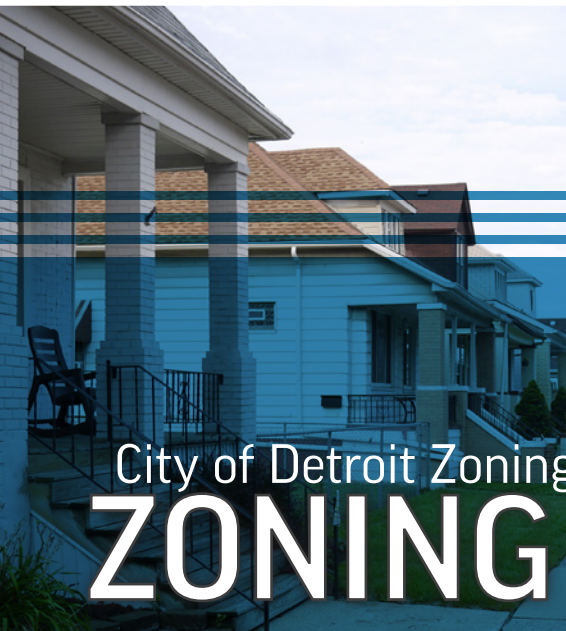


ZONEDTROIT



City of Detroit Zoning Recommendations Report  
**ZONING ANALYTIC**

March 23, 2020

*Send your thoughts or comments on this report to:*

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# CONTENTS

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<b>Introduction</b>	<b>1</b>		
Community Outreach	2		
Key Project Milestones	12		
<b>Making Zoning Easier for Everyone</b>	<b>16</b>		
Provide a More User-friendly and Accessible Code	18		
Reduce the Complexity and Provide More Predictable Outcomes	20		
Improve the Review and Approval Process	22		
Make the Zoning Ordinance Easier to Enforce	25		
Create a Complete Toolkit to Implement Neighborhood Plans	26		
<b>For the Neighborhoods</b>	<b>28</b>		
Expand the Available Housing Options	30		
Provide Incentives for Affordable Housing	36		
Better Rules are Needed Between Residential and Commercial/Industrial Areas	38		
Reduce the Impact of Auto-Related Uses	40		
Promote Access to Parks and Open Space	42		
<b>Growth &amp; Commercial Areas</b>	<b>44</b>		
Make it Easier to Mix Uses	46		
Improve Site Development Standards	49		
Right-Size the Approach to Parking	50		
Remove Barriers to Green Solutions	52		
Place Greater Emphasis on the Built Environment	54		
Use Design Review in Limited Settings	56		
<b>Jobs, Jobs and Jobs</b>	<b>58</b>		
Utilize Vacant Land for More Productive Uses	60		
Expand Uses in Neighborhoods Experiencing Disinvestment	64		
Make it Easier to Reuse Existing Buildings	66		
Allow Makerspace in More Commercial Areas	68		
Rethink the Use of Excess Industrial Land	70		
<b>Glossary</b>	<b>72</b>		
<b>Acknowledgments</b>	<b>74</b>		

## PROJECT VALUES

### **Conduct a Transparent, Equitable and Inclusive Process**

- » Allow all stakeholders to meaningfully take part in the process through engagement plan
- » Provide timely and accurate information easily accessible to the public
- » Define clear and measurable indicators for achieving social-equity goals

### **Preserve and Promote Vibrant Neighborhoods**

- » Encourage and/or incentivize multiple housing types (Missing Middle housing) that support varying age, income and ability levels
- » Provide buffering standards between residential and non-residential uses
- » Protect and promote affordable housing

### **Retain and Attract Vibrant Businesses**

- » Support existing and future businesses (home-based, small and large-scale businesses)
- » Encourage mixed-use development (residential combined with commercial) where appropriate
- » Promote land-based businesses

### **Preserve Detroit's Historic Character**

- » Enable zoning to help preserve and reuse vacant buildings
- » Emphasize regulation of building form to achieve more predictable and cohesive development

### **Advance Long-term Sustainable Practices**

- » Implement efficient stormwater practices
- » Foster land use approach that supports sustainability
- » Right-size parking requirements through deliberate parking strategies
- » Provide for opportunity to utilize open space

### **Support Livable Communities**

- » Encourage use and intensity that supports healthy lifestyles
- » Reevaluate auto-oriented and high-traffic generating uses in certain commercial corridors
- » Create walkable neighborhoods

# INTRODUCTION

The Detroit City Planning Commission recently embarked on a 2-year process to update the City's Zoning Ordinance.

The current Detroit Zoning Ordinance underwent a complete overhaul beginning in 1997, resulting in the adoption of a new ordinance in 2005. However, the 2005 Zoning Ordinance is already out-of-date and out of sync with the community. A new, more contemporary Zoning Ordinance is needed, one that will help protect the things valued about Detroit, while allowing for the kinds of development patterns that will serve Detroit well in the future.

Detroit is entering a new era. During the past five years, the City has experienced a resurgence of development in the downtown and midtown areas. An opportunity

exists to extend this resurgence to the corridors leading into and out from the downtown, as well as neighborhood commercial nodes and established neighborhoods. Other areas of the City, particularly vacant industrial sites, are also in need of standards that address current development trends and encourage redevelopment. Lastly, older commercial strips along major roads are in need of standards that will direct their redevelopment and re-purposing.

The overall purpose of this project, ZoneDetroit, is to create a revised Zoning Ordinance that:

- ▶ Is modern and easy to use, including additional graphics
- ▶ Incorporates best practices in planning

- ▶ Consolidates similar subjects currently scattered throughout the Zoning Ordinance
- ▶ Removes provisions and terms that are outdated or no longer necessary.

The time has come to revisit, refresh, and rethink the Zoning Ordinance. This report provides a series of recommendations to address problems with the current Zoning Ordinance. These consultant recommendations represent potential solutions that may or may not be right for Detroit, but serve as the starting point for discussion, prior to drafting the Zoning Ordinance revisions.

# Community Outreach



## Introduction

Residents are experts on their own environments, and successful zoning regulations should reflect the aspirations of the community. It is important that the community be included in the zoning revision process to ensure that their values and preferences are reflected in the finished product. That's why

ZoneDetroit is taking an inclusive approach using a broad set of outreach techniques to encourage the greatest number of people to engage and interact with the effort.

Community outreach is being used to build awareness, keep the public informed, help the community reach

consensus, and gather meaningful feedback. One of the key engagement efforts of this project is to analyze the current Zoning Ordinance for issues by listening closely to groups and individuals that interact with the Zoning Ordinance in some way. The feedback gathered has been used to form a base of evidence that supports the analysis, best practices and recommendations within this report.

In order to set priorities, some basic questions were considered during the early phases of this project:

- ▶ What do residents think about their city? About the neighborhood they live in?
- ▶ What is important to them and what needs improvement?
- ▶ What can zoning do to help fix or improve their issues?



## Our Approach

To date, ZoneDetroit has focused on initial engagement to understand the issues and existing conditions, and to identify community values and priorities. Educational, interactive and representative community engagement has been a priority. In order to get the most meaningful feedback, a Public Engagement Plan was prepared and a group of individuals were selected to represent the community in an advisory capacity on the Zoning Advisory Group. A project ambassador program was also established. The program provides an additional opportunity for people to get involved in the project. The outreach strategies developed have helped solicit a wide range of feedback from the community to align the project's goals with the community's needs. The following pages briefly highlight the community outreach tools and techniques that have been used so far on this project.

### Public Engagement Plan

The Public Engagement Plan outlined the engagement strategies used to get Detroiters actively involved in ZoneDetroit. The Engagement Plan has helped increase awareness and participation in the project.

### Zoning Advisory Group (ZAG)

The Zoning Advisory Group (ZAG) is a public group intended to reflect the variety of interests in the local community. The ZAG serves as a sounding board for the project and provides valuable feedback on draft work products before they are released to the general public.



## Project Ambassadors

The project ambassador program is intended to increase community representation in the ZoneDetroit project. Project Ambassadors are individuals with an interest in zoning who have a desire to help their neighborhood achieve its planning goals. Ambassadors fulfill their role by educating their neighbors, representing them at meetings, and encouraging neighbors to get involved in this project.

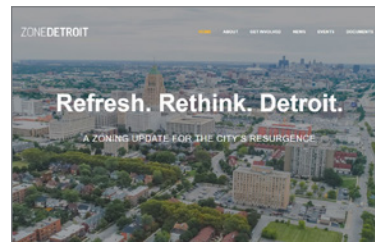
After assembling a very excited group of Ambassador's, the project team initiated an additional component to the Ambassador role. Due to the high interest, and in an effort to empower citizens, ZoneDetroit added a zoning training course to the Ambassador role. The intent of the regular training sessions is to give members in-depth training on zoning-related issues and City processes in order to empower community members. The course deals with the issues that Ambassadors are most intrigued with.

## Informing and Educating the Public

Informing and listening to residents about zoning and providing them with the tools they need to participate in shaping the future of their city is crucial to the success of this project.

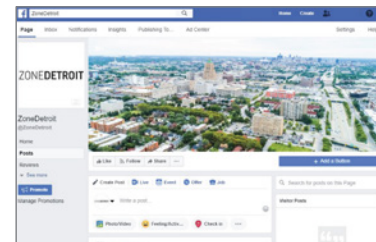
## Digital Engagement

A project website and Facebook page was created to keep the public informed about important zoning issues, events, updates and opportunities to provide input. A digital newsletter is also being used to help keep people informed and to communicate timely information about the project.



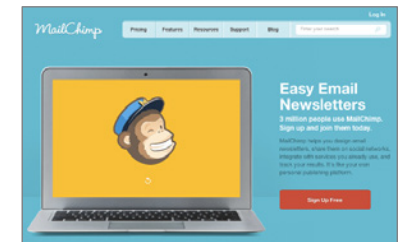
### PROJECT WEBSITE

The project website serves as a key outreach tool for this effort. It serves as a one-stop library of draft documents, allows us to collect on-line comments, and provides a project calendar.



### FACEBOOK

A project-specific Facebook page creates a public presence on social media for this project and serves as a platform for public discussions.



### DIGITAL NEWSLETTER

A digital newsletter is being used to help keep people informed and to communicate timely information about the project.



# Person-to-Person Engagement

More than 30 meetings have been held and over 30 stakeholder group interviews have taken place in order to help determine the major problems and concerns with the Zoning Ordinance. Meetings have been both informative and interactive, with focused presentations and meaningful work for participants to engage in.




### STAKEHOLDER INTERVIEWS



30+ stakeholder interviews have been held. Stakeholders have included City staff, appointed officials, development professionals, small business owners, citywide advocacy groups, community-based organizations and economic development professionals.

### PUBLIC MEETINGS



14 public meetings have been held specifically for the zoning revision project. The focus has been on educating participants and answering questions.

### COMMUNITY DISCUSSIONS



17 meetings have been held in conjunction with other existing meetings. These meetings were used to hear directly from community members in their own setting.

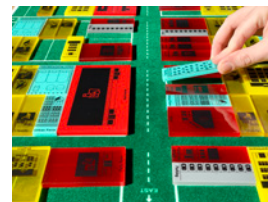
### SMALL WORKSHOPS



Approximately 10 hands-on workshops have been held throughout the project, including several Zoning Game sessions.

## ZONING GAME

The Zoning Game is a hands-on board game designed for the purpose of educating Detroit residents about zoning, encouraging public participation in the planning and zoning revision processes, and collecting direct feedback. The game gives stakeholders and other interested citizens a hands-on tool to explore and experiment with different zoning strategies. The Zoning Game is useful for visualizing urban design and planning concepts that can often be complex and abstract, even for seasoned experts. The interactive engagement model helps participants express what is important to them. This type of interaction enables the public to test out their own ideas and theories to see for themselves what works well or not, becoming an effective method of allowing participants to answer their own question instead of being told what is best by an expert.



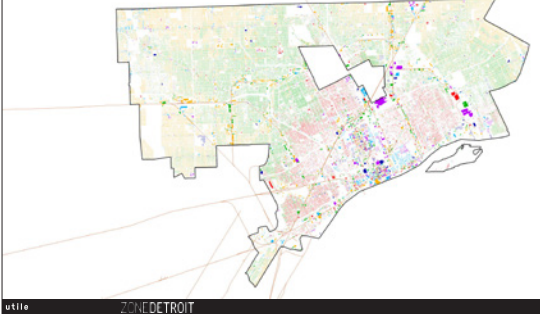


## Educational Material

A variety of supplementary outreach material has been prepared for this project. Distribution has occurred over the web, through Facebook, and through City staff, with the primary goal to publicize draft work, explain zoning issues and opportunities, and collect feedback. Where feasible, educational material was prepared in English, Spanish, Bengali and Arabic.

### MAPPING ANALYSIS

#### ZoneDetroit – Mapping and Analysis



In December 2018, a citywide mapping analysis was prepared that highlighted some of the land use and zoning patterns across the City.

### PROJECT HANDOUT

**ZONEDETROIT**  
*refresh rethink Detroit*  
A ZONING UPDATE FOR THE CITY'S RESURGENCE

Zoning is how cities divide up land by zones to regulate the types of uses that can take place on a property. Below is what the zoning looks like at the intersection of Grand River Ave and Oakman Blvd.

R1: Residential District - allows primarily single-family houses  
S3: Shopping District - supports cluster of stores  
M3: General Industrial District - allows general industrial uses  
M4: Intensive Industrial District - allows broad range of industrial uses  
P1: Open Parking District - parking only

For more information visit [ZoneDetroit.com](http://ZoneDetroit.com)  
February, 2019

In February 2019, an informational brochure was prepared to help educate the public on what zoning is, and highlight ways people could stay engaged in the project. The brochure was prepared in English, Spanish, Bengali and Arabic.

### WHAT WE HEARD

**ZONEDETROIT**  
*refresh rethink Detroit*  
A ZONING UPDATE FOR THE CITY'S RESURGENCE

April 2019

**What We've Heard So Far**

Since the project started in August 2018, a number of stakeholder interviews and public meetings have been held. Below are the top issues mentioned so far during these meetings.

**Who We've Heard From So Far**

**21 Stakeholder Interviews**  
City Planning Commission (CPC)  
City Council  
Board of Zoning Appeals (BZA)  
Business, Labor, Government & Law Department  
Neighborhoods

**10 Phone Interviews**

**4 Zoning Advisory Group Meetings**

**10 Public Meetings**

**External Groups**  
Detroit Planning Commission  
City Planning Commission  
Community Based Organizations  
Neighborhood Development Corporation

**Simplify the Code**  
The zoning code is complicated and difficult to understand and use.

**Manager Auto-Related Uses**  
The zoning code needs to be updated to allow for the use of self-storage and other auto-related uses.

**Reform Parking**  
The zoning code needs to be updated to allow for more parking options.

**Improve Transitions**  
More appropriate rules are needed between commercial and residential uses.

**Fix Code Enforcement**  
More resources are needed to enforce zoning code.

**Tools for Vacant Lands**  
More resources are needed to improve access to and use of vacant lands.

**Implement Neighborhood Plans**  
The zoning code must have the tools to implement neighborhood and future planning efforts.

**Streamline the Approval Process**  
The approval process is complicated and difficult to navigate. This has to be fixed.

**Provide a More Readable Code**  
More developments are needed. Instead, the zoning code needs to be reworked.

**Make it Easier to Reuse Existing Buildings**  
More resources are needed to make it easier to reuse existing buildings and spaces.

**Don't Forget About the Neighborhoods**  
On a better job at addressing all the neighborhoods, not just the growth areas.

**Place More Emphasis on the Built Environment**  
Provide a greater emphasis on the built environment, not just the growth areas.

**Expand Uses in Neighborhoods**  
Expanding development.

**Provide Additional Housing Options**  
A greater choice of housing types, based on neighborhood, family and large-scale developments, is needed.

**Make it Easier to Mix Land Uses**  
A number of zones don't allow mixed use. More zones should allow mixed use. More zones should allow mixed use.

In April 2019, a simple informational handout was prepared that identified the top issues discussed during the first round of stakeholder interviews and meetings. The handout was prepared in English, Spanish, Bengali and Arabic.

# What We've Heard So Far



Since the project started back in August 2018, a number of stakeholder interviews and public meetings have been held to discuss issues with the City's Zoning Ordinance. Below are the top issues mentioned so far during those interactions:



### Simplify the Code

The Zoning Ordinance is complicated and difficult to understand and use



### Manage Auto-Related Uses

Better rules are needed for uses that detract from the character of commercial corridors



### Reform Parking

The parking requirements need rethinking in both commercial and residential areas



### Improve Transitions

More appropriate rules are needed between commercial corridors and neighborhoods and between industrial and residential uses



### Fix Code Enforcement

Clearer, more consistent rules will be easier to administer and enforce



### Tools for Vacant Lands

More options are needed to improve access to and use of vacant lands



### Make it Easier to Reuse Existing Buildings

Remove the barriers that make it difficult to re-inhabit existing buildings and spaces



### Don't Forget About the Neighborhoods

Do a better job at accommodating all the neighborhoods - not just the growth areas



### Place More Emphasis on the Built Environment

Provide a greater emphasis on the form of new buildings - how buildings shape public spaces

## Who We've Heard From So Far.....

# 21 Stakeholder INTERVIEWS

# 10 Phone INTERVIEWS

### Internal Groups

City Planning Commission (CPC)  
Planning & Development Department (PDD)  
Board of Zoning Appeals (BZA)  
Buildings, Safety Engineering & Environmental Department (BSEED)  
Law Department  
Mayors Office

# 4 Zoning Advisory Group MEETINGS

# 10 Public MEETINGS

### External Groups

Development Professionals  
Small Business Owners  
Citywide Advocacy Groups  
Community-Based Organizations  
Economic Development Professionals



### Implement Neighborhood Plans

The new zoning must have the tools to implement recent and future planning efforts



### Streamline the Approval Process

The approval process is complicated and difficult to navigate - this has to be fixed



### Provide a More Predictable Code

Planned developments are overused; instead, the base zoning needs to be retooled



### Expand Uses in Neighborhoods Experiencing Disinvestment

Allow for opportunities in support of the continued viability of single-family neighborhoods



### Provide Additional Housing Options

A greater choice of housing types, beyond single-family and large apartment complexes, is needed



### Make it Easier to Mix Land Uses

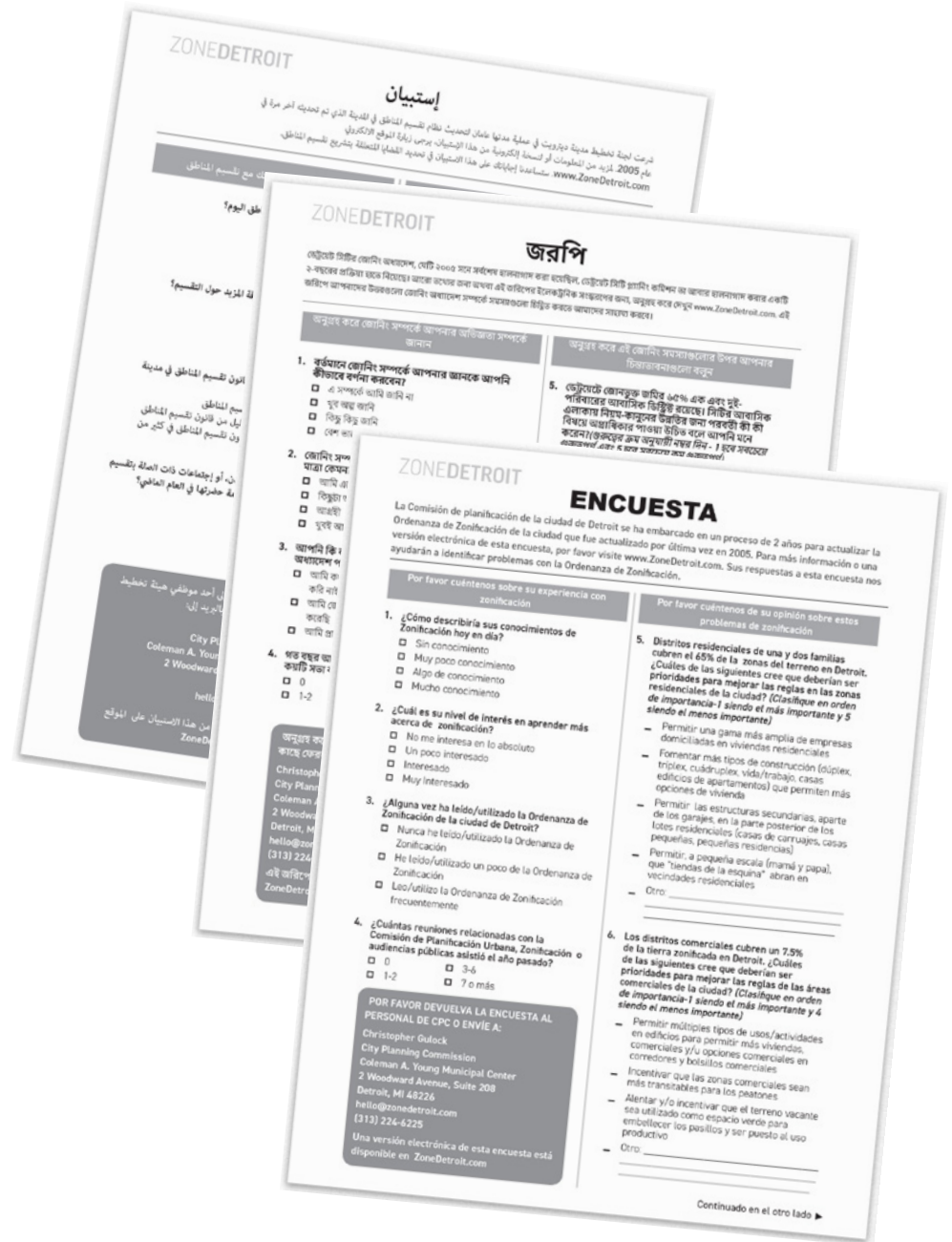
A number of zones don't allow mixed use - today, most projects are mixed use

In April 2019, a simple informational handout was prepared that identified the top issues discussed during the first round of stakeholder interviews and meetings. The handout was prepared in English, Spanish, Bengali and Arabic. This list of top issues served as the basis for the content and organization of this report.

# Survey

Building on the face-to-face meetings and in attempt to reach out to a broader population, an introductory zoning survey was prepared and released. The survey was made available on-line and distributed in hard copy at a number of public meetings. The survey was also emailed out via the project's digital newsletter, and posted on the project website and Facebook page. The survey was also made available in Spanish, Bengali and Arabic. The survey asked respondents to rank specific zoning issues related to residential, commercial and industrial areas based on what was most important to them. Respondents also had the opportunity to note additional ideas not listed that they thought were missing from the conversation. In the first effort, a total of 818 survey responses were received over a 3-month time period. In the end, the number of responses from African-Americans and people 17 years old or younger was not fully representative of Detroit's demographics.

However, even with its shortcomings, the survey provided some essential demographic and zoning information. Findings were used to help identify neighborhoods and populations that needed additional attention. During the summer and fall months of 2019, efforts were increased to reach more African-Americans and young people. Some of the events held or attended included the District 6 Zoning 101 meeting, the Osborn Neighborhood Alliance meeting and Council President Brenda Jones' 10th Annual Senior Citizens Lunch that hosts thousands of African-



American seniors. A Zoning Game Mixer was held in Eastern Market as part of Detroit's Month of Design. Additionally, meetings were held in District 7, District 4 and District 2, focusing specifically on getting more African-Americans to fill out the survey. A Zoning Game event was also held to solicit African-American student participation at the College of Creative Studies. Overall, over 200 additional people were engaged and over 100 additional surveys were received.

Ultimately, the survey provided invaluable feedback to add to input from verbal interactions throughout the City. It showed areas of the City that needed more focus, which was subsequently done and will continue to be done throughout the project. The survey serves as one of many tools for public participation. The hundreds of verbal comments and conversations that have been had with community members is just as important as the survey. As the project moves into the drafting phase, at least one more survey will be prepared and distributed to solicit feedback from the entire community.

Below are some ideas we heard for improving the Zoning Ordinance across the City . . .

### Clarify the Zoning Ordinance



*"Better education so that individuals know what the rules are."*

*"Make them easy to comprehend."*

### Allow Mixed Use Development



*"Allow more small-scale development in residential neighborhoods!"*

*"Clean industrial mixed in with commercial."*

### Fix Code Enforcement



*"More inspectors to enforce the rules and better supervision of the inspectors."*

*"Fair enforcement of zoning rules."*

### Engage the Community



*"Keep residents and businesses informed. Meetings in each City Council District."*

*"Make zoning info and meeting times available through comprehensive efforts to residential communities."*

### Rethink Lot Design & Requirements for Parking



*"Allow for less parking lots."*

*"Get rid of setbacks and parking minimums."*

### Why did we have these meetings?

In order to aid in the understanding of Detroit's current needs and issues, 32 meetings were held prior to the creation and release of this report. Feedback and input was gathered through a series of large group discussions and small workshops.

### What happened at these meetings?



Learn About the Project



Get Event Updates



Review Current Deliverables



Brainstorm With Others



Provide Input



Represent the Community



Ask Questions

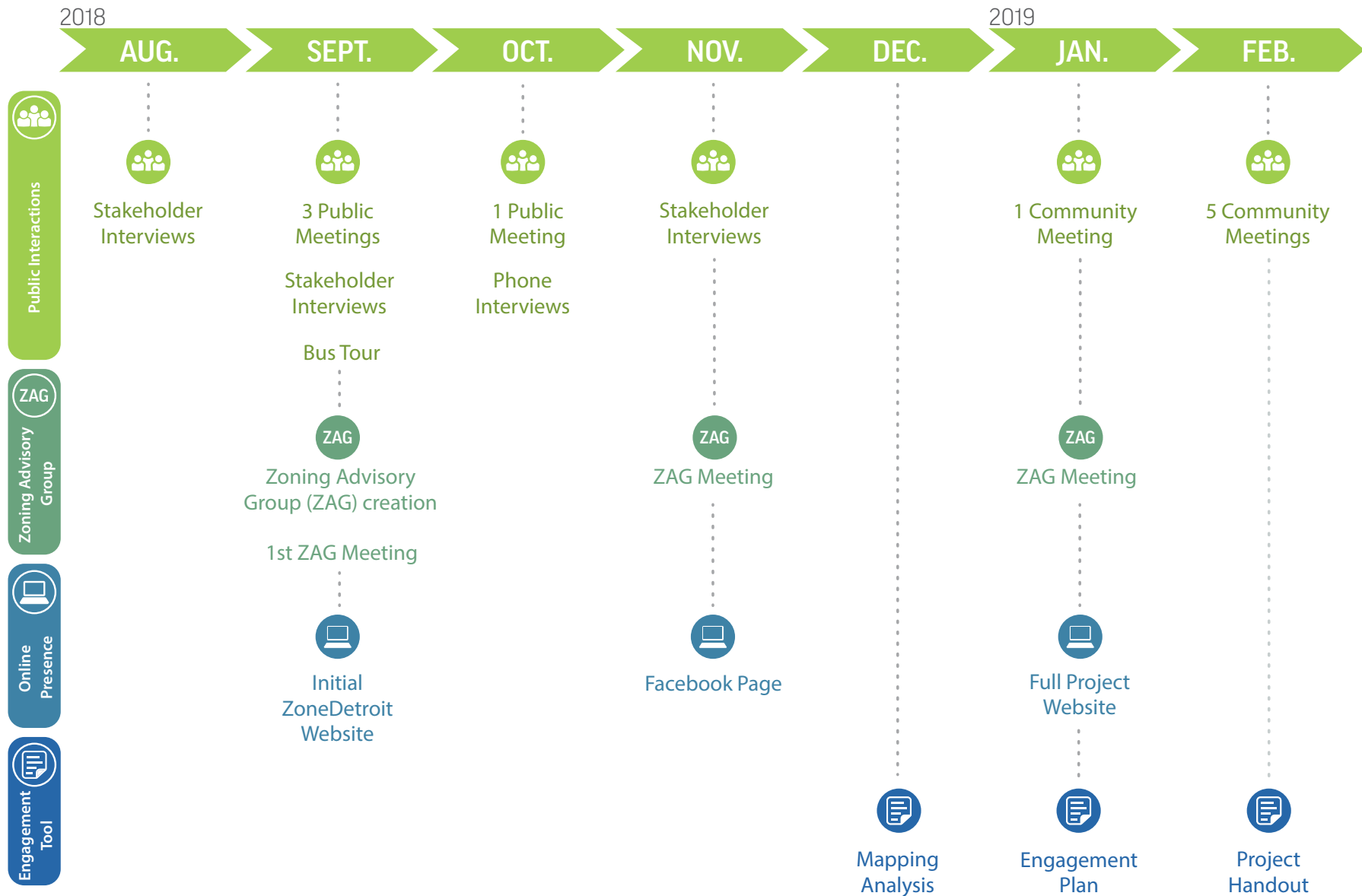
### When were these meetings held?





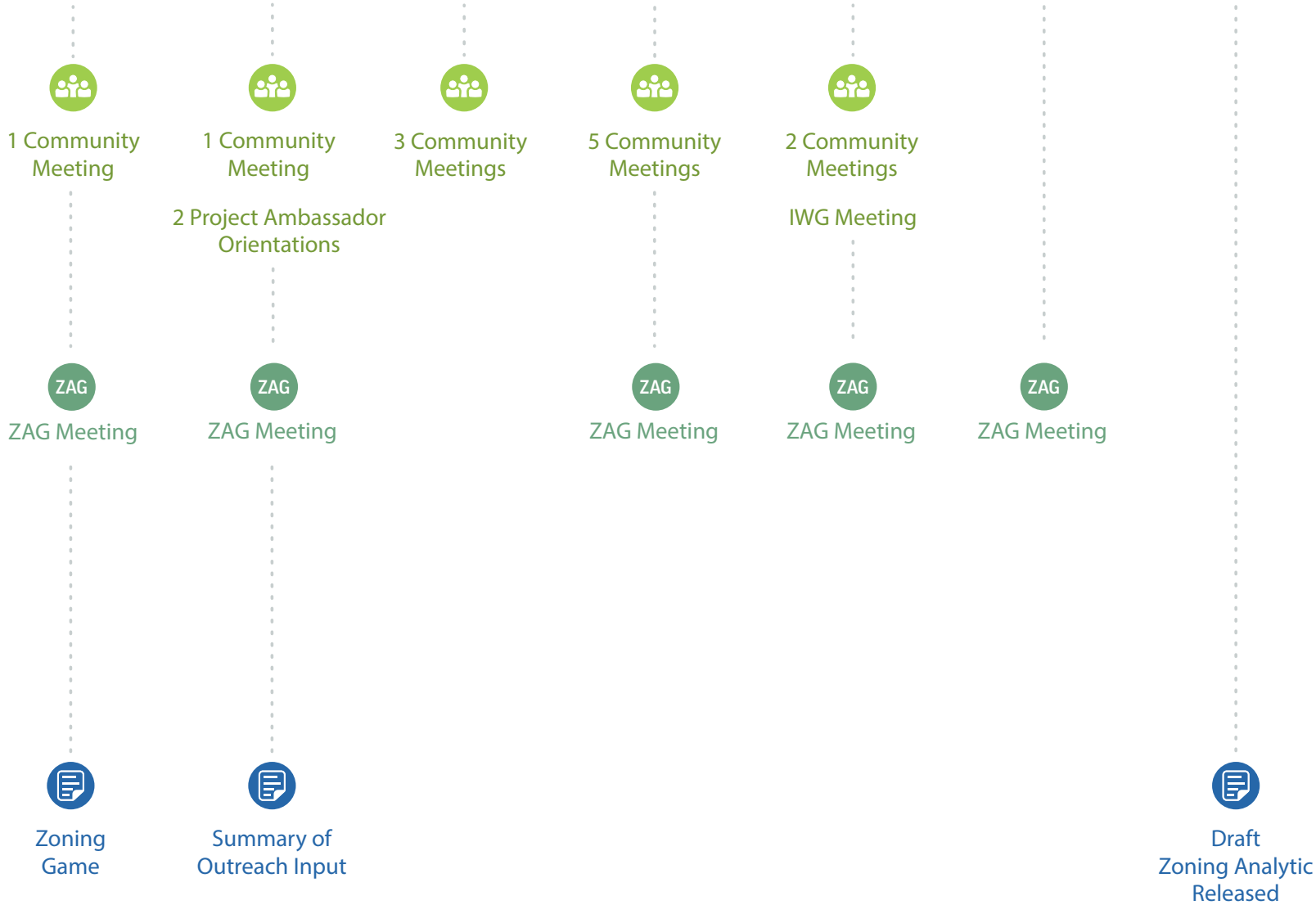
# Key Project Milestones

The chart below (continued on the following page) shows the chronological order of key project milestones from the date the effort began in August 2018 up until the draft release of this report.





2019



- Public Interactions
- Zoning Advisory Group
- Online Presence
- Engagement Tool



## Draft Zoning Analytic

The Draft Zoning Analytic was released to the general public on September 9, 2019. The general public was given until November 1, 2019 to review the report and provide comments. Two public meetings (September 24 & October 11, 2019) were held to introduce and explain the Draft Zoning Analytic Report and take input. A number of other meetings were held across the City during the public comment period to introduce and help explain the Report to a variety of groups and organizations (see list to the right). Overall, almost 400 individual comments were received on the Draft Zoning Analytic. Following the public comment period, the Draft Report was finalized in consultation with CPC staff.

If you took the time to comment, thank you! All the comments received have been posted on the project website:

[www.zonedetroit.com/2019/11/22/zoning-analytic/](http://www.zonedetroit.com/2019/11/22/zoning-analytic/)

## 2019

### September [4 meetings]

- » Project Ambassador - Meeting 1
- » Project Ambassador - Meeting 2
- » Zoning Game Mixer - Design Month
- » Zoning Analytic Public Meeting

### October [6 meetings]

- » Zoning Analytic Public Meeting
- » City Planning Commission Meeting
- » Southeast Waterfront Neighborhood Assoc.
- » DEGC Commercial Property Owners
- » ZoneDetroit Overview Meeting
- » CDAD District 7 Caucus Meeting

### November [3 meetings]

- » Include 2019 Conference
- » CDAD District 2 Caucus Meeting
- » Zoning Advisory Group (ZAG) Meeting

### December [2 meetings]

- » City Planning Commission Meeting
- » Project Ambassador Training Session

## 2020

### January [1 meeting]

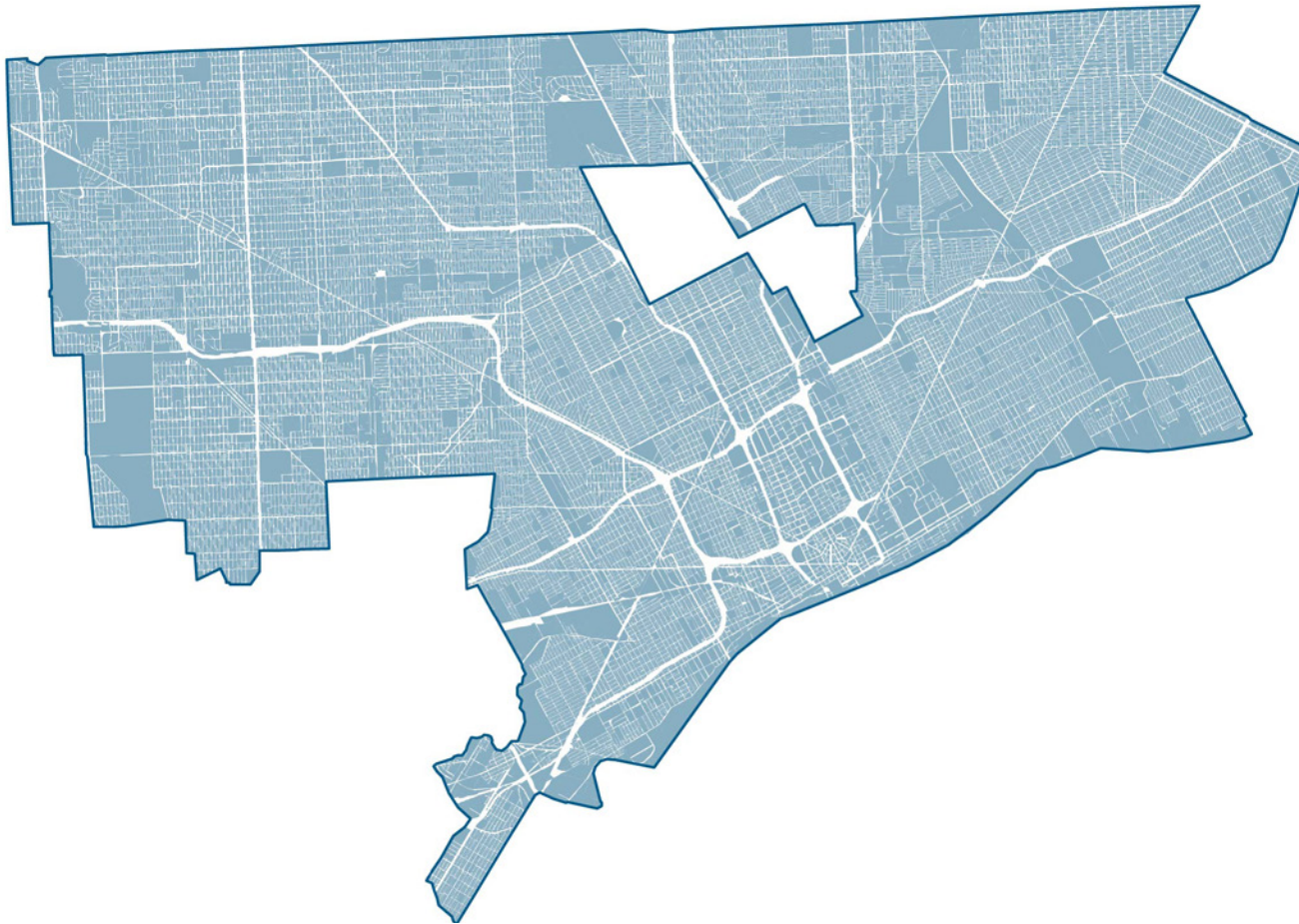
- » City Planning Commission Meeting

### March [1 meeting]

- » West Outer Drive Civic Association

**18**  
**ADDITIONAL**  
**MEETINGS**

# MAKING ZONING EASIER FOR EVERYONE





## MAKING ZONING EASIER FOR EVERYONE

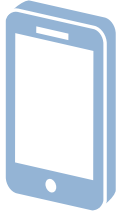
**Provide a More Accessible and User-friendly Code:** The Zoning Ordinance should be more understandable, easier to use and more accessible.

**Reduce the Complexity and Provide More Predictable Outcomes:** The Zoning Ordinance needs to do a better job at helping residents and developers understand what to expect on any given site.

**Improve the Review and Approval Process:** For the Zoning Ordinance to be effective, the review process must be efficient, and the planning and development goals must be embedded in the review process.

**Make the Zoning Ordinance Easier to Enforce:** Reducing reliance on case-by-case approvals yields a Zoning Ordinance that is easier to enforce.

**Create a Complete Toolkit to Implement Neighborhood Plans:** The Zoning Ordinance doesn't currently contain the tools necessary to successfully implement all of the City's recent and on-going planning work.



# Provide a More User-friendly and Accessible Code

## Issue

Have you ever read the Zoning Ordinance? Not cover to cover, but maybe to look for an answer to a basic question, such as “What could be built on that vacant lot across the street?” or “Am I allowed to add a rear addition on my house?” What you probably found was one tough read.

Zoning regulations should be predictable, understandable and easy to use. In fact, one of the recurring themes of the public input process was how difficult the current Zoning Ordinance is for the average person to use and understand. Even those who administer it each day are sometimes left scratching their heads. Given the important role zoning plays in shaping a city, the rules should be logically organized, well-formatted, and easy to use. In short, zoning regulations aren’t effective if people don’t understand them.

A Zoning Ordinance doesn’t have to read like a novel, but it does need to be an easy-to-use reference document that’s laid out so people can look up the information they need.

A number of elements contribute to the reader’s sense that a document is easy to use. An intuitive outline that helps users find material they need swiftly is one of the keys to usability. The new outline needs to pull together related provisions currently found throughout the Zoning Ordinance. Generous use of blank space, elegant font selection and prominent titles also add to the document’s usability. The existing Zoning Ordinance makes limited use of graphics. As they say, “a picture is worth a thousand words.” While we are not suggesting the City eliminate the words, supplementing them with images and tables makes access to the information simpler for more people.

The design of the new document should focus on delivering the Zoning Ordinance in a digital format as well as a traditional paper format. The Zoning Ordinance must work on a variety of devices ranging from desktop computers, to tablets, E-readers, and most importantly smart phones.



According to a recent study by the Quello Center<sup>1</sup>, Detroit has an Internet ecosystem anchored around mobile-only Internet access. Digital divides in Detroit are less centered around access to the Internet than previously thought. It will be important to ensure the new Zoning Ordinance is easily accessible and readable on a smart phone. In addition to accessing to the Zoning Ordinance text, the complete Zoning Map should be available in GIS format on the web.

Having hard copies readily available across the City will also be important for those don't have access to Internet.

1 .....  
Quello Center "Broadband to the Neighborhood: Digital Divides in Detroit"

## Recommendations

### This project . . .

- ▶ Eliminate typical legalese in favor of a plain language approach to drafting. Legal terms such as "herein" and "notwithstanding" should be written out, and where appropriate, replacing "shall" with "must" will help overall readability.
- ▶ Modernize the look and feel, add significantly more graphics and images, and improve the page layout for printed documents.
- ▶ The design of the new document should focus on delivering the Zoning Ordinance in a digital format as well as traditional paper format. A particular emphasis should be placed on using smart phone technology.

### A future project . . .

- ▶ Hard copies of the Zoning Ordinance should be placed at readily accessible locations throughout the City, such as at libraries, Council offices and community centers.
- ▶ An up-to-date and complete Zoning Map should be easily available on the web in an interactive and user-friendly format.



# Reduce the Complexity and Provide More Predictable Outcomes

## Issue

The Zoning Ordinance is too long and too repetitive - 882 pages in the latest version - and it is difficult to read and understand. The Zoning Ordinance has too many confusing layers of unnecessary regulations, and many of the existing provisions are outdated and in need of a rethink.

The order of material in the document does not follow the typical development process. For example, the document opens with the procedures for review and enforcement. Signs are the first regulations found in the document - this is unusual. The use material is repeated twice - once in a tabular format and once in paragraph text - which is unnecessary and can easily lead to discrepancies. The dimensional standards for each zoning district are not listed with the district material - they are located in a consolidated table in a separate section - which requires users to jump around in the document to find even the most basic dimensional standards for a lot.

The Zoning Ordinance is not very attractively presented. This in itself makes the document hard to use and understand. Greater emphasis needs to be placed on the built outcomes - the Zoning Ordinance needs to do a better job at helping residents and developers understand what to expect on any given site. More graphics and a reduction in material, along with enhanced standards, will help improve the overall usability of the Zoning Ordinance.

## Recommendations

### This project . . .

- ▶ Reorganize the document, remove zoning districts that are no longer used or are underused, and remove duplicative material.
- ▶ Consolidate material where possible, remove overlays and incorporate standards into a base district.
- ▶ Generalize allowed uses, reduce the number of conditional uses, and remove obsolete uses.
- ▶ Make needed updates to reflect changes in laws and recent court cases.



1 Initiation

COUNCIL, CITY PLANNING COMMISSION, PLANNING DIRECTOR OR PROPERTY OWNER

2 Submittal

COMPLETENESS REVIEW

NOTICE

2 Review

OPTIONAL

HEARING OFFICER HEARING

PLANNING DIRECTOR'S REPORT & RECOMMENDATION

NOTICE

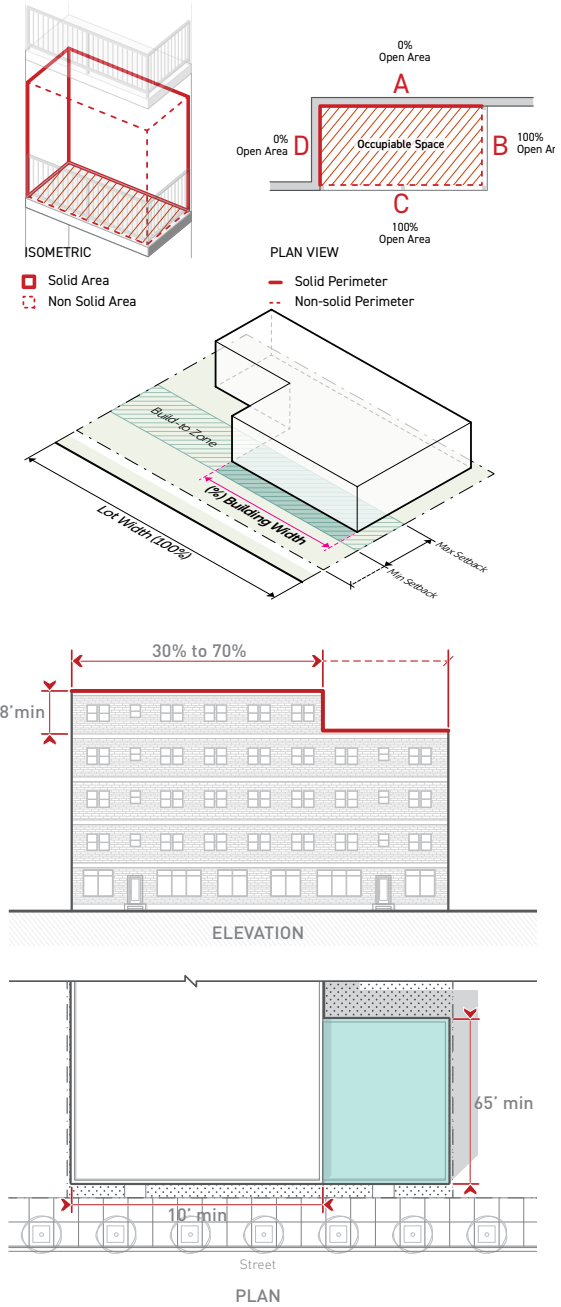
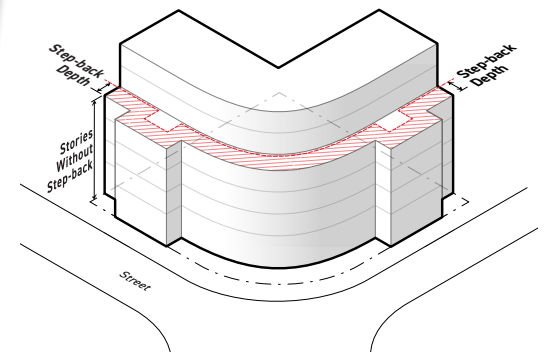
CITY PLANNING COMMISSION HEARING

CITY PLANNING COMMISSION REPORT & RECOMMENDATION

3 Decision

CITY COUNCIL MEETING

APPROVE OR DENY



**RT4X Residential Transition - Mixed Use**

**a. Lot Parameters**

Lot	Area (min)	1,800 sf
Detached housing	1,200 sf	
Attached housing	1,800 sf	
Other allowed uses		
Width (min)	24'	
Detached housing	18'	
Attached housing	24'	
Other allowed uses		
Depth (min)	800 sf	

**b. Building Placement**

Street Setbacks	Avg/Avg, not >20'
Front street (min/max)	3' / 15'
Side street (min/max)	
Side and Rear Building Setbacks	
Side (min)	1.5'
Common lot line	0'
Common lot line between abutting attached units	
Rear (min)	10'
Common lot line	0'
Alley	30'
Parking Setbacks	
Front street (min)	5'
Side street (min)	0'

**c. Bulk & Mass**

Build-to	
Front street build-to (min)	65%
Side street build-to (min)	30%
Building Height	
Height (max)	48 1/4 stories
Height in required build-to (min)	20'
Story Height	
Ground floor elevation (min/max)	2' / 5'
Ground story floor to floor (min)	10'
Articulation	See Sec. 295-120211

**d. Activation**

Glazed Area	
Ground story	
Sill height (max)	4'
Window height (min)	4'
Glazed area (min)	30%
Upper story	
Sill height (max)	4'
Window height (min)	4'
Glazed area (min)	35%
Blank wall area (max)	40'
Pedestrian Access	
Street-facing entrance	Required
Street-facing entrance spacing (max)	100'

*Draft October 5, 2018*

Equitable Growth Through TOD Study | Milwaukee, Wisconsin

Modernize the look and feel of the Zoning Ordinance, add more graphics and images, enhance the current approval flow charts and improve the overall page layout.



# Improve the Review and Approval Process

## Issue

Detroit depends too heavily on process, not standards, to control development. The City relies on a complicated system of planned developments, overlays, special district rezonings, Board of Zoning Appeals (BZA) hearings, City Planning Commission (CPC) hearings, and ultimately the City Council, to approve developments on a case-by-case basis. And in the end, the City Council does not trust that the Zoning Ordinance will generate desired outcomes, so they often use review processes to achieve desired goals and outcomes.

When communities rely too heavily on process, it is typically because their rules are broken (Detroit's reliance on planned developments is one example of the problem). As Detroit refines its planning policies and addresses the changes needed to the zoning regulations, the City should consider implementing changes to help improve the development approval process. After all, an efficient and transparent approval process is one of the best economic development incentives a city can offer.

The development review and approval process in Detroit is often adversarial, pitting residents against developers,

developers against staff, and staff against staff. For zoning to be effective, the review process must be efficient, and the planning and development goals must be embedded in the review process. The following key issues related to development review and approvals arose in discussions with stakeholders.

It is not completely clear which department is responsible for what when it comes to development review - this creates confusion. For example, the Planning and Development Department (PDD) does site plan review and so does the Buildings, Safety Engineering and Environmental Department (BSEED). If it is a joint responsibility, then the Zoning Ordinance should specify that and also specify how those responsibilities are shared.

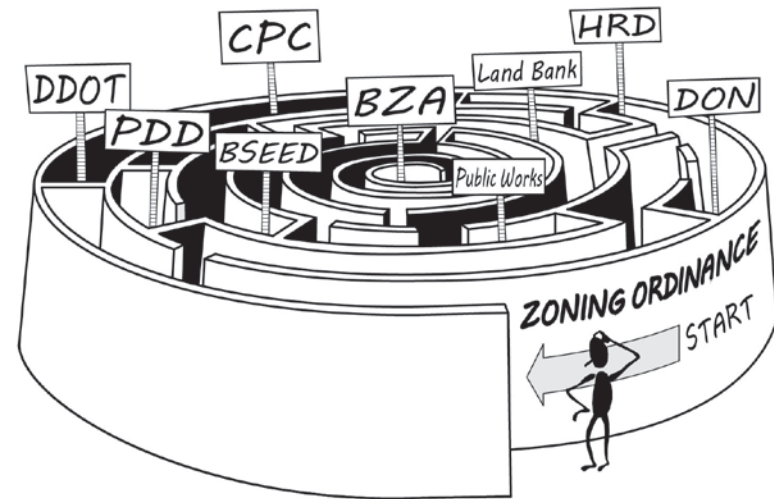
The current thresholds for site plan review should be reviewed against contemporary best practices. It is unclear what kinds of projects are subject to site plan review. It is also unclear what process a project goes through when it is not subject to site plan review.

BSEED currently interprets and administers the Zoning Ordinance. However, there is a general sentiment

among stakeholders that BSEED may not have enough appropriately trained personnel to administer the ever increasing number of planning- and design-related approvals. BSEED are more focused on life-safety issues of engineering and the building code. BSEED could benefit by having more personnel trained in building siting, mixed use, landscaping and buffering issues. CPC or PDD staff are much better equipped, as trained planners, to handle many of the site plan issues regulated in the Zoning Ordinance.

The Zoning Ordinance is outdated and does not easily allow for mixed use, walkable development. Under the current system, it is easier to build a building that doesn't match the City's vision than it is to build a building that is in alignment with the City's future polices and objectives. The Zoning Ordinance, and the review and approval process, is not currently structured to promote the walkable city of the future that many stakeholders would like to see.

In addition to the almost 900 pages, there are a multitude of regulations that are not included in the Zoning Ordinance. For example, there are currently over 200 planned developments in the City, and each planned development has its own set of regulations, which are not included in the Zoning Ordinance. This means it is not easy to determine what is allowed or isn't allowed in these 200 different places. The overuse of planned developments is a symptom of a broken Zoning Ordinance - applicants are in many cases forced to rezone to Planned



Development simply because the Zoning Ordinance won't allow them to easily do what they (and the City) are trying to achieve.

In general, stakeholders feel like the BZA process is not working effectively. BZA primarily hears requests for dimensional variances, but also hears appeals to decisions made by administrative officials charged with administering the Zoning Ordinance as well as hardship relief petitions (use variances). Some people feel the BZA hearing process is used as a mechanism to slow down or even stop projects from moving forward. Conversely, some neighborhood representatives feel that the BZA is one of the only bodies that listens to testimony from citizens and acts on it with respect to the Zoning Ordinance.

Others feel that BZA decisions are inconsistently made on a case-by-case basis, and are not based on the merits of the facts presented. BZA members should continue

to look for continuing education opportunities that focus on enhancing their background and knowledge with contemporary land use issues.

This zoning revision process should seek to reduce the number of applications that go to BZA. As part of this effort, the roles and responsibility of the BZA should be clarified. Training on the new Zoning Ordinance should occur once the revised ordinance has been adopted. Future BZA members should be adequately trained when they take up their position on the Board and annual training should also be required.

The conditional use process was mentioned several times as a better process than the BZA process. Examiners hear and decide requests for conditional land use approval. Since this process is staff driven, it is quicker and less political, typically taking about 30 days.

To find out the zoning of your property on-line, you have to download a difficult to navigate set of PDF files. One stakeholder stated that currently the best way to find the zoning information you need is to do it in person by going down to City Hall and asking someone. There is no integration of zoning text and the zoning map, no web wizard that tells you the zoning of an address. The PDF maps that are available are not always accurate – key zoning overlay boundaries are not shown so trying to figure out if an overlay applies to your property is difficult. People located outside of the City who might be looking to invest are at a real disadvantage.

## Recommendations

### This project . . .

- ▶ Improve the review and approval process.
- ▶ Review existing zoning requirements that are difficult to administer such as spacing requirements, neighborhood petitions, and controlled/regulated/conditional uses.
- ▶ Clarify in the Zoning Ordinance which departments are responsible for site plan review and when (CPC, PDD or BSEED).
- ▶ Thresholds for site plan review need to be reviewed against contemporary best practices.
- ▶ Consider which departments should administer and interpret the Zoning Ordinance in the future (CPC, PDD or BSEED).
- ▶ Modernize and reorganize the Zoning Ordinance, restructure it so that the Ordinance clearly broadcasts the City's desire and intent.
- ▶ The BZA process needs a good rethink - Board members will need retraining on the new Zoning Ordinance. Changes need to be made to the Zoning Ordinance that reduce the number of variances and appeals that need to go to the BZA.
- ▶ Eliminate setback, lot size, and other barriers to development that are often waived by BZA.

### A future project . . .

- ▶ Improve on-line access to both the Zoning Ordinance and the Zoning Map.



# Make the Zoning Ordinance Easier to Enforce

## Issue

Lots of stakeholders cited enforcement of the Zoning Ordinance, or the lack of enforcement, as one of the City's biggest issues. Any ordinance is only as good as its enforcement. Detroit is struggling to enforce its existing codes, and many would suggest this project should not layer any additional sophistication onto the system, because the manpower and political will does not exist to enforce new provisions. In fact, however, cleaning up the existing regulations makes them easier to implement (both during development review and in the field). In addition, reducing reliance on discretionary approvals yields a Zoning Ordinance that is more predictable, and requires less manpower to enforce (for example, a planned development with special conditions may require a trip back to the office to check the files for the specific approval before a citation can be issued).

Also, as with development review, Zoning Ordinance enforcement and inspection is currently handled by Buildings, Safety Engineering and Environmental Department (BSEED) building inspectors, who have

limited training in urban planning and zoning issues. The City should consider hiring additional personnel specifically trained to enforce the Zoning Ordinance, and not rely as heavily on building inspectors to do zoning inspections. Also, BSEED is double-booked – performing building inspection/enforcement and zoning inspection/enforcement. This can lead to unnecessary delays in both permit and citation issuance - more trained personnel would definitely help.

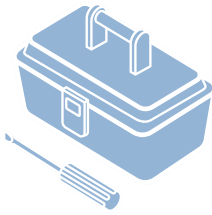
## Recommendations

### This project . . .

- ▶ Reduce the complexity of the Zoning Ordinance (see page 18).
- ▶ Reduce reliance on special districts such as Planned Developments and Overlays.

### A future project . . .

- ▶ Consider hiring additional personnel specifically trained to enforce the Zoning Ordinance.



# Create a Complete Toolkit to Implement Neighborhood Plans

## Issue

In 2016, the City began preparing plans for a variety of its neighborhoods. The effort is primarily financed through the City’s Strategic Neighborhood Fund. What originally began as 3 neighborhood plans is now up to 10. They include:

- ▶ Livernois-McNichols
- ▶ Southwest/Vernor
- ▶ Grand River Northwest
- ▶ Campau/Banglatown
- ▶ Jefferson Chalmers
- ▶ Islandview/Greater Villages
- ▶ East Warren/Cadieux
- ▶ Russell Woods/Nardin Park
- ▶ Gratiot/7-Mile
- ▶ Warrendale/Cody Rouge

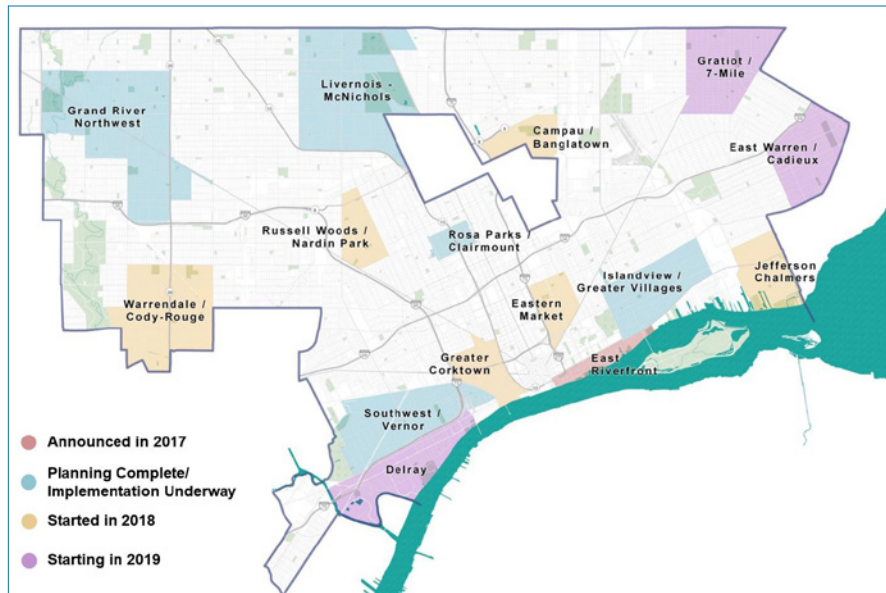
Five additional plans—East Riverfront, Eastern Market, Greater Corktown, Rosa Parks Clairmount and Delray—are separate from the Strategic Neighborhood Fund and have been undertaken because the City or the Detroit

Economic Growth Corporation (DEGC) believes<sup>1</sup> they are important areas to look at.

The Zoning Ordinance doesn’t currently contain the tools necessary to successfully implement all of this recent and on-going planning work. The City currently relies heavily on the SD districts as its primary implementation tool. However, the existing SD districts may need supplementing in order to be able to successfully implement all these various planning initiatives. SD2, the primary district being used to implement new plans, has a maximum height limit of 5 stories for a mixed use building (that can be as high as 7 stories where the street is wide enough). Compare this to B2 (which is a district often targeted for replacement following new plans). B2 allows a maximum height of 3 stories. This might be an appropriate upzoning (B2 to SD) in some situations (from 3 to 7 stories), but in other cases this might be too much change in the perceived character of a neighborhood.

.....

<sup>1</sup> Curbed Detroit - An Update on all the City’s Neighborhood Plans - published on April 9, 2019.



Map of the City's current and proposed neighborhood planning initiatives

A new set of districts should be prepared that contain all the tools necessary to implement the City's recent planning efforts. These new districts would allow the City to think more broadly about the future, and helps ensure the new Zoning Ordinance is ready for change where and when people want to see change. These districts would also be available to property owners looking to rezone their land, subject to City Council approval.

These new districts should be applied any time a new plan is prepared. This would allow for opportunities to either protect existing development patterns or transform them, mix housing types, create mixed use areas (whether mixing residential, commercial or industrial uses), improve walkability and urban design.

While several documents associated with Detroit's recent planning efforts can be found on the City's website. Not all of the material prepared during the planning process is posted, and the posted material is often out of date. This makes it very difficult for anybody not intimately involved in a specific planning project to figure out what is going on. Greater planning transparency is needed.

Also, it is our understanding that the neighborhood plans are not officially adopted by the City Council. These plans are therefore not official policy, which means even greater emphasis should be put on ensuring new zoning for these plans is implemented and calibrated correctly.

## Recommendations

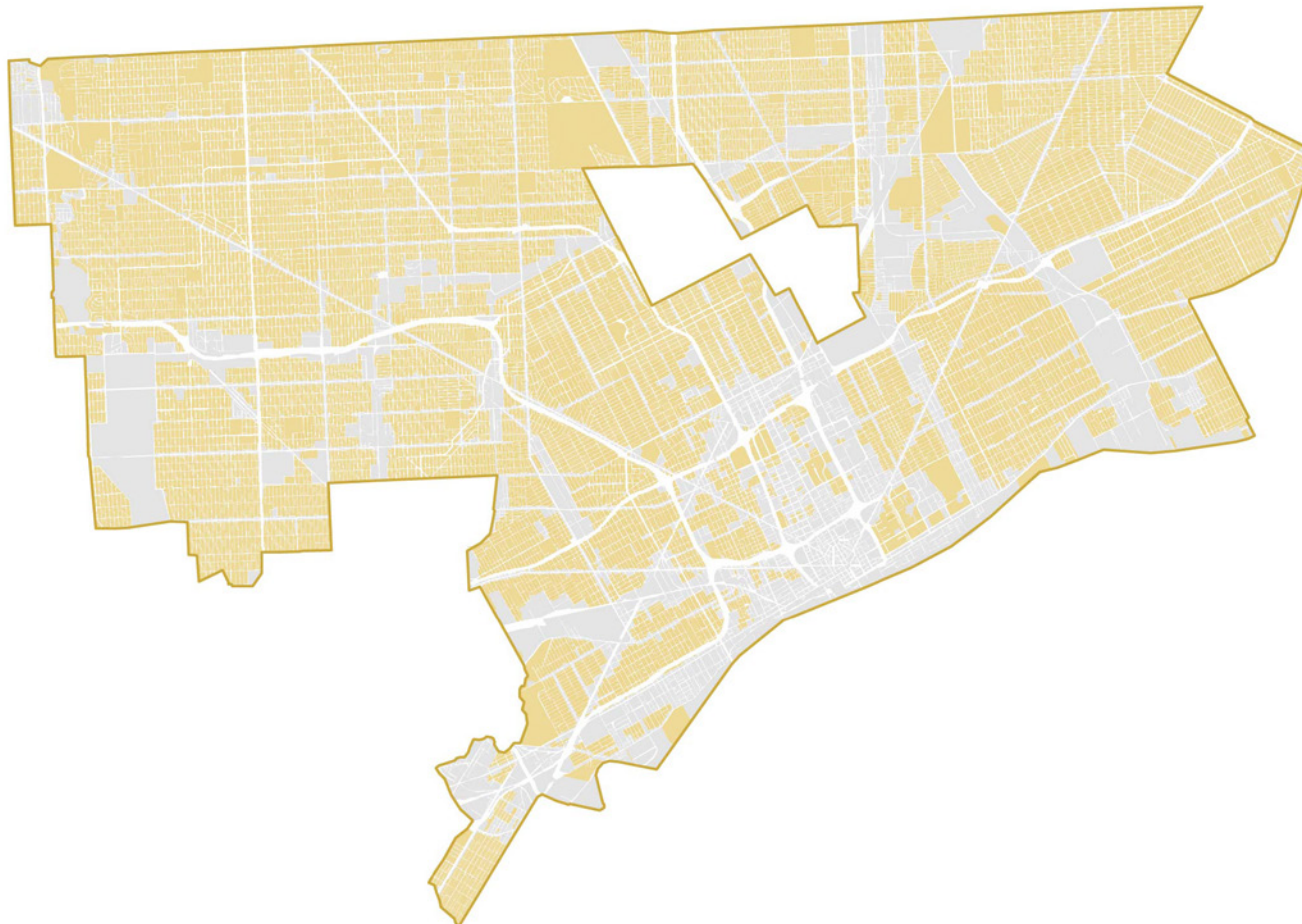
### This project . . .

- ▶ Prepare a new set of districts that are robust enough to implement the City's current and future planning efforts.

### A future project . . .

- ▶ Put all of the neighborhood planning material on the City's website.
- ▶ Officially adopt neighborhood plans.

# FOR THE NEIGHBORHOODS







## FOR THE NEIGHBORHOODS

**Expand the Available Housing Options:** The Zoning Ordinance needs to do a better job at promoting and accommodating a greater variety of housing options.

**Provide Incentives for Affordable Housing:** Waivers from zoning requirements should be allowed for projects that meet specific affordability thresholds.

**Better Rules are Needed Between Residential and Commercial/Industrial Areas:** Set better standards for commercial and industrial development abutting residential areas.

**Reduce the Impact of Auto-Related Uses:** Enhanced standards for auto-related uses must be developed.

**Promote Access to Parks and Open Space:** Provide for the continued long-term viability of parks and open space for residents to access and enjoy.



# Expand the Available Housing Options

## Issue

In a recent public survey, residents of Detroit identified encouraging a broader range of housing options within existing neighborhoods as one of their top concerns for residential areas.

Today, 40% of the land in the City is zoned R1 Single-Family. However, many of these neighborhoods have lost their spark as residents have moved, foreclosures have occurred, and homes have been abandoned or torn down. Approximately 34% of the R1 zoned land is either vacant or has an unoccupied home. These neighborhoods need positive activity to make them competitive once again. One approach is to relax some of the zoning requirements to allow for a greater variety of housing options. In

R1 for example, the smallest lot that can be created is 5,000 square feet. 5,000 square feet is a relatively large single-family lot. In Grand Rapids, a new single-family lot can be as small as 2,500 square feet.

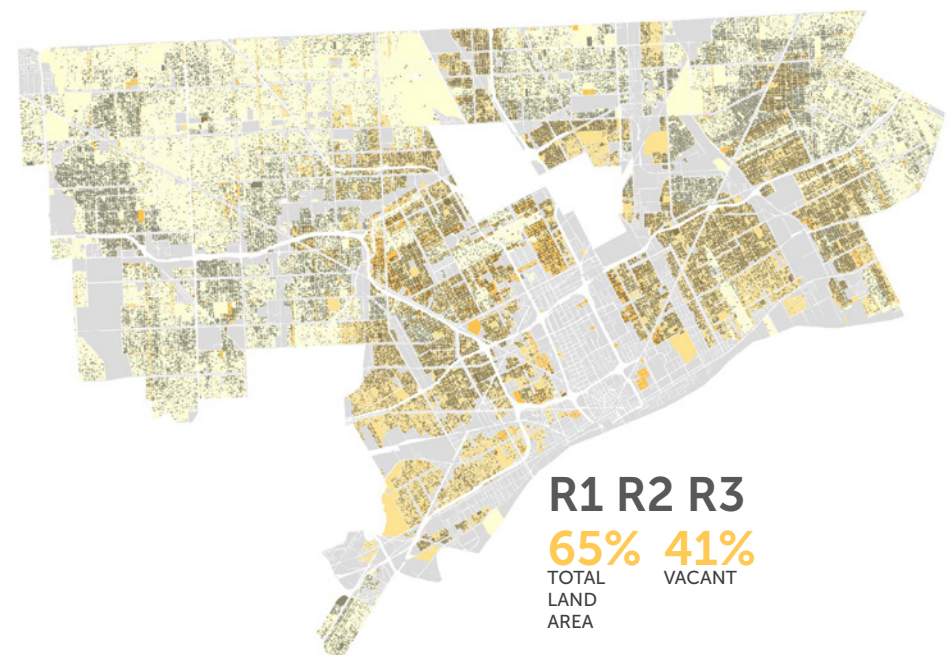
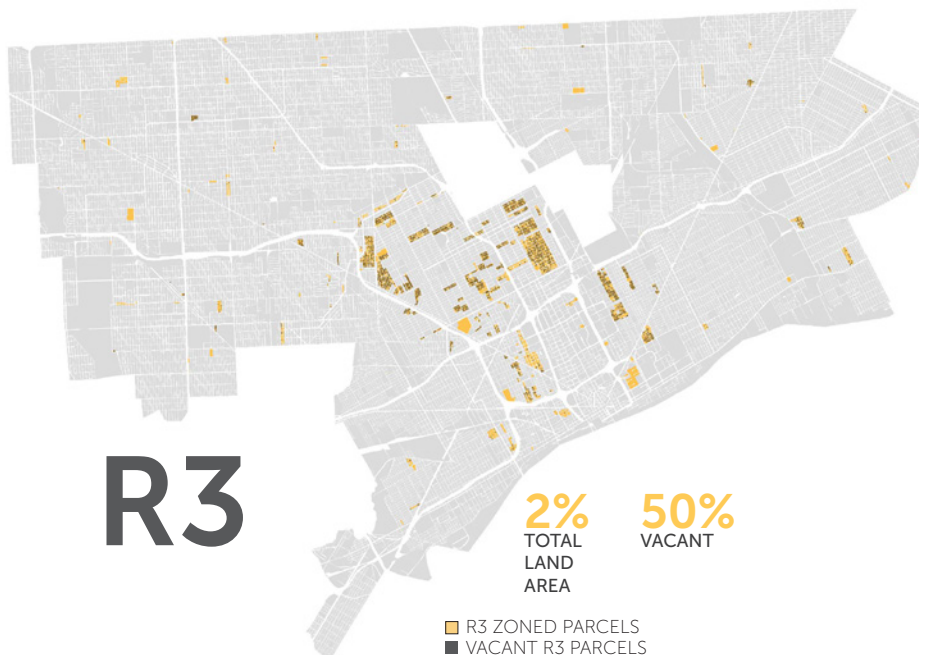
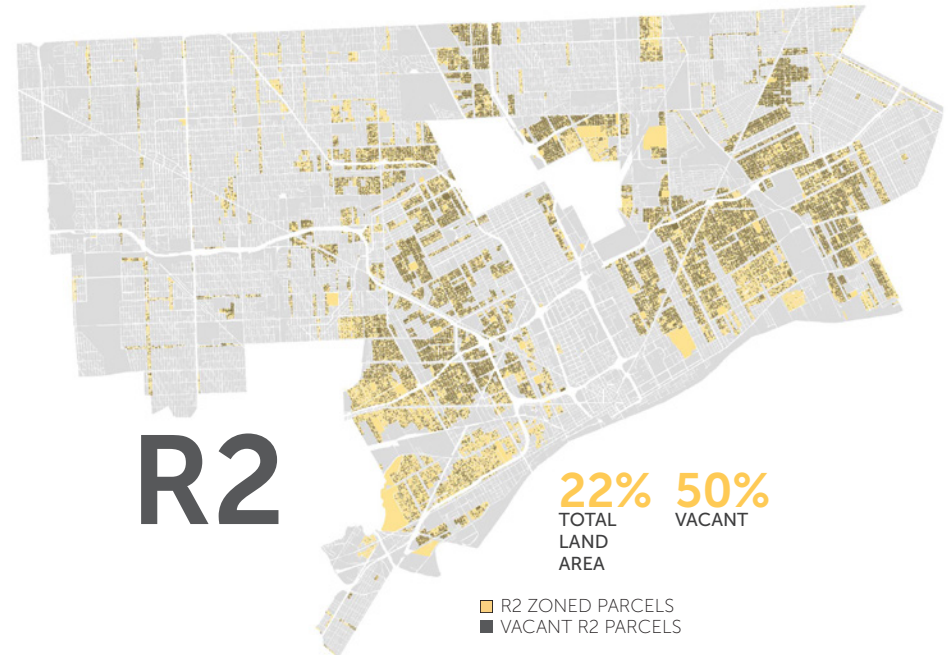
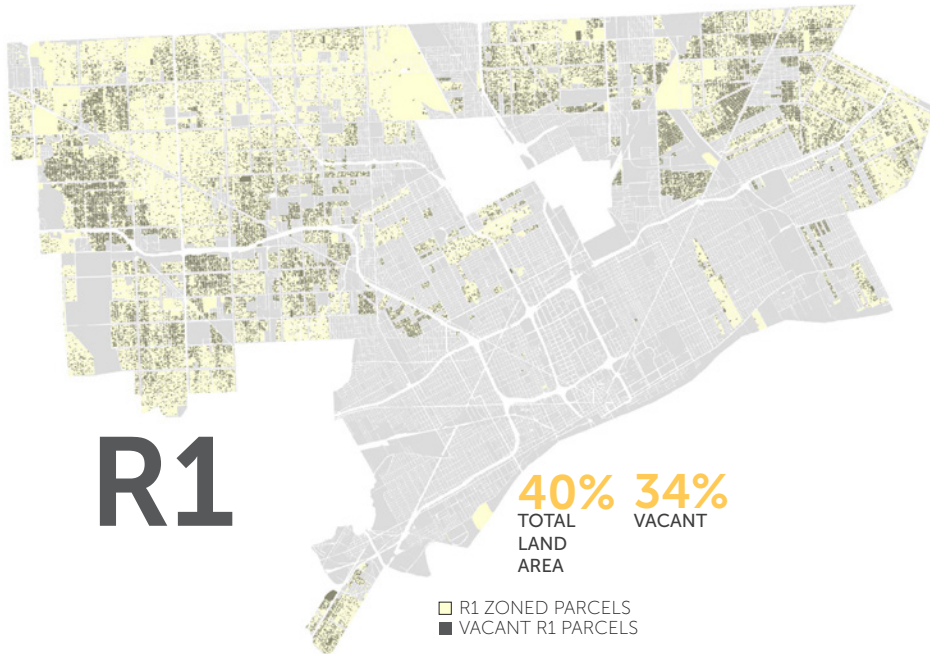
For example, the Cass Community Tiny Home project is an exciting project. However, it would be interesting to see how the project would have played out had each home been allowed to be on substantially smaller lots in trade for shared open space among the units.

Another strategy that communities around the country are using as a way to support housing diversity is the creation of accessory dwelling units (aka carriage house, alley flat,



Detroit has a tiny home community unlike any other in the nation. Cass Community Social Services, a local non-profit organization, has built 12 new tiny homes for low-income residents near downtown. Houses vary in size between 250 and 400 square feet. Each is architecturally unique and on its own 3,000 square foot lot.

It is the only rent-to-own tiny home model in the country, with residents paying as low as \$1 per square foot for rent. Anyone who remains for 7 years has the opportunity to purchase the home and property.





Cottage courts trade smaller lots for shared open space. In the case shown above, two conventional single-family lots are reconfigured to accommodate 7 more affordable “tiny” homes that front a shared common space.

## WHAT IS AN ADU?

An ADU (Accessory Dwelling Unit) is defined as a small self-contained dwelling for use as a complete, independent living facility with provisions for cooking, sanitation, and sleeping, that shares the site of a larger, single-unit dwelling.

There are generally three types of ADUs:

**1. Detached:** a physically separated unit sharing no walls with the primary dwelling unit. This includes garage apartments and backyard cottages.



**2. Attached:** a dwelling unit created via a structural addition to a property's primary dwelling. Attached ADUs share at least one wall with the primary unit.



**3. Carve-out:** a dwelling unit created by converting a section of a primary dwelling unit into an independently occupied dwelling unit. This includes basement and attic conversions.



ADUs are used in many ways, including rental units, home offices, studios, guest quarters, and housing for multi-generation households, offering substantial flexibility to households living in single-family neighborhoods.

backyard cottage, garage apartment). An accessory dwelling unit (ADU) is a small self-contained dwelling for use as a complete, independent living facility with provisions for cooking, sanitation and sleeping that shares the site of a larger, single-unit dwelling. ADU's often serve as an opportunity for owners of large homes to generate income for upkeep of the principal structure. ADU's also provide smaller, affordable units for elderly residents and young adults.

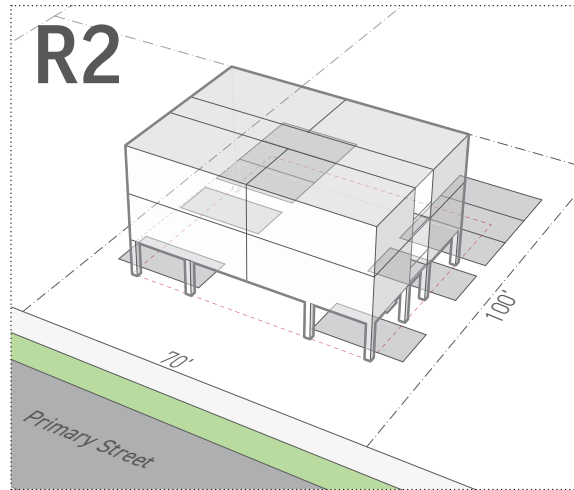
Currently, the Zoning Ordinance doesn't allow a new ADU's to be built in single-family or two-family neighborhoods. ADU's built prior to 1940, however, have been grandfathered and may continue to be occupied for residential purposes.

Missing middle housing is a popular term in use today. Missing middle housing is a range of multifamily or clustered housing types—compatible in scale with detached single-family homes—that help meet the growing demand for walkable urban living. The missing middle housing types provide diverse housing options,

such as duplexes, fourplexes, small apartments and cottage courts, that fit seamlessly into low-rise walkable neighborhoods and support walkability, local-serving retail, and public transportation options. They provide solutions along a spectrum of affordability to address the mismatch between the available housing stock and shifting demographics combined with the growing demand for walkability<sup>1</sup>.

In Detroit, the R2 and R3 zoning districts are prime targets for the creation of missing middle housing types. Combined, R2 and R3 make up almost 25% of the total land area of the City, of which approximately one-half is vacant.

The analysis on the right looks at R2 and R3 to see what types of missing middle housing could be generated using the base standards for each district.

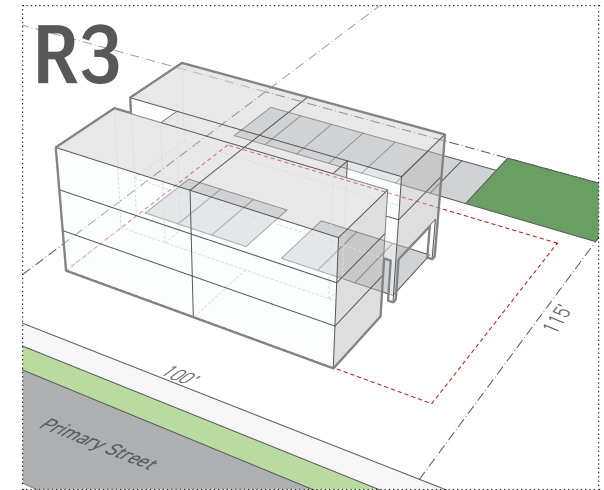


**R2: EXISTING MULTI-FAMILY STANDARDS**

Lot area (min)	7,000 SF
Lot width (min)	70'
Lot coverage (max)	35%
Recreational space ratio (min)	None
FAR (max)	.50
Height (max)	Unlimited
Front setback (min)	20'
Side setback (min)	10'
Rear setback (min)	30'
Parking (min)	1.25/unit

**R2: TEST SCENARIO (SHOWN ABOVE)**

Lot area	7,000 SF
Lot width	70'
Height	3 stories
Lot coverage	25%/ 1,750 SF
FAR	.50/3,500 SF
Units	8
Unit size	350 SF
Parking	10 spaces



**R3: EXISTING MULTI-FAMILY STANDARDS**

Lot area (min)	7,000 SF
Lot width (min)	70'
Lot coverage (max)	75%
Recreational space ratio (min)	.12
FAR (max)	.70
Height (max)	Unlimited
Front setback (min)	20'
Side setback (min)	Formula A
Rear setback (min)	30'
Parking (min)	1.25/unit

**R3: TEST SCENARIO (SHOWN ABOVE)**

Lot area	11,500 SF
Lot width	100'
Height	3 stories
Lot coverage	25%/ 2,846 SF
Recreational space ratio (min)	.12/780 SF
FAR	.63/7,238 SF
Units	10
Unit size	650 SF
Parking	13 spaces

EXAMPLE OF MISSING MIDDLE HOUSING



- A** Secondary Dwelling Unit
- B** Duplex: Side by Side
- C** Duplex: Back to Back
- D** Fourplex
- E** Cottage Court
- F** Townhouse
- G** Garden Apartment
- H** Single-family House

Today, R2 allows up to 8 units on a lot when approved as a conditional use. When using the minimum lot size of 70'x 100', 8 units can be achieved. However, because of the district constraints - primarily Floor Area Ratio (FAR) and lot coverage, but the setbacks also have some bearing on this) the unit size cannot be any larger than 350 square feet, if trying to achieve the maximum unit count.

The requirements for R2 and R3 are very similar. R3 allows .70 FAR (R2 has a maximum FAR of .50) but recreational space is required in R3. And up to 10 units are essentially allowed by right in R3. For R3, an existing R3 lot was analyzed - 100' x 115'. The larger lot makes things easier -10 units could be achieved with a more realistic unit size of 640 SF.

While R3 works better for middle missing housing, there simply is not enough land zoned R3 to make much of an impact.

## Recommendations

### This project . . .

- ▶ Create a new residential district that allows new lots to be created that are less than 5,000 square feet.
- ▶ Allow ADU's in all zoning districts that permit single-family and two-family units, or create a new zoning district similar to R1 or R2 that allows ADU's.
- ▶ Loosen the rules for R2 so more reasonable size units can be built. Allow more units by right, reduce or eliminate the minimum lot size for multifamily, reduce the parking requirement and consider eliminating FAR.
- ▶ Evaluate the current Recreational Space Ratio (RSR) requirements.
- ▶ Require improved form and pedestrian-oriented standards (required entry features, limits on blank walls facing the street) for all the residential districts - this will help make additional housing units more palatable.

### TRUE NORTH



True North is a collection of 10 rental units located in the Core City neighborhood. It is located just South/West of the Grand River and Warren intersection. Seven of the units are devoted to live/work spaces. The community is also home to a yoga studio, a gallery, and an apartment-style hotel room. All units use the classic Quonset Hut as the base, but incorporate architecture to elevate the standard. The project planted 40 trees on the site. Residences were delivered as raw space to invoke the creativity of the residents. The project was built on land that was overgrown and garbage-ridden since 1999, and is now the focal point of a neighborhood that had not seen any investment since the 1960s.



# Provide Incentives for Affordable Housing

## Issue

In Detroit today, 22% of residents are extremely rent-burdened, meaning they spend over 50% of their income on housing. This is nearly twice as high as the state and national averages. According to an analysis by the Federal Reserve Bank of Chicago, at some point this decade, over half of Detroiters became renters. The average monthly rental price citywide in 2016 was \$702—a number which has almost certainly increased since. In Downtown and Midtown, rents are even higher. Assuming a common recommendation that 30% of a household's income should go towards rent, only individuals making \$28,080 a year, or about 100% of the area median income (AMI), could comfortably afford that amount.

Detroit's median income is \$28,099, meaning most of the City's population struggles to save or pay off debts, has to forgo necessities, or barely scrapes by to afford current rental rates.

Many in Detroit's housing scene, including a significant number of developers of multifamily buildings, recognize

that average Detroiters cannot and will not be able to afford the new market rate units being built without making financial sacrifices.

Detroit recently adopted an Inclusionary Housing Ordinance. Most of the debate around the Ordinance related to where the affordability line was drawn—developers must make 20% of a building's units affordable at 80% AMI. While that number may be considered affordable for the rest of Wayne County, that's still well above the median income in Detroit. For that reason, the Ordinance originally also included stipulations for units at 50 and 60% AMI but ultimately those provisions were removed.<sup>1</sup>



# Recommendations

## This project . . .

Consider creating an incentive system for projects that provide deed-restricted affordable housing at certain income levels. Projects that meet certain affordability requirements could be offered a modification to some or all of the following:

- ▶ Minimum lot area
- ▶ Minimum lot width
- ▶ Minimum setbacks
- ▶ Minimum parking
- ▶ Minimum recreational space
- ▶ Maximum floor area ratio
- ▶ Maximum lot coverage
- ▶ Maximum height
- ▶ Maximum number of units
- ▶ Relaxed or reduced compatibility standards
- ▶ Expedited review

These incentives could be applied to existing residential or business zoning districts in order to allow for affordable housing projects city-wide. Additional discussion and policy analysis would have to take place in order for this concept to move forward.

### GRATIOT CENTRAL COMMONS



A new 52,000 square foot transit-oriented development on the east side of Detroit that features 36 affordable residential units and about 10,000 square feet of retail and office space.

Rent is based on income, ranging from \$456-\$720 for a one-bedroom and \$542-\$861 for a two-bedroom unit. The ground floor will lease retail space at \$6 per square foot.

The project was largely funded with federal low-income housing tax credits. It required a special land-use hearing to allow for the development of residential units because it is zoned B4 and is not in a Traditional Main Street Overlay area. It also had to go to the Board of Zoning Appeals for parking requirements.

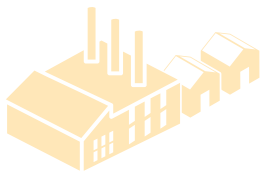
### THE FLATS AT 124 ALFRED



The first completed building in Detroit's new City Modern development, this five-story development includes 54 affordable residential units for seniors (aged 55+) earning 30-60% AMI. The units range between 600 and 735 square feet.

The Flats are just one part of the City Modern mixed-use development project in the Brush Park neighborhood, which will feature a large diversity of housing types, architectural aesthetics, historic preservation strategies, and unit costs in order to appease a broad spectrum of existing and potential residents.

When completed, more than 20% of the 285+ units in the City Modern project will be designated affordable.



# Better Rules are Needed Between Residential and Commercial/Industrial Areas

## Issue

As commercial corridors and former industrial sites start to see infill and redevelopment activity, one issue residents have identified is the need to create appropriate transitions between uses - from lower- to higher-density residential uses, and from non-residential to residential uses. Issues include looming buildings, lighting, emissions, sound, views, privacy and solar access.

The sensitivity of residential transitions will likely vary in different parts of the community, in part depending upon the character and age of the abutting neighborhood. A one-size-fits-all solution that does not reflect these differences in context will not be effective. At present, this discussion occurs on a case-by-case basis, and without a method to consider the range of form-related approaches that could help make compatible transitions. The City does not currently have any transition standards, although there is a requirement in site plan review to “enhance” abutting lands.

## Recommendations

### This project . . .

- ▶ The Zoning Ordinance should include a series of buffers that screen non-residential uses from single-family uses and other residential uses.
- ▶ Requirements for the screening of loading areas and service areas should be continued. Consider similar requirements for drive-through facilities that are constructed next to or behind existing residential homes.
- ▶ Require upper stories of mixed-use or non-residential buildings to be set back from common lot lines when adjacent to single-family. Ensure that upper-level balconies, terraces, and roof-top open spaces are oriented away from single-family uses.
- ▶ Where appropriate, use “missing middle” housing as a land use transition - see page 30.

DRAFT

5A-5-3. **Shallow Lot Transition**

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**A. Shallow Lot Height Transition**

Protected District      Mixed Use District

Lot Depth up to 200'

**APPLICABILITY**  
SC-3 Districts only

**BUFFER**  
● Width 10' min

**HEIGHT TRANSITION AREA**  
● Setback measured from edge of buffer  
● Above 2 stories/24 20' min

SA-34 Chapter 203, Zoning | Amherst, New York Draft May 29, 2019

DRAFT

**Landscape Transition**

Protected District      Mixed Use District

100'

20' min

Required 6' min

Allowed

Allowed

Concrete Allowed

Not allowed

See 7-2-4.B.(2)(b)

Chapter 203, Zoning | Amherst, New York 5A-35

DRAFT

5A-5-4. **Deep Lot Transition**

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**A. Deep Lot Height Transition**

Protected District      Mixed Use District

Lot Depth More than 200'

**APPLICABILITY**  
DC-3, DC-5, CTR-2.5, CTR-5, CTR-8 Districts

**BUFFER**  
● Width 20' min

**HEIGHT SETBACKS**  
● Setback measured from edge of buffer  
● Above 2 stories/24 20' min  
● Above 3 stories/35 60' min

SA-36 Chapter 203, Zoning | Amherst, New York Draft May 29, 2019

DRAFT

**Landscape Transition**

Protected District      Mixed Use District

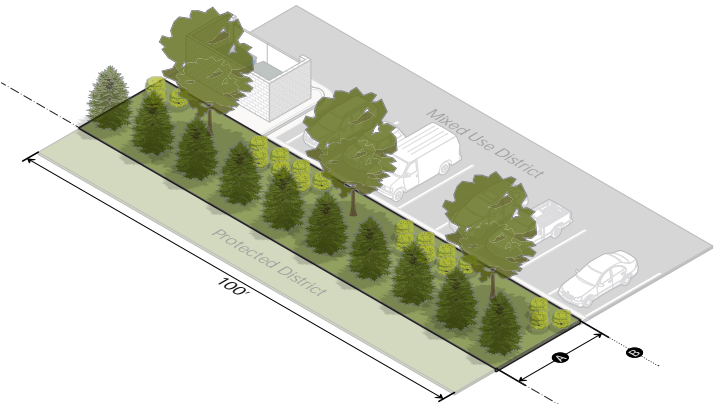
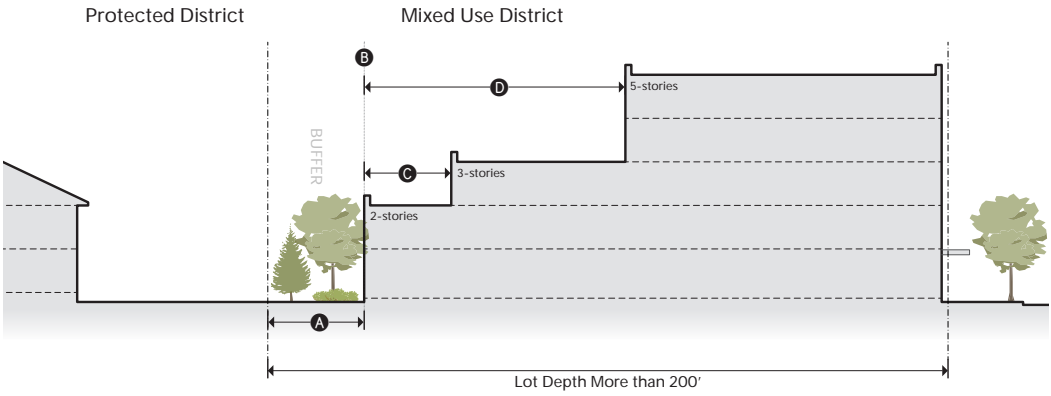
20' min

measured from edge of buffer

**SCREENING**  
Allowed

Impact screen See 7-2-4.B.(2)(b)

Chapter 203, Zoning | Amherst, New York 5A-37





# Reduce the Impact of Auto-Related Uses

## Issue

In recent years, the City has seen an increase in the establishment of higher impact auto-related uses (*used tire storage and sales, used auto sales, scrap iron and metal processors, auto dismantling and wrecking, and auto repair*). Regulation and enforcement of these businesses has been a challenge due to over-concentration and lack of compliance with zoning, property maintenance and licensing. Once allowed, some of these uses often illegally intensified the services offered, such as presenting more used cars for sale than allowed, or providing more intense vehicle repair activities than allowed. At the same time, sites that have been abandoned leave blighted buildings and contaminated land along commercial corridors. Due to this on-going issue, the Mayor has enacted a moratorium, no new auto-related uses may be established.

Today, auto-related uses are not allowed in B1 and B2 zoning. Auto-related uses are primarily allowed in B4, B6 and M districts, with junkyards only allowed in M4 and M5. Uses associated with new cars are often allowed by-right, meaning no special permission is required,

while those for used cars typically require conditional use approval.

## Recommendations

### This project ...

- ▶ Consider creating a new zoning district specifically for auto-related uses and consider removing all auto-related uses from B4. Sites left in B4 would become nonconforming.
- ▶ Develop rules for the orientation and use of bay doors for auto repair.
- ▶ Create a use category for all auto-related uses so permissions can be easily found across zoning districts and be efficiently administered over time.
- ▶ Improve sound attenuation and air quality through required landscape screening/buffering.
- ▶ Study less expensive alternatives to masonry wall screening for junkyards.

## HOW ARE AUTO-RELATED USES TREATED IN THE ZONING ORDINANCE TODAY?

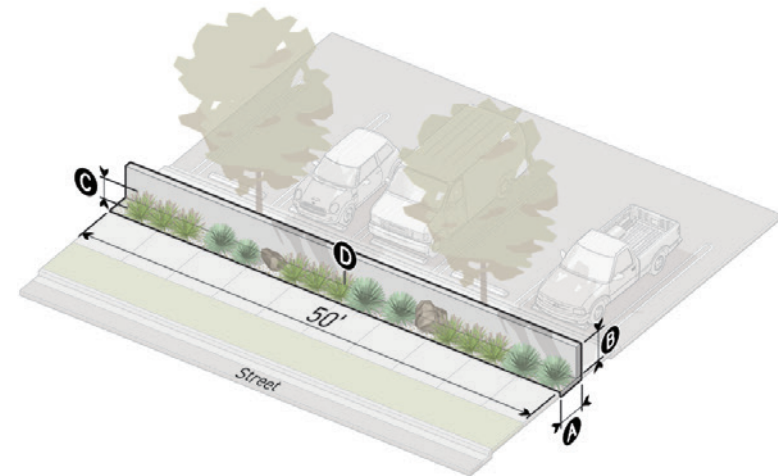
Specific Land Use	R1	R2	R3	R4	R5	R6	B1	B2	B3	B4	B5	B6	M1	M2	M3	M4	M5	PD	P1	PC	PCA	TM	PR	W1	SD1	SD2	SD3	SD4	SD5	
Motor vehicles, new, salesroom or sales lots									C	R	R	R	R	R	R	R		L			C	R							C	
Motor vehicles, used, salesroom or sales lots									C	C		R				R		L				R							C	
Motor vehicle services, major										C		C	C	C	C	C	C	L				C								
Motor vehicle services, minor										C	C	R	R	R	R	R	R	L				R				C				
Motor vehicles, new, storage lot accessory to salesroom or sales lots for new motor vehicles											R	R	R	R	R	R	R	L				R								
Motor vehicles, used, storage lot accessory to salesroom or sales lots for used motor vehicles											C		C	C	C	C	C	L				C								
Junkyard (scrap iron and metal processors, junk dealers, auto dismantling and wrecking)																C	C	L												
Tires, used; sales and/or service												C	C	C	C	C	C	L				C								
Used auto parts sales															C	C	C	L												

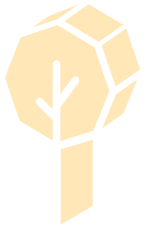
R = By-right use C = Conditional use L = Legislative approval required Blank cell = Not allowed

- ▶ Require new auto-related uses to be located away from residential districts.
- ▶ Limit the number of driveways and the width of curbs-cuts for auto-related sites.
- ▶ Increase the minimum lot area for used motor vehicles sales.
- ▶ Clearly delineate and separate customer spaces from spaces for vehicles awaiting repair.
- ▶ Limit the number of inoperable vehicles allowed on a site associated with motor vehicle repair or storage.

### A future project . . .

- ▶ Study the appropriate areas to apply the new zoning district specifically for auto-related uses.





# Promote Access to Parks and Open Space

## Issue

Public green space is an important aspect of every neighborhood in the City of Detroit. Parks are good for healthy lifestyles, crime reduction, community interaction, and educational opportunities. In areas of growth, parks serve as catalysts for economic development. In areas of decline, parks can provide an essential stabilizing effect. In short, the importance of Detroit’s parks and recreation system cannot be overstated. There are currently 308 parks in Detroit that are under the jurisdiction of the City.<sup>1</sup>

The City’s parks range in size from the smallest at .07 acres to the largest at 1,181 acres. In total, the City maintains 5,633 acres of land, 4,899 of which are park space.

One of the major recommendations of the Parks and Recreation Improvement Plan is to offer residents better access to natural parkland opportunities.

1 2017 Parks and Recreation Improvement Plan

Detroit has an abundance of land like no other major American city. It is just a matter of finding funds to help transform some of the vacant lands into useable park spaces for under-served neighborhoods. As shown on the figures on the following page, very few of the City’s parks are zoned PR - the zoning district for Parks and Recreation. Only major parks are zoned PR.

## Recommendations

### This project . . .

- ▶ The Park District (PR) currently has a 4-acre minimum lot size. This means that any park under 4 acres in size could not be rezoned to PR. Consideration should be given to reducing or eliminating the minimum lot size - this will facilitate more PR zoning.

### A future project . . .

- ▶ Rezone all parks under the City’s control to PR. This will help with the following:

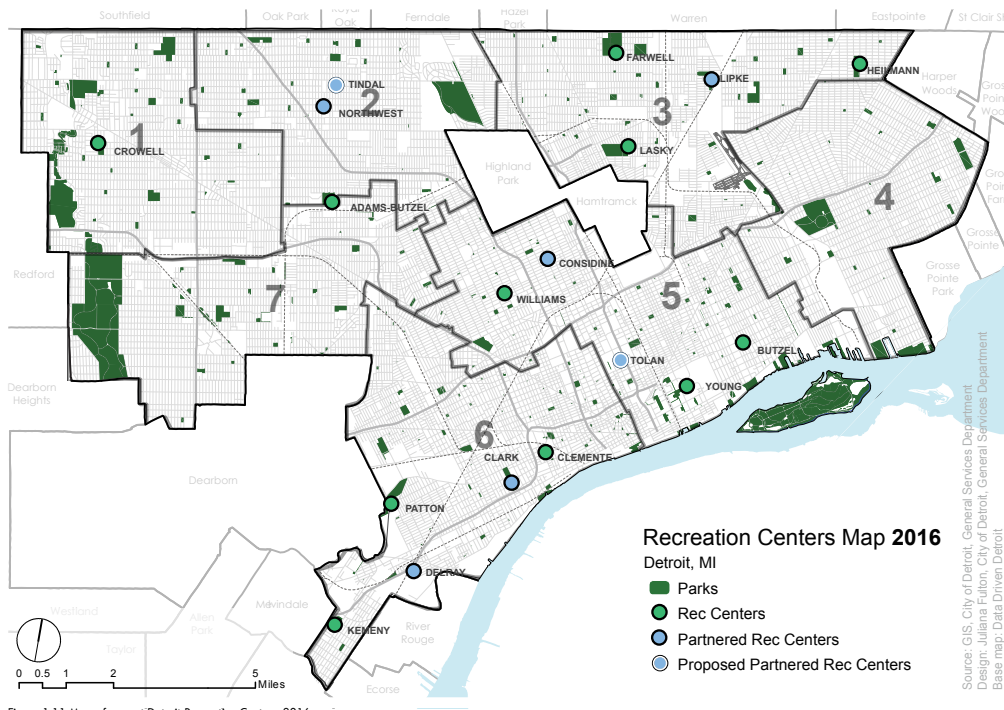
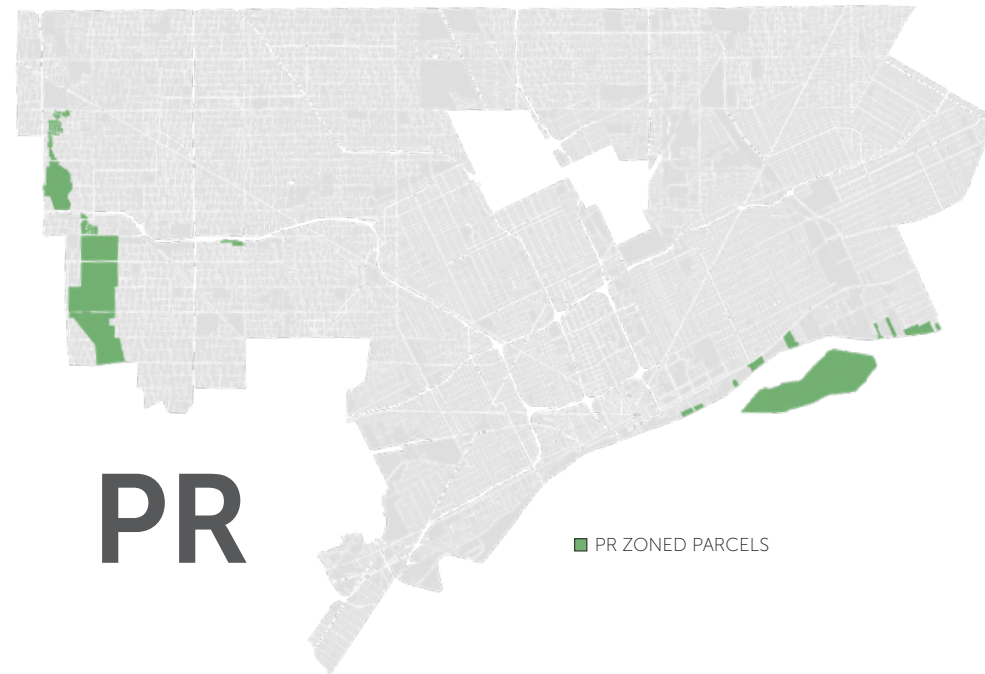


Figure 1.11 Map of current Detroit Recreation Centers, 2016

Currently, there are significantly more parks than are accounted for on the City's Zoning Map.

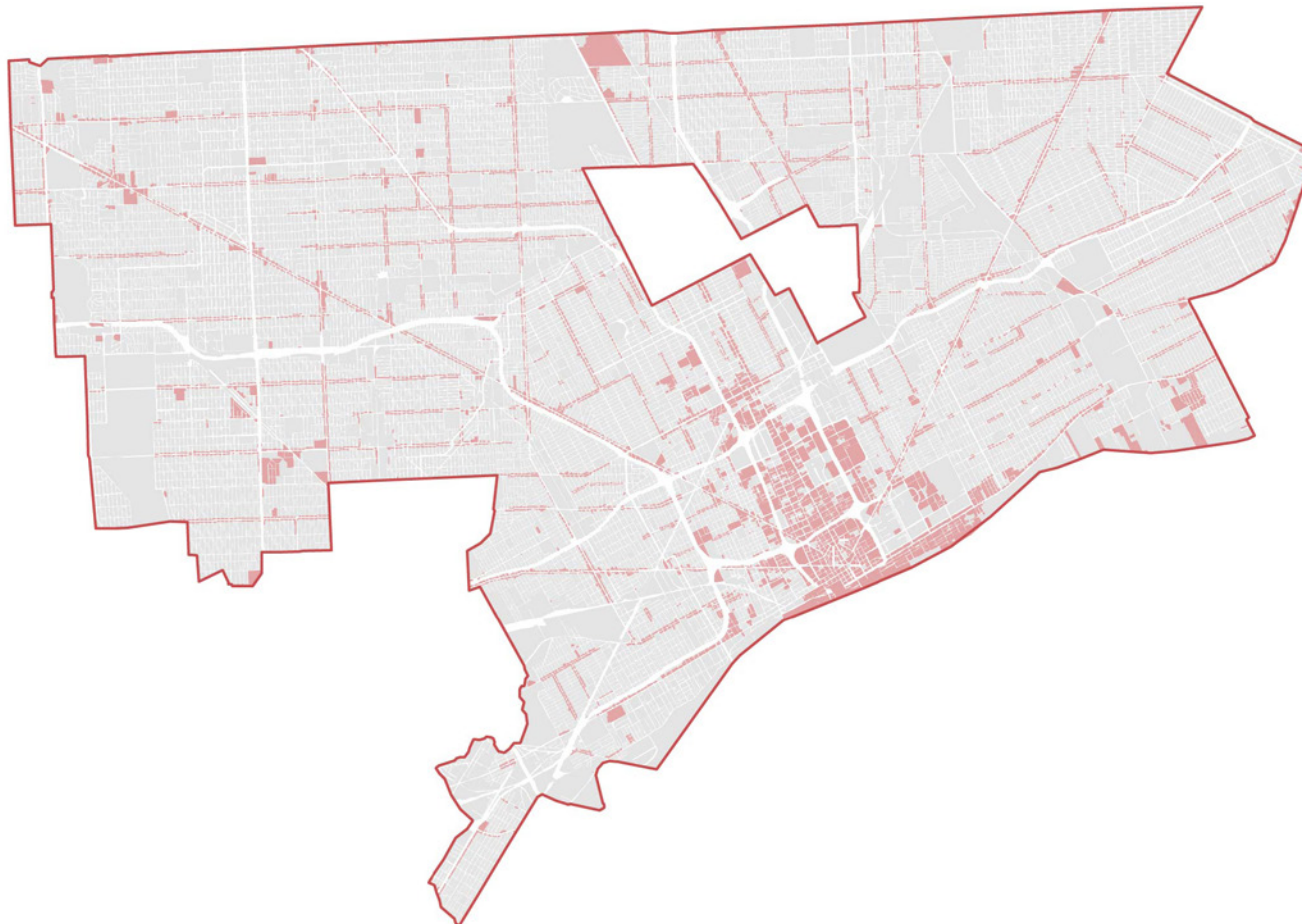
- ▶ Looking at the Zoning Map would provide a better idea of all the parks in the City - right now you don't get a very good sense of what is a park and what isn't.
- ▶ Residents will have a greater sense of security that a park will remain a park - a park could not be sold and converted without a rezoning discussion - this also means that, at least in the future, the more permanent and transparent nature of having the PR zoning in place may mean the land around the park



will be more likely to attract investment - due to the more permanent nature of the PR zoning.

- ▶ Parks identified on the zoning map will provide better transparency to the park acquisition and planning process.

# GROWTH & COMMERCIAL AREAS







## GROWTH & COMMERCIAL AREAS

**Make it Easier to Mix Uses:** Allow for multifamily and townhouses by-right in B4 and SD2.

**Improve Site Development Standards:** Modernize the requirements for parking lots, landscaping, screening and outdoor lighting.

**Right-Size the Approach to Parking:** Required parking can be a significant development constraint, the new Zoning Ordinance provides the opportunity to study and comprehensively right size the parking requirements.

**Remove Barriers to Green Solutions:** Remove barriers to modern day sustainable practices such as energy production and stormwater management.

**Place Greater Emphasis on the Built Environment:**

In order to create a mixed use, pedestrian-friendly environment with a balance of mobility options, the current approach to zoning must be reconsidered.

**Use Design Review in Limited Settings.** Focus on improved standards that are easily administered at the counter; only use design review in limited settings where a unique outcome is desired that would otherwise be hard to achieve using just standards.



# Make it Easier to Mix Uses

## Issue

Detroit has a long history of single-use zoning (residential, commercial, industrial). As the years have gone by, various districts were created to enhance the opportunity to mix uses, such as the Special Development (SD) districts, and the Traditional Main Street Overlay (TMSO) District. Unfortunately, significant portions of Detroit's commercial corridors still do not allow residential uses by right - B4.

It may be that mixed-use buildings (a commercial ground floor and residential in the floors above) do not fit very well on the shallow corridors zoned for commercial uses today, but this is no reason for the use to require conditional use approval. The City's most recent plans and its newer districts (like the SD districts) suggest the community is ready to return to the days of living above "main street."

In addition to adding residential uses, many communities are allowing for modest industrial uses such as artisan spaces (glass blowing, welding and other similar "maker"

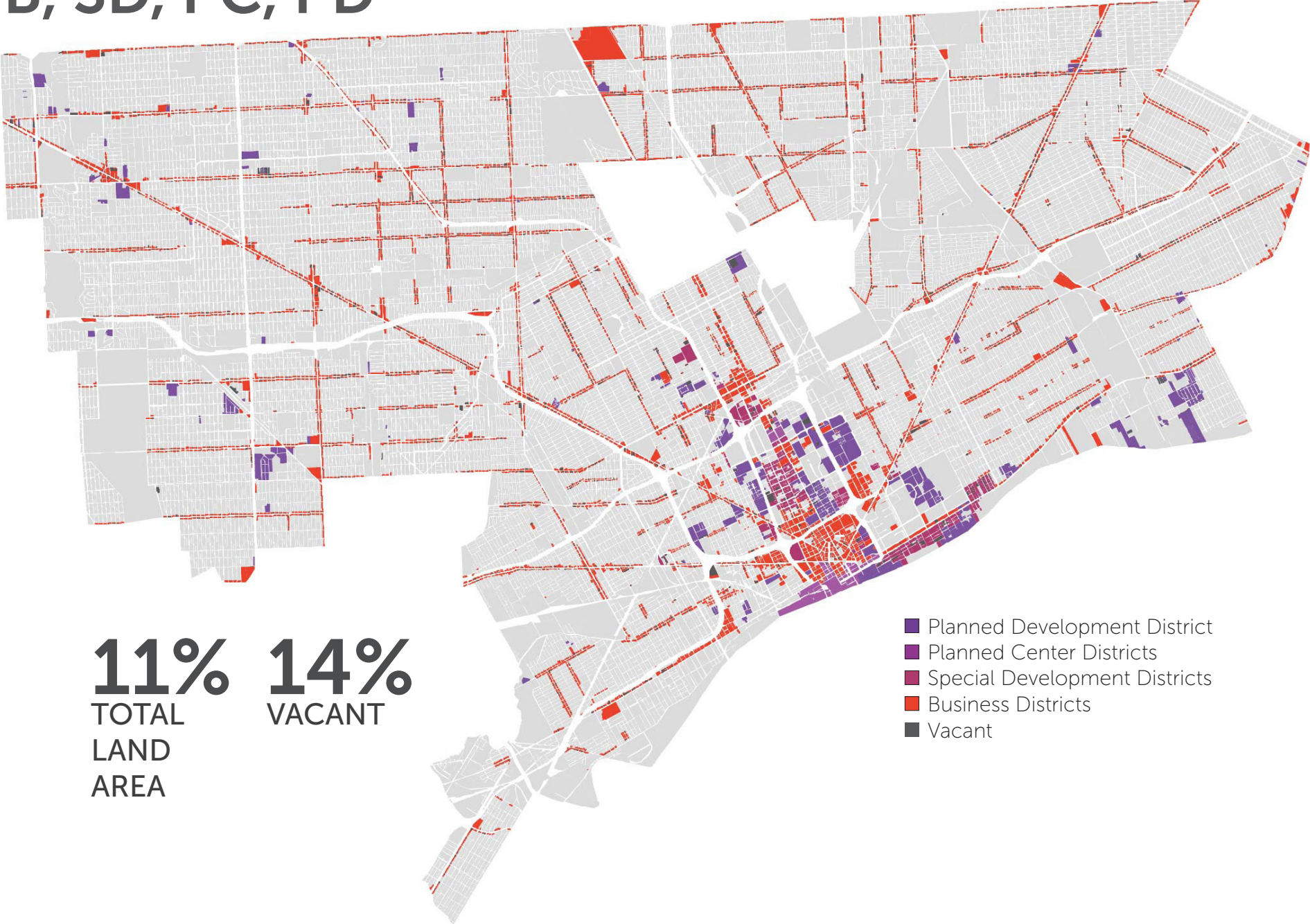
types of uses). Allowing the combination of retail and makerspace provides broader opportunities for local entrepreneurs. While the SD1 and SD2 districts allow such uses, none of the Business districts (B2, for example) allow such uses. [see also page 66]

At the same time the City allows broader mixing of uses, a review of all the existing use standards should occur to determine whether they are still applicable in a mixed-use environment.

Neighborhoods also need better access to convenience goods and services. The traditional concept of the corner store or barbershop has been banned by today's single-use residential zoning. In areas that do not have activated commercial corridors today, consideration should be given to allowing for corner stores at key neighborhood locations.

Incremental commercial uses are difficult to achieve under today's zoning. Encouraging options that create jobs such as temporary (pop-up) retail, food trucks, retail

# B, SD, PC, PD



## INCREMENTAL RETAIL



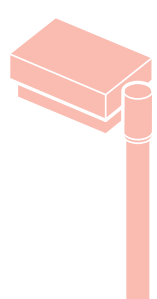
or food trailers, retail pods or storage containers and other approaches that lead to eventual permanent, “brick and mortar” spaces are needed. These uses can be either completely temporary or semi-permanent locations.

The City frequently applies the conditional use permit to apply conditions to manage mixed uses. A review of prior conditional use cases should allow the creation of use standards that can replace the conditional use permit process in many cases.

## Recommendations

### This project . . .

- ▶ Add residential uses to all of the Business (B-) districts, and allow along all of the City’s commercial corridors.
- ▶ Add “makerspace” light industrial uses to the commercial (B- districts). [see also page 66]
- ▶ Allow for the return of corner stores in appropriate residential areas.
- ▶ Encourage incremental approaches to commercial development.
- ▶ Reduce the number of uses that require conditional approval, creating use standards where necessary to control impacts.



# Improve Site Development Standards

## Issues

Today, the Zoning Ordinance contains the following development standards: parking, loading and access; landscaping, screening and fencing; architectural and site design standards (by use); traffic impacts; floodplains and hazard areas; airport and heliport hazards; operational performance standards; and abandoned or vacated uses.

A series of development standards is also included by use (such as nonresidential development) in another part of the Ordinance. It will be important to incorporate all of these disparate standards in the same part of the new zoning, and ensure they are consistent. A number of the use-specific standards include provisions related to outdoor lighting of sites (parking lots, especially). The new zoning should include a consolidated section on site lighting.

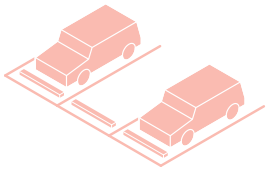
Landscaping provisions related to screening for parking lots near residential uses are provided in the current Ordinance. However, there are no express provisions specifying any height, use or landscape transitions where residential abuts commercial or mixed-use. New transition provisions should be prepared for this purpose.

Today, all of the development standards are triggered by new construction. When it comes to expansion or renovations, parking is only triggered when more spaces are required, and then only for the new area - not the entire project. Landscaping has a more sophisticated set of triggers, including at least a 10% addition, and 2,000 square foot addition, 5 or more parking spaces, or improvements equaling at least 60% of the property valuation. One challenge is that change in use to a more intensive use also requires landscaping to be met. However, the determination of whether a use is more intensive relies solely on the first district in which it is allowed. This requires a formal hierarchy of districts based on intensity, rather than character, and should be revisited in the new zoning.

## Recommendations

### This project . . .

- ▶ Consolidate development standards by topic, even where they apply to specific zoning districts or types of use and ensure standards do not internally conflict.
- ▶ Create a new set of outdoor lighting standards.
- ▶ Review the triggers (applicability) for each type of standard, and use the same triggers where possible.



# Right-Size the Approach to Parking

## Issue

Parking was a significant topic of discussion during the stakeholder interviews and community meetings and was mentioned extensively in the Zoning Issues survey.

Detroit has a long relationship with the motor car and driving (with easy access to parking) is deeply embedded in the Detroit psyche. Lots of cities around the U.S. have reduced minimum parking requirements or eliminated them in portions of their community (Detroit currently has no requirement for B5 and PC). However, a few cities have taken it a step farther and eliminated parking minimums citywide. San Francisco recently adopted an ordinance that removes all parking requirements citywide, Hartford, CT also has no parking requirements. The first US city to completely eliminate parking minimums was Buffalo, NY, however, in Buffalo the City Council can still decide to require parking through a review process for projects larger than 5,000 square feet.

So why would a city consider reducing or eliminating parking requirements?

Homeowners are prevented from taking on basic projects like adding a small rental unit in a basement or backyard because parking minimums would mandate the provision of a parking space for that unit (and that means an additional cost for the homeowner).

Renters end up losing many housing opportunities because spaces that could be filled with homes are, instead, filled with parking spaces.

Small business owners are forced to spend their precious, hard-earned dollars paying for designated parking spaces for their customers instead of spending that money on supplies, employees or space to sell products.

Developers are unable to execute projects because a lack of space on a given lot may prevent them from constructing the required parking to accompany it, or they are forced to spend a large portion of their development budget on space for cars instead of space for paying tenants.

Existing buildings are at risk of demolition in order to accommodate parking for adjacent or abutting buildings.

## Recommendations

### This project . . .

- ▶ Add a bicycle parking requirement.
- ▶ Retain loading area standards for design, but delete required ratios for loading areas.
- ▶ Add location requirements for loading areas to reduce the impact on the pedestrian environment.
- ▶ Explore options for eliminating minimum parking requirements city-wide.
- ▶ Consider adding maximum parking requirements in pedestrian-oriented areas such as Downtown and Midtown. Parking maximums set the maximum amount of spaces a use can provide and therefore can be used to limited the overall amount of surface parking.
- ▶ For areas that retain parking minimums, re-calibrate the required parking ratios based on current best practices. Consolidate uses to the maximum extent possible to limit the impact of change in use on the establishment of new businesses.
- ▶ For areas that retain parking minimums, expand the current 3,000 square foot exemption for existing buildings to new buildings as well.
- ▶ For areas that retain parking minimums, require unbundling for residential uses. Unbundling means separating the allocation of a parking space to a specific unit. This would allow someone to buy or rent a unit without a dedicated parking space if they didn't need that parking space. This would reduce the cost to buy or rent the unit.
- ▶ For areas that retain parking minimums, allow parking reductions for:
  - » Access to car-share or scooter/bike-share.
  - » When bicycle spaces are provided.
  - » When space is available on-site for pick-up and drop-off of passengers by ride-hailing services.
  - » Transit is available (see multifamily transit reductions).
  - » Public parking lots are available (without requiring an Alternative Parking Plan).
  - » Street parking spaces abutting the property.
  - » Existing buildings built prior to 1999.
- ▶ Consider requiring the installation of electric charging stations in newly constructed parking lots.



# Remove Barriers to Green Solutions

## Issue

The Zoning Ordinance should not get in the way of modern day sustainable practices. The Zoning Ordinance should clearly say whether green improvements like solar panels or wind turbines are allowed on rooftops and in required yards - and if they are, to what extent. Are solar panels allowed on or over car parking spaces? Is rainwater harvesting equipment (cisterns or rain barrels) allowed in front, side or rear yards? Can I have a rain garden in my front yard? The City needs to encourage this type of sustainable practice by clarifying the Zoning Ordinance.

Perhaps the biggest environmental issue facing the City today is the effective control of stormwater run-off and water quality issues. Detroit has more than 71 square miles of paved and hard surfaces - that's more than the entire paved footprint of San Francisco and Manhattan combined, and more than half of Detroit's total land area. These hard surfaces, combined with large amounts of compacted soil, make it difficult for water to infiltrate. This has led to Detroit's stormwater infrastructure often being overwhelmed, causing overflows of untreated

sewage to contaminate the waterways, threatening wildlife and the environment, along with human health.

The City has made excellent strides in recent years to better manage stormwater, including the creation of a Green Stormwater Infrastructure Plan (2014), the recent adoption of a Post Construction Stormwater Management Ordinance (PCSWO), and the creation of the Stormwater Management Design Manual (2018).

Green stormwater practices focus on capturing and cleaning stormwater close to where it falls, rather than directing water to a network of concrete pipes that carry it somewhere else. Between 2010 and 2016, Detroit removed over 3,000 acres of impervious surfaces, planted over 7,000 trees, and the City is currently working on a handful of projects that incorporate green stormwater features into planned roadway and parking lot resurfacing projects.



# Recommendations

## This project . . .

- ▶ Amend the Zoning Ordinance so it clearly defines and treats the variety of modern day sustainable practices, such as solar panels, wind turbines, cisterns, rain barrels and rain gardens.
- ▶ Amend the Zoning Ordinance to allow permeable surface material options for parking areas in all Residential Districts.

## A future project . . .

- ▶ Improve the links between the PCSWO and the Zoning Ordinance.
- ▶ Illustrate the variety of stormwater options available to an applicant today.
- ▶ Expand the PCSWO to include smaller projects and all roadway projects (new and resurfacing).

### RAINWATER HARVESTING

Water harvesting is a practice that captures stormwater runoff from rooftops for later non-potable use, such as irrigation or alternative gray water uses, providing a potential water bill savings. It can be done on a small scale (using rain barrels for homes) or on a larger scale (cisterns on commercial or industrial sites).



### PERMEABLE PAVEMENT

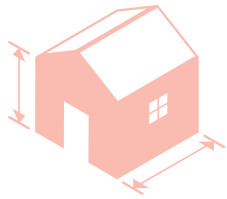
Permeable paving materials have small voids that allow water to drain through the surface and into a reservoir. The collected water can then infiltrate into underlying soils, or drain at a controlled rate to other stormwater conveyance systems. There are many types of permeable pavement materials including porous asphalt, pervious concrete, and pervious pavers.



### RAIN GARDENS

Rain gardens are one example of bioretention - a landscaped, shallow depression that captures, filters and temporarily stores stormwater runoff. They are usually planted with native and water-resilient vegetation. Rain gardens can be easily implemented at almost any scale in both new and existing developments.





# Place Greater Emphasis on the Built Environment

## Issue

The existing Zoning Ordinance is primarily a use-based (Euclidean) zoning model. Euclidean zoning concentrates on separating incompatible uses from each other.

Originally, the approach was intended to resolve two separate concerns—placement of dangerous industry near residential areas, and the need for additional air and light in slum tenement situations. Euclidean zoning focused on districts that separated uses, and on controlling height, bulk and building mass within districts to ensure public health and safety.

Unfortunately, the concept of separation of uses has been taken to an extreme in recent times, and we often build in a fashion that is contrary to what people today want as part of their lifestyle. To help the Detroit move toward a more mixed use, integrated, equitable and pedestrian-friendly city, this traditional approach to zoning must be reconsidered.

Where Euclidean zoning is fundamentally about keeping things apart, a form-based approach focuses on integrating a greater variety of uses together in order to create healthier more walkable neighborhoods. With a form-

based approach, a greater integration of uses becomes more natural and comfortable. Land use is not ignored, but more loosely regulated using broad parameters that can respond to market economics, while also prohibiting socially or environmentally undesirable uses. While specific criteria may vary greatly from area to area, the basic premise of form-based codes are fairly constant, buildings are required to be pulled up to the street, ground floor windows are typically required, parking must be located to the rear or side of buildings, sidewalks must be wide, and streets should be multi-modal. These fundamental elements are what contribute to the sense of place and the walkable vitality of an area. In short, adding form-based standards, where appropriate, is an effective way to translate desired outcomes into the zoning that will help implement future planning efforts and improve the overall quality of mixed use, pedestrian-oriented development.

Form standards applied in many of the City's zoning districts are very limited or non-existent. While this could be seen as offering opportunities for creativity, it also means key urban design goals are not met by some

new development. Many of the standards in each zoning district focus on the most basic standards - lot area, lot width, building setbacks, lot coverage and height. These standards alone are often inadequate to provide a high quality place.

The Traditional Main Street Overlay (TMSO) was the City's foray into a more form-based approach (2006). The TMSO was created to help improve the character of Detroit's commercial main streets. The TMSO currently applies to 9 neighborhood overlay areas. The TMSO is hard to understand, a lot of information is presented in text with no graphics or images, it includes a mix of standards and guidelines and is therefore difficult to administer effectively.

The Special Development (SD) districts were the City's next step into the improved regulation of urban form. The SD districts were specifically written to address a mixed-use urban environment. The SD districts were a big step forward for the City in terms of regulating form and they significantly approved the City's approach to regulating mixed use - standards are more concise and more on point. However, perhaps they take too light a touch on form. The districts should include more standards to regulate how the buildings address the street - activation requirements like transparency, door spacing and blank building wall limits are key missing components. Also, the variety of available SD districts is very limited, there are five SD districts, but for the most part only SD1 and SD2 are used. In order to manage future development, a broader range of districts will be needed.

An important policy and operational shift for Detroit's future is restoring the City's public alleys. Alleys provide a critical local access function, serving many residential and commercial areas as well as preserving the traditional urban fabric of more compact development and walkable streets. Alleys also present the opportunity for accessory dwelling units, such as alley flats or granny flats, which add density within the existing neighborhood fabric.

## Recommendations

### This project . . .

- ▶ Review the TMSO form standards for inclusion in other Business (B) and Special Development (SD) districts.
- ▶ Add form-based standards to the Zoning Ordinance.
- ▶ Delete all guideline language from the Zoning Ordinance, except where it is applied through a discretionary review process.
- ▶ Expand and amend the SD district or create a new set of districts that are robust enough to implement the City's existing and future mixed use areas.
- ▶ Require use of existing alleys in new development projects.
- ▶ Make sure new development is required to provide sidewalks and street trees along the streetscape.

### A future project . . .

- ▶ Dedicate a budget to improve and maintain existing alleys.



# Use Design Review in Limited Settings

## Issue

Many communities across the country find that zoning standards alone are not always enough to create high quality buildings and sites (form-based or not). Another layer of review is often applied, in order to improve the quality of urban design.

Design review is typically conducted by applying design guidelines to a project. Guidelines differ from form standards, which are specific code requirements that must be met (or varied from) in order to receive City approval. There can be discretion applied in balancing competing design guidelines (such as a desire for green building components balanced with the affordability of housing); however, the whether a project meets the form standards is a strict yes or no. This project does not include the creation of any design guidelines, but it will include improved form standards.

In Detroit, the Traditional Main Street Overlay (TMSO) requires staff-level design review by the Planning and Development Department (PDD). Certain questions

such as the use of alternative materials and the inclusion of artwork on blank walls are taken up by the Design Review Advisory Committee, made up of City Planning Commission staff, Planning and Development Department staff and community members.

Design review is also currently required in the PC and PCA Districts. No other districts formally require design review; however, many stakeholder suggested PDD conducts design review in recently-planned areas to ensure consistency with newer neighborhood plans.

The triggers for design review are also important - within the TMSO, Detroit reviews only changed areas if the changes affect under 50% of the facade, and the whole building if changes impact more than 50% of the facade. This may encourage owners to limit their changes, so as not to have to improve the entire building.

Best practice across the country is to ensure adequate form standards to ensure a certain baseline quality for all development. Then the process of design review can

be added, where needed, to ensure the quality of development in special places. Balancing the including of design standards for urban form with design guidelines for architectural detailing can occur, provided adequate trained staff are available to conduct review in a timely fashion.

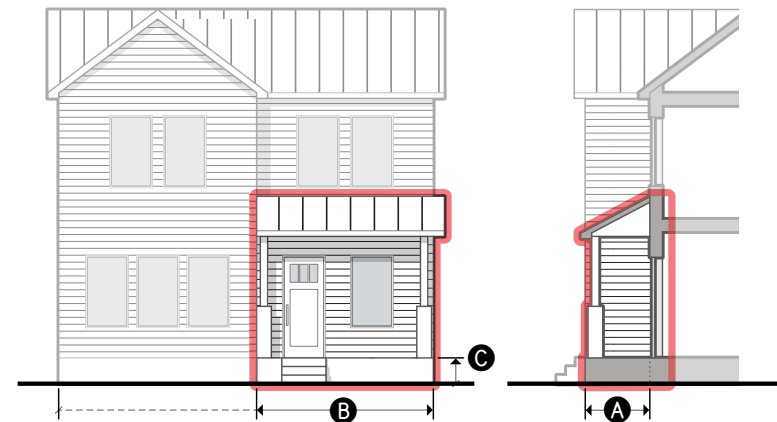
## Recommendations

### This project . . .

- ▶ Improve the zoning districts to include basic design and form standards so that design review is not necessary community-wide.

### A future project . . .

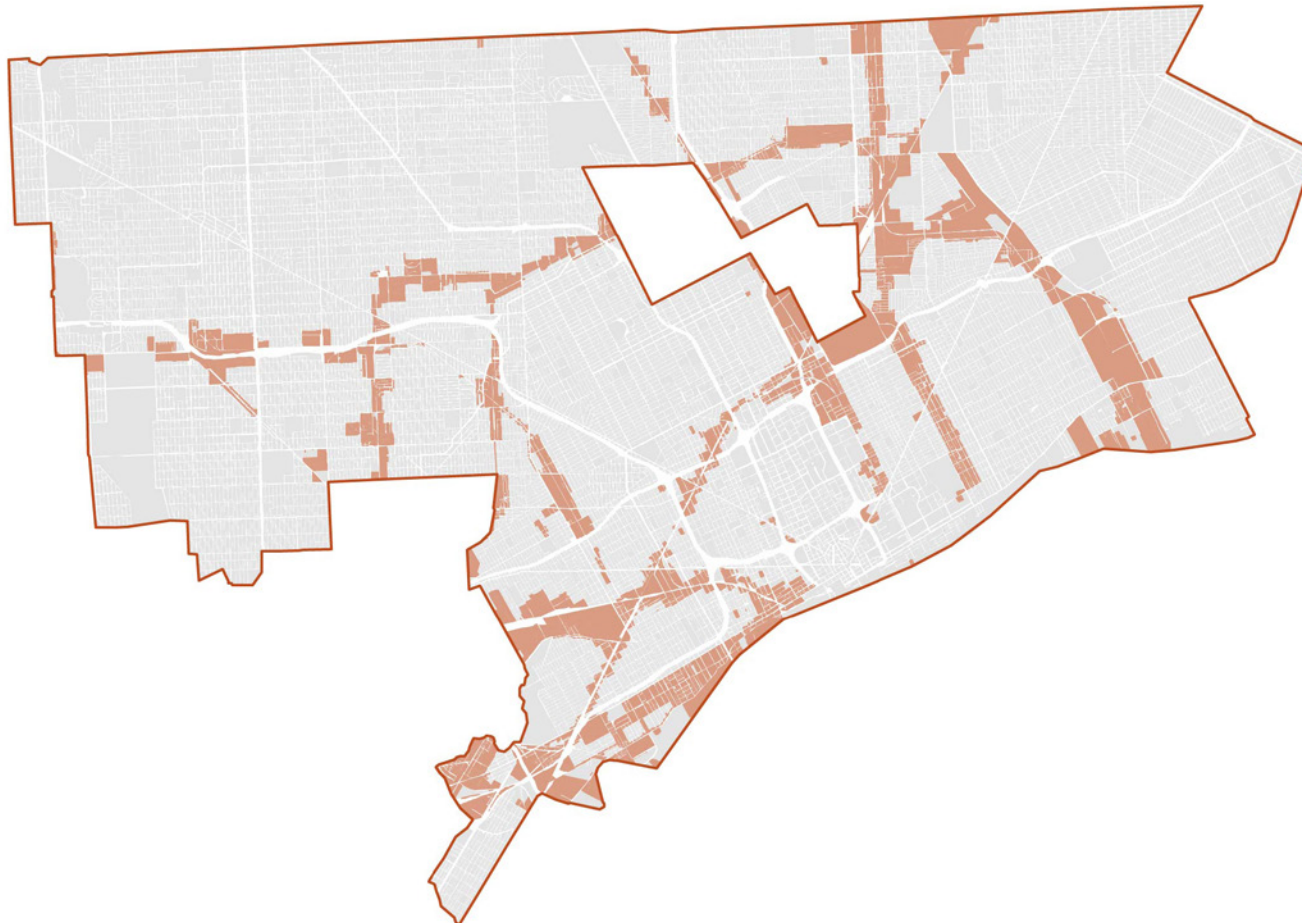
- ▶ Use design review in limited locations where plans require it due to characteristics not amenable to design or form standards.



### Sec. 61-14-284. Building design: Style.

In support of the standards of this subdivision, it is the policy of the City to encourage design styles that are dominant and representative of, and relevant to, the architectural history, culture, and regional significance of the area without compromising innovative and contemporary interpretations of these styles.

# JOBS, JOBS AND JOBS





## **JOBS, JOBS AND JOBS**

### **Utilize Vacant Land for More Productive Land Uses:**

Allow for a variety of non-traditional activity on vacant land such as urban farming, stormwater retention, energy production and open space preservation.

### **Expand Uses in Neighborhoods Experiencing**

**Disinvestment:** Expand the variety of allowed nonresidential uses in under-served and under-invested residential neighborhoods.

### **Make it Easier to Reuse Existing Buildings:**

Eliminate the obstacles for adaptive reuse and temporary use of historic buildings (such as parking and triggers for full compliance).

**Allow Makerspace in All Commercial Areas:** Expand the options for low-, medium- and high-impact manufacturing uses into more commercial around the City.

**Rethink the Use of Excess Industrial Land:** Rezone vacant industrial land to existing or new zoning districts more compatible with residential uses.



# Utilize Vacant Land for More Productive Uses

## Issues

Today, approximately 40% of Detroit’s land area is vacant, meaning land is either completely empty or has a vacant house or structure on the property. In a recent public survey, respondents identified “encouraging vacant land to be used for green space or productive uses” as one of the top concerns.

Currently, the City is leaving the future of most vacant lots up to individual neighborhoods, and selling parcels to private owners through a land bank. While this method of cleaning up vacant lots has its benefits, it may prevent Detroit from implementing broader community-wide goals through land use planning that could benefit the entire City by connecting and consolidating these parcels to provide new opportunities.

Vacant land is intertwined with unemployment, income inequality and other economic problems; however, it can also be a foundation for economic growth. For instance, cities can offer land to recruit or support businesses that create living wage jobs. In order to make vacant land

a catalytic part of an economic development and jobs strategy, cities need to assemble smaller lots into large parcels.

Generally, city agencies try to get vacant lots in other people’s hands as quickly as possible through auctions, partnerships with affordable housing developers, side lot sales, and other methods. This isn’t always an optimal strategy – once these lots are sold, cities are still left with many others they can’t sell and have lost the opportunity to consolidate parcels together to make land available for larger impact.<sup>1</sup>

Below are some ideas worth considering as part of a future zoning strategy for vacant properties.

**Urban farming** can help create productive lots, improve access to healthy food, provide educational opportunities, improve the environment, strengthen social bonds and create jobs. In the Zoning Ordinance today urban gardens

1 .....  
[WWW.VANALEN.ORG/FUTUREGROUND](http://WWW.VANALEN.ORG/FUTUREGROUND)



(up to one acre) are allowed by-right in most of the Residential and Business Districts. However, urban farms (more than one acre in size and orchards or tree farms) require conditional use approval.

As previously mentioned, Detroit is making great strides in incorporating **green stormwater** practices into City codes and polices. Vacant properties make ideal locations for rain gardens as well as creating a beautiful, shared space for neighbors.

While homeowners with solar panels on their roofs aim to generate enough power to cover their individual energy needs, **solar farms** are designed to generate enough electricity to power multiple homes and businesses. Solar farms produce no pollution and use very little water compared to traditional power plants. Vacant lots could be used to accommodate solar farms.

Vacant lots could be formalized as **open space** and zoned accordingly - done correctly, this could help achieve an integrated open space and bicycle network. A number of recreational, educational and ecological activities could take place on these designated open space areas.

**Forests of trees** could be planted on vacant lots. While Detroit has struggled with this concept in the recent past, it was the execution of the deal and not the fundamental idea that the community has struggled with.

### CASE STUDY: BLUE INFRASTRUCTURE IN PHILADELPHIA



Philadelphia, through its “Green City Clean Waters” program, is investing in a citywide network of “blue infrastructure” on vacant lots and public spaces, including rain gardens, green roofs, bioretention swales, urban wetlands and more. Thanks to this infrastructure, the City is already exceeding targets for stormwater overflow reduction by nearly three times the original projection, saving the city millions of dollars annually. Not only does blue infrastructure slash water and air pollution, beautify the landscape, and reduce the heat island effect, but it also has other social, environmental and economic benefits.

### CASE STUDY: CLEVELAND'S CHATEAU HOUGH WINERY



Chateau Hough is an inner-city winery in the Cleveland neighborhood of Hough. Set on three-quarters of an acre between an abandoned home, a long-shuttered library and a vacant corner store are 14 rows of vines breeding Frontenac (a cold, hearty Minnesota red grape) and Traminette (a floral, white varietal developed in upstate New York) on the site of a former crack house. Chateau Hough, one of the first American vineyards set on reclaimed urban land, was started in 2010 with a \$15,000 grant from the City.

Before moving forward with any of these strategies a significant conversation would have to take place with any potentially affected neighborhoods.

## Recommendations

### This project . . .

- ▶ Create a new zoning district designed to specifically allow for green space and productive uses within the City. This would help address any compatibility concerns by restricting these uses in more stable neighborhoods, while being more permissive in areas where there is a larger amount of vacancy.
- ▶ Even with the creation of a new district there will be the need to allow some of these uses into existing districts. Consider allowing green space and productive uses in certain zoning districts through the conditional use process.

### A future project . . .

- ▶ Map newly created zoning district in specific areas.

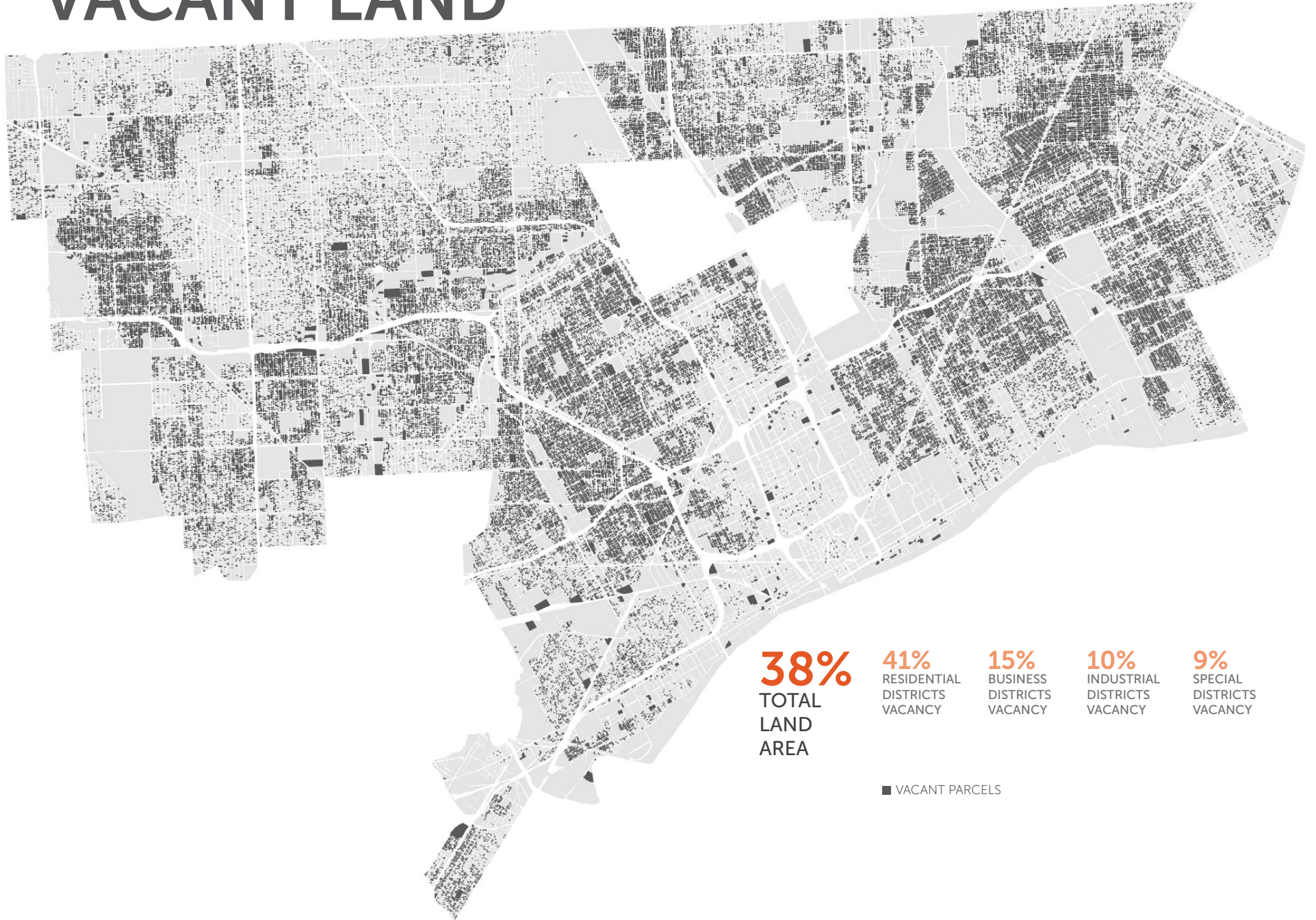


In Asheville, George Washington Carver Edible Park was built out of a trash pile in what continues to be a predominately African-American neighborhood less than a mile from the center of Asheville. Designed using permaculture principles, it features over forty fruit and nut trees, vines, and shrubs. Carver Park is managed by Bountiful Cities Project with help from the Buncombe Fruit and Nut Club.



In 2016, DTE Energy and the city of Detroit broke ground on a 10-acre solar array, the O'Shea Solar Park, on the borders of Greenfield Road and I-96 on a vacant site. Now operational, the grid linked system features 6,500 solar panels and can generate enough juice to power more than 450 homes, making it one of the largest urban solar arrays in the Midwest.

# VACANT LAND





# Expand Uses in Neighborhoods Experiencing Disinvestment

## Issue

It is no secret that Detroit has plenty of vacant and under-invested neighborhoods. The question is, what can the Zoning Ordinance do to promote economic activity in these under-served communities?

Many entrepreneurs launch their startups out of their basement, garage or even kitchen but there also a plenty of vacant and abandoned structures that could be utilized for this type of purpose as well. When these businesses grow, they often move into a traditional business space, create additional jobs and improve the local tax base. In addition, working close to home can help parents better balance work and family, it can enable low-income individuals to achieve economic self-sufficiency, and it can alleviate some of the social and environmental problems resulting from sprawl.

The Zoning Ordinance should explore an approach that allows a greater level of nonresidential activity by-right in existing residential neighborhoods. Today, several types of nonresidential uses (non-profit neighborhood

centers, group day cares, educational institutions) are allowed through the conditional use process in residential neighborhoods. Thought should be given to allowing these uses by-right provided they meet additional standards. Consideration should also be given to expanding the palette of allowed uses to accommodate some slightly more intense activity such as a small medical or dental clinic, a small office with employees, a co-working space, a small restaurant or coffee shop, a library, limited retail sales, a hair dresser, animal grooming, a nail salon or an art gallery/art studio. All these uses could have requirement that limit such things as the size of the use, hours of operation and limits on outdoor activity.

Another way to allow these types of uses would be to expand the current home occupation provisions. Home occupations are businesses designed to operate from a home, typically without adverse effect on neighboring properties. They have many positive effects on a community, including boosting the local economy and allowing residents to work from home. In the Zoning

Issues survey, residents expressed an interest in seeing a broader range of home occupations allowed in residential areas. The City could develop a hierarchy of home occupations that looks like as follows:

**Type 1: Home Occupation** - the typical home occupation - no employees or visitors. This would accommodate your typical home office or a small Internet business.

**Type 2: Home-Based Business** - allow employees and additional visitor activity, might allow limited retail activity. Small shop with products made on-site, hair or nail salon, small office with employees, small day care.

**Type 3: Neighborhood Business** - allow larger facilities with more business/service types of activity. Small coffee shop/cafe, larger day care, community center, co-working space.

## Recommendations

### This project . . .

- ▶ Explore and study changing the types of allowed uses in Residential Districts.
- ▶ Develop a hierarchy of home occupation types based on intensity of use, with standards for each type. Allow home occupations in accessory structures in R1 and R2 zones.
- ▶ Allow for temporary uses on empty lots and abandoned buildings using art and other uses.

### URBAN COUNTRY TEA HOUSE



In the Brightmoor neighborhood, one woman is making the most out of her home occupation. She runs the “Urban Country Tea House” out of her living room, accepting donations in exchange for tea and baked goods, while in her yard she grows fresh produce that she is able to use in the tea house and sell at the market. The tea house is a unique community gathering place and hosts events like “Movies in the Garden” in the summer.

### THE FITZGERALD HOUSE



The Fitzgerald House in the Fitzgerald neighborhood recently opened its doors as a neighborhood hub and family center, offering early-childhood education programs, tutoring, and classes on parenting, cooking, and more. The house is open Monday through Friday, and has toys and meals available. The project was completed by Brilliant Detroit, a local non-profit organization, who renovated the formerly long-abandoned home.



# Make it Easier to Reuse Existing Buildings

## Issues

Detroit has a tremendous amount of abandoned and forgotten buildings that many people in the City would like to see re-occupied. Typically, the preservation and reuse of existing buildings is the greenest option available. It conserves the embodied energy in the existing building, and also typically costs less than new construction.

One challenge for Detroit is that many large older buildings are too costly to rehabilitate all at once. In several instances, the City has allowed such buildings to be inhabited one portion at a time. This phased approach is often called tactical preservation (since it is focused only on one increment, not the entire building). This triage approach allows swift identification of buildings that lend themselves to partial use, as a way to generate enough income to keep the building safe until more significant preservation is possible. For example, this may involve the grand lobby of a bank building, the auditorium of a school building, the nave of a church, or the turbine hall of a power plant. Tactical preservation comes from tactical urbanism. It is a way to phase rehabilitation and

reuse of a building by activating portions of a building quickly and swiftly.

The City must work to eliminate the obstacles for temporary use of historic buildings. That means finding ways to deploy city fire marshals and building inspectors to devise innovative but safe ways to deal with code issues and turn inspectors into champions of temporary use of historic buildings. Problems with required parking should be eliminated [see also page 48] and laws about condominium ownership and use could be applied to partitioning historic buildings for temporary use.

Los Angeles is an excellent example of unlocking the potential of older buildings through preservation and reuse. In 1999, the City of Los Angeles approved an Adaptive Reuse Ordinance, allowing for the conversion of commercial buildings to new uses including apartments, live/work spaces, retail units and hotels. The program provides expedited approval and ensures that older and historic buildings are not subjected to the same zoning and building code requirements that apply to new

construction, like density limits and parking requirements. Adaptive reuse projects are also exempt from the site plan approval process. The result has been the creation of over 10,000 new residential units completed or currently under construction. The program originally focused on Downtown only, but after seeing such great results, the City expanded the program to outside of the Downtown.

## Recommendations

### This project . . .

- ▶ Encourage tactical preservation - the incremental preservation of large older buildings.
- ▶ Work through the Zoning Ordinance to reduce barriers to adaptive reuse - parking, full compliance triggers, and use restrictions.

### A future project . . .

- ▶ Work through building code issues to offer consistent approaches to partial rehab.
- ▶ Continue to connect property owners with funding such as historic preservation tax credits.

### CHICAGO: POP-UP LICENSE PROGRAM



The City of Chicago recently streamlined the process for short-term “pop-up” stores, including restaurants. The program supports the small business community by allowing them to experiment in new locations with limited regulatory and investment burdens. It aims to bring vibrancy to neighborhoods by filling vacant storefronts and providing expanded and varied retail options. With this new program, entrepreneurs and restaurateurs will be able to obtain a short-term, inexpensive pop-up user license to highlight their business or products in a temporary location. Additionally, landlords looking to rent out their space for pop-up restaurants, cafes or retail stores will be able to obtain a low-burden pop-up host license.

### SISTER PIE

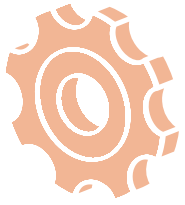


Sister Pie is a bright corner bakery, serving the Detroit area with seasonally driven breads, cookies and, of course, pie. Located in the West Village on the east side of town, Sister Pie has become a neighborhood staple since it opened its doors in 2015. Its beloved building on the corner of Kercheval and Parker St. was a hair salon before Sister Pie renovated the space.

### LELAND LOFTS



Leland Lofts in Lafayette Park was built in 1918 as the Nellie Leland School for Crippled Children, and now serves as condo lofts.



# Allow Makerspace in More Commercial Areas

## Issue

In today's economy, more and more people are working in smaller, more creative manufacturing types of businesses, such as making furniture, clothing, watches, jewelry or bicycles, but also including uses such as a catering facility, coffee roasting, glass blowing, metal/art fabrication, welding, small machine shop, wholesale bakery or a pottery-making facility. This creative sector has been steadily growing - improving the local economy by creating jobs, increasing tourism, and helping to rejuvenate formerly blighted neighborhoods.

All of this has led to an increase in the demand for work spaces where people have the flexibility to manufacture and sell material in the same physical space. These types of spaces, known as makerspaces, are typically smaller facilities designed to allow for custom manufacturing activity at scale and intensity that easily fits within an established commercial area.

The current Zoning Ordinance allows for this type of activity in one form or another in the more intense zoning

districts, such as B6 and M1. The Zoning Ordinance, unfortunately, tends not to distinguish between large and small facilities, and for the most part treats these types of uses with one-size-fits-all standards. The City does currently have a more refined approach for dealing with these uses in the SD1 and SD2 districts.

These alternative land uses are an excellent option for Detroit. The City could make use of vacant or underutilized buildings, while strengthening the creative economy and increasing activity in neighborhoods.

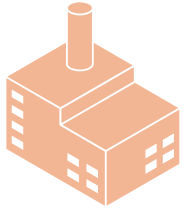
## Recommendations

### This project . . .

- ▶ Reevaluate the definitions for low/medium-impact manufacturing or processing facilities and low-impact manufacturing or processing facilities.
- ▶ Expand the SD districts' treatment for low-, medium-, and high-impact manufacturing uses to B4, where it will have greater effect.







# Rethink the Use of Excess Industrial Land

## Issue

Detroit has experienced a substantial loss of industrial uses over the years. The original location for industrial land was determined more by the location of train lines and highways than whether there were adjacent residential neighborhoods. This has led to a patchwork of areas where residential uses abut former industrial lands.

In order to encourage the reuse of unneeded industrial lands, many communities are turning to zoning districts that allow light industrial uses in combination with office and residential use. This approach creates a better transition from industrial land that remains active to adjacent residential areas.

In many cases, this strategy is used where industrial uses are in the end stage of their effective life. North of downtown Denver in the Five Points area and River North (RiNo), traditional manufacturing was nearing the end of its useful life. A new district that allowed conversion of existing multi-story industrial warehouses to residential units, along with the construction of new units, was used as a mechanism to facilitate the transition.

One key standard is to ensure that new residential uses do not have standing to chase out the existing uses - let the market determine when they leave, not complaints over manufacturing, trucking or other industrial-related activity during the transition period.

## Recommendations

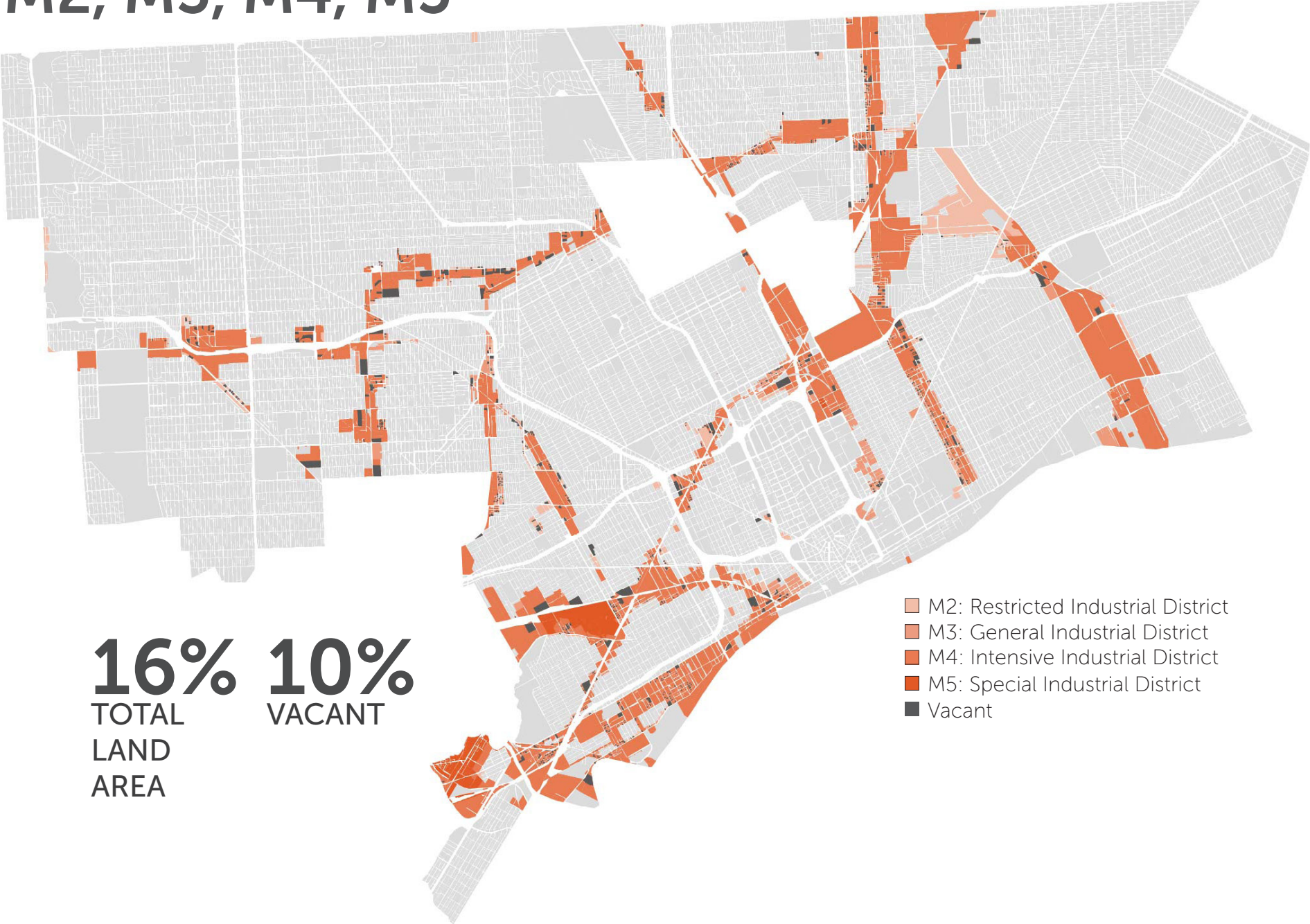
### This project . . .

- ▶ Consider creating a new zoning district that allows for mixed light industrial, office and residential uses (and perhaps limited retail/restaurant).

### A future project . . .

- ▶ Prepare a study to clarify the key industrial lands in current manufacturing or industrial use, or appropriate for protection as future manufacturing or heavy industrial use.
- ▶ Rezone vacant industrial land to existing or new zoning districts more compatible with residential uses. Ensure no auto-oriented uses are allowed, and transitional buffers to residential are required.

# M2, M3, M4, M5



# GLOSSARY

## General Terms and Definitions

**Apiculture:** The maintenance of bee colonies, commonly in man-made hives, by humans.

**Area Median Income (AMI):** The midpoint of a region's income distribution - half of an area's families earn less than the AMI and half earn more.

**ADU:** Accessory Dwelling Unit

**Base District:** All Residential, Business, Industrial and Special Purpose Districts.

**BSEED:** Buildings, Safety Engineering and Environmental Department.

**BZA:** Board of Zoning Appeals.

**CBD:** Center Business District

**CPC:** City Planning Commission.

**Common Lot Line:** A lot line shared by two properties.

**Conditional Use:** A use that must require a public hearing and consideration by a Hearing Officer.

**DEGC:** Detroit Economic Growth Corporation.

**Dimensional standards:** The zoning district requirements (such as setbacks, height, parking and landscaping) in Article XIII of the Zoning Ordinance.

**Dimensional variance:** An exception to a required dimensional standard.

**FAR:** Floor Area Ratio

**Grandfathered:** A status granted to certain properties and uses that were originally legally established, omitting them from conforming to new regulations.

**Legalese:** The formal and technical language of legal documents that is often difficult to understand.

**Loading Area:** An on-site area where goods are loaded and/or unloaded, usually onto and from vehicles.

**Missing Middle Housing:** Multi-family or clustered housing types, compatible in scale with detached single-family homes, that help meet the growing demand for walkable urban living.

**Overlay District:** Gateway Radial Thoroughfare Overlay, Traditional Main Street Overlay, Major Corridor Overlay, Grand Boulevard Overlay, Downtown and Riverfront Overlay, Far Eastside Overlay.

**PDD:** Planning and Development Department.

**PCSWO:** Post Construction Stormwater Management Ordinance.

**RSR:** Recreational Space Ratio.

**SD:** Special Development zoning districts.

**Silviculture:** The practice of controlling the growth, composition, health, and quality of forests to meet diverse needs and values.

**Service Areas:** Areas containing equipment used for the service and maintenance of a site, such as trash and recycling areas.

**Site Plan Review:** A process certain developments must go through in order to verify the project meets or exceeds the requirements of the Zoning Ordinance - see Article III, Division 5 of the Zoning Ordinance.

**Streetscape:** The area between the building face and the street and typically includes the landscape planting area, sidewalk and front yard.

**TMSO:** Traditional Main Street Overlay.

**Use variance:** An exception to an allowed use in a Zoning District.

**ZAG:** Zoning Advisory Group

**Zoning District:** A base district or overlay district.

**Zoning Ordinance:** The City of Detroit Zoning Ordinance.

**Zoning Map:** The City of Detroit Zoning Map.

# Zoning Districts

## RESIDENTIAL ZONING DISTRICTS

- R1:** Single-Family Residential District
- R2:** Two-Family Residential District
- R3:** Low Density Residential District
- R4:** Thoroughfare Residential District
- R5:** Medium Density Residential District
- R6:** High Density Residential District

## BUSINESS ZONING DISTRICTS

- B1:** Restricted Business District
- B2:** Local Business and Residential District
- B3:** Shopping District
- B4:** General Business District
- B5:** Major Business District
- B6:** General Services District

## INDUSTRIAL ZONING DISTRICTS

- M1:** Limited Industrial District
- M2:** Restricted Industrial District
- M3:** General Industrial District
- M4:** Intensive Industrial District
- M5:** Special Industrial District

## SPECIAL PURPOSE ZONING DISTRICTS

- PD:** Planned Development District
- P1:** Open Parking District
- PC:** Public Center District
- PCA:** Public Center Adjacent District
- TM:** Transitional Industrial District
- PR:** Parks and Recreation District
- W1:** Waterfront Industrial District
- SD1:** Special Development District, Small-Scale Mixed-Use
- SD2:** Special Development District, Mixed-Use
- SD3:** Special Development District, Technology and Research
- SD4:** Special Development District, Riverfront Mixed Use
- SD5:** Special Development District, Casinos

## OVERLAY DISTRICTS

- Gateway Radial Thoroughfare Overlay
- Traditional Main Street Overlay
- Major Corridor Overlay
- Grand Boulevard Overlay
- Downtown and Riverfront Overlay
- Far Eastside Overlay

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