Land Use
Single room occupancy	5.9.32.	—	CC, TCC, TBA, TOD, C, NOS	—	LDR, MDR

Sec. 5.9.32. Single Room Occupancy (SRO).

- A. *Separation Requirement.* Any SRO having thirteen (13) or more units shall be at least one thousand five hundred (1,500) feet from any other SRO, residential rehabilitation facility, transitional or emergency shelter, or small or large adult foster care facility.
- B. *Continuous Tenancy.* At least ninety (90) percent of the SRO units shall be occupied by the same tenants for a continuous period of at least ninety (90) days.
- C. *Size Limitation.* An SRO unit shall be limited to one (1) habitable room of three hundred (300) square feet or less, exclusive of up to seventy (70) square feet of floor area devoted to kitchen use.
- D. *Good Neighbor Plan.* When a Special Land Use is required, a Good Neighbor Plan shall be submitted in accordance with the requirements of Section 5.12.06.D.

Sec. 5.16.02. Definitions.

SINGLE ROOM OCCUPANCY (SRO). A room in a dwelling that contains either a bathroom or kitchen, but not both, and that is designed and intended for a single person's long-term accommodation. An SRO facility is not an owner-occupied rooming/boarding house, hotel, motel or bed and breakfast.

SINGLE ROOM OCCUPANCY (SRO)

Sec. 5.5.05. Uses of Land.

Table 5.5.05.B. Uses: Residential Zone Districts					
Use Category	Specific Use	TN, MCN, MON			Use or Other Regulations
		LDR	MDR		
RESIDENTIAL					
Household Living	Single room occupancy (SRO)	<u>6 or fewer units</u>	P X	<u>P</u> S	5.9.32.
		<u>7-12 units</u>	<u>S</u>	<u>S</u>	
		<u>13 or more units</u>	<u>X</u>	<u>S</u>	

Sec. 5.9.02. Applicability.

Table 5.9.02. Use Regulations and Approval Process					
Use	Section	Counter Review	Director Review	Qualified Review	Special Land Use
Single room occupancy	5.9.32.	—	CC, TCC, TBA, TOD, C, NOS	—	<u>LDR</u> , MDR

Sec. 5.9.32. Single Room Occupancy (SRO).

- A. *Separation Requirement.* Any SRO having ~~more than ten (10)~~thirteen (13) or more units shall be at least one thousand five hundred (1,500) feet from any other SRO, residential rehabilitation facility, transitional or emergency shelter, or small or large adult foster care facility.
- B. *Continuous Tenancy.* At least ninety (90) percent of the SRO units shall be occupied by the same tenants for a continuous period of at least ~~thirty-two (32)~~ninety (90) days.
- C. *Size Limitation.* An SRO unit shall be limited to one (1) habitable room of three hundred (300) square feet or less, exclusive of up to seventy (70) square feet of floor area devoted to kitchen use.
- D. *Good Neighbor Plan.* -When a Special Land Use is required, a Good Neighbor Plan shall be submitted in accordance with the requirements of Section 5.12.06.D.

Sec. 5.16.02. Definitions.

SINGLE ROOM OCCUPANCY (SRO). A room in a dwelling that contains either a bathroom or kitchen, but not both, and that ~~usually contains fifty (50) or more units and~~ is designed and intended for a single person's long-term accommodation ~~that contains either a bathroom or kitchen, but not both.~~ An SRO facility is not an owner-occupied rooming/boarding house, hotel, motel or bed and breakfast.

TRANSITIONAL OR EMERGENCY SHELTERS

Sec. 5.5.05. Uses of Land.

Table 5.5.05.B. Uses: Residential Zone Districts				
Use Category	Specific Use	TN, MCN, MON		Use or Other Regulations
		LDR	MDR	
RESIDENTIAL				
Household Living	Transitional or emergency shelter	S	S	5.9.36.

Sec. 5.9.36. Transitional or Emergency Shelters.

- A. In a residential zone district, any transitional or emergency shelter having seven (7) or more adults shall:
 - 1. Be located on a Network Residential or Crosstown Connector Street as identified by the Vital Streets Plan, unless located on a lot of one acre or more in area.
 - 2. Be located within two thousand five hundred (2,500) feet of a transit stop.
- B. Any transitional or emergency shelter having thirteen (13) or more adults shall be at least one thousand five hundred (1,500) feet from any other transitional or emergency shelter, residential rehabilitation facility, single room occupancy dwelling, or small or large adult foster care facility.
- C. Good Neighbor Plan. A Good Neighbor Plan shall be submitted in accordance with the requirements of Section 5.12.06.D.

Sec. 5.16.02. - Definitions.

TRANSITIONAL OR EMERGENCY SHELTER. A residential facility operated by a government agency or private nonprofit organization that provides temporary accommodations and on-site management for homeless persons or families, or other persons requiring interim housing arrangements.

TRANSITIONAL OR EMERGENCY SHELTERS

Sec. 5.5.05. Uses of Land.

Table 5.5.05.B. Uses: Residential Zone Districts				
Use Category	Specific Use	TN, MCN, MON		Use or Other Regulations
		LDR	MDR	
RESIDENTIAL				
Household Living	Transitional or emergency shelter	X S	S	5.9.36.

Sec. 5.9.36. Transitional or Emergency Shelters.

- A. In a residential zone district, any transitional or emergency shelter having seven (7) or more adults shall:
 1. Be located on a Network Residential or Crosstown Connector Street as identified by the Vital Streets Plan, unless located on a lot of one acre or more in area.
 2. Be located within two thousand five hundred (2,500) feet of a transit stop.
- B. Any transitional or emergency shelter having ~~more than twelve (12)~~thirteen (13) or more adults shall be at least one thousand five hundred (1,500) feet from any other transitional or emergency shelter, residential rehabilitation facility, single room occupancy dwelling, or small or large adult foster care facility.
- C. Good Neighbor Plan. A Good Neighbor Plan shall be submitted in accordance with the requirements of Section 5.12.06.D.

Sec. 5.16.02. - Definitions.

TRANSITIONAL OR EMERGENCY SHELTER. A residential facility operated by a government agency or private nonprofit organization that provides temporary accommodations and on-site management for homeless persons or families, or other persons requiring interim housing arrangements.

OTHER ZONING ORDINANCE TEXT AMENDMENTS

Sec. 5.9.02. Applicability.

- A. *Use Regulations and Approval Process of Table 5.9.02*
1. *Director Review.* All uses shall be in accordance with the provisions of Section 5.12.16.
 2. *Counter Reviews.* All uses listed shall be in accordance with the provisions of Section 5.12.16.
 3. *Qualified Review.* All uses listed shall be in accordance with the provisions of Section 5.12.16.D.
 4. *Special Land Use.* All uses listed shall be in accordance with the provisions of Section 5.12.09. The Planning Commission shall have the authority to waive or alter the Use Regulations contained in this Article provided the standards of Section 5.12.09 are substantially met.

Sec. 5.9.35. Temporary Structures and Uses.

- H. *Assembly and Fundraising Activities.* Assembly activities (e.g., carnivals, fairs, rodeos, sport events, concerts, and shows) or fundraising activities that benefit a community service group or non-profit organization (e.g. car washes, bake sales, auctions) are permitted in Residential Zone Districts on properties approved for an educational, governmental, or institutional uses and in Mixed-Use Commercial Zone Districts, subject to the following requirements.

Sec. 5.7.04. Special District - Industrial-Transportation (SD-IT).

Table 5.7.04.D. Building Elements: Industrial Transportation District	
Maximum Height	3 stories or 45 ft., whichever is less. Height may be increased by the Planning Commission in accordance with the Special Land Use standards and procedures of Section 5.12.09.

Sec. 5.10.03. Off-Street Parking: Design Requirements.

- E. *Setbacks.* Except for parking areas on the same lot as a detached single-family or two-family dwelling, off-street parking and loading areas shall meet the following requirements.
1. *Front Yard Setbacks.*
 - a. For accessory parking areas, no part of the parking area shall be permitted in the front yard.
 - b. For parking areas that are principal uses and for parking lots in the MON-C Zone District, the parking area shall conform to the front yard setback or RBL requirements as appropriate, provided that a five (5) foot setback shall be met where there is no established RBL.
 - c. Parking areas that are accessory to a Vehicle Fueling Station may be permitted in the front yard subject to the requirements of Section 5.9.38.H.
 - d. Parking areas that support office or retail uses accessory to the primary use may be permitted in front yard of the SD-IT Zone District.

OTHER ZONING ORDINANCE TEXT AMENDMENTS

Sec. 5.9.02. Applicability.

- A. *Use Regulations and Approval Process of Table 5.9.02*
1. *Director Review.* All uses shall be in accordance with the provisions of Section 5.12.16.
 2. *Counter Reviews.* All uses listed shall be in accordance with the provisions of Section 5.12.16.
 3. *Qualified Review.* All uses listed shall be in accordance with the provisions of Section 5.12.16.D.
 4. *Special Land Use.* All uses listed shall be in accordance with the provisions of Section 5.12.09. The Planning Commission shall have the authority to waive or alter the Use Regulations contained in this Article provided the standards of Section 5.12.09 are substantially met.

Sec. 5.9.35. Temporary Structures and Uses.

- H. *Assembly and Fundraising Activities.* Assembly activities (e.g., carnivals, fairs, rodeos, sport events, concerts, and shows) ~~and or~~ fundraising activities ~~(e.g. car washes, bake sales, auctions)~~ that benefit a community service group or non-profit organization ~~(e.g. car washes, bake sales, auctions)~~ are permitted in Residential Zone Districts on properties approved for an educational, governmental, or institutional uses and in Mixed-Use Commercial Zone Districts ~~and residential zone districts and on properties approved for an educational or institutional use~~, subject to the following requirements.

Sec. 5.7.04. Special District - Industrial-Transportation (SD-IT).

Table 5.7.04.D. Building Elements: Industrial Transportation District	
Maximum Height	3 stories or 45 ft., whichever is less. <u>Height may be increased by the Planning Commission in accordance with the Special Land Use standards and procedures of Section 5.12.09.</u>

Sec. 5.10.03. Off-Street Parking: Design Requirements.

- E. *Setbacks.* Except for parking areas on the same lot as a detached single-family or two-family dwelling, off-street parking and loading areas shall meet the following requirements.
1. *Front Yard Setbacks.*
 - a. For accessory parking areas, no part of the parking area shall be permitted in the front yard.
 - b. For parking areas that are principal uses and for parking lots in the MON-C Zone District, the parking area shall conform to the front yard setback or RBL requirements as appropriate, provided that a five (5) foot setback shall be met where there is no established RBL.
 - c. Parking areas that are accessory to a Vehicle Fueling Station may be permitted in the front yard subject to the requirements of Section 5.9.38.H.
 - d. Parking areas that support office or retail uses accessory to the primary use may be permitted in front yard of the SD-IT Zone District.

PARKING REDUCTIONS

Sec. 5.10.04. Off-Street Parking: Space Requirements.

F. *Traditional Neighborhoods Parking Requirements.*

1. Traditional Neighborhoods - City Center (TN-CC) Zone District Parking Requirements. Off-street parking shall not be required. If provided, the number of spaces shall not exceed one (1) space for each one thousand (1,000) square feet of gross floor area for all non-residential buildings and hotels, and one (1) space per dwelling unit, unless approved by the Planning Commission as a Special Land Use, and based on a Parking Demand Study submitted by the applicant, as provided in Section 5.10.04.A.
2. Traditional Neighborhoods – Low Density Residential (TN-LDR) and Mixed-Density Residential (TN-MDR) Zone District Parking Requirements. Off-street parking shall not be required for developments of six (6) or fewer dwelling units when located on Link Residential and Network Residential Streets.

G. *Affordable Housing.* The number of required off-street parking spaces for developments that utilize the Affordable Housing Bonus as outlined in Articles 5 and 6 may be calculated at one-half space less per unit than what is required in Table 5.10.04.C.

Sec. 5.10.05. Off-Street Parking: Reductions in Parking Requirements.

E. *Alternate Modes of Transportation.* One (1) or more of the following methods may be used to reduce off-street parking requirements.

1. *Transit.*

- a. Parking requirements may be reduced under the provisions of Section 5.10.05. for up to fifty (50) percent of required parking spaces for buildings, structures or uses within a half mile of a Bus Rapid Transit (BRT) station or one quarter of a mile of a transit stop.
- b. A Transportation Demand Management (TDM) study may be required to demonstrate that a sufficient number of vehicle drivers already use or would immediately opt for transit, and therefore would not result in adverse parking impacts on surrounding properties.
- c. The applicant shall provide a written statement from The Rapid verifying that the transit station or transit stop is in a permanent location for the foreseeable future.

PARKING REDUCTIONS

Sec. 5.10.04. Off-Street Parking: Space Requirements.

F. *Traditional Neighborhoods* ~~-City Center (TN-CC) Zone District~~ Parking Requirements.

1. Traditional Neighborhoods - City Center (TN-CC) Zone District Parking Requirements. Off-street parking shall not be required.

~~2.~~ If provided, the number of spaces ~~required for all uses~~ shall not exceed one (1) space for each one thousand (1,000) square feet of gross floor area for all non-residential buildings and hotels, and one (1) space per dwelling unit, unless approved by the Planning Commission as a Special Land Use, and based on a Parking Demand Study submitted by the applicant, as provided in Section 5.10.04.A.

2. Traditional Neighborhoods – Low Density Residential (TN-LDR) and Mixed-Density Residential (TN-MDR) Zone District Parking Requirements. Off-street parking shall not be required for developments of six (6) or fewer dwelling units when located on Link Residential and Network Residential Streets.

G. *Affordable Housing.* The number of required off-street parking spaces for developments that utilize the Affordable Housing Bonus as outlined in Articles 5 and 6 may be calculated at one-half space less per unit than what is required in Table 5.10.04.C.

Sec. 5.10.05. Off-Street Parking: Reductions in Parking Requirements.

E. *Alternate Modes of Transportation.* One (1) or more of the following methods may be used to reduce off-street parking requirements.

1. *Transit.*

a. Parking requirements may be reduced under the provisions of Section 5.10.05. for up to fifty (50) percent of required parking spaces for buildings, structures or uses within a half mile~~three hundred (300) feet~~ of a Bus Rapid Transit (BRT) station or one quarter of a mile~~hundred (100) feet~~ of a transit stop.

b. A Transportation Demand Management (TDM) study may be required to demonstrate that a sufficient number of vehicle drivers already use or would immediately opt for transit, and therefore would not result in adverse parking impacts on surrounding properties.

c. The applicant shall provide a written statement from The Rapid verifying that the transit station or transit stop is in a permanent location for the foreseeable future.

INFILL HOUSING

Sec. 5.5.05. Uses of Land.

- C. *Attached Single-Family Residential Use.* For development of Attached Single-Family dwellings on a single lot.
 - 1. Permitted Use within LDR zone districts where the following conditions apply:
 - a. Where four (4) or fewer units are constructed in a row on a vacant lot and no demolition is required; and
 - b. The parcel is located within five-hundred (500) linear feet of a TBA, TOD, TCC or C zone district, as measured from the closest point of the parcels along the public right-of-way.
 - 2. Special Land Use within LDR zone districts where the following conditions apply:
 - a. Where demolition of an existing structure is required; or
 - b. More than five (5) units are constructed in a row.
- D. *Two-Family Residential Use.* A two-family residential dwelling is a Permitted Use within LDR zone districts when located on a corner lot.
- E. *Multiple-Family Residential Use.* A multiple-family residential development of six (6) or fewer units is a permitted use on Link Residential and Network Residential Streets in the TN-LDR Zone District.

INFILL HOUSING

Sec. 5.5.06. Site Layout and Building Placement Requirements.

Table 5.5.06.A. Site Layout and Building Placement: Residential Zone Districts								
Neighborhood Classification	TN		MCN		MON		Use or Other Regulations	
Zone District	LDR	MDR	LDR	MDR	LDR	MDR		
Minimum Lot Area (sq. ft./unit - except as noted)								
Detached single-family, interior	3,800 ¹	2,500 ¹	5,000 ¹	3,000 ¹	7,000 ¹	3,500 ¹	5.5.06.B.	
Detached single-family, corner	5,000	3,000	6,000	4,000	8,000	4,500		
Attached single-family	1,500	1,250	3,500	3,000	4,500	4,000	5.5.06.B, 5.5.08	
Two-family (total)	3,800	2,500	7,000 ¹	6,000 ¹	9,000 ¹	8,000 ¹	5.5.06.B.	
Multiple family/group living:	Minimum (sq. ft./unit)	2,000	1,250	2,500	1,500	2,750	1,750	5.5.09.
	Minimum lot area (total sq. ft.)	—	—	20,000	20,000	25,000	25,000	5.9.20.
Non-residential uses	6,000	6,000	6,000	6,000	6,000	6,000	5.6.07.B.	
Minimum Lot Width (ft.)								
Detached single-family, interior	36 ¹	36 ¹	42 ¹	42 ¹	60 ¹	60 ¹	5.5.06.C.	
Detached single-family, corner	50	50	70	60	70	70		
Attached single-family (per unit)	—	—	35	30	45	40		
Two-family	36	36	70 ¹	60 ¹	90 ¹	80 ¹		
Multiple family/group living	3-6 units	36	36	100	90	100		100
	7 or more units	90	80					
Non-residential uses	80	80	80	80	100	100	—	
Minimum Setbacks and Yards for Residential Uses (ft.)								
Required Building Line (RBL)	27 ¹	22 ¹	35 ¹	30 ¹	—	—	5.5.06.D.	
Front setback	—	—	—	—	30	20		
Interior Side Setback	One side	5	5	7	5	7	5.5.06.E.	
	Total both sides	14	14	18	14	18		20
Corner Side Setback	One side	5	5	7	5	10	5.5.06.E.	
	Total both sides	20	20	20	20	25		20
Rear Setback	25	20	25	30	40	30	5.5.06.F.	
Minimum Setbacks and Yards for Non-Residential Uses (ft.)								
Front setback	20	20	25	25	25	25	5.5.06.D.	
Side setback	10	10	10	10	20	20	5.5.06.E.	
Rear setback	25	25	30	30	30	30	5.5.06.F.	
See Section 5.11.11.C. for minimum buffer widths where non-residential uses abutting residential uses.								

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Building Façade Along RBL (%)	60	60	50	50	—	—	5.5.06.G.
Minimum Green Space at Grade (% of lot area)							
Detached single-family	40	30	50	40	60	50	5.5.06.H.
Attached single-family	40	20	50	30	60	40	
Two-family	35	20	40	25	50	30	
Multiple family	30	20	30	25	30	30	
Non-residential uses	30	30	30	30	30	30	
Minimum Tree Canopy (% of lot area)							
Multiple-family/ group living	37	34	48	41	51	35	5.11.09.
Non-residential uses	37	34	48	41	51	35	
¹ This dimension shall apply in areas not established, per Sections 5.2.05.C. and 5.5.06.B-D.							
² See Section 5.5.06.B.4.							
"—" = Not Applicable							

Sec. 5.9.06. Attached Single-Family and Two-Family Dwellings.

- A. Attached dwellings must comply with the dimensional and design standards of Sections 5.5.06. and 5.5.07., except where these standards are expressly modified by this Section.
- B.

Sec. 5.9.20. Multiple-Family Dwellings.

- A. *Applicability.* The following requirements apply to multiple-family dwellings, not including attached single-family dwellings, within any Residential Zone District, unless otherwise noted.
- B. *Location.*
 - 1. Multiple-family dwellings shall not be located on a Neighborhood Residential Street as defined in the City's Street Classification Policy. The Planning Commission may waive this restriction for redevelopment projects.
 - 2. In the TN-LDR Zone District, a multiple-family development of six (6) or fewer units is a permitted use when located on a Link Residential or Network Residential Street.
- C. *Open Space.*
 - 1. *Minimum Required Greenspace or Urban Open Space.*
 - a. In the MCN and MON district, every residential unit shall have a minimum of sixty-five (65) square feet of greenspace or urban open space and the required open space must be provided on the same lot as the dwelling unit(s) it serves.
 - b. The open space area shall be substantially covered with grass, ground cover, shrubs, plants, trees or usable outdoor space open features, such as walkways or patios.
 - c. The open space area shall not be less than twelve (12) feet in any dimension.
 - d. The open space area must be usable, and cannot be occupied by mechanical equipment, dumpsters or service areas.
 - 2. *Required Rear Yard.* In the MCN and MON districts, the required rear yard open space shall be within the rear yard, at ground level or, if on a terrace or patio, within four (4) feet of ground

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level. Where structures are in the rear yard setback and do not exceed six (6) feet in height, required open space may be provided directly above the structures.

- D. *Driveways and Parking.* No driveways or off-street parking spaces (open or enclosed) shall be within the required rear yard space. Bollards, curbs, wheel stops or other similar features shall be provided to ensure that required rear yard open space is not used for off-street parking, loading or vehicle circulation.

INFILL HOUSING

Sec. 5.5.05. Uses of Land.

- C. Attached Single-Family Residential Use ~~Restrictions~~. For development of Attached Single-Family dwellings on a single lot.
1. Permitted Use within ~~the~~ LDR zone districts where the following conditions apply:
 - a. Where four (4) or fewer units are constructed in a row on a vacant lot and no demolition is required; and, Attached Single-Family Residential dwelling units are a Permitted Use within the LDR zone district when the
 - b. The -parcel is located within five-hundred (500) linear feet of a TBA, TOD, TCC or C zone district, as measured from the closest point of the parcels along the public right-of-way.
 2. Special Land Use within LDR zone districts where the following conditions apply:
 - a. Where demolition of an existing structure is required,; or
 - b. More than five (5) units are constructed in a row, Attached Single-Family Residential dwelling units are a Special Land Use within the LDR zone district.
- D. Two-Family Residential Use ~~Restrictions~~. A two-family residential dwelling is a Permitted Use within ~~the~~ LDR zone districts when located on a corner lot.
- E. Multiple-Family Residential Use. A multiple-family residential development of six (6) or fewer units is a permitted use on Link Residential and Network Residential Streets in the TN-LDR Zone District.

INFILL HOUSING

Sec. 5.5.06. Site Layout and Building Placement Requirements.

Table 5.5.06.A. Site Layout and Building Placement: Residential Zone Districts								
Neighborhood Classification	TN		MCN		MON		Use or Other Regulations	
Zone District	LDR	MDR	LDR	MDR	LDR	MDR		
Minimum Lot Area (sq. ft./unit - except as noted)								
Detached single-family, interior	3,800 ¹	2,500 ¹	5,000 ¹	3,000 ¹	7,000 ¹	3,500 ¹	5.5.06.B.	
Detached single-family, corner	5,000	3,000	6,000	4,000	8,000	4,500		
Attached single-family	1,500	1,250	3,500	3,000	4,500	4,000	5.5.06.B, 5.5.08	
Two-family (total)	3,800 6,000 [±]	2,500 5,000 [±]	7,000 ¹	6,000 ¹	9,000 ¹	8,000 ¹	5.5.06.B.	
Multiple family/group living:	Minimum (sq. ft./unit)	2,000	1,250	2,500	1,500	2,750	1,750	5.5.09.
	Minimum lot area (total sq. ft.)	—	—	20,000	20,000	25,000	25,000	5.9.20.
Non-residential uses	6,000	6,000	6,000	6,000	6,000	6,000	5.6.07.B.	
Minimum Lot Width (ft.)								
Detached single-family, interior	36 ¹	36 ¹	42 ¹	42 ¹	60 ¹	60 ¹	5.5.06.C.	
Detached single-family, corner	50	50	70	60	70	70		
Attached single-family (per unit)	—	—	35	30	45	40		
Two-family	36 60 [±]	36 50 [±]	70 ¹	60 ¹	90 ¹	80 ¹		
Multiple family/group living	<u>3-6 units</u>	<u>36</u>	100	90	100	100		
	<u>7 or more units</u>	90					80	
Non-residential uses	80	80	80	80	100	100	—	
Minimum Setbacks and Yards for Residential Uses (ft.)								
Required Building Line (RBL)	27 ¹	22 ¹	35 ¹	30 ¹	—	—	5.5.06.D.	
Front setback	—	—	—	—	30	20		
Interior Side Setback	One side	5	5	7	5	7	5.5.06.E.	
	Total both sides	14	14	18	14	18		20
Corner Side Setback	One side	5	5	7	5	10	5.5.06.E.	
	Total both sides	20	20	20	20	25		20
Rear Setback	25	20	25	30	40	30	5.5.06.F.	
Minimum Setbacks and Yards for Non-Residential Uses (ft.)								
Front setback	20	20	25	25	25	25	5.5.06.D.	
Side setback	10	10	10	10	20	20	5.5.06.E.	
Rear setback	25	25	30	30	30	30	5.5.06.F.	
See Section 5.11.11.C. for minimum buffer widths where non-residential uses abutting residential uses.								

INFILL HOUSING

Building Façade Along RBL (%)	60	60	50	50	—	—	5.5.06.G.
Minimum Green Space at Grade (% of lot area)							
Detached single-family	40	30	50	40	60	50	5.5.06.H.
Attached single-family	40	20	50	30	60	40	
Two-family	35	20	40	25	50	30	
Multiple family	30	20	30	25	30	30	
Non-residential uses	30	30	30	30	30	30	
Minimum Tree Canopy (% of lot area)							
Multiple-family/ group living	37	34	48	41	51	35	5.11.09.
Non-residential uses	37	34	48	41	51	35	
¹ This dimension shall apply in areas not established, per Sections 5.2.05.C. and 5.5.06.B-D.							
² See Section 5.5.06.B.4.							
"—" = Not Applicable							

Sec. 5.9.06. Attached Single-Family and Two-Family Dwellings.

- A. Attached dwellings must comply with the dimensional and design standards of Sections 5.5.06. and 5.5.07., except where these standards are expressly modified by this Section.
- B. ~~Conversion. The conversion of attached single-family and two-family dwellings to a higher density on the same lot is prohibited, except where the building exceeds five thousand (5,000) square feet in gross floor area and the Director determines that the size of the house is out of character with other nearby residential uses, the use shall be heard as a Special Land Use by the Planning Commission to determine the appropriate number of units.~~

Sec. 5.9.20. Multiple-Family Dwellings.

- A. *Applicability.* The following requirements apply to multiple-family dwellings, not including attached single-family dwellings, within any Residential Zone District, unless otherwise noted.
- B. *Location.*
 - 1. Multiple-family dwellings shall ~~not~~ be ~~located on a Neighborhood Residential permitted on a Regional Street, Major City Street or City Collector Street, or within two hundred (200) feet of a Regional or Major Street as~~ Street as defined in the City's Street Classification Policy. The Planning Commission may waive this ~~requirement restriction~~ for redevelopment projects.
 - 2. ~~In the TN-LDR Zone District, a multiple-family development of six (6) or fewer units is a permitted use when located on a Link Residential or Network Residential Street. For parcels within the TOD Zone District, a ground floor residential use is a Permitted Use, except that a Special Land Use approval shall be required when the use is proposed within one hundred (100) feet of a Major or Regional Street.~~
- C. ~~Conversions. Existing single-family and two-family dwellings shall not be converted to a multiple-family dwelling except as provided in Sections 5.2.07. and 5.5.08.~~
- D. ~~Open Space.~~
 - 1. *Minimum Required Greenspace or Urban Open Space.*

INFILL HOUSING

- a. In the MCN and MON district, every residential unit shall have a minimum of sixty-five (65) square feet of greenspace or urban open space and the required open space must be provided on the same lot as the dwelling unit(s) it serves.
 - b. The open space area shall be substantially covered with grass, ground cover, shrubs, plants, trees or usable outdoor space open features, such as walkways or patios.
 - c. The open space area shall not be less than twelve (12) feet in any dimension.
 - d. The open space area must be usable, and cannot be occupied by mechanical equipment, dumpsters or service areas.
2. *Required Rear Yard.* In the MCN and MON districts, the required rear yard open space shall be within the rear yard, at ground level or, if on a terrace or patio, within four (4) feet of ground level. Where structures are in the rear yard setback and do not exceed six (6) feet in height, required open space may be provided directly above the structures.

DE. *Driveways and Parking.* No driveways or off-street parking spaces (open or enclosed) shall be within the required rear yard space. Bollards, curbs, wheel stops or other similar features shall be provided to ensure that required rear yard open space is not used for off-street parking, loading or vehicle circulation.

UNRELATED PEOPLE LIVING AS A FAMILY

Sec. 5.16.02. Definitions.

FAMILY

1. Any number of persons related by blood, marriage, adoption or guardianship, occupying a dwelling unit and living as a single nonprofit housekeeping unit; or not more than six (6) unrelated individuals eighteen (18) years of age or older living together in one (1) dwelling unit, having a relationship which is functionally equivalent to a family. The relationship must be of a permanent and distinct character, cooking as a single housekeeping unit with a demonstrable and recognizable bond characteristic of a cohesive unit.
2. The following do not qualify as a family: Any society, club, fraternity, sorority, association, lodge, organization, coterie, combine, federation, organization which is not a recognized religious order, or group of students or other individuals where the common living arrangement or basis for the establishment of the housekeeping unit is temporary and/or of resort-seasonal character in nature. The term family does not include any adult foster care facility licensed under Public Act No. 218 of 1979 (MCL 400.701 et seq.) except an adult foster care family home as defined in Section 3 of that Act (MCL 400.703).

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