

ORDINANCE NO. ORD-25-09

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Public Hearing: April 21, 2025

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UNIFIED DEVELOPMENT CODE
(DESIGN REVIEW)

AN ORDINANCE TO AMEND SECTION 5.17, 5.27 and 5.28 OF CHAPTER 55 (UNIFIED DEVELOPMENT CODE) OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR

The City of Ann Arbor ordains:

Section 1. That Section 5.17.6.C of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended as follows:

C. Building Design Requirements on Primary and Secondary Streets

1. Materials

Buildings and additions constructed after October 25, 2017, on lots zoned D1 or D2 that have primary or secondary street frontages shall comply with the following building design requirements:

- a. The following materials are permitted on facades visible from primary or secondary streets: wood, glass, brick, cut stone, cast stone, or high quality, finished metal, such as architectural grade cast or machined steel.
- b. The following materials are prohibited on facades visible from primary and secondary streets: aluminum or vinyl siding, or an exterior insulation finishing system, except for minor design accents eight feet above the level of the adjacent Sidewalk.
- ~~c. The following materials are permitted only as trim or accent materials when visible from a primary or secondary street: fiber cement board.~~
- ~~d.c.~~ Other materials may be permitted if recommended by the Design Review Board and approved by the Planning Commission for inclusion in a site plan by the approving body of a site plan.

2. Design

Buildings and additions constructed after October 25, 2017, on lots zoned D1 that have primary or secondary street frontages shall comply with the following building design requirements:

- a. The height of the street-level story, from its floor to the next floor above, shall be a minimum of 15 feet.
- b. A minimum of 60% of the street-level facade shall be transparent windows or glazing. Glass shall not be mirrored, reflective or darkened and shall be considered transparent if it has a transparency higher than 80% and external reflectance of less than 15%. The transparent windows or glazing shall offer visibility into the inside of the building, meaning that the area inside the building within 4 feet from the surface of the window glass (from the bottom of the window to 8 feet above the floor) is at least 75% open to perpendicular view.
- c. The bottom of all windows on the street-level story shall not be more than 2.5 feet above the level of the Sidewalk adjacent to a primary or secondary street.

3. Exemptions

Buildings and additions in historic districts are exempt from the requirements of this section, to the extent that the Historic District Commission has granted a Certificate of Appropriateness or Notice to Proceed for the work.

Section 2. That Section 5.27.5 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended as follows:

5.27.5 ~~Design Review Board~~Reserved

~~A. Membership~~

~~The Design Review Board shall consist of seven members nominated by the mayor and approved by the City Council. In making appointments of members of the Design Review Board, the City Council shall appoint Persons who, insofar as possible, have an interest in the design of the built environment and its relationship to the downtown and the broader community. To support a comprehensive design review, two members of the Design Review Board shall be landscape architects, two shall be Architects, one shall be an urban planner, one shall be a developer, and one shall be a construction contractor.~~

~~2. Term~~

~~Members of the Design Review Board shall serve three-year terms. The terms of office of the first Design Review Board members shall be fixed by the City Council so that the terms of three members will be for one year, two members will be for two years, and two will be for three years. After the initial board is formed, all members thereafter will be appointed for three-year terms.~~

~~3. Powers and Duties~~

~~The Design Review Board shall have the following powers and duties:~~

- ~~a. To review the design of certain downtown projects listed in Section 5.28.5.B.~~
- ~~b. To provide comments to property owners, developers and *Architects* on the proposed project design in relation to the Downtown Design Guidelines.~~
- ~~c. To report annually to City Council regarding the effectiveness of the design review process and make recommendations for any changes to the Downtown Design Guidelines.~~
- ~~d. To have all other powers and duties granted by the City Council by resolution.~~

Section 3. That Section 5.28.5 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended as follows:

5.28.5 Design Review

A. Intent

The intent of this section is to foster excellence in the design of the City's built environment by reviewing certain projects in the downtown area for consistency and conformance and apply to the Downtown Design Guidelines, as approved by City Council, by ~~requiring a mandatory review of certain projects in the downtown area by the Design Review Board~~ the PDSU. This section provides ~~applicants with the requirements of the Design Review Board's~~ for the applicability, requirements, and expectations of the design review process.

B. Applicability

Projects that meet all of the following criteria shall ~~submit an application to the Design Review Board~~ be subject to design review as provided in this section:

1. _____ The project is on a *lot* zoned or proposed to be zoned D1 or D2; ~~or~~

~~1.2.~~ 2. The project is located within the Downtown Development Authority boundary on a *lot* currently zoned or proposed to be zoned PUD.

~~2.3.~~ 3. The project is on a *lot* that is not located within a historic district; and

~~3.4.~~ 4. The project proposes an increase in *floor area* visible from the Street.

~~4.~~ The project is a:

~~a.~~ Site Plan for City Council Approval.

~~b.~~ a Planned Unit Development Site Plan.

~~c.~~ a Site Plan for Planning Commission Approval.

~~d.~~ a Planned Project Site Plan.

~~e.~~ a. A Site Plan for Administrative Approval that significantly alters the appearance of the *building* from the *public right-of-way*, as determined by the Planning Manager.

C. Submittal Requirements

~~The following steps shall be undertaken by the applicant as part of the design review process. In addition to the required information provided in Section 5.29.8, applications for projects subject to design review as provided in this section shall require the following information:~~

~~1.~~ Optional Pre-Application Meeting

~~The applicant may meet with PDSU staff prior to an application to the Design Review Board to review the Downtown Design Guidelines and Design review requirements set forth in this Section 5.28.5.~~

~~2.~~ Application

~~The applicant shall submit an application for Design Review Board review. Preliminary project design plans shall be submitted with the application and shall include the following sealed drawings:~~

- ~~a.~~ Site plan Statement identifying applicable guidelines of the Downtown Design Guidelines and how the proposed design is, or is not consistent.
- ~~b.~~ Floor plan(s).
- ~~c.~~ Elevations of each side of the building visible from the Street, including labeled proposed building materials.

d. Three-dimensional rendering(s) that communicate the scale of the proposed development in the context of the surrounding area.~~Sections.~~

D. Timing Review Results

~~Submission of the Design Review Board application shall be made such that the Design Review Board's meeting occurs prior to the Type 1 Citizens Participation Meeting, if applicable, otherwise prior to submitting for site plan.~~

1. The PDSU shall provide applicants with written comments on how the design is consistent and conforms to the Downtown Design Guidelines.

~~2.~~ 2. The PDSU shall report to City Council on the effectiveness of the design review process and make recommendations for any changes to the process or to the Downtown Design Guidelines.

E. ~~Number of Reviews~~

~~One review by the Design Review Board is required for each project that meets the applicability criteria of this Section 5.28.5B. Additional reviews for projects with design changes are optional and must follow the requirements of this section.~~

F. ~~Required Notice~~

~~A Design Review Board meeting notice shall be mailed by the City to all property owners, addresses, and neighborhood groups within 500 feet of the *site* at least ten business days prior to the date of the Design Review Board meeting.~~

G. ~~Design Review Board Meeting and Report~~

~~The *applicant* shall present the project to the Design Review Board. The Design Review Board and the *applicant* shall have an opportunity to discuss the design of the project and its consistency with the Downtown Design Guidelines. Following the discussion, the Design Review Board shall make a report of its discussion. This report shall be distributed to the Planning Commission and City Council as part of the site plan review and approval process.~~

Section 4. This ordinance shall take effect and be in force on and after ten days from legal publication.

As Amended and Approved by Ann Arbor City Council at Second Reading on April 21, 2025

CERTIFICATION

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan, at its regular session of April 21, 2025.

(Date)

Jacqueline Beaudry, Ann Arbor City Clerk

Christopher Taylor, Mayor of the City of Ann Arbor

I hereby certify that the foregoing ordinance received legal publication in the Washtenaw County Legal News on May 1, 2025.

Jacqueline Beaudry, Ann Arbor City Clerk