

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of September 16, 2019

SUBJECT: Amendments to Chapter 55 (Unified Development Code) to create a new zoning district, T1 (Transit Support)

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the amendments to Chapter 55 Unified Development Code to create a new zoning district, T1 (Transit Support) District.

STAFF RECOMMENDATION:

Staff recommends that the amendments to the Unified Development Code be approved.

SUMMARY:

A new zoning district is proposed, T1 (Transit Support) district, which is intended to require mixed uses in sufficient density to support transit systems, provide more housing choices, and further the goals of the Master Plan. Development in this district must include residential uses, must be set close to the street, and must be designed to provide accommodations for all modes of transportation with an emphasis on pedestrians and non-motorized modes. Amendments to several sections are necessary to implement and integrate this new district into the Unified Development Code, including Section 5.12 (Mixed Use Zoning Districts), Section 5.15 (Permitted Use Tables), Section 5.16 (Use Specific Standards), Section 5.17 (Area, Height and Placement Regulations) and 5.20 (Landscaping, Screening and Buffering).

BACKGROUND:

Increasing density along transit corridors is a top priority called out in several of the Master Plan elements. The [Sustainability Framework](#) is a set of 16 goals to help Ann Arbor become more sustainable, and increasing density along transit corridors would further most, if not all, goals in the *community* and *land use and access* theme areas. The community vision for the City, as documented in the [Land Use Element](#), notes the desire for “interconnectedness of natural, transportation and land use systems,” and wanting “extensive opportunities for alternative modes of travel,” “extensive choices in housing (including low cost housing), shopping, employment and recreation activities.” Increasing density would help achieve that community vision, and further numerous Master Plan: Land Use Element goals, objectives and action statements.

Planning staff began this implementation project by analyzing the available options to achieve the kind of development recommended by the Master Plan. The Unified Development Code is our primary tool to address and affect land use in Ann Arbor. It was the most obvious starting point and the most effective agent to realize change to the built form of the City. However, there is no existing zoning district that requires both residential and nonresidential uses in the same development. While the downtown zoning districts have elementary form-based requirements (example, maximum front setback, minimum height, and offset standards), the commercial districts found along transit corridors only have one simple requirement to promote pedestrian orientation (a maximum front setback standard). A new zoning district, combining and building upon the best elements of the downtown and commercial districts, is desirable.

Over time, Planning staff worked with numerous stakeholders to draft a new district, including representatives from the Planning Commission and the Housing and Human Services Advisory Board. The proposed T1 (Transit Support) district has permitted uses like the D2 (Downtown Interface) and C3 (Fringe Commercial) districts. It has placement standards like the O (Office) district, and form-based standards like the D1 (Downtown Core), D2, and nine Character overlay districts. It also has new requirements specifically introduced to attain the amenities and features needed to support transit systems, expand housing opportunities and choices, and meet sustainability goals.

It is envisioned that the T1 district would be immediately appropriate for South State Street corridor, including extensions along East and West Eisenhower Boulevard, and the Washtenaw Avenue corridor. Property owners, or those with permission from property owners, could apply to rezone their land to T1. Also, rezonings could be initiated by City Council or the Planning Commission. (See UDC Section 5.29.9.B)

The T1 district may also be appropriate, or a similar district with tailored with adjustments could be created (i.e., a T2 or T3 district), for the West Stadium Boulevard, Plymouth Road, Packard Street, and Ann Arbor-Saline Road corridors. Just like South State Street, Eisenhower Boulevards, and Washtenaw Avenue, these are all signature transit routes with fixed bus service that could accommodate and need increased development density and supporting amenities.

Proposed Amendments:

A) Article II Zoning Districts, Section 5.12 Mixed Use Zoning Districts

The following intent statement is proposed to be added to this section, becoming the new, last mixed use district. (O, C1, C1A, C1B, C1A/R, D1, D2, C2B, and C3 are the existing mixed use districts.)

5.12.9 T1 Transit Support

This district is intended to allow and require mixed uses in sufficient density to support existing and future transit systems, which will also create opportunities for affordable housing, expand housing choices for all residents, provide more sustainable forms of development, and reduce resource and energy needs. This district will further the goals expressed in all elements of the City’s master plan, particularly the Sustainability Framework, the Land Use Element, the Climate Action Plan, the Transportation Plan and the Nonmotorized Transportation Plan.

B) Article III Use Regulations, Section 5.15 Permitted Use Table

A new column is proposed to be added to the mixed use group in Table 5:15-1 Permitted Primary Use and Table 5:15-2 Permitted Accessory Use. Permitted primary uses in the T1 district are the generally the same as the D2 and C3 districts with the exceptions noted below.

Primary Use	D2	C3	T1
Conference Center	X	X	P
Outdoor Recreation use	X	P	X
Automobile, etc. Sales	SEU	P	X
Fueling Station	SEU	P	X
Wholesale, Resale, Building Supplies	X	P	X
Automobile, etc. Repair	SEU	P	X
Parking Lot & Structure	SEU	X	X
Vehicle Wash	SEU	P	X
Laboratory	X	X	P
Research & Development	X	X	P
Marijuana Secure Transporter	X	P	X
Rail, Transportation ROW	P	P	X
Marijuana Grower	X	P	X
Marijuana-Infused Product Processor	X	SEU	X
Wireless Communication Facility	SEU	P	P
Warehousing, Indoor Storage	X	P	X

A new column is also added to Table 5:15-2 Permitted Accessory Use Table. Only one difference between the D2 and C3 districts and the T1 district is proposed: drive-through facilities are permitted special exceptions in D2 and C3 but are not permitted in T1.

Accessory Use	D2	C3	T1
Drive-Through Facility	SEU	SEU	X

C) Article III Use Regulations, Section 5.16 Use Specific Standards

The following use specific standards for development in the T1 are proposed to be added to Section 5.16.3 Commercial Uses:

Q. Mixed Use Development

1. Mixed Use Requirement.

- a. A minimum of half of the floor area of the total development must be used for household living.
- b. Dwelling units may be located in the same building as nonresidential uses or may be located in a separate building as long as the development has a unified character, compatible and mutually supportive and complimentary design.

2. Building Design.

- a. The floor area of the second floor must be at least 75% of the floor area of the first floor.
- b. The first floor must have a minimum of 15 feet in height.
- c. Building(s) must span at least 80% of the lot width, excluding the width necessary for required buffers and driveways. If more than one driveway is proposed, only the width of the narrowest driveway may be excluded.

3. Transparency.

- a. A minimum of 60% of the first floor street-facing façade between two and nine feet in height must be comprised of clear windows and doors that allow views of interior space or product display areas.
- b. The bottom of any window or product display area used to satisfy the transparency percentage required above must not be more than 3 feet above the adjacent sidewalk.

4. Doors and Entrances.

- a. Buildings must have a functional entrance door facing a street. Entrances at building corners may be used to satisfy this requirement.
- b. A building entrance may include doors to individual offices or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of mixed-uses.

5. Site Design.

- a. The development shall be arranged to accommodate all modes of transportation including pedestrian, bicycles, personal vehicles, ride sharing, and public transit.
- b. Amenities must be provided to facilitate access to and use of nonmotorized transportation modes. Examples of amenities that facilitate access and use include

wide sidewalks and paths with decorative paving, benches and seating walls, shelters, pedestrian-scale lighting, and separation from motorized transportation. Other amenities of this nature may be appropriate depending on the size and location of the site and best practices must be used when proposing and approving the applicable amenities for a development.

- c. The convenience and safety of pedestrian and non-motorized transportation modes to access building entrances and site amenities must be prioritized over motorized transportation modes.
- d. Adequate and convenient space shall be provided for ride sharing services and any other form of shared transportation.
- e. Motorized transportation and spaces for vehicle parking must yield to all other forms of transportation. The number of driveways, width of drives and aisles, and number of parking spaces must be reduced to satisfy the site design features and priorities specified above.

6. Off-Street Parking.

- a. Dwelling Units – For vehicle parking, a minimum of none and a maximum of 0.5 spaces per dwelling unit may be provided. For bicycle parking, as required by Section 5.19.2.
- b. Nonresidential Floor Area – For vehicle parking, a minimum of none and a maximum as provided by Section 5.19.2. For bicycle parking, as required by Section 5.19.2.

D) Article IV Development Standards, Section 5.17 Area, Height and Placement Regulations

A new row is proposed to be added to Table 5:17-4 for area, height and placement regulations for the T1 district. Staff has also taken this opportunity to reformat the table from portrait to landscape orientation and has incorporated most footnotes into the body of the table for clarity. Only the T1 row from the table is provided below.

TABLE 5:17-4: MIXED USE ZONING DISTRICT DIMENSIONS									
NOTE: The requirements in this table may be superseded by the standards in Section <i>Error! Reference source not found.</i>									
DISTRICT	FLOOR AREA AND FAR		OPEN SPACE AND BUILDING COVERAGE	SETBACKS			HEIGHT	LOT DIMENSIONS	
	FLOOR AREA	FAR	% LOT AREA	FRONT	SIDE	REAR	FEET AND STORIES	AREA	WIDTH
T1	<u>See Section 5.16.3.Q</u>	<u>None</u>	<u>Open Space</u> <u>Min: 25%</u>	<u>Max: 10 ft.</u>	<u>Min: 30 ft. [C] for Buildings within 300 ft. of R district, otherwise 0 ft.</u>		<u>Min: 24 ft. and 2 stories</u> <u>Max: 80 ft. for Buildings within 300 ft. of R district, otherwise none.</u>	<u>None</u>	<u>None</u>

NOTES:
[C] Plus one foot of additional setback for each foot of Building Height above 30 feet.

E) Article IV Development Standards, Section 5.20 Landscaping, Screening and Buffering

Section 5.20.4 Conflicting Land Use Buffers is proposed to be amended to include T districts among those which require conflicting land use buffers when adjacent to residential districts.

STAFF COMMENTS:

The proposed T1 district represents a meaningful, achievable, and realistic way to implement the goals expressed in the Master Plan. It has been crafted to be attractive to property owners and developers while ensuring that new development meets the expectations of the community for mixed uses, character, amenities, and housing choices.

Prepared by Alexis DiLeo
Reviewed by Brett Lenart
9-13-19

Attachment: Ordinance to Amend Chapter 55 Unified Development Code (T1 Transit Support) – Draft 9/13/19

c: City Attorney's Office