



# CITY OF GRAND RAPIDS AGENDA ACTION REQUEST

**DATE:** February 20, 2018

**TO:** Eric R. DeLong, Interim City Manager

**COMMITTEE:** Committee of the Whole  
**LIAISON:** Eric R. DeLong, Interim City Manager

**FROM:** Suzanne Schulz, Managing Director  
Design, Development, and Community Engagement

**SUBJECT:** **Resolution setting a public hearing to consider Zoning Ordinance Text Amendments relative to the implementation of Housing NOW! plan Recommendations #3, #6, #8 and #9**

## **Overview**

The attached resolution would establish March 27, 2018, at 7:00 p.m. as the date and time for the City Commission to hold a public hearing to consider proposed amendments to the Zoning Ordinance centered on the implementation of the Housing NOW! recommendations.

Background on the proposed text amendments is included in this memo. On Thursday January 25, 2018 the City of Grand Rapids Planning Commission conducted its public hearing. Following the hearing, the Planning Commission engaged in a discussion about the amendments and several modifications from the draft amendments were made. Attachment 1 provides a review of the zoning text amendments as presented and considered at the public hearing, and the resulting recommendations as modified by the Planning Commission.

## **Background**

The City of Grand Rapids has been discussing and studying extensive measures to advance affordable housing since 2015. This began with the Great Housing Strategies process, a community planning initiative consisting of three City Commissioners and over 200 residents. This group represented non-profit and for-profit housing developers, lenders, neighbors, education institutions, local philanthropy and government officials.

Participants gathered to recommend goals and actions for equitable housing needs. The primary concern was lack of affordable housing due to increasing rents and resulting potential displacement of vulnerable individuals. Residents formed work groups and presented their strategies to City Commission. The City Commission adopted the recommended eight goals and 35 actions in December, 2015.

Zoning text amendments were made in 2015/2016 in response to Great Housing recommendations, including: reducing lot area requirements for two-family units; moving attached single-family requirements into Article 9 Use Regulations to allow the Planning Commission greater discretion in the approvals process; allowing the Planning Commission to waive the minimum lot area of 20,000 square feet for multi-family developments within the Traditional Neighborhoods; eliminating the 12-month ownership requirement for Accessory Dwelling Units; and the addition of a micro-unit density bonus.

In 2016, the Mayor appointed the Housing Advisory Committee (HAC) to further Great Housing Strategies recommendations. The Committee, chaired by First Ward City Commissioner Jon O'Connor, included two additional City Commissioners, more than 30 residents and stakeholders and several City staff. The Committee met seven times beginning in October 2016 and presented its recommendations to the City Commission on May 1, 2017. The City Commission reviewed the recommendations and directed staff to develop ordinance and policy language to put into place the Committee's recommendations. The ordinances and policies that were drafted to advance the recommendations from the HAC are now known as the Housing NOW! package.

The Housing NOW! package includes these eleven items:

1. Proposed ordinance amendment to reduce PILOT (Payment in Lieu of Taxes) fees
2. Proposed policy amendment to provide homeownership incentives
3. ***Proposed ordinance to provide incentives for small-scale development***
4. Proposed policy amendment to provide incentives for affordable housing in the NEZ tool
5. Proposed policy to encourage voluntary development agreements for affordable housing
6. ***Proposed ordinance to provide incentives for increased density***
7. Proposed policy to provide requirements for affordable housing whenever the City is a partner in an affordable housing project
8. ***Proposed ordinance to permit accessory dwelling units by right***
9. ***Proposed ordinance to permit non-condo, zero-lot-line housing***
10. Proposed ordinance to regulate rental applications
11. Proposed policy to establish the Affordable Housing and Preservation Fund

Of the eleven recommendations, the City Commission referred recommendations 3, 6, 8 and 9 to the Planning Commission for further discussion and recommendations since the implementation strategy is to amend the Zoning Ordinance with regulations that would achieve the stated recommendation.

### **Community Engagement**

Prior to the public hearing on proposed zoning text changes, Planning Staff facilitated a number of community input and information sessions.

On October 23, 2017, and November 2, 2017 staff hosted two input sessions on the HAC recommendations and gained a better understanding of the important issues surrounding these topics. In general, concerns were raised about the effects of increased density (parking, noise and overcrowding) and the City's capacity to adequately enforce these complaints. Concerns were also expressed about the lack of citizen/neighborhood involvement in the HAC process.

On November 6, 2017, planning staff hosted a housing developer meeting, including for-profit and non-profit housing developers, to review the proposed HAC recommendations. Included in that meeting were professional architects and planners that routinely do work within the City of Grand Rapids.

On January 8, 9 and 10, 2018, staff hosted three community information meetings to provide an opportunity for the community to learn about the proposed zoning text changes that would be considered by the Planning Commission at the January 25th public hearing. The meetings were intentionally staggered over three days, one in each ward, at various times of the day. Many of the same concerns were raised by the attendees as at the fall meetings. Staff encouraged those individuals to share the concerns with the Planning Commission at the public hearing.

### **Summary of Proposed Housing NOW! Zoning Text Amendments**

The proposed Housing NOW! ordinance amendments are presented by number and title in the Housing NOW! package. Since the proposed amendments operate independently of each other, this approach should make it easier if the City Commission chooses to approve the amendments together or in part. A description of the HAC recommendation with originally proposed ordinance language is provided, followed by the Planning Commission's recommendation to the City Commission.

#### **HAC Recommendation #3 – Incentives for Small Scale Development**

The HAC recommended the City develop incentives for small scale residential development. Small scale development is also referred to as "missing middle" housing consisting of multi-unit housing types such as duplexes, fourplexes, bungalow courts and mansion apartments that are not bigger than a large house.

From a zoning perspective, in order to incentivize or encourage this type of development pattern, zoning ordinance amendments can reduce barriers to this development, including simplifying the review process and modifying current site layout and building placement standards.

Based on the work of the HAC and with feedback from the development community, the proposed zoning amendment was drafted as follows:

- Reduce minimum dwelling unit width from 18 feet to 14 feet.
- Allow the construction of two-family residential developments with administrative approval in the LDR zone district when located on a corner parcel or within one-hundred (100) feet from a TBA, TOD, TCC or C zone

district. Also, align two-family lot width and area requirements with single family residential.

- Eliminate minimum lot area requirement (20,000 sq. ft.) for multi-family residential developments.
- Allow the construction of multi-family residential developments by-right in the LDR zone district when all of the following criteria is met:
  - Located within one-hundred (100) feet from a TBA, TOD, TCC or C zone district
  - No more than 4 units per building
  - Complies with maximum building width and footprint
  - Development complies with form standards

These changes are designed to work in conjunction with a design guidelines manual so that the preservation of existing neighborhood character is considered in each by-right development. Design guidelines would need to be codified. Additional form-based architectural requirements may increase initial construction costs, but the long term benefit of complimentary neighborhood design will help keep property values stable.

Neighborhood feedback has informed us that current building form standards have failed to adequately protect existing neighborhood character. The Planning Department has received complaints on lack-luster front stoops, flat facades (lack of architectural articulation) and incompatible design. The development of a neighborhood design guideline manual with subsequent zoning changes could help address concerns.

***HAC #3 Planning Commission Recommendation*** –*The Planning Commission recommends the suggested language with two modifications:*

1. *The with-administrative-approval area surrounding mixed-use commercial zone districts is 500 feet.*
2. *Eliminate the recommendation that design guidelines be developed prior to adopting this zoning amendment.<sup>1</sup> (see Attachment 1)*

### **HAC Recommendation #6 – Density Bonus for the Development of Affordable Housing**

The HAC recommended the City consider a zoning text amendment that would modify or add to existing residential density bonuses so to incentivize residential developments with units priced at or below a determined Area Median Income (AMI).

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<sup>1</sup> Note: The Planning Commission had extensive discussion about Design Guidelines, which can be read in the minutes beginning on Page 41. There was direction that if the City Commission would be willing to commit the resources necessary to extensively engage the community and do the work, that some members of the Planning Commission would be amendable to further discussion on this topic. The Planning Commission did not want the requirement for design guidelines to stall the construction of new units. Therefore, they recommended taking the recommendation for Design Guidelines out and letting the City Commission decide if it was important enough of an effort to dedicate resources for community engagement and the creation of design guidelines that were neighborhood relevant.

The current residential density bonus within the zoning ordinance was written to incentivize mixed-income housing projects. The ordinance does not have a housing bonus that incentivizes more traditional affordable housing projects such as those developed with Low Income Housing Tax Credits (LIHTC). In fact, the current requirement for the mixed-income housing bonus cannot be used for LIHTC funded projects because the percentages within the ordinance are at odds with the funding source. On November 6, 2017, planning staff met with housing providers to discuss changes to the ordinance.

The proposed amendment as originally presented would modify the requirements as follows:

- Add an Affordable Housing Bonus within Articles 5 (Residential Zone Districts) and 6 (Mixed-Commercial Zone Districts) with requirements that a project must:
  - Be located within 300 feet of a transit line
  - At least 20 units are developed as part of the project
  - Rental units: not less than 30% of the total number of units are provided at or below 60% AMI
  - Owner units: not less than 30% of the total number of units are provided at or below 60% AMI

***HAC #6 Planning Commission Recommendation*** –*The Planning Commission recommends the suggested language with four modifications:*

1. *Eliminate that the density bonus be tied to a distance from transit.*
2. *Eliminate a threshold for the minimum number of units to be developed to be eligible for the bonus.*
3. *The Commission recommends adding a failure to perform clause with penalties for non-compliance.*
4. *The Commission recommends that compliance for annual reporting and price thresholds be recoded with the Deed.*

**HAC Recommendation #8 – Permit Accessory Dwelling Units By-Right**

The HAC recommended the City consider a zoning text amendment that would allow for the development of Accessory Dwelling Units (ADU's) with administrative approval within residential zone districts.

The current ordinance permits ADU's as a Special Land Use, subject to the use restrictions of Article 9. As proposed, ADU's would be permitted with administrative approval within the Low Density Residential (LDR) and Mixed-Density Residential zone districts, subject to the use restrictions of Article 9.

The proposed amendment would modify the requirements as follows:

- Modify minimum lot area of 5,000 square feet to lots meeting the minimum lot area for the applicable zone district.
- Regulate maximum building height for detached ADU's

- Permit two-story detached ADUs
- Increase floor area ratio between ADU and primary structure
- Eliminate maximum occupancy and number of bedrooms

The proposed modifications were made following two neighborhood input sessions (October 23, 2017 and November 2, 2017) and research of comparable communities such as the City of Portland OR, City of Seattle WA and publications from AARP and the American Planning Association.

***HAC #8 Planning Commission Recommendation*** – *The Planning Commission recommends the suggested language as presented.*

**HAC Recommendation #9 – Modify Requirements for Non-Condo Zero Lot Line Units (Attached Single-Family Residential)**

The HAC recommended the City consider a zoning text amendment that would modify attached single-family residential dwelling unit requirements to encourage this type of development pattern within the City’s residential zone districts.

The current ordinance permits attached single-family residential dwellings as a Special Land Use within the Low Density Residential (LDR) zone district and as a Permitted Use within the Mixed Density Residential (MDR) zone district. All attached single-family residential developments are subject to the use restrictions of Article 9. As amended, attached single-family dwellings would be permitted by-right within the Low Density Residential (LDR) (when certain conditions are met), subject to the use restrictions of Article 9, Section 5.9.06 of the Zoning Ordinance.

The proposed amendment as drafted would modify the requirements as follows:

- Permit attached single-family residential dwelling units with administrative approval within the LDR zone district where the following criteria is met (otherwise regulated as a Special Land Use):
  - Four (4) or less attached units per structure are proposed
  - The parcel is within one-hundred (100) linear feet of a TBA, TOD, TCC or C zone district as measured from the closest point of the parcels along the public right-of-way.
- Reduce minimum dwelling unit width from eighteen (18) feet to fourteen (14) feet
- Eliminate a requirement for minimum lot width, allowing dwelling unit width to control
- Reduce minimum lot area from 3,000 square feet (in TN-LDR) to 1,500 square feet and from 2,250 square feet (in TN-MDR) to 1,250 square feet.

The proposed modifications were made following two neighborhood input sessions (October 23, 2017 and November 2, 2017) and a meeting with housing developers and architects (November 6, 2017).

**HAC #9 Planning Commission Recommendation** – *The Planning Commission recommends the suggested language with three modifications:*

- 1. Eight (8) or less attached units are allowed per structure, rather than four (4).*
- 2. The area surrounding mixed-use commercial zone districts is 500 feet, rather than 100 feet.*
- 3. In addition to the TN zone district, the MON and MCN zone districts shall be included and that dimensional requirements shall be modified proportionately to those for the TN zone district.*

### **Public Input at the Planning Commission**

Fifty-five (55) comment letters were received and forwarded to the Planning Commission. At the hearing, 14 individuals spoke. Two non-profit housing developers (ICCF and Dwelling Place) expressed support. A combined letter from neighborhood associations expressing concern was received and is part of the record. In general, comments can be summarized as follows:

- More time is needed to understand and consider the proposed amendments;
- The City should present data that supports the recommendations and specifically, that the recommendations will increase the supply of affordable housing within the City;
- The proposed amendments will result in undesired development within the neighborhoods, increase displacement of existing residents and result in gentrification due to increased property values; and
- The Housing NOW! process was not inclusive and did not represent resident voice.

In response to a number of constituent and neighborhood requests, a map was created that illustrates the 100' and 500' radius surrounding mixed-use commercial zone districts. This map has been made available on the Planning Department's web page. Additional data can be made available to the City Commission upon request.

### **Action**

Given the significant public interest in the Housing NOW! package, Planning Department staff recommends that the City Commission consider holding an additional public hearing on the proposed text amendments. Please forward the attached resolution for consideration by the City Commission.

YOUR COMMITTEE OF THE WHOLE recommends adoption of the following resolution setting a public hearing to consider amending the Zoning Ordinance (Chapter 61 of the City Code) relative to the implementation of recommendations of the Housing NOW! plan.

WHEREAS:

1. The City Commission desires to advance the development of affordable housing within the City by implementing recommendations of the Housing NOW! plan put forth by the City's Housing Advisory Committee in 2017, and

2. Zoning Ordinance text amendments have been prepared to address the above referenced plan, and

3. The Planning Commission considered the Zoning Ordinance text amendments at a public hearing held on January 25, 2018 and unanimously recommended approval of the amendments, with certain revisions; and

RESOLVED:

1. That the City Commission hereby schedules a public hearing to be held on March 27, 2018 at 7:00 p.m. or soon thereafter to consider various amendments to the Zoning Ordinance (Chapter 61 of the City Code); and

2. That the City Commission hereby directs the City Clerk to publish notice of the public hearing to be held in City Commission Chambers, 300 Monroe Avenue NW, Grand Rapids, MI in a newspaper of general circulation; and

3. In accordance with Title V, Section 10(b) [Compiler's Paragraph 60(b)] of the Charter of the City of Grand Rapids, that the attached Summary of the Ordinance be published in the official City Commission Proceedings and in a newspaper of general circulation in the City, in lieu of publishing the full text of the Ordinance.

4. That the following Ordinance to amend the existing Zoning Ordinance (Chapter 61 of Title V of the Code of the City of Grand Rapids) by incorporating various text changes, be considered for adoption on April 10, 2018.



**SUMMARY OF ORDINANCE 2018 –  
AN ORDINANCE TO AMEND CHAPTER 61 OF TITLE V OF THE CODE OF  
THE CITY OF GRAND RAPIDS ENTITLED ZONING ORDINANCE**

These amendments are intended to Implement the Housing NOW! recommendations put forth by the City's Housing Advisory Committee, which include incentives for small scale residential development, a density bonus for the development of affordable housing, the development of Accessory Dwelling Units by-right within residential zone districts, and the development of attached single-family residential dwelling units by-right within the LDR Zone Districts.

The proposed Zoning Ordinance text and map amendments are available at the City's website at <https://tinyurl.com/GRhousingamendments> or examined in person at the Planning Department, 3rd Floor, 1120 Monroe Avenue NW, Grand Rapids, Michigan 49503, during business hours until 4 p.m. the day of the public hearing. The Planning Department may be contacted at (616)456-4100 or [planning@grcity.us](mailto:planning@grcity.us).

AN ORDINANCE TO AMEND CHAPTER 61 OF TITLE V OF THE CODE OF THE CITY  
OF GRAND RAPIDS ENTITLED ZONING ORDINANCE

ORDINANCE NO. 2018-\_\_

THE PEOPLE OF THE CITY OF GRAND RAPIDS DO ORDAIN:

Section 1. That Subsection C. of Section 5.2.07. Single-Family Dwellings, Detached. of Title V, Chapter 61 of the Code of the City of Grand Rapids be amended to read as follows:

**Sec. 5.2.07. Single-Family Dwellings, Detached.**

C. “Minimum Dimension. Each dwelling shall have a minimum of fourteen (14) feet in any horizontal dimension.”

Section 2. That the Household Living and Accessory Uses rows of the Residential section of Table 5.5.05.B. of Section 5.5.05. Uses of Land. of Title V, Chapter 61 of the Code of the City of Grand Rapids be amended to read as follows:

**Table 5.5.05.B. Uses: Residential Zone Districts**

Table 5.5.05.B. Uses: Residential Zone Districts					
Use Category	Specific Use	TN, MCN, MON		Use or Other Regulations	
		LDR	MDR		
RESIDENTIAL					
"Household Living	Single-family dwelling, detached	P	P	5.2.07.	
	Single-family dwelling, attached	P/S	P	5.5.05.D., 5.9.06.	
	Two-family dwelling - existing	E	P	5.3.05.F.	
	Two-family dwelling - new construction	P/S	P	5.5.05.C., 5.5.06.	
	Multiple family dwelling	Small (4 or less units/building)	P/S/X	P	5.5.05.E., 5.9.20.
		Other (5 or more units/building)	S/X	P	
	Manufactured housing community		X	P	5.9.17.
	Adult foster care	Family home (1-6 residents)	P	P	5.9.04.
		Small group home (7-12 residents)	S	S	
		Large group home (13-20 residents)	X	S	
	Assisted living center		S	S	—
	Nursing/convalescent home		S	S	—
	Residential rehabilitation facility		S	S	5.9.29.
Rooming or boarding house		S	S	5.9.30., Chapter 116	

Use Category	Specific Use	TN, MCN, MON		Use or Other Regulations
		LDR	MDR	
	Single room occupancy (sro)	X	S	5.9.32.
	Transitional or emergency shelter	X	S	5.9.36.
Accessory Uses	Accessory dwelling unit	P	P	5.9.03.
	Accessory structure	P	P	5.2.08.
	Child care home (Family or Group)	P	P	—
	Home occupation (Class A and Class B)	P	P	5.9.14., Chapter 116”

P = Permitted; S = Special Land Use; E = Existing; X = Not Permitted; “—“ = Not Applicable

Section 3. That Subsections C., D., E. and F. be amended to Section 5.5.05. Uses of Land. of Title V, Chapter 61 of the Code of the City of Grand Rapids, as follows:

**Sec. 5.5.05. Uses of Land.**

“

- C. Two-Family Residential Use Restrictions. The construction of a two-family residential dwelling is a Permitted Use within the LDR zone district when the parcel is located within five-hundred (500) linear feet of a TBA, TOD, TCC or C zone district as measured from the closest point of the parcels along the public right-of-way or where located on a corner parcel.
- D. Attached Single-Family Residential Use Restrictions.
  - 1. Where four (8) or less units are constructed in a row, Attached Single-Family Residential dwelling units is a Permitted Use within the LDR zone district when the parcel is located within five-hundred (500) linear feet of a TBA, TOD, TCC or C zone district as measured from the closest point of the parcels along the public right-of-way.
  - 2. Where more than eight (8) units are constructed in row, Attached Single-Family Residential dwelling units are a Special Land Use within the LDR zone district.
- E. Multiple-Family Residential Use Restrictions.
  - 1. The appropriateness of multi-family residential development within the City’s neighborhoods is dependent on location and building form. For this reason, the review process of multiple-family development varies within each residential zone district.
    - a. Within the MDR zone districts, multiple-family residential dwellings are a permitted use, subject to the use regulations of Section 5.9.20.
    - b. Within the LDR zone districts, in addition to the use regulations of Section 5.9.20, the following review standards shall apply:
      - i. Permitted Use. The construction of a Small Multiple-Family Residential development as defined in Article 16, is considered a permitted use when the parcel is located within five-hundred (500) linear feet of a TBA, TOD, TCC or C zone district as measured from the closest point of the parcels along the public right-of-way.
      - ii. Not Permitted. Within the Roosevelt Park Neighborhood, Grandville Avenue provides a unique cadence of commercial and residential

experiences along the corridor represented by pockets of Traditional Business Areas (primarily at corner properties) and longer stretches of detached single-family residential dwellings. The neighborhood desires to maintain this character. The ASP strongly promotes multi-family development in the TBA Zone District to insure a diversity of housing types and the desired density near transit nodes. In light of the ASP recommendations, within the established boundaries of the approved ASP, Multiple-Family Dwellings are not a permitted use within the TN-LDR Zone District.

- iii. Special Land Use. The construction of a Multiple-Family Residential development not meeting the requirements of 5.5.05.D.1.a. and 5.5.05.D.1.b. above shall be reviewed as a Special Land Use.

- F. Off-Street Parking Restrictions. Within the Grandville Avenue ASP, a parking hold line was established to delineate appropriate locations for non-residential off-street parking locations.
1. Surface parking lots that extend beyond the TBZA Zone District hold line shall be prohibited.
  2. Off-street parking facilities as a principal use of a lot is not permitted within the TN-LDR Zone District. “

Section 4. That Table 5.5.06.A. of Section Sec. 5.5.06. Site Layout and Building Placement Requirements of Title V, Chapter 61 of the Code of the City of Grand Rapids be amended in its entirety, as follows:

**Sec. 5.5.06. Site Layout and Building Placement Requirements.**

"Table 5.5.06.A. Site Layout and Building Placement: Residential Zone Districts								
Neighborhood Classification		TN		MCN		MON		Use or Other Regulations
Zone District		LDR	MDR	LDR	MDR	LDR	MDR	
Minimum Lot Area (sq. ft./unit – except as noted)								
Detached single-family, interior		3,800 <sup>1</sup>	2,500 <sup>1</sup>	5,000 <sup>1</sup>	3,000 <sup>1</sup>	7,000 <sup>1</sup>	3,500 <sup>1</sup>	5.5.06.B.
Detached single-family, corner		5,000	3,000	6,000	4,000	8,000	4,500	
Attached single-family		1,500	1,250	2,350	2,000	3,000	3,500	5.5.06.B. 5.5.08.
Two-family (total)		6,000 <sup>1</sup>	5,000 <sup>1</sup>	7,000 <sup>1</sup>	6,000 <sup>1</sup>	9,000 <sup>1</sup>	8,000 <sup>1</sup>	5.5.06.B.
Multiple family/ group living	Minimum (sq. ft./unit)	2,000	1,250	2,500	1,500	2,750	1,750	5.5.09.
	Minimum lot area (total sq. ft.)	—	—	20,000	20,000	25,000	25,000	5.9.20.
Non-residential uses		6,000	6,000	6,000	6,000	6,000	6,000	5.6.07.B.
Minimum Lot Width (ft.)								
Detached single-family, interior		36 <sup>1</sup>	36 <sup>1</sup>	42 <sup>1</sup>	42 <sup>1</sup>	60 <sup>1</sup>	60 <sup>1</sup>	5.5.06.C.

"Table 5.5.06.A. Site Layout and Building Placement: Residential Zone Districts							
Neighborhood Classification	TN		MCN		MON		Use or Other Regulations
Zone District	LDR	MDR	LDR	MDR	LDR	MDR	
Detached single-family, corner	50	50	70	60	70	70	
Attached single-family (per unit)	—	—	35	30	45	40	
Two-family	60 <sup>1</sup>	50 <sup>1</sup>	70 <sup>1</sup>	60 <sup>1</sup>	90 <sup>1</sup>	80 <sup>1</sup>	
Multiple family/group living	90	80	100	90	100	100	
Non-residential uses	80	80	80	80	100	100	
Minimum Setbacks and Yards for Residential Uses (ft.)							
Required Building Line (RBL)	27 <sup>1</sup>	22 <sup>1</sup>	35 <sup>1</sup>	30 <sup>1</sup>	—	—	5.5.06.D.
Front setback	—	—	—	—	30	20	
Interior Side Setback	One side	5	5	7	5	7	5.5.06.E.
	Total both sides	14	14	18	14	18	
Corner Side Setback	One side	5	5	7	5	10	5.5.06.E.
	Total both sides	20	20	20	20	25	
Rear Setback	25	20	25	30	40	30	5.5.06.F.
Minimum Setbacks and Yards for Non-Residential Uses (ft.)							
Front setback	20	20	25	25	25	25	5.5.06.D.
Side setback	10	10	10	10	20	20	5.5.06.E.
Rear setback	25	25	30	30	30	30	5.5.06.F.
See Section 5.11.11.C. for minimum buffer widths where non-residential uses abutting residential uses.							
Building Facade Along RBL (%)	60	60	50	50	—	—	5.5.06.G.
Minimum Green Space at Grade (% of lot area)							
Detached single-family	40	30	50	40	60	50	5.5.06.H.
Attached single-family	40	20	50	30	60	40	
Two-family	35	20	40	25	50	30	
Multiple family	30	20	30	25	30	30	
Non-residential uses	30	30	30	30	30	30	
Minimum Tree Canopy (% of lot area)							
Multiple-family/group living	37	34	48	41	51	35	5.11.09.
Non-residential uses	37	34	48	41	51	35	

<sup>1</sup> This dimension shall apply in areas not established, per Sections 5.2.05.C. and 5.5.06.B-D.

"Table 5.5.06.A. Site Layout and Building Placement: Residential Zone Districts							
Neighborhood Classification	TN		MCN		MON		Use or Other Regulations
Zone District	LDR	MDR	LDR	MDR	LDR	MDR	
"—" = Not Applicable "							

Section 5. That Subsections B. and C. of Section 5.5.06. Site Layout and Building Placement Requirements. of Title V, Chapter 61 of the Code of the City of Grand Rapids be amended, as follows:

**Sec. 5.5.06. Site Layout and Building Placement Requirements.**

- B. "Lot Area.
  - 1. The minimum lot area requirement may not permit allowed densities on every lot. Other factors, such as off-street parking, height limits, dwelling unit sizes and lot configuration may limit the built density.
  - 2. Lot Areas Not Established. On blocks where lot areas are not established, Table 5.5.06.A. Site Layout and Building Placement shall apply.
  - 3. Established Lot Areas. On blocks where lot areas are established, the following shall apply:
    - a. Detached Single Family Dwellings.
      - i. For detached single-family dwellings on interior lots, the lot area shall be at least the median lot area of interior single-family lots on the same block and. For the purposes of this calculation, the same block is defined as both block faces, in the same Zone District, not to exceed five (5) lots on each side of the subject parcel and five (5) lots directly across the street on which there is at least one (1) conforming main structure.
      - ii. For detached single-family dwellings on corner lots, the minimum lot area in Table 5.5.06.A. shall apply.
    - b. Two Family Dwellings.
      - i. For two-family dwellings meeting the locational requirement of Section 5.5.05.C.1, the minimum lot area may be equal to the median lot area of single-family lots on the same block and are not eligible for any lot area reductions as provided in Section 5.5.06.B.3.b.iii and 5.5.06.B.3.b.iv.
      - ii. Except as otherwise permitted above, for two-family dwellings, the minimum lot area shall be thirty (30) percent larger than the median lot area of single-family lots on the same block. For the purposes of this calculation, the same block is defined as both block faces, in the same Zone District, not to exceed five (5) lots on each side of the subject parcel and five (5) lots directly across the street.
      - iii. Reduction (up to one [1]). The minimum lot area may be reduced by an additional ten (10) percent beyond that required in b.ii. above where all of the following conditions apply:
        - (a) Both units are priced at or below thirty (30) percent of the area median household income (as determined by the American Community Survey

of the U.S. Census Bureau), as adjusted for family size, for the census tract in which the development is located, with affordability maintained for at least fifteen (15) years.

- (b) The units are comparable in size, amenities and location with other similar units in the same block.
  - (c) The property owner agrees to the submission of annual reports to the City regarding certification of eligible tenants and purchasers, annual certification of rental property and monitoring of affordable rental housing requirements.
- iv. Reduction (up to two [2]). The minimum lot area may be reduced by an additional ten (10) percent for each dwelling unit that is designed and constructed to meet the Type B Unit accessibility requirements of the ANSI A117.1. standard.
  - v. Reductions may be combined for a cumulative reduction of up to thirty (30) percent.

A. Table 5.5.06.B.3. Use of Minimum Lot Area/Width Reductions Two Family Dwellings - LDR and MDR Zone Districts	
B. Reductions Used	C. Required % of Lot Area/Width Above
D. None	E. 30%
F. 1	G. 20%
H. 2	I. 10%
J. 3	K. None

4. Multiple Family Developments and Group Living. The minimum lot area in Table 5.5.06.A. shall apply to multiple-family developments and group living, except for adult foster care family homes, which shall comply with the requirements for detached single family dwellings.

C. Lot Width.

- 1. Lot Widths Not Established. On blocks where lot widths are not established, Table 5.5.06.A. Site Layout and Building Placement shall apply.
- 2. Established Areas. On blocks where lot widths are established, the following shall apply.
  - a. Detached Single-Family Dwellings.
    - i. For detached single-family dwellings on interior lots, the lot width shall be at least the median lot width of interior single-family lots on the same block. For the purposes of this calculation, the same block is defined as both block faces, and in the same Zone District, not to exceed five (5) lots on each side of the subject parcel and five (5) lots directly across the street.
    - ii. For detached single-family dwellings on corner lots, the minimum lot width in Table 5.5.06.A. shall apply.
  - b. Two-Family Dwellings.

- i. For two-family dwellings meeting the locational requirements of Section 5.5.05.C.a, the minimum lot width may be equal to the median lot width of single-family lots on the same block and are not eligible for any lot width reductions as provided in Sections 5.5.06.B.3.b.iii. and iv.
- ii. Except as otherwise permitted in b.i above, for two-family dwellings on interior lots, the minimum lot width shall be thirty (30) percent larger than the median lot width of single-family lots on the same block. For the purposes of this calculation, the same block is defined as both block faces, in the same Zone District, not to exceed five (5) lots on each side of the subject parcel and five (5) lots directly across the street. In no case shall the lot width be less than the minimum established in Table 5.5.06.A. except as provided in Sections 5.5.06.B.3.b.iii. and iv.
- iii. For two-family dwellings on corner lots, the minimum lot width in Table 5.5.06.A. shall apply except as provided in Sections 5.5.06.B.3.b.iii. and iv.
- c. Multiple Family and Group Living. The minimum lot width in Table 5.5.06.A. shall apply except for adult foster care family homes which shall comply with the regulations applicable to detached single family dwellings.
- d. Administrative Departure. An Administrative Departure of two (2) feet may be approved. In no case shall the lot width be smaller than the minimum established in Table 5.5.06.A.”

Section 6. That Subsection I. of Section 5.5.06. Site Layout and Building Placement Requirements. of Title V, Chapter 61 of the Code of the City of Grand Rapids be amended, as follows:

**Sec. 5.5.06. Site Layout and Building Placement Requirements.**

I. “Residential Bonuses.

- 1. Purpose. The Master Plan calls for a range of housing types and price points within neighborhoods to accommodate all residents regardless of income, special need or place in life cycle. Developments can receive bonuses as outlined in this Section by providing additional accessibility and housing that is affordable to a wide range of residents.
- 2. Housing Bonuses. Bonuses are available for two-family and multiple family developments in accordance with the provisions of Table 5.5.06.I.2.

<b>Table 5.5.06.I.2. Summary of Available Residential Bonuses</b>				
<b>Condition</b>		<b>Districts</b>	<b>Incentive/Bonus</b>	<b>Bonus</b>
Accessible Housing	Two-family residential	LDR, MDR	5.5.06.I.3.a	Reduced minimum lot area/width
	Multiple-family residential		5.5.06.I.3.b	Reduced lot area per dwelling
Affordable Housing	Multiple-family residential	LDR, MDR	5.5.06.I.4.a	Reduced lot area per dwelling



Mixed-Income Residential	Two-family residential	LDR	5.5.06.I.5.a	Reduced minimum lot area/width
Mixed-Income Residential	Multiple-family residential	LDR, MDR	5.5.06.I.5.b	Reduced lot area per dwelling

3. Accessible Housing. Bonuses are available for two-family and multiple family developments when units are designed and constructed to meet the ANSI A117.1 standards for Type B accessible units when the following conditions are met.
  - a. Two-Family Developments. The minimum lot area for two-family residential developments may be reduced where the conditions of Section 5.5.06.B.3.b.iii. are met.
  - b. Multiple-Family Developments. The minimum lot area for a multiple family development may be reduced by up to five hundred (500) square feet per dwelling unit when at least twenty-five (25) percent of the units are accessible.
4. Affordable Housing Bonuses. Bonuses are available in accordance with the provisions of Table 5.5.06.I.2. when the following conditions are met.
  - a. Multiple-Family Developments. The minimum lot area for a multiple family development may be reduced by up to five hundred (500) square feet per dwelling unit for a project that satisfies the following criteria:
    - i. If rental units, not less than thirty (30) percent of the total number of units are priced for households at or below sixty (60) percent of Area Median Income, as adjusted for family size, with rental charges remaining affordable for at least fifteen (15) years.
    - ii. If owner units, not less than thirty (30) percent of the total number of units are priced for households at or below sixty (60) percent of Area Median Income, as adjusted for family size.
    - iii. The affordable units shall be comparable in unit sizes, amenities and location with the market rate units.
    - iv. The property owner agrees to the submission of annual reports to the City regarding certification of eligible tenants and purchasers, annual certification of rental property and monitoring of affordable rental housing requirements.
    - v. That the property owner agrees in a writing recorded with the Kent County Register of Deeds and in a form approved by the City Attorney, that continual compliance with all conditions contained herein are necessary to maintain compliance with this Chapter. A violation of any condition is a violation of the Zoning Ordinance and is a nuisance per se for which the City of Grand Rapids may in addition to other remedies, institute any court or enforcement action provided for by law, including but not limited to, seeking injunctive relief or abatement after a notice and hearing before the Board of Zoning Appeals.
5. Mixed-Income Housing. Bonuses are available in accordance with the provisions of Table 5.5.06.I.2. when the following conditions are met.

- a. Two-Family Developments. The minimum lot area for two-family residential developments may be reduced where the conditions of Section 5.5.06.B.3.b.ii. are met.
  - b. Multiple-Family Developments. The minimum lot area for a multiple family development may be reduced by up to five hundred (500) square feet per dwelling unit for a project that satisfies the following criteria:
    - i. Project is located within three hundred (300) feet of a transit line;
    - ii. At least twenty (20) dwelling units are developed as part of the project;
    - iii. If rental units, not less than fifteen (15) percent nor more than thirty (30) percent of the total number of units are priced for households at or below sixty (60) percent of Area Median Income, as adjusted for family size, with rental charges remaining affordable for at least fifteen (15) years.
    - iv. If owner units, not less than fifteen (15) percent nor more than thirty (30) percent of the total number of units are priced for households at or below eighty (80) percent of Area Median Income, as adjusted for family size.
    - v. The remaining units are priced at market rate.
    - vi. The affordable units shall be comparable in unit sizes, amenities and location with the market rate units.
    - vii. The property owner agrees to the submission of annual reports to the City regarding certification of eligible tenants and purchasers, annual certification of rental property and monitoring of affordable rental housing requirements.”
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Section 7. That Subsection B. of Section 5.5.07. Building Element Requirements. of Title V, Chapter 61 of the Code of the City of Grand Rapids be amended, as follows:

**Sec. 5.5.07. Building Element Requirements.**

**B. “Building Height.**

- 1. See Section 5.2.06. Building Height for additional information and exceptions.
  - 2. In keeping with the character of the TN Neighborhood Classification the entire height of the first floor or ground floor shall be at or above grade.
  - 3. Residential building heights may be increased from the requirements of Table 5.5.07.A. by Special Land Use approval. The Planning Commission shall take into consideration the neighborhood context, scale, massing and compatibility of the proposed structure in making its decision.”
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Section 8. That the Household Living and Group Living rows in the Residential Use Category of Table 5.6.06.B. Uses: Mixed-Use Commercial Zone Districts of Section 5.6.06. Uses of Land. of Title V, Chapter 61 of the Code of the City of Grand Rapids be amended to read as follows:

**Table 5.6.06.B. Uses: Mixed-Use Commercial Zone Districts**

**Table 5.6.06.B. Uses: Mixed-Use Commercial Zone Districts**

Use Category	Specific Use	TN			TN MCN MON	MCN MON	NOS	Use or Other Regulations	
		CC*	TCC	TBA	TOD**	C			
RESIDENTIAL									
"Household Living	Dwellings	Ground floor	S	P	E	P/S/E	E	P	Exception, 5.6.06.E
		Upper floors	P	P	P	P	P	P	-
	Household living		P	P	P	P	P	P	5.6.06.E , 5.9.03. 5.9.20.
	Lodging, extended stay		P	P	S	S	S	X	5.6.06.E
	Manufactured housing community		X	X	X	X	X	X	5.6.06.E , 5.9.17.
	Live-work unit		P	P	P	P	P	P	5.6.06.E, 5.9.16
Group Living (including residential care)	Group living	P	P	S	S	S	S	5.6.06.E, 5.9.04. 5.9.29. 5.9.30. 5.9.32. 5.9.36."	

Section 9. That the Residential (sq. ft./unit) row of Table 5.6.07.A. Site Layout and Building Placement: Mixed-Use Commercial Zone Districts of Title V, Chapter 61 of the Code of the City of Grand Rapids be amended to read as follows:

**Table 5.6.07.A. Site Layout and Building Placement: Mixed-Use Commercial Zone Districts**

Table 5.6.07.A. Site Layout and Building Placement: Mixed-Use Commercial Zone Districts										
Neighborhood Classification	TN				MCN		MON		NOS	Other Regulation s
	Zone District	CC	TCC	TBA	TOD	C	TOD	C		
Residential (sq. ft./unit)	-	750	750	-	1,750	-	2,000	1,000	"1,250"	5.6.07.B.

Section 10. That Subsection B.2. of Section 5.6.08. Building Element Requirements of Title V, Chapter 61 of the Code of the City of Grand Rapids be amended to read as follows:

2. "Bonus Allowances. Buildings may qualify for a bonus height and other allowances based upon the Gross Floor Area (GFA) of the development devoted to the features and the activity established in Table 5.6.08.B.3 Bonus Table. Bonus height allowances may be used in combination provided that building

heights shall not exceed the maximum number of stories in Table 5.6.08.A. Building Elements.

- a. **Urban Open Space Bonus.** To qualify for this bonus provision, at least the minimum noted urban open space shall be provided on the site, with public access directly from the sidewalk at ground level. The façade along the RBL requirement of Section 5.6.08.D. may be reduced to twenty (20) percent (e.g. a 90% requirement may be reduced to 70%) by the Director if deemed necessary to accommodate the installation of qualifying urban open space. The Director shall grant only that reduction necessary to accommodate the urban open space.

<b>Table 5.6.08.B.3. Bonus Table</b>				
<b>Activity/Facility Provided</b>	<b>District</b>	<b>Activity Bonus</b>		<b>Bonus</b>
Urban Open Space (5.6.08.B.2.a.)	TCC, TBA, TOD, C	Minimum site area	25%	1 story
			50%	2 stories
Mixed-Income Housing (5.6.08.B.2.b.)	TCC, TBA, TOD, C	Minimum lot area/dwelling unit may be reduced by up to 500 sq. ft. per unit for providing a mix of affordable and market rate		# of units
		Mix of affordable and market rate dwelling units		1 story
Transit Station (5.6.08.B.2.c.)	TCC, TOD, PRD	Transit station along the assigned Bus Rapid Transit (BRT) route as approved by The Rapid		3 stories
Micro-Unit (5.6.08.B.2.d)	TCC, TBA, TOD, C	Minimum lot area per dwelling unit waived		
Affordable Housing (5.6.08.B.2.e)	TCC, TBA, TOD, C	Minimum lot area/dwelling unit may be reduced by up to 500 sq. ft. per unit for affordable units		# of units
Bonus heights for the TN-CC Zone District are described in Section 5.8.02.C. under the OD-DH Overlay District.				

- b. **Mixed-Income Housing Bonus.** Two (2) bonus options are available for development projects that satisfy the criteria below. The minimum lot area per dwelling unit in a multiple family development may be reduced by up to five hundred (500) square feet per unit; and/or one (1) additional story above the maximum permitted by the Zone District.
  - i. Project is located within three hundred (300) feet of a transit line, as measured from the nearest lot line to the right-of-way of the street along which the transit line runs;
  - ii. The development includes at least twenty (20) dwelling units;
  - iii. Not less than fifteen (15) percent nor more than thirty (30) percent of the total number of rental units are priced for households at or below sixty (60) percent of Area Median Income, as adjusted for family size, with rental charges priced by the same method for at least fifteen (15) years.
  - iv. Not less than fifteen (15) percent nor more than thirty (30) percent of the total number of ownership units are priced for households at or below eighty (80) percent of Area Median Income, as adjusted for family size.

- v. The remaining units are priced at market rate.
  - vi. The affordable units shall be comparable in unit sizes and amenities to the market rate units, and shall be evenly distributed throughout the development.
  - vii. Provisions shall be made for the annual certification of eligible tenants and purchasers, certification of rental property and monitoring of affordable housing requirements. A density agreement shall be approved by the City Commission.
- c. **Transit Station Bonus.** The transit station bonus shall only be approved as part of a submittal for a large development project at a location recognized by The Rapid as a desirable transit station for bus rapid transit (BRT) or trolley. A notarized statement from the Rapid verifying that the proposed transit station location and design is acceptable is required. The minimum dollar amount dedicated for this purpose shall be commensurate with the median cost of land per buildable square foot in the general vicinity. Transit station development shall reflect the intent of urban open space requirements in Section 5.11.14. Development of the station shall be accomplished using one (1) of the following methods.
- i. Construction by the developer shall require the submittal of appropriate drawings, detailed construction commitments, a construction schedule, and a performance guarantee meeting the requirements of Section 5.14.04 for completion of the improvements, to be approved by the City Engineer and the transit authority.
  - ii. Cash contribution for transit station improvements that are to be undertaken by agencies such as The Rapid, shall enter into an agreement with the City of Grand Rapids and the agency undertaking the improvement. All agreements shall be in a form approved by the City Attorney.
- d. **Micro-Unit Density Bonus.** The minimum lot area per dwelling unit in a multiple family development may be waived when all of the following conditions are met.
- i. The unit has a GFA of no more than four hundred seventy-five (475) square feet;
  - ii. The primary entrance of the building containing the unit(s) is located no more than three hundred (300) feet from a transit station or stop;
  - iii. In addition to required vehicle parking per Section 5.10.04.C., two (2) bike spaces per unit are provided, and;
  - iv. The unit shall be subject to the occupancy limitations of the International Property Maintenance Code, as amended.
- e. **Affordable Housing Bonus.** Bonuses are available in accordance with the provisions of Table 5.6.08.B.3. when the following conditions are met:
- b. **Multiple-Family Developments.** The minimum lot area for a multiple family development may be reduced by up to five hundred (500) square feet per dwelling unit for a project that satisfies the following criteria:
    - 1. If rental units, not less than thirty (30) percent of the total number of units are priced for households at or below sixty (60) percent of Area

- Median Income, as adjusted for family size, with rental charges remaining affordable for at least fifteen (15) years.
2. If owner units, not less than thirty (30) percent of the total number of units are priced for households at or below sixty (60) percent of Area Median Income, as adjusted for family size.
  3. The affordable units shall be comparable in unit sizes, amenities and location with the market rate units.
  4. The property owner agrees to the submission of annual reports to the City regarding certification of eligible tenants and purchasers, annual certification of rental property and monitoring of affordable rental housing requirements.
  5. That the property owner agrees in a writing recorded with the Kent County Register of Deeds and in a form approved by the City Attorney, that continual compliance with all conditions contained herein are necessary to maintain compliance with this Chapter. A violation of any condition is a violation of the Zoning Ordinance and is a nuisance per se for which the City of Grand Rapids may in addition to other remedies, institute any court or enforcement action provided for by law, including but not limited to, seeking injunctive relief or abatement after a notice and hearing before the Board of Zoning Appeals.”
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Section 11. That the Accessory dwelling units row of Table 5.9.02. Use Regulations and Approval Process. of Title V, Chapter 61 of the Code of the City of Grand Rapids be amended to read as follows:

**Table 5.9.02. Use Regulations and Approval Process**

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

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Section 12. That Section 5.9.03. Accessory Dwelling Units (ADU.) of Title V, Chapter 61 of the Code of the City of Grand Rapids be amended in its entirety, as follows:

**Sec. 5.9.03. Accessory Dwelling Units (ADU).**

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

- A. Not more than one (1) Accessory Dwelling Unit (ADU) may be included within a detached single-family dwelling (primary dwelling unit), or accessory structure, or separate from but located on the same lot as a detached single-family dwelling.
- B. Minimum Lot Area. An ADU may be developed on a lot meeting the minimum lot size for the applicable zone district.

- C. Residential Density. The ADU shall be excluded from maximum residential density requirements.
  - D. Building Height.
    - 1. The portion of a single family detached dwelling with an ADU, when newly added, shall not exceed the permissible main building height of the Zone District. The Planning Commission may increase the height of an accessory structure occupied by an ADU up to a maximum of twenty-five (25) feet.
    - 2. The maximum permitted height for a detached ADU is twenty-five (25) feet where the applicable zone district setback requirements for a primary structure are met. Where zone district setback requirements for a primary structure cannot be satisfied, the detached ADU shall be no higher than (20) feet.
  - E. Maximum Floor Area. The maximum permitted floor area for an accessory structure that contains an ADU may be increased by one-hundred (100) percent solely for the construction of a second-floor unit.
  - F. Front Yard Prohibited. If not part of the main building, the ADU shall not be in the front yard.
  - G. Minimum/Maximum ADU Size. The ADU shall not exceed forty (40) percent of the gross floor area of the primary dwelling unit, but in any case shall be at least four hundred (400) square feet and not larger than eight hundred fifty (850) square feet in gross floor area.
  - H. Owner Occupancy. One (1) of the dwelling units shall be owner-occupied. If the ADU is leased, it shall be registered with the City as required in Chapter 140 of the City Code.
  - I. Leasing or Rental. No ADU shall be leased or rented for less than thirty (30) days, and shall not be used as a short-term rental.
  - J. Alterations or New Construction. Any alterations to existing buildings or structures or the construction of a new structure to accommodate the ADU shall be designed to maintain the architectural design, style, appearance and character of the main building as a detached single-family dwelling, including but not limited to entrances, roof pitch, siding and windows.
  - K. Deed Restriction. A deed restriction enforceable by the City shall be recorded prior to the issuance of a building permit stipulating that the ADU will not be conveyed separately from the primary dwelling unit. An alternative form of security may be substituted if it meets the intent of this provision and is approved by the City Attorney.”
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Section 13. That Section. 5.9.06. Attached Single-Family and Two-Family Dwellings. of Title V, Chapter 61 of the Code of the City of Grand Rapids be amended in its entirety to be replaced, as follows:

**“Sec. 5.9.06. Attached Single-Family**

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

- B. Conversion. The conversion of attached single-family to a higher density on the same lot is prohibited, except where the building exceeds five thousand (5,000) square feet in gross floor area and the Director determines that the size of the house is out of character with other nearby residential uses, the use shall be heard as a Special Land Use by the Planning Commission to determine the appropriate number of units.
- C. Minimum Setbacks.
  - 1. Interior Lots. The minimum required interior side setback on the side of the dwelling unit containing the common wall is reduced to zero. The (interior) side and rear setback standards of the Zone District apply around the perimeter of the project.
  - 2. Corner Lots.
    - a. The interior side setback may be reduced to zero. However, the remaining side setback must comply with the standards of the Zone District.
    - b. The required building setback from one (1) front lot line may be reduced to fifteen (15) feet. This setback may be further reduced to match the predominant setbacks of adjoining structures on the same side of the street between the nearest intersecting streets or alleys, provided that a minimum setback of three (3) feet is provided in all cases.
- D. Minimum Building Width. Each dwelling shall have a minimum dimension of fourteen (14) feet in any horizontal dimension.
- E. Separation Between Walls.
  - 1. When the end wall of a row of attached single-family dwellings faces the front wall or rear wall of another row of attached dwellings, there shall be at least twenty (20) feet between the main buildings (excluding minor building projections allowed under Section 5.2.05.).
  - 2. Driveways, walkways, and open parking areas may be located within this separation area, provided that landscaped planting areas with a minimum separation of four (4) feet from one (1) building wall are provided.
- F. Building Facades on Public Streets.
  - 1. Building Facades. Building facades that face public streets shall include elements typical of a front facade, including doors and/or windows.
  - 2. Attached Single-Family Dwelling Facade Treatment. The front of each dwelling must be distinct through either the use of different facade materials; staggered building lines of at least two (2) feet; an identifiable permanent architectural design element such as a chimney; pilaster or column (excluding gutter spouts or siding trim); or a combination of these methods.
- G. Attached Single-Family Roof Line. The roof line of each dwelling must be distinct through either a separation of roof pitches (minimum difference at least five (5) degrees), a difference in roof direction, a difference in roof height (minimum of two [2] vertical feet), or a combination of both methods.
- H. Garage Doors.
  - 1. Attached Single-Family Garage Door Entrances.
    - a. Garage door entrances for individual dwellings shall not face a public street. Alleys or interior driveways shall be used for access. This provision is not intended to prohibit garage doors that serve common parking areas.



- b. Administrative Departure. Garages for individual dwellings may be approved to face a public street where site conditions warrant. If approved, garage doors shall be set back at least twenty (20) feet from the front lot line. Garage doors shall be subject to the same transparency requirements as the building facade.
  2. Maximum Width. Garage doors facing the street may not occupy more than forty (40) percent of the width of the street-facing facade of the main building. The maximum continuous, uninterrupted width of a garage door (or combination of smaller, single-car garage doors) along the street-facing facade may not exceed twenty-five (25) feet. A minimum separation of two (2) feet is required between garage doors.
  3. Recess. All garage doors must be recessed at least five (5) feet from the front building wall nearest the front lot line.
- I. Private Yards.
  1. Minimum Area. Each attached single-family dwelling shall have at least two hundred (200) square feet of private yard with a minimum dimension of five (5) feet. All private yards shall have a minimum contiguous area of.
  2. Location. For attached single-family dwellings, the private yard shall be contiguous to individual units, immediately adjacent to a wall of the dwelling it serves.
  3. At Grade. Required private yards may be at grade, or within four (4) feet of grade if a terrace or patio. An Administrative Departure may be approved for a deck that is more than four (4) feet above grade.
  4. Contiguous to Common Open Space. Required private yards for attached single-family dwellings may be within a common open space area provided that the common area is contiguous and directly accessible to the dwelling and the private yard area exceeds the minimum required common open space.
  5. Driveways and Parking. No driveways or off-street parking spaces (open or enclosed) may be located within required private yards.
- J. Attached Single Family Dwellings - Common Open Space.
  1. Minimum Required Open Space. In addition to required private yards in Section 5.5.08.K., an attached single-family dwelling development of forty (40) or more units must provide a minimum of one hundred fifty (150) square feet of common open space per dwelling unit.
  2. Minimum Dimensions. Required common open space must be located on the same lot as the development and in one (1) or more usable, common areas, each with minimum dimensions of twenty-five (25) feet and a minimum area of two thousand (2,000) square feet.
  3. Accessibility and Landscaping. Common open space areas must be accessible to all attached single-family dwellings and must be improved with landscaping, recreational facilities, and/or walkways.
  4. Trees. Trees must be planted within common open space areas at the rate of one (1) tree for every one thousand (1,000) square feet of required common open space. All trees must have a minimum two and one-half (2½) inch caliper.
  5. Driveways and Parking. No driveways or off-street parking spaces (open or enclosed) may be located within the common open space. Bollards, curbs, wheel

stops or other similar features shall be provided to ensure that required open space is not used for off-street parking, loading or vehicle circulation.”

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Section 14. That Section. 5.9.20. Multiple-Family Dwellings. of Title V, Chapter 61 of the Code of the City of Grand Rapids be amended in its entirety, as follows:

**Sec. 5.9.20. Multiple-Family Dwellings.**

- A. “Applicability. The following requirements apply to multiple-family dwellings, not including attached single-family dwellings, within any Residential Zone District, unless otherwise noted.
- B. Location.
  - 1. Except as otherwise permitted in Section 5.5.05.D.1.b.i, multiple-family dwellings within the LDR and MDR zone districts shall be located on a Regional Street, Major City Street or City Collector Street, or within two hundred (200) feet of a Regional or Major Street as defined in the City’s *Street Classification Policy*.
  - 2. For parcels within the TOD Zone District, a ground floor residential use is a Permitted Use, except that a Special Land Use approval shall be required when the use is proposed within one hundred (100) feet of a Major or Regional Street.
- C. Conversions. Existing single-family and two-family dwellings shall not be converted to a multiple-family dwelling except as provided in Sections 5.2.07. and 5.5.08.
- D. Open Space.
  - 1. Minimum Required Greenspace or Urban Open Space.
    - a. In the MCN and MON district, every residential unit shall have a minimum of sixty-five (65) square feet of greenspace or urban open space and the required open space must be provided on the same lot as the dwelling unit(s) it serves.
    - b. The open space area shall be substantially covered with grass, ground cover, shrubs, plants, trees or usable outdoor space open features, such as walkways or patios.
    - c. The open space area shall not be less than twelve (12) feet in any dimension.
    - d. The open space area must be usable, and cannot be occupied by mechanical equipment, dumpsters or service areas.
  - 2. Required Rear Yard. In the MCN and MON districts, the required rear yard open space shall be within the rear yard, at ground level or, if on a terrace or patio, within four (4) feet of ground level. Where structures are in the rear yard setback and do not exceed six (6) feet in height, required open space may be provided directly above the structures.
- E. Driveways and Parking. No driveways or off-street parking spaces (open or enclosed) shall be within the required rear yard space. Bollards, curbs, wheel stops or other similar features shall be provided to ensure that required rear yard open space is not used for off-street parking, loading or vehicle circulation.
- F. Building Elements.
  - 1. In addition to the Building Element standards of Section 5.5.07, where Small Multiple-Family residential developments are a Permitted Use within the LDR zone districts, the following standards must be met:

- a. Building Footprint. The maximum building footprint of the primary structure shall be no greater than one-hundred and fifty percent (150) of the median building footprint of single-family structures on the same block. For the purposes of this calculation, the same block is defined as both block faces, in the same Zone District, not to exceed five (5) lots on each side of the subject parcel and five (5) lots directly across the street.
- b. Building Width. The maximum building width of the primary structure shall be no greater than one-hundred and fifty percent (150) of the median building footprint of single-family structures on the same block. For the purposes of this calculation, the same block is defined as both block faces, in the same Zone District, not to exceed five (5) lots on each side of the subject parcel and five (5) lots directly across the street.
- c. Building Separation. Where more than one structure is proposed, the minimum building separation shall be a minimum of ten (10) feet.
- d. Entrances. In addition to the requirements of Section 5.5.07.E, one entrance on a multiple-family structure facing a Primary Street shall be allowed. “

Section 15. That the Accessory Uses row of Table 5.10.04.C. Off-Street Parking Requirements. of Title V, Chapter 61 of the Code of the City of Grand Rapids be amended to read as follows:

<b>Table 5.10.04.C. Off-Street Parking Requirements</b>					
<b>Use Category</b>	<b>Use</b>	<b>Zone District*</b> * See Section 5.10.04.F. for TN-CC Requirements			<b>Measurement/ Additional Requirements</b>
		<b>TN-TCC; TN-TOD</b>	<b>TN-MDR; TN-TBA; MCN-TOD; MON-TOD</b>	<b>All Other Zone Districts</b>	
		<b>Number of Parking Spaces</b>			
<b>RESIDENTIAL</b>					
Accessory Uses	Accessory dwelling unit	1	1	1	“Per dwelling unit plus 1 per bedroom over 2 bedrooms”

Section 16. That the definition of DWELLING UNIT, MULTIPLE-FAMILY OR MULTI-FAMILY in HOUSEHOLD LIVING (DWELLING UNIT) in Subsection H. of Section 5.16.02. - Definitions. of Title V, Chapter 61 of the Code of the City of Grand Rapids be amended, as follows:

**Sec. 5.16.02. - Definitions.**

H. Definitions—H.

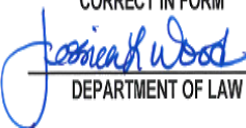
HOUSEHOLD LIVING (DWELLING UNIT)

- 7. “DWELLING UNIT, MULTIPLE-FAMILY OR MULTI-FAMILY. A building or lot containing three (3) or more dwelling units, each of which is totally separated from the other units, any two (2) or more of which may be provided with a

common entrance or hall. Includes dwelling units on upper stories of a structure with non-residential uses on other stories.

- a. DWELLING UNIT, MULTIPLE-FAMILY, SMALL. A building containing four (4) or less separate dwelling units.
- b. DWELLING UNIT, MULTIPLE-FAMILY, OTHER. A building containing five (5) or more separate dwelling units. “

Prepared by Elizabeth Zeller

CORRECT IN FORM  
  
DEPARTMENT OF LAW