



# CITY OF GRAND RAPIDS AGENDA ACTION REQUEST

**DATE:** March 5, 2024

**TO:** Mark Washington, City Manager

**COMMITTEE:** Committee of the Whole  
**LIAISON:** Mark Washington, City Manager

**FROM:** Kristin Turkelson, Planning Director  
Planning, Design & Development

**SUBJECT:** **Resolution setting a public hearing on March 19, 2024 and consideration of an ordinance on April 23, 2024 for Zoning Ordinance housing policy text amendments**

The Zoning Ordinance text amendments to be considered are intended to increase housing supply, diversify housing types, and increase housing affordability. A detailed briefing will be provided in connection with this item.

## **BACKGROUND**

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

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

Since July 2023, the Planning Commission, with the support of city staff, began thorough deliberation on each of the five categories. On September 28, 2023, the Commission

discussed changes to regulations for accessory dwelling units (ADUs) and the number of unrelated occupants that may occupy a household. On November 9, 2023, the Commission discussed group living uses, small scale residential infill/missing middle housing, and parking requirements. And finally, on January 11, 2024, the Commission reviewed the draft text amendments to ensure the desired changes were accurately captured and were ready for a public hearing.

## **SUMMARY OF PROPOSED HOUSING POLICY TEXT AMENDMENTS**

### **Accessory Dwelling Units**

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

### **Unrelated Occupants**

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

### **Group Living**

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

### **Small Scale Residential Infill**

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

## **Parking**

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

## **ADDITIONAL CONTEXT**

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

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

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

### ***Housing Next***

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

1. Housing availability. A major factor that is influencing affordability right now is the relative scarcity of available homes on the market. When fewer homes are available for sale, local buyers are forced to compete for the handful of homes that are available. This competition pushes prices up.
  - a. In the current market, even though a homeowner could potentially sell their home for two or three times what they paid for it, the limited housing options for relocation in the community that would suit their needs and budget may drive them not to sell, further reducing housing availability.
  - b. When homes do become available for sale, recent market trends have been favoring homeowners rather than landlords. The current average price to purchase an older home in Grand Rapids cannot be justified by local rental

rates. In other words, many landlords cannot recoup their costs when buying older homes given the repairs that may be necessary to satisfy code requirements. For example, in the 49507 zip code between the 2011 and 2021 census years, there was a decrease in the number of two-unit, three-unit, and four-unit structures (-410), and there was an increase in the number of single family homes (+220). There was also an increase in the number of owner-occupied structures (+424). These trends occurred despite the fact that the City Zoning Ordinance was amended to allow for duplexes by-right on corner lots. While market forces currently favor homeowners, the majority of homeowners entering the housing market are earning well over the median income and are not representative of the income demographics of the households that have traditionally lived in these neighborhoods for the last 30-40 years.

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

5. **Equitable Development.** Several organizations are currently working to establish an Equitable Development Initiative in Kent County that would support small-scale emerging developers and minority developers. As the region grows and more housing is created, our collective goal is to ensure that smaller scale developers and minority developers have an equitable opportunity to capture a share of the wealth that is created in the process of growing local/regional housing supply. This initiative is expected to include a mentorship component as well as direct access to capital for developers who do not have access to significant assets to start their first development on their own.

Creating small-scale, financially viable opportunities to break into the development business is important to catalyze more emerging developers in this space. A critical component of this is aligning local zoning codes with housing needs and financially viable product types – assuming impact capital as the lead investor.

### **Mobile GR**

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

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

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

Every year, Mobile GR assesses parking demand and availability in residential neighborhoods and business districts. In qualifying areas with heavy parking demand, City staff propose Residential Parking Permit (RPP) Zones. RPP Zones prioritize parking

spots for residents within the area. To park within an RPP Zone, you must be a resident or a guest of a resident and must have a Residential Parking Permit. Vehicles parked within an RPP zone without a permit will be subject to parking enforcement. Residents within RPP Zones can apply for a permit for a small permit fee. Permit fees are \$30 and the program allows for fee waivers for qualified residents as well as free caregiver permits. Additional information about the RPP program can be found on the City's website [here](#).

*GR Forward*, adopted by City Commission in December 2015, included a recommendation to eliminate parking minimums in the Downtown Zone District. Parking minimums were eliminated in 2016 for the Downtown Zone District. Since that time parking has still been included as part of new developments. However, without a parking minimum, constructed parking has been driven by private sector demand. Since 2016, the City has increased mobility investments to better support transportation access across the City. The City's DASH service was recently expanded to a new route that extends Wednesday – Sunday service to westside neighborhoods at the Creston neighborhood in addition to downtown. This service includes late night weekend service. The City also continues to partner with the Rapid on making service improvements to existing fixed route bus service across the City. Currently, the Rapid is developing a Transit Master Plan in coordination with the City's Community Master Plan to ensure that transit service can adequately address the growing needs of the City of Grand Rapids.

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

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

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

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

The City also maintains an annual capital project program to improve biking and walking across the City. Annual projects include investments in protected bicycling infrastructure and pedestrian crossing improvements. In November 2023, the City completed a two-way curb lane protected bicycle facility on Turner Avenue from Richmond to 6<sup>th</sup> Street on the west side of the Grand River. Additional annual investments in protected bicycling projects and neighborhood bicycling greenways are budgeted for future years.

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

### **SUMMARY OF OTHER PROPOSED TEXT AMENDMENTS**

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

### **PLANNING COMMISSION**

At the Planning Commission meeting of January 25, 2024, the Planning Director provided a detailed overview of the proposed text amendments, with assistance from the City's Housing Practice Leader, Ryan Kilpatrick of Housing Next.

In association with the public hearing as well as during preparatory discussions during previous Planning Commission meetings, a significant amount of written and oral public input on the text amendments was received, both in support of and in opposition to the changes.

- September 28, 2023 – [public comment](#), written communications ([a](#))

- October 26, 2023 – [public comment](#), written communications ([a](#), [b](#))
- November 9, 2023 – [public comment](#)
- January 11, 2024 - [public comment](#)
- January 25, 2024 – [public hearing](#) (beginning at 1:15), [written communications](#)

After the public hearing, the Planning Commission deliberated on the text amendments, with each Commissioner explaining in detail the rationale for how they planned to vote. All Commissioners supported the text amendments as proposed, with a vote of 9-0.

### **City Commission Action**

Given the significant policy change represented by the proposed amendments, the attached resolution schedules a public hearing for March 19, 2024. Subsequent to the public hearing, the ordinance will be presented for City Commission consideration on April 23, 2024.

Prepared by Elizabeth Zeller, Planning Supervisor

Your COMMITTEE OF THE WHOLE recommends the adoption of the following resolution setting March 19, 2024 as the date to hold a public hearing and April 9, 2024 as the date to consider Zoning Ordinance text amendments pertaining to housing policy.

WHEREAS:

1. The City of Grand Rapids is experiencing a significant shortage of affordable housing and housing supply; and
2. The text amendments are intended to increase housing supply, diversify housing types, and increase housing affordability.
3. The proposed text amendments support the City of Grand Rapids Community Master Plan, the City of Grand Rapids Strategic Plan, the Grand Rapids/Kent County Housing Needs Assessment; and
4. The Planning Commission recommended approval of the text amendments after holding a public hearing on January 25, 2024, at which time all interested persons had an opportunity to be heard.

RESOLVED:

1. That the City Commission hereby schedules a public hearing to take public testimony on the following amendments to Chapter 61 of Title V of the Code of the City of Grand Rapids on March 19, 2024 at 7:00 p.m. or soon thereafter; and
2. That the City Commission hereby directs the City Clerk to publish notice of the public hearing to be held at Harrison Park Academy, 1440 Davis Ave. 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, and
4. That the amendments be considered for adoption by the City Commission at its meeting of April 9, 2024.

SUMMARY OF ORDINANCE 2024 –  
AN ORDINANCE TO AMEND CHAPTER 61 OF TITLE V OF THE CODE OF  
THE CITY OF GRAND RAPIDS ENTITLED ZONING ORDINANCE

The City of Grand Rapids is requesting consideration of Zoning Ordinance text amendments intended to increase housing supply, diversify housing types, and increase housing affordability. Major changes generally fall within five categories: Accessory Dwelling Units, Unrelated Occupants, Group Living Uses, Small Scale Residential Infill, and Parking Requirements. Other amendments meant to clarify and correct previously adopted language.

The proposed Zoning Ordinance text amendments are available at the City's website at <http://tinyurl.com/textamend2024> or examined by contacting the Planning Department at (616)456-4100 or [planning@grcity.us](mailto:planning@grcity.us) during business hours.

**ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 61, TITLE V OF THE CODE OF THE CITY OF GRAND RAPIDS ENTITLED “ZONING ORDINANCE”**

**ORDINANCE NO. 2024-\_\_**

**THE PEOPLE OF THE CITY OF GRAND RAPIDS DO ORDAIN:**

Section 1. That the Single room occupancy (SRO) row of Household Living of Title V, Chapter 61, Table 5.05.05.B. of Section 5.5.05 of the Code of the City of Grand Rapids be amended to read as follows:

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

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

Section 2. That the Transitional or emergency shelter row of Household Living of Title V, Chapter 61, Table 5.05.05.B. of Section 5.5.05. of the Code of the City of Grand Rapids be amended to read as follows:

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

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

Section 3. That the Accessory dwelling unit row of Accessory Uses of Title V, Chapter 61, Table 5.05.05.B. of Section 5.5.05. of the Code of the City of Grand Rapids be amended to read as follows:

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

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

Section 4. That Title V, Chapter 61, Section 5.5.05. of the Code of the City of Grand Rapids be amended to read as follows:

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

"C. *Attached Single-Family Residential Use.* For development of Attached Single-Family dwellings on a single lot.

1. Permitted Use within LDR zone districts where the following conditions apply:
  - a. Where four (4) or fewer units are constructed in a row on a vacant lot and no demolition is required; and
  - b. The parcel is located within five-hundred (500) linear feet of a TBA, TOD, TCC or C Zone District, as measured from the closest point of the parcels along the public right-of-way.
2. Special Land Use within LDR zone districts where the following conditions apply:
  - a. Where demolition of an existing structure is required; or
  - b. More than five (5) units are constructed in a row.

D. *Two-Family Residential Use.* A two-family residential dwelling is a Permitted Use within LDR zone districts when located on a corner lot.

E. *Multiple-Family Residential Use.* A multiple-family residential development of six (6) or fewer units is a permitted use on Link Residential and Network Residential Streets in the TN-LDR Zone District."

Section 5. That the Two-family row under Minimum Lot Area of Title V, Chapter 61, Table 5.5.06.A. of Section 5.5.06. of the Code of the City of Grand Rapids be amended to read as follows:

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

<b>Table 5.5.06.A. Site Layout and Building Placement: Residential Zone Districts</b>
---------------------------------------------------------------------------------------

Neighborhood Classification	TN		MCN		MON		Use or Other Regulations
	LDR	MDR	LDR	MDR	LDR	MDR	
Minimum Lot Area (sq. ft./unit - except as noted)							
Two-family (total)	"3,800	2,500"	7,000 <sup>1</sup>	6,000 <sup>1</sup>	9,000 <sup>1</sup>	8,000 <sup>1</sup>	5.5.06.B.

Section 6. That the Two-family row under Minimum Lot Width of Title V, Chapter 61, Table 5.5.06.A. of Section 5.5.06. of the Code of the City of Grand Rapids be amended to read 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
	LDR	MDR	LDR	MDR	LDR	MDR	
Minimum Lot Width (ft.)							
Two-family	"36	36"	70 <sup>1</sup>	60 <sup>1</sup>	90 <sup>1</sup>	80 <sup>1</sup>	5.5.06.C.

Section 7. That the Multiple family/group living row under Minimum Lot Width of Title V, Chapter 61, Table 5.5.06.A. of Section 5.5.06. of the Code of the City of Grand Rapids be amended to read 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	
	LDR	MDR	LDR	MDR	LDR	MDR		
Minimum Lot Width (ft.)								
"Multiple family/group living	3-6 units	36	36	100	90	100	100	5.5.06.C."
	7 or more units	90	80					

Section 8. That the Maximum Height row of Title V, Chapter 61, Table 5.7.04.D. of Section 5.7.04. of the Code of the City of Grand Rapids, be amended to read as follows:

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

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

Section 9. That Title V, Chapter 61, Section 5.9.02.A. of the Code of the City of Grand Rapids be amended to add Subsection 4. to read as follows:

**Sec. 5.9.02. Applicability.**

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

“4. *Special Land Use.* All uses listed shall be in accordance with the provisions of Section 5.12.09. The Planning Commission shall have the authority to waive or alter the Use Regulations contained in this Article provided the standards of Section 5.12.09 are substantially met.”

Section 10. That the Accessory dwelling units row of Title V, Chapter 61, Table 5.9.02. of Section 5.9.02. of the Code of the City of Grand Rapids be amended to read as follows:

**Sec. 5.9.02. Applicability.**

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

Section 11. That the Single room occupancy row of Title V, Chapter 61, Table 5.9.02. of Section 5.9.02. of the Code of the City of Grand Rapids be amended to read as follows:

**Sec. 5.9.02. Applicability.**

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

Section 12. That Title V, Chapter 61, Section 5.9.03. of the Code of the City of Grand Rapids be amended in its entirety to read as:

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

- A. Not more than one (1) Accessory Dwelling Unit (ADU) may be permitted per lot.
- B. An ADU may be permitted only in association with a single-family or two-family dwelling.

- C. *Minimum Lot Area.* An ADU may be developed on a lot meeting the minimum lot size for the applicable zone district.
- D. *Residential Density.* An ADU shall be excluded from maximum residential density requirements.
- E. *Setbacks.*
  - 1. An attached ADU shall be subject to the zone district setback requirements for a primary structure.
  - 2. A detached ADU shall be subject to the zone district setback requirements for an accessory structure.
- F. *Floor Area.*
  - 1. The maximum permitted floor area for an accessory structure that contains a second floor ADU may be increased by one hundred (100) percent solely for the construction of a second-floor unit.
  - 2. *Maximum ADU Size.* The ADU shall not exceed forty (40) percent of the gross floor area of the primary structure or four hundred (400) square feet, whichever is larger. In no case shall the ADU exceed eight hundred fifty (850) square feet in gross floor area.
- G. *Building Height.* The maximum permitted height of a detached ADU is twenty-five (25) feet.
- H. *Bedroom Maximum.* A maximum of two (2) bedrooms are permitted within an ADU.
- I. *Rental.* No ADU shall be rented for fewer than thirty (30) days and shall not be used as a short-term rental. If the ADU is not occupied as a residence by the owner, it shall be registered and certified as required in Chapter 140 of the City Code.
- J. *Alterations or New Construction.* Any alterations to existing buildings or structures or the construction of a new structure to accommodate an ADU shall be designed to maintain the architectural design, style, appearance and character of the main building, including but not limited to entrances, roof pitch, siding and windows.
- K. *Deed Restriction.* A deed restriction enforceable by the City shall be recorded prior to the issuance of a building permit stipulating that the ADU will not be conveyed separately from the primary dwelling unit(s). An alternative form of security may be substituted if it meets the intent of this provision and is approved by the City Attorney.”

Section 13. That Title V, Chapter 61, Section 5.9.06. of the Code of the City of Grand Rapids be amended in its entirety to read as follows:

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

- “A. Attached dwellings must comply with the dimensional and design standards of Sections 5.5.06. and 5.5.07., except where these standards are expressly modified by this Section.
- B. *Minimum Lot Area.* The minimum lot area per dwelling unit is as required in the Zone District.
- 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 Façades on Public Streets.*

1. *Building Façades.* Building façades that face public streets shall include elements typical of a front façade, including doors and/or windows.
  2. *Attached Single-Family Dwelling Façade Treatment.* The front of each dwelling must be distinct through either the use of different façade 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 façade.
  2. *Maximum Width.* Garage doors facing the street may not occupy more than forty (40) percent of the width of the street-facing façade 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 façade 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.

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.”

Section 14. That Title V, Chapter 61, Section 5.9.20. of the Code of the City of Grand Rapids be amended in its entirety to read 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. Multiple-family dwellings shall not be located on a Neighborhood Residential Street as defined in the City's Street Classification Policy. The Planning Commission may waive this restriction for redevelopment projects.
  2. In the TN-LDR Zone District, a multiple-family development of six (6) or fewer units is a permitted use when located on a Link Residential or Network Residential Street.
- C. *Open Space.*
1. *Minimum Required Greenspace or Urban Open Space.*
    - a. In the MCN and MON district, every residential unit shall have a minimum of sixty-five (65) square feet of greenspace or urban open space and the required open space must be provided on the same lot as the dwelling unit(s) it serves.
    - b. The open space area shall be substantially covered with grass, ground cover, shrubs, plants, trees or usable outdoor space open features, such as walkways or patios.
    - c. The open space area shall not be less than twelve (12) feet in any dimension.
    - d. The open space area must be usable, and cannot be occupied by mechanical equipment, dumpsters or service areas.
  3. *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.
- D. *Driveways and Parking.* No driveways or off-street parking spaces (open or enclosed) shall be within the required rear yard space. Bollards, curbs, wheel stops or other similar features shall be provided to ensure that required rear yard open space is not used for off-street parking, loading or vehicle circulation.”

Section 15. That Title V, Chapter 61, Section 5.9.32. of the Code of the City of Grand Rapids be amended in its entirety to read as follows:

### **Sec. 5.9.32. Single Room Occupancy (SRO).**

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

Section 16. That Title V, Chapter 61, Section 5.9.35.H. of the Code of the City of Grand Rapids be amended to read as follows:

### **Sec. 5.9.35. Temporary Structures and Uses.**

- H. *“Assembly and Fundraising Activities.* Assembly activities (e.g., carnivals, fairs, rodeos, sport events, concerts, and shows) or fundraising activities that benefit a community service group or non-profit organization (e.g. car washes, bake sales, auctions) are permitted in Residential Zone Districts on properties approved for educational, governmental, or institutional uses and in Mixed-Use Commercial Zone Districts, subject to the following requirements.
  - 1. *Parking and Access.* A designated off-street parking area shall be provided adequate to serve the activity where it does not interrupt the flow of traffic on public streets; or impede access to the principal use, adjacent uses, pedestrian movements, or emergency vehicle access.
  - 2. *Hours of Operation.* In all Residential Zone Districts, hours of operation shall start no earlier than 8:00 a.m. and end no later than 8:00 p.m., except on Fridays and Saturdays the hours may extend to 10:00 p.m. Hours of operation in all other districts shall operate within the hours of 8:00 a.m. to 11:00 p.m. unless otherwise approved by the Director.
  - 3. *Setup/Takedown.* The duration of use provided in Table 5.9.35.A. shall include setup and takedown activities.

4. *Fundraising Agreement.* Goods or services being sold by a commercial entity for a fundraising event shall submit evidence of an event agreement with the community service group or non-profit organization with the permit application.”

Section 17. That Title V, Chapter 61, Section 5.9.36. of the Code of the City of Grand Rapids be amended in its entirety to read as follows:

**Sec. 5.9.36. Transitional or Emergency Shelters.**

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

Section 18. That Title V, Chapter 61, Section 5.10.03.E. of the Code of the City of Grand Rapids, be amended to read as follows:

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

- E. *Setbacks.* Except for parking areas on the same lot as a detached single-family or two-family dwelling, off-street parking and loading areas shall meet the following requirements.
1. *Front Yard Setbacks.*
    - a. For accessory parking areas, no part of the parking area shall be permitted in the front yard.
    - b. For parking areas that are principal uses and for parking lots in the MON-C Zone District, the parking area shall conform to the front yard setback or RBL requirements as appropriate, provided that a five (5) foot setback shall be met where there is no established RBL.

c. Parking areas that are accessory to a Vehicle Fueling Station may be permitted in the front yard subject to the requirements of Section 5.9.38.H.

“d. Parking areas that support office or retail uses accessory to the primary use may be permitted in front yard in the SD-IT Zone District.”

Section 19. That the Accessory dwelling unit row of Accessory Uses of Title V, Chapter 61, Table 5.10.04.C. of Section 5.10.04. of the Code of the City of Grand Rapids be amended to read as follows:

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

<b>Table 5.10.04.C. Off-Street Parking Requirements</b>					
<b>Use Category</b>	<b>Use</b>	<b>Zone District</b>			<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	“0	0	0	”

Section 20. That Title V, Chapter 61, Section 5.10.04.F. of the Code of the City of Grand Rapids be amended to read as follows:

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

F. *“Traditional Neighborhoods Parking Requirements.*

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

parking shall not be required for developments of six (6) or fewer dwelling units when located on Link Residential and Network Residential Streets.”

Section 21. That Title V, Chapter 61, Section 5.10.05.E.1.a. of the Code of the City of Grand Rapids be amended to read as:

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

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

1. *Transit.*

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

Section 22. That Title V, Chapter 61, Section 5.16.02. of the Code of the City of Grand Rapids be amended to modify the definition of DWELLING UNIT, ACCESSORY under HOUSEHOLD LIVING (DWELLING UNIT), to read as follows:

**Sec. 5.16.02. Definitions.**

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

Section 23. That Title V, Chapter 61, Section 5.16.02. of the Code of the City of Grand Rapids be amended to modify the definition of FAMILY, to read as follows:

**Sec. 5.16.02. Definitions.**

“FAMILY

1. Any number of persons related by blood, marriage, adoption or guardianship, occupying a dwelling unit and living as a single nonprofit housekeeping unit; or not more than six (6) unrelated individuals eighteen (18) years of age or older living together in one (1) dwelling unit, having a relationship which is functionally equivalent to a family. The relationship must be of a permanent and distinct character, cooking as a single housekeeping unit with a demonstrable and recognizable bond characteristic of a cohesive unit.
2. The following do not qualify as a family: Any society, club, fraternity, sorority, association, lodge, organization, coterie, combine, federation, organization

which is not a recognized religious order, or group of students or other individuals where the common living arrangement or basis for the establishment of the housekeeping unit is temporary and/or of resort-seasonal character in nature. The term family does not include any adult foster care facility licensed under Public Act No. 218 of 1979 (MCL 400.701 et seq.) except an adult foster care family home as defined in Section 3 of that Act (MCL 400.703).”

Section 24. That Title V, Chapter 61, Section 5.16.02. of the Code of the City of Grand Rapids be amended to modify the definition of SINGLE ROOM OCCUPANCY (SRO) under GROUP LIVING, to read as follows:

**Sec. 5.16.02. Definitions.**

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

Section 25. That Title V, Chapter 61, Section 5.16.02. of the Code of the City of Grand Rapids be amended to modify the definition of TRANSITIONAL OR EMERGENCY SHELTER under GROUP LIVING, to read as follows:

**Sec. 5.16.02. - Definitions.**

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