

FREQUENTLY ASKED QUESTIONS

Regarding Proposed Amendments to Area, Height and Placement

1. What is the Area, Height, and Placement Chart?

The Area, Height and Placement chart within the City of Ann Arbor Code of Ordinances (Chapter 55, Zoning) details requirements for density, height, and setbacks for all zoning districts within the City.

2. Why are these amendments being proposed?

Many of the development standards in the Area, Height and Placement chart of Chapter 55 were established in the 1950's and 1960's to address the strong post war growth taking place in Ann Arbor. These standards required auto-oriented, suburban land use patterns such as one would find in most American suburbs. The standards are still being used in Ann Arbor today for those areas outside of downtown. However, 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 with existing infrastructure; d) locating buildings closer to the right-of-way to promote non-motorized access; and e) mixed land uses.

In 1998, City Council began a process of updating development standards by amending Parking standards which included developing innovative bicycle parking requirements and later substantially reducing vehicular parking requirements for a number of office and commercial uses. A number of recently approved City master plans including the Northeast Area Plan and the Non-motorized Plan call for evaluating the feasibility of amending code sections affecting area, height, and placement to encourage more sustainable land use practices.

3. What are the proposed amendments?

The proposed amendments include revisions to standards affecting:

- The setback requirements of duplex, townhouse, multi-family, office, research, office/research/limited industrial, retail, and industrial zoning districts.
- The height requirements of multi-family, office, research, office/research/limited industrial, retail, and industrial zoning districts.
- The F.A.R. (Floor Area Ratio; non-residential density) of office, research, office/research/limited industrial, retail and industrial zoning districts.
- The amendments also propose a new single-family district and propose that Research (RE) zoning districts allow residential uses.

4. What zoning districts are affected?

A total of 28.7% of land in the City will be impacted by these proposed amendments. The zoning districts affected by the proposed amendments include:

- **R2A** (Two-family)
- **R2B** (Two-family, student)
- **R3** (Townhouse)
- **R4A, R4B, R4C, R4C/D, R4D** (Multiple-family)
- **R5** (Hotel)
- **O** (Office)
- **RE** (Research)
- **C1** (Local Business)
- **C1B** (Campus Business)
- **C2B** (Business Service)
- **C3** (Fringe Commercial)
- **M1** (Limited Industrial)
- **M1A** (Limited Light Industrial)
- **M2** (Heavy Industrial)

NOTE: Downtown zoning districts are not affected by these proposed amendments

5. Where is the City in the process of making these changes?

In 2007, the Planning Commission began a dialogue with Planning and Development Services staff regarding the feasibility of amending the Area, Height and Placement standards in Chapter 55 (Zoning). After the initial draft amendments were created, a technical advisory committee was formed to review the 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 further changes. Staff then presented the proposed amendments to the Planning Commission at a working session and organized two stakeholders meetings to get feedback from a larger group of citizens. Further revisions were made before staff completed a final draft for the public hearing at the Planning Commission.

The proposed amendments were brought to City Council at a working session in September 2008. Council expressed a desire for more public involvement and later approved a process that included the appointment of an advisory committee and the establishment of seven public workshops. After the public workshops are held, staff will report back to City Council on the findings of the public involvement process.

6. How will existing properties be affected by these proposed amendments?

The proposed amendments will only impact new development proposals. Existing properties will be “grandfathered”. The proposal for new maximum setback requirements is the only element that is more restrictive than existing standards. Chapter 55 (Zoning) includes language that addresses this. In many cases, non-conforming structures may become conforming or become less non-conforming.

7. How is this proposal going to impact the upcoming R4C study?

The Area, Height and Placement effort intentionally did not propose substantive changes to the R4C; the only proposed change is a reduction of 2-feet to one of the side setback requirements. Staff recognized the need to extensively consider the comprehensive issues involved with proposing substantive changes to the Area, Height and Placement standards for the R4C. Staff felt that the Area, Height and Placement effort was not the appropriate process for proposing major amendments to the R4C district.

8. What does FAR mean and how does it impact building height?

FAR (Floor Area Ratio) is a measurement of density used in commercial zoning districts. It is a **ratio of the size of a building to the size of a parcel**. The following are some examples:

- a one-story building covering an **entire** site would constitute an FAR of 100%
- a two-story building covering **half** a site would also constitute an FAR of 100%
- a one-story building covering **half** a site would constitute an FAR of 50%.
- a four-story building covering **half** a site would constitute an FAR of 200%.
- a six-story building covering an **entire** site would constitute an FAR of 600%

In contrast, density in residential zoning districts is measured by a maximum number of dwelling units per acre (or technically, “minimum lot area per dwelling unit”).

FAR can impact building height by affecting how density is accommodated on a site. A higher FAR such as those allowed in downtown zoning districts justify the construction of more expensive, taller buildings. Low FAR’s such as those allowed in commercial zoning districts outside of downtown are typically too low to result in buildings taller than 4-5 stories. Taller, steel-frame buildings are typically more expensive to build than shorter, “stick built” buildings.

9. When the few vacant properties are eventually built upon, will they fall under the old or new (proposed) zoning standards?

The new standards will apply to property proposed for development after the adoption of the standards by City Council.

10. With more of a property available for building (with increased floor area ratio or FAR), won't possible increases in impervious surfaces require a greater need for storm water detention?

Storm water requirements are based on the total amount of impervious surfaces proposed for a site. The size of storm water detention facilities are designed to accommodate the amount of impervious surfaces proposed for a site. The **existing** FAR standards can result in impervious surfaces covering much of a site (from the buildings, parking lots, driveways and dumpster areas). The proposed increases in FAR for commercial zoning districts would likely result in accommodating additional floor area vertically. In some cases the additional FAR might result in a reduction of impervious surfaces on a site. In older retail centers that consist of mostly impervious surfaces, the additional FAR might encourage redevelopment that would result in a reduction of impervious surfaces as a result of the need to meet requirements for storm water detention (ponds, rain gardens, green roofs, etc.) and landscaping (conflicting land use buffers, parking lot landscaping, and right-of-way screening).

By encouraging redevelopment, the higher FAR standards would, in many cases, result in storm water detention being provided for the first time since most commercial sites in Ann Arbor do not currently detain storm water. (Storm water requirements were implemented in 1978). Additionally, many employment districts contain a large amount of manicured lawns. Although lawns are a landscaping feature, they do not absorb storm water as easily as other landscaped surfaces. Additionally, lawns require regular mowing which results in air quality impacts as well as fertilizers and herbicides which result in water quality impacts.

11. How do you decide on the setback distances?

The proposed front setbacks were determined after extensive analysis including a comparison of other jurisdictions, recommendations from a number of professional and environmental organizations, conversations with a local technical advisory committee consisting of representatives from the environmental, design and development communities, and Planning Commission and staff input. The intent of the proposed front setbacks is to encourage non-motorized access to new development projects and encourage higher quality open spaces in multi-family districts.

12. Would there be increased noise for building occupants along busy streets that would now have shorter setback distances?

The difference in decibel levels between being 20 feet away from a busy street and 40 feet away cannot easily be measured. Only a tall wall or a significant distance would result in detectable decibel level differences from a source like a busy street.

13. Will the Planned Unit Development (PUD) and Planned Project processes remain in place?

Yes, these types of site plans and PUD zoning will still be an option.

14. Comment on the environmental benefits of the proposed amendments. Can existing sites be improved?

Numerous environmental benefits will likely be realized as a result of these proposed amendments. The proposed amendments provide incentives (increased FAR, reduced

setbacks, increased height limitations) for commercial property owners to redevelop their sites. Redeveloping commercial sites will trigger the need for a site plan which will typically results in new or improved storm water detention facilities, additional landscaping, the removal of invasive species, and in some cases a reduction in impervious surfaces.

15. What opportunities do I have to learn more about the proposed amendments?

A number of opportunities exist to learn more about these proposed amendments. The City is hosting a series of public meetings to inform the public about the proposed amendments. A total of seven public meetings are scheduled to take place from May 27, 2009 through August 2009. The intent of these meetings is to inform the public about the proposed changes and obtain feedback. The feedback will be summarized and reported to Council after the completion of the meetings. Additional information on the City's website regarding this effort that includes a detailed description of the proposed amendments, a staff report summarizing the issues, maps indicating the location of zoning districts affected and dates of the meetings.

For more information or to provide feedback, please contact Jeff Kahan, City Planner at the City's Planning and Development Services Unit. Call 734.794.6265 ext 42614 or e-mail jkahan@a2gov.org

For more information about the project, please see the project webpage at <http://www.a2gov.org/government/communityservices/planninganddevelopment/planning/Pages/AreaHeightPlacementProject.aspx>