



MEMORANDUM

Date: May 11th, 2023
To: City of Madison Heights Planning Commission
From: Matt Lonnerstater, AICP – City Planner
Subject: Zoning Ordinance Rewrite Update and Discussion – Missing Middle Housing; Accessory Dwelling Units; and Regulated Uses

On Tuesday, March 28th, the Zoning Ordinance Rewrite Steering Committee met with City staff and the City's planning consultants for an active discussion on the zoning rewrite project. The discussion primarily focused on the City Center Form-Based and Mixed-Use Innovation zoning districts, including permitted uses and design regulations. While the Steering Committee briefly discussed housing elements such as "missing middle housing" and accessory dwelling units, the Committee felt that these were topics that should be discussed by the Planning Commission as a whole, as they touch upon broad housing goals contained in the 2021 Master Plan.

City Council has also directed staff to review the list of "Regulated Uses" in the existing Zoning Ordinance and modify the list, as needed, as part of the Zoning Ordinance rewrite.

At the May 16th Planning Commission meeting, staff would like to discuss the following elements of the draft Zoning Ordinance:

- "Missing Middle Housing" and housing unit diversity.
- Accessory dwelling units.
- Mixed-use building height.
- List of Regulated Uses.

As the Zoning Ordinance is still in the drafting stages, Planning Commission comments will be forwarded onto the consultants for incorporation into the next draft.

Missing Middle Housing: Two-Family/Townhouse District

"Missing Middle Housing" is a common buzz-term in today's planning circles which refers to a range of lower density multi-family unit types that are no longer commonly built, or permitted, in American cities; these include duplexes, triplexes, and townhouses. The term "multi-family" has historically had a negative connotation, as people often think of large apartment buildings and complexes. As a result, many of the "missing middle" multi-family building types have been zoned-out of cities, even though they can be designed to seamlessly fit into existing single-family neighborhoods. In turn, the supply of diverse unit types in America's housing stock, including more affordable housing, has not kept up with demand. Please refer to the attached article, *"5 Practical Zoning Hacks for Missing Middle Housing,"* and the following graphic:

The Range of “Missing Middle” Housing

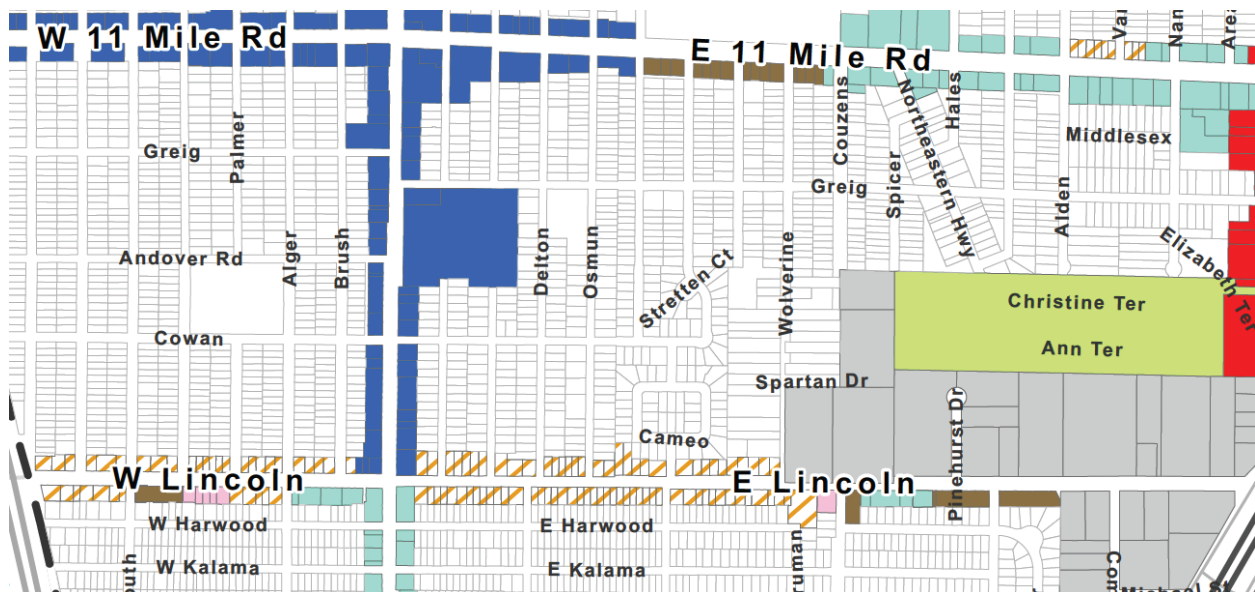


Source: Opticos Design

In addition to the *R-M, Multiple-Family* district, Madison Heights’ existing Zoning Ordinance contains a *R-T, Two-Family Residential* zoning district. While this existing district does allow for duplexes, there is currently only one small parcel in the entire City that has an R-T zoning designation, located on East Lincoln Ave. east of Couzens.

As a means of increasing the availability of “missing-middle” housing types in the City in accordance with the goals of the Master Plan, staff proposes to expand permitted housing types in the R-T district to include attached townhomes in addition to duplexes and increase the amount of R-T-zoned properties. As proposed, the R-T district would be extended to include a majority of Lincoln Avenue and portions of E. 11 Mile Road, shown in the draft zoning map, below:

Draft Proposed Zoning Map



The proposed R-T District is shown as orange hatching along Lincoln Ave. and E. 11 Mile Rd.

In general, the Steering Committee felt that additional “missing middle” housing types such as triplexes and quadplexes could be appropriate within the R-T district but wished to bring it up to the whole Planning Commission for discussion and direction. The 2021 Master Plan contains the following housing goals and objectives:

- *Provide a diverse range of housing options that meet the affordability, maintenance, and lifestyle needs of current and future residents.*
- *Support neighborhoods by improving walkability and access to goods and services.*
- *Encourage maintenance of and reinvestment in existing neighborhoods.*
- *Ensure that infill and redeveloped residential properties are compatible with the surrounding area and adjacent parcels.*

Additionally, the Neighborhood Analysis chapter of the Master Plan states the following for the future development of Lincoln Ave:

[...] Lincoln Avenue presents an opportunity to add higher density housing adjacent to the single family uses. This housing, known as missing middle housing, is essential to providing affordability to neighborhoods. This housing should be compatible with the surrounding neighborhoods in scale. Duplex, triplex, and quadplex dwellings in structures that look like single family homes are envisioned.

If additional housing types are desired, staff would likely rename the R-T, Two-Family district to something more inclusive, such as “Medium-Density Residential.”

Guiding Questions for Planning Commission

1. *As proposed, the R-T district use table would be expanded to include attached single-family and townhouse units in addition to duplexes. Should additional “Missing-Middle” housing types be considered (e.g. triplexes, fourplexes)?*
2. *Should the R-T district be extended to include additional properties/areas in Madison Heights?*
3. *Should design standards be incorporated into the Zoning Ordinance to ensure that duplexes/townhomes and any other “Missing Middle” housing types are architecturally-compatible with single-family detached homes and contribute to the streetscape (e.g. attached garage location/design standards).*

Accessory Dwelling Units

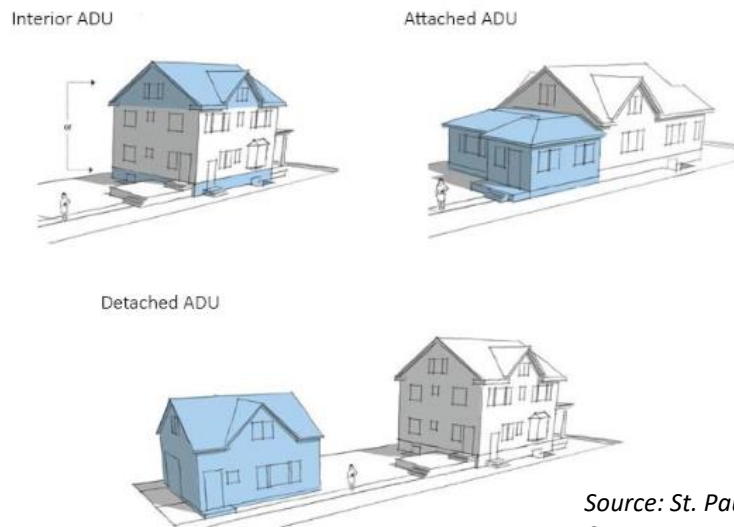
In addition to Missing-Middle Housing, accessory dwelling units (also known as “granny-flats” or “in-law suites”) have also disappeared from the American housing stock. Historically, accessory dwelling units, or ADUs, were constructed either as separate stand-alone structures or added above an existing detached garage, and provided a separate living space for a family member. Today, in cities which permit them, ADUs have been shown to increase the housing stock; provide affordable housing alternatives for students, single-person households, or family members; and create mixed-income/density neighborhoods in a way that does not greatly impact the existing appearance of the streetscape. Please refer to the attached MSU article, “Accessory Dwelling Units – Coming to a Neighborhood Near You?”

Madison Heights' current Zoning Ordinance does not permit ADUs in residential zoning districts. As part of the Zoning Ordinance rewrite, the City has an opportunity to permit ADUs on a large-scale or limited basis, if desired.

Guiding Questions for Planning Commission

1. *Should Madison Heights permit accessory dwelling units (ADUs) in residential zoning districts?*
2. *ADUs may be located within an existing home, as an attachment to a principal structure, or in a detached accessory structure. If allowed, should ADUs be restricted to one of these locations? Should all types be permitted?*
3. *If allowed, should ADUs only be permitted on owner-occupied properties, meaning that the property owner must live in either the principal house or ADU?*

Accessory Dwelling Unit Types



*Source: St. Paul, MN Planning
& Economic Development*

Mixed-Use Innovation District 2 (MUI-2) Building Height

The draft Zoning Ordinance establishes the **Mixed-Use Innovation 2 (MUI-2)** district to promote the redevelopment of moderate to large-scale commercial retail centers into compact developments featuring a mix of commercial, residential, and recreational land uses. As proposed, the MUI-2 district permits a range of commercial, office, artisan manufacturing, multiple-family residential, and mixed-use projects. MUI-2-zoned sites include the Home Depot/Lowes, Meijer, Target, and the Active Adult Center and SOCCRA sites.

As currently proposed, building height in the MUI-2 zoning district is capped at 50 ft., which would permit a four or five story building. The Steering Committee discussed the potential for increasing the permitted building height in the MUI-2 district to encourage greater residential density. As points of reference, the 11-story mixed-use building illustrated on the following page is approximately 130-ft. tall and the 5-story building is approximately 60-ft. tall; neither could be accommodated with a 50 ft. height limit.

11-Story Building Elevation (approx. 130 ft. tall)



Source: Crawford-Hoying

5-Story Building Elevation (approx. 60 ft. tall)



Source: Oakland Built

Guiding Questions for Planning Commission

1. *Should additional building height be permitted in the MUI-2 zoning district to encourage greater residential density and increase housing supply?*
2. *If so, what should be the maximum permitted height? Mixed-Use (commercial/residential) buildings typically average 11-14 feet per story.*

Regulated Uses

Section 10.502[A] of the current Zoning Ordinance contains regulations and siting standards for “Regulated Uses.” Per the Zoning Ordinance, regulated uses have, *“serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances having a deleterious effect upon the use and enjoyment of adjacent areas.”* The Ordinance continues on to state that certain types of regulated uses, *“have been found to have a deleterious effect upon the use and enjoyment of adjacent areas, including information associating blight.”*

Regulated uses are only permitted in the B-2 and B-3 zoning districts as a special use and are subject to strict siting standards, including minimum distances from residential zoning districts, schools, parks, childcare facilities, and other existing regulated uses.

The original list of regulated uses dating back to the 1970s primarily included “adult business” uses, such as adult bookstores, cabarets, and escort agencies. However, City Council amended the section in 1999 to include additional uses not traditionally classified as “adult” businesses, such as tattoo parlors, pool/billiard halls, used good stores, and pawnbrokers. Massage parlors, saunas and spas were added as a regulated use in 2009.

At their last meeting, City Council directed staff to review the current list of regulated uses as part of the Zoning Ordinance rewrite and make changes, as necessary, to ensure that the list is appropriately restricting those uses that truly have *“objectionable operational characteristics.”* The full Regulated Use zoning section is attached to the agenda packet.

Guiding Questions for Planning Commission

1. *Should non-adult-oriented businesses, such as tattoo parlors, used good uses, billiard halls, pawnbrokers, and massage parlors/spas, continue to be classified as Regulated Uses?*
2. *If certain uses should be removed from the list of Regulated Uses, in which zoning districts should they be permitted (either by-right or as a special land use)?*
3. *Should certain uses currently permitted by-right, including firearm stores, firearm ranges, tobacco/vape shops, and smoking lounges, be added to the list of Regulated Uses? Alternatively, should these types of uses be subject to standalone use-specific standards or siting restrictions?*

Next Steps

Following the discussion at the meeting, staff will summarize and forward the Planning Commission’s comments and recommendations onto the consultants for incorporation into the next Zoning Ordinance draft. Staff will continue to provide updates and hold discussion sessions with both the Steering Committee and Planning Commission to ensure that the new Zoning Ordinance is on the right track towards implementing the City’s planning and development goals.