

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of June 3, 2008

SUBJECT: Proposed Amendments to Chapter 55 (Zoning) and Chapter 59 (Off-Street Parking) regarding Area, Height and Placement Standards

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the proposed amendments to Chapter 55 (Zoning) and Chapter 59 (Off-Street Parking) regarding Area, Height and Placement Standards.

STAFF RECOMMENDATION

Staff recommends approval of the proposed amendments to Chapter 55 (Zoning) and Chapter 59 (Off-Street Parking) regarding Area, Height & Placement standards in order to address the recommendations of the Citywide Non-motorized Plan (2007) and the Northeast Area Plan (2006), promote non-motorized access, encourage mixed land uses, and encourage efficient use of land and infrastructure.

LOCATION

Although the proposed changes affect most zoning classifications, they most significantly affect the following uses and zoning districts: Townhouse: R3; Multiple-family: R4A, R4B, R4D, R4C/D; Employment: O (Office), RE (Research), ORL (Office, Research and Limited Industrial); Retail: C1, C1B, C2B, C3; and Industrial: M1 and M1A (see attached diagrams illustrating location of each of these zoning districts). The proposed changes affect areas outside of the Downtown Development Authority district.

PROPOSED REVISIONS

The following are the major proposed amendments to Chapter 55:

- Multiple revisions to the Schedule of Area, Height and Placement regarding setbacks, height and FAR (floor area ratio) for non-residential uses (section 5:24).
- A new intent section for the Area, Height and Placement regulations.
- Add a new single-family zoning district (R1E) that includes a 4,000 square foot minimum lot size requirement with 15-foot front setbacks.
- Revisions to the requirement of the "Distance between principal buildings on a lot" (section 5:1, definitions).
- Addition to the permitted principal uses for the Research zoning district to include residential uses consistent with the R4B dwelling district.
- Revisions to the "averaging an existing front setback line" requirement (section 5:57).
- Language added pertaining to parking in the front open space (section 5:24 and 5:59 (1)(g)).

- Increasing the “Required additional setback regulations” of height from 30 feet to 35 feet.
- Section 5:10.8: rename “R4C/D” with “R4E.”
- Section 5:10.12 O Office District (2)(c): delete: ...”subject to all the regulations of the district in which such use first occurs.”

The following are the major proposed amendments to Chapter 59:

- Neither residential nor non-residential parking spaces or lots shall be located in the front open space (section 5:168).

HISTORY

Many of the development standards in the Area, Height and Placement schedule of Chapter 55 (Zoning) were established in the 1950's and 1960's. These standards addressed the tremendous post war growth occurring in Ann Arbor and many communities across the United States as population, employment and retail centers expanded into former agricultural areas. These post war development standards (including parking and right-of-way requirements) required auto-oriented, suburban land use patterns. In many ways, the standards reflected the planning values of the day by calling for segregated land uses, wide streets and right-of-way, large parking lots, large setbacks, single-story buildings, and low densities for employment and retail centers.

More recently, current best practices in land use planning and environmental design recommend: a) the efficient use of land and infrastructure, b) the preservation of natural features, c) accommodating growth along mass transit corridors in existing urban areas which already have utility infrastructure, d) locating buildings closer to the right-of-way to promote non-motorized access, and e) mixed land uses. However, the development standards in Chapter 55, in many ways, contradict these best practices.

In 1998, City Council began updating development standards related to off-street parking by substantially revising bicycle parking requirements in Chapter 59. In 1999 and 2000, City Council approved further revisions to Chapter 59 regarding vehicular parking requirements for a number of commercial uses. Those changes reduced in the minimum required number of parking spaces for retail, office, banks, and medical/dental uses and, for the first time, imposed a maximum number of surface spaces that can be proposed. The intent was to reduce underutilized parking lots, use land more efficiently and encourage redevelopment opportunities (and the environmental benefits that would result).

In early 2007, Planning Commission began a dialogue with the Planning & Development Services Unit staff regarding the feasibility of amending the Area, Height & Placement standards in the Zoning Code. These conversations were a result of recommendations in the Northeast Area Plan and Citywide Non-motorized Plan that called for revisions in these development standards. After the draft amendments were created, a technical advisory committee was formed to review content. The committee consisted of representatives of the environmental, design and development communities. Revisions were made after two technical advisory committee meetings were held. The proposed amendments were then brought to the Planning

Commission's Ordinance Revisions Committee (ORC). The ORC spent a number of months reviewing the proposed amendments and made a number of changes. Staff then presented the proposed amendments to the Planning Commission at a working session to provide a status report on the project and to ensure that the Commission supported the general concept. Once a more finalized version was created, staff organized two stakeholders meetings to get feedback from a larger group of representatives of the environmental, design, and development communities. Further revisions were made before staff completed a final draft for public review at the Planning Commission at the June 3, 2008 public hearing.

MASTER PLAN SUPPORT

The Northeast Area Plan and the Non-motorized Plan have recommended revisions to placement and density standards to encourage elements of land use sustainability. Those elements of sustainable land use design include: a) the efficient use of land and infrastructure, b) encouraging non-motorized modes of transportation, c) promoting revitalization within the urban area, d) reducing unnecessary imperviousness where possible, and e) encouraging a wider variety of housing options.

The Northeast Area Plan recommends modifications to Chapter 55 to encourage sustainable land use design. The Plan recommends that the City:

- “revise code to reduce the minimum and establish maximum setback requirements in appropriate zoning districts to help shorten driveways and sidewalks.”
- “revise ordinances to allow increases in maximum building height for development projects that provide structured parking or parking underneath the building.”
- “encourage residential densities that can sustain bus transit on sites that front mass transit routes.”
- “encourage multiple-family uses to locate above commercial uses.”
- “revise the zoning ordinance to allow small, detached single-family homes to be constructed on lots smaller than those allowed in the R1D zone.”
- “develop regulatory incentives for developments to incorporate residential, office or public uses into redeveloping commercial centers.”
- “encourage developers to design commercial and office centers where the parking lot is not the dominant feature from the road.”
- “strongly encourage buildings to front on the street.”
- “revise code to reduce setback requirements for commercial centers to allow buildings to be located closer to the sidewalk to encourage pedestrian access and design flexibility.”
- “develop design standards that limit the amount of the right-of-way frontage devoted to parking.”
- “reduce(d) setbacks along the street – reducing the distance between a building and the public right-of-way improves pedestrian access, increases design flexibility, reduces imperviousness by shortening driveways, can provide more usable open space, can help preserve natural features, and allows land to be used more efficiently.”

The recently adopted Non-motorized Transportation Plan also recommends elements of sustainable land use design. The Plan indicates that:

- “municipal planning can guide land use plans and zoning plans to encourage dense, mixed-use development and design considerations that support a variety of transportation choices. Ordinances may be used to permit mixed-use developments with higher densities, as well as promote increased densities around major destination points and transit lines.”

Site Design Checklist: “buildings are located close to the street, but provide adequate clearance for pedestrian activities along street frontage;” “building entrances are located close to the street with direct pedestrian access;” and “densities are sufficient to support transit.”

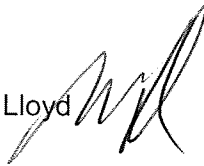
PUBLIC NOTICE

Staff provided public notice of the proposed amendments to all registered neighborhood and business associations. Staff also provided public notice to the Ann Arbor News for a Sunday addition, in the first floor lobby at City Hall, on the City’s web page, and on CTN. Additionally, staff worked with the Ann Arbor News which printed a large article on this planning effort for the May 25, 2008 Sunday edition. Staff also contacted representatives of the Huron River Watershed Council, the Ann Arbor Area Chamber of Commerce, the local chapter of the American Institute of Architecture, the Ann Arbor Business Review, and City Council.

STAFF COMMENTS

Staff supports the proposed amendments since they will update older ordinance requirements, some of which were last updated in the 1950’s; will result in sustainable land use practices becoming the rule instead of the exception; will achieve many of the recommendations of the Northeast Area Plan; will result in Ann Arbor becoming a leader regarding sustainable land use practices through zoning; and will encourage the redevelopment of older retail and employment centers (as well as the environmental benefits associated with redevelopment).

Prepared by Jeff Kahan
Reviewed by Connie Pulcifer and Mark Lloyd
5/29/08



Attachments: Proposed Amendments to Schedule of Area, Height and Placement Regulations
Proposed Text Amendments to Chapter 55
Proposed Text Amendments to Chapter 59
Maps Illustrating Location of Zoning Districts

SCHEDULE OF AREA, HEIGHT AND PLACEMENT REGULATIONS

Zoning District	Minimum Lot Area Per Dwelling Unit in Sq. Ft.	Minimum Usable Open Space in Percentage Of Lot Area	Required Setback Line Minimum and <u>Maximum</u> Dimensions in Feet				Maximum Height		Minimum Gross Lot Size		
			Minimum Front ⁽¹⁾⁽²⁾	Maximum Front	Least One	Total of Two	Rear	In Feet	In Stories	Area in Sq. Ft.	Width in Feet
5:25 AG	100,000	40	Minimum for roadside stands only is 30	None	10% of the lot width	20% of the width	50	30	30	100,000	200
5:26 R1A Single-Family	20,000	40		None	7	18	50	30	30	20,000	90
5:27 R1B Single-Family	10,000	30		None	5	14	40	30	30	10,000	70
5:28 R1C Single-Family	7,200	25		None	5	10	30	30	30	7,200	60
5:29 R1D Single-Family	5,000	25		None	3	6	20	30	30	5,000	40
5:29A R1E Single-Family	4,000	15		None	3	6	20	30	30	4,000	34

⁽¹⁾ Parking spaces or lots shall not be located in the front open space. Also see additional requirements in Section 5:168 of Chapter 59 and Section 5:602 of Chapter 62.

⁽²⁾ Also see additional regulations in Section 5:57 (Averaging an Existing Front Setback Line) and Section 5:62 (Required Additional Setback Regulations).

Required Setback Line Minimum and Maximum Dimensions in Feet

Zoning District	Minimum Lot Area per Dwelling Unit in Square Feet	Front ⁽¹⁾⁽²⁾		Side		Rear		Maximum Height		Minimum Gross Lot Size	
		Minimum	Maximum	Side Least-One	Side Total of Two	Least-One	Two	In Feet	In-Stories	Area in Sq. Ft.	Width in Feet
5:30 R2A Two-Family	4,250	25	40 ⁽³⁾	5	40	30	30	30	None	8,500	60

In addition to the required setback lines, the following minimum distances between principal buildings within the project shall apply, providing that the horizontal distance between buildings shall be not less than 20 feet.

(a) When there is no overlap or when the overlapping walls are without windows, $HD = \frac{La + Lb + 2(Ha + Hb)}{10}$

(b) When one or both of the overlapping walls are window walls, $HD = \frac{La + Lb + 2(Ha + Hb)}{6}$

KEY: HD = Horizontal Distance; H = Height of Building; L = Overlapping Length of Buildings; a, b = The Structure Concerned. See Section 5:7(4) for illustrations.

5:31 R2B Two-Family	4,250 except for fraternities, sororities, cooperative houses and boarding houses for which minimum net lot area shall be 350 sq.ft. per occupant.	25, or the minimum established front setback existing on the date this ordinance is adopted, whichever is larger.	40 ⁽³⁾	8 or 10% of the lot width, whichever is larger.	8 or 25% of the lot width, whichever is larger.	30	30	30	None	8,500	60
---------------------	--	---	-------------------	---	---	----	----	----	------	-------	----

⁽¹⁾ Parking spaces or lots shall not be located in the front open space. Also see additional requirements in Section 5:168 of Chapter 59 and Section 5:602 of Chapter 62.

⁽²⁾ Also see additional regulations in Section 5:57 (Averaging an Existing Front Setback Line) and Section 5:62 (Required Additional Setback Regulations).

⁽³⁾ For new freestanding buildings approved after 2008, otherwise none. Corner lots shall provide the maximum for at least one frontage.

